



FACT SHEET - Sexual Violence Court Pilot

1. The Chief District Court Judge established the pilot with the support of the Ministry of Justice in December 2016 for all serious sexual violence (Category 3) cases for jury trial in the District Court at Auckland and Whāngārei.
2. The pilot has been running for 2 years 8 months, but the evaluation period covers the first two years.
3. The pilot is a list of similar cases within the District Court, and not a separate court. It covers serious sexual violence allegations, where the defendant denies the charges and elects a jury trial.
4. The pilot operates within existing law and does not depart from Bill of Rights principles relating to a fair trial, the presumption of innocence, and the right to present a defence and examine witnesses.
5. The pilot aims to make the process gentler by reducing timeframes through more intensive and proactive pre-trial case management led by judges with the support of dedicated case managers, and also through the adoption of best practice guidelines for managing jury trials which cover issues such as cross-examination.
6. Associated measures may be used to reduce anxiety for participants, including: having separate court entrances for complainant witnesses; confining the giving of evidence to early in the day for child witnesses; providing an opportunity for complainant witnesses to meet the judge, defence counsel and prosecutors before a trial begins; and the court being more alert to the need for communication assistance and alternative ways of giving evidence.
7. Sixteen judges are assigned to pilot cases and three (FTE) case managers.
8. All pilot judges have received enhanced training in the unique dynamics of sexual violence as well as practical matters such as techniques for reducing trial delay. The training now extends to all District Court jury judges. Particular attention is given to the barriers faced in reporting sexual violence and communication assistance during a trial and, to assist juries, the use of expert evidence.
9. The pilot will now become permanent in Whāngārei and Auckland but any rollout to other centres depends on resourcing decisions beyond judicial control.
10. At 23 July 2019 (2 years 8 month stage), 538 cases had entered the pilot, of which 123 had proceeded to trial and reached a verdict, and 220 were still active. Ninety-eight did not proceed because of change of plea to guilty.