



SUPPLEMENT
TO THE
NEW ZEALAND GAZETTE
OF
THURSDAY, 30 SEPTEMBER 1982

Published by Authority

WELLINGTON: THURSDAY, 30 SEPTEMBER 1982

Commission of Inquiry into the Administration of the District Court at Wellington

DAVID BEATTIE, Governor-General
ORDER IN COUNCIL

To all to whom these presents shall come, and to:

PETER GORDON HILLYER, LL.B., of Auckland, One of Her Majesty's Counsel Learned in the Law; and
ERIC ALDERSON MISSEN, O.B.E., of Wellington, a former Secretary for Justice; and
GIDEON TAIT, O.B.E., of Auckland, Retired Assistant Commissioner of Police:

GREETING:

WHEREAS allegations of impropriety have been made concerning the manner in which the District Court at Wellington is being administered:

And whereas the question whether such allegations are true and the question whether that District Court is being properly administered are matters of public importance:

Now, therefore, pursuant to the Commissions of Inquiry Act 1908, I, Sir David Stuart Beattie, the Governor-General of New Zealand, acting by and with the advice and consent of the Executive Council, hereby appoint you, the said Peter Gordon Hillyer, Eric Alderson Missen, and Gideon Tait to be a Commission to inquire into and report upon—

- (a) Whether, since the 1st day of April 1981, there has been impropriety on the part of any member of the staff of the District Court at Wellington, or any other person, in relation to any prosecution instituted by a document filed in that Court;
- (b) Whether, in any other respect, and if so in what respect and to what extent, there has been, since the 1st day of April 1981, laxity, irregularity, or both, on the part of the staff of the District Court at Wellington;
- (c) Generally upon such other matters arising out of the premises as may come to your notice in the course of your inquiries and which you consider should be investigated in connection therewith, and upon any matters which you consider should be brought to the attention of the Government:

And, with the like advice and consent, I hereby appoint you, the said Peter Gordon Hillyer, to be the Chairman of the said Commission:

And for the better enabling you to carry these presents into effect you are hereby authorised and empowered to make and conduct any inquiry under these presents, in accordance with the Commissions of Inquiry Act 1908, at such times and places as you consider expedient, with power to adjourn from time to time and from place to place as you think fit, and so that these presents shall continue in force and the inquiry may at any time and place be resumed although not regularly adjourned from time to time or from place to place:

And, without limiting any of your other powers to hear proceedings in private or to exclude any person from any of your proceedings, you are hereby empowered to exclude the public from any hearing, including a hearing at which evidence is being taken, if you think it proper to do so:

And you are hereby strictly charged and directed that you shall not at any time publish or otherwise disclose, except to me in pursuance of these presents or by my direction, the contents or purport of any report so made or to be made by you, or any evidence or information obtained by you in exercise of the powers hereby conferred upon you except such evidence or information as is received in the course of a sitting open to the public:

And it is hereby declared that the powers hereby conferred shall be exercisable notwithstanding the absence at any time of any one of the members hereby appointed so long as the Chairman or a member deputed by the Chairman to act in his stead, and one other member, are present and concur in the exercise of the powers:

And it is hereby declared that you have liberty to report your proceedings and recommendations under this Commission from time to time if you shall judge it expedient so to do:

And, using all due diligence, you are required to report to me in writing under your hand not later than the 31st day of January 1983 your findings and opinions on the matters aforesaid, together with such recommendations as you think fit to make in respect thereof.

Given in Executive Council under the hand of His Excellency the Governor-General this 29th day of September 1982.

P. G. MILLEN,
Clerk of the Executive Council.

123456

123456

123456

123456

123456

123456

123456

123456

123456