



The Anglican Church in Aotearoa, New Zealand and Polynesia

Te Hāhi Mihinare ki Aotearoa ki Niu Tirenī,
ki Ngā Moutere o te Moana Nui a Kiwa

JUDICIAL COMMITTEE

Minutes of a Meeting held via Zoom on 15 May 2024 from 7.00pm

Members:

House of Bishops	<i>Vacant</i>
House of Clergy	The Rev'd Joel Rowse
Tikanga Māori	The Rev'd Pania Houkamau-Ngaheu Mr Matanuku Mahuika
Tikanga Pākehā	Judge Chris Harding (Chair) Judge Alex Twaddle (Deputy Chair) Ms Brigit Brant
Tikanga Pasefika	Mr Walton Morgan Ms Mele Taliai
Secretary	The Rev'd Canon Michael Hughes

1 OPENING PRAYER

The General Secretary opened with prayer.

2 APOLOGIES

Judge Chris Harding, Rev'd Joel Rowse, Mr Walton Morgan, Mr Matanuku Mahuika (recused).

The Chair thanked members for being present at short notice and proposed that, though the meeting was inquorate, discussion could still progress, and ratification of any provisional decisions agreed could be sought from absent members before any actions taken. Seconded by Ms Mele Taliai. This was **agreed**.

3 MATTERS FOR CONSIDERATION

The joint appeal was received, and it was noted that the procedural decisions required to be considered were:

- (a) who should be served with the Joint Appeal;
- (b) the time for filing a response by those directed to be served;
- (c) the time for filling a reply by the Joint Appellants.

The position and role of the joint appellants regarding the previous appeal was clarified.

They seek a 'stay' of the Rūnanga Whāiti decision in order to allow them and others to speak and vote at the upcoming General Synod/Te Hīnota Whānui beginning this weekend.

At 7.10 pm, Rev'd Pania Houkamau-Ngaheu joined making the meeting quorate.

It was noted that the appellant's counsel proposed that the same interested parties as the previous appeal by Bishop Te Kitohi Pikaahu be served. This includes by canon that all the active bishops be served.

The Chair proposed/seconded by Ms Mele Taliai, that those be the parties. **Agreed.**

...

It was proposed by the Chair/seconded by Ms Mele Taliai, that all interested parties should have 21 days to respond, and to make written submissions on consolidation of the two Appeals, and the Joint Appellants should then have 14 days to reply. **Agreed.**

This would give respondents the opportunity to propose any alternatives to consolidation.

The Committee would then meet to determine matters including consolidation.

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Noting the request at paragraph 10 for an urgent stay, consideration was given as to if the circumstances were 'exceptional' in terms of C/IV/4.9.

It was proposed by Ms Brigit Brant/seconded by Judge Alex Twaddle, that while exceptional circumstances could be established, the Committee cannot progress an urgent stay because of the principle of natural justice requiring opportunity for the respondents to be heard, and that any such decision would determine the substantive issue without that right of response. **Agreed.**

Further, the Committee did not thus believe they could seek the view of the Primate as to an urgent interim decision as required by clause 4.9.

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It was noted that the previous appeal process continues as to the timetable laid out, and that all responses received by 5pm today should be forwarded to the appellants counsel with 14 days to reply.

The Committee will meet again after the 21 days plus 14 days are completed.

4 CLOSING PRAYER

The meeting concluded with the Chair's thanks, and the grace was prayed at 8pm.



C J Harding
Chair