



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 Meetings held via Zoom or email 15 July to 30 October 2024

Present:

House of Bishops	Bishop Richard Ellena (from 9 October)
House of Clergy	The Rev'd Joel Rowse
Tikanga Māori	The Rev'd Pania Houkamau-Ngaheu
Tikanga Pākehā	Judge Chris Harding (Chair) Judge Alex Twaddle (Deputy Chair)
Tikanga Pasefika	Mr Walton Morgan Ms Shelyn Kiran
Secretary	The Rev'd Canon Michael Hughes

In conjunction with the hearing of an appeal by Bishop Kito Pikaahu and others, the Committee met on a number of occasions to organise the hearing and make determinations needed. The meetings were normally by Zoom. Where there was no quorum, no action was taken on any matter tentatively agreed until other members confirmed their agreement.

MEETINGS included

15 July 2024

Directions were issued to parties from the 10 July minutes.

It was agreed that both matters be heard together, and the appeals combined.

It was agreed that in light of the positions of the parties as set out in the papers filed, the JC invites them to consider agreeing to a mediation, with the mediator to be either agreed between them, or otherwise appointed by the JC.

It was agreed that if there was a hearing, then

1. Written submissions would be required, 14 days prior with 7 days for reply.
2. Submissions should seek to define any issues, by agreement if possible, and address only these identified issues.
3. The JC would request parties to produce an agreed timeline and statement of agreed facts not in dispute, to be provided 14 days prior to hearing

...

8 September 2024

An email decision was made that parties have had plenty of time to decide if they will mediate, and that JC should indicate if a positive response is not to hand by Friday 14 Sep JC will consider that option closed and set a hearing date. The parties so advised.

11 September 2024

The Chair agreed to a one-week extension of the earlier deadline of 13 Sep to last Friday 20 Sep, on the request of the appellants.

22 September 2024

Having not heard from parties, the Chair proposed to JC a hearing date. Agreement was by email reply.

26 September 2024

JC advised parties of an intention to sit for the Hearing on Wednesday 30 Oct in Auckland if that is possible for parties.

...

It was agreed that if there was a hearing, then

1. Written submissions would be required, 14 days prior with 7 days for reply.
2. Submissions should seek to define any issues, by agreement if possible, and address only these identified issues.
3. The JC would request parties to produce an agreed timeline and statement of agreed facts not in dispute, to be provided 14 days prior to hearing

...

1 October 2024

JC met by Zoom, though inquorate (Reverends Joel Rowse and Pania Houkamau-Ngaheu joined but had to leave before all others could join). All members agreed by subsequent email. The Committee decided:

1. The hearing ought not be confined simply to jurisdiction.
2. The Secretary to contact the other members to see if they agree, and if so, the parties be advised of our decision.

The secretary was asked to remind the parties of our request for:

- (a) Agreed facts
- (b) Agreed timeline
- (c) Agreed statement of issues

and the time by which these are required

...

9 October 2024

The Primates appointed Bishop Richard Ellena to the Judicial Committee for this matter.

16 October 2024

The Appellants sought an extension to the date for their submission.

Respondents agreed.

17 October 2024

The JC Chair confirmed an extension.

24 October 2024

The Appellants advised a wish to have 22 observers attend the Hearing.

The JC agreed by email: *that the parties be limited to a maximum of 10 observers each, plus counsel.*

This was relayed to parties.

The Respondents sought an extension to date for their reply. 24 hours was granted.

25 October 2024

The Respondents submission was received.

30 October 2024

The Hearing was held.



C J Harding
Chair