

22 November 2013

Criminal Rules Subcommittee
c/- Justice Ronald Young
Wellington High Court
2 Molesworth Street
Pipitea
Wellington 6140

Email: youngr@courts.govt.nz

Dear Justice Young

Criminal Procedure Rules 2012

Thank you for your letter of 8 October 2013 advising of the creation of the Criminal Rules Subcommittee and seeking feedback on the Criminal Procedure Rules 2012.

The Law Society appreciates being consulted on the Rules. We notified the profession via our website (<http://my.lawsociety.org.nz/news/new-criminal-rules-subcommittee-formed>) and weekly email bulletin *LawPoints*, about the opportunity to provide feedback on how the Rules 2012 are working in practice. Your letter was also referred to the Law Society's national Criminal Law Committee.

We received no comments as a result of the *LawPoints* and website publicity, but the Committee convenor Jonathan Krebs provided the following feedback received from fellow practitioners in the Hawke's Bay:

- Hawke's Bay practitioners have reported that there is a general frustration with the new regime amongst many stakeholders.
- The main issue arises from the over-prescription of steps to be taken and the unnecessary detail and minutiae required at specified times. The inflexibility of the process creates tensions that are unnecessary in the delivery of justice. There are no rule amendments that could alleviate these concerns.
- There appear to be issues with electronically filed documents not getting to the Court file even though they have demonstrably been sent.

We hope these brief comments are helpful to the Criminal Rules Subcommittee. If you wish to discuss the submission please contact the Mr Krebs through the Criminal Law Committee secretary, Rhyn Visser (phone (04) 463 2962 or email rhyn.visser@lawsociety.org.nz).

Yours sincerely

A handwritten signature in blue ink, consisting of a stylized 'AD' followed by a long horizontal line that ends in a small dot.

Allister Davis
Vice President