

The Future of Tribunals in New Zealand

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Modernisation and reform of tribunal processes and administration in New Zealand is long overdue, as is the establishment of a better structure for both the administrative and judicial leadership of New Zealand tribunals. Steps were taken in 2007 with the launch of the Tribunal Reform Program, a joint initiative between the Ministry of Justice and the Law Commission.¹ Decisions as to reform, or the first steps towards reform, are expected later in 2008.² The future structure of tribunals in New Zealand is therefore unclear.

A more integrated tribunal framework is a key goal of the reform program³ but no conclusions have been reached about the structural change required to bring this about. There is, however, likely to be a significant change in the structure of tribunals in New Zealand over the coming years.⁴

However, there is a need for reform in the way tribunals are established and administered. Reform is also needed in the resourcing of tribunals, and the means by which their internal processes and administrative procedures are regulated. Many tribunals have been under-funded because of a lack of appreciation of the skills and abilities required not only in tribunal members but also in tribunal staff and management. There also needs to be reform in the judicial leadership of tribunals so as to provide better support for tribunal members and a greater political and administrative voice.

1 Ministry of Justice *Tribunals in New Zealand: The Governments Preferred Approach to Reform* (Wellington, July 2008).

2 On 30 July 2008 the Ministry of Justice released a public consultation document, *Tribunals in New Zealand: the Government's Preferred Approach to Reform*. This paper set out the government's preferred approach to reform and a model for a new tribunal service that had been developed jointly with the Law Commission. Public submissions closed on the consultation document on 29 August 2008. In September 2008 the Minister for Courts announced the government's support for a program of Tribunal reform and recommended a coherent structure for tribunals and authorities to ensure consistency in the development of tribunals. The Law Commission released a further study paper titled *Tribunal Reform – A New Tribunal Service* in October 2008. This paper examines the different models of reform and proposes a new unified tribunal service.

3 Ministry of Justice, above n 1, 9-10, 20.

4 *Ibid* 11.

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