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ACT Calls For Inquiry Into Durie & Hall Allegations
Press Release ACT New Zealand 30/07/99 12:27:00

ACT Deputy Leader Hon Ken Shirley is today calling for an urgent inquiry into serious allegations against High Court Judge & Chairman of the Waitangi Tribunal, Justice Eddie Durie and his lawyer wife, Donna Hall.

"The allegation that the Chairman of the Waitangi Tribunal prepared legal briefs for his lawyer wife to the Tribunal is very, very serious.

"It would be intolerable to accept that the Chairman of the Tribunal, who is also the husband of Donna Hall, actively participated in the preparation of some of those cases.

"The allegations are possibly the most serious ever made against the integrity of the New Zealand judiciary and potentially they cut to the heart of governance and democracy in New Zealand. ACT New Zealand is extremely concerned by these allegations.

"If the independence, integrity and impartiality of the judiciary is to be upheld then Chief Justice Elias and the Attorney General Sir Douglas Graham must satisfy themselves that there is no substance to these claims. If there is found to be substance to these allegations then the Chief Justice and Attorney General must reveal the depth of their knowledge and explain why Justice Durie was appointed a High Court Judge.

[Image] Questions were being raised about the working relationship of [Image] Judge Durie and Donna Hall as far back as 1992. Those questions lead to a confidential inquiry conducted by Retired High Court Judge, Sir Peter Quilliam.

"I am asking the Doug Graham to make public the terms of reference and findings of the Inquiry into this relationship.

"It is my understanding that Judge Durie offered his resignation to the Attorney General at the time of the Quilliam Inquiry. I am seeking confirmation or denial from the Attorney General but if my understanding is correct, then the public should know the basis for that offer of resignation and the reasons by Sir Douglas Graham did not accept it at that time.

"I am also seeking the public disclosure of the various confidential reviews that have been undertaken into the operation and procedures of the Crown Forestry Rental Trust including the \$150,000 review in which it is alleged Judge Durie participated with Donna Hall even though he was Chairman of the Waitangi Tribunal which recommends the distribution of rental proceeds from this Trust. Of the \$200

plus million accumulated in this Trust some \$44 million has
been spent on Waitangi Tribunal claims" said Ken Shirley.

ENDS

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ACT Renews Call For Inquiry Into Durie/Hall Allegations
Press Release ACT New Zealand 9/08/99 15:17:00

ACT Deputy Leader Hon Ken Shirley has today renewed his calls for an inquiry into serious allegations against Justice Durie and his lawyer wife, Donna Hall in light of new information.

Ken Shirley has today written to the Chief Justice, Sian Elias saying additional claims about Justice Durie's involvement in the 1995 review of the Crown Forestry Rental Trust, undertaken by his wife, Donna Hall must be thoroughly investigated.

"Additional claims published in the National Business Review on Friday August 6th allege that tape recordings containing the voice of Justice Eddie Durie confirm that he made a significant contribution to this 1995 review undertaken by his wife Donna Hall together with Professors Margaret Wilson, Alan Ward and Whatarangi Winiata.

"It is stated that the transcript of one tape appears to be a dictation by the Judge running to nine A4 pages and that NBR has affidavits identifying the speaker as Justice Durie. The situation is further compounded by the reported statements of Mr Buddy Mikaere who is a former Waitangi Tribunal director.

"Mr Mikaere is alleged to have found legal briefs which Justice Durie had prepared for Ms Donna Hall who was representing a tribunal claimant group.

Mr Shirley said that the allegations must be investigated and the findings made public to uphold the integrity and impartiality of the judiciary.

Mr Shirley's letter to the Chief Justice is attached.

9 August 1999

Hon Sian Elias Chief Justice of New Zealand P O Box 1091 Wellington

Dear Justice Elias

Thank you for your explanatory letter of 30th July following my press release of the same day calling for an inquiry into serious allegations against Justice Durie and Donna Hall published in the National Business Review on Friday 30th July. In your letter you stated that the suggestion that Justice Durie participated in the 1995 review of the Crown Forestry Rental Trust was incorrect and I respect your judgement and assurance.

[Image] [Image]

However, I am now confronted with the additional claims published in the NBR on Friday August 6th where it is alleged

that tape recordings containing the voice of Justice Eddie Durie confirm that he made a significant contribution to this 1995 review undertaken by his wife Donna Hall together with Professors Margaret Wilson, Alan Ward and Whatarangi Winiata. It is stated that the transcript of one tape appears to be a dictation by the Judge running to nine A4 pages and that NBR has affidavits identifying the speaker as Justice Durie. The situation is further compounded by the reported statements of Mr Buddy Mikaere who is a former Waitangi Tribunal director.

Mr Mikaere is alleged to have found legal briefs which Justice Durie had prepared for Ms Donna Hall who was representing a tribunal claimant group.

Your letter refers to the Ministerial Committee of Inquiry and investigation undertaken in 1992 by Justice Peter Quilliam who found that similar allegations were unsubstantiated.

The allegations published in recent issues of NBR of course refer to the 1995 Review of the Crown Forestry Rental Trust and suggest that evidence does exist.

I am not familiar with the terms of reference or detailed findings of the 1992 ministry committee of inquiry but presumably the need for the judiciary to maintain the highest standards of independence and impartiality was stressed to the parties concerned.

In view of the fact that the published allegations refer to subsequent events I believe we are confronted with a most serious situation that must be confronted and investigated if public confidence is to be maintained.

I would greatly appreciate hearing from you in this matter.

Yours sincerely

Ken Shirley Deputy Leader ACT New Zealand

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