



26 March 2026

Hon. Nicole McKee
Minister for Courts
n.mckee@ministers.govt.nz

Courts of New Zealand undermines impartiality with withdrawal from X

Good morning,

1. We write regarding the recent decision by Courts of New Zealand to cease posting on X and redirect followers to subscribe to the website subscription service or follow them on Bluesky. Our concern is with the principle that the courts, as institutions of public justice, have an obligation to be accessible to the public on the platforms the public uses, and that withdrawing from a major platform raises serious questions about that obligation.
2. At the time of the Courts' departure from X, the @CourtsOfNZ account had approximately 6,200 followers. The replacement Bluesky account has attracted 113 followers. That disparity, a reduction of roughly 98% in established audience, is an abandonment of an audience of official court information. X has approximately 716,000 users in New Zealand, representing roughly 13% of the total population and over 17% of adults. Bluesky's New Zealand user base is a fraction of that. The decision to move to a platform with dramatically lower public reach requires explanation.
3. We note that the Courts of New Zealand website and social media presence is administered by the Ministry of Justice, so we assume they made or implemented the decision to withdraw from X. As a public service department, the Ministry of Justice is subject to the Public Service Act 2020, which requires the public service to facilitate "*active citizenship*" and "*foster a culture of open government.*" New Zealand is also a signatory to the Open Government Partnership, which commits to increasing civic participation and using technology to ensure government is accessible.
4. Against this background, withdrawing from a platform used by over half a million New Zealanders is a decision that warrants explanation. We note the following concerns:
5. First, the move follows a pattern of selective platform migration that correlates with political orientation rather than any principled assessment of public reach. The Labour Party ceased posting on X in May 2025 and the Green Party in November 2024. The National Party and NZ First continue to post on X. Institutions and bodies that lean left politically have tended to leave X and those that have stayed tend to lean right or have adopted a platform-neutral position. The Courts of New Zealand should be, and should be seen to be, above that pattern. The judiciary's legitimacy depends in part on its perceived independence from political trends. Adopting a platform associated with a particular side of an ongoing

political culture war, and abandoning a platform associated with another, risks undermining that perception of impartiality.

6. Second, we are aware that concerns have been raised about illegal content on X, including AI-generated sexual deepfakes. These concerns are legitimate. However, the appropriate response to illegal content on a platform is enforcement of the law against those responsible, not institutional withdrawal that reduces citizens' access to official information. Illegal and harmful content exists on every major platform. The standard cannot be that institutions abandon any platform on which objectionable content has appeared, or they would be obliged to leave every platform, including Facebook and YouTube. That is not a principled position.
7. Third, the withdrawal removes authoritative official information from a platform where over half a million New Zealanders are active. When the Courts leave X, they do not disappear from public conversation on that platform. The vacuum is filled by unofficial commentary, misinformation about court proceedings, and mischaracterisation of judgments. Withdrawal does not protect citizens from a platform but rather, abandons them on it without accurate information.
8. Fourth, this is an election year. The general election is confirmed for 7 November 2026. In the months ahead, New Zealanders may be engaged in or affected by legal proceedings, seeking to understand court processes, or following matters of public interest before the courts. The presence of an official, accurate court information account on a major platform is of particular value in this context. The decision to migrate to a platform with 113 followers, compared to 6,200 on X, materially reduces the Courts' ability to perform that function.
9. We stress that this is not a question about Elon Musk's politics, X's commercial decisions, or the personal views of those who made this decision. It is a question about whether the courts, as institutions that serve all New Zealanders, should be accessible on the platforms New Zealanders actually use, and whether a decision that reduces that reach by approximately 98% is consistent with the courts' public obligations.
10. The principle has always been that public institutions go where the public is. Courts have issued press releases, maintained websites, engaged with broadcast media, and adapted to each new communication technology, not because they endorse every medium, but because access to information about the justice system is a public good. That principle should not change because the medium is a social media platform whose owner holds unfashionable political views.
11. Accordingly, we invite your response to the following:
 - a. On what basis was this decision made, and was it made by the Ministry of Justice, the Courts' communications team, or another decision-maker? Were you consulted?

- b. What assessment, if any, was made of the number of New Zealanders who use X and rely on it as a channel for accessing Parliamentary information?
- c. Do you consider that the Ministry of Justice, as administrators for Courts of New Zealand, has an obligation under the Public Service Act 2020 and New Zealand's Open Government Partnership commitments to maintain a presence on platforms actively used by a significant portion of the New Zealand public?
- d. If the concern is content on X, what engagement has the Ministry had with relevant enforcement agencies? Has a formal platform safety assessment been conducted across all platforms on which the Courts maintain a presence, and does the Ministry apply the same standard to its continued presence on Facebook, YouTube, and other platforms?

12. We look forward to hearing from you and welcome the opportunity to discuss this further.

Yours faithfully,

Free Speech Union (New Zealand) Inc.



Jillaine Heather

Chief Executive

jillaine@fsu.nz

0225146075