



The Right Honourable Dame Helen Winkelmann

CHIEF JUSTICE OF NEW ZEALAND | TE TUMU WHAKAWĀ O AOTEAROA

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MEDIA STATEMENT

Remote participation protocols

The New Zealand judiciary has today released protocols for the use of remote participation in hearings in the civil jurisdictions of the High Court and District Court, and in the Family Court.¹ The protocols are available on [Courts of New Zealand](#).

The judiciary is responsible for ensuring just outcomes for all participants in court proceedings. Using technology wisely to support this goal is essential. It has the potential to be transformative, by better enabling access to the courts and reducing the cost and complexity of proceedings. But the use of technology must also be consistent with the human quality of our system of justice. The [Digital Strategy for Courts and Tribunals](#) explains how this balance can be struck.

One of the highest priority initiatives identified in the *Digital Strategy* is implementation of a high-quality, reliable and flexible system for remote participation. That requires investment in remote participation infrastructure, and improved processes to support use of remote participation.

The new protocols are designed to contribute to this goal in two ways.

First, the protocols provide additional guidance on when use of remote participation is likely to be appropriate. They include default settings for the use of remote participation in certain types of hearing. Judges are ultimately responsible for making decisions about the conduct of hearings, including the use of remote participation technology. But providing default settings, and guidance about when a departure from those defaults is likely to be considered, will support a more consistent and predictable approach to the use of remote participation. This will improve efficiency in the court system, and assist court users when planning or preparing for a hearing.

Second, the protocols will provide more confidence for the justice system as a whole about the circumstances in which remote participation is likely to be used, based on current legislative settings. That should enable justice sector agencies to plan with greater confidence for the infrastructure investment called for in the *Digital Strategy*.

¹ Remote participation refers to a court hearing where one or more participants takes part using audio-visual or audio technology, rather than appearing in person. It is also sometimes used to refer to hearings conducted “on the papers”, where the parties make written submissions but do not appear in person.

The implementation of these protocols will be kept under active review. It is likely that over time, as the necessary investment in remote participation technology and facilities is made by the Ministry of Justice and other justice sector agencies, the public and the courts will have increased confidence that greater use of remote participation is practically workable and consistent with the interests of justice. The protocols could then be amended to provide new settings extending the work which will be done remotely by default in civil and family jurisdictions.

Consultation on draft criminal hearings protocols for the High Court and District Court

Next week the judiciary will be releasing for public consultation a draft protocol on the use of remote participation in criminal hearings.

The draft criminal hearings protocol has already been the subject of consultation with the judiciary, the Ministry, Police and Corrections. It is now going out for wider consultation with the legal profession and the community.

As part of this process, the judiciary will be hosting a webinar for the profession to hear their views about the use of remote technology in criminal proceedings.

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