



The Right Honourable Dame Helen Winkelmann

CHIEF JUSTICE OF NEW ZEALAND | TE TUMU WHAKAWĀ O AOTEAROA

12 September 2022

## STATEMENT TO THE PROFESSION

# New COVID-19 court operating protocols effective from midnight tonight

Following the Prime Minister's announcement that the COVID-19 Protection Framework would be removed at midnight tonight, revised court protocols have been published on the [Courts of New Zealand website](#). These protocols are also effective from midnight tonight.

Revised Jury Trial Guidelines and a new protocol amending the Jury Rules 1990 have been released by the Chief Judges of the High and District Courts.

### What these changes mean for working in the courts

The key changes in the revised court protocols relate to **mask-wearing** and **COVID-19 testing requirements**.

**Mask-wearing** is no longer mandatory in court buildings. However, our independent public health advice is clear that wearing masks is the best defence against catching or spreading the virus. While COVID-19 is present in the community, I encourage you to wear masks for your own health and safety, and for the health and safety of others in our courts. Masks will continue to be available in all courthouses.

In some situations, including jury trials, court participants may be required to wear masks at the direction of a presiding judge or judicial officer. For more detail, see:

- [the individual court protocols](#), and
- [Jury Trial Guidelines](#).

**COVID-19 testing requirements.** Any person with symptoms of COVID-19, however minor, must take a rapid antigen test **before** attending court. The protocols set out the circumstances in which a person with symptoms who tests negative may be able to attend court, and the safeguards (including mandatory mask-wearing at all times) that will apply in those circumstances.

Anyone who tests positive for COVID-19 must not attend court. Any person who receives a positive result while at court must leave immediately.

### *Jury Trial Guidelines*

The Chief Judges of the High Court and District Court have issued separate guidance regarding jury trials, including a protocol which supplements the Jury Rules 1990. These are available on the Courts of NZ website:

- [Jury Trial Guidelines](#)
- [Protocol Concerning Jury Trials in the High Court and District Court.](#)

### *Special guidelines for Māori Land Court, Māori Appellate Court and Waitangi Tribunal*

In recognition of the significant number of elderly, immune-compromised or otherwise vulnerable people who attend the Māori Land Court, Māori Appellate Court and Waitangi Tribunal, special guidelines relating to mask-wearing and testing apply. See the individual protocols for further details:

- [Māori Land Court and Māori Appellate Court](#)
- [Waitangi Tribunal.](#)

### *Expectations of counsel*

We will again be relying on you to assist us to keep our courts as safe as possible by briefing clients and witnesses on the entry requirements and testing requirements.

