



**The Right Honourable Dame Helen Winkelmann  
Chief Justice of New Zealand  
Te Tumu Whakawā o Aotearoa**

8 June 2020

**MEDIA STATEMENT**

Jury trials will resume nationwide from the first week in August Chief Justice Helen Winkelmann announced today.<sup>1</sup>

The Chief Justice took the precautionary step of suspending all jury trials on 18 March, a week before wide-ranging public health restrictions were introduced in response to the COVID 19 pandemic.

Today the government announced that all restrictions on New Zealanders' movements and interactions within the country will be lifted with the move to Alert Level 1 effective tomorrow, Tuesday 9 June.

The Chief Justice said the unprecedented decision to suspend jury trials in March had reflected the special onus on the courts to protect the health of jurors required to perform an important civic duty.

“That onus continues, but the absence of any evidence of community transmission of the virus, and consequent relaxation of physical distancing measures, means it is safe to resume jury trials.” the Chief Justice said.

Close attention will continue to be paid to hygiene in all court houses and as before, persons summoned for jury service who are unwell, or whose personal circumstances prevent them from serving at this time, can apply to be excused.

The Chief Justice said the ability to elect trial by jury was fundamental to our system of criminal justice and was explicitly recognised in the New Zealand Bill of Rights Act 1990. However, this right depended on citizens making themselves available to serve on juries.

During all alert levels the courts have been able to continue to do work. By making greater use of technology to enable parties to participate remotely, and working collaboratively with the legal profession, the courts have been able to progressively increase the range and

---

<sup>1</sup> One jury trial has been scheduled to commence in the Dunedin District Court in late July.

number of cases they have been able to deal with safely during the public health emergency.

Judge-alone trials have already resumed in the District Court and in the High Court some civil cases involving witnesses have been able to be heard. The Court of Appeal and Supreme Court have both continued to sit throughout the period, sometimes with parties attending remotely.

Nevertheless COVID-19 has restricted the operation of the courts over the last two and a half months. Each of the courts has plans in place to address the resulting increase in case load, and to minimise the disruption and delay to the parties and all others affected by proceedings before the courts.

### **Effect of Alert Level 1**

The Alert Level 2 protocols for all courts will be suspended from midnight tonight. New protocols are currently with the profession for consultation and will be posted by Wednesday afternoon.

Pending the posting of those protocols from tomorrow onwards physical distancing will not be enforced in courts. However current hygiene measures will be maintained, as will contact tracing.

Under Alert Level 1 the Courts will essentially return to normal operations.

In both the High Court and District Court all scheduled criminal and civil work will proceed, as will cases in the Family Court and Youth Court.

All defendants who are in police or corrections custody will appear in person for all scheduled appearances during the Alert Level 1 period, unless directed to appear by AVL.

### **Capturing improvements**

Although Courts will resume normal operations under Alert Level 1, the Chief Justice said the judiciary and the Ministry of Justice are committed to ensuring the innovations and process improvements which have been forged during the health crisis could be captured and retained.

“Throughout these two months we have been working closely with the profession to achieve a common objective: ensuring that whenever a person comes before the court, the engagement is meaningful and productive.”

“That objective will continue to drive change and innovations in our systems and processes as we move to address the very significant human costs of COVID-19 pandemic on our courts and the wider justice sector.”

“Those innovations will include greater use of technology to facilitate better access and improve administrative efficiency but would not overturn the fundamental premise that in New Zealand justice is administered face to face, kanohi ki te kanohi.”

ends

Helen Winkelmann  
**Chief Justice/Te Tumu Whakawā**

*Media Contact: Cate Brett 021 557 874; cate.brett@courts.govt.nz*