



**CHIEF DISTRICT COURT JUDGE
FOR NEW ZEALAND
TE KAIWHAKAWĀ MATUA O
TE KŌTI-Ā-ROHE O AOTEAROA
Judge Heemi Taumaunu**

13 May 2020

Statement from the Chief District Court Judge

New Protocol for the District Court at Alert Level 2

The Chief District Court Judge has issued a new protocol to guide New Zealand’s biggest court as it continues to deliver an essential service during Alert Level 2 of the pandemic response.

The District Court deals with high volumes of Criminal, Family, Youth and Civil matters at local courthouses across the country, and it is recognised that it will not be “business as usual” under Alert Level 2 conditions.

The Chief District Court Judge, Judge Heemi Taumaunu, says that when the [*District Court Protocol at Alert Level 2*](#) comes into force on Monday 18 May, the Court will continue to aim to undertake as much additional work as possible to those proceedings given priority during Alert Levels 3 and 4. However, the extent of this may remain significantly constrained by the need to operate safely within the COVID-19 emergency restrictions, particularly relating to the vigilance around physical distancing and keeping public and registry-work areas scrupulously clean.

“The *District Court Protocol at Alert Level 2* outlines the reinforced measures the court is taking to safely manage the expected influx of people as the court steadily but cautiously extends its work,” Judge Taumaunu says. “The protocol recognises there are likely to be regional variations. With my approval, local solutions will be necessary to best address local issues.”

The *District Court Protocol at Alert Level 2* makes clear that the increase in numbers will depend on the capacity of each courthouse to accommodate them safely. Courts will take steps to: avoid unnecessary appearances; schedule in-person attendance to assist safe

distancing; limit in-person attendances to those that will substantively advance proceedings; and continue to use remote participation where practicable and appropriate. It also sets out the order of priority for criminal work in those courts that cannot operate at full capacity.

Irrespective of location, Chief Judge Taumaunu says the District Court will observe [strict hygiene practices](#) alongside one-metre physical distancing, and screening, orderly queuing and a COVID-19 contact-tracing register at court entrances.

Entry will continue to be limited to those required for court business, including victims. Members of the public (including defendants' whānau support people) will need prior permission from the presiding judge to enter a court, but accredited news media remain able to attend court.

Under Alert Level 2, public counters will re-open to support daily sittings and for filing in person. The protocol document further advises:

- court participants to wait outside the courthouse until their matter is scheduled
- there will be a daily supply of clean PPE available for everyone permitted to enter the courthouse if they wish to use it
- access will be denied to those: with a temperature of 38°; showing signs of illness or reporting feeling unwell; who have had close contact with a suspected, probable or confirmed COVID-19 case; who are unwilling to disclose the purpose of their visit or their personal information
- so far as possible that counsel take instructions and brief witnesses outside the courthouse to minimise demand on interview rooms
- that counsel are expected to brief clients and witnesses in advance on public health messages and the limits on members of the public who may attend
- documents should not normally be handed up to the bench and instead should be scanned and emailed

The District Court Protocol at Alert Level 2 includes divisional protocols for Family Court, Youth Court, the Civil jurisdiction and Accident Compensation Appeals.

It also contains detailed operational guidance for police prosecutors, court probation officers and counsel, and for dealing with defendants in custody, at large or on bail, warrants to arrest, remote bail applications, case review hearings, sentencing, and Judge Alone Trials and pre-trial hearings. . . .ends

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