



The Right Honourable Dame Helen Winkelmann

CHIEF JUSTICE OF NEW ZEALAND | TE TUMU WHAKAWĀ O AOTEAROA

20 September 2021

MEDIA STATEMENT

Operation of the courts

Alert levels from Wednesday 22 September

The Government announced today that Auckland will move to Alert Level 3 from 11.59pm on Tuesday 21 September. The rest of New Zealand will remain at Delta Level 2.

Cabinet is next reviewing the alert levels on Monday 4 October.

Travel for court hearings across Alert Level 3 boundary

The Chief Justice has stated that “no court participant (e.g. counsel, witness and defendant) is expected to travel across the Auckland Alert Level 3 boundary for court hearings this week (20 September 2021)”.

“A precautionary approach continues to be taken by the Courts. From next week (27 September) hearings which necessitate travel across the Alert Level 3 boundary will only proceed if it is determined by the presiding judge that it is in the public interest to do so” the Chief Justice said.

Any counsel or person who believes they need to travel across the boundary for court purposes should seek the direction of the presiding judge.

Travel will be considered on a case-by-case basis by the presiding judge. Relevant considerations as to the public interest include the:

- Period of delay before the hearing could otherwise proceed
- Nature of the proceedings – for example in criminal matters, the seriousness of the charge or the vulnerability of the complainant, or the defendant.

The Chief Justice stated the following expectations of those who are travelling from Auckland across alert level boundaries to attend at court:

- All mandated Public Health order requirements must be met (i.e. a test 72 hours prior, existence of an essential services letter and approved exemption, QR scanning/tracking).
- Those who are staying out of Auckland for an extended period (e.g. for a hearing over a number of days) will be strongly encouraged to have a test at regular intervals. The Ministry of Justice will provide detailed advice.
- The participant's alert level travels with them.
- A face mask is to be worn at all times, including in public and office spaces.
- A face mask is to be worn in the courtroom unless a judge directs otherwise.
- The entry of visiting counsel and court participants to the courthouse (other than a defendant in custody) is to be via the front door so appropriate screening/thermal imaging can occur.
- Counsel and court participants are to use designated spaces where possible and minimise interaction with other court users (e.g. a separate room will be provided for visiting counsel where practicable).
- Movement should be restricted within the courthouse and in the community (i.e. the Registry will provide catering, including lunch and tea/coffee facilities).

Further information on travel across Alert Level 3 boundaries will be published on the Courts of New Zealand website in the coming days.

Alert Level 3 Auckland

In the interests of health and safety, no new jury trials will begin during Alert Level 3 or 4 in the District Court or the High Court.

Courts will operate to the extent they can by remote means as local conditions and capacity allow, in line with court Alert Level 3 protocols.

Media attendance at court at Alert Level 3

In the interests of health and safety, media are asked not to attend court in person during Alert Levels 3 and instead to attend by remote viewing. See the Courts of New Zealand website for information on how to arrange this. If remote viewing is not available, please contact the registry concerned.

Keeping the courthouse safe

The Chief Justice re-iterates that people coming to court can have confidence that their health and safety is seen to be of the utmost importance.

The Ministry of Justice is following Ministry of Health guidelines to protect the health and safety of all court participants and staff.

Further information can be found at [Ministry of Justice COVID-19 information](#)

Court operating protocols and court lists

Operating protocols for all courts are available on the Courts of New Zealand website (see the appendix to this media statement for direct links). The appendix also provides links to each court's regularly updated court lists.

Contact: Liz Kennedy, Senior Judicial Communications Advisor

liz.kennedy@courts.govt.nz | 027 369 6701



APPENDIX: COURT PROTOCOLS AND COURT LISTS BY COURT

Trial courts

High Court | Te Kōti Matua

[Daily list](#)

[Alert level operating protocol](#)

District Court | Te Kōti ā Rohe

Upcoming cases: ring 0800 COURTS (0800 268 787)

[Alert level operating protocol](#)

Appellate courts

Supreme Court | Te Kōti Mana Nui

[Daily list](#)

[Upcoming cases](#)

[Alert level operating protocol](#)

Court of Appeal | Te Kōti Pira

[Daily list](#)

[Upcoming cases](#)

[Alert level operating protocol](#)

Summary Appeal Court | Te Kōti Whakawā Pira Whakaraupapa Kaimahi o Te Ope Kātua o Aotearoa

[Alert level operating protocol](#)

Māori Appellate Court | Te Kooti Pira Māori

[Alert level operating protocol](#) (Māori Land Court | Te Kooti Whenua Māori protocol)

Specialist courts

Coroners Court | Te Kōti Kaitirotiro Matewhawhati

[Upcoming cases](#)

[Alert level operating protocol](#)

Court Martial | Te Kōti Whakawā Kaimahi o Te Ope Kātua o Aotearoa

[Alert level operating protocol](#)

Employment Court | Te Kōti Take Mahi

[Upcoming cases](#)

[Alert level operating protocol](#)

Environment Court | Te Kōti Taiao

[Upcoming cases](#)

[Alert level operating protocol](#)

Māori Land Court | Te Kooti Whenua Māori

[Alert level operating protocol](#)