



The Right Honourable Dame Helen Winkelmann

CHIEF JUSTICE OF NEW ZEALAND | TE TUMU WHAKAWĀ O AOTEAROA

9 February 2022

## MEDIA STATEMENT

# Revised court protocols published today, operational from Monday 14 February 2022

The Chief Justice has today published revised protocols for the operation of the Courts of New Zealand. The protocols have been adjusted to allow for an extended period in the Red traffic light setting, following the Government's announcement of its three-phased public health response to the Omicron variant on 26 January 2022.

All court protocols are available [here on the Courts of New Zealand website](#).

### The Court operating protocols

The court operating protocols set out a framework to ensure that everyone who needs to participate in proceedings is able to do so. The primary considerations that underpin the protocols, and decisions made under them, are the interests of justice and the protection of the health and safety of those in court buildings.

### Key changes to the protocols published today

The protocols issued last week have been adjusted and republished today to ensure that courts are operating as safely and fully as practicable during the Omicron outbreak, within the current legislative settings that govern access to courts and the right to be present at hearings.

The revised protocols will take effect on Monday 14 February 2022.

The main changes to the protocols are as follows:

- For those entering the Courts without a My Vaccine Pass, the requirement for a negative PCR test to be administered has changed from 72 hours to 48 hours.
- If a person whose attendance is required presents at court without a My Vaccine Pass and is unable to provide proof of a negative PCR test and is asymptomatic, free supervised Rapid Antigen Tests (RAT) will be available at pharmacies until 30 June 2022.
- For health and safety reasons, there may be limits on the number of people not directly involved in proceedings who can be physically present in courtrooms and court buildings.

- The High Court has moved to a presumption that at the Red setting its business will be conducted to the extent possible by remote participation.
- In remote hearings in the High Court and District Court, media representatives who are present must introduce themselves to the judge.
- A new triaging process has been introduced for the Youth Court. This includes judges reviewing lists at least two days before a hearing to determine which cases can be dealt with remotely. Matters requiring an in-person hearing will be allocated time slots to reduce numbers of people present in Court.

### Jury trials

Criminal and civil jury trials in the High Court and District Court continue as scheduled and will be subject to enhanced health and safety measures including rapid antigen tests for jurors and other participants.

### How the conduct of court business progressed last week under the COVID-19 Protection Framework protocols

On Monday 31 January the courts began operating under the COVID-19 Protection Framework protocols. Under these protocols last week, 87 percent of scheduled court events were able to take place. This included 11 District Court jury trials that went ahead and another 16 that were resolved during the week, the Chief Justice said.

“It isn’t business as usual, but I’m really pleased that we have been able to conduct a considerable amount of work over the last 10 days. I’m grateful to the people who came in for jury service, for those involved in court proceedings, and to the profession for their cooperation and understanding as we change the ways we work to meet the new public health environment.”

High Court jury trials recommenced for 2022 yesterday.

### Key dates

- 14 February 2022: Revised court protocols become operational

**Contact:** Liz Kennedy, Senior Judicial Communications Advisor  
027 369 6701, [liz.kennedy@courts.govt.nz](mailto:liz.kennedy@courts.govt.nz)