



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

8 May 2020

MEDIA STATEMENT

**Revised practice notes and protocols to be published for
COVID-19 alert level 2**

In the event the Government announces an immediate or phased step-down to Alert Level 2 on Monday, the Courts will publish revised practice notes and protocols explaining what effect, if any, this will have on the way each jurisdiction will operate.

These revised practice notes and protocols are being developed by the judiciary in consultation with the Ministry of Justice (who is responsible for supporting the courts) with input from the legal profession.

To provide certainty to the public and the legal profession, any changes in how the courts operate will not come into effect before the Monday following the date on which any new Alert Level applies. In some jurisdictions there may be regional variation in implementation depending on local conditions and individual courthouse capacity.

As an independent branch of Government responsible for upholding the rule of law, the Courts, are an essential service. They have been required to continue to function at all Alert levels.

However, the Chief Justice and Secretary for Justice have each stated from the outset that protecting the health and safety of all participants and parties engaging with the courts is paramount.

The Chief Justice, Helen Winkelmann, said that the move to Level 2, when it comes, will be important for the courts. The public health imperatives present under Level 4 and Level 3 had severely restricted the ability of the courts to hear cases.

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“This has inevitably resulted in delay - a delay which has a human cost for those who seek justice before the courts and which has impeded the vital role of the courts in upholding the law.”

The judiciary is working with the Ministry of Justice and with the legal profession to identify ways to address these impacts.

The District Court and its divisions, including the Family Court and Youth Court, typically deal with large volumes and thousands of participants face-to-face at local courts right across the country. As a result, it has been the court most severely impacted by the COVID 19 restrictions.

The Chief District Court Judge, Judge Heemi Taumaunu, said the return to pre-COVID operations will continue to be an incremental process, and tailored to local court conditions and capacity.

While any easing of restrictions will improve the operational capacity of the courts, physical distancing remains in place for both participants and court staff. This, in particular, constrains the way courts operate and will continue to do so.

The Ministry has instituted a nationwide health and safety regime in all court houses, including a registration process to facilitate contact tracing. It has also developed a protocol to deal with suspected or confirmed cases of COVID-19 in any of the buildings for which it is responsible.

Ends.

Helen Winkelmann
Chief Justice/Te Tumu Whakawā

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Links:

[COVID-19 information](#) for people attending the Supreme Court, the Court of Appeal, or a High court

[COVID-19 information](#) for the District Court

[Court Protocol documents](#) for all courts

Ministry of Justice [COVID-19 information hub](#)