

New Zealand Courts an essential service at alert level four

On 23 March 2020 following the announcement that New Zealand would be moving to alert level four, a decision was made to close the main New Zealand courts for the remainder of the week. Justice and court systems are essential services, but there will be changes and interruptions to how they operate during this time.

Already measures have been taken by the courts to adapt, including suspending all new jury trials from 23 March and moving all Parole Board hearings to video link technology. Other areas have transitioned to using telephones or audio visual services, filing documents by email wherever possible to replace in-person interactions and introducing infra red scanners to record the temperatures of those entering courtrooms. Where in-person appearances are unavoidable, there are increased hygiene protocols in place within the courts to protect everyone involved.

The justice system and the New Zealand courts are vital to upholding rights for citizens and the rule of law, so all courts will remain open, but during the lockdown period will only operate in priority areas. These are areas where the proceeding is time-critical or affects the liberty of the individual or their personal safety and wellbeing.

Chief Justice Helen Winkelmann – Supreme Court

The Supreme Court will be operating without contact, with special arrangements possible for urgent hearings if required:

<https://courtsfnz.govt.nz/publications/announcements/covid-19-coronavirus/court-protocols/supreme-court/>

President Stephen Kós P – Court of Appeal

As long as the country is at level 3 or 4, only urgent hearings will proceed in the Court of Appeal:

<https://courtsfnz.govt.nz/publications/announcements/covid-19-coronavirus/court-protocols/court-of-appeal/>

Chief Judge Geoffrey Venning – High Court

The High Court registries will endeavour to continue to carry on as much civil and criminal business as it is safe to do so. Wellington, Auckland and Christchurch registries will remain open to the public as essential services and all other work (aside from jury and civil trials) will continue as much as possible using audio-visual link and telephones:

<https://courtsfnz.govt.nz/publications/announcements/covid-19-coronavirus/court-protocols/high-court/>

Chief Judge Heemi Taumaunu – District Court

The District Court will sit to deal with priority cases, which have been established as those concerning liberty, protection for at risk, vulnerable or children, national or community safety interest and facilitating or promoting public order:

<https://courtsfnz.govt.nz/publications/announcements/covid-19-coronavirus/court-protocols/district-court/>

Principal Judge John Walker – Youth Court

All Youth Court proceedings concerning liberty, such as bail applications, early release hearings, secure care applications and disposition hearings will continue using audio-visual link. All other proceedings will be adjourned for at least four weeks:

<https://courtsofnz.govt.nz/publications/announcements/covid-19-coronavirus/court-protocols/district-court/youth-court/>

Chief Judge Wilson Isaac – Māori Land Court

The Māori Land Court will be closed and all proceedings adjourned while the country is at alert level four:

<https://maorilandcourt.govt.nz/assets/Uploads/Maori-Land-Court-Covid19-Level-4-Protocol2.pdf>

Chairperson Judge Wilson Isaac – Waitangi Tribunal

All currently scheduled Waitangi Tribunal hearings are suspended while the country is at alert level four:

<https://courtsofnz.govt.nz/publications/announcements/covid-19-coronavirus/court-protocols/waitangi-tribunal/>

Principal Environment Judge Laurie Newhook – Environment Court

No physical appearances will occur in the Environment Court during the level four phase, and priority cases will be heard, with the possibility of some low priority cases being temporarily suspended:

<https://environmentcourt.govt.nz/assets/Documents/Publications/Covid-19-Level-4-Alert-protocol.pdf>

Chief Judge Christina Inglis – Employment Court

Proactive contact is being made for all representatives in cases set down for hearing in the Employment Court to discuss the impact of COVID-19. All current cases before the court will be assessed and dealt with by non-contact methods where possible:

<https://employmentcourt.govt.nz/assets/Documents/Publications/Employment-Court-Covid-19-Alert-Level-4.pdf>

Employment Relations Authority

All Employment Relations Authority investigation meetings for the next four weeks have been postponed, with Authority Members considering which can continue through use of telephone conference, audio-visual link or written evidence and submissions only:

<https://www.employment.govt.nz/resolving-problems/escalation-unresolved-problems/employment-relations-authority>

Chief Coroner Deborah Marshall – Coroners Court

Over 90 per cent of the Coroners Court's work is done in chambers with no public hearings and this will continue as normal:

<https://courtsofnz.govt.nz/publications/announcements/covid-19-coronavirus/court-protocols/coroners-court/>

The Broadcasting Standards Authority will continue to operate.

Resources:

FAQs about COVID-19 <<https://www.justice.govt.nz/about/news-and-media/news/faqs-about-covid-19/>>

Covid-19 coronavirus: What court hearings will continue during New Zealand's pandemic lockdown? <https://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=12319276> 24 March 2020

Parole Board announces Level 4 changes <<https://www.lawsociety.org.nz/news-and-communications/latest-news/news/parole-board-announces-level-4-procedures>> 24 March 2020

Priority set for District Court proceedings <<https://www.lawsociety.org.nz/news-and-communications/latest-news/news/priority-set-for-district-court-proceedings>>