

South Auckland Courts

COVID-19 UPDATE – ALERT LEVEL 4 (Delta Variant)

As at 12 September 2021

Alert Level 4 Protocols

The Chief Justice released a [Media Statement \(6 September 2021\)](#) following the Government's announcement that Aotearoa will move to Level 2 at 11.59pm on Tuesday 7 September, except the Auckland region which remains in Level 4.

The focus of the latest Media Statement was on court arrangements under Level 2 for the rest of the country. Please see the Media Statement and the [updated Level 2 Protocol \(8 September 2021\)](#) for more information on these arrangements.

For the Auckland region, the Chief Justice reiterated key updates from her previous media statement that:

- There are no new jury trials to start in Level 4
- Defendants, prosecutors, counsel and witnesses are not required and not expected to travel out of, or into, Auckland to attend an in-person hearing while Auckland remains at Level 4.

There are no further changes to the [Level 4 Protocol \(25 August 2021\)](#).

Level 3 – South Auckland Court Arrangements

Discussions are underway with South Auckland's Local Justice Sector Networks (LJSN) about additional priority proceedings that can be conducted safely during Level 3 for both the Criminal and the Family Court jurisdictions (see the [Level 3 Protocol](#)).

LJSNs are made up of senior leaders of South Auckland's justice sector and representatives from the profession who regularly practice in South Auckland courts (including representatives from the Auckland District Law Society, New Zealand Law

Society, Criminal Bar Association, South Auckland Bar Association and the Family Law Section).

While key updates will be noted in this weekly COVID-19 newsletter where available, please speak with your relevant LJSN representative if you have any questions or suggestions about priority proceedings for South Auckland Courts during the relevant Alert Level.

The next LJSN meetings are scheduled for Tuesday 14 September following the Government's review of the current Alert Levels on 13 September.

Chair of the LJSN (Criminal): [Moana Ieremia](#)
Chair of the LJSN (Family Court): [Fiona Parkes](#)

Changes to VMR Details – Courtroom 2

The Ministry of Justice is working with Spark New Zealand to increase its web capacity. This is due to increased demand for VMR, particularly during higher COVID-19 Alert Levels.

Accordingly, VMR connection details for Courtroom 2 at the Manukau Court has been upgraded to a newer VMR version to trial an upgrade that increases that web capacity at Manukau.

The attached VMR Guidelines have now been updated with the new connection details for Courtroom 2. Please discard any previous version of these VMR guidelines for South Auckland Courts.

Information about attending court via AVL is also provided below, if you need help with VMR.

Criminal

The South Auckland criminal jurisdiction continues to operate under the [Level 4 Protocol](#).

The Registry will continue to contact counsel and parties to provide rescheduled hearing dates for non-priority proceedings.

All South Auckland priority proceedings will be held at Manukau. All Papakura and Pukekohe priority proceedings will be called from Manukau.

Level 4 Priority Proceedings

Defendants in custody will continue to appear by AVL, except for arrests where detainees will appear in person, if not symptomatic. The custody unit will continue to closely monitor symptoms of all detainees

For any defendant in custody scheduled to appear in person, the Registry will be working with the prisons to convert their appearance to AVL.

Jury Trials

No new jury trials will begin in Alert Levels 4 and 3.

Jury trials underway before lockdown will remain adjourned and trial judges will consult and make decisions on a case-by-case basis.

Bail Support Services (BSS)

Bail Support Services will continue their support and services remotely.

If counsel/defendant can provide contact details for the proposed occupant on the Address Check Form:

- i. BSS can provide a **Bail Information Report (BIR)** on the day.
- ii. BSS can process and complete **Electronic Monitoring Bail (EM Bail) Reports** if details provided at the EM application stage.

If no contact details available, letter drops can be carried out on a **Monday** and **Thursday** to establish contact with proposed occupants. Once the letter drop is done and occupants have contacted BSS:

- i. Bail Support Officer will provide a **BIR** to the court.
- ii. Bail Support Officer will progress the assessment for an **EM Bail Report**.

Obtaining instructions – Northern Region Prisons

To assist counsel to obtain instructions from clients in a Northern Region prison, and where a face-to-face visit is not available, please see attached process to assist with booking a phone call or video call for each of the different northern region prisons.

Opposed Bail Variation Process

Email application to the relevant court with the subject line: **Opposed Bail Variation**

Once an application is received, the court will respond within 24 hours advising of date of hearing and providing details for AVL appearance.

Defendants appearance is excused.

The Registry will work with counsel to ensure that the defendant is updated on the application's progress.

Youth Court

The Youth Court will only deal with priority proceedings under Alert Level 4 – see [Level 4 Protocol](#).

In any priority proceeding the Youth Court will operate, to the extent practicable, by AVL.

All non-priority proceedings will be administratively adjourned for two weeks from their existing scheduled hearing date.

Family Court

The Family Court will only deal with priority proceedings under Alert Level 4 – see [Level 4 Protocol](#).

Information is being provided by the Family Court Registry through the Local Family Justice Sector Network. For any questions regarding Level 4 and Level 3 priority proceedings please contact [Fiona Parkes](#) or [Tracy Marsh](#).

Civil

Priority civil proceedings have been identified for Alert Level 4 – see [updated Level 4 Protocol](#).

Papakura and Pukekohe Courts Closed

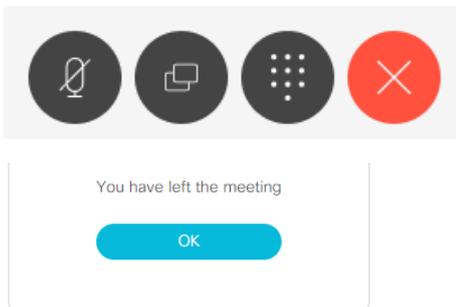
Papakura and Pukekohe Courts is closed to the public. All scheduled priority Papakura and Pukekohe matters will be called from Manukau via AVL.

Attending Court via AVL

When appearing by AVL, please ensure your full name and role is entered when logging in – e.g. counsel, prosecutor, probation, media etc. Media should introduce themselves to the judge when attending a hearing by AVL. See VMR guidelines (attached) to connect to a hearing.

If you have any issues about connecting to the Courtroom via VMR, immediately contact [Sione Fifita](#) on 027 285 2381 or [Kristy Rope](#) on 027 626 8917.

After your appearance, please remember to click the red 'X' on the screen to leave the courtroom and then click 'OK' (as pictured). This will assist the Court Registrar to effectively manage all AVL appearances.



Limited access and attendance at Courts

All counsel, court participants and accredited media are expected to participate by AVL.

Where attending remotely is not possible, please contact the Court for permission from the presiding judge to attend in person.

Only those required at Court, or approved by the presiding judge, will be permitted to enter.

Contact tracing is mandatory to gain entry to the courts. QR codes are available at the front entrance, and around the court building.

Any person who is unwell, experiencing COVID-19 symptoms, or required to be either in isolation or quarantine will be refused entry.

Masks **MUST** be worn in all areas of the court – unless permission is given by a Judge.

Public Counters Closed

All public counters, including the Manukau Customer Service Centre, is closed during Level 4.

All documents are to be filed by email or by post. Dropboxes are not available. If you do not have a scanner, you may take photos of the documents and email it to the court.

Payment of fees in all proceedings can be made in the usual way via electronic filing and payment. Parties can [File and Pay Online](#).

If a person needs to make an urgent without notice family application and are unable to lodge it online, please call **0800 COURTS (0800 268 787)** to arrange a time to come to the Court and file their application.

PPE and Hygiene Measures

PPE and wipes are available on request at the security station at the court's front entrance.

Courts will continue to be cleaned to the higher Alert Level 4 standards.

Please stay home if you are unwell or experiencing COVID-19 symptoms.

Remember that physical distancing is even more important because of the possibility of transmission with the Delta Variant.

Please follow all the [COVID guidelines](#) and keep yourself and others safe.

Please email [Phil Clarke](#) immediately if you have been working on-site at the Court and have either been to a location of interest during the relevant time or you are a household contact.