



## **Guide for media reporting the courts under COVID 19 alert levels**

### **Purpose**

The statutory rights of news media to attend and report on the courts is unchanged during the current pandemic. However, the courts, like other branches of Government, have had to adapt their processes in response to the public health emergency. This information is intended to assist media perform their vital role while the courts are operating under various COVID-19 alert levels. It provides guidance only and should be read in conjunction with the existing rules and guidelines.

To understand the context in which this advice has been developed journalists may wish to familiarise themselves with the [protocols and practice notes](#) which are available on the Courts of New Zealand website, and which explain the work each court is prioritising at this time.

The courts are an essential service. However, during alert level 4, restrictions on movement and requirements for physical distance meant that not all proceedings could be heard. The courts' initial objective was therefore to ensure that certain priority proceedings continued to be heard throughout alert level 4 and any alert level that follows. The courts are now focused on adapting processes so that, to the greatest extent possible, work falling outside the categories of priority proceedings can progress through to hearing.

The extent to which the courts can expand their operations will remain subject to capacity, including the capacity to conduct virtual hearings, while courts operate under alert level restrictions.

The guidance provided below will continue to be updated to reflect what is happening in each court at different alert levels.

### **District Court**

Accredited media continue to have a right to attend hearings in all but exceptional circumstances. During the period of COVID-19 Alert Level 4 restrictions, District Court registries will proactively email out regional daily lists for all criminal proceedings to regular and/or specialist accredited court reporters. These are for planning purposes and are designed to help accredited media avoid having to come to court in person unnecessarily in the current pandemic environment. Accredited media may also request press sheets for specific defendants or cases provided they are destroyed after one month.

While accredited media do not require permission to attend court, those who wish to cover a hearing being held remotely by VMR or teleconference should notify the court registry where the matter will be heard as soon as possible before the hearing to ensure they know how to take part and how to

provide identification. They may join the remote hearing on the basis that they remain muted and do not record sound or capture video without express permission of the judge, which is to be sought in the normal way under the [In Court Media Coverage Guidelines 2016](#) unless the judge agrees otherwise. The judge will decide if there is anything the media cannot report.

To help accredited media keep up with the outcome of hearings remotely, registries will make every effort to accommodate urgent requests for court transcripts involving high profile or priority proceedings, where the presiding judge agrees and also depending on the length and quality of the audio recording and the extent of any required redactions.

If journalists attend court in person, each court may ask journalists to sit in a different part of the courtroom from each other to support physical distancing. If there are too many journalists than can be safely accommodated in one courtroom, the court may institute a pool regime for media coverage, to be determined case by case.

More information about virtual hearings in the District Court may be found [here](#) under the heading “Participating in a Virtual Meeting Room court hearing”.

Accredited media may continue to attend Youth Court and Family Court proceedings within the reporting restrictions of these courts, but with the same need to give advance notice to the registry when a hearing is to be held remotely.

More information about covering the [Family Court](#) and [Youth Court](#) can be found on the District Court website.

## **Senior Courts**

### **Daily lists**

The Senior Courts (High Court, Court of Appeal and Supreme Court) are continuing to publish [Daily Lists](#) on the Courts of New Zealand website. Journalists who wish to be notified when a new or updated list is published can follow the Courts of New Zealand twitter feed: [@CourtsOfNZ](#)

Heads of Bench are working with the Ministry and registries to adapt processes to assist journalists to access information about the matters being heard and attend hearings, including those involving remote participants. These will continue to evolve.

### **Access to hearings**

Members of accredited media organisations may attend any virtual hearing. They may also attend in person as usual if they wish.

Journalists wishing to attend a hearing remotely are asked to provide as much prior notice to the relevant registry as possible. Journalists will be required to verify their identity in the normal way before being provided with the login details for any hearing. To streamline this process journalists may wish to check their details are on the centralised media database accessible to Senior Court registries by emailing [media@justice.govt.nz](mailto:media@justice.govt.nz).

Please note, the login details provided by the registry are personal to the media representative to whom they are issued, and are to be held confidentially and not further published or distributed.

Journalists attending a hearing remotely will be asked to identify themselves to the court at the start of any hearing. They are entitled to report on the hearing in the usual manner subject to any statutory or court-ordered publication restrictions. Once joined to a hearing, journalists must remain muted and not record sound or capture images or video without the express permission of the presiding judge. Journalists must comply with the [In Court Media Coverage Guidelines 2016](#).

Journalists wishing to make audio and/or visual recordings of virtual hearings, either remotely or from the courtroom, must make an [In-Court Media Coverage Application](#). This should be emailed to the relevant registry. Journalists are asked to approach the court as early as possible if they wish to make any recording of the hearing.

Given the technological constraints of remote participation, it may not be possible for all media to join some virtual hearings. In these cases pool reporting arrangements may be required.

## High Court

The High Court is an essential service. The registries of the High Court in Auckland, Wellington and Christchurch continue to be staffed to support the delivery of its work.

The High Court daily lists contain the name and telephone number of the media contact for each court. Media are advised to contact this person if they wish to make arrangements to attend a hearing, either in person or by using technology for virtual hearings. Media can also email the registry directly. The following email addresses can be used for the High Court:

HIGH COURT CIRCUIT	COURT	EMAIL ADDRESS
Auckland	Auckland High Court	aucklandhc@justice.govt.nz
	Whangārei High Court	
	Hamilton High Court	
	Rotorua High Court	
	Tauranga High Court	
Wellington	Wellington High Court	wellingtonhc@justice.govt.nz
	Gisborne High Court	
	Napier High Court	
	Palmerston North High Court	
	New Plymouth High Court	
	Whanganui High Court	
	Masterton High Court	
	Nelson High Court	
	Blenheim High Court	
Christchurch	Christchurch High Court	christchurchhc@justice.govt.nz
	Greymouth High Court	
	Timaru High Court	
	Dunedin High Court	
	Invercargill High Court	

The High Court registries will provide login details for virtual hearings to regular media contacts, and to other media on request.

Criminal call-over in the High Court will continue to run as normal. Media are welcome to attend. Registries will ensure that call-overs are held in courts capable of being accessed remotely.

In-court media coverage applications should be emailed to the relevant High Court registry. Applications will then be referred to a judge for direction.

### **Court of Appeal**

Cases being heard by the Court of Appeal will continue to be listed on Court's [upcoming cases page](#) on the Courts of New Zealand website.

Journalists wishing to attend the virtual hearing either remotely or in person must email [courtofappeal@justice.govt.nz](mailto:courtofappeal@justice.govt.nz) or telephone 04 914 3540 prior to the hearing.

In-court media coverage applications should be emailed to [courtofappeal@justice.govt.nz](mailto:courtofappeal@justice.govt.nz). Applications will then be referred to a judge for direction.

### **Supreme Court**

Cases being heard by the Supreme Court will continue to be listed on the Court's [upcoming cases page](#) on the Courts of New Zealand website. The [Supreme Court case information page](#) on the Courts of New Zealand website is also regularly updated. This sets out the current status of all cases.

Journalists wishing to attend the virtual hearing either remotely or in person must email [supremecourt@justice.govt.nz](mailto:supremecourt@justice.govt.nz) prior to the hearing.

In-court media coverage applications should be emailed to [supremecourt@justice.govt.nz](mailto:supremecourt@justice.govt.nz). Applications will then be referred to a judge for direction.

### **Useful links – Courts of New Zealand website**

[Supreme Court Decisions and Judgments of Public Interest](#)

[Court protocol documents](#)

[COVID-19 media page](#)

[Transcript](#) [PDF 174 KB] media briefing with the Chief Justice and Heads of Bench, 3 April 2020.

[Media resource sheets](#)

### **Useful links: Ministry of Justice website**

[Why remote participation is important for all parties](#) [PDF 200 KB]

[Jabber guest quick reference guide](#) [PDF 324 KB]

[Remote participation for external parties](#) [PDF 253 KB]

[COVID-19 information page](#)

[Court closures due to COVID-19](#)