

# COVID-19 Alert Level 3

## What happened in the District Court since Alert Level 4

During Alert Level 3 of COVID-19<sup>1</sup>, New Zealand's busiest court the District Court continued to operate as an essential service. As outlined in the judicial protocols, the range of work undertaken expanded to include as many events as possible while maintaining safe working conditions (apart from jury trials which remained suspended during this period).<sup>2</sup> In the criminal jurisdiction all priority proceedings under Alert Level 4 continued to have priority (such as events for people in custody). All people on bail were required to attend their scheduled court appearances. The Family Court continued to undertake all priority work including box work and, where possible, extended to scheduled work.

This summary compares data for Alert Level 3 with data for Alert Level 4.<sup>3</sup> The data was extracted from a live dataset used for operational purposes; it may differ to data extracted on a different date.<sup>4</sup>

For a full, up-to-date picture of the impact of COVID-19 on court operations, this summary should be read in conjunction with the previously published [Alert Level 4 data summary](#) published on the Ministry's website.<sup>5</sup>

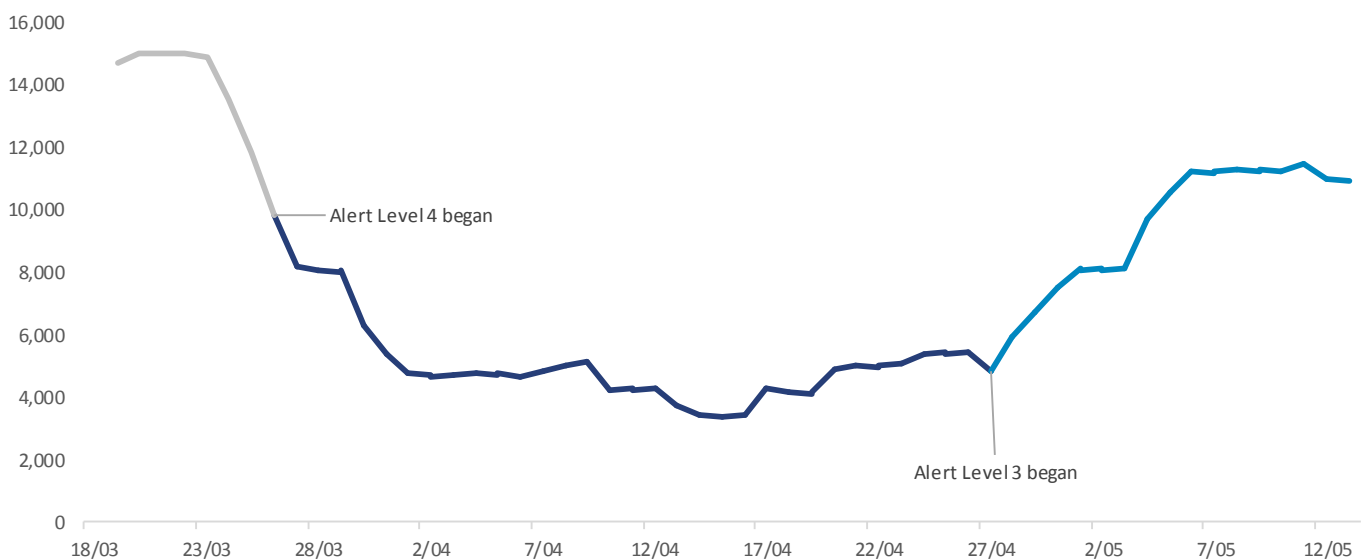
### The operation of the Court expanded during Alert Level 3

The District Court expanded its operation during Alert Level 3 (Tuesday 28 April to Wednesday 13 May 2020),<sup>6</sup> increasing the number of court events completed per day compared to Alert Level 4. However, some court events continued to be adjourned or rescheduled.

### An increasing number of court events were completed

During Alert Level 4, the number of completed court events (excluding events completed on the papers, adjourned for any reason, no longer required, or where a warrant to arrest was issued due to non-appearance of a defendant) decreased substantially compared to pre-COVID-19 ending with 4,602 completed events over the last 7 days of Level 4 (Figure 1).

**Figure 1: The rolling 7-day total of completed court events increased rapidly in the early stages of Alert Level 3, before reaching a plateau**



Once Alert Level 3 began on 28 April, the number of completed events increased significantly, before reaching a plateau from 6 May onwards. Alert Level 3 ended on 13 May with 10,942 completed events in the last 7 days, 138% more completed court events than in the last week of Alert Level 4.

### Some court events continued to be adjourned or rescheduled in Alert Level 3

By the end of Alert Level 4, 32,239<sup>7</sup> District Court events (across the criminal, family and civil jurisdictions and including Disputes Tribunal) had been adjourned or rescheduled due to COVID-19.<sup>8</sup>

This increased by a further 9,564 events (+30%) by the end of Alert Level 3 (Table 1) to a total of 41,803 adjourned or rescheduled events over Alert Levels 3 and 4. This was made up of a further 7,419 rescheduled court events and 2,145 court events that were adjourned.

**Table 1: The majority of the rescheduled or adjourned events in Alert Level 3 occurred in the criminal jurisdiction**

Jurisdiction	Adjourned	Rescheduled	Total
Criminal	2,056	5,963	8,019
Family	71	976	1,047
Civil	18	480	498
<b>Total</b>	<b>2,145</b>	<b>7,419</b>	<b>9,564</b>

These events will now occur at a future date.

**Table 2: Most justice services areas had increases in criminal new business and all had increases in disposals, compared to Alert Level 4**

Justice service area	New business			Disposed cases		
	Alert Level 3 weekly average	Difference from AL4	% difference	Alert Level 3 weekly average	Difference from AL4	% difference
Taitokerau	93	-3	-3%	69	24	53%
Waitematā	144	12	9%	107	69	187%
Auckland	159	31	25%	146	95	184%
South Auckland	227	43	24%	152	43	39%
Waikato	160	40	33%	139	85	156%
Bay of Plenty	144	54	60%	154	93	153%
Wairariki	104	32	45%	56	5	10%
East Coast	138	24	21%	110	44	68%
Taranaki/Whanganui	89	11	14%	77	40	107%
Manawatū/Wairarapa	91	-7	-7%	88	46	110%
Northern Wellington	153	58	61%	109	59	117%
Wellington	46	9	25%	60	39	195%
Nelson/Marlborough/West Coast	94	27	41%	69	34	95%
Canterbury	191	31	19%	138	50	56%
Otago	67	5	8%	80	45	127%
Southland	55	2	3%	47	20	71%
<b>Total</b>	<b>1,955</b>	<b>370</b>	<b>23%</b>	<b>1,601</b>	<b>790</b>	<b>97%</b>

Most of the impacted events were in the criminal jurisdiction, where 5,963 court events were rescheduled and 2,056 were adjourned during Alert Level 3.

The family jurisdiction had 1,047 court events and the civil jurisdiction 498 court events rescheduled or adjourned due to COVID-19 during Alert Level 3.

The number of events rescheduled or adjourned in each jurisdiction proportionally reflects the number of events normally scheduled for each jurisdiction.

### The number of new and disposed criminal cases in the District Court increased

A criminal case is a group of charges, related to one or more people, that go through the court process together. The majority go through the District Court.

### More criminal cases entered courts than at Alert Level 4

During Alert Level 3, an average of 1,955 new criminal cases entered the District Court each week (Table 2). This was 23% higher than the weekly average during Alert Level 4 (of 1,585 cases a week), however this was still lower than the weekly average pre-COVID-19.

There were some differences between justice service areas, although most had increases in the average number of cases each week compared to Alert Level 4. The largest increase in the number of cases was in Northern Wellington (+58 cases; +61%) and Bay of Plenty (+54 cases; +60%). Whereas, there were small decreases in Manawatū/Wairarapa (-7 cases; -7%) and Taitokerau (-3 cases; -3%).

### The number of cases disposed of each week doubled since Alert Level 4

During Alert Level 3, an average of 1,601 criminal cases were disposed each week in the District Court (Table 2). This was twice as many (97% more) disposed than in Alert Level 4 when there were 812 cases a week.

The largest increases were in the Auckland justice service area, with 95 (184%) more cases disposed of each week, followed by Bay of Plenty (+93 cases, +153%) and Waikato (+85 cases; +156%). Waiariki had the smallest increase (+5 cases; +10%).

### Active criminal workload increased a small amount

The active criminal workload increased 2% from the end of Alert Level 4 to the end of Alert Level 3 (from 40,976 to 41,687 active cases) (Table 3).

**Table 3: South Auckland had the largest increase in the number of active criminal cases, while Waiariki had the largest percentage increase**

Justice service area	AL3 count	Difference from AL4	% difference
Taitokerau	2,017	65	3%
Waitematā	3,759	16	<1%
Auckland	4,798	48	1%
South Auckland	6,777	213	3%
Waikato	3,045	11	<1%
Bay of Plenty	1,966	-108	-5%
Waiariki	1,747	148	9%
East Coast	2,948	67	2%
Taranaki/Whanganui	1,701	4	<1%
Manawatū/Wairarapa	1,985	12	1%
Northern Wellington	2,163	69	3%
Wellington	1,298	-20	-2%
Nelson/Marlborough/West Coast	1,517	56	4%
Canterbury	3,604	171	5%
Otago	1,386	-64	-4%
Southland	976	23	2%
<b>Total</b>	<b>41,687</b>	<b>711</b>	<b>2%</b>

There were increases across most justice service areas with the largest increases in South Auckland (+213 active cases; +3%), Canterbury (+171 active cases; +5%) and Waiariki (+148 active cases; +9%). There were decreases in the number of active cases in Bay of Plenty (-108 active cases; -5%), Otago (-64 active cases; -4%) and Wellington (-20 active cases; -2%).

### The number of charges filed in the District Court increased during Alert Level 3

A charge relates to a single criminal offence (e.g. burglary). A person may be charged with more than one offence at the same time, which would be grouped together into a court case.

This data does not include information on the outcome or imposed sentence of charges filed during these periods; for many charges this will not have been determined yet.<sup>9</sup>

### There were 30% more charges filed in Alert Level 3 than Alert Level 4

In total over Alert Level 3 there were 8,463 charges filed in the District Court for category 1, 2 and 3 offences.<sup>10</sup> The weekly average (3,703 charges) was 30% higher than during Alert Level 4 (2,854 charges a week).

However, the number of charges per week in Alert Level 3 was 14% lower than the number of charges filed in a normal week (baseline period prior to Alert Level 4).

There were more charges in all justice service areas (Table 4). South Auckland had the largest increase with 160 more charges a week (+52%), followed by Northern Wellington (+105 charges a week; +69%).

However, there were several justice service areas where the number of charges each week was similar to during Alert Level 4: Waiariki (+10 charges; +6%), Wellington (+10 charges; +12%), Waitematā (+12 charges; +5%) and Nelson/Marlborough/West Coast (+12 charges; +9%).

**Table 4: The number of charges each week in Alert Level 3 increased across all justice service areas compared to Alert Level 4**

Justice service area	Alert Level 3 weekly average	Difference from Alert Level 4		Difference from pre-COVID baseline	
		Count	Percentage	Count	Percentage
Taitokerau	211	40	24%	16	8%
Waitematā	256	12	5%	-97	-28%
Auckland	266	81	43%	-8	-3%
South Auckland	466	160	52%	-136	-23%
Waikato	263	58	29%	-85	-24%
Bay of Plenty	247	94	62%	-64	-21%
Waiariki	190	10	6%	-73	-28%
East Coast	253	51	25%	-126	-33%
Taranaki/Whanganui	199	59	43%	-2	-1%
Manawatū/Wairarapa	170	13	8%	-66	-28%
Northern Wellington	259	105	69%	61	31%
Wellington	89	10	12%	-15	-15%
Nelson/Marlborough/West Coast	153	12	9%	-39	-20%
Canterbury	416	94	29%	1	<1%
Otago	131	22	21%	-5	-4%
Southland	135	25	23%	21	18%
<b>Total</b>	<b>3,703</b>	<b>848</b>	<b>30%</b>	<b>-617</b>	<b>-14%</b>

### Charges for breaching COVID-19 restrictions continued in Alert Level 3

In total, since Alert Level 4 began there were 929 charges filed in the District Court for breaching Alert restrictions. Of these, 321 charges were filed during Alert Level 3. The average number of breach charges a week was slightly higher in Alert Level 3 than in Alert Level 4 (+11 charges a week; +9%).<sup>11</sup>

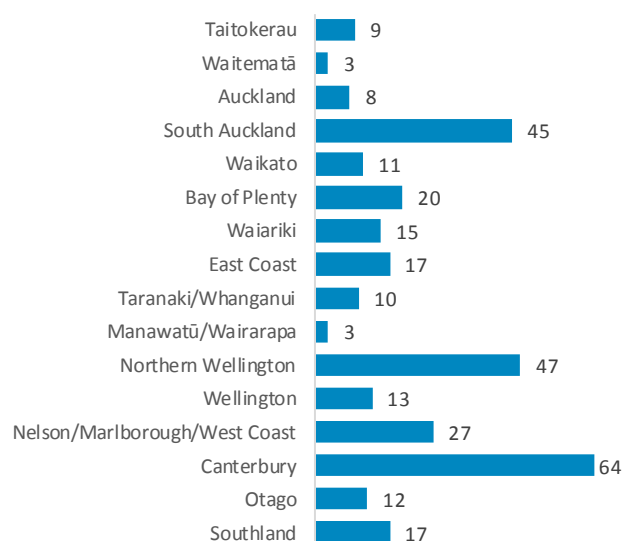
During Alert Level 3, almost all (99%; 317 charges) of the charges were for obstructing/hindering a Medical Officer of Health or a person assisting a Medical Officer (section 72 Health Act 1956); while 1% (4 charges) were for breaching the Civil Defence Emergency Management Act 2002.

The number of charges varied by justice service area; Canterbury had the highest (64 charges) number of charges filed in Alert Level 3, followed by Northern Wellington (47 charges) and South Auckland (45 charges) (Figure 2). Waitematā and Manawatū/Wairarapa both had the lowest number of charges filed (3 charges).

While most justice service areas had a similar pattern of breach charges in Alert Level 4 and Alert Level 3, East Coast moved from having the highest number of

charges (75 charges) in Alert Level 4 to being ranked sixth in frequency in Alert Level 3 (17 charges).

**Figure 2: Canterbury had the highest number of charges for COVID-19 breach offences**



### Most offence types had more charges

Offences can be categorised into 16 ANZSOC divisions.<sup>12,13</sup> For almost all ANZSOC divisions there were more charges filed on average each week in Alert Level 3 than during Alert Level 4 (Table 5).

**Table 5: Offences against justice had the largest increase in the average number of charges filed per week in Alert Level 3 compared to Alert Level 4**

Offence type (ANZSOC division)	Alert Level 3 weekly average	Difference from Alert Level 4		Difference from pre-COVID baseline	
		Count	Percentage	Count	Percentage
01: Homicide and related offences <sup>14</sup>	1	0	0%	<1	5%
02: Acts intended to cause injury	485	103	27%	-18	-4%
03: Sexual assault and related offences	120	82	219%	-5	-4%
04: Dangerous or negligent acts endangering persons	183	23	14%	-50	-21%
05: Abduction, harassment and other offences against the person	132	29	29%	2	2%
06: Robbery, extortion and related offences	19	7	51%	-8	-29%
07: Unlawful entry with intent/burglary, break and enter	124	9	8%	4	4%
08: Theft and related offences	340	-10	-3%	-240	-41%
09: Fraud, deception and related offences	207	101	95%	-4	-2%
10: Illicit drug offences	367	106	41%	107	41%
11: Prohibited and regulated weapons and explosives offences	155	45	41%	3	2%
12: Property damage and environmental pollution	161	56	54%	20	14%
13: Public order offences	110	32	40%	-14	-12%
14: Traffic and vehicle regulatory offences	724	119	20%	-50	-6%
15: Offences against justice procedures, government security and government operations	515	123	31%	-381	-43%
16: Miscellaneous offences	58	22	59%	17	41%
<b>Total</b>	<b>3,703</b>	<b>848</b>	<b>30%</b>	<b>-617</b>	<b>-14%</b>

Theft offences were the only offence type with fewer charges filed on average a week during Alert Level 3 compared to Alert Level 4. However, the difference is slight with only 10 charges fewer a week (-3%).

Offences against justice (which includes offences for breaching community sentences, breach of protection order and people on bail not attending scheduled court appearances) had the largest increase in the average number of charges filed per week (+123 charges; +31%). Much of the increase was related to:

- failure to answer bail (which relates to people on bail not attending their scheduled court appearance; while court proceedings for people in custody continued to be prioritised, hearings began to be held for people on bail meaning charges were filed for people who failed to attend)
- breaching a protection order using family violence
- obstructing/hindering a Medical Officer of Health or a person assisting a Medical Officer (which is for breaching the Alert Level restrictions).

Charges for breaching a community sentence are usually the most frequent offences against justice. But, during Alert Level 3, all Community Corrections

sites remained closed, meaning that people were not required to attend community work.

The other offences types with large increases in the weekly number of charges during Alert Level 3 were:

- traffic (+119 charges; +20%; including increases for driving under the influence, failing to comply with prohibition, driving while suspended or revoked, and driving while disqualified)
- drugs (+106 charges; +41%; including increases for methamphetamine supply)
- acts intended to cause injury (+103 charges; +27%)
- fraud (+101 charges; +95%).

While most ANZSOC offence types had more charges per week in Alert Level 3 than in Alert Level 4, this was quite different to normal (pre-COVID-19 baseline period prior to Alert Level 4). The number of charges per week in Alert Level 3 was much lower than in a pre-COVID baseline week for several offence types, including offences against justice (-43%), theft (-41%), robbery (-29%) and dangerous or negligent acts endangering persons (-21%).

Charges for sexual offences had the largest percentage increase in Alert Level 3 (+219%), after being very low during Alert Level 4. The number of

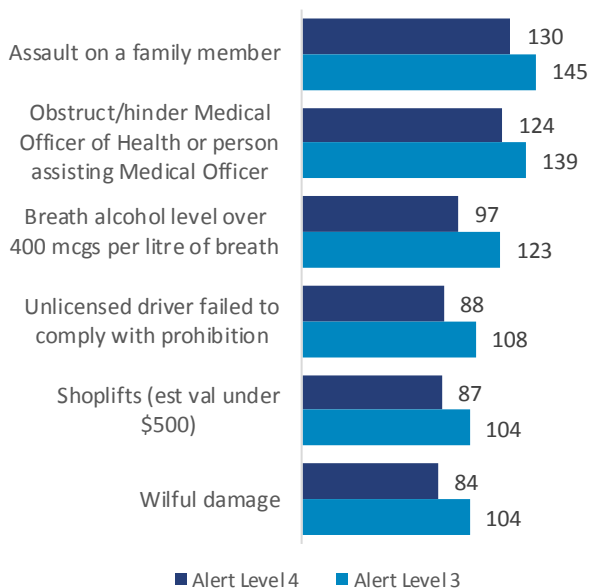
charges increased from an average of 38 a week in Alert Level 4 to 120 charges a week in Alert Level 3. The average number of charges for sexual offences in Alert Level 3 was comparable to the pre-COVID baseline week prior to Alert Level 4 (as there were only 4% fewer charges filed a week than normal).

### The most frequent offences were similar during Alert Level 3 and Level 4

During Alert Level 3, the most frequently charged offence types were the same as during Alert Level 4 (Figure 3).

However, in Alert Level 3 there were more charges per week for each of these offences. For example, the average number of charges per week for assault on a family member, which was the most frequent offence in Alert Level 3, increased 12% (from 130 to 145 charges a week).

**Figure 3: In Alert Level 3 and Alert Level 4, the most common offence types each week were the same**



### Family violence-related charges are now back to pre-COVID levels

The average number of charges for family violence-related offences<sup>15</sup> was 31% higher per week in Alert Level 3 (663 charges a week) than in Alert Level 4 (506 charges a week).

Additionally, the number of charges per week increased in Alert Level 3 to the same amount seen in a normal week (the pre-COVID baseline period

prior to Alert Level 4 had 662 family violence-related charges a week).

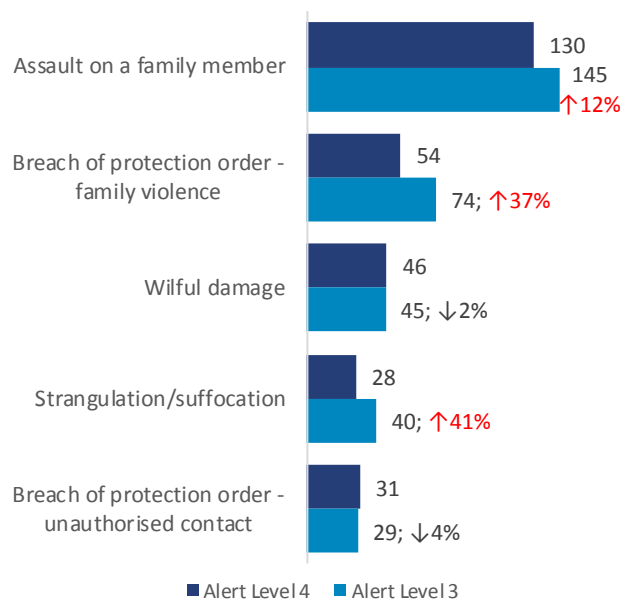
The most frequent family violence-related offences were the same during Alert Level 3 and Alert Level 4 (Figure 4).

The most common family violence-related offence was for assault on a family member (145 charges a week), this was 12% higher than during Alert Level 4. This was also the most common offence overall during Alert Level 3.

During Alert Level 3, there were also increases for breaching a protection order by family violence (+37%) and strangulation/suffocation (+41%).

The average number of charges a week for wilful damage and breaching a protection order by unauthorised contact was similar during Alert Level 3 and Alert Level 4.

**Figure 4: The most common family violence-related offences were the same in Alert Level 3 and 4, but some were more frequent per week**



### The total number of Family Court applications filed increased substantially

Family Court statistics are reported by applications, rather than by cases.

During Alert Level 3, the number of substantive Family Court applications filed increased substantially, from an average of 494 applications a

week in Alert Level 4 to 1,243 applications a week in Alert Level 3 (an increase of 152%).

However, as shown below, there were some differences in the types of applications filed.

The number of applications per week had increased in Alert Level 3 to a similar amount seen in a normal week (pre-COVID prior to Alert Level 4); the number of applications was 1% fewer per week (Table 6). However, the types of applications filed did differ a little to normal.

### The proportion of applications filed without notice decreased, with more filed on notice

Applications needing urgent attention (such as those for a Protection Order where urgent protection is being sought) are generally filed without notice, whereas all other applications (usually the majority) are filed on notice.

During Alert Level 4, a similar number of applications were filed on notice and without notice, with 47% filed on notice and 53% filed without notice. With the expansion of the District Court protocols in Alert Level 3, this changed. There were substantially more applications filed, and of those, more were filed on notice rather than without notice. This meant that the proportion of applications filed on notice in Alert Level 3 increased to 71%, while 29% were filed without notice.

In Alert Level 3, there was an average of 884 on notice applications filed a week; an increase of 241% compared to Alert Level 4 (Table 6). There were 359 without notice applications filed a week, which was an increase of 53%.

### Some Family Court case types were impacted more than others

There were many differences in the case types of applications filed during Alert Level 3 compared to Alert Level 4. During Alert Level 4, some case types related to priority proceedings (such as mental health, guardianship and family violence) continued to have applications filed. Other case types, such as dissolutions, had zero applications.

In Alert Level 3, the largest increase in the number of applications filed was for Oranga Tamariki cases. These increased 327%, from an average of 80 applications a week in Alert Level 4 to 343 a week in Alert Level 3. The number of applications per week in Alert Level 3 was also 63% higher than is filed normally (pre-COVID prior to Alert Level 4), likely due to the filing of applications that would otherwise have been filed during Alert Level 4.

Guardianship cases, which relate to the Care of Children Act 2004 (excluding Hague applications), usually have the highest number of applications. These include applications for Parenting Orders. The number of applications increased 138% during Alert Level 3 to 341 a week, from an average of 143 a week in Alert Level 4.

Mental health applications had a smaller increase, with 30 (25%) more applications a week during Alert Level 3 than during Alert Level 4.

Several cases types with few applications filed during Alert Level 4 had filings in Alert Level 3, including:

- dissolutions - increasing from zero in Alert Level 4 to an average of 90 a week
- adoption - increasing from one application in total in Alert Level 4 to an average of 7 a week
- Hague - increasing from 1 to 7 a week
- property - increasing from 4 to 29 a week
- protection of personal and property rights - increasing from 38 to 90 a week.

**Table 6: Substantially more applications were filed on notice in Alert Level 3 than in Alert Level 4**

Filing method	Alert Level 3 weekly average	Difference from Alert Level 4		Difference from baseline	
		Count	Percentage	Count	Percentage
Without notice	359	125	53%	-78	-18%
On notice	884	625	241%	65	8%
<b>Total</b>	<b>1,243</b>	<b>749</b>	<b>152%</b>	<b>-13</b>	<b>-1%</b>

## The scale of the increases in Family Court applications differed across justice service areas

During Alert Level 3, all justice service areas had an increase in the number of substantive Family Court applications filed (Table 7).

Taitokerau had the largest count and percentage increase with an average of 91 more applications filed each week (+359%). South Auckland had 88 more applications filed a week (+173%).

In comparison, in Wellington, only 10 (47%) more applications were filed a week in Alert Level 3 compared to Alert Level 4.

## More Protection Order applications were filed in Alert Level 3

For most of the Protection Order applications filed during Alert Level 3, whether a final Protection Order is ultimately granted is still being determined.

However, the majority of applications were filed without notice (73%) where urgent protection was being sought; these usually result in a temporary Order being granted.

There was an average of 120 applications filed a week during Alert Level 3. This was 57% (43 applications) more than during Alert Level 4 (Table 8). This included an additional 25 without notice applications (+41%) and 3 more on notice applications a week (+365%). There were also 15 more applications resulting from a Sentencing Act Final Order in the criminal court (+140%).

The changes in the number of different types of applications means the proportion of without notice Protection Order applications in Alert Level 3 reduced slightly to 73% of all applications (compared to 81% in Alert Level 4). At the same time, Sentencing Act applications increased to 21% of all applications, compared with 14% during Alert Level 4.

**Table 7: Taitokerau and South Auckland had the largest increases in the number of applications filed in Alert Level 3 compared to Alert Level 4**

Justice service area	Alert Level 3 weekly average	Difference from Alert Level 4		Difference from pre-COVID baseline	
		Count	Percentage	Count	Percentage
Taitokerau	116	91	359%	45	63%
Waitematā	102	54	112%	-10	-9%
Auckland	100	61	154%	5	6%
South Auckland	138	88	173%	4	3%
Waikato	102	49	93%	-1	-1%
Bay of Plenty	66	32	93%	-2	-4%
Wairariki	45	27	148%	-4	-9%
East Coast	75	48	176%	4	5%
Taranaki/Whanganui	45	19	74%	-19	-29%
Manawatū/Wairarapa	67	39	139%	-17	-21%
Northern Wellington	72	50	225%	-3	-4%
Wellington	32	10	47%	-3	-7%
Nelson/Marlborough/West Coast	53	30	138%	4	8%
Canterbury	133	80	152%	-9	-7%
Otago	57	41	267%	7	15%
Southland	28	18	163%	-11	-27%
Central Registry	14	14	-	-2	-11%
<b>Total</b>	<b>1,243</b>	<b>749</b>	<b>152%</b>	<b>-13</b>	<b>-1%</b>

**Table 8: More Protection Order applications were filed per week in Alert Level 3 than in Alert Level 4**

Application type	Alert Level 3 weekly average	Difference from Alert Level 4		Difference from pre-COVID baseline	
		Count	Percentage	Count	Percentage
On notice	4	3	364%	-1	-13%
Without notice	88	25	41%	-21	-19%
Sentencing Act	25	15	140%	8	47%
Breach of Police Safety Order	4	<1	10%	2	180%
<b>Total</b>	<b>120</b>	<b>43</b>	<b>57%</b>	<b>-11</b>	<b>-8%</b>



## Parenting Order applications also increased compared to Alert Level 4

During Alert Level 3, there was an average of 158 Parenting Order applications a week. This was 90 (131%) more a week than during Alert Level 4.

During Alert Level 4, when Parenting Order applications were prioritised where safety was a concern, 92% of the applications were filed without notice. In comparison, during Alert Level 3, 66% of Parenting Order applications were filed without notice and 34% were filed on notice. This was due to the number of without notice applications increasing from 6 to 53 a week (+824%) while the number of on notice applications had a smaller increase (from 63 to 105 a week; +68%).

Applications for variations to existing Parenting Orders also increased during Alert Level 3, with 20 (125%) more applications a week compared to Alert Level 4.

## Family Court active workload continued to increase slightly

The number of active Family Court applications increased 1% from the end of Alert Level 4 to the end of Alert Level 3 (from 28,537 to 28,777 active substantive applications).

However, it is still possible an unseen backlog is developing, as parties who delayed filing applications during Alert Level 4 and Level 3 file their applications over the coming weeks or months.

## Civil new business was substantially lower in Alert Level 3, but active workload only slightly decreased

During Alert Level 3, an average of 54 new civil (including Disputes Tribunal) cases entered the District Court each week. This was 61% lower than the weekly average during Alert Level 4 (138 cases a week).

The active civil workload (which included Disputes Tribunal) decreased 4% from the end of Alert Level 4

to the end of Alert Level 3 (from 11,960 to 11,541 active cases with substantive applications).

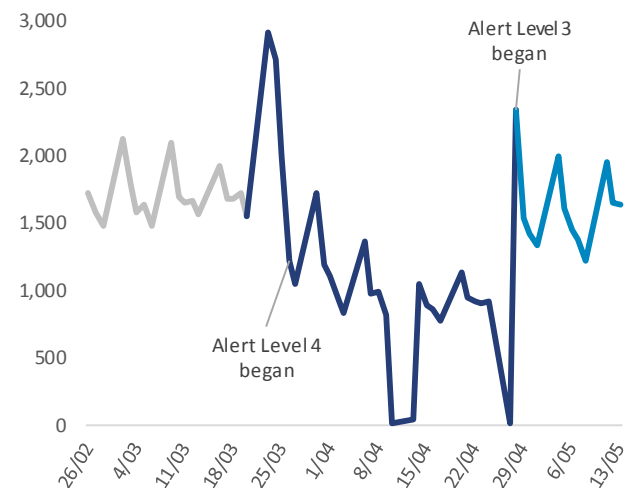
However, it is still possible an unseen backlog is developing, as parties who delayed filing applications during Alert Level 4 and Level 3 file their applications over the coming weeks or months.

## Contact centre calls increased to near normal levels during Alert Level 3

The number of calls to the Ministry's 0800 COURTS contact centre usually ranges between about 1,300 and 2,100 calls each day (with Mondays the busiest day). Following an initial spike in calls immediately prior to Alert Level 4, the number of calls dropped substantially throughout Alert Level 4 (with 40% fewer than normal).

In total, 19,490 calls were received during Alert Level 3. The number of calls was 81% higher than the average week in Alert Level 4 and was near to pre-COVID levels (Figure 5). The increase started immediately with 2,330 calls received on 28 April (35% more than on a normal Tuesday).

**Figure 5: The number of calls to 0800 COURTS increased to near normal levels in Alert Level 3<sup>16</sup>**



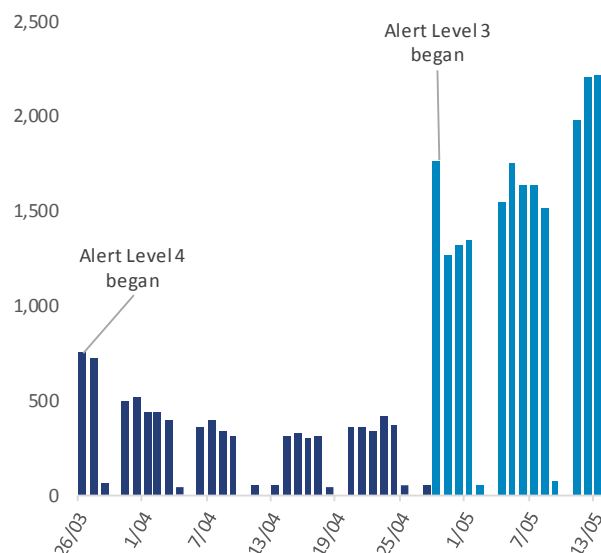
## Foot traffic through courts increased since Alert Level 4, but is lower than pre-COVID

During Alert Level 4, there were restrictions on people entering court buildings. In comparison,

during Alert Level 3, more people accessed court buildings, with an average of approximately 8,700 entries recorded a week (Figure 6). Overall, foot traffic increased by nearly four times (by 374%) but was still significantly less than pre-COVID when more than 50,000 entries a week were recorded.

On weekdays, foot traffic increased, on average, between 219% on Fridays and 568% on Mondays, compared to days during Alert Level 4. On Saturdays, when courts hold arrest lists, foot traffic increased by 26%.

**Figure 6: Foot traffic into court buildings increased during Alert Level 3**



<sup>1</sup> Alert Level 4 occurred from Thursday 26 March to Monday 27 April 2020. This was followed by Alert Level 3 from Tuesday 28 April to Wednesday 13 May 2020.

<sup>2</sup><https://www.courtsfnz.govt.nz/publications/announcements/covid-19/court-protocols/district-court>

<sup>3</sup> Alert Level 3 was 14 days, while Alert Level 4 was 33 days. Data relating to cases is extracted weekly, meaning case data for Alert Level 3 covers the period Monday 27 April to Sunday 17 May 2020, while data for Alert Level 4 covers the period Monday 23 March to Sunday 26 April 2020. Charge and application data used average weeks to compare an average 7-day period in Alert Level 3 with an average 7 days in Alert Level 4 and average 7 days in the baseline period prior to Alert Level 4 (Monday 24 February to Sunday 22 March 2020).

<sup>4</sup> All data was extracted on 19 May 2020. Application and charge data use the date the application or charge was created in the Ministry's Case Management System.

<sup>5</sup> Published on the Ministry of Justice website: <https://www.justice.govt.nz/assets/Documents/Publications/30xzvk7r2r-COVID19-Alert-Level-4-in-the-District-Court-data-summary-v1.0.pdf>.

<sup>6</sup> Alert Level 3 ended on 13 May 2020, but the Court protocols for Alert Level 2 didn't expand until Monday 18 May.

<sup>7</sup> This figure differs to the figure of 31,712 reported in the Alert Level 4 data summary due to different extraction dates and late data entry.

<sup>8</sup> This includes events where information related to COVID-19 was recorded in the Ministry's Case Management System. It does not include events that would have been scheduled over that period but were not, due to COVID-19.

<sup>9</sup> For charges finalised by 30 June 2020, charge outcome and sentence information will be available with the next

official release of financial year statistics in September 2020.

<sup>10</sup> Offences can be categorised on the basis of maximum penalty. Category 1 offences are non-imprisonable, category 2 offences have a maximum penalty of less than 2 years imprisonment and category 3 offences have a maximum penalty of 2 years or more imprisonment. Category 4 offences include very serious offences such as murder and are not included in this data.

<sup>11</sup> Note that the average number of charges per week for Obstruct/hinder Medical Officer of Health or person assisting a Medical Officer increased 12% (+14 charges a week) while the charges for breaching the Civil Defence Emergency Management Act decreased 63% (-3 charges a week).

<sup>12</sup> Using the Australian and New Zealand Standard Offence Classification (<https://www.abs.gov.au/ausstats/abs@.nsf/mf/1234.0>).

<sup>13</sup> The homicide charges are for driving causing death offences; other homicide offences are category 4 offences and heard in the High Court.

<sup>14</sup> The homicide charges included in this data are for driving causing death offences; homicide offences such as murder and manslaughter are not included as they are category 4 offences and heard in the High Court.

<sup>15</sup> Family violence-related offences include specific family violence offence types (breach of protection order, assault on a family member, common assault (domestic) and coercion to marry), offences types usually associated with family violence although not family violence-specific (male assaults female and strangulation/suffocation) and charges for other offence types with the Police family violence flag.

<sup>16</sup> The contact centre operates Monday to Friday. The days with zero calls (Friday 10 April, Monday 13 April and Monday 27 April) were public holidays.