

South Auckland Courts

COVID-19 UPDATE – ALERT LEVEL 3 (Delta Variant)

As at 8 November 2021

In this edition

- Updating the Level 3 Framework – Criminal Priority Proceedings
- No Jury Trials in November 2021
- Papakura and Pukekohe Priority Criminal Proceedings called from Pukekohe Court

Criminal

Updating Level 3 Framework (Criminal)

With the Government's announcement today, that Auckland will move to Alert Level 3 Step 2 at 11.59pm tomorrow, a Criminal Local Justice Sector Network (LJSN) meeting will be held this Wednesday 10 November to further discuss options for other priority proceedings. This includes the potential to run non-custodial matters and how these can be run safely at South Auckland Courts under Alert Level 3 Steps 2 and 3 and the Traffic Light system.

Accordingly, the current Level 3 Framework, developed to align with the [District Court Alert Level 3 Protocol \(22 September 2021\)](#), will remain in place with any changes to the Framework to be communicated after the LJSN meeting this week.

Please speak with your Criminal LJSN representative if you have any questions or suggestions.

Current Level 3 Framework

1. Up to 7 criminal courts each day for matters called at the Manukau Court.
2. Hybrid AVL Courts for Custodial Matters – for Lists, Case Review and Sentencing Matters.
3. Dedicated courts for specific court matters – such as Judge Alone Trial (JAT) Callovers, Jury Pre-Trials, Youth Court and Sentencing

4. 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
5. The Registry will work with the prisons to convert any in-person appearances to AVL for defendants in custody.

No Jury Trials in November

The Chief Justice announced in a [media statement on 3 November](#) that no jury trials will be held for the month of November in the Auckland High Court, Auckland District Court and Manukau District Court. The Manukau Court will continue to contact the parties regarding jury matters scheduled in November.

For any questions relating to Jury Matters, please contact [Naresh Kandpal](#)

Papakura and Pukekohe Priority Proceedings

Papakura or Pukekohe priority proceedings will be called from the Pukekohe Court for remote appearances only. This does not include arrests, which continue to be called from the Manukau Court.

Bail Support Services (BSS)

Bail Support Services will continue their support and services remotely during Alert Level 3.

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

- 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. BSS will provide a **BIR** to the court.
- ii. BSS 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 deal with priority proceedings under Alert Level 3 – see [Level 3 Protocol](#).

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

Judges are conducting a review of the Youth Court files to identify, from the information on the file, those cases which require priority attention.

Youth Court sittings on Marae and at Pasifika venues will not be convened or proceed under Alert Level 3.

See the [Level 3 Youth Court Protocol](#) for more info.

Family Court

The Family Court scheduled hearings for South Auckland courts are being heard via remote participation either by telephone conference or virtual meeting room (VMR). The court will continue to prioritise and deal with priority proceedings under Alert Level 3 – see [Level 3 Protocol](#).

If matters require urgent hearing time or Judicial direction please email the generic email cmt-man@justice.govt.nz and in the body of the email outline your reasons for urgency.

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

Civil

Priority civil proceedings have been identified for Alert Level 3 – see updated [Level 3 Protocol](#).

Both Disputes and Tenancy Tribunal hearings for South Auckland matters are conducted remotely.

These will be run from the Manukau Court hearing rooms.

Papakura and Pukekohe Courts Closed

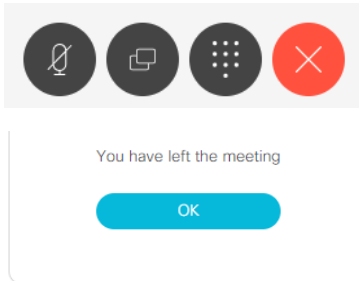
Papakura and Pukekohe Courts remain closed to the public at Level 3. Any Papakura and Pukekohe priority proceedings will be called from the Pukekohe and will be for remote appearances only.

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 [Esita Teisi](#) on 027 494 8388 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, remain closed during Level 3.

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.

Process for responding to suspected or positive COVID Cases

Where South Auckland Courts need to respond to a suspected or positive COVID case, the following steps will be taken to identify any close or casual contacts, to communicate health advice and to progress hygiene measures as quickly as possible:

1. Court notified of suspected or positive case via courts' Site Managers.
2. Two communication liaisons assigned by Site Manager (usually court managers) – Stakeholder Liaison and Healthline Liaison:
 - a. Stakeholder Liaison immediately contacts relevant stakeholders and/or members of profession to notify them of suspected or positive case and begin identifying potential close or casual contacts.

- b. Healthline Liaison calls Healthline to provide information about the case and obtain health advice for next steps – e.g. immediate isolation, testing etc, if required.
3. When Healthline advice is received, Stakeholder Liaison contacts relevant stakeholders and/or members of the profession again to communicate advice.
4. During Steps 1-3, Site Manager and Executive Judge will assess the risk and obtain advice regarding closure of the court or a specified area, if required.
5. Stakeholder Liaison and Site Manager will stay in regular contact, and work with, relevant stakeholders and/or members of the profession to ensure any new updates, developments or required steps to be taken is passed on and reported back.
6. Healthline Liaison organises deep clean or bio-clean, following Healthline advice.

South Auckland Site Managers

Manukau	Anita Edwards (Primary)
	Phil Clarke (Secondary)
Papakura/Pukekohe	Sue Kirk (Primary)
	Anita Edwards (Secondary)

See Contact Details attached