



**COURT OF APPEAL OF NEW ZEALAND
TE KŌTI PĪRA O AOTEAROA**

PRACTICE NOTE: COVID-19 ALERT LEVEL 2/3

1. This practice note applies from midday, Wednesday 12 August, following the recommencement of Covid-19 Alert Level 2 (and Level 3 in the Auckland region).
2. Courts are an essential service. At Alert Level 2, and subject to the restrictions noted below, the Court of Appeal will continue to carry out all usual scheduled work that can safely be supported. This requires the co-operation of all participants to ensure the Court functions fully, but safely, in the performance of its constitutional responsibilities.

Hearings

3. Hearings in Wellington (Court of Appeal) and Christchurch (at the High Court) will be conducted in the usual way, subject to the provisions of this practice note. Participants may however elect instead to join oral hearings by approved audio-visual or audio link.
4. Hearings in Auckland (at the High Court) will be conducted by approved audio-visual or audio link only until return to Level 2 or below.
5. The Supreme Court and Court of Appeal Remote Hearings Protocol will apply to any hearings involving remote participants. That protocol also governs media and public access to hearings. It may be found on the Courts of New Zealand website: <https://www.courtsofnz.govt.nz/publications/announcements/covid-19/court-protocols/supreme-court-and-court-of-appeal-remote-hearings-protocol/>
6. Hearings will continue to be recorded in the usual way.
7. Documents may not be handed up to the Bench during Level 2 or above, but must be emailed to the Court by 4pm the day prior to the hearing.

Health and safety

8. Courtrooms continue to be cleaned thoroughly on a daily basis. Benches will be cleaned after each use. Hand sanitiser and antibacterial wipes will be available inside the courtroom.

9. Persons present in a courtroom and courthouse must register their attendance on a list maintained by the Registrar (or court taker, in the case of counsel) and observe hygiene and social distancing requirements. They may elect to wear a mask and gloves.
10. In the event of community transmission within a relevant courthouse catchment area, public health advice will be taken, and further directions given. Steps may be taken to reduce in-person attendances at the Court to help protect those working or appearing there.

Filing of documents

11. Court documents are to be filed by email, at the following address: courtofappeal@justice.govt.nz.
12. Those who cannot file by email may file by post or file in person at the Registry, provided hygiene requirements are followed. Due to hygiene requirements, processing of these documents may be delayed significantly.
13. Special directions permitting execution by counsel of criminal applications and appeals continue to apply until further notice. Those directions appear on the Courts of New Zealand website:
<https://www.courtsofnz.govt.nz/publications/announcements/covid-19/court-protocols/court-of-appeal/#Direction6April>
14. Filing fees remain payable in the usual way. Electronic payments may be made by contacting the Court Registry.

Stephen Kós P

12 August 2020