

## PRESS CONFERENCE: MONDAY, 18 MAY 2020

**Dr Ashley Bloomfield:** Kia ora koutou katoa. Welcome to this afternoon's briefing. I've got Police Commissioner Andrew Coster with me here today. I'd like to start off by talking a bit about our cases for the day, the World Health Assembly that is convening tonight in Geneva virtually, and also a comment around religious and faith-based gatherings.

First of all, I can report there are no new cases of COVID-19 to report in New Zealand today; so our total number of confirmed and probable cases remains at 1,499, and of these 1,149 are confirmed cases—the number we report to the WHO. No change in the number of people who have recovered, from yesterday; that is 1,433, which represents 96 percent of all confirmed and probable cases. There are just two people in hospital again today: one in Middlemore and one in Auckland Hospital, and neither are in intensive care units. The number of significant clusters remains at 16, but, obviously, no additional cases to add to any of those. And there are no additional deaths to report today. Yesterday, there were 2,570 laboratory tests processed, and so our total number to date is 230,718 tests.

Tonight, I'll be leading the New Zealand delegation at the 2020 World Health Assembly. This is held annually in Geneva, usually over a period of a week. This year, because of the circumstances, it will be undertaken virtually and over sessions over a couple of days. I'm looking forward to hearing from the WHO Director-General, Dr Tedros, on his thoughts for the future efforts around COVID-19 globally and also about broader global health issues. The Minister of Health, the Hon Dr David Clark, will be presenting New Zealand's country statement via video. I don't have a speaking part, even though I'm the head of the delegation, because the interventions by countries will be made very short; however, if there's something that member States speak about that I think it's in New Zealand's interests to intervene on, I will do so.

New Zealand is co-sponsoring a resolution on COVID-19. The purpose of the resolution is to agree at a high level the future areas of work to be undertaken on COVID-19 by member States and by the World Health Organization and other organisations, and one example is, for example, to ensure fair access to vaccines as part of the global efforts to develop and make these available. At a time of global crisis around a public health issue, it's critical that countries come together, and the COVID-19 resolution aims to support that. Such solidarity will ensure we respond collectively, as we must do, to these sorts of global challenges.

There will also be in the resolution a reference to a review of the pandemic and the response to it. I will note that, after any global health emergency or issue, this is done. For example, it has happened with Ebola and it happened after the swine flu pandemic H1N1 in 2009. The findings of the reviews help inform both the WHO's subsequent work and the work of member States, as well, and ensures that appropriate technical guidance and support is developed. There is general agreement amongst WHO members on the issues outlined in the resolution. There's been a lot of work undertaken by diplomats over the last few weeks to get to that level of agreement and it is expected to be adopted unanimously.

And, finally, I want to talk briefly on church and faith-based gatherings. I know there was some publicity over the last weekend about these. It's important I start by saying there has been fantastic support from churches and other faith-based organisations right through levels 4 and 3 and into alert level 2 across the country, and they have been very supportive and collective in their efforts to protect all New Zealanders. I know that many people, including those of faith, want to move as quickly as possible to increase the size of gatherings. I know how important it is for people to be able to practise their faith together. The policy intent for gatherings is clear in the alert level 2 framework, and this includes the current maximum number of people who can gather as currently 10, and this applies to both private and public gatherings, including church and faith-based ones. But this number is one of the very specific issues that are being reconsidered by Cabinet next Monday.

Thank you, and I'll hand over to the commissioner.

**Commissioner Andrew Coster:** Thank you, kia ora koutou. I want to open by acknowledging the fantastic effort and commitment from New Zealanders as we've moved into alert level 2. Apart from an expected period of adjustment, New Zealanders have demonstrated that they understand what is expected of them. Overall, in alert level 2, the number of breaches are significantly less than alert level 3. We're only getting 200 to 350 reports per day, as compared to the 700 to 1,000 we experienced during alert level 3.

Since level 2, we've had 983 breaches reported to police, mostly through the 105 phone line. About 700 of those were for businesses and 250 related to mass gatherings. A number of the complaints received have related to retail businesses not having contact tracing systems, and it's important to note that contact tracing for customers for retail businesses is not a requirement, although they must contract trace for workers.

A large number of reported breaches around retail premises have related to not maintaining correct distancing measures—something which we believe is now settling down. Parties at private premises featured on Friday and Saturday nights, although not at the levels we've seen in prior weekends, and we continue to take an enforcement approach led by education, encouragement, and engagement. We have recorded a total of 30 breaches; 29 of those resulted in warnings and one prosecution.

There has been some commentary about powers of entry available to police, and since we started in alert level 2 there has been no entry of premises using those warrantless powers. The powers are narrowed from what has been in place under the previous state of emergency and health orders, and we, in our own operational guidelines, have required front-line staff to consult with the district command centre or our national command centre prior to executing a warrantless power of entry. There's an obligation to report to me as the commissioner as soon as possible, outlining the circumstances, and, in relation to marae, the marae committee would also receive such a report. It's important to emphasise, it is unlikely those powers need to be used with any frequency. Thank you very much.

**Dr Ashley Bloomfield:** Are there any questions?

**Media:** Commissioner, can we just start off by asking you, why do we even need those powers in place if, as you say, we haven't used them so far?

**Commissioner Andrew Coster:** The public would expect us to be able to take enforcement action in extreme cases. So the sort of scenario you might imagine is a party out of control. If we were denied access to the property by the occupants, then a power of entry would allow us to go and sort that situation out. It's not uncommon for us to have powers of entry; there are equivalent powers relating to noise control events where, on occasion, if required, we can force entry.

**Media:** But as you say, wouldn't you be able to do that in normal circumstances anyway? Why do you need these overarching new powers, and don't they just alarm the public?

**Commissioner Andrew Coster:** We can only use a power where one exists. Powers do exist for other things like serious offending, drug offending, and also noise control, as I've noted, but we can't generally enter a property if the occupants have denied entry, so the powers allow us to sort out the outlier events.

**Media:** In terms of search warrants that you'd get in a normal situation, do they just take too long? Is that why you need this special power?

**Commissioner Andrew Coster:** A search warrant is an option that we can use, but, again, it comes from legislation. And I can't speak for Parliament, but it stands to reason that a one to two hour delay for police to sort out a mass gathering would probably be unacceptable and likely increase the health risk of that gathering continuing.

**Media:** Commissioner, have you got an explanation for Clearview [*Inaudible*] for using Clearview AI seemingly without your knowledge?

**Commissioner Andrew Coster:** That's been well-traversed. The trial concluded prior to my commencing in the role. It's accepted that we ought to have consulted with the Privacy Commissioner before we did it, but the trial was a very narrow exercise. We determined that it was not useful in New Zealand circumstances and we don't envisage using the technology.

**Media:** Did your predecessor sign it off?

**Commissioner Andrew Coster:** I can't speak to that.

**Media:** You were quoted—well, John Edwards told us that in a conversation you'd had with him that you said that you were concerned that it hadn't had that sign-off at top level. Can you give us a bit more detail about the concerns that you had about how this was run, even not under your watch?

**Commissioner Andrew Coster:** With technology of this nature, clearly there is a public interest in its use, and privacy concerns could arise depending on how it's being used. So the normal approach we would take would be a conversation with the Office of the Privacy Commissioner, to talk about the boundaries of a trial, and then we would stick within those boundaries. Now, it was a very narrow trial, and the staff involved were incredibly well-intended, but we missed that crucial consultation.

**Media:** But it was still used, though, to run hundreds of searches. So how acceptable is that, to be running that kind of thing without official sign-off, as well intentioned as it is?

**Commissioner Andrew Coster:** The vast majority of searches were actually on volunteer police staff. There were roughly 30 searches, involving a small number of cases, to test the technology. It shouldn't have occurred without that sign-off. However, I'm satisfied that no one intended to cause a problem here.

**Media:** Is there going to be a review, though, of how that was allowed to happen, given the potentially very serious nature of running such a thing without sign-off?

**Commissioner Andrew Coster:** I've commissioned a stock take of any surveillance-type technologies that we may be using or trialling, to make sure that there's nothing equivalent. Clearly, technology is moving really quickly, and it has good and appropriate application in law enforcement, the trick is for us to make sure that we are doing that within the bounds of the Privacy Act.

**Media:** Do you conceive of this as a purely operational matter, and one where you don't need to consult your Minister, but only the Privacy Commissioner? Or in future would you seek to consult the Minister as well?

**Commissioner Andrew Coster:** There is operational independence for police, but clearly there's a public interest where we're using technology of this nature that we consult it. So whether or not I'm required to consult the Minister, it's something I would do as a matter of good practice.

**Media:** Are you concerned that police officials specifically trialled the technology on people who they thought looked to be of Māori or Polynesian ethnicity as well Irish roof contractors?

**Commissioner Andrew Coster:** I don't understand there being any particular frame that was brought in terms of who was used, other than current cases of interest.

**Media:** Dr Bloomfield, the guidelines were changed for funerals last week, and now the review on religious gatherings is not going to happen for another week. What exactly is it about religious gatherings that concerns you as a health professional? Why more than 10 people can't be in a church that might seat 200?

**Dr Ashley Bloomfield:** So when the original alert level 2 guidance was put out, every gathering was benchmarked actually at the number that there was for funerals and tangihanga under alert level 3; that was the 10. And the main rationale for that was it was felt that those gatherings, where there was likely to be mixing and mingling on top of the

already quite extensive changes as we move to alert level 2, just the cumulative risk was too high, and one way we could manage that would be to start with a small number, not discriminating, but for all public and private gatherings, and then to increase that over subsequent weeks. The exception was made after discussions last week around funeral and tangihanga because of those special circumstances, and the review of the number by Cabinet next week, and their consideration of that and other matters as to how things are going under alert level 3, is again not specific to religious and faith-based gatherings, but is the number that would be allowed in any gathering, both public and private.

**Media:** So all you're saying is you don't agree with there to be the need for an exemption for religious gatherings, and that next week is a broad assessment of all numbers for everything?

**Dr Ashley Bloomfield:** That's correct, and one of the key reasons we've made that exception for funerals and tangihanga is because they are unique single events and the timing of those cannot really be changed. I just want to go back to my earlier comments, you know, right through alert level 4 and 3, and into 2, churches and other faith-based organisations have been very supportive and done a huge amount of work to ensure that they can keep their parishioners, their staff, and the rest of New Zealand safe by adapting how they create worship options or gathering options for their constituencies, and we're getting closer—and I think we all would like to see the number who can gather increase, and that's the intention. The number today reinforces the fact that we are on the right pathway.

**Media:** As we continue to get those lower numbers, do you think it will increasingly be a harder argument to keep those restrictions in place?

**Dr Ashley Bloomfield:** My sense is that New Zealanders want to make sure we capture the gains that we made through alert levels 4 and 3, and we're not talking about months until we're reconsidering the numbers. It's being considered again in a week's time, and I think people understand why we need to continue to take a cautious approach and make sure that even as we get into alert level 2, particularly two weeks in—so that 14-day period—we're still confident there are not these pockets of infection out there that are not undetected and especially with more people gathering and interacting through different environments, work, retail, other organisations, and, of course, in the school environment.

**Media:** What role did the lockdown play in getting us down to zero new cases today?

**Dr Ashley Bloomfield:** Alert level 4 lockdown? Well, it set the scene for us to be able to break that chain of transmission. We were on a very different trajectory of exponential growth, which we saw happening in other countries, and it was quite clear that if we didn't intervene quite significantly, that would be the path we would be on. We chose to act and we've not only acted but we've acted successfully through our lockdown, not only to break the chain but to mean we can come out and start to ease those restrictions sooner than many other countries that have had those much wider outbreaks.

**Media:** There's quite a lot of confusion around the necessity to contact trace, particularly in retail with a lot of shops still collecting names and addresses and emails and whatnot, but they don't need to be, do they?

**Dr Ashley Bloomfield:** Not in retail settings where people's presence in the premises is short and where there is good attention being paid to physical distancing and so on, so reducing the risk of people interacting and potentially transmitting. It's in hospitality settings where people are coming for a period of time that it is important that names and contact details are recorded to enable contact tracing should that be required.

**Media:** With the resolution that New Zealand will support tonight, I note your point that it's usual after an outbreak, but obviously this is unusual—is there the potential that it would lead to a specific investigation about China, Wuhan, and any interaction with the World Health Organization during those early stages?

**Dr Ashley Bloomfield:** The intention of the resolution and of countries negotiating that resolution is to ensure that the right sort of review is undertaken about the pandemic, from its inception through to where we are now, including the actions of the WHO, but also of member States and how they've responded, and the key outcome that's been looked for here is what can we learn. Because we're only really at the end of the beginning in this outbreak, and there is still a lot we need to do, and so I think it's good; and you'll have seen in our response over the last few months, we've already reviewed a number of aspects of that response so that we could learn rapidly. So I think it's appropriate and I'm very supportive of this review being undertaken.

**Media:** So this resolution could trigger—this resolution is like the early stage and could trigger a further more specific investigation, or is this setting the scene for the whole kind of review?

**Dr Ashley Bloomfield:** Yes. I wouldn't characterise it as an investigation. It's a review, and it's being agreed by the governing body, which is all member States of WHO. So, as you can imagine, there's been a lot of negotiation about what the scope and nature of such a review will be, but the intent is very clear and shared by member States, that it is to find out what we can learn to inform what we do next.

**Media:** And will New Zealand or you, as New Zealand's representative, expect full cooperation from countries like China if that's what the resolution the member States demand or want?

**Dr Ashley Bloomfield:** Oh, absolutely, and by agreeing a resolution the member States are signalling their intent to cooperate, including New Zealand, with any work that is done as part of the review.

**Media:** Commissioner, over the first weekend of level 2, was there a significant amount of compliance [*Inaudible*] by hospitality operators or were they mostly well behaved?

**Commissioner Andrew Coster:** Sorry, which operators?

**Media:** Hospitality operators.

**Commissioner Andrew Coster:** Hospitality was generally very good. We've been, obviously, patrolling, as we do, in hospitality areas and what we saw was really good compliance. People were on to it, and it wasn't an overly busy weekend in terms of that.

**Media:** Why has Marist College been allowed to open, considering it is an active cluster?

**Dr Ashley Bloomfield:** Whilst the cluster is still characterised as active, one of the things we did last week was invite members of the Marist community, including students, teachers, and family members to come and be tested as part of helping provide a degree of assurance about reopening this week, and actually the testing results were highly reassuring in that regard. Whilst there was one, possibly two, that were positive, it was quite clear that the infections had happened some weeks previously, and the view was that there was no ongoing infection within that community. So I think it's reassuring for members of that college but also of other institutions that actually that cluster has been well contained now and there's no ongoing risk of further infection.

**Media:** Is Taiwan playing any role today in the World Health Assembly that you're participating in?

**Dr Ashley Bloomfield:** Well, Taiwan as a jurisdiction is neither a member nor an observer at the World Health Assembly. You'll be aware that there has been quite a lot of discussion about the re-admittance of Taiwan as a potential observer at the World Health Assembly, and that discussion is ongoing. So no agreement has been reached by member States on that.

**Media:** What do you make of all the politicisation of this pandemic? You know, you've got China in verbal wars with lots of other countries over this. What's your take on it all?

**Dr Ashley Bloomfield:** Well, my take is that the vast majority of countries are not politicising the response but are working collectively and collaboratively both as part of the WHO membership but also in interacting with each other, and we continue to have a whole range of interactions directly with individual countries and collectively with our science advisers and through a range of mechanisms. I think most countries, if not all, recognise that cooperation will be fundamental to us being able to get on top of this pandemic globally. It's imperative that all countries are involved in that.

**Media:** Dr Bloomfield, you mentioned the 14-day sort of incubation period, does that mean that you're concerned that we could see a spike at the end of this week or at the beginning of next week?

**Dr Ashley Bloomfield:** I'm not concerned, but I'm watchful. Now over, really, two and a half, nearly three, weeks post we started alert level 3, we haven't seen any spike in cases; we haven't found cases that were unexpected. But, obviously, we want to remain watchful, we want to keep up that testing across the country to make sure that if there are any cases there that may have gone undetected to date, we're finding them. And we're more likely to find them or see a spike because people are interacting more. So hence continuing the wide testing and being ready to act very quickly.

**Media:** Part of the criteria for moving to level 1 would be ensuring there's no community transmission. Can you sort of detail exactly what it means to have no community transmission and what criteria there are around that?

**Dr Ashley Bloomfield:** Well, at the moment, we're in a position where there is no community transmission. What we want to see is that is still the case once we settle into the full alert level 2 arrangements, as has been signalled previously, with that top-end size of gatherings being at 100 people. And we will want to be sure that we were still seeing no community transmission—that is that we're not seeing cases that we cannot link back to international travel or to other existing cases that we already know about.

**Media:** Was that 1 April the last time there was any case that you couldn't link to national travel [*Inaudible*]?

**Dr Ashley Bloomfield:** 2 April was the last time we had a case that we couldn't link directly to a case, or where it wasn't very clear where the person had got their infection from.

**Media:** The Canterbury toddler with coronavirus is one of the 18 under-fives to contract the virus. On the website it just says "linked to overseas", does that mean it was mostly their parents, or were there any cases where it was a, you know, ECE sector where someone was linked to overseas?

**Dr Ashley Bloomfield:** Well, I can't speak to all the earlier ones, but my strong recollection is that there were no cases that affected an early childhood education centre right through our outbreak and through the alert levels. So that would imply that either they had travelled—our cases in under-fives and, indeed, under-10s had—or, sorry, under-fives had either caught the infection through having been overseas and coming back or through transmission inside the family home. And that was the case in this case that we announced yesterday.

**Media:** What's the message to parents sending their kids off to school this morning? Some are feeling quite nervous, what's your message to them?

**Dr Ashley Bloomfield:** I can understand why people might be nervous, and I think some people are nervous coming back to work and riding public transport and something. And my message is the same to everybody: the work we have put in over the last seven weeks, particularly through the lockdown and then our stepped and managed approach to come out of the lockdown, has put us in the best possible position, and we can have a high degree of confidence that there are not cases of COVID-19 out there that are creating a risk either for school students or, indeed, for others.

**Media:** For parents who have chosen not to send their kids to school today—what would you like to say to them?

**Dr Ashley Bloomfield:** Well, I hope that they will be reassured as well over coming days that the risk is very, very low, if there at all, and that schools have done an enormous amount to ensure that they are keeping students and staff safe in the school environment.

**Media:** Was the child who tested positive yesterday that was linked to the Rosewood cluster a household contact of a healthcare worker?

**Dr Ashley Bloomfield:** Yes, that's correct.

**Media:** And how did—were there any sort of mistakes that that healthcare worker made that meant that that passed on to the home?

**Dr Ashley Bloomfield:** Well, I can't comment on that, but I don't think anyone would have made mistakes. What we have seen in our outbreaks here in New Zealand—and it's the same pattern elsewhere—is that the family home is the place where transmission most commonly occurs. One of the things we're looking at—at the moment, of course, we don't have any new cases in the community, but we're looking at how the range of options we can offer families to help reduce the likelihood of transmission inside the family home, and that might include making available other accommodation options for that family member who's the case to greatly reduce the risk of any further transmission inside the family.

Perhaps the last question, up the back.

**Media:** The Cabinet documents that were released a couple of weeks ago show sort of a picture of a lot of frenetic activity around the period of the development of the alert levels and going into lockdown, but on Friday, March 20—the day before the alert levels were announced—it was thought that we would be in alert level 2 for 30 days. What changed in your thinking and the Government's thinking to push us, just a couple of days later, into lockdown?

**Dr Ashley Bloomfield:** What changed was not only could we see the pattern that was happening in New Zealand but it was very clear from what was happening overseas over that weekend, we could see that we would be on the same trajectory—that was the first thing. And the second thing was that the countries that had had wide outbreaks had had to put in place very strict lockdowns to be able to get on top of it anyway, and our view—you know, we developed a view very quickly that, ideally, we would go into an alert level 3 or 4 possibly very quickly to not only avoid a further increase in cases at that exponential rate but also to protect our healthcare system and with the intention of being able to stay in lockdown for as short as possible to be able to get the economy going again, and that became very obvious to us as we looked at the experience of other countries, particularly those in Europe.

**Media:** And then, one last question for the commissioner, if I may? We've seen a lot of attempted sabotage of mobile network infrastructure and cell towers. What are police doing to sort of cope with this problem?

**Commissioner Andrew Coster:** Obviously, we will investigate very thoroughly when this is going on, and we suspect that there's potential some of these events are linked. This is critical infrastructure, and it's reckless, to say the least, to try and damage it in this way. So we'll be dealing with it very firmly when we identify those responsible.

**Media:** Is it life-threatening?

**Commissioner Andrew Coster:** Look, I think critical infrastructure always has the potential to be, but whether it is in a particular case depends on who's reliant on it.

**Dr Ashley Bloomfield:** Thank you very much.

**Media:** Commissioner—sorry—can I just ask: there have been a few communities which have expressed continued need for community roadblocks. At level 2, are police changing

their approach from working with these communities, or is it sort of now looking to remove them?

**Commissioner Andrew Coster:** We've been clear that we don't think they're required in level 2, and communities have agreed with us. In terms of that, there are no checkpoints operating presently and we don't see the need for them.

**Dr Ashley Bloomfield:** Thank you.

**conclusion of press conference**