



## **COVID-19 Dust Diseases Tribunal of New South Wales Operations Update 18 November 2020**

1. The Tribunal will allow personal appearances of up to 12 people in the courtroom as of 23 November 2020. Parties and practitioners may be invited to attend in person to attend a hearing; however any parties and practitioners who do not feel comfortable in attending in person can appear via electronic means.
2. Bedside Hearings and the Weekly Directions List will continue via the use of the virtual courtroom videoconferencing facility (virtual courtroom) or other electronic means until further notice.
3. Judges will have discretion whether a hearing should be conducted in person or via the virtual courtroom or other electronic means. A preliminary directions hearing will be conducted (via the virtual courtroom or electronic means) to determine the mode of appearances.
4. The virtual courtroom can be accessed via the internet using a camera enabled device, such as an Ipad (or tablet), a smartphone or a computer with a webcam. Access to the system is also available on the telephone for participants who do not have a camera enabled device.
5. Instructions on how to access the virtual courtroom will be issued to the parties prior to the listed appearance. These instructions are unique to each Judge.
6. All materials to be relied on by the parties should be sent by email to the Judge's Associate. The Tribunal will print those materials for inclusion on the Tribunal's file and for the Judge. There will be no provision for printed materials or physical exhibits to be handed up in court and this will not be permitted.
7. Practitioners are asked to advise clients, witnesses and others that the access details are to be used for the purposes of the hearing only and are not to be published by those persons for any other purpose. Persons accessing the system for inappropriate purposes or in a way that interferes with the proper administration of justice will be referred to be dealt with for contempt of court. Whilst use of the virtual courtroom will make it possible for persons to participate from home or offices, the parties are reminded that usual court etiquette including attire standards apply, but counsel are not required to robe for any appearance in the virtual courtroom.
8. The methods in which Mediations are to be conducted pursuant to the Claims Resolutions Process are to be determined by the Parties and the Mediator.
9. Issues and Listings conferences before the Registrar will proceed in the virtual courtroom or by such other means as arranged between the parties and the Registrar.
10. The Tribunal will accept filing of documents by email if parties have no alternative way of getting the documents to the Registry. The Registry will remain open until further notice.

Registrar Daniel Watson

18 November 2020