



24 April 2020

## **Satisfactory Arrangements for a Defendant to appear remotely**

### **Virtual Appearance of Legally Represented Defendants in the company of Legal Representation**

Where a Legal Representative makes arrangements for a defendant not in custody to appear in the office or chambers of the legal representative this will be considered a satisfactory arrangement for appearance. Please note that Legal practitioners are strictly prohibited from providing the courts Virtual Court dial in numbers to the defendant personally.

Legal representatives should be in contact with the Court registry or the presiding Judge's Associate who will provide the Virtual Court login details. Please familiarise yourself with the Virtual Court Practitioner Guide and other materials available on the District Court website.

### **Telephone Appearance of Self Represented Defendant not in custody**

A self-represented defendant not in custody may appear via telephone for the following matter types:

- Arraignments;
- Readiness Hearings;
- Return of Subpoena;
- Severity Appeals from the Local Court where a term of imprisonment, including an Intensive Correction Order, has not been imposed; and
- Procedural mentions.

A defendant who intends to telephone must contact the local registry and provide the following:

- The name of the matter;
- The court room where the appearance will be occurring; and
- The date(s) and time(s) of the appearances.

In order to dial into a Telephone Appearance a self-represented defendant will dial **02 8688 2222** then enter the Meeting ID provided by the registry.

### **Determination of Satisfactory Arrangements**

Whether the telephone or virtual appearance is deemed to be satisfactory is a matter for the presiding Judge. Where this cannot be met to the standard of the Judge, a matter will be adjourned to a future date by discussion with the parties. For a self-represented non-custodial defendant, the matter will be relisted for mention in June 2020.

## **Virtual Court Procedure for Appearances**

Court etiquette continues to be applied for Virtual Court appearances. The following is also required so that proceedings are efficient and an accurate court record can be maintained:

- When entering the Virtual Court Room users must enter their full name and the matter so as to be identifiable on the monitors within the court room.
- All parties must announce (individually) and spell their appearances at the start of proceedings.
- All parties must speak into microphones/phones and speak one at a time so that they can be understood.
- When counsel or self-represented defendants are appearing via telephone link or AVL link, they must announce their appearance (name) each time they speak.
- Devices such as mobile phones, laptops and tablets should be placed on mute throughout proceedings and only switched to active sound when relevant parties are to speak.
- Competing noises in courtrooms, offices or open environments increases the difficulty for the court monitors to hear. This will impact the quality of recording, resulting in poor quality of transcript. Background noise must be kept to a minimum wherever possible.