

PRACTICE NOTE SC Gen 15

Supreme Court General – Use of audio-visual links in criminal and certain civil proceedings

Commencement

1. This Practice Note commences on 1 January 2009.

Application

2. This Practice Note applies to civil and criminal proceedings.

Definitions

3. In this Practice Note:

Act means *Evidence (Audio and Audio-Visual Links) Act 1998*

AVL means audio-visual links

AVL directions has the same meaning as in the *Evidence (Audio and Audio-Visual Links) Act 1998*

Government agency witnesses has the same meaning as in the *Evidence (Audio and Audio-Visual Links) Act 1998*

Designated government agencies has the same meaning as in the *Evidence (Audio and Audio-Visual Links) Act 1998*

Introduction

4. The purpose of this Practice Note is to establish arrangements for the use of AVL in criminal and certain civil proceedings.

Appearances by government agency witnesses

5. If they have not already done so, no less than 10 working days prior to a hearing parties to the proceedings are to advise the Court and each other if Government witnesses are to give evidence by AVL.

Applications by designated government agencies

6. Applications by Government agencies to make AVL directions are to be lodged at the Court no later than 10 working days prior to a hearing. Copies are to be served on parties to the proceedings.

Appearances by accused persons or defendants in criminal proceedings

7. When making arrangements for the appearance of accused persons or defendants in proceedings, the Court will have regard to the operational requirements of the departments of Juvenile Justice and Corrective Services. It will also have regard to the following priorities for the use of AVL:

1. Bail hearings in any NSW court
2. Mentions in criminal proceedings and arraignment hearings in any NSW court
3. Appellate hearings in any NSW court
4. Sentencing hearings in any NSW court and
5. Other hearings in any NSW court.

J J Spigelman AC
Chief Justice of New South Wales
6 November 2008

Related information

- This Practice Note was issued on 6 November 2008 and commenced on 1 January 2009.
- Evidence (Audio and Audio-Visual Links) Act 1998.