1 April 2020

Mr Tim Game SC
President
New South Wales Bar Association
Selborne Chambers
Basement Level, 174 Phillip Street
SYDNEY NSW 2000

By email: timgame@forbeschambers.com.au

Dear Mr Game

An update to key stakeholders regarding coronavirus/COVID-19: progression and early resolution of criminal cases

The coronavirus pandemic has thrown up challenges for the entire community, including for the legal profession. I am writing to various key stakeholders from across the criminal justice system to signal the CDPP's continued commitment to ensuring that criminal cases continue to progress, to the extent reasonably possible, during the current pandemic. The CDPP also wishes to ensure that once normal court operations resume, any bottleneck or large backlog of cases is minimised.

In the context of the criminal justice system, of most impact, has been the suspension of the commencement of new jury trials.   The CDPP proposes to actively prepare and run legal arguments where that is able to be facilitated by the courts. The CDPP is also ready, willing and able to engage in processes aimed at achieving either a resolution of the entire case, or a narrowing of the issues that ultimately need to be litigated. I have asked CDPP solicitors to review current cases to identify those which have such potential.

We are acutely aware of how difficult the situation must be for some barristers, and indeed, some chambers. We are looking at how we can best utilise all our resources, including the bar, as we scope our future work flows. We look forward to continuing to work closely with your members. It is critically important for the future that we have our criminal bar continue, as we are clearly heavily reliant upon it. We are doing whatever we can to play a part.

Yours sincerely,

Sarah McNaughton SC
Commonwealth Director of Public Prosecutions