



CHIEF JUSTICE ' S CHAMBERS FEDERAL
COURT OF AUSTRALIA
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8 October 2021

Mr Michael McHugh SC
President
NSW Bar Association

Ms Juliana Warner
President
NSW Law Society

By email: president@nswbar.asn.au

By email: lawsociety@lawsociety.com.au

Dear Michael and Juliana

The Court has considered what changes it might make consequent upon the relaxation of restrictions in New South Wales commencing 11 October 2021.

The announcement of the changes to arrangements in the Supreme Court has been brought to my attention.

The Court proposes to approach arrangements as follows.

The building status for Federal Court operations will not change. Currently, except in exceptional circumstances and with my permission, all hearings are remote by MS Teams or streaming. That position will continue until at least 25 October 2021.

If any party wishes to request an in-person hearing, the approach should be made to the docket or trial judge with all reasons as to why an in-person hearing is necessary (not merely preferred). The judge will then consult with me if he or she considers that an in-person hearing may be warranted.

In any decision, regard will be paid to the numbers of persons involved (counsel, solicitors and witnesses). A protocol of conduct may be required by the Court in any large case. Masks of course must be worn, except by the judge and counsel speaking. All persons (counsel, solicitors and witnesses) must be double vaccinated. The solicitors for the parties will be required to inform the Court (no later than the evening before the hearing) that from their inquiries (made appropriately in advance) everyone on their side (including witnesses) is double vaccinated.

The Court proposes to monitor events in the coming two weeks to assess whether any changes need to be made to the building status for Federal Court operations and the approach of the Court.

The Court is confident that this approach will ensure that cases can be continue to be heard as they have been.

Please forward this letter to your members.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J. Allsop'.

The Hon James Allsop
Chief Justice