



Children's Court of New South Wales

PUBLIC NOTICE OF RESPONSE TO COVID-19 PANDEMIC

19 March 2020

Like all court jurisdictions across Australia the Children's Court of New South Wales is facing unprecedented challenges in the face of the COVID-19 pandemic. Notwithstanding this, the justice system is critical to maintaining social cohesion in times of crisis and the Court will continue to operate to the extent that it is feasible to do so, including the conduct of hearings.

However, the safety and wellbeing of everyone involved in court proceedings is of the utmost importance and for this reason the Court is adjusting its processes.

Court participants should continue to monitor the website for the [Department of Communities and Justice](#) for updated information and instructions on what to do if you are required to attend the Children's Court. The advice on that website overrides the advice in this document.

General information relevant to all cases in the Children's Court

- If you are represented by a lawyer you do not need to attend court unless your lawyer tells you that you need to.
- If you want to attend court regardless, you may, but you should also talk to your lawyer about whether they can make arrangements to allow you to listen to the court proceeding by phone when your case is dealt with.
- If you are required to come to court you should only bring a maximum of 2 support persons with you. If you are a child or young person, your parents or carers should come to court.

Children's Court criminal jurisdiction

1. To ease current pressure on the court system police are directed to **list non-custodial matters approximately 6 weeks in advance** in lieu of the usual 3 weeks with the exception of domestic violence related offences and provisional orders.
2. Domestic violence related offences and provisional orders are to be **listed within 14 days** where the Children's Court sits daily and **not**

more than 28 days in other instances to ensure that the terms of a provisional order remain appropriate in the current circumstances.

3. However, parties can ask to re-list matters before the first court date. Contact the local registry where your case is listed or contact the Court Services Centre by phone on **1300 679 272** to ask how to do this.
4. All defendants should contact either Legal Aid or the Aboriginal Legal Service as soon as you have been issued a court attendance notice by police to get legal advice.

Legal Aid youth hotline - 1800 10 18 10

Aboriginal Legal Service - 1800 765 767

5. If you are the family member of a young person in custody you should contact **Youth Justice on 1300 135 330**.
6. Young people in custody will mostly appear before Court by Audio Visual Link (AVL) from a detention centre including the first court date and, if and when the Court sentences the young person.
7. Judicial Officers will be looking at bail conditions on the first date of court. Make sure you talk to your lawyer about whether these conditions are workable.
8. Some cases may be delayed.
9. Where a Youth Justice Conference is ordered by the Court the case should be adjourned for 3 months instead of 2 months.
10. Parties will be required to contact the Court in writing 7 days prior to the date of the hearing to advise if the hearing can still go ahead.

Children's Court care and protection jurisdiction

1. Directions lists and hearings will continue.
2. Parties are excused from attendance at directions lists if represented by a lawyer and lawyer has received the parties' instructions.
3. Parties should be available to speak to their lawyer by phone on the day of court.
4. Where all the parties are in agreement in relation to what directions or interim orders might be appropriate for the Court to consider only one legal representative needs to attend court.

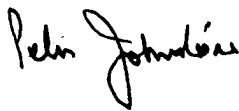
5. Parties will be required to contact the Court in writing 7 days prior to the date of hearing to advise if the hearing can still go ahead.
6. Dispute Resolution Conferences will continue to be conducted but will be adjusted as determined by the relevant Children's Registrar having regard to available facilities. The use of shuttle conferences, AVL and telephone will be considered.

Children's Court education jurisdiction

1. Applications for compulsory schooling orders currently listed before the Children's Court will continue to be dealt with.
2. No further applications will be filed by the Department of Education until June 2020.
3. Education conferences conducted by Children's Registrars that are currently listed will be conducted, subject to the discretion of the Children's Registrar.
4. No further education conferences are to be referred to Children's Registrars.

The Court will continue to work with stakeholders to refine these arrangements, including developing arrangements for legal practitioners to attend court by alternative means.

Please note that arrangements are subject to change at short notice.



Judge Peter Johnstone

President of the Children's Court of NSW