



NEW SOUTH WALES

17 July 2020

CHIEF MAGISTRATE'S MEMORANDUM NO. 14 COVID-19 ARRANGEMENTS

It has come to the attention of the Court that there appears to be a misunderstanding in relation to the need to physically appear before a Local Court during the Covid-19 pandemic arrangements. The purpose of this memorandum is to re state the expectations of the Court in relation to remote appearances and physical appearances so that overcrowding on court premises can be reduced. This has been a particular problem affecting the operations of the Court at Burwood.

Memorandum No. 13 made it clear that a physical appearance by a defendant or a legal representative is not required in circumstances where at first return of a matter an adjournment is sought for the purpose of obtaining legal representation or legal advice. This can be communicated to the court by email or in writing.

On the second date a physical appearance will not be required if the court is advised by email or in writing of the plea to be entered. If it is to be a plea of not guilty the court will make the appropriate orders for service of a brief in those matters which require the preparation and service of a brief.

On each of these occasions communication by email or in writing will be taken to be a physical appearance, as stated in previous memorandum and reiterated at paragraph 3 of Memorandum 13.

Legal Practitioners are requested to re-familiarise themselves with the physical appearance requirements set out in paragraphs 10-13 of [Memorandum 13](#).

The design and architecture of some court premises do not lend themselves to accommodating large volumes of people, particularly at a time where social distancing requirements impact directly on capacity. This being so the cooperation of all persons having business before the Local Court, and in particular the legal profession would be greatly appreciated.


Judge Graeme Henson AM
Chief Magistrate

