



HIGH COURT OF AUSTRALIA

HCA Video Connection Hearings – PROTOCOL

The following notes are provided as a guide to practitioners participating in High Court Video Connection ("VC") Hearings

Technical arrangements

The Court is using video conference technologies to conduct VC Hearings routed through Courtroom 2 in the High Court Building in Canberra, which will act as the VC hearing hub.

Participants will be expected to connect to the hearing from a device (laptop, iPad, tablet, smartphone) with a suitable camera and microphone.

4G connections are not reliable and broadband connectivity is preferred. If video quality is not satisfactory participants may need to join the hearing by telephone (landline preferred).

Participants will be provided, in advance, with connection instructions for each hearing.

VC hearings will be recorded by the High Court Reporting officers and transcripts will be produced and published in the usual way. Recording of a VC hearing other than by High Court staff is not permitted.

Participants should remain alert to any deterioration in picture and sound quality and inform the Justice/s immediately if this is impacting on their ability to participate fully in the hearing.

When a matter is listed for VC hearing, the Court will identify the HCA contact person for that hearing and provide their contact details. Participants with questions about the procedures to be adopted for the VC hearing *or* experiencing technical difficulties during a VC hearing, should first contact the nominated officer for their hearing.

Testing

In advance of a VC hearing, the Court will test the connections to be used by the participants to ensure compatibility of equipment and facilities at all proposed sites. A test may require the participants to be present and connected for a significant period of time. The typical things that will be covered are:

- clarity of the video feed and audio quality;
- confirming the name, location and method of connection of each participant;
- confirming that users have a familiarity with the system;

- confirming that users have the protocol, have read it and understand it;
- confirming the procedures to be followed and any directions issued by the presiding justice;
- all parties have provided and have access to all necessary materials;
- whether counsel need to be robed.

Hearing protocol

All participants should be at their respective sites at least 15 minutes prior to the commencement of the VC hearing so that appearances and details of other participants can be obtained and exchanged.

The hearing will, as closely as possible, be conducted in accordance with the usual practice of the Court. However, some variations may be necessary to cater for limitations introduced by the technology that is being used, the changed environment created by that technology and the geographic separation of participants. The Justice/s will not normally enter the VC hearing until all participating sites have been connected, participants at each site are ready to proceed and participants have confirmed that they are able to see and hear all other sites.

When the Justice(s) is (are) online, the matter will be called for hearing.

Unless appearing remotely from a remote court room, practitioners should remain seated for the entry and exit of the Justices and when addressing the Court. Practitioners appearing remotely from a remote court room should rise when the Justice(s) enters or enter and leave their respective court room(s) and when addressing the Court, in the usual manner.

For the benefit of the Court Reporters, participants should announce their name and the party for whom they appear before commencing their submissions.

Practical tips

Participants should speak directly into the microphone when addressing the court.

Participants should mute their microphone when they are not speaking.

Participants should also try to reduce their body movements as much as possible.

When positioning the camera on their device, participants should be mindful of camera angle, glare from windows, and the background image.

Participants should attempt to find a remote site that is free from as much background noise as possible.
