Appearances in the District Court and Dust Diseases Tribunal COVID-19 Update

Social Distancing Principles

In view of the ongoing risk of COVID-19 transmission into the New South Wales community, the District Court and Dust Diseases Tribunal will continue to operate in accordance with 1.5m spacing and $4m^2$ principles in **Greater Sydney.**

Fitted Face Covering ('masks')

Anyone participating **in person** in a District Court or the Dust Diseases Tribunal in **Greater Sydney** must wear a mask, on and from **5 January 2021**, unless the following circumstances apply:

- Judges and those speaking or addressing the Court or Tribunal, including lawyers may remove masks;
- An accused will be required to remove his/her mask when entering a plea upon arraignment;
- A juror may be required to remove his/her mask when addressing the Court or entering an oath or affirmation during the empanelment process;
- Any witness appearing remotely or in-person is not required to wear a mask whilst giving evidence.

Virtual Courtroom Proceedings

The requirement to wear a mask does not apply to proceedings conducted remotely by use of a virtual courtroom.

Exempted Persons

The requirement to wear a mask does not apply to the following persons:

- a person aged 12 years or under;
- a person with a physical or mental health illness or condition, or disability that makes wearing a fitted face covering unsuitable including, for example, a skin condition, an intellectual disability, autism or trauma.

Other Exemptions

Other exemptions may apply at the discretion of the presiding Judge.

Definitions

Fitted face coverings (masks) and **Greater Sydney** are defined in s 3 of the Public Health (COVID-19 Mandatory Face Coverings) Order 2021.

Accordingly, the requirement to wear masks applies to the District Court and Dust Diseases Tribunal sitting at Sydney, Campbelltown, Parramatta, Penrith, Gosford, Wollongong and Katoomba.

The Court and Tribunal may vary or add to any of its procedures at short notice to respond to advice from NSW Health or changing conditions.

The health of Judges, court staff and court participants remains the priority of the Court and Tribunal.

4 January 2021