



SUPREME COURT OF WESTERN AUSTRALIA

The Supreme Court of Western Australia has increased the use of attendance at hearings by way of telephone or video-link conferences. Due to the limited availability of video-link resources, measures are being implemented to expand the use of virtual hearings. Upon the request of the parties or on the Court's own initiative a hearing may be conducted using a virtual meeting room in Microsoft Teams.

VIRTUAL HEARINGS

Virtual Hearings are court hearings conducted by electronic means over the internet, where the participants to a case do not attend the Court in person. The hearings are conducted using internet-enabled devices which have a camera and microphone. These devices can be either an Android or Apple device.

DIRECTIONS TO PARTICIPANTS

The success of a virtual hearing is dependent on the internet speed and the arrangements made by all participants regarding audio and visual equipment. Where a virtual hearing is suitable the Court asks that the parties observe the following

1. In preparation for the hearing, parties must provide the Court with the individual email address for each participant (including witnesses). Participants who have provided an email address to the Court will receive an invitation to join the meeting.
2. Parties must provide a contact telephone number for each participant to the associate to the judicial officer prior to the hearing. (The Court will contact a participant using this telephone number should any technical issues arise on the day).
3. **To maintain optimal sound quality it is recommend that earphones, earbuds or headphones with built in microphones are used.**
4. Having your device on mute when not speaking will assist; however, when not on mute the speaker must ensure the sound does not loop through the system. When not on mute, participants should also avoid shuffling papers or putting them over the microphone.
5. It is understood that there is a general desirability for instructing solicitors, parties and other to see and hear the hearing. However, arrangements made by participants to enable others to view the hearing must consider how the sound will loop through the system. For example, having the audio on speakers in the room will create an echo and conducting the virtual hearing using conference room audio in a meeting room does lead to poor sound quality. Please provide the email address for instructing solicitors, parties or any other participant you wish to see and hear the hearing. These participants will be invited to join the hearing but must block video and audio from being sent. The preference would be for these participants to be located in a room separate to the speaker; however, if they are in the same room as the speaker they must use earphones or headphones etc.
6. Vision from a PC or device's monitor can be mirrored without sound to other screens for people to view the hearing to eliminate the possibility of sound echoing.
7. If the participant has minimal experience in the virtual meeting room software being used, it is recommended that they practice prior to the hearing. The associate to the judge may be able to assist with a test session.



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PRIOR TO THE HEARING

Where a virtual hearing is suitable the Court asks that the parties observe the following prior to the hearing

8. Parties must provide all relevant documentation and materials electronically to the Court prior to the hearing to reduce any delays during the hearing.
9. All instructions provided by the associate to the judge should be complied with in sufficient time prior to the hearing.
10. Participants must download the required software to their device prior to the meeting commencing. (This should be done using a web browser which meets the standards required by the software. The software most commonly used by the Court is Microsoft Teams. The Court may also use Webex)
11. If a participant has not downloaded the required software, the invitation to join the meeting will contain a link to download the software.

READINESS FOR HEARING

12. The court requests you join the meeting at least 15 minutes prior to the hearing start time. This will ensure there is time available to test all participants' audio and video quality.
13. The parties should be ready and any conferences with clients should have already taken place prior to the hearing.
14. It is recommended parties establish a private method of communication to be used during the hearing to enable counsel to receive instructions without interrupting the hearing.

With the approval of the judicial officer, participants may request to join the virtual hearing by audio only.

Instructions and video tutorials on how to use virtual meeting software can generally be located on the website of the software provider company.

TIPS TO IMPROVE INTERNET SPEED

The following tips can be used to improve your internet speed

15. Rebooting your modem and devices can help resolve speed issues
16. A connection via ethernet cable is faster than via WiFi. Place yourself as close to the internet supply as possible
17. Multiple devices connected to the internet at the same time can slow your speed

If your internet speed is slow, contact the associate to the judge to ascertain whether an appearance by telephone conference may be preferred.

If you require further information regarding specific hearings please contact the associate to the judge.



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CHECKLIST FOR PARTICIPANTS

- Ensure that there is sufficient internet coverage and connection on their device. Speed tests can be done which are available on the website of your internet provider (for example; <https://speedtest.telstra.com/>)
- Participants must download the required software to their device prior to the meeting commencing. (This should be done using a web browser which meets the standards required by the software. The software most commonly used by the Court is Microsoft Teams. The Court may also use Webex)
- If a participant has not downloaded the required software, the invitation to join the meeting will contain a link to download the software.
- Earphones with in built speakers should be used where possible.
- When a participant is not speaking their microphone should be set to mute. This should be unset when speaking.
- Attempt to position yourself and your camera in front of a wall behind which other occupants of the premises cannot pass. Alternatively, it is recommended the background be blurred.
- It is recommended your camera is placed at eye level or higher.
- Background noises should be reduced to a minimum and avoided where at all possible. The behaviour of a participant during a virtual hearing must be consistent with the standards required during a usual court hearing. All other electrical devices should be turned off or removed from the room. Mobile phones and smart watches can cause interference with the audio.
- The assumption should be made that usual court etiquette applies; including attire standards. The judicial officer hearing the matter may advise as to whether any requirements are to be relaxed for the hearing.
- Minimise the shuffling of paperwork etc when speaking and follow the directions of the judicial officer as to when to speak. The judge will set out his or her preference for dealing with interruptions.