

Personal Injury NSW — Changes to courts and tribunals processes during the COVID-19 pandemic

Date: 27 March 2020

Abstract:

As a result of the COVID-19 pandemic and regulations to limit person to person contact, [NSW Courts and Tribunals](#) and moved to (where possible) hosting directions hearings and all other matters by phone/audio-visual link. Further details are as follows:

State Insurance Regulatory Authority — dispute resolution service (DRS)

For claims and merit review disputes, the DRS has ceased all in-person hearings. Decision makers will determine how a matter should proceed and whether matters should be adjourned or proceed to be determined on the papers or via teleconferencing or video conferencing.

For medical disputes, the DRS has implemented pre-appointment telephone screening to confirm whether it is appropriate and safe for a person to attend a scheduled medical assessment. Where appropriate, medical assessors and review panel members will avoid in-person contact by assessing matters based on the papers or via video conference. Where circumstances allow, DRS will determine whether an in-person assessment should proceed.

Administrative Appeals Tribunal

The [Administrative Appeals Tribunal](#) (AAT) is closed to all visitors from Thursday 26 March 2020 until further notice. Services remain available to tribunal users and you are encouraged to monitor the [AAT](#) website for further updates.

District Court of New South Wales

On and from Monday 30 March 2020, the court will endeavour to limit, as much as possible, personal appearances in court rooms by the technological enhancement of its current AVL system (the virtual court room). Legal practitioners will be expected to appear by use of the virtual court room. The court will publish details on how the virtual court room can be accessed in the various locations that the court is sitting.

See [Virtual Court — Fact sheet](#).

For more information, see the [District Court NSW](#) website.

Supreme Court of New South Wales

The court is equipped to utilise online court, audio visual equipment and digital technology to allow matters to continue remotely. The court's paramount consideration remains the wellbeing of all court users. Everyone must adhere to health advice in relation to social distancing, self-isolation, hygiene and the management of symptoms.

In line with the current health advice, on and from Tuesday, 24 March 2020 there shall be no personal appearances in any matters save in exceptional circumstances with the leave of the Chief Justice or head of jurisdiction. This also applies to unrepresented litigants.

The court will contact parties in relation to future listings to advise of the video and teleconference facilities available for their specific matter. Listings may alter at short notice and practitioners should refer to the court's website for updates and review the daily listing notices.

Face-to-face court annexed mediations will be temporarily suspended from Monday, 23 March 2020. Further information relating to court annexed mediations will follow shortly. Mediations can proceed by way of teleconference.

Workers Compensation Commission

Face-to-face medical consultations will cease from 25 March 2020 until further notice.

Commencing 23 March 2020, all conciliation/arbitrations (con/arbs) and mediations will now be conducted by telephone.

See [Protocols for Telephone Conciliations, Arbitrations and Mediations](#).