



Notice to the Profession

The Chief Justice has authorised the issue of the following notice.

Application by a Party to Stream Criminal Proceedings in the Trial Division

This notice relates to applications by a party to stream a plea or sentencing hearing in the Trial Division of the Supreme Court of Victoria.

Express written permission of a judicial officer is required to make, publish or transmit any recording of a proceeding.¹

Judges in the Trial Division routinely consider whether or not to publish their sentencing remarks by streaming them on the court's website, having regard to the nature of the case, and the extent of public interest in it.

In recent times, on occasion, the court has decided to stream particular criminal proceedings for other reasons. For example, this has occurred when the number of people interested in attending a plea or sentencing hearing exceeds the capacity of the court room, or where the family and friends of a victim or offender cannot attend the court.

An application by a party for the streaming of a plea or sentencing hearing will ordinarily be determined by the judicial officer conducting the particular hearing. Making a written application to stream proceedings well in advance of the hearing sought to be streamed will provide time to put the necessary arrangements in place, if permission is granted. Only a party can apply.

A written application form has been developed to assist any party wishing to apply for the streaming of a plea or sentencing hearing. A copy is attached. The form is the general application form (Form 6-1D of the *Supreme Court (Criminal Procedure) Rules 2017*) as modified under Rule 1.18.

An application by a party for permission to stream should be electronically filed on RedCrest in accordance with Order 1A of the *Supreme Court (Criminal Procedure) Rules 2017*.

¹ SS,4B and 4C of the *Court Security Act 1980*

The following information is required:

Hearing date and type

1. What is the hearing date and time?
2. What is the hearing type? (eg plea hearing, sentence).
3. What is the expected duration of the hearing?

Type of streaming sought

4. Audio-visual
5. Audio only

Details of streaming sought

6. From the Supreme Court to a room(s) at the Supreme Court.
7. From the Supreme Court to a room at the Office of Public Prosecutions or Commonwealth DPP (please specify).
8. From the Supreme Court to a room at another court.
9. From the Supreme Court to another venue (please specify venue).
10. From the Supreme Court to an external internet site.

If the streaming will be to another venue or an external internet site, what steps will be taken to ensure that the streaming will be limited to those to whom streaming has been permitted, and that no recording will be made of the streaming?

Reason for streaming

11. What is the reason for streaming the proceedings?

Who will be viewing and present at the streaming?

12. Who will be present at the other location?

Eg: Victim and family/friends

Members of the accused's family

Other (describe)

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