



# Supreme Court of Victoria

## Practice Note SC Gen 20

### Inspection of civil court files by non-parties

#### 1. INTRODUCTION

- 1.1 The Chief Justice has authorised the issue of the following Practice Note.
- 1.2 The purpose of this Practice Note is to explain the reliance that will be placed on details provided by the parties of evidential material to be read and relied on, in the context of inspection of civil court files.

#### 2. COMMENCEMENT

- 2.1 This Practice Note was issued on 15 September 2021 and commences on 1 October 2021 and will apply to all civil proceedings from that date.

#### 3. DETERMINING EVIDENTIARY DOCUMENTS AVAILABLE FOR INSPECTION

- 3.1 Rule 28.05 of Chapter I of the *Supreme Court (General Civil Procedure) Rules 2015* has been amended, effective from 1 October 2021, to provide that certain documents filed in a proceeding, including affidavits, exhibits to affidavits and witness statements, may not be inspected by any person not a party without leave of the Court until the document has been read or relied on in open court, or relied on in an application determined without a hearing.
- 3.2 As from 1 October 2021, details will be required from parties prior to the hearing or determination of a matter of any such documents intended to be so read or relied upon.
- 3.3 The Court may rely on these details or any other details provided by the parties when dealing with any application for inspection of documents filed in the proceeding and in determining whether, having regard to Rule 28.05(3), the document has been so read or relied upon.

#### AMENDMENT HISTORY

15 September 2021: This Practice Note was issued on 15 September 2021.

Vivienne Macgillivray  
Executive Associate to the Chief Justice  
15 September 2021