|  |
| --- |
| Personal Protective Equipment (PPE), Movement and Testing Protocol |
| Notice to Court users |

**DOCUMENT CONTROL**

**Details**

|  |  |
| --- | --- |
| **Document type** | Notice to Court users |
| Division | All Divisions |
| Authorised by | His Honour Chief Judge Peter Kidd |

**Release history**

|  |  |  |
| --- | --- | --- |
| Version | Date | Summary of changes |
| 1.0 | 01/11/2021 | Document created. |
| 1.1 | 17/11/2021 | Clarification of ‘PPE Directed Person’.  Amendment to ‘Requirements of other courtroom participants’ in Annexure 1. |

**Related documents**

|  |  |
| --- | --- |
| Document title | Version |
| Notice to practitioners: Remote Hearing and Vaccination Protocol | 1.0 |

CONTENTS

[Context 3](#_Toc86227502)

[Duration 3](#_Toc86227503)

[Objective 3](#_Toc86227504)

[Application to PPE Directed Persons 3](#_Toc86227505)

[Definition 3](#_Toc86227506)

[Wearing of PPE by PPE Directed Persons 4](#_Toc86227507)

[Movement at the Court facility by PPE Directed Persons 4](#_Toc86227508)

[Testing 4](#_Toc86227509)

[Annexure 1 5](#_Toc86227510)

# Context

* 1. The safety of the judges, staff, legal practitioners and other court users in the County Court (the Court) is the Court’s highest concern. The Court is committed to maintaining a COVID-19 safe working environment. As such, the Court is committed to minimising the risk of infection and transmission of COVID-19 in its operations.
  2. This Personal Protective Equipment, Movement and Testing Protocol (protocol) should be read in conjunction with the Court’s *Remote Hearing and Vaccination Protocol* issued on 27 October 2021.

# Duration

* 1. This protocol will commence on 1 November 2021 and will expire at 11.59pm on 31 January 2022, unless extended or revoked.
  2. The protocol will be reviewed regularly and may be amended, revoked or extended based on any updated health advice or any changes to the *COVID-19 Mandatory Vaccination (Workers) Directions (No. 3)* and any other directions issued pursuant to the *Public Health and Wellbeing Act 2008* (Vic).

# Objective

* 1. The protocol sets out the Court’s processes for managing court users (including an accused on bail, witness, support person, family member, party, corporate representative or legal practitioner) who may be required to wear PPE and limit their movement at the Court building to designated areas in particular circumstances.

# Application to PPE Directed Persons

* 1. The protocol applies to any court user who is seeking to attend in-person for a court hearing at the Court building at 250 William Street, Melbourne, with the approval of the presiding judge (the discretion of the presiding judge being exercised under paragraphs 36 and 37 of the *Remote Hearing and Vaccination Protocol*) and:
     + advises the Court they have not received a first dose of a COVID-19 vaccination on or before 22 October 2021 or a second dose on or before 26 November;
     + is unable to establish their vaccination status in the manner contemplated in the Court’s *Remote Hearing and Vaccination Protocol*; or
     + declines to disclose their COVID-19 vaccination status to the Court,

collectively, ‘**PPE Directed Person**’.

* 1. For the avoidance of doubt, any person who has received a second dose of a COVID-19 vaccine, or has a medical exemption, and establishes that vaccination status in the manner contemplated in the Court’s *Remote Hearing and Vaccination Protocol*, will not be considered a PPE Directed Person.

# Definition

* 1. In this protocol Personal Protective Equipment (PPE) refers to any measure used to minimise the risk of the spread of COVID-19 infection. PPE will include the wearing of a KN95 mask by a PPE Directed Person. It may also include the wearing of a face shield if the PPE Directed Person is required to give evidence without a mask.
  2. Movement refers to movement at the Court facility at 250 William Street Melbourne, including use of amenities, lifts, waiting areas, the Court’s Registry, courtrooms, or remote witness facilities.

# Wearing of PPE by PPE Directed Persons

* 1. In the interests of minimising the risk of COVID-19 infection, unvaccinated court users and those who have been unable to establish their vaccination status in the manner contemplated in the Court’s *Remote Hearing and Vaccination Protocol* will be referred to a designated area adjacent to the Court’s entry foyer in which they will be provided with PPE and instructions on how to wear it.
  2. PPE Directed Persons are required to wear the PPE at all times while in public areas of the building as well as the Court’s Registry and may be required to continue to wear it within a courtroom at the discretion of the presiding judicial officer.
  3. Annexure 1 details the PPE Requirements for PPE Directed Persons.
  4. If a PPE Directed Person refuses to wear the relevant PPE, they will be denied access to the Court building.

# Movement at the Court facility by PPE Directed Persons

* 1. In the interests of minimising the risk of the spread of COVID-19, the Court will limit the movement of PPE Directed Persons around the Court building.
  2. PPE Directed Persons will be escorted by a Court representative while they are in the Court building to the relevant courtroom.
  3. The movement of PPE Directed Persons will be limited to designated areas including amenities, waiting areas, courtrooms and remote witness facilities in the building.

# Testing

* 1. Testing is not currently required to enter the Court building. This protocol will be reviewed and amended to reflect any developments in the approved use and availability of testing options.

# Annexure 1

Table 1: PPE Requirements for PPE Directed Persons and Related Requirements

|  |  |  |  |
| --- | --- | --- | --- |
| Person | Requirements in all public areas and Registry | Requirements when speaking in court | Requirements for other courtroom participants |
| ***PPE Directed Person***– *counsel* | * KN95 mask * Limited movement | * KN95 mask * Surgical mask if difficulty being heard wearing KN95 (at judge’s discretion) | * Surgical masks required for non-speakers as standard |
| ***PPE Directed Person***– *witness* | * KN95 mask * Limited movement | * Face shield while giving evidence * KN95 before/after giving evidence | * Surgical mask worn by all participants (including speakers) while witness giving evidence and for a minimum of half an hour thereafter |
| ***PPE Directed Person***– *non-speaking participant* | * KN95 mask * Limited movement | * No speaking, but KN95 mask while in court | * Surgical masks required for non-speakers as standard |
| *Vaccinated/exempted person* | * Surgical mask | * None if speaking * Surgical mask if non-speaking | * Surgical masks required by non-speakers as standard |