

Year	Date	Title	Note
1997	16 Oct 1997	Applications for Confidential Hearings	

**SUPREME COURT OF THE AUSTRALIAN CAPITAL
TERRITORY
Notice to Practitioners**

APPLICATIONS FOR CONFIDENTIAL HEARINGS

Traditionally a superior court had power to hear certain kinds of applications in the private rooms of a Judge, Master or Registrar, or “in chambers”, where strict privacy of the proceedings was maintained. There were strict limits on the kind of proceedings which could be so heard.

For many years, the practice of this Court has been to hear chambers applications (with very limited exception such as uncontested adoptions) in open court. This has been partly to facilitate transcriptions of the proceedings.

Some applications, such as for Anton Piller orders or under the *Trustee Act 1925*, may still need to be begun and heard in private. In such cases, the practitioner lodging the application must contact both the List Clerk and the Chief Clerk and explain the need for privacy. If the matter is urgent, it will be dealt with as soon as practicable and, in that event, is unlikely to appear in any published court list.

If it is not urgent, the matter will be listed in the appropriate Motions List on a date agreed with the applicant’s representative, but entitled “In the Matter of an Application” and noting the Court number.

When the matter is called, it is the responsibility of the practitioner to apply to the Judge, Master or Registrar for an order that the proceedings be conducted in private and to justify the granting of that order. That application would normally be heard in private. If an order is made, the file and the bench sheet will be marked accordingly and this will alert Registry staff to the need to restrict access to the file and to limit distribution of any reasons for judgment.

Sgd J E CIRCOSTA
Deputy Registrar

16 October 1997