



HEARING MATTERS AUSTRALIA

Support from real life experience

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Information Sheets

HMA's Information Sheets are provided as a service to members and those in the community at large who have an interest in hearing loss. While every effort has been made to ensure the accuracy of the information provided, HMA accepts no responsibility for any adverse consequences arising from the contents of these sheets.

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Information Sheet Number 12

HOW TO GET HEARING HELP IN NSW LAW COURT SYSTEM

The NSW Courts and Tribunals are part of the NSW Attorney-General's Department. The Department is committed to ensuring that all its clients can access services fairly and easily. One of the key areas is how people with hearing impairment can access the courts.

Across NSW, there are 360 courtrooms. These buildings range from ultra-modern to old Heritage buildings. In order to provide hearing assistance, the Department is using portable **infra-red assistive hearing devices** which are connected into the standard microphones and recording equipment of the courtroom. For the user, the infra-red equipment provides security and confidentiality to ensure that the evidence given in the courtroom cannot be electronically picked up outside the courtroom itself.

In order to provide the infra-red system, the Department needs to know in advance that you will be attending a particular court, no matter in what capacity required (witness, defendant, concerned party, solicitor, etc). The procedure that you must follow to ensure that the necessary equipment will be ready for you on the day is outlined below. The department emphasises the

need for feedback from you as the user of the assistive hearing equipment. Only when they know what succeeds and what does not, can they monitor and improve their service delivery to all their clients.

While all of HMA's efforts to press for equality for the hearing impaired within the courtroom have been focused on the NSW system, it is hoped that HMA members and other concerned people in other parts of Australia will be able to use the NSW Model to promote the same level of access in their areas.

WHAT YOU SHOULD DO:

When you receive notice that you required to attend court, you will be told:

- The Hearing Date
- The Court Jurisdiction
- The Courts Location and Phone Number
- The Case Name

Two Weeks Before the Date of the Hearing:

1. Phone the court and ask to speak to the court office
2. Give them the following details
 - Name
 - Hearing Date
 - The jurisdiction as listed below
 - Local or Magistrate's Court
 - District Court
 - Supreme Court
 - Compensation Court
 - Administrative Decisions Tribunal
 - The Name of the Case
 - Your need to access the infra-red hearing assistance equipment available because of your hearing loss.
3. Ask for the name of the officer to whom you are speaking and the name of the supervisor for further reference.

If there is any question about any of this, ask to speak to the Clerk of the Court.

Three Days Before the Hearing:

1. Phone the same court and ask to speak to the same officer by name or the supervisor, and
2. Ask if the equipment has been ordered and if it has arrived.

On the Day:

1. Arrive 30 minutes early.
2. Locate a Court Officer or go into the Court Office and explain you have requested the use of the infra-red hearing assistance equipment for your specific case and designated courtroom.
3. Ask the Officer to check if the installation is complete.
4. Collect the receiver.
5. Ask for assistance to check volume levels and seating arrangements
6. During the hearing, if you have any difficulties such as dead batteries, notify staff.

Sometimes the stress or the unfamiliar court situation may make you hesitant about speaking out and insisting that you have the necessary equipment to enable you to hear properly. The Attorney-General's Department accepts its responsibility to provide you with assistance. Only you can make sure they do it and the equipment actually works.

At the End of the Day:

1. Return the receiver to the Court Office when you are finished each day. If you must return for the following days or for an adjourned date, ensure that you order the equipment specifically for those occasions.
2. Thank Court Staff for their co-operation and assistance whenever possible, If such co-operation and assistance has **not** been provided, tell them that you will be making a written complaint. The go and do just that, giving details of time, exact court, case, your name and briefly the nature of your complaint to:

Director, Community Relations Department
NSW Attorney-General's Department
GPO Box 6, Sydney 2001
Phone – (02) 9228 7484 (voice) or (02) 9228 7676 (TTY)
Fax – (02) 9228 8603

And send a copy of your complaint to:
Hearing Matters Australia

Ground Floor, Suite 600, The Australian Hearing Hub
16 University Ave, Macquarie University NSW 2109.

Only if you play your part, can hearing impaired people ensure that they have fair and equal access to the Justice System.

Our thanks to Julia Haraksin, Co-ordinator of the Disability Strategic Plan for the NSW Attorney-General's Department for her help in providing the details for this Information Sheet