

CCT - COUNCILLOR CONDUCT TRIBUNAL

PRACTICE DIRECTION

No 2 of 2022

Effective: 2 August 2022

USE OF TECHNOLOGY DURING COVID-19 RESPONSE PRACTICE DIRECTION section 150DV Local Government Act 2009

To be read in conjunction with Practice Direction #2 of 2020

1. Until further advised, in light of the current rates of community transmission of COVID-19, Tribunal users should now assume that all matters requiring any form of substantive oral hearing will take place by the use of teleconferences or videoconferences (or a combination of the two) only.
2. Tribunal users must as a matter of urgency familiarise themselves with the user guides issued in relation to [Chorus Call for telephone conferences](#) and [Skype for Business](#) or Microsoft Teams depending on the ease of access of this software to the parties and to their witnesses.
3. The Tribunal recognises that the use of teleconference or videoconference technology creates inevitable logistical problems, including:
 - (a) Councillors, the Independent Assessor, witnesses, support persons or representatives if applicable, may have to participate remotely from the Tribunal and from each other.
 - (b) Because all participants must be able to refer to the same documents at the same time, special arrangements may have to be made for document handling.
 - (c) Some participants may not be experienced in the use of technology.
 - (d) Some locations may not have the requisite infrastructure, for example, a stable internet connection with appropriate bandwidth.
4. Parties must seek to anticipate and to solve such logistical problems before the commencement of any procedural direction/s or a contested oral hearing. In the event that difficulties arise, parties must seek the Tribunal's direction at the earliest possible time.
5. The Tribunal recognises that in particular cases parties may have good reasons why a proceeding cannot take place by the use of this technology. In such cases, parties must raise such concerns at the earliest possible time, so that an appropriate decision or arrangements can be made.
6. Further guidance on the Tribunal's hearing process is set out in paragraphs 35, 37 and 38 of *Practice Direction #2 of 2020 – General hearing protocol No. 2*.

7. It will be for the Tribunal President in conjunction with the Chair of a particular matter to determine whether, and if so, how, the matter can proceed, bearing in mind the then current state of the impact of the COVID-19 pandemic on Tribunal operations.

June Anstee
President
Councillor Conduct Tribunal
2 August 2022