

COVID-19 Anecdotes

BY PHONE

Directions 2:00pm on Friday 5 June

Hammerschlag J: “So how are we going to do this [hearing on Tuesday]?”

Counsel: “I have been using Microsoft Teams, your Honour”.

Hammerschlag J: “No. My experience with Teams has been almost universally bad”. (emphasis added).

Counsel: “We can try Zoom, your Honour”.

Hammerschlag J: “Ok, lets come back at 3:00pm and try Zoom”.

...

[3pm, by Zoom to his Honour’s study. Large book case and numerous guitars all visible. His Honour wearing shirt and tie. No jacket. Both Counsel wearing shirts, no ties.]

Zoom working fine. Agreement to use Zoom on Tuesday.

Counsel: “Will your Honour be robing?”

Hammerschlag J: “No. I don’t have my robes with me [at home]. I don’t care what you wear. You can wear shirt, no tie and jacket. Shirt, no jacket and tie. Or tie and no jacket or jacket and tie. I don’t care”.

Counsel: “Please the Court”.

At the Tuesday 9 June hearing, everybody wore jacket and tie.

Chris Tam, Eight Selborne

BY VIDEO

No. NSD 1916 of 2019

No. NSD 96 of 2020

SINGH and FOBUPU PTY LTD

SINGH and KHAN and OTHERS

Justice Jacqueline Gleeson: And is that decision of the appeal panel not the subject of an appeal to the Court of Appeal?

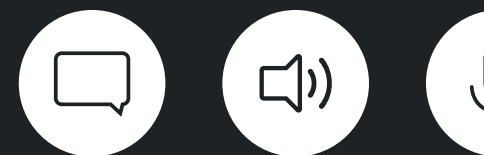
Mr Brown: As I understand it – and I am basing this on Mr Singh’s previous remarks to you – it is the subject of a summons seeking leave to appeal in the Supreme Court.

Her Honour: I see. Yes, go on.

[Sound of loud crash]

[Video then appears to show counsel replacing computer screen on desk]

Mr Brown: I’m sorry, your Honour. Just bear with me for one second; I’m having a technical difficulty. Am I still on the screen?



Tony Bannon appearing from chambers in the first video trial in the Supreme Court since the COVID-19 closures



BY VIDEO

Day 1

Henry J: Sorry, I'll just pause there. Somebody has just exited the courtroom. I'm not sure if it's Mr Condon, because I can't see him. Mr Condon, are you still there? No, it appears that Mr Condon has dropped out, and somebody else has exited, as well. We'll just pause for a moment, please. Somebody might be - Professor Peisah, are you in a location where there's lots of birdsong?

Witness: I'm sorry, yes, I'm standing outside. I'm standing outside.

Her Honour: That's fine, if it's you, we'll allow it. If it was--

Witness: I can't shut the - I'm so sorry. It's a place where I can make sure that I get optimal Telstra.

Her Honour: No, that's fine. I was just going to ask if it was somebody else, so they could put themselves on mute, but we will listen--

Witness: All the birds.

Her Honour: Yes, Mr Condon. Did you just rejoin? Mr Condon, is that you who have rejoined? Mr Condon? Mr Condon, have you just rejoined the Court room? If you have, we can't hear you. Mr Noonan, if you're still on the line, do you think you could call Mr Condon to let him know that we can't hear or see him?

Bannon: Mr Davis is here, here in the Court room as well with me.

Her Honour: Thank you.

Day 2

Her Honour: Yes, and just a few suggestions for how we manage the evidence, we need to take things very slowly to ensure that people can hear properly and, Ms Yakenian, is very important that you don't speak until you are asked a question and there is an opportunity for you to respond. It is very important that people don't speak over one another because otherwise we can't record the conversation and the evidence that is given.

Yakenian: Can I ask you one question?

Her Honour: Yes, you may.

Yakenian: There is a guy who is just doing lawn mowing can I ask him to stop it because it's just interfering us. We are at--

Her Honour: Yes, you may ask him to stop the lawn mowing.

Condon: That sounds like a contempt of your Honour's injunction.

Her Honour: Yes, they may not observe it.

Bannon: That sounds like a leaf blower to me or a whipper-snipper.

Katrina Howard SC, Ninth Floor,
Selborne Chambers

