

SUPREME COURT OF TASMANIA

PRACTICE DIRECTION

No 4 of 2019

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COURT ATTIRE

This Practice Direction aims to ensure that legal practitioners appearing before the Court are aware of the Court's requirements concerning Court dress. It applies to all legal practitioners, including barristers, appearing in proceedings before the Supreme Court of Tasmania. It applies subject to any direction given by a judge in a particular case.

Criminal Cases

ROBES AND WIGS are required to be worn by all legal practitioners in matters in the Criminal jurisdiction of the Court, including the following:

- All proceedings before the Court of Criminal Appeal, including directions hearings.
- All criminal proceedings before single judges, including trials, sentencing proceedings, directions hearings, mentions and pre-trial applications.
- All bail matters, including appeals from magistrates' decisions relating to bail.

(Appeals and reviews relating to magistrates' decisions in relation to prosecutions, other than bail decisions, are treated as matters in the civil jurisdiction of the Court, not the criminal jurisdiction. This also applies to Full Court appeals relating to magistrates' decisions in relation to prosecutions, other than bail decisions.)

Civil Cases

WIGS must not be worn in any case in the civil jurisdiction.

ROBES, without wigs, must be worn in the following categories of cases:

- All proceedings before the Full Court (excluding any directions hearing before a single judge relating to a Full Court appeal).
- Trials of actions commenced by writ. (This includes any hearing to determine a question or issue in an action commenced by writ that is to be determined before other questions or issues.)
- Appeals and reviews relating to decisions of magistrates, other than bail decisions.
- Appeals from statutory tribunals if, but only if, the tribunal has conducted a public hearing in the matter.

- Final hearings of applications under the *Judicial Review Act* 2000 if, but only if, the decision-maker has conducted a public hearing in the matter.
- Applications for admission to the Australian legal profession.
- Final hearings of other applications for all types of orders listed in rule 89 of the *Supreme Court Rules* 2000.

NO ROBES OR WIGS are expected to be worn in the following classes of proceedings:

- All proceedings before the Associate Judge.
- Interlocutory applications.
- Directions hearings.
- Appeals from statutory tribunals, when the tribunal did not conduct a public hearing in the matter.
- Final hearings of applications under the *Judicial Review Act* 2000, when the decision-maker did not conduct a public hearing in the matter.
- Other types of applications required by rule 90 of the *Supreme Court Rules* 2000 to be made to a judge in chambers.

Opening of the Legal Year

At the annual church service for the opening of the legal year, all practitioners attending are requested to wear robes and wigs. Robes should not be worn without wigs. Decorations may be worn.

Ceremonial Sittings

All counsel appearing are required to wear robes, but not wigs. All practitioners attending are requested to wear robes, but are not to wear wigs.

Robes and Wigs

When counsel wear robes, those robes must comprise:

- (a) A black gown.
- (b) A bar jacket.
- (c) Either a bib or a jabot. (If the bib or jabot has a rear white panel, that panel should be tucked inside the bar jacket, not worn outside the bar jacket.)

Senior counsel do not wear full-bottomed wigs in Tasmania, even on ceremonial occasions.

J.A. Connolly
Registrar