

Court Services Policy: Allocated use of space within courthouses by Core Business Users

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1 Purpose

Court Services, part of Courts Tribunals and Services Division (CTSD) in the Department of Communities and Justice (DCJ), occupies a large property portfolio across New South Wales including court houses.

The purpose of this Policy is to establish a framework, including application process and Terms of Access, for the appropriate allocation of space in courthouses by Core Business Users.

2 Definitions

Term	Definition
Court Services	The Court Services branch of DCJ's Courts, Tribunals and Service Delivery Division. Court Services provide administrative support and services to the Local Court, District Court, Children's Court, Coronial Jurisdiction, Drug Court, and Dust Diseases Tribunal.
DCJ	The Department of Communities and Justice (ABN 36 433 875 185). For the purpose of this policy, DCJ is the legal entity within which Court Services is a branch.
Core Business User	<p>A Core Business User is an organisation or agency that conducts business activities which directly support the operational requirements of Court Services by providing services to the court (and court participants).</p> <p>Core Business Users include:</p> <ul style="list-style-type: none">• NSW Police force• Legal Aid NSW• Aboriginal Legal Service (NSW/ACT) Ltd• Office of the Director of Public Prosecutions• Corrective Services NSW• Child Protection and Permanency, District and Youth Justice Services• Aboriginal Services Unit (ASU)• Victim and client support/advocacy services• Justice Health <p>If a Core Business User requests allocated space in a courthouse for use(s) which do not directly support the operational requirements of Court Services or as part of their</p>

Term	Definition
	<p>own service delivery model, additional requirements will apply (see section 8 – “Requests for access to courthouse space by Core Business Users outside of operational requirements of Court Services”). Examples of allocation of space outside of operational requirements of Court Services may include (without limitation):</p> <ul style="list-style-type: none"> • provision of outreach clinics; • client reporting; • use not related to NSW court matters; or • any other use considered as not directly supporting operational requirements of the court, as determined by Court Services.
Non-Core Business User	<p>A non-Core Business User is an organisation or agency that requests use court premises for activities that do not directly contribute to the operational requirements of Court Services. Such requests are generally fee payable and are to be managed in accordance with the Court Services Policy: Short-term room hire in courthouses.</p> <p>Examples of Non-Core Business Users include (without limitation):</p> <ul style="list-style-type: none"> • Non-NSW government justice agencies, including federal and interstate justice agencies. • State government agencies, local Government and any other association, private business, interest group or tertiary institution.
Approved Arrangement	<p>An Approved Arrangement for the purpose of this Policy is any arrangement between Court Services and a Core Business User regarding the use of allocated space within a court or courts across NSW that is entered into pursuant to this Policy.</p>
Existing Arrangement	<p>An Existing Arrangement for the purpose of this Policy is any arrangement between Court Services and a Core Business User regarding the use of allocated space within a court or courts across NSW that was in place prior to the commencement of this Policy.</p>
Allocated space	<p>An allocated space is a specified space within a courthouse approved by Court Services for use by a Core Business User. A space can be allocated exclusively to the Core Business User</p>

Term	Definition
	or jointly with another Core Business User. A space may be allocated to a Core Business User at specific times and/or on specific days, as determined in the approval process. An allocated space will generally be a room within a courthouse but does not include court rooms used for proceedings nor court registry space.
Shared space	A shared space is a room in a courthouse that is used by multiple agencies (and private practitioners and other stakeholders who use court facilities). Shared spaces are not for exclusive use by any one user. The availability of these shared spaces is essential to the running of a courthouse. Shared spaces are generally used as and when required on a first in, first served basis, and may not be reserved for exclusive use.
Terms of Access	The terms and conditions set out in Schedule A of this Policy, which Core Business Users and its personnel must accept and comply with in relation to their use of any allocated space (whether such use commenced under an Approved Arrangement or an Existing Arrangement).
Long-term allocation	Long term allocation of space is determined as per the approval process set out in this policy or as per existing arrangements. (long-term allocation may be 5 days per week or specified days)
Short-term Hire	When a business user seeks hire of a room/facilities in a courthouse for use on a short-term basis. The Court Services Policy- Short term room hire in courthouses[link] applies. NOTE: This does not apply to any application for allocation of space on a long-term basis.

3 Scope

This Policy applies to requests by Core Business Users for allocation of space within courthouses occupied by Court Services only.

This Policy **does not**:

- apply to the buildings occupied by Lidcombe Coroners Court, Supreme Court, Dust Diseases Tribunal, Land and Environment Court, Industrial Relations Commission, Drug Court, or NSW Civil and Administrative Tribunal arrangements.

- arrangements with internal branches within CTSD,
- address proceedings in the courtroom and/or before the Court with respect to the running of a hearing or the function of any participant in court proceedings as an officer of the Court; or
- apply to correctional cells located on/in court complexes/courthouses.

4 The role of Court Services in managing space within court houses

The key purpose of a **courthouse** is to deliver court and registry services.

The role of **Court Services** is to:

- provide administrative support and services to the Local Court, District Court, Children’s Court, Coronial jurisdiction, Drug Court, and Dust Diseases Tribunal; and
- manage space and facilities within courthouses, considering the needs of multiple Core Business Users and stakeholders who all contribute to the running of the court.

Court Services acknowledge the important role of Core Business Users in the administration of justice in NSW and the need for service delivery to continue to ensure citizens have access to justice. To this end, Court Services will endeavour to accommodate reasonable requests of Core Business Users and stakeholders in relation to their operational needs.

All space within courthouses is allocated at the sole discretion of Court Services. The rooms and facilities allocated may change from time to time in accordance with the operational requirements of Court Services and the respective Court.

Many courthouses have limited or no space available for allocation. Some requests for allocated space will be declined because the courthouse is at capacity. Where allocated space is not available within the courthouse, Core Business Users will need to make alternate arrangements for the conduct of their business activities.

Priority for allocated space will be given to activities directly related to operational requirements of courts and Court Services.

5 Core Business User service expansion

5.1. Requesting advice from Court Services in advance of Core Business User expansions/funding applications

Unallocated space within courthouses across NSW is becoming increasingly scarce. To manage this, Court Services requests that if a Core Business User is

seeking funding from the NSW Government or any other source to expand their services, and where such expansion would be dependent upon the allocation of space within a courthouse, advice be sought from Court Services in relation to the availability of courthouse space prior to funding being sought.

Seeking advance advice from Court Services in relation to availability of courthouse space required for proposed service expansions will:

- assist Court Services to provide formal advice that can be used by the Core Business User to address its accommodation needs, should court space not be available; and
- help mitigate the risk to the Core Business User of incurring additional accommodation costs should space not be available at a particular court location.

5.2. Process for requesting advice from Court Services

Where a Core Business User is seeking funding for expansion of services that depend on the allocation of space within a courthouse a Request for Advice form [link] is to be completed so that Court Services can investigate and provide advice as to whether the allocation of such space at a particular location(s) can be accommodated.

The completed Request for Advice form is to be emailed to courtservices@justice.nsw.gov.au.

Court Services will endeavour to provide advice within 28 days of receipt of the Request for Advice form.

5.3. Following provision of Court Services advice

Following the provision of advice from Court Services, Core Business Users are requested to keep Court Services updated on the status of any request for funding/service expansion which relies on the allocation of court space.

6 Existing Arrangements for use of allocated space by Core Business Users

Many Core Business Users have an Existing Arrangement in place with Court Services to use allocated space in courts across NSW. This Policy will not alter any Existing Arrangements in place as at the commencement date of this Policy (meaning the date of the first version of this Policy), other than the application of the Terms of Access as per [6.4](#).

6.1. No need to reapply

Where a Core Business User has an Existing Arrangement in place for the use of allocated space at a particular court no application for continued use of the

allocated space is required, except as otherwise required by section [7](#) of this Policy.

6.2. Variations to Existing Arrangements

Where a Core Business User seeks to vary/change an Existing Arrangement or request to use space at a different location on or after the commencement date of this Policy, the Core Business User will be required to make an application following the procedure set out at section [7](#) of this Policy (Application for allocated space by a Core Business User).

6.3. Resumption of Existing Arrangements

Where a Core Business User seeks to recommence using previously allocated space within a court where such an arrangement has ceased and/or is not in place at the time of this Policy being published, the Core Business User will be required to make an application following the procedure set out at section [7](#) of this Policy (Application for allocated space by a Core Business User).

6.4. Application of Terms of Access to Existing Arrangements

The Terms of Access set out in [Schedule A](#) of this Policy apply to all use of allocated space by Core Business Users pursuant to this Policy, including use of allocated space established under Existing Arrangements.

7 Application for allocated space by Core Business User

7.1. Requests for allocated space in a courthouse

Requests for allocated space within a courthouse (including requests to vary/change an Existing Arrangement) must follow the application process set out below at section [7.2](#)

A request for allocated space that becomes approved pursuant to the application process in this section is an Approved Arrangement.

Requests for allocated space include:

- a request for allocated space by a Core Business User at a location where the Core Business User does not already have an allocated space;
- a request for a different and/or additional allocated space at a location where the Core Business User already has an allocated space; and
- a request by a Core Business User to vary/modify/change an Approved Arrangement or Existing Arrangement for allocated space (other than requests for minor variations as set out at section [Minor Variations 7.3](#) below).

7.2. Application Process

Where a Core Business User seeks to request an allocated space in a courthouse, they must complete and submit an application form. The application form can be located at on the [Courts NSW Policy page](#)

The completed application form is to be emailed to the registrar of the respective court location.

The relevant Senior (Hub) Manager will be the formal approver, in consultation with the Local Registrar and Regional Director. Please note for the purpose of the Childrens Court Jurisdiction, the Executive Officer will also be consulted.

Please note:

1. Court registry space is not available for allocation.
2. Requests for minor changes, such as a temporary changing of days/times of access by either the Core Business User or the Registrar can be managed at a local level in accordance with section [7.3 Minor Variations](#).
3. Requests made outside of this process will not be considered.

7.2.1 Considerations

Each application will be assessed in accordance with the following criteria and on a case-by-case basis:

- a. the need to ensure that Court Services can provide the facilities and administrative services necessary to support court operations;
- b. existing capacity at the relevant court location;
- c. the extent to which the service being provided by the Core Business User supports court operations;
- d. the extent and nature of the proposed use of the allocated space;
- e. any special requests within the application, e.g. technology installation or room modification requests
- f. that the space is subject to a pending expansion bid by another Core business user
- g. security considerations;
- h. that the allocation of space to a Core Business User is cost neutral to Court Services,
- i. any other criteria Court Services considers relevant.

Please note: Court buildings across NSW vary with respect to their size and the availability of exclusive space, shared space, and facilities. Accordingly, an Existing Arrangement or Approved Arrangement at one location should not be considered as creating a precedent for allocation of space at another location.

7.2.2 Approvals

The Core Business User will be advised in writing of the outcome of their application.

If an application is approved, the Terms of Access set out at [Schedule A](#) of this Policy will apply when the Core Business User takes occupation of the allocated space.

Please note: The fact that a Core Business User receives approval for use of allocated space on a particular day(s) does not prevent that space being allocated to another Core Business User(s) on any remaining days. Court Services will liaise with the existing Core Business User prior to any such arrangement being put in place.

7.2.3 Refusals

Court Services reserves the right to decline an application and will provide reasons for its decision. Any objections to the refusal should be referred to the original decision maker and will be reviewed in accordance with the Court Services internal review process.

7.2.4 Timeframes

The following timeframes apply to the application and review process:

- An application by a Core Business User for access to an allocated space must be submitted at least **42 days prior to the date the Core Business User wishes to commence use of the space.**
- Court Services will provide a written response to an application from a Core Business User for allocated space within **14 days from receipt of application.** Where an application for allocated space is declined, reasons will be provided.
- A Core Business User can request a review of the decision to decline an application **within 7 days of receiving the reasons for decision from Court Services.**
- Where a Core Business User has requested a review of the decision to decline an application, Court Services will review the decision and provide a written response to the Core Business User **within 14 days of receiving the request for review.**

Please note: Court Services may extend the timeframe for response to an application or review where necessary by advising the Core Business User.

7.3. Minor Variations

Requests for minor, one-off use, or temporary changes to an Approved Arrangement or Existing Arrangement should be managed at a local level with the relevant registrar. Any ongoing or substantive changes to an Approved

Arrangement or Existing Arrangement will require a formal application in accordance with section [7.2](#).

8 Requests for access to courthouse space by Core Business Users outside of operational requirements of Court Services

Court Services acknowledges that most Court Business User requests to use court space either directly or indirectly support the Court's operations. Court Services also acknowledges that Core Business Users may, from time to time, request access to space within a courthouse to conduct operations that are either unrelated or ancillary to the operations of the Court. In these circumstances, an application can be made pursuant to this Policy, however where there is a competing interest for access to court space, a Core Business User directly supporting the operations of the Court will be given priority.

Core Business User requests for use of courthouse space outside of operational requirements of Court Services:

- must follow the application process set out in section [7](#) of this Policy (including for any subsequent requests for variation of an arrangement approved under this section);
- can only be made in relation to a day or days that Office of the Sheriff staff are on site at the respective courthouse; and
- may require a security assessment by the Office of the Sheriff, with any costs associated with a security assessment or the provision of additional security to be met by the Core Business User making the request.
- If a request for access to courthouse space by a Core Business User outside of operational requirements of Court Services is approved, the Terms of Access set out in Schedule 1 of this Policy apply together with any additional conditions imposed by Court Services as part of the approval. Please note that access may need to be withdrawn on occasion for reasons including (without limitation) Operational requirements of Court Services (see clause [E](#) below).

Note: if a core business user is seeking short-term room hire. The application process outlined in the Court Services Policy – Short-term room hire in courthouses [\[link\]](#) applies.

9 Disputes and escalation

This Policy is applied by Court Services to all Core Business Users. Accordingly, any issues relating to the application of the Policy are to be resolved directly between Court Services and the relevant Core Business User/s.

Disputes and escalation will be managed in a tiered approach within Court Services. Any dispute is to be sent to the local registrar in the first instance.

10 No relationship

This Policy, and any arrangement arising from this Policy does not give rise to any relationship of principal and agent, employer and employee or partnership between DCJ and any Core Business User or its personnel. The Core Business User and its personnel must not hold themselves out as representing Court Services or Courts, Tribunals and Service Delivery in any way.

11 Related legislation/regulation and other documents

Related Policies

- [Short-term room hire in courthouses](#) (Version 1.0 – 2 May 2024)
- Car Parking Policy (Version 1.15 – November 2012)
- DCJ - [Work Health and Safety Policy](#)

12 Document information

Document name	Court Services Policy: Allocated use of space within courthouses by Core Business Users
Document reference	TRIM reference number where the document is saved
Replaces	NA
Applies to	Court Services staff and Core Business Users
Policy administrator	Office of the Executive Director Court Services, Courts, Tribunals and Service Delivery courtservices@justice.nsw.gov.au
Approval	Who approved the policy and when (date approved)

13 Version and review details

Version	Effective date	Reason for amendment	Due for review
1.0	2 May 2024	New Policy	

Schedule A – Terms of Access

This Schedule sets out the terms and conditions applicable to any use of allocated space in courthouses by Core Business Users, whether under an Approved Arrangement or an Existing Arrangement (**‘Terms of Access’**).

The Terms of Access are to be read together with the obligations and procedures set out in relation to allocation of space within the full policy: **“Court Services Policy: Allocated use of space within courthouses by Core Business Users”** (**‘the Policy’**).

A. Definitions and interpretation

- A.1. Reference to Core Business Users in these Terms of Access is also to be taken as a reference to Core Business Users’ personnel (i.e. employees, agents, and sub-contractors of Core Business Users). Core Business Users and its personnel must comply with these Terms of Access in relation to their use of allocated space at all times.
- A.2. Unless specified otherwise in this Schedule, the terms used herein carry the meanings as defined in the Policy.

B. Security, screening, and entry requirements

Compliance with security, screening, and entry requirements

- B.1. Core Business Users acknowledge and accept that the Office of the Sheriff/Registrar is responsible for maintaining the security of courthouses and must comply with reasonable directions of Sheriff’s Officers/Registrar whilst present at any courthouse (including within allocated space).
- B.2. All court users, including Core Business Users accessing allocated space within a courthouse, must participate in any security screening required as a condition of entry to any courthouse in line with the *Court Security Act 2005* (NSW).

Responsibility for documents, material, equipment, and personal property

- B.3. Core Business Users are to limit the objects that they bring into any allocated space to essential documents, material, equipment and other personal property that they require for use in court processes, or as required to undertake permitted activities (see clause [L – ‘Permitted Activity’](#) below).
- B.4. Core Business Users must take full responsibility for any documents, material, equipment, or other personal property brought into and/or stored in an allocated space. DCJ will not take responsibility for any misplaced or lost property brought into courthouses by any Core Business User.

DCJ entry and access to allocated space

- B.5. DCJ reserves the right to enter and provide access to any allocated space to Court Services staff and relevant contractors (e.g. DCJ contracted cleaners) as required. Core Business Users are responsible for ensuring any confidential material within allocated space they occupy is always secured.

Access to allocated space during business hours and via public entrance

- B.6. Core Business User access to allocated space is restricted to normal business hours of the respective courthouse. Core Business Users must only access allocated space via the public entry to the courthouse and subject to all conditions of entry.
- B.7. Notwithstanding the conditions set out above in clause [B.6](#), it is acknowledged that there may be circumstances that may require a Core Business User to access the courthouse by some means other than the public entry and/or outside usual building opening hours. The Core Business User must submit a request to the Registrar of the relevant courthouse detailing any alternate courthouse access arrangements sought and the circumstances necessitating such arrangements. The Registrar will then consult internally with their Regional Director/Office of the Sheriff as required before agreeing to any such request.

Note: If the Core Business user requires access outside of usual business hours, at a time when Sheriff's Officers will not be present, Court Services recommends the Core Business User undertake their own risk assessment as to the out of business hours arrangements for their staff (Exclusion being Clause 8 noting requests pursuant to this clause cannot be made when an Officer of the Sheriff is not present).

- B.8. If access is granted outside of business hours, as set out in [B.7](#), the Core Business user will need to accept any risk to security of its personnel.

C. Modification and installation of equipment in Allocated space

Removal of pre-existing furniture and equipment

- C.1. Core Business Users may not remove pre-existing furniture or equipment from an allocated space. As part of the application process for access to an allocated space, the registrar of the respective courthouse will detail what furniture and equipment will remain within the allocated space to be utilised by the Core Business User.

Installation of equipment and modifications

- C.2. Core Business Users must not install any equipment or make any modifications to the allocated space without prior written approval from Court Services as set out in clause [C.4](#).
- C.3. As technological capacity within courthouses is limited, use of portable technology options is preferred. Should the use of portable technology not be an option, Core Business Users must seek approval to install equipment/make modifications to the allocated space from Court Services.

Obtaining approval for installation of equipment and modifications

- C.4. Requests for installation of equipment and/or modifications to allocated space (whether part of an application for a new allocated space, or to vary an existing allocated space) are to be submitted in an application form in accordance with the application process set out in section [7](#) of the Policy. Where an application includes a request for installation of equipment and/or modification of an allocated space the timeframe for consideration of the application (as set out in section [7.2.4](#) of the Policy) will be extended by approximately 3 weeks). Please note, replacement of existing equipment (using current infrastructure) is not considered a ‘new’ installation or modification.
- C.5. In the event that approval is granted to a Core Business User to install equipment or make modifications to an allocated space:
- a. the Core Business User is responsible for all, and any costs associated with the installation;
 - b. the Core Business User must liaise with DCJ’s Infrastructure and Assets and/or Information and Digital Services (IDS) sub-divisions (as applicable) and provide Court Services with a copy of the agreement between the Core Business User and Infrastructure and Assets and/or IDS which sets out the scope of works and an agreement that the Core Business User is to pay any associated costs; and
 - c. if an approved installation/modification requires technical support/contractors to access the courthouse, the Core Business User must consult with the relevant registrar (at least two business days’ notice must be provided). The Core Business User must arrange their own staff to be present to accompany any external contractor(s) at the time of access, and such access must be arranged for courthouse business hours only.

Responsibility for remediation of allocated space upon expiry or termination of arrangement

- C.6. If an Approved Arrangement or Existing Arrangement for use of allocated space expires or is terminated by either Court Services or by the Core Business User, the Core Business User must remove any property and equipment brought into the allocated space by the Core Business User and is responsible for all costs associated with remediation required to return the allocated space to its original state, including removal of any property/equipment brought into the space.

D. Maintenance

- D.1. Core Business Users must leave allocated spaces in a clean and tidy condition at all times.
- D.2. Core Business Users are responsible for providing a written report, to the relevant registrar, detailing any damage and repairs that are required of the allocated space.

Reports must be provided by close of the business on the day that the Core Business User identifies the issue.

E. Underutilisation of allocated space

- E.1. Court Services reserves the right to actively manage allocated space within a courthouse on an ongoing basis. Where allocated space is not being used regularly by a Core Business User, Court Services will contact the Core Business User and ask that they outline their future court related operational needs for the allocated space. The Core Business User is to provide a response to any such request within 14 days.
- E.2. Subsequent to receiving a response from the Core Business User in accordance with clause [E.1](#), Court Services will make a determination as to whether an allocated space is underutilised. Where Court Services determines that an allocated space is underutilised it reserves the right to adjust the allocation of that space. Subject to the court's operational needs, this may mean that (without limitation):
- a. the space is re-allocated on particular days or at particular times to another Core Business User or to Court Services;
 - b. all access to the allocated space by the Core Business User is terminated; or
 - c. the allocated space is retained by the Core Business User.
- E.3. The Core Business User will be provided with 14 days' notice of Court Services decision to adjust the allocation of space under an Approved Arrangement or Existing arrangement due to deemed underutilisation.

F. Interruptions to use of allocated space within a courthouse

- F.1. Despite the existence of an Approved Arrangement or an Existing Arrangement for use of allocated space pursuant to this Policy, Court Services provides no guarantee of uninterrupted use by a Core Business User of allocated space under such arrangements. Whilst Court Services will endeavour to avoid interruptions to Core Business User access to allocated space, access may need to be withdrawn, on occasion for reasons including (without limitation):
- a. Operational requirements of Court Services.
 - b. Presence of safety hazards.

Note: Any withdrawal decision will be managed in a tiered approach as set out at [0](#) of the Policy.

- F.2. In the event an allocated space is or becomes unavailable, Court Services will provide reasonable notice to the Core Business user, and where no suitable alternatives (including shared space) are available within the courthouse, Core Business Users are responsible for sourcing alternative arrangements for their own business needs and are responsible for any associated costs. Please note that the

timeframe for reasonable notice may vary depending on the urgency of the interruption.

G. Internal access limits

- G.1. Access to allocated space does not entitle Core Business Users access to non-public areas or facilities of the courthouse other than the allocated space itself. Specifically, Core Business Users must not:
- a. enter a court registry, areas designated for judicial officers, or any other non-public area of the courthouse except in the company of a member of Court Services staff, Sheriff, or a Judicial Officer;
 - b. use printers, telephones or other office equipment used by registry staff (**Note:** the court registries will also not be responsible for providing a printing or photocopying service, without payment of applicable administrative fees);
 - c. connect any device directly to the DCJ corporate network (**Note:** access to Guest Wi-Fi is permitted);

Audio Visual Link and/or Remote Witness facilities access

- G.2. If, on occasion the Core Business User wishes to access to courthouse Audio Visual Link (**AVL**) and/or Remote Witness (**RW**) facilities, the Core Business User must submit a request to the registrar of the relevant courthouse for consideration. Approval of any such request will be subject to availability of the AVL and/or RW facilities with respect to relevant bookings on the day requested for use. The use of AVL and/or RW facilities will be prioritised in accordance with the operational requirements of the court.

H. Keys/Access cards

No access to master keys

- H.1. Core Business Users are not permitted to access master keys for any courthouse location under any circumstance.

Keys/Access cards for use of space allocated on particular day(s)

- H.2. Where a Core Business User has access to allocated space on a particular day(s)), a Temporary key/access card for the relevant room must be collected from the registrar/sheriff's office of the relevant courthouse on the day(s) of use and be returned at the end of the agreed period. Agreed period may be end of day or agreed period for scheduled sittings at a particular location. A register will be maintained by the relevant registrar/s sheriff's office to track who has signed out temporary keys/access cards for use of allocated space.

Keys/Access cards for use of space allocated 5 days per week

- H.3. Where a Core Business User has access to allocated space 5 days per week, key(s) and/or access card(s) may be allocated to the Core Business User at the discretion of the relevant registrar/sheriff's office.
- H.4. Details of any key(s)/access card(s) issued to Core Business Users pursuant to clause [H.3](#) will be recorded on a key register maintained by the relevant registrar/sheriff's office.

Key(s)/access card(s) issued to individual personnel

- H.5. Key(s)/access card(s) provided to Core Business Users pursuant to clauses [H.2](#) and [H.3](#) will be issued to individual personnel of Core Business Users, not to Core Business Users as entities.
- H.6. Key(s)/access card(s) are not to be shared amongst individual personnel of a Core Business User and must remain in the custody of the individual to whom it is issued.
- H.7. The individual personnel of a Core Business User to whom a key/access card has been issued is responsible for the safety and security of that key/access card.

Key(s)/access card(s) and staffing changes

- H.8. The Core Business User is to notify the relevant Registrar, in writing, of any proposed changes to staffing which will involve changes to the personnel accessing an allocated space.
- H.9. Key(s)/access card(s) issued to individual personnel of a Core Business User must be returned to the relevant Registrar in the event that individual stops working at the relevant courthouse or ceases working for the Core Business User.
- H.10. Any re-issuing of key(s)/access card(s) to Core Business User personnel will be undertaken by the relevant Registrar upon notification from the Core Business User of any proposed staffing changes as required by clause [H.7](#)
- H.11. Core Business Users, and the personnel of Core Business Users to whom key(s)/access card(s) to allocated space have been issued, must strictly ensure that:
- a. allocated space and any other areas accessible by use of the key(s) and/or access card(s) are locked/secured when not in use;
 - b. doors that are normally locked are not propped open, or left unlocked after hours;
 - c. key(s)/access card(s) are not tagged/marked with any information that identifies a link to any courthouse; and
 - d. if an access card/key is lost or stolen a report is lodged immediately, in writing, to the Registrar of the relevant courthouse.

Responsibility for costs associated with lost key(s)/access card(s)

- H.12. The impacts of keys being lost/stolen could be serious to court security and may necessitate locks being replaced. Core Business Users accept responsibility and

will reimburse Court Services for any costs incurred as a result of the loss of key(s)/access card(s) by its personnel, including for the re-keying of door(s), and replacement/re-issuing of key(s)/access card(s) if deemed necessary by Court Services.

I. Car parking

- I.1. Parking is only available on site at courthouses for departmental/ authorised employee/judicial officer vehicles. Parking is not provided on site at courthouses for personnel of Core Business Users or private motor vehicles unless approved in accordance with the DCJ Car Parking Policy.

J. Security incident/concern reporting

- J.1. Security concerns and incident reports must be submitted to the Office of the Sheriff and the relevant courthouse registrar in line with incident reporting process set out below. Core Business Users are responsible for making its personnel aware of the incident reporting process within courthouses. This process is as follows:
- a. Visit <https://incident.sheriff.nsw.gov.au> to submit Security Incident Reports, and
 - b. Email incident.sheriff@justice.nsw.gov.au and the relevant courthouse registrar with the details of any security incidents or concerns, including the following information:
 - Location specifics;
 - Contact information;
 - Detailed description of the incident; and
 - Photos/attachments that are relevant.
- J.2. In addition to the reporting steps above if an incident occurs at a courthouse or location where Sheriff's Officers are on site, any issues should also be reported to the local Sheriff's Officers and Registrar. If the incident reported poses an immediate risk or threat to any individual/infrastructure or court operations, it should be reported immediately to the nearest available Office of the Sheriff staff and/or court/registry staff.

K. Workplace, Health, and Safety (WHS)

This policy aligns with the DCJ [Work Health and Safety Policy](#)

- K.1. It is acknowledged that Court Services, Core Business Users, and any individuals working in or accessing a courthouse have mutual obligations to ensure workplace health and safety (WHS). In addition to the duty of Court Services to provide and maintain a safe working environment for those working in courthouses, all Core Business Users are responsible for:

- a. meeting all applicable Work, Health, and Safety obligations and ensuring the health and safety of its personnel whilst they undertake work duties for/on behalf of the Core Business User, including when those personnel are working in a courthouse (including an allocated space); and
 - b. ensuring the health and safety of others who may be affected by the carrying out of work by its personnel in a courthouse (including an allocated space).
- K.2. Core Business Users (including their personnel) must comply with all applicable WHS laws, and any reasonable instruction or direction given by Court Services relating to WHS whilst in a courthouse (including an allocated space).
- K.3. Core Business Users must advise the relevant courthouse registrar of any WHS related concerns as and when any such concerns arise.

L. Permitted Activity

- L.1. Access to an allocated space under an Approved Arrangement or Existing Arrangement is granted on the condition that the Core Business User will only utilise the allocated space to conduct the activities set out in the application form that has been approved by Court Services in respect of the relevant arrangement (**'Permitted Activity'**). The Core Business User is responsible for ensuring that its personnel do not engage in any activity other than the Permitted Activity.
- L.2. Activity undertaken in courthouses (including in allocated space) must always be conducted in an appropriate and professional manner. The Core Business User must ensure that its activities and the behaviour of its personnel do not cause disruption to the activities of the Court, are not likely to bring the Court into disrepute.

M. Compliance with laws, policies, and procedures

- M.1. When conducting its activities within the courthouse (including within allocated space), the Core Business User must comply with:
- a. all applicable laws, including those relating to privacy and WHS; and
 - b. all policies, procedures and directions issued by Court Services and the Court from time to time.

N. Termination and withdrawal of access

- N.1. Access to allocated space will be subject at all times to the discretion of Court Services. Core Business Users have no right of access other than with Court Services approval. Court Services may withdraw its approval at any time, for specific days or part-days, or altogether in accordance with applicable provisions of these Terms of Access and the Policy.

- N.2. Without limiting its rights, Court Services reserves the right to terminate an Approved Arrangement or Existing Arrangement and withdraw access to allocated space for reasons including:
- a. breach of/non-compliance with any of the Terms of Access by a Core Business User and/or its personnel; or
 - b. operational requirements of Court Services.

Notice periods

- N.3. Where possible, a Core Business User should give Court Services 28 days' notice in writing if it no longer requires allocated space at a courthouse.
- N.4. Where possible, Court Services will give a Core Business User 60 days' notice in writing if allocated space is no longer available to the Core Business User, however the notice period in any such instance may vary depending on operational requirements of Court Services or due to other factors.

Consequences of termination and withdrawal of access

- N.5. Core Business Users must comply with clause [C.6](#) upon termination of an Approved Arrangement or Existing Arrangement and accept responsibility for any costs associated with returning the allocated space to its original state (including reimbursement for any such costs incurred by Court Services).
- N.6. Court Services (and DCJ) excludes liability to Core Business Users for any costs associated with termination and withdrawal of access to an allocated space, including any costs associated with sourcing alternative arrangements for Core Business User operational requirements.

O. Insurance

- O.1. Core Business Users must take out and/or maintain adequate insurance policies covering the activities the Core Business User and its personnel undertake in connection with their use of any allocated space pursuant to this Policy, including public liability insurance and professional indemnity insurance. Such policies must be maintained by the Core Business User for the duration of any Approved or Existing Arrangement and at all times whilst accessing an allocated space.
- O.2. It is the responsibility of the Core Business User to maintain currency of public liability insurance, professional indemnity insurance and any other applicable insurances relevant to conducting their business activities. If requested, the Core Business Users must provide Court Services with a copy of the relevant certificates

P. Exclusion of liability an Indemnity

- P.1. The Core Business User:
- a. acknowledges that Court Services makes no representation or warranty:

- i. regarding the fitness for purpose of any allocated space.
 - ii. that court services will be able to continue to provide the Core Business User or its personnel with access to an allocated space or that the provisions of any such space will be uninterrupted; or
 - iii. that facilities and/or equipment in the allocated space will remain functional or accessible at all times.
 - b. warrants that it will not rely on and will make its own assessment of the suitability of any particular allocated space for permitted activities.
- P.2. To the extent permitted by law, DCJ excludes any liability to the Core Business Users and its personnel for any loss, cost, damages, expense, or liability suffered or incurred by the Core Business User or its personnel where such loss, cost, damages, expense, or liability is caused by:
- a. any wilful, unlawful, or negligent act or omission by the core business User or its personnel in connection with their use of an allocated space; or
 - b. any utilisation of an allocated space by the Core Business user or its personnel which:
 - i. Is not for a Permitted Activity; or
 - ii. Otherwise constitutes a breach of the Terms of Access
- P.3. The Core Business User will indemnify and compensate DCJ and its personnel against any loss, cost, damages, expense, or liability suffered for incurred by DCJ or its personnel where such loss, cost, damages, expense, or liability is caused by
- a. Any wilful, unlawful, or negligent act or omission by the Core Business User or its personnel in connection with their use of an allocated space;
or
 - b. Any utilisation of an allocated space by the Core Business User or its personnel which:
 - i. Is not for a Permitted Activity; or
 - ii. Otherwise constitute a breach of the terms of Access

Q. Record-keeping and reporting

- Q.1. Core Business Users must:
- a. keep records of its personnel that access any allocated space within a courthouse; and
 - b. provide those records to Court Services upon request.