



## **Magistrates' Court Victoria**

### **Practice Direction**

#### **No. 7 of 2017**

#### **Expansion of the fast tracking listing process to the Court at Sunshine and Werribee**

##### **Background**

It is well known with family violence cases that the rate of recidivism for crimes of violence against intimate partners is much greater than crimes of violence against strangers. Accordingly, the Magistrates' Court of Victoria (the Court) has commenced the introduction in stages of a fast tracking listing process of these cases. The first stage commenced at the Court at Dandenong on 1 December 2014.

The purpose of this Practice Direction is to expand the process to two further venues of the Court.

##### **Direction**

1. As and from 1 June 2017, all criminal charges arising out of family violence incidents and filed in the Court at Sunshine and the Court at Werribee will be listed according to the timelines:
  - (a) Where the accused person is on bail, from the date of his or her release on bail to the first listing of those charges – one week;
  - (b) Where the accused person has been summonsed, from the date of the interview to the first listing – four weeks;
  - (c) In either case described in (a) or (b)
    - i. From the date of the first listing to the date of the second listing – four weeks;
    - ii. From the date of the second listing to contest mention – four weeks<sup>1</sup>;
    - iii. From the date of the contest mention to trial – four weeks.
2. At the time of release on bail or when served with a summons, the accused person must be given a document entitled "Family violence related criminal proceedings", a copy of which is attached to this Practice Direction.

This Practice Direction commences from 1 June 2017.

Peter Lauritsen  
Chief Magistrate  
Date: 18 May 2017

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<sup>1</sup> In some instances, a proceeding may be adjourned for trial without a contest mention. Whether that occurs is a matter for the presiding magistrate.

Magistrates' Court of Victoria

## Family violence related criminal proceedings

Information for accused persons

If you have criminal charges listed at the Court at Sunshine or Werribee that are family violence related, the following listing timeframes will apply:

Filing to first listing for <b>bail</b> matters (the time to first listing from the release of an accused on bail)	1 week
Interview to first listing for summons' matters	4 weeks
First listing to second listing (a summary case conference is to be conducted on or before the second listing)	4 weeks
Second listing to contest mention	4 weeks
Contest mention to contested hearing	4 weeks

### Adjournment Requests

The Court may grant a short adjournment from the first listing if suitable or sufficient reasons are supplied. You and/or your legal representative **must** be present at court for any future adjournment request to be considered. If you are on bail, you **must** appear at court for each listing.

### Police Brief

If you do not have a copy of the preliminary brief at the first listing, you will need to obtain a copy from Victoria Police prior to leaving the court. You will need to provide a copy of the brief to your legal representative.

### Summary Case Conference

A summary case conference will need to occur on or before the second listing date.

### Legal Advice

It is very important to get legal advice **before** you go to court. Legal advice will help you:

- decide if you will say that you are guilty or not guilty
- decide if you need a lawyer to speak for you in court or if you can represent yourself
- help you to prepare for your case

You can obtain free legal advice from Victoria Legal Aid on 1300 792 387.