



Magistrates' Court Victoria

Practice Direction 2 of 2013

Remand Hearings and Bail Applications after 2.00pm

Background

Where an accused person has been arrested during the day and a remand hearing is required, the cut off time for the charges to be filed with the Court and prisoner lodged in appropriate holding cells is 3.30pm

Directions:

1. At headquarter Courts:
 - (a) the informants must file all necessary paperwork with the Court and the accused be lodged in the cells by 3.00pm; and
 - (b) the bail application or remand must be ready to proceed by no later than 3.30pm

2. At non-headquarter, regional venues of the Court with video conferencing facilities:
 - (a) informants must contact the Registrar of that venue of the Court prior to filing any charges to ensure that the video conferencing facilities are available and there is a magistrate at the Regional Headquarters Court to hear the matter;
 - (b) informants must file all necessary paperwork with that venue of the Court and the accused be lodged in the cells by 3.00pm; and
 - (c) the bail application or remand must be ready to proceed by no later than 3.30pm.

3. At non-headquarter, regional venues of the Court with no video conferencing facilities:
 - (a) The informant must contact the Registrar of that venue of the Court prior to filing the charges, to ascertain the caseload of the court and its capacity to hear a remand/bail application;
 - (b) The Registrar will discuss with the presiding magistrate to ascertain if there is sufficient time in the afternoon to hear a remand/bail application;

- (c) The Magistrate will provide direction as to whether the matter can be listed or if a Bail Justice is to be used;
- (d) Where there is sufficient time available:
 - (i) Informants must file all necessary paperwork with the Court and the accused by lodged in the cells by 3.00pm; and
 - (ii) The bail application or remand must be ready to proceed by no later than 3.30pm.

This Practice Direction will take effect from 29 July, 2013

Peter Lauritsen
Chief Magistrate
Date: 26 July 2013