



Magistrates' Court  
Victoria

## Practice Direction

No. 3 of 2006 (*Amended*)

### FRAUD AND THEFT CHARGES HEARD SUMMARILY IN THE MAGISTRATES' COURT

1. This Direction applies to all cases involving charges in the following categories and which are expected to occupy more than 3 days of hearing time, unless otherwise ordered by a Magistrate:
  - Deception
  - False accounting
  - Falsification of documents
  - False statements
  - Suppression of documents
  - Social security fraud and
  - Complex theft, receiving, handling and proceeds of crime prosecutions
2. Hearing time includes not only the evidence of witnesses but also opening addresses (if any), anticipated submissions and the possibility of a reserved decision.
3. Prior to the date of the contest mention the prosecuting authority is to have provided the defence with:
  - An index of all relevant exhibits
  - Copies of all relevant exhibits
  - A list of the charges and associated exhibits and
  - A list of witnesses

(**Note:** These are in addition to the material required to be provided under clause 1A of Schedule 2 of the Magistrates' Court Act).
4. At the contest mention directions may be given in relation to the case including directions consistent with the provisions of sections 42A and 42B of the Evidence Act 1958.
5. On the day of the hearing of the charges the prosecuting authority is to have available for the court a folder of the additional documents provided to the defence pursuant to paragraph 3. The prosecuting authority is to provide copies of all relevant legislation and subordinate legislation in respect of the charges which are not Crimes Act offences.
6. The parties are to confer within 14 days after the contest mention with a view to narrowing the issues where possible including reaching an agreement on evidence whether of an expert technical formal or other nature.

**This Practice Direction takes effect immediately.**

**IAN L GRAY**  
Chief Magistrate  
9 June 2006