



**Magistrates' Court  
of Victoria**

**Practice Direction 7 of 2014**

**Witness Summons to Produce Documents or Things**

**Background**

Practice Direction No.5 of 2014 dealt with the issue of subpoenas in a criminal proceeding.

The purpose of this practice direction is to encourage practitioners to obtain all necessary material prior to a Committal Mention or Contest Mention hearing to ensure that those hearings can be conducted in a productive manner; and ultimately to ensure that relevant material is provided to the parties prior to the contested summary hearing or committal hearing.

**Direction:**

1. Practice Direction No.5 of 2014 is revoked.
2. As from 22 September 2014 all Witness summonses issued by the Court for the production of documents or things in the criminal jurisdiction, are to be made returnable;
  - a) Where the case is listed for a Contest Mention or Committal Mention, on a date no later than the date of the Contest Mention or Committal Mention.
  - b) Where the case is listed for Summary Hearing or Committal, on a Mention or Special Mention date prior to the hearing or committal, and wherever practicable, before the Magistrate assigned to hear the proceeding.
  - c) If the matter is listed in a specialised list, where practicable, the witness summons should be made returnable in that list.

This Practice Direction takes effect on 22 September, 2014.

Peter Lauritsen  
Chief Magistrate

Date: 17 September 2014