



## **Magistrates' Court Victoria**

### **Practice Direction 3 of 2018**

#### **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 3.00pm.

The exception is the Melbourne Magistrates' Court, which operates a Bail and Remand Court, sitting between 10.00am and 9.00pm, seven days per week, including public holidays.

##### **Directions:**

1. Practice Direction 12 of 2017 is revoked.
2. At the Melbourne Magistrates' Court:
  - (a) the informants must file all necessary paperwork with the Court and the accused must be lodged in the cells by 8.00pm; and
  - (b) the bail application or remand must be ready to proceed no later than 8.30pm
3. At all other 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.
4. 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 ascertain if a Magistrate is sitting at that venue and, if not, 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.
5. 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 be 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 30 April 2018.

Peter Lauritsen  
Chief Magistrate  
Date: 21 April 2018