



**Magistrates' Court  
Victoria**

**Practice Direction**

**No.3 of 2010**

**SUMMARY CASE CONFERENCE PROCEDURE**

**Purpose**

This Practice Direction replaces Practice Direction 6/2009 and outlines the Court's administrative practices, relating to Summary Case Conferences and its purpose is to facilitate active and effective case management by the Court.

**Background**

The *Criminal Procedure Act 2009* (the Act) commenced on 1 January 2010, with its important changes to summary procedure were introduced.

Specifically, the Act introduces the Summary Case Conference, which is an out of court discussion between parties, to identify issues in dispute and manage the progression of a case.

Section 54(2) of the Act provides that in proceedings where a Preliminary Brief has been served on an accused within 7 days after the day on which a charge sheet is filed with the Court, a Summary Case Conference must be conducted before a matter can be listed for contest mention, summary hearing, or before a request for a full brief is made.

The Magistrates' Court may direct parties to have a Summary Case Conference in other summary proceedings, under section 54(3) of the Act.

A number of Magistrates' Court venues have already implemented Summary Case Conference procedures in anticipation of these reforms. In many cases, the Summary Case Conference has been a useful case management tool.

Experienced Police Prosecutors, appointed as Summary Case Conference Managers, will be available to discuss all matters by phone, email or in person.

Contest mentions have played an important role in summary proceedings and will continue to do so. However, there are many cases where issues can and should be discussed and resolved at an earlier stage. Summary Case Conferences provide the mechanism for these discussions.

## **Application**

1. This applies to a summary proceeding in the Magistrates' Court where;
  - Victoria Police provide a Summary Case Conference Service; and
  - Where a Preliminary Brief or a Full Brief has been served on the accused (or his/her legal representative) prior to the case being listed for contest mention or summary hearing.
2. In accordance with Section 54(3) of the Act, a Magistrate or a Registrar may direct parties to conduct a Summary Case Conference.
3. If an accused is not legally represented, a Magistrate or a Registrar may dispense with the requirement to conduct a Summary Case Conference.
4. This Practice Direction operates from **19th July 2010**.

## **Information**

For further information concerning this Practice Direction, Summary Case Conference procedures and Case Conference Manager details please contact:

- Brett Cain, State Co-ordinating Registrar, Ph: 9603 9326

**This Practice Direction revokes Practice Direction 6 of 2009 issued in November 2009**

**Ian L Gray**  
Chief Magistrate

14 July 2010