



Magistrates' Court of Victoria

Practice Direction

No. 3 of 2020

CRIMINAL PROCEEDINGS IN THE MAGISTRATES' COURT OF VICTORIA

1. The Magistrates Court of Victoria is committed to serving our community as we face COVID-19. **All our Courts across the State remain open.** After hearing from health experts, it is however necessary that we reduce the number of people in our court buildings and this requires us to change some aspects of our practice to ensure the health and safety of our judiciary, staff and all court users. We see these as temporary measures while we ensure we have sustainable solutions for the months ahead. This practice direction applies from 9am 24 March 2019.

Bail and Summons matters

2. All criminal proceedings [except Filing Hearings, Committal Mentions and Committal Hearings] where the accused is on summons or bail will be adjourned to the nominal date of 15 June 2020.
3. For all summons and bail matters [excluding Filing Hearings, Committal Mentions and Committal Hearings] no attendance by the accused is required. Bail will be extended in the absence of the accused.
4. Filing Hearings will proceed in accordance with current practice. However, where an accused is on summons or bail, their attendance is not required provided their legal representative attends with instructions.
5. Committal Mentions will continue to be heard. Where an accused is on summons or bail, their attendance will not be required provided their legal representative attends with instructions. However, if the matter has resolved to a straight hand-up brief (SHUB) then the accused must attend.

Bail custody and summons contested committals

6. Contested Committal Hearings will be abridged to the Monday of the week in which they are listed and then adjourned for Special Mention as follows
 - Week commencing 30 March – listed Special Mention 22 April 2020
 - Week commencing 6 April – listed Special Mention 29 April
 - Week commencing **TUES** 14 April (due to public holiday) – listed Special Mention 6 May
 - Week commencing 20 April – listed Special Mention 13 May
 - Week commencing 27 April – listed Special Mention 20 May
 - Week commencing 4 May – listed Special Mention 27 May
 - Week commencing 11 May – listed Special Mention 3 June
7. No appearance is required by practitioners or accused at any Special Mention (unless the matter has resolved to a SHUB) as above provided they inform the court in writing no later than 3pm the preceding business day
 - a. that they continue to act; and
 - b. that they undertake to notify their client of the adjourned date and extension of bail.
8. The court expects that legal practitioners and the prosecution will consult with each other and the Court prior to the second Special Mention to obtain a suitable date for relisting of the Contested Committal.

Custody matters

9. Where the accused is in custody, the Court will continue to hear the following criminal proceedings via audio visual link (AVL):
 - a. Filing Hearings
 - b. Committal Mentions
 - c. Summary Jurisdiction applications and related pleas of guilty
 - d. Applications for Bail
 - e. Applications to vary Bail
 - f. Applications to revoke Bail
 - g. Pleas of guilty in the summary stream

h. Contest Mentions

10. Summary contests where the accused is in custody will be vacated and listed on the nominal date of 15 June 2020 for Mention.

11. The Court will continue to hear Applications to vary or revoke Bail.

12. The above procedures are subject to further direction of a Magistrate.



Judge Lisa Hannan

Chief Magistrate

Date: 24 March 2020