



**THIS PRACTICE DIRECTION MUST BE READ IN
CONJUNCTION WITH, AND SUBJECT TO, PRACTICE
DIRECTION 20 OF 2020**

Magistrates' Court Victoria

Practice Direction

No. 18 of 2020*

COVID-19 PANDEMIC RESPONSE:

FIRST REMAND HEARINGS

Background

In response to the COVID-19 pandemic, the Court must continue to adapt its procedures to maintain access to justice in a manner consistent with public health measures currently in place.

Remand and bail applications must continue to be heard while managing health risks. Where there is capacity to facilitate remote participation and appearance by an accused in custody at a first remand hearing, the Court will hear the matter as set out below. This practice direction is intended to increase the Court's ability to respond flexibly to current circumstances.

Direction

1. Commencing Thursday 6th August 2020, the following directions apply to first remand hearings at Melbourne and Metropolitan Magistrates' Courts where the accused person is presented to a Police Complex that is equipped with appropriate facilities.[†]
2. Subject to capacity at the relevant Police Complex all first remand hearings will be conducted at the [proper venue](#) or BARC as appropriate, utilising WebEx.

* Please note this is an updated version of Practice Direction 18 of 2020 first published on 4 August 2020

[†] All Police Complexes adjoining headquarter Courts throughout the state have audio visual capabilities.

3. Where a first remand hearing proceeds via WebEx the following will apply:
 - Accused arrested and held at police station.
 - Defence practitioner notified by police that accused in custody.
 - Police enable private conferences by telephone or by WebEx for practitioner to obtain instructions.
 - Assessments relevant to any application for bail enabled by telephone or by WebEx.
 - Informant contacts [proper venue](#) court and advises of intention to file charges and obtains appropriate email address.
 - Police file charges via email to proper venue court.
 - Defence practitioner contacts the [proper venue](#) and provides completed [appearance sheet](#).
 - The Court lists matter and notifies Parties of time of hearing.
 - Accused appears via WebEx from the relevant police station.
 - Informant appears via WebEx.
 - Defence practitioners appear via WebEx unless other arrangements are made.
 - Prosecutors appear from the courtroom unless other arrangements can be made.
4. Circumstances may arise where it is necessary to move a matter into the OMC to be heard by another Magistrate. Where this circumstance arises, Parties will be contacted by the OMC in relation to arrangements.
5. All other first remand hearings, including those which cannot be facilitated due to capacity at the relevant Police Complex, will continue on the current basis with the accused being transported to the proper venue court location.



JUDGE LISA HANNAN
CHIEF MAGISTRATE

Date: 9 SEPTEMBER 2020