



## **Magistrates' Court Victoria**

### **Practice Direction No.1 of 2019\***

#### **Electronic Briefs in Indictable Matters**

##### **Direction**

1. Upon application, or by its own direction, the Court at filing hearing or any time before the hand-up brief service date, may make an order that the hand-up brief be served electronically.
2. All electronic briefs of evidence must comply with section 110 (and other relevant provisions) of the Criminal Procedure Act 2009.
3. An electronic brief must be:
  - in a searchable form.
  - accessible without the requirement of specialist software. If specialist software is required to access any video or audio file, the informant must provide it to the recipients.
4. An electronic brief must include:
  - an index (including prescribed notices, charge sheets, statement of material facts, witness list and exhibit list) which is bookmarked and/or hyperlinked.
  - a witness list which includes hyperlinks to witness statements or the witness' statements are bookmarked within the electronic brief.
  - an exhibit list which includes hyperlinks to the exhibit (when annexed to the brief) or the annexed exhibits are bookmarked within the electronic brief.
5. Any material redacted from an electronic brief (e.g. pursuant to S114(2) Criminal Procedure Act 2009) must be done using a tool that permanently removes or hides the information and its metadata.

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\*Please note this is an updated version of Practice Direction 1 of 2019, first published on 1 April 2019 and updated on 9 December 2020 and 7 April 2021. See Appendix 1 for a summary of revisions made.

6. If the accused is in custody, the e-brief should be served on the accused's legal representative via storage medium that is compatible with any guidelines for receiving electronic briefs published by Corrections Victoria.
7. If any further material is to be added to the hand-up brief, the informant must:
  - Re-serve the entire brief (incorporating the additional material); and
  - Separately serve the additional material or clearly identify the additional material.

A handwritten signature in black ink, appearing to read 'Lisa Hannan', with a long horizontal line extending to the right.

**JUDGE LISA HANNAN  
CHIEF MAGISTRATE**

Date: 7 April 2021

## Appendix 1

### Summary of Revisions

<b>Publication Date</b>	<b>Content revised</b>
9 December 2020	<p>Background. Removed.</p> <p>Paragraph 1. Updated version added “or by its own direction”.</p> <p>Paragraph 4. Updated version added “/or” to read “an index (including prescribed notices, charge sheets, statement of material facts, witness list and exhibit list) which is bookmarked and/or hyperlinked.”</p>
7 April 2021	<p>Paragraph 4. Updated version added to and amended second dot point to read “a witness list which includes hyperlinks to witness statements or the witness statements are bookmarked within the electronic brief”.</p> <p>Paragraph 4. Updated version added to and amended third dot point to read “an exhibit list which includes hyperlinks to the exhibit (when annexed to the brief) or the annexed exhibits are bookmarked within the electronic brief”.</p>