



## **Magistrates Court of Western Australia Practice Direction 1 of 2026**

### **1. Circuits Vacated and Interim Arrangements for Circuit Court Sittings**

- 1.1 Subject to further notice, and for a period of three months, the Magistrates Court will cease sitting in circuit locations where court security services are usually provided by WAPOL (**Circuit Locations**). Accordingly, all circuits listed at Circuit Locations between **1 June 2026** and **28 August 2026** are formally vacated as of **1 June 2026**.
- 1.2 Matters listed for a vacated circuit sitting will be dealt with by the court sitting at a designated home court location that has court security and custody services (**Home Court**).
- 1.3 The affected Circuit Locations and their designated Home Courts are set out in **Appendix A**.
- 1.4 Weekend or public holiday Magistrates Court sittings will continue to operate under existing arrangements.

### **2. Magistrates Court Registries**

- 2.1 Magistrates Court registries at Home Court locations will continue to operate as usual.
- 2.2 Magistrates Court registries at Circuit Locations that are staffed by the Department of Justice will continue to operate as usual (**DoJ-Staffed Circuit Locations**, see Appendix A).
- 2.3 Magistrates Court registries at all other Circuit Locations will be closed from **1 June to 28 August 2026**, and registry matters will be dealt with by the registry of the designated Home Court.

### **3. New Criminal Matters**

- 3.1 From **1 June 2026** until **28 August 2026** all criminal charges involving adults, upon lodgement will be given a hearing date at the designated Home Court location.

- 3.2 Unless otherwise directed by the court, an accused person is required to appear in person at the Home Court.
- 3.3 Where a person is arrested and refused bail by WAPOL at a location that is not a Home Court or a DoJ Staffed Court Location then the accused must be taken to the designated Home Court location as soon as practicable for a bail application.

#### 4. **Existing Criminal Matters**

- 4.1 The court will issue notices to accused persons and sureties changing the court location to the designated Home Court for vacated circuit court sittings.
- 4.2 Lawyers should make all reasonable endeavours to obtain contact details for the accused persons who they are dealing with and liaise with the designated Home Court registry if they wish to seek permission for the accused to appear by audio-visual link.

#### 5. **Failure to Appear in Home Court**

- 5.1 Where, because of the interim arrangements, a person fails to appear in person at the designated Home Court and is unable to attend by audio-visual link:
  1. the matter may be adjourned and bail extended, or an additional notice of adjournment issued; or
  2. an arrest warrant may issue.
- 5.2 In determining whether bail should be extended on the same terms and conditions, the court must take into account a person's inability to travel to the Home Court, or to appear by audio-visual link, would ordinarily amount to a reasonable cause for failing to comply with a bail undertaking to appear in person, for the purposes of s 51(1) of the *Bail Act 1982*.

#### 6. **Circuit Location Trials**

- 6.1 Magistrates at each Home Court are requested to review upcoming trial listings affected by these interim arrangements and, where necessary, to give directions including (but not limited to):
  1. vacating trial dates;
  2. transferring trials to the relevant Home Court;

3. determining the manner of appearance of parties and witnesses, including whether appearances are to be in person or by audio-visual link.
- 6.2 Trials involving accused persons in custody that are transferred to a Home Court are to proceed, unless otherwise directed by the presiding magistrate.

## 7. **Witnesses**

- 7.1 Where trials are transferred to a Home Court, parties (including WAPOL) should, where necessary, lodge fresh applications for witness summonses for in-person attendance at the Home Court.
- 7.2 Parties applying for witness summonses for in-person attendance must have particular regard to the requirements of s 162(3) of the *Criminal Procedure Act 2004*, including the obligation to ensure that appropriate arrangements or means are provided to enable a witness to attend court.
- 7.3 In determining whether a witness, including WAPOL officers, should appear in person or by audio-visual link, the court should have regard to the practical availability of audio-visual facilities, including any inability of WAPOL to reliably facilitate an audio-visual appearance at the request of the court.

## 8. **Restraining Order Matters**

- 8.1 Current restraining order arrangements will continue, subject to the discretion of the presiding magistrate at the designated Home Court, and subject to WAPOL continuing to facilitate audio-visual links for interim hearings where required.
- 8.2 At DoJ Staffed Circuit Locations, arrangements will be in place for urgent initial hearings of restraining order applications to be conducted via audio-visual link.
- 8.3 For all other Circuit Locations, the Department of Justice, in consultation with the presiding magistrate at each Home Court location, will implement flexible arrangements for the lodgement and hearing of restraining order applications, within legislative constraints.

## 9. **Judicial Discretion**

- 9.1 For the avoidance of doubt, nothing in this Practice Direction limits or interferes with the judicial independence and discretion of a presiding magistrate in relation to the hearing, case management, or determination of any matter affected by the interim arrangements.

# Appendix A

Home Court	Circuit Location
<b>Broome</b>	1. Bidyadanga
	2. Dampier Peninsula
	3. *Derby
	4. Fitzroy Crossing
	5. Looma
<b>Kununurra</b>	6. Wyndham
	7. Warmun
	8. Kalumburu
	9. Balgo
	10. Halls Creek
<b>South Hedland</b>	11. Newman
	12. Jigalong
<b>Carnarvon</b>	13. Tom Price
	14. Exmouth
	15. Wiluna
	16. Meekatharra
	17. Cue
	18. Shark Bay
<b>Geraldton</b>	19. Mullewa
	20. Three Springs
<b>Kalgoorlie</b>	21. Warburton
	22. Blackstone
	23. Warakurna
	24. Leonora
	25. Laverton
	26. *Esperance
<b>Northam</b>	27. *Merredin
<b>Albany</b>	28. *Katanning
	29. *Narrogin
<b>Bunbury</b>	30. *Collie
	31. Harvey
<b>Busselton</b>	32. Margaret River
	33. *Manjimup
<b>Joondalup</b>	34. *Moora

\*DoJ Staffed Circuit Location

Dated: 15th day of May 2026



Steven Heath  
Chief Magistrate