

PRACTICE DIRECTION 1 of 2011

Applications to Adjourn Disclosure/Committal Hearings by Consent

In order to reduce costs and inconvenience to accused persons attending Disclosure/Committal Hearings at the Perth Magistrates Court, represented accused may where there is agreement with the Office of the Director of Public Prosecutions join in an application to adjourn by consent in the form attached to this Practice Direction.

The parties should ensure that all bail requirements are in order, such as any surety being a continuing one and that a surety requiring notice of future dates has been collecting those notices.

A scanned copy of the completed application signed by counsel for the accused and the prosecution must be emailed to the Perth Magistrates Court Listing email address (pmclistings@justice.wa.gov.au) at least two days prior to the scheduled hearing and the original retained by the DPP to be produced to the Court if required.

Where there are summary matters associated with the indictable matters which have also been listed on the same day these will also be adjourned to the agreed date.

Matters where an application has been filed will appear on the 9.00am committal list but will not be called until all appearances on all lists have been dealt with. The adjournment will then be made in open court in accordance with the *Criminal Procedure Act* and a Bail Notice sent to the accused.

This Practice Direction will come into operation on 3 January 2012.

Dated 15th day of December 2011

A handwritten signature in black ink, appearing to read 'Steve Heath', written in a cursive style.

S A Heath
Chief Magistrate

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| MAGISTRATES COURT OF WESTERN AUSTRALIA | | Court Number | |
| APPLICATION TO ADJOURN DISCLOSURE/COMMITTAL HEARING BY CONSENT | | Magistrates Court at | |
| | | Date Lodged | |
| Accused's Details | Prosecution v _____ Full Name | | |
| Application | Both the Prosecution and Defence consent to the disclosure/committal hearing currently listed on _____ being adjourned to _____ | | |
| | Both the Prosecution and Defence consent to any other charges against the accused which are listed on that day being adjourned to the same date. | | |
| | The Prosecution agree that it is not necessary for the accused to attend and that the matter should be adjourned on the basis that the accused is absent for reasonable cause. | | |
| Parties' Signatures | Prosecuting Counsel Name Contact Number | | |
| | Defence Counsel/Solicitor Name Contact Number | | |