

## **PRACTICE DIRECTION 1/2010**

### **Stirling Gardens Magistrates Court**

On 1 October 2007, Stirling Gardens was established as a formal sitting place of the Magistrates Court. Hearings of the Magistrates Court at Stirling Gardens are conducted in the Supreme Court building, Barrack Street, Perth unless advised otherwise.

The Magistrates Court at Stirling Gardens was established to enhance the management of summary and committal proceedings for those indictable cases within the criminal jurisdiction of the Supreme Court so as to ensure these cases are determined justly and expeditiously.

#### Scope

This Practice Direction applies to all Supreme Court indictable matters whether initially lodged at a registry in the metropolitan or regional area.

#### Procedure

At the first appearance in the Magistrates Court at the location where the prosecution is commenced, the case(s) is to be remanded to the Stirling Gardens Magistrates Court on the second Wednesday at 9.15am.

At the first practical opportunity after the first appearance in the Magistrates Court, the registrar at that location is to send the original prosecution notices and case documents to the Stirling Gardens Magistrates Court and fax a copy of those documents to the respective office of the Director of Public Prosecutions, and the Stirling Gardens Magistrates Court.

Where the accused is in custody, appearances at the Stirling Gardens Magistrates Court are to be via video link unless the court orders otherwise.

#### Bail applications

Any party wishing to apply for bail, or to vary bail, is to confer with the DPP with a view to lodging a consent application with the court. Consent orders may be filed up to and on the day of hearing.

Failing agreement, applications for bail, or a variation of bail conditions, may be made by way of oral application in the general list. If the application is to take more than 10 minutes to argue it will be adjourned until 2.15pm.

#### Other applications

Parties wishing to make general applications pursuant to regulation 14 of the Criminal Procedure Regulations 2005 are encouraged to confer with the other side with a view to filing consent orders.

In the absence of consent orders, these applications will be listed for hearing on Wednesdays at 2.15pm.

Communication

Parties involved in cases before the Stirling Gardens Magistrates Court may address queries in respect of those cases to the Judicial Support Officer on 9421 5360.

Dated 1st day of February 2010.

  
**Chief Magistrate**