



MAGISTRATES COURT OF TASMANIA

Practice Direction 4 of 2020 Resumption of Criminal and General Division Court Practices

- Practice Direction 2 of 2020 is revoked on 28 June 2020.
- This Practice Direction will commence 29 June 2020.

GENERAL

- The following measures are intended to continue to minimise the number of people attending the Magistrates Court buildings state-wide to reduce the impact of COVID-19.
- These measures will continue to be reviewed in response to public health advice.
- Those entering the Court must continue to comply with physical distancing and hygiene standards as well as the directions of court staff and security officers. Those who do not comply may be required to leave the Court building.
- Details of physical distancing and hygiene measures are set out on the Court's website.
- The Court is committed to continuing the use of audio and audio visual links wherever appropriate.
- Any person who is not a participant in the proceedings may be required to remain outside the court building.
- Police will continue to reduce the number of matters they are listing into summons and police bail lists by 50%.
- When issuing summonses police will continue to extend the first court date for a summons to a date not sooner than 20 weeks.
- When granting police bail police will continue to extend the first court date to a date not sooner than 12 weeks.

APPEARING BEFORE THE COURT

- Appearances before the court may be in person or by audio or audio visual link, as the magistrate directs.
- Lawyers who wish to appear by audio or audio visual link, or whose clients wish to, must complete the audio/audio visual conference booking form.

- If you do not have a lawyer and you wish to appear by audio or audio visual link, you must complete a booking form.
- The audio/audio visual conference booking form is available on the Court’s website at: [Conference Booking Form](#). You must complete a booking form and return it to the Court at least 2 days before your court date.
- If you are unable to complete the audio/audio visual conference booking form you may provide your email/telephone details to the Court using the contact details below.
- Booking forms must be sent to the following addresses:

○ Hobart	registry.hobart@justice.tas.gov.au	(03) 616 57136
○ Launceston	registry.launceston@justice.tas.gov.au	(03) 677 72945
○ Devonport	registry.devonport@justice.tas.gov.au	(03) 647 84353
○ Burnie	registry.burnie@justice.tas.gov.au	(03) 647 77145
- There will be no fee for audio and audio visual links.

Appearance by People in Custody

- Wherever possible people in custody may appear by audio or audio visual link, unless a magistrate directs otherwise.

Hearings

- The hearing of contested matters in person may resume provided they can be conducted in a manner that is safe and consistent with public health guidelines.

Bail Applications

- Bail applications (other than oral applications) should be emailed to the relevant registry email address:

○ Hobart	registry.hobart@justice.tas.gov.au	(03) 616 57136
○ Launceston	registry.launceston@justice.tas.gov.au	(03) 677 72945
○ Devonport	registry.devonport@justice.tas.gov.au	(03) 647 84353
○ Burnie	registry.burnie@justice.tas.gov.au	(03) 647 77145

Bail Variations

- Bail variation applications may be dealt with in person or by audio or audio visual link, as the magistrate directs.
- Bail variation applications (other than oral applications) should be emailed to the relevant registry email address:

○ Hobart	registry.hobart@justice.tas.gov.au	(03) 616 57136
○ Launceston	registry.launceston@justice.tas.gov.au	(03) 677 72945
○ Devonport	registry.devonport@justice.tas.gov.au	(03) 647 84353
○ Burnie	registry.burnie@justice.tas.gov.au	(03) 647 77145

Family Violence Order/ Restraint Order Applications

- Family violence and restraint order applications may be dealt with in person or by audio or audio visual link, as the magistrate directs.
- Wherever possible family violence order and restraint order applications should be lodged by email together with a completed credit card payment form. EFT payments may be made by telephone.

- Email applications should be sent to the following addresses:

○ Hobart	registry.hobart@justice.tas.gov.au	(03) 616 57136
○ Launceston	registry.launceston@justice.tas.gov.au	(03) 677 72945
○ Devonport	registry.devonport@justice.tas.gov.au	(03) 647 84353
○ Burnie	registry.burnie@justice.tas.gov.au	(03) 647 77145

- Fee waiver applications should be submitted by email provided they are accompanied by relevant supporting documentation.

Youth Justice Division

- Young people who are at Ashley Youth Detention Centre will appear by audio or audio visual link, unless a magistrate directs otherwise.
- Lawyers, other service providers, and/or young people may appear in person or by audio or audio visual link, as the magistrate directs.

Child Protection

- Applications may be dealt with in person or by audio or audio visual link, as the magistrate directs.
- Applications and any supporting documentation under the *Children, Young Persons and Their Families Act 1997* must be lodged by email to the relevant registry at the following addresses.

○ Hobart	registry.hobart@justice.tas.gov.au	(03) 616 57136
○ Launceston	registry.launceston@justice.tas.gov.au	(03) 677 72945
○ Devonport	registry.devonport@justice.tas.gov.au	(03) 647 84353
○ Burnie	registry.burnie@justice.tas.gov.au	(03) 647 77145

- Conferences under section 52 of the *Children, Young Persons and Their Families Act 1997* will continue to be listed and may be in person or by audio or audio visual link, as the conciliator directs.

Court Mandated Diversion

- Court Mandated Diversion proceedings may be in person or by audio or audio visual link, as the magistrate directs.

Mental Health List

- Mental health diversion list proceedings may be in person or by audio or audio visual link, as the magistrate directs.

Traffic Not Guilty Hearings

- Traffic not guilty hearings will resume.
- Parties will be notified of their court date by a notice issued by Tasmania Police.

Restricted Licence Applications

- The hearing of restricted licence applications will resume.
- Wherever possible restricted licence applications should be lodged by email together with a completed credit card payment form. EFT payments may be made by telephone.

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○ Launceston	registry.launceston@justice.tas.gov.au	(03) 677 72945
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Contest Mention Lists

- In-custody matters will be heard by audio or audio visual link, unless a magistrate directs otherwise.
- All non-custody contest mention matters may be dealt with in person or by audio or audio visual link, as the magistrate directs.

Commonwealth Matters

- Commonwealth prosecutions, including taxation prosecutions, will resume.
- Defendants will be served with a new date in due course.

Country Courts

- Arrangements for country courts are set out in the notice dated 1 May 2020 and available at: [Updated Announcement for Country Courts](#).

C J Geason
Chief Magistrate

22 June 2020