

# Magistrates Courts

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## Practice Direction No. 12 of 2011

Issued: 14 June 2011

Bail applications by remote communication device – Persons refused bail by police in the Charters Towers and Hughenden Magistrates Court Districts.

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1. The purpose of this Practice Direction is to provide, in accordance with section 15B of the *Bail Act 1980* (the Act), for the making of Bail applications by remote communication device under section 15A of the Act in circumstances as specified in this Direction.
2. It applies to bail applications by persons wherever located in the Charters Towers or Hughenden Magistrates Court Districts, made to a Magistrate constituting a Magistrates Court at Townsville.
3. This Practice Direction provides for the making of an application for bail if the requirements set out above are met and the circumstances mentioned in paragraphs (a) to (c) apply:
  - (a) a police officer has refused to grant bail to a person under section 7 of the *Bail Act 1980* for an offence; and
  - (b) a Magistrates Court is authorised under the Act to grant bail to the person for the offence; and
  - (c) having regard to all the circumstances, the person may not reasonably or practicably be brought personally before a court.
4. Acting in accordance with this Practice Direction the person may apply under section 15A of the Act to a magistrate for bail for the offence by telephone, video or by another form of communication (a remote communications device), whether or not that section would otherwise apply.
5. In order to facilitate the making of applications under this Direction and to hear other matters, a Magistrate will be available to constitute a Magistrates Court at the Townsville Magistrates Court on week days between the hours of 9am and 4pm and on Saturdays between the hours of 8am and 11am.
6. This Practice Direction does not limit the making of applications for bail under section 15A of the Act in circumstances where the requirements of s15A can be met without the need for reliance on s15B.

Judge Brendan Butler AM SC  
Chief Magistrate  
14 June 2011

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