

Magistrates Courts

Practice Direction No. 18 of 2011

Bail applications by remote communication device – Maroochydore and Caboolture Magistrates Courts

1. This Practice Direction supersedes Practice Direction 2 of 2011, which is hereby repealed.
 2. 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.
 3. This Practice Direction applies only to bail applications made during the period from and on 21 September 2011 to and including 23 December 2011.
 4. It applies to bail applications made by persons located in the Maroochydore, Gympie, Kingaroy and Caboolture Magistrates Courts Districts to a magistrate constituting a Magistrates Court at one of the following locations:
Maroochydore and Caboolture.
 5. 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.
 6. 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.
 7. A magistrate will be available to constitute a Magistrates Court at **Maroochydore** in order to facilitate the making of applications under this Direction and to hear other matters between the hours of 8:30am and 11:00am on the following Saturdays:
 - 24 September 2011 to 8 October 2011 inclusive
 - 29 October 2011 to 5 November 2011 inclusive
 - 10 December 2011
 - 17 December 2011
-

7. A magistrate will be available to constitute a Magistrates Court at **Caboolture** in order to facilitate the making of applications under this Direction and to hear other matters between the hours of 8:30am and 11:00am on the following Saturdays:
 - 15 October 2011 and 22 October 2011 inclusive
 - 12 November 2011 to 3 December 2011 inclusive.
8. 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
20 September 2011