

**PRACTICE DIRECTION**  
**NO 3 OF 2002**

---

**DISPOSAL OF CHARGES OF SUMMARY OFFENCES**  
Sections 651 and 652, Criminal Code

---

1. Practice Direction 1 of 2001 is revoked
2. Section 651 *Criminal Code* empowers the District Court to hear and decide summarily a charge of a summary offence, subject to section 652(2) to (4) and section 651(2). The purpose of this practice direction is to specify administrative requirements which are designed to streamline the transmission of such charges to the District Court by refining the procedures hitherto applying.
3. Prior to lodging an application pursuant to section 652(2) the applicant must lodge with the Director of Public Prosecutions an application for the consent of the Crown under section 651(2)(c). The application must set out the text of the summary charges the applicant seeks to have transmitted, and the text of the indictable offence with which the summary charges would be heard. In the case of lengthy charges, a copy of the charges/counts may, alternatively, be attached to the application. A form of application is appended.
4. The Director of Public Prosecutions will consider the application and within 14 days of receipt of the application notify the applicant in writing of the result.
5. The Registrar of the relevant court of summary jurisdiction will refuse to accept an application pursuant to section 652(2) unless it is accompanied by the written consent of the Director of Public Prosecutions under section 651(2)(c).
6. An application pursuant to section 652(2) must be made to the Registrar of the relevant court of summary jurisdiction not later than 14 days prior to the date set for the hearing of the indictable offence in the District Court.
7. In addition to the matters prescribed by section 652(3), the application must state that as at the time it is being made, an indictment has been presented or is to be presented in the District Court at a specified centre.

8. If section 652 has been fulfilled, the Registrar of the relevant court of summary jurisdiction should transmit the original or copies of the relevant:
  - complaints or bench charge sheets
  - bail undertaking
  - defendant's applicationbearing the requisite file numbers and court notations.
9. Transmission should be effected to the applicable address as per the following schedule. Facsimile transmission may be used and in the case of Brisbane, e-mail transmission.
10. The defendant or the defendant's legal representative shall, at least 24 hours prior to the day on which the matter is to be heard in the District Court, contact the Registrar of the relevant criminal registry to confirm that the relevant documents have been received.
11. If the relevant documents have not been received and the Registrar is satisfied that the defendant has made a proper application in accordance with section 652(2) and (3) and this Practice Direction, the Registrar may arrange for the relevant documents to be transmitted forthwith.
12. If the original documents from the court of summary jurisdiction or facsimile copies are not before the District Court at the time the Court deals with the indictable offences, the Court will not deal with the summary offences or take them into account.
13. If the District Court declines to deal with a charge of a summary offence brought before it, the District Court will order that the transmitted charge be remitted to the originating court of summary jurisdiction. Unless the District Court orders otherwise:
  - (a) where the originating court is the Magistrates Court at Brisbane, the defendant will by order be remanded to appear at the next ex-officio call-over of that court, held on the last Thursday of every month;
  - (b) in every other case, the defendant will by order be remanded to appear on a date within 14 days of the conclusion of the proceeding in the District Court.
14. When the District Court has dealt with a summary charge, the Registrar will as required by s.652(5), within one calendar month, notify the result of the decision to the Registrar of the court of summary jurisdiction from which the charge was transmitted.

**Chief Judge**  
12 September 2002

## Schedule

### **BEENLEIGH**

The Criminal Registry  
PO Box 383  
Beenleigh Q 4207  
**Phone: (07) 3884 7525**  
**Facsimile: (07) 3884 7544**

### **BOWEN**

The Criminal Registry  
PO Box 205  
Bowen Q 4805  
**Phone: (07) 4786 1777**  
**Facsimile: (07) 4786 2464**

### **BRISBANE**

The Criminal Registry  
PO Box 167  
Brisbane Albert Street Q 4002  
**Phone: (07) 3247 4313**  
**Facsimile: (07) 3247 5316**  
**Email:**  
[crimstaff@justice.qld.gov.au](mailto:crimstaff@justice.qld.gov.au)

### **BUNDABERG**

The Criminal Section  
PO Box 908  
Bundaberg Q 4670  
**Phone: (07) 4131 5667**  
**Facsimile: (07) 4153 3420**

### **CAIRNS**

The Criminal Section  
PO Box 7515  
Cairns Q 4870  
**Phone: (07) 4039 8936**  
**Facsimile: (07) 4039 8919**

### **CHARLEVILLE**

The Criminal Section  
PO Box 141  
Charleville Q 4470  
**Phone: (07) 4656 5011**  
**Facsimile: (07) 4656 5018**

### **CHARTERS TOWERS**

The Criminal Section  
PO Box 176  
Charters Towers Q 4820  
**Phone: (07) 4761 5120**  
**Facsimile: (07) 4761 5129**

### **CLERMONT**

The Criminal Section  
PO Box 283  
Clermont Q 4721  
**Phone: (07) 4983 1233**  
**Facsimile: (07) 4983 3164**

### **CLONCURRY**

The Criminal Section  
PO Box 335  
Cloncurry Q 4824  
**Phone: (07) 4742 1299**  
**Facsimile: (07) 4742 1084**

### **CUNNAMULLA**

The Criminal Section  
PO Box 227  
Cunnamulla Q 4490  
**Phone: (07) 4655 1331**  
**Facsimile: (07) 4655 1422**

**DALBY**

The Criminal Section  
PO Box 277  
Dalby Q 4405  
**Phone: (07) 4662 3322**  
**Facsimile: (07) 4662 1614**

**EMERALD**

The Criminal Section  
PO Box 989  
Emerald Q 4720  
**Phone: (07) 4982 1877**  
**Facsimile: (07) 4982 4342**

**GLADSTONE**

The Criminal Section  
PO Box 5045  
Gladstone Q 4680  
**Phone: (07) 4971 2423**  
**Facsimile: (07) 4971 2410**

**GOONDIWINDI**

The Criminal Section  
PO Box 470  
Goondiwindi Q 4390  
**Phone: (07) 4671 1277**  
**Facsimile: (07) 4671 3220**

**GYMPIE**

The Criminal Section  
PO Box 133  
Gympie Q 4570  
**Phone: (07) 5482 2011**  
**Facsimile: (07) 5482 8501**

**HERVEY BAY**

The Criminal Section  
PO Box 321  
Hervey Bay Q 4655  
**Phone: (07) 4125 9300**  
**Facsimile: (07) 4125 9315**

**HUGHENDEN**

The Criminal Section  
PO Box 153  
Hughenden Q 4821  
**Phone: (07) 4741 1735**  
**Facsimile: (07) 4741 1412**

**INNISFAIL**

The Criminal Section  
PO Box 133  
Innisfail Q 4860  
**Phone: (07) 4048 3300**  
**Facsimile: (07) 4061 4239**

**IPSWICH**

The Criminal Section  
PO Box 70  
Ipswich Q 4305  
**Phone: (07) 3280 1715**  
**Facsimile: (07) 3280 1904**

**KINGAROY**

The Criminal Section  
PO Box 777  
Kingaroy Q 4610  
**Phone: (07) 4162 1222**  
**Facsimile: (07) 4162 1844**

**LONGREACH**

The Criminal section  
PO Box 19  
Longreach Q 4730  
**Phone: (07) 4658 1177**  
**Facsimile: (07) 4658 3098**

**MACKAY**

The Criminal Section  
PO Box 104  
Mackay Q 4740  
**Phone: (07) 4967 0711**  
**Facsimile: (07) 4953 1476**

**MAROOCHYDORE**

The Criminal Section  
PO Box 732  
Maroochydore Q 4558  
**Phone: (07) 5470 8111**  
**Facsimile: (07) 5470 8146**

**MARYBOROUGH**

The Criminal Section  
PO Box 111  
Maryborough Q 4650  
**Phone: (07) 4121 1810**  
**Facsimile: (07) 4121 1883**

**MOUNT ISA**

The Criminal Section  
PO Box 1660  
Mount Isa Q 4825  
**Phone: (07) 4747 2011**  
**Facsimile: (07) 4747 2077**

**ROCKHAMPTON**

The Criminal Section  
PO Box 300  
Rockhampton Q 4700  
**Phone: (07) 4938 4568**  
**Facsimile: (07) 4927 5463**

**ROMA**

The Criminal Section  
PO Box 245  
Roma Q 4455  
**Phone: (07) 4622 1288**  
**Facsimile: (07) 4622 4326**

**SOUTHPORT**

The Criminal Section  
PO Box 103  
Southport Q 4215  
**Phone: (07) 5583 5911**  
**Facsimile: (07) 55911204**

**STANTHORPE**

The Criminal Section  
PO Box 308  
Stanthorpe Q 4380  
**Phone: (07) 4681 1025**  
**Facsimile: (07) 5681 3228**

**TOOWOOMBA**

The Criminal Section  
PO Box 1800  
Toowoomba Q 4350  
**Phone: (07) 4615 3660**  
**Facsimile: (07) 4615 3598**

**TOWNSVILLE**

The Criminal Section  
PO Box 1032  
Townsville Q 4810  
**Phone: (07) 4799 7261**  
**Facsimile: (07) 4799 7555**

**WARWICK**

The Criminal Section  
PO Box 208  
Warwick Q 4370  
**Phone: (07) 4661 1455**  
**Facsimile: (07) 4661 1202**

**APPLICATION FOR CONSENT OF CROWN**

To: The Director of Public Prosecutions

(*Name of applicant, and address for service*) requests that the Crown consent pursuant to s 651(2)(c) Criminal Code to the District Court's hearing and deciding the following summary offence(s) when dealing with the following indictable offence(s)

**Indictable Offence**

<b><u>Indictment No.</u></b>	<b><u>Text of charge</u></b>	<b><u>Location of Court</u></b>	<b><u>Date of hearing</u></b>
------------------------------	------------------------------	---------------------------------	-------------------------------

(\*lengthy counts: as per attachment)

**Summary Offences**

<b><u>Mags Court reference</u></b>	<b><u>Text of charge (incl. date and place of offence)</u></b>	<b><u>Court where charge pending</u></b>
------------------------------------	--	--

(\*lengthy charges: as per attachment)

DATED the \_\_\_\_\_ day of \_\_\_\_\_ 200 .

.....  
(Signature of applicant or applicant's solicitor)

---

To: The applicant

The Director of Public Prosecutions consents/does not consent to the summary charge(s) shown in the above schedule being heard and decided when the District Court deals with the above indictable offence(s) in the District Court at

.....  
(Signature of officer giving consent)

Dated / / .

Name of officer giving consent:

Contact phone number:

