

## **Designated Matters and Urgent Applications: Listing Procedures**

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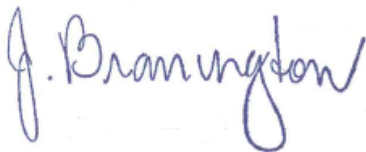
### ***Designated Matters***

1. From 20 April 2020 Brisbane Magistrates Court (BMC) will run two lists dedicated to hearing designated matters in accordance with Practice Direction 3 (Amended) of 2020 (PD 3), paragraph 20.
2. One Magistrate will hear long pleas in accordance with paragraph 20(i) involving matters in which an outcome involving actual custody is not likely or where the defendant is in custody.
3. One Magistrate will hear matters in accordance with paragraph 20 (b) – (f):
  - a. Applications for directions pursuant to s. 83A of the Justices Act 1886
  - b. Full hand up committals including matters of less than two hours there a no case submission is to be made
  - c. Committal proceedings of less than two hours where witnesses to be cross examined are police or expert witnesses
  - d. Consent orders or where the prosecution offers no evidence
  - e. Other matters the Court has the capacity to hear.
4. Court 18 will hear short pleas listed in accordance with paragraph 20 (a) of PD 3.
5. Listing a designated matter may be done in accordance with paragraph 21 of PD 3 by sending an email to the Court registry on notice to the other party or parties outlining the nature of the matter and the estimated length of time. The other party should provide their consent or reasons why consent is withheld. A Magistrate will make directions as to whether the matter will be heard, when it will be heard and any other directions considered necessary or appropriate to ensure the efficient disposition of the matter.
6. This procedure should be utilised in those matters where a party is seeking to bring a matter on when it has been adjourned to a date in the future.
7. The email to the Registry should be headed **Request to List Designated Matter: Name of Matter /Adjournment Date**. The email should include availability dates seven days ahead from the date of the request.
8. Where a matter is not adjourned listing to the Designated Matters List may be done in the call over where the matter is listed (for example the Summary Call over) or Court 1 or 3, Roma Street Arrest Court).
9. If a Court has capacity (for example, Court 18 and Court 1 or 3) short pleas may be heard on request.

10. If a matter is already listed for a long plea or other hearing that meets the description of a designated matter (for example a full hand up committal with submissions listed in court 18) and a party wishes the matter to be heard (and not adjourned in accordance with paragraph 14 of PD 3) an email should be sent to the BMC Court Registry at least 7 days before the listing date. This will enable the Court to ensure that there is capacity on the day to hear the matter.
11. The email to the Registry should be headed **Request to Hear Designated Matter: Name of Matter / Listing Date**. The email should be copied to the other party for their consent to the hearing.
12. Unless notification is received that the matter is not to be heard on that date the parties should be in a position to proceed on the listed date. Should there not be capacity to hear the matter on the listed date another hearing date will be allocated.

### ***Urgent Applications***

13. To apply to list a matter as an urgent matter in accordance with paragraph 19 of the practice direction an email should be sent to the BMC Registry headed **Request to Hear Urgent Matter: Name of Matter / Listing Date**. The reason for the urgent listing should be included in the email. These requests will be considered by the Deputy Chief Magistrate acting as Brisbane Coordinator. They will be listed as a matter of urgency at least two clear business days from the date of approval of request.
14. Urgent matters, in accordance with paragraph 21 of PD 3, will have priority listing over the listing of designated matters.



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Brisbane Coordinator  
Deputy Chief Magistrate.