

Annexure A to Practice Direction 12 of 2010

QUEENSLAND

JUSTICES ACT 1886

Section 83A, 110B(7)

Application for a Witness to attend before the Court in a Committal Proceeding

Magistrates Court: <place>
Applicant (*Defendant) : <insert name>
Respondent (*Complainant) : <insert name>
Complaint/Charge: <insert nature of complaint or charge>

I, <name of applicant> make application to the Court seeking a direction to examine and/or cross-examine <name of witness> under section 83A(5AA) of the *Justices Act 1886*.

1. The following documents are filed in support of this application:
 - * a copy of the Defendant's communication to the prosecution.
2. The applicant estimates the hearing should be allocated
<insert time estimate> hours/minutes.

TAKE NOTICE that the application will be heard in the Magistrates Court at:

Place: <location>

Time: <time allocated by court/ court registry>

Date: <date allocated by court/ court registry>

PARTICULARS OF THE APPLICANT

Name:
Applicant's address:
Applicant's lawyer:
Firm name:
Lawyer's business address:
Address for service:
DX (if any):
Telephone:
Fax:
Email address (if any):

Signed:
Designation:
Date:

PARTICULARS OF THE RESPONDENT

Name/Organisation:

Respondent's address:

Respondent's lawyer:

Firm name:

Lawyer's business/business address of respondent:

Address for service:

DX (if any):

Telephone:

Fax:

Email address (if any):

Notice to Applicant

1. *You must have complied with the requirements of section 110B of the Justices Act 1886 before filing this application, including serving the prosecution with a notice of the defendants intention to examine and/or cross-examine a witness, which included the following details:*
 - a. The name of the maker of the written statement that is intended to be examined;
 - b. The general issues relevant to the making of the application;
 - c. The reasons relied on to justify the calling of the maker of the written statement to give oral evidence; and
 - d. A nominated time to respond to the notice.

2. *A copy of this application and other documents must be served on the respondent at least two (2) clear days or such other time as the Court has directed before the day on which the application is to be heard.*