

PRACTICE DIRECTION 3 OF 2020 COURT ARRANGEMENTS (COVID-19) AMENDED

NORTH COAST REGION MAGISTRATES COURT

(MAROOCHYDORE NAMBOUR NOOSA CALOUNDRA AND GYMPIE COURTS)

DOMESTIC VIOLENCE PROTOCOL

This Protocol applies to matters to be commenced in the Gympie, Noosa, Maroochydore, Nambour and Caloundra Courts while Magistrates are sitting in roster pursuant to PD 3 of 2020

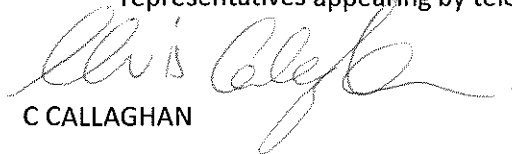
POLICE APPLICATIONS

1. These paragraphs apply to Applications at first instance, whether or not accompanied by Release from Custody conditions, QPS Applications to Vary and Police Protection Notices.
2. On completing PPNs or Applications, officers of the QPS should endeavour to ascertain the telephone numbers of both aggrieveds and respondents and place the respondent's phone number on the Application/PPN and advise the registry of the Aggrieved's number.
3. These will all be filed/transferred into the Court at which they would be normally filed/transferred and made returnable on the days upon which they would normally be returnable.
4. That Court will then register the same in their court and scan the file through to Maroochydore for it to be dealt with on the day that it is returnable.
5. The Magistrate on Roster on that day will consider the application and have the court contact the parties and or their lawyer, if known, to appear by phone and deal with the Application as we do in the ordinary course.
6. If the matter is to be adjourned then it is to be adjourned to its originating court on a day approximately 3 months ahead of its first mention which is a Domestic and Family Violence List day for that court.
7. Ouster applications can be heard and determined at the first mention of the application or, at the discretion of the rostered Magistrate, at a time after the respondent has been given notice of the same on a date in Maroochydore that is the next usual date for dealing with such matters in the originating court and heard as if the matter was being heard in the originating court (i.e. under its local file reference number), with the parties or their representatives appearing by telephone.

PRIVATE APPLICATIONS

8. These paragraphs apply to Applications at first instance and Applications to Vary.
9. The registry should endeavour to ascertain from the applicants the telephone numbers and email addresses of the Aggrieved and respondent.
10. These will all be filed in the Court at which they would be normally filed and made returnable on the days upon which they would normally be returnable.
11. Urgent Applications and urgent Applications to Vary, where Temporary Protection Orders are sought immediately will also be filed in the court at which they would be normally filed and that Court's registry will scan the Application and transmit the same to Maroochydore to be assessed by the rostered Magistrate as soon as s/he is available.

12. If a Temporary Protection order is made then the same should be scanned at Maroochydore and returned to the originating court so that it can be given to the aggrieved and sent to the police for service.
13. In the ordinary course the matter should then be adjourned to be mentioned again in the originating court on a day approximately 3 months ahead of its first mention which is a Domestic and Family Violence List day for that court.
14. Ouster applications can be heard and determined at the first mention of the application or, at the discretion of the rostered Magistrate, at a time after the respondent has been given notice of the same on a date in Maroochydore that is the next usual date for dealing with such matters in the originating court and heard as if the matter was being heard in the originating court (i.e. under its local file reference number), with the parties or their representatives appearing by telephone.



C CALLAGHAN

Regional Coordinating Magistrate

3 April 2020