



COVID-19

MAGISTRATE COURT ARRANGEMENTS

INFORMATION GUIDE

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DEFINITIONS

STAGE 1

- Public Health Emergency in relation to COVID-19 declared.
- Restrictions limited to:
 - Physical distancing
 - Occupant density
 - Mandatory face masks in accordance with Queensland Health directions.
- No stay-at-home orders in place.

STAGE 2

- Public Health Emergency in relation to COVID-19 declared.
- A Courthouse is in a Local Government area which has been declared a “**locked down area**” and the Chief Health Officer has issued directions restricting movement and/or allowing persons only to leave their principal place of residence for permitted purposes.

STAGE 3

- Public Health Emergency in relation to COVID-19 declared.
- A Courthouse is in a Local Government area which has been declared a “**locked down area**” and the Chief Health Officer has issued directions restricting all movement and/or limiting the permitted purposes for leaving a residence to attend Court.
- Quarantine orders diminish capacity to continue normal Court business.

STAGE 4

- Public Health Emergency in relation to COVID-19 declared.
- A Courthouse is subject of a direction to close.
- Entry to a Courthouse is prohibited for a period of time.

DEFENDANT

The term defendant includes defendant young people.

HEARING

The term hearing includes trials, sentences, applications and committal proceedings with cross-examination.

STAGE 1 DIRECTIONS

- Public Health Emergency in relation to COVID-19 declared.
- Restrictions limited to:
 - Physical distancing
 - Occupant density
 - Mandatory face masks in accordance with Queensland Health directions
- No stay-at-home orders in place.

COURTHOUSES

1. Subject to different notification from the Childrens Court of Queensland, and District and Supreme Courts, registries and Courthouses will be open to the public in affected areas.
2. To assist in avoiding the spread of the COVID-19 virus, practitioners should endeavour to **minimise the need for physical attendance in Courtrooms** by minimising the number of people attending Court for any given matter, resolving issues and matters to the greatest extent possible and to reduce the time for which any presence in Court is required.
3. Within the Courthouse and Courtrooms, safe distances and occupant density limits in accordance with public health directions should be maintained. Subject to any direction by the Magistrate, all persons in Court will be masked unless they are a witness, lawyer or a party making submissions at the bar table. A Magistrate may also make directions about the number of persons being present in the Courtroom.

SUMMARY CALLOVERS / COMMITTAL CALLOVERS / YOUTH JUSTICE CALLOVERS / DOMESTIC VIOLENCE CALLOVERS / COMMONWEALTH CALLOVER / MISCELLANEOUS/ COURT LINK, MURRI COURT, QDAC AND TRAFFIC CALLOVERS

4. Legal practitioners are strongly encouraged to apply for an [electronic adjournment using the Online Application for a Court Event Form](#).

Applications lodged through the Online Application for a Court Event portal must be submitted two clear business days before the current listed date.

In other cases, an email can be sent to the relevant Court registry requesting an adjournment with a telephone contact.

Once processed the registry will advise of the result.

5. Court appearances by telephone or video link can be made with the leave of a Magistrate.
6. Those wishing to appear by telephone or video link should contact the local Courthouse for contact details. Details of email addresses for all registries across Queensland can be found on the Queensland Courts website – Magistrates Court <https://www.courts.qld.gov.au/contacts/courthouses>. A party may be required to provide a direct telephone number for the party to be contacted when required to appear.

ARREST COURTS

7. Arrest Courts will be open. Physical distancing and adherence to occupant density limits will be monitored.
8. Where duty lawyer services are ordinarily available these services, subject to specific local arrangements, will be available in person.

HEARINGS

9. Subject to these directions or order of a Magistrate all hearings will proceed as listed with appearances in person by the parties, defendants and witnesses.
10. Subject to the order of a Magistrate, and local arrangements, if a **defendant is in custody** the sentence will ordinarily proceed by video link.
11. If a **defendant is on bail, with the leave of the Court, short sentences** may be dealt with by telephone or video link.

STAGE 2 DIRECTIONS

- Public Health Emergency in relation to COVID-19 declared.
 - A Courthouse is in a Local Government area which has been declared a “locked down area” and the Chief Health Officer has issued directions restricting movement and/or allowing persons only to leave their principal place of residence for permitted purposes.
1. Subject to these directions all appearances, including defendants in custody, will be by telephone or video link. The Chief Magistrate will permit all parties leave to appear by telephone/video for the lockdown period. A party may be required to provide a direct telephone number for the party to be contacted when required to appear.
 2. Legal practitioners are strongly encouraged to apply for an electronic adjournment using the Online Application for a Court Event Form.

Ordinarily, applications lodged through the [Online Application for a Court Event](#) portal must be submitted two clear business days before the current listed date. This requirement is temporarily removed.

Legal practitioners may now submit applications at any time. In other cases, an email can be sent to the relevant Court registry requesting an adjournment with a telephone contact.

Once processed the registry will advise of the result.

3. Those wishing to appear by telephone or video link should contact the local Courthouse for contact details. Details of email addresses for all registries across Queensland can be found on the Queensland Courts Website – Magistrates Court <https://www.courts.qld.gov.au/contacts/courthouses>. A party may be required to provide a direct telephone number for the party to be contacted when required to appear.
4. Physical appearances in the Court will occur in the following circumstances:
 - If a prosecutor can appear, and wishes to appear in person, the local Magistrate can give leave.
 - For aggrieved applicants in urgent domestic violence applications.
 - With the leave of the Magistrate.
5. Subject to specific exceptions notified in this direction and by direction by the Childrens Court of Queensland and District and Supreme Courts, registries and Courthouses will not be open to the public in affected areas.

6. Messaging on the Courthouse doors and websites will provide contact information so that filing of urgent documents can be completed.
7. For the lockdown period media representatives are permitted to report on Court by telephone or video link when the Court is open.
8. Duty lawyer services will be available by telephone or video link.
9. All persons in Court will be masked unless the Court gives leave to remove the mask.
10. All contested hearings, where witnesses are required to attend in person, will be adjourned.
11. All other matters and hearings will remain as listed and, if possible, proceed.
12. Except for bail applications, matters where a defendant may be sent to custody are not suitable to proceed.
13. If parties do not appear the matters will be adjourned with notices sent.
14. For the period of the lockdown circuits will be conducted by telephone or video link from the Court where the Magistrate circuits from.

STAGE 3 DIRECTIONS

- Public Health Emergency in relation to COVID-19 declared.
- A Courthouse is in a Local Government area which has been declared a “locked down area” and the Chief Health Officer has issued directions restricting all movement and/or limiting the permitted purposes for leaving a residence.
- Quarantine orders diminish capacity to continue normal Court business.

1. Subject to these directions all appearances, including defendants in custody, will be by telephone or video link. The Chief Magistrate will permit all parties leave to appear by telephone or video link for the lockdown period. A party may be required to provide a direct telephone number for the party to be contacted when required to appear.
2. Those wishing to appear by telephone or video link should contact the local Courthouse for contact details. Details of email addresses for all registries across Queensland can be found on the Queensland Courts website – Magistrates Court <https://www.courts.qld.gov.au/contacts/courthouses>. A party may be required to provide a direct telephone number for the party to be contacted when required to appear.
3. Legal practitioners are strongly encouraged to apply for an electronic adjournment using the Online Application for a Court Event Form.

Ordinarily, applications lodged through the [Online Application for a Court Event](#) portal must be submitted two clear business days before the current listed date. This requirement is temporarily removed.

Legal practitioners may now submit applications at any time. In other cases, an email can be sent to the relevant Court registry requesting an adjournment with a telephone contact.

Once processed the registry will advise of the result.

4. Subject to specific exceptions notified in this direction and by direction by the Childrens Court of Queensland and District and Supreme Courts, the Magistrates Court registries will not be open to the public in affected areas.

Work the Court will undertake

5. Each of the Courts sitting will continue to hear:
 - (a) Overnight custody arrests – both adults and children
 - (b) Urgent domestic violence applications including applications to vary domestic violence orders

- (c) Urgent child protection applications including applications to vary existing child protection orders
- (d) Bail applications including applications to vary bail
- (e) Domestic violence applications currently before the Court which have not been considered
- (f) Sentences, including lengthy sentences, where a person is likely to be released from custody
- (g) Where a defendant is in custody- committal and summary mentions
- (h) Urgent applications under the *Police Powers and Responsibilities Act 2000*
- (i) Other matters where leave is given by a Magistrate under paragraph 6.

6. The Court will continue to accept applications to hear matters where delay would cause substantial prejudice to a party. To seek the leave of a Court to hear a matter the person should contact the Court by email outlining the nature of the application and why it is urgent. A Magistrate will consider the application and make directions as to whether the matter will be heard.
7. All other matters, civil and criminal, currently before the Court (excluding the matters in paragraph 5) will be adjourned on the papers without appearance to a date to be fixed by the Magistrate. Notice of the adjournment date will be posted or emailed to the parties and their legal practitioners by the Magistrates Court registry. Bail will be enlarged in the absence of the defendant in criminal matters. Temporary orders in force in domestic violence and child protection applications will continue for the period of the adjournment. Applications to vary such orders will continue to be heard under paragraph 5.
8. Messaging on the Courthouse doors and websites will provide contact information so that filing of urgent documents can be completed.
9. For the lockdown media representatives are permitted to report on Court by telephone or video link when the Court is open.
10. Duty lawyer services will be available by telephone or video link.
11. All persons in Court will be masked unless the Court gives leave to remove the mask.
12. For the period of the lockdown circuits will be conducted by telephone or video link from the Court where the Magistrate circuits from in accordance with paragraphs 5, 6 and 7.

STAGE 4 DIRECTIONS

- Public Health Emergency in relation to COVID-19 declared.
 - A Courthouse is subject of a direction to close.
 - Entry to a Courthouse is prohibited for a period of time.
1. Alternative Courts, as listed in Schedule One, will assume the work of the closed Original Court. The Court to hear the business of the closed Original Court will be notified on the Queensland Courts website – Magistrates Court <https://www.courts.qld.gov.au/courts/magistrates-court/covid-19-response-magistrates-court>.
 2. The Alternative Court will hear matters in accordance with Stage 3 Directions.

SCHEDULE ONE

<p align="center">Column 1 Original Courts</p>	<p align="center">Column 2 Alternative Courts</p>
<p>Brisbane Central</p>	<p>Cleveland District Holland Park District Pine Rivers District Redcliffe District Richlands District Sandgate District Wynnum District</p> <p>Beenleigh District Gold Coast District Ipswich District Toowoomba District</p> <p>Maroochydore District</p> <p>Mount Isa District</p> <p>Townsville District</p> <p>Cairns District</p> <p>Emerald District</p> <p>Rockhampton District</p> <p>Mackay District</p> <p>Gladstone</p> <p>Roma Street Arrest Court</p>
<p>Cleveland District Holland Park District Longreach District Pine Rivers District Redcliffe District Richlands District Sandgate District Wynnum District</p>	<p>Brisbane Central</p>
<p>Cairns District Cooktown District Innisfail District Thursday Island District</p>	<p>Cairns Brisbane Central Townsville</p>

<p>Charters Towers District Cloncurry District Hughenden District Mount Isa District Townsville District</p>	<p>Townsville Brisbane Central Cairns</p>
<p>Bowen District Bundaberg District Clermont District Emerald District Gladstone District Mackay District Rockhampton District</p>	<p>Mackay Rockhampton Brisbane Central</p>
<p>Caboolture District Gympie District Hervey Bay District Kingaroy District Maroochydore District Caloundra District Maryborough District</p>	<p>Caboolture Kingaroy Maroochydore Brisbane Central Hervey Bay Gympie Maryborough Caloundra</p>
<p>Beenleigh District Gold Coast District</p>	<p>Southport Beenleigh Brisbane Central Maroochydore District</p>
<p>Beaudesert District Charleville District Cunnamulla District Dalby District Goondiwindi District Ipswich District Roma District Stanthorpe District Toowoomba District Warwick District</p>	<p>Ipswich Toowoomba Brisbane Central Southport</p>