

Childrens Court (Magistrates Court)

Practice Direction No. 5 of 2018 (amended)

Issued: 6 November 2018
Amended: 19 November 2018

Registry to compile list of outstanding offences

1. The purpose of this Practice Direction is to assist with the case management and timely disposition of Childrens Court matters by outlining a procedure to enable the registry to search for outstanding offences across the State of Queensland under section 8 of the *Childrens Court Act 1992*.
2. This Practice Direction applies to matters listed for the following:
 - (a) Mention;
 - (b) Sentence;
 - (c) Breach.
3. Nothing in this Practice Direction is to be taken as removing or limiting the discretion of the Court.
4. The following definitions apply in this Practice Direction unless otherwise stated:
 - (a) *Clerk of the Court* means the person who for the time being is the clerk of every Magistrates Court at a place or places appointed under this Act for the holding of Magistrates Courts in question, and includes any assistant clerk of the court, deputy clerk of the court and any person who for the time being occupies or performs the duties of such office.
 - (b) *Indictable offence* means an offence which may be prosecuted before the Supreme Court, the District Court, or other court having jurisdiction in that behalf, by indictment in the name of the Attorney-General or other authorised officer.
 - (c) *Simple offence* means any offence (indictable or not) punishable on summary conviction before a Magistrates Court, by fine, imprisonment, or otherwise.
5. If a matter is listed in the Childrens Court for mention, sentence or breach, the clerk of the court must conduct a search for any outstanding indictable or simple offences within the State of Queensland if the Magistrate sitting in the Childrens Court requests.

6. The search must be completed by 9am on the date of listing.
7. If there are outstanding offences, the clerk of the court must, by 9am on the day of listing, provide the Magistrate sitting in the Childrens Court with details of each offence including:
 - (a) Name of the offence;
 - (b) Date of the offence;
 - (c) Court centre the offence is at.
8. A copy will be made available to the defendant's legal representative in the court room if they request.

Judge Orazio Rinaudo AM
Chief Magistrate
19 November 2018