

Magistrates Courts

Practice Direction No. 14 of 2013

Bail applications by remote communication device – Queensland Magistrates Courts

1. The purpose of this Practice Direction is to provide, in accordance with section 15B of the *Bail Act 1980* (the Act), for the making of Bail applications by remote communication device under section 15A of the Act in circumstances as specified in this Direction.
2. This Practice Direction applies to bail applications made on and from 5 April 2013.
3. It applies to bail applications made by persons located in a Magistrates Courts District or Division in Column 1 to a magistrate constituting a Magistrates Court at a location in Column 2.

Column 1 Magistrates Courts Districts or Divisions	Column 2 Court Location
Cairns, Cooktown, Innisfail, Thursday Island Districts	Cairns Brisbane Central
Bowen, Charters Towers, Cloncurry, Hughenden, Mount Isa, Townsville Districts	Townsville Brisbane Central
Bundaberg, Clermont, Emerald, Gladstone, Longreach, Mackay, Rockhampton Districts	Rockhampton Mackay Brisbane Central
Caboolture, Gympie, Hervey Bay, Kingaroy, Maroochydore, Maryborough Districts	Maroochydore Caboolture Brisbane Central
Beaudesert, Beenleigh, Gold Coast Districts	Southport Brisbane Central
Charleville, Cunnamulla, Dalby, Goondiwindi, Ipswich, Roma, Stanthorpe, Toowoomba, Warwick Districts, Richlands Division of the Brisbane District	Ipswich Toowoomba Brisbane Central

4. This Practice Direction provides for the making of an application for bail if the requirements set out above are met and the following circumstances mentioned in paragraphs (a) to (c) of section 15B, subsection 1 apply:
 - (a) a police officer has refused to grant bail to a person under section 7 of the *Bail Act 1980* for an offence; and
 - (b) a Magistrates Court is authorised under the Act to grant bail to the person for the offence; and
 - (c) having regard to all the circumstances, the person may not reasonably or practicably be brought personally before a court.
5. Acting in accordance with this Practice Direction the person may apply under section 15A of the Act to a magistrate for bail for the offence by telephone, video or by another form of communication (a remote communications device), whether or not that section would otherwise apply.

6. In the absence of local arrangements as advised by the Court, any bail applications should be directed during court sitting times to the closest available location nominated in Column 2 for the relevant district. A prior enquiry should be made to confirm the availability of a sitting magistrate at the proposed location.
7. This Practice Direction does not limit the making of applications for bail under section 15A of the Act in circumstances where the requirements of s15A can be met without the need for reliance on s15B.
8. This Practice Direction repeals Practice Direction No. 8 of 2013 and Practice Direction No. 9 of 2013.

Judge Brendan Butler AM SC
Chief Magistrate
4 April 2013