

Magistrates Courts

Practice Direction No. 17 of 2012

Bail applications by remote communications device – Townsville Magistrates Court

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 the Direction.
2. This Practice Direction applies only to bail applications made on and from Friday 24 August 2012 to and including Monday 27 August 2012.
3. It applies to bail applications made by persons located in the Mount Isa and Cloncurry Magistrates Courts Districts to a Magistrate constituting a Magistrates Court at Townsville.
4. This Practice Direction provides for the making of an application for bail if the requirements set out above are met and the circumstances mentioned in paragraphs (a) to (c) 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. A Magistrate will be available to constitute a Magistrates Court at Townsville in order to facilitate the making of applications under this Direction and to hear other matters between the hours of 9am and 10am on Friday, 24 August 2012, between the hours of 8am and 9 am on Saturday 25 August 2012 and between the hours of 9am and 10am on Monday 27 August 2012.
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.

Judge Brendan Butler
Chief Magistrate
12 July 2012