

Magistrates Courts

Practice Direction No. 30 of 2012

Bail applications by remote communication device – Maroochydore and Caboolture 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 only to bail applications made during the period on and from 2 January 2013 to and including 21 December 2013.
3. It applies to bail applications made by persons located in the Maroochydore, Gympie, Kingaroy and Caboolture Magistrates Courts Districts to a magistrate constituting a Magistrates Court at one of the following locations:

Maroochydore and Caboolture.
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 **Maroochydore** in order to facilitate the making of applications under this Direction and to hear other matters between the hours of 8.30am and 11am on Saturdays falling on or between the following dates:
 - 5 January 2013 to 12 January 2013 inclusive
 - 2 February 2013 to 23 February 2013 inclusive
 - 13 April 2013 to 29 June 2013 inclusive
 - 17 August 2013 to 2 November 2013 inclusive
 - 21 December 2013

and on the following Public Holidays:

- 25 April 2013 ANZAC Day
 - 17 May 2013 Gympie Show Holiday
 - 10 June 2013 Queen's Birthday Holiday
 - 14 June 2013 Nambour Show Holiday
 - 07 October 2013 Labour Day Holiday
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7. A magistrate will be available to constitute a Magistrates Court at **Caboolture** in order to facilitate the making of applications under this Direction and to hear other matters between the hours of 9am and 11am on Saturdays falling on or between the following dates:

- 19 January 2013 to 26 January 2013 inclusive
- 2 March 2013 to 6 April 2013 inclusive
- 6 July 2013 to 10 August 2013 inclusive.
- 9 November 2013 to 14 December 2013 inclusive

and on the following Public Holidays:

- 28 January 2013 Australia Day Holiday
- 29 March 2013 Good Friday
- 01 April 2013 Easter Monday
- 12 August 2013 Caboolture & Kingaroy Show Holiday

8. 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 AM SC
Chief Magistrate
18 December 2012

Amended by 2013/08