

Magistrates Courts

Practice Direction No. 28 of 2011

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 from and on 03 January 2012 to and including 21 December 2012.
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 the following Saturdays:
 - 7 January 2012 to 25 February 2012 inclusive
 - 14 April 2012 to 30 June 2012 inclusive
 - 18 August 2012 to 3 November 2012 inclusive

and on the following Public Holidays:

- 26 January 2012 Australia Day
 - 25 April 2012 ANZAC Day
 - 7 May 2012 Labour Day
 - 11 June 2012 Queen's Diamond Jubilee Holiday
 - 15 June 2012 Nambour Show Holiday
 - 13 August 2012 Caboolture & Kingaroy Show Holiday
 - 01 October 2012 Queen's Birthday Holiday
-

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 the following Saturdays:
- 3 March 2012 to 7 April 2012 inclusive
 - 7 July 2012 to 11 August 2012 inclusive.
 - 10 November 2012 to 15 December 2012 inclusive

and on the following Public Holidays:

- 06 April 2012 Good Friday
- 09 April 2012 Easter Monday

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
12 December 2011**