

FRESH CUSTODIES AND BAIL REVIEW APPLICATIONS – SYDNEY GREATER METRO AREA

<p>Fresh custodies: <u>ALL APPEARANCES BY PERSONS IN CUSTODY TO BE BY AVL</u></p> <p>Those defendants who are police bail refused will appear by AVL from police stations to the following centralised bail courts:</p> <p><i>Parramatta, Penrith, Campbelltown, Liverpool, or Central Local Court</i></p>	<p>Where bail is granted: Brief orders to be made, where appropriate.</p> <p>Adjourn to court where defendant would otherwise have been brought under normal circumstances.</p> <p>Note: Usual timeframes under applicable practice notes apply.</p> <p>Defendant to be excused from appearing on next occasion if legally represented.</p>	<p>At next mention: <u>If defendant legally represented:</u></p> <p>Legal rep may appear by email setting out orders sought from the court.</p> <p><u>If defendant unrepresented:</u></p> <p>On first occasion, may request adjournment or indicate plea by email or written notice of pleading.</p> <p>If no appearance, adjourn for period of not less than 1 month (as per [3]).</p>	<p>Bail review applications (defendant <u>not</u> in custody OR in custody <u>not</u> requiring break in remand): All bail review applications where the defendant is not in custody OR where the application does not involve a break in the remand of a defendant in custody are to be filed and determined at the court at which the matter is currently listed for determination.</p> <p>To be filed and served in writing/ by email (wherever possible).</p> <p>No less than 3 working days’ notice to be given, not including the date the application is filed, unless urgent application or alteration to bail conditions made by consent.</p> <p>Note: Registrar may deal with alterations to bail condition made by consent.</p>
<p>[A list of police stations feeding into these courts has been provided to magistrates and registries].</p> <p>As far as possible, prosecutors and legal representatives for defendants will appear by AVL and will not be present in the court room.</p>	<p>Where bail is refused: Brief orders to be made, where appropriate.</p> <p>Adjourn to the court where defendant would otherwise have been brought under normal circumstances.</p> <p>Note: Usual timeframes under applicable practice notes apply.</p> <p>Defendant to be excused from appearing on next occasion if legally represented, unless an appearance is sought by their representative.</p>	<p>At next mention: <u>If defendant legally represented:</u></p> <p>Legal rep may appear by email setting out orders sought from the court.</p> <p><u>If defendant unrepresented:</u></p> <p>Defendant required to appear from custody via AVL.</p>	<p>Bail review applications (defendant in custody <u>requiring</u> break in remand): All bail review applications for Sydney Greater Metro Area where the defendant is in custody AND it is necessary to break the remand for the purpose of the application will be determined by Downing Centre Local Court.</p> <p>To be filed at the court at which the matter is currently listed for determination and served on the relevant prosecutor at that court in writing/ by email (wherever possible). Where this occurs at a court other than the Downing Centre, the registry will email the application and necessary papers to the Registrar of the Downing Centre.</p> <p>No less than 3 working days’ notice to be given, not including the date the application is filed, unless urgent application or alteration to bail conditions made by consent.</p> <p>Once determined, matter returns to the court at which it was managed prior to the application.</p>

FRESH CUSTODIES AND BAIL REVIEW APPLICATIONS – COUNTRY/ REGIONAL AREAS

<p>Fresh custodies: <u>ALL APPEARANCES BY PERSONS IN CUSTODY TO BE BY AVL</u></p> <p>Those defendants who are police bail refused will appear by AVL from police stations to the following centralised bail courts:</p> <p><i>Wagga Wagga, Dubbo, Tamworth, Lismore, Port Macquarie, Newcastle and Wollongong Local Court</i></p>	<p>Where bail is granted: Brief orders to be made, where appropriate.</p> <p>Adjourn to court where defendant would otherwise have been brought under normal circumstances.</p> <p>Note: Usual timeframes under applicable practice notes apply.</p> <p>Defendant to be excused from appearing on next occasion if legally represented.</p>	<p>At next mention: <u>If defendant legally represented:</u></p> <p>Legal rep may appear by email setting out orders sought from the court.</p> <p><u>If defendant unrepresented:</u></p> <p>On first occasion, may request adjournment or indicate plea by email or written notice of pleading.</p> <p>If no appearance, adjourn for period of not less than 1 month (as per [3]).</p>	<p>Bail review applications (defendant <u>not</u> in custody OR in custody <u>not</u> requiring a break in remand): All bail review applications where the defendant is not in custody OR where the application does not involve a break in the remand of a defendant in custody are to be filed and determined at the court at which the matter is currently listed for determination.</p> <p>To be filed and served in writing/ by email (wherever possible).</p> <p>No less than 3 working days’ notice to be given, not including the date the application is filed, unless urgent application or alteration to bail conditions made by consent.</p> <p>Note: Registrar may deal with alterations to bail condition made by consent.</p>
<p>[A list of police stations feeding into these courts has been provided to magistrates and registries].</p> <p>As far as possible, the only persons physically present in court rooms should be magistrates and court staff. Prosecutors and legal representatives for defendants will appear by AVL and will not be present in the court room.</p>	<p>Where bail is refused: Adjourn to the AVL court on the circuit where the matter would have been listed in normal circumstances.</p> <p>Brief orders are to be made where appropriate.</p> <p>Note: Usual timeframes under applicable practice notes apply.</p> <p>Defendant to be excused from appearing on next occasion if legally represented, unless an appearance is sought by their representative.</p>	<p>At next mention: <u>If defendant legally represented:</u></p> <p>Legal rep may appear by email setting out orders sought from the court.</p> <p><u>If defendant unrepresented:</u></p> <p>Defendant required to appear from custody via AVL.</p>	<p>Bail review applications (defendant in custody <u>requiring</u> break in remand): All bail review applications where the defendant is in custody and it is necessary to break the remand for the purpose of the application are to be determined at the appropriate centralised bail court.</p> <p>To be filed at the court at which the matter is currently listed for determination and served on the relevant prosecutor for that court circuit in writing/ by email (wherever possible). Where this occurs at a court other than the centralised bail court, the registry will email the application and necessary papers to the centralised bail court.</p> <p>No less than 3 working days’ notice to be given, not including the date the application is filed, unless urgent application or alteration to bail conditions made by consent.</p> <p>If bail is granted, matter returns to the court at which it was managed prior to the application. If bail is refused, matter is to be adjourned to the AVL court on the relevant circuit.</p>