

PRACTICE DIRECTION 5 of 2020

Applications to Adjourn Disclosure/Committal Hearings by Consent

In order to reduce costs and inconvenience to accused persons attending Disclosure/Committal Hearings at the Perth Magistrates Court, represented accused may where there is agreement with the Office of the Director of Public Prosecutions join in an application to adjourn by consent in the form attached to this Practice Direction.

The parties should ensure that all bail requirements are in order, such as any surety being a continuing one and that a surety requiring notice of future dates has been collecting those notices.

A scanned copy of the completed application signed by counsel for the accused and the prosecution must be emailed to the Perth Magistrates Court email address (perthmagistratescourt@justice.wa.gov.au) no later than 4pm on the day prior to the scheduled hearing and the original retained by the DPP to be produced to the Court if required.

Where there are summary matters associated with the indictable matters which have also been listed on the same day these will also be adjourned to the agreed date.

Matters where an application has been filed will appear on the committal list and the adjournment will then be made in open court in accordance with the *Criminal Procedure Act* and a Bail Notice sent to the accused.

The Practice Direction 1 of 2011 is revoked.

Dated the 19th day of August 2020



S A Heath
Chief Magistrate

MAGISTRATES COURT OF WESTERN AUSTRALIA		Court Number	
APPLICATION TO ADJOURN DISCLOSURE/COMMITTAL HEARING BY CONSENT		Magistrates Court at	
		Date Lodged	
Accused's Details	Prosecution v _____ Full Name		
Application	Both the Prosecution and Defence consent to the disclosure/committal hearing currently listed on _____ being adjourned to _____		
	Both the Prosecution and Defence consent to any other charges against the accused which are listed on that day being adjourned to the same date.		
	The Prosecution agree that if the accused is on bail it is not necessary for her/him to attend and that the matter should be adjourned on the basis that the accused is absent for reasonable cause.		
Parties' Signatures	Prosecuting Counsel Name		
	Contact Number		
	Defence Counsel/Solicitor Name		
	Contact Number		