

SUPREME COURT OF TASMANIA
CIRCULAR TO PRACTITIONERS

No. 8

9 September 2010

**Criminal Procedure: Additional date for committal and remand to the
Supreme Court on 9 December 2010 at 10am**

Section 60(1) of the *Justices Act 1959* requires that the Supreme Court fix a day for committal of defendants to the Supreme Court.

Section 61(11)(a) of the *Justices Act 1959* requires the Supreme Court to fix a day for defendants to be remanded to appear before the Supreme Court at the conclusion of preliminary proceedings.

Previous Circulars (3 of 2008; 2 of 2010) have published these days which are the first day of each criminal sittings.

As the last criminal sittings in 2010 commences on 15 November 2010 and the first criminal sittings in 2011 commences on 31 January 2011, the Judges of the Supreme Court have fixed an additional day of 9 December 2010.

This is an additional day for Hobart, Launceston and Burnie. The usual practice on the first day of a criminal sittings is to list matters in Burnie from 2.15pm, however, for the additional day on 9 December 2010, matters will be listed from **10am** in all centres.

This additional day is hereby published.

E A Knight
REGISTRAR



The Judges of the Supreme Court have fixed an additional day in December 2010 for the committal of defendants to the Supreme Court and for the remand to the Supreme Court at the conclusion of preliminary proceedings. The Judges of the Supreme Court hereby publish the following information.

1. Committal of Defendant to Supreme Court

Section 60(1) of the *Justices Act 1959*, requires that the Supreme Court fix a day for committal of defendants to the Supreme Court. In addition to the days that have been published previously, the **9 December 2010 (Hobart, Launceston and Burnie)** has been fixed by the Supreme Court:

- In cases where justices commit a defendant to the Supreme Court for sentence then he or she is to be committed to appear in the Supreme Court either on
 - the first day of the next occurring criminal sittings not less than 7 days from the date that the order of committal is made; or
 - on the additional day not less than 7 days from the date that the order of committal is made.

- In cases where justices commit a defendant to the Supreme Court for trial then he or she is to be committed to appear in the Supreme Court on
 - the first day of the next occurring criminal sittings not less than 7 weeks from the date that the order of committal is made; or
 - on the additional day not less than 7 weeks from the date that the order of committal is made.

The time for the committal order is 10 am for committals to the Supreme Court in Hobart and Launceston and 2.15 pm for committals to the Supreme Court in Burnie. On 9 December 2010 in Burnie, the time is 10am.

2. Remand date at the conclusion of a Preliminary Proceeding

Section 61(11)(a) of the *Justices Act 1959* requires the Supreme Court to fix a day for defendants to be remanded to appear before the Supreme Court at the conclusion of preliminary proceedings. In addition to the days that have been published previously, the **9 December 2010 (Hobart, Launceston and Burnie)** has been fixed by the Supreme Court:

- At the conclusion of preliminary proceedings defendants are to be remanded to appear before the Supreme Court on
 - the first day of the next occurring criminal sittings not less than 4 weeks from the date of the order of remand; or
 - on the additional day not less than 4 weeks from the date of the order of remand.

The time for the order is 10 am for remand to the Supreme Court in Hobart and Launceston and 2.15 pm for remand to the Supreme Court in Burnie. On 9 December 2010 in Burnie, the time is 10am.