

SUPREME COURT OF TASMANIA
CIRCULAR TO PRACTITIONERS

No.3

31 January 2008

Criminal Procedure: Dates for committal and remand

New processes for the disposition of indictable offences are scheduled to commence from 1 February 2008. The amending legislation associated with these new changes, *The Justices Amendment Act 2007* will commence on this date.

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

Section 61(11) of the *Justices Act 1959* as amended, 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.

These dates are published on the attached document.

Elizabeth Knight

REGISTRAR



Consequent upon the amendments made to the *Justices Act 1959 (Tas)* and the *Criminal Code 1924* by the *Justices Amendment Act 2007*, the Judges of the Supreme Court hereby publish the following information to take effect from the date of commencement of the *Justices Amendment Act 2007*.

1. *Committal of Defendant to Supreme Court*

Section 60(1) of the *Justices Act 1959*, as amended, requires that the Supreme Court fix a day for committal of defendants to the Supreme Court. The day fixed by the Supreme Court is as follows:

- 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 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.
- 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 4 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.

2. *Remand date at the conclusion of a Preliminary Proceeding*

Section 61(11) of the *Justices Act 1959* as amended, 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. The day fixed by the Supreme Court is the first day of the next occurring criminal sittings not less than four 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.