



THE CHIEF MAGISTRATE OF THE LOCAL COURT

30 April 2021

Mr Greg Tolhurst
Executive Director
New South Wales Bar Association
Selborne Chambers
174 Phillip Street
SYDNEY NSW 2000

Dear Mr Tolhurst

**Re: Special sitting arrangements during the Local Court Annual Conference
Wednesday 2 June to 4 June 2021**

The following sitting arrangements will apply during the Court's Annual Conference from 2 June 2021 to 4 June 2021.

Metropolitan area

Two Acting Magistrates will be rostered at Parramatta Local Court to determine bail for adult persons who remain in custody in the metropolitan area and to consider any urgent applications for Apprehended Violence Orders that are lodged statewide. All adults, remanded in custody within the Sydney Metropolitan area, are to be dealt with via Audio Visual Link facilities at Parramatta Local Court from Correctional facilities at Surry Hills and Emu Plains.

To improve the efficiency of the bail courts at this time I would request that special administrative arrangements be made. In particular that Legal Aid staff are given access to charge papers and their clients earlier than would normally occur on a week day, as occurred last year.

Regional areas

Registrars of the Court will conduct bail hearings when required at regional locations.

Children's Court

Two Acting Magistrates with experience in the operation of the Children's Court will be rostered at Parramatta Children's Court to determine bail applications, urgent applications for Apprehended Violence Orders and urgent applications for care and protection orders from across the state.

Any juvenile who is taken into custody and refused bail by police is to be transported to the nearest Detention Centre and brought before Parramatta Children's Court via Audio Visual Link from that Detention Centre. Please note that in regional areas where long distances are required to transport the young person to the Detention Centre it may be preferable to initially place the juvenile before the Registrar (if available) for bail determination and if bail is subsequently refused by the Registrar the matter is to be adjourned to the following day to appear via Audio Visual Link facilities before the Magistrate at Parramatta Children's Court.

Applications for urgent Apprehended Violence Orders where the defendant is a juvenile are to be lodged at the nearest court and transmitted to Parramatta Children's Court by court staff for determination by a Magistrate during court sitting hours. Parties are to be advised not to attend the Parramatta Children's Court registry.

Applications for Emergency Care and Protection Orders or applications for care and protection orders where a child has been removed or where care has been assumed are to be lodged at the nearest court. Staff at that Court should contact Parramatta Children's Court (8688-1888) to obtain an urgent listing date at Parramatta. Parties in regional or rural locations should, in appropriate cases, be assisted by court staff to appear at Parramatta Children's Court via Audio or Audio-Visual Link.

Apprehended Violence Orders

Magistrates will be available at Parramatta Children's Court and Local Court on weekdays that are not public holidays to determine urgent applications only during court sittings hours.

The following instructions are to be provided to Local Court staff during the fixed leave period:

- Parties are to be advised that they are not to attend either Parramatta Children's Court or Local Court during the above period for the purpose of obtaining Apprehended Violence Orders. Please ensure that Registrars provide this information to their local police commands
- Urgent Apprehended Violence applications are to be referred to the duty Magistrate by facsimile during court sitting hours
- Authorised Justices are to adjourn matters involving persons in custody to the next sitting day of the Court (or circuit if applicable) from which that matter arises on or after 7 June 2021, not to Parramatta Children's Court or Local Court.

General instructions for Authorised Justices conducting bail courts

Authorised Justices are to adjourn matters involving persons in custody to the next sitting day of the Court (or circuit if applicable) from which that matter arises on or after 7 June 2021 wherever possible. Should an accused person be refused bail and not consent to the adjournment beyond the statutory period the matter should not be adjourned to Parramatta Local Court or Parramatta Children's Court unless arrangements have been made with the relevant registrar for the listing of the matter before a magistrate.

Yours sincerely



Judge Graeme Henson AM
Chief Magistrate