

**PRACTICE DIRECTION CRIM 1 OF 2008**  
**APPEARANCES BY ACCUSED AT ALTERNATIVE VENUES**

**1. Background and application**

- 1.1 For some time, the Court has sanctioned a practice by which some accused have been allowed to appear at an alternative venue for mention hearings in order to avoid the need for accused to travel long distances involving significant time and cost. This arrangement is a privilege. This Practice Direction sets out procedures to be adopted to ensure that the Court is informed of the proposed arrangements and of the fact that the accused has reported in accordance with the arrangements, prior to the commencement of the mention hearing.
- 1.2 This Practice Direction is effective from 9 June 2008 and repeals Practice Direction CRIM 1 of 2007.

**2. Procedure**

- 2.1 In the ordinary course, accused are required to answer their bail at the Court venue specified in their bail documents.
- 2.2 However, where an accused is required to appear for a mention hearing that will not include arraignment or sentencing, and that appearance requires significant travel, Counsel may apply to the Court for approval for the accused to answer bail at an alternative venue in accord with procedures set out in this Practice Direction.
- 2.3 The proposed alternative venue is to be either the courthouse at one of the localities listed in Appendix 1 or if the locality is not listed in Appendix 1 and is outside the metropolitan area, then at the local police station.
- 2.4 Before the close of business two (2) business days prior to the mention hearing Counsel must contact the relevant Judge's Associate and advise the Associate the name of the accused and the venue phone and fax number at which it is proposed the accused will appear. After receiving notification from counsel, the Associate will contact the relevant courthouse or police station and provide a form which the accused is to sign when he or she reports, and which will then be faxed to the Court.
- 2.5 The accused is to report by 9.00 am on the date of the mention hearing at the pre-arranged alternative venue. The purpose of requiring the accused to appear at 9.00 am is so that the relevant courthouse or police station can fax confirmation that the accused has reported to the Associate by 9.30 am on the day of the mention hearing.

- 2.6 Counsel are to advise the accused in writing where, to whom, and by when they are to report on the day of the mention hearing.
- 2.7 Immediately prior to the mention hearing, Counsel (or their instructor) are to phone the relevant courthouse or police station to confirm that the accused has reported and that the confirmation fax has been sent.
- 2.8 When the matter is called, Counsel will be requested to confirm that the requirements in paragraphs 2.6 and 2.7 have been complied with.
- 2.9 In the event that written confirmation of the accused's attendance is not received by 10.00am, leave will be given for the issue of a bench warrant unless the Judge decides that it is not just to do so.

**ANTOINETTE KENNEDY**  
**Chief Judge**

# PRACTICE DIRECTION NO 1 OF 2008

## APPENDIX 1

### Metropolitan

Central Law Courts, Perth  
Fremantle  
Midland

Armadale  
Joondalup  
Rockingham

### Regional

Albany  
Bunbury  
Carnarvon  
Coolgardie  
Esperance  
Kalgoorlie  
Katanning  
Leonora  
Manjimup  
Meekatharra  
Moora  
Narrogin  
Northam  
South Hedland

Broome  
Busselton  
Collie  
Derby  
Geraldton  
Karratha  
Kununurra  
Mandurah  
Marble Bar  
Merredin  
Mt Magnet  
Norseman  
Roebourne  
Southern Cross