

SUPREME COURT OF TASMANIA
CIRCULAR TO PRACTITIONERS

No 2 of 2019

6 February 2019

CONCENTRATED CRIMINAL CASE MANAGEMENT
AND TRIAL PERIOD

- 1 During the first sittings of 2019, a list of pending criminal cases will be identified for the purpose of concentrated case management and resolution. Cases which are not resolved earlier, will proceed to trial during a concentrated trial period to be conducted in Hobart for 10 consecutive weeks between 2 September and 8 November 2019.

- 2 Case management will be conducted during a series of call overs to be held on a regular basis by Brett J. These call overs will commence in First Term, and will then take place as determined by Brett J from time to time. Each listing of a matter in a call over will be for the purpose of a directions hearing. At each directions hearing, counsel for each party will be expected to identify the following:
 - (a) Whether there has been sufficient disclosure by the State.

 - (b) Whether an application will be made by the defence for preliminary proceedings.

 - (c) Whether the State has settled the charges to be included in the indictment. This expectation will not necessarily await the formal presentation of indictment or preparation of Crown papers, but will be expected as soon as the prosecution has available to it sufficient information to enable the decision to be made.

 - (d) Once the State has confirmed the charges, and all relevant material has been disclosed, the defence will be expected to advise:
 - Whether the only possible resolution of the case is a trial, or whether resolution in another way is possible. When this point has been reached, the nature and time of any indication to the court will be noted for the purpose of any subsequent submission concerning the timing of a plea of guilty.

- If the case is to proceed as a trial, whether there are any issues which may be amenable to early resolution pursuant to the provisions of section 361A of the *Criminal Code*.
 - Whether there are any matters capable of agreement or other resolution.
 - Whether there are any other issues or matters which might otherwise delay a trial or affect its resolution during the concentrated trial period.
- 3 While in some cases it will be necessary for the Crown to identify the evidence upon which it relies by preparation and service of Crown papers before the information referred to above can be provided, it should not be assumed that this will be a necessary precondition of the provision of that information in every case. Each case will be managed with a view to the earliest and most efficient resolution according to its particular circumstances.
- 4 Counsel briefed in, or with carriage of the case, will be expected to attend each directions hearing. If it is necessary to brief other counsel to attend such a hearing, it will be expected that that counsel will have sufficient instructions to be able to provide the required information.
- 5 The court will endeavour to dispose of all cases in the list by the conclusion of the trial period.

J A Connolly
REGISTRAR