

SUPREME COURT OF TASMANIA
CIRCULAR TO PRACTITIONERS

No. 13 of 2012

15 October 2012

Criminal Procedure:

ADDITIONAL DAYS FOR COMMITTAL AND REMAND
SECOND-LAST DAY OF THE LAST SITTINGS IN EACH YEAR

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.

The Judges of the Supreme Court have also fixed an additional day for those purposes, which is the second last day of the last criminal sittings in each calendar year. (see Memorandum attached)

This year, the additional day for Hobart, Launceston and Burnie will be **Thursday, 13 December 2012** and matters will be listed from **10.00 am** in all locations. Note that listings in Burnie for this additional day are scheduled at 10.00 am (not the usual 2.15 pm).

J A Connolly
REGISTRAR



The Judges of the Supreme Court have fixed an additional day in each calendar year 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 **second last day of the last criminal sittings in each calendar year (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 10.00 am for committals to the Supreme Court in Hobart and Launceston, and 2.15 pm for committals to the Supreme Court in Burnie. On the additional day in Burnie, the time for the committal order is 10.00 am.

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 **second last day of the last criminal sittings in each calendar year (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 10.00 am for remand to the Supreme Court in Hobart and Launceston and 2.15 pm for remand to the Supreme Court in Burnie. On the additional day in Burnie, the time for the order is 10.00am.