

# SUPREME COURT OF TASMANIA

## PRACTICE DIRECTION

No 1 of 2025

7 July 2025

### CRIMINAL CASE MANAGEMENT LIST

The following Practice Direction is published by direction of the Chief Justice, the Honourable Justice Christopher Shanahan.

This Practice Direction replaces Practice Direction 2 of 2020.

#### Background

1. This Practice Direction applies to the case management of criminal cases in the Supreme Court.
2. On 20 May 2024, pursuant to s 372 of the *Criminal Code*, the Chief Justice directed that the Associate Judge was empowered to exercise all the powers of the Supreme Court in its criminal jurisdiction other than (a) the conducting of a trial in relation to a crime; and (b) the imposing of a sentence in respect of a crime; and (c) the hearing of an appeal in relation to bail.
3. Management of criminal cases will be undertaken by the Associate Judge in a list known as the Criminal Case Management List (CCML) held weekly in Hobart, Launceston and Burnie during each criminal sittings.
4. An important objective of the CCML is to streamline the preparation of matters for trial or sentence. Matters that are to be listed for trial will be given a trial date as soon as possible by the Associate Judge. Matters will be transferred to a judge when case management is complete, and the case is ready for trial or sentencing.

#### Committals - Procedure

5. Under s 60 of the *Justices Act 1959* magistrates will continue to commit defendants to the Supreme Court for trial or sentence trial on days fixed by the Supreme Court and notified in Circulars from time to time. The first appearance of all defendants in the Supreme Court will be before the Associate Judge in the CCML.
6. The period of time between the committal order and the date of a defendant's first appearance in the Supreme Court must be no less than:
  - 7 days for a committal for sentence; and
  - 7 weeks for a committal for trial.

## Committals for Sentence

7. At the first directions hearing in the CCML, committals for sentence will generally be adjourned to appear before a judge during the same sittings to which the defendant has been committed.

## Committals for Trial

8. During directions hearings in the CCML the Court will inquire of defendants committed for trial whether the matter is capable of resolution without trial. Prosecuting counsel will be expected to provide information about the likely timing of the filing of an indictment and Crown papers and the estimated hearing time. After an indictment is filed, a trial date will be allocated and the case will be managed to ensure that the trial proceeds on the allocated date.
9. Trials will be listed to commence on a particular date. The Court over-lists a number of criminal trials in the expectation that some trials will not proceed and judges will be available to hear the over-listed trials.
10. Parties and other participants to unassigned trials must attend the court and be ready to commence the trial at the scheduled start time.
11. Where appropriate trials will be the subject of case management up to the date of the trial to ensure that they proceed on the date allocated. Trials that are listed for hearing but not reached on the allocated date will be allocated a new trial date being a date as soon as practicable after the originally allocated date.
12. Trials which are designated by the Associate Judge as being ready may be brought forward in the event that time becomes available, whether that be an earlier date within the sittings in which the trial was originally listed or an earlier sittings than the sittings in which the trial was originally listed.

## **Courtrooms**

### Hobart

13. Generally two judges will sit in crime in Hobart each sittings.
14. Subject to alternative arrangements being made by exception, the judges sitting in crime will sit in Courts 7 and 8. The judges sitting in civil will sit in Courts 1 and 2.
15. The Associate Judge will sit in either Court 7 or 8. Adjustments will be made to the commencement of criminal trials in that court at the direction of the trial judge. To minimise scheduling conflicts as far as possible the Associate Judge will sit in Court 3.

### Launceston

16. One judge will sit in crime in Launceston. The judge sitting in crime will sit in Court 1 Launceston. If a second judge is sitting in Launceston, either in civil or crime, that judge will use Court 2.
17. The CCML will be by video link from Court 2 Launceston to Court 3 in Hobart.

## Burnie

18. One judge will sit in crime in Burnie. The CCML will be by video link from Court 1 Burnie to Court 3 in Hobart. Other business will commence following the conclusion of the CCML list.

### **Child Complainants in Criminal Cases**

19. Cases which satisfy the following criteria:
- a sexual offence; and
  - committed to the Supreme Court for trial; and
  - where the complaint is aged under 18 at the date of the accused's first appearance in the Supreme Court
- will be allocated to a judge for case management at the first appearance in the CCML.
20. The objective of this procedure is to have a child complainant give their evidence as soon as practicable after the matter is first listed in the Supreme Court.
21. At directions hearings convened by the judge, timetables will be imposed to progress the matter and to reduce delay.

### **Bail Consent Letters**

22. When a bail consent letter is required the date will be obtained from the Associate Judge.

### **Review**

23. This practice direction will be reviewed and updated as necessary.