

ANNEXURE A

USUAL TIMINGS FOR LISTINGS

Summary matters

1. If a plea of not guilty is entered to a charge within a series involving only summary offences, or charges to be dealt with summarily following prosecution election pursuant to s 374 of the *Crimes Act 1900*, all charges will be listed for hearing on a future date, and ordinarily without a pre-hearing mention.
2. If parties seek a pre-hearing mention for summary only offences, practitioners are required to inform the Registrar of the perceived benefit of the pre-hearing mention.

Defendant not in custody

3. The prosecution is to serve a brief of evidence within 8 weeks of the date of the entry or indication of the plea of not guilty. The matter will be listed for hearing not less than 10 weeks from the date of the indication of a plea of not guilty.

Defendant in custody

4. The prosecution is to serve a brief of evidence within 4 weeks and the matter will be listed for hearing not less than 6 weeks from the date of the entry or indication of a plea of not guilty.

Indictable matters

1. All charges will be listed for a pre-hearing mention if a plea of not guilty is indicated to a charge within a series involving a strictly indictable offence.

Defendant not in custody

2. The prosecution is to serve a brief of evidence on the defendant within 8 weeks and the matter will be listed for pre-hearing mention in 10 weeks from the date of the entry or indication of a plea of not guilty.

Defendant in custody

3. The prosecution is to serve a brief of evidence on the defendant within 4 weeks and the matter will be listed for pre-hearing mention in 6 weeks from the date of entry or indication of a plea of not guilty.

Summary/Indictable matters

1. Where a plea of not guilty is entered and the series involves an indictable charge that may be dealt with summarily pursuant to s 375 of the *Crimes Act 1900*, the parties

may be asked whether they consent to the jurisdiction of the Magistrates Court. The matter will be listed for hearing if consent is given.

2. The matter will be set for a pre-hearing mention where consent is not given at the time the plea of not guilty is indicated.
3. Where a plea of not guilty is entered and the series involves an indictable charge that may be dealt with summarily pursuant to s 375 of the *Crimes Act 1900*, the parties may be asked whether they consent to the jurisdiction of the Magistrates Court. If consent is given, the matter will be listed for hearing. The usual timings for an indictable matter apply.
4. Where consent is not given at the time the plea of not guilty is indicated, the matter will be set for a pre-hearing mention. The usual timings for an indictable matter apply.

Family violence matters

1. If a plea of not guilty is entered to a series that involves a family violence charge and the matters are summary only, or charges to be dealt with summarily following prosecution election pursuant to s 374 of the *Crimes Act 1900*, all charges will be listed for hearing on a future date and ordinarily without a pre-hearing mention.
2. If parties seek a pre-hearing mention for summary only offences, practitioners are required to inform the Court of the perceived benefit of the pre-hearing mention.
3. Where a plea of not guilty is entered and the series involves an indictable charge that may be dealt with summarily pursuant to s 375 of the *Crimes Act 1900*, the parties may be asked whether they consent to the jurisdiction of the Magistrates Court. The matter will be listed for hearing if consent is given.
4. The matter will be listed for pre-hearing mention where consent is not given at the time the plea of not guilty is indicated or entered, or where the series involves a strictly indictable charge.
5. The prosecution is to serve a brief of evidence within 4 weeks of the date of the entry or indication of the plea of not guilty. The matter will be listed for either a pre-hearing mention or hearing not less than 6 weeks from the date of the entry or indication of a plea of not guilty.