

**SUPREME COURT  
OF THE AUSTRALIAN CAPITAL TERRITORY**

**Notice to practitioners**

***Supreme Court bail applications by video-link with AMC***

Practitioners are advised that bail applications by audiovisual link (video-link) with the AMC will be trialled in the Supreme Court (the Court) commencing Friday 22 July 2011. A review will be done in six months time. This will only apply to a bail applicant at the AMC.

**Legislative basis**

Section 55A of the *Supreme Court Act 1933* provides the following:

***55A Hearing of bail applications***

*(1) Unless the court otherwise directs, where—*

*(a) a person who is in custody is required or entitled to appear, or is required to be brought, before the court for the hearing of an application in relation to bail; and*

*(b) an audiovisual link is available between the place where the court is sitting and a place where the person is in custody;*

*the proceeding shall be conducted by the audiovisual link.*

*(2) The court may at any time vary or revoke a direction made under subsection (1), either on its own initiative or on the application of a party to the proceeding.*

*(3) This section does not apply in relation to a child....*

**Procedure**

1. The Court will normally hear bail applications by video-link from the AMC each Friday morning commencing at 9.30am. This will usually occur in courtroom 5.
2. An accused person may apply to be transported to the Court for the hearing of his/her bail application by completing the appropriate paragraph in the bail application form. If the request is granted, this bail application will normally be listed on a day other than a Friday. In the absence of any such application being made and it being granted, or some other order of the Court, the default position is that a bail application will be heard by video-link.
3. The AMC will have available in its video-link room, a bible and the appropriate wording on cards as to an oath or affirmation to be read out by the accused, in the event that the accused is required to give evidence.

4. The Court will have available in the courtroom in which the video-link bail applications are heard, a mobile phone to enable the accused's counsel to obtain instructions from the accused, if required. The AMC will have a phone available in the video-link room for the accused to give quick instructions as required during the bail application hearing. On such occasions, the Court will phone the allocated phone number at the AMC (which will be keyed into the Court's mobile phone). The video-link can be muted temporarily at the AMC end if necessary to enable counsel to take instructions.

ANNIE GLOVER  
Registrar  
ACT Supreme Court

14 July 2011