



MAGISTRATES COURT
OF THE
AUSTRALIAN CAPITAL TERRITORY
PRACTICE DIRECTION

CRIMINAL 1 of 2023
21 August 2023

Interpreters in criminal matters

Introduction

1. This practice direction sets out the arrangements in the ACT Magistrates Court where an interpreter is required in criminal proceedings. It takes effect from 4 September 2023.
2. This practice direction applies to all adult and Childrens Court criminal proceedings. It applies to all adult criminal lists:
 - a. Criminal General List (A1);
 - b. Family Violence List (F1) in the Family Violence Court;
 - c. Industrial Court List before the Industrial Court Magistrate; and
 - d. Bail List (A2)
3. An interpreter includes an AUSLAN interpreter.

In person attendance

4. Where an interpreter is required for any proceeding, the Court's preference is that the interpreter attends in person before the Court.
5. Where an interpreter is required for a hearing, the Court expects that the interpreter attends in person before the Court.
6. If it is not possible to arrange for the interpreter to attend a hearing in person, an application must be made to the Court at the earliest possible opportunity seeking an alternative way for the interpreter to attend.
7. The application may be made in writing or orally. The application must include:
 - a. Details of the efforts made to arrange for the interpreter to attend in person;
 - b. An explanation why it has not been possible for the interpreter to attend in person;
 - c. Proposed alternative arrangements.

8. An application is not required where an interpreter is needed for mentions, bail applications or bail variations.
9. Parties are advised that it will rarely be appropriate for interpreters to attend by telephone. The Court can arrange for an audio-visual link (AVL) such as Webex to be provided. A request for an AVL for mentions, bail applications or bail variations must be sent to the Associate no later than 4pm on the day prior to the mention, bail application or bail variation, except if the person is before the court in custody for a first appearance.

By direction of the Chief Magistrate and Magistrates.

A handwritten signature in black ink, appearing to read 'Helen Banks', written in a cursive style.

Helen Banks
Registrar
ACT Magistrates Court

21 August 2023