

**A.C.T. Magistrates Court
Practice Direction No. 3 of 1999
Attendance of Police Officers At Court**

The following direction is to be read in conjunction with Practice Direction No. 2 of 1999 (Case Management Hearings). Practice Direction No. 3 of 1999 is to commence on 1st December 1999.

1. Members of the Australian Federal Police are to attend Court in relation to all Contested Bail Applications.
2. Subject to the provision to the defendant, or the defendant's legal representative, of a proper statement of facts members of the AFP will not be required to attend Court to give evidence in any pleas of guilty unless a specific request is made by the defendant, or the defendant's legal adviser, to the Director of Public Prosecutions not less than 48 hours prior to the attendance to allow the DPP to attempt to arrange for the relevant officer or officers to attend Court. If the timing of the request to the DPP is insufficient to allow the relevant police officer or officers to attend Court the matters may be adjourned to allow for the attendance of the police officer or officers. A request for the attendance of an officer is only to be made when there is a genuine dispute as to the facts in the plea of guilty.
3. Police officers will be required to attend at Case Management Hearings for matters in which they are the informant.
4. Police officers will also be required to attend at defended hearings in which they are to give evidence.
5. Notwithstanding the above a Magistrate may require the attendance of a police officer to give evidence. Such requirement shall be advised to the DPP who shall arrange for the police officer to attend.

6. Where a matter is to be finalised on a non-contested basis, the facts are to be presented orally to the Court by the prosecutor from the bar table. The statement of those facts (previously provided to the defendant or his/her legal representative) shall be tendered in all cases.

Dated the 16th day of November, 1999

R. J. Cahill, Chief Magistrate

K. M. Fryar, Magistrate

M. A. Somes, Magistrate

S. G. Madden, Magistrate

P. G. Dingwall, Magistrate

L. E. Campbell, Magistrate

J. D. Burns, Magistrate

M. K. Doogan, Magistrate