

Criminal Justice Forum

A group has been set up, with the support and encouragement of the Department of Justice, to discuss topical matters in the administration of the criminal justice system. Its membership includes some, but not all, of the appropriate stakeholders and provides an additional opportunity for relevant matters to be discussed. Meetings are informal and held on a monthly basis. The present Chairman is Rex Wild QC and meetings are held at the Office of the Director of Public Prosecutions. Enquiries about membership may be directed to Rex or to the minute secretary Celia Kemp who is a legal officer with ODPP.

At its most recent meeting the following policy in respect of the transfer of proceedings from remote area courts to Darwin/Alice Springs/Katherine/Tennant Creek at the request of prosecution was agreed.

This policy applies where defended criminal proceedings in the Magistrates Court are transferred from remote area court to Darwin, Katherine, Tennant Creek or Alice Springs at the request of the prosecution.

It is recognised that appropriate facilities for the hearing of complex sensitive cases, such as those involving allegations of sexual assault or violence, do not exist at all bush courts while appropriate facilities do exist in Darwin, Katherine, Tennant Creek and Alice Springs.

In some cases it is therefore appropriate for the prosecution to seek a transfer of proceedings to a court where there are appropriate facilities for a witness to give their evidence.

The travel and necessary accommodation costs of the accused who resides in a remote area to appear in court in Darwin, Katherine, Tennant Creek or Alice Springs will be paid by Court Support Services (CSS) in the following circumstances:

- * The prosecution has applied for a transfer of proceedings and;
- * The accused is represented

by a legal aid service.

Once a case is transferred the prosecutor must advise Jenny Minns, Registrar, in writing (by fax or email) to confirm that the accused is eligible for travel assistance under this policy. The request must include details about the case, the next hearing date and the legal representatives of the accused. The legal representative of the accused must advise Jenny Minns about the accused's travel and accommodation requirements.

CSS will provide the legal representative of the accused with the details of the travel arrangements. It is the responsibility of the legal representative to provide this information to the accused.

The prosecution must provide a copy of this policy to the accused's legal representative prior to making an application for transfer of proceedings.^①

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MB.ChB., MCrim., MRCPsych.,
FRANZCP

(Masters candidate in Master of
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