

PRACTICE DIRECTION
No. 4 of 2012

**PROCEDURE FOR APPLICATIONS IN RESPECT OF BREACHES,
REVIEWS OR VARIATIONS OF COURT ORDERS**

**COURT OF SUMMARY JURISDICTION
YOUTH JUSTICE COURT**

The following Practice Direction is issued pursuant to section 201A of the *Justices Act* and section 53 of the *Youth Justice Act* and will apply from the date of issue.

BACKGROUND

The purpose of this Practice Direction is to regularise the practice for applications for review, variation or breach of Court orders made at the Court of Summary Jurisdiction and Youth Justice Court.

PRACTICE DIRECTION

The following procedure is to be followed for applications for variation, review or breach of a Court order under section 121 of the *Youth Justice Act* or the *Sentencing Act*.

1. The application and supporting affidavit only are to be lodged with the Court Registry. Additional documents such as a précis or directions to the Officer in Charge of the Police Prosecutions unit should not be lodged.
2. Applications for breach of a Court order should be dealt with, where practicable, by the Magistrate who made the order.
3. Where an application is lodged at a Court House for the issue of a warrant for apprehension of the defendant or youth, the decision to issue a warrant is to be made by the Criminal Registrar.

4. Where the matter is to proceed by way of summons, Registry staff will liaise with the Listing Registrar for a date suitable to the Magistrate who made the order. Officers from Corrections are not to contact the Listing Registrar directly.

5. Youth justice matters shall be listed on a youth justice list day, if possible, before the Magistrate who made the order.

Hilary Hannam
Chief Magistrate
2012