JUSTICES ACT
AMENDED PRACTICE DIRECTION

PERSONS IN THE CUSTODY OF THE COURT

This practice direction is made pursuant to Section 201A of the *Justices Act*.

1.   At any time a defendant on a charge is properly before the court he is in the custody of the court. This is so whether he:
   a)   is brought to the court cells by the police or jail authorities,
   b)   answers his bail undertaking to appear,
   c)   surrenders himself to the court when a warrant is outstanding, or
   d)   answers a summons.

2.   Persons in the custody of the court are not to be permitted to leave the court complex until they are discharged or have satisfied the courts requirements for release.

3.   Unless a Magistrate or Justice otherwise orders a person in the custody of the court must remain under the supervision of the court and its officers and obey their directions.

Court of Summary Jurisdiction

4.   Persons in the custody of the Court of Summary Jurisdiction shall, upon being granted conditional orders of release, bail or amended bail conditions. Be taken to and held in the cells or rooms reserved for the purpose to enable all conditions for their release to be satisfied.

5.   A Magistrate or Justice may (with or without request), make specific arrangements in relation to any individual defendant but otherwise these directions shall be enforced until rescinded or amended.

Youth Justice Court

1.   Subject to any specific order of a Magistrate the following arrangements shall be made with respect to youths who are in the custody of the Youth Justice Court;
   a)   youths not in the company of a parent or other adult guardian should remain in the back of the court until release papers are prepared and signed,
   b)   youths accompanied by a parent or other adult guardian may remain in the court or wait in the foyer of the court until release papers are prepared and signed.

2.   Court staff should make the provisions of these directions known to youths and persons in whose company they may be.

JENNY BLOKLAND
CHIEF MAGISTRATE
9 February 2007