



## **LOCAL COURT PRACTICE NOTE NO: 7**

**ISSUED: 7 JULY 2003**

**Re-issued pursuant to section 27 Local Court Act 2007**

### **COMMITTALS FOR TRIAL INVOLVING CODEFENDANTS**

Codefendants should be committed for trial together so as to avoid unnecessary separate trials unless the Court considers it in the interests of justice not to do so.

If a defendant seeks a "paper committal" and a codefendant makes a section 91 application, the proceedings involving the defendant should be adjourned to the same date as the proceedings involving the codefendant. In such circumstances the hearing of the section 91 application\* and the subsequent committal proceedings should be expedited so as not to unduly delay the defendant's opportunity for an early trial particularly where that defendant is in custody.

It is the responsibility of the prosecution to advise the court of matters involving codefendants where the codefendants are not listed at the same time.

This Practice Note does not apply to proceedings before the Children's Court.

Graeme Henson  
**Chief Magistrate**