



Supreme Court of Victoria

Practice Note No.4 of 2007

APPLICATIONS TO BE HEARD BY JUDGES OF THE CRIMINAL DIVISION

1. The Chief Justice has authorised the issue of the following Practice Note.

Applications

2. As from 18 June 2007 the Judge acting for the time being as the Principal Judge in the Criminal Division, rather than the Practice Court Judge will assume the principal responsibility for dealing with a range of applications . The intention is to have applications heard wherever practicable by judges in the Criminal Division. This will include applications under the following Acts:
 - *Major Crimes (Investigative Powers) Act 2004* (as already provided for by Rule 13.03 of the *Supreme Court (Criminal Procedure) Rules 1998*)
 - *Surveillance Devices Act 1999*
 - *Terrorism (Community Protection) Act 2003*
 - *Witness Protection Act 1991*
 - *Crimes (Assumed Identities) Act 2004*
 - *Australian Crime Commission Act 2002 (Cth)*
3. Persons intending to make application under the above Acts should contact the Criminal Division Legal Officer and provide the following information as to:
 - the type of application;
 - the estimated length of time required;
 - the urgency of the application; and
 - their contact details
4. The Principal Judge in the Criminal Division will allocate the matter to a Judge and the applicant will be informed of the time and location for the hearing.
5. If an application is sought to be made urgently outside of business hours, the applicant should contact the Associate to the Judge sitting in the Practice Court in the first instance.
6. Applicants should comply with any relevant Rules of Court regarding the form and delivery of material for the application. Where there are no relevant Rules the applicant should contact the relevant Judge's Associate in relation to the delivery of documents.

Related Applications

7. Practitioners may request that applications which are of a similar nature or are related to an application listed in paragraph 2, be dealt with in accordance with this Practice Note. Examples where this procedure may be relevant include:
 - Search warrant applications under the *Confiscation Act 1997*;
 - Monitoring order applications under the *Confiscation Act 1997* or the *Proceeds of Crimes Act 2002* (Cth);
 - Applications for interstate service of confidential summonses; and
 - Applications under legislation enacted after the commencement of this practice note which are comparable to the Acts listed in paragraph 2.
8. Such requests should be conveyed by contacting the Criminal Division Legal Officer in the first instance. Where the matter is appropriately dealt with under this Practice Note, the Principle Judge in the Criminal Division will refer the matter to a Judge.
9. If the Criminal Division Legal Officer is for any reason unavailable, practitioners may contact the Associate to the Principal Judge in the Criminal Division.

Contact details

Criminal Division Legal Officer
Ph: 9603 6195

Associate to the Principal Judge
Ph: 9603 6128

Vivienne Macgillivray
Executive Associate to the Chief Justice

8 June 2007