

MAGISTRATES COURT OF TASMANIA

CIRCULAR TO PRACTITIONERS

No 5 of 2021

REPRESENTATION IN AFTER-HOURS COURTS

This circular is to inform lawyers of the process by which they can make arrangements to appear for a client in an after-hours court.

Background

After-hours courts are presided over by justices of the peace with additional training. They are appointed by the Chief Magistrate as bench justices.

After-hours courts are held in every permanent registry on an “as needs” basis, at set times. Tasmania Police will advise the Court’s rostered security officer about two hours before the court sitting whether there is someone who has been charged and is being held in police custody. If they are ready to be brought before the Court an after-hours court will be convened.

If an after-hours court is to proceed it will generally be held at the following times:

| | Hobart | Launceston | Devonport | Burnie |
|---------------------|---------------|-------------------|------------------|---------------|
| Monday to Friday | 7pm | 8pm | 7pm | 7pm |
| Saturday and Sunday | 11am and 7pm | 10am and 8pm | 11am and 7pm | 11am and 7pm |

Process

If a lawyer is able to attend an after-hours court in person they should attend the relevant registry shortly before the time of the court sitting. Please advise the security officer which matter you are appearing on, and the security officer will inform the bench justice.

Note: The after-hours entrance to the Hobart Magistrates Court is from Campbell Street through the green door marked “After-Hours Court”.

If a lawyer is unable to attend an after-hours court in person and wishes to attend by telephone, the lawyer should contact the on-call manager at the Magistrates Court. The on-call number is: 616 64746 and is also available on the Court’s website at:

https://www.magistratescourt.tas.gov.au/for_lawyers/after-hours-courts

Attendance by telephone is reserved for circumstances where the lawyer is genuinely unable to attend in person.

The Court will telephone the lawyer on the number they have provided when the matter is ready to be heard. Lawyers should be aware that the telephone call will be made from a

private number. It is the lawyer's responsibility to ensure that their phone settings allow calls from a private number.

Lawyers must make their own arrangements to take instructions from their client prior to the after-hours court sitting.

Penelope Ikedife
Administrator of Courts

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