

Applications to Vacate Trials

Due to the large number of criminal trials being vacated because of Covid-19, it is essential when jury trials resume that they proceed as efficiently as possible.

Accordingly, when an application is made to vacate a trial, the trial will not be allocated a new hearing date until all pre-trial issues are argued and determined.

The date allocated for the trial will be utilised for the hearing of the pre-trial argument.

Where the parties consider there are no pre-trial issues, the Court will require on the application to vacate, affidavits to that effect from counsel for the Crown and counsel for the accused who have been briefed to appear at the trial which the parties are seeking to vacate.

This Practice Note commences on 30 August 2021.

A handwritten signature in black ink, appearing to read 'D M Price', with a long horizontal flourish extending to the right.

The Honourable Justice D M Price AO
Chief Judge of the District Court
19 August 2021