



**IN THE MATTER OF THE ROYAL COMMISSION  
INTO FAMILY VIOLENCE**

**ATTACHMENT TC-9 TO STATEMENT OF ASSISTANT COMMISSIONER THOMAS  
DONALD LUKE CORNELIUS**

Date of document: 27 July 2015  
Filed on behalf of: State of Victoria  
Prepared by:  
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Melbourne VIC 3000



This is the attachment marked 'TC-9' produced and shown to **THOMAS DONALD LUKE CORNELIUS** at the time of signing his Statement on 27 July 2015.

Before me:



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An Australian legal practitioner  
within the meaning of the  
Legal Profession Uniform Law (Victoria)

Attachment TC-9



Magistrates' Court  
of Victoria

## Practice Direction

### No. 10 of 2014

#### **Fast tracking of the hearing and determination of criminal offences arising out of family violence incidents**

##### Background

It is well-known with family violence cases that the rate of recidivism for crimes of violence against intimate partners is much greater than crimes of violence against strangers. We also know that usually the violence increases, in number and intensity. Accordingly, the Magistrates' Court of Victoria (the Court) will introduce in stages the fast tracking of these cases. The first stage will start in the Court at Dandenong ("Dandenong Magistrates' Court").

##### Direction

1. As and from 1 December 2014, all criminal charges arising out of family violence incidents and filed in the Dandenong Magistrates' Court will be listed according to these timelines:
  - (a) where the accused person is on bail, from the date of his or her release on bail to the first listing of those charges – one week;
  - (b) where the accused person has been summonsed, from the date of the issue of the summons to the first listing – four weeks;
  - (c) in either case described in (a) and (b):
    - (i) from the date of the first listing to the date of the second listing – four weeks;
    - (ii) from the date of the second listing to contest mention – four weeks<sup>1</sup>;
    - (iii) from the date of the contest mention to trial – four weeks.

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<sup>1</sup> In some instances, a proceeding may be adjourned for trial without a contest mention. Whether that occurs is a matter for the presiding magistrate.

2. At the time of release on bail or when served with a summons, the accused person must be given a document entitled "Family violence related criminal proceedings", a copy of which is attached to this Practice Direction.
3. This Practice Directions commences on 1 December 2014.



**Peter Lauritsen**  
**Chief Magistrate**

Date: 25 November, 2014



Magistrates' Court of Victoria  
**Family violence related criminal proceedings**  
 Information for accused persons

If you have criminal charges listed at Dandenong Magistrates' Court that are family violence related, the following listing timeframes will apply:

Filing to first listing for <b>bail</b> matters (the time to first listing from the release of an accused on bail)	1 week
Filing to first listing for <b>summons</b> matters (the time to first listing from the issue of a summons)	4 weeks
First listing to second listing (a summary case conference is to be conducted on or before the second listing)	4 weeks
Second listing to contest mention	4 weeks
Contest mention to contested hearing	4 weeks

### Adjournment Requests

The Court may grant a short adjournment from the first listing if suitable or sufficient reasons are supplied. You and/or your legal representative **must** be present at court for any future adjournment request to be considered. If you are on bail, you **must** appear at court for each listing.

### Police Brief

If you do not have a copy of the preliminary brief at the first listing, you will need to obtain a copy from Victoria Police prior to leaving the court. You will need to provide a copy of the brief to your legal representative.

### Summary Case Conference

A summary case conference will need to occur on or before the second listing date.

### Legal Advice

It is very important to get legal advice **before** you go to court. Legal advice will help you:

- decide if you will say that you are guilty or not guilty
- decide if you need a lawyer to speak for you in court or if you can represent yourself
- help you to prepare for your case

You can obtain free legal advice from Victoria Legal Aid on 1300 792 387.

