

## **Management of Country Circuit Lists**

It is desirable to achieve the same standards of efficiency in the management of the country circuit lists as occur in the rest of the State so that there is an equality in the delivery of justice throughout the State. The first step in achieving this will be the repeal of District Court Rule 10E which allows eight weeks for the prosecution to file an indictment in many country areas. This will achieve a common standard in the State for indictments to be filed within four weeks of committal for trial.

The Court will institute a telephone callover system which will apply to all country venues except Lismore, Newcastle and East Maitland, Gosford and Wollongong. Magistrates will be asked when committing accused for trial to require their legal representatives (or the accused if unrepresented) to attend a telephone callover on the first Wednesday occurring after one month has elapsed from the committal for trial if the relevant District Court has not sat within that period. If the relevant Court has sat, the presiding judge will determine if the matter should be listed for trial or referred to the next telephone callover.

The judge conducting the telephone callover will do so by setting up a telephone conference at 9.00 a.m. which all parties will join. The judge will then conduct a callover in the normal way to determine which cases are to proceed to trial and if the matter is to proceed to trial, the judge will list it for hearing in the appropriate sittings. The aim of this procedure is to reduce the number of trials listed in circuits from three to two and avoid trials being not reached.

At the callover the prosecution will be encouraged to settle the charges to proceed and the defence will be encouraged to determine what the issues are to be. Both parties will be encouraged to explore what issues can be resolved and the matter may be relisted in the callover for that purpose.

It should be readily understood that the maximum benefit for the utilitarian benefit of a plea of guilty will be earned if the plea is notified during the telephone callover process. A plea on the day of trial in a circuit list has little or no benefit because trial time has been allocated to that case during the circuit thus preventing another trial being listed.

The first telephone callover will be on 30 January, 2008.

The Hon Justice R O Blanch

CHIEF JUDGE

28 September, 2007