

**SUPREME COURT
OF THE
NORTHERN TERRITORY OF AUSTRALIA**

PRACTICE DIRECTION NO 2 of 2020

**DOCUMENT LODGEMENT IN CRIMINAL PROCEEDINGS
AND BAIL MATTERS
COVID-19 TEMPORARY ARRANGEMENTS**

Part 1 – Application

1. This Practice Direction applies to all documents to be filed or lodged in criminal proceedings and bail matters.

Part 2 – Proceedings at First Instance

2. The following categories of documents shall be filed or lodged by email to AGD.Sheriff@nt.gov.au:
 - 2.1 Indictments, complaints and *nolle prosequi*;
 - 2.2 Applications by Community Corrections (ie breaches, applications for review and variation and affidavits in support);
 - 2.3 Applications for bail and review of bail decisions and affidavits in support;
 - 2.4 Reports prepared for the purposes of Part IIA of the *Criminal Code 1983* (NT);
 - 2.5 Documents required to be filed under Practice Direction No 3 of 2016 – Criminal Call-Overs; and
 - 2.6 Subpoenas.
3. Affidavits should be signed and witnessed prior to filing or lodgement.
4. On filing or lodgement the documents will be checked, printed, endorsed with the relevant seals and stamps and returned by email to the filing or lodging party.

Part 3 – Court of Criminal Appeal

5. The following categories of documents shall be filed or lodged by email to NTSC.CCAeFile@nt.gov.au:

- 5.1 Notices of Appeal;
 - 5.2 Applications for extension of time within which to appeal and affidavits in support;
 - 5.3 Applications for leave to appeal and affidavits in support;
 - 5.4 Notices of Appearance;
 - 5.5 Appeal Book Indexes;
 - 5.6 Appeal Books; and
 - 5.7 Submissions and Lists of Authorities.
6. Affidavits should be signed and witnessed prior to filing or lodgement.
 7. On filing or lodgement the documents will be checked, printed, endorsed with the relevant seals and stamps and returned by email to the filing or lodging party.

Part 4 – General Requirements

8. Documents being lodged electronically must:
 - 8.1 be attached as a single document;
 - 8.2 be labelled with the name or adequate description of the document being filed;
 - 8.3 be a text searchable PDF, JPEG or TIFF document with no viewing, printing or copying restrictions;
 - 8.4 be paginated and not more than 25 megabytes in size;
 - 8.5 have 300 dots per inch resolution with a black and white setting; and
 - 8.6 not contain a virus or malware.
9. If the document contains a hyperlink to an external source, the content of the source is not part of the document.
10. If the document is an affidavit which contains annexures, each annexure must have a bookmark applied to the annexure certificate before it is uploaded.
11. If a document does not comply with this Practice Direction for any reason, the Sheriff or Deputy Sheriff may:
 - 11.1 notify the person who filed the document and request that the document be filed in a different, or specified, format or manner; or;

- 11.2 approve the filing of the document.
12. Any email sent to the Court for the purpose of filing or lodging a document must contain the following information and references:
- 12.1 confirmation that the document(s) is emailed for the purpose of electronic filing or lodgement;
 - 12.2 the court file number unless the document being filed is originating process and a court file number has not yet been allocated;
 - 12.3 the name of the document(s) being filed; and
 - 12.4 details of the party seeking to file a lodge the document, including preferred phone and email contact details.
13. Multiple documents for filing or lodgement may be attached to a single email, provided that each document to be filed is individually identified and listed separately in the body of the email.
14. Documents filed electronically will be taken to be filed at the date and time shown on the email received by the Sheriff's Office, however documents received outside the hours of 8.00 am to 4.00 pm ACST, or on weekends or public holidays, will be taken to be received at 8.00 am on the next business day.
15. It is the responsibility of the party seeking to file or lodge the document(s) to ensure the successful transmission of any documents being filed electronically.
16. When filing electronically, only one copy of each document should be filed and if a document has been received and accepted by the Sheriff's Office, it is unnecessary for any paper copies to be filed or lodged.
17. Nothing in this Practice Direction alters any obligations for service and the form of service required under a law in force in the Northern Territory.
18. If a document is too large to be filed electronically by email the Sheriff's Office should be contacted for arrangements to be made for filing by a USB device.

Dated: 31 March 2020

CHIEF JUSTICE MICHAEL GRANT