

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

**PRACTICE DIRECTION
No 2 of 2025**

CRIMINAL CALL-OVER REFORMS

Practice Direction No 1 of 2022 is rescinded and replaced by the following Practice Direction.

1. Trial dates for a matter will not be allocated at a criminal call-over conducted under Practice Direction No 3 of 2016 until:
 - (a) an indictment has been filed;
 - (b) trial counsel have been briefed and each party has filed a certificate by trial counsel in the form prescribed in the Appendix to this Practice Direction;
 - (c) trial counsel briefed for the Crown has conducted a conference with the complainant or principal witness(es) as the case may be;
 - (d) trial counsel briefed for the accused has conducted a conference with the accused;
 - (e) trial counsel for the Crown and the accused have conferred directly to determine whether the matter is capable of resolution other than by way of trial; and
 - (f) each party has completed and filed a document in the form prescribed in rule 81A.16, Schedule 2 of the *Supreme Court Rules 1987* (NT).
2. In circumstances where the legal representatives of the Crown and the accused have not attended to those requirements by the time of the first appearance at the criminal call-over, the matter will be adjourned to a subsequent criminal call-over to allow those requirements to be satisfied.
3. In the charge of a 'sexual offence' within the meaning of the *Sexual Offences (Evidence and Procedure) Act 1983* (NT), either party may make application at the criminal call-over for the pre-recording of the complainant's evidence, or a *voir dire* on admissibility, which in an appropriate case may be listed before substantive trial dates are allocated.

Dated: 1 July 2025

Hon Michael Grant
Chief Justice

CERTIFICATE OF TRIAL COUNSEL

THE KING

v

[insert name of accused]

I certify that I have been briefed to appear as counsel for the trial of this matter on behalf of *[the Crown or the accused as applicable]* and I certify as follows:

- (a) the proceeding is ready for trial;
- (b) I have conducted a conference with the complainant and/or principal witness(es) for the Crown;

OR

I have conducted a conference with the accused and any witnesses intended to be called on behalf of the accused;

[delete whichever is inapplicable]

- (c) I have conferred directly with counsel for the other party to determine whether the matter is capable of resolution other than by way of trial;
- (d) on the basis of those discussions I am of the opinion that the matter is not capable of resolution other than by way of trial;
- (e) any outstanding pre-trial matters have been notified in the Schedule 2 document filed in accordance with rule 81A.16 of the *Supreme Court Rules 1987* (NT).

Dated:

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Counsel for the *[Crown or accused as applicable]*