

YOUTH COURT OF SOUTH AUSTRALIA
PRACTICE DIRECTION CASE FLOW MANAGEMENT
NO. 2 OF 2023

I, PENELOPE ELDRIDGE, Judge of the Youth Court of South Australia pursuant to Rule 12.1 (3) of the *Joint Criminal Rules 2022*, issue this Practice Direction in relation to the case flow management of criminal cases under the *Young Offenders Act 1993* (“the Act”) and the *Joint Criminal Rules 2022*.

1. Practice Direction 1 of 2003 ‘Case Flow Management’ is revoked with effect from 18 April 2023.
2. On the first return of an Information the Court shall advise the youth, if not legally represented, of his/her rights to be legally represented and of such other information as may be necessary to satisfy the requirements of s30(2)(b) of the Act.
3. If the youth does not plead guilty on the first return of the Information, then the proceedings may be adjourned/remanded for a period not exceeding 6 weeks, to enable the youth to seek and obtain legal aid and to be legally advised and represented.
4. On the second return of the Information the youth shall advise the Court whether he/she intends to plead guilty or not guilty.
5. If, on the second return of the Information the youth advises the Court that he/she intends to plead guilty, the proceedings may be adjourned/remanded for such period as may be necessary to enable the Court and the youth to obtain all such information, evidence and reports as may be required for consideration of penalty.
6. When a youth has advised that he/she intends to plead guilty but the proceedings have not been finalised on the second return then the Court shall, if reasonably possible, finalise the proceedings and impose penalty upon the third return of the Information.
7. If, on the second return of the Information, the youth advised the Court that he/she intends to plead not guilty or does not indicate a plea, then the Court shall adjourn/remand the proceedings for a further 8 weeks for a pre-trial conference. The parties shall, during that 8-week adjournment/remand period comply with Chapter 3, Parts 8 and 9 of the *Joint Criminal Rules 2022*.
8. When the Court sets a date for trial the proceedings shall be listed to continue as follows: -

(a) Adelaide Youth Court

After the completion of the initial day, further successive days will be allocated to enable completion of the sworn evidence.

(b) Regional (suburban) Courts

On successive weekdays until the sworn evidence is completed.

(c) Circuit Courts

On such successive days as may be available during the circuit week.

9. The Court may depart from these directions to achieve the objects and policies of the Act, or if it is otherwise necessary to do so, in the interests of the administration of justice, but in doing so the Court shall make orders designed to preserve the spirit and intention of this Practice Direction.

DATED 18 April 2023.



Penelope Eldridge
Judge of the Youth Court of South
Australia