

YOUTH COURT OF SOUTH AUSTRALIA
PRACTICE DIRECTION No. 1 of 2015
CRIMINAL JURISDICTION

Police Prosecutors: Leave to Appear at Trials

Pursuant to Rule 4.01 of the Youth Court Rules, Senior Judge Stephen McEwen hereby issues the following Practice Direction regarding the criminal jurisdiction of the Youth Court.

1. This Practice Direction is in substitution of Practice Direction No. 1 of 2013.
2. This Practice Direction is to be read interpreted and applied in conjunction with the existing Rules, Practice Directions, and practices of the Youth Court.
3. The issue of whether to grant or refuse permission to a police prosecutor, (who is not an admitted legal practitioner) to appear at a trial, or other hearing of the Court, is a matter for the presiding judicial officer.
4. The Court will continue to routinely grant leave to suitably qualified and experienced police prosecutors to appear for the Informant or Complainant, at trial, in criminal matters other than those specified in paragraph 5.
5. Except in exceptional circumstances, the Court will not grant leave for police prosecutors to appear for the Informant at trial, in criminal matters where the charge is, or includes any of the following:
 - (i) Rape; or unlawful sexual intercourse with a person under 14
 - (ii) Aggravated robbery;
 - (iii) Cause death/serious harm/harm by dangerous driving; or
 - (iv) Matters of sufficient complexity to require the application of the Practice Direction.

For those matters, the Court will normally require the prosecution to be conducted by an admitted legal practitioner.

6. This Practice Direction is not intended to affect the current practice for applications pursuant to *Young Offender's Act*, s17(3).
7. This practice direction will come into operation on 9th February 2015.

DATED the 9th day of February 2015.



Stephen McEwen
Senior Judge