



## **Children's Court of Western Australia**

### **Practice Direction 10 of 2020**

## **Voluntary attendance by young person after issue of arrest warrant**

The Children's Court of Western Australia has reviewed the procedures to be followed when a young person voluntarily attends court after an arrest warrant has issued.

### **Commencement and revocation**

1. This Practice Direction commences on 21 August 2020 and applies to all Children's Courts in Western Australia.
2. Practice Direction 3 of 2006 is revoked on 20 August 2020.

### **Procedure to be followed when a young person attends court after an arrest warrant has issued**

3. If a young person under the age of 18 years presents to a Children's Court registry and advises that they are subject to an arrest warrant, they are to be asked to wait in the immediate vicinity of the court while checks are made.
4. Court staff must then urgently list all outstanding warrants and related charges before the court. In regional locations where the magistrate may not be sitting, a video link to an available magistrate within the region is to be arranged, or if none is available, to Perth Children's Court. In suburban locations a video link to Perth Children's Court is to be arranged.
5. The prosecution, any legal representative recorded for the young person and Youth Justice Services are to be notified of the listing. If no legal representative is recorded or cannot be contacted, the Legal Aid duty lawyer or Aboriginal Legal Service must be notified.

6. The young person and any accompanying responsible adult are to be told of the listing, and asked to wait outside the court or video link room until they are called.
7. The young person is not to be arrested or asked to surrender to detention.
8. The matter should be called on before the court as a priority, and as soon as the presiding judicial officer directs.
9. If the young person appears when the matter is called, the warrants are to be cancelled, bail considered, and the charges dealt with in the usual way.



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Judge Hylton Quail

**President of the Children's Court of Western Australia**

19 August 2020