

P *Practice Directions*

Below is a letter from the Chief Justice responding to the Law Society's recommendation for amendments to the Directions.

Dear Mr Southwood,

RE: Practice Direction No 1 of 1998 - Prisoners At Risk

Thank you for your letter of 14 October. The Direction has been further considered in the light of your representations and amended. A copy of the Direction as amended is attached.

You will note that the wording has been amended to meet the concerns of legal representatives in regard to confidentiality.

In my opinion it does not fall within the competence of the Chief Justice to incorporate the suggestion regarding inferences. That is not a matter of practice or procedure.

You will note that there has been added paragraph B regarding the making of warrants.

Thank you for your assistance.

Yours sincerely,

Chief Justice

**SUPREME COURT OF THE
NORTHERN TERRITORY
PRACTICE DIRECTIONS
NO.1 OF 1998
PRISONERS AT RISK**

1. Where there is information available to a prosecutor that a prisoner or person who may become a prisoner may be at risk if remanded into custody or committed to a prison, or if a legal representative for an accused person forms the view that such a person may become at risk if remanded into custody or committed to a prison, in the case of a prosecutor, that information, or in the case of the legal representative for an accused person, that opinion, should be disclosed to the court as soon as possible.
2. Where the Court is advised that there is such information or opinion in relation to such a person or there is material before the Court upon which the Court may

conclude that such a person may be at risk if remanded into custody or committed to a prison the Court may order that that information, opinion or material be immediately brought to the attention of the Sheriff and of the Superintendent of the prison to which the person is to be remanded or committed.

3. An order made in accordance with paragraph 2 shall be notified to the Sheriff immediately who shall forthwith take out the order for signature by the Judge who made the order.
4. The order shall have attached to it a copy of the relevant transcript of the proceedings and copies of any other relevant documents ordered by the Court to be attached to the order.
5. A signed copy of the order is to be sent immediately by facsimile to the Superintendent of the prison by the Sheriff.
6. The Sheriff shall ensure that:
 - (a) the terms of the order are explained to all Deputy Sheriffs and that the prisoner is not left unsupervised whilst in the custody of the Court;
 - (b) the terms of the order are explained to any prison officer in to whose custody the prisoner is delivered.
 - (c) the original order together with all attachments is delivered by him or by a Deputy Sheriff to any such prison officer.
7. In this Practice Direction 'at risk' includes a risk of suicide or any other significant risk to physical or mental health.
8. When an order has been made in accordance with this Practice Direction all warrants relating to the custody of the prisoner or person who may become a prisoner shall be stamped with the words "AT RISK" in large red letters.

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