

IN THE SUPREME COURT OF VICTORIA  
AT MELBOURNE  
COMMON LAW DIVISION  
JUDICIAL REVIEW AND APPEALS LIST

S ECI 2024 01011

BETWEEN:

**ROBERT THORPE** Plaintiff

- and -

**MAGISTRATES' COURT OF VICTORIA** Defendant

**ORDER**

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JUDICIAL OFFICER: Judicial Registrar Conidi

DATE MADE: 3 April 2024

ORIGINATING PROCESS: Originating motion for judicial review pursuant to Order 56 of the *Supreme Court (General Civil Procedure) Rules 2015* (“the Rules”) filed on 7 March 2024

HOW OBTAINED: On the Court’s own motion

ATTENDANCE: There was no appearance by any party or practitioner

OTHER MATTERS:

- A. On 7 March 2024 the plaintiff filed an affidavit under r 56.01(5) of the Rules together with the exhibits to that affidavit.
- B. On 12 March 2024 the plaintiff filed a summons seeking orders to permit the plaintiff to initiate cases through the defendant’s eDocs portal, and requiring the Chief Magistrate to accept the proposed charge sheet and have the proceeding listed for a committal hearing.
- C. On 25 March 2024 the plaintiff filed a summons seeking orders to join a plaintiff to the proceeding.
- D. On 26 March 2024 the plaintiff filed a summons seeking orders to issue subpoenas to produce documents and give evidence, and to join four defendants to the proceeding.
- E. The summonses referred to in paragraphs B, C and D, collectively referred to as “the Summonses”, are returnable for directions only on 10 April 2024.

- F. On 19 March 2024, the defendant formally entered an appearance in the proceeding and informed the Court it does not intend to take an active role in the proceeding and will abide by the decision of this Honourable Court in accordance with the principles enunciated in *R v Australian Broadcasting Tribunal, ex parte Hardiman & Others* (1980) 144 CLR 13.
- G. This order is signed by the Judicial Registrar pursuant to r 60.02(1)(b) of the Rules.

**THE COURT ORDERS THAT:**

1. The Summonses are listed for hearing before the Honourable Justice Richards at 10.00am on 22 April 2024 by audio-visual link.
2. The plaintiff file and serve any further affidavits, and a written outline of submissions, in support of the Summonses by 15 April 2024.
3. The directions hearing listed for 10 April 2024 is vacated.

DATE AUTHENTICATED: 4 April 2024



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Judicial Registrar Conidi