



## **LOCAL COURT PRACTICE NOTE NO. 1 of 2006**

Issued: 31 August 2006

**Reissued: 29 August 2008**

**Re-issued pursuant to section 27 Local Court Act 2007**

### **Procedures to be adopted for Domestic Violence Court Intervention Model at Campbelltown And Wagga Wagga Local Courts**

This Practice Note applies to all charges of Domestic Violence matters (as defined in s 11 *Crimes (Domestic and Personal Violence) Act 2007*) listed for mention or hearing at Campbelltown and Wagga Wagga Local Courts.

The object of this Practice Note is to ensure that, where appropriate, pleas of guilty are entered at the first available opportunity and if a plea of not guilty is entered that a hearing occurs with expedition.

To achieve these objects, the following practice directions shall apply:

1. Where a person is charged with a domestic violence offence, the prosecution shall serve on the defendant at the first available opportunity, and not later than the first mention date in court a copy of the main parts of the brief of evidence upon which the prosecution relies. The main part of the brief is to include:
  1. The alleged facts;
  2. Copy of the victim's statement; and
  3. Any photographs on which the prosecution will rely.
2. The court may require the defendant to enter a plea at the first time the matter is mentioned in court. If no plea can be entered at that time, the court will allow an adjournment of not more than 7 days for a plea to be entered.
3. Upon a plea of not guilty being entered, that matter shall be adjourned to a hearing date, with a direction that the balance of the brief be served not less than 14 days before the date fixed for hearing, in accordance with s 183 of the Criminal Procedure Act 1986.
4. Where the defendant is legally represented, within 7 days of the service of the balance of the brief, the prosecutor should be advised of which witnesses are required for cross examination and which if any witnesses statements can be tendered without the need to call them for cross-examination.

This Practice Note does not operate to make any written statement admissible if it is not otherwise admissible.

This Practice Note commences for Wagga Wagga and Campbelltown on the 11<sup>th</sup> September 2006.

Graeme Henson  
CHIEF MAGISTRATE