



Magistrates' Court Victoria

Practice Direction

No. 5 of 2018

LISTING OF MATTERS IN THE MAGISTRATES' COURT KOORI COURT

Background

The Koori Court is a division of the Magistrates' Court and is established pursuant to s. 4D of the *Magistrates' Court Act* as a culturally appropriate measure to reduce the over representation of Aboriginal people in the criminal justice system and to reduce the number of Aboriginal persons in custody.

The Magistrates' Court Koori Court has jurisdiction to deal with matters other than sexual offences and breaches of Family Violence Intervention Orders (other than at Koori Courts which are gazetted to hear breaches of Family Violence Intervention orders) where the accused is Aboriginal, intends to plead guilty and consents to the matter being heard in the Koori Court.

The Practice Direction aims to standardise the process across the State for referring pleas of guilty to the Koori Court (in line with the current Practice Direction in the Children's Court) to ensure that all matters are ready to proceed on the hearing date.

Directions

1. This Practice Direction applies to all matters that are eligible to proceed in the Koori Court.
2. Prior to the listing of any matter in the Koori Court, all charges from all briefs must be resolved and ready for pleas of guilty to be entered.
3. For a matter to be adjourned to the Koori Court, the attached Koori Court Certificate of Readiness must be completed and signed by both the accused's legal representative and the prosecution. The agreed summaries of the charges must be attached to the Certificate of Readiness. Upon filing the certificate and summaries with the Koori Court Officer the matter will be listed on the next available Koori Court hearing date.
4. For a matter to be adjourned from a court which the Koori Court location is not the proper venue, the Certificate of Readiness and agreed summaries must be filed at the registry and Koori Court officer and the hearing date will be obtained from the relevant Koori Court officer.

This Practice Direction commences from 4 June 2018.

Jelena Popovic
Acting Chief Magistrate
Date: 29 May 2018

KOORI COURT

CERTIFICATE OF READINESS

Legal representative to complete			
NAME OF ACCUSED:		DOB:	
ABORIGINAL	Yes	No	
TRIBE/NATION			
PRACTITIONER/ FIRM NAME:			
CONTACT DETAILS (mobile no.):			
INFORMANT'S NAME:	MAIN CHARGE:	PLEA GUILTY	DIVERSION
Please list all additional matters on reverse side			
DOES THE PROSECUTION CONSENT TO THE CHARGE/S BEING DEALT WITH BY WAY OF DIVERSION?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
IS THE ACCUSED IN CUSTODY?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
HAVE BRIEFS IN ALL SETS OF CHARGES BEEN OBTAINED? If no, which informants have not? _____		<input type="checkbox"/> Yes	<input type="checkbox"/> No
HAVE WITHDRAWALS/AMENDMENTS BEEN AGREED?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
HAVE ALL SUMMARIES BEEN AGREED? If no, which informants have not? _____		<input type="checkbox"/> Yes	<input type="checkbox"/> No
ARE THERE OUTSTANDING MATTERS PENDING (INCLUDING WOA)? If yes, please provide details: _____		<input type="checkbox"/> Yes	<input type="checkbox"/> No
ARE MATTERS LISTED AT OTHER COURTS TO BE ADJOURNED TO THE KOORI COURT DATE? If yes, please provide details: _____		<input type="checkbox"/> Yes	<input type="checkbox"/> No

