

FORM B

SEXUAL OFFENCES LIST

NOTICE OF READINESS FOR HEARING -
(for summary contested hearings)

Court Ref _____

PARTIES

Accused _____
Informant _____
Station _____ Phone _____

TAKE NOTICE that -

These proceedings have been listed for a summary contested hearing on (date) _____
for _____ days
at _____ Court

INFORMANT'S PART

I _____ (Name of prosecutor)

- 1. have the brief to appear on behalf of the informant, I have read and considered the brief, I have viewed the VARE/s (if applicable) and I intend to appear upon behalf of the informant. Yes No
- 2. have discussed with the legal practitioner briefed to appear for the accused whether this matter can be resolved without the need for a contested hearing Yes No
- 3. have obtained instructions from the informant and confirm that all prosecution witnesses are available to give evidence and the matter is ready to proceed Yes No
- 4. confirm that arrangements have been made for intermediaries, interpreters, remote witness facilities and support persons where appropriate Yes No
- 5. confirm that arrangements have been made for a ground rules hearing where applicable Yes No
- 6. have considered all preliminary issues which may affect the proceedings including the following:
 - a. issues related to s18 and s128 of the *Evidence Act 2008*;
 - b. If a witness/s is a child or cognitively impaired; the admissibility of the VARE tape and whether it is intended to use the VARE as the evidence in chief of the witness/s pursuant to s367 of the *Criminal Procedure Act 2009*
 - c. Tendency and coincidence evidence
 and I do not anticipate that any preliminary issues will be raised which will delay the commencement of the proceedings and the calling of the first witness to give evidence Yes No
- 7. Confirm that there has not been a material change to the proceedings from the position which was indicated at the contest mention/ when the case was listed for contested hearing /as set out in the contest mention information form Yes No

If yes, provide particulars

Dated: _____

Signed _____
Signature of prosecutor

NOTE: If the answer to any question is no, the parties MUST list the matter for mention not less than 7 days before the hearing date and the prosecutor and counsel for the accused are required to appear before the

court at that mention.

ACCUSED'S PART

I _____ (Name of Barrister or Solicitor)

8. am briefed to appear on behalf of the accused, I have read and considered the brief, I have viewed the VARE/s (if applicable) and I intend to appear upon behalf of the accused. Yes No

9. have obtained instructions from the accused and have confirmed my instructions that he/she consents to the jurisdiction of the Magistrates' Court to hear any indictable charges and he/she intends to plead not guilty to *all charges/ *the following charge/s Yes No

10. have discussed with the prosecutor whether this matter can be resolved without the need for a contested hearing Yes No

11. confirm that funding is in place for the contested hearing Yes No

12. confirm that all defence witnesses are available to give evidence and the matter is ready to proceed Yes No

13. (If the accused is in custody) confirm that a gaol order has been issued to bring the accused before the Court or the accused has been remanded to appear before the Court on the hearing date Yes No

14. confirm that arrangements have been made for interpreters, remote witness facilities and appropriate support persons (if applicable) Yes No

15. have considered all preliminary issues which may affect the proceedings including the following (where applicable):

- a. the application for and issuing of subpoenas;
- b. the application for leave to produce/adduce evidence of confidential communications;
- c. applications pursuant to s342 of the *Criminal Procedure Act 2009*;
- d. If a witness/s is a child or cognitively impaired; the admissibility of all or part of the VARE tape;
- e. issues related to s18 and s128 of the *Evidence Act 2008*.

and I do not anticipate that any preliminary issues will be raised which will delay the commencement of the proceedings and the calling of the first witness to give evidence Yes No

16. confirm that there has not been a material change to the proceedings from the position indicated at the contest mention/ when the case was listed for contested hearing /as set out in the contest mention information form Yes No

If yes, provide particulars

Dated: _____

Signed _____

Signature of counsel for the accused

NOTE: If the answer to any question is no, the parties MUST list the matter for mention not less than 7 days before the hearing date and the prosecutor and counsel for the accused are required to appear before the court at that mention.