

FORM 32A

**CASE DIRECTION NOTICE AND
CERTIFICATE OF COMMITTAL READINESS**
Criminal Procedure Act 2009 s.123 Committal Proceedings

**IN THE MAGISTRATES' COURT
OF VICTORIA**

AT *[venue]*

Case No:

IN THE MATTER OF

[Informant]

And

[Accused]

Forensic and E-crime material

1. Any 'E-Crime' material described in the hand up brief has been completed and served on the accused.
- Yes No **N/A – Go to Question 2**

If the answer to Question 1. is 'No', the informant is to advise of the following:

- a. Does the 'E-Crime' material contain evidence directly relevant to a charge against a child/cognitively impaired complainant? (i.e not stand-alone child abuse material offence/s)
- Yes No
- b. Has E-Crime (VicPOL) or Digital Forensics (AFP) been informed that the evidence is required for a sexual offence where the complainant is a child/cognitively impaired?
- Yes No
- c. Where relevant, has E-Crime or Digital Forensics been informed that the complainant is a child under the age of 12 years?
- Yes No

| Disclosure outstanding: | Timeframes for provision/grounds for objection: |
|-------------------------|---|
| | |

2. Any forensic procedure, examination or test described in the hand up brief has been completed and served on the accused.

Yes No N/A – Go to Question 3

If the answer to Question 2 is ‘No’, the informant is to advise of the following:

a. Has the Forensic Services Department or Commonwealth Forensics been informed the complainant is a child/cognitively impaired complainant?

Yes No

b. Where relevant, has the Forensic Services Department or Commonwealth Forensics been informed that the complainant is a child under the age of 12 years?

Yes No

| Disclosure outstanding: | Timeframes for provision/grounds for objection: |
|-------------------------|---|
| | |

If the answer to Question 1 or 2 is ‘No’, is the accused prepared to proceed with the committal hearing while that forensic procedure, examination or test described in the hand up brief remains uncompleted?

Yes No

Material in the possession of police

3. Has the informant served the standard disclosure material* on the accused with the hand up brief?

Yes No

****The standard disclosure material is set out in the attached appendix***

If the answer to Question 3 is 'No', the informant is to advise of the following:

| Disclosure outstanding: | Timeframes for provision/grounds for objection: |
|--------------------------------|--|
| | |

If the answer to Question 3 is 'No', is the accused prepared to proceed with the committal hearing while the production of those items remains outstanding?

Yes No

4. Has a request been made for further disclosure material specific to this case?

Yes No

a. If the answer to Question 4. is yes, has the material been provided?

Yes No

b. If the answer to Question 4 (a) is no, on what date was the request to the informant made? *[insert date]*

c. If the answer to Question 4 (a) is no, the informant is to advise of the following:

| Material outstanding: | Timeframes for provision/grounds for objection: |
|-----------------------|---|
| | |

5. Have all witness statements that are intended to be relied upon by the prosecution at trial been served on the accused?

Yes No

If the answer to Question 5 is 'No', the informant is to advise of the following:

| Statement outstanding: | Timeframes for provision: |
|------------------------|---------------------------|
| | |

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|-------------------------|
| <u>Informant</u> |
| Name: |
| Signature: |
| Dated: |

If yes, in relation to which charges?

(b) is the application for summary jurisdiction opposed?

Yes

No

*10. The Court should determine the committal proceeding at the committal mention hearing and commit the accused to trial.

When committed for trial, the accused intends to plead *Guilty/*Not guilty/*Not applicable (charge to be withdrawn) to the charge/charges *[list]*:

*11. The accused and the DPP seek an adjournment of the committal proceeding.

Reason(s) for the adjournment *[indicate the reason(s) for the proposed adjournment]*

*delete if not applicable.

Certificate completed by:

| |
|---|
| <u>For the Director of Public Prosecutions</u> |
|---|

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| Name: |
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| Signature: |
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| Dated: |
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| <u>Accused/ Representative for the accused</u> |
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| Name: |
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| Signature: |
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| Dated: |
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