

Form 12
REQUEST FOR CONTESTED SUMMARY HEARING

Rule 23

In the Magistrates' Court
of Victoria at [venue] _____ Court Ref: _____

Informant: _____

Accused: _____

The accused is not legally represented

The accused is represented by: _____

Estimated hearing time: _____

Has a summary case conference been held? Yes No

Does the accused consent to summary jurisdiction? Yes No

OFFENCES

Are there co-offenders? Yes No

If yes, names of co-offenders: _____

Is it an alleged sexual offence? Yes No

Is it alleged that the offence arises out of an act of family violence? Yes No

ISSUES IN DISPUTE

	YES	NO		YES	NO
Factual arguments	<input type="checkbox"/>	<input type="checkbox"/>	Alibi	<input type="checkbox"/>	<input type="checkbox"/>
Question of law	<input type="checkbox"/>	<input type="checkbox"/>	Voir dire/Preliminary issues for determination	<input type="checkbox"/>	<input type="checkbox"/>
Self defence	<input type="checkbox"/>	<input type="checkbox"/>			

If yes to any of the above, description of issue (e.g. admissibility of all/part of VARE or ROI):

	YES	NO
Application for a confidential communication? (section 32C <i>Evidence (Miscellaneous Provisions) Act 1958</i>)	<input type="checkbox"/>	<input type="checkbox"/>

If yes, date of application: _____

Application in relation to sexual activities of the complainant? (sections 342, 344 <i>Criminal Procedure Act 2009</i>)	<input type="checkbox"/>	<input type="checkbox"/>
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If yes, date of application: _____

Tendency/coincidence notices?	<input type="checkbox"/>	<input type="checkbox"/>
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If yes, date to be served by: _____

Hearsay notices?	<input type="checkbox"/>	<input type="checkbox"/>
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If yes, date to be served by: _____

YES NO

Material not yet provided?

	<input type="checkbox"/>	<input type="checkbox"/>
If yes, provide details:		

Admissions/concessions?

	<input type="checkbox"/>	<input type="checkbox"/>
If yes, provide details:		

Ground rules hearing to be held?

	<input type="checkbox"/>	<input type="checkbox"/>
If yes, date to be held:		

WITNESSES REQUIRED

Prosecution:

YES NO

Informant	<input type="checkbox"/>	<input type="checkbox"/>
Corroborator	<input type="checkbox"/>	<input type="checkbox"/>
Other police officer	<input type="checkbox"/>	<input type="checkbox"/>
Civilian	<input type="checkbox"/>	<input type="checkbox"/>
Expert	<input type="checkbox"/>	<input type="checkbox"/>
Child witness	<input type="checkbox"/>	<input type="checkbox"/>
Child witness service booked?	<input type="checkbox"/>	<input type="checkbox"/>
Cognitively impaired witness	<input type="checkbox"/>	<input type="checkbox"/>
Remote booked?	<input type="checkbox"/>	<input type="checkbox"/>
Witness in custody	<input type="checkbox"/>	<input type="checkbox"/>
Witness in other location	<input type="checkbox"/>	<input type="checkbox"/>
Protected witness	<input type="checkbox"/>	<input type="checkbox"/>
Remote booked?	<input type="checkbox"/>	<input type="checkbox"/>
Order made for Victoria Legal Aid to cross-examine witness (section 357 <i>Criminal Procedure Act 2009</i>)?	<input type="checkbox"/>	<input type="checkbox"/>

Accused:

YES NO

Civilian	<input type="checkbox"/>	<input type="checkbox"/>
Expert	<input type="checkbox"/>	<input type="checkbox"/>
Child	<input type="checkbox"/>	<input type="checkbox"/>

Will compellability of family members arise?
(section 18 *Evidence Act 2008*)

YES NO

Legal advice arranged?

Will self-incrimination arise?
(section 128 *Evidence Act 2008*)

YES NO

Legal advice arranged?

FORMAT OF EVIDENCE/EXHIBITS

YES NO

CCTV

Body worn camera footage

Other exhibits in electronic form

RESOURCES REQUIRED

YES NO

YES NO

Audiovisual link

Remote witness facility

Interpreter

DVD/laptop

If yes, language required: _____

REQUEST MATTER BE LISTED FOR A CONTESTED HEARING

[Name and signature of legal practitioner of accused OR accused]

[Name and signature of prosecutor]

Note: If the accused is not legally represented, this form is to be completed by the prosecution relevant to the information in their possession.
This form is to be filed with the Court Coordinator at the relevant venue.