Magistrates’ Court Practice Direction No. 11 of 2020

**Form S**

**REQUEST FOR SENTENCE INDICATION HEARING ON THE PAPERS**

|  |  |  |  |
| --- | --- | --- | --- |
| In the Magistrates' Court of Victoria at [*venue*] |       | Court Ref: |       |
| Informant: |       |
| Accused: |       |

|  |  |
| --- | --- |
| [ ]  | The Accused is not legally represented |
| [ ]  | The Accused is represented by: |       |
| Date matter is currently listed: |  |
|  |  |  |
| Does the prosecution consent to a sentence indication hearing on the papers? | [ ]  Yes | [ ]  No |
| Does the accused consent to a sentence indication hearing on the papers? | [ ]  Yes | [ ]  No |
| **OFFENCES** |
| Are there co-offenders? | [ ]  Yes [ ]  No |
| If yes, names and sentence details of co-offenders (if any): |       |
| Is it a summary offence(s)? | [ ]  Yes [ ]  No |
| Is it an indictable offence(s) to be heard summarily? | [ ]  Yes [ ]  No |
| If yes to the above, does the accused consent to jurisdiction? | [ ]  Yes [ ]  No |
| Is the matter family violence related? | [ ]  Yes [ ]  No  |
| Is there a current intervention order? | [ ]  Yes [ ]  No (If yes, copies to be attached) |
| **OTHER MATTERS** |  |
| Is the accused in custody in relation to these matters? | [ ]  Yes | [ ]  No (If yes, refer to Practice Direction No. 5) |
| Agreed PSD: |       |  |
| Are there any mandatory orders that apply? | [ ]  Yes | [ ]  No |
| If yes to the above, please outline:      |  |  |

**Charges to proceed in sentence indication hearing, with agreed amendments (if any) including maximum penalties (copies to be attached):**

**Charges to be withdrawn (if any):**

**ANCILLARY ORDERS SOUGHT**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | **YES** | **NO** | **CONSENT?**  | **YES** | **NO** | **CONSENT?** |
| Restitution  | [ ]  | [ ]  | [ ]  |  | Compensation | [ ]  | [ ]  | [ ]  |
| Forfeiture/Disposal | [ ]  | [ ]  | [ ]  |  | Forensic Procedure  | [ ]  | [ ]  | [ ]  |
| Other (specify and attach) | [ ]  | [ ]  | [ ]  |  | Licence Order | [ ]  | [ ]  |  |
|  |  |  |  |  |  |  |  |  |

|  |  |
| --- | --- |
| **DOCUMENTS ATTACHED** |  **YES** |
| Copy of charge(s) upon which indication sought with agreed amendments (if any) | [ ]  |
| List of charges to be withdrawn if the matter proceeds to sentence hearing (if any) | [ ]  |
| Agreed summary | [ ]  |
| Agreed criminal history (if any) | [ ]  |
| Copy of ancillary orders sought | [ ]  |
| Outline of Defence submissions (dot point form) | [ ]  |
| Outline of Prosecution submissions (if any, dot point form) | [ ]  |
| Any references or reports upon which defence rely |  | [ ]  |

**REQUEST FOR SENTENCING INDICATION HEARING ON THE PAPERS**

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| --- |
|  |
| *Signature of legal practitioner of Accused OR Accused* |

 DATE:

 Name of legal practitioner or Accused:

 Email:

 Telephone:

|  |
| --- |
|  |
| *Signature of Prosecutor* |

 DATE:

 Name of Prosecutor:

 Email:

 Telephone: