



Magistrates' Court of Victoria

Practice Direction

No. 8 of 2020

COVID-19 PANDEMIC RESPONSE

SUMMARY PLEAS ON THE PAPERS

1. Pursuant to Part 4 of the *Magistrates' Court Act 1989*, the Magistrates' Court of Victoria has the jurisdiction to hear and determine all summary offences*.
2. In order to ensure summary offence proceedings can continue during the COVID-19 pandemic, alternative procedures must be introduced consistent with emergency health measures currently in place.
3. The Magistrates' Court of Victoria will commence hearing pleas for summary offences on the papers pursuant to s420ZL of the *Criminal Procedure Act 2009* on **7 May 2020**.
4. To list a matter for plea in relation to a summary offence(s) on the papers, the following documents must be filed via email with the Registry of the Magistrates' Court at which the matter is listed (see attached contact list) as a single package:
 - a. Form P - Application for Plea of Guilty and Sentence on the Papers;
 - b. Copy of the charge(s) with agreed amendments (if any) to which the Accused is pleading guilty;
 - c. List of charges to be withdrawn (if any);
 - d. Agreed summary;
 - e. Victim impact statement (if any);
 - f. Agreed criminal history (if any);
 - g. Maximum penalties and/or any mandatory orders sought;
 - h. Copy of any ancillary orders sought;
 - i. Outline of submissions in dot point form on behalf of the Defence;
 - j. Outline of submissions in dot point form on behalf of the Prosecution (if any); and

*Note: this Practice Direction relates to summary offences only and not indictable offences triable summarily. If an Accused is charged with an indictable offence that is not being withdrawn, this Practice Direction does not apply.

- k. Copies of any references or reports the Defence intends to rely upon.
5. Parties will be advised of the date for listing of the plea before a Magistrate at least 7 days prior to the listed date to enable arrangements to be made to ensure the Accused is contactable on the listed date.
 6. On the listed date, the matter will be considered on the papers and if the Magistrate or Judicial Registrar determines it is appropriate, the matter will proceed on the papers.
 7. Where the sentence does not involve any custodial element or any need for assessment, the Court will notify the parties of the sentence imposed via email by way of the notice of order made.
 8. Where a Magistrate is considering the imposition of a custodial sentence or a Community Correction Order, the matter will be adjourned part heard and practitioners, including the Accused, must attend the next hearing and may make further submissions if required.
 9. Where an assessment for a Community Correction Order is required, the Court will communicate with the Accused and/or the Accused's legal representative as soon as practicable about how and when that assessment is to take place. The Accused must attend that assessment, including via telephone if required.
 10. In the event the court orders an adjourned undertaking, the prescribed forms requiring signature will be sent to the Accused's legal representatives. The legal representatives must arrange the signing of the materials and their return to the Court. Where an Accused is unrepresented, alternative arrangements will be made on a case by case basis.



Judge Lisa Hannan
Chief Magistrate

Date: 4 May 2020

MAGISTRATES' COURT OF VICTORIA
REGISTRY EMAIL ADDRESSES

Metropolitan Courts

Broadmeadows - broadmeadowscoordinator@courts.vic.gov.au
Dandenong - dandenongcoordinator@magistratescourt.vic.gov.au
Frankston - frankstoncoordinator@magistratescourt.vic.gov.au
Heidelberg - heidelbergcoordinator@courts.vic.gov.au
Melbourne - criminalcoordinator@courts.vic.gov.au
Moorabbin - moorabbincoordinator@courts.vic.gov.au
Neighbourhood Justice Centre - njccordinator@magistratescourt.vic.gov.au
Ringwood - ringwoodcoordinator@magistratescourt.vic.gov.au
Sunshine - sunshinecoordinator@magistratescourt.vic.gov.au
Werribee - werribeecoordinator@courts.vic.gov.au

Country Courts

Ararat - araratcoordinator@courts.vic.gov.au
Bacchus Marsh - bacchusmarshcoordinator@courts.vic.gov.au
Bairnsdale - bairnsdalecoordinator@courts.vic.gov.au
Ballarat - ballaratcoordinator@courts.vic.gov.au
Benalla - benallacoordinator@magistratescourt.vic.gov.au
Bendigo - bendigocoordinator@courts.vic.gov.au
Castlemaine - castlemainecoordinator@courts.vic.gov.au
Cobram - cobramcoordinator@courts.vic.gov.au
Colac - colac@courts.vic.gov.au
Corryong - corryongcoordinator@courts.vic.gov.au
Dromana - dromanacoordinator@courts.vic.gov.au
Echuca - echucacoordinator@courts.vic.gov.au
Edenhope - horshamcoordinator@magistratescourt.vic.gov.au
Geelong - geelong@courts.vic.gov.au

Hamilton - hamilton@courts.vic.gov.au
Hopetoun - horshamcoordinator@magistratescourt.vic.gov.au
Horsham - horshamcoordinator@magistratescourt.vic.gov.au
Kerang - kerangcoordinator@courts.vic.gov.au
Korumburra - korumburraordinator@courts.vic.gov.au
Kyneton - kynetoncoordinator@courts.vic.gov.au
Latrobe Valley - lvcoordinator@courts.vic.gov.au
Mansfield - mansfieldcoordinator@courts.vic.gov.au
Maryborough - maryboroughcoordinator@courts.vic.gov.au
Mildura - milduracoordinator@magistratescourt.vic.gov.au
Myrtleford - myrtlefordcoordinator@courts.vic.gov.au
Nhill - horshamcoordinator@courts.vic.gov.au
Omeo - bairnsdalecoordinator@courts.vic.gov.au
Orbost - bairnsdalecoordinator@courts.vic.gov.au
Ouyen - milduracoordinator@courts.vic.gov.au
Portland - portland@courts.vic.gov.au
Robinvale - milduracoordinator@courts.vic.gov.au
Sale - salecoordinator@courts.vic.gov.au
Seymour - seymourcoordinator@courts.vic.gov.au
Shepparton - sheppartoncoordinator@magistratescourt.vic.gov.au
St Arnaud - starnaudcoordinator@courts.vic.gov.au
Stawell - stawellcoordinator@courts.vic.gov.au
Swan Hill - swanhillcoordinator@courts.vic.gov.au
Wangaratta - wangarattacoordinator@courts.vic.gov.au
Warrnambool - warrnambool@courts.vic.gov.au
Wodonga - wodongacoordinator@courts.vic.gov.au
Wonthaggi - wonthaggicoordinator@courts.vic.gov.au