



## **Magistrates' Court of Victoria**

### **Practice Direction**

**No. 11 of 2022**

## **Listing of Matters in the Magistrates' Court Koori Court**

### **Background**

The Koori Court Division of the Magistrates' Court of Victoria was established in 2002 pursuant to section 4D of the Magistrates' Court Act 1989.

Aboriginal Elders or Respected Persons, the Koori Court Officer, Aboriginal accused and their family contribute during the Court hearing. The Magistrates' Court Koori Court has jurisdiction to deal with matters other than sexual offences and contraventions of Family Violence Intervention Orders (other than at Koori Courts which are gazetted to hear contraventions of Family Violence Intervention Orders), where the accused is Aboriginal, intends to plead guilty and consents to the matter being heard in the Koori Court.

The Practice Direction aims to standardise and enhance the process across the State for referring pleas of guilty to the Koori Court; to ensure that all matters are ready to proceed on the hearing date with sufficient cultural information about the accused to support them.

### **Direction**

1. This Practice Direction revokes Practice Direction No. 5 of 2018.
2. This Practice Direction applies to all matters that are resolved to a plea of guilty and eligible to proceed in the Koori Court.
3. For a matter to be adjourned to the Koori Court, the [Koori Court Referral Form](#) ("Referral Form") must be completed and signed by both the accused or their legal practitioner and the prosecution. If the form is not able to be completed in full, the accused or

their legal practitioner must contact the relevant Koori Court Officer for assistance before submitting the Referral Form.

4. The [Referral Form](#) “required documents” must be attached.

5. Where a matter is sought to be adjourned from a court where the location is not a proper venue for Koori Court, the [Referral Form](#) and required documents must be filed at the [proper venue registry](#) and copied to the Koori Court Officer at the proposed venue for the purpose of obtaining a hearing date.

This Practice Direction takes effect on 7 November 2022.



**Justice Lisa Hannan**  
**CHIEF MAGISTRATE**

Dated 2 November 2022

**Note**

The terminology used in this Practice Direction and the Koori Court Referral Form reflects the terminology and definitions used within the Magistrates’ Court Act 1989.