

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

Factual arguments

YES

NO

☐

☐

Alibi

YES

NO

☐

☐

Question of law

☐

☐

Voir dire/Preliminary
issues for determination

☐

☐

Self defence

☐

☐

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 *Evidence (Miscellaneous Provisions) Act 1958*)

☐

☐

If yes, date of application: _____

Application in relation to sexual activities of the
complainant?

(sections 342, 344 *Criminal Procedure Act 2009*)

☐

☐

If yes, date of application: _____

Tendency/coincidence notices?

☐

☐

If yes, date to be served by: _____

Hearsay notices?

☐

☐

If yes, date to be served by: _____

	YES	NO
Material not yet provided?	☐	☐
If yes, provide details:		
Admissions/concessions?	☐	☐
If yes, provide details:		
Ground rules hearing to be held?	☐	☐
If yes, date to be held:		

WITNESSES REQUIRED

	YES	NO
Prosecution:		
Informant	☐	☐
Corroborator	☐	☐
Other police officer	☐	☐
Civilian	☐	☐
Expert	☐	☐
Child witness	☐	☐
Child witness service booked?	☐	☐
Cognitively impaired witness	☐	☐
Remote booked?	☐	☐
Witness in custody	☐	☐
Witness in other location	☐	☐
Protected witness	☐	☐
Remote booked?	☐	☐
Order made for Victoria Legal Aid to cross-examine witness (section 357 <i>Criminal Procedure Act 2009</i>)?	☐	☐
Accused:		
Civilian	☐	☐
Expert	☐	☐
Child	☐	☐

	YES	NO
Will compellability of family members arise? (section 18 <i>Evidence Act 2008</i>)	☐	☐
Legal advice arranged?	☐	☐
Will self-incrimination arise? (section 128 <i>Evidence Act 2008</i>)	☐	☐
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.