

# Defence Readiness Hearing Case Management Form

## MATTER DETAILS

Case Name: Regina v

Case Number:

Defence legal representative:

Barrister briefed to appear at trial:

Bail status of the accused:

Date of filing:

## PRELIMINARY MATTERS

Will the accused consent to a judge alone trial? [Yes/No]

Has all of the Crown evidence including expert evidence been received? [Yes/No] [If no, what is outstanding?]

Has all of the defence evidence including expert evidence been served on the Crown? [Yes/No] [If no, provide details of what is outstanding and when you anticipate having that material.]

Has the s 143 response been served? [Yes/No]

Has there been a s 140 conference? [Yes/No] [Provide details as appropriate. If no, why has para 19(j) of Practice Note 18 or para 22(j) of Practice Note 19 not been complied with, and is there any reason a conference should not be ordered?]

Has a Statement of Key Issues been filed? [Yes/No] [If no, why has para 22 of Practice Note 18 or para 25 of Practice Note 19 not been complied with?]

What are the key issues for the trial? [Please identify the key issues carefully.]

Is there scope for agreed facts? [Yes/No] [Provide details as appropriate.]

Is tendency or coincidence evidence anticipated to be relied upon by either party? Has notice of tendency or coincidence evidence been given/received? [Yes/No] [Provide details as appropriate.]

Has a s 150 Notice of Alibi been served? Is there any intention to rely on alibi? [Yes/No] [Provide details as appropriate.]

Are there any issues with Legal Aid?	[Yes/No]
Is there any intention to make an application for severance or separate trials?	[Yes/No]
Are any edits required to ERISP, JIRT interviews and/or surveillance or intercept material?	[Yes/No] [Please specify the material.]
Are there any issues pertaining to fitness?	[Yes/No] [Provide details so far as practicable.]
What are the pre-trial issues, if any?	[Please identify any pre-trial issues carefully.]
Is there any issue with defence witness or expert witness availability at the trial?	[Yes/No] [Provide details as appropriate.]
List the number and preferred modes of attendance for the lawyers, accused and defence witnesses at the trial.	[Specify the mode of attendance and number.] (e.g. In person – 2 Lawyers, 2 witnesses)

## SEXUAL OFFENCE PROCEEDINGS

Are there any issues for the Court's determination under s 299B of the <i>Criminal Procedure Act 1986</i> ?	[Yes/No] [Provide details as appropriate.]
For trials involving offences (or attempts to commit an offence) against ss 61I, 61J, 61JA, 61KC, 61KD, 61KE and/or 61KF of the <i>Crimes Act 1900</i> (NSW), is it anticipated that any of the mandatory directions contained in ss 292A to 292E of the <i>Criminal Procedure Act 1986</i> (NSW) will arise and if so which ones?	[Yes/No] [Provide details as appropriate. If yes, specify which mandatory directions may be required.]
For trials involving allegations of sexual offending upon a child, is it anticipated that evidence of a kind contemplated by ss 79 and 108C of the <i>Evidence Act 1995</i> (NSW) will be called?	[Yes/No] [Provide details as appropriate.]

## NO CONSENT TO TRIAL BY JUDGE ALONE

What is the estimated length of the trial?	[In accordance with para 28(j) of Practice Note 18 or para 33(j) of Practice Note 19, include allowance for pre-trial argument, counsels' addresses and the trial Judge's summing up.]
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What is the estimated length of the complainant's/alleged victim's evidence including cross-examination?

Are any interpreters required? [Provide the language(s) and number of any interpreters required.]

Are remote witness facilities required? [Yes/No] [Please provide details.]

Are AVL facilities required? [Yes/No] [Please provide details.]

### **CONSENT TO TRIAL BY JUDGE ALONE**

What is the estimated length of the trial by judge alone? [In accordance with para 28(j) of Practice Note 18 or para 33(j) of Practice Note 19, include allowance for pre-trial argument, counsels' addresses and the trial Judge's summing up.]

Are any interpreters required? [Provide the language(s) and number of any interpreters required.]

Are remote witness facilities required? [Yes/No] [Please provide details.]

Are AVL facilities required? [Yes/No] [Please provide details.]

### **PROPOSED ORDERS**

1

2

### **SIGNATURE**

Signature of legal representative:

Capacity: [Solicitor/Barrister for the Accused]

Date of signature: