

Written Notice of Pleading

Criminal Procedure Act 1986 (section 182)

**This form cannot be used if you have signed a bail agreement to appear in court.
(e.g. you have been granted bail for this offence)**

Please read the following information before completing this form:

- **Important:** Before completing this form, please seek legal advice. It's important to understand if you can use this form and what the effects will be.
- Use this form only if you want to submit your plea in writing rather than appearing in court on the day the matter is listed.
- The completed form must be lodged with the Registrar of the court where the case is being heard. The address is listed on your Court Attendance Notice.
- This form can be lodged in person, by email or by post. Please note, that it must be received by the court no later than 7 days before the court date.

Pleading Not Guilty (Complete Parts 1,2 and 4)

About Pleading **Not Guilty:**

Pleading **not** guilty means you disagree with the facts alleged by the prosecution. You are saying that the events described did not happen or that the evidence is insufficient to prove the case against you.

It is often the case that you wish to explain why the alleged events occurred and for the court to take those reasons into account. You might consider talking to a lawyer about whether to plead guilty and asking the court to consider the explanation offered. (See "About pleading Guilty" below)

If you choose to plead not guilty, the prosecution will need to bring their witnesses to court for the hearing to give evidence on a later date. You must attend this hearing where you can present your own evidence, question the prosecution's witnesses, and bring in any witnesses to support your case.

If the court finds you guilty, in addition to any penalty, you might also have to cover the costs of the prosecution's witnesses.

Pleading Guilty (Complete Parts 1,3 and 4)

About Pleading **Guilty:**

Pleading guilty means you agree with the facts alleged by the prosecution. You can choose to have your case decided without being present in Court. However, if your explanation shows that you do not fully agree with the prosecution's version of events, the Court might reject your guilty plea. If this happens, or if the Court decides they do not want to determine the case in your absence, your case may be adjourned, and you will be advised to attend the next court date in person.

Part 1 - Details about you and your court case

Note: Information about your court proceeding and offences can be found on your Court Attendance Notice (CAN)

Name:

Address:

If you wish to be notified by email, please tick the box below and provide your email address.

Email:

I agree to the court notifying me of the result of this notice of pleading by email. I understand that if I do so, I will not receive notification by post.

Phone:

Offences:

Court Name:

Court Date:

Part 2 - Pleading Not Guilty

Please complete this section if you want to plead **not** guilty.

I agree that I am the person named as the defendant in the Court Attendance Notice that was served on me for this offence:

- a) I want to plead not guilty to that offence.
- b) I ask the court to list this matter for hearing on a later date.
- c) I will bring this number.....of witnesses to the court hearing on that later date.
- d) I cannot be at court on these dates during the next twelve (12) months:
.....
- e) If the court needs to speak to me, I may be contacted on the phone number provided.

Only one of the next two statements applies to you. Please cross out the one that does not apply.

- a) The name of the solicitor or barrister representing me at the court hearing is:
.....
- b) I will not have a legal representative at the court hearing.

Part 3

Please complete this section if you want to plead **guilty**

I agree that I am the person named as the Defendant in the Court Attendance Notice that was served on me for this offence:

- a) I want to plead guilty to that offence.
- b) I do not want to go to court to plead guilty. Instead, I ask the court to decide this matter without me.
- c) If the court needs to speak to me, I may be contacted on the phone number provided:
- d) I ask the court to take the following matters into account when deciding my punishment:

(You should explain how and why the offence happened and give some information about yourself, your financial situation, personal circumstances, and general character)

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(If you run out of space, please finish your answer on a separate piece of paper, sign it and attach it to this form)

Part 4 - Signing this form

Important: this form must be signed by the person listed on the Court Attendance Notice

Signature:	Date:
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Name (please print):