

PRE-HEARING DISCLOSURE NOTICE FOR MATTERS TO BE DETERMINED BY A COMMITTAL PROCEEDING

Section 13 of the **Criminal Procedure Act 2009**
Magistrates' Court Criminal Procedure Rules 2009 Form 9 Rule 17

You have been charged with an indictable offence. You should speak to a legal practitioner (a lawyer) immediately.

How can you get information about your charge:

Your charge-sheet will have some information about the charge. More information about the charge will be provided to you when the informant (the person who charged you) gives you a hand-up brief or plea brief.

Hand-up Brief:

The informant must give you a hand-up brief and a statement that you have no previous convictions or a copy of your criminal record at least 42 days before the committal mention hearing.

Plea Brief:

If you have decided to plea guilty to the charge the informant may give you a plea brief. The informant may only give you a plea brief if you have given your written consent.

Continuing obligation of disclosure:

The informant has an obligation to disclose to you any information, document or thing that comes into their possession after a hand-up brief is given to you. The informant must give you a copy of the information or list of things as soon as possible after it comes into their possession. However, the informant does not have an obligation to disclose to you any information, document or thing if the informant believes that doing so will result in the disclosure of child abuse material. In that case, you may apply to the court for an order requiring the informant to provide, or make available for inspection the information, document or thing.

Inspection of exhibits:

You may inspect any of the items listed in a hand-up brief at a time and place agreed with the informant.

Get legal advice before you go to court

A legal practitioner can help you understand the charges and decide what steps you need to take.

For free legal information or to speak to a legal practitioner call:

Victoria Legal Aid 1300 792 387
Federation of Community Legal Centres to find the centre closest to you (03) 9652 1500
Victoria Aboriginal Legal Service on 1800 064 865

If you are eligible you have a right to legal aid under the **Legal Aid Act 1978**. Contact Victoria Legal Aid Level 9, 570 Bourke St. Melbourne Vic 3000 Phone: 1300 792 387