

Amendments to Criminal Practice Note: PNCR 1-2015

Amendments effective: 1 July 2017

Topic	Amendment	Relevant Section
Youth remand orders	Additional question at Initial Directions Hearing in relation to whether the accused has been remanded to, or is serving sentence in a youth justice facility.	2.10 and 4.10
Filing of documents prior to Plea Hearing.	<p>Amendments to the timing for the filing of documents prior to plea hearings, namely:</p> <p>28 days prior to plea. Prosecution to file:</p> <ul style="list-style-type: none"> • Indictment; • Opening; • Criminal Record; and • Chronology. <p>14 days prior to plea. Defence to file:</p> <ul style="list-style-type: none"> • Defence expert report (if applicable). <p>10 days prior to plea. Prosecution to file, if applicable:</p> <ul style="list-style-type: none"> • Family Violence Checklist; • Victim Impact Statements; and • Ancillary orders sought. <p>5 days prior to plea. Defence to file:</p> <ul style="list-style-type: none"> • Chronology; and • Outline of submissions. <p>2 days prior to plea. Prosecution to file:</p> <ul style="list-style-type: none"> • Prosecution response to defence submissions (if sought to be relied upon). 	7.5 and 7.12
Mandatory custodial sentences	<p>Requirement to outline in the Prosecution Opening upon Plea whether a Category 1 or 2 offence attracts a mandatory custodial sentence.</p> <p>Where the Prosecution submits that an offence attracts a mandatory custodial sentence, the defence is required to outline whether the submission is accepted and whether any exceptions apply.</p>	7.6 (e) and (f) 7.16

Plea Hearing duration	Requirement for the defence to provide an updated estimate as to the expected duration of the plea hearing.	7.13(e)
Contravention Hearings	Changes to the requirement for the Community Corrections Officer to attend Contravention Hearings	34.4, 35.5, 36.5
	Inclusion of s.83AJ Transfer Order in list of documents to be filed	35.4
	Rewording of documents to be filed post-arraignment and prior to Plea and Contravention Hearing	36.3 and 36.4
Confirmation of Media Playback	New paragraph in relation to the OPP not being required to use the Media Test Court provided that the OPP Audio Visual Unit has certified media as being court compatible.	49.16
Standard Directions for CMIA Hearings	Updated contact details for Victoria Legal Aid on Standard Directions form.	Attachment 6