Magistrates’ Court Criminal Procedure Rules 2019

Rule 62 **Form 34A  
 COMMITTAL CHECKLIST**

|  |  |
| --- | --- |
| **COMMITTAL DETAILS** |  Is competence to give sworn evidence in |
| Name of accused……………………………….. | issue?.............................................................. |
| Court reference no……………………………… |  Is a ground rules hearing required?............ |
| **Related proceedings** | **Protected witnesses** |
|  Are there any related proceedings?............ |  Name of witness(es)………………………… |
|  If yes, state court reference no., names of |  Category of protection………………………. |
| parties and how related………………………... |  Application for closed court?....................... |
| ……………………………………………………. | **SPECIAL ARRANGEMENTS** |
| ……………………………………………………. | **Interpreters** |
| **Family Violence** |  Name of witness(es)……………………….. |
|  Do the charges in this matter relate to …… |  Language(s)…………………………………. |
| family violence? ………………………………… | **Remote facilities/ video conferencing/** |
| **LEGAL REPRESENTATION** | **other alternative arrangement** |
|  Accused’s solicitors…………………………. |  Name of witness(es)………………………… |
|  Accused’s barrister who will appear at the . |  Arrangement(s)……………………………… |
| committal hearing………………………………. |  Have the facilities been booked?................ |
| **Funding** | **Technology requirements** |
|  Are there any issues in relation to funding? |  What equipment is required, eg DVD etc? |
| ……………………………………………………. | ………………………………………………….. |
| **Self-represented accused** | **DISCLOSURE ISSUES** |
|  Is the accused self represented? |  Has the accused sought additional |
| **Cross examination of protected** | material from the prosecution which has not |
| **witness(es)** | yet been provided?.......................................... |
|  Has an order been made for VLA |  What is outstanding and when will it be |
| representation?................................................ | served?............................................................ |
|  If yes, has VLA confirmed representation?.. | ……………………………………………………. |
| ……………………………………………………. | **S 18 of *EVIDENCE ACT 2008*** |
| **Prosecution** |  Does s 18 potentially apply to any |
|  Prosecutor who will prosecute at the | witness?.......................................................... |
| committal hearing……………………………….. |  If yes, what are the witness(es)’ name(s)?.. |
| **WITNESSES** | ………….......................................................... |
|  Total number of witnesses…………………. | **LEGAL ISSUES** |
|  Has witness availability been confirmed for |  Is it anticipated that preliminary legal |
| the listing period?............................................. | submissions and/or rulings will need to be |
| **Child witness(es) / cognitively impaired** | made?............................................................. |
| **witness(es)** |  If yes, what are the issues?........................ |
|  Name of witness(es)………………………… | …………………………………………………… |
| ……………………………………………………. |  How long is it expected to take?................. |
|  Date(s) of birth……………………………….. |  Are there any other issues which may |
| What, if any, support has been arranged? | affect the hearing? (s 128 of the Evidence |
|  Child Witness Service………………………. | Act 2008, etc)…………………………………… |
|  Witness Assistance Service………………… | …………………………………………………… |
|  Other………………………………………….. | **Estimated length of hearing? days** |