



**Children's Court  
Victoria**

**PRACTICE DIRECTION**

**No. 3 of 2016**

**LISTING OF MATTERS IN THE CHILDREN'S KOORI COURT  
(CRIMINAL DIVISION) AT MELBOURNE**

This Practice Direction is issued pursuant to section 592 of the *Children, Youth and Families Act 2005*.

**Preamble**

The Koori Court (Criminal Division) is established under s.517 of the *Children, Youth and Families Act 2005* (the Act). The Children's Koori Court has jurisdiction under s.518, s.518A and s.519 of the Act to deal with a proceeding for:

- (a) an offence (other than a sexual offence); or
- (b) breach of a sentence, where the Aboriginal child consents to the proceeding being dealt with by the Children's Koori Court and the child –
  - (i) intends to plead guilty to the offence; or
  - (ii) pleads guilty to the offence; or
  - (iii) has been found guilty of the offence by the Criminal Division.

This Practice Direction aims to ensure that matters adjourned to the Children's Koori Court at Melbourne are in a position to proceed as either a plea of guilty or, where appropriate, for diversion to be considered pursuant to s.59 of the *Criminal Procedure Act* and s.528 of the Act.

**Directions**

1. This Practice Direction applies to all matters that are eligible to proceed in the Children's Koori Court at Melbourne.
2. For a matter to be adjourned to the Children's Koori Court at Melbourne, the attached Children's Koori Court Certificate of Readiness must be completed and signed by the child's legal representative and the prosecution. The agreed summaries of the charges must be attached to the Certificate of Readiness. Upon filing the certificate and summaries with the registry the matter will be listed on the next available Children's Koori Court hearing date.

3. For a matter to be adjourned from another court to the Children's Koori Court at Melbourne, the Certificate of Readiness and agreed summaries must be filed at the registry of the other court and the Children's Koori Court hearing date will be obtained from the Melbourne Children's Court coordinator.

**This Practice Direction commences on 1 July 2016.**

**Judge Amanda Chambers**

President

Children's Court of Victoria

8 June 2016

# CHILDREN'S KOORI COURT

## CERTIFICATE OF READINESS

| Legal representative to complete   |   |  |
|--|---|--|
| NAME OF CHILD:   |   | DOB:   |
| TRIBE/NATION/<br>ABORIGINALITY (if known):   |   |  |
| PRACTITIONER/ FIRM NAME:   |   |  |
| CONTACT DETAILS (mobile no.):  |   |  |
| INFORMANT'S NAME:  | MAIN CHARGE:  | PLEA GUILTY/ DIVERSION:  |
|  |   | <input type="checkbox"/> PG <input type="checkbox"/> D         |
|  |   | <input type="checkbox"/> PG <input type="checkbox"/> D         |
|  |   | <input type="checkbox"/> PG <input type="checkbox"/> D         |
|  |   | <input type="checkbox"/> PG <input type="checkbox"/> D         |
| Please list all additional matters on reverse side   |   |  |
| DOES THE PROSECUTION CONSENT TO THE CHARGE/S BEING DEALT WITH BY WAY OF DIVERSION?   | <input type="checkbox"/> Yes  | <input type="checkbox"/> No                                    |
| IS THE CHILD IN CUSTODY?   | <input type="checkbox"/> Yes  | <input type="checkbox"/> No                                    |
| HAVE BRIEFS IN ALL SETS OF CHARGES BEEN OBTAINED?<br><small>If no, which informants have not?</small><br>_____   | <input type="checkbox"/> Yes  | <input type="checkbox"/> No                                    |
| HAVE WITHDRAWALS/AMENDMENTS BEEN AGREED?   | <input type="checkbox"/> Yes  | <input type="checkbox"/> No                                    |
| HAVE ALL SUMMARIES BEEN AGREED?<br><small>If no, which informants have not?</small><br>_____   | <input type="checkbox"/> Yes  | <input type="checkbox"/> No                                    |
| ARE THERE OUTSTANDING MATTERS PENDING (INCLUDING WOA)?<br><small>If yes, please provide details:</small><br>_____  | <input type="checkbox"/> Yes  | <input type="checkbox"/> No                                    |
| ARE MATTERS LISTED AT OTHER COURTS TO BE ADJOURNED TO THE KOORI COURT DATE?<br><small>If yes, please provide details:</small> _____  | <input type="checkbox"/> Yes  | <input type="checkbox"/> No                                    |
| HAVE BREACH PROCEEDINGS BEEN INSTITUTED/ LIKELY TO BE INSTITUTED?<br>ARE THEY TO BE LISTED ON THE KOORI COURT DATE?  | <input type="checkbox"/> Yes<br><br><input type="checkbox"/> Yes  | <input type="checkbox"/> No<br><br><input type="checkbox"/> No |
| <b>KOORI COURT OFFICER CONTACT DETAILS: Tyson Austin</b><br><b>T:(03) 8638 3377    M: 0409 527 750    E: tyson.austin@courts.vic.gov.au</b><br><b>COORDINATORS CONTACT NUMBER: 8638 3300</b> |   |  |
| <b>KOORI COURT DATE:</b>   |   |  |
| <b>SIGNATURE OF KOORI COURT OFFICER/ COORDINATOR:</b>  |   |  |
| <b>SIGNATURE:</b>  | <b>I certify that this plea/application for diversion is ready to proceed on the allocated Koori Court date:</b><br><b>POLICE PROSECUTOR</b> .....<br><b>CHILD'S LEGAL REPRESENTATIVE</b> ..... |  |

[illegible]