



PASCOE
CRIMINAL LAW

Attending Court? An overview of Criminal Jurisdiction of the Magistrates' Court Victoria

Pascoe Criminal Law: Accredited Criminal Law Specialist

Your freedom, reputation, and future deserve the strongest defence.

At Pascoe Criminal Law, we deliver just that — expert legal representation from an Accredited Specialist in Criminal Law.

Why Choose an Accredited Specialist?

When you're facing criminal charges, you need more than a lawyer — you need proven expertise. Our Accredited Specialist has passed one of the legal profession's toughest assessments, ensuring top-tier knowledge, advocacy, and skill for your defence.

What Sets Pascoe Criminal Law Apart?

Expert Representation: Accredited Specialists are proven experts in criminal law — giving your case the precision and confidence it deserves.

Always Up to Date: We stay ahead of legal changes through ongoing specialist training and development.

Efficient, High-Quality Service: Expect clear guidance, strong support, and a focus on results throughout your case.

Truly Qualified Advocacy: Your rights are protected by a dedicated criminal law expert — not just any lawyer.



Criminal Proceedings in the Magistrates' Court of Victoria

If you have never attended Court for any sort of case previously, receiving a charge and summons can induce anxiety. This guide aims to provide information that will hopefully alleviate any nerves you might be feeling about your impending day in Court.

The Magistrates' Court is where most criminal cases in Victoria are heard and resolved. Below is an overview of the types of offences and the stages of criminal proceedings.

Types of Criminal Offences Heard in the Magistrates' Court

The court handles both summary offences (less serious) and indictable offences (more serious). Some indictable offences may be heard in the Magistrates' Court if the accused agrees.

The Stages of Criminal Proceedings in the Magistrates' Court

Mention

A mention is the first listing of a case. It is when the case is discussed briefly to determine whether a resolution is possible or if the case should proceed to a contest mention or hearing.

Contest Mention

At this stage, more detailed discussions happen, and a resolution might be reached. The Magistrate might offer a sentence indication or encourage a plea agreement.

Contested Hearing

If the case proceeds to a contested hearing, both prosecution and defence present evidence. The Magistrate will make a decision based on the facts and evidence presented.


Sentencing Outcomes

If a guilty verdict is delivered, sentencing may include:

- Unconditional dismissal
- Adjourned undertaking
- Fine
- Community Correction Order
- Imprisonment

Appeal Process

If convicted, an accused has the right to appeal the conviction or the severity of the sentence within 28 days.



Tips for Online Court Hearings

Before the Online Hearing

- **Select an Appropriate Device:** Ensure you have a device with an operating camera. This can be a laptop, mobile phone, tablet, or computer.
- **Reliable Internet Connection:** A stable internet connection is essential for the smooth running of the hearing.
- **Download WebEx:** Install WebEx or join directly via the Court's provided link.
- **Choose a Quiet Location:** Ensure you are in a quiet room with no visual distractions in the background.
- **Prepare Early:** Log in at least 20 minutes before the hearing to check your internet, audio, and video settings.
- **Dress Appropriately:** Dress as you would if you were appearing in person in Court.
- **Join the Hearing on Time:** Access the link 5 to 10 minutes before the hearing and inform the Court of your presence using the chat function.

During the Online Hearing

- **Camera and Audio Etiquette:** Initially, keep your camera off and audio on mute. When your case is called, activate your microphone and camera.
- **Courtroom Etiquette:** Follow all directions given by the Magistrate, judicial officer, or clerk.
- **Maintain Focus:** Do not eat, drink, or engage in any other distracting activities like talking on the phone or working.
- **No Recording:** You must not record or transmit any part of the hearing.
- **In Case of Technical Issues:** If there are technical difficulties, the Court may opt to continue the hearing via phone.

What Types of Hearings Are Conducted Online?

In Victoria, online hearings are governed by Practice Direction No. 6 of 2022. Some hearings, such as simple plea of guilty cases, are more likely to be conducted online. Complex cases involving serious charges, like those leading to imprisonment, are typically heard in person.



Need To Organise a Character Reference for Court?

Why a Character Reference Can Be Useful

A well-written character reference can significantly impact the outcome of a case. It can:

- Provide context to the offence.
- Show remorse and rehabilitation.
- Highlight the person's good character, including volunteer work or community involvement.

The Content of a Character Reference for Court

A character reference should focus on:

- The person's positive qualities
- Their history of good behaviour and community involvement
- Any efforts they have made to address past wrongdoings or rehabilitation.

Check and Double Check Before Submitting the Reference to Court

Ensure that your reference is clear, concise, and free of any errors. Double-check that it meets the Court's requirements and expectations.

Conclusion

A well-crafted character reference can be a powerful tool in achieving a favourable outcome in court. It is crucial to provide accurate, relevant, and positive information to support the accused

Have further questions or need help with a Court case?

If you require assistance or need further clarification on attending Court or preparing a character reference, please contact us at:

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