

- Nolle Prosequi entered in relation to some charges on this indictment at commencement of or during sentence.
- Bench Warrant issued for arrest of accused at commencement of or during sentence.

**OUTCOME PARTICULARS OF MATTERS LISTED FOR MENTION (if applicable)**

- Nolle Prosequi entered in relation to all charges on this Indictment at Mention and new indictment presented.
- Nolle Prosequi entered in relation to some charges on this Indictment at Mention and new indictment presented.
- Nolle Prosequi entered in relation to all charges on this Indictment at Mention and new indictment not presented.
- Nolle Prosequi entered in relation to some charges on this Indictment at Mention and new indictment not presented.

**SPECIAL COURT ORDER PARTICULARS (if applicable)**

- Bench Warrant issued for arrest of accused.
- Bail Application by accused in custody and bail granted.
- Bail Application by accused in custody and bail refused.
- Crimes Confiscation Act Order applied for and application granted in full or part.
- Crimes Confiscation Act Order applied for and application refused.
- Charges Remitted to be dealt with in another centre – Identify Court and Centre: \_\_\_\_\_
- Charges Remitted to be dealt with in Magistrates Court.



**E CHARGE DISCONTINUANCE (if applicable)**

**COURSE OF ACTION**

- All charges on this indictment discontinued after indictment presented (NOLLE All Charges).
  - AND another indictment presented in substitution for this indictment.
- Some charges on this indictment discontinued (NOLLE).
  - AND a further indictment presented.
- Indictment stayed by order of the Court (STAY).

**STAGE AT WHICH ACTION TAKEN**

- After indictment presented, and
- Before the matter was listed for trial or sentence.
- Before the Friday review.
- During the week the matter was listed for trial or sentence.
- On the first day of trial.
- After the first day of trial (Day \_\_\_\_\_).
- On the day of sentence.

**DECISION INITIATING ACTION**

- Crown Decision
- Court Decision
- Accused Decision
- Decision of Mental Health Court

**REASON FOR ACTION**

- CASE ISSUE**
- No prima facie case.
- Material not supplied.
- Trivial matter.
- Not in the public interest to continue prosecution.
- No reasonable prospect of conviction.
- Reduced number of charges adequately reflects criminality.
- Change to correct drafting order.
- Other: \_\_\_\_\_

**WITNESS/COMPLAINANT ISSUE**

- Complainant does not wish to proceed.
- Witness avoiding police/has had a change of heart or allegiance.
- Witness:  deceased  in poor health  too old  too young
- Witness:  unreliable  inconsistent  has poor memory  discredited
- Witness not available on listed trial date -  Police had advised that witness was unavailable.
- Other: \_\_\_\_\_

**ACCUSED ISSUE**

- Accused:  deceased  too ill to face proceedings in foreseeable future.

**JUDGE ISSUE**

- Intimated unsafe  Considered matter trivial  Ruled no case to answer  Ordered stay of indictment

**CONSULTATION PRIOR TO ACTION**

**POLICE**  Consulted  Not Consulted

Name/Rank/Rego No: \_\_\_\_\_

Date of Contact: \_\_\_\_\_

Officer:  agreed  disagreed with the proposed action.

**COMPLAINANT**  Consulted  Not Consulted

Name: \_\_\_\_\_

Date of Contact: \_\_\_\_\_

Complainant:  agreed  disagreed with the proposed action.

**PROSECUTOR WHO SIGNED THE PAPER NOLLE (if applicable):** \_\_\_\_\_

**ORDER MADE UPON BREACH PROCEEDINGS**

**ORDER MADE FOR BREACH OF SUSPENDED IMPRISONMENT ORDER**

- Operational period extended by \_\_\_\_\_
- Offender ordered to serve whole period of suspended sentence: \_\_\_\_\_
- Offender ordered to serve part of the period of suspended sentence: \_\_\_\_\_ (period) of \_\_\_\_\_ (total period)
- No further action taken.

**ORDER MADE FOR BREACH OF COMMUNITY BASED ORDER**

Type of Order Breached:       Probation                       Community Service                       Intensive Correction

Offender:

- Admonished and discharged.
- Sentenced in relation to the original offence.
- Ordered to pay \$ \_\_\_\_\_.
- Committed to prison for balance of term under Intensive Correction Order.
- No Action Taken.
- Number of community service hours increased.
- Period of community service extended by \_\_\_\_\_ years \_\_\_\_\_ months.

**ORDER MADE FOR BREACH OF CONDITIONAL RELEASE ORDER**

- Admonished and discharged.
- Sentenced in relation to the original offence.
- Committed to prison for balance of term under Conditional Release Order.
- Ordered to pay \$ \_\_\_\_\_.
- No Action Taken.

**ORDER MADE RE NON PAYMENT**

Type of Order Breached:       Fine     Compensation or Restitution

- Referred to SPER.
- No action taken.

**ADDITIONAL ORDERS**

**ORDERS RE PROPERTY**

**RESTITUTION or COMPENSATION ORDERED**

- Total amount ordered \$ \_\_\_\_\_
- Time to Pay \_\_\_\_\_
- In Default \_\_\_\_\_

**SECTION 685B (CODE) ORDER – PROPERTY HELD BY POLICE**

Property subject to order: \_\_\_\_\_

**DRUGS MISUSE ACT FORFEITURE ORDER MADE (Section 34 *Drugs Misuse Act 1986*)**

- DMA Forfeiture Order Made:
  - Real Estate     Motor Vehicle     Vessel     Aircraft     Shares     Bank Account
  - Cash \$ \_\_\_\_\_     Bank Account \$ \_\_\_\_\_     Other: \_\_\_\_\_
- Value of Property for Purpose of Order: \$ \_\_\_\_\_

**CRIMES CONFISCATION ACT ORDER MADE**

PECUNIARY PENALTY ORDER Made: \$ \_\_\_\_\_

FORFEITURE ORDER Made:

- Real Estate     Motor Vehicle     Vessel     Aircraft     Shares     Bank Account
- Cash \$ \_\_\_\_\_     Bank Account \$ \_\_\_\_\_     Other: \_\_\_\_\_
- Value of Property for Purpose of Order: \$ \_\_\_\_\_



**ORDERS RE ACCUSED**

**SEXUAL OFFENDER ORDERED TO REPORT TO POLICE (Section 19 Criminal Law Amendment Act 1945)**  
Order specified to report for: \_\_\_\_\_

**RESTRAINING ORDER MADE (Section 359F Criminal Code)**

Order period specified: \_\_\_\_\_ years \_\_\_\_\_ months.

**DRIVERS LICENCE DISQUALIFIED (Section 187 Penalties and Sentences Act 1992 or Section 194 JJA)**

Disqualified Absolutely

Disqualified for a period of \_\_\_\_\_ years \_\_\_\_\_ months.

**WEAPON FORFEITED UNDER WEAPONS ACT (Section 155 Weapons Act)**

**DISQUALIFIED FROM HOLDING WEAPONS ACT LICENCE OR APPROVAL (Section 155 Weapons Act)**

**SPECIAL ORDER RE CHILD**

Parent of Child ordered to show cause why they should not pay compensation (Section 197).

Parent of Child ordered to pay compensation (Section 198). Amount \$ \_\_\_\_\_

Order for Child's identifying particulars to be taken (Section 194A JJA).



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## NOTES:

### IF YOU ARE NO LONGER ACTING IN MATTER

- (1) Please note that **Practice Direction No. 19 of the CRIMINAL PRACTICE RULES 1999** sets out the requirements if a lawyer wants to withdraw from acting for an accused person.

### IF OTHER CHARGES ARE PENDING

- (2) If your client(s) has other charges pending which you are instructed may proceed by ex officio indictment, please advise this Office as soon as possible giving details of the charges and the name and Station of the Arresting Officer in respect of those charges.

### IF A PLEA OF GUILTY IS INTENDED

- (3) ***The Penalties and Sentences Act 1992*** provides that a Court may when imposing a sentence have regard to the time at which the offender informed the relevant law enforcement agency of his or her intention to plead guilty. If your client(s) intends to plead guilty to the charge(s) in the indictment, please advise this Office in writing as soon as possible.

### IF YOU WISH TO MAKE A SUBMISSION

- (4) If your client(s) wishes to make a submission regarding reduction or discontinuance of the charge(s) in the indictment, whether before presentation of the indictment or after presentation, please forward the submission in writing to the Manager Operations at this Office as soon as possible. Written submissions are preferred.

### IF YOU WISH A COPY OF DEPOSITIONS OR EXHIBITS

- (5) If you wish to receive a copy of the Depositions then these are available upon request from the **Depositions Officer**, tel (07) 3239 6840.

All physical exhibits can be made available for inspection upon request from the **Exhibits Officer**, tel (07) 3239 6840. Copies of photographs are available from the Queensland Police Service pursuant to the ***Police (Photographs) Act 1966-1981***.

