Children’s Court Practice Direction No.4 of 2020

**Form CD**

**APPLICATION FOR DIVERSION HEARING ‘ON THE PAPERS’**

|  |  |  |  |
| --- | --- | --- | --- |
| In the Children’s Court of Victoria at [*venue*] |  | Court Ref: |  |
| Informant: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | | | |
| Prosecutor: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | | | |
| Phone Nr: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Child: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | | | |
| Phone Nr: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Legal Rep: Phone Nr: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | | | |

|  |  |
| --- | --- |
| **CONSENTS & ACKNOWLEDGMENT** | **YES NO** |
| Does the accused child consent to the Diversion hearing proceeding ‘on the papers’? | 🞏 🞏 |
| Does the Prosecution consent to the Diversion hearing proceeding ‘on the papers’? | 🞏 🞏 |
| Does the accused child acknowledge to the Court responsibility for the offences listed in Part A below? | 🞏 🞏 |

1. **Charges to proceed in Diversion hearing (copies to be attached):**
2. **Charges to be withdrawn (if any):**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| |  |  | | --- | --- | | **DOCUMENTS ATTACHED** | **YES NO** | | Completed Diversion notice signed by legal representatives for the Prosecution and Defence | 🞏 🞏 | | Agreed summary of the facts | 🞏 🞏 | | Victim impact statements (if any) | 🞏 🞏 | | Agreed criminal history (if any) | 🞏 🞏 | | Copy of charge(s) with any agreed amendments upon which Diversion is sought | 🞏 🞏 | | A list of charges to be withdrawn (if any) if the matter proceeds to Diversion | 🞏 🞏 | | Any mitigatory materials sought to be relied upon by the Defence | 🞏 🞏 | | Any outline of Defence submissions (dot point format) | 🞏 🞏 | | Any outline of Prosecution submissions (dot point format) | 🞏 🞏 | | Any other Prosecution materials | 🞏 🞏 | |  |

**REQUEST FOR DIVERSION HEARING ON THE PAPERS**

|  |
| --- |
|  |
| [*Name and signature of child’s legal representative]* |

DATE:

|  |
| --- |
|  |
| [*Name and signature of Prosecutor]* |

DATE: