

(insert front sheet)

ELECTION BY COUNSEL FOR TRIAL BY JUDGE ALONE

Criminal Law Consolidation Act 1935 s 269W

Election

I, *(full name of lawyer)*

of *(address of practice)*

barrister/barrister and solicitor *(delete whichever is inapplicable)*

CERTIFY that:

1. I am a legal practitioner holding a current practising certificate under the *Legal Practitioners Act 1981*.

2. I am the counsel for the defendant *(name)* in this proceeding.

3. I believe that the defendant is unfit to instruct counsel or give rational instructions in respect of all charges in the information, namely: *(set out details of the charges)*

.....
.....

4. I have considered all matters relevant to the making of an election.

5. I consider that a trial by Judge alone would be in the best interest of the defendant.

6. I exercise my independent discretion under section 269W of the *Criminal Law Consolidation Act 1935* and ELECT under section 7(1)(a) of the *Juries Act 1927* that the defendant be tried by Judge alone on the above charges.

Date:

(signed)

Counsel for the defendant