

NOTICE TO DEFENDANT [MAJOR INDICTABLE OFFENCE]

To the Defendant: **WARNING**

After receiving this Notice **you must follow the instructions below.**

If you fail to follow these instructions the Court may **issue a warrant for your arrest.**

If you intend to plead guilty, you must

- Attend Court yourself or through your solicitor.

As you have been charged with a major indictable offence, if you plead guilty in the Magistrates Court, you will ordinarily be committed for sentence in the District Court or Supreme Court.

However, if you plead guilty prior to the first hearing, you may be sentenced in the Magistrates Court if both you and the Prosecution consent to this.

You should obtain legal advice before making this decision.

OR:

If you intend to plead not guilty, you must

Attend Court yourself or through your solicitor at the next hearing (and the subsequent hearings for your matter).

As you have been charged with a major indictable offence, the matter will proceed in the Magistrates Court to a committal hearing. If the Court finds you have a case to answer, you will be committed for trial in the District Court or Supreme Court.

Information on Guilty Pleas

If you plead guilty to an offence, you may be eligible for a reduction in the sentence you receive for the offence. The maximum reductions available are set out in sections 39 and 40 of the *Sentencing Act 2017*.

The maximum reduction you may be eligible for depends on when you plead guilty. Time begins to be counted from your first appearance in the Magistrates Court

You will have an opportunity to plead guilty at any hearing. However, if you wish to plead guilty before your next hearing date, you will need to apply to have the matter called on to enter your plea. You can do this by filling out a Form 52 'Request to have Matter Called on for Guilty Plea' available on the CourtSA portal (website). If you fill out this form you must either upload it to the CourtSA website or lodge it at a Court Registry as soon as possible.

Service

The party filing this document is required to serve it on all other parties in accordance with legislation and the Rules of Court.