Update Summary

PLEASE CIRCULATE IMMEDIATELY!

UPDATE 161 NOVEMBER 2012

REDFERN LEGAL CENTRE'S
LAWYERS PRACTICE MANUAL
NEW SOUTH WALES

Highlights

• Chapter 1.6 “Appearing for the defendant in committal proceedings”, completely revised and updated throughout
• Chapter 8.1 “Procedures under the Mental Health Act and the Mental Health (Forensic Provisions) Act”, reviewed and updated

Material Service Code: 30140909
Material Code: 30170542
Print Post Approved PP255003/00390

© Thomson Reuters (Professional) Australia Limited 2012

Looseleaf Support Service
You can now access the current list of page numbers at http://www.thomsonreuters.com.au/support/livpages/product-support-looseleaf.aspx. If you have any questions or comments, or to order missing pages, please contact Customer Care LTA ANZ on 1300 304 195 Fax: 1300 304 196 Email: LTA.Service@thomsonreuters.com
Chapter 1.6 “Appearing for the defendant in committal proceedings”

Chapter 1.6 “Appearing for the defendant in committal proceedings” has been reviewed by original author Annemarie Lumsden, accredited specialist in Criminal Law, Legal Aid and completely reworked and updated throughout by fellow Legal Aid criminal law specialists Frith Way and Juliana Crofts, both of the Legal Aid Commonwealth Crime Unit. The chapter is a lengthy, detailed and practical guide to the committals process in NSW.

The law in relation to committal proceedings has substantially changed three times since early 1992, and the revised chapter successfully brings together advice and discussion of the various Acts and case law which may still apply to a matter depending on when the offence was committed or charged. The appendices have also been completely revised, providing various helpful legislative conversion tables as well as useful sample letters and forms. The chapter covers such topics as:

- Purpose of committal proceedings, at [1.6.201] – [1.6.203];
- Legal aid for committals, at [1.6.301] – [1.6.303];
- Role of the director of public prosecutions, at [1.6.401] – [1.6.403];
- Form of committal proceedings, at [1.6.501] – [1.6.508];
- The charge, at [1.6.601] – [1.6.604];
- Getting information about the prosecution case, at [1.6.801] – [1.6.813];
- Negotiations with the DPP, at [1.6.901] – [1.6.915];
- Plea of guilty, at [1.6.1001] – [1.6.1008];
- Seeking attendance of witnesses for committal hearing, at [1.6.1101] – [1.6.1117];
- Preparation of defence, at [1.6.1201] – [1.6.1211];
- Conduct of hearing, at [1.6.1301] – [1.6.1333];
- Costs in committal proceedings, at [1.6.1401] – [1.6.1410];
- Abuse of process, at [1.6.1501];
- Judicial review, at [1.6.1601] – [1.6.1607]; and
- Preparation for trial, at [1.6.1701] – [1.6.1711].
Chapter 8.1 “Mental Health”

Chapter 8.1 “Procedures under the Mental Health Act and the Mental Health (Forensic Provisions) Act”, has been reviewed and updated throughout by author Geoffrey Tremelling, solicitor Legal Aid NSW. Updated or new content has been included in the following areas:

- Procedures for a mentally ill person, at [8.1.402];
- The Mental Health Commission (MHC), at [8.1.1401]; and
- Contacts, at [8.1.3010].