



NORTHERN RIVERS  
community  
legal  
centre

## REPRESENTING YOURSELF WHEN PLEADING GUILTY

### Write Down What Happened

- Prepare your statement for the court – what happened and explain why it happened
- Write what you want to say in point form
- If relevant, include any conversations that you had with police and witnesses

### Get Character References

- If possible obtain one or more references from people who can vouch for your good character such as an employer, neighbour, work mate or member of a club or organisation that you belong to.
- The person making the reference should state that they are aware of the charge you are facing, how long they have known you and their opinion of your character
- You should make at least two copies of each document – the original for the Magistrate, a copy for the police prosecutor and a copy for yourself

### On Arrival at Court

- Arrive ahead of the scheduled time
- Check the noticeboard that your matter is listed and which court room you are in
- When the court officer calls for people who don't have a solicitor, give him/her your name. You will be told where to wait
- Ask if you can get your Police Fact Sheet (it will be in the court room)
- Check the details on the Fact Sheet. Note down anything that you don't agree with. If you think you have not committed the offence you have been charged with or you have any doubts about it, you should seek legal advice. If there is a duty solicitor at the court (there usually is), ask to see him/her

### When Your Name is Called

- Enter the court room and go to the microphone near or on the front table (the microphone is for recording not amplifying)
- The Magistrate is addressed as "Your Honour" "sir" or "madam"
- The Magistrate will ask you questions such as your name, whether you have a lawyer and what you are pleading. If you are pleading

guilty you will be asked if you are ready to have the matter dealt with today.

- The Magistrate will have your Police Fact Sheet and your driving record (if it is a traffic offence)
- You will be asked for an explanation about how and why the offence happened
- Use your prepared statement. Tell the Magistrate if you have a character reference to hand up or any other relevant documents. You may want to give details of your criminal record, or, if you don't have one, state that this is your first offence
- Ask the Magistrate to explain anything that you don't understand
- Make a note of what penalty the Magistrate orders (amount of fine, period of disqualification etc)

#### **Before Leaving the Court**

- If you have received a fine but can't pay within 28 days, go to the court office and ask for a 'time to pay' application
- Check to see if there are any documents to sign such as a good behaviour bond
- Ask the court officer if you don't understand anything.

#### **Good Luck**

Date

To the Magistrate,  
Local Court

Your Honour,

**1. Circumstances of offence**

**2. Mitigating circumstances**

**3. My driving record**

**4. Regret about offence/ out of character – references attached**

**5. Need for my licence**

**6. My financial situation**

Yours faithfully,

N: Legal Service/Precedents/Driving offence matters to be put to Court

