



VICTORIA POLICE

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we’re  
working  
with you  
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SUMMARY CASE CONFERENCE  
SERVICE CHARTER

A Summary Case Conference is defined by Section 54 of the *Criminal Procedure Act 2009* as a conference between the prosecution and the accused (or their legal representative) for the purpose of managing the progression of relevant matters listed for hearing in the Magistrates' Court of Victoria.

Victoria Police is committed to providing a Summary Case Conference Service that promotes dialogue at the earliest opportunity between prosecution and defence. Our service is designed to provide out of court discussions aimed at identifying and where possible resolving issues. These discussions are conducted by a method suitable to the parties.




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## THE SERVICES WE PROVIDE<sup>1</sup>

It is important to note that Summary Case Conferences do not need to occur at court. In fact it is the intention of Victoria Police to establish a Summary Case Conference process that encourages out of court communication before or shortly after the first court event.

A Summary Case Conference can occur in a number of ways:

### IN PERSON

#### Metropolitan courts

At all main metropolitan courts<sup>2</sup> an 'at court' service will be available between 9.00am and 1.00pm.

Between 2.00pm and 4.00pm the SCC prosecutor will be contactable by telephone.

The 'at court' service is for discussions on matters listed that day. We will:

- Discuss matters likely to resolve that day

- Plan an agreed approach to matters unlikely to resolve that day
- In consultation with you, establish a suitable time to continue Case Conferencing within the next 5 business days. If the next mention date is within that 5 day period we will still endeavour to conduct a SCC before next mention, but if unable, establish another date before any subsequent mention hearing.

All main metropolitan courts<sup>3</sup> will provide an exclusive VLA SCC service between 11.00am and 11.30am to deal with accused who have sought assistance for the first time that day.

#### Part time and country/regional courts

At part time and country/regional courts an 'at court' SCC service will be available at predetermined times. Local needs will be established in consultation with local solicitors and Victoria Legal Aid (VLA) representatives, with times of availability for all Courts published at the relevant

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<sup>1</sup> The service will be provided to all stakeholders contingent upon all agencies meeting their current legislative obligations and requirements and adherence to agreed processes established by the Summary Procedure Steering Group.

<sup>2</sup> Includes Geelong Magistrates Court

<sup>3</sup> Includes Geelong Magistrates Court

local court and on the Victoria Police website by following the links to: Our Services, then Police Prosecutions.

For example, at a court that only sits one day per week, the local prosecutions unit will by local arrangement and if the need exists, establish a predetermined time to provide a SCC service for matters listed that day. Where the SCC does not resolve the matter that day we will:

- In consultation with you, establish a suitable time to continue Case Conferencing within the next 5 business days. If the next mention date is within that 5 day period we will still endeavour to conduct a SCC before next mention, but if unable, establish another date before any subsequent mention hearing.

Contact with the SCC service by phone and email prior to these court dates is encouraged.

At a country court that sits daily, the local prosecutions unit will by local arrangement and if the need exists, establish a predetermined time to provide a SCC service that deals with matters listed that day where the accused has sought assistance for the first time on the day. For example, an hour might be set aside between 12.00pm and 1.00pm to progress such matters.

## TELEPHONE

### All Courts

A telephone SCC service for all courts will be in place between 8.00am and 4.00pm Monday to Friday.

In the case of country or regional courts that sit part time, during 8.00am and 4.00pm contact can still be made through the larger regional prosecutions office that covers that court (eg. For Colac Magistrates Court, telephone SCC will be available daily between 8.00am and 4.00pm from Geelong Prosecutions).<sup>4</sup>

The telephone service will be provided to facilitate 'out of court' discussions on all matters prior to the first or subsequent mention date. We will:

- Discuss matters likely to resolve quickly
- Plan an agreed approach to matters unlikely to resolve quickly
- In consultation with you, establish a suitable time to continue Case Conferencing, if required, with regard to the future mention date.
- In consultation with you, establish a suitable time to continue Case Conferencing within 5 business days. If the next mention date is within that 5 day period we will still endeavour to conduct a SCC before next mention, but if unable, establish another date before any subsequent mention hearing.

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<sup>4</sup> Contact details of prosecutions offices and the local or part time courts they service will be published at the relevant local court and can be found on the Victoria Police website by following the links to: Our Services, then Police Prosecutions.

In the event your call is unanswered and you leave a message we will:

- Return your call by 1.00pm the next working day.
- Provide the details of a Case Conference Prosecutor who will assist you
- In consultation with you, establish a suitable time to continue Case Conferencing within 5 business days. If the next mention date is within that 7 day period we will still endeavour to conduct a SCC before next mention, but if unable, establish another date before any subsequent mention hearing.

## E-MAIL

### All Courts

Summary Case Conference Prosecutors for all Courts can be contacted by email via a generic position based email account, 5 days per week 8.00am to 4.00pm Monday to Friday.

In the case of country or regional courts that sit part time, during 8.00am and 4.00pm contact can still be made through the larger regional prosecutions office that covers that court (eg. For Colac Magistrates Court, Email SCC will be available daily between 8.00am and 4.00pm from Geelong Prosecutions).<sup>5</sup>

The service will be provided to facilitate 'out of court' discussions on all matters prior to the first or subsequent mention date. Where we are unable to commence Summary Case Conferencing with you by the next business day we will:

- Provide a response to your e-mail by 1.00pm the next business day.
- Provide the details of a Case Conference Prosecutor who will assist you
- In consultation with you, establish a suitable time to continue Case Conferencing within 5 business days. If the next mention date is within that 5 day period we will still endeavour to conduct a SCC before next mention, but if unable, establish another date before any subsequent mention hearing.
- In the event either party is unable to meet the agreement we have reached with you, we will in consultation with you, establish a suitable time to continue Case Conferencing within 5 business days. If the next mention date is within that 5 day period we will still endeavour to conduct a SCC before next mention, but if unable, establish another date before any subsequent mention hearing.

Practitioners are encouraged to include in emails the issues or proposals which may lead to resolution to provide SCC prosecutors the opportunity to properly consider prior to replying.

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<sup>5</sup> Contact details of prosecutions offices and the local or part time courts they service will be published at the relevant local court and can be found on the Victoria Police website by following the links to: Our Services, then Police Prosecutions.



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## OUR COMMITMENTS

### CONSISTENCY

Our Summary Case Conference Prosecutors will, except in exceptional circumstances, maintain personal carriage of matters to ensure consistency and progress of all Case Conferences.

All agreements regarding withdrawal of charges, amending of evidence or undertakings regarding sentencing submissions will be clearly documented and will be adhered to by the prosecutor that presents the case in court unless exceptional circumstances exist.

### PROFESSIONALISM

The Summary Case Conference Prosecutor will possess skills necessary to achieve a set of goals endorsed by Victoria Police.

Those goals are:

- To promote meaningful negotiations in an environment of co-operation supported by professional independent decision making
- Early and credible disclosure of the police case
- Reducing unnecessary adjournments and delay
- Timely and just outcomes that do not affect fair hearing rights

## DISCLOSURE

Summary Case Conference Prosecutors will provide a copy of the preliminary brief to the accused or their legal representative upon request, in areas supported by Brief and Investigation Support Centres.

If other relevant material is required we will provide copies as soon as practicable.

## WITHDRAWALS

Summary Case Conference Prosecutors are responsible for deciding if charges should proceed or be withdrawn.

Withdrawals will occur as soon as practicable.

Withdrawals will not be delayed only to obtain informant approval.

In exceptional circumstances, the Summary Case Conference prosecutor may require further investigation to occur or need to engage with other parties. In those circumstances reasons shall be provided and recorded.

Examples of this may include situations where consultation with a victim is required to meet Victims Charter obligations and instances where specialist authorisation for particular charges (liquor licensing, sex offences, etc) has occurred.

## FEEDBACK

To ensure we meet our Service Charter we require your feedback. You can submit your feedback by:

- Accessing our survey on the Victoria Police website by following the links to: Our Services, then Police Prosecutions.
- Contacting your representative on the Police Lawyers Liaison Committee or the Summary Procedure Steering Group.

The following agencies are represented:

Victoria Police  
Magistrates' Court of Victoria

Department of Justice  
Victoria Legal Aid

Law Institute of Victoria  
Criminal Bar Association

Email feedback to:  
casemanagementfeedback@police.vic.gov.au

For prosecutions feedback generally, involving issues outside the charter, please email feedback to:  
prosecutionsdivisionfeedback@police.vic.gov.au



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