# Committal report and trial preparation plan

**VLA staff lawyers** must complete this Committal Report and Trial Preparation Plan for all contested committals and trials.

VLA highly recommends **private practitioners** complete this Committal Report and Trial Preparation Plan for all contested committals and trials.

### Major Criminal Cases Framework

A major criminal case includes major criminal trials (criminal trials that are likely to last more than 15 days, including severed trials less than 15 days that collectively equate to more than 15 days) and contested committals beyond 4 days.

### Mandatory requirements under the Major Criminal Cases Framework

From 1 February 2016, practitioners must apply for a grant of legal assistance for a major criminal trial within 28 days of the initial directions hearing. The following documents must also be submitted to Victoria Legal Aid via ATLAS *Submit correspondence – Trial documentation* within this timeframe:

* the committal report and trial preparation plan;
* the prosecution summary;
* evidence of brief analysis and case strategy;
* all charge sheets (if there are both State and Commonwealth charges); and
* the form 32 and witness list (where the matter proceeded by way of contested committal).

Practitioners do not need to submit the above documents if it has already been submitted to Victoria Legal Aid at the contested committal stage of proceedings.

The Committal Report and Trial Preparation Plan must be completed by Counsel who appeared at the committal mention or contested committal.

**Private practitioners** are not required to use this Committal Report and Trial Preparation Plan as long as all the information required under *Committal Report*, *Trial Preparation Plan* and *Supervision* is submitted to Victoria Legal Aid.

## (a) Committal Report

VLA requires the following to be included in the Committal Report:

**What impact did the committal have on the previous case strategy?** Comment

**Prospects of successfully defending the allegations (refer to each charge):** Comment

**Likely penalty range (following either plea of guilty and not guilty):** Comment

**Outcome of post-committal negotiations:** (counsel must also complete the [Post-committal negotiation checklist](http://handbook.vla.vic.gov.au/sites/handbook.vla.vic.gov.au/files/vla-post-committal-negotiation-checklist.doc) in the VLA Handbook to claim the post-committal negotiation fee) Comment

**Recommendations (including seeking discontinuance, sentencing indication, negotiating settlement or narrowing trial issues):** Comment

## (b) Trial Preparation Plan

VLA requires the following to be included in the Trial Preparation Plan:

**What is my theory for trial:** Comment

**Further disclosure required:** [**ss 110, 111 & 416 CPA**](http://www.austlii.edu.au/au/legis/vic/consol_act/cpa2009188/)**,** [**OPP**](http://www.opp.vic.gov.au/Resources/DPP-s-policies) **or** [**CDPP**](http://www.cdpp.gov.au/publications/disclosure-policy) **policy** Comment

**Defence evidence/investigation required:** Comment

**Pre-trial issues and defence applications (i.e., alibi notices, confidential communications, prior sexual history):** Comment

**Other tasks and due dates:** Comment

**Comments by certifier (private practice) or accredited criminal law specialist or senior lawyer (in-house)** Comment

## Supervision

The supervising panel certifier (Level 1 panel certifier for major criminal cases) or the supervising lawyer (VLA4 lawyer or above for major criminal cases) must sign off on the completed Committal Report and Trial Preparation Plan.

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Supervisor's full name Date