

Lower court plea of guilty pro forma instruction sheet

These instructions are a guide only. Practitioners need to ensure the contents of instructions are appropriate to the circumstances of any given case.

R -v- Client

File number:

Plea of guilty instructions

I,

(name of client) in the state of Queensland, instruct my

legal representatives at

(firm) as follows:

1. I understand I have been charged with the following offences:

1.1.

2. I understand the allegations against me are that:

2.1.

3. I have received advice from my legal representatives about the nature of the charge, the evidence the prosecution intends to place before the court, and the possible penalties for conviction of this offence.

4. I understand which courts this matter can be heard in and that I have the right to plead not guilty to this charge.

5. I instruct Legal Aid Queensland I want to plead guilty to this charge and have it dealt with by a magistrate.

6. I understand by pleading guilty I am accepting the prosecution case that I am guilty of this offence and that my legal representative will indicate this to the court.

7. I make this plea of my own free will, have considered the matter fully, and do not need any further time to think about my decision or to get further legal advice.

8. I have been advised of the range of likely penalties but understand the court is not bound to follow any suggested penalty from the prosecution or defence.

Initialled..... Date .../.../

Witnessed Date .../.../

9. I have had 'probation' and 'community service' explained to me and would consent to an order for either of these if it were offered to me.

10. I understand a possible outcome of my plea of guilty is that a term of imprisonment may be imposed on me.

11. I do not want to have a contested sentence as I understand that by contesting the allegations and requiring witnesses and/or the complainant be cross-examined, I may lose any benefit I would receive for my plea of guilty.

Signed.....

Client

Date .../.../

Signed.....

Date .../.../

.....

Witness