



# **SUPREME COURT OF THE AUSTRALIAN CAPITAL TERRITORY**

## **PRACTICE DIRECTION 6 OF 2026**

### **CRIMINAL CASE CONFERENCES AND STATUS CONFERENCES**

#### **Commencement**

1. This Practice Direction takes effect from 6 July 2026. It replaces Practice Direction 2 of 2018.

#### **Application**

2. This Practice Direction applies to all matters which have been committed for trial, except in the following circumstances:
  - (a) The matter has resolved without the need for a trial;
  - (b) The accused has been found unfit to plead; or
  - (c) The accused is unrepresented.
3. The requirements of this Practice Direction are subject to any contrary direction of the Court or the Registrar.

#### **Purpose**

4. The objectives of establishing this more formal mechanism of conferencing are to:
  - (a) Require early consideration by both parties of the charges and the available evidence with a view to identifying strengths and weaknesses in their cases;
  - (b) Make better use of court resources while acknowledging the public and private interests in the administration of the criminal law;
  - (c) Encourage earlier, structured and more meaningful negotiations between parties;
  - (d) Reduce issues in dispute at trial;
  - (e) Identify any offence to which the accused is willing to plead guilty in satisfaction of other offences; and
  - (f) Record the outcome of the conference so that it is available to the sentencing court.

#### **Procedure**

5. It is expected that practitioners and the accused will attend the criminal case conference on time. A failure of the accused to attend the conference on time may result in the matter being referred to the duty judge to be dealt with as a breach of bail.

6. The procedure for a criminal case conference is as follows:

- (a) The matter will be listed for conference after the accused has been arraigned.
- (b) The conference will be conducted by a criminal case conference convenor (the convenor').
- (c) The conference will be listed in Hearing Room 3 unless it is directed to be held elsewhere.
- (d) Parties need not robe for the conference.
- (e) Conferences will not be recorded.
- (f) Conferences are scheduled with sufficient time to allow careful consideration of the issues in the trial, the evidence to support the elements of the offences and the manner in which evidence can be taken at the trial and its presentation to the jury.
- (g) The accused person will be required to be present in the court precinct. If bail conditions would not permit this, then those conditions may be modified for the purposes of the conference. If the accused is in custody, a warrant will be issued for that accused to be brought to court.
- (h) The court expects that the accused will be present in person for the conference. Requests for an accused person to appear by audio-visual link should be emailed to [SCRegistrar@courts.act.gov.au](mailto:SCRegistrar@courts.act.gov.au), setting out the reasons for the request. The request must be made 14 days prior to the conference.
- (i) Counsel must attend the Conference.
- (j) Attending counsel must be familiar with the prosecution brief of evidence and have instructions, or the capacity to immediately obtain instructions, from the accused about all matters raised at the conference.
- (k) The prosecutor attending the conference must have the authority to commit to any resolution proposed, subject to any required consultation (for example, with any complainant).
- (l) The prosecutor and counsel are expected to have discussed the matter prior to the conference, to ensure the conference can proceed without delay.
- (m) Where a matter cannot be resolved at the conference, but is otherwise progressing towards resolution, the parties are to advise the Registrar, by email to [SCRegistrar@courts.act.gov.au](mailto:SCRegistrar@courts.act.gov.au), as to when they expect a resolution could be achieved.
- (n) Where agreement is reached as to the charges an accused will plead guilty to, the convenor will terminate the conference and the matter will be relisted before the duty judge on the same day, or shortly thereafter, so that the accused can be arraigned. Counsel will robe for this appearance unless it is impracticable to do so.
- (o) Discussions and negotiations concerning offers and ancillary matters made at the conference are confidential, except as recorded in the Form which is Attachment 1 to this Practice Direction. The Form will be completed and sealed by the convenor and opened only on the further order of a judge.
- (p) The convenor may recommend to the Registrar that the matter be listed for further directions should the need arise.
- (q) The admissibility of proposed tendency or coincidence evidence will not be determined at the conference, but any proposal to lead tendency evidence or coincidence may inform conference discussions.

### **Status conferences**

7. If a matter is not resolved at the criminal case conference, it will be transferred immediately to a status conference before the Registrar or Senior Deputy Registrar on the same day. Parties are expected to have substantive discussions prior to the status conference, and be in a position to

advise on the following matters:

- (a) Whether there are any outstanding matters, including outstanding pre-trial applications;
  - (b) Whether disclosure is complete;
  - (c) The anticipated length of the trial, including the number of witnesses to be called and whether any witnesses from Witness List B or C are required by either party;
  - (d) Whether any matters are conceded or agreed to by defence which will have an impact on the length of the trial, the number of witnesses to be called, other otherwise assist in the administration of justice;
  - (e) Whether the parties have considered the need for intermediaries for all witnesses and the accused;
  - (f) Whether parties have issued all intended subpoenas for production of documents, including the making of relevant applications under Division 4.4.3 of the *Evidence (Miscellaneous Provisions) Act 1991*;
  - (g) The need for any witnesses to give evidence via pre-trial hearing, including their eligibility, the estimated time and the number of witnesses.
8. The Registrar or Senior Deputy Registrar will make further directions about the matter, including whether to list the matter in a call over or refer the matter for further case management.

By direction of the Chief Justice



Jayne Reece

Registrar

2 July 2026

**SUPREME COURT OF THE AUSTRALIAN CAPITAL TERRITORY**

**Criminal Case Conference Form**

**DPP v [insert]**

**[file number]**

<b>Convenor:</b>	_____	<b>Date:</b>	_____
<b>DPP:</b>	_____	<b>Accused:</b>	_____
<b>Counsel:</b>	_____	<b>Counsel:</b>	_____
<b>Instructing:</b>	_____	<b>Instructing:</b>	_____
<b>Accused Present:</b>	_____	<b>In custody:</b>	_____

1. The offence or offences with which the accused person had been indicted before the case conference:

\_\_\_\_\_

2. Any indications by the accused person to plead guilty to an offence specified in the indictment:

\_\_\_\_\_

3. Any indications by the accused person to plead guilty to a different offence or offences including a rolled up plea:

\_\_\_\_\_

4. Any indications by the prosecution to the accused person to accept a guilty plea or pleas to an offence or offences specified in the indictment as a full discharge of that indictment or alternatively to accept a rolled up plea wholly or partly in discharge of that indictment:

\_\_\_\_\_

5. Whether the accused person or the prosecution has accepted or rejected any such indications:

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6. If an indication made to or by the accused person to plead guilty to an offence has been accepted – details of the agreed facts on the basis of which the accused person is pleading guilty and details of the facts (if any) in dispute:

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7. Whether or not the prosecutor has notified the accused person of an intention to make a submission to the sentencing court that the discount for a guilty plea should not apply or should be reduced in relation to a particular offence with which the accused person is charged:

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8. Any refusal by an accused person to participate in the conference:

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9. Any other matter, arising out of the Conference, which a party wishes to specifically record, such as:

a. The accused person's consent to measures to facilitate the course of the trial:

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b. Admissions made:

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c. Issues not disputed:

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d. Witnesses not required:

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e. Any other matter relevant to the *Crimes (Sentencing) Act 2005*:

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**Estimated time saved in the trial from any agreements in 9 above:**

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**Conference commenced:**

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**Conference finished:**

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