



SUPREME COURT OF THE AUSTRALIAN CAPITAL TERRITORY

PRACTICE DIRECTION 4 OF 2018 STANDARD SENTENCE DIRECTIONS

Commencement

1. This Practice Direction takes effect from 6 July 2026.

Application

2. The requirements of this Practice Direction are subject to any contrary direction of the Court or the Registrar.

Standard directions made upon the listing of a matter for a sentence hearing

3. The following standard directions are made and apply upon the listing of a matter for a sentence hearing:
 - (a) A copy of any expert report to be relied upon must be served on the other party no later than two weeks prior to the sentence date.
 - (b) The other party must notify the party relying on the expert report within two clear working days of receipt of the report:
 - (i) Whether or not the expert is required for cross examination;
 - (ii) If required, whether the expert is required to be present in person, by telephone or audio-visual link;
 - (iii) If appropriate, whether the requirement for the expert to be made available for cross examination will be withdrawn if the tendering party does not press specified parts of the expert's report.
 - (c) A copy of the Prosecution Tender Bundle must be emailed to the chambers of the sentencing judge and the defence no later than four clear working days prior to the sentence date. If any documents are not available by this date (eg, the PSR), it is to be noted on the bundle index that the documents will be provided later.
 - (d) A hard copy of the Prosecution Tender Bundle must be tendered at the sentence hearing, subject to any objection.

- (e) A copy of any reports, statements or other documents to be relied upon by the defence is to be emailed to chambers and the prosecution no later than two clear working days prior to the sentence date
- (f) A hard copy of the defence documents must be tendered at the sentence hearing, subject to any objection.
- (g) Liberty is granted to the parties to file any written submissions (limited to not more than five pages). Any written submissions must be emailed to chambers (in Word or Rich Text Format) and to the other party, at the same time as each party's respective documents are emailed in accordance with paragraphs 3(c) and 3(e) above. A hard copy of the submissions must be filed in court at the sentence hearing.

4. The **"Prosecution Tender Bundle"** will consist of:

- (a) A cover sheet which will detail:
 - (i) The charges, including the legislation, section and sub-section;
 - (ii) The date of the plea of guilty or verdict;
 - (iii) The stage of the proceedings when the plea of guilty occurred, if applicable;
 - (iv) The maximum penalties for each of the charges;
 - (v) The period already spent in custody in relation to the charges (not including the sentence date), specifying the actual dates of the period or periods in custody that the prosecution says are "in relation to the charges" together with any other periods spent in custody since the offender was charged that the prosecution **does not** concede were "in relation to the relevant charges"; and
 - (vi) An index for the bundle.
- (b) A bundle of documents, each tabbed and labelled, including (as applicable):
 - (i) The indictment or, if no indictment, the relevant charge sheets;
 - (ii) The agreed statement of facts;
 - (iii) Any criminal history;
 - (iv) The pre-sentence report;
 - (v) The CADAS report;
 - (vi) Any other report (including an expert report) or statement to be relied upon by the prosecution.
- (c) The Prosecution Tender Bundle must also include the following information:
 - (i) Any significant dates on which the matter should not be listed, including for the handing down of the sentence
 - (ii) How any victim to the offences would prefer to be referred to in oral submissions, oral delivery of the sentencing reasons, and any published reasons (for example, by their first and last name, their initials, a pseudonym or as 'the victim.')
 - (iii) Whether any victim to the offences has any objection to their victim impact statement being directly quoted in the sentencing reasons

By direction of the Chief Justice

A handwritten signature in blue ink, appearing to read 'Jayne Reece', is written over a light grey grid background.

Jayne Reece

Registrar

2 July 2026

Amendment history

29 November 2018: Original Practice Direction

18 September 2019: Paragraph 7 amended

6 July 2026: Amendments to paragraphs 3 and 4