

Appearing Before The Courts In Sydney: What Documents Should I Bring With Me?

Many people charged with offences who appear at a local court in Sydney, such as the [Downing Centre](#), are not sure what to expect when they appear in court for the first time.

Going to court can be extremely stressful and it is natural to want to have it all dealt with quickly so that you can move on with your life.

Unfortunately our justice system is not known for its speed, and the case may not necessarily be dealt with on the day.

When you first appear before the Local court you essentially have three choices:

- Plead guilty
- Plead not guilty
- Seek an adjournment to get legal advice

If you want to plead guilty, the magistrate will move right on to sentencing, unless the case is so serious that it requires the case to be adjourned for a pre-sentence report or transferred to a higher court such as the District Court.

This means your case will often be settled that day, within a matter of hours.

However, unfortunately, if you want to plead not guilty at the mention, you will have to come back at a later date. Your case cannot be settled on the day.

You should never plead guilty if you are innocent of an offence, no matter how tempted you may be.

Magistrates actually have the authority to reject a guilty plea if they do not believe that it is genuine.

They may treat it as a not guilty plea and you will have to come to court again.

If you are pleading not guilty, the case will normally be adjourned for 6 weeks to give police the opportunity to provide you with any witness statements and other evidence against you.

The matter will then progress towards a defended hearing whereby police will bring along any witnesses, and where you can also bring witnesses and material to support your case.

What do I need to bring to a defended hearing?

If you have legal representation, your lawyer will have advised you about the material that you should bring along. He or she will also have spoken with any witnesses that may support your case, and they will normally also be asked to come along.

It is ultimately the prosecution's job to prove all ingredients of every offence against you beyond reasonable doubt.

However, you can make their job so much easier if you don't bring any evidence or witnesses to corroborate your story, including any photos, call records, business records or any physical evidence.

Since the court will be deciding your future, it is in your best interests to provide all the evidence you have that backs up your story.

Even if you are pleading guilty, this doesn't mean you don't necessarily have anything to prove.

When it comes to sentencing, there may be matters that you

want the magistrate to take into account.

Under the [Crimes \(Sentencing and Procedure\) Act](#), magistrates have a large amount of discretion and are required to consider a range of personal and factual circumstances surrounding the offence.

If there are extenuating circumstances, or particular considerations that you would like the magistrate to consider when sentencing, you will need to bring documentation.

If, for example, you need your licence in order to get to your job, and without your job you will no longer be eligible for your affordable housing scheme, it is vital that you bring along appropriate documentation, such as letters from your employers or Centrelink.

A magistrate may not necessarily just take your word for it.

You can also bring along any character reference or a letter of apology that you have drafted.

If you do have any questions or uncertainties about court process or any other matter relating to your court case, it may be better to speak to an [experienced criminal lawyer](#).

They will be able to work out exactly you will need to collect and prepare for court in plenty of time for your defended hearing (if you plead not guilty) or sentencing hearing (if you plead guilty).

Experienced lawyers may even be able to get your charges dropped before your case even reaches a defended hearing, ensuring you can put the whole matter behind you quickly, and conviction free.

Many lawyers offer a free first appointment, so you can take advantage of their advice even if you are strapped for cash.