

Going to Downing Centre Local Court on Drug Manufacturing Charges

Downing Centre Local Court is one of the largest courts in Sydney and it deals with a number of different drug matters, including possession, supply and manufacture of drugs. If you are scheduled to appear at Downing Centre Local on drug manufacturing charges, it's important to have an understanding of what your charges mean, what to expect in court, and what the possible outcome might be.

What is drug manufacturing?

According to the [Drug Misuse and Trafficking Act](#), drug manufacture is an indictable offence, which means it is generally dealt with in the district court. In some cases, it may be possible to have drug manufacturing charges dealt with summarily in the local court. This generally applies in situations where the quantity manufactured wasn't considered to be a large or commercial quantity.

Drug manufacturing is classified as the production or manufacture of any [prohibited drug](#) and it includes taking part in the manufacture or production of a prohibited drug, even if you are not the main person responsible. Whether or not a drug is considered to be a prohibited drug depends on how it is classified according to the Australian Therapeutic Goods Administration. Laws vary slightly between states and the penalty you will get for manufacturing or growing different drugs may be different depending where the matter is dealt with.

What is the penalty for drug manufacturing?

The penalty you receive for a drug manufacturing charge will

depend on your previous history and the type and quantity of drug manufactured. There are also different penalties depending on whether the matter is dealt with as an indictable offence or a summary offence. If you are due to appear at [Downing Centre Local for drug manufacturing](#), the offence is being handled summarily, which means you will be liable for a lower maximum penalty than if you were appearing at the district court.

The maximum penalty for drug manufacturing charges dealt with at the local court is a two-year prison sentence, or a fine of up to \$2,200. Other penalties you might receive include a good behaviour bond, community service, a suspended sentence, or if you plead guilty, a [section 10 dismissal](#) or [conditional release order](#).

For matters involving the manufacture of indictable or commercial quantities of drugs the maximum penalty increases significantly and long-term imprisonment is a strong possibility. The maximum jail sentence for the manufacture of commercial quantities of drugs is life imprisonment. Cases involving larger quantities of drugs will be heard at the district court rather than the local court, and will usually involve a judge and jury instead of a magistrate.

What will happen at court?

If you have been arrested on drug manufacturing charges and released on bail, or you have been given a court attendance notice, you will be required to attend the local court on a specified date. It is a good idea to seek legal advice as soon as possible, even if you intend to plead guilty.

Make sure you attend court on your nominated day and time. If you can't attend for any specific reason, make sure you call the court as soon as possible and provide evidence of the reason, for example a medical certificate from your doctor if you are sick. Failing to turn up to your court date may lead

to a warrant being issued for your arrest and the matter can even be decided without you.

You will need to bring all your papers and documents to court and prepare to wait around, as it can take a while for your turn. The first court date is where you plead guilty or not guilty. If you decide to plead guilty, the matter may be decided then and there, and the magistrate will give you a sentence. If you choose to plead not guilty, the matter will be postponed so that both sides can prepare their evidence.

If you are unsure how to plead it's a good idea to speak to a lawyer before your court appearance. If you choose to plead not guilty, you will need help in preparing your defence, and it's a good idea to have representation in court. Drug manufacture charges can be serious, so make sure you have the best chance of a positive outcome.

How to Defend Yourself against an AVO

Have you been served with an AVO? Having an AVO taken out against you can have a significant impact on your lifestyle, and can cause major inconvenience. Unfortunately many AVOs are taken out unnecessarily, either out of malice from private individuals or by overzealous police officers who have no evidence but want to be seen as taking a firm stance in issues of suspected domestic violence.

Although it can be difficult to challenge an AVO once it has been served, there are a number of things you can do to increase your chances of being able to successfully defend yourself against an AVO. Your first step is to get an

experienced lawyer who has a proven track record in helping people defend themselves in situations similar to yours.

What is an AVO?

An AVO is an [Apprehended Violence Order](#). It's a court-issued document that prohibits you from coming within a certain distance of or contacting another person (the alleged person in need of protection or PINOP). There are a few different types of AVO that you may be served with, depending on the situation and your relationship with the alleged victim.

An ADV0 is an Apprehended Domestic Violence Order and these are taken out in situations where there is a domestic relationship between the alleged victim and the defendant. An ADV0 can be taken out by police without the consent of the alleged victim, or they can be requested by the alleged PINOP. ADV0s can be difficult to defend but it is possible in certain circumstances.

An APV0 is an Apprehended Personal Violence Order and these come into effect when there is no domestic relationship between the parties. An APV0 may be taken out in the case of neighbours or friends who don't live together but where one feels that they may be at risk of violence or harassment from the other. Unfortunately both ADV0s and APV0s can be misused and taken out unfairly out of malice or spite.

How can I defend myself against an AVO?

If you have been served with an AVO it's important to think about your options carefully. You can choose to accept the AVO, which doesn't mean that you are admitting to any allegations contained within it. Accepting the AVO means that the matter is finalised more quickly, but it also means that you will be required to abide by the terms of the AVO for as long as it is in effect. Although an AVO is not a criminal conviction, you will be prohibited from working in certain occupations and having a [firearms licence](#) if you are the

subject of an AVO. You will also be required to restrict your movements and avoid places where the alleged PINOP resides or works.

If you choose to [defend yourself against an AVO](#), you will need to go to court. Most AVO matters have an initial court hearing date where the AVO will be served. If you decide to defend yourself, you will be given a further court date where the matter will be heard.

This is usually around six weeks after your first date to give you time to gather evidence and prepare your case. In the meantime, you may be served with an interim AVO, which is a temporary AVO to last until the matter is finalised.

Before your hearing you will need to gather as much evidence as possible to support your defence. Your lawyer will guide you as to the specific evidence you will need depending on your circumstances. Statements from witnesses and any documentary evidence that can show that the person taking out the AVO is lying, or misleading the court, will be helpful.

AVOs can be cancelled or withdrawn in cases where there is no evidence that the alleged PINOP is at risk of harassment or violence from the defendant. In cases where police may have taken out an AVO on someone else's behalf and the alleged victim hasn't given a statement, or if there is no evidence to support allegations of domestic violence, the AVO may be withdrawn.

If you have been issued with an AVO and want to defend yourself, make sure you speak to an experienced lawyer as soon as possible. Your lawyer will be able to advise you on your best defence and tell you what the possible outcome will be. If you are currently under an AVO it's important that you don't breach the terms until the matter is decided. Breaking an AVO is a criminal offence and it can lead to further legal problems and a criminal conviction.

Ugur Nedim – Lawyer who Regularly Attends Downing Centre Court

Do you have an upcoming appearance scheduled at the Downing Centre Court?

If you are due to appear in court, even for a relatively minor matter, it is a good idea to seek advice and representation from an experienced criminal defence lawyer.

[Ugur Nedim, a lawyer](#) from Sydney Criminal Lawyers®, has experience with the magistrates and judges at [Downing Centre Court](#).

Ugur is the principal of the firm, and has been successfully defending minor and more serious cases, including murder and commercial drug cases, since 1998.

In fact, Ugur has worked in criminal defence since 1992 when he became a law clerk for a prominent defence firm. He started his own firm in 2001 which has built a reputation for excellence in the field.

What should I look for when I choose a lawyer?

If you are looking for a lawyer to represent you in court there are a number of factors you should take into consideration.

Finding the right legal representation can make a big difference to the outcome of your criminal case, so make sure you choose a lawyer who is experienced and has a proven track record of success at defending cases like yours in Downing

Centre Court.

Here are some of the things you should look at when choosing a lawyer to represent you in court:

- **Experience.** An experienced lawyer will know what is likely to be the best defence in your case and will be able to base their strategy on what has worked in the past. Experienced lawyers also have a good reputation and standing with magistrates who are more likely to listen to them and trust their arguments.
- **History.** Experience is one thing, but having a proven track record of successfully defending cases that are similar to yours can give you an idea of the likely outcome. When you are looking for a new lawyer, ask to see records of their previous cases and check whether or not they got the outcome that you are looking for.
- **Ability to communicate.** Going through the court process is a stressful time and in order for your lawyer to be able to guide you and give you the best quality representation, you need to be able to communicate effectively and honestly with them. If you don't feel comfortable with your lawyer or if they speak in incomprehensible legal terminology all the time, this is not going to alleviate your stress or give you the best chance of a positive outcome.
- **Individual or team.** Although many lawyers work independently, for the highest level of representation it is a good idea to look for a lawyer who works as part of a team. Having a group of people working on your case means you can expect to have people who specialise in different areas working on different aspects of your case, and an overall higher level of representation.
- **Fees.** Lawyers' fees can be expensive so make sure you check how your lawyer is planning to charge, and ensure that you are aware of all costs upfront. Some law firms, including [Sydney Criminal Lawyers®](#), charge flat rate fees for minor or routine matters, and this can be a good way to avoid unexpected bills and keep your legal fees reasonable.

□ Having a criminal conviction on your record can have a lifelong impact on you and your family, so it is important that you find the best possible legal representation. [Ugur Nedim](#) is a lawyer who regularly attends Downing Centre Court, and is an accredited specialist in criminal law.

Make sure you give yourself the best chance of a positive outcome from your court case and choose the best quality legal representation available.

Should I Plead Guilty by Sending a Written Notice of Pleading?

If you have been charged with a criminal offence or are due to appear at [Downing Centre Local Court](#), it is important that you attend court on your specified court date.

Failing to turn up to court at the scheduled time can potentially lead to the case being decided in your absence, or even a warrant being issued for your arrest.

If you are going to be away, you may consider entering a guilty plea in writing by filling out a [written notice of pleading](#) that is on the reverse side of the small, yellow Court Attendance Notice issued to you by police, or obtainable from the [Local Court website](#).

However, taking this course of action can have adverse consequences.

Dangers of sending a written notice of pleading

Filing a written notice of pleading means that you won't be present at the time of your court date to present the 'mitigating circumstances' of your case, which means the facts about the incident which make it less serious, personal information about you and the impact of a harsh penalty.

Not attending can also make it harder for the magistrate to accept that you have taken responsibility for the offence, are genuinely remorseful and unlikely to reoffend.

Police will often tell defendants to write a written notice in order to get a matter 'over and done with', but what they will often neglect to explain is that it is well within the Magistrate's power to adjourn your case and require you to attend regardless of the notice, and perhaps more importantly that you are less likely to receive a 'non conviction order' such as a [section 10 dismissal](#) or [conditional release order \(without conviction\)](#) if you do not attend.

In fact, you will not be eligible for a conditional release order if you do not attend court, because there is a requirement that you must formally accept the bond that invariably comes with such an order, either in the courtroom or by signing it at the court office.

This is a very good reason why it is in your interest to show up to court rather than send a written notice.

And of course, having a good lawyer to help you prepare for your case and present it the right way in court can assist you to get the best result – showing the Magistrate that you have taken the situation seriously, accepted responsibility, shown remorse and are unlikely to re-offend.

How do I Appeal at Downing Centre District Court?

Downing Centre District Court generally deals with more serious criminal cases than the local court. [District courts](#) are typically where more complex or severe criminal matters

are heard, and where appeals against local court decisions are dealt with. If you have recently been through the court system at Downing Centre Local Court, and are unhappy with the outcome, you have the right to appeal to the district court.

Why do people appeal?

There are two main types of appeal you can make at a district court. You can appeal against the conviction itself if you were found guilty of a crime that you are not guilty of, or you can appeal against the severity of a sentence if you feel it was overly harsh.

How do I appeal at the district court?

If you want to appeal a local court decision you have 28 days to lodge an application. This can be done at the local court by visiting the Court Registry and filling out a form. There is an application fee to lodge an application for an appeal.

Once your application is lodged, you will receive notification of a listing date at the district court. You will need to attend court on that date and present any new evidence that wasn't supplied on your first court date, and that might be relevant. It is also a good idea to bring along any witnesses who weren't able to give evidence at your first hearing. If you can provide a reasonable explanation of why they didn't give evidence at the local court, you may be able to call them to provide evidence at your appeal.

Do I need a lawyer to appeal?

You don't need to have a lawyer with you when you appeal to the district court, but it is highly advisable. You only get one chance at an appeal unless compelling new evidence comes to light at a later date, so the district court judge's decision is final. Make sure you present the strongest possible case by having an experienced legal representative, and you will have a much higher chance of success than by

representing yourself.

Can I get a more severe sentence?

It is possible for a judge to impose a harsher sentence on appeal. But if the judge at the district court reads your evidence and the transcripts of your previous hearing and decides that your original penalty was not severe enough, they can't give you a more severe sentence without first issuing you with a warning. If you receive this warning (known as a "[Parker warning](#)") your lawyer will immediately withdraw your application before you can be given a more serious penalty. This is another good reason to have professional representation, as an experienced lawyer will know when this is happening, and when to take action to avoid a harsher penalty.

If you have recently been through the court process and you aren't sure whether you have grounds for appeal, it's a good idea to speak to a lawyer for advice.

If you decide to appeal, make sure you bring all the evidence you have available and take some time to prepare your case. You only get one chance to appeal at [Downing Centre District Court](#), so make sure you give yourself the best possible chance of a positive outcome.

What is the Role of the Registrar at Downing Centre

Local Court?

Local courts are busy places, and knowing where you need to be and what you are required to do can be confusing. If you are attending [Downing Centre Local Court](#) or any other local court and need help and general advice on procedures, the court registry or registrar is usually a good place to go.

What is a court registry?

The [court registry](#) is the office at the local court where you can get forms, deal with a number of different matters and seek advice if you are unsure where to go or what the court process involves. The court registry is usually staffed with clerical staff and although they can give you advice about procedures and help you fill out legal forms, they are not legally trained and can't offer any legal help or advice.

What can the registry help me with?

The court registry at Downing Centre Local Court can help you with a number of procedural and administrative matters including:

- If you are at the court for a hearing but are unsure where your matter is being dealt with, there will usually be someone from the registry near the entrance who can advise you where to go.
- Witnessing signatures on court documents.
- Helping you apply for an apprehended violence order (AVO).
- Give you information about legal proceedings and help you find the right forms.

If you require more in-depth information and assistance you can ask to speak to a registrar at the local court. A registrar is a senior registry officer who can provide you with advice on a range of subjects. You will usually need to make an appointment to see a registrar, depending on availability. This service is usually called a chamber

service.

How can the chamber service help me?

The chamber service can help you with applications and forms for a range of different legal issues including:

- Apprehended violence order applications.
- Family law applications.
- Applications to start legal proceedings in civil cases.
- Family law recover orders in certain circumstances or in locations where there are limited other services to do this.
- Legal paperwork relating to civil cases, including defence and notices to stay proceedings and set aside judgement.

The chamber service can't advise you on how to prepare a defence or what to say in a legal matter. Only a lawyer can give you legal advice or represent you in court but the chamber service can help you with the paperwork and make sure you have access to resources and information which may help you.

Do the higher courts have registries?

As well as local courts such as Downing Street Local Court, district and [federal courts](#) also have registries and registrars who can provide advice on procedures and documentation. The limitations are the same for higher court registrars as they are for registrars working in the local court.

Whatever the nature of your legal matter, if you need to attend court or file paperwork at the court house, speaking with a registrar can be extremely beneficial and can help you make sure your paperwork is complete and filed correctly. Make sure that you also seek legal advice if necessary however, as registrars can't provide advice about how you should proceed with a legal matter or represent you in court.

Applying for Bail at Downing Centre District Court

If you have been arrested and charged with a criminal offence, in many cases you will be offered [bail](#). Bail allows you to remain in the community under certain conditions, rather than having to stay in custody until the date of your hearing. If your crime is not severe, and you are not considered to be at high risk of further offending while out on bail, you will probably be granted bail at the police station. If you are refused bail, you will be taken to the nearest court as soon as possible so that you can request bail there.

Police can refuse to grant you bail under a number of different circumstances which may include:

- If you have committed an offence, such as murder, which has a 'presumption against bail'.
- If you have a previous history of breaching bail terms.
- If it is believed that your release on bail could be against the interests of the community.

If police have refused to grant you bail or the offence you have been charged with has a presumption against bail (meaning you are automatically refused unless you can provide evidence as to why you should be released on bail) you will need to explain the reasons why you should be granted bail to a magistrate or judge at a local or district court.

Depending on where and when you are arrested, you may be taken to [Downing Centre District Court](#) or another local or district court in your area. It is important that you gather as much documentation or evidence as possible to support your request for bail. Recent changes to the Bail Act have meant that there

are restrictions as to how many times you can request bail, so it is essential that you ensure your first application is as strong as possible.

Some of the factors that the judge at Downing Centre District Court will take into consideration when deciding whether or not to grant bail include:

- The circumstances surrounding the offence.
- Any previous history of criminal activity or violence.
- Whether you have previously breached bail conditions.
- Any character references you can obtain which can reinforce your good character and standing in the community.
- What penalty you will be likely to receive if found guilty.
- Whether it is likely you will interfere with witnesses or evidence associated with the case.

If you need to apply for bail at a court, it is a good idea to find an experienced lawyer to represent you and give you the best chance of success.

If your application for bail is successful, you will be required to abide by certain [restrictions](#) until your legal matter is finalised. These restrictions can include rules surrounding where you live, who you associate with, and what activities you are involved in. You may also be required to attend mandatory counselling, traffic or rehabilitation programs as part of your bail conditions.

Breaching the terms of your bail could lead to further penalisation and you may be sent back to custody on remand until your trial, so it is important that you understand your bail conditions and take steps to avoid breaching them. If you have been refused bail by the district court, you may be able to appeal to the Supreme Court if there is new evidence to support your case.

Attending Downing Centre Local Court for an AVO

Taking out an AVO can be stressful for both parties involved. An Apprehended Violence Order (AVO) is a court issued document that is designed to protect an individual from becoming a victim of violence or intimidation at the hands of someone else. AVO matters are heard at [Downing Centre Local Court](#), generally in court 4.3, but it is always a good idea to double check when you arrive.

If you are the person taking out the AVO (PINOP)

If you are taking out an AVO or the police are taking one out on your behalf, you will be required to attend court at least once. If the defendant has been served with the AVO before the court date, the matter may be finalised at the first appearance. If the defendant was not served with the AVO prior to the court date, the court may be adjourned to a later date. In cases where the defendant chooses to disagree with the AVO, there will be a hearing at a later date and you may be required to attend court on a few separate occasions.

If the defendant has been previously served with an AVO but does not attend court an order can be made in their absence. The police can also make an interim order on your behalf until the matter is finalised.

If you are the defendant

If you have been served with an AVO or you have received notification of your court date for an AVO matter, it is important that you attend at the designated date and time. Make sure you arrive early and allow enough time if you need

to wait around for your matter to be heard. If you agree with the terms of the AVO, the matter will probably be finalised on the first appearance. Agreeing with the AVO does not mean you are admitting to the allegations contained within it.

If you disagree with the AVO it is a good idea to seek legal advice. The matter will then be adjourned for six weeks so that both parties can prepare their evidence, which will then be presented at a hearing.

Having an AVO against you can affect your lifestyle and family relationships, as well as prevent you from getting a firearms licence and working in certain occupations. If you have been served with an AVO, it is important to think carefully about the impact it would have and whether it is justified. It is possible to defend yourself against an AVO, but it is a good idea to speak with a lawyer to find out what your best defence is and how likely it is that you will succeed.

Where can I get support?

There are a number of different support services at Downing Centre Local Court, including the Sydney Women's Domestic Violence Court Advocacy Service, which offers legal assistance and support to women who are taking out private AVOs or in cases where the woman is the defendant in an AVO. There is also a [legal aid](#) office situated on Level 4 of the Downing Centre Local Court. If you have legal representation, your lawyer will be able to discuss the process with you and direct you to support organisations where appropriate.

What to Expect When You Go to Downing Centre Court

Going to court can be an intimidating experience, particularly if you have never been to one before. Knowing what to expect before you walk in the door can help alleviate some of your worries, and make you feel more confident during what is for most people an upsetting and stressful time in their lives. Whether you go to a large court like [Downing Centre Court](#), or a smaller regional courthouse, the procedure is much the same.

Downing Centre Court is both a local and district court, which means that it deals with less serious matters, and with complex criminal trials. Cases can be presided over by a magistrate or judge if it's a local court matter, or a judge and jury if the matter is before the district court.

When you arrive

Downing Centre Court, like many other courthouses, has a number of different courtrooms. Make sure you arrive early, so you have time to find where you need to be without having to rush. A list of courtrooms and cases that are being heard should be in the foyer. When you arrive at the court complex, the first thing you will need to do is check which courtroom your case is being heard in, and make your way there.

Once you arrive at the right courtroom, there will be a court officer who will generally be identifiable by a badge or uniform. You will need to let them know you are there, and they might ask you a number of questions about your case. Once you have spoken to them, they will probably tell you to sit and wait until it is your turn.

In the courtroom

You will be called in to the courtroom when it is your turn. A

number of other people will be in the room, including the judge or magistrate, the prosecuting lawyer and your lawyer if you have one. Depending on the nature and severity of the case there might be other people present, such as members of the public or journalists.

Once you are before the court, you will need to let the judge or magistrate know whether you want to [plead guilty or not guilty](#). Make sure you stand up when you address the judge or magistrate – there will generally be a microphone to speak into. If you decide to plead guilty, the matter will probably be finalised that day unless it is highly complex or serious in nature.

If you choose to plead not guilty, the court will be adjourned, and you will be given a later date to have the matter heard. This is to give you and the prosecution both time to prepare your cases, and gather any evidence you might need. If you are unsure whether to plead guilty or not guilty, it is best to speak to a lawyer beforehand as how you plead on your first court appearance can make a big difference to the outcome of your case.

Although visiting a court house such as Downing Centre Court can be nerve wracking, it is best to try to stay as calm as possible. If a lawyer is representing you, they can help to guide you through the process and alleviate any of your concerns, as well as help you get the most positive outcome possible from your court hearing.

History of the Downing Centre

The Downing Centre was originally built as a department store for Mark Foy's in 1908.

Mark Foy's was taken over by Grace Brothers in 1980 who traded in the Centre until 1983.

The building was then converted into a court complex which opened in 1985.

It was named the 'Downing Centre' in 1991 after former Attorney General and Minister for Justice Reg Downing.

The Downing Centre contains 7 levels of courtrooms.

The Local Courts are situated on levels 4 & 5 and the District Courts are on the lower ground level up to level 3.

The Downing Centre is NSW's central court complex and is presided over by the Chief Judge of the NSW District Court, Justice Reg Blanch, and the Chief Magistrate of the NSW Local Court, Judge Graeme Henson.

It is a classically crafted building whose exterior comprises white bricks separated by yellow sills and cornices.

Its cultural significance is reflected in its listing on the Register of the National Estate.

All in all, the Downing Centre is a great place to work.