

Can I Represent Myself in Court?

If you have received a [Court Attendance Notice to attend Downing Centre Local Court for a criminal matter](#), you may have decided that you don't need a lawyer or simply can't afford one. Not everyone can afford an expensive lawyer, or is eligible for Legal Aid.

Many people who have their cases heard in the Downing Centre choose to represent themselves and many have been successful.

If this is the case, there are a number of things you can do to prepare yourself for your trial. Dress smartly, but there is no need for a suit and tie.

Be on time but also be prepared to do a lot of waiting.

All the people who have cases to be heard on a particular day will be requested to turn up at the beginning of the day, and the judges will generally just go down their lists.

This might mean your case is not heard for a few hours. When the magistrate is ready to hear your matter, your name will be called by a court officer.

Do not take a pocket knife, scissors, tools or anything that could be considered a threat with you – in any case, this will be picked up by the security scanners upon entry to the courthouse.

If however, an item is taken from you when you enter the courthouse, you will be able to collect it when you leave.

It may be a good idea to bring along some character references along with you, as well as any other documents (or a witness) that you think are relevant to your case.

This could include medical reports, receipts, letters, photographs, video footage or anything else that you would like to present as evidence.

It is also a good idea for you to write down what happened in your own words, particularly when the events are still fresh in your mind. You can also bring a friend or family member with you for support.

If, after you arrive at court you feel that you would benefit from some legal advice, you may still be able to get some free legal advice and even representation in court on the day of your trial.

There will usually be a duty solicitor or duty barrister available most days of the week, staying either the whole of the day, or sometimes just the mornings.

The duty solicitor is available to help people who are due to appear in court.

The office is located on Level 5 (not, as the sign in the lift says, on Level 4) and anyone who needs legal advice for an upcoming trial can apply for help. Duty solicitors usually deal with criminal matters, but you may inquire about civil issues too.

The free legal service operates on a roster where both large firms and individual practitioners volunteer their time on a monthly basis. There are no appointments so it is best to get in as early as you can, as sometimes these services are very popular!

A duty solicitor or barrister may help you in a number of ways including the following:

- Asking the police prosecutors to get the facts amended if you do not agree with everything in the police version of the account

- ask the magistrate for an adjournment which will mean your case is held at a later date, giving you time to collect evidence necessary to your case that you did not have with you on the day
- apply for your case to be dealt with under a [section 10 dismissal](#) or [conditional release order](#) which means you will not get a criminal record (if you are being tried for something that has a criminal record attached)
- advise you on methods of paying any fines or court costs that may be awarded against you on the day

If you are seeing a duty solicitor and are therefore unprepared to have your case heard, with enough notice the duty solicitor may be able to get the magistrate to 'stand the matter' – which means that the judge will go through other matters before returning to yours.

Remember, turning up on the appointed day is essential.

If you can't make it to court or you panic on the day, the appropriate course of action is not to simply fail appearing. If you do this, you are at risk for several things.

Firstly, the case might be decided in your absence and secondly, the magistrate may even order a warrant for your arrest.

It's much better just to come to court prepared than to have to come back at a later date, or face even more severe consequences. Remember that many people do choose to represent themselves and this number is rising.

But if at any stage you are unsure of your options, seeking some initial legal advice may be your best bet. For more information on preparing for your day in court, [click here](#).