**REVOCATION OF ELECTION FOR TRIAL BY JUDGE ALONE**

[*SUPREME/DISTRICT*] **Select one** COURT OF SOUTH AUSTRALIA

CRIMINAL JURISDICTION

**R**

**v**

**[*FULL NAME*]**

**Defendant**

|  |  |  |
| --- | --- | --- |
| **Lodging party** | Defendant [*number*] |  |
|  | **Party title** | **Full Name of party** |
| Name of law firm/office |  |  |
| **If applicable** | **Law firm/office** | **Responsible Solicitor** |
| Name of authorised officer |  |
| **If body corporate and no law firm/office** | **Full Name** |

|  |
| --- |
| **Revocation of election**I, the Defendant, revoke the election I previously made on [*date*] under section 7(1)(a) of the *Juries Act 1927* to be tried by Judge alone in respect of all of the charges in the Information dated [*date*].I acknowledge that I have received prior legal advice about making this revocation. |

|  |
| --- |
| …………………………………………Signature of Defendant…………………………………………Name printed [*Enter full name of Defendant*]………………………….Date [*date*]before me ………………………………………… Signature and title of attesting witness **witness must be a Justice of the Peace, Lawyer, Commissioner for Affidavits, Notary Public or Police Officer** …………………………………………. Printed name of witness **stamp here if applicable****Only complete the next signature panel if consent made by solicitor**…………………………………………Signature of Solicitor authorised by Defendant to revoke the election on their behalf………………………….Name………………………….Date |

|  |
| --- |
| **Certificate by Legal Practitioner mandatory**I, [*name of individual barrister/solicitor*] certify that:1. I am a lawyer holding a current practising certificate under the *Legal Practitioners Act 1981*;
2. I am acting in this proceeding as the Defendant’s
* solicitor.
* counsel.
1. I have advised the Defendanton all matters relevant to the Defendant revoking an election for trial by Judge alone under section 7(1)(a) of the *Juries Act 1927* in respect of all charges in the information dated [*date*].

…………………………………………Signature of legal practitioner…………………………………………Full name printed………………………….Date |

**Only complete next box if election made by counsel**

|  |
| --- |
| **Revocation of Election**I, [*name of individual barrister/solicitor*] certify that:1. I am a legal practitioner holding a current practising certificate under the *Legal Practitioners Act 1981*.
2. I am the counsel for the Defendantin this proceeding.
3. I believe that the Defendant is unfit to instruct counsel or give rational instructions in respect of all charges in the Information dated [*date*].
4. I have considered all matters relevant to the making of an election.
5. I consider that it would be in the best interest of the Defendantto revoke the election.
6. I exercise my independent discretion under section 269W of the *Criminal Law Consolidation Act 1935* to revoke the election made under section 7(1)(a) of the *Juries Act 1927* that the Defendantbe tried by Judge alone in respect of these charges.

…………………………………………Signature of legal practitioner…………………………………………Name printed [*full name of legal practitioner]* ………………………….Date  |

|  |
| --- |
| **Service**The party filing this document is required to serve it on all other parties in accordance with the Rules of Court. |