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

SUPREME / DISTRICT **Circle one** COURT OF SOUTH AUSTRALIA

CRIMINAL JURISDICTION

CASE NO: ………………

**R**

**v**

**……………………………………………………………………………………………**

**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 **full name of Defendant**  ………………………….  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**   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  …………………………………………  Full name printed  ………………………….  Date |

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