A photograph of the Darwin Magistrates Courts building, featuring a prominent sign with the coat of arms and the text 'DARWIN MAGISTRATES COURTS'. The image is overlaid with a semi-transparent orange filter. The building is a modern, multi-story structure with large windows and a flat roof. A tall palm tree is visible in the background to the left. The sky is clear and blue.

GOING TO COURT'

**A GUIDE TO CRIMINAL MATTERS IN
THE MAGISTRATES COURT**

SO YOU ARE GOING TO COURT

Going to court for the first time can be confusing and stressful. This booklet will help you understand what happens on the day and how best you can prepare yourself for criminal matters. It will take you right through the court process – being charged, to making your plea and being sentenced if you plead guilty or are found guilty. It is designed for people who have not been to court before and for people who are representing themselves.

This brochure does not provide legal advice. To get legal advice you should see a lawyer. You can organise for a lawyer to appear in court on your behalf. To do this you will either have to pay a private lawyer or apply for legal aid to represent you. Contact details for legal aid offices are included in the “**Contacts**” section at the back of this booklet.

Revised March 2011

Design by Claire Pallant Design

Photographs of Darwin Magistrates Court by Monica Napper Photography

Disclaimer: This content is provided as an information source only and is not legal advice. It is correct at the time of publication but laws change. If you have a legal problem, you should seek legal advice from a lawyer.

CONTENTS

SO YOU HAVE BEEN CHARGED WITH A CRIMINAL OFFENCE	2
YOU HAVE TO GO TO COURT	2
• find out when the court date is	2
• find out which court to go to	4
• what happens if you do not turn up to court	6
PREPARE YOURSELF	7
• get legal advice	7
• decide whether to plead guilty or not guilty	8
• plan what to say in court	10
• organise character references	10
• attend a course	11
• get counseling or support	11
NOW YOU ARE AT COURT	11
• what happens on the day	11
• some tips	13
• duty solicitor services	13
• who’s who in the court room	14
COURT PROCEDURE	16
• if you have a lawyer	16
• if you are representing yourself	16
• if you are pleading guilty	17
• if you are pleading not guilty	18
BEING SENTENCED	21
• conviction	21
• good behaviour bonds	21
• fines	21
• loss of drivers licence	21
• home detention	21
• suspended sentences	22
• prison sentence	22
• compensation	22
• appeals	22
CONTACTS	23

SO YOU HAVE BEEN CHARGED WITH A CRIMINAL OFFENCE

Police are responsible for charging people who they believe have committed an offence. It is then up to the courts to decide whether those people are guilty or not guilty and what penalties, if any, they should be given. Sometimes the police will withdraw a charge before you have to go to court. If you have been charged with a criminal offence you will need to go to court to have your matter heard.

Your first court appearance will be at the Magistrates Court. The seriousness of the offence will determine which court your matter will then be heard in. Less serious offences (known as “summary offences”) will be heard entirely in the Magistrates Court. More serious offences (known as “indictable offences”) may be transferred to the Supreme Court of the Northern Territory. This booklet only deals with matters heard in the Magistrates Court.

YOU HAVE TO GO TO COURT

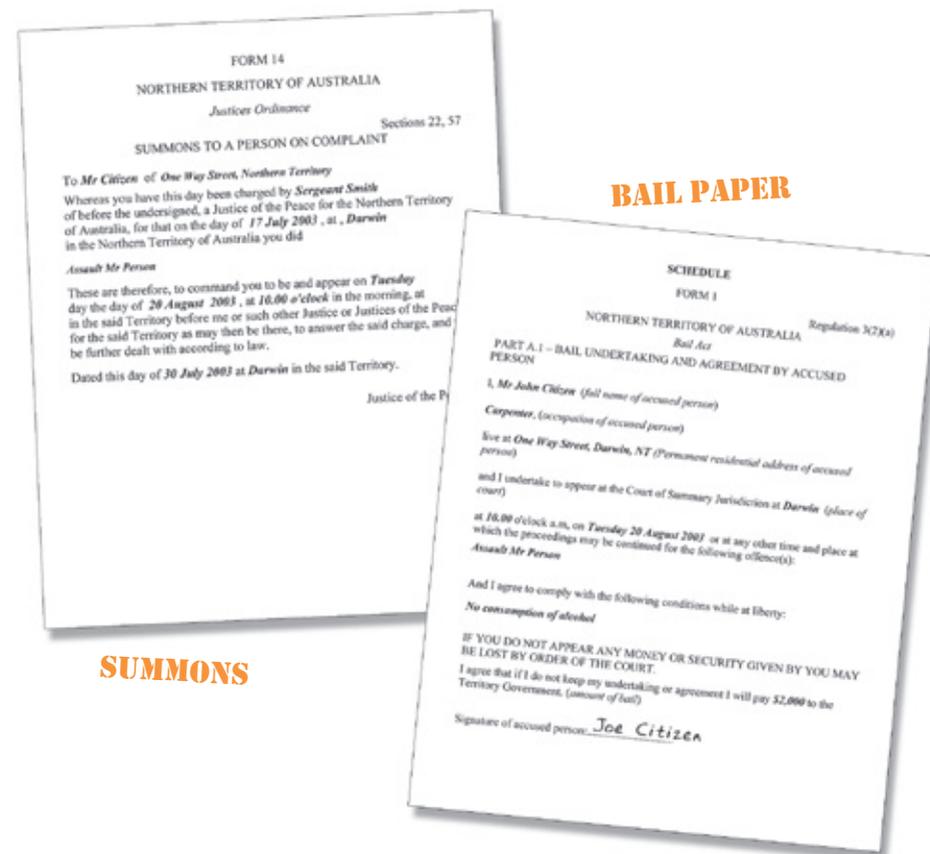
FIND OUT WHEN THE COURT DATE IS

The date you need to appear in court will be written on the summons sent to you by the police or on your bail paper. An example of a summons and bail paper is shown on the next page.

If you are unable to make it to court on the date given you need to organise to change the court date. You can do this by:

1. Organising it with the court beforehand; or
2. Asking for an adjournment on the day you go to court.

Remember going to court should be your priority – there should be very good reasons why you need the court to change the date.



SUMMONS

BAIL PAPER

ORGANISING IT WITH THE COURT BEFOREHAND

Sometimes there may be important reasons why you cannot attend court when required such as for urgent medical reasons. If you know you cannot make it to court on the day specified on the summons you should ring the court and ask for your matter to be held on another day. You may be able to bring the date forward or set it on a more suitable day. The court staff will inform you of any other steps you need to take to change your court date. If you have a lawyer you should ring them first. They may be able to change your court date for you.

Contact phone numbers for court houses in the Territory are listed under the “**Contacts**” section of this booklet (page 23).

IF YOU ARE ON BAIL AND CANNOT GET TO COURT ON THE DAY YOU ARE SUPPOSED TO YOU WILL NEED TO GET YOUR BAIL EXTENDED AND A NEW DATE. A LAWYER WILL BE ABLE TO HELP YOU WITH THIS.

ASKING FOR AN ADJOURNMENT ON THE DAY YOU GO TO COURT

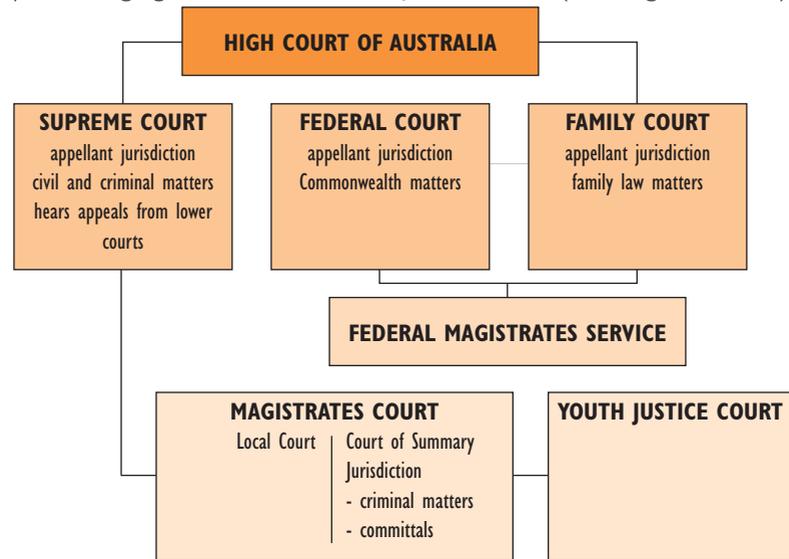
Putting your case off until another day is known as “*adjourning*” your case. Sometimes you may need to adjourn your case to give you time to seek legal advice or prepare yourself. It is

usually acceptable to adjourn your case once. You can adjourn your case on the day you go to court. A lawyer can ask for an adjournment for you or you can ask the magistrate yourself. The duty solicitor at the court can help you if you are unsure what to do. (For more information about duty solicitor services see page 13)

The magistrate will want to know why you need to change the court date. If the magistrate agrees to an adjournment they will give you another date to appear in court. You should write that date down and make sure you plan your diary around it.

FIND OUT WHICH COURT TO GO TO

Any adult charged with an offence goes before a Magistrates Court known as the “*Court of Summary Jurisdiction*”. A young person under 18 years of age goes before the Youth Justice Court (see diagram below).



Less serious offences are known as “*summary offences*”. Some examples are drink driving, shoplifting and common assault. Summary offences can be dealt with entirely by a magistrate in the Magistrates Court.

More serious offences, such as armed robbery or murder, are known as “*indictable offences*”. Indictable offences are usually heard first in the Magistrates Court and are then referred to the Supreme Court to be heard before a judge and jury.

In the Northern Territory there are court houses in Darwin, Katherine and Alice Springs which sit permanently. Tennant Creek and Nhulunbuy has a court that is staffed by a clerk and which sits about one week a month. Other towns and communities have circuit courts which sit on a part time basis.

THERE ARE COURT HOUSES IN DARWIN, KATHERINE, ALICE SPRINGS, TENNANT CREEK AND NHULUNBUY.

ALICE SPRINGS



TENNANT CREEK



KATHERINE



You can arrange to have your case moved from one court to another. If, for example, you are summonsed to the court house in Darwin but you actually live in Katherine, it may be possible to have your matter heard in the Katherine Court House. You must contact the court house nearest to you before the day your matter is scheduled to be heard to arrange this. If you have a lawyer you can ask them for help. There may be valid reasons why it is not possible to have your case moved.

For a full list of the court houses and court circuits in the Northern Territory see the “**Contacts**” section in this booklet (page 23).

WHAT HAPPENS IF YOU DO NOT TURN UP IN COURT

There can be serious consequences if you do not appear in court on the day you are supposed to.

In some cases (usually for the less serious offences like traffic offences) the court will hear the matter even if you are not there. This may mean that you get a more serious penalty for the offence you have been charged with. It also means you miss out on the opportunity to defend yourself or provide the court with your side of the story.

In other cases the court will issue a warrant for your arrest. A warrant authorises police to arrest you wherever or whenever they find you and then bring you before the court.

If you are on bail it means you have promised that you will appear in court on a specified day. If you are on bail you must appear in court on the day (and on any other days) the court requests. If you fail to appear a warrant for your arrest will be issued and you may not get bail granted again. If you have an emergency and can't get to the court you must ring the court – and your lawyer if you have one – and explain the circumstances. The court will then consider whether it will allow a warrant to lay on the court file, usually for a day or so, until you can get to court.

There are some things you can do before your court day to get yourself ready. Preparing yourself will make it easier for you on the day. It will also make it easier and quicker for the court to deal with your matter.

TO PREPARE YOURSELF YOU CAN:

- 1. get legal advice**
- 2. decide whether to plead guilty or not guilty**
- 3. plan what to say in court**
- 4. organise character references**
- 5. attend a course**
- 6. get counselling or support**
- 7. if you are charged with theft or damaging property, see if you can pay back what you owe to the victim**

GET LEGAL ADVICE

Being charged with a criminal offence is a serious matter. You should always get legal advice about what to do, even if the offence seems trivial. A lawyer can advise you about your plea, what you need to do before you go to court and what to do when appearing before a magistrate. Even if you want to represent yourself in court it is best to speak to a lawyer first.

There are legal aid and private lawyers who can assist you. Contact details for legal aid offices in the Northern Territory are included in the “**Contacts**” section of this booklet (page 23). To find a private lawyer you can contact the Law Society Northern Territory (see page 24).

The NT Legal Aid Commission and Aboriginal legal aid offices offer “*duty solicitor*” services at court houses in Darwin, Alice Springs, Katherine, Nhulunbuy and Tennant Creek. Duty solicitors can provide advice to you on the day you are appearing in court. They can also help you put off (known as “*adjourn*”) your case if you need more time to prepare. If you are not sure how to find the duty solicitor you can ask the registry staff at the court to send you in the right direction.

EVEN IF YOU WANT TO REPRESENT YOURSELF IN COURT IT IS BEST TO SPEAK TO A LAWYER FIRST

SOME QUESTIONS TO ASK YOUR LAWYER

The dot points below are just some of the questions you can ask your lawyer before you go to court:

- Do I have a defence to the charge I am facing?
- What are my chances of being found not guilty?
- If I plead guilty, what penalty can I expect?
- If I am found guilty, what penalty can I expect?
- Can I ask for a “no conviction” to be recorded?
- How many times will I have to go to court?
- How long will the whole case take?
- How much will I have to pay my lawyer?
- Might I be eligible for Legal Aid?
- Is there anything I should do to prepare myself before my case is heard?
- What do I do and say on the day I appear in court?
- Can I bring friends or relatives along with me to court?
- If I do not agree with a decision of the court what can I do?
- Will my name or my case be reported in the media?

THE MORE INFORMATION YOU FIND OUT FROM YOUR LAWYER THE BETTER PREPARED YOU WILL BE FOR YOUR DAY IN COURT.

DECIDE WHETHER TO PLEAD GUILTY OR NOT GUILTY

Before you go to court you will need to decide whether you are going to plead guilty or not guilty to the charge laid against you.

It is important that you understand the charge against you before you proceed. If you do not understand the charge against you then you should seek legal advice. You may have more than one charge laid against you. If you agree with some of the charges but not others you should speak to your lawyer about what you can do. You or your lawyer may be able to talk to the police prosecution about dropping some of the charges.

You should only plead guilty if you are advised by a lawyer that the evidence against you makes out the case or you wish to plead guilty. Don't plead guilty just because you want the case finished quickly.

SAMPLE OF CHARGE SHEET

NORTHERN TERRITORY OF AUSTRALIA
Juvenile Justice Act

File No: Regulation 5

UIS ID:

INFORMATION FOR AN INDICTABLE OFFENCE

The information of 2003, before the undersigned, a Justice of the Peace for the Northern Territory of Australia, who, upon oath or affidavit, states that
Sergeant of Police of DARWIN taken this
Senior Sergeant of Police, an authorised officer, has consented to this information being laid and states that:

() of

On the
at Darwin in the Northern Territory of Australia.

1. unlawfully entered

Contrary to Section 213 of the Criminal Code.

AND FURTHER
On the
at Darwin in the Northern Territory of Australia.

4. did steal

Contrary to Section 210 of the Criminal Code

and the said
is an authorised officer within the meaning of Section 24(1) of the Juvenile Justice Act, and has given consent to this information being laid.

Senior Sergeant of Police,
Taken before me the day and year first above mentioned at Darwin, in the said Territory.

Justice of the Peace

If you do plead guilty the magistrate may take that into consideration and give you a lesser sentence.

Remember, once you plead guilty you cannot later say that you were not guilty but you just wanted to finish the case.

PLAN WHAT TO SAY IN COURT

It is important to think clearly and carefully about what you want to say to the magistrate about your matter. The magistrate will not be

looking for excuses but he or she will want to know why you did what you did. If there was a particular reason why you committed an offence you should explain.

It might help you to make some notes about what you want to say. That way you can keep your facts straight and your story clear and relevant. One way to organise your notes is to write down what happened in chronological order – that is, in the order which they happened starting from the very beginning. Pay attention to detail and think about the facts you want the court to hear.

ORGANISE CHARACTER REFERENCES

It is a good idea to get some character references from people you work with or have known for a long time (like your sports coach, teacher or neighbour). The references must say that the writer knows about the charges you are facing. These references should provide some background information about you (for example, information about your family or support network, work experience and any contributions you have made to the community). After showing them to the prosecutor you can hand these references to the magistrate when you appear in court. The Legal Aid Commission has a leaflet setting out the things that should be included in a reference.



ATTEND A COURSE

There are courses available in the NT for people who have committed drink driving offences. There may also be other courses, such as anger management courses, that are relevant to your offence. Attendance at a course shows the magistrate that you have taken the police charge seriously and may help you get a more favourable sentence. They will also benefit you and your family in the future. Ask the course coordinator to provide you with a letter or certificate showing you have completed the course and give it to the magistrate on the day.

See “**Contacts**” section for drink driving courses in the NT (page 24).

GET COUNSELLING OR SUPPORT

If the offence you committed happened because of alcohol or drug issues there are counsellors and support groups available who can help you. The “**Contacts**” section of this booklet lists some of the organisations that provide support programs in the Northern Territory. If you are getting counselling or have joined a support group make sure you tell the magistrate. Your counsellor or someone from the support group may even come with you to court, or write a letter or report on your behalf. There are also special courts for people who have offended because of problems with alcohol or drugs. You should ask your lawyer about them.

NOW YOU ARE AT COURT

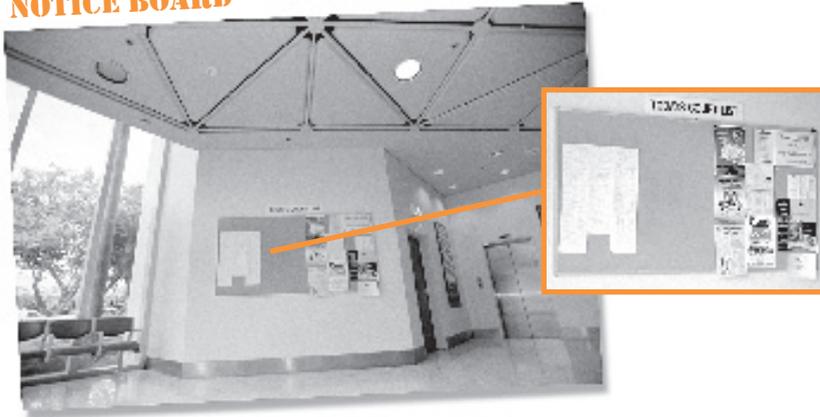
WHAT HAPPENS ON THE DAY?

All court cases are scheduled for either 9am or 10am on the date specified on the summons. This does not mean that your matter will be heard at 9am or 10am, it just means that the court starts hearing cases from 9am onwards. You may have to wait some time before your matter gets called. If you are taking time off work to attend court it is advisable to take the whole day in case there are delays.

BE PREPARED TO WAIT SOME TIME AT THE COURT BEFORE YOUR MATTER IS HEARD. YOU MAY NEED TO TAKE A WHOLE DAY OFF WORK.

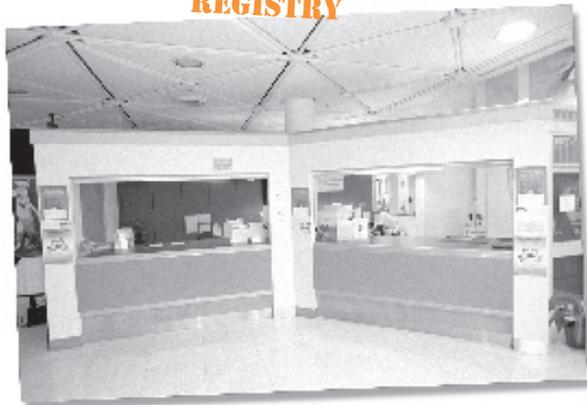
You should get to court a bit early (about half an hour to one hour before) to allow time to familiarise yourself with the court house and to find out what court room you are in. There will be a court list displayed on a notice board for you to read. The list will state the name of the person appearing in court and the charges they are in court to answer. It will tell you which court you should appear in.

NOTICE BOARD



If you are unsure about where to find the court list or what court to go to you should ask the court reception (known as the “registry”). The registry staff will also be able to direct you to the duty solicitor if you need legal advice.

REGISTRY



DO NOT LEAVE THE COURT BUILDING BEFORE YOUR CASE IS HEARD BEFORE THE MAGISTRATE.

SOME TIPS:

DRESS NICELY

You don't need to wear a suit or formal gear. You do need to make an effort to wear clean, smart clothes and be nicely groomed. Take off your sunglasses and hat when you walk into the court room.

TURN OFF YOUR PHONE

Mobile phones should always be turned off when you go into a court room.

BRING SUPPORT

It is a good idea to bring a friend, family or other support person (such as a counsellor or social worker) along to court with you. They can keep you company and help you if you feel nervous while you wait. If you have people with you it can be worthwhile to tell the magistrate or your lawyer as it shows that you take the matter seriously and are supported.

BRING YOUR NOTES

If you have written notes or organised character references (see page 10) make sure you bring them along to court with you.

WATCH AND LISTEN

It is worthwhile to sit in the court room while you are waiting for your matter to be heard. That way you can listen and learn from the people who go before you. You may feel more comfortable appearing before the magistrate after you have watched other people.

DUTY SOLICITOR SERVICES

The court houses in Darwin and Alice Springs have “*duty solicitor*” services available every day to assist people who have been summonsed to appear in court. Duty solicitors are also available at court houses in Katherine, Tennant Creek and other circuit courts when they are sitting.

DUTY SOLICITORS

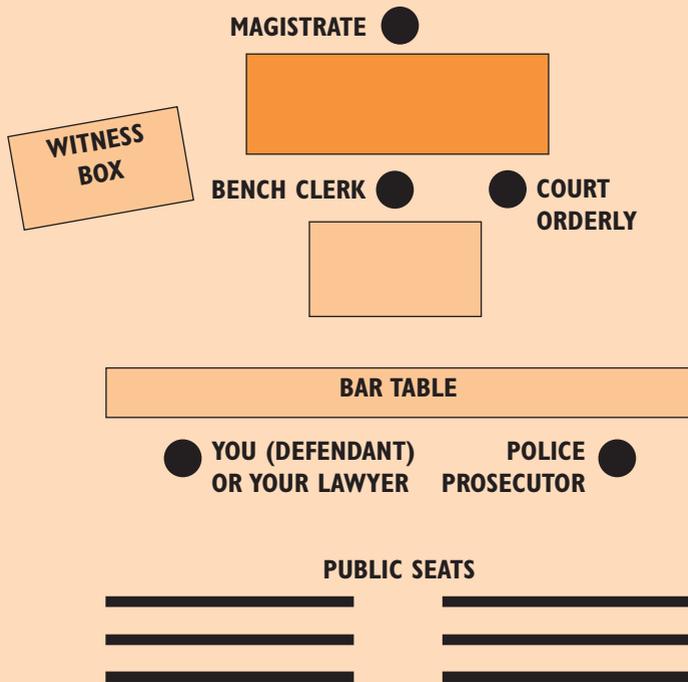


A “duty solicitor” can provide advice and assistance on your matter and how it should proceed. They can sometimes represent you in court for simple things, like asking for an adjournment. They can also provide you with an application form for legal aid if you

need further legal advice or representation.

In the Northern Territory the duty solicitor services are provided by the NT Legal Aid Commission and Aboriginal legal services.

WHO'S WHO IN THE COURT ROOM



COURT ORDERLY

THE MAGISTRATE

The magistrate sits on the bench. It is the magistrate's job to hear the case, decide the verdict and determine the appropriate sentence.

COURT ORDERLY

The court orderly calls out the cases and deals with any paperwork which needs to be handed to the magistrate. You should report to the court orderly when you arrive at court.

POLICE PROSECUTOR

The police prosecutor is the person who presents the police charges to the magistrate. The prosecutor usually sits on the right hand side of the bar table. You may need to talk to the prosecutor before your case starts.

DEFENCE LAWYER

The defence lawyer is the person who presents the defendant's case to the magistrate. The defence lawyer usually sits on the left hand side of the bar table. If you are representing yourself there will not be a defence lawyer present.

DEFENDANT

If you are appearing in court you are known as “the defendant”.

THE PUBLIC AND THE MEDIA

Most cases heard in the Magistrates Court are open to the public. Members of the media are also able to sit in and watch the court proceedings.



COURT ROOM

COURT PROCEDURE

When the magistrate is ready to hear your matter the court orderly will call out your name. If you are waiting in the foyer of the court house make sure you listen closely for your name to be called and find your way to the correct court room as quickly as you can.

IF YOU ARE IN THE WAITING ROOM YOU SHOULD LISTEN FOR YOUR NAME TO BE CALLED. WHEN YOU HEAR YOUR NAME GO TO THE COURT ROOM AS QUICKLY AS YOU CAN.

How the matter proceeds from here depends on whether you are represented by a lawyer or representing yourself and whether you are pleading guilty or not guilty.

IF YOU HAVE A LAWYER...

If you have a lawyer they will move to the bar table to present your case to the magistrate. They will instruct you on where to sit (usually just behind your lawyer in the front row of seats in the court room). The magistrate will direct his or her questions to your lawyer. Sometimes the magistrate may want to talk directly to you. You should stand up when the magistrate addresses you.

IF YOU ARE REPRESENTING YOURSELF...

If you are representing yourself you should make your way to the microphone usually set up on the right hand side of the court room.

You should address the magistrate as “Your Honor”, “Sir” or “Madam”.

The magistrate will usually start by asking you a number of questions to confirm who you are and whether you are ready to proceed with your case. For example the magistrate might ask:

“Are you Jo Citizen?”

“Do you have a lawyer representing you?”

“Do you want to get the case adjourned to get some legal advice?”

“Do you want the court to hear your matter today?”

Remember to speak clearly and calmly when you talk to the magistrate. If you have documents (such as character references) you want to hand to the magistrate you should give them to the court orderly.

IF YOU ARE PLEADING GUILTY...

A PLEA OF GUILTY CAN USUALLY BE DEALT WITH STRAIGHT AWAY.

You must stand up when your matter is called. The charge(s) are read out and you are asked to tell the court what your plea is. If you are pleading guilty you will say “guilty” as each charge is read out.

The magistrate will start by asking the police prosecutor to outline the facts that gave rise to the offence. These alleged facts are sometimes known as the “*police précis*”. You/your lawyer should check the police précis before it is read out. You can get a copy from the police prosecutor if you do not already have it. After the facts are read out you/your lawyer must say whether you agree with them. The police prosecutor will also tell the magistrate about any previous convictions you may have as well as the impact (such as injury or loss) that may have occurred as a result of the offence. You or your lawyer should check that the record of your criminal convictions is correct.

Once the prosecutor has finished you/your lawyer will then be asked to provide the court with any facts to be considered by the magistrate when determining your sentence. At this stage character references can be handed to the magistrate. It is also the time to provide the court with information about any courses you may have done following the offence (such as a drink driving course) and details about your family, work situation and income. The magistrate will ask for more information if they need it.

After hearing all the information put before them the magistrate will then decide on the penalty. In more complex matters the magistrate may adjourn the case to give them time to consider the matter. If this is the case you will be given another date to come to court to hear the final sentence.

IF YOU ARE PLEADING NOT GUILTY...

A PLEA OF NOT GUILTY INVOLVES MORE THAN ONE COURT APPEARANCE

The first time you appear in court you will be asked to indicate your plea – that is, tell the magistrate that you wish to plead not guilty.

In Darwin the magistrate will then set a date for a “*contest mention*”. At the contest mention the magistrate is presented with information from both the police prosecution and the defence (either you/your lawyer) about the case. The contest mention runs through what will happen at the hearing of your matter. A date for the hearing will be made at the contest mention. The hearing is when the case is put before the magistrate and when any witnesses are called.

In other courts in the NT you will be given a “*hearing*” date. Sometimes the magistrate may also set a “*mention*” date to check that everything

is ready for the hearing. At the hearing you will plead not guilty to the charge(s).

As with a guilty plea, the hearing will start with the police prosecutor presenting the alleged facts of the offence

to the magistrate. The prosecutor will tell the magistrate the names of any witnesses that will be called. These witnesses are required to wait outside the court room until they are called in to give their evidence. On first entering the witness box each witness will be asked to take an oath or give an affirmation that they will tell the truth. The prosecutor will question the witness about the events involved with the alleged offence.

When the prosecutor has finished asking questions the defence (you or your lawyer) can ask the witness questions in cross-examination. The magistrate will make sure that the questions asked are appropriate and allowed. The prosecutor is then able to re-examine his/her witnesses to clarify any matters.

Once the police prosecutor has finished you/your lawyer are able to call your own witnesses. If you want to give evidence yourself you have to sit in the witness box and make an oath or affirmation. You are not required to give evidence so you should speak to a lawyer before the hearing about whether it is advisable. If you decide to give evidence make sure you stick to the facts and answer the questions clearly. It is very important to listen closely to the questions asked and answer them carefully.

After all the evidence and witnesses have been heard both the prosecution and defence have the right to address the magistrate on why you should or should not be found guilty.

At the end of the hearing the magistrate has the duty to decide the matter. Sometimes the magistrate may adjourn the case to consider the verdict but often they decide the case straight away.

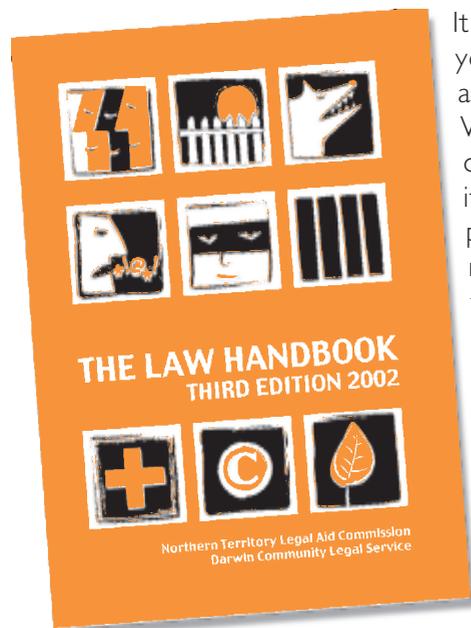
If you are found not guilty you are free to leave the court room and the case is dismissed.

If you are found guilty the magistrate will seek further information before determining the sentence to give you.

A NOTE FOR SELF REPRESENTING DEFENDANTS

If you are representing yourself it is wise to do some research before your hearing. An important part of preparing a case is understanding the law in relation to your matter. Most libraries have some legal books you can use. The Legal Aid Commission and Darwin Community Legal Service produce a publication called “*The Law Handbook*” which is available in most libraries and contains a section on self representation. The internet is another a valuable source of information – particularly in relation to legislation and case law. The “**Contacts**” section of this booklet provides a list of libraries in the Northern Territory (page 25). Ask the librarian about how to access the internet and for information about some useful legal websites.

STAND UP WHEN YOUR MATTER IS CALLED. YOU ADDRESS THE MAGISTRATE AS “YOUR HONOR” OR “SIR” OR “MADAM”.



It is important to note that it is your responsibility to organise any witnesses you wish to call. Written witness statements can only be provided to the court if the prosecution agree but the person providing the statement must be available to the court to answer questions about it. Usually statements can not be handed to the court. You should ask your witnesses to come to court. Sometimes it is necessary to formally summons a witness to court. It is recommended you get legal advice about the process of summoning a witness. It is also important to check whether there are any costs involved in

bringing a witness to court. If the witness is an expert (such as a doctor or scientist for example) you may be expected to pay a fee or compensation for their time. Interviewing witnesses is a skill. It is strongly recommended you get legal advice before you plan to call witnesses in your case.

Defending a case in a court of law requires legal skill and knowledge. The decision to represent yourself should only be made after serious consideration. The information in this booklet is a guide only. Further research is advised for anyone wishing to represent themselves.

BEING SENTENCED

If you are found guilty of the offence you were charged with the magistrate will decide on what penalty to give you based on all the information before them, including prior convictions, your personal circumstances, the nature of the offence and the impact of the offence on the community. There is a range of sentences the courts can give people, including:

CONVICTION. The court must decide whether or not to record a conviction against you. Convictions are usually recorded unless there are special circumstances. If it is important for you not to have a conviction get legal advice and prepare this part of your case. References and character witnesses are very important at this stage.

GOOD BEHAVIOUR BONDS. A good behaviour bond is an agreement between you and the court where you undertake to be of good behaviour for a set period of time. The court will often set a penalty if you break your good behaviour bond – for example, the court might tell you if you break your good behaviour bond you may have to pay a fine.

FINES. A court can give a fine as a sentence. The courts can only give you 28 days to pay off a fine. If you can't pay your fine within that time you should contact the Fines Recovery Unit (see “**Contacts**”, page 25) to arrange an extension or to pay by instalments.

LOSS OF DRIVER'S LICENSE. Some drink driving offences mean that your license will be automatically cancelled for a specified length of time. **There are no “working” licenses in the NT.**

HOME DETENTION. Home detention is an option instead of imprisonment. If you are given a home detention order you have to live at a specified place (such as your home or your parent's home) and comply with any conditions that the court sets (like not drinking alcohol). A home detention order will only be made with your consent. It is a suspended sentence of prison. A breach of a home detention order has serious consequences.

SUSPENDED SENTENCES. A prison sentence can be fully or partly suspended by the court. “Suspended” means “put off”. If you are given a fully suspended sentence it means you will spend no time in prison. It does not mean the same thing as being found not guilty. If you are found guilty of another offence while you are on a suspended sentence you will have to go back to court and may be sent to prison for the original offence. If you are given a partly suspended sentence you will be told how long you have to be in prison, and when your sentence becomes suspended. You will be told how long you are to be of good behaviour.

PRISON SENTENCE. If you are given a prison sentence you will be taken into police custody straight away. The magistrate will tell you how long you have been sentenced to. You will also be told if there is a non-parole period as part of your sentence. A non-parole period is the amount of time you have to spend in prison before you are eligible for release. If you are confused about your sentence you should ask a lawyer to explain it to you.

COMPENSATION. The court can order that you pay compensation (or “restitution”) to the victim of your offence. For example, if you were charged and found guilty of assaulting Mr X the court may make you pay for the costs of any hospital treatment that Mr X may have needed.

APPEALS. If you disagree with the magistrate’s decision you can appeal to the Supreme Court. An appeal must be made to the court within 28 days. If you want to appeal you should seek legal advice immediately.

CONTACTS

COURT HOUSES

DARWIN MAGISTRATES COURT

Nichols Place, Cnr Cavenagh and Bennett St, Darwin NT 0800
GPO Box 1281, Darwin NT 0801
Telephone: 8999 6380

ALICE SPRINGS LAW COURTS

10 Parsons St Alice Springs NT 0870
PO Box 1394, Alice Springs NT 0871
Telephone: 8951 5710

KATHERINE COURT HOUSE

First St, Katherine NT 0850
PO Box 1694, Katherine NT 0850
Telephone: 8973 8956

TENNANT CREEK COURT HOUSE

Paterson St, Tennant Creek NT 0860
PO Box 84, Tennant Creek NT 0861
Telephone: 8962 4377

NHULUNBUY COURT HOUSE

Endeavour Sq, Nhulunbuy NT 0880
PO Box 496, Nhulunbuy NT 0881
Telephone: 8987 1378

NORTHERN TERRITORY LEGAL AID COMMISSION

DARWIN:

6th Floor, 9-11 Cavenagh St, Darwin
Locked Bag 11, Darwin NT 0801
Telephone: 8999 3000
Legal Information Line: 1800 019 343

PALMERSTON:

Shop 6, 25 Chung Wah Tce, Palmerston
Locked Bag 11, Darwin NT 0801
Telephone: 8999 4750
Legal Information Line: 1800 019 343

KATHERINE:

20 Second St, Katherine
PO Box 145, Katherine NT 0851
Telephone: 8973 8704
Legal Information Line: 1800 019 343

TENNANT CREEK:

Shop 3, 163 Paterson St, Tennant Crk
PO Box 749, Tennant Creek NT 0861
Telephone: 8962 4362
Legal Information Line: 1800 019 343

ALICE SPRINGS:

77 Hartley St, Alice Springs NT 0870
PO Box 969, Alice Springs NT 0871
Telephone: 8951 5377
Legal Information Line: 1800 019 343

ABORIGINAL LEGAL SERVICES

NAAJA (NORTH AUSTRALIAN ABORIGINAL JUSTICE AGENCY)

DARWIN:

61 Smith Street, Darwin
PO Box 106, Darwin NT 0801
Telephone: 8982 5100
Freecall: 1800 898 251

KATHERINE:

32 Katherine Tce, Katherine
PO Box 1944, Katherine NT 0851
Telephone: 8972 1133
Freecall: 1800 897 728

NHULUNBUY:

Franklyn St, Nhulunbuy
PO Box 120, Nhulunbuy NT 0881
Telephone: 8987 1300
Freecall: 1800 022 823

NAAFVLS (NORTH AUSTRALIAN ABORIGINAL FAMILY VIOLENCE LEGAL SERVICE)

DARWIN:

7/63 Winnellie Rd, Winnellie NT 0820
Telephone: 8923 8200
Freecall: 1800 041 998

KATHERINE:

Randazzo Building, Level 1,
Katherine Tce, Katherine NT 0850
Telephone: 8972 3200
Freecall: 1800 184 868

**CAALAS (CENTRAL AUSTRALIAN
ABORIGINAL LEGAL AID SERVICE)
ALICE SPRINGS:**

55 Bath St, Alice Springs
PO Box 1670, Alice Springs NT 0871
Telephone: 8950 9300
Freecall: 1800 636 079

TENNANT CREEK:

1st Floor Matt Glynn Building
172 Paterson Street, Tennant Creek
PO Box 1406, Tennant Creek NT 0861
Telephone: 8962 1332

**CENTRAL AUSTRALIAN ABORIGINAL
FAMILY LEGAL UNIT**

84 Hartley St, Alice Springs
PO Box 2109, Alice Springs NT 0871
Telephone: 8953 6355
Freecall: 1800 088 884

**ATUNYPA WIRU MINYMA
UWANKARAKU DOMESTIC
VIOLENCE SERVICE**

10A Wilkinson St, Alice Springs
PO Box 8921, Alice Springs NT 0871
Telephone: 8958 2374
Freecall: 1800 180 840

**OTHER LEGAL
SERVICES**

**DOMESTIC VIOLENCE LEGAL
SERVICE**

Zone B 1st Floor,
Magistrates Court, Darwin
PO Box 2925, Darwin NT 0801
Telephone: 8999 7977

**TOP END WOMEN'S LEGAL
SERVICE**

Ground Floor, 62 Cavenagh St, Darwin
GPO Box 1901, Darwin NT 0801
Telephone: 8982 3000
Freecall: 1800 234 441

**DARWIN COMMUNITY LEGAL
SERVICE**

8 Manton St, Darwin
GPO Box 3180, Darwin NT 0801
Telephone: 8982 1111
Freecall: 1800 812 953

**KATHERINE WOMEN'S
INFORMATION & LEGAL SERVICE**

Shop 5 Katherine Arcade, Katherine
PO Box 1194, Katherine NT 0851
Telephone: 8972 1712
Freecall: 1800 620 108

**CENTRAL AUSTRALIAN WOMEN'S
LEGAL SERVICE**

6 Bonanni Arcade, 2 Gregory Tce
Alice Springs
PO Box 3496, Alice Springs NT 0871
Telephone: 8952 1391
Freecall: 1800 684 055

**LAW SOCIETY
NORTHERN TERRITORY**

Suite 2, Ground Floor, Beagle House
38 Mitchell Street, Darwin
GPO Box 2388, Darwin NT
0801 Telephone: 8981 5104

**DRUGS AND ALCOHOL
DRINK DRIVING COURSES:**

**DARWIN:
AMITY COMMUNITY SERVICES**

155 Stuart Highway, Parap
GPO Box 3628, Darwin NT 0801
Telephone: 8944 6565

KATHERINE: EASA

47 Stuart Hwy, Stuart Park NT 0820
Telephone: 8941 1752

**TENNANT CREEK:
AMITY COMMUNITY SERVICES**

Telephone: 8944 6565

**ALICE SPRINGS: DRUG AND
ALCOHOL SERVICES ASSOCIATION**

4 Schwarz Crescent, Alice Springs
Telephone: 8952 8412

**COUNSELLING AND
/OR SUPPORT:**

CATHOLICCARE NT

17 Hidden Valley Road, Berrimah
PO Box 132, Berrimah NT 0828
Telephone: 8944 2000

**ALCOHOL AND OTHER
DRUGS SERVICES:**

DARWIN:

Building 9 North, Royal Darwin Hospital
Rocklands Drive, Tiwi
PO Box 40596, Casuarina NT 0811
Telephone: 8922 8399

KATHERINE:

NT Government Offices, First Street
Katherine
PMB 73, Katherine NT 0851
Telephone: 8973 8402

NHULUNBUY:

Arnhem House, Endeavour Square
Nhulunbuy
PO Box 421, Nhulunbuy NT 0881
Telephone: 8987 0445

TENNANT CREEK:

Tennant Creek Hospital
1st Floor Matt Glyn Building
172 Patterson St Tennant Creek
PO Box 1406 Tennant Creek NT 0861
Telephone: 8962 4282

ALICE SPRINGS:

6 Gap Road via
2 Stuart Terrace, Alice Springs
PO Box 721, Alice Springs NT 0871
Telephone: 8951 7580

**FORWARD ALCOHOL AND DRUG
REHABILITATION**

33 Charles St, Stuart Park NT 0820
Telephone: 8923 6666

CAAPS

60 Boulter Road, Berrimah
PMB 22, Berrimah NT 0828
Telephone: 8922 4800
Freecall: 1800 894 800

BANYAN HOUSE

16 Beaton Rd, Berrimah NT 0828
Telephone: 8942 7400

**SALVATION ARMY DRUG &
ALCOHOL SERVICES**

Salonika Street, Stuart Park
PO Box 37985, Winnellie NT 0821
Telephone: 8981 4199

**DAISY (DRUG & ALCOHOL
INTENSIVE SUPPORT FOR YOUTH)**

CatholicCare NT
17 Hidden Valley Rd, Berrimah
Telephone: 8944 2000

**VENNDALE REHABILITATION
CENTRE**

Bruce Road, Katherine
PO Box 1019, Katherine NT 0851
Telephone: 8971 7099

FINES RECOVERY UNIT

1st Floor Nichols Place
Cnr Cavenagh & Bennett St
GPO Box 1218 Darwin NT 0801
Telephone: 8924 3600

LIBRARIES

NT LIBRARY

Parliament House, Darwin
Telephone: 8999 7177

CASUARINA PUBLIC LIBRARY

Bradshaw Terrace, Casuarina
Telephone: 8930 0200

KARAMA LIBRARY

Kalymnos Drive, Karama
Telephone: 8927 2505

PALMERSTON LIBRARY

Goyder Square, Palmerston
Telephone: 8935 9999

**NHULUNBUY COMMUNITY
LIBRARY**

Matthew Flinders Way, Nhulunbuy
Telephone: 8987 0860

KATHERINE PUBLIC LIBRARY

Randazzo Centre, Katherine Tce, Katherine
Telephone: 8971 1188

**TENNANT CREEK PUBLIC
LIBRARY**

Peko Road, Tennant Creek
Telephone: 8962 2657

ALICE SPRINGS PUBLIC LIBRARY

Civic Centre, Todd St,
Cnr Leichhardt & Gregory Tce, Alice Springs
Telephone: 8950 0555



Northern Territory Legal Aid Commission