

Submission
No 14

**INQUIRY INTO JUDGE ALONE TRIALS UNDER S. 132 OF
THE CRIMINAL PROCEDURE ACT 1986**

Name: Her Honour Chief Judge Patricia M Wolfe
Position: Chief Judge, District Court of Queensland
Date received: 5/07/2010



**DISTRICT COURT OF
QUEENSLAND**

CHAMBERS OF THE CHIEF JUDGE

RECEIVED

5 JUL 2010

LAW & JUSTICE

30 June 2010

The Hon Christine Robertson MLC
Committee Chair
Standing Committee on Law and Justice
Parliament House
Macquarie Street
SYDNEY NSW 2000

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Dear Ms Robertson

I refer to your invitation to make a submission to the inquiry into whether s.132 of the *Criminal Procedure Act 1986* (NSW) should be amended to allow parties in criminal proceedings to apply to the court for a trial by judge alone, without requiring the prosecution's consent.

The procedure for trial by judge alone in certain indictable matters was introduced into Queensland about two years ago. The court may make a no jury order if it considers it is in the interests of justice to do so. However, if the prosecutor applies for the no jury order, the court may only make the no jury order if the accused person consents to it.

The relevant provisions, which have proved convenient to administer, may be found in chapter 62 division 9A of the Queensland the *Criminal Code of Queensland*.

The Code is easily accessible on
<http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/C/CriminCode.pdf>

Thank you for consulting with me.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'P. M. Wolfe', followed by a period.

Chief Judge PM Wolfe