

AUSTRALIAN MILITARY COURT PRACTICE NOTE 7

PLEAS LIST

1. When sentencing a convicted person for an offence a military judge is to take proper account of the sentencing principles set out in s.70 of the *Defence force Discipline Act 1982*, the need to maintain discipline in the Defence Force and the principles of sentencing applied by a civil court from time to time, including section 16A of the *Crimes Act 1914*.
2. In relation to a plea of guilty, s.16A(2) (g) of the *Crimes Act 1914* requires a court to have regard to the plea of guilty on sentence, separately to contrition at s.16A(2)(f).
3. The Registrar of the Australian Military Court will establish a pleas list. Where an indication of a plea of guilty has been made to the Registrar, the matter will immediately be placed on the pleas list. The matter will then be listed before a military judge for hearing as soon as practicable.
4. In determining the utility of the plea the Court will have regard to the time at which an accused person indicates to the Registrar an intention to enter a plea to the charges before the Court and the circumstances in which the plea came to be entered.

I. D. Westwood

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