



More information

Costs in traffic matters

If you plead guilty or are found guilty, in most cases you will also be ordered to pay, for each offence:

- Court Costs Levy (\$85)
- Victims Support Levy (\$101)

In unusual cases you may also have to pay legal costs to the prosecutors.

Appeals and reviews

If you are unhappy with the decision of the Local Court, you may be able to appeal it. If you were at court you should lodge an appeal to the District Court within 28 days of the decision.

If you were unable to attend court due to accident or illness you may be able to apply for an annulment. An annulment, if you get it, will reopen your case. You have two years from the court date to do this, but you should do it as soon as you can.

If you want to appeal or ask for an annulment, you should get legal advice.

Need more legal advice?

Legal Advice: <http://tiny.cc/WSCLCLegalEnquiry>
 Phone: 8833 0911
 Website: www.wsclc.org.au
 Donations: <https://www.wsclc.org.au/donate/>

Western Sydney Community Legal Centre

Monday to Friday:
9.30am – 1.00pm and 2.00pm – 4.30pm

Phone: (02) 8833 0911

Suite 302, Level 3, 107 Phillip St,
Parramatta NSW 2150

PO Box 23, Parramatta NSW 2124

WSCLC Ltd provides many ways to access legal advice and services. Please visit www.wsclc.org.au for further information.

Disclaimer

This document is intended as information only and does not replace the need for you to get legal advice specific to you and your circumstances.

WSCLC will not be liable for any detriment suffered by relying on this content in the absence of legal advice.

August 2024



Western Sydney
COMMUNITY LEGAL CENTRE LIMITED

WSCLC Traffic Court Help

In court about your driving?

We can help.



An online version of this brochure with relevant links is available by scanning the QR code to the right:



Western Sydney Community Legal Centre (WSCLC) is a not-for-profit community legal service providing free legal advice, advocacy, and legal education for Western Sydney.

As part of this service, WSCLC runs a traffic list program at Blacktown, Mt Druitt, Parramatta, Penrith and Windsor Local Courts providing legal advice and advocacy services.

If you get help from us at court today, this is a one off and does not guarantee that we can help you next time.

If you need more help, please contact Western Sydney Community Legal Centre.

When you come to court

When you appear in court, the magistrate will expect to see these documents. By having these prepared you will increase your chances of a better outcome. Here's what you need:

1. **Character References**
2. **Financial details**
3. **Certificate for the Traffic Offender Intervention Program**
4. **A letter of regret**
5. **Submission to the magistrate**

Other: _____

You should bring the originals of each document plus two copies. The original for the magistrate, a copy for the prosecutor and a copy for you.

Documents needed

1. Character references

A character reference is a short letter to the court about you, written by someone who knows you. That person is a *referee*. They don't have to come to court - but they can. Good referees include employers, long time friends, and people who know you through volunteer or community work. Don't ask a police officer to be your referee.

References should be less than a page. It is a good idea to get 2 or 3 references. They should:

- Be addressed "To the Presiding Magistrate, [Blacktown/Mt Druitt/Parramatta/Penrith/Windsor] Local Court"
- State your offence or offences, and whether you are pleading guilty
- State how they know you, and for how long
- Describe the person's opinion of you, for example your work ethic, commitment to your community, or family responsibilities
- Include other things that the court should know, such as the impact of losing your licence on your family or their business if appropriate
- It should be signed and include the contact details (phone number) of the referee

An example of a character reference and instructions for completing one can be found here: <https://www.legalaid.nsw.gov.au/my-problem-is-about/fines/fines-go-to-court/Going-to-court/fines-character-references>

2. Financial details

A copy of your payslip, or a Centrelink Income Statement.

3. Certificate for the Traffic Offender Intervention Program

If you complete the Traffic Offenders Intervention Program, it shows the magistrate that you are trying to develop safer driving behaviour. It is likely to help you when the court finalises your matter. Programs are available in person, and online. There can be delays in enrolment so you should ask for six weeks to give you enough time to complete. The cost is up to \$250.

There are Traffic Offender Intervention Programs available in person or online.

Blacktown: Police Citizens Youth Club NSW (PCYC)

P: 02 9622 3470
blacktown@pcycnsw.org.au

Blacktown Traffic Offenders Program (free)

blacktowntop@gmail.com
<https://trafficoffenders.com.au/>

Parramatta: Police Citizens Youth Club NSW (PCYC)

P: 02 9635 8242
parramatta@pcycnsw.org.au

Penrith: Police Citizens Youth Club NSW (PCYC)

P: 02 4732 1755
penrith@pcycnsw.org.au

Traffic Offenders Rehabilitation Program (TORP)

M: 0426 994 769
admin@trafficoffendersprogram.org.au

Road Sense Traffic Offender Intervention Program

M: 0466 184 738
admin@roadsense.org.au

SAVE Traffic Offender Program

M: 0408 910 025
info@savetrafficoffenderprogram.com.au

4. A Letter of regret

A letter of regret or explanation explaining the circumstances of the offence, your personal circumstances like your income and family situation, or the impact of losing your licence.

An example can be found at <https://www.legalaid.nsw.gov.au/my-problem-is-about/fines/fines-go-to-court/Going-to-court/apology-letter>

5. Submission to the magistrate

Submissions tell the court about the offence, your circumstances, and what penalties you would like the court to consider. They should be logical, use subject headings, dated and signed. Start the submission with: *To the Presiding Magistrate, [Blacktown/Mt Druitt/Parramatta/Penrith/Windsor] Local Court*".

Some headings or subjects you can refer to include:

- Circumstances of the offence
- Personal history (eg. disability or family)
- Education and employment situation
- Financial circumstances
- Evidence of good character (eg. your role in the community)
- Your driving history
- Remorse (eg. what you have learned)

<https://www.legalaid.nsw.gov.au/my-problem-is-about/fines/fines-go-to-court/Going-to-court/your-submissions>

