Form CP19

Federal Court (Criminal Proceedings) Rule 3.11

Federal Court of Australia Act 1976 section 23CD(2)(b)

Notice of particulars of mental impairment

No.       of 20

Federal Court of Australia

District Registry: [State]

Division: General

**Commonwealth Director of Public Prosecutions[or other as appropriate]**Prosecutor

**[Name of Accused]**Accused

To the Prosecutor

Take notice, under section 23CD(2)(b) of the *Federal Court of Australia Act 1976*, that the Accused proposes to adduce in the trial of these proceedings supporting evidence that the Accused was suffering from a mental impairment at the time of the alleged offence[s].

**Particulars of the evidence of mental impairment**

The clinical name of the mental impairment suffered by the Accused:

A short description of the condition, including how it manifested itself in the behaviour of the Accused at the time of committing the alleged offence:

Whether the impairment was of a long or short duration:

Whether the condition is permanent or temporary:

The names of all witnesses that the Accused will call at the trial to give evidence of the mental impairment and a summary of the evidence that the Accused expects each witness to give:

Date: [eg 19 June 20..]

|  |
| --- |
| Signed by [Name]  [Insert capacity eg Accused / Lawyer for the Accused] |

*Notes*

1. **Service:** The accused must serve a stamped copy of this notice on the prosecutor: (CP Rule 3.11). See Part 7 of the CP Rules for rules about service.
2. The notice must be given to the prosecutor as soon as practicable after the accused’s first pre-trial hearing. (see section 23CD(2) of the Act; see also Note under CP Rule 3.11)