######  Form 11 Court copy

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| Western AustraliaCriminal Procedure Act 2004 Industrial Magistrates Court atNo: |  |  | **Witness summons to produce a record or thing** |

|  |  |
| --- | --- |
| Case[*Names of parties to the case in which the witness is required*] |  |

|  |  |  |
| --- | --- | --- |
| To:[*Witness details*] | Full name |  |
| Address |  |

|  |  |
| --- | --- |
| **Command** | You are commanded to produce the records or things described below at the place, and on or before the date and time specified below. |
| **Time and place to produce record or thing** | Date |  | Time |  |
| Court |  | Place |  |
| **Records or things to be produced** | You must produce to the court the following:[*Describe in reasonable detail each record or thing to be produced; on an attachment if necessary.*] |
| **Warning** | **If you do not obey this summons you may be arrested, and you may be imprisoned or fined, or both.** |

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| **Party requesting summons** | This summons is issued by the court at the request of: | Reference number  |
| For enquiries contact: | Telephone number | Facsimile number |

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| --- | --- | --- |
| **Date summons issued** | This summons is issued by the court on: | Court seal |
| Date |

|  |  |
| --- | --- |
| **Service details**[\*Police only] | I personally served a copy of this summons and the ‘Notice to witness’ in the Criminal Procedure Regulations 2005 Schedule 2 on this witness at [*place*] on [*date*] .At the same time I gave the witness [*set out the amount of money or other means for the witness to comply with the summons*].Name of server: \*Registered no:Signature: \*Station: |

######  Form 11 Copy to be retained by applicant

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| Western AustraliaCriminal Procedure Act 2004 Industrial Magistrates Court atNo: |  |  | **Witness summons to produce a record or thing** |

|  |  |
| --- | --- |
| Case[*Names of parties to the case in which the witness is required*] |  |

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| --- | --- | --- |
| To:[*Witness details*] | Full name |  |
| Address |  |

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######  Form 11 Copy to be served on witness

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| Western AustraliaCriminal Procedure Act 2004 Industrial Magistrates Court atNo: |  |  | **Witness summons to produce a record or thing** |

|  |  |
| --- | --- |
| Case[*Names of parties to the case in which the witness is required*] |  |

|  |  |  |
| --- | --- | --- |
| To:[*Witness details*] | Full name |  |
| Address |  |

|  |  |
| --- | --- |
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Schedule 2 — Information for witnesses

[r. 25(4)]

**Notice to witness**

 **This notice and the attached document(s) are very important.**

 **Please read them very carefully. If you have any trouble understanding them, you should get legal advice as soon as possible.**

 Attached to this notice is either one or two witness summonses that have been issued by a court.

 **Your rights**

 You may be able to apply to the court to have the summons(es) set aside. If you want to make such an application you should get legal advice.

 **Your obligations**

 You must obey the summons(es) if at the time you were served with them or at some reasonable time before the date(s) when the summons(es) require you to appear in court —

 • an amount that is likely to be sufficient to meet your reasonable expenses of attending court was tendered to you;

 • arrangements to enable you to attend court were made with you; or

 • you were provided the means to enable you to attend court.

 If you do not obey the summons(es) you may be imprisoned or fined or both.

 **Are you restricted in where you can go by a legal order?**

 Read this if you are subject to a legal restriction on your movements that you might breach when you obey the summons(es); for example one of these —

 • a bail undertaking;

 • an order imposed on you by a court as or part of a sentence;

 • a work and development order;

 • a parole or other order imposed on you when you were released from prison.

 If you are restricted in where you can go, you must —

 • tell the person who supervises the order that restricts your movements; and

 • tell the court that issued the summons(es); and

 • tell the party that requested the summons(es),

 as soon as practicable after you are served with the summons(es).

 You must take all reasonable steps to have the restriction varied so that you can comply with the summons(es).

 If the restriction is not varied you must tell the court that issued the summons(es) and the party that requested the summons(es) either —

 • of the steps you took to have the restriction varied and that the restriction has not been varied; or

 • that the law does not permit that variation,

 whichever is the case.

######  Form 11 Return of service copy

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| Western AustraliaCriminal Procedure Act 2004 Industrial Magistrates Court atNo: |  |  | **Witness summons to produce a record or thing** |

|  |  |
| --- | --- |
| Case[*Names of parties to the case in which the witness is required*] |  |

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| To:[*Witness details*] | Full name |  |
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