

Community Corrections Orders in *Victoria*



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In Victoria, Community Based Orders (CBO) have been replaced by Community Corrections Orders (CCO). Community Corrections Orders in Victoria allow you to be released into the community, with or without conviction, under certain terms and conditions for a period of time. The court's power to order a community correction order is outlined in the Sentencing Act 1991. Orders can be made in the Magistrates', County or Supreme courts. A magistrate or judge may put you on a community corrections order if the offence for which you are found guilty is punishable by a fine of \$758.35 or more or if they do not think a fine is appropriate. You must agree to be placed on an order and must agree to comply with the terms of the order.





Pre-sentence Reports

Before putting you on a CCO the court will need to get a pre-sentence report from [Corrections Victoria](#) to see if you are suitable for an order. A report is not needed if the order is for less than 300 hours of community service work and that is the only term of the order.

The report may include any of the following information about you:

- Your age, social, medical and/or psychiatric history and whether you have any special needs.
- Your level of education and your employment history.
- Your financial circumstances, including if you can afford to pay a bond.
- Your drug or alcohol use.
- The circumstances surrounding any other offences on your record.
- The services available that may help to reduce the risk of you offending again in the future, including any courses, treatments or programs that may assist you.
- Whether you are able to do any unpaid work.
- How long any intensive correction period should last.
- Any other information that is relevant.



Community Corrections Orders in Victoria

The Magistrates' Court in Victoria can impose an order for up to 2 years for one offence, 4 years for two offences and 5 years if there are three or more offences. The County Court and Supreme Court can impose an order for a minimum of 2 years. No court can give an order for a longer time than the maximum prison term for the particular offence. If the order is made for more than 6 months, the court can order that part of the order is an intensive compliance order. A fine or, in certain circumstances, a sentence of imprisonment can be imposed with a CCO. A County or Supreme Court can also order that you are electronically monitored while on the order. Application can be made to vary the terms and conditions of the order in certain circumstances.



Terms of Orders

Every order will have terms that you must obey. They include that you:

- Don't commit any more offences for so long as the order is in place.
- Report to Corrections Victoria within 2 days of the order being made and meet with them regularly after that.
- Let Corrections Victoria know if you change your address.
- Don't leave the state of Victoria unless you have permission from Corrections Victoria.
- Comply with any direction that Corrections Victoria give to you.



Additional Conditions

The magistrate will include at least one of these conditions in your order. You may have to:

- Work up to 600 hours of community service (up to 20 hours every week)
- Agree to receive treatment for drug or alcohol use
- Accept the supervision or management of Corrections Victoria
- Stay away from a particular person
- Stay away from a particular place
- Obey a curfew
- Stay away from licensed places
- Return to court so the magistrate can check your progress
- Pay a bond
- Any other order that the magistrate thinks is appropriate for you.

The maximum penalty for contravening a **CCO** is **3 months in prison** or a fine of up to **\$4,550.10**.



Breach of Order

You will breach your order if you:

- Do or don't do something required by your order; or
- Do or don't do something required of you by your supervising corrections officer; or
- Commit another offence while the order is in place.

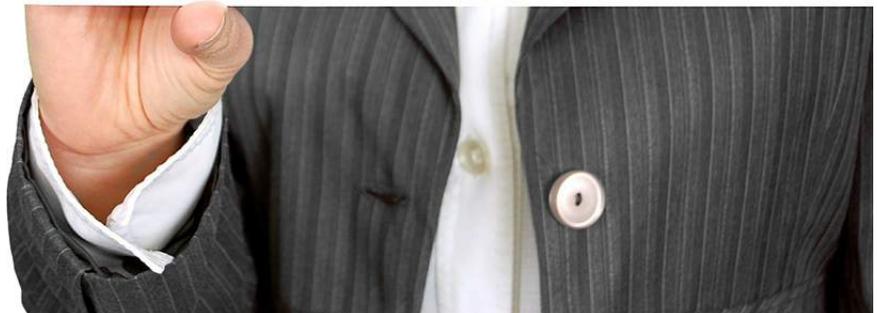
It is an offence in Victoria to breach (or contravene) a CCO unless you have a reasonable excuse. If for some reason you cannot comply with one or more of the conditions of your order, you must let Corrections Victoria know immediately. The maximum penalty for contravening a CCO is 3 months in prison or a fine of up to \$4,550.10. If you have committed another offence while on a CCO and that offence is punishable by a prison sentence, then you will be sent to prison unless there are exceptional circumstances why you should not.

Where you go from here depends on your own situation. Everyone has their own individual priorities and demands on their life that they need to deal with.



Remember, you are NOT alone !

This information guide points you in the right direction as to what options might be available to get the outcome that you need—options that many of our clients are not aware of before talking to us.





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