

# FACT SHEET

## Obtaining a QP9 (Court brief)



### What is a QP9?

A Court Brief, also called a QP9, is a written report prepared by the Queensland Police Service when someone is charged with an offence and the matter is to be heard in a court.

The report will contain:-

- the exact charge;
- a brief description of the facts which the police are alleging;
- a summary of evidence (e.g. CCTV footage); and
- any criminal or traffic history.

### Why is a QP9 important?

If you plead guilty, you are not only pleading guilty to the charge but also to the facts alleged in the QP9. These facts may influence the harshness or leniency of the sentence imposed by a Magistrate or Judge.

When you plead guilty, you are accepting responsibility for the facts as written on the QP9. You cannot be sentenced on a different factual basis, unless there is agreement beforehand and the agreed facts are put up to the court.

Often it's the case that lawyers, including the duty lawyer, cannot provide legal advice without seeing a copy of your QP9. See the example below:

The image shows a sample of a Queensland Police Service Court Brief (General) form. The form is titled "Queensland Police Service Court Brief (General)" and contains various fields for case information, charges, and defendant details. The fields are organized into sections: Station/Establishment, Case file ID, Warrant issued, Defendant 1, Proceedings, Charges, Result, Driver licence disqualified from, Property, and Action officer and police witness availability. The form is a standard document used by the Queensland Police Service to document court proceedings.

### What if my QP9 contains incorrect information?

You may find that the facts in your QP9 are inaccurate or incorrect. Remember, the QP9 represents what the police are alleging; not necessarily what happened. If this occurs, you can request an adjournment at the first mention and seek legal advice from a lawyer. They can discuss your options and what option is best for you in the circumstances.

Sometimes, the facts can be corrected by negotiating with the prosecutors in a process called "case conferencing". This should be done with legal assistance. If you cannot reach an agreement with the prosecutors about the facts in the QP9, you may have to go to trial - either a summary hearing or a contested facts hearing.

#### Summary hearing

A summary hearing is where you argue that you are not guilty of the offence. The prosecutors then have to prove the case against you beyond a reasonable doubt.

#### Contested facts hearing

A contested facts hearing is where you agree that you committed the offence, but argue that some other facts are incorrect. The prosecutors then have to prove the facts on the balance of probabilities.

### Who can obtain my QP9?

As the accused, you or your lawyer can obtain a copy of the QP9 materials at your first court appearance. Speak to the duty lawyer or the prosecutor to get a copy.

If the document contains information about a person or relates to the exercise of a right available to them (i.e. criminal injury compensation) they, or their lawyer, can obtain a copy of the QP9. In this instance the QP9 will be available where the court proceedings have been finalised and the appeal period has expired.

## When will my QP9 be available?

QP9s are typically available a few days before or at your first mention.

## How can my QP9 be obtained?

You or your lawyer can get a copy of the QP9 at your first court appearance, from the prosecutor or the duty lawyer.

If you want a copy of your QP9 before your first court appearance, you can email a request to the police prosecutor. The email address for each prosecution office is different.

If your charges are at Cleveland Magistrates Court, the email address is:

- [prosecutions.cleveland@police.qld.gov.au](mailto:prosecutions.cleveland@police.qld.gov.au).

If your charges are at Wynnum Magistrates Court, the email address is:

- [prosecutions.wynnum@police.qld.gov.au/](mailto:prosecutions.wynnum@police.qld.gov.au/).

For all other prosecution email addresses, you will need to contact their offices directly and a list of their contact details can be accessed online:

- (<https://www.police.qld.gov.au/sites/default/files/2021-01/Prosecution-Corps-Contact-List.pdf>)

When you ask for a copy of your QP9, you need to make sure that you include the following information:

1. Your full name, including any middle names;
2. Your date of birth;
3. Which court house you are appearing in;
4. Your court date; and
5. The charge against you (if you know this).

It is important that you keep your QP9 somewhere safe. There have been occasions where police have declined to provide further copies. It is also important that you bring your QP9 with you to all legal appointments and court dates.

Finally, it is not a good idea to publish or distribute copies of your QP9. There can be rules about publishing details of court cases and of other persons who might be involved in your matter.

## How can I obtain my QP9 after the proceedings have been finalised?

If you wish to apply for a QP9 after proceedings are finalised, you should write to the Manager, Police Information Centre, giving details of:

- the date and place of the court appearance; and
- details of the offence/s charged.

You should also enclose a copy of sufficient identification such as a current driver's licence, passport or other photographic identity document. Payment is required at lodgement.

## How can I get further legal advice?

You can contact BCLS to book an appointment if you need legal advice about your charges. We can also refer you to other services if required. See our details below to get in contact.



[www.bcls.org.au](http://www.bcls.org.au)

[info@bcls.org.au](mailto:info@bcls.org.au)

07 3162 3282

Wynnum Community Centre, 105 Florence Street, Wynnum QLD 4178  
PO Box 103, Wynnum QLD 4178

*Bayside Community Legal Service acknowledges the traditional owners of the lands across Queensland, and in particular the Quandamooka peoples, the traditional owners of this land where our Bayside community is situated. We pay our respect to elders past, present and emerging*