

Local Court of New South Wales Annual Review 2012



Local Court
of New South Wales



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Foreword by Chief Magistrate of New South Wales

It is with pleasure that I present the Local Court Annual Review for 2012.

The past year was, once again, a productive one for the Local Court. I extend my warm thanks to the magistrates and court staff whose hard work continued to enable the Court to provide an accessible forum for the administration of justice. The efforts of many who worked to ensure that courtrooms remained largely operational despite extensive floods throughout the year, affecting regions across the State, is a particular example that stands as testament to their dedication.

This Review provides a summary of the operations and activities of the Local Court in 2012, a few of which I wish to outline briefly. Last year, I commented upon the successful trial of the use of iPad technology by magistrates in court and in chambers. In May/June, iPads were rolled out to all magistrates with a view to transitioning from the use of traditional hard copy legal resources and bench books to electronic access. The Court has received strong support in this process from staff of the Judicial Commission, whom I would like to thank for their efforts in the development of resources and conducting training sessions for magistrates. Meanwhile, members of the court, together with court users, continued efforts to explore options for using the technology to help address difficulties that are currently sometimes encountered in the course of proceedings, such as the viewing of electronic evidence.

Over the course of the year, the Local Court was involved in the Law Reform Commission's references to report on two areas of prominence in the day-to-day work of the Court: bail and sentencing. The Commission's reference on sentencing is ongoing, while it released its report on bail in April. In November, the Government's response indicated a change to a new Bail Act in which decisions will be made on the basis of assessment of the risk presented by an accused person in place of the current presumption-based system. To test the new approach, which is expected to be implemented in 2013, several magistrates assisted in completing a series of decision-making exercises where the question

of bail was considered on both the existing and proposed approaches.

Work continued to streamline and enhance the accessibility of information regarding the Local Court's practice and procedure, with the development of two consolidated Practice Notes in the areas of criminal and committal proceedings. Each consolidated Practice Note replaced numerous existing Practice Notes and provides a single reference point for parties and legal practitioners.

The Court also introduced a new Practice Note on procedures in apprehended violence order proceedings. It implements a process already utilised in some court locations for contested AVO applications that do not involve a concurrent criminal charge in which the parties are required, where appropriate, to provide their evidence in chief via written statements instead of orally in court. This approach, which accords with that taken in other civil proceedings, has several advantages. For both the parties and the magistrate, it facilitates a clearer identification of the relevant issues at the outset of the hearing, enabling the matter to progress more quickly and effectively. It also limits the need for some evidence to be taken orally in court, helping to ameliorate the potentially stressful or difficult experience of reliving traumatic circumstances and events.

Overall, the Local Court once again achieved a high standard of performance achieved in the Productivity Commission's annual *Report on Government Services*. In the 2011-12 financial year, the Local Court maintained its position as a nationwide leader in court efficiency, with the lowest levels of backlogs of a magistrates' court in its criminal jurisdiction for the ninth consecutive year. The Court's civil jurisdiction performed equally strongly, with only 0.5 percent of pending cases being at least 12 months old. Following on from a marked improvement the previous year, delays in the coronial jurisdiction continued to reduce, with NSW now recording the lowest levels of backlogs in this area.

The results are of interest given the heightened constraints on resources faced by the Court. I have previously commented upon concerns arising from the level of administrative support available in a jurisdiction that already has one of the lowest levels of judicial officers per head of population of any magistrates' court in Australia, and the likely implications for the accessibility of the justice system in many communities. More recently, the Government has publicly indicated an intention not to replace retiring magistrates due to budget pressures, while acknowledging a possible impact on the timely disposition of cases.

Against such a background, it is not surprising that a recent publication of the Australian Institute of Judicial Administration, *Judicial Workload: Time, Tasks and Work Organisation*, which reported on the results of an Australia-wide survey of the judiciary, included the finding that three quarters of magistrates describe their caseload as 'unrelenting'. However, it is telling that notwithstanding such pressures, magistrates also reported high levels of job satisfaction (92 percent), as well as a sense of the importance of their work for the community (97 percent).

Judge Graeme Henson
Chief Magistrate

1 An overview of the Local Court

- Jurisdictions and divisions
- The Magistrates
- Chief Magistrate's Executive Office
- The work of the Local Court registries

Jurisdictions and divisions

The Local Court is the first point of contact many people have with the justice system in New South Wales. In order of ascension, the District Court, Supreme Court, Courts of Appeal and Criminal Appeal, and the High Court of Australia follow.

The Local Court deals with a wide range of matters across several jurisdictions. As at 31 December 2012, there were 133 magistrates (125 full time magistrates and 8 part time) who preside at 146 locations throughout New South Wales.

Criminal jurisdiction

The Local Court deals with over 90% of all criminal matters in the State, including the finalisation of charges for summary offences and the summary hearing of particular indictable offences nominated under the *Criminal Procedure Act 1986*. The Court also conducts committal proceedings to determine whether or not indictable offences are to be committed to the District and Supreme Courts.

Magistrates are therefore involved in the majority of criminal proceedings from the time a matter first comes before the court, to the time it is either:

- Finalised by a plea of guilty,
- Finalised at a hearing upon a not guilty plea, at which the defendant is found guilty or acquitted;
- Committed for sentence to the Supreme Court or District Court after a plea of guilty;
- Committed for trial in the Supreme Court or District Court where the matter is to be defended; or
- Withdrawn by the prosecuting authority, and therefore dismissed.

Prosecutions in the criminal jurisdiction include matters that are:

- Brought under Federal law by the Commonwealth Director of Public Prosecutions; and
- Brought under State law either by the NSW Director of Public Prosecutions, NSW Police Force, or Local Councils and regulatory bodies.

When the Local Court deals with criminal matters, depending on the type of offence, a wide range of penalties and sentences can be imposed, such as:

- **Non-custodial sentences**, including:
 - A dismissal or good behaviour bond without a conviction being recorded against the offender
 - A conviction without further punishment
 - A fine with conviction
 - A good behaviour bond with conviction
 - A Community Service Order with conviction
- **Custodial sentences**, including:
 - A suspended sentence, in which the offender is sentenced to imprisonment but is placed on a good behaviour bond. The offender does not serve the sentence of imprisonment unless he/she breaches the conditions of the bond and it is revoked by the Court.
 - An Intensive Correction Order, in which the offender serves a sentence of imprisonment 'in the community' and is required to comply with requirements such as a curfew, completion of work, and/or completion of rehabilitative or treatment programs.
 - Home Detention, where the offender serves the sentence of imprisonment in his/her home.
 - Full time imprisonment.

Custodial alternatives to full time imprisonment often involve the offender being externally assessed as suitable before the sentence is delivered.

The maximum term of full time imprisonment that can be delivered by the Local Court is a term of 2 years for any singular offence where gaol is the maximum penalty, or an accumulation of up to 5 years for multiple offences where the maximum penalty for each offence is a term of imprisonment.

Civil jurisdiction

The Local Court also exercises a civil jurisdiction, in which it deals with civil matters where people, companies or business owners may make claims for up to and including \$100,000 for recovery of debts, demands or damages.

The civil caseload of the Court is split between two Divisions:

- The **Small Claims Division**, which deals with claims with a monetary value of up to \$10,000. Proceedings in the Small Claims Division are conducted with as little formality and technicality as is needed for the proper consideration of the issues in dispute. The hearing is generally an informal process where the Court considers statements and documents provided by the parties. The parties are also given the opportunity to comment upon the evidence.
- The **General Division**, which deals with claims between the amounts of \$10,000 and \$100,000 (except in claims relating to personal injury or death, where a jurisdictional limit of \$60,000 applies). Matters where the monetary value of the claim is less than \$10,000 may also be transferred to the General Division in circumstances where the issues in dispute are complex, difficult, or of such importance that they should more properly be dealt with in the General Division.

Coronial jurisdiction

All magistrates, by virtue of their office, are coroners. A coroner has jurisdiction to conduct an inquest if a person has died a violent unnatural death, a sudden death cause unknown, or under suspicious or unusual circumstances.

A death must be reported to the State Coroner or Deputy State Coroner where that person dies during the course of a police operation or whilst in custody, and an inquest must be conducted into the circumstances of that death. The State Coroner or a Deputy State Coroner also has sole jurisdiction in relation to deaths of children in care or at risk of harm and certain deaths of people with disabilities.

Coroners also have jurisdiction to hold an inquiry into the cause and origin of fires and explosions where property has been damaged or destroyed.

The State Coroner is responsible for overseeing and co-ordinating all coronial services in New South Wales.

Industrial jurisdiction

An industrial jurisdiction may be conferred on specific magistrates (Industrial Magistrates) under the *Industrial Relations Act 1996*. Industrial Magistrates may exercise civil and criminal jurisdiction under a broad range of State and Commonwealth legislation.

The industrial jurisdiction deals with such matters as:

- Recovery of money owing under Industrial Instruments, for example, Awards, Enterprise Agreements and Statutory Entitlements;
- Prosecutions for breach of industrial instruments;
- Appeals from various administrative decisions; and
- Prosecutions for statutory breaches.

The Magistrates

The judicial officers of the Court are the magistrates. The Governor of New South Wales appoints magistrates pursuant to section 13 of the *Local Court Act 2007* on the advice of the Executive Council.

The *Local Court Act* also provides that the Governor may appoint a Chief Magistrate and Deputy Chief Magistrates.

In 2012, the judicial officers of the Court were as follows:

Chief Magistrate

His Honour Judge Graeme Leslie Henson

Deputy Chief Magistrates

Her Honour Magistrate Jane Ellen Mottley

Her Honour Magistrate Jane Ariane Culver

Her Honour Magistrate Mary Stella Jerram
(State Coroner)

Chief Industrial Magistrate

His Honour Magistrate Gregory James Tulk Hart
(until 23 November 2012)

Magistrates

His Honour Magistrate Richard Peter Miszalski

His Honour Magistrate Darryl John Pearce

His Honour Magistrate Christopher James Bone

His Honour Magistrate William Grenville Pierce

Her Honour Magistrate Dr Patricia O'Shane AM

His Honour Magistrate Wayne Henry Evans

His Honour Magistrate Jeffrey Alan Linden

His Honour Magistrate Thomas Hugh Hodgson

Her Honour Magistrate Janet Christina Ruth
Stevenson

His Honour Magistrate Malcolm Ian MacPherson
(until 7 September 2012)

Her Honour Magistrate Daphne Anne Kok

His Honour Magistrate Geoffrey Edward Bradd

His Honour Magistrate Dennis Harvey Burdett
(until 24 August 2012)

His Honour Magistrate Scott Mitchell

Her Honour Magistrate Carolyn Jane Barkell

His Honour Magistrate Allan Wilson Railton

His Honour Magistrate Dr Roger Alasdair Brown

Her Honour Magistrate Jennifer Ethel Betts

His Honour Magistrate Douglas Raymond Dick

His Honour Magistrate Shaughan McCosker

Her Honour Magistrate Sharron Maree Crews

His Honour Magistrate Hugh Christopher Bryant
Dillon

Her Honour Magistrate Julie Anne Huber

His Honour Magistrate Michael Stoddart

His Honour Magistrate Brian Vincent Maloney

Her Honour Magistrate Jacqueline Mary Milledge

Her Honour Magistrate Lee Anne Gilmour

Her Honour Magistrate Janet Wahlquist

Her Honour Magistrate Jennifer Anne Giles

His Honour Magistrate Christopher Longley

His Honour Magistrate Anthony Kevin Murray

His Honour Magistrate Garry James Still

His Honour Magistrate William John Brydon

Her Honour Magistrate Christine Mary Haskett

Her Honour Magistrate Jayeann Carney

His Honour Magistrate Robert Scott Rabbidge

Her Honour Magistrate Beverley Anne Schurr

His Honour Magistrate David Michael Heilpern

His Honour Magistrate Roger David Prowse

Her Honour Magistrate Suzanne Gaye Seagrave

Her Honour Magistrate Eve Wynhausen

His Honour Magistrate Ian James Guy

His Honour Magistrate Daniel Reiss

Her Honour Magistrate Joanne Keogh

His Honour Magistrate Paul Raymond Mulrone

His Honour Magistrate Terence Timothy Lucas

His Honour Magistrate Terence Murphy PSM

Her Honour Magistrate Elaine Truscott

Her Honour Magistrate Paula Mary Russell

Her Honour Magistrate Helen Gay Barry

Her Honour Magistrate Georgia Knight

Her Honour Magistrate Carmel Ann Forbes

Her Honour Magistrate Lisa Veronica Stapleton

His Honour Magistrate Robert Allen Walker

Her Honour Magistrate Margaret Quinn PSM

His Honour Magistrate John Andrews

His Honour Magistrate Howard Charles Hamilton

His Honour Magistrate Anthony Joseph Marsden
(until 9 January 2012)

His Honour Magistrate James Coombs

Her Honour Magistrate Fiona Toose

His Honour Magistrate Graeme Curran

Her Honour Magistrate Joan Margaret Baptie

Her Honour Magistrate Elizabeth Anne Ellis

Her Honour Magistrate Clare Farnan

Her Honour Magistrate Nancy Louise Hennessy

Her Honour Magistrate Dorelle Pinch

His Honour Magistrate Paul Anthony MacMahon

His Honour Magistrate Jeffrey Raymond Hogg

His Honour Magistrate Ronald John Maiden

His Honour Magistrate Michael North Holmes

His Honour Magistrate Gordon Bruce Lerve
(until 30 May 2012)

Her Honour Magistrate Vivien Margaret Swain

His Honour Magistrate Graham Thomas Blewitt
AM

His Honour Magistrate Timothy Bernard Keady

His Honour Magistrate Peter Sampson Dare SC

Her Honour Magistrate Annette Christine Sinclair

Her Honour Magistrate Robyn Eva Denes

Her Honour Magistrate Sharon Claire Freund

Her Honour Magistrate Geraldine Beattie

Her Honour Magistrate Jacqueline Maree Trad

His Honour Magistrate Glenn James Bartley

His Honour Magistrate Antony Edward Townsden

His Honour Magistrate Leslie William Mabbutt

His Honour Magistrate John Daniel Favretto

Her Honour Magistrate Dr Gabriel Catherine
Fleming

Her Honour Magistrate Alison Mary Viney

His Honour Magistrate Christopher Gerard
O'Brien

His Honour Magistrate Mark Richardson

His Honour Magistrate Robert Hilary Williams

His Honour Magistrate Geoffrey James Dunlevy

Her Honour Magistrate Sharon Lee Holdsworth

His Honour Magistrate Michael John Connell

His Honour Magistrate Geoffrey Graeme Hiatt

His Honour Magistrate Brian van Zuylen

His Honour Magistrate Peter Bugden

Her Honour Magistrate Margot Gai Stubbs

His Honour Magistrate Roger James Clisdell

His Honour Magistrate Michael Gary Dakin

Her Honour Magistrate Michelle Norma Goodwin

His Honour Magistrate Stephen Corry

Her Honour Magistrate Susan McIntyre

His Honour Magistrate Michael Gerard Allen

Her Honour Magistrate Elizabeth Ryan

His Honour Magistrate Glenn Walsh

Her Honour Magistrate Ellen Skinner

His Honour Magistrate Mark Buscombe

His Honour Magistrate Ian Cheetham

His Honour Magistrate John Chicken

His Honour Magistrate Albert Sbrizzi

His Honour Magistrate Bruce Williams

Her Honour Magistrate Susan McGowan

Her Honour Magistrate Teresa O'Sullivan

His Honour Magistrate Gregory Groggin

Her Honour Magistrate Estelle Hawdon

Her Honour Magistrate Sue Duncombe

His Honour Magistrate Andrew Eckhold

His Honour Magistrate David Degnan

His Honour Magistrate Alexander Mijovich

Her Honour Magistrate Harriet Grahame

Her Honour Magistrate Jennifer Atkinson

Her Honour Magistrate Megan Greenwood

His Honour Magistrate Caleb Franklin

His Honour Magistrate David Day

His Honour Magistrate Michael Antrum

His Honour Magistrate Theo Tsavdaridis

Her Honour Magistrate Margaret Mary McGlynn

Her Honour Magistrate Louise McManus

His Honour Magistrate Shane McAnulty

Her Honour Magistrate Mary Ryan

Her Honour Magistrate Karen Stafford

His Honour Magistrate Michael Barko

His Honour Magistrate Robert Stone

His Honour Magistrate Peter Feather

His Honour Magistrate Derek Jonathan Lee

Judicial appointments in 2012

Karen Stafford

After graduating from Macquarie University in 1987, Ms Stafford worked for two years in private practice, appearing in most jurisdictions. In 1991, she commenced working as a solicitor in the Office of the Director of Public Prosecutions (DPP) where she remained for 21 years.

Ms Stafford instructed in many complex and high profile murder trials and appeared in the Supreme, District and Local Courts. She appeared extensively as a solicitor advocate in the Local Court, initially in Sydney and later in numerous courts in the Northern Rivers region, where her practice consisted primarily of prosecutions for murder and child sexual assault.

Ms Stafford was sworn in as a magistrate on 13 February 2012.

Michael Barko

Mr Barko graduated with a Bachelor of Laws in 1984 from the University of Sydney and a Master of Laws in 1988. He worked as an associate for a District Court judge from 1986 until 1988.

Mr Barko commenced practice as a barrister in August 1988 and worked predominantly in the areas of crime and common law. In the course of his 23 years of practice, he appeared in all NSW and Commonwealth jurisdictions in the State, as well as many disciplinary and sporting tribunals.

Prior to his appointment to the Local Court, Mr Barko was Honorary Counsel for Randwick Rugby Clubs for 20 years and more recently Honorary Counsel for the Sydney Roosters. During 2010-2011, he also appeared as a guest legal commentator on radio station 2UE.

Mr Barko was sworn in as a magistrate on 13 February 2012.

Robert Stone

Prior to his appointment to the bench of the Local Court, Mr Stone practiced law for 35 years primarily in the areas of criminal and civil litigation. He was managing partner of one of the largest rural law practices in the State.

Mr Stone was an accredited specialist in criminal and personal injury law and an accredited mediator. During his time as a practitioner in the city of Wagga Wagga, he participated in a large number of voluntary non-profit organisations including The Forrest Centre (Chair), The Riverina Anglican College, Relationships Australia (Wagga Branch), E-Commerce Committee (a consultative committee of the Local Council) and President of The South West Slopes Law Society.

Mr Stone was sworn in as a Magistrate on 26 March 2012.

Peter Feather

Mr Feather began his career as a police officer in 1987 and was accepted into the Police Prosecution Branch within two years. He was formally appointed a Police Prosecutor at 21 years of age.

Mr Feather studied law through Macquarie University while working as a Police Prosecutor and was admitted to the degree of Bachelor of Legal Studies in 1995 and as a solicitor in 1996.

In the final years of his career with the Police Force, Mr Feather worked for a specialist unit prosecuting Police in the Police Tribunal in the District Court during the early stages of the Wood Royal Commission.

In the 15 years prior to his appointment to the bench, Mr Feather worked in private practice as a solicitor practicing principally as an advocate in the areas of criminal law and family law. He became a partner at Humphreys & Feather Solicitors (originally known as Humphreys & Corish) in 2001 and held that position until his appointment to the Bench.

Mr Feather was sworn in as a Magistrate of the Local Court on 26 March 2012.

Derek Lee

Mr Lee graduated from the University of Sydney in 1997 with a Bachelor of Laws and a Bachelor of Arts.

During his 14 years as a legal practitioner, Mr Lee worked for the Office of the Director of Public Prosecutions (NSW) and the Legal Aid Commission. After being called to the Bar in 2007 Mr Lee practised primarily in criminal law, appearing for both government agencies and private defendants.

Mr Lee has appeared in all jurisdictions from the Local Court to the Court of Criminal Appeal, and has represented various parties before the Independent Commission Against Corruption and the Police Integrity Commission.

Mr Lee was sworn in as a magistrate of the Local Court of New South Wales on 26 November 2012.

Magistrate appointed as District Court judge

His Honour Magistrate Gordon Lerve was appointed a Judge of the District Court and was sworn in on 1 June 2012, following an earlier appointment as an Acting Judge.

Judicial retirements and resignations during 2012

His Honour Magistrate Dennis Harvey Burdett (retired 24 August 2012)

His Honour Magistrate Malcolm Ian MacPherson (retired 7 September 2012)

His Honour Magistrate Anthony Joseph Marsden (retired 9 January 2012)

The Court was saddened by the death of Chief Industrial Magistrate Gregory James Tulk Hart in November 2012. Chief Industrial Magistrate Hart was appointed in 2005. He was highly respected for his wealth of knowledge in the industrial jurisdiction and will be deeply missed.

Following the passing of Chief Industrial Magistrate Hart, a report on the industrial jurisdiction for 2012 is not available in this year's Annual Review.

Acting Magistrates in 2012

The Court could not continue to achieve the outstanding service to the administration of justice that makes it a leader within the Commonwealth without the energy and assistance of acting magistrates. Recently retired magistrates may be commissioned as acting magistrates under section 16 of the *Local Court Act 2007* for a limited tenure.

Acting magistrates are used to preside at weekend bail Courts. They may also be used to cover absences on sick leave and extended leave.

Acting magistrates in 2012 were:

Mr Robert Joseph Abood
Mr Peter Frederick Ashton
Mr John Anthony Bailey
Mr Leslie Brennan
Mr Gary John Cocks (until 30 June 2012)
Ms Elizabeth Corbett
Mr John Ormonde Crawford
Mr Colin Alan Elliott
Mr Kevin Charles Flack
Mr Andrew John Benson George
Mr Stephen Vaughan Jackson
Mr Graham Johnson (until 30 June 2012)
Mr Bernard Joseph Kennedy
Mr Brian Anthony Lulham
Mr Paul Lyon
Ms Gail Frances Madgwick
Mr Michael Joseph Mahony (until 30 June 2012)
Mr Anthony Marsden (from 1 July 2012)
Mr John McIntosh
Mr Ian Duncan McRae
Mr Christopher McRobert
Mr Carl Milovanovich
Mr Allan Darroll Moore
Mr Michael Morahan
Mr David Patrick O'Connor
Mr Michael Kevin Price
Mr Mark Robert Shepherd
Mr Anthony Alfred Spence
Mr George Zdenkowski

Chief Magistrate's Executive Office

Small Claims assessors in 2012

Small Claims assessors sit at various Local Court locations in the Sydney metropolitan area in the Small Claims Division, which deals with civil claims of less than \$10,000. In other locations Small Claims matters are dealt with by the magistrate.

Small Claims assessors in 2012 were:

Ms Danae Harvey
Ms Janice Connelly
Mr Stephen Olischlager

In 2012, the Executive Office consisted of seven staff:

Executive Officer

Jacinta Haywood

Policy Officer

Alison Passé-de Silva

Listing and Rostering Co-ordinator

Helena Potter

Courts Co-ordinator

Phillip Sutor

Executive Assistant to the Chief Magistrate

Theresa Parkinson

Judicial Support Officer

Linda Lalin

Administrative Assistant

Lance Andrews

The New South Wales Local Court has the largest number of judicial officers in a summary jurisdiction in Australia. Under the direction of the Chief Magistrate, the staff of the Chief Magistrate's Executive Office provide statewide administrative support to magistrates and acting magistrates.

One of the primary functions of the Chief Magistrate's Executive Office is to assist the Chief Magistrate in organising and managing the sittings of the Local Court at 146 locations throughout the State. The Executive Office is responsible for the publication of sittings schedules, rosters, Chief Magistrate's circulars, Local Court Practice Notes, listing of cases and collation of statistical information. The Executive Office co-ordinates magistrates' travel across the State to ensure requirements for sittings are met and co-ordinates magistrates' attendance at various conferences throughout the year. The Executive office also assists the Chief Magistrate in discharging ceremonial functions such as the swearing in of newly appointed magistrates.

The work of the Local Court registries

Under the supervision of the Chief Magistrate and Deputy Chief Magistrates, the Executive Office is responsible for the day to day listing management and co-ordination of the Downing Centre and Central Local Courts, the largest Local Court complex in the State.

The Executive Office also facilitates strategic and effective working relationships with clients and stakeholders. In particular, members of the Executive Office provide advice to and represent the Chief Magistrate on committees and working groups regarding matters that affect the Court, including for example, the use and installation of Audio Visual and other technology relating to the Court. The members of the Office also assist the Chief Magistrate by providing research and project support relating to changes in legislation and policy.

Further information about the NSW Local Court can be found on the Local Court website on Lawlink, at http://www.lawlink.nsw.gov.au/lawlink/local_Courts/ll_localCourts.nsf/pages/lc_index

The Local Court would be unable to operate effectively without the valued assistance and expertise of the many registry staff throughout the State. Each registry provides administrative and clerical support. The Local Court is responsible for dealing with a complex range of matters from different jurisdictions and registry staff are required to have a sound operational knowledge. Registry staff are required to have a sound operational knowledge of the range of matters across different jurisdictions that are dealt with by the Local Court.

Staff at each registry are responsible for checking and accepting various documents filed at the Court, securing and maintaining court records, issuing court process and providing assistance to a variety of court users. A large number of Local Courts users are not legally represented and therefore, it falls upon registry staff to explain the various court processes in a manner that is easily understood.

Registrars

Registrars are appointed to the Local Court by the Governor pursuant to section 18 of the *Local Court Act 2007*. Registrars have a number of quasi-judicial functions conferred upon them by legislation.

The work of the registrar includes:

- Conduct of call-overs in both the civil and criminal jurisdiction;
- Conduct of pre-trial reviews in civil claims and small claims hearings;
- Issuing of search warrants;
- Determining various applications and motions in all jurisdictions;
- Management and supervision of the court registry;
- Swearing in of Justices of the Peace; and
- Limited responsibilities in relation to births, deaths and marriages.

2 Court operations during 2012

- Criminal jurisdiction
- Civil jurisdiction
- Coronial jurisdiction

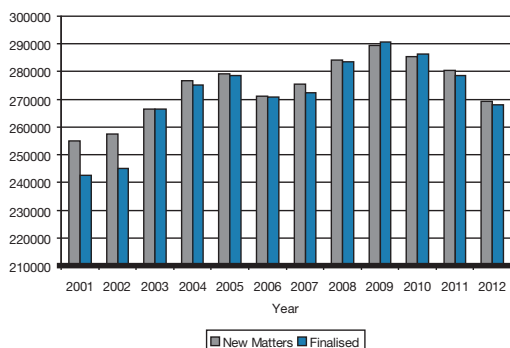
Criminal jurisdiction

Criminal matters in 2012

Between 1 January 2012 and 31 December 2012:

- 269,306 criminal matters were commenced in the Local Court, representing a decrease of 3.71% from the previous year.
- 268,177 criminal matters were finalised, giving a clearance ratio for the period of 99.69%.

Criminal matters commenced and finalised



Due to source differences, no direct comparison can be made between figures for 2009-2012 and previous years.

Timeliness

In accordance with published time standards, the Court aims to finalise 100% of summary criminal trials and indictable matters discharged or committed for trial or sentence to the Supreme or District Court within 12 months of commencement.

In 2012:

- 95.36% of matters were completed within 6 months of commencement.
- 99.12% of matters were completed within 12 months of commencement.

Developments in 2012

Online Court

Following its commencement in February 2011, the trial of an Online Court for the preliminary stages of committal proceedings at the Downing Centre involving legally represented defendants continued throughout 2012, until its conclusion on 31 December pursuant to Schedule 1 of the

Electronic Transactions (ECM Courts) Order 2005.

The Online Court enabled procedural steps in the committal process to be taken without the need for a physical appearance in a courtroom, and was used for uncontested matters including:

- Brief service orders
- The fixing of case conferencing timetables
- Continuance of bail
- Bail variation applications by consent

The response among legal practitioners to the Online Court trial was mixed. In the course of the trial, approximately 270 matters were referred to the Online Court, representing only a small proportion of all committal proceedings dealt with at the Downing Centre. However, users of the system who responded to evaluation surveys rated the Online Court highly, with more than 80 percent indicating they would use the Online Court again.

After discussion with the Legislation & Policy division of the Department of Attorney General & Justice, a decision has been made not to continue use of Online Court at the present time, primarily due to low take-up rates in use of the system amongst legal practitioners and limitations that constrained the useability of the system in a court context. However, it is hoped the use of online systems can be revisited in the future.

Consolidated practice notes

On 1 May 2012, two new practice notes were introduced in the criminal jurisdiction:

- **Practice Note Crim 1** consolidated a number of practice notes in order to provide a single reference point for parties and practitioners about aspects of the Court's criminal jurisdiction, including practice and procedure, arrangements for specific types of proceedings, and diversionary programs.
- **Practice Note Comm 1** revoked and replaced several existing practice notes relating to committal proceedings. It sets out a timetable for the progress of matters involving charges for strictly indictable offences or indictable offences where an election to proceed on indictment has been made.

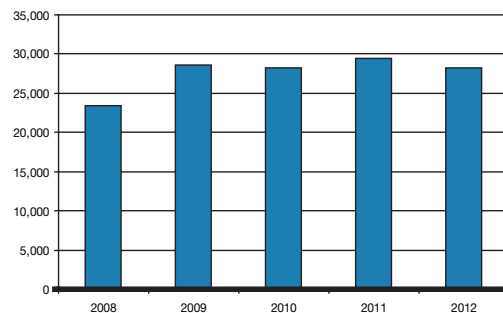
Domestic and personal violence

Final domestic violence orders decreased from 23,330 in 2011 to 22,362 in 2012. Final personal violence orders also decreased slightly from 6,176 in 2011 to 5,874 in 2012.

Apprehended Violence Statistics 2012

Domestic Violence	
<i>Lodgements</i>	
Provisional Orders	18,761
Application notices	12,375
Application variation/revocation	2,776
Total lodgements	33,912
<i>Finalisations</i>	
Final Orders made	22,362
Complaints withdrawn/dismissed	9,890
Complaints dismissed after hearing	516
Application not served	284
Orders varied/revoked	2,373
Application to vary/revoke withdrawn/dismissed	521
Total finalisations	35,946
Personal Violence	
<i>Lodgements</i>	
Provisional Orders	2,935
Application notices	7,229
Application variation/revocation	358
Total lodgements	10,522
<i>Finalisations</i>	
Final Orders made by Court	5,874
Complaints withdrawn/dismissed	4,502
Complaints dismissed after hearing	175
Application not served	140
Orders varied/revoked	260
Application to vary/revoke withdrawn/dismissed	93
Total finalisations	11,044

Final domestic and personal violence orders



Note: Due to source differences, no direct comparison can be made between figures for 2009-2012 and previous years.

The Local Court acknowledges the important work of, and the assistance received in 2012 from:

- The Women's Domestic Violence Court Assistance Program that provides support and assistance for applicants in AVO proceedings. Designated rooms and other support services are provided at most courts.
- Police Domestic Violence liaison officers, who provide assistance on list days.
- Community Justice Centres in facilitating mediation of complaints between private parties in personal violence order proceedings.

New Practice Note for AVO proceedings

Following a period of development, Practice Note 2 of 2012 – Domestic and Personal Violence Proceedings commenced on 1 May 2012. The practice note seeks to regulate various aspects of court procedure when dealing with apprehended violence order proceedings, including by:

- Requiring the use of written statements at most hearings. In the ordinary course and subject to the interests of justice, the Court will order the parties to exchange written statements that are to comprise the evidence in chief at hearing.
- Making provision for the management of hearings, including the making of orders limiting the time that may be taken to cross-examine or re-examine a witness.

Civil jurisdiction

- Setting out measures for the protection of children required to give evidence at a hearing, such as requiring any questioning of the child to take place through a court-appointed person where the defendant is self-represented.

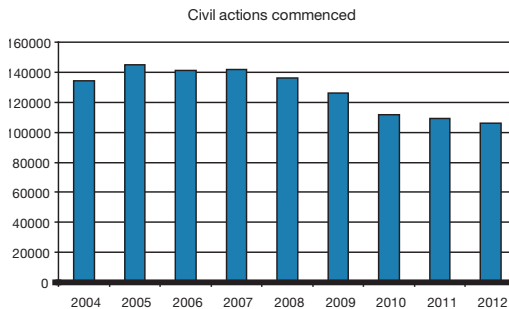
Domestic Violence Intervention Court Model

The Domestic Violence Intervention Court Model (DVICM) continued to operate in the Local Court during 2012 at Wagga Wagga and Campbelltown.

The DVICM aims to apply good practice in the criminal justice process for domestic violence matters and improve the coordination of services to victims and defendants. By agreement with magistrates, the victim is only required to attend court on the first mention. There are regular police prosecutors at both locations. Police are being encouraged and supported to submit high quality briefs to the Court at the earliest stage possible, preferably on the first mention.

Civil matters in 2012

In the period 1 January 2012 to 31 December 2012, 106,274 civil actions were commenced in the Local Court, of which 86,615 were commenced in the Small Claims Division. 106,691 matters were finalised. Total civil filings decreased from 109,323 in 2011.



Note: Due to source differences, no direct comparison can be made between figures for 2009-2012 and previous years.

Timeliness

The Local Court's published Time Standards provide for the finalisation of:

- 90% of civil cases — within 6 months of the initiation of the proceedings in the Court
- 100% of civil cases — within 12 months of the initiation of proceedings in the Court.

In 2012:

- In the Small Claims division – 95% of matters were finalised within 12 months; and
- In the General division – 96% of matters were finalised within 12 months.

Coronial jurisdiction

Her Honour Magistrate Mary Jerram is appointed as the State Coroner.

In 2012, the Deputy State Coroners were:

- Magistrate Scott Mitchell
- Magistrate Hugh Dillon
- Magistrate Paul MacMahon
- Magistrate Sharon Freund (part-time shared position)
- Magistrate Carmel Forbes (part-time shared position)
- Magistrate Mark Buscombe (Newcastle)
- Magistrate Ian Guy (Wollongong)
- Magistrate Malcolm MacPherson (regional)

Reduction of delays in coronial jurisdiction

In the most recent *Report on Government Services*, the NSW coronial jurisdiction again maintained a high clearance rate overall in comparison to other states and territories.

In 2011/12, a clearance rate of nearly 108.8% was achieved. This calculation represents the number of cases finalised divided by the number of cases commenced in a period, with a result of more than 100% indicating more cases were finalised than lodged in the relevant period.

There was also a significant reduction in the number of matters older than 12 to 24 months in age. In 2011/12, the backlog rate for cases outstanding after 24 months dropped to 2.5%, the lowest of any coronial jurisdiction in Australia and a further reduction from the previous year's rate of 4.3%.

These strong results are the product of better and improved case management systems, as well as the hard work of court staff and coroners.

Legislative change

Amendments to the *Coroners Act 2009* commenced in May 2012. Changes have been made to:

- Allow recognition of a deceased person's legal representative as senior next of kin in the absence of available family members.
- Provide the coroner with the power to make a non-publication order with regard to submissions.

- Enable the State Coroner to direct that suspended coronial proceedings not be resumed.
- Enable the Attorney General to intervene in applications made to the Supreme Court for a coronial inquest to be held.
- Enable the coroner to refuse a request by a senior next of kin for a post mortem not to be conducted if the senior next of kin has or may be charged in connection with the death.

Lecture, talks and conferences

During 2012, the State Coroner and some Deputy State Coroners presented numerous lectures and papers to various stakeholders and groups including:

- The NSW Bar Association
- The NSW Law Society
- Barristers Chambers
- The NSW Police Academy
- Forensic Odontologists Course
- NSW Fire Services
- Forensic Sciences Conference
- NSW Nurses
- NSW Health
- The Asia Pacific Coroners Annual Conference
- Law students from Sydney University, the University of NSW and the College of Law

Asia Pacific Coroners Conference

In November 2012, the NSW State Coroner hosted the annual Asia Pacific Coroners Conference held at the Amora Jamison Hotel in Sydney. Over 145 delegates from Australia and overseas attended the three-day conference.

The NSW Governor Marie Bashir opened the conference, and Justice Mary Gaudron presented the keynote address on the 'Rule of Law' and its application to the coronial jurisdiction. Wide-ranging coronial topics were discussed and debated by attendees.

An organising committee consisting of the State Coroner and the Deputy State Coroners worked tirelessly to put together the event, which was an overall success.

Deaths in custody and deaths during or as a result of a police operation

Section 23 of the *Coroners Act 2009* requires that if a person dies during the course of a police operation or whilst in custody, that death must be reported to the State Coroner or Deputy State Coroner and an inquest must be conducted into the circumstances of the death. A summary of all section 23 deaths is provided to the Attorney General for each twelve-month period.

During 2012, 43 deaths were reported pursuant to the requirement of Section 23, an increase in the number of deaths reported in 2011, when 29 such deaths were reported. Over 39 inquests were held by the State or Deputy State Coroners into these types of deaths, an increase from 29 inquests held in the previous year.

Children in care or disability deaths

Under section 24 of the *Coroners Act 2009*, it is mandatory to report to the State Coroner or Deputy State Coroner the deaths of:

- Children in care;
- Children who have been at risk of harm in the past three years;
- Siblings of children who have been at risk of harm in the past three years;
- Children whose deaths are, or may be, due to abuse, neglect or occurring in suspicious circumstances;
- Persons living in or temporarily absent from residential care provided by a service provider and authorised or funded under the *Disability Services Act 1993* or a residential care centre for handicapped persons; and
- Persons who are in a target group within the meaning of the *Disability Services Act 1993* and receive from a service provider, assistance to enable independent living in the community.

Whilst section 24 ensures mandatory reporting, unlike deaths reported pursuant to section 23, there is no mandatory requirement to conduct an inquest. Should an inquest be necessary, however, only the State Coroner or Deputy State Coroner may conduct it.

In 2012, 206 such deaths were reported to the State Coroner, compared to 265 in 2011.

Completion of Cases

The State Coroner has a statutory obligation to ensure all deaths, fires and explosions are properly investigated. The State Coroner should also ensure that this is accomplished in a timely manner. A continuing factor impacting on the timely disposition of cases, particularly at Glebe, has been delays by the Department of Forensic Medicine (DOFM) to finalise post mortem reports.

In 2012, the State Coroner increased the value of damage caused by a fire to \$500,000 before it can be reported to a coroner, unless the fire is suspicious. A considerable improvement in the timeliness of these reports from the DOFM has now been witnessed.

The efforts of the DOFM to reduce the backlog of outstanding reports and improve expediency in the completion of reports are acknowledged. However, concerns remain that delays are not within acceptable time frames, particularly when neuropathology is required. Monitoring of the timeliness of the completion of reports will continue.

State Coroners Court premises

The State Coroners Court only has available 2 courts to cater for 5 coroners, which presents constant logistical difficulties. The coroners continue to use a courtroom at the Parramatta Local Court complex as a third Coroners court. The Industrial Relations Commission was considered carefully as an alternative premises in 2012, but was ultimately found to be unsuitable.

In 2013, it is anticipated that the jurisdiction will have access to a courtroom in the John Maddison Tower. NSW Health has advised a new forensic facility is to be developed at Lidcombe. In the meantime, some cosmetic improvements will be made to the Glebe premises.

Domestic Violence Death Review Team

The NSW Domestic Violence Death Review Team was established in July 2010 to systematically review deaths occurring in the context of domestic violence. It conducts in-depth reviews of, and maintains a database about, such deaths.

The Team is convened by the NSW State Coroner and is constituted by representatives from 11 key government stakeholders, including law enforcement, justice, health and social services, as well as four representatives from non-government agencies.

The Team's second annual report was tabled on 13 November 2012. It is the first report to contain substantive case reviews, recommendations and data concerning domestic violence deaths in NSW during the period 1 July 2000 to 30 June 2009.

The report sets out 14 recommendations targeting various agencies and bodies. The object of the recommendations is to provide an opportunity to develop intervention and prevention strategies that may reduce the likelihood of domestic violence deaths occurring in the future.

Coroner's Court Statistics 2012

	2010	2011	2012
Deaths reported			
Glebe:	3068	3128	2864
Westmead:	N/A	N/A	N/A
Other statewide:	2380	2566	2505
Total:	5448	5694	5369
Inquests dispensed with*			
Glebe:	3045	3805	2185
Westmead:	N/A	N/A	N/A
Other statewide:	1940	2134	1989
Total:	4985	5939	4174
Inquests conducted			
Glebe:	150**	215**	111**
Westmead:	N/A	N/A	N/A
Other statewide:	46	75	37
Total:	196	290	148

*The term "inquest dispensed with" does not adequately explain the work of the Coroner in considering whether or not to dispense with the holding of an inquest. In each and every case, the decision to dispense with the holding of an inquest involves a reading and assessment of a sometimes lengthy and complex brief of evidence. Much of the Coroner's time is spent in requisitioning and reviewing material for cases, which ultimately do not proceed to inquest, as well as those that do.

**This figure represents the number of inquests conducted by the State or Deputy State Coroners and includes inquests conducted by them in regional NSW throughout the year.

Fires

Section 30 of the *Coroners Act 2009* gives the coroner jurisdiction to hold an inquiry into the cause and origin of fires and explosions where property has been damaged or destroyed. Generally, fires account for less than 10% of matters reported to a Coroner and much fewer result in an inquiry.

3 Diversionary programs and other aspects of the Court's work

- Diversionary programs
- Technology in the Local Court

Diversivory programs

Magistrates Early Referral Into Treatment Program

The Magistrates Early Referral Into Treatment Program (MERIT) is a pre-plea three-month drug treatment and rehabilitation program based in the Local Court that provides adult defendants an opportunity to break the drug crime related cycle.

The MERIT program is designed to allow defendants to focus on treating drug problems independently from their legal matters. Treatment commences prior to any pleas being entered, with the adjournment of Court matters until the completion of the program. Defendants are closely case-managed by the MERIT team throughout the program and the magistrate receives regular reports on the participant. The final hearing and/or sentence proceedings generally coincide with the completion of the MERIT program. Magistrates are then able to consider the defendant's progress in treatment as part of final sentencing.

Magistrates are an integral part of the MERIT process. Undertaking an increased level of judicial supervision is a core element of the program. This may involve additional court appearances for mention to establish how a defendant is progressing and to offer encouragement or admonishment as appropriate. MERIT also relies on many dedicated staff at NSW Health and the Local Court remains committed to this partnership.

During 2012, the program was available in 65 Local Court locations, within all of the State's Local Health Districts. 3,293 defendants were referred to MERIT and 1,947 were accepted, with 908 successfully completing the program.

MERIT is a Commonwealth and State initiative. Funding is provided through the Australian HealthCare Agreement. The Court works in partnership with the NSW Department of Attorney General and Justice, the NSW Police Force, NSW Health, Legal Aid Commission and a network of drug and alcohol agencies in the expansion and development of MERIT.

Evaluations of MERIT have been consistently positive. In 2009, the NSW Bureau of Crime Statistics and Research found that completing the MERIT program significantly reduced the number of defendants committing any type of offence by an estimated 12 percent.¹

Alcohol MERIT

At some courts currently offering MERIT, resources are provided such that defendants whose primary concern is alcohol are also eligible for the program. In 2012, Alcohol MERIT was available in the following Local Court locations:

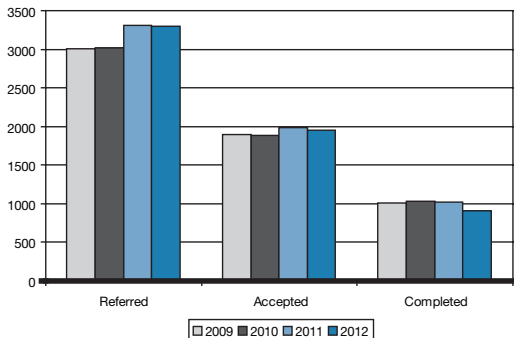
- Albion Park
- Bathurst
- Broken Hill
- Campbelltown
- Coffs Harbour
- Dubbo
- Fairfield
- Hornsby
- Kiama
- Liverpool
- Manly
- Newcastle
- North Sydney
- Orange
- Port Kembla
- Ryde
- Wellington
- Wilcannia
- Wollongong

The Alcohol MERIT model is identical to MERIT in terms of eligibility and suitability criteria, referral pathways and court reporting. However, the clinical treatment provided is tailored to the specific needs of defendants with alcohol problems.

The referral, entry and completion figures above include Alcohol MERIT participants.

¹ *Crime and Justice Bulletin No. 131 (July 2009), The Magistrates Early Referral Into Treatment Program*

MERIT Program Statistics



It is important to note when interpreting these statistics that the annual number of program completions is not proportional to the annual number of program referrals.

The MERIT program is of 3 months duration. Some persons referred to the program after September 2012 will still be on the program at 31 December 2012, and therefore not accounted for in the completion figures. Similarly, the completion figures include persons who commenced MERIT from September to December 2011 and completed their contact with the program in 2012.

Circle Sentencing (Circle Courts)

Circle Sentencing is an alternative sentencing Court for adult Aboriginal offenders. Based on traditional indigenous forms of dispute resolution and customary law, Circle Courts are designed for more serious repeat Aboriginal offenders and are aimed at achieving full community involvement in the sentencing process. It directly involves local Aboriginal people in the process of sentencing offenders, with the aims of making the sentencing process more meaningful and improving confidence in the criminal justice system. It also empowers Aboriginal people to address criminal behaviour within their local communities.

As set out in clause 35, Criminal Procedure Regulation 2010, the aims of Circle Sentencing are to:

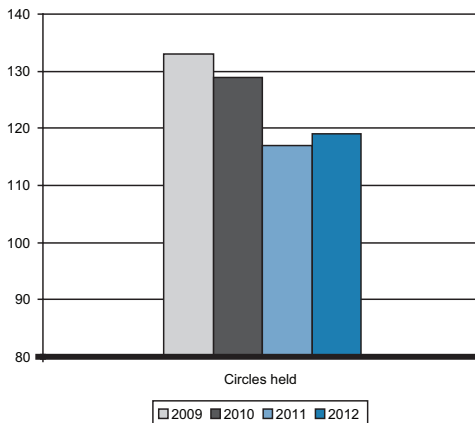
- Include members of Aboriginal communities in the sentencing process,

- Increase the confidence of Aboriginal communities in the sentencing process,
- Reduce barriers between Aboriginal communities and the courts,
- Provide more appropriate sentencing options for Aboriginal offenders,
- Provide effective support to victims of offences by Aboriginal offenders,
- Provide for the greater participation of Aboriginal offenders and their victims in the sentencing process,
- Increase the awareness of Aboriginal offenders of the consequences of their offences on their victims and the Aboriginal communities to which they belong, and
- Reduce recidivism in Aboriginal communities.

In 2012, Circle Sentencing was available in the following communities:

- Armidale
- Blacktown
- Bourke
- Brewarrina
- Dubbo
- Kempsey
- Lismore
- Moree
- Nambucca
- Nowra
- Mt Druitt
- Walgett

A total of 119 Circle Sentencing matters were finalised in 2012.



Forum Sentencing

The Crime Prevention Division of the Department of Attorney General and Justice manages the Forum Sentencing program. It currently operates at 52 Local Court locations across the State, having expanded to 15 additional court locations in 2012.

The Forum Sentencing program is open to all adults who have committed offences that expose them to the likely prospect of imprisonment. Certain offences, including domestic violence offences and some regulatory driving offences, are excluded.

Forum Sentencing brings an offender and victim together with a facilitator, police officer and support people to discuss what happened and the harm caused by an offence, and to prepare an intervention plan for the offender. The program is available post-plea and provides magistrates with another sentencing option, with the intervention plan being taken into account by the Court at the time of sentencing.

The intervention plan may include the making of an apology, cash payments, work or other reparation to the victim; participation in an appropriate program, such as drug and alcohol rehabilitation; and other measures aimed at repairing the harm caused and helping offenders address their offending behaviour and integrate into the community.

New locations in 2012 were:

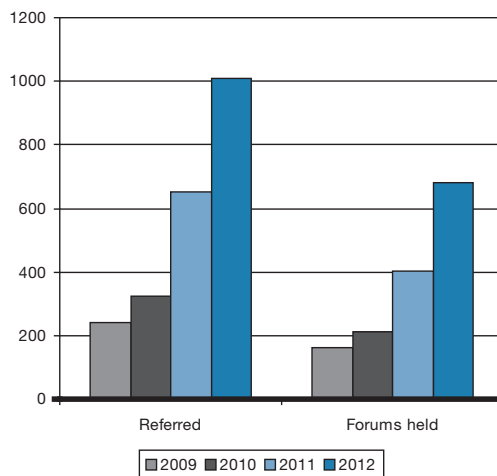
- Cessnock
- Murrundi
- Dungog
- Muswellbrook
- East Maitland
- Port Macquarie
- Foster
- Scone
- Gloucester
- Singleton
- Kempsey
- Taree
- Kurri Kurri
- Wauchope
- Maitland

Forum sentencing also continued to operate at:

- Ballina
- Liverpool
- Balmain
- Macksville
- Bankstown
- Maclean
- Bellingen
- Moss Vale
- Belmont
- Mullumbimby
- Burwood
- Murwillumbah
- Byron Bay
- Newcastle
- Campbelltown
- Newtown
- Camden
- Parramatta
- Casino
- Picton
- Central
- Raymond Terrace
- Coffs Harbour
- Ryde
- Downing Centre
- Sutherland
- Fairfield
- Toronto
- Gosford
- Tweed Heads
- Grafton
- Waverley
- Kogarah
- Woy Woy
- Kyogle
- Wyong
- Lismore

In 2012, 1,008 offenders (55% more than 2011) were referred to the program and 679 forums (69% more than 2011) took place.

Forum Sentencing program statistics



Statewide Community Court Liaison Services

Statewide Community Court Liaison Services (the Mental Health Liaison Service) assist the Local Court to appropriately manage people with psychiatric illnesses by providing full time mental health nurses at a number of Local Court locations. The nurses enable early diagnosis of defendants and facilitate treatment in conjunction with progress through the criminal justice system.

Statewide Community Court Liaison Services continued in 2012, operating in 20 Local Court locations:

- Bankstown²
- Blacktown
- Burwood
- Campbelltown
- Coffs Harbour
- Dubbo
- Gosford
- Kempsey
- Lismore
- Milton
- Nowra
- Parramatta
- Penrith
- Port Macquarie
- Sydney Central
- Sutherland
- Tamworth
- Wagga Wagga
- Wollongong
- Wyong

In 2012, 13,039 people were screened for mental health problems in court cells. Of this number, 2,407 received a comprehensive mental health assessment, of which 2,040 were found to have a mental illness.³

As last year's annual review reported on figures for the 2010/11 financial year rather than a calendar year, Justice Health has also provided the following figures for the period July – December 2011:

- People screened for mental health problems in court cells – 6,857
- People who received a comprehensive mental health assessment – 1,156
- People found to have a mental illness – 1,023

² Service relocated to Bankstown in 2012 due to the temporary closure of Liverpool courthouse

³ Figures obtained from Justice Health

Traffic Offender Intervention Program

The Traffic Offender Intervention Program (TOIP) is targeted at defendants who plead guilty to, or are found guilty of, a traffic offence. A magistrate is able to refer a defendant to an approved traffic course provider on application by the defendant or their legal representative, or on the Court's own motion. A referral is made prior to sentencing, with the proceedings adjourned to allow sufficient time for the nominated course to be completed.

Although traffic offender programs were historically the product of ad hoc local arrangements, Part 8 of the Regulations made pursuant to the *Criminal Procedure Act 1986* now provides for the referral of offenders to a TOIP. Magistrates commenced referring defendants on 28 March 2008.

There are currently 3 traffic course providers operating in 52 locations across the State to whom referrals may be made.

At the time of publishing last year, data was not available on the operation of TOIPs in 2011. It can now be reported that in 2011:

- 9,399 individuals participated in and 7,936 individuals completed a TOIP.
- Driving with a prescribed concentration of alcohol (i.e. drink driving) offences represented the most frequent offence type at 73% of offences. Other categories included speeding (17%) and licence infringement offences (15%).
- The majority of participants (75%) were male, with the most frequent age group being those aged 20-29 years (42%).

In 2012:

- 9,802 individuals participated in and 8,094 individuals completed a TOIP.
- Driving with a prescribed concentration of alcohol (i.e. drink driving) offences represented the most frequent offence type (63% of offences). Other categories included speeding (20%) and licence infringement offences (19%).
- The majority of participants (79%) were male, with the most frequent age group being those aged 20-29 years (43%).

Court Referral of Eligible Defendants Into Treatment

The Court Referral of Eligible Defendants Into Treatment (CREDIT) program commenced as a trial program in 2009. It presently operates in the Local Court at Burwood and Tamworth (which also services Quirindi).

CREDIT aims to provide Local Court defendants with access to a wide range of treatment options and services to assist them to reduce their likelihood of re-offending. These may include assistance in areas such as accommodation, financial counselling, mental health assessment or drug and alcohol treatment. The program is a pre-plea program with defendants being referred to the program prior to entering a plea, unless referred by a magistrate.

Program operation in 2012

For the period 1 January 2012 until 31 December 2012:

- 329 referrals were made to the program and 308 assessments were undertaken;
- 210 defendants met CREDIT's eligibility criteria and entered the program;
- 177 case management plans were agreed upon and signed by the participant and CREDIT officer; and
- 116 participants successfully completed their case management plan.

BOCSAR evaluation

The Bureau of Crime Statistics and Research (BOCSAR) was commissioned to conduct an evaluation of the Court Referral of Eligible Defendants into Treatment (CREDIT) program after the two-year trial period (24 August 2009 – 23 August 2011).

BOCSAR released the first of two reports evaluating the pilot program in February 2012.⁴ The report describes the key operating characteristics of the program (such as the

number of CREDIT assessments and referrals) and the results of surveys designed to measure the degree of satisfaction felt by participants and key stakeholders with the CREDIT program. Key findings of the report include:

- Over the two-year pilot period the CREDIT program received 719 referrals and conducted 637 assessments. A total of 451 defendants participated in the program.
- The average number of referrals to services per participant was 3.2 at Burwood and 2.4 at Tamworth. Most defendants who were referred for some form of treatment or support were accepted.
- The results of the interviews showed high levels of satisfaction among both stakeholders and program participants. The vast majority of participants (95.9%) reported that their life had changed by being on the CREDIT program.
- Both categories of respondents indicated a high level of satisfaction with CREDIT staff.
- While the overriding opinion of the program was positive and stakeholders suggested that it be implemented on a statewide basis, some improvements were recommended in order to facilitate beneficial outcomes for both program participants and the broader community. These include an enhancement of relevant services and clarification of the relationship between CREDIT and other court based programs.

The final report, which will focus on the effectiveness of CREDIT in reducing the risk of re-offending, was scheduled to be available in December 2012. BOCSAR planned to observe the re-offending rate of approximately 300 program participants and relevant control groups over a minimum period of 12 months. While preliminary results are positive, the numbers upon which the results are based are quite small (particularly for Burwood) due to difficulty in matching a suitable control group. BOCSAR will conduct further analyses of re-offending rates of program participants that will include an additional six months' worth of re-offending data. The final report is expected in June 2013.

⁴ *Crime and Justice Bulletin No. 159 (February 2012), NSW Court Referral of Eligible Defendants into Treatment (CREDIT) pilot program: An evaluation*

Technology in the Local Court

Audio Visual Link Technology (AVL)

Video conferencing involves the delivery of images and sounds to and from a remote location. The Court's audio visual link is two-way, which enables real time conversations to take place. The benefits provided include a reduction in transportation of prisoners to and from court, especially in regional locations and increased security. It improves the management of custodial matters within the Local Court and produces significant reductions in recurrent expenditure for government.

In 2012, AVL was used to conduct over 35,000 appearances in the Local and Children's Courts. It is estimated that approximately 80% of those appearances were bail hearings.

Practice Note 7 of 2008, which establishes arrangements for the use of AVL in criminal and certain civil matters and sets out priorities for the use of AVL, continues to apply. In 2012, the provisions of Practice Note 5 of 2007 were moved into the new consolidated criminal jurisdiction practice note, Crim 1. These continue to specify the use of AVL wherever practical and for courts without AVL facilities to adjourn all matters (other than matters for hearing) where accused persons are in custody, to the nearest or appropriate allocated court with AVL facilities.

In 2012, AVL facilities were available at 329 cross justice agency locations across the State, including the following Local Court locations:

- Albury
- Armidale
- Bankstown
- Bateman's Bay
- Bathurst
- Blacktown
- Bourke
- Broken Hill
- Burwood
- Campbelltown
- Central
- Cessnock
- Coffs Harbour
- Deniliquin
- Downing Centre
- Dubbo
- Gosford
- Goulburn
- Grafton
- Griffith
- Lismore
- Liverpool
- Maitland
- Moree
- Mount Druitt
- Newcastle
- Nowra
- Orange
- Parkes
- Parramatta
- Penrith
- Port Macquarie
- Raymond Terrace
- Sutherland
- Tamworth
- Taree
- Tweed Heads
- Wagga Wagga
- Walgett
- Waverley
- Wentworth
- Wilcannia
- Wollongong
- Woy Woy
- Wyong

CCTV – Remote Witnesses

Closed circuit television (CCTV) facilities have also been installed in 83 Courts, allowing vulnerable witnesses to give evidence in sensitive matters such as sexual assault, from a remote location. This facility is highly utilised and provides some measure of comfort and security to victims of crime. In 2012, CCTV was used to allow:

- 820 witnesses to give evidence from an offsite location, and
- 692 witnesses to give evidence via a remote facility in a court complex, of which 123 were protected witnesses.

Court lists online

The provision of online access to daily court lists for Local Court locations across New South Wales enhances public accessibility to the Court. Court users are able to access the online facility through the Local Court website or the Online Registry site within Lawlink: http://www.onlineregistry.lawlink.nsw.gov.au/onlineregistry/onlineregistry_index.html

Electronic lodgement

Civil claims

Electronic lodgement of civil claims allows court users to lodge initiating process and file for default judgment. Electronic lodgement results in increased timeliness in court practices and procedures.

Criminal processes

NSW Police are able to interface and upload new cases from Police Charge Management System (COPS) to the Court's case management system, JusticeLink. Electronic lodgement facilities also provide an interface between the Court and NSW Police to enable the updating of an offender's criminal antecedents following a court hearing. This process continues to provide significant benefits to the Court and court users.

Apprehended violence orders (AVOs)

From December 2012, NSW Police have been able to file applications for AVOs electronically into JusticeLink, overcoming the need for manual processing by court registry staff.

Local Court website

The Local Court website on Lawlink provides access information including Local Court Practice Notes, as well as forms and fees. The website can be found at: <http://www.localcourt.lawlink.nsw.gov.au/localcourts/index.html>

Due to the large number of cases magistrates deal with, the majority of judgments in the Local Court are delivered orally. Selected written judgments continue to be published on the Caselaw NSW website. These decisions can be found at: <http://caselaw.lawlink.nsw.gov.au/>

4 Judicial education and community involvement

- Judicial education and professional development

Judicial education and professional development

The Local Court, in partnership with the Judicial Commission of New South Wales, provides a relevant and practical continuing judicial education program designed to:

- Enhance professional expertise;
- Facilitate the development of judicial knowledge and skills; and
- Promote the pursuit of juristic excellence.

With a focus on interactive learning, the program is based on enhancing skills, attitudes and knowledge in a judicially relevant environment.

Sessions range from orientation programs for new magistrates to specialist seminars on practical matters, social awareness issues and legislative changes. The Local Court offers each magistrate a minimum five days of judicial education each year, with a focus on sentencing, important legal developments, improving knowledge in difficult areas of legal practice and procedure, and the development of judicial skills.

The Local Court Education Committee, composed of magistrates and the Judicial Commission's Education Director, develops each education program based on the identified needs of magistrates. Magistrates are involved in the development and delivery of the education program to ensure its relevance to the judicial role. The Chair of the Committee is also a member of the Judicial Commission's Standing Advisory Committee on Judicial Education.

Conferences and Seminars

During 2012, magistrates continued to receive training tailored to meet their educational needs:

- Magistrates attended 734 days of face-to-face judicial education, an average of 5.5 days per magistrate.
- Five newly appointed magistrates attended a pre-bench training session designed to familiarise them with Local Court practice and procedure.
- The Local Court Annual Conference was held over three days in August 2012 for all New South Wales magistrates. The program focused on practical and interactive sessions

that related directly to the daily work of magistrates. Topics included:

- Civil and criminal law updates;
 - The *Evidence Act*;
 - The impact of domestic violence on children;
 - Factors which predict juvenile re-offending;
 - Custodial classifications and in-gaol programs;
 - Current trends in drugs;
 - The physiology of alcohol and substance abuse;
 - Managing speeding on the roads;
 - Local solutions to recidivism; and
 - Work-life balance.
- Smaller, interactive metropolitan and regional seminars were attended by all magistrates. These interactive sessions, structured around discussion and peer-based learning, facilitate the development of judicial knowledge and skills. Topics included:
 - Business records;
 - Using AVL in the courtroom;
 - Magistrates' terms and conditions, and practical skills for using an online HR system,
 - iPad skills and applications;
 - Therapeutic justice and intervention programs;
 - Standard civil motions;
 - Standards of proof; and
 - Controlling the court.
 - Continuing the focus on skills development:
 - 18 magistrates attended a judgment writing workshop to help them develop and refine the ability to write clear, concise, well-structured judgments. Over 50% of magistrates have now attended one of these workshops;
 - 14 magistrates attended a cross-jurisdictional twilight seminar on 'Writing Better Judgments';

- 7 industrial magistrates attended a day long workshop on the ‘Industrial Jurisdiction’ which discussed the case management of industrial and WorkCover matters, and skills particular to the industrial jurisdiction; and
- 7 magistrates attended a ‘Country Coroners’ Orientation Program’ which aimed to orientate magistrates going to the country to the coronial jurisdiction and to the skills required to manage inquests.
- Magistrates continued to participate in the Judicial Commission’s Ngara Yura Program, which aims to increase awareness among judicial officers about contemporary Aboriginal society, customs and traditions, and their effect on Aboriginal people in the justice system. Magistrates were well represented in the visit organised by the Judicial Commission to Redfern, on the cultural cruise on the Tribal Warrior on Sydney Harbour, and at the seminar on ‘Indigenous Peoples in International Law’.

Publications and Training in the use of iPads

The Court continued to work with the Judicial Commission to ensure the *Local Court Bench Book* was regularly updated by magistrates to reflect developments in the law and sentencing practice.

With the NSW Department of Attorney General & Justice providing iPads to every magistrate in NSW in May and June, the Judicial Commission commenced specialised training for magistrates to learn how to use their iPads effectively.

The Commission also developed an application and voice recognition function so that magistrates can quickly access their online publications and the Commission’s Judicial Information Research System (JIRS). This exciting innovation means that print publications will, in time, be superseded, and the Commission is well prepared to deliver its education and research resources to iPads and tablet PCs.

Magistrates who attended Community Visit to Redfern

His Honour Judge Graeme Henson, Chief Magistrate
 His Honour Magistrate Michael Antrum
 His Honour Magistrate Graham Blewitt AM
 Her Honour Magistrate Jayeann Carney
 Her Honour Magistrate Robyn Denes
 Her Honour Magistrate Joanne Keogh
 Her Honour Magistrate Margaret McGlynn
 His Honour Magistrate Christopher O’Brien
 His Honour Magistrate Robert Rabbidge
 Her Honour Magistrate Beverley Schurr
 His Honour Magistrate Brian van Zuylen

Magistrates who attended Seminar on Indigenous Peoples in International Law

Her Honour Magistrate Harriet Grahame
 Her Honour Magistrate Teresa O’Sullivan
 Her Honour Magistrate Ellen Skinner

Magistrates who attended Tribal Warrior Cruise

Her Honour Deputy Chief Magistrate Jane Mottley
 Her Honour Magistrate Joan Baptie
 His Honour Magistrate Glenn Bartley
 Her Honour Magistrate Geraldine Beattie
 His Honour Magistrate Graham Blewitt AM
 Her Honour Magistrate Jayeann Carney
 His Honour Magistrate John Chicken
 His Honour Magistrate James Coombs
 His Honour Magistrate John Favretto
 Her Honour Magistrate Harriet Grahame
 Her Honour Magistrate Estelle Hawdon
 Her Honour Magistrate Joanne Keogh
 His Honour Magistrate Paul Mulroney
 Her Honour Magistrate Teresa O’Sullivan
 Her Honour Magistrate Beverley Schurr
 Her Honour Magistrate Ellen Skinner
 His Honour Magistrate Garry Still
 His Honour Magistrate Brian van Zuylen

Legal education in the community and participation in external bodies

In 2012, magistrates continued to be involved in legal education, with a number of magistrates regularly volunteering their time to preside over College of Law practice hearings and pleas of mitigation.

Magistrates' activities in 2012 are summarised below:

His Honour Chief Magistrate Graeme Henson

Membership of organisations:

Member, Judicial Commission of New South Wales

Member, Uniform Rules Committee

Member, Australian Institute of Judicial Administration

Member, Judicial Conference of Australia Executive Committee

Member, University of Wollongong Faculty of Law Advisory Committee

Member, Australian Catholic University Faculty of Law Advisory Committee

Member, Uniting Aged Care Sydney North Regional Board

Speaking engagements and other activities:

Feb NSW Young Lawyers Criminal Law conference, 'Overview of current issues in the jurisdiction of the Local Court of New South Wales'

Sep Address to Magistrates Early Referral Into Treatment workers

Oct Bar Association of NSW address to Bar Readers

Conferences and events:

May Council of Chief Magistrates

Oct Judicial Conference of Australia Colloquium (Fremantle, WA)

Nov Judicial Commission of NSW, Community Awareness Program open forum

Her Honour Deputy Chief Magistrate Jane Mottley

Membership of organisations:

Member, Ngara Yura Committee

Member, Uniform Rules Committee

Member, JusticeLink Steering Committee

Member, MERIT Steering Committee

Chair, Marine Appeals Tribunal

Part-time commissioner, NSW Law Reform Commission

Speaking engagements and other activities:

Feb	Land and Environment Court seminar, 'Mutual Observation, 360 Degree Feedback and Communication'
Apr	Police Prosecutors training, 'An overview of family law and its relevance to AVO proceedings in the Local Court'
May	Bar Association of NSW Bar Readers program
Oct	Judicial Commission of NSW, Community Awareness Program
Dec	College of Law mooting exercises

Her Honour Deputy Chief Magistrate Jane Culver

Membership of organisations:

Member, Criminal Law Committee of the Law Society of NSW
Member, NSW Caselaw Governance Committee
Member, Standing Advisory Committee on Judicial Education
Member, John Maddison Tower/Downing Centre Building Committee
Member, AGD Libraries Committee

Speaking engagements and other activities:

Feb	Land and Environment Court seminar, 'Mutual Observation, 360 Degree Feedback and Communication'
Mar	Thomson Reuters Sydney CLE conference, 'An overview of sentencing in the Local Court'
Apr	Address to delegation of Chinese judges, China-Australia Human Rights Technical Co-operation program
Jul	Supreme Court of NSW seminar, 'The Court Suppression and Non-Publication Orders Act 2010 One Year On – Some Legal and Practical Issues'
Presenter, Notre Dame University criminal law course	

Her Honour Magistrate Mary Jerram, State Coroner

Membership of organisations:

President, Asia Pacific Coroners Society
Convenor, Asia Pacific Coroners Conference and organising committee chair
Member, National Coroners Information System Advisory Committee
Member, advisory committee to Monash University research team on coronial recommendations

Speaking engagements and other activities:

Various (see p 17)

His Honour Magistrate Michael Allen

Membership of organisations:

President, Orange Netball Association (from December 2012)

Speaking engagements and other activities:

Presenter, Bar Association of NSW Continuing Professional Development conference

His Honour Magistrate Michael Antrum

Speaking engagements and other activities:

Aug Guest speaker, Government Solicitors dinner

Oct University of Western Sydney law students, 'Human rights'

Dec Victoria Barracks legal officers, 'Military law'

Conferences and events:

Jul Association of Australian Magistrates bi-annual conference (Melbourne, Vic)

His Honour Magistrate Glenn Bartley

Speaking engagements and other activities:

Oct Environment and Planning Law Association conference, 'Sentencing Environmental offenders in the Local Court – Procedure and Evidence'

His Honour Magistrate Graham Blewitt AM

Speaking and other engagements:

Jul – Dec Mentor, Sydney University Law Society Careers Mentoring program

Supervisor, Wollongong University law student thesis, 'War crimes investigations in Australia'

His Honour Magistrate Geoffrey Bradd

Conferences and events:

Feb National Judicial Conference of Australia, Federal Crime and Sentencing conference

His Honour Magistrate Mark Buscombe

Speaking engagements and other activities:

Mock trial magistrate, Newcastle University

His Honour Magistrate Hugh Dillon

Speaking engagements and other activities:

Aug Co-presenter, National Judicial College of Australia coroners' program

Sep University of Wollongong Law School seminars, 'Advocacy in Magistrates' Courts' and 'Advocacy in the Coronial Jurisdiction'

Sep Department of Forensic Medicine, University of Sydney, 'Problems of diagnosis: seriously sick patients'

Sep Forensic Dentistry conference, Department of Forensic Medicine, University of Sydney, 'The coronial jurisdiction'

Sep University of New South Wales Law School, 'The coronial jurisdiction'

Senior Visiting Fellow and part-time lecturer, University of New South Wales Law School

His Honour Magistrate Andrew Eckhold

Speaking engagements and other activities:

Jun Orana Law Society, 'Advocacy Basics'

Her Honour Magistrate Jennifer Giles

Conferences and events:

Mar Guest, Liverpool/Fairfield Law Society Annual Dinner

May International Association of Women Judges 11th biennial conference (London, UK)

Jul Association of Australian Magistrates bi-annual conference (Melbourne, Vic)

His Honour Magistrate Gregory Grogin

Membership of organisations:

Honorary Secretary, Newington College Council

Speaking engagements and other activities:

Senior instructor, Australian Advocacy Institute

Trainer, NSW Bar Association, advocacy for new barristers

His Honour Magistrate Michael Holmes

Membership of organisations:

Member, University of New England School of Law Advisory Board

Member, Australian Institute of Judicial Administration Inc.

Member, Judicial Conference of Australia

Honorary member, Law Society of NSW

Member, NSW Bar Association

Her Honour Magistrate Daphne Kok

Membership of organisations:

Chairperson, Law Extension Committee, University of Sydney

Chairperson, Wentworth Annex Ltd (University of Sydney)

Electoral Arbiter, University of Sydney union

Conferences and events:

Jul Association of Australian Magistrates bi-annual conference (Melbourne, Vic)

His Honour Magistrate Jeffrey Linden

Conferences and events:

- | | |
|-----|---|
| Sep | National Judicial College of Australia, Phoenix Magistrates program (Broadbeach, Qld) |
| Sep | Commonwealth Magistrates conference (Uganda) |
-

His Honour Magistrate Terence Lucas

Membership of organisations:

- Commissioned officer, Royal Australian Navy Reserve
- Member, Group 10 Rugby League Judiciary
- Chairman, Central West Defence Reserves Support Council
-

His Honour Magistrate Paul Mulroney

Membership of organisations:

- Chair, Habitat for Humanity New South Wales
- Board member, Habitat for Humanity Australia Ltd
- Member, NSW Committee for Discipline, Uniting Church
- Children's Court Advisory Committee
- Children's Court Education Committee
- Chair, Children's Law News Committee
- Member, Advisory panel – review of the *Young Offenders Act* and *Children (Criminal Proceedings) Act*
-

Speaking engagements and other activities:

- | | |
|-----|--|
| Feb | Sydney Aboriginal Family Law conference, 'The role of the Children's Court' |
| Apr | Council of Ageing, 'Grandparents and the law' |
| Sep | Reducing Indigenous Youth Incarceration, 'Illustrating the impact of bail refusal' |
-

His Honour Magistrate Roger Prowse

Membership of organisations:

- Life member, New England Football Referees Association
- Board member and head of judiciary, Hockey New England
- Head of judiciary, Armidale District Cricket Association
- Member, Judicial Council of Australia
-

Conferences and events:

- | | |
|-----|---|
| Jul | Association of Australian Magistrates bi-annual conference (Melbourne, Vic) |
|-----|---|
-

His Honour Magistrate Mark Richardson

Membership of organisations:

Member, Judicial Council of Australia

Member, Institute of Public Administration

Contributor, BackTrack program for indigenous young people

Honorary member, Armidale Dumaresq Council safety committee

Speaking engagements and other activities:

Oct Panel member, 'Jack the Ripper' hypothetical session

Her Honour Magistrate Beverley Schurr

Conferences and events:

May International Association of Women Judges 11th biennial conference (London, UK)

Her Honour Magistrate Fiona Toose

Membership of organisations:

President, Penrith Rowing Club

Volunteer regatta secretary and member, Rowing NSW

Speaking engagements and other activities:

Volunteer visiting lecturer, University of Western Sydney aquatics program

His Honour Magistrate Theo Tsavdaridis

Speaking engagements and other activities:

Mar Guest speaker, Toongabbie Legal Centre Community Legal Assistance Network volunteer training and induction day, 'NSW criminal justice and court system'

Apr Guest speaker, Toongabbie Legal Centre Outreach Legal Service Program launch

Oct Attendee, Law Society of NSW annual dinner

Oct Attendee, Toongabbie Legal Centre annual dinner

Conferences and events:

Oct Judicial Conference of Australia Colloquium (Fremantle, WA)

Her Honour Magistrate Eve Wynhausen

Membership of organisations:

Board member, Waverley Action For Youth Services

Speaking engagements and other activities:

English language teacher and volunteer, Surry Hills Asylum Seekers Centre

Appendices

- The Court's time standards
- The Court's committees
- 2012 Court by Court statistics

The Court's time standards

The Court aims to finalise its caseload in accordance with the following Time Standards:

Local Court Criminal Time Standards

- 95% of summary criminal trials – within 6 months.
- 100% of summary criminal trials – within 12 months
- 95% of criminal cases where the defendant enters a plea of guilty – within 3 months.
- 100% of criminal cases where the defendant enters a plea of guilty – within 6 months.
- 90% of indictable matters discharged or committed for trial or sentence to the Supreme or District Court – within 6 months.
- 100% of indictable matters discharged or committed for trial or sentence to the Supreme or District Court – within 12 months.
- 95% of complaint summonses – within 3 months.
- 100% of complaint summonses – within 6 months.

Local Court Civil Time Standards

- 90% of civil cases – within 6 months of the initiation of the proceedings in the Court.
- 100% of cases – within 12 months of the initiation of proceedings in the Court.

Children's Court Criminal Time Standards

- 80% of all summary criminal trials – within 6 months and 100% – within 12 months.
- 90% of all sentence matters following a plea of guilty – within 3 months of commencement and 100% – within 6 months.
- 90% of committals for trial – within 9 months and 100% – within 12 months.
- 95% of applications – within 6 months and 100% – within 9 months.

Children's Court Care Time Standards

- 90% of Care matters – within 9 months.
- 100% of Care matters – within 12 months.

Coroner's Time Standards

- 95% of deaths by natural causes, (no brief of evidence ordered), – within 3 months.
- 100% of deaths by natural causes, (no brief of evidence ordered), – within 6 months.
- 95% of deaths dispensed with (a brief of evidence ordered) – within 6 months.
- 100% of deaths dispensed with (a brief of evidence ordered) – within 9 months.
- 95% of deaths proceeding to inquest – within 12 months.
- 100% of deaths proceeding to inquest – within 18 months.

Chief Industrial Magistrate's Time Standards

- 95% of prosecutions – within 6 months.
- 100% of prosecutions – within 12 months.

The Court's committees

As at 31 December 2012, committee members were:

Local Court Rule Committee

Judge Graeme Henson, Chief Magistrate
Deputy Chief Magistrate Jane Mottley
Deputy Chief Magistrate Jane Culver
Magistrate Antony Townsden
Magistrate Jennifer Atkinson
Mr Marcel Savary, Legislation and Policy
Mr Stephen Olischlager, Local Court of NSW
Ms Johanna Pheils, Office of the Director of Public Prosecutions
Mr Craig Cooke, Local Courts Administration
Mr Chris Joyce, Community representative
Ms Monica Neville, Bar Association
Mr Andrew Kostopoulos, Bar Association
Mr Phil Gibson, Criminal Law Committee of the Law Society
Mr Mark Hodges, Law and Practice Committee of the Law Society
Mr Brian Sandland, Legal Aid Commission

Local Court Education Committee

Chair: Deputy Chief Magistrate Jane Culver
Secretary: Ruth Windeler, Education Director, Judicial Commission of NSW
Deputy Chief Magistrate Jane Mottley
Magistrate Roger Brown
Magistrate Geoffrey Dunlevy
Magistrate David Heilpern
Magistrate Gregory Grogin
Magistrate Ian Guy
Magistrate Julie Huber
Magistrate Sharon Freund
Magistrate Leslie Mabbutt
Magistrate Janet Wahlquist
Ms Alison Passé-de Silva, Policy Officer, Local Court of NSW

Statute Law Revision and Procedures Committee

Chair: Deputy Chief Magistrate Jane Mottley
Deputy Chief Magistrate Jane Culver
Secretary: Ms Alison Passé-de Silva, Policy Officer, Local Court of NSW

Terms and Conditions of Service Committee

Chair: Judge Graeme Henson, Chief Magistrate
Secretary: Ms Jacinta Haywood, Executive Officer
Members: Deputy Chief Magistrate Jane Mottley
Deputy Chief Magistrate Jane Culver
Ms Alison Passé-de Silva, Policy Officer, Local Court of NSW

Ethics Committee (Ad hoc)

Chair: Chief Magistrate Graeme Henson
Deputy Chief Magistrate Jane Mottley
Deputy Chief Magistrate Jane Culver

Local Court Bench Book Committee

Chair: Deputy Chief Magistrate Jane Culver
Deputy Chief Magistrate Jane Mottley
Magistrate Joan Baptie
Ms Roslyn Cook, Judicial Commission of NSW
Ms Alison Passé-de Silva, Policy Officer, Local Court of NSW

2012 Court by Court statistics

	New General Criminal Matters	Finalised General Criminal Matters		New General Criminal Matters	Finalised General Criminal Matters
Albion Park	456	446	Cobar	193	193
Albury	2448	2454	Coffs Harbour	2964	3008
Armidale	1495	1419	Condobolin	250	272
Ballina	1201	1162	Cooma	709	678
Balmain	1953	1968	Coonabarabran	399	392
Balranald	191	227	Coonamble	483	455
Bankstown	11899	11525	Cootamundra	413	454
Batemans Bay	1354	1361	Corowa	242	230
Bathurst	1698	1822	Cowra	627	635
Bega	907	918	Crookwell	42	43
Bellingen	342	319	Deniliquin	821	801
Belmont	2366	2333	Dubbo	2907	2946
Bidura	8	8	Dunedoo	109	109
Blacktown	6777	6957	Dungog	91	82
Blayney	56	61	East Maitland	2	2
Boggabilla	188	190	Eden	223	233
Bombala	36	35	Fairfield	6602	6528
Bourke	917	886	Finley	321	332
Brewarrina	338	324	Forbes	595	557
Broadmeadow	1	1	Forster	1267	1247
Broken Hill	1517	1550	Gilgandra	238	243
Burwood	10942	11446	Glen Innes	400	404
Byron Bay	1553	1548	Gloucester	78	78
Camden	1388	1369	Gosford	4688	4565
Campbelltown	13453	12465	Goulburn	2219	2229
Casino	729	765	Grafton	1385	1360
Central	7795	7481	Grenfell	27	22
Cessnock	1446	1349	Griffith	1881	1868

	New General Criminal Matters	Finalised General Criminal Matters
Gulgong	72	81
Gundagai	248	251
Gunnedah	579	582
Hay	240	263
Hillston	60	65
Holbrook	222	232
Hornsby	4363	4250
Inverell	1116	1075
Junee	111	109
Katoomba	1168	1185
Kempsey	1788	1582
Kiama	227	225
Kogarah	2263	2260
Kurri Kurri	646	653
Kyogle	183	173
Lake Cargelligo	140	153
Leeton	630	617
Lightning Ridge	270	258
Lismore	3098	3009
Lithgow	964	1054
Liverpool	22	1509
Macksville	854	800
Maclean	579	592
Maitland	3254	3198
Manly	3936	4204
Milton	450	486
Moama	227	239
Moree	1509	1493

	New General Criminal Matters	Finalised General Criminal Matters
Moruya	398	407
Moss Vale	1280	1336
Mt Druitt	5287	5283
Mudgee	947	954
Mullumbimby	267	267
Mungindi	43	46
Murwillumbah	730	753
Muswellbrook	1000	990
Narooma	278	295
Narrabri	427	452
Narrandera	434	426
Narromine	354	327
Newcastle	7932	7939
Newtown	3337	3454
North Sydney	1509	1459
Nowra	3172	3265
Nyngan	184	191
Oberon	67	69
Orange	2128	2078
Parkes	810	855
Parramatta	16182	15932
Peak Hill	101	107
Penrith	7705	7662
Picton	593	586
Port Kembla	1219	1213
Port Macquarie	2384	2316
Queanbeyan	1725	1731
Quirindi	247	249

	New General Criminal Matters	Finalised General Criminal Matters
Raymond Terrace	2407	2401
Ryde	1891	1888
Rylstone	92	84
Scone	310	282
Singleton	1040	1034
Sutherland	7785	7994
Sydney Downing Centre	22318	21893
Tamworth	3058	3049
Taree	2486	2406
Temora	221	215
Tenterfield	249	252
Toronto	3022	2999
Tumbarumba	52	51
Tumut	580	594
Tweed Heads	2298	2318
Wagga Wagga	3270	3242
Walcha	93	92
Walgett	955	910
Wallsend	2	2
Warialda	46	46
Warren	246	276

	New General Criminal Matters	Finalised General Criminal Matters
Wauchope	221	231
Waverley	4977	4239
Wee Waa	119	125
Wellington	708	720
Wentworth	631	665
West Wyalong	335	334
Wilcannia	367	348
Windsor	1901	1930
Wollongong	6561	6564
Woy Woy	1127	1122
Wyong	4965	4874
Yass	453	454
Young	931	948
TOTAL	269306	268177

Note: some courts' caseloads were impacted by temporary closures:

- Liverpool: closed 21/12/11 to date (caseload to Campbelltown, Downing Centre)
- Waverley: closed 26/9/11 to 16/4/12 (caseload to Central, Downing Centre)





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