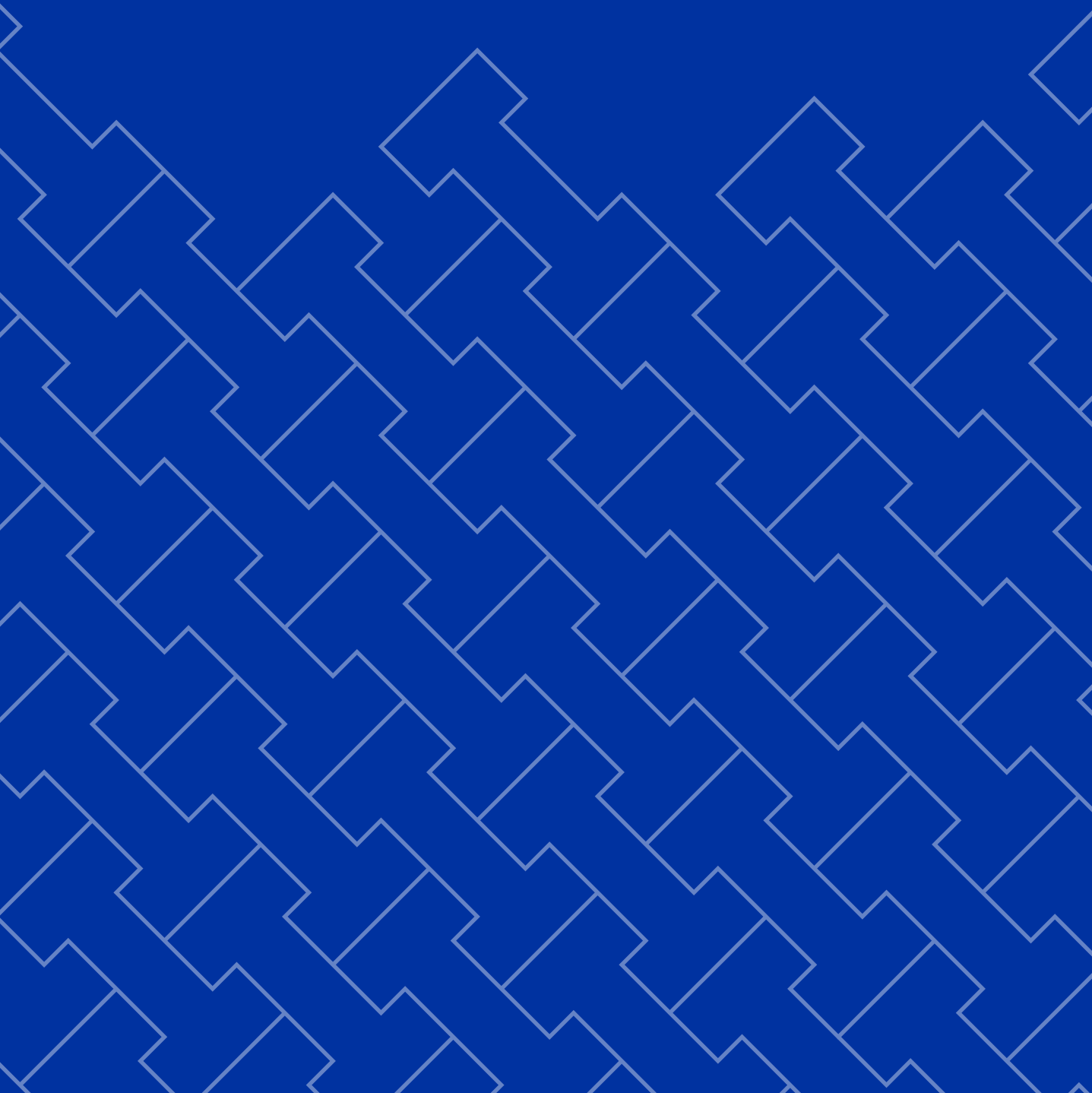




The District Court of New South Wales
Annual Review 2018



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FOREWORD BY CHIEF JUDGE

For the first time in many years, the Court's criminal caseload has decreased. Criminal trial registrations declined by 12% and at the end of 2018 there were 177 fewer trials on hand compared to the previous year. However, sentence registrations continued to increase.

In order to address this issue, additional sitting weeks were devoted to sentencing. I am pleased to report that 2,434 sentences were finalised in 2018 compared to 2,168 in 2017. Furthermore, the Court implemented the following initiatives during the year to deal with the criminal caseload:

- held special call-overs at Wagga Wagga, Port Macquarie, Dubbo (including Parkes, Broken Hill and Coonamble), Gosford, Broken Hill, Coffs Harbour and Sydney which resulted in 195 matters not proceeding to trial
- increased criminal sittings of the Court by 263 weeks and the use of Acting Judges to equate to 8.1 additional judges
- continued to focus on trial management so that all trials in excess of five days have Readiness Hearings. All trials listed in circuit sittings have Readiness Hearings which are now conducted by way of AVL rather than by telephone conference

A matter of concern is the increasing length of criminal trials. This appears to be due to the large number of sexual assault trials that proceed to verdict. These trials often involve multiple complainants, multiple counts on indictments, reliance by the Crown on tendency and/or co-incidence evidence and expert evidence. The Court is endeavouring to reduce the length of trials by making orders for pre-trial conferences between counsel, agreements as to issues not in dispute and for written submissions that address pre-trial matters of law.

The Early Appropriate Guilty Plea Reform package ("EAGP") commenced in April 2018.

The EAGP provides inter alia for a case conference in the Local Court to determine whether there are any offences to which an accused is willing to plead guilty and mandates a 25% discount for the utilitarian value of a guilty plea entered in the Local Court which reduces to a maximum 10% in the District Court.

Initial results from case conferences are promising. However, it is too early to draw any definite conclusions from these results including whether the EAGP is partly responsible for the reduction in criminal trial registrations. Another explanation may be found in the Table Offence Reform that was introduced in April and July 2018 which aimed to reduce the number of strictly indictable matters committed to this Court.

The increase in criminal sittings resulted in a reduction of 62 weeks of civil sittings. Notwithstanding this decrease, the Australian Productivity Commission's Report on Government Services 2017-2018 reveals that civil finalisations exceeded registrations by 283 cases and the total clearance rate was 104.9%. An important initiative was the commencement of the Online Court on 31 October 2018. The object of the Online Court is to minimise the cost and inconvenience of in-person court appearances by enabling the parties to make online requests without the need to attend Court.

It is with sadness that I report the passing of Judge Robert Toner SC on 3 February 2018. His Honour was appointed to the Court on 16 April 2007 and was well-respected by his judicial colleagues, the legal profession and the community that he served.

I express my thanks to the Judges and all of the staff of the Court for their dedication and hard work.

I am grateful for the Government's continued support for the Court.

**The Honourable Justice D Price AM
Chief Judge**

THE DISTRICT COURT

- History
- Jurisdiction
- Judiciary
- Court Staff



History

By the mid-19th century the court system in New South Wales consisted of:

- The Supreme Court of New South Wales which, under the Third Charter of Justice sealed in 1823, had a criminal and civil jurisdiction similar to that of the superior Courts of England
- Courts of General and Quarter Sessions which could deal with “crimes and misdemeanours not punishable by death”
- Courts of Requests in Sydney and the County of Cumberland, with a civil jurisdiction not exceeding £30
- Courts of Petty Sessions, which dealt with criminal misdemeanours in a summary way and had a civil jurisdiction up to £10 (or £30 if the defendant consented)

With the discovery of gold in 1851 the Colony's population increased and became more dispersed. Litigation grew as the Colony prospered, and crime did not decline. The Supreme Court began to fall seriously into arrears, and this was not helped by the fact that it did not visit a lot of towns. Courts of Quarter Sessions were also few in number and had no civil jurisdiction.

By the mid-1850s there were calls for a revision of the court system in order to meet the growing needs of the Colony. As a result, the *District Courts Act 1858* (22 Vic No 18) was assented to on 12 November 1858.

This Act established District Courts as Courts of Records to replace Courts of Requests and divided the Colony into Districts. It conferred upon the District Courts a civil jurisdiction.

It also provided for the appointment of a District Court judge as Chairman of any Court of Quarter Sessions or General Sessions, to be held within the limits of the district for which that judge was appointed.

The purpose of the Act was briefly described in *The Practice of the District Courts of NSW* by W.J. Foster and C.E.R. Murray (Sydney, 1870) as follows:

“District Courts were established by the Legislature for the purpose of simplifying legal proceedings in the recovery of amounts under £200, and lessening the expenses of attending such proceedings, as well as to relieving the Supreme Court of some portion of the overwhelming civil business which the rapid progress of the colony had lately engendered.

The Act providing for the institution of these Courts also extended the jurisdiction of Courts of General and Quarter Sessions of the Peace, and prepared the way for a great increase in their numbers, under the presidency of District Court judges as Chairmen, whereby criminal proceedings have been much facilitated, especially in the more distant and outlying portions of the country...”

The *District Courts Act 1858* remained in force until 1973, although the jurisdiction of the Court was increased from time to time.

The *District Court Act 1973* commenced on 1 July 1973. It abolished the District Courts and Courts of Quarter Sessions and established one District Court of New South Wales, with a statewide criminal and civil jurisdiction.

Jurisdiction

The District Court is the intermediate Court in the State's judicial hierarchy. It is a trial court and has an appellate jurisdiction. In addition, the judges of the Court preside over a range of tribunals.

In its criminal jurisdiction, the Court may deal with all criminal offences except murder, treason and piracy.

In its civil jurisdiction the Court may deal with:

- all motor accident cases, irrespective of the amount claimed; and
- other claims to a maximum amount of \$750,000, although it may deal with matters exceeding this amount if the parties consent

In addition, the Court may deal with equitable claims or demands for recovery of money or damages for amounts not exceeding \$750,000.

The Court is also empowered to deal with applications under the *De Facto Relationships Act 1984* and the *Guardianship of Infants Act 1916* that involve amounts or property to the value of not more than \$250,000.

Judiciary

CHIEF JUDGE

The Honourable Justice Derek Michael Price AM*

JUDGES AS AT 31 DECEMBER 2018

His Honour Judge Garry William Neilson

His Honour Judge Christopher John George Robison

Her Honour Judge Robyn Christine Tupman

Her Honour Judge Deborah June Payne

Her Honour Judge Jennifer Anne English

Her Honour Judge Susan Jennifer Gibb

His Honour Judge Stephen Ronald Norrish QC

Her Honour Judge Audrey Suzanne Balla

Her Honour Judge Penelope Jane Hock

Her Honour Judge Judith Clare Gibson

His Honour Judge Anthony Martin Blackmore SC

His Honour Judge Peter Graeme Berman SC

His Honour Judge Roy David Ellis

His Honour Judge John Roger Dive

Her Honour Judge Deborah Anne Sweeney

His Honour Judge James Leonard Alexandre Bennett SC

His Honour Judge Peter Lind Johnstone

His Honour Judge Peter Raymond Zahra SC

His Honour Judge Richard Dominic Cogswell SC

Her Honour Judge Leonie Flannery SC

His Honour Judge Gregory Michael Keating

His Honour Judge Paul Ivan Lakatos SC

His Honour Judge Leonard Levy SC

His Honour Judge Michael King SC

His Honour Judge David Clement Frearson SC

His Honour Judge Andrew Michael Colefax SC

Her Honour Judge Helen Lorraine Syme

His Honour Judge Michael Ivan Bozic SC

His Honour Judge John North

His Honour Judge Graham Leslie Henson

Her Honour Judge Laura Kathleen Wells SC

His Honour Judge Ross Victor Letherbarrow SC

His Honour Judge Andrew Carl Haesler SC

Her Honour Judge Donna Mary Lisa Woodburne SC

Her Honour Judge Elizabeth Margaret Olsson SC
His Honour Judge Clive Vaughan Jeffreys
His Honour Judge David Ulric Arnott SC
His Honour Judge Peter George Maiden SC
His Honour Judge Phillip Gregory Mahony SC
His Honour Judge Christopher Phillip Hoy SC
His Honour Judge Phillip Thomas Taylor SC
His Honour Judge Gordon Bruce Lerve
His Honour Judge Ian Hartley McClintock SC
His Honour Judge Christopher Bruce Craigie SC
Her Honour Judge Sarah Jane Huggett
His Honour Judge Antony Edward Townsden
His Honour Judge Peter Raymond Whitford SC
His Honour Judge Stephen Scott Hanley SC
Her Honour Judge Sharron Norton SC
His Honour Judge Mark Lloyd Williams SC
Her Honour Judge Dina Yehia SC
Her Honour Judge Julia Ann Baly SC
His Honour Judge John Hatzistergos AM
Her Honour Judge Jane Ariane Culver
His Honour Judge Andrew Scotting*
Her Honour Judge Jennie Anne Girdham SC
Her Honour Judge Catherine Margaret Traill
His Honour Judge Mark Buscombe
His Honour Judge John Hunter Pickering SC
Her Honour Judge Siobhan Pauline Herbert
Her Honour Judge Penelope Margot Wass SC
His Honour Judge Robert Edward Montgomery
His Honour Judge Matthew Charles Leckie
Dicker SC
Her Honour Judge Nicole Frances Noman SC
His Honour Judge Warwick James Hunt

His Honour Judge Robert Forbes Sutherland SC
His Honour Judge Phillip Gerard Ingram SC
His Honour Judge Jeffrey Mark McLennan SC
Her Honour Judge Tanya Bright
His Honour Judge David Wilson SC
His Honour Judge David Russell SC*
His Honour Judge Timothy Hans Gartelmann SC
Her Honour Judge Gina O'Rourke SC
His Honour Judge Christopher Gerard O'Brien
Her Honour Judge Wendy Strathdee*

*denotes Member of the Dust Diseases Tribunal

APPOINTMENTS

The following Judges were appointed during 2018:

- Her Honour Judge Gina O'Rourke SC on 30 January 2018
- His Honour Judge Christopher Gerard O'Brien on 9 April 2018
- Her Honour Judge Wendy Strathdee on 22 May 2018

RETIREMENTS

The following Judges retired during 2018:

- His Honour Judge Paul Vincent Conlon SC retired on 28 January 2018
- His Honour Judge William Patrick Kearns SC* retired on 15 May 2018

DEATH IN OFFICE

Sadly, on 3 February 2018, His Honour Judge Robert Stephen Toner SC died in office.

APPOINTMENTS HELD

- The Honourable Justice Derek Michael Price AM has been a Judge of the Supreme Court of NSW since 28 August 2006 and holds the appointment of President of the Dust Diseases Tribunal of NSW
- His Honour Judge Richard Dominic Cogswell SC held the appointment of President of the Mental Health Review Tribunal
- His Honour Judge John Roger Dive held the appointment of Senior Judge of the Drug Court of NSW
- His Honour Judge Graeme Leslie Henson held the appointment of Chief Magistrate of the Local Court of NSW
- His Honour Judge Peter Lind Johnstone held the appointment of President of the Children's Court of NSW
- His Honour Judge Gregory Michael Keating held the appointment of President of the Workers Compensation Commission of NSW

ACTING JUDGES (In Alphabetical Order)

- Mr Christopher John Armitage
- Ms Linda Margaret Ashford
- Mr Colin David Charteris SC
- Mr Paul Vincent Conlon SC
- Mr Dennis Cowdroy QC
- Mr Malcolm Craig QC
- Mr James Patrick Curtis
- Mr Norman Edward Delaney
- Mr Anthony Frederick Garling
- Mr Geoffrey John Graham
- Mr Gregory Groggin

- Mr Gregory Scott Hosking SC
- Mr William Patrick Kearns SC
- Mr Brian John Knox SC
- Mr Rodney Neville Madgwick QC
- Mr Mark Curtis Marien SC
- Mr Colin Emmett O'Connor QC
- Ms Anne Mary Quirk
- Ms Margaret Sidis
- Mr Robert Sorby
- Mr Stephen Lewis Walmsley SC
- Mr Jonathan Steuart Williams

JUDICIAL REGISTRAR

Mr James Howard is the Judicial Registrar and exercises functions pursuant to section 18FA of the *District Court Act 1973*.

VENUES

In 2018, the Court sat permanently in Sydney at the Downing Centre, 143-147 Liverpool Street, Sydney (in crime), where it occupies 21 courtrooms, and at the John Maddison Tower, 86 Goulburn Street, Sydney, where it occupies 23 courtrooms (mostly in civil).

In Sydney West, judges sat full-time in the courthouses at Parramatta (8 courtrooms), Penrith (2 courtrooms) and Campbelltown (3 courtrooms). In addition, resident judges presided at Armidale, Dubbo, Gosford, Lismore, Newcastle, Tamworth, Wagga Wagga and Wollongong.

Other places where the Court sat were:

Albury, Bathurst, Bega, Bourke, Broken Hill, Coffs Harbour, Coonamble, Goulburn, Grafton, Griffith, Moree, Nowra, Orange, Parkes, Port Macquarie, Queanbeyan, and Taree.

Court Staff

PRINCIPAL REGISTRAR

Ms Sue King is the Principal Registrar and exercises functions pursuant to section 18H(3) of the *District Court Act 1973*.

CRIMINAL LISTINGS AND JUDICIAL ARRANGEMENTS

Schedules cases in accordance with Court policy, prepares lists, allocates courtrooms and co-ordinates the assignment of judges to venues throughout the State.

Mr Robert Fornito is the District Court Criminal Listing Director. Pursuant to section 123 of the *Criminal Procedure Act 1986*, the Criminal Listing Director assists the Chief Judge in making arrangements for the listing of criminal proceedings.

CIVIL LISTINGS AND CASE MANAGEMENT

Implements civil case management and listing practices for the timely finalisation of cases, schedules cases, prepares lists and allocates courtrooms.

Ms Jane Dunn is the Civil List and Case Manager and works in conjunction with the Civil List Judge and the Judicial Registrar in making arrangements for the listing of civil proceedings.

STRATEGIC PLAN

- Criminal Business Committee Report
- Civil Business Committee Report
- Professional Standards (Education) Committee Report



Criminal Business Committee Report

In 2017, the Court introduced its fifth Strategic Plan. The first such plan was adopted in 1995 and provided a template for significant changes in the way the Court operated, as did the subsequent Strategic Plans released in 2000, 2007, and 2012.

The current Strategic Plan articulates the values of the Court and sets out the goals to be achieved over 2018-2021.

The Court is committed to discharging its responsibilities to ensure:

- that the Court is accessible to the public and those who need to use its services
- the effective determination of cases in an orderly, cost effective and expeditious manner
- the equal protection of the law to all
- the independence of the judges of the Court, and the Court as a branch of our system of government
- accountability for the performance of the Court and its use of public funds
- the highest standard of excellence in the functioning of the Court

The Court will continue to maintain a Policy and Planning Committee to provide advice to the Chief Judge on matters relating to the business of the Court. There are also three major committees that are accountable to the Policy and Planning Committee. Those Committees are:

- The Criminal Business Committee
- The Civil Business Committee
- The Professional Standards (Education) Committee

TERMS OF REFERENCE

To monitor, report and advise on any matter relating to the Court's objective of providing a system for the earliest, most effective and efficient resolution of criminal proceedings.

Consultation with court users is carried out through the Criminal Business Committee. The Committee consists of the Chief Judge, the Criminal Listing Director and representatives from the Law Society of NSW, Bar Association of NSW, Legal Aid Commission of NSW, Commonwealth and State DPP, Aboriginal Legal Service, Public Defenders and Crown Prosecutors.

ACTIVITIES

When the Committee met in 2018, the issues discussed included the following

- the commencement of the Early Appropriate Guilty Pleas (EAGP) reforms on 30 April 2018. The changes are to encourage defendants to enter a guilty plea in the lower court, rather than on the day of the trial in a higher court
- the implementation of the Table Offence Reform in April and July 2018 seeking to reduce the number of strictly indictable matters sent to this court
- the announcement by the Attorney General of seven additional judges being appointed to the Court to reduce criminal backlogs
- continuing the program of special call-overs throughout the state to identify early pleas
- expanding readiness hearings of trial matters and the conduct of some of these hearings by way of AVL rather than by phone conference
- the allocation of additional weeks in the Court's schedule for the disposal of sentence matters
- the establishment of AVL technology in all courtrooms throughout the state
- the extension of the Child Sexual Assault pilot

The Court continues to maintain a collaborative approach in its partnership with the Court's stakeholders in its criminal jurisdiction.

Criminal trials in country circuits are listed and managed by way of a weekly Virtual Meeting Room (VMR) call-over.

TERMS OF REFERENCE

To monitor, report and advise on any matter relating to the Court's objective of providing a system for the earliest, most effective and efficient resolution of civil proceedings.

The Committee consists of judges of the Court, the Judicial Registrar, the Civil List and Case Manager and representatives of the Law Society of NSW, the Bar Association of NSW and the Motor Accidents Authority.

ACTIVITIES

When the Committee met in 2018, the issues discussed included the following:

- the List Judge and Judicial Registrar addressed concerns about long matters being listed in country sittings that are transferred out of the sittings by elaborating on the requirements of Practice Note 1A Case Management of Country Sittings that commenced on 6 April 2018
- the likely impact of the introduction of the *Motor Accidents Injuries Act 2017*
- in consultation with the Law Society and Bar Association representatives, a guide to the preparation of Concurrent Evidence under the Standard Orders for Hearing was prepared and distributed to solicitors through the Law Society
- the Judicial Registrar introduced the Committee to the Online Court in the District Court that commenced on 31 October 2018. Practice Note 1B Online Courts commenced on 31 October 2018

Professional Standards (Education) Committee Report

TERMS OF REFERENCE

The District Court, in partnership with the Judicial Commission of New South Wales, provides a stimulating and practical continuing judicial education program for all judges. The program aims to inform judicial officers about changes to the law, community values, court practice and court procedure in order to maintain and improve judicial performance.

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

- an annual conference with an emphasis on sentencing, important legal developments, improving knowledge in difficult areas of legal practice and procedure, and the development of judicial skills
- a series of seminars on practical matters, social awareness issues and legislative changes which encourage peer-based learning through discussion
- orientation programs to assist recently-appointed judges with their transition to judicial office, with a focus on knowledge and fundamental judicial skills about court craft, decision-making, sentencing, judicial administration and judicial conduct
- experiential learning through field trips and site visits

The Professional Standards (Education) Committee, composed of judges and the Judicial Commission's Director, Education, develops each education program based on the identified needs of judges. Judges are involved in the development and delivery of the education program to ensure its relevance to the judicial role. A member of the Committee is also a member of the Judicial Commission's Standing Advisory Committee on Judicial Education.

Participants are asked to rate the practical value of each education event to their role as a judge. The overall ratings in 2018 (from an average response rate of **49%**) reveal that judges find the District Court's education program relevant and a useful source of knowledge and ideas. **93%** of participants said that the education program was applicable to their role and **88%** said the programs enhanced their knowledge and capability.

During 2018, judges:

- continued to receive focussed and tailored training to meet their educational needs
- attended **100** days of face-to-face judicial education organised by the Judicial Commission, an average of **1.61** days of judicial education per judge

ACTIVITIES

Annual Conference

The Annual Conference, held in Leura in April 2018 had a total of **53** judges in attendance. The conference focussed on providing challenging and interesting educational sessions, while also providing a valuable opportunity for discussion and debate. The program consisted primarily of sessions relevant to the day-to-day work of a judge. The Conference received a **92%** satisfaction rating from participants. Topics included:

- **Criminal Law Review** - The Honourable Justice Peter Hamill
- **Witness Memory - Eyewitness Memory: Adult Memory** - Professor Richard Kemp, Professor of Forensic Psychology, University of NSW
- **Empirical guidance summary of the effects of childhood sexual abuse on memory and complainants' evidence** - Professor Jane Goodman-Delahunty, Research Professor, Charles Sturt University

- **Depression and Anxiety: its closer to you than you realise** - Dr Ranil Gunewardene, Clinical Director & Consultant Psychiatrist, Mosman Private Hospital
- **Civil Jurisdiction of the District Court** - His Honour Judge Philip Taylor SC, District Court of NSW
- **Judicial Ethics and Social Media Panel** - The Honourable Justice Robert Beech-Jones, Supreme Court of NSW, Associate Professor Jane Johnston, Associate Professor, The University of Queensland, Ms Felicita Benedikovics, Media Officer, District Court of NSW
- **Recurring Issues in the NSW Court of Appeal** - The Honourable Justice Margaret Beazley AO, President, Court of Appeal
- **Commonwealth Sentencing** - Ms Sarah McNaughton SC, Director, Commonwealth Director of Public Prosecutions
- **Criminal Justice Reforms** - Mr Lloyd Babb SC, The Director of Public Prosecutions (NSW) and Mr Mark Ierace SC, Senior Public Defender

Occasional Seminars

The Education Committee has continued to work with the Judicial Commission to organise a series of twilight education sessions for District Court judges. These seminars provide useful, informative and timely information on a range of topical matters relevant to the work of the District Court. They aim to enhance judicial performance and assist in the further development of judicial skills and knowledge. Seminars were held on the following topics:

- **Admission of Indistinct Covert Recordings**, March 2018
- **The New Sentencing and Community Corrections Reforms**, September 2018

Judicial Orientation Program

Two District Court judges attended the National Judicial Orientation Program in Broadbeach, Queensland in July 2018. This five-day orientation program assists newly appointed judicial officers with their transition to judicial office by facilitating the development and refinement of the skills and knowledge necessary for effective judging. It is conducted by the National Judicial College of Australia with the assistance of the Judicial Commission of New South Wales and the Australian Institute of Judicial Administration.

Pre-Bench Program

Two newly appointed judges attended the District Court's Pre-Bench Program in 2018. This two-day program was delivered by an Acting Judge of the District Court and addressed topics such as judicial conduct, criminal and civil law proceedings, self-represented litigants, jury trials and more.

Ngara Yura Program

Judges 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. Judges participated in the following Ngara Yura Program events:

- Two attended – **Visit to the Sydney Observatory**, 31 May 2018
- Three attended – **Community Visit: Redfern**, 20 October 2018

CRIMINAL JURISDICTION NEW SOUTH WALES

Full statistical data on the Court's criminal operations is set out in Annexures A and B

Trials

- Caseload

Sentences

Local Court Appeals

- Conviction Appeals
- Sentence Appeals



TRIALS

In 2018:

- Registrations fell by 12%
- Finalisations fell by 5%
- Pending trials fell by 9%
- Median finalisation time rose from 56 weeks to 62 weeks
- Average length of trials rose from 8.79 days to 9.95 days

Caseload

There were **2,074** trials finalised in 2018, as compared to **2,177** in 2017. There were **1,831** trials on hand at the end of 2018, compared to **2,008** trials at the end of 2017.

The number of sexual assault trials registered in 2018 was **630**, compared to **632** in 2017 and **595** in 2016. Of these, **352** trials involved child sexual assault compared to **377** in 2017 and **349** in 2016.

Figure 1 tracks the state-wide trends in the criminal trial caseload for the past 5 years.

Figure 1. Criminal Trial Caseload

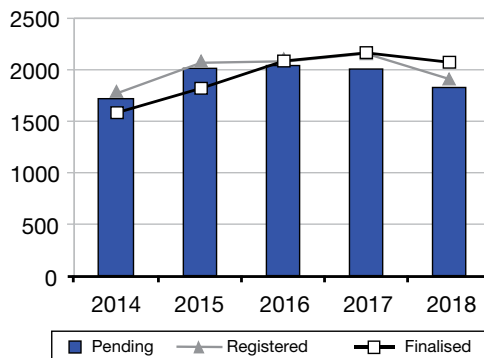
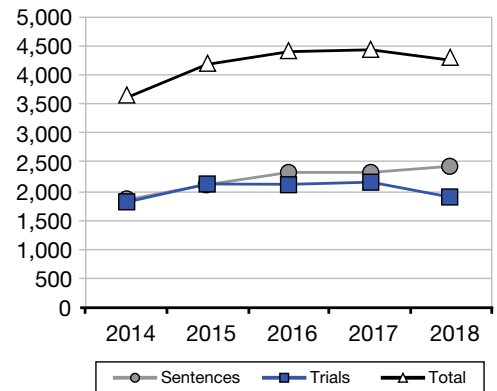


Figure 2 shows variation in trial and sentence registrations for the last 5 years.

Figure 2. Trial and Sentence Registrations



Sentence hearings are far less demanding on victims. They also absorb far less resources than trials. It is therefore important to ensure that in appropriate cases guilty pleas are entered at the earliest possible time, preferably at the committal stage.

TIME STANDARDS

The Court's ideal time standards for the commencement of criminal trials are:

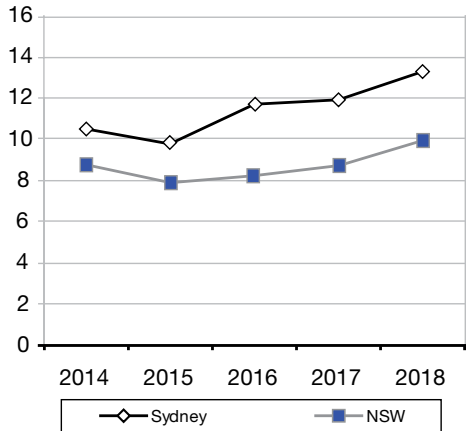
- **100%** of sexual assault trials and trials of accused persons refused bail commenced within 8 months of committal or other event that gives rise to the need for trial
- **100%** of cases commenced within 12 months of committal, or other event that gives rise to the need for trial

TRIAL DURATIONS

The state-wide average length of criminal trials finalised in 2018 was **9.95** days, compared to **8.79** days in 2017. In Sydney the average duration was **13.37** days in 2018, compared to **11.93** days in 2017.

Figure 3 illustrates the fluctuating rise in the average trial duration time.

Figure 3. Average Trial Length



FINALISATIONS

In 2018, **67%** of all registered trials were finalised within the first 12 months.

Figure 4 illustrates the rate of finalisations for all trials.

Figure 4. Rate of Registered Trials Finalised

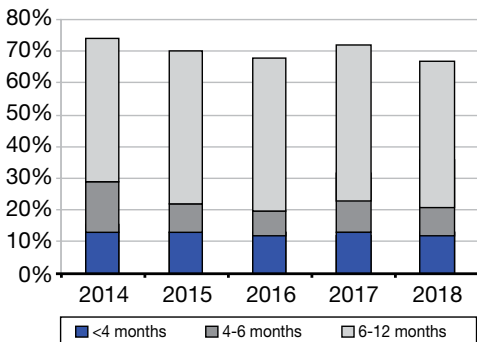


Figure 5 shows the age of all trials which were pending at the end of the year indicated.

Figure 5. All Registered Trials – Pending Matters

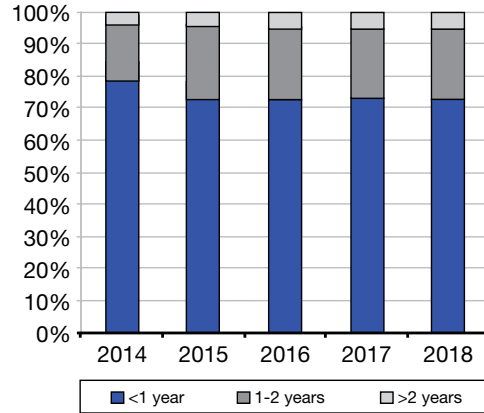
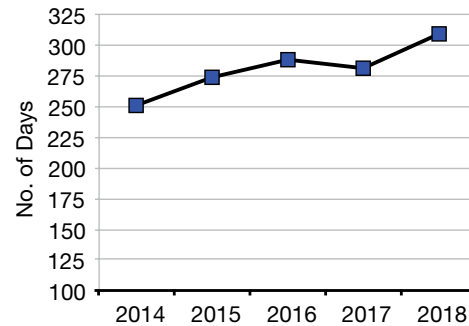


Figure 6 tracks the median finalisation times, from committal to commencement of the trial, for matters finalised during the year indicated.

Figure 6. Median Finalisation Times – Criminal Trials



TRIAL LISTING OUTCOMES

About 2,703 trials were listed for hearing in 2018.

Of trials dealt with in 2018 (i.e. 73% of total listings):

- 36% pleaded guilty
- 50% proceeded to verdict
- 6% were “no billed”
- 1% were transferred
- 3% were aborted
- 2% ended with a “hung jury”
- 2% were otherwise disposed
- 1% had bench warrants issued

Table 1. Trial Listing Outcomes

The following table sets out trial listing outcomes for 2018.

	Sydney	Sydney West	Country	Total
NOT DEALT WITH	17%	32%	31%	27%
Vacated	15%	18%	12%	14%
Prior to Trial Week	12%	5%	2%	6%
During Trial Week	3%	13%	9%	8%
Other Not Dealt With (Trial Week)	3%	14%	20%	12%
Not Reached	0%	13%	14%	9%
Other	3%	1%	5%	3%
DEALT WITH	83%	68%	69%	73%
Dealt With Prior to Trial Week	6%	4%	6%	5%
No Billed	1%	0%	1%	1%
Bench Warrant	0%	0%	0%	0%
Plea	5%	4%	5%	4%
Other (eg. deceased)	0%	0%	0%	0%
Transferred	0%	0%	0%	0%
Dealt With In Trial Week	27%	29%	28%	28%
No Billed	4%	4%	3%	3%
Bench Warrant	0%	0%	1%	0%
Plea	21%	23%	22%	22%
Other (eg. deceased)	2%	1%	1%	1%
Transferred	0%	1%	1%	1%
Trials Commenced	50%	34%	35%	40%
Aborted	1%	3%	2%	2%
Hung Jury	2%	1%	1%	2%
Proceeded	47%	30%	31%	36%

Figure 7 shows the break-up of those matters not dealt with.

Figure 7. Trial Listings Not Dealt With

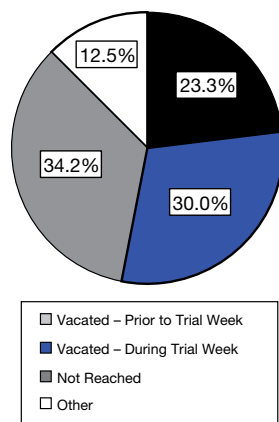


Figure 9 shows the outcome of those that commenced.

Figure 9. Trial Outcomes

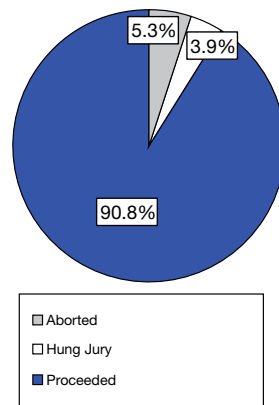
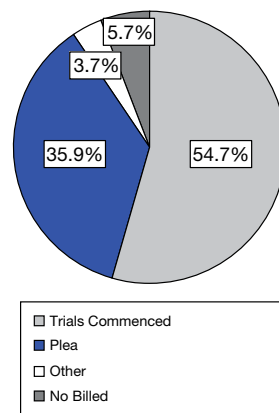


Figure 8 shows the break-up of those matters that were dealt with after being listed.

Figure 8. Trial Listings Dealt With



SENTENCES

In 2018:

- Registrations rose by 4%
- Finalisations rose by 12%
- Pending cases fell by 3%
- Median finalisation time rose from 36 weeks to 36.6 weeks

SENTENCES

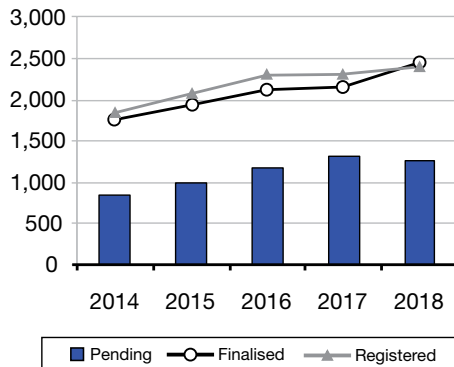
There were **2,393** committals for sentence received in 2018, compared to **2,302** in 2017.

2,434 sentences were finalised during the year compared to **2,168** in 2017.

Notwithstanding an increase in finalisations of **12%**, there were **1,266** sentence matters pending at the end of the year compared to **1,307** at the end of 2017.

Figure 10 tracks the sentence caseload for the last 5 years.

Figure 10. Sentence Caseload



TIME STANDARDS

The Court's ideal time standard for the commencement of sentences is:

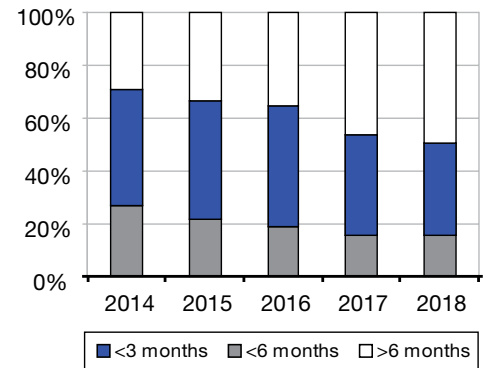
- **100%** commenced within 6 months of committal

FINALISATIONS

In 2018, **50%** of all registered sentences were finalised within the first 6 months.

Figure 11 illustrates the rate of finalisation for all sentences.

Figure 11. Rate of Registered Sentences Finalised



LOCAL COURT APPEALS

Conviction Appeals

In 2018:

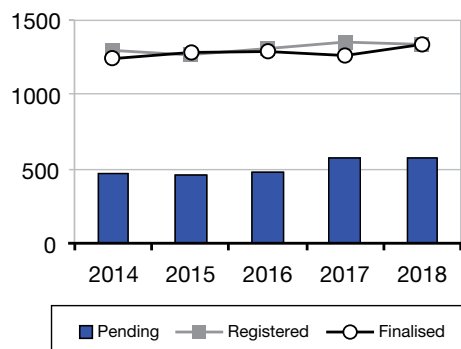
- Registrations fell by 2%
- Finalisations rose by 5%
- Pending cases were unchanged
- Median finalisation time rose from 23 weeks to 23.6 weeks

CONVICTION APPEALS

There were **1,327** conviction appeals lodged in 2018 and **1,326** finalisations. At the end of the year there were **568** conviction appeals pending, compared to **567** at the end of 2017.

Figure 12 tracks the conviction appeal caseload for the last 5 years.

Figure 12. Conviction Appeals Caseload



TIME STANDARDS

The Court's ideal time standard for the commencement of conviction appeals is:

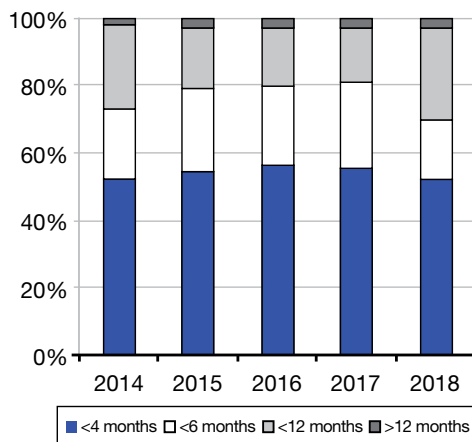
- **100%** commenced within 12 months of appeal

FINALISATIONS

In 2018, **97%** of all registered conviction appeals were finalised within the first 12 months.

Figure 13 illustrates the rate of finalisations for all conviction appeals.

Figure 13. Rate of Registered Conviction Appeals Finalised



Sentence Appeals

In 2018:

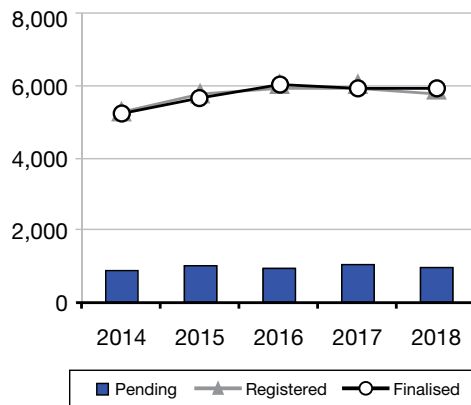
- Registrations fell by 3%
- Finalisations rose by less than 1%
- Pending cases fell by 10%
- Median finalisation time fell from 10 weeks to 9.8 weeks

SENTENCE APPEALS

There were **5,843** sentence appeals lodged in 2018 and **5,952** finalised. At the end of the year there were **940** sentence appeals pending, compared to **1,049** at the end of 2017.

Figure 14 tracks the sentence appeals caseload for the last 5 years.

Figure 14. Sentence Appeals Caseload



TIME STANDARDS

The Court's ideal time standard for the commencement of sentence appeals is:

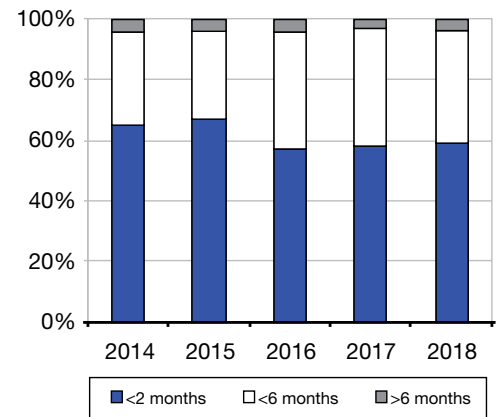
- 100% commenced within 6 months of appeal

FINALISATIONS

In 2018, **96%** of all registered sentence appeals were finalised within the first 6 months.

Figure 15 illustrates the rate of finalisations for all sentence appeals.

Figure 15. Rate of Registered Sentence Appeals Finalised



CIVIL JURISDICTION

Full statistical data on the Court's civil operations is set out in Annexure C

New South Wales

- Caseload

Sydney

- Caseload
- Residual Jurisdiction
- Alternative Dispute Resolution

Sydney West

Country



NEW SOUTH WALES

Full statistical data on the Court's civil operations is set out in Annexure C.

In 2018:

- Registrations fell by 5.7%
- Finalisations fell by 5.8%
- Pending cases fell by 4.8%
- Median finalisation fell from 12.7 months to 11.8 months

Caseload

EXPLANATORY BACKGROUND

Comparing registrations and finalisations is not an exact science. For example, a matter in the course of its life may, for various reasons, be registered more than once. Multiple parties and cross actions can further affect the equation. Cases determined at arbitration can be re-heard. A matter previously dismissed can be restored or a retrial may be ordered. Registries also conduct stocktakes of cases on hand during the course of the year, with pending statistics being adjusted as necessary.

It is therefore important to view comparisons of registrations and finalisations against pending caseload with some caution, as it is often difficult to reconcile the figures. However, they are helpful in providing general trends concerning the incoming and outgoing work of the Court.

REGISTRATIONS

There were **4,595** matters registered in 2018, compared to **4,875** in 2017.

FINALISATIONS

There were **4,878** matters finalised in 2018, compared to **5,179** in 2017.

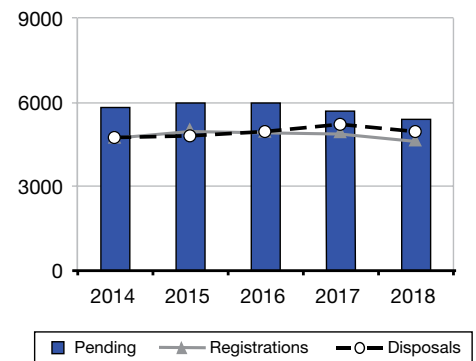
PENDING

At the end of 2018 the pending caseload was **5,378**, compared to **5,649** in 2017.

Comparison with Previous Years

Figure 16 tracks the Court's caseload for the past 5 years.

Figure 16. NSW Civil Caseload



FINALISATION TIMES

In 2018, **62%** of all actions finalised were completed within 12 months, with **92%** being completed within 24 months. This compares to **59%** and **90%**, respectively, in 2017.

Of the pending caseload at the end of 2018, **21%** exceeded 12 months and not more than 24 months and **4%** exceeded more than 24 months.

SYDNEY

In 2018:

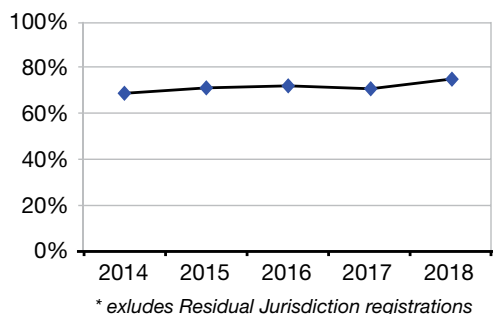
- Registrations fell by 1.3%
- Finalisations fell by 5%
- Pending cases fell by 3%
- Median finalisation time fell from 12.6 months to 11.6 months

Caseload

In 2018, Sydney civil case managed matters represented **75%** of the State's registrations and **72%** of the matters on hand.

Figure 17 shows the ratio of new civil actions commencing in Sydney, as compared to the whole State for the past 5 years.

Figure 17. Sydney's % of NSW Registrations

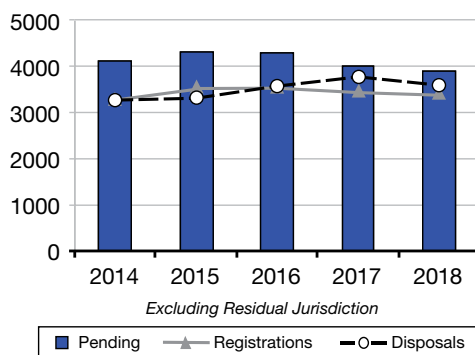


REGISTRATIONS, FINALISATIONS AND PENDING CASES

Excluding the Residual Jurisdiction, there were **3,433** new actions registered and **3,573** finalised in Sydney in 2018. At the end of the year there were **3,879** actions pending.

Figure 18 tracks Sydney's caseload for the last five years.

Figure 18. Sydney Caseload



FINALISATION TIMES

The Court's ideal time standard for civil cases is a **90%** finalisation rate within 12 months of commencement, and **100%** within 24 months.

In 2018, **65%** of all actions finalised were completed within 12 months, with **93%** being completed within 24 months. This compares to **65%** and **91%**, respectively, in 2017.

Of the pending caseload at the end of 2018, **19%** exceeded 12 months and not more than 24 months and **3%** exceeded 24 months.

HOW CASES ARE FINALISED

Table 2 shows the break-up of how case managed list matters were finalised in 2018. The categories of “Dismissed” and “Discontinued” include matters that settled without judgment being entered and/or terms of settlement being filed.

Table 2. Finalisation Outcomes

Judgment following Trial	165
Default Judgment	27
Settlement Filed	2,276
Dismissed	580
Discontinued	419
Arbitration	0
Transferred	106
Total	3,573

Table 3 compares two of the seven categories of finalised outcomes as against the total number of finalised outcomes. These two categories are selected because “Finalised following trial” represents the number of hearings to judgment before judges, and “Finalised by settlement filed” includes matters that settled as a result of Alternative Dispute Resolution.

Table 3. Judgments/Settlements

Year	Total Disposals	Disposed of by Judgment Following Trial	Disposed of by Settlement Filed
2014	3,286 (100%)	210 (7%)	2,180 (68%)
2015	3,335 (100%)	155 (6%)	2,207 (66%)
2016	3,575 (100%)	159 (5%)	2,319 (66%)
2017	3,762 (100%)	141 (4%)	2,415 (64%)
2018	3,573 (100%)	165 (5%)	2,276 (64%)

Residual Jurisdiction

The *Compensation Court Repeal Act 2002* abolished the Compensation Court and transferred the Compensation Court’s jurisdiction to the Workers Compensation Commission or the District Court. The Act commenced on 1 January 2004.

The disputes that were transferred to the District Court are commonly referred to as its “Residual Jurisdiction” and involve the following:

- The *Police Act 1990*, concerning police officers “hurt on duty”, and the *Police Regulation (Superannuation) Act 1906*, concerning the payment of superannuation benefits to police officers
- Payment under the *Police Regulation (Superannuation) Act 1906* (paid to the SAS Trustee Corporation) continued under the *Superannuation Administration Act 1996* and special risk benefits payable by the Commissioner of Police
- *The Workers Compensation Act 1987*, concerning workers in or about a coal mine
- *The Workers Compensation (Dust Diseases) Act 1942*
- The Sporting Injuries Insurance Scheme
- *The Workers Compensation (Bush Fire, Emergency and Rescue Services) Act 1987*

During 2018, **242** actions were commenced and **280** finalised. At the end of 2018 there were **223** matters on hand in the residual jurisdiction.

SYDNEY WEST

Alternative Dispute Resolution

MEDIATION

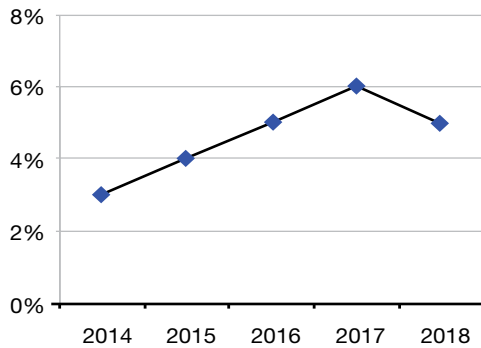
Pursuant to Civil Practice Note 1, cases before the Sydney District Court are referred to mediation where appropriate. The referral may be either to private mediation or to court provided mediation. The Assistant Registrars in Sydney undertake the court provided mediation. In 2018, the Sydney District Court referred **589** matters to mediation (**520** were referred to private mediation and **69** to court provided mediation). Settlement conferences were ordered in **1,270** matters.

Approximately **50%** of matters referred to mediation by Assistant Registrars were settled. There are no available statistics in relation to settlement of matters referred to private mediators.

Sydney West totalled **5%** of the number of new actions in 2018 (excluding the Court's residual jurisdiction).

Figure 19 tracks the variation in the proportional rate of registrations in Sydney West.

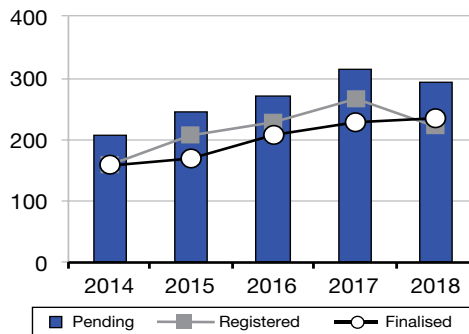
Figure 19. % of NSW Registrations



In Sydney West there were **217** matters registered and **235** finalisations throughout the year. At the end of 2018 the total pending caseload was **294**, as compared to **313** the previous year.

Figure 20 shows comparative registrations, finalisations and pending caseloads for the past 5 years.

Figure 20. Sydney West Caseload



Pending matters in Sydney West fell by **6%** and the median finalisation time was 12.1 months.

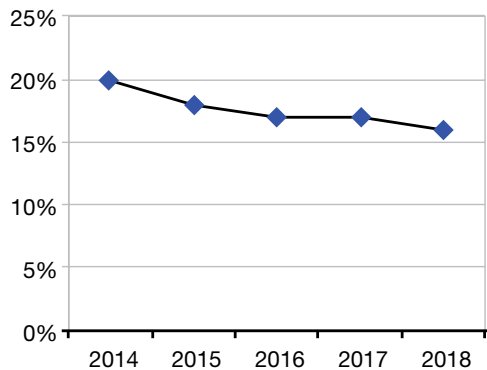
28% of pending cases exceeded 12 months and not more than 24 months and **7%** exceeded 24 months.

COUNTRY

Venues outside of Sydney and Sydney West totalled **15%** of the number of actions in 2018 (excluding the Court's Residual Jurisdiction).

Figure 21 tracks the proportional rate of registrations for Country venues.

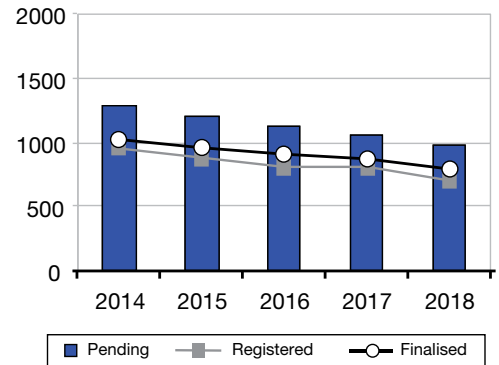
Figure 21. % of NSW Registrations



Outside of Sydney and Sydney West, there were **703** matters registered and **790** finalisations throughout the year. At the end of the year the total pending caseload was **982** as compared to **1,068** the previous year.

Figure 22 shows comparative registrations, finalisations and pending caseloads for the past 5 years.

Figure 22. Country Civil Caseload



Pending matters in the country fell by **8%** and the median finalisation time was 13 months.

25% of pending cases exceeded 12 months and not more than 24 months and **10%** exceeded 24 months.

JUDICIAL RESOURCES

- Allocated Sitings
- Actual Sitings

Committees



Allocated Sitings

Table 4 sets out the number of judicial sitting weeks allocated in 2018 as published in the Court's Calendar of Sitings.

Table 4. Sitting Allocations

Location	Jurisdiction	No. of Weeks	Judge EFT	%
Sydney	Criminal	866	21.3	30%
	Civil	690	17.0	24%
Sydney West	Criminal	554	13.4	19%
	Civil	13	0.3	0%
Major Country	Criminal	446	11.0	16%
	Civil	31	0.8	1%
Other Venues	Criminal	224	5.5	8%
	Civil	30	0.7	1%
Total	Criminal	2,080	51.2	73%
	Civil	764	18.8	27%
	All	2,844	70.0	100%

Judge Equivalent Full Time is calculated at 40.6 sitting weeks p.a. - i.e. 52 weeks less judicial vacations, public holidays and the Annual Judges' Conference.

Actual Sitings

Table 5 sets out the number of days actually sat by the Court in 2018 converted into weeks (by dividing the number of days by 5).

Table 5. Actual Sitings

Location	Jurisdiction	No. of Weeks	Judge EFT	%
Sydney	Criminal	1,285	31.7	43%
	Civil	456	11.2	15%
Sydney West	Criminal	514	12.7	17%
	Civil	5	0.1	0%
Major Country	Criminal	424	10.4	14%
	Civil	15	0.4	0%
Other Venues	Criminal	288	7.1	10%
	Civil	33	0.8	1%
Total	Criminal	2,511	61.8	83%
	Civil	509	12.5	17%
	All	3,020	74.4	100%

COMPARISON WITH 2017

Overall, there was an increase of **263** weeks for sittings in 2018 compared to 2017. This included **325** extra weeks of criminal sittings and a reduction of **62** weeks of civil sittings.

The increase in criminal sittings was due to an increase in pending workload.

ACTING JUDGES

Acting Judges provided an extra **1,641** days of actual sittings. Based on the maximum of **40.6** sitting weeks per year for a permanent judge, this equated to **8.1** additional judges.

Figure 23 shows the fluctuations in the number of Acting Judges' weeks since 2014.

Figure 23. Acting Judges' Weeks

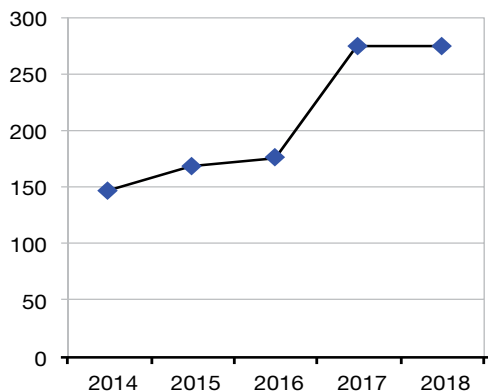


Table 6 sets out the number of sitting days by Acting Judges in 2018.

Table 6. Acting Judges' Sitting Days 2018

	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	TOTAL
Armitage		20	19	19	19	18	20	1	16	22	16	12	182
Ashford		9	5	6	1	4	3	2					30
Charteris	4	13		14	7	10	6	2	15	5	4	2	82
Conlon		3	11	12	12	3	12	11	9	15	10	6	104
Cowdroy		18		10	17			20	14	14	6		99
Craig		11	12	19	10	14	15	1	1			6	89
Curtis		5	11	1	16	13	1		11	1	9	11	79
Delaney	1	5	2	8	4	10	9	7	4	5	7	3	65
Garling		21					1						22
Graham		6	7	10	1	12	13	7		19	5		80
Groggin		22	19	2	9	19	25	20	20	24	7	4	171
Hosking			5	5	5	11		5		9	5		45
Kearns					1	6	5	1		7	8	4	32
Knox		4											4
Madgwick		12		9	20	5	23	13	13	18	18	11	142
Marien		5	5	9	20	17	14	17	14	7	10	4	122
O'Connor		2	2	6	5	1		15	10	13	6	2	62
Quirk				3	5	4	1	10	1	1	9	4	38
Sidis		1		5						16		1	23
Solomon		10	5	2		1							18
Sorby		8	9	1		1	8	10	8	2		2	49
Walmsley				8	14		1		5	6	19		53
Williams		17	6	7	16	2	2						50
Total days	5	192	118	156	182	151	159	142	141	184	139	72	1,641
Average sitting days per Acting Judge 2018													71

SITTING DETAILS

The final table sets out the allocated, available and actual sittings at all venues, as well as the average daily recorded sitting hours.

Table 7. District Court Sitings 2018

	ALLOCATED (weeks)		AVAILABLE (days)		ACTUALLY SAT (days)		* AVERAGE RECORDED HOURS	
	CRIME	CIVIL	CRIME	CIVIL	CRIME	CIVIL	CRIME	CIVIL
Sydney	866	690	4,222	3,375	6,424	2,278	3.38	3.12
Campbelltown	130	0	635	0	614	0	4.55	0.00
Parramatta	326	13	1,592	64	1,566	26	4.32	3.77
Penrith	88	0	430	0	390	0	4.25	0.00
Sydney West Total	544	13	2,657	64	2,570	26	4.37	3.77
Gosford	66	6	322	30	313	15	4.61	4.13
Newcastle	107	15	523	74	834	118	4.23	3.03
Wollongong	51	9	250	44	294	32	4.24	4.31
O/S total	224	30	1,095	148	1,441	165	4.32	3.38
Albury	22	2	107	10	112	4	4.96	3.25
Armidale	22	1	106	5	112	0	4.78	0.00
Bathurst	16	0	80	0	80	0	4.26	0.00
Bega	12	1	59	5	56	0	4.36	0.00
Bourke	3	0	15	0	14	0	5.07	0.00
Broken Hill	17	0	85	0	65	0	4.35	0.00
Coffs Harbour	30	2	148	10	143	4	4.85	4.75
Coonamble	3	0	14	0	11	0	4.36	0.00
Dubbo	46	2	225	10	219	4	4.26	0.00
Goulburn	17	0	83	0	74	0	4.50	0.00
Grafton	10	0	50	0	48	0	3.96	0.00
Griffith	27	0	132	0	117	0	4.68	0.00
Lismore	50	12	244	40	237	39	4.32	3.95
Moree	6	0	30	0	37	0	6.32	0.00
Nowra	20	1	99	5	99	1	4.64	5.00
Orange	10	1	50	5	49	1	4.24	0.00
Parkes	8	0	38	0	30	0	4.17	0.00
Port Macquarie	21	2	104	10	108	6	4.18	4.17
Queanbeyan	18	1	90	5	94	5	4.99	3.20
Tamworth	22	1	109	5	101	0	5.03	0.00
Taree	18	1	88	4	82	0	4.32	0.00
Wagga Wagga	48	4	234	20	231	10	3.93	3.80
Country Total	446	31	2,190	134	2,119	74	4.49	3.68
State Total	2,080	764	10,164	3,721	12,554	2,543	3.88	3.16

* "Average Recorded Hours" are based on the number of sitting hours during which proceedings were recorded, as provided by the Reporting Services Branch, NSW Department of Justice. This is often less than the actual hours the Court sat.

COMMITTEES

MEMBERSHIP OF COMMITTEES DURING 2018:

Policy and Planning Committee

The Honourable Justice D Price AM,
Chief Judge (Chair)

His Honour Judge G Neilson

His Honour Judge C Robison

His Honour Judge S Norrish QC

Her Honour Judge P Hock

Her Honour Judge J Gibson

His Honour Judge P Berman SC

Her Honour Judge H Syme

His Honour Judge R Letherbarrow SC

His Honour Judge P Mahony SC

His Honour Judge C Hoy SC

His Honour Judge S Hanley SC

Her Honour Judge S Huggett

His Honour Judge P Whitford SC

His Honour Judge M Williams SC

Her Honour Judge D Yehia SC

Mr J Howard, Judicial Registrar (Secretary)

Criminal Business Committee

The Honourable Justice D Price AM,
Chief Judge (Chair)

Ms J Philipson, Office of the Director of Public
Prosecutions (Commonwealth)

Mr L Babb SC, Office of the Director of Public
Prosecutions (NSW)

Ms S Govind, Office of the Director of Public
Prosecutions (NSW)

Mr M Ierace SC, Senior Public Defender

Ms N Miles, Aboriginal Legal Service

Ms A Healy, Bar Association of NSW

Ms P Musgrave, Law Society of NSW

Ms J Boulos, Legal Aid Commission

Mr R Funston, Legal Aid Commission

Ms A Coultas-Roberts, Legal Aid Commission

Mr J Howard, Judicial Registrar

Mr R Fornito, Criminal Listing Director

Ms J Garvey, Judicial Support Co-ordinator
(Secretary)

Civil Business Committee

His Honour Judge G Neilson

His Honour Judge L Levy SC

His Honour Judge R Letherbarrow SC
(Convenor)

Her Honour Judge E Olsson SC

His Honour Judge P Mahony SC

Her Honour Judge S Norton

His Honour Judge J Hatzistergos AM

Mr L King SC, Bar Association of NSW

Mr E Romaniuk SC, Bar Association of NSW

Mr S Brodowski, Law Society of NSW

Mr J Prowse, Law Society of NSW

Mr T Stern, Law Society of NSW

Ms B Cassidy, Motor Accidents Authority

Mr J Howard, Judicial Registrar

Ms J Dunn, Civil Case Management and
Listing

Professional Standards (Education) Committee

Her Honour Judge P Hock (Chair)

His Honour Judge P Berman SC

His Honour Judge P Lakatos SC

His Honour Judge G Lerve

Her Honour Judge S Huggett

His Honour Judge P Whitford SC

Her Honour Judge D Yehia SC

His Honour Judge J Hatzistergos AM

Her Honour Judge J Culver

His Honour Judge M Dicker SC

His Honour Judge W Hunt

His Honour Judge C O'Brien

Mr J Howard, Judicial Registrar

Ms U Doyle, Director of Education, Judicial
Commission of NSW (Convenor)

Rules Committee

The Honourable Justice D Price AM,
Chief Judge (Chair)
His Honour Judge G Neilson
His Honour Judge R Letherbarrow SC
Her Honour Judge E Olsson SC
Mr J Howard, Judicial Registrar (Secretary)
Mr P Khandar, Bar Association of NSW
Mr J Prowse, Law Society of NSW
Mr T Stern, Law Society of NSW

Security Committee

His Honour Judge C Robison (Chair)
His Honour Judge S Norrish QC
His Honour Judge C Jeffreys
His Honour Judge C Craigie SC
Her Honour Judge S Herbert
His Honour Judge R Montgomery
His Honour Judge R Sutherland SC
Mr J Howard, Judicial Registrar (Secretary)

Technology Committee

The Honourable Justice D Price AM,
Chief Judge (Chair)
Her Honour Judge J Gibson (Secretary)
His Honour Judge P Lakatos SC
His Honour Judge C Jeffreys
Her Honour Judge J Culver
Her Honour Judge N Noman SC
Mr J Howard, Judicial Registrar
Ms S King, Principal Registrar
Mr J Duffy, Information Technology,
Department of Justice
Mr C Doulgeris, Information Technology,
Department of Justice

Building Committee

Her Honour Judge R Tupman (Convenor)
Ms S King, Principal Registrar
Mr J Howard, Judicial Registrar
Ms P Green, Registrar, NCAT
Ms S Chia, Acting Registrar, DDT
Mr R Cowburn, Brookfield Multiplex Ltd
Mr K Breen, Judicial Support Officer (Secretary)

**Judicial Commission, Criminal Trial Courts
Bench Book Committee**

His Honour Judge P Lakatos SC
His Honour Judge D Arnott SC

**Judicial Commission, Civil Trials Bench
Book Committee**

His Honour Judge G Neilson
His Honour Judge R Letherbarrow SC

**Judicial Commission, Sexual Assault Trials
Handbook Committee**

His Honour Judge S Norrish QC
His Honour Judge R Ellis (Chair)
Her Honour Judge S Huggett

**Judicial Commission, Standing Advisory
Committee on Judicial Education**

His Honour Judge P Lakatos SC

**Judicial Commission, Ngara Yura
Committee**

Her Honour Judge D Yehia SC

ANNEXURES

- Annexure A – Criminal Caseload
- Annexure B – Compliance with Criminal Time Standards
- Annexure C – Civil Caseload / Civil Disposal Times

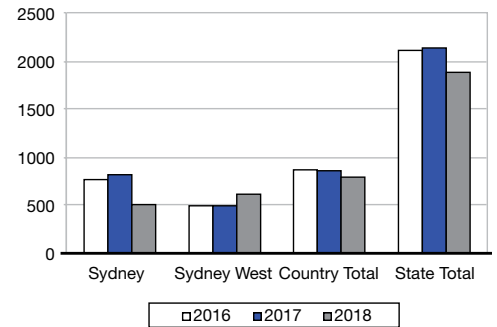


Annexure A1 Criminal Caseload

TRIALS

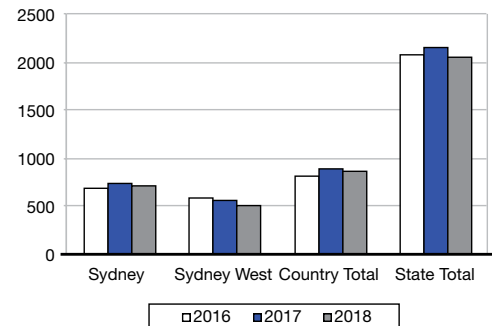
Registered

	2016	2017	2018	17/18 Variant
Sydney	753	805	495	-39%
Sydney West	495	488	605	24%
Newcastle	273	255	255	0%
Gosford	90	94	89	-5%
Wollongong	149	150	158	5%
Lismore	165	139	116	-17%
Dubbo	81	119	110	-8%
Wagga Wagga	113	96	69	-28%
Country Total	871	853	797	-7%
State Total	2,119	2,146	1,897	-12%



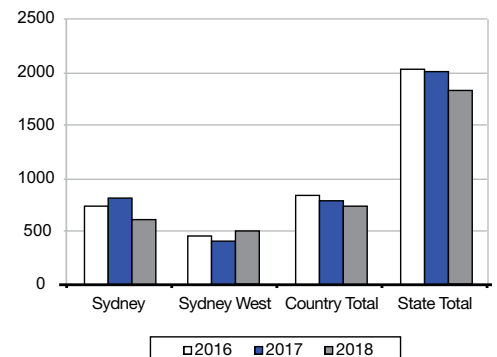
Finalised

	2016	2017	2018	17/18 Variant
Sydney	682	743	702	-6%
Sydney West	596	545	510	-6%
Newcastle	218	268	226	-16%
Gosford	112	76	100	32%
Wollongong	158	175	149	-15%
Lismore	145	171	136	-20%
Dubbo	93	85	139	64%
Wagga Wagga	90	114	112	-2%
Country Total	816	889	862	-3%
State Total	2,094	2,177	2,074	-5%



Pending

	2016	2017	2018	17/18 Variant
Sydney	749	811	604	-26%
Sydney West	461	404	499	24%
Newcastle	241	228	257	13%
Gosford	65	83	72	-13%
Wollongong	160	135	144	7%
Lismore	158	126	106	-16%
Dubbo	78	112	83	-26%
Wagga Wagga	127	109	66	-39%
Country Total	829	793	728	-8%
State Total	2,039	2,008	1,831	-9%



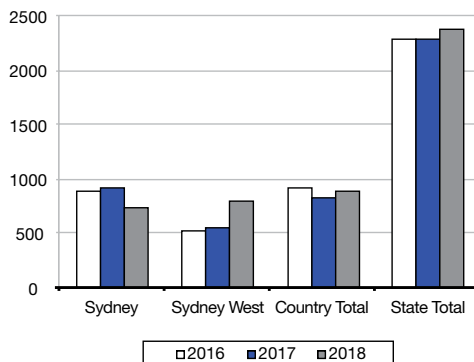
Annexure A2

Criminal Caseload

SENTENCES

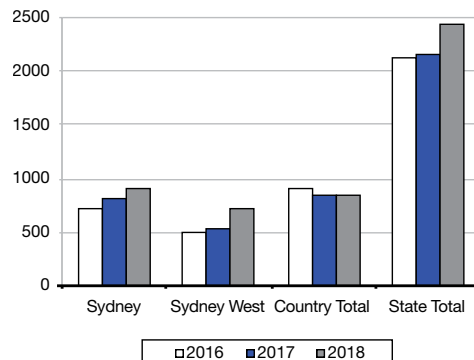
Registered

	2016	2017	2018	17/18 Variant
Sydney	871	917	729	-21%
Sydney West	509	558	777	39%
Newcastle	255	248	270	9%
Gosford	66	86	104	21%
Wollongong	189	161	194	20%
Lismore	151	133	117	-12%
Dubbo	133	115	94	-18%
Wagga Wagga	136	84	108	29%
Country Total	930	827	887	7%
State Total	2,310	2,302	2,393	4%



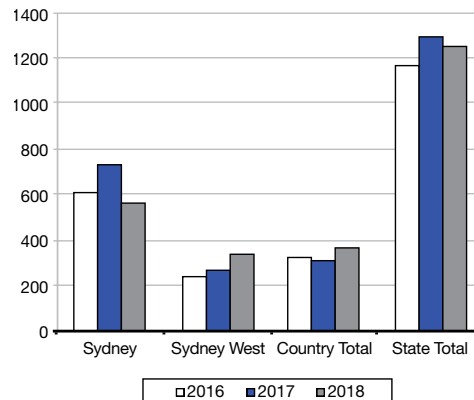
Finalised

	2016	2017	2018	17/18 Variant
Sydney	716	798	894	12%
Sydney West	500	533	705	32%
Newcastle	264	239	248	4%
Gosford	56	70	97	39%
Wollongong	181	168	181	8%
Lismore	154	135	123	-9%
Dubbo	117	129	90	-30%
Wagga Wagga	140	96	96	0%
Country Total	912	837	835	0%
State Total	2,128	2,168	2,434	12%



Pending

	2016	2017	2018	17/18 Variant
Sydney	609	728	563	-23%
Sydney West	242	267	339	27%
Newcastle	92	101	123	22%
Gosford	26	42	49	17%
Wollongong	71	64	77	20%
Lismore	52	50	44	-12%
Dubbo	50	36	40	11%
Wagga Wagga	31	19	31	63%
Country Total	322	312	364	17%
State Total	1,173	1,307	1,266	-3%

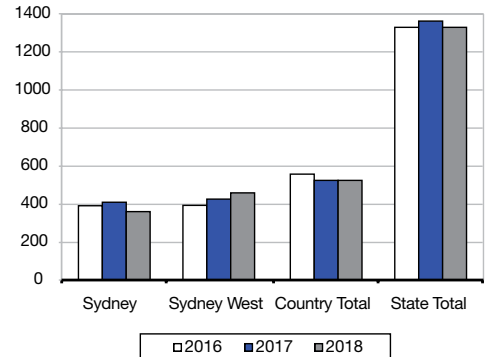


Annexure A3 Criminal Caseload

CONVICTION APPEALS

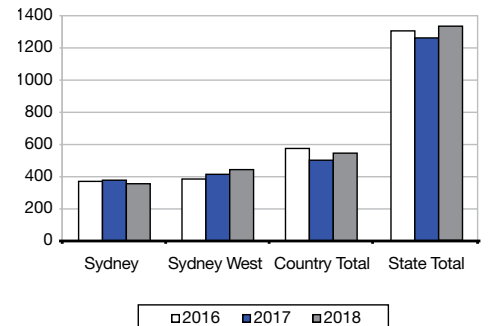
Registered

	2016	2017	2018	17/18 Variant
Sydney	383	412	353	-14%
Sydney West	384	421	447	6%
Newcastle	131	142	144	1%
Gosford	48	53	59	11%
Wollongong	114	97	108	11%
Lismore	111	97	96	-1%
Dubbo	85	88	76	-14%
Wagga Wagga	63	47	44	-6%
Country Total	552	524	527	1%
State Total	1,319	1,357	1,327	-2%



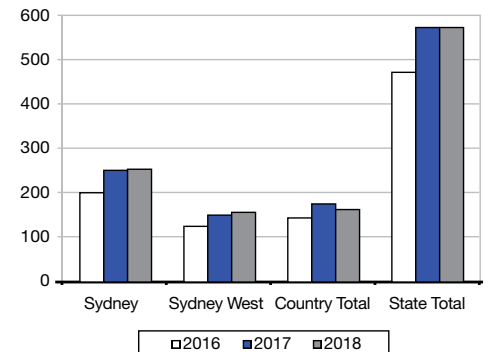
Finalised

	2016	2017	2018	17/18 Variant
Sydney	362	364	351	-4%
Sydney West	372	402	440	9%
Newcastle	142	124	146	18%
Gosford	48	45	62	38%
Wollongong	106	106	102	-4%
Lismore	118	78	106	36%
Dubbo	83	85	81	-5%
Wagga Wagga	68	57	38	-33%
Country Total	565	495	535	8%
State Total	1,299	1,261	1,326	5%



Pending

	2016	2017	2018	17/18 Variant
Sydney	200	248	250	1%
Sydney West	128	147	154	5%
Newcastle	34	52	50	-4%
Gosford	15	23	20	-13%
Wollongong	33	24	30	25%
Lismore	26	45	35	-22%
Dubbo	21	24	19	-21%
Wagga Wagga	14	4	10	150%
Country Total	143	172	164	-5%
State Total	471	567	568	0%



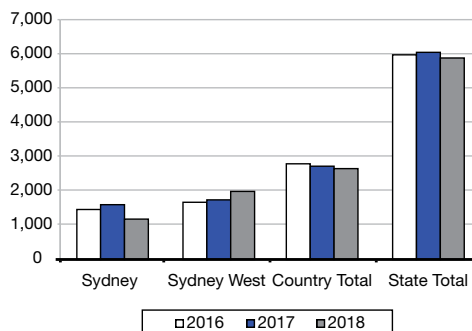
Annexure A4

Criminal Caseload

SENTENCE APPEALS

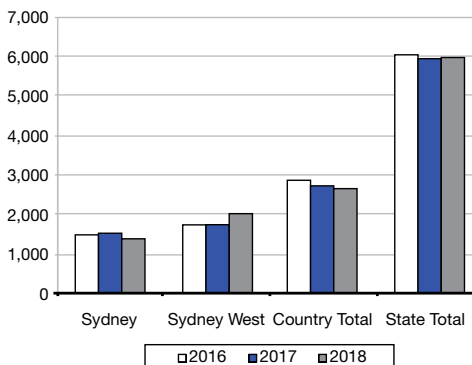
Registered

	2016	2017	2018	17/18 Variant
Sydney	1,463	1,568	1,196	-24%
Sydney West	1,664	1,732	1,967	14%
Newcastle	1,007	798	735	-8%
Gosford	288	319	326	2%
Wollongong	591	559	596	7%
Lismore	369	471	412	-13%
Dubbo	366	317	424	34%
Wagga Wagga	225	275	187	-32%
Country Total	2,846	2,739	2,680	-2%
State Total	5,973	6,039	5,843	-3%



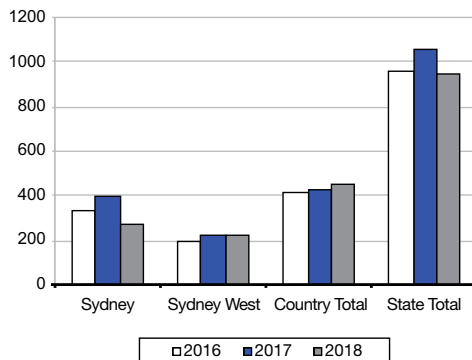
Finalised

	2016	2017	2018	17/18 Variant
Sydney	1,494	1,507	1,323	-12%
Sydney West	1,705	1,711	1,966	15%
Newcastle	999	818	690	-16%
Gosford	304	311	325	5%
Wollongong	592	567	586	3%
Lismore	367	442	436	-1%
Dubbo	342	324	419	29%
Wagga Wagga	228	260	207	-20%
Country Total	2,832	2,722	2,663	-2%
State Total	6,031	5,940	5,952	0%



Pending

	2016	2017	2018	17/18 Variant
Sydney	334	395	268	-32%
Sydney West	200	221	222	0%
Newcastle	158	138	183	33%
Gosford	32	40	41	3%
Wollongong	71	63	73	16%
Lismore	58	87	63	-28%
Dubbo	64	57	62	9%
Wagga Wagga	33	48	28	-42%
Country Total	416	433	450	4%
State Total	950	1,049	940	-10%



Annexure B1

Compliance with Criminal Time Standards

TRIALS – REGISTERED

Accused Custody

	Percentage of Cases Disposed within											
	4 Months			6 Months			12 Months			>12 Months		
	2016	2017	2018	2016	2017	2018	2016	2017	2018	2016	2017	2018
Sydney	10%	11%	9%	19%	19%	17%	80%	76%	70%	20%	24%	30%
Sydney West	16%	19%	19%	25%	33%	39%	70%	81%	84%	30%	19%	16%
Newcastle	19%	22%	16%	32%	37%	38%	80%	85%	78%	20%	15%	22%
Gosford	20%	16%	17%	26%	32%	32%	94%	74%	73%	6%	26%	27%
Wollongong	9%	11%	19%	23%	27%	29%	81%	77%	84%	19%	23%	16%
Lismore	24%	26%	20%	48%	39%	38%	84%	86%	83%	16%	14%	17%
Dubbo	15%	23%	16%	37%	35%	28%	78%	81%	82%	22%	19%	18%
Wagga Wagga	17%	6%	17%	38%	15%	29%	71%	76%	63%	29%	24%	37%
Country Total	18%	19%	18%	33%	33%	33%	82%	82%	79%	18%	18%	21%
State Total	14%	16%	15%	26%	28%	30%	78%	79%	77%	22%	21%	23%

Accused on Bail

	Percentage of Cases Disposed within											
	4 Months			6 Months			12 Months			>12 Months		
	2016	2017	2018	2016	2017	2018	2016	2017	2018	2016	2017	2018
Sydney	8%	7%	5%	13%	12%	9%	70%	69%	58%	30%	31%	42%
Sydney West	14%	11%	12%	21%	22%	23%	56%	66%	67%	44%	34%	33%
Newcastle	13%	19%	8%	19%	34%	15%	59%	79%	64%	41%	21%	36%
Gosford	15%	7%	16%	18%	13%	26%	62%	66%	66%	38%	34%	34%
Wollongong	6%	6%	16%	12%	16%	19%	55%	65%	65%	45%	35%	35%
Lismore	11%	20%	13%	21%	30%	29%	68%	66%	56%	32%	34%	44%
Dubbo	4%	13%	18%	15%	23%	24%	66%	70%	75%	34%	30%	25%
Wagga Wagga	12%	9%	3%	18%	21%	13%	45%	63%	45%	55%	37%	55%
Country Total	10%	14%	12%	17%	25%	20%	59%	69%	62%	41%	31%	38%
State Total	10%	11%	9%	17%	20%	17%	62%	68%	61%	38%	32%	39%

All Trials

	Percentage of Cases Disposed within											
	4 Months			6 Months			12 Months			>12 Months		
	2016	2017	2018	2016	2017	2018	2016	2017	2018	2016	2017	2018
Sydney	9%	8%	6%	15%	14%	11%	73%	71%	61%	27%	29%	39%
Sydney West	15%	14%	15%	22%	26%	29%	61%	71%	73%	39%	29%	27%
Newcastle	15%	20%	11%	24%	35%	24%	68%	81%	70%	32%	19%	30%
Gosford	17%	9%	16%	21%	17%	28%	73%	68%	69%	27%	32%	31%
Wollongong	7%	8%	17%	15%	19%	23%	64%	68%	73%	36%	32%	27%
Lismore	15%	22%	16%	30%	34%	32%	74%	74%	67%	26%	26%	33%
Dubbo	7%	16%	17%	21%	27%	26%	69%	74%	78%	31%	26%	22%
Wagga Wagga	13%	8%	7%	24%	19%	18%	52%	67%	51%	48%	33%	49%
Country Total	13%	16%	14%	23%	28%	25%	67%	74%	69%	33%	26%	31%
State Total	12%	13%	12%	20%	23%	21%	68%	72%	67%	32%	28%	33%

Annexure B2

Compliance with Criminal Time Standards

TRIALS – VERDICTS

Accused Custody

	Percentage of Cases Disposed within											
	4 Months			6 Months			12 Months			>12 Months		
	2016	2017	2018	2016	2017	2018	2016	2017	2018	2016	2017	2018
Sydney	3%	3%	1%	12%	7%	8%	79%	72%	65%	21%	28%	35%
Sydney West	3%	9%	7%	6%	26%	27%	55%	74%	75%	45%	26%	25%
Newcastle	11%	11%	5%	11%	21%	35%	78%	79%	70%	22%	21%	30%
Gosford	17%	0%	25%	33%	50%	38%	100%	50%	75%	0%	50%	25%
Wollongong	6%	0%	4%	11%	10%	13%	83%	70%	87%	17%	30%	13%
Lismore	0%	43%	29%	57%	57%	57%	100%	100%	100%	0%	0%	0%
Dubbo	20%	0%	0%	40%	7%	31%	73%	67%	69%	27%	33%	31%
Wagga Wagga	0%	0%	10%	10%	0%	10%	30%	67%	60%	70%	33%	40%
Country Total	9%	7%	9%	23%	17%	27%	76%	74%	77%	24%	26%	23%
State Total	5%	6%	6%	14%	16%	21%	70%	73%	72%	30%	27%	28%

Accused on Bail

	Percentage of Cases Disposed within											
	4 Months			6 Months			12 Months			>12 Months		
	2016	2017	2018	2016	2017	2018	2016	2017	2018	2016	2017	2018
Sydney	0%	1%	1%	3%	5%	3%	61%	56%	48%	39%	44%	52%
Sydney West	2%	4%	1%	7%	14%	9%	38%	56%	52%	62%	44%	48%
Newcastle	4%	2%	0%	8%	9%	4%	58%	68%	54%	42%	32%	46%
Gosford	0%	0%	0%	0%	0%	7%	23%	71%	47%	77%	29%	53%
Wollongong	0%	0%	6%	3%	6%	8%	44%	49%	44%	56%	51%	56%
Lismore	0%	9%	4%	6%	26%	4%	58%	57%	32%	42%	43%	68%
Dubbo	3%	8%	0%	12%	21%	8%	56%	50%	67%	44%	50%	33%
Wagga Wagga	5%	0%	0%	5%	4%	3%	24%	40%	34%	76%	60%	66%
Country Total	2%	3%	2%	6%	11%	6%	49%	57%	47%	51%	43%	53%
State Total	1%	3%	1%	5%	10%	5%	51%	56%	48%	49%	44%	52%

All Trials

	Percentage of Cases Disposed within											
	4 Months			6 Months			12 Months			>12 Months		
	2016	2017	2018	2016	2017	2018	2016	2017	2018	2016	2017	2018
Sydney	1%	2%	1%	6%	6%	4%	66%	60%	52%	34%	40%	48%
Sydney West	2%	6%	3%	6%	18%	15%	45%	62%	60%	55%	38%	40%
Newcastle	6%	6%	1%	9%	14%	13%	63%	72%	59%	37%	28%	41%
Gosford	5%	0%	9%	11%	4%	17%	47%	70%	57%	53%	30%	43%
Wollongong	2%	0%	5%	6%	7%	10%	57%	56%	61%	43%	44%	39%
Lismore	0%	14%	9%	14%	31%	16%	65%	64%	47%	35%	36%	53%
Dubbo	8%	5%	0%	20%	15%	16%	61%	56%	68%	39%	44%	32%
Wagga Wagga	3%	0%	3%	6%	3%	5%	26%	49%	41%	74%	51%	59%
Country Total	4%	4%	4%	11%	13%	12%	56%	62%	56%	44%	38%	44%
State Total	2%	4%	3%	8%	12%	10%	57%	61%	56%	43%	39%	44%

Annexure B3

Compliance with Criminal Time Standards

APPEALS

Conviction Appeals

	Percentage of Cases Disposed within											
	4 Months			6 Months			12 Months			>12 Months		
	2016	2017	2018	2016	2017	2018	2016	2017	2018	2016	2017	2018
Sydney	30%	41%	17%	64%	66%	36%	94%	95%	93%	6%	5%	7%
Sydney West	60%	59%	63%	82%	84%	84%	97%	97%	98%	3%	3%	2%
Newcastle	70%	61%	61%	87%	85%	76%	98%	96%	95%	2%	4%	5%
Gosford	66%	45%	60%	86%	86%	85%	100%	98%	100%	0%	2%	0%
Wollongong	71%	70%	79%	88%	91%	89%	100%	97%	99%	0%	3%	1%
Lismore	73%	64%	63%	91%	96%	79%	98%	100%	98%	2%	0%	2%
Dubbo	66%	59%	64%	90%	85%	83%	98%	100%	98%	3%	0%	2%
Wagga Wagga	76%	71%	88%	91%	93%	95%	98%	98%	100%	2%	2%	0%
Country Total	71%	63%	67%	89%	89%	82%	99%	98%	98%	1%	2%	2%
State Total	56%	55%	52%	80%	81%	70%	97%	97%	97%	3%	3%	3%

Sentence Appeals

	Percentage of Cases Disposed within								
	2 Months			6 Months			>6 Months		
	2016	2017	2018	2016	2017	2018	2016	2017	2018
Sydney	27%	24%	25%	93%	95%	95%	7%	5%	5%
Sydney West	73%	77%	80%	97%	97%	97%	3%	3%	3%
Newcastle	51%	53%	42%	97%	95%	96%	3%	5%	4%
Gosford	65%	77%	73%	95%	98%	97%	5%	2%	3%
Wollongong	75%	73%	75%	98%	99%	99%	2%	1%	1%
Lismore	68%	66%	63%	98%	97%	94%	2%	3%	6%
Dubbo	66%	62%	54%	98%	98%	97%	2%	2%	3%
Wagga Wagga	71%	70%	72%	96%	98%	95%	4%	2%	5%
Country Total	63%	65%	61%	97%	97%	96%	3%	3%	4%
State Total	57%	58%	59%	96%	97%	96%	4%	3%	4%

SENTENCES

	Percentage of Cases Disposed within								
	3 Months			6 Months			>6 Months		
	2016	2017	2018	2016	2017	2018	2016	2017	2018
Sydney	5%	5%	4%	52%	28%	21%	48%	72%	79%
Sydney West	11%	13%	19%	65%	63%	65%	35%	37%	35%
Newcastle	25%	16%	17%	71%	68%	66%	29%	32%	34%
Gosford	16%	32%	16%	67%	58%	62%	33%	42%	38%
Wollongong	41%	26%	40%	82%	69%	76%	18%	31%	24%
Lismore	36%	43%	25%	65%	76%	72%	35%	24%	28%
Dubbo	33%	30%	25%	67%	75%	73%	33%	25%	27%
Wagga Wagga	58%	38%	42%	89%	90%	86%	11%	10%	14%
Country Total	35%	28%	27%	74%	72%	72%	26%	28%	28%
State Total	19%	16%	16%	64%	53%	50%	36%	47%	50%

Annexure C1 Civil Caseload

	Registered			Disposed			Pending		
	2016	2017	2018	2016	2017	2018	2016	2017	2018
Sydney CML	3,554	3,477	3,433	3,575	3,762	3,573	4,281	4,002	3,879
Residual Jurisdiction	328	314	242	274	317	280	269	266	223
Parramatta	204	253	206	189	200	215	227	283	274
Penrith	22	13	9	15	26	18	41	28	19
Campbelltown	1	1	2	1	2	2	3	2	1
Sydney West	227	267	217	205	228	235	271	313	294
Newcastle	233	219	213	231	246	230	328	304	288
Gosford	48	60	44	54	61	54	68	68	58
Wollongong	127	137	105	122	125	115	154	165	155
Major Country	408	416	362	407	432	399	550	537	501
Albury	19	26	14	39	31	21	39	35	28
Armidale	9	4	0	12	7	1	5	2	1
Bathurst	11	10	8	9	4	12	10	16	12
Bega	4	3	2	4	3	7	5	5	0
Broken Hill	2	4	0	4	3	3	3	4	1
Coffs Harbour	37	25	14	35	32	26	41	32	20
Dubbo	10	12	9	19	13	9	19	17	17
Griffith	8	4	24	18	16	10	26	14	28
Lismore Region	100	110	76	117	114	101	130	126	102
Lithgow	6	6	13	11	6	9	9	9	13
Maitland	14	21	20	14	9	22	13	25	23
Nowra	43	14	16	26	31	12	41	24	27
Orange	16	14	20	32	16	15	20	18	23
Port Macquarie	37	39	26	43	33	39	41	47	35
Queanbeyan	9	7	6	10	8	7	11	11	10
Tamworth	19	20	20	17	14	20	26	32	32
Taree	10	5	17	23	18	8	27	14	22
Wagga Wagga	67	77	56	79	82	69	106	100	87
Other Venues	421	401	341	512	440	391	572	531	481
NSW Total	4,938	4,875	4,595	4,973	5,179	4,878	5,943	5,649	5,378

Annexure C2

Civil Disposal Times

	Median Delay (mths)			% 'age of Cases Disposed within						% 'age of Pending > 12 mths < 24 mths			% 'age of Pending > 24 mths		
				12 mths			24 mths			2016	2017	2018	2016	2017	2018
	2016	2017	2018	2016	2017	2018	2016	2017	2018						
Sydney CML	12.6	12.6	11.6	60%	60%	65%	90%	91%	93%	19%	16%	19%	4%	3%	3%
Parramatta	11.1	11.9	12.0	66%	61%	57%	89%	92%	92%	18%	19%	29%	6%	5%	7%
Penrith	17.9	19.2	15.7	48%	45%	50%	76%	65%	86%	15%	29%	23%	27%	10%	15%
Campbelltown	7.1	19.8	54.9	100%	75%	88%	100%	88%	88%	33%	0%	0%	33%	50%	0%
Sydney West	11.4	12.2	12.1	65%	60%	57%	88%	89%	92%	18%	20%	28%	10%	5%	7%
Newcastle	11.7	13.1	13.8	59%	48%	52%	91%	85%	88%	28%	29%	21%	6%	9%	12%
Gosford	15.5	13.7	10.8	43%	50%	70%	77%	82%	96%	18%	15%	27%	13%	2%	8%
Wollongong	14.6	11.6	14.4	49%	57%	41%	83%	89%	83%	18%	21%	33%	5%	6%	6%
Major Country	12.4	13.2	13.4	54%	51%	52%	87%	86%	88%	24%	25%	26%	6%	7%	10%
Albury	14.7	15.3	15.3	38%	44%	36%	85%	81%	82%	31%	26%	20%	19%	7%	20%
Armidale	8.3	6.4	19.9	69%	56%	50%	94%	89%	100%	0%	100%	0%	25%	0%	0%
Bathurst	45.4	4.9	14.3	33%	83%	43%	44%	100%	93%	0%	31%	33%	14%	8%	22%
Bega	10.2	23.5	13.3	80%	43%	57%	90%	86%	86%	25%	20%	0%	25%	20%	0%
Broken Hill	15.1	19.7	12.3	40%	50%	0%	80%	75%	100%	33%	0%	0%	33%	25%	100%
Coffs Harbour	15.4	9.3	11.3	41%	69%	59%	86%	92%	93%	11%	31%	18%	8%	7%	12%
Dubbo	12.3	21.9	12.7	50%	41%	54%	75%	71%	92%	29%	15%	27%	35%	8%	9%
Griffith	15.9	22.5	36.1	32%	32%	33%	68%	63%	50%	32%	0%	8%	40%	0%	0%
Lismore Region	13.3	12.6	12.9	49%	54%	50%	84%	84%	88%	26%	18%	23%	7%	7%	6%
Lithgow	15.8	11.0	10.9	25%	67%	56%	92%	100%	89%	38%	38%	8%	0%	25%	17%
Maitland	15.5	10.9	11.4	53%	73%	60%	89%	93%	100%	0%	20%	14%	15%	4%	14%
Nowra	9.4	10.7	16.3	66%	58%	46%	90%	90%	69%	18%	50%	22%	3%	4%	22%
Orange	15.2	16.0	10.3	25%	52%	67%	83%	83%	89%	7%	25%	29%	20%	13%	5%
Port Macquarie	13.4	12.0	12.9	43%	54%	45%	91%	83%	86%	31%	16%	28%	8%	9%	6%
Queanbeyan	12.2	8.3	25.7	46%	75%	42%	100%	81%	58%	11%	56%	22%	22%	11%	11%
Tamworth	17.9	9.5	11.3	35%	70%	62%	76%	90%	88%	25%	19%	35%	8%	8%	4%
Taree	14.8	18.9	22.4	39%	22%	25%	83%	67%	50%	41%	40%	6%	12%	0%	0%
Wagga Wagga	15.4	18.2	12.7	38%	34%	47%	78%	81%	93%	33%	33%	36%	6%	1%	17%
Other Venues	14.0	13.4	12.9	44%	51%	49%	84%	83%	87%	25%	26%	24%	11%	7%	11%
NSW Total	12.7	12.7	11.8	59%	59%	62%	89%	90%	92%	20%	18%	21%	5%	4%	4%

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