

# Local Court of New South Wales Annual Review 2015



**Local Court**  
of New South Wales



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## Foreword by Chief Magistrate of New South Wales

In the foreword to the 2014 Annual Review, I highlighted the continued outstanding commitment by the magistrates of the Local Court to meeting the rising level of demand imposed on the Court by reason of significant increases in police resources and an ongoing mindset of cuts to the number of magistrates available to deal with the obvious consequence of increasing the numbers engaged in law enforcement.

It comes as no surprise to find that at the end of 2015, the continued impact of increased police resources and successful focus by that organisation on serious crime has produced a challenge for the Local Court both as to volume and the level of seriousness of matters brought before the Court.

At close of business in December 2015, the annual caseload of the Local Court was measured at about 309,000. At the same time, the programmed cuts to judicial resources resulted in two more magistrate positions being left vacant by government, bringing the total cuts over the last four financial years to eight. During the same period, the caseload of the Court rose by approximately 40,000.

Whilst some may question the logic of a decision to increase police resources and decrease judicial resources, the magistrates of the Court continued to do what they do best on behalf of the community – apply themselves to the task of providing timely access to justice with courtesy, professionalism and great care. Once again the Court has been identified by the Productivity Commission as the most efficient in the Commonwealth against Time Standards. Whether that position will remain the case in the years ahead is problematic. As I indicated in 2014, meeting the rising tide of demand has resulted in longer and longer court sitting times.

No body of the judiciary can maintain that operational effectiveness in an environment of continued cuts to resources and the imposition of greater demands, no matter how committed or well intentioned they may be. My concern is that the combined effects of both scenarios will begin to challenge the ability of the Court to maintain its high standards of professionalism as a result of burnout. I have said elsewhere that tired justice is risky justice. That remains my view.

Excessively lengthy sitting days across the State beyond acceptable levels impose a significant burden on court users, magistrates, court staff, police, legal practitioners and litigants. The challenge in this area of the Court's operations will be monitored in 2016. If the lengthy sitting times continue, this will require change in the way the Court manages its general list work and defended hearings. It is likely there will be a necessary increase in the number of general list days, at the expense of days allocated to hearing defended matters. If this comes to pass, the anticipated increase in delay in hearing defended matters will be regrettable but unavoidable.

In addition to the challenge regarding the use of available court time is the increasing risk to the Court in relation to country circuits. There are currently 41 established positions outside the Sydney-Wollongong-Central coast areas that are classified as country postings. Following an adequate period of experience in Sydney within the Local Court, Children's Court and coronial jurisdictions, newly appointed magistrates can be appointed to fill a vacancy on a country circuit as it arises.

Part of the appointment process involves an acknowledgement by every magistrate of the requirement to undertake a minimum of two years continuous country service. At the conclusion of the two year period a magistrate is entitled to elect to return to Sydney, or may elect to remain on a country circuit for longer.

In a modern judiciary, however, it is not uncommon for both parties to a relationship to have separate careers. To maintain that position, many magistrates become separated from their family in Sydney. Two years may seem an eternity for someone maintaining a home and family in Sydney. Not surprisingly, there is an increasing trend for magistrates to return to their home at the expiration of the minimum 2 year country service period rather than remain for a longer period.

Overwhelmingly the appointments to country locations come from newly appointed magistrates. A reduction in the number of magistrates means the pool of magistrates available to undertake country service is correspondingly reduced. The Court has always been aware of the future intentions of magistrates appointed to country

circuits and has planned accordingly. As a consequence, the government of the day through the responsible Minister has been kept informed of the potential that maintaining cuts to the number of magistrates was likely to mean at an identified point, a lack of capacity within the Court to provide a magistrate to a country circuit.

Without a return of sufficient positions deleted from the current number of magistrates, that position will almost certainly be reached at the end of 2016. At that point the Court will be faced with unpalatable choices. Following consultation with the Attorney General as is required under section 23(2) of the *Local Court Act 2007*, I may be faced with a decision to suspend sittings at a number of country locations in order to mitigate the effects of the ongoing loss of operational judicial capacity.

In the alternative, the Court may reduce sittings at metropolitan courts in order to release a magistrate to attend a country circuit. This could only be rationally and reasonably done on a week by week basis, and would come at a not insignificant cost to government over and above the costs associated with a magistrate appointed to a circuit for a minimum of two years. It also comes with the obvious disadvantage that in order to place a magistrate in the country on a week by week basis it will be necessary to reduce sittings at metropolitan courts.

The third alternative is to reduce the regularity of sittings on an affected country circuit so that the consequence of a lack of resources is evenly spread between the city and the country locations. None of the foregoing options fit well with the efforts undertaken by the Court for many years to provide access to justice at a reasonably achievable local level. It is to be hoped that the knowledge of the prospective alternatives within government, together with the understanding of the significant rise in caseload across the state, will cause an appropriate level of reflection on the wisdom of cutting judicial resources in the busiest jurisdiction in the State.

There is another challenge to the capacity of the Local Court to continue to operate as widely as at present. That is the issue of security. There is no doubt that there is a heightened level of concern within the community and within the agencies of law enforcement in relation to security. The

introduction of a Protocol between the Judiciary and Police allowing for the introduction of firearms onto court premises is a manifestation of that concern.

In NSW, security on court premises is the responsibility of the Sheriff under the *Court Security Act 2005*. In a perfect world such security is provided through the presence of a uniformed Sheriff on court premises. Since the raising of the National Security Threat level to high there has been an understandable focus on the sufficiency of security at court premises to oversee attendance by the general public, victims and other vulnerable persons, witnesses, the legal profession, police and others who have business there.

It has become clear that at too many locations throughout the State there is a complete absence of any security whatsoever.

Understandably, magistrates and others who are regular attendees have questioned why there is not a minimum standard of security that provides the uniformed presence of a Sheriff every time the Court is sitting; and why if there is no security provided, a court should continue sit regardless. To date there has not been a satisfactory answer from within government or the bureaucracy to that question.

Whether the lack of consideration in relation to security within the Local Court (a problem not experienced by the higher courts) is addressed during 2016 remains to be seen; so too does the corollary, whether the ongoing absence of security should result in the suspension of sittings at a very large number of country courts to mitigate the potential threat. This would mean transferring the caseloads at smaller country courts to larger court complexes where there is at least some security for all who attend.

As can be readily understood from the foregoing, the range of strategic and operational difficulties facing the Local Court during 2016 and thereafter is significant.

The Court looks forward to enthusiastic support from within government and the bureaucracy in the search for solutions.

**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 Court deals with a wide range of matters across several jurisdictions.

### 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 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 imposed by the Local Court is a term of 2 years for a single 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 case load of the Court is split between two Divisions:

- The **Small Claims Division** 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** 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 a 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 NSW.

### Special jurisdiction

The Local Court exercises a special jurisdiction to determine any proceedings other than criminal or civil proceedings for which power is conferred by an Act of Parliament. These proceedings are regulated by Part 4 of the *Local Court Act 2007*.

One example is the review of dependency certificates under the *Drug and Alcohol Treatment Act 2007*, which authorise the involuntary detention and treatment of persons with severe substance dependence. Magistrates are regularly scheduled to attend the hospitals where the Involuntary Drug and Alcohol Treatment (IDAT) program operates (currently, Royal North Shore Hospital, St Leonards and Bloomfield Hospital, Orange) to conduct review hearings to determine whether the ongoing detention of a person under a dependency certificate is warranted. Hearings are held on a regular day of the week as required, and are conducted with as little technicality and formality as possible.

### Industrial jurisdiction

Since 2013, all magistrates have been appointed as industrial magistrates. The industrial jurisdiction deals with matters including:

- Recovery of money owing under industrial instruments, such as 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.

As at 31 December 2015, there were 131 magistrates (123 full-time magistrates and 8 part-time) who presided in the Local and Children's Courts at approximately 150 sitting locations throughout New South Wales. In 2015, the magistrates were as follows:

### Chief Magistrate

His Honour Judge Graeme Leslie Henson

### Deputy Chief Magistrates

Her Honour Magistrate Jane Ellen Mottley

His Honour Magistrate Christopher Gerard O'Brien

His Honour Magistrate Michael Barnes  
(State Coroner)

### Magistrates

His Honour Magistrate Michael Gerard Allen

His Honour Magistrate John Andrews

His Honour Magistrate Michael David Antrum

Her Honour Magistrate Jennifer Atkinson

Her Honour Magistrate Joan Margaret Baptie

His Honour Magistrate Michael Andrew Barko

His Honour Magistrate Peter J Barnett SC

Her Honour Magistrate Helen Gay Barry, Deputy  
State Coroner

His Honour Magistrate Glenn James Bartley

Her Honour Magistrate Geraldine Beattie, Deputy  
State Coroner

His Honour Magistrate Graham Thomas Blewitt AM

His Honour Magistrate Christopher Bone  
(until 30 January 2015)

His Honour Magistrate Geoff Edward Bradd

His Honour Magistrate Dr Roger Alasdair Brown

His Honour Magistrate Peter Ignatius Bugden

Her Honour Magistrate Dominique Burns

His Honour Magistrate Mark Buscombe  
(until 23 November 2015)

Her Honour Magistrate Jayeanne Carney

His Honour Magistrate Ian Malcolm Cheetham,  
Deputy State Coroner

His Honour Magistrate John Michael Chicken

His Honour Magistrate Roger James Clisdell

His Honour Magistrate Michael John Connell

His Honour Magistrate Stephen Corry

Her Honour Magistrate Sharron Maree Crews

His Honour Magistrate Michael Crompton

His Honour Magistrate Graeme Bryan Curran

His Honour Magistrate Michael Gary Dakin

His Honour Magistrate Peter Sampson Dare SC

His Honour Magistrate David Day

His Honour Magistrate David Patrick Degnan

Her Honour Magistrate Robyn Eva Denes

His Honour Magistrate Douglas Raymond Dick

His Honour Magistrate Hugh Christopher Bryant  
Dillon, Deputy State Coroner

His Honour Magistrate Mark Antony Douglass

Her Honour Magistrate Susan Mary Duncombe

His Honour Magistrate Geoffrey James Dunlevy

His Honour Magistrate Andrew Ronald Eckhold

Her Honour Magistrate Elizabeth Anne Ellis

Her Honour Magistrate Clare Joanne Farnan

His Honour Magistrate John Daniel Favretto  
(until 2 October 2015)

His Honour Magistrate Peter Gordon Feather

Her Honour Magistrate Dr Gabriel Catherine  
Fleming

Her Honour Magistrate Carmel Ann Forbes,  
Deputy State Coroner

His Honour Magistrate Caleb Mark Franklin

Her Honour Magistrate Sharon Claire Freund,  
Deputy State Coroner

Her Honour Magistrate Jennifer Anne Giles

Her Honour Magistrate Claire Giroto

Her Honour Magistrate Michelle Norma Goodwin

Her Honour Magistrate Harriet Winifred Grahame,  
Deputy State Coroner

Her Honour Magistrate Megan Jeanette  
Greenwood

His Honour Magistrate Gregory John Grogin  
His Honour Magistrate Ian James Guy  
Her Honour Magistrate Christine Mary Haskett  
Her Honour Magistrate Estelle Ann Hawdon  
His Honour Magistrate Paul Hayes  
His Honour Magistrate David Michael Heilpern  
Her Honour Magistrate Nancy Louise Hennessy,  
Deputy President, Administrative Decisions  
Tribunal  
His Honour Magistrate Geoffrey Graeme Hiatt  
His Honour Magistrate Thomas Hugh Hodgson  
(until 17 September 2015)  
His Honour Magistrate Jeffrey Raymond Hogg  
Her Honour Magistrate Sharon Lee Holdsworth  
His Honour Magistrate Michael North Holmes  
Her Honour Magistrate Julie Anne Huber  
His Honour Magistrate Ross Hudson  
Her Honour Magistrate Carolyn M Huntsman  
His Honour Magistrate Timothy Bernard Keady  
Her Honour Magistrate Erin Camille Kennedy  
Her Honour Magistrate Joanne Mary Keogh  
Her Honour Magistrate Georgia Knight  
His Honour Magistrate Derek Jonathan Lee  
His Honour Magistrate Jeffrey Alan Linden  
His Honour Magistrate Christopher Longley  
His Honour Magistrate Terence Timothy Lucas  
His Honour Magistrate Leslie William Mabbutt  
His Honour Magistrate Paul Anthony MacMahon,  
Deputy State Coroner  
His Honour Magistrate Ronald John Maiden  
His Honour Magistrate Shane McAnulty  
His Honour Magistrate Shaughan McCosker  
Her Honour Magistrate Margaret Mary McGlynn  
Her Honour Magistrate Susan McGowan  
Her Honour Magistrate Susan Clare McIntyre  
Her Honour Magistrate Louise M McManus  
His Honour Magistrate Alexander Mijovich  
Her Honour Magistrate Jacqueline Mary Milledge  
His Honour Magistrate Richard Peter Miszalski  
His Honour Magistrate Terence Anthony Murphy  
His Honour Magistrate Anthony Kevin Murray  
His Honour Magistrate (Bernard) Michael O'Brien

Her Honour Magistrate Teresa Margaret  
O'Sullivan  
His Honour Magistrate Darryl John Pearce  
His Honour Magistrate William Grenville Pierce  
Her Honour Magistrate Dorelle Pinch  
His Honour Magistrate Roger David Prowse  
Her Honour Magistrate Margaret Christine Quinn  
PSM  
His Honour Magistrate Robert Scott Rabbidge  
His Honour Magistrate Allan Wilson Railton  
His Honour Magistrate Daniel Reiss  
His Honour Magistrate Mark Richardson  
Her Honour Magistrate Karen Robinson  
Her Honour Magistrate Paula Mary Russell  
Her Honour Magistrate Elizabeth Jane Ryan  
Her Honour Magistrate Mary Ryan  
His Honour Magistrate Albert John Sbrizzi  
Her Honour Magistrate Beverley Anne Schurr  
Her Honour Magistrate Suzanne Gaye Seagrave  
Her Honour Magistrate Tracy Sheedy  
Her Honour Magistrate Ellen Skinner  
Her Honour Magistrate Karen Elizabeth Stafford  
Her Honour Magistrate Lisa Veronica Stapleton  
Her Honour Magistrate Janet Christina Ruth  
Stevenson  
His Honour Magistrate Phillip Douglas Stewart  
His Honour Magistrate Gary James Still  
His Honour Magistrate Michael Martin Stoddart  
His Honour Magistrate Robert George Stone  
Her Honour Magistrate Margot Gai Stubbs  
Her Honour Magistrate Vivien Margaret Swain  
Her Honour Magistrate Katherine E Thompson  
Her Honour Magistrate Fiona Gladys Toose  
Her Honour Magistrate Jacqueline Maree Trad  
Her Honour Magistrate Elaine Maree Truscott,  
Deputy State Coroner  
His Honour Magistrate Theo Tsavdaridis  
His Honour Magistrate Brian John van Zuylen  
Her Honour Magistrate Alison Mary Viney  
Her Honour Magistrate Janet Wahlquist  
His Honour Magistrate Robert Allen Walker  
His Honour Magistrate Glenn Kevin Walsh

His Honour Magistrate Bruce Haldane Williams  
His Honour Magistrate David I Williams  
His Honour Magistrate Robert Hilary Williams  
His Honour Magistrate Gary Wilson  
Her Honour Magistrate Eve Wynhausen

### **Judicial appointments in 2015**

#### **Dominique Burns**

Dominique Burns commenced employment with Local Courts in 1985, completed the Solicitors Admission Board examinations with a Diploma in Law in 1998, and practiced as a solicitor before joining the Bar in 2001.

Ms Burns acted as a Registrar of the Family Court of Australia during practice at the Bar, and has been a member on the Legal Aid Practitioner Panel for Children's Court Care and Crime Panel. Whilst Ms Burns' practice in Newcastle mainly focused in Family Law, Supreme Court and District Court Care Appeals and some crime, she was also involved with the Aboriginal Mentoring program, the Women Lawyers' Association, Women's Legal Service, and at times pro bono Counsel for Care matters for the Intellectual Disability Rights Service/Criminal Justice Support Network. Ms Burns was sworn in as a Magistrate of the Local Court of New South Wales on Monday 9 February 2015.

#### **Tracy Sheedy**

Tracy Sheedy graduated from the University of NSW in 1986 with a degree in Commerce/Law and a Diploma in Child Protection from the University of London in 1994.

Ms Sheedy has practiced in NSW as a solicitor and also worked in England. She has extensive experience in the Children's Court as a Children's Registrar and the Executive Officer. Ms Sheedy was a member of the Social Security Appeals Tribunal, a Conciliator for Fair Work Australia and the Administrative Appeals Tribunal and a Member of the Consumer, Trader and Tenancy Tribunal. Prior to her appointment, Ms Sheedy was a Member of the Mental Health Review Tribunal and a Senior Member of the NSW Civil and Administrative Tribunal, in both the Guardianship Division and the Administrative

& Equal Opportunity Division. Ms Sheedy was sworn in as a Magistrate of the Local Court of New South Wales on Monday 9 February 2015.

#### **Michael Crompton**

Michael Crompton graduated with a Bachelor of Arts from University of Queensland in 1989 and Bachelor of Laws from Queensland University of Technology in 2000.

Before being admitted to practice in 2001 Mr Crompton was an associate to former Queensland District Court Judge Neil McLauchlan QC. Mr Crompton has practised in London and with Legal Aid QLD. He was Senior Legal Officer with the CDPP and DPP conducting prosecutions across a range of offences including people smuggling, child pornography and terrorism. Mr Crompton has also worked at the Crown Solicitor's Office appearing in Children's, District, Supreme and Family Courts of New South Wales. Mr Crompton was Registrar of the Court of Criminal Appeal of New South Wales prior to his appointment as a Magistrate of the Local Court. Mr Crompton was sworn in as a Magistrate of the Local Court of New South Wales on Monday 23 February 2015.

#### **Gary Wilson**

Gary Wilson graduated with a Diploma in Law in 1983. Mr Wilson is a practitioner with more than 30 years' experience in civil and criminal law.

Mr Wilson's early career was in private practice before joining the bar in 2001. He is an accredited specialist in Personal Injury law and in 2012 was appointed to the General Criminal Law Panel, Legal Aid NSW and an Arbitrator of the Local Court. Mr Wilson has practiced extensively in criminal appeals, professional negligence, employment and industrial law and commercial litigation. He was a member of the Professional Conduct Committee of the NSW Bar Association from 2008-2013 and has appeared as counsel assisting the NSW Rugby Judiciary since 2003. Mr Wilson was sworn in as a Magistrate of the Local Court of New South Wales on Monday 23 February 2015.

### Paul Hayes

Paul Hayes is an accredited specialist in criminal law and has appeared extensively in jurisdictions ranging from the Local Court to the Court of Criminal Appeal.

Mr Hayes worked at Legal Aid NSW for 25 years, including nine years as Deputy Director of the organisation's criminal division. He has also been a solicitor at a large Sydney law firm and advised the Crown Prosecution Service in the United Kingdom. Mr Hayes was sworn in as a Magistrate of the Local Court of New South Wales on 23 November 2015.

### Ross Hudson

Ross Hudson is an accredited specialist in criminal law who has appeared in a broad range of jurisdictions.

Mr Hudson worked at a Sydney law firm for 13 years and was a partner for the past six years. He has appeared in the High Court, the New South Wales Court of Criminal Appeal and the Local Court, and has been involved in coronial inquests in NSW and matters before the NSW and Australian Crime Commissions and ICAC. Mr Hudson was sworn in as a Magistrate of the Local Court of New South Wales on 23 November 2015.

### Magistrate appointed as District Court judge

His Honour Magistrate Mark Buscombe was appointed a Judge of the District Court and was sworn in on 23 November 2015.

### Judicial retirements during 2015

His Honour Magistrate Christopher Bone (retired 30 January 2015)

His Honour Magistrate John Daniel Favretto (retired 2 October 2015)

The Court was saddened by the death of Magistrate Thomas Hodgson in September 2015.

### Acting Magistrates in 2015

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 s 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 2015 were:

His Honour Acting Magistrate Robert Joseph Abood

His Honour Acting Magistrate Peter Frederick Ashton

His Honour Acting Magistrate John Anthony Bailey

Her Honour Acting Magistrate Carolyn Jane Barkell (until 30 June 2015)

His Honour Acting Magistrate Leslie Brennan

His Honour Acting Magistrate James Coombs (from 1 February 2015)

His Honour Acting Magistrate John Ormonde Crawford

His Honour Acting Magistrate Colin Alan Elliott

His Honour Acting Magistrate Kevin Flack (until 30 June 2015)

His Honour Acting Magistrate Andrew John Benson George

Her Honour Acting Magistrate Lee Anne Gilmour

His Honour Acting Magistrate Stephen Vaughan Jackson

Her Honour Acting Magistrate Mary Stella Jerram

His Honour Acting Magistrate Bernard Joseph Kennedy

Her Honour Acting Magistrate Daphne Anne Kok (from 1 February 2015)

His Honour Acting Magistrate Brian Anthony Lulham

His Honour Acting Magistrate Paul Lyon

His Honour Acting Magistrate Malcolm MacPherson

## Chief Magistrate's Executive Office

His Honour Acting Magistrate John McIntosh  
His Honour Acting Magistrate Ian Duncan McRae  
His Honour Acting Magistrate Christopher McRobert  
His Honour Acting Magistrate Carl Milovanovich  
His Honour Acting Magistrate Allan Darroll Moore  
His Honour Acting Magistrate Michael Morahan  
His Honour Acting Magistrate Paul Mulroney (from 1 February 2015)  
His Honour Acting Magistrate David Patrick O'Connor  
His Honour Acting Magistrate Michael Kevin Price  
His Honour Acting Magistrate Mark Robert Shepherd  
Her Honour Acting Magistrate Annette Christine Sinclair  
His Honour Acting Magistrate Anthony Alfred Spence  
His Honour Acting Magistrate George Zdenkowski

### Small Claims assessors

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 2015 were:

Ms Danae Harvey  
Ms Janice Connelly  
Mr Stephen Olischlager

In 2015, the Executive Office consisted of six staff:

### Executive Officer

Jacinta Haywood

### Policy Officer

Caterina Kim (until 30 October 2015);  
Alison Passé-de Silva (from 2 November 2015)

### Listing and Rostering Co-ordinator

Helena Potter

### Courts Co-ordinator

Phillip Suitor

### Executive Assistant to the Chief Magistrate

Theresa Parkinson

### Judicial Support Officer

Linda McRae

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 state-wide 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 approximately 150 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, and 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 at: <http://www.localcourt.lawlink.nsw.gov.au/localcourts/index.html>

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 to the Local Court. 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.

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 Court users are not legally represented and it therefore 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 2015

- Criminal jurisdiction
- Civil jurisdiction
- Coronial jurisdiction

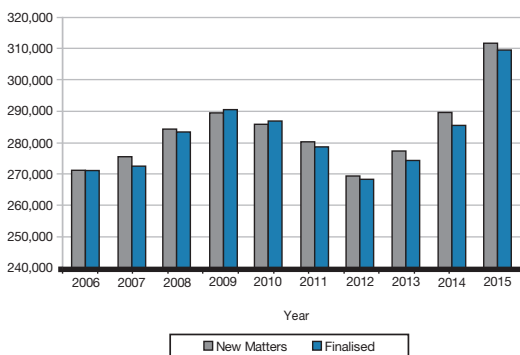
## Criminal jurisdiction

### Criminal matters in 2015

Between 1 January 2015 and 31 December 2015:

- 311,590 criminal matters were commenced in the Local Court, representing an increase of 9.1% from 2014 (further compounding the 4.55% increase in new matters experienced from 2013 to 2014).
- 309,670 criminal matters were finalised, giving a clearance ratio for the period of 99.38%.

### Criminal matters commenced and finalised



*Note: Due to source differences, no direct comparison can be made between figures for 2009 onwards 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 2015:

- 95.3% of matters were completed within 6 months of commencement.
- 98.7% of matters were completed within 12 months of commencement.

### Developments in 2015

#### Growth in criminal caseload

The Local Court saw significant growth in the number of new criminal matters commenced in 2015, with an increase in filings of over 21,000 from 2014 levels. This represents an acceleration in the upward trend experienced since 2012.

One area of growth was prosecutions for drug driving offences detected by roadside testing, due to the ongoing expansion of police operations.

#### Mandatory alcohol interlock orders for drink driving offences

On 1 February 2015, Division 2 of Part 7.4 of the *Road Transport Act 2013* commenced, introducing a mandatory alcohol interlock scheme for repeat offenders convicted of certain alcohol-related driving offences, including PCA (drink driving) offences, as well as any first-time offender convicted of high-range drink driving. Except in limited circumstances, the court must make an interlock order upon the conviction of an eligible offender.

An interlock order disqualifies the offender from driving for a specified period of time, then enables the person to hold an “interlock licence” for a further specified period. While holding an interlock licence, the person must only drive a vehicle fitted with an interlock device, which prevents the vehicle’s engine from starting if the breath sample provided is above the set limit.

#### Bail law

Significant changes to the *Bail Act 2013* commenced on 28 January 2015, including the introduction of a new “show cause” requirements for a range of offences, under which bail must be refused unless an accused person can demonstrate that his or her detention is not justified.

#### Domestic and personal violence

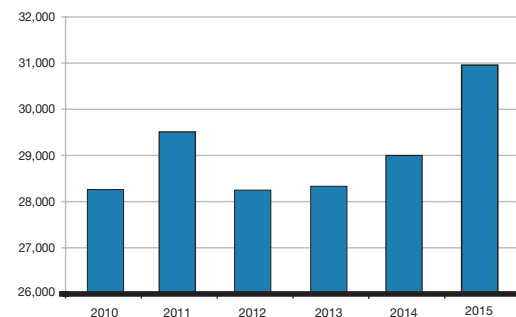
Final domestic violence orders increased from 24,293 in 2014 to 26,009 in 2015. There was a small increase in final personal violence orders, from 4,724 in 2014 to 4,954 in 2015.



## Apprehended Violence Statistics 2015

Domestic Violence	2014	2015
<i>Lodgements</i>		
Total lodgements	31,741	31,857
– Application notices/ provisional orders	27,592	27,058
– Applications for variation/revocation	4,149	4,799
<i>Finalisations</i>		
Final Orders made	24,293	26,009
Complaints withdrawn/ dismissed	8,032	9,202
Complaints dismissed after hearing	368	336
Application not served	269	285
Orders varied/revoked	2,746	3,372
Application to vary/revoke withdrawn/dismisssed	672	757
Total finalisations	36,380	39,961
<i>Personal Violence</i>		
<i>Lodgements</i>		
Total lodgements*	7,476	7,260
<i>Finalisations</i>		
Final Orders made by Court	4,724	4,954
Complaints withdrawn/ dismissed	2,797	3,247
Complaints dismissed after hearing	130	113
Application not served	119	95
Orders varied/revoked	167	202
Application to vary/revoke withdrawn/dismisssed	75	77
Total finalisations	8,012	8,688

## Final domestic and personal violence orders



The Local Court acknowledges the important work of, and the assistance received in 2015 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.

## Domestic Violence Intervention Court Model

The Domestic Violence Intervention Court Model (DVICM) continued to operate in the Local Court during 2015 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, although not specialist, 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 jurisdiction

### Domestic Violence Evidence in Chief (DVEC) reforms

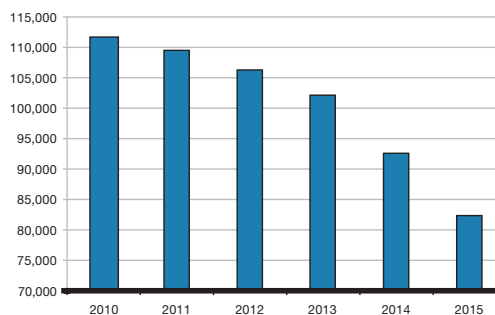
Amendments to the *Criminal Procedure Act 1986* made by the *Criminal Procedure Amendment (Domestic Violence Complainants) Act 2014* commenced on 1 June 2015. The changes now enable:

- Recorded video or audio statements of domestic violence complainants to be admissible evidence in criminal proceedings for domestic violence offences, as well as concurrent or related proceedings for applications for apprehended domestic violence orders; and
- The recorded statement of a domestic violence complainant to be used in committal proceedings instead of a written statement.

### Civil matters in 2015

In the period 1 January 2015 to 31 December 2015, 82,304 civil actions were commenced (decreasing from 92,475 in 2013). 66,127 matters were filed in the Small Claims Division and 12,146 were filed in the General Division. Overall, 85,852 civil actions were finalised.

### Civil actions commenced



### 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 2015:

- In the Small Claims Division – 97% of matters were finalised within 12 months; and
- In the General Division – 95% of matters were finalised within 12 months.

## Coronial jurisdiction

### Developments in 2015

#### Online filings

On 1 October 2015, a pilot program commenced for the use of an online court in civil matters in the General Division listed for defence callover at John Maddison Tower, Sydney. The online court operates to enable interlocutory or procedural matters that may arise during the callover to be dealt with online, such as:

- Adjournments;
- Interlocutory orders pursuant to Part 6 of the *Civil Procedure Act 2005*;
- Allocation of trial and/or review dates; and
- Referral of matters to a directions hearing before a magistrate if the parties are seeking leave to call expert witnesses.

The pilot program is facilitated by Local Court Practice Note 1 of 2015, *Local Court Civil General Division – Online Court Protocol*.

His Honour Magistrate Michael Barnes is the NSW State Coroner.

In 2015 the Deputy State Coroners were:

- Magistrate Hugh Dillon
- Magistrate Paul MacMahon
- Magistrate Elaine Truscott
- Magistrate Sharon Freund (shared position with Magistrate Forbes)
- Magistrate Carmel Forbes (shared position with Magistrate Freund)
- Magistrate Helen Barry (shared position with Magistrate Grahame)
- Magistrate Harriet Grahame (shared position with Magistrate Barry)
- Magistrate Ian Cheetham (Newcastle)
- Magistrate Geraldine Beattie (Wollongong)

It is the responsibility of the NSW State Coroner to oversee the work of all coroners within the state. In particular the State Coroner must ensure that all examinable deaths, fires and explosions are properly investigated and that Inquests and Inquiries are held where it is considered appropriate to do so.

### Reduction of delays in coronial jurisdiction

The Report on Government Services (ROGS) for 2014/15 showed that the NSW Coroners jurisdiction continued to maintain a high clearance rate for coronial matters.

Lengthy delays experienced in the provision of Post Mortem Reports from the Department of Forensic Medicine have been reduced substantially over the last two to three years. However, the Department of Forensic Medicine is currently experiencing a shortage of Forensic Pathologists due to the departure of staff over the last twelve months. Whilst the department has recruited four Pathologists, they will not commence duties until mid-2016. The State Coroner expects this will in the short term cause some delays in the finalisation of coronial post mortems.

## Developments in 2015

### ‘End to End’ review

Following on from the ‘End to End Review’ concluded in 2015, the Department of Forensic Medicine and the Office of the State Coroner are working together on a joint project team to initiate a number of recommendations arising from the review. Of significance is the recommendation of an Admissions Unit that is proposed to be staffed by members of Justice, Police and NSW Health to streamline the process of reporting the death to the Coroner, as well as providing to the Coroner and the Pathologist a detailed history of the deceased and the circumstances of the death.

### New Lidcombe Facility for the Coroners Court and Forensic Medicine

The 2015 NSW State budget saw the allocation of significant funding to enable the commencement of plans for the new combined Coroners Court and Forensic facility to be constructed at Lidcombe. The NSW Attorney General and Health Minister have formally announced the planned construction. Detailed plans for the facility will be finalised in coming months with construction to follow. The Coroners Court will have four courts with room for expansion if needed. Emphasis will be on sharing of facilities and roles between the two departments with a shared IT system. It is anticipated the build will be finished by approximately 2019.

### Statutory review of the *Coroners Act 2009*

The statutory review of the *Coroners Act 2009* is currently being undertaken. In 2015, the State Coroner, in consultation with the NSW Chief Magistrate and the Deputy State Coroners, provided a detailed submission outlining proposed changes and amendments to the Department of Justice.

### Regional Magistrate Training

In late 2015, State Coroner Barnes and Deputy State Coroner Dillon held a three day course for newly appointed Magistrates about to embark on their country service. This training provides new

Magistrates with an insight and understanding of the coronial jurisdiction. Evaluations received were highly favourable and supportive of further similar initiatives. The course followed on a pilot course presented online by SC Barnes and DSC Dillon through the National Judicial College of Australia in 2013. Both courses were skills-oriented and problem-based, with practical materials being provided for participants to take away.

### Lecture, talks and Conferences

During 2015, the State Coroner and Deputy State Coroners presented numerous lectures and papers to various stakeholders and groups including:

- NSW Bar Association
- NSW Law Society
- Barristers Chambers
- NSW Police Academy
- Forensic Odontologists Course
- NSW Fire Services
- NSW Nurses
- NSW Health
- Law students from Sydney University and the University of NSW
- College of Law

### Asia Pacific Coroners Conference

In November 2015 the Office of the State Coroner of Tasmania hosted the Annual Asia Pacific Coroners Conference held in Hobart. New South Wales was represented at the conference by State Coroner Barnes, Deputy State Coroner Dillon, Ann Lambino, Registrar, and Jane Gladman, Co-Ordinator Coronial Information and Support, Glebe. As always, this conference represents the only opportunity for coroners and those associated with the coronial jurisdiction to meet and discuss topics relevant to the jurisdiction.

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

Section 23 of the *Coroners Act 2009* stipulates 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.

In 2015:

- 41 deaths were reported to the Coroner from a death in custody or as a result of a police operation, and
- 36 section 23 Inquests were held.

### **Domestic Homicide Review Team**

The NSW Domestic Violence Death Review Team was established in July 2010 to systematically review deaths occurring in a context of domestic violence. The scope of review includes both individual case analyses and the maintenance of a comprehensive database from which research data is derived.

The Team is convened by the NSW State Coroner and is constituted by representatives from 12 key government stakeholders, including

law enforcement, justice, health and social services, as well as two non-government representatives and two sector experts.

The work of the Team has continued to progress over the past 12 months, including the development of mechanisms for enhanced data reporting, and positive engagement and negotiation with government agencies to facilitate improved information sharing and access to research tools. The work of the Team has also informed the development of the new Domestic Violence Safety Assessment Tool, and contributed to the development of the Second National Plan to Reduce Violence against Women and their Children.

The Team has recently tabled its third annual report, which sets out 23 recommendations derived from a combination of individual case reviews and data trends and patterns. The report also includes a chapter which monitors the uptake of the recommendations made by the Team in previous reports. Furthermore, in light of the Whole-of-Government response to the second annual report, this report also includes a focused data chapter which highlights issues around the deaths of children who were killed by their parents in a context of domestic violence (including in a context of child abuse).

## Coronial Statistics for the calendar year 2015

	2010	2011	2012	2013	2014	2015
<b>Deaths reported</b>						
Glebe:	3,068	3,128	2,864	2,807	2,901	2,989
Other State-wide:	2,380	2,566	2,505	2,533	2,709	2,777
Total:	5,448	5,694	5,369	5,340	5,610	5,766
<b>Investigations finalised</b>						
Glebe:	3,045	3,805	2,185	2,305	3,169	2,950
Other State-wide:	1,940	2,134	1,989	2,209	2,185	3,426
Total:	4,985	5,939	4,174	4,514	5,354	6,376
<b>Inquests-Inquiries*</b>						
Glebe:	150	215	111	98	103	87
Other State-wide:	46	75	37	44	37	63
Total:	196	290	148	142	140	150

There were 224 section 24 deaths (concerning children or disabled persons) reported to the Coroner in 2015.

\* This figure represents the number of inquests (not inquest days) conducted by the State or Deputy State Coroners only, in Sydney and 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 very few result in an inquiry.

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

- Diversionary programs
- Technology in the Local Court

## Diversionsary programs

### Community Corrections

In 2015, Corrective Services NSW assumed responsibility for several court based diversionsary programs. Magistrates Early Referral Into Treatment (MERIT), Court Referral of Eligible Defendants Into Treatment (CREDIT) and Life on Track (LOT) are now managed by Community Corrections. Forum Sentencing has been assigned to Offender Management and Programs.

Community Corrections provides advice to sentencing bodies and supervision of offenders in the community. Annually, approximately 24,500 offenders in NSW are sentenced to imprisonment or supervision on a community order. Community Corrections manages around 16,500 offenders in the community at any one time.

### 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.

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

The 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 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 staff at NSW Health and the Local Court remains committed to this partnership.

During 2015:

- 4,014 defendants were referred to MERIT;
- 2,382 defendants were accepted on to the program; and
- 1,433 defendants successfully completed the program.

The program was available in 65 Local Court locations, within all of the State's Local Health Districts.

### Alcohol MERIT

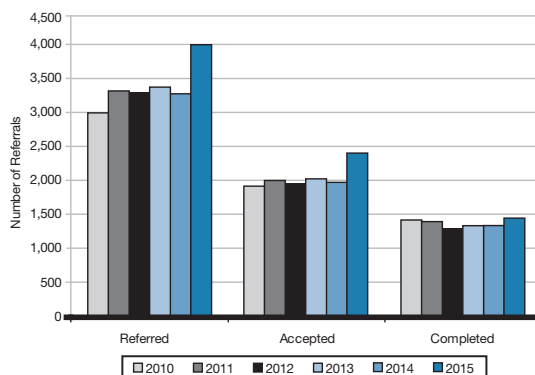
The Alcohol MERIT model is identical to MERIT in terms of eligibility and suitability criteria, referral pathways and court reporting. However, the clinical treatment provided is tailored to the specific needs of defendants with alcohol problems.

Alcohol MERIT is currently available in the following Local Court locations:

- Bathurst
- Broken Hill
- Coffs Harbour
- Dubbo
- Orange
- Wellington
- Wilcannia

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

### MERIT Program Statistics





When interpreting these statistics, it is important to note that the annual number of program completions is not proportional to the annual number of program referrals.

As the MERIT program is of three months duration, some persons referred to the program after September 2015 will still be on the program at 31 December 2015, and therefore not accounted for in the completion figures. Similarly, the completion figures include persons who commenced MERIT from September to December 2014 and completed their contact with the program in 2015.

### **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 Burwood and Tamworth Local Courts.

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. Defendants are referred to the program prior to entering a plea.

### **CREDIT Program Statistics**

During 2015:

- 296 defendants were referred to the program;
- 171 defendants met CREDIT's eligibility criteria and entered the program; and
- 79 participants successfully completed the program.

The CREDIT program is 2-6 months in duration. Some defendants referred to the program after June 2015 may still be on the program at 31 December 2015, and therefore not accounted for in the completion figures. Similarly, the completion figures may include defendants who commenced CREDIT from July to December 2014 and completed their contact with the program in 2015.

### **Life on Track**

In August 2013, the case management service Life on Track (LOT) commenced in two start-up sites servicing the Local Court at Bankstown, Sutherland, Kogarah, Lismore, Ballina, Casino and Kyogle. Mission Australia delivered the service at both sites.

LOT offers person-centred support and case management to eligible and suitable Local Court defendants. The service provides assistance to identify and address the issues that contribute to a defendant's likelihood of re-offending, including by linking defendants with available services and programs in their local area. It also seeks to promote a strengths based approach through enhancement of social engagement, significant relationships, recreation and pursuit of personal goals.

LOT aims to target participants at the highest risk of re-offending with the highest service level at the earliest possible stage. It offers case management for longer timeframes (of up to nine months) for defendants with high support needs or a high risk of reoffending and can be continued beyond the duration of a defendant's court matter.

Mission Australia's contract to deliver LOT in metropolitan courts concluded in February 2015, due to a combination of low numbers of referrals and entries to the service and Mission Australia's inability to continue delivering the program at the Bankstown site. The Department of Justice temporarily assumed delivery of metropolitan LOT to enable continued service delivery to participants and stakeholders while the future of the service in metropolitan courts was decided. Despite some improvement, referral numbers remained low and a decision was made to close the service at the Bankstown site in October 2015.

In September 2015 the management of LOT at the Lismore site was transferred to Community Corrections, Corrective Services NSW.

## Life on Track Program Statistics

During 2015:

- Group Risk Assessment Method (GRAM) screening: 1,732 defendants were identified as potential participants through early screening;
- Contacted: attempts were made to contact 969 defendants prior to their first court date;
- Entry: 209 defendants signed case management plans and entered the service; and
- Completion: 131 participants successfully completed the service

Life on Track is 3-9 months in duration. Some defendants referred to the program after March 2015 may still be in the service at 31 December 2015, and therefore not accounted for in the completion figures. Similarly, the completion figures may include defendants who commenced Life on Track from April to December 2014 and completed their contact with the program in 2015.

## Forum Sentencing

Offender Management and Programs, Corrective Services NSW, manages the Forum Sentencing program. Forum Sentencing is available to eligible adult offenders who have committed offences that expose them to the likely prospect of imprisonment. Certain offences, including serious violence and domestic violence offences and some regulatory driving offences, are excluded.

Forum Sentencing brings an offender and victim together with a facilitator, police officer, support people and others affected by an offence. The group discusses what occurred and the harm caused by the offence, and prepares an intervention plan that focuses on the offender repairing the harm caused to the affected parties.

The program is available post-plea and provides magistrates with another sentencing option. An intervention plan may be taken into account by the sentencing court. Completion of the plan may form part of the offender's sentence and include the making of an apology, cash payments, or other reparation to the victim; participation in an appropriate rehabilitative program; and other

measures aimed at repairing the harm caused and helping offenders address their offending behaviour.

Forum Sentencing currently operates at:

- Ballina
- Bankstown
- Bellingen
- Belmont
- Burwood
- Byron Bay
- Campbelltown
- Camden
- Casino
- Central
- Cessnock
- Coffs Harbour
- Dungog
- Fairfield Foster
- Gloucester
- Gosford
- Grafton
- Kempsey
- Kurri Kurri
- Kyogle
- Lismore
- Liverpool
- Macksville
- Maclean
- Maitland
- Moss Vale
- Mullumbimby
- Murwillumbah
- Muswellbrook
- Newcastle
- Newtown
- Parramatta
- Picton
- Port Macquarie
- Scone
- Singleton
- Sutherland
- Sydney Downing Centre
- Taree
- Toronto
- Tweed Heads
- Wauchope
- Waverley
- Woy Woy
- Wyong

In 2015, 289 offenders were referred to the program and 113 conferences took place.

Following significant reforms to the Forum Sentencing operating model in 2014, the new operating model places greater focus on victim engagement, and broadens the eligibility criteria to include offenders guilty of less serious offences. To date the reforms have resulted in greater victim participation and satisfaction by up to 70%.

Additional strategies are being undertaken in 2016 that aim to support an increase in referrals by increasing accessibility to the program, and streamlining operational functioning and practice for prompt responses to Local Courts regarding eligibility for participate.

## Circle Sentencing

Circle Sentencing is an alternative sentencing court for adult Aboriginal offenders who plead guilty or are found guilty in the Local Court. The Circle Sentencing program allows for input from the victim and offender, and directly involves Aboriginal people in the sentencing process, with the goal of empowering Aboriginal communities through their involvement.

As an alternative sentencing tool for NSW Magistrates, Circle Sentencing promotes the sharing of responsibility between the community and the criminal justice system. It attempts to address the causes of criminal behaviour and to develop solutions to issues raised, and also actively involves the community in solving its problems.

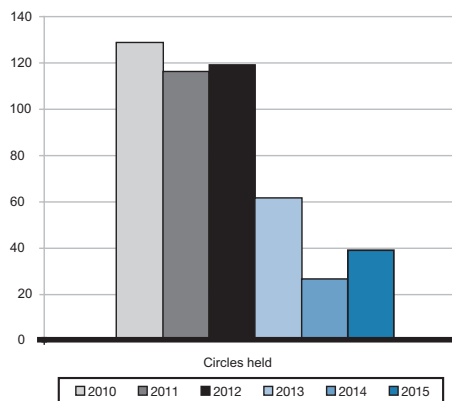
As set out in clause 10 of the Criminal Procedure Regulation 2010, the aims of Circle Sentencing are to:

- 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.

Circle Sentencing started in New South Wales in February 2002 in Nowra Local Court. In 2015, the program was available in Kempsey, Nambucca, Mt Druitt, Blacktown, Walgett, Nowra and Dubbo, and 39 Circle Sentencing matters were finalised.

Due to reductions in referrals to the program, the Aboriginal Services Unit is currently finalising a Circle Sentencing Improvement Project. The project includes changes to the Criminal

Procedure Regulation to increase options for offender assessment and to clarify roles and responsibilities of key partners. The project aims to reestablish Circle Sentencing in Bourke, Lismore and Armidale Local Courts where it has formerly operated, and explore its expansion in locations where there is an identified need.



## Statewide Community Court Liaison Services

The Statewide Community and Court Liaison Service assists the Local Court to appropriately manage people with psychiatric illnesses by providing full time mental health nurses at a number of Local Court locations, which enables early diagnosis of defendants and facilitates treatment in conjunction with progress through the criminal justice system.

SCCLS operated in 22 Local Court locations in 2015:

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

## Technology in the Local Court

In the 2014-15 financial year, 11,295 people were screened for mental health problems in court cells. Of this number, 2,760 received a comprehensive mental health assessment, of which 2,405 were found to have a mental illness.<sup>1</sup>

### Traffic Offender Intervention Program

The Traffic Offender Intervention Program (TOIP) is targeted at defendants who have pleaded guilty to, or been 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 Criminal Procedure Regulation 2010 provides for the referral of offenders to a TOIP. There are currently seven traffic course providers operating in 66 locations across the State to whom referrals may be made.

In 2015:

- 13,923 individuals participated in, and 12,049 individuals completed, a TOIP (86.5%).
- Driving with a prescribed concentration of alcohol (i.e. drink driving) represented the most frequent offence type (45% of offences).
- Other categories included speeding (21%) and licence infringement offences (14%) and regulatory offences (14%).
- The majority of participants (78%) were male, with the most frequent age group being those aged 20-24 years (24%).

### 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 courthouses, 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 2014/15, AVL was used to conduct approximately 38,000 appearances in the Local and Children's Courts, including 4,832 appearances at weekend bail courts. AVL facilities were available at 446 cross justice agency locations across the State, including 54 Local Court locations:

- Albury
- Armidale
- Bankstown
- Bateman's Bay
- Bathurst
- Bega
- Blacktown
- Bourke
- Broken Hill
- Burwood
- Campbelltown
- Central (Sydney)
- Cessnock
- Coffs Harbour
- Deniliquin
- Downing Centre (Sydney)
- Dubbo
- Fairfield
- Gosford
- Goulburn
- Grafton
- Griffith
- Hornsby
- Katoomba
- Lismore
- Liverpool
- Maitland
- Manly
- Moree
- Mount Druitt
- Newcastle
- Newtown
- Nowra
- Orange
- Parkes
- Parramatta
- Penrith
- Port Kembla
- Port Macquarie
- Queanbeyan
- Raymond Terrace
- Sutherland
- Tamworth
- Taree
- Toronto
- Tweed Heads
- Wagga Wagga
- Walgett
- Waverley
- Wellington
- Wentworth
- Wollongong
- Woy Woy
- Wyong

<sup>1</sup> Figures obtained from Justice Health & Forensic Mental Health Network

In 2015, six locations (Bega, Fairfield, Katoomba, Newtown, Queanbeyan and Toronto) received new AVL facilities, and technology upgrades were performed at 11 locations (Armidale, Central, Downing Centre, Gosford, Goulburn, Lismore, Newcastle, Port Macquarie, Tamworth, Wagga Wagga and Wollongong).

The *Justice AVL Consolidation Project* will continue to expand and upgrade AVL technology at court locations in 2016.

### Remote Witnesses

A total of 102 remote witness rooms are available at 88 court locations, allowing vulnerable witnesses to give evidence in sensitive matters (such as sexual assaults) from a remote location. This facility is highly utilised and provides some measure of comfort and security to victims of crime.

In 2015, remote witness facilities were used to allow:

- 1,520 witnesses to give evidence from an offsite location (an increase from 824 in 2014), and
- 924 witnesses to give evidence via a remote facility in a court complex, of which 279 were protected witnesses (an increase from 2014, in which 699 witnesses, 229 of whom were protected witnesses, gave evidence via remote witness facilities in a court complex).

### 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:

<https://onlineregistry.lawlink.nsw.gov.au/content/>

## 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)

NSW Police are able to file applications for AVOs electronically into JusticeLink, overcoming the need for manual processing by court registry staff. Information about court orders is also electronically submitted to police.

### Local Court website

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

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: <https://www.caselaw.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 for all magistrates. The program aims to inform judicial officers about changes to the law, community values, court practice and procedure in order to maintain and improve judicial performance.

The Local Court offers each magistrate a minimum five days of judicial education each year with an emphasis on practical and interactive sessions which relate directly to the daily work of magistrates. 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
- Specialised interactive workshops which encourage peer-based learning through discussion and problem-solving; and
- Pre-bench and orientation programs to assist recently-appointed magistrates 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.

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 Committee's Chair 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 magistrate. The overall ratings in 2015 (from an average response rate of 80%) reveal that magistrates find the Local Court's education program relevant and a useful source of knowledge and ideas. While 85% of participants said that the education program enhanced their knowledge and capability, only 1% of participants found that the program had little or no relevance to their work.

### Conferences and Seminars

During 2015, magistrates continued to receive specialised training tailored to meet their educational needs:

- Permanent magistrates attended 702 days of face-to-face judicial education, an average of 5.4 days per magistrate (exceeding the national standard for judicial professional development which recommends judicial officers attend 5 days of professional development activities each year)
- The Local Court Annual Conference was held over three days in July 2015 for all New South Wales magistrates. Topics included civil and criminal law updates, the *Evidence Act*, Islamic perspectives on Muslim behaviour in court, the Intensive Drug and Alcohol Treatment Program, identifying and managing cumulative stress and vicarious trauma, digital evidence, current trends in drugs and global developments in judicial integrity. The Annual Conference received a 94% satisfaction rating from participants, an improvement from 2014 (89%) and exceeding the target of 85%.
- 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 issues and challenges in coronial cases, recent developments in the Children's Court, civil law issues, sentencing, courtroom communication, managing AVO applications, an introduction to Evernote, the Alcohol Interlock Program, identifying evidence, security and complaints to the Judicial Commission. These programs overall received a 94% satisfaction rating from participants.
- Continuing the focus on skills development:
  - Four newly appointed magistrates attended a pre-bench training session designed to familiarise them with Local Court practice and procedure.
  - Eight magistrates attended a residential orientation program. This five-day residential program, which focuses on court craft and judicial skills for new magistrates, received a 94% satisfaction rating from participants.

- 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 visits organised by the Judicial Commission to St Heliers Correctional Centre, Jibbon Beach Rock Engravings and Bathurst, along with the seminars “Communicating with Aboriginal People in Court” and “Violence at Home is Everybody’s Business: Legal Responses to Family Violence”.

#### **Magistrates who attended the Ngara Yura Community Visit: St Heliers Correctional Centre**

- Her Honour Magistrate Vivien Swain
- Her Honour Magistrate Susan Duncombe
- Her Honour Magistrate Jennifer Atkinson
- His Honour Magistrate Michael Barko

#### **Magistrates who attended the Ngara Yura Twilight Seminar: Violence at Home is Everybody’s Business: Legal Responses to Family Violence**

- His Honour Judge Graeme Henson, Chief Magistrate
- His Honour Magistrate Michael Barko
- Her Honour Magistrate Jennifer Giles
- Her Honour Magistrate Megan Greenwood
- His Honour Magistrate Paul Mulroney
- Her Honour Magistrate Katherine Thompson
- His Honour Magistrate George Zdenkowski
- Her Honour Magistrate Susan Duncombe
- Her Honour Magistrate Elizabeth Ryan

#### **Magistrates who attended the Ngara Yura Field Trip to Jibbon Beach Rock Engravings**

- Her Honour Magistrate Beverley Schurr
- Her Honour Magistrate Eve Wynhausen
- Her Honour Magistrate Jacqueline Trad
- His Honour Magistrate Peter Bugden
- Her Honour Magistrate Jennifer Atkinson
- His Honour Magistrate Michael Antrum

#### **Magistrates who attended Ngara Yura Program Seminar: Communicating with Aboriginal People in Court**

- His Honour Magistrate Michael Connell

#### **Magistrates who attended the Ngara Yura Community Visit to Bathurst**

- His Honour Magistrate Michael Allen
- His Honour Magistrate Doug Dick
- Her Honour Magistrate Susan Duncombe
- Her Honour Magistrate Daphne Kok
- Her Honour Magistrate Margaret McGlynn
- Her Honour Magistrate Louise McManus

#### **Magistrates who attended Orientation**

- His Honour Magistrate Peter Barnett SC
- Her Honour Magistrate Claire Giroto
- Her Honour Magistrate Erin Kennedy
- His Honour Magistrate Philip Stewart
- Her Honour Magistrate Dominique Burns
- Her Honour Magistrate Tracy Sheedy
- His Honour Magistrate Michael Crompton
- His Honour Magistrate Gary Wilson

#### **Magistrate orientation in Papua New Guinea**

In 2015, the Local Court of NSW provided ongoing assistance in judicial education and professional development of newly appointed Magistrates in Papua New Guinea. Through a memorandum of understanding between the NSW Judicial Commission and the PNG Centre for Judicial Excellence, with funding provided by the Australian Government, a five day Orientation Program was presented in February 2015 at Port Moresby for 18 newly appointed PNG Magistrates.

The main program was presented by New South Wales Magistrates David Heilpern and Ian Guy, with assistance from Ms Kate Lumley from the Judicial Commission and senior PNG Magistrates.

The program covered such topics as judicial attributes and attitudes, dealing with unrepresented litigants, sentencing, decision making, judgment writing and court craft. The program was highly successful. The participants rated the program as 100% for usefulness and relevance to their daily work needs, 99% for content and materials and 98% for design and style.



## Legal education in the community and participation in external bodies

In 2015, 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 2015 are summarised below:

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### His Honour Judge Graeme Henson, Chief Magistrate

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#### Membership of organisations:

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Member, Judicial Commission of NSW

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Member, Uniform Rules Committee

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Member, Judicial Conference of Australia Executive Committee

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Member, University of Wollongong Faculty of Law Advisory Committee

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Member, Australian Catholic University Faculty of Law Advisory Committee

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#### Speaking engagements and other activities:

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Feb Address to Victims and Witnesses of Crime Court Support Group trainees, 'Sentencing in the Local Court'

---

Mar Address, Forbes chambers continuing legal education seminar, 'Reasonable cause'

---

May, Aug Address to Bar Readers, 'The Local Court'

---

Jun Address to Law Society of NSW Family Violence seminar

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Sep Judiciary Awareness Program

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Dec Presentation, Victims and Witnesses of Crime training day

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#### Conferences and events:

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Mar, Oct Council of Chief Magistrates

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Apr District Court of NSW Annual Conference

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### Her Honour Deputy Chief Magistrate Jane Mottley

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#### Membership of organisations:

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Member, Corrective Services NSW Women's Advisory Council

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Member, Corrective Services NSW Women's Advisory Council Miranda Project advisory group

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Member, Child Sexual Assault Taskforce

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Member, Ngara Yura Committee

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Member, JusticeLink Steering Committee

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Chair, Marine Appeals Tribunal

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#### Speaking engagements and other activities:

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May, Nov Presentation to NSW Police Prosecutors, domestic violence course

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### His Honour Deputy Chief Magistrate Christopher O'Brien

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#### Membership of organisations:

---

Judicial Commission of NSW Civil Trials Bench Book Committee

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Law Society of NSW Criminal Law Committee

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Standing Advisory Committee on Judicial Education

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Uniform Civil Procedure Rules Committee

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#### Speaking engagements and other activities:

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Jan Participant, Wingara Mura - Bunga Barrabugu Summer Program conducted by the University of Sydney Law School

---

Jan Presentation to Australian Catholic University students, 'The Local Court'

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May Address to MERIT workers

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Sep Presentation to Notre Dame University students, 'The Local Court'

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Oct Presentation to NSW Young Lawyers, 'Local Court advocacy'

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### His Honour Magistrate Michael Antrum

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#### Membership of organisations:

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Reserve – Australian Army Legal Corps

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Volunteer – NSW Rural Fire Service

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#### Speaking engagements and other activities:

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Nov St Benedict's Community Day Centre, Queanbeyan, meeting regarding court user support services

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Nov Participant, Snowy Ride for the Steven Walter Children's Cancer Foundation

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#### Conferences and events:

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Oct Attendee, Judicial Conference of Australia Symposium, Adelaide

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### His Honour Magistrate Glenn Bartley

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#### Speaking engagements and other activities:

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Coach, Sydney Boys High School team, 2015 Law Society Mock Trial Competition (reaching the final 16)

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### His Honour Magistrate Graham Blewitt AM

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#### Speaking engagements and other activities:

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Mentor, Sydney University Law School Mentoring Program

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Feb Speaker and moot court magistrate, Victims and Witnesses of Crime Court Support Group training course

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Feb Participant/interviewee, PhD research project – Crime, Deviance and Society; Prisons, Punishment and Criminal Justice; Juvenile Crime and Justice, University of Western Sydney

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May	Address to international law students, University of Wollongong – experiences as the Chief Deputy Prosecutor with the UN International Criminal Tribunal for the former Yugoslavia, 1994–2004
Jul	Chair, community and inter-agency forum on improving programs for the Aboriginal youth of the Nowra region
Aug	Presentation to the Legal Aid of NSW Care and Protection Conference, Sydney

#### **His Honour Magistrate Michael Connell**

##### **Conferences and events:**

Feb	Attendee, National Judicial College of Australia and ANU College of Law conference on Current Issues in Sentencing, Canberra
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#### **Her Honour Magistrate Robyn Denes**

##### **Membership of organisations:**

Member of the Executive, TS Lismore – navy cadets in Ballina

Member of Ballina Taekwondo

##### **Speaking engagements and other activities:**

Participant, Relay for Life

Participant, Westpac Helicopter fundraisers

#### **Her Honour Magistrate Sue Duncombe**

##### **Conferences and events:**

Feb	Presiding judicial officer, first ceremonial sitting of the first Pilot Youth Koori Court in NSW, Parramatta Children's Court
Sep	Presenter, Therapeutic Jurisprudence conference, New Zealand
Oct	Presenter, Aboriginal family law conference, Sydney

#### **His Honour Magistrate Andrew Eckhold**

##### **Membership of organisations:**

Section 154 Defence Force Discipline Act reporting officer

##### **Speaking engagements and other activities:**

May Address to Orana Law Society, 'Advocacy basics, a view from the Bench'

#### **His Honour Magistrate Geoff Hiatt**

##### **Membership of organisations:**

Chair, Australian Friends of Tandaza Inc

Chair, St Paul's Grammar School, Penrith

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### His Honour Magistrate Ross Hudson

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#### Membership of organisations:

Director, Board of St Michael's Golf Club, Sydney

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### His Honour Magistrate Michael O'Brien

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#### Membership of organisations:

Director, Board and Chair, Finance Committee of Oakhill College, Sydney

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Section 154 Defence Force Discipline Act reporting officer, holding the rank of Group Captain with the Office of the Judge Advocate General within the Department of Defence

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Mentor, RAAF Specialist Reserve mentor scheme for new legal officers

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Member, Moree book club

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Member, Inverell Golf Club

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#### Speaking engagements and other activities:

Apr Defence member participant, ANZAC Day march, Inverell

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### His Honour Magistrate Robert Rabbidge

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#### Speaking engagements and other activities:

May Speaker, NSW Justices Association 2015 State Conference of JPs

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### Her Honour Magistrate Karen Robinson

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#### Membership of organisations:

Member, Judicial Conference of Australia

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Member, Loreto Normanhurst Development Committee

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#### Speaking engagements and other activities:

Addresses to year 11 Legal Studies class, East Maitland High School and University of Newcastle law students

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Mar Participant, Coastrek 2015

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May Participant, Corporate Rowing Regatta

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Jul Participant, School Cycle Challenge Cambodia

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Aug Participant, City 2 Surf

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### Her Honour Magistrate Elizabeth Ryan

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#### Conferences and events:

Feb	Participant, visit to Reiby Juvenile Justice Centre Campbelltown
Oct	Participant, visit to Cobham Juvenile Justice Centre

#### Speaking engagements and other activities:

Coach, senior mock trial team, Pymble Ladies College

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### Her Honour Magistrate Karen Stafford

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#### Speaking engagements and other activities:

May-Sep	Guest speaker, University of New England Law Students' Society functions
Mar-Dec	Host of UNE final year law student interns, Armidale Local Court
Sep	Guest speaker, Armidale Chamber Women's Business Forum

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### His Honour Magistrate Philip Stewart

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#### Speaking engagements and other activities:

Nov	Tutor, court craft, for new Aboriginal Legal Service Lawyers, Bourke Local Court
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### Her Honour Magistrate Fiona Toose

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#### Membership of organisations:

Member, NSW Law Society Indigenous Issues Committee
Captain, Penrith Rowing Club
Board Member, RowingNSW
Accredited boat race official and rowing coach, RowingNSW
Masters Rower
Secretary, Penrith Schools' Boatshed Committee
Visiting lecturer/tutor, rowing for UWS Aquatics Program PDHPE Degree

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### His Honour Magistrate Theo Tsavdaridis

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Feb	Chair, Toongabbie Legal Centre Continuing Legal Education seminar, 'The Magna Carta's Legacy and the Rule of Law in NSW'
Mar	Visiting Speaker, University of Western Sydney, Careers in Law Seminar Series, 'Legal Practice Areas' and 'Choosing the Right Career'
Oct	Attendee, Law Society of NSW Annual Members' Dinner
Oct	Attendee, Judicial Conference of Australia Colloquium, Adelaide
Nov	Attendee, Toongabbie Legal Centre Annual Dinner

## Appendices

- The Court's time standards
- The Court's committees
- 2015 Court by Court statistics

## The Court's time standards

The Court aims to finalise its case load 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.

## The Court's committees

In 2015, committee members were:

### Local Court Rule Committee

His Honour Judge Graeme Henson,  
Chief Magistrate

Her Honour Deputy Chief Magistrate  
Jane Mottley

His Honour Deputy Chief Magistrate  
Christopher O'Brien

Mr Paul Hayes, Legal Aid Commission

Mr Warwick Hunt, Bar Association

Mr Michael McTegg, Local Court Registrar

Mr Stephen Olschlager, Local Court of NSW

Ms Johanna Pheils, Office of the Director of  
Public Prosecutions

Mr Marcel Savary, Justice Policy

Commander Tony Trichter, NSW Police

Ms Pauline Wright, Law Society

### Local Court Education Committee

Chair: His Honour Deputy Chief Magistrate  
Christopher O'Brien

Secretary: Ruth Windeler, Education Director,  
Judicial Commission of NSW

Her Honour Deputy Chief Magistrate  
Jane Mottley

His Honour Magistrate Roger Brown

His Honour Magistrate Geoffrey Dunlevy

Her Honour Magistrate Sharon Freund

His Honour Magistrate Gregory Grogan

His Honour Magistrate Ian Guy

His Honour Magistrate David Heilpern

Her Honour Magistrate Julie Huber

His Honour Magistrate Leslie Mabbutt

Her Honour Magistrate Janet Wahlquist

Ms Caterina Kim, Policy Officer  
(until 31 October 2015)

Ms Alison Passé-de Silva, Policy Officer  
(from 2 November 2015)

### Statute Law Revision and Procedures Committee

Chair: Her Honour Deputy Chief Magistrate  
Jane Mottley

His Honour Deputy Chief Magistrate  
Christopher O'Brien

Secretary: Ms Caterina Kim, Policy Officer  
(until 31 October 2015)

Ms Alison Passé-de Silva, Policy Officer  
(from 2 November 2015)

### Terms and Conditions of Service Committee

Chair: His Honour Judge Graeme Henson,  
Chief Magistrate

Secretary: Ms Jacinta Haywood, Executive Officer

Members: Her Honour Deputy Chief Magistrate Jane  
Mottley

His Honour Deputy Chief Magistrate  
Christopher O'Brien

Ms Caterina Kim, Policy Officer  
(until 31 October 2015)

Ms Alison Passé-de Silva, Policy Officer  
(from 2 November 2015)

### Ethics Committee (*ad hoc*)

Chair: His Honour Judge Graeme Henson,  
Chief Magistrate

Her Honour Deputy Chief Magistrate Jane Mottley

His Honour Deputy Chief Magistrate  
Christopher O'Brien

### Local Court Bench Book Committee

Chair: His Honour Deputy Chief Magistrate  
Christopher O'Brien

Her Honour Deputy Chief Magistrate Jane Mottley

Her Honour Magistrate Joan Baptie

Ms Roslyn Cook, Judicial Commission of NSW

Ms Caterina Kim, Policy Officer (until 31 October 2015)

Ms Alison Passé-de Silva, Policy Officer  
(from 2 November 2015)

### Court Security Committee

Chair: His Honour Judge Graeme Henson,  
Chief Magistrate

Her Honour Deputy Chief Magistrate Jane Mottley

His Honour Deputy Chief Magistrate Christopher  
O'Brien

His Honour Magistrate Michael Barnes, State Coroner

His Honour Magistrate Michael Antrum

His Honour Magistrate Leslie Mabbutt

Her Honour Magistrate Susan McIntyre



## 2015 Court by Court statistics

	New General Criminal Matters	Finalised General Criminal Matters		New General Criminal Matters	Finalised General Criminal Matters
Albion Park	1,448	1,451	Condobolin	226	217
Albury	3,556	3,752	Cooma	620	660
Armidale	1,315	1,282	Coonabarabran	336	320
Ballina	1,437	1,407	Coonamble	421	482
Balmain	884	1,086	Cootamundra	489	468
Balranald	176	181	Corowa	295	284
Bankstown	7,338	7,318	Cowra	794	758
Batemans Bay	1,086	1,079	Crookwell	40	41
Bathurst	1,971	1,954	Deniliquin	693	710
Bega	797	787	Dubbo	4,010	3,964
Bellingen	264	252	Dunedoo	49	53
Belmont	2,448	2,450	Dungog	115	112
Blacktown	7,626	7,754	East Maitland	10	10
Blayney	104	96	Eden	146	149
Boggabilla	305	306	Fairfield	6,599	6,482
Bombala	58	67	Finley	255	272
Bourke	1,101	1,164	Forbes	644	664
Brewarrina	303	350	Forster	1,387	1,369
Broken Hill	1,683	1,733	Gilgandra	314	305
Burwood	13,501	13,374	Glen Innes	450	474
Byron Bay	1,546	1,577	Gloucester	131	134
Camden	413	408	Gosford	5,176	5,015
Campbelltown	10,113	9,829	Goulburn	3,754	3,751
Casino	1,337	1,355	Grafton	1,682	1,664
Central	7,721	7,258	Grenfell	52	42
Cessnock	2,104	2,113	Griffith	2,651	2,535
Cobar	293	311	Gulgong	63	67
Coffs Harbour	4,010	3,841	Gundagai	270	279

	New General Criminal Matters	Finalised General Criminal Matters
Gunnedah	502	464
Hay	316	311
Hillston	81	78
Holbrook	118	102
Hornsby	2,967	2,476
Inverell	873	895
Junee	141	153
Katoomba	1,174	1,188
Kempsey	1,772	1,882
Kiama	997	963
Kogarah	1,445	2,002
Kurri Kurri	991	977
Kyogle	264	267
Lake Cargelligo	177	181
Leeton	718	718
Lightning Ridge	393	402
Lismore	4,789	4,658
Lithgow	1,190	1,157
Liverpool	11,302	11,261
Macksville	718	762
Maclean	634	641
Maitland	4,139	4,116
Manly	4,198	4,215
Milton	442	443
Moama	203	217
Moree	1,969	2,026
Moruya	325	333
Moss Vale	1,136	1,116

	New General Criminal Matters	Finalised General Criminal Matters
Mt Druitt	6,039	6,090
Mudgee	1,036	1,059
Mullumbimby	268	264
Mungindi	51	59
Murwillumbah	720	695
Muswellbrook	1,692	1,768
Narooma	287	284
Narrabri	685	767
Narrandera	443	444
Narromine	335	348
Newcastle	9,847	9,799
Newtown	4,591	4,530
North Sydney	887	1,174
Nowra	3,142	3,042
Nyngan	203	220
Oberon	77	86
Orange	2,923	2,920
Parkes	1,107	1,096
Parramatta	17,752	17,795
Peak Hill	113	103
Penrith	9,898	9,229
Picton	1,566	1,396
Port Kembla	9,123	9,184
Port Macquarie	2,617	2,612
Queanbeyan	2,162	2,251
Quirindi	334	328
Raymond Terrace	3,311	3,323
Ryde	12	43

	New General Criminal Matters	Finalised General Criminal Matters
Rylstone	78	91
Scone	377	407
Singleton	1,283	1,303
Sutherland	10,849	10,663
Sydney Downing Centre	27,358	26,575
Tamworth	3,602	3,514
Taree	2,699	2,602
Temora	217	232
Tenterfield	219	222
Toronto	3,569	3,544
Tumbarumba	75	67
Tumut	549	559
Tweed Heads	3,326	3,383
Wagga Wagga	4,268	4,261
Walcha	90	98
Walgett	851	846
Warialda	76	76
Warren	252	275
Wauchope	334	331
Waverley	7,178	7,142
Wee Waa	168	145
Wellington	646	631
Wentworth	792	836
West Wyalong	271	294
Wilcannia	263	273
Windsor	1,879	1,939
Wollongong	13	31

	New General Criminal Matters	Finalised General Criminal Matters
Woy Woy	1,010	977
Wyong	6,248	6,312
Yass	503	519
Young	742	793
<b>TOTAL</b>	<b>311,590</b>	<b>309,670</b>

Note: some courts' case loads were impacted by temporary closures:

- Wollongong: closed from July 2014 to February 2016 (workload to Albion Park, Kiama and Port Kembla)
- Hornsby: closed from June 2014 to January 2015 (workload to North Sydney, Bidura)
- Holbrook: closed until September 2015

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