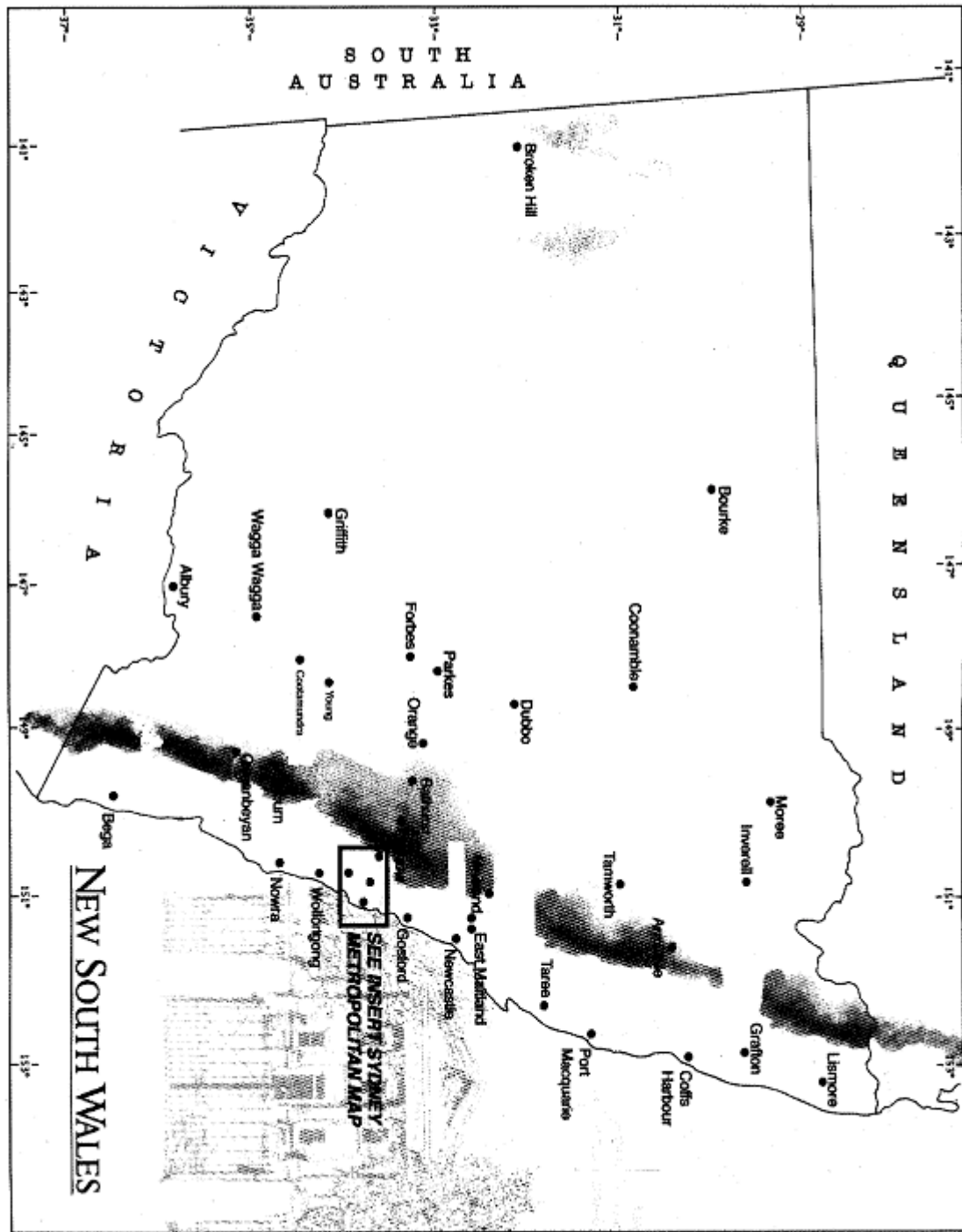


DISTRICT COURT
OF
NEW SOUTH WALES

ANNUAL REVIEW

2003





Chief Judge's Foreword	4	Criminal Jurisdiction	21
The Court	5	<i>Trials</i>	21
<i>History</i>	5	<i>Caseload</i>	21
<i>Jurisdiction</i>	5	- Centralised Committals	21
<i>Judiciary</i>	6	- Disposal Times	22
<i>Venues</i>	7	- Trial Durations	23
<i>Court Staff</i>	8	- Criminal Listing Practices	23
Strategic Plan	10	- Trial Listing Outcomes	24
<i>Civil Business Committee</i>	10	<i>Short Matters</i>	26
<i>Criminal Business Committee</i>	11	- Sentences	26
<i>Resources Committee</i>	11	- All Ground Appeals	26
<i>Professional Standards Committee</i>	11	- Sentence Appeals	27
Civil Jurisdiction	13	Judicial Resources	28
<i>New South Wales</i>	13	<i>Allocated Sittings</i>	28
<i>Caseload</i>	13	<i>Actual Sittings</i>	28
- Background	13	<i>Comparisons with 2002</i>	28
- Registrations	13	<i>Acting Judges</i>	28
- Disposals	13	<i>Table of Sittings</i>	29
- Pending	13	<i>Annexure A - Civil</i>	
- Disposal Times	14	(1) Caseload	31
<i>Case Management</i>	15	(2) Disposal Times	32
- Practice Note 33	15	<i>Annexure B - Criminal Caseload</i>	
- Civil Business Plan	15	(1) Trials	33
- Revised Practice Note 33	16	(2) Sentences	34
- Alternative Dispute Resolution	16	(3) All Grounds Appeals	35
- Future Issues Facing the Court	16	(4) Sentence Appeals	36
<i>Sydney</i>	17	<i>Annexure C - Criminal Disposal</i>	
<i>Caseload</i>	17	<i>Time Comparisons</i>	
- Registrations, Disposals & Pending	17	(1) Trials Registered	37
- Disposal Times	17	(2) Trials Finalised by Verdict	38
- Manner of Disposal	18	(3) Appeals and Sentences	39
- Civil Arbitration	18	<i>Annexure D - Court Committees</i>	40
<i>Sydney West</i>	20		
<i>Country</i>	20		

A decorative banner with a ribbon-like border containing the word "FOREWORD" in bold, uppercase letters.

FOREWORD

by
Chief Judge

A significant feature of the operations of the Court in 2003 was the continued decline in the number of civil statements of claim filed. The figures now available convince me that this decline is a direct result of capping legislation passed by the New South Wales Parliament. In 2001 in anticipation of that legislation, there was an upsurge of filings such that a record number of more than 20,000 statements of claim were filed. In 2002 that number dropped to less than 13,000 and in 2003 it dropped again to just under 8,000. There is no doubt that in the medium term there will be no increase in filings. The decrease in filings has been particularly acute in country regions and that will inevitably lead to a reduction in the length of country civil circuits. In the meantime the Court has been occupied disposing of the increased filings over the past few years and that process should be completed by the end of 2004.

The civil business of the Court continues to be conducted with a view to complying with the time standards and the reports by the Productivity Commission indicate the results are meeting the national standards. It is also worthy of note that 12,931 civil cases were finalised in the Court during 2003 and during the year only 226 appeals were lodged to the Court of Appeal. This underlines the fact that over the past seven years since the case managed system was introduced less than 1% of the cases finalised result in a successful appeal.

I am pleased to report that the criminal business of the Court remains under control and there is significant compliance with the time standards adopted by the Court. A national benchmark for criminal cases has been set and that standard states that no more than 10% of criminal lodgements pending completion should be more than 12 months old. The latest Productivity Commission report indicated that the New South Wales District Court was the only jurisdiction that complied with that national standard. Bearing in mind that the District Court in New South Wales

deals with by far the largest number of serious cases of any court in Australia, this has been a very significant achievement. The Court will continue to focus on maintaining that level of efficiency in the future.

The challenge ahead for the year 2004 will include the absorption of the judges of the Compensation Court. Training programmes and manuals have been prepared and I anticipate a comfortable transition of the judges from the Compensation Court into the District Court. The Court through its Education Committee will continue with its programmes to improve the quality of judgments including the continuous revision of manuals, lunchtime seminars and, in conjunction with the Judicial Commission, twilight seminars, computer training and the annual two day conference.

Another challenge for the Court is the reduction in revenue caused by the reduction in civil filings. This has resulted in a reduction in the budget of the Court which in turn has had an adverse impact on the capacity of the Court to use retired judges where necessary to maintain the desired level of sittings. This could have a serious impact on the efficiency of the Court in the future.

The Honourable Justice R O Blanch
Chief Judge

THE DISTRICT COURT

HISTORY

By the middle of 19th Century the court system in New South Wales consisted of:

- The Supreme Court of New South Wales which, under the Third Charter of Justice sealed in 1823, had a criminal and civil jurisdiction similar to that of the superior Courts of England;
- Courts of General and Quarter Sessions which could deal with “crimes and misdemeanours not punishable by death”;
- Courts of Requests in Sydney and the County of Cumberland, with a civil jurisdiction not exceeding £10; and
- Courts of Petty Sessions, which primarily dealt with summary criminal matters and had a very limited civil jurisdiction.

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

By the mid 1850's there were calls for a revision of the court system, to meet the growing needs of the Colony. As a result, the District Court Act 1858 was passed.

This Act established District Courts, as courts of records, to be held at proclaimed places and divided the Colony into Districts. The purpose of the Act was briefly described in *The Practice of the District Courts of NSW by W.J. Foster and C.E.R. Murray (Sydney, 1870)*, as follows:

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

business which the rapid progress of the colony had lately engendered.

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

The Act remained in force until the District Court Act 1973. This abolished the District Courts and Courts of Quarter Sessions and established the District Court of New South Wales, with a state-wide criminal and civil jurisdiction.

JURISDICTION

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

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

In its civil jurisdiction the Court may deal with:

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

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

The Court is also empowered to deal with applications under the *De Facto Relationships Act 1984*, the *Family Provisions Act 1982* and the *Testator Family Maintenance and Guardianship of Infants Act 1916* that involve amounts, or property to the value of, not more than \$250,000.

JUDICIARY

Section 12 of the District Court Act 1973 provides that the Court shall be composed of a Chief Judge and such other Judges as the Governor may from time to time appoint.

The following were the Judges of the Court as at 31 December 2003.

CHIEF JUDGE

The Honourable Justice Reginald Oliver Blanch

JUDGES

His Honour Judge Harvey Leslie Cooper
His Honour Judge John Cecil McGuire
His Honour Judge Kenneth Peter Shadbolt
His Honour Judge Ronald Herbert Solomon
His Honour Judge Geoffrey John Graham
His Honour Judge David James Freeman
His Honour Judge Joseph Bede Phelan
His Honour Judge William Harwood Knight
His Honour Judge Paul David Urquhart, Q.C.
His Honour Judge John Roscoe Nield
His Honour Judge Graham Hamlyn Traill Armitage, Q.C.
His Honour Judge Kenneth Victor Taylor, A.M., R.F.D.
Her Honour Judge Angela Jeanne Stirling Karpin
His Honour Judge Anthony Frederick Garling
His Honour Judge David Louthean Patten
His Honour Judge Philip Adrian Twigg, Q.C.
His Honour Judge John Kevin O'Reilly, Q.C.
His Honour Judge Philip Ronald Bell
His Honour Judge Brian Ross Maguire, Q.C.
His Honour Judge Terence Joseph Christie, Q.C.
Her Honour Judge Cecily Elizabeth Backhouse, Q.C.
Her Honour Judge Margaret Sidis
His Honour Judge Christopher John George Robison
Her Honour Judge Robyn Christine Tupman

His Honour Judge Robert William Bellear
Her Honour Judge Helen Gay Murrell, S.C.
Her Honour Judge Deborah June Payne
His Honour Judge Martin Langford Sides, Q.C.
His Honour Judge Robert Keleman, S.C.
Her Honour Judge Ann Margaret Ainslie-Wallace
His Honour Judge Terence Fenwick Marley Naughton, Q.C.
His Honour Judge Colin Phegan
His Honour Judge Ian John Dodd
His Honour Judge Gregory David Woods, Q.C.
His Honour Judge Anthony Francis Puckeridge, Q.C.
His Honour Judge John Lester Goldring
Her Honour Judge Helen Jane Morgan
His Honour Judge Norman Edward Delaney
His Honour Judge Jonathan Steuart Williams
Her Honour Judge Megan Fay Latham
His Honour Judge Kevin Patrick O'Connor, A.M.
Her Honour Judge Jennifer Anne English
Her Honour Judge Susan Jennifer Gibb
His Honour Judge Gregory Scott Hosking, S.C.
His Honour Judge Ralph Coolahan
His Honour Judge Kevin Peter Coorey
His Honour Judge Richard Anthony Rolfe
His Honour Judge Derek Michael Price
His Honour Judge James Walter Black, Q.C.
His Honour Judge Robert Arthur Sorby
His Honour Judge Stephen Ronald Norrish, Q.C.
Her Honour Judge Audrey Suzanne Balla
His Honour Judge Michael John Finnane, R.F.D., Q.C.
Her Honour Judge Penelope Jane Hock
Her Honour Judge Judith Clare Gibson
His Honour Judge John Cecil Nicholson, Q.C.
His Honour Judge Stephen Lewis Walmsley, Q.C.
His Honour Judge Nigel Geoffrey Rein, S.C.
His Honour Judge Anthony Martin Blackmore, SC
His Honour Judge Colin Emmett O'Connor, Q.C.
His Honour Judge Peter Graeme Berman, S.C.
His Honour Judge Raymond Patrick McLoughlin, S.C.
His Honour Judge Colin David Charteris, S.C.
His Honour Judge Roy David Ellis

JUDICIAL APPOINTMENTS DURING 2003

The following Judges were appointed during 2003 on the dates indicated in brackets after their name:

His Honour Judge Raymond Patrick McLoughlin, S.C. (17 February, 2003)
 His Honour Judge Colin David Charteris, S.C. (1 March 2003)
 His Honour Judge Brian Ross Maguire (18 July 2003)
 His Honour Judge Roy David Ellis (11 August 2003)

JUDICIAL RETIREMENTS DURING 2003

The following Judges retired during 2003 on the dates indicated in brackets after their name:

His Honour Judge William Thomas Ducker (31 January 2003)
 His Honour Judge Barrie Richard Kinchington, Q.C. (1 March 2003)
 His Honour Judge Joseph Xavier Gibson, Q.C. (18 July 2003)
 His Honour Judge Peter Evan Coleman, Q.C. (11 August 2003)

OTHER APPOINTMENTS DURING 2003

His Honour Judge Kevin Patrick O'Connor, A.M., held the appointment of President of the Administrative Decisions Tribunal of New South Wales.

His Honour Judge Derek Michael Price held the appointment of Chief Magistrate of the Local Courts of New South Wales.

His Honour Judge Kenneth Victor Taylor, A.M., R.F.D., held the appointment of Deputy Judge Advocate General of the Australian Defence Force.

ACTING JUDGES DURING 2003

Section 18 of the District Court Act 1973 provides that the Governor may appoint a person to act as a Judge for a time not exceeding 12 months. The following people held a Commission as an Acting Judge during the course of 2003:

Mr Warwick John Andrew, C.B.E.
 Mr Ian Phillip Barnett
 Mr Ian Sautelle Bowden
 Mr Clifford James Boyd-Boland
 Dr Leroy Certoma
 Emeritus Professor Michael Rainsford
 Chesterman
 Mr Peter Evan Coleman, Q.C.
 The Honourable Jerrold Sydney Cripps, Q.C.
 Mr Alexander Philip Stuart Dalgleish, Q.C.
 Mr Thomas Swanson Davidson, Q.C.
 Mr William Thomas Ducker
 Emeritus Professor Helen Elizabeth Craig
 Gamble
 Mr Joseph Xavier Gibson, Q.C.
 Mr Peter Rex Grogan
 Mr Brian John Herron, Q.C.
 Mr Alan Eugene Hogan
 The Honourable Walter John Holt, Q.C.
 Mr William Delbridge Hosking, Q.C.
 The Honourable Barrie Clive Hungerford, Q.C.
 Mr Richard William Job, Q.C.
 Mr Barrie Richard Kinchington, Q.C.
 Mr Frederick Angus Kirkham
 Mr Barry Edmund Mahoney, Q.C.
 Mr Neil James Harley Milson
 Mr Joseph Anthony Moore
 Mr Brian Francis Murray, Q.C.
 The Honourable John Anthony Nader, R.F.D., Q.C.
 Mr Edward Alton Mawdsley Nash
 Ms Jillian Mary Orchiston
 Mr George Richard Rummery, Q.C.
 Mr David Sydney Shillington, Q.C.
 The Honourable Donald Gerard Stewart
 Mr Michael Alan Viney, Q.C.
 Mr Brian Cecil Maclaren Wall, Q.C.
 Sir Robert Kynnersley Woods, C.B.E.

VENUES

In 2003 the Court sat permanently in Sydney at the Downing Centre, 143-147 Liverpool Street, Sydney (in crime), where it occupies 16 courtrooms, and at the John Maddison Tower, 86 Goulburn Street, Sydney (in civil), where it occupies 20 courtrooms.

In Sydney West, Judges sat full-time in the Court Houses at Parramatta (4 courtrooms), Penrith (3 courtrooms) and Campbelltown (4 courtrooms). In addition, continuous sittings

were conducted at Newcastle, Gosford, Wollongong and Lismore.

The proclaimed places where the Court may sit and where there is a registrar, are as follows (those places in italics are where the Court did not sit in either of its jurisdictions during 2003):

Albury, Armidale, Bathurst, Bega, Bourke, *Braidwood*, Broken Hill, Campbelltown, *Casino*, *Cessnock*, *Cobar*, Coffs Harbour, *Condobolin*, *Cooma*, Coonamble, Cootamundra, *Corowa*, *Cowra*, *Deniliquin*, Dubbo, East Maitland, Forbes, *Glen Innes*, Gosford, Goulburn, Grafton, Griffith, *Gundagai*, *Gunnedah*, *Hay*, Inverell, *Kempsey*, *Leeton*, Lismore, Lithgow, *Liverpool*, Maitland, Moree, *Moruya*, *Moss Vale*, *Mudgee*, *Murwillumbah*, *Muswellbrook*, *Narrabri*, *Narrandera*, Newcastle, Nowra, *Nyngan*, Orange, Parkes, Parramatta, Penrith, Port Macquarie, Queanbeyan, *Quirindi*, *Scone*, *Singleton*, Sydney, Tamworth, Taree, *Tumut*, Wagga Wagga, *Walgett*, *Wellington*, *Wentworth*, Wollongong, *Wyalong*, Yass, *Young*.

COURT STAFF

ATTORNEY GENERAL'S DEPARTMENT

Although the Court is constituted by its judiciary, there is close collaboration with the Court's staff to ensure efficient and effective operations. These staff members are officers of the Attorney General's Department, which provides the Court with the necessary corporate, financial, administrative, registry and other support services.

The head of the Department is Mr Laurie Glanfield, Director General.

Mr Tim McGrath is the Assistant Director General, Courts and Tribunals.

PRINCIPAL COURTS ADMINISTRATOR (DISTRICT COURT)

Mr Peter Ryan was the Acting Principal Courts Administrator during the year until Mr Craig Smith was appointed the Principal Courts Administrator on 8 December 2003.

The Principal Courts Administrator is responsible for all the Court's administrative operations on a state-wide basis. He is the focal point for the delivery of Departmental services to the Court and for promoting and maintaining a collaborative approach with the judiciary in the effective management of the Court.

He oversees the provision of the registry services to the Court. He ensures that Government and Court policy are effectively implemented and proper objectives for the Court and Department are achieved.

In addition, the Principal Courts Administrator ensures that the various component offices of the Court operate to maximum efficiency and that proper judicial, departmental and community expectations and needs are met effectively.

As at 31 December 2003, the Principal Courts Administrator is directly assisted by:

Policy Officer: Ken Sims
Executive Assistant: Monique Davis

SYDNEY REGISTRARS

The Registrar and Assistant Registrars exercise quasi-judicial powers relating to interlocutory applications, review of matters under case management and conducting status conferences, call-over of matters awaiting hearing, the examination of judgment debtors, the return of subpoenas and providing procedural advice to the legal profession and the public. They also assist the Judges in case management of the lists.

As at 31 December 2003 the Registrars were:

Registrar: Craig Smith
Assistant Registrars: Tony Grew
Mark Fukuda-Oddie
Anna Liounis

RESOURCES UNIT

The Resources Unit provides direct support, by means of administrative and technological services, to the Judges of the Court and the Principal Courts Administrator. The Manager of

the Unit is also responsible for over-sighting budget and accounting processes, as well as the administration and use of resources provided to the Court, including Associates and Tipstaves.

Manager Resources: Bill Coombs

COURT RESULTS AND PERFORMANCE

The Court Results and Performance Unit prepares statistical and other strategic information on the Court's performance and management of its caseload.

Manager, Court Results
and Performance: Jason McDonald

REGISTRY OFFICE

The Registry Office provides administrative and clerical support to the Court, in a close partnership with the judiciary. It is co-located in the John Maddison Tower and the Downing Centre and consists of a number of components.

A restructure of the Registry commenced in 2001. The focus of this restructure was to:

- implement improved case management and listing practices to ensure the timely disposition of cases coming before the Court
- provide superior and more responsive services in meeting client needs
- facilitate better support services for the judiciary.

This process continued through 2002, during which time recruitment action for most of the senior positions were finalised. Recruitment action for the remainder of the Registry was finalised in 2003.

At 31st December 2003 the Registry consisted of:

Registry Manager (Acting): Kylie Nicholls

CIVIL CASE MANAGEMENT AND LISTING - implements civil case management and listing practices for the timely disposition of cases coming before the Court in accordance with the Court's timetable; schedules cases; prepares

lists and allocates courtrooms.

Manager, Civil Case
Management and Listing: Jane Dunn

CRIMINAL LISTINGS AND JUDICIAL ARRANGEMENTS - schedules cases in accordance with Court policy; prepares lists; allocates courtrooms; and co-ordinates the assignment of judges to venues throughout the State.

Manager, Criminal Listings
and Judicial Arrangements: Rob Fornito

CLIENT SERVICES - provide registration, counter, information and enquiry services, undertake post-hearing procedures (including giving effect to Court decisions) and the tracking and storage of files, exhibits and subpoenaed material.

Managers (Acting), Joanne Milne
Client Services: Jan Burge-Lopez

REGISTRIES OUTSIDE OF SYDNEY

The Clerk of the Local Court at all proclaimed District Court places outside of Sydney is also the Registrar of the District Court.

The Sydney Registrar is authorised, for certain purposes, to exercise concurrently the powers of these Registrars. The Registry Manager, Sydney, who is also the Director of Criminal Listings for the State, monitors and gives directions where appropriate, to these Registrars.

The Court has established regional registries for its criminal jurisdiction. Again, these are staffed by officers of the Local Court and are located at Newcastle, Wollongong, Lismore, Dubbo and Wagga Wagga.

STRATEGIC PLAN

The Court introduced its inaugural Strategic Plan in July 1995. Basically, this was a statement from an independent judiciary to the community on how the Court would exercise the authority entrusted to it and how it would account for carrying out its functions.

Under this plan, the Court identified its primary goals as:

- **Access** - to ensure that the Court is accessible to the public and those who need to use its services.
- **Case Management** - to discharge the Court's responsibilities in an orderly, cost effective and expeditious manner.
- **Equality and Fairness** - to provide to all equal protection of the law.
- **Independence and Accountability** - to promote and protect the independence of the Judges of the Court and account for the performance of the Court and its use of public funds.
- **Professionalism** - to encourage excellence in the functioning of the Court.

In 2000, the Court issued its second Strategic Plan. The aim of this was to improve upon the first plan, assisted by the experience gained over the previous 5 years.

As in the past, the Policy and Planning Committee represents the Judges of the Court and reviews any advice, information or proposals referred to it by other court committees. It also provides advice to the Chief Judge on matters relating to administration.

In addition to the Policy and Planning Committee, the second Strategic Plan established four major working committees - the Criminal Business Committee, the Civil Business Committee, the Professional Standards Committee and the Resources Committee. Each of these Committees has developed a business plan, which form part of the overall strategic plan of the Court.

CIVIL BUSINESS COMMITTEE

Terms of Reference

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

Meetings Held

The Committee met on 4 occasions during the year.

Activities

1. The listing of motions before the Court was reviewed with significant improvements being achieved in reducing the number of "not reached" matters.
2. The readiness of parties to proceed to a hearing at Status Conference is a matter of concern. In an attempt to ensure that practitioners are preparing their cases for hearing in a timely manner, it has been recommended that a Judicial Registrar be appointed. The Judicial Registrars will basically be involved in case management and hearing motions.
3. The number of long matters in the list (ie. matters requiring a hearing of 5 or more days) is also a matter of concern. There is no simple solution to this problem and action will continue to be taken to list as many of these matters each week as judicial resources will permit. Fortunately, the Court has been reasonably successful so far, although this is creating a substantial drain on available Judge time.
4. Plans have been put into place for the transition of Judges and the absorption of the residual work from the Compensation Court into the District Court.

5. A Civil List Guideline for Judges has been developed and prepared. These Guidelines are in the process of being printed in a lose-leaf format for distribution to Judges within the Court.
6. Meetings have been held with Arbitrators and protocols have been implemented to ensure:
 - ◆ arbitration hearings proceed in list order
 - ◆ reserved awards are delivered in a timely manner.

CRIMINAL BUSINESS COMMITTEE

Terms of Reference

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

Meetings Held

Consultation with court users is carried out through the Criminal Listing Review Committee which met on 3 occasions during the year

Activities

1. Commenced work on a guide to the organization of the criminal courts for the assistance of Judges. The guide will include shortened directions, a sentencing guide and practice notes.
2. Assisted in the establishment of a child sexual assault jurisdiction pilot.
3. Prepared for the implementation of Courtlink (the new state-wide multi-jurisdictional computerized case management system).
4. Maintained a collaborative approach in its partnership with the Court's stakeholders in its criminal jurisdiction.
5. Continued to monitor listing practices and compliance with criminal time standards. The Court's success in this regard is reflected in the "2003 Report on Government Services", published by the Australian Productivity Commission which noted that it was the only jurisdiction in Australia to meet the national standard of less than 10% for criminal cases exceeding 12 months.

RESOURCES COMMITTEE

Terms of Reference

To establish and maintain effective linkages with the Attorney General's Department and other Agencies so as to ensure that the Court is appropriately resourced to achieve its primary goals.

Activities

1. Continued its development of a strategic blueprint for the provision of reporting services to the Court, including work on re-establishing a service level agreement, developing a "report card" detailing progress towards targets and revising transcript delivery time-frames.
2. Maintained progress in library services, including reducing the number of hard copies and increasing access to e-library services.
3. Involved in major capital works, eg. Nowra District Court, new Short Matters Court at Downing Centre and Child Sexual Assault Project in Sydney West.
4. Continued to prepare for the ultimate migration to Courtlink (the new statewide multi-jurisdictional computer case management system), as well as ensure the continued efficiency of the existing computer data bases.

PROFESSIONAL STANDARDS (EDUCATION) COMMITTEE

Terms of Reference

1. Develop mechanisms for the prompt dissemination of information to Judges about relevant legal developments
2. Provide programmes for continuing education
3. Establish induction/training procedures for new Judges and Acting Judges
4. Develop a mentoring program for Judges
5. Identify and instigate methods for improving courtroom management to enable the Court to promote itself as a body of high standing and diverse jurisdiction.

Activities

1. The Annual Conference was held at The Crowne Plaza, Terrigal on 22 and 23 April 2003. The Conference is structured to allow time for social contact between Court members and time for relaxation as well as sessions of relevance to their judicial role. As in previous years, the topics included both Criminal and Civil Law updates and a review of decisions by the Court of Appeal. Topics of general and specific interest made up the remainder of the programme. The sessions included:
 - Criminal Law Update including the Commonwealth Criminal Code presented by Justice Howie.
 - Recurring Themes presented by President Mason AC.
 - Civil Law Update (with focus on the Civil Liability Act) presented by Judge Goldring and Judge Sidis.
 - Aboriginal Issues presented by Dr Mick Dodson AM.
 - The Administrative Decisions Tribunal presented by Judge O'Connor.
2. Papers submitted by presenters are made available to all participants in both hard copy and in electronic form.
3. Three members of the Court attended the National Judicial Orientation Programme at the Crowne Plaza, Coogee Beach in October 2003. The Programme for newly appointed judges was developed by the Judicial Commission of New South Wales, the Australian Institute of Judicial Administration (AIJA) and is run by the Judicial Commission, the AIJA and the National Judicial College of Australia.
4. Judges attended a number of twilight sessions at the Judicial Commission relating to diverse topics including Child Sexual Assault and Sentencing Mothers with Babies.

CIVIL JURISDICTION

Full statistical data on the Court's civil operations is set out in Annexures A(1) and (2).

NEW SOUTH WALES

CASELOAD

Explanatory Background

Comparing registrations and finalisations is not an exact science. For example, a matter in the course of its life may, for various reasons, be registered more than once. Multiple parties and cross actions can further affect the equation. Cases determined at arbitration can be re-heard. A matter previously dismissed can be restored or a retrial may be ordered. Further, actions may be transferred between registries, which can complicate matters as each registry has its own registration numbering system. Registries also conduct stock-takes of cases on hand during the course of the year, with pending statistics being adjusted as necessary.

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

Registrations

There were 7,912 matters registered in 2003, compared to 12,686 matters registered in 2002 and 20,784 in 2001.

The marked decrease in registrations began in the second half of 2002, after the commencement of legislative changes aimed at reducing civil litigation in personal injuries cases and carried over into 2003.

In last year's report it was suggested that it is too early to determine whether the reduction in registrations was the result of:

- ◆ the effectiveness of the legislation itself in achieving its aim; and/or

- ◆ the legislation causing an early rush of filings before its commencement, thus depleting the cases which practitioners later had on hand to file.

Although the latter has no doubt had some effect, it now seems clear that the legislative amendments have reduced the number of new matters being commenced. However, it will still be a little while before the full impact of the trends can be properly assessed.

Disposals

The number of dispositions in 2003 was 12,931, compared to 16,857 in 2002 and 14,224 in 2001.

This decrease is due to the nature of the Court's civil work.

The remaining backlog of contested matters commenced prior to the legislative change and the matters commenced since, are requiring more hearing time. The cases coming before the Court are more complex, less likely to settle and fewer are suitable for arbitration. For example, Figure 5 on page 18 shows the rise in the ratio in Sydney of all disposals by way of court determination against the drop in disposals by settlement during 2003, as compared to 2002.

Pending

During 2003 a system error was identified which had the effect of inflating the pending caseload. To correct the problem a manual stocktake of all matters on hand at the end of 2003 was undertaken.

The confirmed pending caseload at the end of 2003 was 9,104.

Figure 1 overleaf tracks the Court's caseload since 1996. Table 1 below the graph lists the major factors that have influenced the caseload.

Figure 1. NSW Civil Caseload

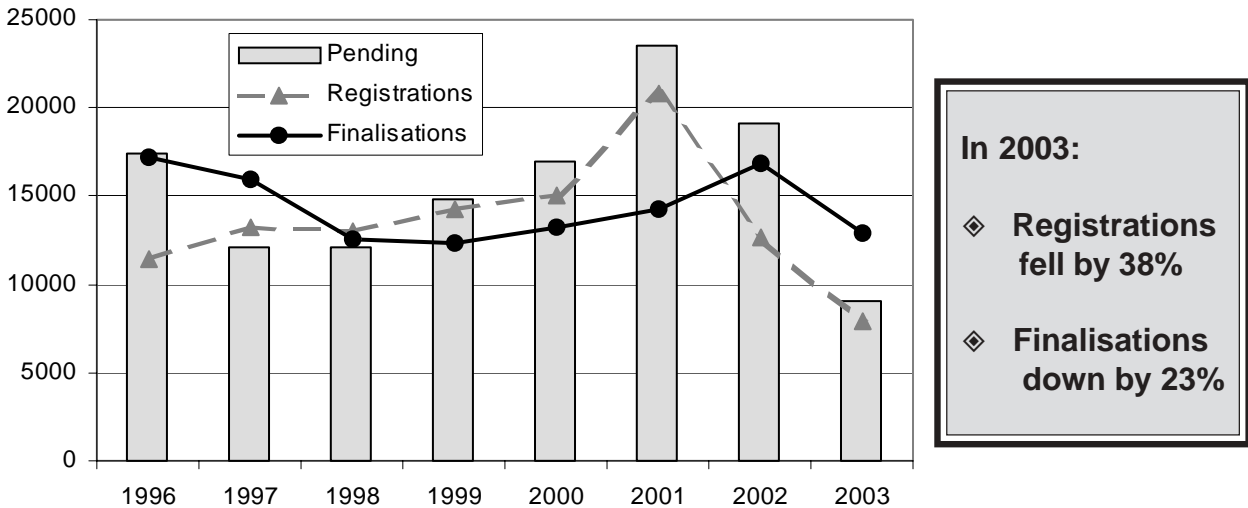


Table 1. Factors Influencing the Civil Caseload

Year	Influencing Factor
1996	With the commencement of case management, a concerted effort was made by the Court during the first 18 months of case management to dispose of pre-1996 matters. These efforts quickly eliminated many of the matters which had remained inactive, resulting in a high disposal rate.
1997	The Court's jurisdiction was increased in July (Note: the figures in the graph do not include some 3,000 matters transferred from the Supreme Court prior to 30 June 1998, for which special arrangements had been made).
1997	There was a marked increase in registrations at the end of 1997, due to Part 12 rule 4C of the District Court Rules taking effect (ie. action commenced prior to 1 January 1996 deemed dismissed if the Praeceptum for Trial not filed before 1 January 1998).
1999	Motor Accidents Compensation Act 1999 commenced, limiting access to the Court in relation to motor accident claims. The impact of these amendments has been a gradual (although substantial) reduction in these types of claims, which formerly represented a significant proportion of the Court's caseload.
2001	Legislative changes in relation to claims arising out of work related accidents and medical negligence, prompted a rush of filings during the year.
2002	Further legislative changes aimed at reducing civil litigation (personal injuries claims) prompted another rush of filings in the first half of the year, with a marked drop occurring in the second half after the amendments became effective.
2003	A significant decrease in the number of matters suitable for arbitration (as a result of legislative amendments in 1999, 2001 and 2002) reduced the Court's capacity to finalise actions through this quick and inexpensive alternative dispute resolution mechanism.

Disposal Times

In 2003, 39% of all actions completed were finalised within 12 months, with 85% being completed within 24 months. This compares to 57% and 92%, respectively, in 2002.

The median finalisation time rose from 11.3 months to 14.4 months.

27% of all pending cases at the close of 2003 exceeded 18 months, compared to 13% in 2002.

As mentioned earlier, the nature of the Court's caseload has changed. The higher ratio of matters requiring a determination following a hearing and the decrease in the settlement rate, have acted together to inflate the Court's disposal times.

CASE MANAGEMENT

On 6 December 1995, the Chief Judge introduced a procedure of case management in the Court's civil jurisdiction. The new procedure was contained in Practice Note 33. The Court took control of all contested civil actions commenced after 31 December 1995 from the time the action was instigated.

Prior to this, parties drove the progress of a case. After initiating an action (generally by filing a Statement of Claim) nothing happened until such time as the plaintiff filed a Praecipe for Trial. Even after this occurred, it was common for an action to be stood over generally due to the inaction of a party, or that party's legal representative. This ultimately led to a situation where the Court's list was made up of active, inactive and dormant matters, the status of which in many cases was unknown.

Practice Note 33

Practice Note 33 heralded the introduction of case management. It abolished Praecipies for Trial. Actions were no longer to be stood over generally, but would always be adjourned to a specific date. It implemented a timetable with which parties must comply and actions were not to commence until they were ready to meet those requirements. This timetable prescribed a Review date and a Status Conference date, 5 and 7 months respectively after filing of the Statement of Claim.

Civil Business Committee's Plan

In 2000, the Court established a Civil Business Committee. Under that Committee's plan the Court's business is to be conducted in accordance with the following standards:

- ◆ 90% of cases disposed of within 12 months of initiation and 100% within 2 years, apart from exception cases in which continuing review should occur;
- ◆ deferred cases which cannot comply with the time standard are included in a list by order of a Judge and its status reviewed regularly;
- ◆ all cases are to be offered a hearing date within 12 months of initiation;
- ◆ motions are to be offered a hearing date within 2 months, or if they are filed in the

long motions list a hearing date within 3 months of filing;

- ◆ not reached cases are to be offered the next available dates for hearing not more than 3 months after the not reached hearing date and will be given priority on that date;
- ◆ rehearings from arbitrations are to be offered the next available hearing date and must take a date within 6 months of the application being filed.

The business plan also prescribes that cases are to comply with Practice Note 33, and if not would be subject to the orders set out therein. In addition:

- ◆ any case not allocated a hearing date within 18 months of commencement will be listed before a Judge to show cause why the action or defence should not be dismissed;
- ◆ any case not allocated a hearing date within 2 years of commencement can expect to be dismissed unless a Judge has extended the time for allocation of a hearing date within the 2 year period;
- ◆ long motions not fixed for hearing within 6 months of filing to be dismissed unless a Judge extends the time;
- ◆ arbitration rehearing not fixed within 6 months of filing to be dismissed, unless a Judge extends the time;
- ◆ transferred cases to be listed before a Registrar within 3 weeks, and if not listed for hearing after two call-overs, to be referred to the List Judge to show cause;
- ◆ matters not ready to be listed for hearing at a Status Conference and one subsequent further call-over, to be referred to the List Judge to show cause
- ◆ failure to comply with orders of the Court may result in dismissal on first failure, and will result in dismissal on second failure;
- ◆ all cases suitable for arbitration will be so fixed.

Cases will not be listed for hearing unless they are ready for hearing. It is the responsibility of the legal advisers to ascertain the availability of their clients and witnesses before a hearing date is taken. Accordingly:

- ◆ cases will not be adjourned, except in exceptional circumstances;
- ◆ applications for adjournment will generally not be heard on the day of hearing;

- ◆ where appropriate, cost orders will be made in a sum of money payable within a nominated time and legal practitioners may be called upon to show cause why they should not personally pay the costs ordered.

Cases not listed before a Judge on the hearing date will be listed before the List Judge in the reserve hearing list.

Revised Practice Note 33

During 2001 and the first half of 2002, there was a marked increase in the civil caseload, mainly due to legislative changes. In an attempt to address the situation, the Court reviewed its civil case management strategy and reissued Practice Note 33, effective from 1 January 2002.

The revised Practice Note continued the emphasis on early preparation of cases and of case management generally. Overall, it was designed to further assist the Court in meeting its time standards and there was considerable consultation with the legal profession and other interested bodies prior to its introduction.

Under the former Practice Note, the parties were given a timetable with which they were required to comply. However, cases were often not being prepared within the time prescribed which resulted in many matters going to the List Judge for a directions hearing (often on more than one occasion). One of the differences under the revised Practice Note is that the system now requires the parties at a pre-trial conference to set their own timetable (within the 12 months time standard), to which they must adhere. That timetable will result in cases being allocated a hearing date from the status conference and, as a result, the case being concluded within 12 months of its commencement.

The revised Practice Note also abolished the Review Date and instead the Pre-Trial Conference now takes place 3 months after the commencement of the proceedings. Seven months after commencement, at a Status Conference, each party must file a certificate setting out details of all documents served, the dates they were served and any future matters to be attended to. Unless orders are made at the Status Conference, the Court generally will not permit the service of any further documents.

ALTERNATIVE DISPUTE RESOLUTION

The revised Practice Note 33 stressed that the Court proposed to continue to finalise as many matters as possible through alternative dispute resolution systems. Most matters are referred to arbitration or Court managed mediation, and this may be done at any time.

In fact during 2001 and 2002, the Court was proactive in promoting alternative dispute resolution as a means of dealing with the large influx of work coming in. Some of the measures it employed were:

- ◆ issuing arbitration guidelines
- ◆ generally referring matters to arbitrations prior to listing matters for hearing before a Judge
- ◆ allocating arbitration sittings at 10 identified regional centres

As a result of these initiatives, some 2,900 matters were finalised in 2001 after referral to arbitration and some 4,400, in 2002.

In addition, the Court participated in the Settlement Week Project conducted by the Law Society of New South Wales. This involved a number of the Court's cases being dealt with through a mediation process.

However, with the changing nature of the Court's caseload, the number of matters suitable for arbitration has decreased. As a result, less than 2,500 matters were finalised by arbitration in 2003.

FUTURE ISSUES FACING THE COURT

The immediate issue facing the Court is the disposal of the contested matters still pending from the surge of matters filed in 2001/2002, prior to the civil litigation legislation. The Court has already implemented strategies to meet this challenge.

The long-term issue is to ensure the timely disposition of cases, many of which because of their more complex and contentious nature are not suitable for arbitration and are less likely to settle. The Court will need to closely monitor this in light of future registration trends.

SYDNEY

Caseload

In 2003, Sydney had 73% of all new matters registered in the State, 60% of disposals and 67% of matters on hand.

Sydney's proportion of all new matters commenced in NSW has increased from 55% in 1998 to 73% in 2003.

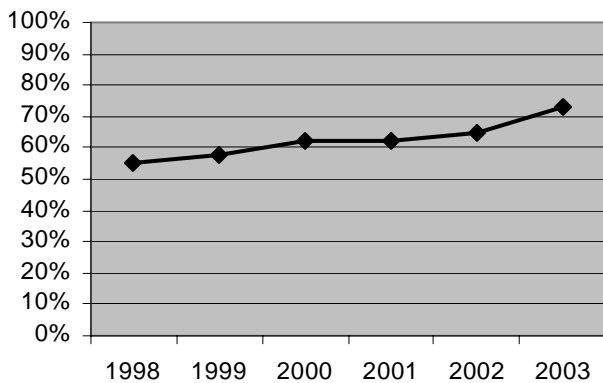
Figure 3 at the bottom of the page tracks Sydney's caseload since 1996.

Disposal Times

The Court's ideal time standard for civil cases is to achieve a 90% disposition rate within 12 months of commencement, and 100% within 2 years.

The rise in the percentage of new actions commenced in Sydney as compared to the whole State is shown in Figure 2 below.

Figure 2. Sydney's % of NSW Registrations



41% of disposals during 2003, were finalised within 12 months of lodgement and 84% were finalised within 2 years. This compares with 59% and 91%, respectively, in 2002.

The median disposal time rose from 11.1 months to 14.2 months.

Registrations, Disposals and Pending

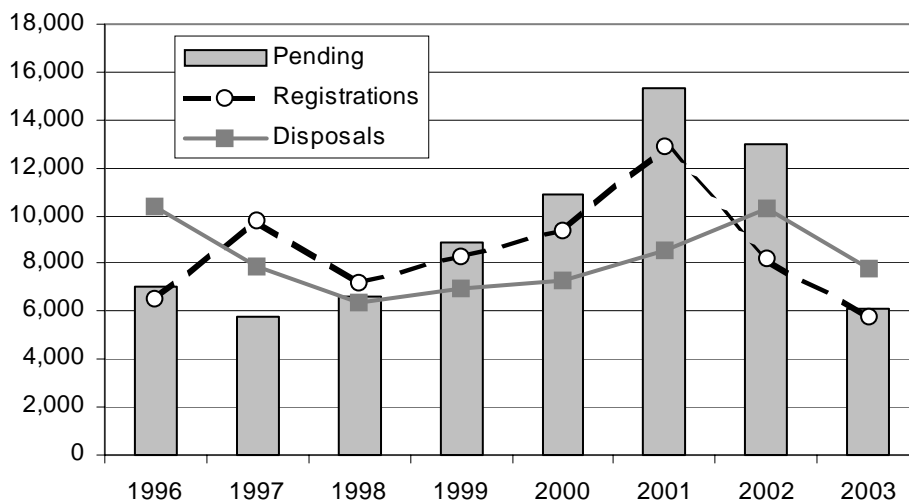
There were 5,755 new actions commenced and 7,800 actions finalised in Sydney in 2003.

Matters exceeding 18 months represented 24% of the pending caseload at the end of the year. However, this includes those matters in the "Not Ready List" (ie. cases which are unable to proceed because, for example, the plaintiff's injuries have not settled). If these matters are deducted, the percentage of pending cases over 18 months old drops to 5%.

At the end of 2003, a stock take of all matters on hand was undertaken and the pending caseload confirmed at 6,071.

Of matters commenced in 2003 (excluding matters assigned to the Not Ready List), 25% were completed during the year. For matters commenced in 2001, 61% were completed within the 12 months, and 83% within 24 months.

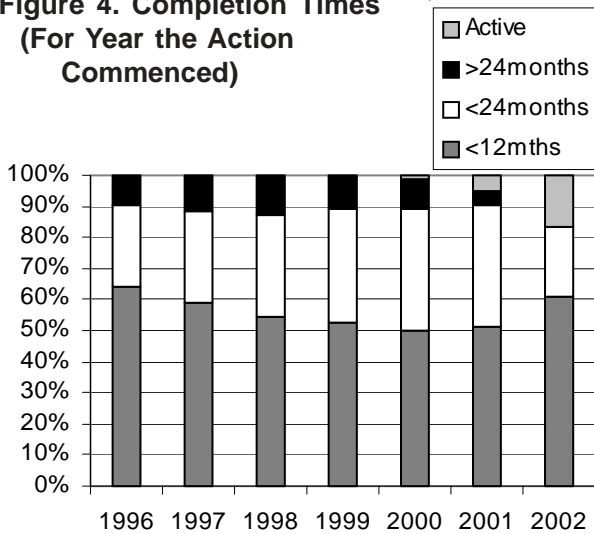
Figure 3. Sydney Caseload



This graph should be viewed in the light of the "Influencing Factors" set out on page 14.

Figure 4 compares, as at 31 December 2003, the disposition time for matters commenced each year in Sydney, on a percentage basis, from 1996 to 2002 (2003 has not been included as no actions would have exceeded 12 months).

Figure 4. Completion Times (For Year the Action Commenced)



Manner of Disposal

In 2003, 33% of finalisations occurred before the Court, as compared to 27% in 2002. Whereas matters finalised at arbitration reduced from 36% in 2002, to 26% of all disposals in 2003.

Figure 5 shows the variation in the manner in which civil actions were finalised in 2003, as compared to 2002. Table 1 at bottom of the page shows a break-up of how matters were completed in 2003.

Figure 5. Sydney Civil - Method of Finalisation

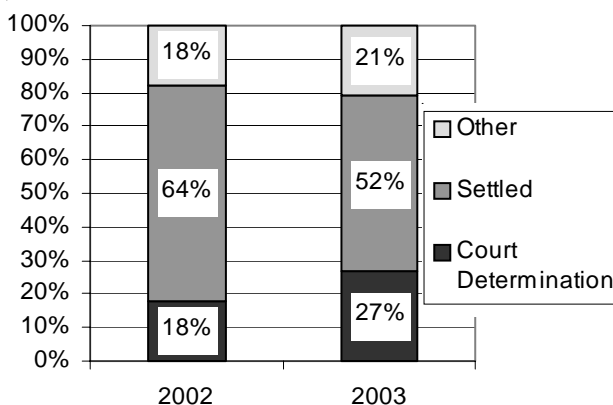


Table1. Disposal Outcomes

Before the Court			At Arbitration		Others		
Judgment	Dismissed	Settled	Award	Settled	Settled	Discontinued	Transferred
1,021	1,078	436	1,024	999	2,611	535	96

These statistics illustrate the changing nature of the work coming into the Court, with more cases being heard before the Court and less matters settling.

Matters finalised by settlement dropped by 12%, while court verdicts increased by 9%.

Civil Arbitration

There are two different arbitration schemes in operation in the Court. One is the general scheme, where the Arbitrator provides the accommodation and facilities for the arbitration.

The other, and more common system, is the "Philadelphia" scheme (named after a similar scheme in Philadelphia, Pennsylvania, USA). Under this scheme, a number of Arbitrators are rostered to attend court provided accommodation on a nominated date and support services are provided by the Registry. This enables multiple matters to be listed and reserve matters are allocated to Arbitrators as previous matters conclude.

Until recently, most cases were generally considered suitable for arbitration. The types of cases which would not be suitable for arbitration are:

- ◆ cases where fraud is pleaded
- ◆ complex cases or cases likely to exceed more than 2 days
- ◆ professional negligence cases, where the reputation of a professional is in question
- ◆ cases requiring an early hearing before a Judge (eg. cases commenced prior to 1997, where parties or witnesses have age or health problems requiring expedition, overseas witnesses, etc.)
- ◆ cases which will never be resolved at arbitration, or which, for special reasons are not suitable for arbitration.

In 2003, 1,973 matters were referred to arbitration as compared to 6,575 matters in 2002 and 4,604 matters in 2001.

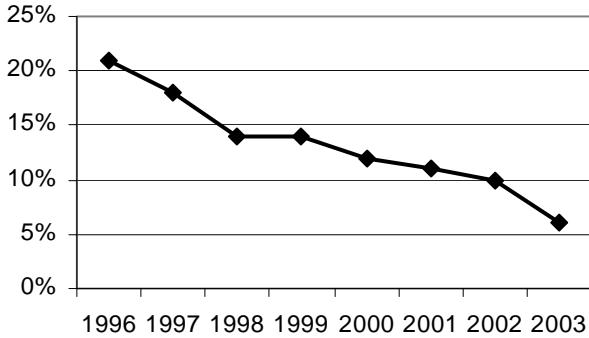
On a proportionate basis of all finalisation, 26% of matters were disposed of by arbitration in 2003, compared to 36% in 2002.

This drop is another indication of the changing nature of the Court's workload, with less actions being suitable for resolution through arbitration.

SYDNEY WEST

Sydney West had 6% of the total number of new actions commenced in the State pending caseload in 2003. Figure 6 below tracks the fall in registrations in Sydney West.

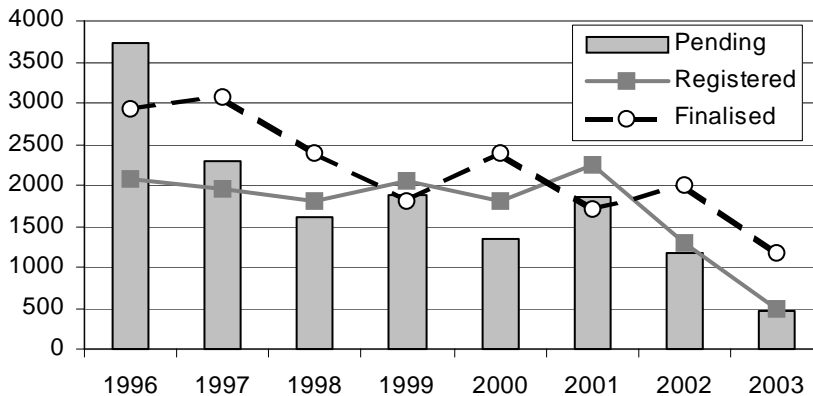
Figure 6. % of NSW Registrations



In Sydney West, there were 491 matters registered and 1,177 disposals throughout the year. At the end of the year the total pending caseload was 469 as compared to 1,170 the previous year.

Figure 7 shows comparative registrations, finalisations and pending caseloads since 1996.

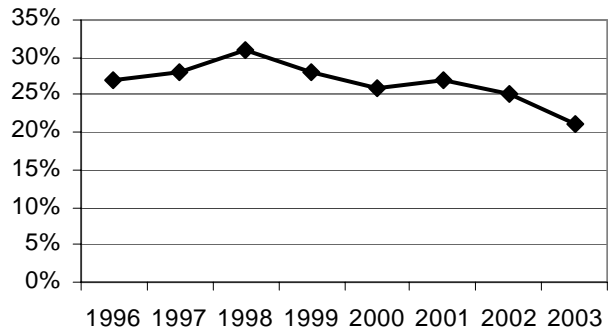
Figure 7. Sydney West Caseload



COUNTRY

Venues outside of Sydney and Sydney West had 21% of the total number of new commencements in 2003. Figure 8 below tracks the registrations rate for Country venues.

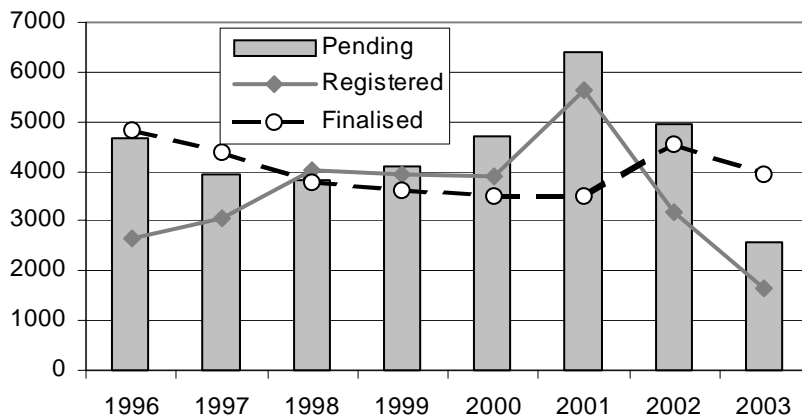
Figure 8. % of NSW Registration



Outside of Sydney and Sydney West, there were 1,666 matters registered and 3,954 dispositions throughout the year. At the end of the year the total pending caseload was 2,564, as compared to 4,968 the previous year.

Figure 9 shows comparative registrations, finalisations and pending caseloads since 1996.

Figure 9. Country Caseload



Pending matters in Sydney West fell by 60% and the median finalisation time was 10.9 months.

14% of pending matters (excluding those in the "Not Ready List") exceeded 18 months.

Pending matters in the country fell by 48% and the median finalisation time was 15.6 months.

28% of pending matters (excluding those in the "Not Ready List") exceeded 18 months.

CRIMINAL JURISDICTION

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

TRIALS

CASELOAD

There were 2,253 criminal trials registered during 2003 in New South Wales, as compared to 2,318 in 2002 and 2,165 in 2001.

There were 2,187 trials finalised in 2003, as compared to 2,274 in 2002 and 2,260 in 2001.

There were 1,164 trials on hand at the end of 2003, which is a slight increase on the 1,098 trials on hand at the end of 2002 and 1,092 trials pending at the end of 2001. These are the first increase since 1997, when the pending caseload was 2,499.

Figure 10 illustrates the statewide trends in the criminal trial caseload since 1993.

The following are some of the factors which have influenced trial registrations and disposals in the last decade.

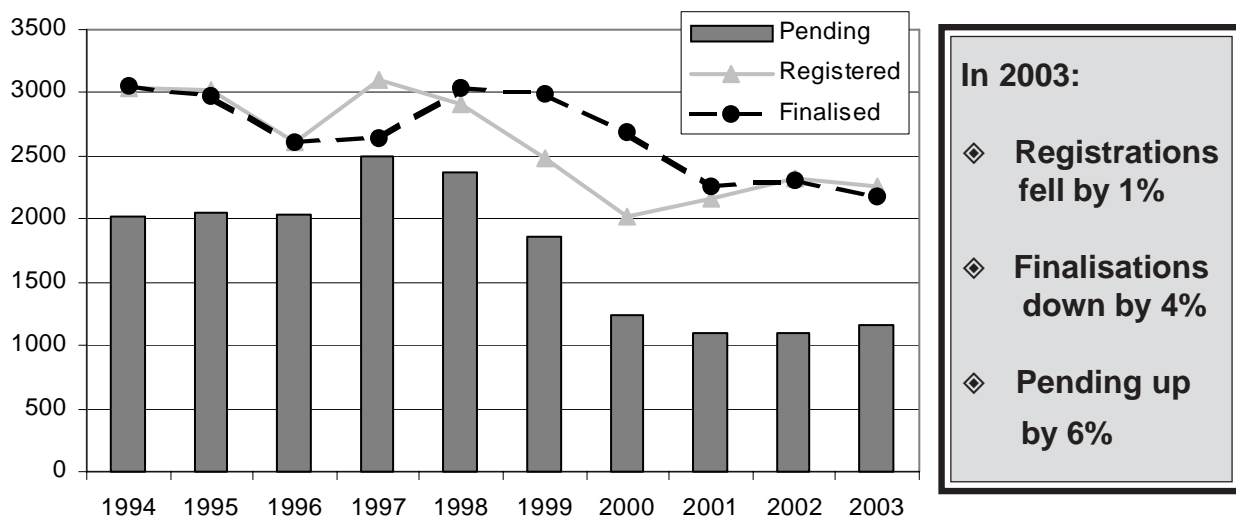
- Legislative changes increased the range of indictable offences capable of being dealt with by Magistrates, which tended to filter out the shorter matters.

- There has been an increase in the number of longer and more complex trials entering the Court's list. For example, matters previously dealt with in the Supreme Court (eg. manslaughter, serious sexual assaults and drug offences) are now committed to the District Court, so it now deals with practically all serious criminal offences, except murder.
- A centralised committal scheme (referred to below) was introduced in Sydney in April 1998, and was extended outside of Sydney in early 1999.

CENTRALISED COMMITTAL SCHEME

A Centralised Committal Scheme was commenced in Sydney in April 1998 and expanded to Sydney West at the beginning of 1999. This was introduced in recognition of the difficulties faced by prosecuting authorities and the Legal Aid Commission in allocating resources across diverse locations with varying practices. Under the Scheme, committals from Local

Figure 10. Criminal Trial Caseload



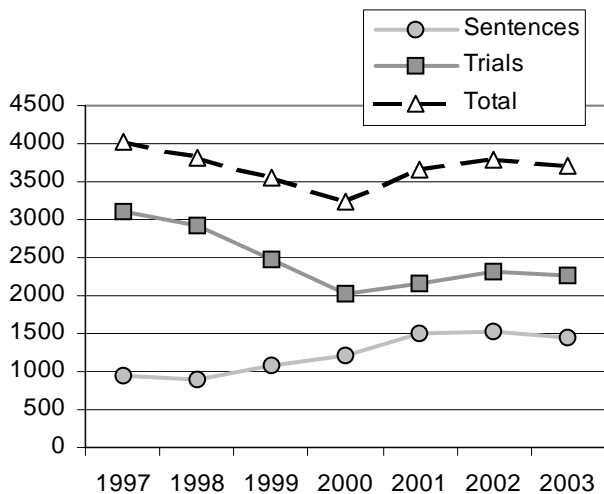
Courts are centrally listed before senior Magistrates, with the Director of Public Prosecutions and the Legal Aid Commission being involved at an early stage.

As a result there was a marked decrease in the number of new trials registered in Sydney and Sydney West in the first three years of the Scheme. This, in turn, favourably impacted on the Court's pending trial caseload.

However, this was accompanied by an increase in the number of matters committed for sentence. This continued to the extent that by 2002, trials and sentence registration combined figures were almost equivalent to their combined pre-1997 registration figures. Fortunately, in 2003 both trial and sentence registrations fell slightly so that the potential consequences which may have arisen had they continued to increase did not eventuate. Nevertheless, these trends need to continue to be monitored in the future.

Figure 11 shows variations in trial and sentence registrations since 1997

Figure 11. Combined Trial and Sentence Registrations



Disposal Times

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

- 90% of cases within 4 months of committal, or such other event which causes the proceedings; and
- 100% of cases within 1 year.

In 2003, 58% of all disposals where the accused was in custody were finalised within 4 months, and 4% exceeded 12 months. Where the accused was on bail, 33% of all disposals were commenced within 4 months, with 14% exceeding 12 months.

Figure 12 sets out comparative compliance rates with time standards for all trials and Figure 13 illustrates comparative ages of pending trials at the end of the year indicated. Figure 14 tracks the median disposal times, from committal to commencement of the trial, for matters finalised during the year indicated.

Figure 12. All Registered Trials - Time Standards Compliance Rate

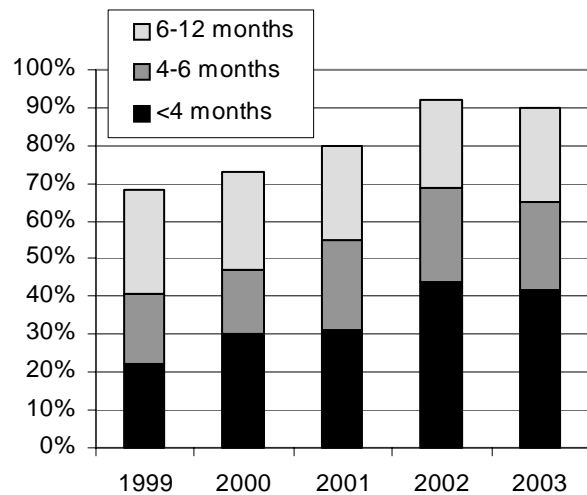


Figure 13. All Registered Trials - Pending Matters

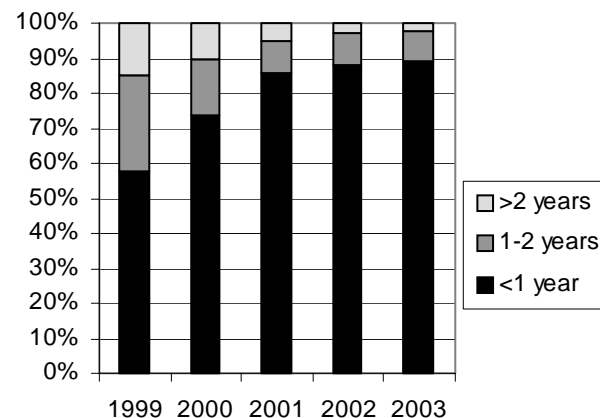
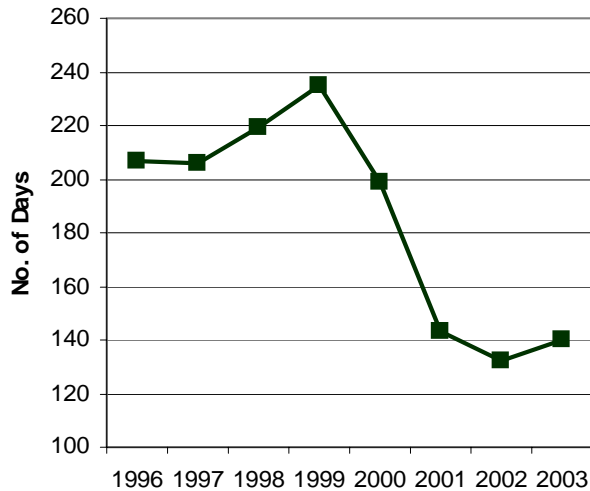


Figure 14. Median Disposal Times - Criminal Trials



The Court has made marked improvements in the last few years in trial delays and in achieving its ideal time standards. However, in 2003 there was a slight increase in disposition times. Despite this increase, those cases pending at the end of 2003 have been waiting less time for a trial than those in previous years.

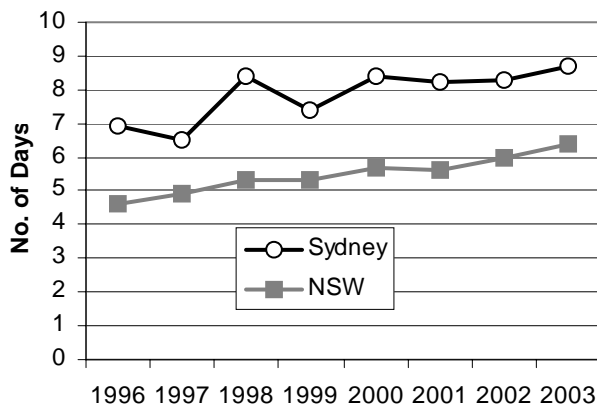
Since the end of the 1990s, the median trial waiting time has dropped from around 8 months to about 4½ months.

Trial Durations

The state-wide average length of criminal trials finalised in 2003 was 6.4 days, as compared to 6 days in 2002. In Sydney the average duration was 8.7 days, compared to 8.3 days.

Figure 15 illustrates the fluctuating rise in the average trial duration time.

Figure 15. Average Trial Length



CRIMINAL LISTING PRACTICES

The Court’s Criminal Business Plan introduced regimen and time constraints to enable the Court to move forward in achieving its ideal time standards.

Under this plan listings in Sydney are to be in conformity with Practice Note 48 and the Court will continue to require the completion of status sheets. This Practice Note prescribes:

- ◆ cases committed to trial in the Downing Centre are to be listed for mention before the List Judge, to manage each case according to its own needs, on the last sitting day of the following week (normally a Friday);
- ◆ the provision of legal assistance is to be addressed at the first mention and an arraignment date set within 8 weeks;
- ◆ where the accused indicates a plea of not guilty at arraignment, the matter will normally be fixed for trial, and the procedure for committal from the Magistrates’ Court will be to commit an accused for trial on the last sitting day of the week following the committal.

Listings in Sydney West are to be in conformity with Practice Note 54, which prescribes:

- ◆ when a matter is committed for trial, it should be committed for mention before the District Court at which it is to be heard on the Friday (or last day of business) of the second week after committal. On that day it will be mentioned to determine whether an arraignment should proceed immediately or adjourned;
- ◆ sentence matters should be similarly committed, when the judge will ensure that legal representation issues are resolved, any reports ordered and a sentence date fixed;
- ◆ appeals are to be listed by the registry at the court for hearing within the time standards

Listings in country circuits are to be in conformity with Practice Notes 51 and 55, which prescribe:

- ◆ listings for call overs will not exceed double the number of trials which could normally be heard at the sittings, based generally on

the capacity to dispose of three trials per week (but may be varied depending on a particular circuit's disposition history);

- ◆ all trials listed for the first week, are to be listed on the first day of the sittings and parties should prepare for a hearing;
- ◆ the presiding judge will commence with the first trial or stand it over to the next day, and nominate a hearing date for such other trials that are to proceed that week;
- ◆ where the sittings is for two weeks duration, the trials for the second week will be mentioned on the first day of the sittings to enable the judge to allocate hearing dates in the sittings;
- ◆ if there is a third week of the sittings, the trials for this week will be mentioned on the first day of the second week to allocate a hearing date;
- ◆ generally, no trial will be marked not reached until the last week of the sittings;
- ◆ at the commencement of each circuit sittings, there will also be listed for plea or mention those trials which are expected to be listed at the next sittings of the Court, to enable an accused to get the benefit of any early plea.

Other issues identified in the Business Plan include:

- ◆ In order for trial standards to be met, adjournments will be the exception and in general will not include absent witnesses, late briefings and consideration of no bill applications.
- ◆ Trials that include multiple accused, many witnesses, complex issues or are inherently long must be identified for the list judge so that management procedures can be put into place.
- ◆ In recognition of the desirability of minimising inconvenience to jurors, applications to be excused should be dealt with expeditiously and a jury empanelled as quickly as possible to allow the remainder of the panel to be excused.
- ◆ Where the delay exceeds twice the time standard, the trial will be placed in a special list for regular call overs and management by specific judges who will be the eventual trial judge.
- ◆ Trial judges in the Downing Centre will be held in reserve to deal with any trials not reached, so all trials should proceed on the

date on which they are set down.

TRIAL LISTING OUTCOMES

Over 2,500 trials were listed for hearing in 2003. Of these,

- ◆ 70% were finalised
- ◆ 24% vacated
- ◆ 5% not reached
- ◆ 1% otherwise not dealt with.

Figure 16 shows the break-up of those matters not dealt with.

Figure 16. Trial Listings Not Dealt With

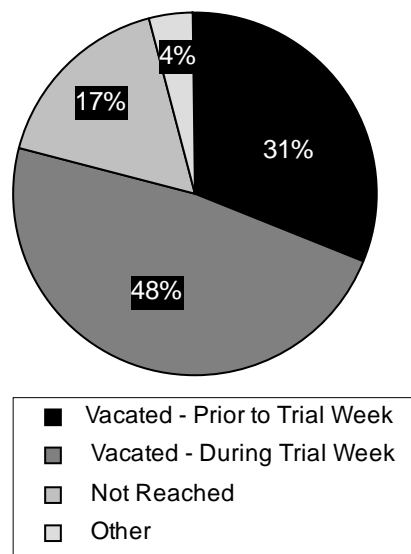
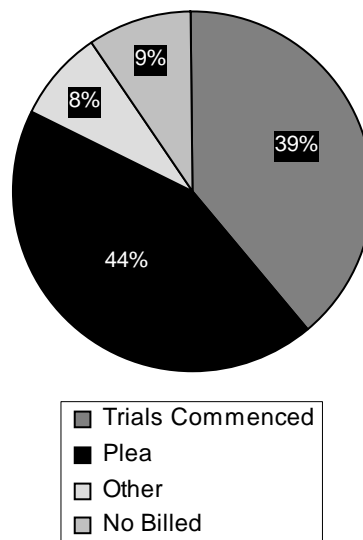


Figure 17 shows the break-up of those matters that were dealt with and Figure 18 (overleaf) shows the outcome of those which commenced.

Figure 17. Trials Dealt With



The following table sets out trial listing outcomes for 2003.

Figure 18. Outcome of Trials Commenced

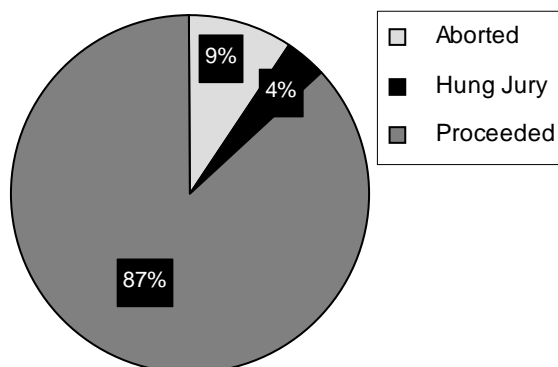


Table 2. Trial Listing Outcomes

	Sydney	Sydney West	Country	Total
NOT DEALT WITH	23%	34%	36%	30%
Vacated	22%	31%	19%	24%
Prior to Trial Week	8%	18%	3%	9%
During Trial Week	15%	13%	16%	15%
Other Not Dealt With (Trial Week)	1%	3%	17%	6%
Not Reached	0%	2%	15%	5%
Other	1%	1%	2%	1%
DISPOSALS	77%	67%	64%	70%
Dealt With Prior to Trial Week	4%	7%	4%	5%
No Billed	1%	1%	2%	1%
Bench Warrant	0%	0%	0%	0%
Plea	2%	3%	2%	3%
Other (eg. deceased)	0%	0%	0%	0%
Transferred	0%	2%	0%	1%
Dealt With In Trial Week	38%	40%	36%	38%
No Billed	4%	7%	5%	5%
Bench Warrant	1%	1%	2%	1%
Plea	30%	27%	26%	28%
Other (eg. deceased)	1%	1%	1%	1%
Transferred	1%	5%	2%	2%
Trials Commenced	35%	20%	25%	27%
Aborted	4%	2%	2%	3%
Hung Jury	1%	1%	1%	1%
Proceeded	30%	17%	22%	24%

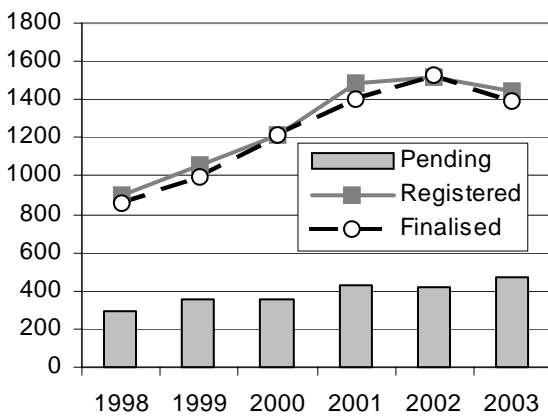
SHORT MATTERS

SENTENCES

There were 1,447 committals for sentence received in 2003 and 1,393 finalisations. At the end of the year there were 476 sentence matters pending. Although there has been a growth in the number of sentence matters pending since 1998, this has remained reasonably proportional to the increase in the number of registrations.

Figure 19 tracks the sentence caseload since 1998.

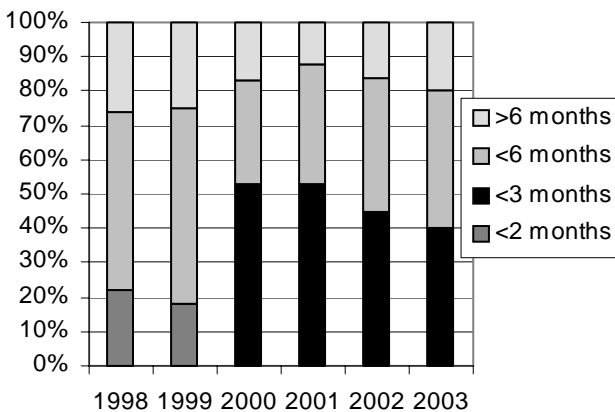
Figure 19. Sentence Caseload



The ideal time standard from committal for sentence to hearing is 3 months in 90% of cases, with 100% being completed within 6 months.

Figure 20 illustrates compliance rates with time standards.

Figure 20. Compliance with Time Standards

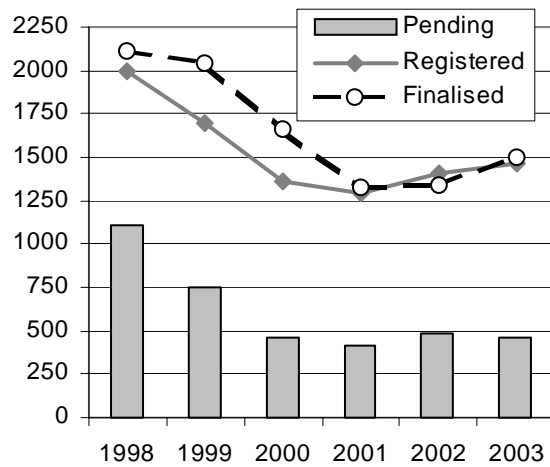


ALL GROUND APPEALS

There were 1,471 all ground appeals lodged in 2003 and 1,499 finalisations. At the end of the year there were 461 all ground appeals pending.

Figure 21 tracks the sentence caseload since 1998.

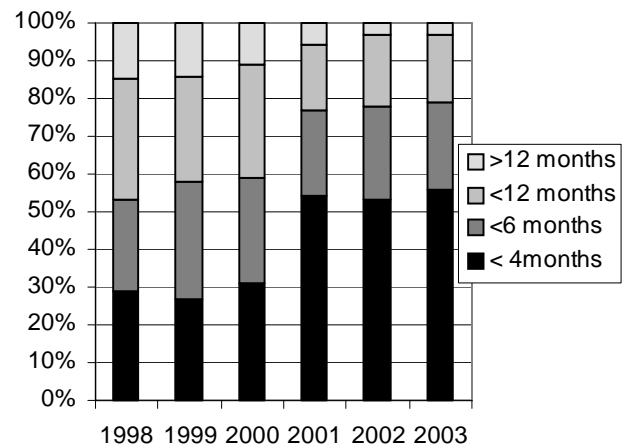
Figure 21. All Ground Appeals Caseload



The ideal time standard from lodgement to finalisation is 4 months in 90% of cases, with 100% being completed within 12 months.

Figure 22 illustrates compliance rates with time standards.

Figure 22. Compliance with Time Standards

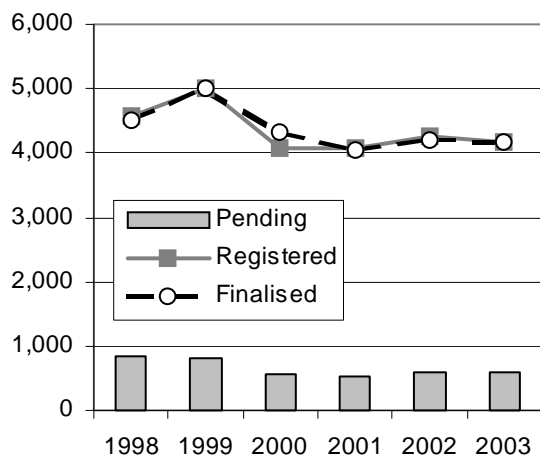


SENTENCE APPEALS

There were 4,158 sentence appeals lodged in 2003 and 4,165 finalisations. At the end of the year there were 579 sentence appeals pending.

Figure 23 tracks the sentence appeals caseload since 1998.

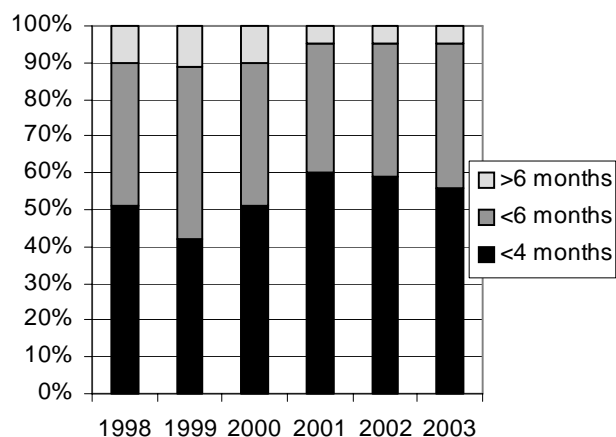
Figure 23. Sentence Appeals Caseload



The ideal time standard from lodgement to finalisation for sentence appeals is 2 months in 90% of cases, with 100% being completed within 6 months.

Figure 24 illustrates compliance rates with time standards.

Figure 24. Compliance with Time Standards



JUDICIAL RESOURCES

ALLOCATED SITTINGS

Table 3 sets out the number of judicial sitting weeks allocated in 2003 as published in the Courts Calendar of Sittings.

Table 3. Sitting Allocations

Location	Jurisdiction	No. of Weeks	Judge EFT	%
Sydney	Criminal	816.4	20.1	29%
	Civil	839.4	20.7	30%
Sydney West	Criminal	416.8	10.3	15%
	Civil	39.8	1.0	1%
Major Country	Criminal	149.8	3.7	5%
	Civil	78.4	1.9	3%
Other Venues	Criminal	312.8	7.7	11%
	Civil	149.6	3.7	5%
Total		2803	69.0	100%

(Judge EFT is calculated on 40.6 sitting weeks p.a.
- ie. 52 weeks less judicial vacations, public holidays and annual Judges' Conference)

ACTUAL SITTINGS

Table 4 sets out the number of days actual sat by the Court in 2003, converted back into weeks (by dividing the number of days by 5). These figures are derived after allowing for public holidays, judicial conferences, variations to sitting arrangements, etc. It also includes absences on sick, extended and other forms of leave.

Table 4. Actual Sittings

Location	Jurisdiction	No. of Weeks	Judge EFT	%
Sydney	Criminal	789	19.4	29%
	Civil	816.4	20.1	31%
Sydney West	Criminal	383.6	9.4	14%
	Civil	35.4	0.9	1%
Major Country	Criminal	152	3.7	6%
	Civil	63.2	1.6	2%
Other Venues	Criminal	303.8	7.5	11%
	Civil	132.6	3.3	5%
Total		2676	65.9	100%

(Judge EFT is calculated on 40.6 sitting weeks p.a.
- ie. 52 weeks less judicial vacations, public holidays and annual Judges' Conference)

COMPARISONS WITH 2002

There was over 48 additional weeks of sittings in 2003.

Criminal sittings were increased statewide.

Civil sittings outside of Sydney were decreased, but were slightly increased in Sydney. This corresponds with the growing proportion of new registrations being commenced in Sydney.

ACTING JUDGES

The Government continued its financial supplementation to the Court in order to maintain its Acting Judge Scheme. Also, with the support of the Government and the support of the Attorney General's Department, the Court retained its recurrent arbitration funding. This became available following the introduction of "user pays" arbitration. These funds were also used to supplement the Acting Judge Scheme.

The Acting Judge Scheme provided 2,067 extra days of actual sittings. Based on a maximum of 40.6 sitting weeks per year for a permanent Judge, this equated to in excess of 10 additional judges.

SITTING DETAILS

Table 5 overleaf sets out the allocated, available and actual sittings at all venues, as well as the average recorded daily sitting hours.

Table 5. District Court Sittings in 2003

	ALLOCATED (weeks)		AVAILABLE (days)		ACTUALLY SAT (days)		AVERAGE RECORDED HOURS SAT
	CRIME	CIVIL	CRIME	CIVIL	CRIME	CIVIL	
SYDNEY	816.4	839.4	4066	4188	3945	4082	4.11
CAMPBELLTOWN	155.2	4	766	20	719	14	4.47
PARRAMATTA	135.8	29.8	670	146	671	133	4.93
PENRITH	125.8	6	620	30	528	30	4.32
SYDNEY WEST TOTAL	416.8	39.8	2056	196	1918	177	4.6
GOSFORD	47.2	15.8	231	78	241	63	4.55
NEWCASTLE	53.8	35	265	173	268	150	4.64
WOLLONGONG	48.8	27.6	239	135	251	103	4.34
O/S TOTAL	149.8	78.4	735	386	760	316	4.52
ALBURY	11	7.8	55	39	53	38	4.45
ARMIDALE	9	5	45	25	48	22	4.47
BATHURST	18	4	89	20	85	18	4.97
BEGA	10	2	50	10	51	3	4.93
BOURKE	5	0	25	0	17	0	3.94
BROKEN HILL	7	1	35	5	39	5	4.61
COFFS HARBOUR	22	9	109	45	111	36	4.7
COONAMBLE	10	0	50	0	44	0	4.36
COOTAMUNDRA	0.2	0	1	0	1	0	6
DUBBO	27.4	9	136	45	136	44	5.03
EAST MAITLAND	10.4	4	52	20	56	15	3.99
FORBES	0	3	0	15	0	15	4.2
GOULBURN	13	2	65	10	62	10	4.24
GRAFTON	10	4	50	20	52	20	4.85
GRIFFITH	9	3	45	15	39	14	4.85
INVERELL	4.8	0	24	0	14	0	6.14
LISMORE	38.2	25.8	191	129	198	115	4.71
LITHGOW	0	4	0	20	0	15	4.53
MAITLAND	0	3	0	15	0	14	4.07
MOREE	10	1	50	5	43	4	3.89
NOWRA	8	3	40	15	38	15	4.6
ORANGE	10	9	50	45	51	44	4.55
PARKES	6.8	0	34	0	30	0	4.07
PORT MACQUARIE	15	10	74	50	58	38	3.94
QUEANBEYAN	13	4	64	20	65	20	4.65
TAMWORTH	15	8	74	40	68	39	4.36
TAREE	14	8	70	40	72	37	4.55
WAGGA WAGGA	15.8	20	78	100	82	82	4.44
WENTWORTH	0	0	0	0	5	0	4.2
YOUNG	0.2	0	1	0	1	0	5
COUNTRY TOTAL	312.8	149.6	1557	748	1519	663	4.57
STATE TOTAL	1695.8	1107.2	8414	5518	8142	5238	4.3

CIVIL CASELOAD

	Registered			Disposed			Pending		
	2003	2002	2001	2003	2002	2001	2003	2002	2001
Sydney	5,755	8,220	12,916	7,800	10,310	8,523	6,071	12,990	15,289
Parramatta	335	867	1,364	791	1,223	1,068	333	789	1,098
Penrith	86	238	493	218	434	363	78	210	432
Liverpool	39	118	210	90	203	155	20	72	194
Campbelltown	31	69	177	78	152	125	38	99	139
Sydney West	491	1,292	2,244	1,177	2,012	1,711	469	1,170	1,863
Newcastle	455	768	1,303	1,113	1,020	943	623	1,254	1,496
Gosford	86	148	284	173	231	166	115	201	371
Wollongong	188	390	837	505	695	454	412	729	1,034
Major Country	729	1,306	2,424	1,791	1,946	1,563	1,150	2,184	2,901
Albury	64	96	186	120	164	132	100	155	223
Armidale	23	40	121	64	75	100	33	74	116
Bathurst	18	53	104	61	81	73	32	75	105
Bega	22	49	63	37	67	57	30	45	63
Broken Hill	10	20	49	24	32	34	26	48	61
Coffs Harbour	48	105	116	107	136	117	65	124	152
Dubbo	79	140	248	156	180	165	112	232	274
Forbes	10	24	50	42	51	38	15	47	64
Goulburn	14	22	55	42	18	42	17	65	67
Grafton	26	38	68	55	48	70	27	59	85
Griffith	29	35	111	58	55	30	63	94	115
Lismore	161	294	337	289	318	301	172	338	355
Lithgow	23	43	81	59	58	57	35	74	93
Maitland	64	174	202	189	147	128	111	237	217
Moree	6	9	28	30	24	23	0	22	33
Nowra	41	63	103	60	100	94	27	44	81
Orange	37	118	227	127	184	121	76	201	269
Port Macquarie	62	104	200	122	132	194	99	158	178
Queanbeyan	40	32	107	78	79	63	34	71	118
Tamworth	33	73	120	101	113	136	42	108	150
Taree	56	107	242	120	185	170	113	177	226
Wagga Wagga	71	229	381	222	342	246	185	336	449
Young	-	-	1	-	-	36	-	-	0
Other Venues	937	1,868	3,200	2,163	2,589	2,427	1,414	2,784	3,494
NSW Total	7,912	12,686	20,784	12,931	16,857	14,224	9,104	19,128	23,547

* Pending figures are adjusted as a result of stocktakes etc. undertaken during the course of the year and may not always equate with registration and disposition figures

CIVIL DISPOSAL TIMES

	Median Delay (mths)			% Rate of Disposals						% of Pending*		
				<12 mths			<24 mths			>18 mths		
	2003	2002	2001	2003	2002	2001	2003	2002	2001	2003	2002	2001
Sydney	14.2	11.1	11.7	41%	59%	53%	84%	91%	89%	24%	13%	9%
Parramatta	11.2	10.3	9.2	56%	72%	73%	96%	98%	98%	19%	5%	2%
Penrith	13	10.9	10.2	42%	61%	70%	97%	98%	99%	26%	5%	4%
Liverpool	7.7	7.3	7.2	99%	95%	98%	100%	98%	100%	5%	0%	0%
Campbelltown	10.6	10.8	9.6	61%	66%	74%	99%	99%	100%	21%	4%	0%
Sydney West	10.9	10.1	9.1	57%	71%	74%	97%	98%	98%	20%	4%	2%
Newcastle	15.5	13.6	12.7	29%	38%	46%	84%	93%	93%	31%	19%	12%
Gosford	15.4	12.9	11.8	28%	42%	52%	93%	91%	89%	27%	11%	8%
Wollongong	18.7	14.0	14.0	21%	35%	42%	74%	84%	86%	53%	27%	16%
Major Country	15.9	13.6	12.8	26%	37%	46%	82%	90%	91%	39%	21%	13%
Albury	15	11.4	12.4	26%	59%	46%	82%	90%	87%	32%	19%	14%
Armidale	16.9	14.0	11.6	20%	33%	53%	87%	96%	86%	39%	14%	8%
Bathurst	17.2	12.9	10.5	20%	46%	60%	35%	90%	99%	44%	19%	7%
Bega	10.8	11.1	10.7	69%	66%	55%	97%	94%	87%	13%	0%	3%
Broken Hill	23.2	13.6	15.2	13%	41%	27%	65%	86%	79%	69%	33%	8%
Coffs Harbour	11.9	12.2	11.4	51%	47%	55%	88%	83%	92%	18%	16%	20%
Dubbo	17.8	11.8	11.5	22%	52%	56%	79%	93%	93%	30%	18%	19%
Forbes	15.9	14.2	20.0	24%	38%	16%	93%	82%	59%	47%	9%	5%
Goulburn	19.9	17.8	10.9	16%	19%	57%	81%	77%	95%	29%	12%	15%
Grafton	16	10.8	13.3	35%	57%	45%	88%	97%	91%	15%	8%	6%
Griffith	18.8	11.7	10.7	20%	50%	66%	84%	88%	89%	44%	41%	8%
Lismore	12.8	11.3	12.3	42%	57%	48%	89%	92%	94%	27%	14%	16%
Lithgow	15.4	11.1	17.0	39%	56%	40%	79%	100%	77%	40%	8%	3%
Maitland	14	11.5	11.5	36%	58%	55%	94%	96%	92%	36%	13%	6%
Moree	25.4	13.9	12.0	12%	40%	53%	50%	95%	95%	0%	41%	21%
Nowra	10.6	10.8	10.7	70%	66%	62%	94%	95%	98%	4%	0%	0%
Orange	16.6	12.2	10.3	21%	46%	64%	88%	94%	91%	21%	9%	6%
Port Macquarie	15	10.7	13.1	35%	65%	45%	91%	94%	89%	24%	9%	8%
Queanbeyan	20.1	10.5	10.0	32%	59%	60%	66%	97%	95%	29%	32%	3%
Tamworth	15.6	13.2	13.2	26%	42%	42%	83%	91%	93%	29%	22%	15%
Taree	15.2	12.0	12.2	32%	50%	48%	95%	95%	89%	32%	16%	8%
Wagga Wagga	16	12.0	13.7	23%	50%	34%	91%	93%	93%	38%	6%	9%
Young	-	-	14.4	-	-	42%	-	-	92%	-	-	-
Other Venues	15.3	11.7	12.2	32%	53%	49%	87%	93%	91%	31%	15%	10%
NSW Total	14.4	11.3	11.5	39%	57%	54%	85%	92%	91%	27%	13%	9%

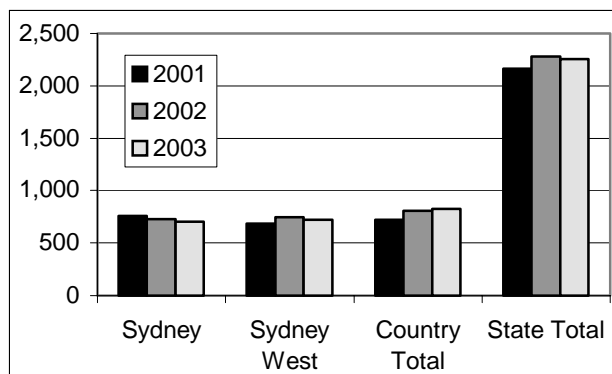
* Pending figures are taken as at 31 December

CRIMINAL CASELOAD

TRIALS

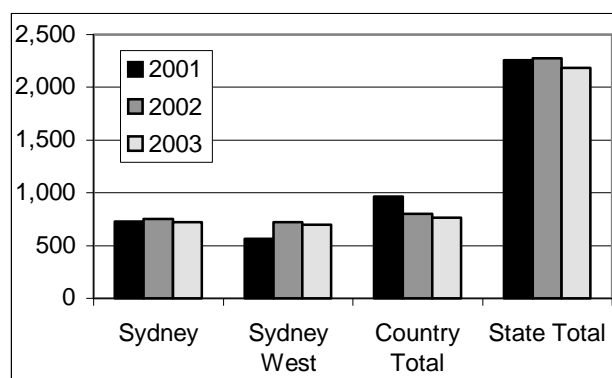
Registered

	2001	2002	2003	02/03 Variant
Sydney	755	727	701	-4%
Sydney West	686	745	724	-3%
Newcastle	240	273	285	4%
Wollongong	129	146	152	4%
Lismore	134	151	151	0%
Dubbo	134	161	174	7%
Wagga Wagga	87	77	66	-17%
Country Total	724	808	828	2%
State Total	2,165	2,280	2,253	-1%



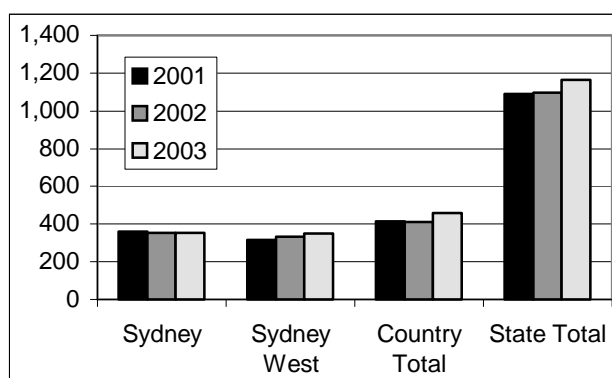
Finalised

	2001	2002	2003	02/03 Variant
Sydney	731	751	725	-4%
Sydney West	562	721	699	-3%
Newcastle	297	254	253	0%
Wollongong	205	128	144	11%
Lismore	146	173	140	-24%
Dubbo	181	155	164	5%
Wagga Wagga	138	92	62	-48%
Country Total	967	802	763	-5%
State Total	2,260	2,274	2,187	-4%



Pending

	2001	2002	2003	02/03 Variant
Sydney	361	354	354	0%
Sydney West	317	332	351	5%
Newcastle	122	132	159	17%
Wollongong	80	95	100	5%
Lismore	89	71	79	10%
Dubbo	89	94	96	2%
Wagga Wagga	34	20	25	20%
Country Total	414	412	459	10%
State Total	1,092	1,098	1,164	6%



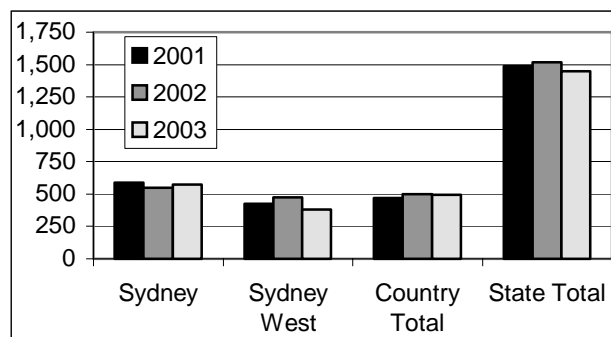
Footnote: The above figures do not include changes of venue

CRIMINAL CASELOAD

SENTENCES

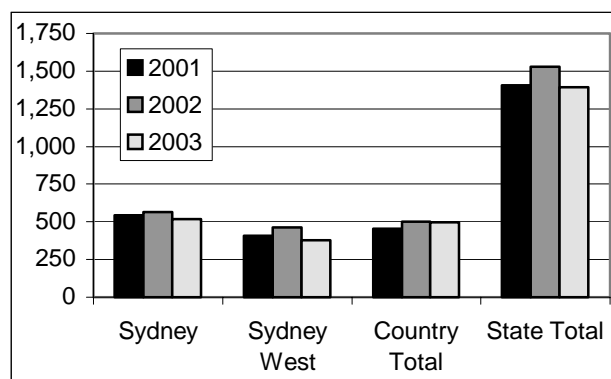
Registered

	2001	2002	2003	02/03 Variant
Sydney	590	547	572	4%
Sydney West	427	473	380	-24%
Newcastle	172	203	203	0%
Wollongong	132	122	99	-23%
Lismore	68	62	68	9%
Dubbo	48	59	80	26%
Wagga Wagga	50	52	45	-16%
Country Total	470	498	495	-1%
State Total	1,487	1,518	1,447	-5%



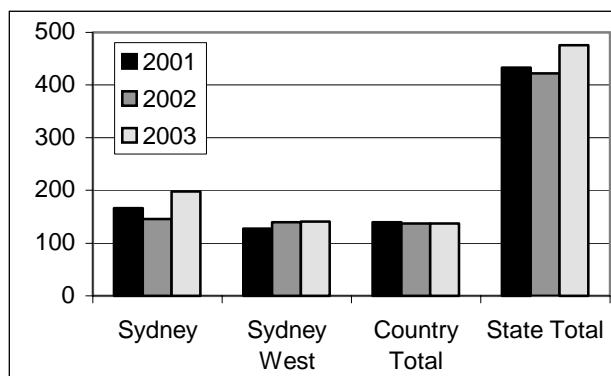
Finalised

	2001	2002	2003	02/03 Variant
Sydney	542	567	520	-9%
Sydney West	409	462	378	-22%
Newcastle	170	180	215	16%
Wollongong	124	135	101	-34%
Lismore	68	70	66	-6%
Dubbo	49	56	72	22%
Wagga Wagga	43	59	41	-44%
Country Total	454	500	495	-1%
State Total	1,405	1,529	1,393	-10%



Pending

	2001	2002	2003	02/03 Variant
Sydney	166	146	198	26%
Sydney West	128	139	141	1%
Newcastle	48	71	59	-20%
Wollongong	46	33	31	-6%
Lismore	20	12	14	14%
Dubbo	12	15	23	35%
Wagga Wagga	13	6	10	40%
Country Total	139	137	137	0%
State Total	433	422	476	11%



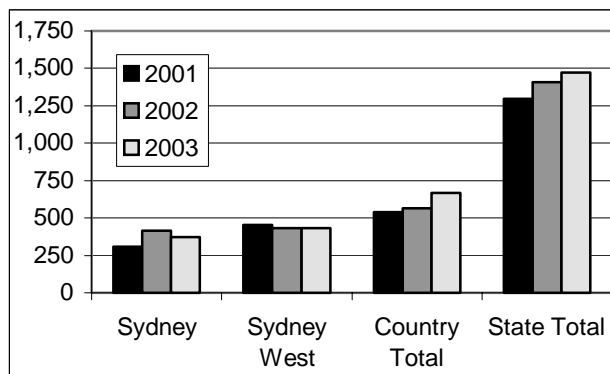
Footnote: The above figures do not include changes of venue

CRIMINAL CASELOAD

ALL GROUND APPEALS

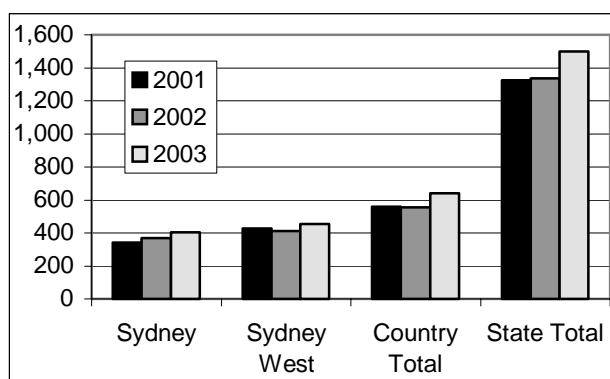
Registered

	2001	2002	2003	02/03 Variant
Sydney	308	414	374	-11%
Sydney West	453	431	431	0%
Newcastle	163	179	201	11%
Wollongong	113	103	158	35%
Lismore	111	104	126	17%
Dubbo	95	92	114	19%
Wagga Wagga	55	86	67	-28%
Country Total	537	564	666	15%
State Total	1,298	1,409	1,471	4%



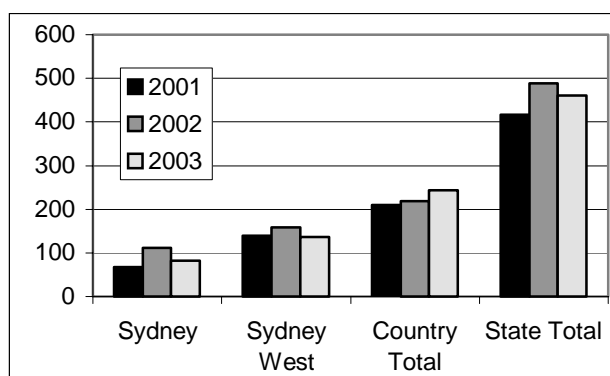
Finalised

	2001	2002	2003	02/03 Variant
Sydney	341	369	404	9%
Sydney West	427	412	454	9%
Newcastle	177	147	201	27%
Wollongong	137	114	130	12%
Lismore	97	110	131	16%
Dubbo	79	111	112	1%
Wagga Wagga	68	74	67	-10%
Country Total	558	556	641	13%
State Total	1,326	1,337	1,499	11%



Pending

	2001	2002	2003	02/03 Variant
Sydney	67	112	82	-37%
Sydney West	140	159	136	-17%
Newcastle	43	75	75	0%
Wollongong	41	30	58	48%
Lismore	48	42	37	-14%
Dubbo	59	40	42	5%
Wagga Wagga	19	31	31	0%
Country Total	210	218	243	10%
State Total	417	489	461	-6%



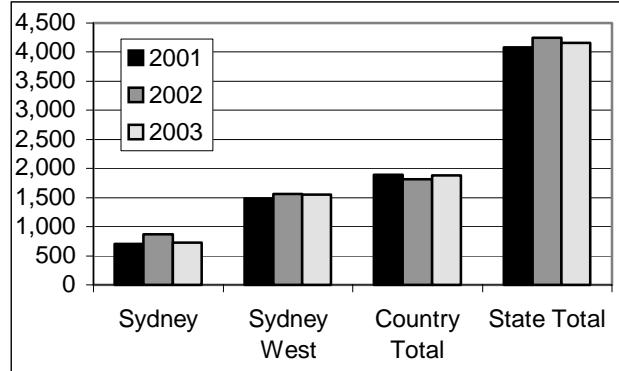
Footnote: The above figures do not include changes of venue

CRIMINAL CASELOAD

SENTENCE APPEALS

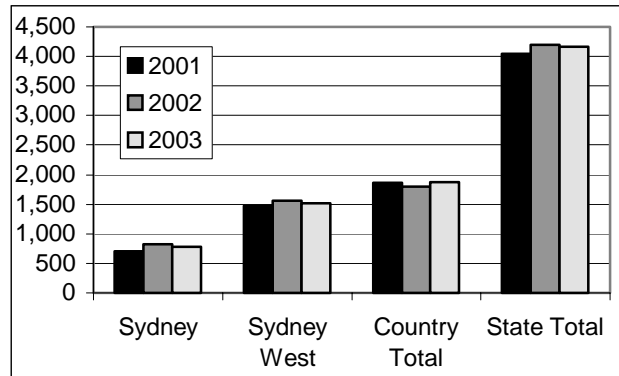
Registered

	2001	2002	2003	02/03 Variant
Sydney	704	864	728	-19%
Sydney West	1,484	1,567	1,546	-1%
Newcastle	744	668	644	-4%
Wollongong	319	308	323	5%
Lismore	253	256	368	30%
Dubbo	392	339	360	6%
Wagga Wagga	184	247	189	-31%
Country Total	1,892	1,818	1,884	4%
State Total	4,080	4,249	4,158	-2%



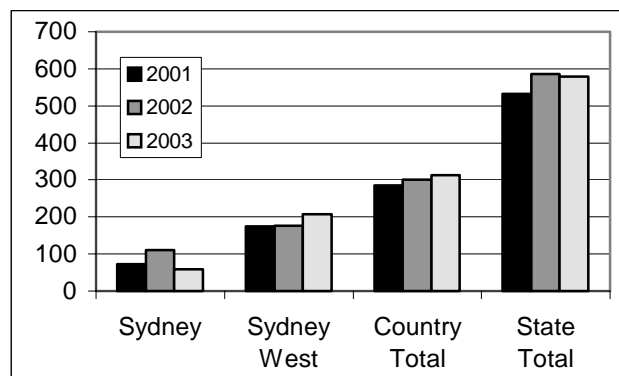
Finalised

	2001	2002	2003	02/03 Variant
Sydney	702	827	779	-6%
Sydney West	1,474	1,565	1,514	-3%
Newcastle	739	616	685	10%
Wollongong	334	304	320	5%
Lismore	250	239	341	30%
Dubbo	360	384	341	-13%
Wagga Wagga	187	260	185	-41%
Country Total	1,870	1,803	1,872	4%
State Total	4,046	4,195	4,165	-1%



Pending

	2001	2002	2003	02/03 Variant
Sydney	73	110	59	-86%
Sydney West	174	176	208	15%
Newcastle	83	135	94	-44%
Wollongong	46	50	53	6%
Lismore	26	43	70	39%
Dubbo	88	43	62	31%
Wagga Wagga	42	29	33	12%
Country Total	285	300	312	4%
State Total	532	586	579	-1%



Footnote: The above figures do not include changes of venue

COMPLIANCE WITH CRIMINAL TIME STANDARDS

TRIALS - REGISTERED

Accused Custody

	Percentage of Cases Disposed Within											
	4 months			6 months			12 months			>12 months		
	2001	2002	2003	2001	2002	2003	2001	2002	2003	2001	2002	2003
Sydney	70%	53%	59%	89%	78%	80%	100%	97%	97%	0%	3%	3%
Sydney West	68%	53%	52%	87%	82%	74%	100%	98%	95%	0%	2%	5%
Newcastle	60%	62%	67%	80%	89%	83%	100%	97%	98%	1%	3%	2%
Wollongong	59%	47%	42%	80%	66%	72%	98%	97%	93%	3%	3%	7%
Lismore	56%	58%	58%	72%	86%	78%	96%	100%	98%	4%	0%	3%
Dubbo	46%	71%	68%	83%	88%	81%	100%	100%	98%	0%	0%	2%
Wagga Wagga	56%	54%	78%	67%	71%	78%	100%	92%	100%	0%	8%	0%
Country Total	56%	60%	61%	77%	83%	79%	98%	97%	97%	1%	3%	3%
State Total	65%	55%	58%	85%	81%	78%	99%	98%	96%	1%	2%	4%

Accused on Bail

	Percentage of Cases Disposed Within											
	4 months			6 months			12 months			>12 months		
	2001	2002	2003	2001	2002	2003	2001	2002	2003	2001	2002	2003
Sydney	46%	44%	38%	67%	66%	65%	86%	90%	87%	14%	10%	13%
Sydney West	42%	44%	29%	69%	68%	55%	90%	94%	88%	10%	6%	12%
Newcastle	37%	36%	40%	58%	64%	60%	82%	87%	88%	18%	13%	12%
Wollongong	12%	23%	22%	25%	54%	45%	59%	87%	79%	40%	13%	21%
Lismore	18%	28%	32%	36%	50%	57%	64%	80%	87%	36%	20%	13%
Dubbo	17%	27%	26%	25%	44%	43%	52%	75%	75%	48%	25%	25%
Wagga Wagga	15%	34%	49%	38%	64%	78%	66%	91%	92%	34%	9%	8%
Country Total	21%	30%	33%	38%	56%	55%	66%	84%	84%	34%	16%	16%
State Total	33%	39%	33%	53%	63%	58%	77%	89%	86%	23%	11%	14%

All Trials

	Percentage of Cases Disposed Within											
	4 months			6 months			12 months			>12 months		
	2001	2002	2003	2001	2002	2003	2001	2002	2003	2001	2002	2003
Sydney	42%	47%	47%	68%	71%	71%	88%	92%	91%	12%	8%	9%
Sydney West	38%	47%	39%	69%	73%	63%	92%	95%	91%	8%	5%	9%
Newcastle	34%	45%	48%	58%	72%	67%	85%	90%	91%	16%	10%	9%
Wollongong	13%	30%	28%	29%	58%	53%	63%	90%	83%	36%	10%	17%
Lismore	17%	35%	39%	37%	59%	63%	67%	85%	90%	33%	15%	10%
Dubbo	19%	40%	41%	34%	57%	56%	60%	83%	83%	39%	17%	17%
Wagga Wagga	15%	39%	53%	38%	66%	78%	70%	91%	93%	30%	9%	7%
Country Total	21%	39%	42%	41%	64%	62%	71%	88%	88%	30%	12%	12%
State Total	31%	44%	42%	55%	69%	65%	80%	92%	90%	19%	8%	10%

COMPLIANCE WITH CRIMINAL TIME STANDARDS

TRIALS - VERDICTS

Accused in Custody

	Percentage of Cases Disposed Within											
	4 months			6 months			12 months			>12 months		
	2001	2002	2003	2001	2002	2003	2001	2002	2003	2001	2002	2003
Sydney	49%	19%	31%	92%	38%	51%	98%	88%	88%	2%	13%	12%
Sydney West	67%	31%	17%	85%	56%	26%	100%	81%	87%	0%	19%	13%
Newcastle	30%	0%	39%	82%	50%	39%	95%	100%	94%	5%	0%	6%
Wollongong	86%	50%	17%	86%	50%	50%	100%	100%	67%	0%	0%	33%
Lismore	50%	33%	15%	75%	33%	31%	100%	33%	92%	0%	67%	8%
Dubbo	36%	75%	33%	72%	75%	50%	100%	100%	92%	0%	0%	8%
Wagga Wagga	25%	0%	0%	75%	67%	0%	100%	100%	100%	0%	0%	0%
Country Total	40%	31%	27%	78%	56%	39%	98%	88%	90%	2%	13%	10%
State Total	50%	27%	27%	86%	50%	41%	99%	85%	89%	1%	15%	11%

Accused on Bail

	Percentage of Cases Disposed Within											
	4 months			6 months			12 months			>12 months		
	2001	2002	2003	2001	2002	2003	2001	2002	2003	2001	2002	2003
Sydney	34%	35%	31%	67%	60%	66%	90%	85%	85%	10%	15%	15%
Sydney West	33%	58%	20%	66%	74%	51%	88%	95%	79%	12%	5%	21%
Newcastle	28%	27%	27%	50%	55%	59%	74%	73%	82%	27%	27%	18%
Wollongong	12%	75%	13%	28%	75%	46%	59%	100%	79%	41%	0%	21%
Lismore	2%	0%	19%	21%	0%	52%	58%	0%	77%	42%	100%	23%
Dubbo	7%	100%	21%	18%	100%	43%	51%	100%	61%	49%	0%	39%
Wagga Wagga	3%	0%	22%	34%	50%	78%	62%	75%	78%	39%	25%	22%
Country Total	13%	32%	22%	32%	55%	53%	62%	73%	76%	38%	27%	24%
State Total	23%	41%	24%	49%	62%	57%	75%	84%	80%	25%	16%	20%

All Trials

	Percentage of Cases Disposed Within											
	4 months			6 months			12 months			>12 months		
	2001	2002	2003	2001	2002	2003	2001	2002	2003	2001	2002	2003
Sydney	38%	28%	31%	74%	50%	62%	92%	86%	86%	8%	14%	14%
Sydney West	41%	46%	19%	71%	66%	45%	91%	89%	81%	9%	11%	19%
Newcastle	28%	20%	30%	57%	53%	54%	78%	80%	86%	22%	20%	14%
Wollongong	20%	67%	13%	34%	67%	47%	63%	100%	77%	37%	0%	23%
Lismore	6%	20%	18%	26%	20%	45%	62%	20%	82%	38%	80%	18%
Dubbo	13%	80%	25%	29%	80%	45%	61%	100%	70%	39%	0%	30%
Wagga Wagga	5%	0%	18%	38%	57%	64%	65%	86%	82%	35%	14%	18%
Country Total	17%	32%	23%	39%	55%	49%	68%	79%	80%	32%	21%	20%
State Total	29%	35%	25%	57%	57%	53%	80%	84%	82%	20%	16%	18%

COMPLIANCE WITH CRIMINAL TIME STANDARDS

APPEALS

All Grounds Appeals

	Percentage of Cases Disposed Within											
	4 months			6 months			12 months			>12 months		
	2001	2002	2003	2001	2002	2003	2001	2002	2003	2001	2002	2003
Sydney	62%	57%	63%	83%	82%	89%	97%	97%	100%	3%	3%	0%
Sydney West	59%	56%	50%	79%	79%	73%	96%	97%	95%	4%	3%	5%
Newcastle	57%	57%	61%	79%	83%	75%	97%	96%	95%	3%	4%	5%
Wollongong	32%	41%	43%	63%	71%	74%	91%	97%	96%	9%	3%	4%
Lismore	38%	43%	50%	73%	74%	78%	88%	97%	96%	12%	3%	4%
Dubbo	51%	42%	65%	74%	64%	86%	90%	95%	98%	10%	5%	2%
Wagga Wagga	45%	65%	47%	61%	85%	67%	80%	100%	97%	20%	0%	3%
Country Total	45%	49%	56%	71%	75%	77%	91%	97%	96%	9%	3%	4%
State Total	54%	53%	56%	77%	78%	79%	94%	97%	97%	6%	3%	3%

Severity Appeals

	Percentage of Cases Disposed Within								
	2 months			6 months			>6 months		
	2001	2002	2003	2001	2002	2003	2001	2002	2003
Sydney	81%	76%	74%	97%	98%	98%	3%	2%	2%
Sydney West	60%	65%	55%	96%	97%	95%	4%	3%	5%
Newcastle	59%	50%	50%	96%	95%	92%	4%	5%	8%
Wollongong	51%	38%	43%	93%	91%	90%	7%	9%	10%
Lismore	50%	53%	55%	95%	97%	98%	5%	3%	2%
Dubbo	39%	36%	48%	91%	87%	96%	10%	13%	4%
Wagga Wagga	64%	51%	53%	94%	95%	93%	6%	5%	7%
Country Total	53%	46%	50%	94%	93%	93%	6%	7%	7%
State Total	60%	59%	56%	95%	95%	95%	5%	5%	5%

SENTENCES

	Percentage of Cases Disposed Within								
	3 months			6 month			>6 months		
	2001	2002	2003	2001	2002	2003	2001	2002	2003
Sydney	60%	46%	43%	88%	83%	84%	12%	17%	16%
Sydney West	45%	40%	28%	87%	81%	69%	13%	19%	31%
Newcastle	54%	42%	37%	87%	89%	80%	13%	11%	20%
Wollongong	45%	46%	38%	79%	81%	77%	21%	19%	23%
Lismore	42%	54%	52%	89%	88%	92%	11%	12%	8%
Dubbo	59%	51%	54%	93%	96%	85%	7%	4%	15%
Wagga Wagga	71%	54%	74%	100%	87%	100%	0%	13%	0%
Country Total	52%	47%	45%	87%	87%	83%	13%	13%	17%
State Total	53%	45%	40%	88%	84%	80%	12%	16%	20%

DISTRICT COURT COMMITTEES

CHIEF JUDGE'S POLICY AND PLANNING COMMITTEE

The Honourable Justice R O Blanch, Chief Judge
(Chairman)
His Honour Judge Cooper
His Honour Judge Shadbolt
His Honour Judge Urquhart QC
His Honour Judge Taylor AM RFD
His Honour Judge Garling
His Honour Judge Rolfe
His Honour Judge Norrish QC
His Honour Judge Finnane QC
Her Honour Judge Hock
His Honour Judge Nicholson SC
His Honour Judge Blackmore SC
His Honour Judge C E O'Connor QC
Mr C Smith, Principal Courts Administrator (Secretary)

RULE COMMITTEE

The Honourable Justice R O Blanch, Chief Judge
(Chairman)
His Honour Judge Cooper (Deputy Chairman)
His Honour Judge Garling
Her Honour Judge Sidis
His Honour Judge Robison
His Honour Judge Phegan
His Honour Judge Rolfe
Mr R Letherbarrow, NSW Bar Association
Mr T Stern, Law Society of NSW
Mr A Grew (Secretary)

CIVIL BUSINESS COMMITTEE

His Honour Judge Garling (Convenor)
Her Honour Judge Sidis
His Honour Judge Rolfe
His Honour Acting Judge Bowden
Mr P Deakin, QC, representing the NSW Bar
Association
Ms L King SC, representing the NSW Bar Association
Mr T Stern, representing the Law Society of NSW
Mr A McMurrin, representing the Law Society of NSW
Mr P Johnstone, Solicitor
Ms A Lee, representing the NSW Treasury Managed
Fund
Mr D Booth, representing the Insurance Council of
Australia
Ms B Cassidy, Motor Accidents Authority
Ms F Cameron, representing the Attorney General's
Department
Mr A Liounis, Acting Registrar, District Court (Secretary)
Ms J Dunn, Manager, Civil Case Management and
Listings, District Court
Mr K Pollock, Civil Listing Manager, District Court

CRIMINAL BUSINESS COMMITTEE

His Honour Judge Shadbolt (Chairman)
His Honour Judge Sides QC
His Honour Judge Woods QC
Her Honour Judge Latham

RESOURCES COMMITTEE

His Honour Judge Taylor AM RFD (Chairman)
Her Honour Judge Ainslie-Wallace
His Honour Judge Goldring
Her Honour Judge Latham

PROFESSIONAL STANDARDS (EDUCATION) COMMITTEE

His Honour Judge Cooper
His Honour Judge Knight (Chairman)
His Honour Judge Geraghty
Her Honour Judge Karpin
Her Honour Judge Murrell SC
His Honour Judge Phegan
Her Honour Judge Gibson
His Honour Judge Nicholson SC
Mr C Smith, Principal Courts Administrator
Ms R Windeler, Judicial Commission
Mrs C Denison, Judicial Commission

CRIMINAL LAW COMMITTEE

The Honourable Justice R O Blanch, Chief Judge
His Honour Judge Graham
His Honour Judge Knight
His Honour Judge Taylor AM RFD
Her Honour Judge Karpin
His Honour Judge Garling

COMPUTER COMMITTEE

Her Honour Judge Tupman (Convenor)
Her Honour Judge Sidis
His Honour Judge Sides
His Honour Judge Finnane RFD QC
Her Honour Judge J C Gibson
Mr J Mahon, Attorney General's Department
Mr C Smith, Acting Principal Courts Administrator
Mr K Sims, Policy Officer, District Court (Secretary)

DISTRICT COURT JUDGES LIBRARY COMMITTEE

His Honour Judge Taylor AM RFD (Convenor)
His Honour Judge Phegan
Her Honour Judge Ainslie-Wallace
Mr C Smith, Acting Principal Courts Administrator
Mr J Hourigan (Secretary)

BUILDING AND ACCOMMODATION COMMITTEE

His Honour Judge Freeman (Chairman)
 His Honour Judge Gibson QC
 His Honour Judge Patten
 Mr R Cox, Director, Finance and Strategic Services
 Mr W Brown, Director, Capital Works Unit
 Mr C Smith, Principal Courts Administrator
 Mr K Sims, Policy Officer, District Court (Secretary)

CRIMINAL LISTING REVIEW COMMITTEE

His Honour Judge Shadbolt (Chairman)
 Mr P Barrett, Senior Crown Prosecutor
 Mr P Bugden, Sydney Regional Aboriginal Legal Service
 Mr C Craigie QC, Senior Public Defender
 Mr R Fornito, District Court
 Mr D Giddy, NSW Law Society
 Ms C Giroto, Office of the Director of Public Prosecutions (NSW)
 Mr J Joliffe, Office of the Director of Public Prosecutions (Commonwealth)
 Mr R Kozanecki, Legal Aid Commission
 Mr C Smith, Principal Courts Administrator
 Ms K Traill, Bar Association of NSW
 Mr J Garvey, District Court (Secretary)

JUDGES' CONDITIONS COMMITTEE

His Honour Judge Garling
 His Honour Judge Taylor AM RFD
 Her Honour Judge Sidis

MEDICAL TRIBUNAL OF NSW

The Honourable Justice R O Blanch, Chief Judge (Chairperson)
 His Honour Judge Cooper (Deputy Chairperson)
 His Honour Judge McGuire (Deputy Chairperson)
 His Honour Judge Solomon (Deputy Chairperson)
 His Honour Judge Graham (Deputy Chairperson)
 His Honour Judge Freeman (Deputy Chairperson)
 His Honour Judge Knight (Deputy Chairperson)
 His Honour Judge Urquhart QC (Deputy Chairperson)
 His Honour Judge Taylor AM RFD (Deputy Chairperson)
 Her Honour Judge Karpin (Deputy Chairperson)
 His Honour Judge Patten (Deputy Chairperson)
 Her Honour Judge Sidis (Deputy Chairperson)
 His Honour Judge Puckeridge QC (Deputy Chairperson)
 His Honour Judge Walmsley QC (Deputy Chairperson)

JUDICIAL COMMISSION, STANDING ADVISORY COMMITTEE OF JUDICIAL EDUCATION

His Honour Judge Phegan

JUDICIAL COMMISSION, CRIMINAL TRIAL COURTS BENCH BOOK COMMITTEE

Vacant

JUDICIAL COMMISSION, SENTENCING INFORMATION SYSTEM ADVISORY COMMITTEE

Vacant

JUDICIAL COMMISSION, CROSS-CULTURAL TRAINING COMMITTEE

His Honour Judge Goldring

JUDICIAL COMMISSION, JOINT STEERING COMMITTEE - NATIONAL JUDICIAL ORIENTATION PROGRAMME

His Honour Judge Knight

JOINT JOHN MADDISON TOWER BUILDING MANAGEMENT COMMITTEE

The Honourable Justice R O Blanch, Chief Judge, District Court (ex officio)
 The Honourable Justice M W Campbell, Chief Judge, Compensation Court (ex officio)
 His Honour Judge Cooper, District Court
 His Honour Judge McGuire, District Court
 His Honour Judge Geraghty, Compensation Court
 His Honour Judge Johns, Dust Diseases Tribunal
 Mr T Aldridge, Assets Management, Attorney General's Department
 Mr W Brown, Director, Assets Management, Attorney General's Department
 Ms S Davidson, Principal Courts Administrator, Compensation Court
 Mr C Smith, Acting Principal Courts Administrator, District Court
 Mr K Holdgate, Sheriffs Office
 Mr R Roberts, Building Manager
 Mr K Sims, Policy Officer, District Court (Secretary)