
Strategic Plan

2018-2021

The District Court of New South Wales



Introduction

This is the fifth Strategic Plan for the District Court of New South Wales, designed to set the goals of the Court from 2018 to 2021. Previous plans have operated for periods of five years; however, this Plan will operate for three years in light of significant legislative changes, including “Early Guilty Plea” legislation, which will commence in 2018 and may impact upon the criminal trial caseload of the Court.

The overriding objectives and values of the Court have remained the same as previous plans. Nonetheless, this Plan has embraced fresh objectives and values that recognise the integral role of technology in the Court’s operations and processes. This Plan also acknowledges the need for the Court to continually evaluate its security processes to ensure the safety of Judges, non-judicial staff, and members of the public accessing the Court’s services.

The principal concern for the District Court remains its large criminal caseload. The NSW Bureau of Crime Statistics and Research has reported that between 2012 and 2016, the number of matters committed for trial from the Local Court to the District Court rose by 35.4% and the number of matters committed for sentence rose by 37.6%. Although the Court’s efficiency in finalising these matters has risen significantly, the time standards of previous plans and the Australian standards set by the Australian Productivity Commission are unobtainable without more Judges being appointed or the criminal trial caseload being significantly reduced. Accordingly, this Plan has simplified the time standard for criminal trials, with the aim of having 100% of trials commenced within 1 year of committal.

This Plan further identifies the Court’s commitment to developing the proposed “Walama Court” to provide culturally appropriate responses and sentencing processes for Indigenous offenders, as well as continuing the “Child Sexual Offence Evidence Pilot”, in line with the Court’s values of recognising issues of equality and fairness that impact individuals and groups with special needs.

We will continue to report on our progress in meeting the goals of this Strategic Plan on an annual basis.

The Honourable Justice D Price AM
Chief Judge of the District Court

The role of the District Court

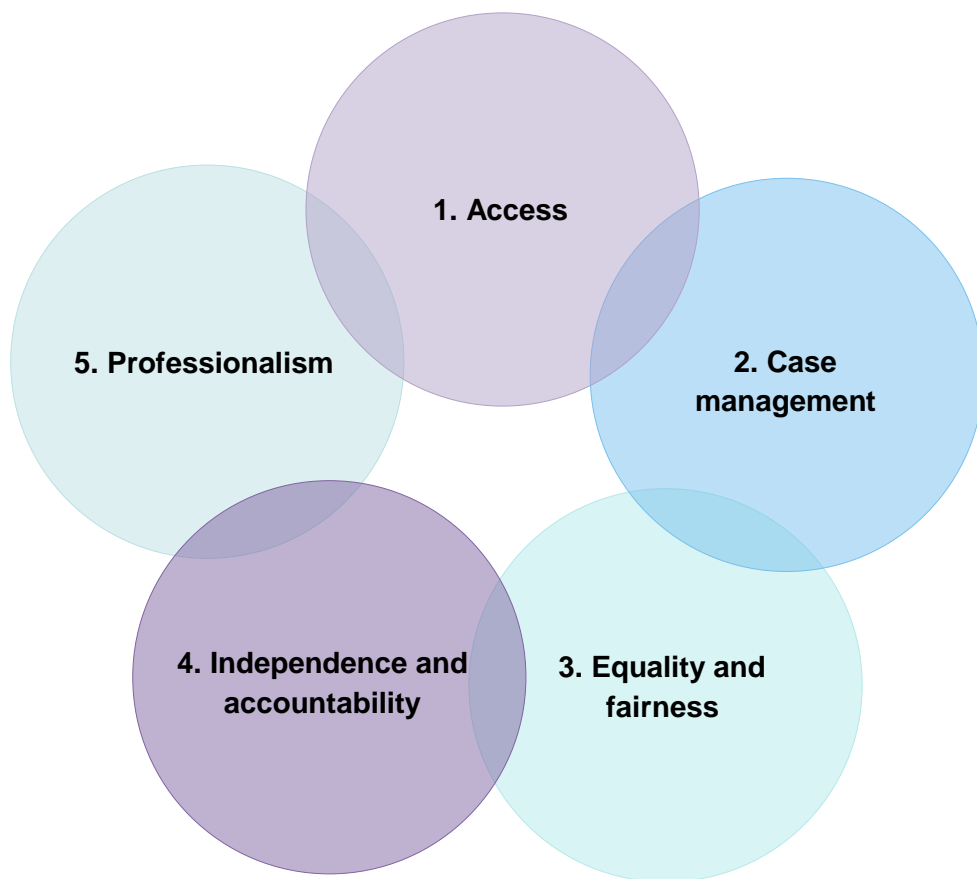
The District Court of NSW is a state-wide court with defined jurisdiction in both criminal and civil matters, and is part of the judicial arm of government in NSW.

The Court is the intermediate Court in the State's judicial hierarchy. It is a trial court and also has appellate jurisdiction, special jurisdiction conferred by various statutes and a summary jurisdiction.

The Court serves the public through individual Judges interpreting and applying the law to particular cases, openly, fairly and impartially.

Values

The Court is committed to discharging its responsibilities to ensure:



1. Access

The Court is accessible to the public and those who need to use its services by:

- conducting proceedings openly, while allowing for closed hearings in specific circumstances
- providing accessible and modern facilities
- removing or minimising any barriers to appropriate participation in proceedings by the parties, representatives, witnesses, and observation by the press and the public
- dealing courteously and responsively with those who appear before it
- seeking to minimise costs and delays to the parties by regularly reviewing Court procedures
- publishing news and information on the Court's website
- publishing judgments on NSW Caselaw, within the Court's resources.

2. Case management

The effective determination of cases in an orderly, cost effective and expeditious manner by:

- the ongoing development of criteria for case management which reflects time and other appropriate considerations and monitoring performance
- meeting its obligations in the operation of the court system without undue delay
- encourage and facilitate alternate dispute resolution.

3. Equality and fairness

The equal protection of the law to all by:

- acting in accordance with procedures which ensure fair judicial process
- seeking consistency in decisions based on relevant legal considerations
- delivering timely judgments in clear and unambiguous terms
- having court records that are accurate and appropriately maintained
- minimising geographical inequities in convenient and timely access to the Court
- recognising issues impacting on individuals and groups with special needs.

4. Independence and accountability

The independence of the Judges of the Court, and the Court as a branch of our system of government by maintaining the positions of criminal listing director and civil list manager as reporting to the Court. Accountability for the performance of the Court and its use of public funds by:

- acting at all times in accordance with the principles of the separation of powers and maintaining effective communications with the Legislature, and the Executive branch of government
- managing its affairs in a way which ensures efficiency and effectiveness in the use of public funds
- informing the public about issues associated with judicial independence and the performance of the Court
- presenting to the other branches of government sound proposals for the resources to carry out its duties adequately
- promoting fair and equitable policies and practices regarding the conditions of service of Judges and non-judicial staff
- continuing constructive dialogue on matters of common interest with users of the Court system.

5. Professionalism

The highest standard of excellence in the functioning of the Court by:

- encouraging interest in the Court as a body of high standing and diverse jurisdiction
- maintaining and updating the Court's technology
- providing information promptly to Judges about relevant legal developments and methods of case and courtroom management
- assisting acting Judges and new appointees
- developing an integrated program of professional development
- providing appropriate attention to the wellbeing of Judges and non-judicial staff.

Goals

In carrying out its role in line with its values, over 2018-2021 the Court will pursue the following four goals:

1. Planning and management of the Court

In conjunction with the agencies that interact with it, the Court will plan and implement a coordinated approach to overall performance improvement and innovation.

2. Court operations and processes

In conjunction with the agencies that interact with it, the Court will implement a system for the earliest, most effective and efficient resolution of criminal matters and civil disputes, making use of innovative and efficient technology where possible.

3. Resource allocation and utilisation

The Court will maintain effective linkages with the Attorney General's Department and other agencies so as to ensure that the Court is appropriately resourced to carry out its role.

4. Professional standards

The Court will encourage excellence and support excellence in the functioning of the Court through the development of an integrated program of professional development and the support and assistance of new appointees and acting Judges.

Key actions under each of these four goals are set out in the following pages.

1. Planning and management of the Court

Over 2018-2021, the Court will:

1.1 monitor the performance of the Court against the time standards set out in Table 1

1.2 maintain a policy and planning committee comprising a number of Judges appointed by the Chief Judge, to provide advice to the Chief Judge on matters relating to the business of the Court

1.3 maintain the 5 major working committees - the Criminal Business Committee, the Civil Business Committee, the Technology Committee, the Security Committee, and the Education Committee - that are accountable to the Policy and Planning Committee in relation to the objectives set out in Table 2

1.4 involve the agencies that interact with the court in the planning process through participation on relevant court committees

1.5 continue to consult with the Office of the Sheriff of New South Wales and other security agencies to ensure the safety of Judges, non-judicial staff, and members of the public accessing the Court's services.

Table 1 - Time standards
CRIMINAL
<p><i>Trials</i></p> <ul style="list-style-type: none"> • 100% of sexual assault trials and trials of accused persons refused bail commenced within 8 months of committal or other event that gives rise to the need for trial • 100% commenced within 1 year of committal or other event that gives rise to the need for trial <p><i>Committals for Sentences</i></p> <ul style="list-style-type: none"> • 100% commenced within 6 months of committal <p><i>Appeals</i></p> <ul style="list-style-type: none"> • 100% of conviction appeals commenced within 12 months of appeal • 100% of sentence appeals commenced within 6 months of appeal
CIVIL
<p><i>Actions</i></p> <ul style="list-style-type: none"> • 90% disposed of within 12 months of commencement of proceedings • 100% disposed of within 2 years of commencement of proceedings <p><i>Reserved judgments</i></p> <ul style="list-style-type: none"> • Reserved judgments to be delivered within 3 months of the date that judgment is reserved
SUMMARY JURISDICTION
<ul style="list-style-type: none"> • 90% disposed of within 12 months of commencement of proceedings • 100% disposed of within 2 years of commencement of proceedings <p><i>Reserved judgments</i></p> <ul style="list-style-type: none"> • Reserved judgments to be delivered within 3 months of the date that judgment is reserved

The District Court of NSW

Table 2 - Committee objectives
<i>Civil Business Committee</i> <ul style="list-style-type: none">• To monitor, consult, report and advise on any matters relating to the civil business of the Court.
<i>Criminal Business Committee</i> <ul style="list-style-type: none">• To monitor, consult, report and advise on any matters relating to the criminal business of the Court.
<i>Technology Committee</i> <ul style="list-style-type: none">• To monitor, consult, report and advise on the Court's use of technology.
<i>Security Committee</i> <ul style="list-style-type: none">• To monitor, consult, report and advise on the security of the Court.
<i>Education Committee</i> <ul style="list-style-type: none">• To maintain an integrated program of professional development and support for judges.

2. Court operations and processes

Over 2018-2021, the Court will:

2.1 monitor lists to identify specific matters, trends or needs that warrant closer management

2.2 continue to give priority listing to child care appeals

2.3 maintain civil sittings in regional areas and review sittings in regional areas to ensure expedited disposal of criminal cases

2.4 facilitate alternative dispute resolution processes as appropriate

2.5 continue to develop, and advocate for, the proposed Walama Court to provide culturally appropriate responses and sentencing processes for Indigenous offenders

2.6 review and modify the Court's processes to ensure that they are responsive to the needs of all community groups

2.7 monitor and manage sexual assault cases in accordance with published guidelines

2.8 maintain the Court's commitment to the Child Sexual Offence Evidence Pilot

2.9 continue to utilise technology to facilitate the efficient and effective delivery of evidence, including the use of remote witness facilities and AVL for complainants

2.10 consult widely on an ongoing basis, including with court users, to explore and investigate ways to improve operations, processes and procedures and minimise the cost of litigation

2.11 continue to identify causes and solutions for delay, and implement policies to mitigate delay, in criminal matters including the "Rolling List Court", "Super Callovers", "Readiness Hearings", and case management of trials.

3. Resource allocation and utilisation

Over 2018-2021, the Court will:

- 3.1 review its processes to maximise the benefits of technology
- 3.2 support the timely production of transcripts as required by the Court
- 3.3 encourage the taking of evidence by alternative means such as by the use of technology
- 3.4 encourage the standardisation of formats for receiving evidence in electronic form
- 3.5 maintain the resource and support requirements for Judges
- 3.6 develop strategies for flexible resource support for Judges for research and Caselaw lodgement.

4. Professional standards

Over 2018-2021, the Court will:

- 4.1 work with the Judicial Commission in the provision of continuing education for Judges
- 4.2 provide and support professional development opportunities for Judges
- 4.3 provide new Judges and new associates with the opportunity for mentoring
- 4.4 develop information protocols to assist Judges with Court procedures and practices, including managing regional lists and sentencing lists, conducting lengthy trials, overseeing jury empanelment, and managing multiple accused trials.

Key performance indicators

The Court will report on the following key performance indicators in its Annual Review that is published for each calendar year:

Goal 1: Planning and management of the Court

- time standards achieved

Goal 2: Planning and management of the Court

- improvements made and innovations introduced

Goal 3: Resource management & utilisation

- appropriate resources are allocated to meet the workload of the court and are efficiently and effectively utilised by the Court

Goal 4: Professional standards

- professional development provided to Judges