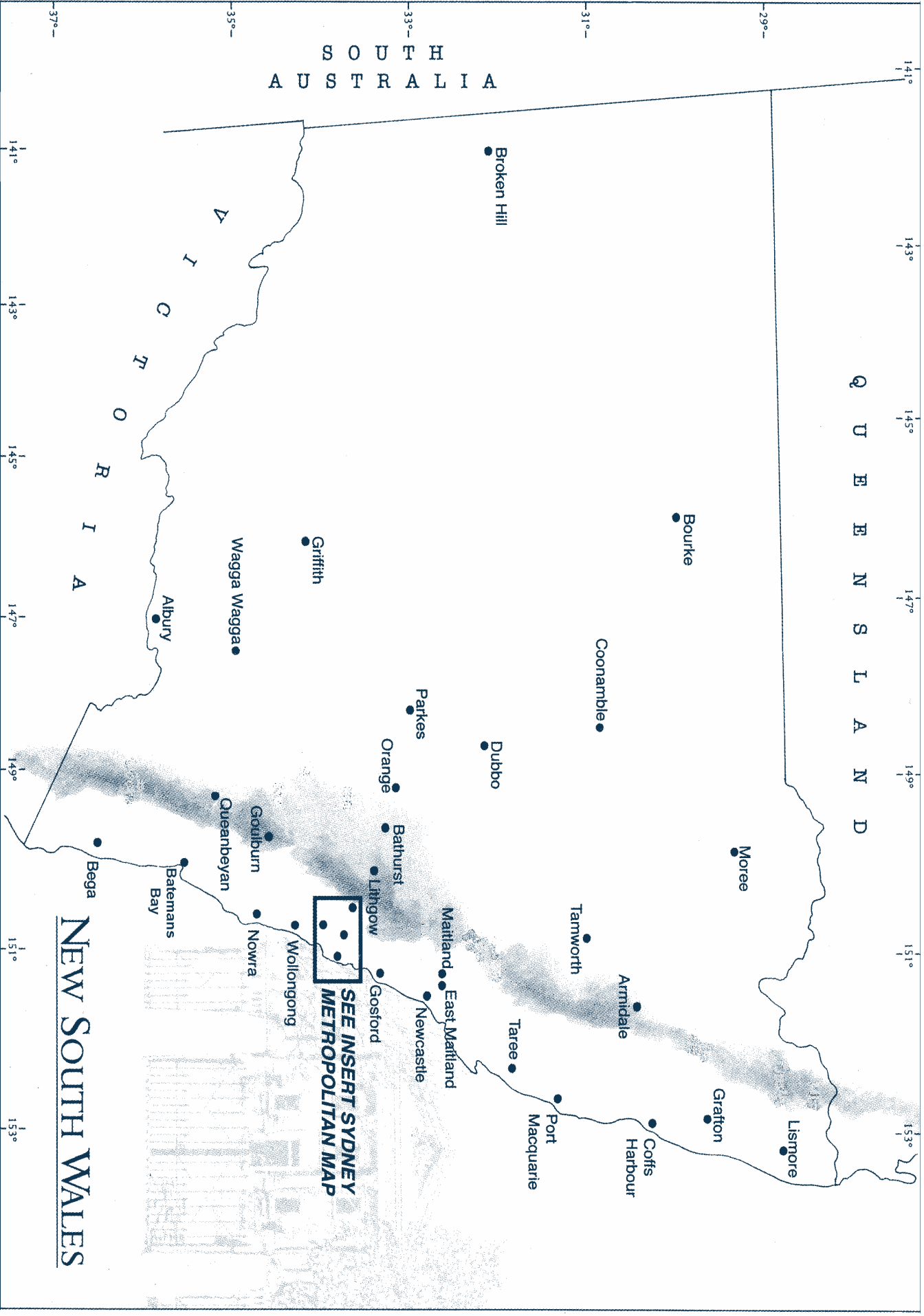




The District Court of New South Wales

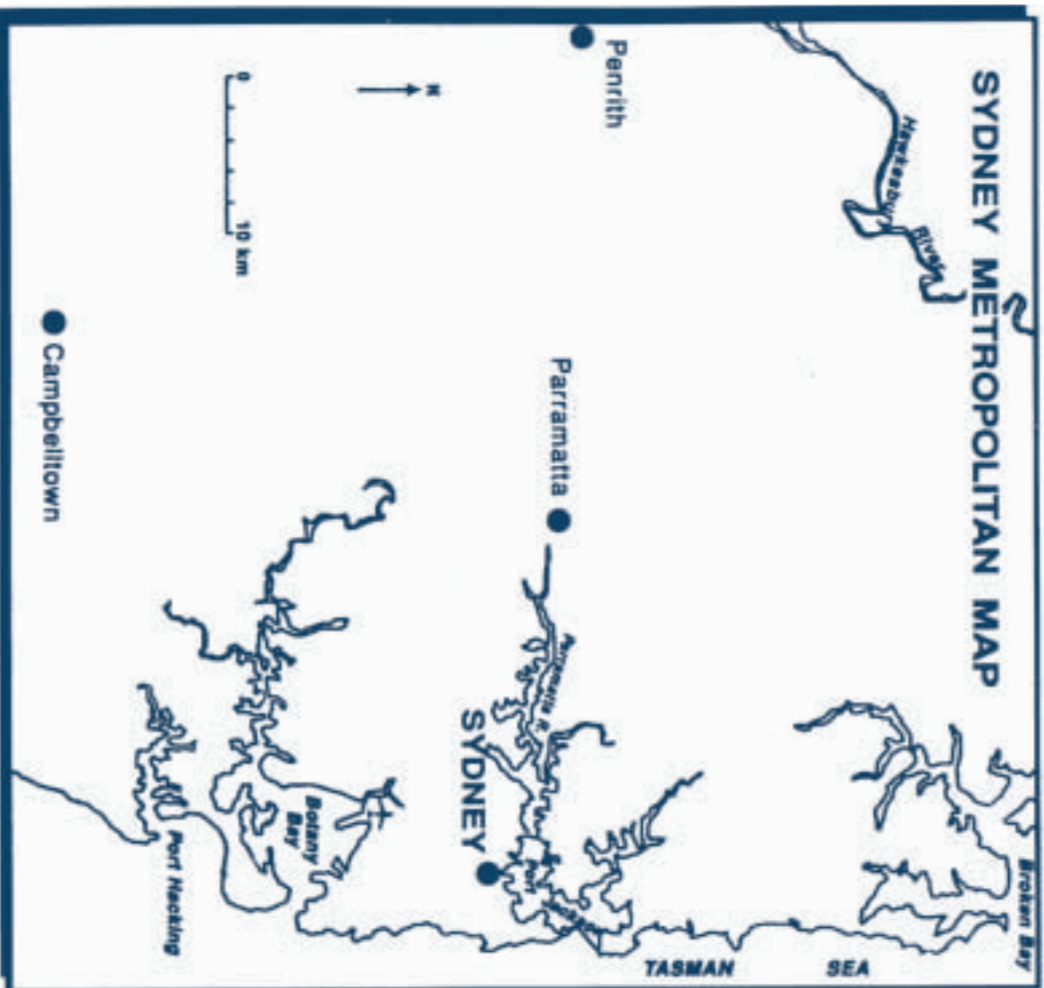
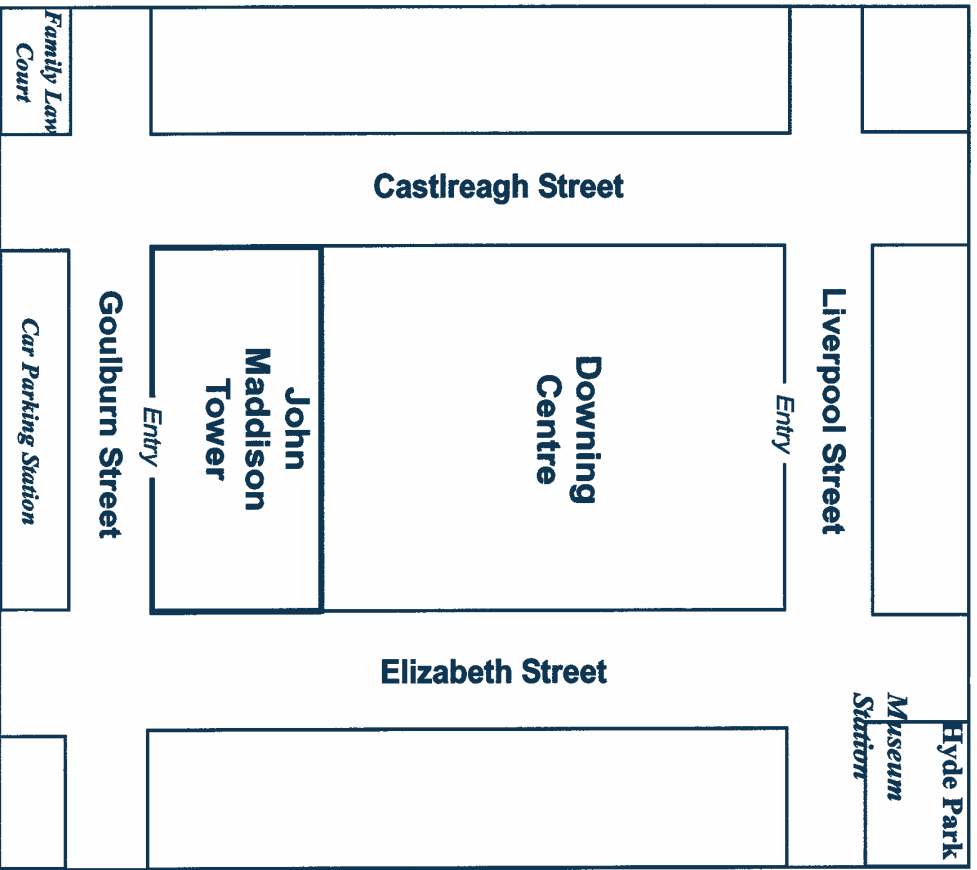


Annual Review
2005



DISTRICT COURT OF NSW - SITTING VENUES

SYDNEY CBD



CONTENTS

Chief Judge’s Foreword	4	Criminal Jurisdiction	22
The Court	5	<i>Trials</i>	22
<i>History</i>	5	<i>Caseload</i>	22
<i>Jurisdiction</i>	5	- Disposal Times	23
<i>Judiciary</i>	6	- Trial Durations	24
<i>Venues</i>	8	- Criminal Listing Practices	24
<i>Court Staff</i>	8	- Trial Listing Outcomes	25
Strategic Plan	11	<i>Short Matters</i>	27
<i>Civil Business Committee</i>	11	- Sentences	27
<i>Criminal Business Committee</i>	12	- All Ground Appeals	27
<i>Professional Standards Committee</i>	12	- Sentence Appeals	28
Civil Jurisdiction	14	Judicial Resources	29
<i>New South Wales</i>	14	Allocated Sittings	29
<i>Caseload</i>	14	Actual Sittings	29
- Background	14	Comparisons with 2004	29
- Registrations	14	Acting Judges	29
- Disposals	14	Sitting Details	29
- Pending	14	Table of Sittings	30
- Comparisons with Previous Years	14		
- Disposal Times	15	<i>Annexure A - Civil</i>	
<i>Case Management</i>	16	(1) Caseload	32
- Civil Business Plan	16	(2) Disposal Times	33
- Uniform Civil Procedure	16	<i>Annexure B - Criminal Caseload</i>	
- Practice Note 1	16	(1) Trials	34
<i>Alternative Dispute Resolution</i>	17	(2) Sentences	35
		(3) All Grounds Appeals	36
<i>Sydney</i>	18	(4) Sentence Appeals	37
<i>Caseload</i>	18	<i>Annexure C - Criminal Disposal</i>	
- Registrations, Disposals & Pending	18	<i>Time Comparisons</i>	
- Disposal Times	18	(1) Trials Registered	38
- Manner of Disposal	19	(2) Trials Finalised by Verdict	39
- Civil Arbitration	19	(3) Appeals and Sentences	40
- Residual Jurisdiction	20		
<i>Sydney West</i>	21	<i>Appendix D - Court Committees</i>	41
<i>Country</i>	21		

Cover Photograph: John Maddison Tower Court Complex, Goulburn Street, Sydney



FOREWORD

by
Chief Judge

The District Court in both its civil and criminal jurisdictions performed very well during the course of the year. The figures issued by the Productivity Commission comparing all the Courts throughout Australia indicate that in the totality of its business, the District Court in New South Wales was one of the most efficient in Australia.

The significant change during the course of the year has been a continuation of the trend for fewer civil actions to be commenced in the Court. There were 6,129 registrations in 2005 compared to 6,789 in 2004 and this compares with registrations of 12,000 to 15,000 each year between 1998 and 2000. This decline in registrations is directly due to the *Civil Liability Act* which has restricted the right to commence civil actions and it is also due to the caps placed on legal fees. The major effect of these changes has been to reduce the number of cases which in the past were finalised by arbitrators. In the year 2003, for example, 1,978 cases were referred to arbitration whereas in 2005 the number referred was 296. By comparison the demand for judge time has not decreased significantly. In 2005, 908 matters were disposed of by a judgment of the Court whereas in 2001, when both the registrations and disposal figures were much higher, 916 cases were disposed of by judgment of the Court.

The figures indicate that what has disappeared from the system are personal injury cases where a verdict might be expected of less than \$100,000. The reason for this is partly because of the restrictions introduced in the *Civil Liability Act* and partly because the costs which can be claimed as part of the judgment do not make it economical for lawyers to embark on litigation. The effect of this is that there are many people who would have been entitled to some compensation previously who now do not receive any compensation.

The figures also indicate that the number of civil cases disposed of by the Court during the year fell from 8,305 in 2004 to 6,405 in 2005. This is largely because the number of judges sitting in the Court fell from 66.7 in 2004 to 60.9 in 2005. That has occurred partly because of a reduction in funding provided for acting judges from the budget of the Attorney General's Department (which fell from just under \$2 million in the 2002-03 financial year to just over \$400,000 in the current financial year) and partly because two judges who retired during the course of 2005 were not replaced. This is a matter of concern for the Court, bearing in mind that the demand for judge time in civil cases appears to be only slightly reduced from what it has always been.

In the criminal jurisdiction of the Court, although there was a reduction in the number of trial registrations, the figures also indicate that there has been an increase in the length of trials of almost one day. The result is that in 2005 there was an increase in the number of days required for criminal trials over the previous year. I expect this increase in the demand for court time in the criminal jurisdiction to continue into the future. The most likely cause for the increase in length in most criminal trials is the introduction of technology to assist vulnerable witnesses, for example, the tendering of recorded statements or the giving of evidence from remote facilities. Those reforms are desirable because they assist vulnerable witnesses but they come at the cost of extra court time required in making the necessary arrangements.

The Honourable Justice R O Blanch, A.M.
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 £30; and
- Courts of Petty Sessions, which dealt with criminal misdemeanours in a summary way and had a civil jurisdiction up to £10 (or £30 if the defendant consented).

With the discovery of gold in 1851 the Colony’s population increased and became more dispersed. Litigation grew as the Colony prospered, and crime 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 (22 Vic No 18) was assented to 12 November 1858.

This Act established District Courts, as courts of records, to replace Courts of Requests and divided the Colony into Districts. It conferred upon the District Courts a civil jurisdiction. It also provided for the appointment of a District Court Judge as Chairman of any Court of Quarter Sessions or General Sessions, to be held within the limits of the District for which that Judge was appointed.

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

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

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

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

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

JURISDICTION

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

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

In its civil jurisdiction the Court may deal with:

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

The Court

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 2005.

CHIEF JUDGE

The Honourable Justice Reginald Oliver Blanch, A.M.

JUDGES

His Honour Judge John Lawrence O'Meally, A.M., R.F.D.*

His Honour Judge John Cecil McGuire

His Honour Judge Kenneth Peter Shadbolt

His Honour Judge Ronald Herbert Solomon

Her Honour Judge Margaret Ann O'Toole

His Honour Judge David James Freeman

His Honour Judge Joseph Bede Phelan

His Honour Judge William Harwood Knight

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.

His Honour Judge Anthony Frederick Garling

His Honour Judge Philip Ronald Bell

His Honour Judge Christopher James Geraghty

His Honour Judge Brian Ross Maguire, Q.C.

His Honour Judge Alan David Bishop

Her Honour Judge Dianne Joy Truss

His Honour Judge Garry William Neilson

His Honour Judge Christopher John Armitage

Her Honour Judge Margaret Sidis

His Honour Judge Brian William Duck *

His Honour Judge Christopher John George Robison

Her Honour Judge Robyn Christine Tupman

His Honour Judge James Patrick Curtis*

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 Anne Mary Quirk

The Honourable Judge Francis John Walker, Q.C.*

Her Honour Judge Ann Margaret Ainslie-Wallace

His Honour Judge Terence Fenwick Marley Naughton, Q.C.

His Honour Judge Colin Phegan

Her Honour Judge Linda Margaret Ashford

His Honour Judge Gregory David Woods, Q.C.

His Honour Judge Anthony Francis Puckeridge, Q.C.

Her Honour Judge Helen Jane Morgan

His Honour Judge John Lester Goldring

His Honour Judge Norman Edward Delaney

His Honour Judge Jonathan Steuart Williams

His Honour Judge Kevin Patrick O'Connor, A.M.

Her Honour Judge Jennifer Anne English

His Honour Judge Allan Hughes

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, S.C.

His Honour Judge Stephen Lewis Walmsley, S.C.

His Honour Judge Nigel Geoffrey Rein, S.C.

His Honour Judge Anthony Martin Blackmore, S.C.

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
His Honour Judge Mark Curtis Marien, S.C.
His Honour Judge Brian John Knox, S.C.
His Honour Judge Brian Harrie Kevin Donovan,
Q.C.
His Honour Judge Robert Allan Hulme, S.C.
His Honour Judge John Roger Dive

(* denotes Members of the Dust Diseases Tribunal)

JUDICIAL APPOINTMENTS

The following Judges were appointed during 2005 on the dates indicated in brackets after their name:

His Honour Judge Brian John Knox, S.C.
(14 February 2005)
His Honour Judge Brian Harrie Kevin Donovan,
Q.C. (11 April 2005)
His Honour Judge Robert Allan Hulme, S.C.
(4 May 2005)
His Honour Judge John Roger Dive
(27 July 2005)

JUDICIAL DEATH IN OFFICE

Sadly, on 15 March 2005, his Honour Judge Robert William Belleaer died in office.

JUDICIAL RETIREMENTS

The following Judges retired during 2005 on the dates indicated in brackets after their name:

Her Honour Judge Angela Jeanne Stirling Karpin
(11 February 2005)
His Honour Judge Ian John Dodd
(19 July 2005)
His Honour Judge Geoffrey John Graham
(6 December 2005)

DISTRICT COURT JUDGE APPOINTED TO THE SUPREME COURT OF NSW

Her Honour Judge Megan Fay Latham was appointed as a Judge of the Supreme Court of NSW on 12 April 2005.

APPOINTMENTS HELD DURING 2005

His Honour Judge John Lawrence O'Meally, A.M., R.F.D., held the appointment of President of the Dust Diseases Tribunal of NSW.

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

His Honour Judge Derek Michael Price held the appointment of Chief Magistrate of the Local Courts of NSW.

His Honour Judge Kenneth Victor Taylor, A.M., R.F.D., held the appointment of Deputy Judge Advocate General of the Australian Defence Force. His Honour also held the appointment of Acting Commissioner of the NSW Health Care Complaints Commission until 21 March 2005.

MEDICAL TRIBUNAL OF NSW

The Honourable Justice Reginald Oliver Blanch, A.M., Chief Judge, held the appointment of Chairperson of the Medical Tribunal of New South Wales.

The following Judges held appointments as Deputy Chairpersons of the Tribunal as at 31 December 2005:

His Honour Judge John Cecil McGuire
His Honour Judge Ronald Herbert Solomon
His Honour Judge David James Freeman
His Honour Judge William Harwood Knight
His Honour Judge Kenneth Victor Taylor, A.M., R.F.D.
Her Honour Judge Margaret Sidis
His Honour Judge Anthony Francis Puckeridge, Q.C.
His Honour Judge Stephen Lewis Walmsley, S.C.
Her Honour Judge Ann Margaret Ainslie-Wallace
Her Honour Judge Helen Gay Murrell, S.C.
His Honour Judge Nigel Geoffrey Rein, S.C.
His Honour Judge Robert Keleman, S.C.

ACTING JUDGES DURING 2005

Section 18 of the District Court Act 1973 provides that the Governor may appoint a person to act as

The Court

a Judge for a time not exceeding 12 months. The following people held a Commission as an Acting Judge during the course of 2005:

Mr Warwick John Andrew, C.B.E.
Miss Cecily Elizabeth Backhouse, Q.C.
Mr Ian Phillip Barnett
Mr Julian Block
Mr Brian James Boulton
Mr Clifford James Boyd-Boland
Dr Leroy Certoma
Emeritus Professor Michael Rainsford
Chesterman
Mr Terrence Joseph Christie, Q.C.
Mr Peter Evan Coleman, Q.C.
Mr Harvey Leslie Cooper, A.M.
Mr Thomas Swanson Davidson, Q.C.
Mr John Roger Dive
Mr William Thomas Ducker
Emeritus Professor Helen Elizabeth Craig
Gamble
Mr Joseph Xavier Gibson, Q.C.
Mr Geoffrey John Graham
Mr Peter Rex Grogan
Mr Brian John Herron, Q.C.
The Honourable Barrie Clive Hungerford, Q.C.
Mr Peter John Johns
Ms Angela Jeanne Stirling Karpin
Mr Barrie Richard Kinchington, Q.C.
Mr Michael John McGrowdie
Mr James Alexander McIntyre, R.F.D., S.C.
Mr Barry Edmund Mahoney, Q.C.
Mr Joseph Anthony Moore
Mr Brian Francis Murray, Q.C.
The Honourable John Anthony Nader, R.F.D.,
Q.C.
Ms Jillian Mary Orchiston
Mr John Kevin O'Reilly, Q.C.
Mr David Louthean Patten
Mr David Sydney Shillington, Q.C.
Mr Philip Adrian Twigg, Q.C.
Mr Michael Alan Viney, Q.C.
Mr Brian Cecil Maclaren Wall, Q.C.
Sir Robert Kynnersley Woods, C.B.E.

JUDICIAL REGISTRAR

Section 18FA of the District Court Act 1973 provides for the appointment of a Judicial Registrar.

Ms Catherine Admonisha McDonald is the Judicial Registrar.

VENUES

In 2005 the Court sat permanently in Sydney at the Downing Centre, 143-147 Liverpool Street, Sydney (in crime), where it occupies 17 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 (2 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.

CHIEF EXECUTIVE OFFICER AND PRINCIPAL REGISTRAR

The Chief Executive Officer and Principal Registrar is Mr Craig Smith, who is responsible for all the Court's administrative operations on a statewide 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.

Mr Smith 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 Chief Executive Officer 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 2005, the Chief Executive Officer was directly assisted by:

Policy Officer: Ken Sims
Executive Assistant: Elizabeth Hall

COURT RESULTS AND PERFORMANCE

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

Acting Manager, Court
Results and Performance: Bill Hi

REGISTRY

Deputy Chief
Executive Officer: Michael Sands

ASSISTANT REGISTRARS, SYDNEY

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 and the Judicial Registrar in case management of the lists.

As at 31 December 2005 the Assistant Registrars were:

Tony Grew
Mark Fukuda-Oddie
Mary O'Connell

SUPPORT SERVICES UNIT

The Support Services area provides direct support, by means of administrative and technological services, to the Judges of the Court and the Chief Executive Officer. 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 Support Services: Bill Coombs

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.

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

The Court

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.

Manager,

Client Services (Civil): Tony Bella

Acting Manager,

Client Services (Crime): Paul Futcher

REGISTRIES OUTSIDE OF SYDNEY

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

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 consists of representatives from the judiciary, registry, NSW Attorney General's Department, the legal profession (including the Law Society of NSW and Bar Association of NSW), Insurance Council of Australia, Motor Accidents Authority and the NSW Treasury Managed Fund.

The Committee met on 5 occasions during the year.

ACTIVITIES

1. Procedures were developed to accommodate the introduction of the new *Civil Procedures Act 2005* and the *Uniform Civil Procedure Rules 2005*, which commenced on 15 August 2005. This included reviewing all existing Practice Notes. Subsequently, a new set of Practice Notes was issued in their place.
2. With the sharp decrease in arbitration following the Tort Law Reform legislation, a review was undertaken of the cap on legal fees in respect to arbitrated matters. This led to the passing of legislation easing the capping provision in arbitrated matters, making it a more inviting alternative.
3. Ensuring that long cases, where suitable, are being referred to mediation. This has included the establishment of a system where Assistant Registrars of the Court are available to conduct in mediation, if a party is otherwise unable to afford it.

4. The Committee also discussed and examined the following issues;
 - ◆ the changing nature of the Court's work and the increasing number of long cases that are arising;
 - ◆ a proposed new set of Country Directions covering listing procedures at circuit venues;
 - ◆ the problem that seems to be developing of cases not being ready to accept a hearing date at Status Conference.

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.

ACTIVITIES

1. Revised the Practice Notes in use in the Court's criminal jurisdiction. All previous criminal Practice Notes were revoked and new revised Practice Notes were issued.
2. Prepared submissions to the Australian Law Reform Commission regarding the Uniform Evidence Act, on which the NSW Evidence Act is modelled.
3. Planned for the equipping of CCTV facilities in 6 additional courtrooms in the Sydney Downing Centre, bringing the total to 10 courts having these facilities in the complex.
4. Planned for the future installation of 3 remote witness rooms in Sydney (to be completed in early 2006), including preparing an appropriate Practice Note.
5. Continued to maintain a collaborative approach in its partnership with the Court's stakeholders in its criminal jurisdiction.

PROFESSIONAL STANDARDS (EDUCATION) COMMITTEE

TERMS OF REFERENCE

To:

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 Newcastle on 29 & 30 March 2005. Although focused on providing challenging and interesting educational sessions of relevance to judges, the conference is also structured to allow time for interaction and discussion between Court members.

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:

- ◆ Recurring Themes presented by the Honourable Justice Mason AC
- ◆ Forensic Document Examination presented by Mr Paul Westwood OAM
- ◆ Criminal Law Update presented by the Honourable Justice Howie
- ◆ Civil Law Update presented by His Honour Judge Walmsley SC
- ◆ Should Judges Mediate presented by Her Honour Judge Sidis and His Honour Judge Phegan
- ◆ Judgment Writing presented by the Honourable Justice Dessau, Family Court of Australia and His Honour Judge Wodak, County Court of Victoria.

This was the first year that breakout sessions were included for both the criminal law and civil law updates in order to give the judges an opportunity to engage in more interactive discussion with their colleagues.

2. Two new judges of the Court attended the National Judicial Orientation Programme at the Crowne Plaza, Coogee Beach in October 2005. The Programme for newly appointed judges was developed by the Judicial Commission of New South Wales and the Australian Institute of Judicial Administration (AIJA) and is now run by the National Judicial College of Australia.
3. The Education Committee has continued to organise a series of breakfast, lunch and twilight education sessions for District Court judges in the John Maddison Tower. Topics for these occasional seminars included Alternatives to Full Time Custodial Sentences, Sentencing Mentally Ill Offenders, Pre-Trial Diversion Programme, and the Impact of Sexual Offences on Victims — and how to better manage our courts to minimise the impact of sexual assault.
4. Professor James Raymond, a legal writing consultant from New York, conducted a two day Judgment Writing Workshop for the District Court attended by fourteen judges. Judges of the Court also participated in a weekend visit to the Shoalhaven Aboriginal Community in Nowra.

CIVIL JURISDICTION

NEW SOUTH WALES

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

- In 2005:
- ❖ Registrations fell by 10%
 - ❖ Finalisations fell by 23%
 - ❖ Pending cases fell by 4%
 - ❖ Median time for disposals fell from 14.2 to 12.4 months

The fall in registrations is due to the tort law reforms. This has also produced a change in the nature of the work coming before the Court, which, with reduced judicial resources, has resulted in the fall in finalisations.

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 6,129 matters registered in 2005, compared to 6,789 in 2004.

DISPOSALS

There were 6,405 disposals in 2005, compared with 8,305 in 2004.

PENDING

At the end of 2005 the pending caseload was 7,663, compared to 7,959 in 2004.

COMPARISON WITH PREVIOUS YEARS

Figure 1 overleaf tracks the Court's caseload since 1996. The early part of this decade saw a marked increase in registrations due the announcement of legislative changes, particularly tort law reform.

Following the implementation of these reforms a significant drop in registrations occurred. However, those cases which came into the Court were more complex and less likely to settle, with few being suitable for arbitration.

Figure 1. NSW Civil Caseload

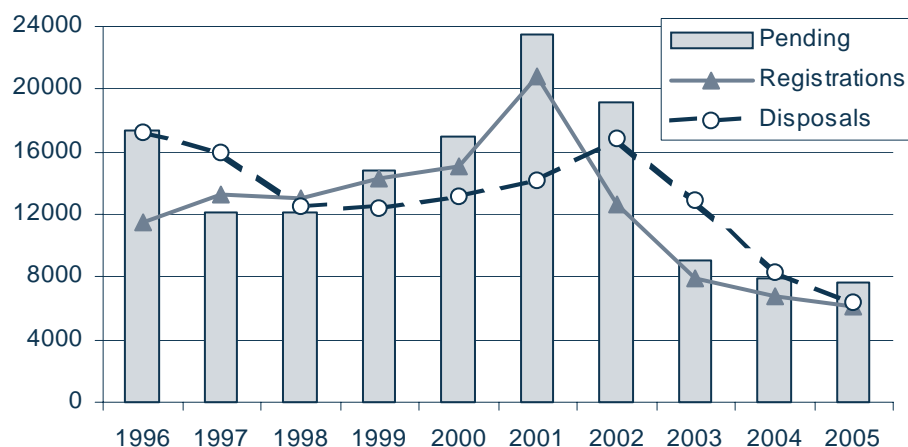


Table 1. Factors Influencing the Civil Case load

Year	Influencing Factor
1996	The Court made a concerted effort during the first 18 months after the commencement of case management, to dispose of pre-1996 matters. These efforts quickly eliminated many of the actions which had remained active, resulting in a higher 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 (actions commenced prior to 1 January 1996 were deemed dismissed if the Praecipe for Trial had not been filed by 1 January 1998).
1999	The Motor Accidents Compensation Act commenced limiting access to the Court in relation to motor accident claims. The impact of the 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 work related accidents and medical negligence prompted a rush of filings during the year prior to the changes.
2002	Further legislative changes aimed at reducing civil litigation (personal injuries claims) prompted a rush of filings in the first half of the year, with a marked drop occurring 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.
2004	The Court was vested with the residual jurisdiction of the NSW Compensation Court with its abolition from 1 January 2004. As a result, additional judges were available to assist during the first half of 2004.

DISPOSAL TIMES

In 2005, 49% of all actions completed were finalised within 12 months, with 79% being completed within 24 months. This compares to 43% and 72%, respectively, in 2004.

Of the pending caseload at the end of 2005, 17% exceeded 18 months compared to 21% in 2004 and 27% in 2003.

These improved figures suggest that the backlogs of more complicated matters, generated as a result of the rush in filings following the legislative changes in 2001 and 2002, are now being overcome.

CASE MANAGEMENT

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 exceptional 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;
- ◆ 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 (the then) Practice Note 33.

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.

UNIFORM CIVIL PROCEDURE

The *Civil Procedure Act 2005* and *Uniform Civil Procedure Rules* consolidated provisions about civil procedure that were found in a number of different Acts and rules, into a single Act and set of rules. The Rules introduced common rules and procedures in civil proceedings in the Supreme, District and Local Courts.

In line with the new Rules, the Court revised its Practice Notes, revoking all previous Practice Notes and issuing new ones to replace them where appropriate. For example, Practice Note 33 (which outlined the Court's case management procedures) was revoked and replaced with Practice Note 1.

PRACTICE NOTE 1

New Practice Note 1 continues to provide that parties should expect to be allocated a trial date within 12 months of commencement of proceedings. Parties must plan to meet this time standard.

Briefly, the Practice Note provides:

- ◆ the plaintiff must serve a timetable for the conduct of the case on the defendant with the statement of claim;
- ◆ any proposed amendments to the timetable by the defendant must be served on the plaintiff at least 7 days before the Pre-Trial Conference;
- ◆ a Pre-trial Conference, which will entail an in-depth review of the case, will be held 3 months after commencement;
- ◆ directions and orders will be made at the Pre-Trial Conference, which must be complied with or otherwise it may lead to cost orders;
- ◆ a Status Conference will take place 7 months after commencement and parties should be ready to take a trial or arbitration date;
- ◆ the trial date allocated will generally be within 1 to 3 months of the Status Conference;
- ◆ at any stage a case may be referred to a directions hearing before the List Judge or the Judicial Registrar;
- ◆ the Court will only grant adjournment applications where there are very good reasons.

ALTERNATIVE DISPUTE RESOLUTION

Practice Note 1 stresses that the Court proposed to continue to finalise as many matters as possible through alternative dispute resolution systems. In appropriate cases the Court will refer a matter to arbitration or mediation.

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 about 4,400, in 2002.

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, fewer than 700 in 2004 and under 400 in 2005.

SYDNEY

In 2005:

- ❖ Registrations fell by 10%
- ❖ Finalisations fell by 23%
- ❖ Pending cases fell by 1%
- ❖ Median disposal time fell from 14.2 to 12 months.

CASELOAD

In 2005, Sydney civil case managed matters represented 67% of the State's registrations and 68% of the matters on hand.

Since 1998 the ratio of new civil actions commencing in Sydney, as compared to the whole State, has increased from 55% to 67%. The rise is shown in Figure 2 below.

Figure 2. Sydney's % of NSW Registrations

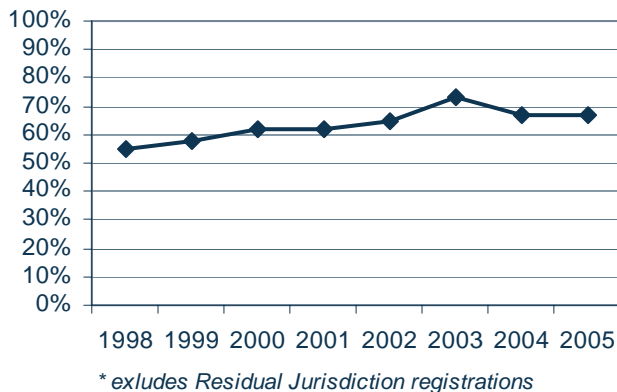
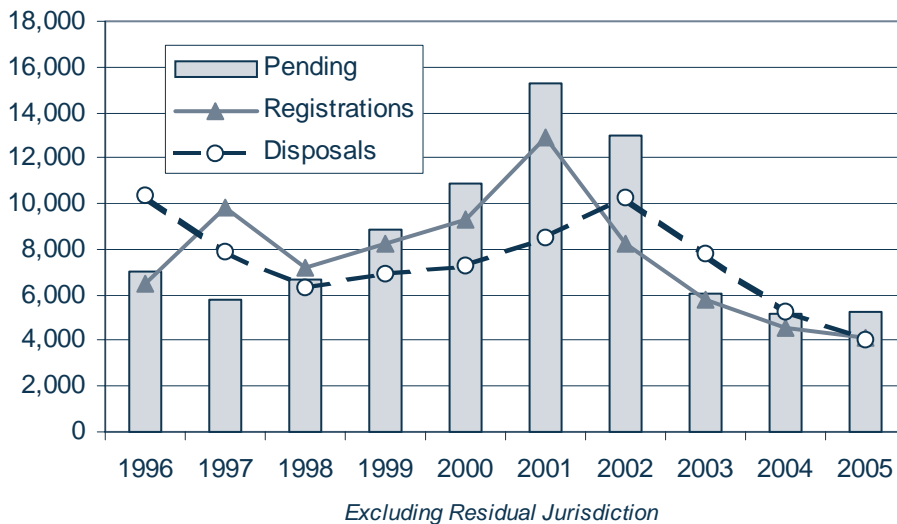


Figure 3. Sydney Caseload



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

REGISTRATIONS, DISPOSALS AND PENDING

Excluding the Residual Jurisdiction, there were 4,115 new actions commenced and 4,056 finalised in Sydney in 2005. At the end of the year there were 5,229 actions pending. 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.

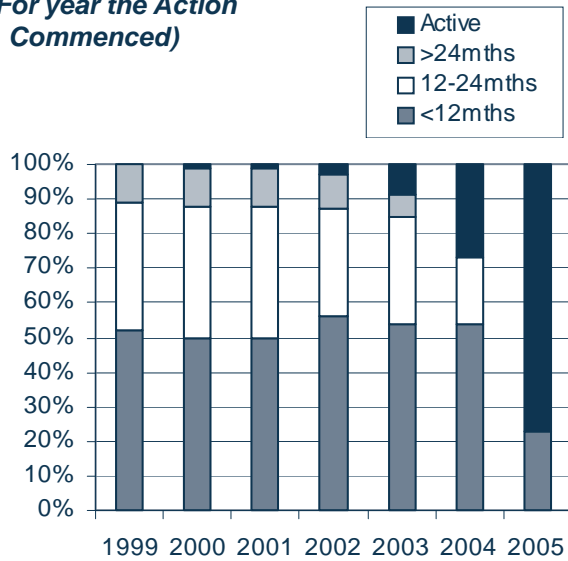
In 2005, 50% of all actions completed were finalised within 12 months, with 79% being completed within 24 months. This compares to 43% and 72%, respectively, in 2004.

Of the pending caseload at the end of 2005, 16% exceeded 18 months compared to 20% in 2004.

Of matters commenced in 2005, 23% were completed during the year. For matters

commenced in 2004, 54% were completed within 12 months, and 73% within 24 months.

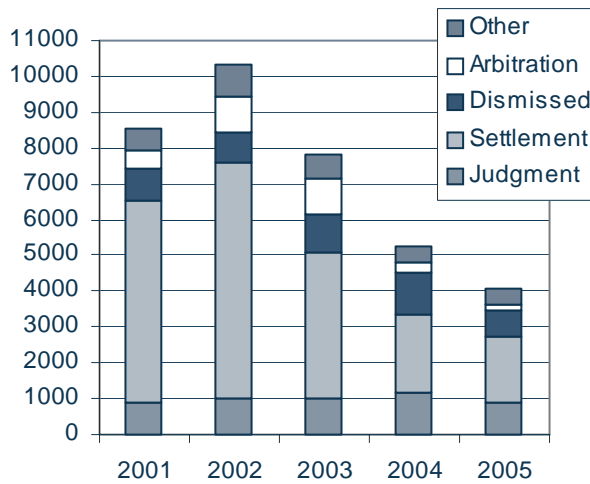
Figure 4. Completion Times
(For year the Action Commenced)



MANNER OF DISPOSAL

Figure 5 compares the manner in which civil actions in the last 4 years have been disposed.

Figure 5. Method of Finalisation



This graph clearly indicates that in the last few years the manner in which cases are being disposed has changed as a result of the drop in settlements and arbitrations.

Table 1. Disposal Outcomes

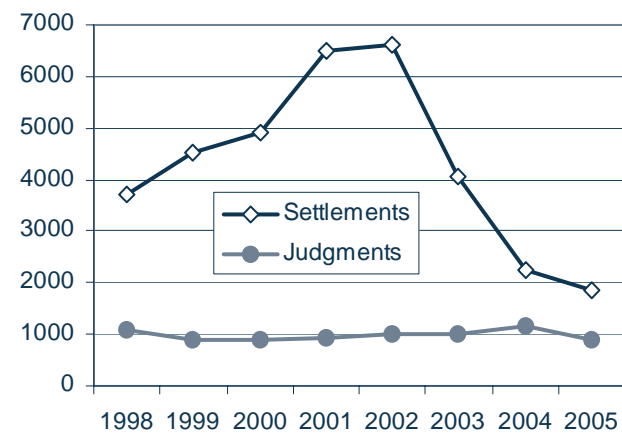
Judgment	Settlement	Dismissed	Arbitration Awards	Discontinued	Transferred	Total
908	1,843	725	133	346	101	4,056

Table 1 (at the bottom of the page) sets out the break-up of how matters were completed in 2005.

It shows that in 2005, 908 matters resulted in a court judgment. Yet in 2001 when the disposal figure was more than double that of 2005, the number of court judgments was only 916.

Figure 6 below shows there has been a significant drop in recent years in the number of settlements, with no real change in the number of court judgments.

Figure 6. Judgments/Settlements



Settlements consume minimal court time. It is the cases which proceed to judgment that place the most demands on court time.

ALTERNATIVE DISPUTE RESOLUTION

MEDIATION

The List Judge or the Judicial Registrars refer all suitable long cases before the Sydney District Court to mediation.

On 15 August 2005, the Court introduced a court run mediation scheme in the Sydney District Court. Under this scheme, either the List Judge or the Judicial Registrar may refer matters to an Assistant Registrar to mediate.

Some judges have also mediated in a number of matters.

Civil Jurisdiction

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 the Registry provides support services. This enables multiple matters to be listed and reserve matters are allocated to Arbitrators as previous matters conclude.

In 2005, 296 matters were referred to arbitration as compared to 605 in 2004, 1,973 in 2003 and 6,575 in 2002.

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

RESIDUAL JURISDICTION

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

The disputes that were transferred to the District Court are commonly referred to as its "residual jurisdiction" and involve the following:

- The Police Act 1990 concerning police officers "hurt on duty" and the Police Regulation (Superannuation) Act 1906 concerning the payment of superannuation benefits to police officers
- Payment under the Police Regulations (Superannuation) Act 1906, paid to STC (the SAS Trustee Corporation continued under the Superannuation Administration Act 1996) and special risk benefits payable by the Commissioner of Police
- The Workers' Compensation Act 1987 concerning workers in or about a coal mine

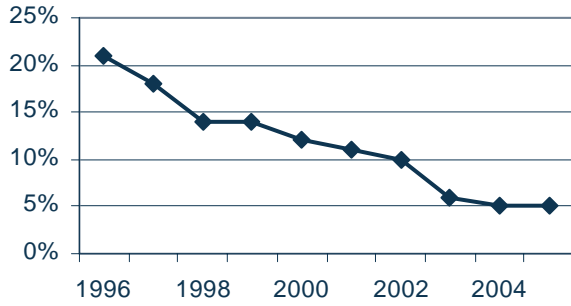
- The Workers Compensation (Dust Diseases) Act 1942
- The Sporting Injuries Insurance Scheme
- The Workers' Compensation (Bush Fire, Emergency & Rescue Services) Act 1987.

During 2005, 470 actions were commenced and 566 were finalised. There were a total of 321 matters on hand in the residual jurisdiction at the end of 2005.

SYDNEY WEST

Sydney West had 5% of the total number of new actions started in the State in 2005 (excluding the Court's residual jurisdiction). Figure 7 below tracks the variation in the proportional rate of registrations in Sydney West.

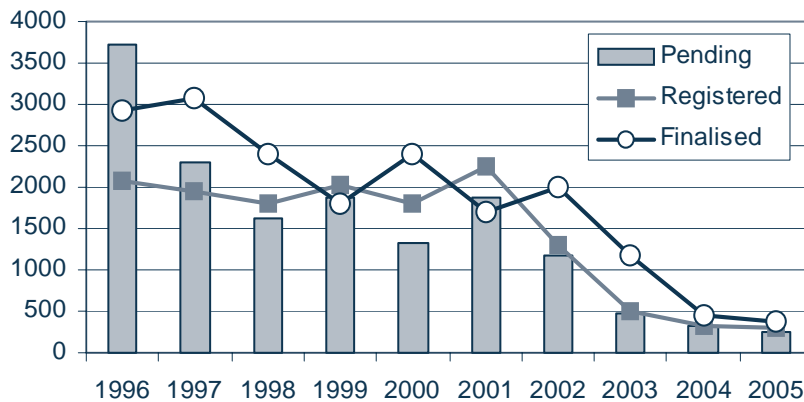
Figure 7. % of NSW Registrations



In Sydney West there were 293 matters registered and 364 dispositions throughout the year. At the end of 2005 the total pending caseload was 259, as compared to 332 the previous year.

Figure 8 shows comparative registrations, finalisations and pending caseloads since 1996.

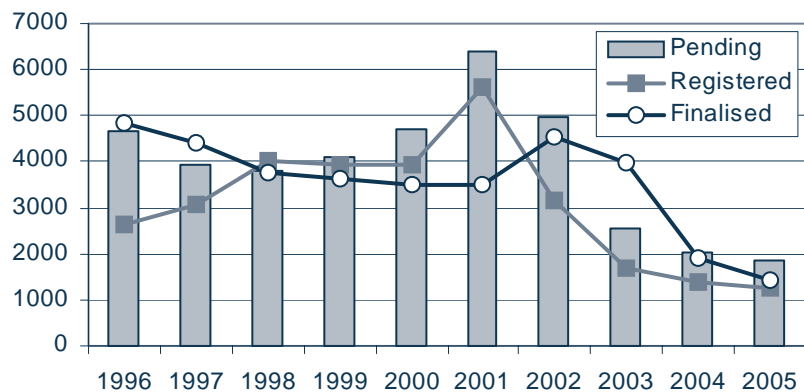
Figure 8. Sydney West Caseload



Pending matters in Sydney West fell by 22% and the median finalisation time was 9.8 months.

20% of pending matters exceeded 18 months.

Figure 10. Country Caseload



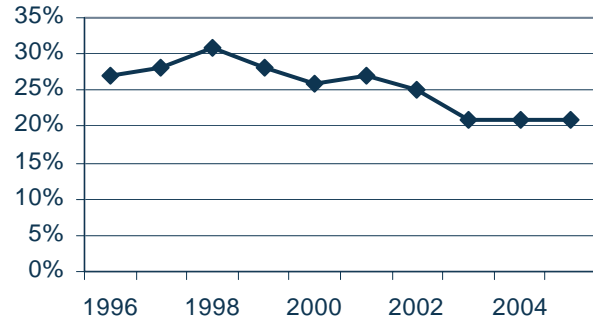
Pending matters in the country fell by 8% and the median finalisation time was 14.8 months.

23% of pending matters exceeded 18 months.

COUNTRY

Venues outside of Sydney and Sydney West had 21% of the total number of new actions started in 2004 (excluding the Court's residual jurisdiction). Figure 9 below tracks the proportional rate of registrations rate for Country venues.

Figure 9. % of NSW Registrations



Outside of Sydney and Sydney West, there were 1,251 matters registered and 1,419 dispositions throughout the year. At the end of the year the total pending caseload was 1,854 as compared to 2,017 the previous year.

Figure 10 shows comparative registrations, finalisations and pending caseloads since 1996.

CRIMINAL JURISDICTION

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

TRIALS

- In 2005:
- ❖ Trial registrations dropped by 18%
 - ❖ Finalisations fell by 7%
 - ❖ Pending trials dropped by 13%
 - ❖ Median disposals times rose from 30.4 to 34.8 weeks
 - ❖ Average length of trials rose by 14%, from 6.5 to 7.4 days

Caseload

There were 1,869 criminal trials registered during 2005 in New South, as compared to 2,279 in 2004 and 2,253 in 2003.

There were 2,038 trials finalised in 2005, as compared to 2,189 in 2004 and 2,187 in 2003.

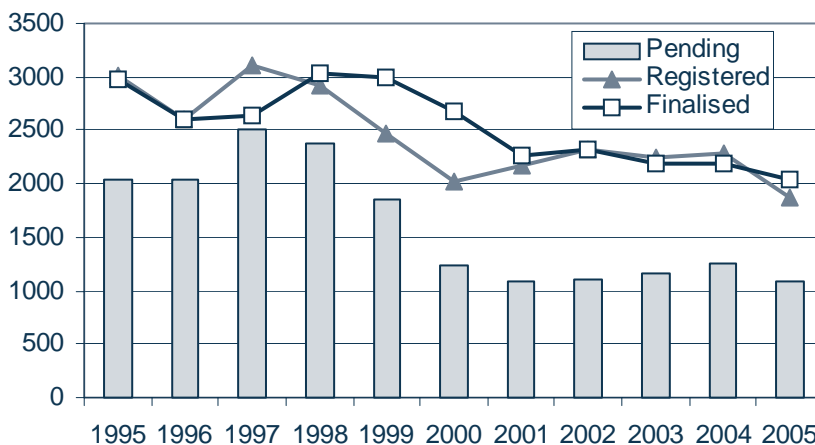
There were 1,086 trials on hand at the end of 2005, which was a decrease on the 1,254 trials at the end of 2004 and 1,164 at the end of 2003.

Figure 11, at the bottom of the page, tracks the statewide trends in the criminal trial caseload since 1995.

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

- Legislative changes have increased the range of indictable offences capable of being dealt with by Magistrates, which has 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 was introduced in Sydney in April 1998, and was extended outside of Sydney in early 1999.

Figure 11. Criminal Trial Caseload

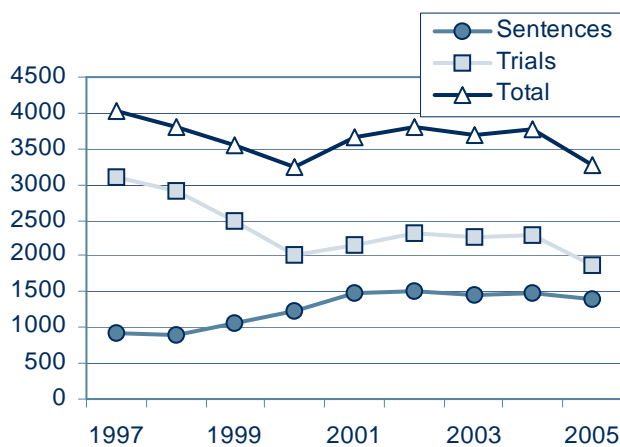


The centralised committal scheme resulted in a marked decrease in registrations between 1997 to 2000. Registrations rose in 2001 and 2002. They were relatively stable in 2003 and 2004, but fell in 2005.

The decrease in trial registrations in the late 1990's was accompanied by an increase in sentence committals until 2001. Since then they have remained relatively stable, although there was a drop in both trails and sentences in 2005.

Figure 12 shows variations in trial and sentence registrations since 1997.

Figure 12. Trial and Sentence Registrations



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

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 2005, 42% of trial disposals where the accused was in custody were finalised within 4 months, and 8% exceeded 12 months. Where the accused was on bail, 26% of disposals occurred within 4 months, with 21% exceeding 12 months.

Figure 13 below sets out comparative compliance rates with time standards for all trials finalised.

Figure 13. All Registered Trials Finalised - Time Standards Compliance Rate

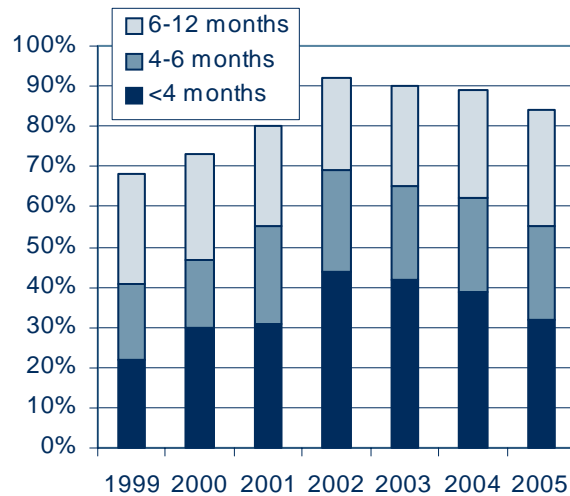


Figure 14 below shows the age of all trials which were pending at the end of the year indicated.

Figure 14. All Registered Trials - Pending Matters

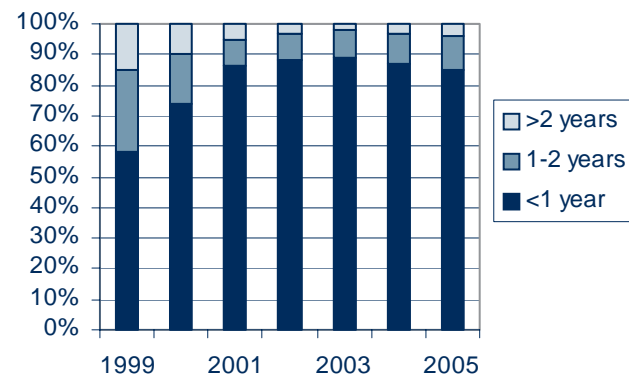
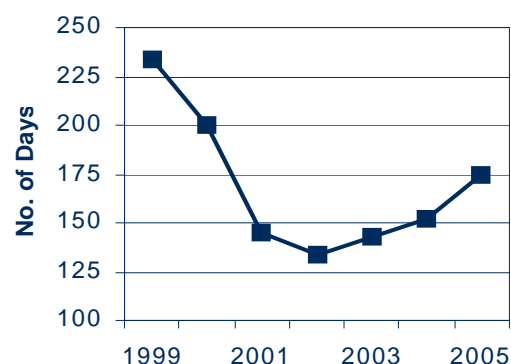


Figure 15 tracks the median disposal times, from committal to commencement of the trial, for matters finalised during the year indicated.

Figure 15. Median Disposal Times - Criminal Trails



Criminal Jurisdiction

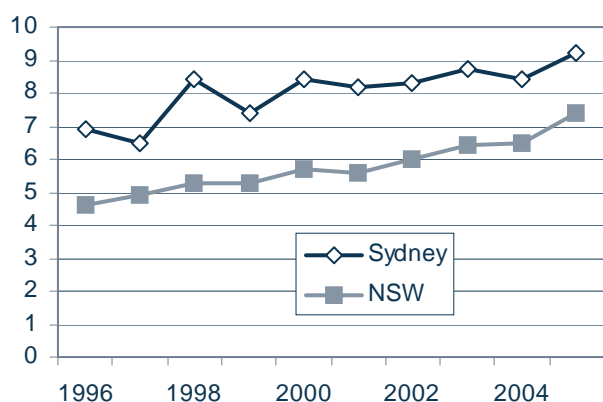
Between 1998 and 2002 the Court substantially improved waiting times in criminal trials. However, since then waiting times have started to rise. This will continue to be closely monitored by the Court.

Trial Durations

The statewide average length of criminal trials finalised in 2005 was 7.4 days, as compared to 6.5 days in 2004. In Sydney the average duration was 9.2 days, compared to 8.4 days.

Figure 16 illustrates the fluctuating rise in the average trial duration time.

Figure 16. 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 and Sydney West are to be in conformity with Criminal Practice Note 1.

This Practice Note provides:

- ◆ cases committed to trial in the Downing Centre are to be listed for mention on the last sitting day of the following week (normally a Friday) for first mention in the arraignment list;
- ◆ in Sydney West a similar procedure is adopted but the first mention day varies from court to court;
- ◆ where an appeal against severity is lodged in the Local Court the date of hearing in the District Court is endorsed on the Notice of Appeal;

- ◆ 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;
- ◆ the listing judges in Sydney West may fix further management dates for the trials;
- ◆ any application to vacate a hearing date should be made as soon as a party becomes aware of the grounds relied on and, wherever possible, at least 10 days before the listed trial date.

Listings in country circuits are to be in conformity with Criminal Practice Note 2, which provides:

- ◆ the listing of case is to be done on the basis of listing three trials per week and the sittings will be conducted as a running list for the week;
- ◆ when listing trials at any circuit sittings with a duration of two or three weeks, 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. Similarly if there is a third week of sittings, trials listed in the third week will be mentioned on the Monday of the second week of the sittings for the judge to allocate a hearing date;
- ◆ in the ordinary course of events no trial will be marked not reached until the last week of the sittings;
- ◆ parties are encouraged to bring forward any trial matter which may be a plea to enable the Registrar to list it for plea or mention at the sittings;
- ◆ any application to vacate a trial during the sittings should be notified to the judge on the first day of the sittings and the application should be made by notice of motion and supported by affidavit.

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 which 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

About 2,600 trials were listed for hearing in 2005. Figure 17 shows the break-up of those matters not dealt with.

Figure 17. Trial Listings Not Dealt With

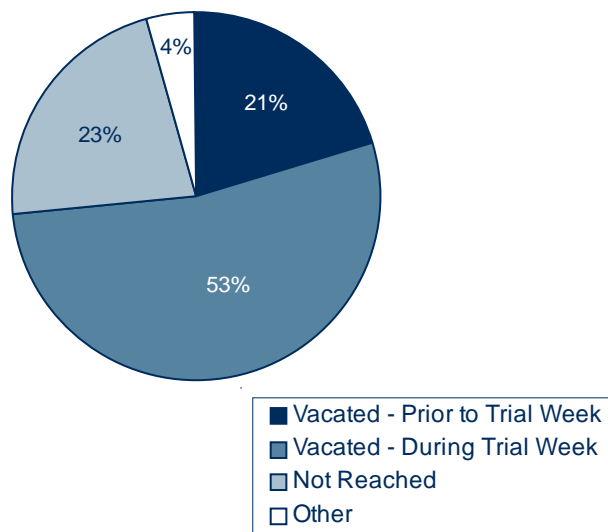


Figure 18 shows the break-up of those matters which were dealt with after being listed.

Figure 18. Trial Listings Dealt With

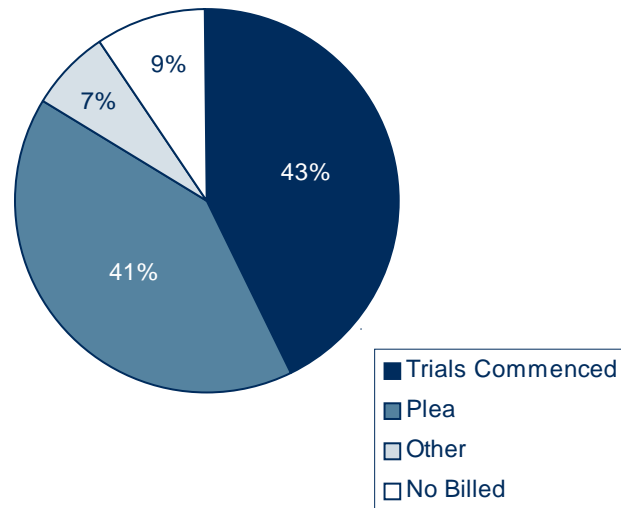
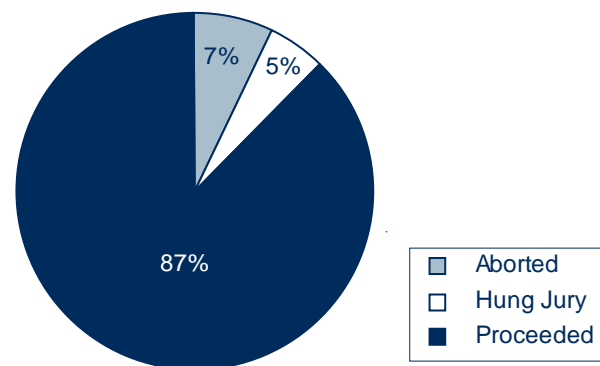


Figure 19 shows the outcome of those which commenced.

Figure 19. Trials Commenced



The table on the following page sets out trial listing outcomes for 2004.

Table 2. Trial Listing Outcomes

	Sydney	Sydney West	Country	Total
NOT DEALT WITH	28%	38%	39%	34%
Vacated	25%	34%	21%	26%
Prior to Trial Week	5%	13%	5%	7%
During Trial Week	20%	20%	16%	19%
Other Not Dealt With (Trial Week)	3%	4%	17%	8%
Not Reached	0%	4%	17%	6%
Other	3%	1%	1%	1%
DEALT WITH	72%	62%	61%	66%
Dealt With Prior to Trial Week	2%	6%	3%	3%
No Billed	1%	1%	0%	1%
Bench Warrant	0%	0%	0%	0%
Plea	0%	3%	2%	2%
Other (eg. deceased)	0%	0%	0%	0%
Transferred	0%	1%	1%	1%
Dealt With In Trial Week	34%	32%	37%	34%
No Billed	5%	5%	6%	5%
Bench Warrant	0%	1%	1%	1%
Plea	26%	22%	27%	25%
Other (eg. deceased)	2%	0%	1%	1%
Transferred	1%	3%	2%	2%
Trials Commenced	36%	25%	22%	28%
Aborted	2%	2%	2%	2%
Hung Jury	2%	1%	2%	1%
Proceeded	32%	22%	18%	25%

Of trials dealt with in 2005 (ie. 66% of total listings):

- ❖ 41% pleaded guilty
- ❖ 38% proceeded to verdict
- ❖ 9% were "no billed"
- ❖ 4% were transferred
- ❖ 3% were aborted
- ❖ 2% ended with a "hung jury"
- ❖ 2% were otherwise disposed
- ❖ 1% had bench warrants issued

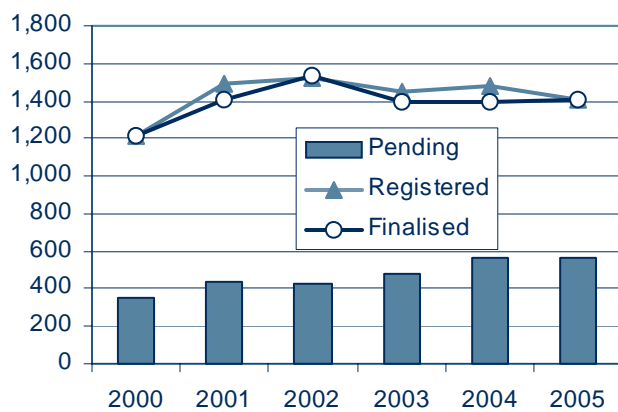
SHORT MATTERS

Sentences

There were 1,402 committals for sentence received in 2005 and the same number of matters were finalised. At the end of the year there were 566 sentence matters pending, again the same as 2004.

Figure 20 tracks the sentence caseload since 2000.

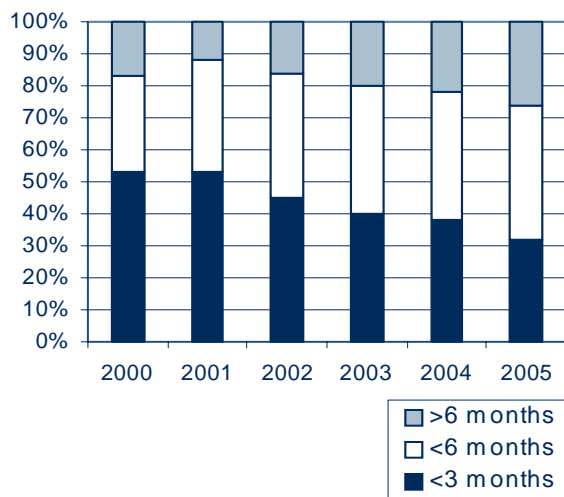
Figure 20. Sentence Caseload



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 21 illustrates compliance rates with time standards.

Figure 21. Compliance with Time Standards

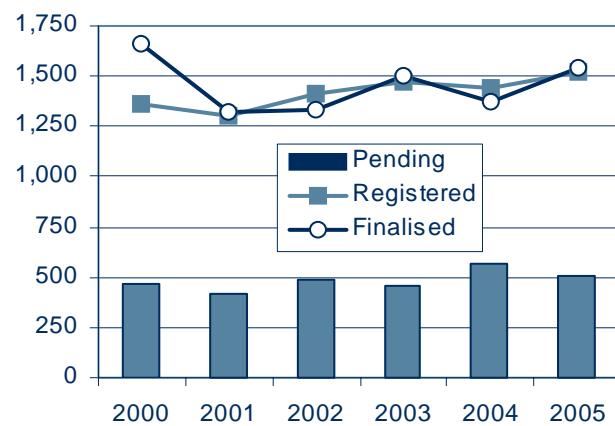


All Ground Appeals

There were 1,522 all ground appeals lodged in 2005 and 1,544 finalisations. At the end of the year there were 507 all ground appeals pending, 4% less than 2004.

Figure 22 tracks the sentence caseload since 2000.

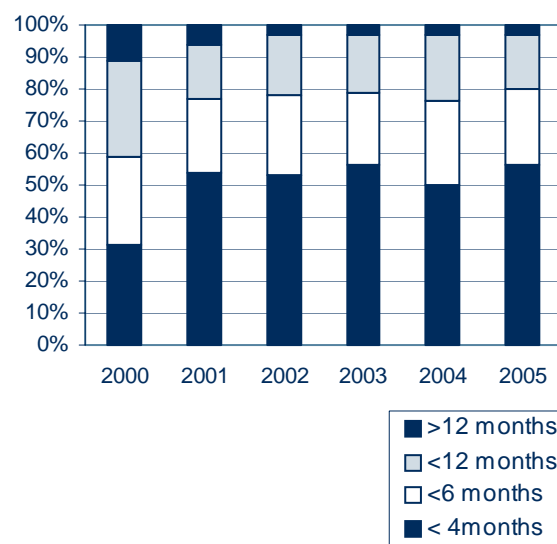
Figure 22. All Ground Appeals Caseload



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

Figure 23 illustrates compliance rates with time standards.

Figure 23. Compliance with Time Standards

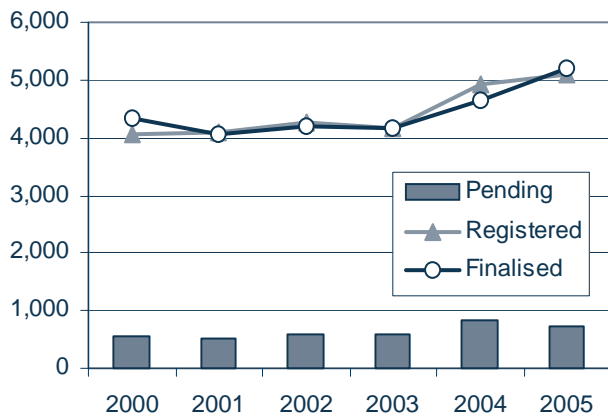


Sentence Appeals

There were 5,092 sentence appeals lodged in 2005 and 5,210 finalised. At the end of the year there were 729 sentence appeals pending, 14% less than 2004.

Figure 24 tracks the sentence appeals caseload since 2000.

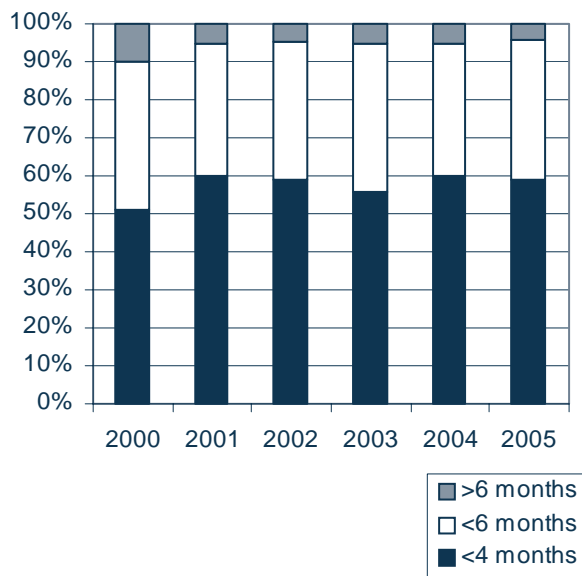
Figure 24. Sentence Appeals Caseload



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 25 illustrates compliance rates with time standards.

Figure 25. Compliance with Time Standards



JUDICIAL RESOURCES

ALLOCATED SITTINGS

Table 3 sets out the number of judicial sitting weeks allocated in 2005 as published in the Court's Calendar of Sittings.

Table 3. Siting Allocations

Location	Jurisdiction	No. of Weeks	Judge EFT	%
Sydney	Criminal	791	19.5	31%
	Civil	745	18.3	29%
Sydney West	Criminal	391	9.6	15%
	Civil	25	0.6	1%
Major Country	Criminal	142	3.5	6%
	Civil	59	1.5	2%
Other Venues	Criminal	298	7.3	12%
	Civil	80	2.0	3%
Total	Criminal	1,622	40.0	64%
	Civil	909	22.4	36%
	All	2,531	62.3	100%

*Judge EFT is calculated at 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 actually sat by the Court in 2005, converted into weeks (by dividing the number of days by 5).

Table 4. Actual Sittings

Location	Jurisdiction	No. of Weeks	Judge EFT	%
Sydney	Criminal	817	20.1	33%
	Civil	722	17.8	29%
Sydney West	Criminal	351	8.7	14%
	Civil	30	0.7	1%
Major Country	Criminal	135	3.3	5%
	Civil	60	1.5	2%
Other Venues	Criminal	285	7.0	12%
	Civil	72	1.8	3%
Total	Criminal	1,588	39.1	64%
	Civil	884	21.8	36%
	All	2,472	60.9	100%

*Judge EFT is calculated at 40.6 sitting weeks p.a.
- ie. 52 weeks less judicial vacations, public holidays and Annual Judges' Conference*

COMPARISONS WITH 2004

Overall, there were 234 fewer weeks of sittings in 2005 than 2004. This resulted in 3 weeks less criminal sittings and 231 weeks less civil sittings.

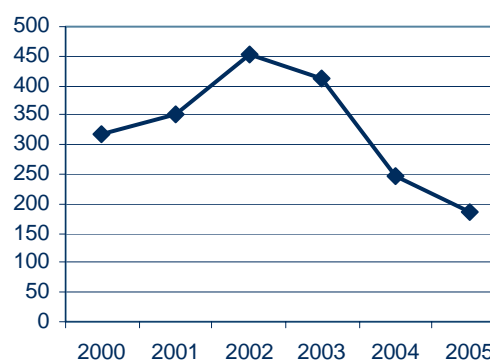
Virtually all of this drop occurred in the Sydney civil jurisdiction, which had 234 less sitting weeks. However, in 2004 an extra 140 sitting weeks (as compared to 2003) were allocated to Sydney. This was aimed at countering the large number of long civil matters that had built up following the tort law reform legislation.

ACTING JUDGES

An extra 926 days of actual sitting was provided by Acting Judges. Based on a maximum of 40.6 sitting weeks per year for a permanent judge, this equated to 4½ additional judges.

Figure 26 below shows the fluctuations in the number of Acting Judge weeks attained since 2000.

Figure 26. Acting Judge Weeks



SITTING DETAILS

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

Judicial Resources

Table 5. District Court Sittings 2005

	ALLOCATED (weeks)		AVAILABLE (days)		ACTUALLY SAT (days)		*AVERAGE RECORDED HOURS SAT
	CRIME	CIVIL	CRIME	CIVIL	CRIME	CIVIL	
SYDNEY	791	745	3974	3660	4083	3612	3.98
CAMPBELLTOWN	166	1	794	4	721	4	4.62
PARRAMATTA	144	21	704	103	667	124	4.42
PENRITH	81	3	391	15	368	20	4.35
SYDNEY WEST TOTAL	391	25	1889	122	1756	148	4.48
GOSFORD	41	6	200	30	189	38	4.3
NEWCASTLE	55	32	266	162	264	175	4.34
WOLLONGONG	46	21	222	103	224	87	4.3
O/S TOTAL	142	59	688	295	677	300	4.32
ALBURY	11	7	54	35	54	32	4.67
ARMIDALE	11	2	54	10	57	10	5.34
BATEMANS BAY	0	1	0	5	0	5	6.6
BATHURST	15	3	72	15	70	14	4
BEGA	11	1	55	5	53	5	4.41
BOURKE	2	0	10	0	9	0	4
BROKEN HILL	12	1	58	5	61	0	3.49
COFFS HARBOUR	22	6	108	29	111	28	4.94
COONAMBLE	4	0	19	0	13	0	4.08
DUBBO	29	5	140	24	145	21	4.4
EAST MAITLAND	16	0	77	0	74	0	4.64
GOULBURN	13	0	63	0	58	0	4.78
GRAFTON	7	0	35	0	33	0	3.55
GRIFFITH	7	3	35	15	33	13	4.3
INVERELL	4	0	20	0	17	0	4.41
LISMORE	39	12	192	57	184	58	4.12
LITHGOW	0	1	0	5	0	4	4.25
MAITLAND	0	7	0	35	0	21	4.43
MOREE	8	0	40	0	37	0	5.19
NOWRA	9	1	44	5	44	5	4.82
ORANGE	13	7	65	34	67	30	5.18
PARKES	5	0	24	0	22	0	5
PORT MACQUARIE	11	5	55	24	55	24	5.18
QUEANBEYAN	10	2	50	9	51	8	4.27
TAMWORTH	10	2	50	10	45	9	4.56
TAREE	15	5	73	24	65	24	4.57
WAGGA WAGGA	14	9	68	45	68	47	4.66
COUNTRY TOTAL	298	80	1461	391	1426	358	4.55
STATE TOTAL	1622	909	8012	4468	7942	4418	4.17

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



ANNEXURES

CIVIL CASELOAD

	Registered			Disposed			Pending ¹		
	2003	2004	2005	2003	2004	2005	2003	2004	2005
Sydney CML²	5,755	4,570	4,115	7,800	5,262	4,056	6,071	5,193	5,229
Residual Jurisdiction³	-	514	470	-	684	566	-	417	321
Parramatta	335	245	194	791	327	255	333	251	188
Penrith	86	34	49	218	61	53	78	51	47
Liverpool	39	23	31	90	34	23	20	9	17
Campbelltown	31	17	19	78	34	33	38	21	7
Sydney West	491	319	293	1,177	456	364	469	332	259
Newcastle	455	310	369	1,113	433	275	623	475	569
Gosford	86	64	54	173	71	56	115	96	94
Wollongong	188	189	195	505	289	199	412	312	317
Major Country	729	563	618	1,791	793	530	1,150	883	980
Albury	64	52	47	120	67	56	100	85	75
Armidale	23	18	20	64	22	19	33	29	32
Bathurst	18	22	18	61	23	29	32	31	20
Bega	22	9	11	37	25	16	30	14	9
Broken Hill	10	4	6	24	20	7	26	13	12
Coffs Harbour	48	66	42	107	64	72	65	74	46
Dubbo	79	39	30	156	72	56	112	74	45
Forbes	10	6	2	42	23	7	15	5	0
Goulburn	14	4	-	42	20	-	17	0	-
Grafton	26	6	-	55	39	-	27	0	-
Griffith	29	28	23	58	30	36	63	61	48
Lismore	161	155	123	289	181	156	172	144	111
Lithgow	23	16	9	59	27	20	35	24	13
Maitland	64	58	42	189	79	73	111	76	55
Moree	6	-	-	30	-	-	0	-	-
Nowra	41	25	14	60	37	34	27	26	6
Orange	37	63	37	127	46	54	76	94	59
Port Macquarie	62	53	40	122	51	57	99	101	84
Queanbeyan	40	34	29	78	40	25	34	26	30
Tamworth	33	30	29	101	35	32	42	36	37
Taree	56	46	50	120	69	57	113	87	80
Wagga Wagga	71	89	61	222	140	83	185	134	112
Other Venues	937	823	633	2,163	1,110	889	1,414	1,134	874
NSW Total	7,912	6,789	6,129	12,931	8,305	6,405	9,104	7,959	7,663

1. 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

2. CML - Matters in the Case Managed List

3. RJ - Residual Jurisdiction

CIVIL DISPOSAL TIMES

	Median Delay (mths)			%age of Cases Disposed Within						%age Pending* within 18 mths		
				12 mths			24 mths			2003	2004	2005
	2003	2004	2005	2003	2004	2005	2003	2004	2005			
Sydney	14.2	14.2	12.0	41%	43%	50%	84%	72%	79%	24%	20%	16%
Parramatta	11.2	10.8	10.6	56%	59%	61%	96%	88%	89%	19%	15%	20%
Penrith	13	10.9	10.5	42%	51%	56%	97%	84%	89%	26%	26%	26%
Liverpool	7.7	7.4	3.2	99%	91%	92%	100%	97%	96%	5%	0%	0%
Campbelltown	10.6	9.1	10.4	61%	72%	67%	99%	97%	93%	21%	15%	40%
Sydney West	10.9	10.1	9.8	57%	61%	64%	97%	89%	92%	20%	16%	20%
Newcastle	15.5	13.9	12.5	29%	43%	47%	84%	75%	78%	31%	20%	14%
Gosford	15.4	11.7	13.6	28%	54%	40%	93%	84%	75%	27%	18%	16%
Wollongong	18.7	23	13.6	21%	24%	40%	74%	52%	75%	53%	40%	26%
Major Country	15.9	15.9	14.2	26%	37%	40%	82%	67%	72%	39%	31%	23%
Albury	15	17.3	13.7	26%	38%	41%	82%	60%	77%	32%	22%	29%
Armidale	16.9	17.8	13.0	20%	29%	41%	87%	71%	86%	39%	41%	33%
Bathurst	17.2	21.2	18.4	20%	18%	26%	35%	68%	74%	44%	33%	10%
Batemans Bay	-	-	-	-	-	-	-	-	-	-	-	-
Bega	10.8	13.5	12.3	69%	29%	50%	97%	88%	92%	13%	14%	22%
Broken Hill	23.2	35.2	32.3	13%	10%	14%	65%	29%	43%	69%	33%	40%
Coffs Harbour	11.9	12.2	12.7	51%	43%	49%	88%	78%	87%	18%	20%	32%
Dubbo	17.8	20.2	19.9	22%	19%	24%	79%	65%	67%	30%	25%	22%
Goulburn	19.9	17	-	16%	31%	-	81%	69%	-	29%	0%	-
Grafton	16	8.3	-	35%	68%	-	88%	84%	-	15%	0%	-
Griffith	18.8	28.1	26.2	20%	12%	21%	84%	31%	48%	44%	41%	35%
Lismore	12.8	12.3	12.2	42%	49%	48%	89%	84%	80%	27%	31%	34%
Lithgow	15.4	15	11.5	39%	35%	50%	79%	70%	88%	40%	24%	31%
Maitland	14	13	14.5	36%	41%	40%	94%	81%	87%	36%	77%	22%
Moree	25.4	-	-	12%	-	-	50%	-	-	0%	-	-
Nowra	10.6	10	13.0	70%	63%	44%	94%	90%	71%	4%	0%	0%
Orange	16.6	15.9	13.2	21%	39%	42%	88%	75%	71%	21%	28%	40%
Port Macquarie	15	18.3	19.3	35%	30%	24%	91%	83%	71%	24%	26%	41%
Queanbeyan	20.1	12.9	20.0	32%	49%	24%	66%	71%	64%	29%	38%	11%
Tamworth	15.6	18	16.2	26%	33%	35%	83%	74%	74%	29%	25%	29%
Taree	15.2	14.6	14.8	32%	43%	43%	95%	71%	76%	32%	21%	15%
Wagga Wagga	16	20.1	21.2	23%	27%	27%	91%	64%	59%	38%	33%	26%
Other Venues	15.3	15.1	15.2	32%	38%	48%	87%	73%	75%	31%	31%	29%
NSW Total	14.4	14.2	12.4	39%	43%	49%	85%	72%	79%	27%	21%	17%

* Pending figures are taken as at 31 December

CRIMINAL CASELOAD

TRIALS

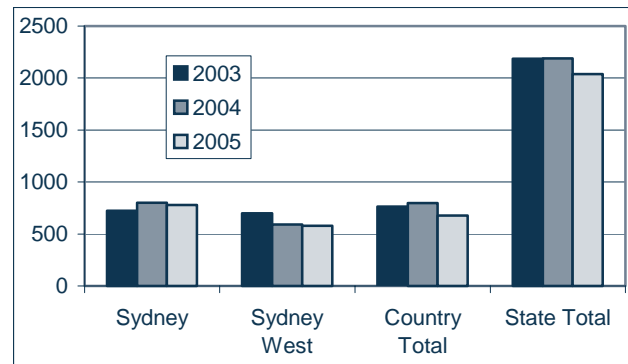
Registered

	2003	2004	2005	04/05 Variant
Sydney	701	905	638	-30%
Sydney West	724	560	553	-1%
Newcastle	285	310	243	-22%
Wollongong	152	164	131	-20%
Lismore	151	141	121	-14%
Dubbo	174	127	112	-12%
Wagga Wagga	66	72	71	-1%
Country Total	828	814	678	-17%
State Total	2,253	2,279	1,869	-18%



Finalised

	2003	2004	2005	04/05 Variant
Sydney	725	801	780	-3%
Sydney West	699	590	580	-2%
Newcastle	253	306	227	-26%
Wollongong	144	145	129	-11%
Lismore	140	149	132	-11%
Dubbo	164	139	120	-14%
Wagga Wagga	62	59	70	19%
Country Total	763	798	678	-15%
State Total	2,187	2,189	2,038	-7%



Pending

	2003	2004	2005	04/05 Variant
Sydney	354	499	379	-24%
Sydney West	351	313	287	-8%
Newcastle	159	146	155	6%
Wollongong	100	105	96	-9%
Lismore	79	74	61	-18%
Dubbo	96	81	71	-12%
Wagga Wagga	25	36	37	3%
Country Total	459	442	420	-5%
State Total	1,164	1,254	1,086	-13%



Footnote: The above figures do not include changes of venue

CRIMINAL CASELOAD

SENTENCES

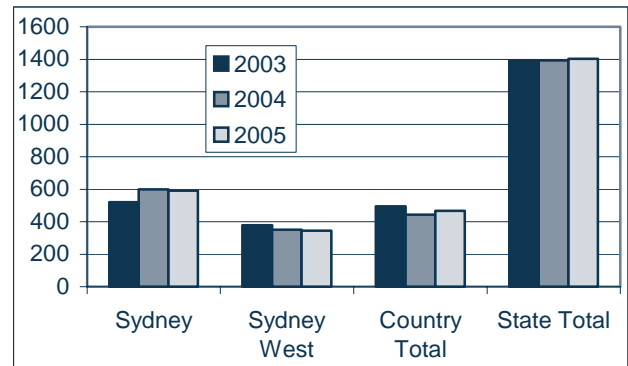
Registered

	2003	2004	2005	04/05 Variant
Sydney	572	641	573	-11%
Sydney West	380	346	363	5%
Newcastle	203	182	184	1%
Wollongong	99	114	116	2%
Lismore	68	54	79	46%
Dubbo	80	98	61	-38%
Wagga Wagga	45	48	26	-46%
Country Total	495	496	466	-6%
State Total	1,447	1,483	1,402	-5%



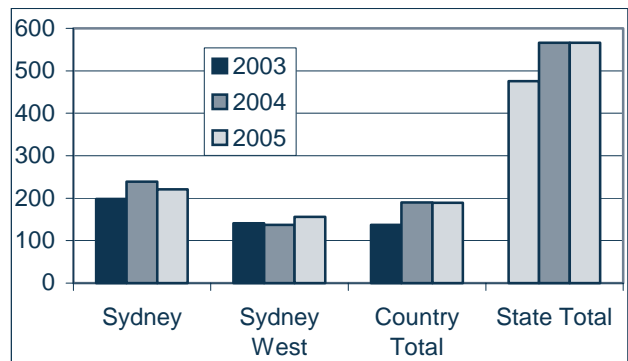
Finalised

	2003	2004	2005	04/05 Variant
Sydney	520	600	591	-2%
Sydney West	378	350	344	-2%
Newcastle	215	184	157	-15%
Wollongong	101	89	128	44%
Lismore	66	45	71	58%
Dubbo	72	83	81	-2%
Wagga Wagga	41	42	30	-29%
Country Total	495	443	467	5%
State Total	1,393	1,393	1,402	1%



Pending

	2003	2004	2005	04/05 Variant
Sydney	198	239	221	-8%
Sydney West	141	137	156	14%
Newcastle	59	57	84	47%
Wollongong	31	56	44	-21%
Lismore	14	23	31	35%
Dubbo	23	38	18	-53%
Wagga Wagga	10	16	12	-25%
Country Total	137	190	189	-1%
State Total	476	566	566	0%



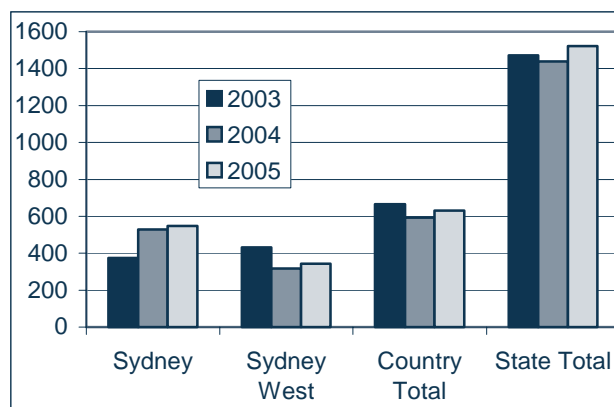
Footnote: The above figures do not include changes of venue

CRIMINAL CASELOAD

ALL GROUND APPEALS

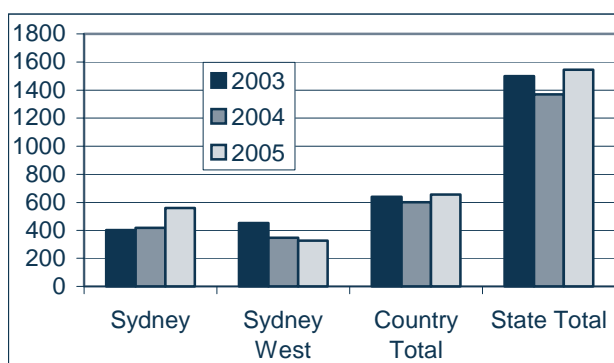
Registered

	2003	2004	2005	04/05 Variant
Sydney	374	528	547	4%
Sydney West	431	318	344	8%
Newcastle	201	200	223	12%
Wollongong	158	117	132	13%
Lismore	126	127	128	1%
Dubbo	114	77	98	27%
Wagga Wagga	67	71	50	-30%
Country Total	666	592	631	7%
State Total	1,471	1,438	1,522	6%



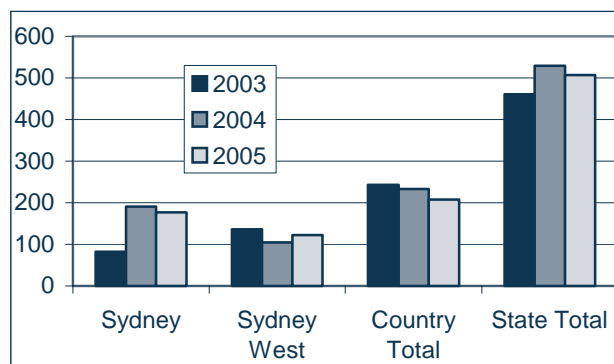
Finalised

	2003	2004	2005	04/05 Variant
Sydney	404	419	561	34%
Sydney West	454	349	327	-6%
Newcastle	201	195	233	19%
Wollongong	130	117	151	29%
Lismore	131	123	121	-2%
Dubbo	112	93	93	0%
Wagga Wagga	67	74	58	-22%
Country Total	641	602	656	9%
State Total	1,499	1,370	1,544	13%



Pending

	2003	2004	2005	04/05 Variant
Sydney	82	191	177	-7%
Sydney West	136	105	122	16%
Newcastle	75	80	70	-13%
Wollongong	58	58	39	-33%
Lismore	37	41	48	17%
Dubbo	42	26	31	19%
Wagga Wagga	31	28	20	-29%
Country Total	243	233	208	-11%
State Total	461	529	507	-4%



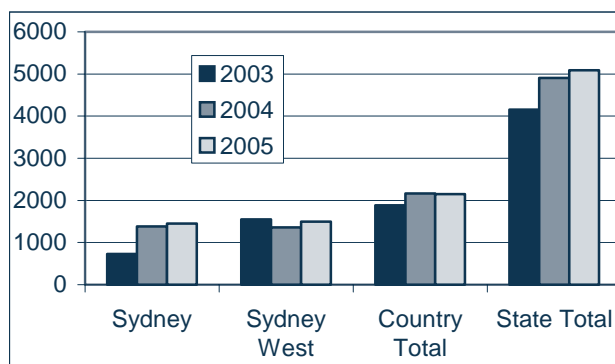
Footnote: The above figures do not include changes of venue

CRIMINAL CASELOAD

SENTENCE APPEALS

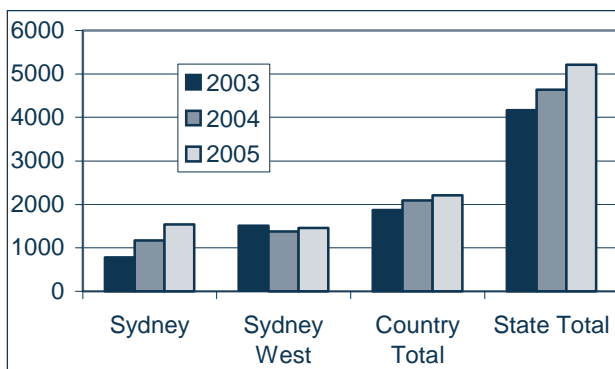
Registered

	2003	2004	2005	04/05 Variant
Sydney	728	1,381	1,448	5%
Sydney West	1,546	1,359	1,496	10%
Newcastle	644	881	869	-1%
Wollongong	323	341	359	5%
Lismore	368	350	341	-3%
Dubbo	360	366	360	-2%
Wagga Wagga	189	230	219	-5%
Country Total	1,884	2,168	2,148	-1%
State Total	4,158	4,908	5,092	4%



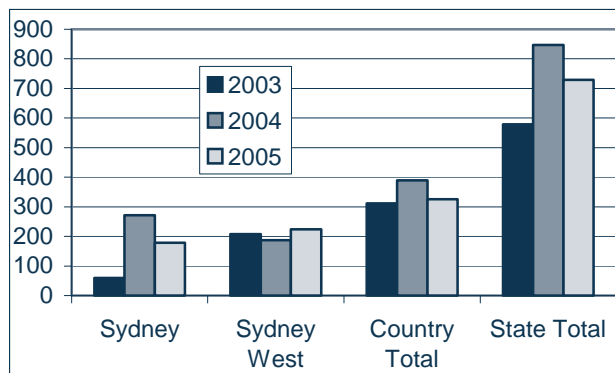
Finalised

	2003	2004	2005	04/05 Variant
Sydney	779	1,169	1,540	32%
Sydney West	1,514	1,380	1,459	6%
Newcastle	685	832	886	6%
Wollongong	320	314	402	28%
Lismore	341	367	342	-7%
Dubbo	341	375	347	-7%
Wagga Wagga	185	203	234	15%
Country Total	1,872	2,091	2,211	6%
State Total	4,165	4,640	5,210	12%



Pending

	2003	2004	2005	04/05 Variant
Sydney	59	271	179	-34%
Sydney West	208	187	224	20%
Newcastle	94	143	126	-12%
Wollongong	53	80	37	-54%
Lismore	70	53	52	-2%
Dubbo	62	53	66	25%
Wagga Wagga	33	60	45	-25%
Country Total	312	389	326	-16%
State Total	579	847	729	-14%



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		
	2003	2004	2005	2003	2004	2005	2003	2004	2005	2003	2004	2005
Sydney	59%	55%	35%	80%	74%	62%	97%	93%	91%	3%	7%	9%
Sydney West	52%	47%	45%	74%	74%	65%	95%	97%	91%	5%	3%	9%
Newcastle	67%	55%	60%	83%	80%	81%	98%	98%	96%	2%	2%	4%
Wollongong	42%	42%	43%	72%	71%	71%	93%	96%	89%	7%	4%	11%
Lismore	58%	38%	41%	78%	75%	66%	98%	98%	98%	3%	2%	2%
Dubbo	68%	62%	45%	81%	82%	79%	98%	100%	95%	2%	0%	5%
Wagga Wagga	78%	67%	48%	78%	80%	84%	100%	100%	96%	0%	0%	4%
Country Total	61%	51%	50%	79%	78%	77%	97%	98%	95%	3%	2%	5%
State Total	58%	51%	42%	78%	75%	67%	96%	96%	92%	4%	4%	8%

Accused on Bail

	Percentage of Cases Disposed Within											
	4 months			6 months			12 months			>12 months		
	2003	2004	2005	2003	2004	2005	2003	2004	2005	2003	2004	2005
Sydney	38%	41%	25%	65%	66%	48%	87%	89%	78%	13%	11%	22%
Sydney West	29%	28%	28%	55%	52%	50%	88%	84%	84%	12%	16%	16%
Newcastle	40%	27%	28%	60%	52%	46%	88%	88%	77%	12%	12%	23%
Wollongong	22%	21%	22%	45%	48%	37%	79%	78%	74%	21%	22%	26%
Lismore	32%	19%	31%	57%	48%	56%	87%	90%	81%	13%	10%	19%
Dubbo	26%	18%	18%	43%	34%	36%	75%	68%	66%	25%	32%	34%
Wagga Wagga	49%	44%	28%	78%	56%	48%	92%	98%	93%	8%	2%	7%
Country Total	33%	24%	26%	55%	48%	44%	84%	84%	77%	16%	16%	23%
State Total	33%	31%	26%	58%	55%	47%	86%	86%	79%	14%	14%	21%

All Trials

	Percentage of Cases Disposed Within											
	4 months			6 months			12 months			>12 months		
	2003	2004	2005	2003	2004	2005	2003	2004	2005	2003	2004	2005
Sydney	47%	47%	30%	71%	69%	54%	91%	91%	84%	9%	9%	16%
Sydney West	39%	35%	35%	63%	60%	57%	91%	89%	87%	9%	11%	13%
Newcastle	48%	36%	39%	67%	61%	58%	91%	91%	84%	9%	9%	16%
Wollongong	28%	28%	27%	53%	56%	46%	83%	84%	78%	17%	16%	22%
Lismore	39%	26%	34%	63%	58%	59%	90%	93%	86%	10%	7%	14%
Dubbo	41%	30%	26%	56%	47%	50%	83%	77%	75%	17%	23%	25%
Wagga Wagga	53%	50%	35%	78%	62%	61%	93%	98%	94%	7%	2%	6%
Country Total	42%	33%	33%	62%	57%	55%	88%	88%	83%	12%	12%	17%
State Total	42%	39%	32%	65%	62%	55%	90%	89%	84%	10%	11%	16%

COMPLIANCE WITH CRIMINAL TIME STANDARDS

TRIALS - VERDICTS

Accused in Custody

	Percentage of Cases Disposed Within											
	4 months			6 months			12 months			>12 months		
	2003	2004	2005	2003	2004	2005	2003	2004	2005	2003	2004	2005
Sydney	31%	38%	23%	51%	66%	51%	88%	95%	90%	12%	5%	10%
Sydney West	17%	26%	24%	26%	51%	53%	87%	92%	88%	13%	8%	12%
Newcastle	39%	0%	31%	39%	46%	69%	94%	92%	88%	6%	8%	13%
Wollongong	17%	33%	22%	50%	67%	67%	67%	100%	78%	33%	0%	22%
Lismore	15%	0%	38%	31%	71%	38%	92%	100%	100%	8%	0%	0%
Dubbo	33%	22%	20%	50%	56%	60%	92%	100%	60%	8%	0%	40%
Wagga Wagga	0%	100%	50%	0%	100%	100%	100%	100%	100%	0%	0%	0%
Country Total	27%	14%	30%	39%	58%	63%	90%	97%	85%	10%	3%	15%
State Total	27%	19%	25%	41%	55%	54%	89%	94%	88%	11%	6%	12%

Accused on Bail

	Percentage of Cases Disposed Within											
	4 months			6 months			12 months			>12 months		
	2003	2004	2005	2003	2004	2005	2003	2004	2005	2003	2004	2005
Sydney	31%	30%	13%	66%	58%	41%	85%	83%	70%	15%	17%	30%
Sydney West	20%	12%	9%	51%	46%	31%	79%	77%	70%	21%	23%	30%
Newcastle	27%	3%	13%	59%	24%	25%	82%	85%	69%	18%	15%	31%
Wollongong	13%	6%	15%	46%	38%	40%	79%	68%	70%	21%	32%	30%
Lismore	19%	19%	16%	52%	43%	42%	77%	86%	74%	23%	14%	26%
Dubbo	21%	7%	17%	43%	22%	30%	61%	56%	52%	39%	44%	48%
Wagga Wagga	22%	18%	30%	78%	45%	30%	78%	91%	80%	22%	9%	20%
Country Total	22%	8%	16%	53%	31%	32%	76%	76%	68%	24%	24%	33%
State Total	24%	17%	13%	57%	45%	35%	80%	79%	69%	20%	21%	31%

All Trials

	Percentage of Cases Disposed Within											
	4 months			6 months			12 months			>12 months		
	2003	2004	2005	2003	2004	2005	2003	2004	2005	2003	2004	2005
Sydney	31%	33%	17%	62%	61%	45%	86%	88%	78%	14%	12%	22%
Sydney West	19%	16%	15%	45%	48%	39%	81%	81%	77%	19%	19%	23%
Newcastle	30%	3%	17%	54%	28%	36%	86%	86%	73%	14%	14%	27%
Wollongong	13%	10%	17%	47%	43%	48%	77%	73%	72%	23%	28%	28%
Lismore	18%	14%	22%	45%	50%	41%	82%	89%	81%	18%	11%	19%
Dubbo	25%	11%	18%	45%	31%	36%	70%	67%	54%	30%	33%	46%
Wagga Wagga	18%	25%	33%	64%	50%	42%	82%	92%	83%	18%	8%	17%
Country Total	23%	9%	19%	49%	36%	39%	80%	80%	72%	20%	20%	28%
State Total	25%	17%	17%	53%	47%	42%	82%	83%	76%	18%	17%	24%

COMPLIANCE WITH CRIMINAL TIME STANDARDS

APPEALS

All Grounds Appeals

	Percentage of Cases Disposed Within											
	4 months			6 months			12 months			>12 months		
	2003	2004	2005	2003	2004	2005	2003	2004	2005	2003	2004	2005
Sydney	63%	49%	53%	89%	80%	81%	100%	97%	97%	0%	3%	3%
Sydney West	50%	50%	61%	73%	73%	82%	95%	95%	97%	5%	5%	3%
Newcastle	61%	54%	51%	75%	79%	76%	95%	97%	97%	5%	3%	3%
Wollongong	43%	40%	43%	74%	65%	71%	96%	96%	96%	4%	4%	4%
Lismore	50%	44%	49%	78%	72%	78%	96%	98%	98%	4%	2%	2%
Dubbo	65%	60%	74%	86%	82%	88%	98%	98%	97%	2%	2%	3%
Wagga Wagga	47%	46%	61%	67%	71%	83%	97%	97%	98%	3%	3%	2%
Country Total	56%	50%	55%	77%	75%	79%	96%	97%	97%	4%	3%	3%
State Total	56%	50%	56%	79%	76%	80%	97%	97%	97%	3%	3%	3%

Severity Appeals

	Percentage of Cases Disposed Within								
	2 months			6 months			>6 months		
	2003	2004	2005	2003	2004	2005	2003	2004	2005
Sydney	74%	76%	72%	98%	98%	98%	2%	2%	2%
Sydney West	55%	66%	67%	95%	95%	97%	5%	5%	3%
Newcastle	50%	56%	48%	92%	95%	94%	8%	5%	6%
Wollongong	43%	35%	34%	90%	92%	92%	10%	8%	8%
Lismore	55%	48%	48%	98%	95%	94%	2%	5%	6%
Dubbo	48%	42%	47%	96%	93%	93%	4%	7%	7%
Wagga Wagga	53%	35%	34%	93%	93%	95%	7%	7%	5%
Country Total	50%	47%	44%	93%	94%	94%	7%	6%	6%
State Total	56%	60%	59%	95%	95%	96%	5%	5%	4%

SENTENCES

	Percentage of Cases Disposed Within								
	3 months			6 month			>6 months		
	2003	2004	2005	2003	2004	2005	2003	2004	2005
Sydney	43%	44%	33%	84%	79%	74%	16%	21%	26%
Sydney West	28%	25%	30%	69%	68%	75%	31%	32%	25%
Newcastle	37%	34%	37%	80%	81%	75%	20%	19%	25%
Wollongong	38%	27%	21%	77%	77%	66%	23%	23%	34%
Lismore	52%	44%	43%	92%	86%	79%	8%	14%	21%
Dubbo	54%	50%	30%	85%	88%	75%	15%	12%	25%
Wagga Wagga	74%	57%	47%	100%	83%	80%	0%	17%	20%
Country Total	45%	39%	33%	83%	83%	74%	17%	17%	26%
State Total	40%	38%	32%	80%	78%	74%	20%	22%	26%

DISTRICT COURT COMMITTEES

CHIEF JUDGE'S POLICY AND PLANNING COMMITTEE

The Honourable Justice R O Blanch, Chief Judge
(Chairman)
His Honour Judge Shadbolt
His Honour Judge Taylor AM RFD
His Honour Judge Knight
His Honour Judge Garling
His Honour Judge O'Toole
His Honour Judge Geraghty
His Honour Judge Bishop
Her Honour Judge Hock
His Honour Judge J C Gibson
His Honour Judge Blackmore SC
His Honour Judge C E O'Connor QC
Mr C Smith, Chief Executive Officer (Secretary)

RULE COMMITTEE

The Honourable Justice R O Blanch, Chief Judge
(Chairman)
His Honour Judge Garling (Deputy Chairman)
Her Honour Judge Sidis
His Honour Judge Robison
His Honour Judge Phegan
His Honour Judge Rolfe
His Honour Judge Neilson
His Honour Judge Rein SC
Mr P Khandhar, 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 Truss
Her Honour Judge Sidis
His Honour Judge Rolfe
His Honour Judge McMcloughlin, SC
Judicial Registrar McDonald
Mr D Booth, Insurance Council of Australia
Ms B Cassidy, Motor Accidents Authority
Mr P Deakin, QC, NSW Bar Association
Mr P Johnstone, Solicitor
Ms L King SC, NSW Bar Association
Mr A McMurrin, Law Society of NSW
Mr T Stern, Law Society of NSW
Ms J Atkinson, Attorney General's Department
Mr S Olischlager, Attorney General's Department
Mr C Smith, Chief Executive Officer, District Court
Ms J Dunn, Manager, Civil Case Management and
Listings, District Court
Mr K Sims, Policy Officer, District Court (Secretary)

CRIMINAL BUSINESS COMMITTEE

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

RESOURCES COMMITTEE

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

PROFESSIONAL STANDARDS (EDUCATION) COMMITTEE

His Honour Judge Knight (Chairman)
His Honour Judge Geraghty
Her Honour Judge Murrell SC
His Honour Judge Phegan
His Honour Judge Puckerage QC
His Honour Judge Goldring
His Honour Judge Delaney
His Honour Judge Willaims
His Honour Judge Norrish QC
Her Honour Judge Gibson
His Honour Judge Nicholson SC
Ms R Windeler, Judicial Commission
Mr C Smith, Chief Executive Officer, District Court

CRIMINAL LAW COMMITTEE

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

COMPUTER COMMITTEE

Her Honour Judge Sidis (Chairperson)
His Honour Judge Sides
His Honour Judge Delaney
His Honour Judge Finnane RFD QC
Her Honour Judge J C Gibson
Mr J Mahon, Attorney General's Department
Ms J Gee, Attorney General's Department
Mr D Lane, Attorney General's Department
Mr C Smith, Chief Executive Officer, District Court
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, Chief Executive Officer, District Court
Mr J Hourigan (Secretary)

Annexure D

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, Chief Executive Officer, District Court
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

JUDICIAL COMMISSION, STANDING ADVISORY COMMITTEE OF JUDICIAL EDUCATION

His Honour Judge Phegan

JUDICIAL COMMISSION, JOINT STEERING COMMITTEE WITH THE ALJA ABORIGINAL CULTURAL AWARENESS PROGRAM

His Honour Judge Norrish, QC
His Honour Judge Dive

JUDICIAL COMMISSION, CRIMINAL TRIAL COURTS BENCH BOOK COMMITTEE

His Honour Judge Berman, SC

JOHN MADDISON TOWER BUILDING MANAGEMENT COMMITTEE

His Honour Judge McGuire, District Court
His Honour Judge Geraghty, Compensation Court
His Honour Judge Duck, Dust Diseases Tribunal
Mr G Byles, Sheriff
Mr D Johnson, Building Manager
Mr R. Gounder, Assets Management, Attorney General's Department
Mr S Smith, Assets Management, Attorney General's Department
Mr C Smith, Chief Executive Officer, District Court
Mr K Sims, Policy Officer, District Court (Secretary)

Notes

