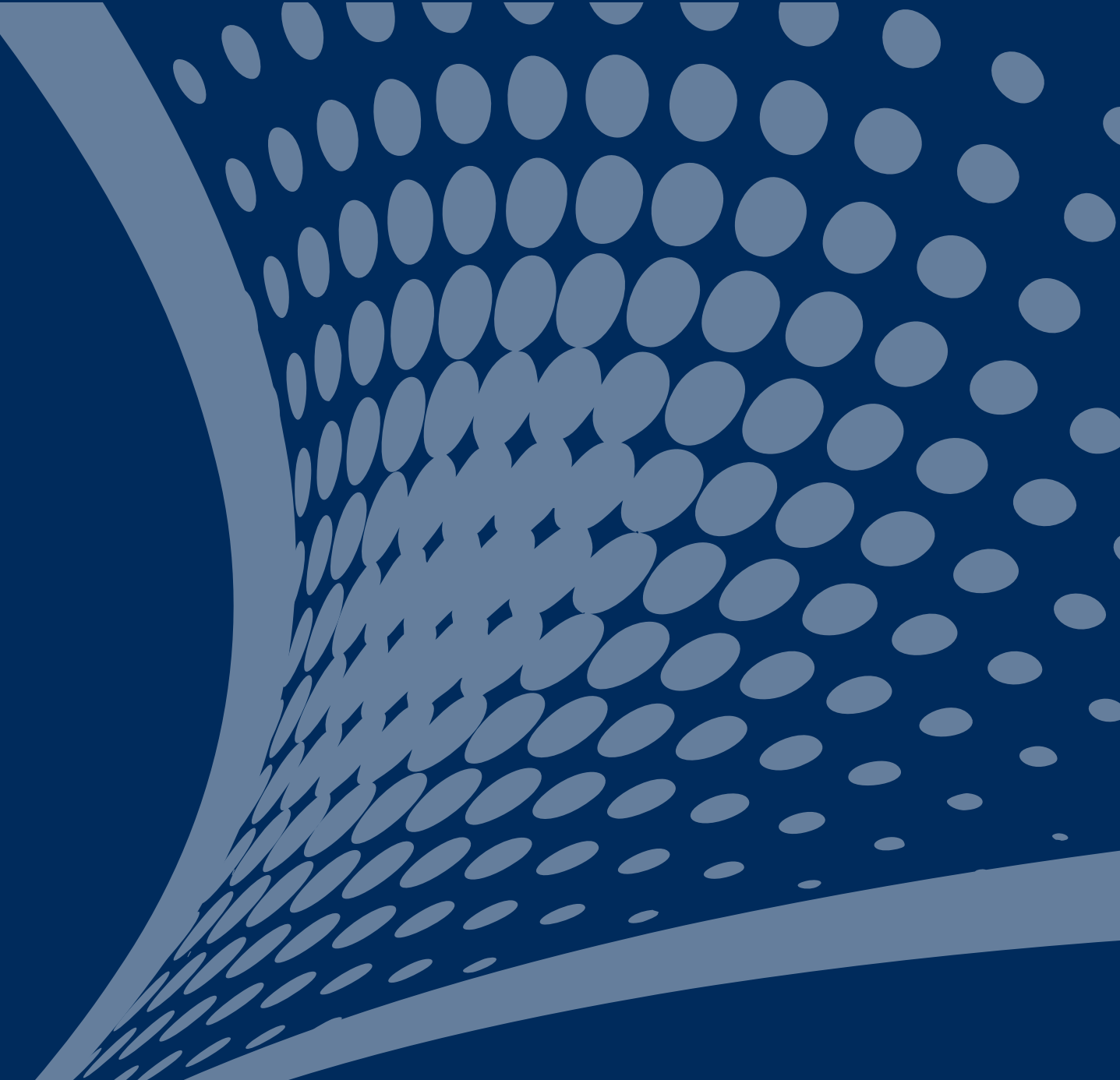




The District Court of New South Wales
Annual Review 2016



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FOREWORD BY CHIEF JUDGE

It is pleasing to report that the significant increase in the finalisation of criminal trials and sentence matters referred to in the Foreword to last year's *Annual Review* continued in 2016. The finalisation of criminal trials increased by 16.5% and sentences by 9.8%. When compared to 2014, there were 476 more trials and 368 more sentences finalised during the year.

The Court's efficiency in dealing with its civil work also improved. The Australian Productivity Commission's *Report on Government Services 2017* discloses that a larger number of civil cases were finalised in 2015-16 compared to the preceding year.

The ongoing improvement in the performance of the Court is primarily due to the Judges and staff of the Court. I would like to express my appreciation for their hard work and commitment in dealing with an unrelenting workload.

Notwithstanding the significant rise in finalisations, the principal concern for the Court remains the criminal caseload. The NSW Bureau of Crime Statistics and Research recently 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 these increases have been matched by finalisations, the median delay between committal for trial and finalisation rose from 243 days to 378 days.

The initiatives implemented in 2015 to deal with the increased caseload continued during the year:

- Special call overs were held at Parramatta, Coffs Harbour and Gosford and resulted in 105 matters not proceeding to trial

- A preliminary report on the Rolling List Court (RLC) by the NSW Bureau of Crime Statistics and Research disclosed that by the end of July 2016 a significantly higher proportion of matters balloted to the RLC had been finalised compared with matters dealt with in the general list. Further, there was a significant increase in guilty pleas. The evaluation of the RLC will continue
- Initial reports on the Pilot program provided by the *Criminal Procedure Amendment (Child Sexual Offence Evidence Pilot) Act 2015* are also encouraging. The Pilot program will be evaluated in 2018
- Criminal sittings of the Court increased by 199 weeks

Readiness hearings are now required by Practice Note 12 for all criminal trials in excess of four weeks. Telephone call overs for trials in circuit sittings have been mandated by Practice Note 13. The case management provisions of the *Criminal Procedure Act 1986* are utilised to ensure that a trial is ready to proceed.

It is with sadness that I report of the sudden passing of His Honour Judge Gregory Farmer SC in August 2016. His Honour was appointed to the Court on 15 September 2015, an appointment which was a natural progression of a distinguished career.

The Court continues to work closely with the Attorney General, the NSW Director of Public Prosecutions, the Senior Public Defender and Legal Aid Commission of NSW with the aim of dealing with the criminal caseload. Five additional judges were appointed in 2016 and additional funding was provided to the agencies. I am grateful for the Government's support for the Court.

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

THE DISTRICT COURT

- History
- Jurisdiction
- Judiciary
- Court Staff

History

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

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

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

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

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

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

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

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

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

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

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

Jurisdiction

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

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

In its civil jurisdiction the Court may deal with:

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

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

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

Judiciary

CHIEF JUDGE

The Honourable Justice Derek Michael Price AM*

JUDGES AS AT 31 DECEMBER 2016

His Honour Judge Garry William Neilson

His Honour Judge Christopher John George Robison

Her Honour Judge Robyn Christine Tupman

His Honour Judge James Patrick Curtis*

Her Honour Judge Deborah June Payne

His Honour Judge Martin Langford Sides QC

His Honour Judge Gregory David Woods QC

Her Honour Judge Jennifer Anne English

Her Honour Judge Susan Jennifer Gibb

His Honour Judge Stephen Ronald Norrish QC

Her Honour Judge Audrey Suzanne Balla

Her Honour Judge Penelope Jane Hock

Her Honour Judge Judith Clare Gibson

His Honour Judge Anthony Martin Blackmore SC

His Honour Judge Peter Graeme Berman SC

His Honour Judge Raymond Patrick McLoughlin SC

His Honour Judge Roy David Ellis

His Honour Judge John Roger Dive

Her Honour Judge Deborah Anne Sweeney

His Honour Judge James Leonard Alexandre Bennett SC

His Honour Judge Peter Lind Johnstone

His Honour Judge William Patrick Kearns SC*

His Honour Judge Paul Vincent Conlon SC

His Honour Judge Peter Raymond Zahra SC

His Honour Judge Richard Dominic Cogswell SC

Her Honour Judge Leonie Flannery SC

His Honour Judge Robert Stephen Toner SC

His Honour Judge Gregory Michael Keating

His Honour Judge Paul Ivan Lakatos SC

His Honour Judge Leonard Levy SC

His Honour Judge Michael King SC

His Honour Judge David Clement
Frearson SC

His Honour Judge Andrew Michael Colefax SC

Her Honour Judge Helen Syme

His Honour Judge Michael Ivan Bozic SC

His Honour Judge John North

His Honour Judge Graham Leslie Henson

Her Honour Judge Laura Kathleen Wells SC

His Honour Judge Ross Victor
Letherbarrow SC

His Honour Judge Andrew Carl Haesler SC

Her Honour Judge Donna Mary Lisa
Woodburne SC

Her Honour Judge Elizabeth Margaret
Olsson SC

His Honour Judge Clive Vaughan Jeffreys

His Honour Judge David Ulric Arnott SC

His Honour Judge Peter George Maiden SC

His Honour Judge Phillip Gregory Mahony SC

His Honour Judge Christopher Phillip Hoy SC

His Honour Judge Phillip Thomas Taylor SC

His Honour Judge Gordon Bruce Lerve

His Honour Judge Ian Hartley McClintock SC

His Honour Judge Christopher Bruce
Craigie SC

Her Honour Judge Sarah Jane Huggett

His Honour Judge Antony Edward Townsend

His Honour Judge Peter Raymond
Whitford SC

His Honour Judge Stephen Scott Hanley SC

Her Honour Judge Sharron Norton SC

His Honour Judge Mark Lloyd Williams SC

Her Honour Judge Dina Yehia SC

Her Honour Judge Julia Ann Baly SC

His Honour Judge John Hatzistergos

Her Honour Judge Jane Ariane Culver

His Honour Judge Andrew Scotting*

Her Honour Judge Jennie Anne Girdham SC

Her Honour Judge Catherine Margaret Traill

His Honour Judge Mark Buscombe

His Honour Judge John Hunter Pickering SC

Her Honour Judge Siobhan Pauline Herbert

Her Honour Judge Penelope Margot
Wass SC

His Honour Judge Robert Edward
Montgomery

His Honour Judge Matthew Charles Leckie
Dicker SC

Her Honour Judge Nicole Frances Noman SC

His Honour Judge Warwick James Hunt

His Honour Judge Robert Forbes
Sutherland SC

His Honour Judge Phillip Gerard Ingram SC

His Honour Judge Jeffrey Mark McLennan SC

*denotes Member of the Dust Diseases Tribunal

APPOINTMENTS

The following Judges were appointed during 2016:

- His Honour Judge John Hunter Pickering SC was appointed on 11 April 2016
- Her Honour Judge Siobhan Pauline Herbert was appointed on 11 April 2016
- Her Honour Judge Penelope Margot Wass SC was appointed on 18 April 2016
- His Honour Judge Robert Edward Montgomery was appointed on 30 May 2016
- His Honour Judge Matthew Charles Leckie Dicker SC was appointed on 12 July 2016
- Her Honour Judge Nicole Frances Noman SC was appointed on 8 August 2016
- His Honour Judge Warwick James Hunt was appointed on 8 August 2016
- His Honour Judge Robert Forbes Sutherland SC was appointed on 15 August 2016
- His Honour Judge Phillip Gerard Ingram SC was appointed on 15 August 2016
- His Honour Judge Jeffrey Mark McLennan SC was appointed on 22 August 2016

DISTRICT COURT JUDGE APPOINTED TO THE SUPREME COURT OF ACT

- His Honour Judge Michael Elkaim SC was appointed as a Judge of the Supreme Court of ACT on 4 July 2016

DEATH IN OFFICE

Sadly, on 22 August 2016, His Honour Judge Gregory Anthony Farmer died in office.

RETIREMENTS

The following Judges retired during 2016:

- His Honour Judge Christopher John Armitage retired on 6 May 2016
- His Honour Judge Brian John Knox SC retired on 29 July 2016

APPOINTMENTS HELD

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

ACTING JUDGES (IN ALPHABETICAL ORDER)

- Mr Christopher John Armitage
- Ms Linda Margaret Ashford
- Mr James Walter Black QC
- Mr Colin David Charteris SC
- Mr Norman Edward Delaney

- Mr Anthony Frederick Garling
- Mr Geoffrey John Graham
- Mr Gregory Scott Hosking SC
- Mr Rodney Neville Madgwick QC
- Mr Mark Curtis Marien SC
- Mr Colin Emmett O'Connor QC
- Mr John Lawrence O'Meally AM RFD
- Mr Colin Phegan
- Ms Anne Mary Quirk
- Ms Margaret Sidis
- Mr Ronald Herbert Solomon
- Mr Robert Sorby
- Mr Stephen Lewis Walmsley SC
- Mr Jonathan Steuart Williams

JUDICIAL REGISTRAR

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

VENUES

In 2016, the Court sat permanently in Sydney at the Downing Centre, 143-147 Liverpool Street, Sydney (in crime), where it occupies 18 courtrooms, and at the John Maddison Tower, 86 Goulburn Street, Sydney, where it occupies 23 courtrooms (mostly in civil).

In Sydney West, judges sat full-time in the courthouses at Parramatta (8 courtrooms), Penrith (2 courtrooms) and Campbelltown (3 courtrooms). In addition, continuous sittings were conducted at Dubbo, Gosford, Lismore, Newcastle and Wollongong.

Other places where the Court sat were:

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

Court Staff

PRINCIPAL REGISTRAR

Mr Peter Ryan is the Acting Principal Registrar and exercises functions pursuant to s 18H(3) of the *District Court Act 1973*.

CRIMINAL LISTINGS AND JUDICIAL ARRANGEMENTS

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

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

CIVIL LISTINGS AND CASE MANAGEMENT

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

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

STRATEGIC PLAN

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

Criminal Business Committee Report

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

The current Strategic Plan articulates the values of the Court and sets out the goals to be achieved over 2012-2017.

The Court is committed to discharging its responsibilities to ensure:

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

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

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

TERMS OF REFERENCE

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

Consultation with court users is carried out through the Criminal Business Committee.

The Committee consists of the Chief Judge, the Criminal Listing Director and representatives from the Law Society of NSW, Bar Association of NSW, Legal Aid Commission of NSW, Commonwealth and State DPP, Aboriginal Legal Service, Public Defenders and Crown Prosecutors.

ACTIVITIES

The Committee met on three occasions during the year and matters considered included:

- The continuing increase in the Court's criminal caseload
- Additional weeks allocated for the disposal of trials and sentences
- The implementation of the Child Sexual Offence Evidence Pilot
- The Rolling List Court in Sydney and its possible expansion
- Monitoring results from Special call-overs in regional areas and continuing to target identified courts
- Introduction of Readiness hearings for long trials with estimates of four or more weeks
- Approval given for the construction of three additional jury courtrooms in the Downing Centre

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

Criminal trials in country circuits are managed and listed by way of a weekly telephone call-over.

Civil Business Committee Report

TERMS OF REFERENCE

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

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

ACTIVITIES

The Committee did not meet during 2016. There were changes in the identity of the Civil List Judge of the Court occasioned by the appointment of the List Judge and Convenor of the Committee to the Supreme Court of the ACT. Issues were considered by the Chief Judge and the new Civil List Judge in consultation with specific stakeholders.

After meeting with stakeholders the Chief Judge and the new Civil List Judge changed the listing of District Court Civil matters at Parramatta to a running list. This change was accompanied by the rostering of the same presiding judge for the balance of 2016. The changes to listing and the consistency of the presiding judge have greatly improved the efficiency of case management at the venue.

Additionally, the Court made changes to the Standard Orders for Hearing, and to the procedure in relation to applications for adjournment of hearings.

A number of new judicial appointments were made to the Committee towards the end of 2016 and the meetings of the Committee will resume from early 2017.

Professional Standards (Education) Committee Report

TERMS OF REFERENCE

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

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

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

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

Participants are asked to rate the practical value of each education event to their role as a judge. The overall ratings in 2016 (from an average response rate of 91%) reveal that judges find the District Court's education program relevant and a useful source of knowledge and ideas. While 70% of participants said that the education program enhanced their knowledge and capability, only 4% of participants found that the program had little or no relevance to their work.

During 2016, judges:

- Continued to receive focused and tailored training to meet their educational needs
- Attended 131 days of face-to-face judicial education organised by the Judicial Commission, an average of 1.5 days of judicial education per judge

ACTIVITIES

Annual Conference

The Annual Conference, held in Wollongong on 29–30 March 2016, with 56 in attendance. The conference focused on providing challenging and interesting educational sessions, while also providing a valuable opportunity for discussion and debate. The program consisted primarily of sessions relevant to the day-to-day work of a judge. The Conference received a 91% satisfaction rating from participants, exceeding the target of 85%. Topics included:

- Initial Results from the Jury Project, Her Excellency Professor the Honourable Kate Warner AM
- Health and Well-being of Judges, Dr Nigel Prior
- Court of Criminal Appeal Review, The Honourable Justice Robert A Hulme
- Civil Issues – A. The Tort of Malicious Prosecution, His Honour Judge Phillip Mahony SC
- Civil Issues – B. Causation: Section 5D Civil Liability Act, His Honour Judge Andrew Scotting

- Recurring Issues in the NSW Court of Appeal, The Honourable Justice Margaret Beazley
- Care Appeals, His Honour Judge Peter Johnstone
- What is and isn't Acceptable Behaviour for a Muslim in Court? Imam Shady Alsuleiman
- Child Sexual Assault Trials – A. Recent Developments in Dealing with Child Sexual Assault Trials, Her Honour Judge Robyn Tupman
- Child Sexual Assault Trials – B. Sentencing in Child Sex Offence Cases, Mr Hugh Donnelly
- Protected Disclosures/Sexual Assault Communication Privilege, His Honour Judge Greg Woods QC

Occasional Seminars

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

- Expert Evidence, 10 February 2016
- Witness Intermediaries, 17 February 2016, 22 February 2016, 23 February 2016, 10 March 2016, 23 March 2016
- Dealing with Applications for Third Party Access to Documents in Court, 2 March 2016
- Costs Appeals and Costs Orders, 4 May 2016
- The Impact of Child Sexual Abuse, 7 June 2016
- Jurors' Notions of Justice, 10 August 2016
- Drug and Blood Alcohol Testing, 16 November 2016

Witness Intermediary Training

In preparation for the commencement of the Child Sexual Offence Evidence Pilot in the District Court on 4 April 2016, Professor Penny Cooper briefed judges on the impact of witness intermediaries (also called children's champions in the legislation) on the court's work. Topics covered include the role of the witness intermediary; lessons learnt from the English and Northern Irish intermediary schemes; pre-trial case management; and the new witness/ intermediary cross-examination dynamic. The seminars were held in February and March.

Professor Penny Cooper and Dr Michelle Mattison also presented a Train the Trainer session for 4 judges to prepare them for training future judges about the role of witness intermediaries. Participants were provided with guidance on issues relating to witness intermediaries that can be addressed in training, tips on how to structure a training session on witness intermediaries, and how to facilitate a more in-depth discussion of how witness intermediaries will work in practice.

Judicial Orientation

Two District Court judges attended the National Judicial Orientation Program at Glenelg, South Australia in February 2016. This five-day orientation program assists newly appointed judicial officers with their transition to judicial office by facilitating the development and refinement of the skills and knowledge necessary for effective judging. It is conducted by the National Judicial College of Australia with the assistance of the Judicial Commission of New South Wales, the Australian Institute of Judicial Administration and the Judicial College of Victoria.

Ngara Yura Program

Judges continued to participate in the Judicial Commission's Ngara Yura Program which aims to increase awareness among judicial officers about contemporary Aboriginal society, customs and traditions, and their effect on Aboriginal people in the justice system. Judges participated in the following Ngara Yura Program events:

- 1 attended — Who Speaks for Country in NSW, 25 May 2016
- 7 attended — Understanding Intergenerational Trauma, 4 August 2016
- 9 attended — Aboriginal Trauma, Foetal Alcohol Spectrum Disorder and the Juvenile System: a Volatile Cocktail, 6 October 2016
- 4 attended — Clean Slate Without Prejudice, 19 October 2016
- 1 attended — Ngara Yura Visit to Muru Mittigar Penrith, 19 November 2016

CRIMINAL JURISDICTION NEW SOUTH WALES

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

Trials

- Caseload

Sentences

Local Court Appeals

- Conviction Appeals
- Sentence Appeals

TRIALS

In 2016:

- Registrations rose by 1%
- Finalisations rose by 16%
- Pending trials rose by 1%
- Median finalisation time rose from 55 weeks to 58 weeks
- Average length of trials rose from 7.84 days to 8.32 days

Caseload

There were **2,094** trials finalised in 2016, as compared to **1,809** in 2015. Notwithstanding an increase in trial finalisations of 16%, up from 13% when compared to the previous year, there were **2,039** trials on hand at the end of 2016, compared to **2,014** trials at the end of 2015.

The number of sexual assault trials registered has increased from **472** in 2014 and **549** in 2015 to **595** in 2016. Of these, **349** trials involved child sexual assault compared to **291** in 2014 and **341** in 2015.

Figure 1 tracks the statewide trends in the criminal trial caseload for the past 5 years.

Figure 1. Criminal Trial Caseload

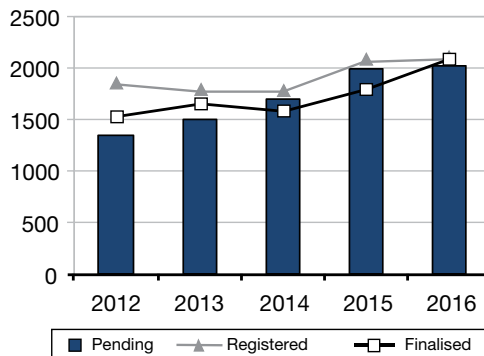
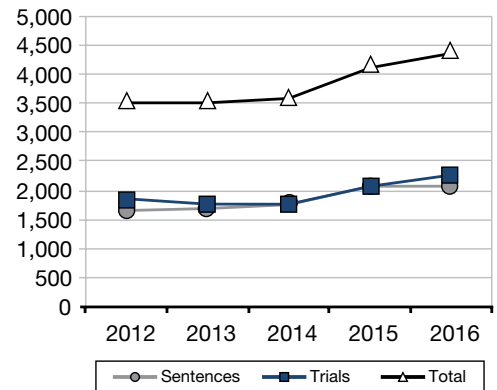


Figure 2 shows variation in trial and sentence registrations for the last 5 years.

Figure 2. Trial and Sentence Registrations



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

TIME STANDARDS

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

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

In 2016, **14%** of trial finalisations where the accused was in custody were finalised within 4 months, and **22%** exceeded 12 months. Where the accused was on bail, **10%** of finalisations occurred within 4 months, with **38%** exceeding 12 months.

Figure 3 sets out comparative compliance rates with time standards for all trials finalised.

Figure 3. All Registered Trials Finalised – Time Standards Compliance Rate

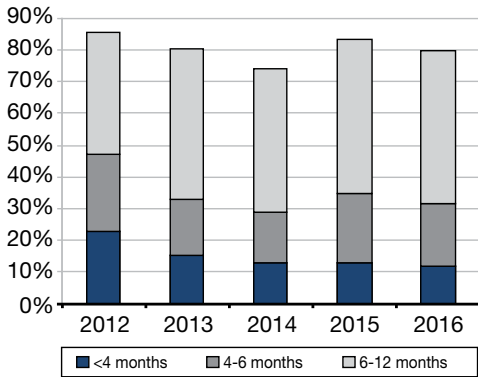


Figure 4 shows the age of all trials which were pending at the end of the year indicated.

Figure 4. All Registered Trials – Pending Matters

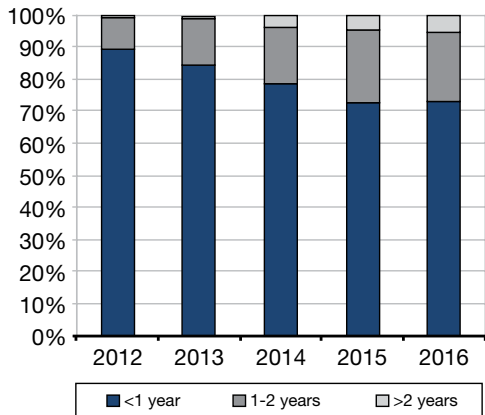
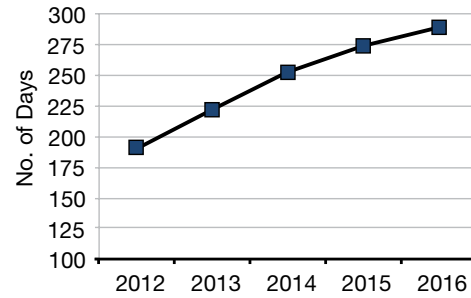


Figure 5 tracks the median finalisation times, from committal to commencement of the trial, for matters finalised during the year indicated.

Figure 5. Median Finalisation Times – Criminal Trials

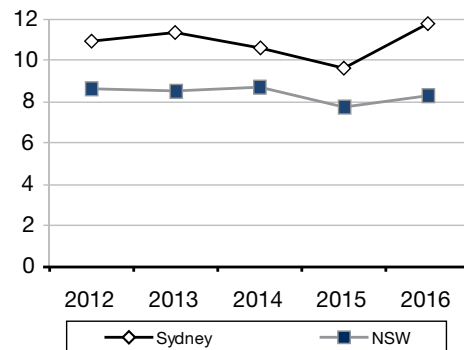


TRIAL DURATIONS

The statewide average length of criminal trials finalised in 2016 was **8.32** days, as compared to **7.84** days in 2015. In Sydney the average duration was **11.79** days in 2016, compared to **9.69** days in 2015.

Figure 6 illustrates the fluctuating rise in the average trial duration time.

Figure 6. Average Trial Length



TRIAL LISTING OUTCOMES

About **2,819** trials were listed for hearing in 2016.

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

Figure 7. Trial Listings Not Dealt With

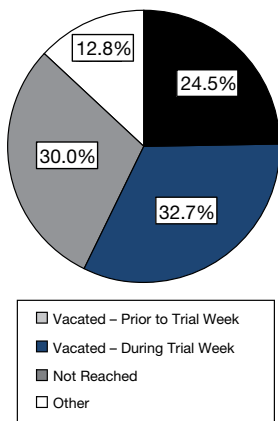


Figure 9 shows the outcome of those that commenced.

Figure 9. Trials Commenced

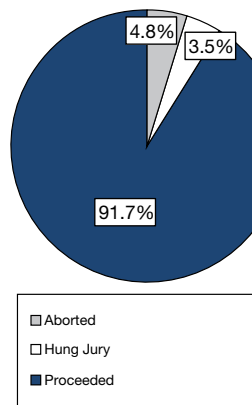


Figure 8 shows the break-up of those matters that were dealt with after being listed.

Figure 8. Trial Listings Dealt With

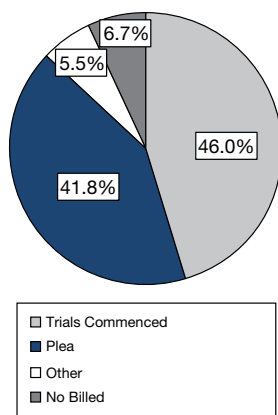


Table 1. Trial Listing Outcomes

The following table sets out trial listing outcomes for 2016.

	Sydney	Sydney West	Country	Total
NOT DEALT WITH	24%	27%	36%	29%
Vacated	19%	17%	14%	17%
Prior to Trial Week	12%	7%	3%	7%
During Trial Week	7%	10%	11%	10%
Other Not Dealt With (Trial Week)	5%	10%	22%	13%
Not Reached	0%	9%	17%	9%
Other	5%	1%	5%	4%
DEALT WITH	76%	73%	64%	71%
Dealt With Prior to Trial Week	3%	14%	3%	6%
No Billed	1%	2%	1%	1%
Bench Warrant	0%	0%	0%	0%
Plea	2%	9%	2%	4%
Other (e.g. deceased)	0%	1%	0%	0%
Transferred	0%	2%	0%	1%
Dealt With In Trial Week	34%	32%	31%	32%
No Billed	4%	3%	4%	4%
Bench Warrant	0%	0%	1%	0%
Plea	28%	25%	24%	26%
Other (e.g. deceased)	2%	1%	1%	1%
Transferred	1%	3%	1%	1%
Trials Commenced	39%	26%	30%	32%
Aborted	1%	1%	2%	2%
Hung Jury	2%	1%	1%	1%
Proceeded	36%	25%	27%	30%

Of trials dealt with in 2016 (i.e. 71% of total listings):

- 42% pleaded guilty
- 42% proceeded to verdict
- 7% were “no billed”
- 3% were transferred
- 2% were aborted
- 2% ended with a “hung jury”
- 2% were otherwise disposed
- 1% had bench warrants issued

SENTENCES

In 2016:

- Registrations rose by 11%
- Finalisations rose by 10%
- Pending cases rose by 18%
- Median finalisation time rose from 28 weeks to 30 weeks

SENTENCES

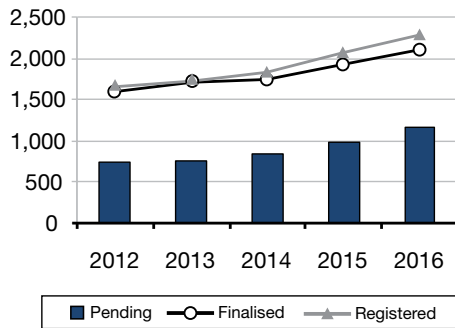
There were **2,310** committals for sentence received in 2016, compared to **2,090** in 2015.

2,128 sentences were finalised during the year compared to **1,938** in 2015.

Notwithstanding an increase in finalisations of 10%, the same as in 2015, there were **1,173** sentence matters pending at the end of the year as compared to **991** at the end of 2015.

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

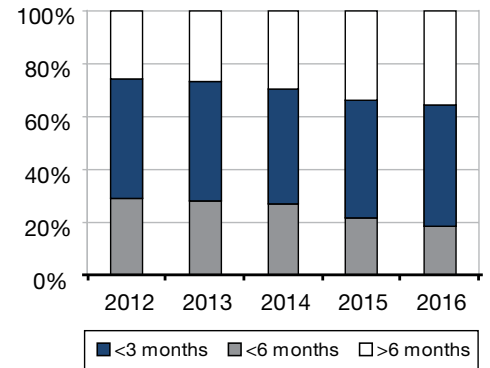
Figure 10. Sentence Caseload



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 11 illustrates compliance rates with time standards.

Figure 11. Compliance with Time Standards



LOCAL COURT APPEALS

Conviction Appeals

In 2016:

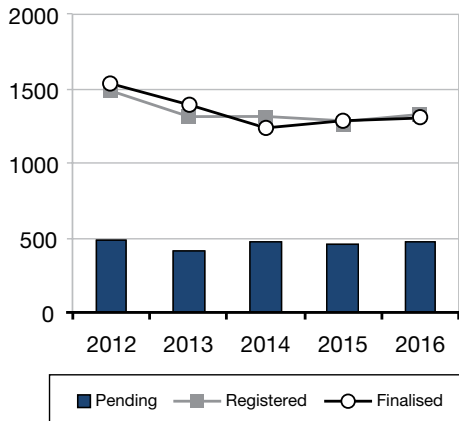
- Registrations rose by 4%
- Finalisations rose by 1%
- Pending cases rose by 2%
- Median finalisation time fell from 23 weeks to 22 weeks

CONVICTION APPEALS

There were **1,319** conviction appeals lodged in 2016 and **1,299** finalisations. At the end of the year there were **471** conviction appeals pending, compared to **451** at the end of 2015.

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

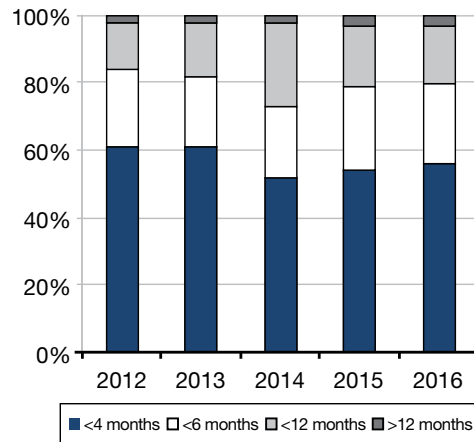
Figure 12. Conviction Appeals Caseload



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

Figure 13 illustrates compliance rates with time standards.

Figure 13. Compliance with Time Standards



Sentence Appeals

In 2016:

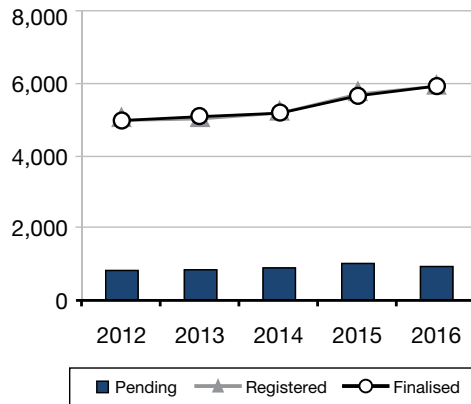
- Registrations rose by 3%
- Finalisations rose by 6%
- Pending cases fell by 6%
- Median finalisation time rose from 10 weeks to 11 weeks

SENTENCE APPEALS

There were **5,973** sentence appeals lodged in 2016 and **6,031** finalised. At the end of the year there were **950** sentence appeals pending, compared to **1,008** at the end of 2015.

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

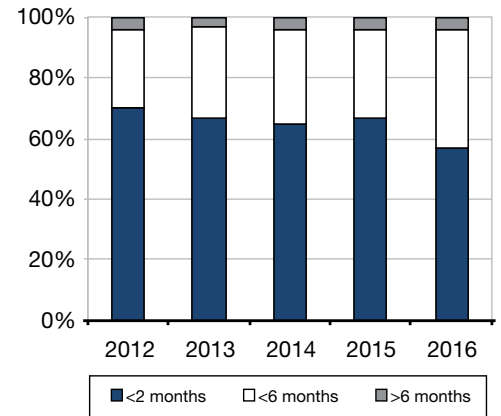
Figure 14. Sentence Appeals Caseload



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

Figure 15 illustrates compliance rates with time standards.

Figure 15. Compliance with Time Standards



CIVIL JURISDICTION

New South Wales

- Caseload

Sydney

- Caseload
- Residual Jurisdiction
- Alternative Dispute Resolution

Sydney West

Country

NEW SOUTH WALES

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

In 2016:

- Registrations fell by 0.36%
- Finalisations rose by 4%
- Pending cases fell by 0.72%
- Median finalisation time rose from 12.5 months to 12.7 months

Caseload

EXPLANATORY BACKGROUND

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

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

REGISTRATIONS

There were **4,938** matters registered in 2016, compared to **4,956** in 2015.

FINALISATIONS

There were **4,973** matters finalised in 2016, compared to **4,788** in 2015.

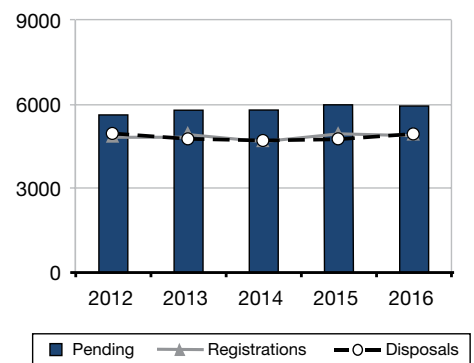
PENDING

At the end of 2016 the pending caseload was **5,943**, compared to **5,986** in 2015.

Comparison with Previous Years

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

Figure 16. NSW Civil Caseload



FINALISATION TIMES

In 2016, **59%** of all actions finalised were completed within 12 months, with **89%** being completed within 24 months. This compares to **58%** and **88%**, respectively, in 2015.

Of the pending caseload at the end of 2016, **20%** exceeded 12 months and were not more than 24 months and **5%** exceeded more than 24 months.

SYDNEY

In 2016:

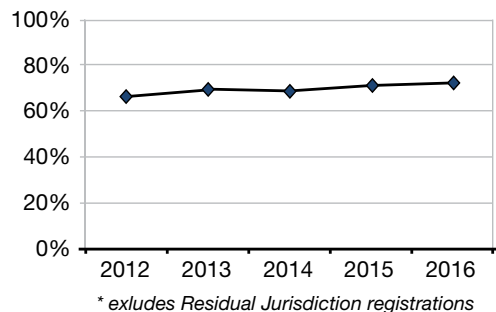
- Registrations rose by 0.79%
- Finalisations rose by 7%
- Pending cases fell by 0.42%
- Median finalisation time remained the same as for 2015 at 12.6 months

Caseload

In 2016, Sydney civil case managed matters represented **72%** of the State's registrations and **71%** of the matters on hand.

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

Figure 17. Sydney's % of NSW Registrations

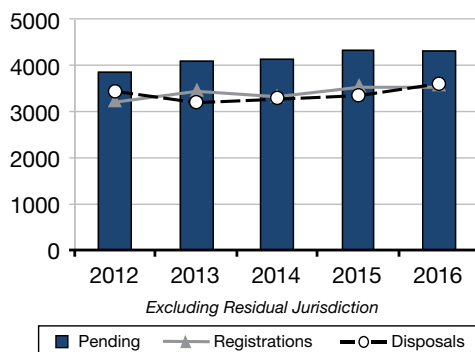


REGISTRATIONS, FINALISATIONS AND PENDING CASES

Excluding the Residual Jurisdiction, there were **3,554** new actions registered and **3,575** finalised in Sydney in 2016. At the end of the year there were **4,281** actions pending.

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

Figure 18. Sydney Caseload



FINALISATION TIMES

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

In 2016, **60%** of all actions finalised were completed within 12 months, with **90%** being completed within 24 months. This compares to **60%** and **89%**, respectively, in 2015.

Of the pending caseload at the end of 2016, **19%** exceeded 12 months and not more than 24 months and **4%** exceeded 24 months.

HOW CASES ARE FINALISED

Table 2 shows the break-up of how case managed list matters were finalised in 2016. The categories of “Dismissed” and “Discontinued” include matters that settled without judgment being entered and/or terms of settlement being filed.

Table 2. Finalisation Outcomes

Judgment following Trial	159
Default Judgment	20
Settlement Filed	2,391
Dismissed	528
Discontinued	326
Arbitration	0
Transferred	101
Total	3,575

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

Table 3. Judgments/Settlements

Year	Total Disposals	Disposed of by Judgment Following Trial	Disposed of by Settlement Filed
2012	3,393 (100%)	301 (9%)	2,010 (59%)
2013	3,188 (100%)	218 (7%)	2,175 (68%)
2014	3,286 (100%)	210 (6%)	2,180 (66%)
2015	3,335 (100%)	155 (5%)	2,207 (66%)
	3,575 (100%)	159 (4%)	2,391 (67%)

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 the SAS Trustee Corporation) continued under the *Superannuation Administration Act 1996* and special risk benefits payable by the Commissioner of Police
- *The Workers Compensation Act 1987*, concerning workers in or about a coal mine
- *The Workers Compensation (Dust Diseases) Act 1942*
- The Sporting Injuries Insurance Scheme
- *The Workers Compensation (Bush Fire, Emergency and Rescue Services) Act 1987*

During 2016, **328** actions were commenced and **274** finalised. At the end of 2016 there were **269** matters on hand in the residual jurisdiction.

SYDNEY WEST

Alternative Dispute Resolution

MEDIATION

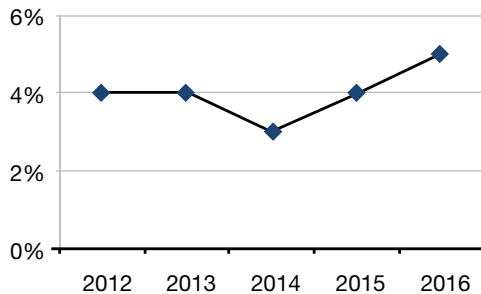
Pursuant to Civil Practice Note 1, cases before the Sydney District Court are referred to mediation where appropriate. The referral may be either to private mediation or to court provided mediation. The Assistant Registrars in Sydney undertake the court provided mediation. In 2016, the Sydney District Court referred **388** matters to mediation (**282** were referred to private mediation and **106** to court provided mediation). Settlement conferences were ordered in **2,353** matters.

Approximately **41.5%** of matters referred to mediation by Assistant Registrars were settled. There are no available statistics in relation to settlement of matters referred to private mediators.

Sydney West totalled **5%** of the number of new actions in 2016 (excluding the Court's residual jurisdiction).

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

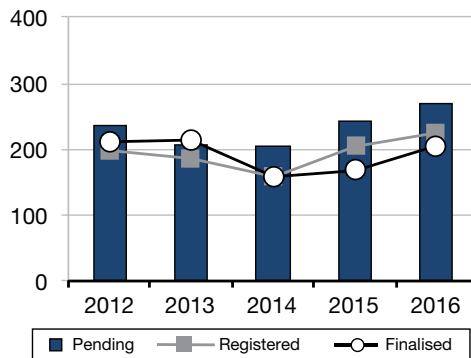
Figure 19. % of NSW Registrations



In Sydney West there were **227** matters registered and **205** finalisations throughout the year. At the end of 2016 the total pending caseload was **271**, as compared to **244** the previous year.

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

Figure 20. Sydney West Caseload



Pending matters in Sydney West rose by **11%** and the median finalisation time was 11.4 months.

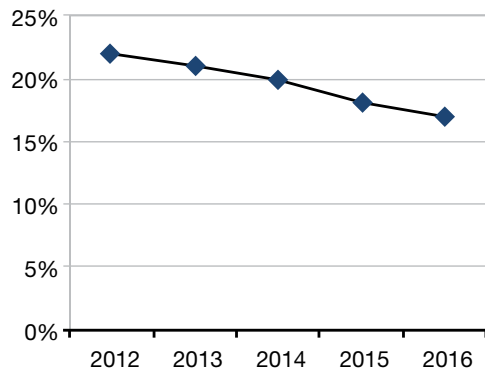
18% of pending cases exceeded 12 months and not more than 24 months and **10%** exceeded 24 months.

COUNTRY

Venues outside of Sydney and Sydney West totalled **17%** of the number of actions in 2016 (excluding the Court's Residual Jurisdiction).

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

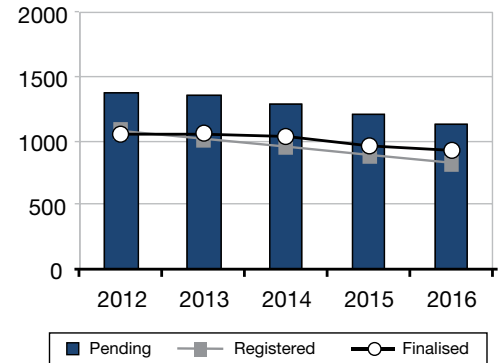
Figure 21. % of NSW Registrations



Outside of Sydney and Sydney West, there were **829** matters registered and **919** finalisations throughout the year. At the end of the year the total pending caseload was **1,122** as compared to **1,209** the previous year.

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

Figure 22. Country Civil Caseload



Pending matters in the country fell by **8%** and the median finalisation time was 13.5 months.

25% of pending cases exceeded 12 months and not more than 24 months and **9%** exceeded 24 months.

JUDICIAL RESOURCES

- Allocated Sitings
- Actual Sitings

Allocated Sittings

Table 4 sets out the number of judicial sitting weeks allocated in 2016 as published in the Court's Calendar of Sittings.

Table 4. Sitting Allocations

Location	Jurisdiction	No. of Weeks	Judge EFT	%
Sydney	Criminal	864	21.3	31%
	Civil	701	17.3	25%
Sydney West	Criminal	565	13.9	20%
	Civil	12	0.3	0%
Major Country	Criminal	368	9.1	13%
	Civil	37	0.9	1%
Other Venues	Criminal	189	4.7	7%
	Civil	30	0.7	1%
Total	Criminal	1,986	48.9	72%
	Civil	780	19.2	28%
	All	2,766	68.1	100%

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

Actual Sittings

Table 5 sets out the number of days actually sat by the Court in 2016 converted into weeks (by dividing the number of days by 5).

Table 5. Actual Sittings

Location	Jurisdiction	No. of Weeks	Judge EFT	%
Sydney	Criminal	986	24.3	38%
	Civil	509	12.5	19%
Sydney West	Criminal	508	12.5	19%
	Civil	13	0.3	0%
Major Country	Criminal	361	8.9	14%
	Civil	23	0.6	1%
Other Venues	Criminal	188	4.6	7%
	Civil	31	0.8	1%
Total	Criminal	2,043	50.3	78%
	Civil	576	14.2	22%
	All	2,619	64.5	100%

COMPARISON WITH 2015

Overall, there was an increase of **150** weeks for sittings in 2016 compared to 2015. This included **199** extra weeks of criminal sittings and a reduction of **49** weeks of civil sittings.

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

ACTING JUDGES

Acting Judges provided an extra **886** days of actual sittings. Based on the maximum of **40.6** sitting weeks per year for a permanent judge, this equated to **4.4** additional judges.

Figure 23 shows the fluctuations in the number of Acting Judges' weeks since 2012.

Figure 23. Acting Judges' Weeks

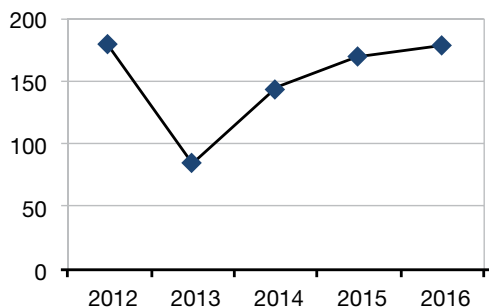


Table 6 sets out the number of sitting days by Acting Judges in 2016.

Table 6. Acting Judges' Sitting Days 2016

	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16	TOTAL
Armitage					4	9	20	21	20	24	18	9	125
Ashford	1	1	5	4				5		12	10		38
Black								5					5
Charteris		10	10	11	12	12	13	11	9	14	11	9	122
Delaney		4		5	10	7	11	5	5	8	8	6	69
Garling		13	7	5	10								35
Graham		2	6	1		7	9	6	1	1	5		38
Hosking		1	4	4	4	6	1		9	4	3	4	40
Madgwick		3	10	8	10	6	6	4	3	5	13	9	77
Marien	1	10	2	16	1	5	1	1	5	13	3	2	60
O'Connor		3			4	1	1	10	3	15	7	5	49
O'Meally											5		5
Phegan	2	5	11	2	2		1						23
Quirk		3	1	5	7		1	2	1	10			30
Sidis	3	1		1				10		8			23
Solomon		5	5	10	4		1	15		1	1	1	43
Sorby			8	10	1		3	6	1	5	11	7	52
Walmsley					4			1		1		2	8
Williams	3	1	1	19	1						19		44
Total days	10	62	70	101	74	53	68	102	57	121	114	54	886
Average sitting days per Acting Judge 2016													55

SITTING DETAILS

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

Table 7. District Court Sitings 2016

	ALLOCATED (weeks)		AVAILABLE (days)		ACTUALLY SAT (days)		* AVERAGE RECORDED HOURS	
	CRIME	CIVIL	CRIME	CIVIL	CRIME	CIVIL	CRIME	CIVIL
Sydney	864	701	4,176	3,393	4,928	2,545	3.96	3.08
Campbelltown	139	0	480	0	454	0	4.18	0.00
Parramatta	340	12	1,741	59	1,681	65	4.50	2.48
Penrith	86	0	416	0	404	0	4.44	0.00
Sydney West Total	565	12	2,637	59	2,539	65	4.43	2.48
Gosford	58	5	240	20	272	19	4.79	4.16
Newcastle	84	16	408	78	452	110	4.39	3.55
Wollongong	47	9	230	44	214	27	4.26	3.15
O/S total	189	30	878	142	938	156	4.47	3.55
Albury	21	2	104	9	98	6	4.29	4.50
Armidale	21	1	103	5	103	5	4.48	6.20
Bathurst	13	1	64	5	59	5	4.56	4.20
Bega	12	0	60	0	56	0	3.88	0.00
Bourke	2	0	10	0	9	0	3.56	0.00
Broken Hill	8	1	39	5	39	2	5.00	2.50
Coffs Harbour	23	1	111	5	125	9	4.78	5.33
Coonamble	2	0	10	0	8	0	5.38	0.00
Dubbo	40	1	195	4	189	0	4.01	0.00
Goulburn	15	0	75	0	74	0	4.14	0.00
Grafton	9	0	44	0	40	0	4.00	0.00
Griffith	20	3	99	14	99	3	5.05	3.00
Lismore	49	8	238	40	245	34	4.57	4.35
Moree	8	0	40	0	37	0	4.38	0.00
Nowra	15	5	73	24	71	17	4.30	4.94
Orange	6	2	30	10	30	10	4.73	4.20
Parkes	4	0	20	0	19	0	4.95	0.00
Port Macquarie	23	2	114	10	118	1	4.36	5.00
Queanbeyan	11	2	55	10	62	4	4.77	3.50
Tamworth	17	2	84	10	83	2	5.14	2.50
Taree	20	1	99	5	97	4	4.63	3.50
Wagga Wagga	29	5	140	25	145	13	5.09	4.15
Country Total	368	37	1,807	181	1,806	115	4.54	4.41
State Total	1,986	780	9,498	3,775	10,211	2,881	4.23	3.15

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

ANNEXURES

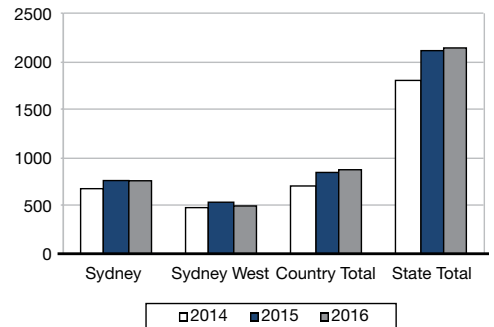
- Annexure A – Criminal Caseload
- Annexure B – Compliance with Criminal Time Standards
- Annexure C – Civil Caseload
- Annexure D – Court Committees

Annexure A1 Criminal Caseload

TRIALS

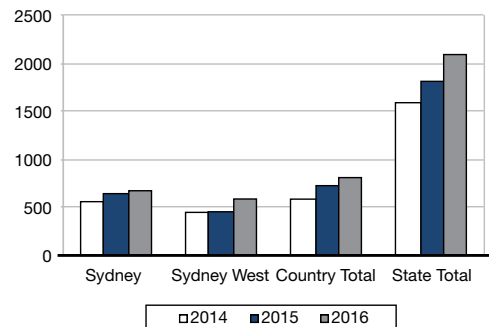
Registered

	2014	2015	2016	15/16 Variant
Sydney	653	745	753	1%
Sydney West	454	536	495	-8%
Newcastle	234	209	273	31%
Gosford	54	99	90	-9%
Wollongong	117	152	149	-2%
Lismore	97	165	165	0%
Dubbo	97	103	81	-21%
Wagga Wagga	91	98	113	15%
Country Total	690	826	871	5%
State Total	1,797	2,107	2,119	1%



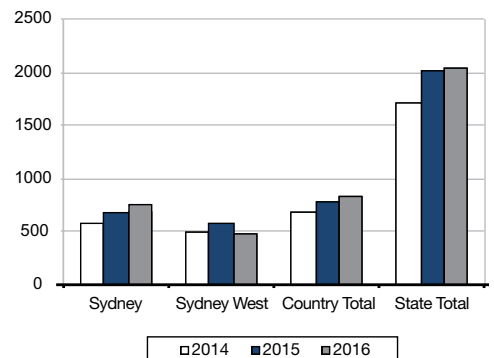
Finalised

	2014	2015	2016	15/16 Variant
Sydney	563	634	682	8%
Sydney West	447	456	596	31%
Newcastle	198	252	218	-13%
Gosford	55	45	112	149%
Wollongong	99	94	158	68%
Lismore	98	122	145	19%
Dubbo	84	109	93	-15%
Wagga Wagga	52	97	90	-7%
Country Total	586	719	816	13%
State Total	1,596	1,809	2,094	16%



Pending

	2014	2015	2016	15/16 Variant
Sydney	567	678	749	10%
Sydney West	482	562	461	-18%
Newcastle	229	186	241	30%
Gosford	33	87	65	-25%
Wollongong	111	169	160	-5%
Lismore	95	138	158	14%
Dubbo	96	90	78	-13%
Wagga Wagga	103	104	127	22%
Country Total	667	774	829	7%
State Total	1,716	2,014	2,039	1%



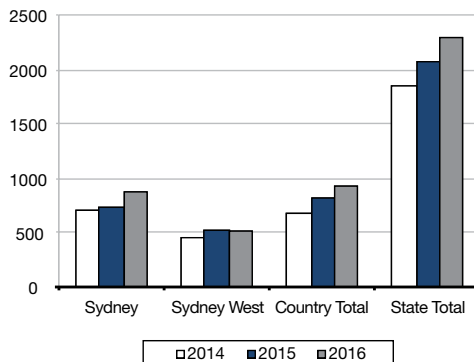
Annexure A2

Criminal Caseload

SENTENCES

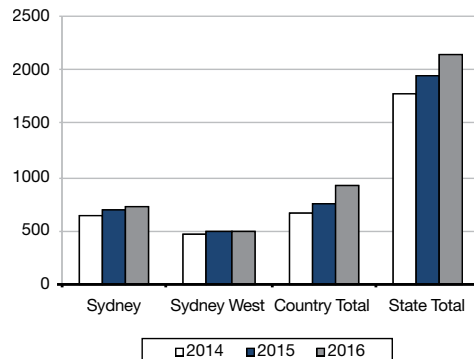
Registered

	2014	2015	2016	15/16 Variant
Sydney	706	745	871	17%
Sydney West	469	518	509	-2%
Newcastle	203	243	255	5%
Gosford	71	72	66	-8%
Wollongong	128	165	189	15%
Lismore	112	140	151	8%
Dubbo	81	108	133	23%
Wagga Wagga	74	99	136	37%
Country Total	669	827	930	12%
State Total	1,844	2,090	2,310	11%



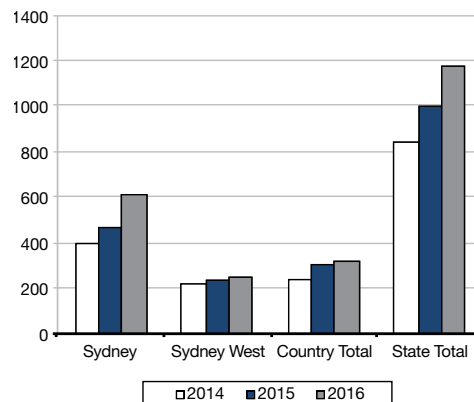
Finalised

	2014	2015	2016	15/16 Variant
Sydney	625	690	716	4%
Sydney West	472	495	500	1%
Newcastle	197	218	264	21%
Gosford	74	79	56	-29%
Wollongong	143	140	181	29%
Lismore	106	121	154	27%
Dubbo	78	104	117	13%
Wagga Wagga	65	91	140	54%
Country Total	663	753	912	21%
State Total	1,760	1,938	2,128	10%



Pending

	2014	2015	2016	15/16 Variant
Sydney	399	454	609	34%
Sydney West	210	233	242	4%
Newcastle	76	101	92	-9%
Gosford	23	16	26	63%
Wollongong	38	63	71	13%
Lismore	36	55	52	-5%
Dubbo	30	34	50	47%
Wagga Wagga	27	35	31	-11%
Country Total	230	304	322	6%
State Total	839	991	1,173	18%

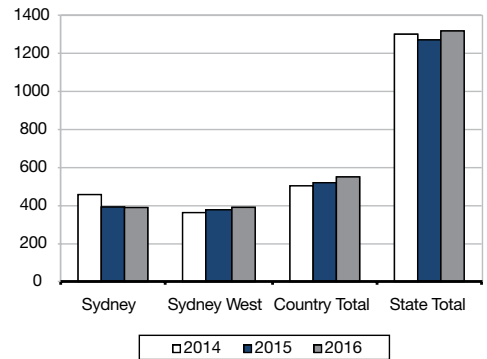


Annexure A3 Criminal Caseload

CONVICTION APPEALS

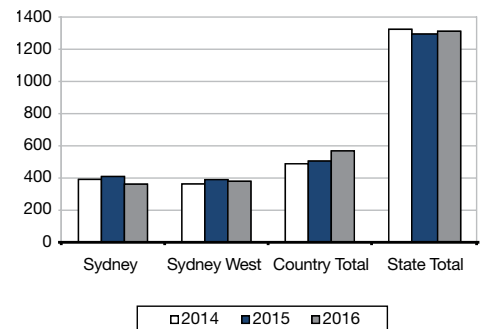
Registered

	2014	2015	2016	15/16 Variant
Sydney	445	391	383	-2%
Sydney West	364	367	384	5%
Newcastle	125	141	131	-7%
Gosford	37	39	48	23%
Wollongong	84	81	114	41%
Lismore	101	119	111	-7%
Dubbo	100	68	85	25%
Wagga Wagga	45	60	63	5%
Country Total	492	508	552	9%
State Total	1,301	1,266	1,319	4%



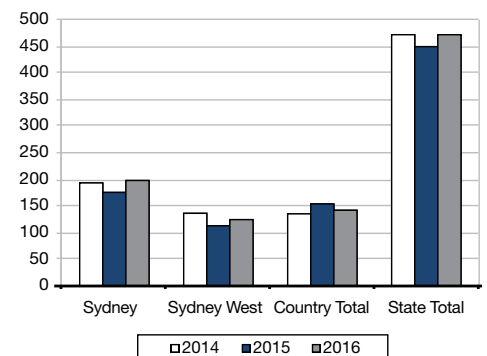
Finalised

	2014	2015	2016	15/16 Variant
Sydney	386	405	362	-11%
Sydney West	362	388	372	-4%
Newcastle	130	133	142	7%
Gosford	39	37	48	30%
Wollongong	169	80	106	33%
Lismore	102	110	118	7%
Dubbo	95	76	83	9%
Wagga Wagga	38	56	68	21%
Country Total	490	492	565	15%
State Total	1,321	1,285	1,299	1%



Pending

	2014	2015	2016	15/16 Variant
Sydney	193	179	200	12%
Sydney West	137	116	128	10%
Newcastle	37	45	34	-24%
Gosford	13	15	15	0%
Wollongong	24	25	33	32%
Lismore	24	33	26	-21%
Dubbo	27	19	21	11%
Wagga Wagga	15	19	14	-26%
Country Total	140	156	143	-8%
State Total	470	451	471	4%



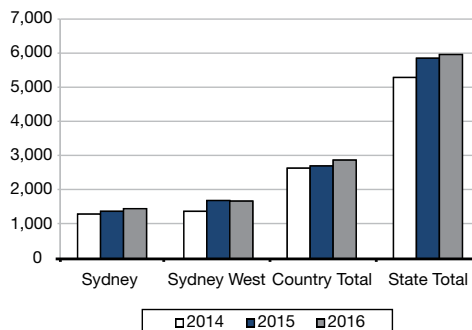
Annexure A4

Criminal Caseload

SENTENCE APPEALS

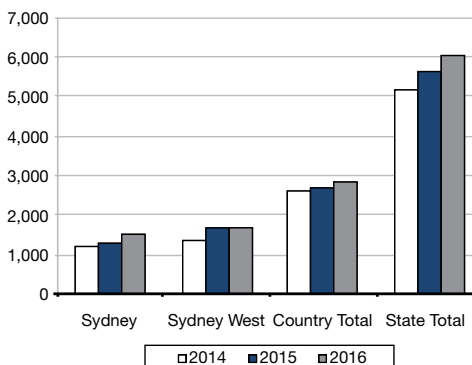
Registered

	2014	2015	2016	15/16 Variant
Sydney	1,299	1,409	1,463	4%
Sydney West	1,387	1,706	1,664	-2%
Newcastle	763	822	1,007	23%
Gosford	272	310	288	-7%
Wollongong	536	603	591	-2%
Lismore	440	392	369	-6%
Dubbo	360	305	366	20%
Wagga Wagga	219	234	225	-4%
Country Total	2,590	2,666	2,846	7%
State Total	5,276	5,781	5,973	3%



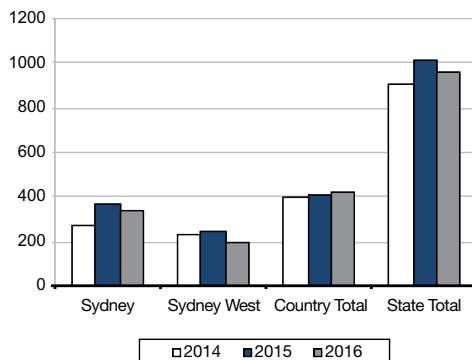
Finalised

	2014	2015	2016	15/16 Variant
Sydney	1,222	1,310	1,494	14%
Sydney West	1,388	1,697	1,705	0%
Newcastle	778	808	999	24%
Gosford	276	302	304	1%
Wollongong	529	594	592	0%
Lismore	427	412	367	-11%
Dubbo	385	307	342	11%
Wagga Wagga	213	238	228	-4%
Country Total	2,608	2,661	2,832	6%
State Total	5,218	5,668	6,031	6%



Pending

	2014	2015	2016	15/16 Variant
Sydney	266	365	334	-8%
Sydney West	232	241	200	-17%
Newcastle	136	150	158	5%
Gosford	40	48	32	-33%
Wollongong	63	72	71	-1%
Lismore	76	56	58	4%
Dubbo	42	40	64	60%
Wagga Wagga	40	36	33	-8%
Country Total	397	402	416	3%
State Total	895	1,008	950	-6%



Annexure B1

Compliance with Criminal Time Standards

TRIALS – REGISTERED

Accused Custody

	Percentage of Cases Disposed within											
	4 Months			6 Months			12 Months			>12 Months		
	2014	2015	2016	2014	2015	2016	2014	2015	2016	2014	2015	2016
Sydney	13%	15%	10%	41%	26%	19%	81%	77%	80%	19%	23%	20%
Sydney West	12%	20%	16%	17%	26%	25%	76%	74%	70%	24%	26%	30%
Newcastle	19%	25%	19%	45%	38%	32%	87%	81%	80%	13%	19%	20%
Gosford	33%	6%	20%	67%	38%	26%	93%	94%	94%	7%	6%	6%
Wollongong	31%	9%	9%	60%	13%	23%	90%	66%	81%	10%	34%	19%
Lismore	19%	31%	24%	38%	42%	48%	92%	88%	84%	8%	13%	16%
Dubbo	7%	21%	15%	23%	48%	37%	80%	81%	78%	20%	19%	22%
Wagga Wagga	29%	18%	17%	36%	32%	38%	79%	82%	71%	21%	18%	29%
Country Total	22%	22%	18%	44%	36%	33%	87%	81%	82%	13%	19%	18%
State Total	16%	19%	14%	36%	30%	26%	81%	78%	78%	19%	22%	22%

Accused on Bail

	Percentage of Cases Disposed within											
	4 Months			6 Months			12 Months			>12 Months		
	2014	2015	2016	2014	2015	2016	2014	2015	2016	2014	2015	2016
Sydney	8%	8%	8%	25%	18%	13%	74%	74%	70%	26%	26%	30%
Sydney West	11%	11%	14%	15%	15%	21%	61%	58%	56%	39%	42%	44%
Newcastle	13%	9%	13%	31%	13%	19%	71%	61%	59%	29%	39%	41%
Gosford	10%	17%	15%	38%	36%	18%	78%	83%	62%	23%	17%	38%
Wollongong	12%	9%	6%	32%	12%	12%	74%	65%	55%	26%	35%	45%
Lismore	13%	10%	11%	26%	19%	21%	64%	68%	68%	36%	32%	32%
Dubbo	15%	12%	4%	22%	21%	15%	58%	62%	66%	42%	38%	34%
Wagga Wagga	28%	13%	12%	34%	24%	18%	72%	61%	45%	28%	39%	55%
Country Total	14%	11%	10%	30%	18%	17%	69%	64%	59%	31%	36%	41%
State Total	11%	10%	10%	25%	17%	17%	69%	66%	62%	31%	34%	38%

All Trials

	Percentage of Cases Disposed within											
	4 Months			6 Months			12 Months			>12 Months		
	2014	2015	2016	2014	2015	2016	2014	2015	2016	2014	2015	2016
Sydney	10%	11%	9%	32%	21%	15%	77%	75%	73%	23%	25%	27%
Sydney West	12%	15%	15%	16%	19%	22%	67%	64%	61%	33%	36%	39%
Newcastle	15%	14%	15%	36%	21%	24%	77%	67%	68%	23%	33%	32%
Gosford	16%	13%	17%	45%	37%	21%	82%	87%	73%	18%	13%	27%
Wollongong	19%	9%	7%	42%	12%	15%	80%	65%	64%	20%	35%	36%
Lismore	15%	18%	15%	29%	28%	30%	72%	75%	74%	28%	25%	26%
Dubbo	12%	15%	7%	22%	30%	21%	66%	68%	69%	34%	32%	31%
Wagga Wagga	28%	15%	13%	35%	26%	24%	75%	67%	52%	25%	33%	48%
Country Total	17%	14%	13%	35%	24%	23%	75%	70%	67%	25%	30%	33%
State Total	13%	13%	12%	29%	22%	20%	74%	70%	68%	26%	30%	32%

Annexure B2

Compliance with Criminal Time Standards

TRIALS – VERDICTS

Accused Custody

	Percentage of Cases Disposed within											
	4 Months			6 Months			12 Months			>12 Months		
	2014	2015	2016	2014	2015	2016	2014	2015	2016	2014	2015	2016
Sydney	4%	3%	3%	35%	14%	12%	81%	77%	79%	19%	23%	21%
Sydney West	3%	2%	3%	5%	2%	6%	61%	45%	55%	39%	55%	45%
Newcastle	9%	20%	11%	22%	40%	11%	65%	93%	78%	35%	7%	22%
Gosford	50%	0%	17%	50%	67%	33%	100%	100%	100%	0%	0%	0%
Wollongong	0%	0%	6%	46%	0%	11%	85%	44%	83%	15%	56%	17%
Lismore	29%	29%	0%	57%	57%	57%	100%	100%	100%	0%	0%	0%
Dubbo	0%	13%	20%	0%	20%	40%	71%	73%	73%	29%	27%	27%
Wagga Wagga	20%	0%	0%	20%	0%	10%	60%	57%	30%	40%	43%	70%
Country Total	11%	13%	9%	30%	27%	23%	75%	77%	76%	25%	23%	24%
State Total	6%	5%	5%	25%	14%	14%	74%	67%	70%	26%	33%	30%

Accused on Bail

	Percentage of Cases Disposed within											
	4 Months			6 Months			12 Months			>12 Months		
	2014	2015	2016	2014	2015	2016	2014	2015	2016	2014	2015	2016
Sydney	1%	3%	0%	17%	11%	3%	67%	65%	61%	33%	35%	39%
Sydney West	1%	1%	2%	4%	1%	7%	53%	48%	38%	48%	52%	62%
Newcastle	10%	0%	4%	24%	4%	8%	69%	38%	58%	31%	62%	42%
Gosford	15%	17%	0%	38%	33%	0%	85%	67%	23%	15%	33%	77%
Wollongong	0%	4%	0%	19%	8%	3%	71%	54%	44%	29%	46%	56%
Lismore	4%	4%	0%	15%	8%	6%	56%	58%	58%	44%	42%	42%
Dubbo	10%	4%	3%	10%	17%	12%	40%	39%	56%	60%	61%	44%
Wagga Wagga	13%	0%	5%	13%	0%	5%	75%	35%	24%	25%	65%	76%
Country Total	8%	3%	2%	20%	8%	6%	64%	45%	49%	36%	55%	51%
State Total	3%	3%	1%	15%	8%	5%	63%	54%	51%	37%	46%	49%

All Trials

	Percentage of Cases Disposed within											
	4 Months			6 Months			12 Months			>12 Months		
	2014	2015	2016	2014	2015	2016	2014	2015	2016	2014	2015	2016
Sydney	2%	3%	1%	24%	12%	6%	73%	68%	66%	27%	32%	34%
Sydney West	2%	2%	2%	4%	2%	6%	56%	47%	45%	44%	53%	55%
Newcastle	9%	5%	6%	23%	13%	9%	68%	52%	63%	32%	48%	37%
Gosford	20%	11%	5%	40%	44%	11%	87%	78%	47%	13%	22%	53%
Wollongong	0%	3%	2%	29%	6%	6%	76%	52%	57%	24%	48%	43%
Lismore	9%	9%	0%	24%	18%	14%	65%	67%	65%	35%	33%	35%
Dubbo	7%	8%	8%	7%	18%	20%	48%	53%	61%	52%	47%	39%
Wagga Wagga	15%	0%	3%	15%	0%	6%	69%	42%	26%	31%	58%	74%
Country Total	9%	6%	4%	23%	14%	11%	68%	54%	56%	32%	46%	44%
State Total	4%	3%	2%	19%	10%	8%	67%	59%	57%	33%	41%	43%

Annexure B3

Compliance with Criminal Time Standards

APPEALS

Conviction Appeals

	Percentage of Cases Disposed within											
	4 Months			6 Months			12 Months			>12 Months		
	2014	2015	2016	2014	2015	2016	2014	2015	2016	2014	2015	2016
Sydney	44%	35%	30%	72%	69%	64%	97%	95%	94%	3%	5%	6%
Sydney West	44%	56%	60%	65%	79%	82%	98%	97%	97%	2%	3%	3%
Newcastle	65%	69%	70%	79%	86%	87%	100%	97%	98%	0%	3%	2%
Gosford	53%	59%	66%	71%	86%	86%	97%	97%	100%	3%	3%	0%
Wollongong	63%	73%	71%	79%	90%	88%	99%	100%	100%	1%	0%	0%
Lismore	56%	71%	73%	75%	89%	91%	97%	99%	98%	3%	1%	2%
Dubbo	71%	62%	66%	86%	77%	90%	99%	96%	98%	1%	4%	3%
Wagga Wagga	70%	60%	76%	78%	88%	91%	100%	98%	98%	0%	2%	2%
Country Total	63%	67%	71%	79%	86%	89%	99%	98%	99%	1%	2%	1%
State Total	52%	54%	56%	73%	79%	80%	98%	97%	97%	2%	3%	3%

Sentence Appeals

	Percentage of Cases Disposed within								
	2 Months			6 Months			>6 Months		
	2014	2015	2016	2014	2015	2016	2014	2015	2016
Sydney	73%	60%	27%	97%	95%	93%	3%	5%	7%
Sydney West	67%	73%	73%	94%	96%	97%	6%	4%	3%
Newcastle	55%	62%	51%	95%	94%	97%	5%	6%	3%
Gosford	56%	66%	65%	97%	97%	95%	3%	3%	5%
Wollongong	72%	70%	75%	99%	99%	98%	1%	1%	2%
Lismore	61%	65%	68%	96%	95%	98%	4%	5%	2%
Dubbo	62%	66%	66%	96%	96%	98%	4%	4%	2%
Wagga Wagga	57%	64%	71%	95%	95%	96%	5%	5%	4%
Country Total	61%	65%	63%	96%	96%	97%	4%	4%	3%
State Total	65%	67%	57%	96%	96%	96%	4%	4%	4%

SENTENCES

	Percentage of Cases Disposed within								
	3 Months			6 Months			>6 Months		
	2014	2015	2016	2014	2015	2016	2014	2015	2016
Sydney	18%	8%	5%	61%	56%	52%	39%	44%	48%
Sydney West	18%	22%	11%	63%	62%	65%	37%	38%	35%
Newcastle	41%	39%	25%	79%	75%	71%	21%	25%	29%
Gosford	47%	21%	16%	84%	76%	67%	16%	24%	33%
Wollongong	42%	40%	41%	85%	80%	82%	15%	20%	18%
Lismore	35%	37%	36%	82%	82%	65%	18%	18%	35%
Dubbo	35%	30%	33%	81%	75%	67%	19%	25%	33%
Wagga Wagga	53%	46%	58%	88%	89%	89%	12%	11%	11%
Country Total	42%	37%	35%	83%	79%	74%	17%	21%	26%
State Total	27%	22%	19%	70%	66%	64%	30%	34%	36%

Annexure C1 Civil Caseload

	Registered			Disposed			Pending		
	2014	2015	2016	2014	2015	2016	2014	2015	2016
Sydney CML	3,286	3,526	3,554	3,268	3,335	3,575	4,099	4,299	4,281
Residual Jurisdiction	323	333	328	277	318	274	219	234	269
Parramatta	150	186	204	128	149	189	175	212	227
Penrith	7	18	22	28	19	15	30	29	41
Campbelltown	2	3	1	3	1	1	1	3	3
Sydney West	159	207	227	159	169	205	206	244	271
Newcastle	238	272	233	265	231	231	284	325	328
Gosford	83	50	48	87	85	54	110	74	68
Wollongong	134	101	127	109	142	122	189	149	154
Major Country	455	423	408	461	458	407	583	548	550
Albury	28	41	19	26	28	39	46	59	39
Armidale	8	7	9	7	9	12	10	8	5
Bathurst	12	1	11	9	14	9	21	8	10
Bega	2	3	4	4	3	4	5	5	5
Broken Hill	6	3	2	5	8	4	10	5	3
Coffs Harbour	36	28	37	46	39	35	50	39	41
Dubbo	7	19	10	17	12	19	21	28	19
Griffith	28	20	8	30	23	18	39	36	26
Lismore Region	120	114	100	125	126	117	158	146	130
Lithgow	11	8	6	19	4	11	10	14	9
Maitland	22	10	14	16	21	14	24	13	13
Nowra	29	25	43	27	29	26	27	23	41
Orange	24	28	16	27	29	32	37	36	20
Port Macquarie	39	35	37	42	38	43	50	47	41
Queanbeyan	18	9	9	30	15	10	18	12	11
Tamworth	25	16	19	29	25	17	33	24	26
Taree	44	26	10	49	38	23	52	40	27
Wagga Wagga	55	74	67	67	47	79	91	118	106
Other Venues	514	467	421	575	508	512	702	661	572
NSW Total	4,737	4,956	4,938	4,740	4,788	4,973	5,809	5,986	5,943

Annexure C2

Civil Disposal Times

	Median Delay (mths)			% of Cases Disposed within						% of Pending > 12 mths < 24 mths			% of Pending > 24 mths		
				12 mths			24 mths			2014	2015	2016	2014	2015	2016
	2014	2015	2016	2014	2015	2016	2014	2015	2016						
Sydney CML	12.4	12.6	12.6	63%	60%	60%	91%	89%	90%	24%	21%	19%	4%	6%	4%
Parramatta	11.7	9.5	11.1	67%	74%	66%	92%	95%	89%	23%	24%	18%	2%	6%	6%
Penrith	15.3	10.6	17.9	39%	48%	48%	85%	71%	76%	65%	16%	15%	9%	32%	27%
Campbelltown	9.1	1.1	7.1	77%	60%	100%	92%	60%	100%	0%	0%	33%	0%	33%	33%
Sydney West	12.2	9.5	11.4	64%	72%	65%	91%	93%	88%	28%	23%	18%	3%	9%	10%
Newcastle	11.0	11.3	11.7	51%	50%	59%	89%	84%	91%	24%	21%	28%	4%	7%	6%
Gosford	12.2	13.6	15.5	54%	49%	43%	83%	86%	77%	31%	28%	18%	10%	19%	13%
Wollongong	15.4	13.8	14.6	36%	39%	49%	77%	77%	83%	18%	32%	18%	11%	7%	5%
Major Country	13.1	12.6	12.4	48%	47%	54%	85%	83%	87%	24%	25%	24%	10%	9%	6%
Albury	13.6	14.6	14.7	46%	53%	38%	82%	67%	85%	23%	26%	31%	18%	11%	19%
Armidale	12.5	13.3	8.3	75%	64%	69%	100%	86%	94%	14%	33%	0%	0%	0%	25%
Bathurst	9.9	9.2	45.4	40%	20%	33%	90%	80%	44%	11%	33%	0%	32%	67%	14%
Bega	14.2	9.4	10.2	0%	80%	80%	75%	100%	90%	33%	33%	25%	0%	0%	25%
Broken Hill	17.5	8.9	15.1	25%	25%	40%	75%	88%	80%	33%	20%	33%	0%	20%	33%
Coffs Harbour	13.8	11.8	15.4	60%	63%	41%	88%	98%	86%	21%	36%	11%	9%	9%	8%
Dubbo	11.3	18.9	12.3	40%	60%	50%	75%	80%	75%	47%	8%	29%	21%	38%	35%
Griffith	15.9	14.4	15.9	31%	33%	32%	66%	67%	68%	26%	31%	32%	21%	20%	40%
Lismore Region	17.6	11.9	13.3	43%	49%	49%	80%	84%	84%	30%	27%	26%	8%	11%	7%
Lithgow	14.0	15.3	15.8	47%	0%	25%	79%	0%	92%	0%	33%	38%	33%	0%	0%
Maitland	12.9	17.6	15.5	65%	56%	53%	80%	84%	89%	13%	46%	0%	13%	8%	15%
Nowra	9.5	11.4	9.4	54%	41%	66%	89%	86%	90%	20%	9%	18%	4%	5%	3%
Orange	9.9	11.1	15.2	39%	58%	25%	85%	82%	83%	16%	35%	7%	16%	10%	20%
Port Macquarie	17.6	17.7	13.4	41%	29%	43%	86%	74%	91%	17%	22%	31%	19%	4%	8%
Queanbeyan	14.5	12.2	12.2	54%	47%	46%	94%	88%	100%	22%	42%	11%	6%	8%	22%
Tamworth	10.9	10.9	17.9	55%	55%	35%	91%	87%	76%	19%	26%	25%	19%	17%	8%
Taree	11.3	8.6	14.8	55%	54%	39%	87%	72%	83%	23%	36%	41%	9%	6%	12%
Wagga Wagga	12.2	15.1	15.4	31%	44%	38%	72%	70%	78%	30%	25%	33%	13%	13%	6%
Other Venues	19.1	12.9	14.0	45%	48%	44%	82%	80%	84%	24%	27%	25%	13%	12%	11%
NSW Total	12.6	12.5	12.7	60%	58%	59%	90%	88%	89%	24%	22%	20%	5%	7%	5%

Annexure D

District Court Committees

MEMBERSHIP DURING 2016:

Policy and Planning Committee

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

His Honour Judge Neilson

His Honour Judge Norrish QC

Her Honour Judge Hock

His Honour Judge Elkaim SC

His Honour Judge Berman SC

Her Honour Judge Syme

His Honour Judge Letherbarrow SC

His Honour Judge Mahony SC

His Honour Judge Hoy SC

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