
District Court

New South Wales



strategic plan 2007-2012



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introduction

I am pleased to introduce the third Strategic Plan of the District Court. The first such plan was adopted in 1995 and it provided a template for significant changes in the way the Court operated as did the second plan adopted five years later. Since 1995 the Court has increased very significantly in the efficiency of its operations and I believe it now compares favourably with world best standards. It is important to maintain these efficiencies into the future.

The Court also now needs to give increased attention to concerns as to the cost of litigation. We will explore ways to minimise costs, including the increased use of technology. We also need to adapt procedures to protect the victims of crime not only in sexual assault matters but in all cases where there are vulnerable witnesses.

A significant aim of the criminal justice system is the rehabilitation of offenders. We need to explore ways of having young offenders abandon their offending behaviour. We need to consider whether there is a more effective way of dealing with Aboriginal offenders and if the Aboriginal community can be involved in that process. We need to consider whether identified cultural groups can also be involved in the sentencing process and rehabilitation flowing from the Court process.

We will be working with the administrative and legislative arms of government to achieve these goals and I believe this plan will assist us over the next five years. We will be reporting our progress on an annual basis.

*The Honourable Justice R.O. Blanch
Chief Judge*

the role of the District Court

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

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

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

values

The Court is committed to discharging its responsibilities to ensure:

1. access

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

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

2. case management

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

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

3. equality and fairness

The equal protection of the law to all by:

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

4. independence and accountability

The independence of the Judges of the Court, and the Court as a branch of our system of government. Accountability for the performance of the Court and its use of public funds by:

- acting at all times in accordance with the principles of the separation of powers and maintaining effective communications with the Legislature, and the Executive branch of government
- managing its affairs in a way which ensures efficiency and effectiveness in the use of public funds
- informing the public about issues associated with judicial independence and the performance of the Court

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- presenting to the other branches of government sound proposals for the resources to carry out its duties adequately
 - promoting fair and equitable policies and practices regarding the conditions of service of Judges and non judicial staff
 - continuing constructive dialogue on matters of common interest with users of the Court system.

5. professionalism

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

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

goals

In carrying out its role in line with its values, over 2007-2012 the Court will pursue the following four goals:

1. planning and management of the Court

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

2. Court operations and processes

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

3. resource allocation and utilisation

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

4. professional standards

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

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

1. planning and management of the Court

Over 2007-2012, the Court will:

- 1.1 monitor the performance of the Court against the time standards set out in table 1
- 1.2 maintain a policy and planning committee comprising a number of Judges appointed by the Chief Judge, to provide advice to the Chief Judge on matters relating to the business of the Court
- 1.3 maintain the 4 major working committees – the criminal business committee, the civil business committee, the professional development committee and the resources committee – which are accountable to the policy and planning committee in relation to the objectives set out in table 2
- 1.4 Involve the agencies that interact with the court in the planning process through participation on relevant court committees.

table 1 - time standards

CRIMINAL

Trials

- 90% commenced within 4 months of committal or other event that gives rise to the need for trial
- 100% commenced within 1 year of committal or other event that gives rise to the need for trial
- 100% of sexual assault trials commenced within 6 months of committal or other event that gives rise to the need for trial

Committals for Sentences

- 90 % commenced with 3 months of committal
- 100% commenced within 6 months of committal

Appeals

- 90% of conviction appeals commenced within 4 months of appeal
- 100% commenced of conviction appeals commenced within 12 months of appeal
- 90% of sentence appeals commenced within 2 months of appeal
- 100% of sentence appeals commenced within 6 months of appeal

CIVIL

Actions

- 90% disposed of within 12 months of commencement of proceedings
- 100% disposed of within 2 years of commencement of proceedings

Reserved judgments

- Reserved judgments to be delivered within 2 months of the date that judgment is reserved

table 2 – committee objectives

Civil Business Committee

- To monitor, report and advise on any matters relating to the civil business of the court.

Criminal Business Committee

- To monitor, report and advise on any matters relating to the criminal business of the court.

Resources Committee

- To monitor, report and advise on matters relating to resource allocation and utilisation.

Professional Development Committee

- To maintain an integrated program of professional development and support for judges.

2. Court operations and processes

Over 2007-2012, the Court will:

- 2.1 monitor lists to identify specific matters, trends or needs that warrant closer management
- 2.2 continue to give priority listing to child care appeals
- 2.3 maintain civil sittings in regional areas and review sittings in regional areas to ensure expedited disposal of criminal cases
- 2.4 further develop and facilitate alternative dispute resolution processes
- 2.5 explore options for adopting innovative sentencing processes for indigenous offenders
- 2.6 review and modify the Court's processes to ensure that they are responsive to the needs of all community groups
- 2.7 monitor and manage sexual assault cases in accordance with published guidelines
- 2.8 consult widely on an ongoing basis, including with court users, to explore and investigate ways to improve operations, processes and procedures and minimise the cost of litigation.

3. resource allocation and utilisation

Over 2007-2012, the Court will:

- 3.1 review its processes to maximise the benefits of technology
- 3.2 support the timely production of transcripts as required by the Court
- 3.3 encourage the taking of evidence by alternative means
- 3.4 encourage the standardisation of formats for receiving evidence in electronic form
- 3.5 review the resource and support needs of Judges.

4. professional standards

Over 2007-2012, the Court will:

- 4.1 work with the Judicial Commission in the provision of continuing education for Judges
- 4.2 provide and support professional development opportunities for Judges
- 4.3 encourage mentoring of new appointees to the Court
- 4.4 promote the Judges' Support Committee for use by the Judges.

key performance indicators

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

Goal 1: planning and management of the Court

- time standards achieved

Goal 2: planning and management of the Court

- improvements made and innovations introduced

Goal 3: resource management & utilisation

- improvements made and innovations introduced

Goal 4: professional standards

- professional development provided to Judges

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District Court of NSW
POBox K1026 Haymarket NSW 2000
Ph: (02) 9377 5611
Fax: (02) 9377 5268
www.lawlink.nsw.gov.au/dc