

# Attorney General's Division

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## Executive Committee



*The Executive Committee: Top row (L–R) Brendan Thomas, Laurie Glanfield, Michael Talbot and Ian Knight. Front L–R; Imelda Dodds and Maureen Tangney*

### Director General

#### Laurie Glanfield AM BA LLB (Hons)

Laurie Glanfield has been Director General of the Department since 1991. Nationally, he is Deputy President of the Australasian Institute of Judicial Administration, Deputy Chair of the Australian Commercial Disputes Centre and Chair of the Criminology Research Advisory Council of the Australian Institute of Criminology. Mr Glanfield provides leadership across the criminal justice system through being Secretary of the Standing Committee of Attorneys-General since 1988. He also fulfils a leadership role in the NSW public sector generally, through participation on a range of committees. He has a strong interest in evidence-based policy and quality service delivery in the justice system and social justice areas. Prior to joining the public sector, Mr Glanfield practised as a solicitor in the private sector.

### Crown Solicitor

#### Ian Knight LLB (Hons) BA

Ian Knight was appointed Crown Solicitor in November 1994 having previously been the Ombudsman for the Northern Territory and delegate of the Commonwealth Ombudsman in the Northern Territory. In addition to advising government on significant legal issues, Ian supervised the response of the Crown Solicitor's Office to issues relating to the Legal Services Review, the review of the classification of tied legal work and initiatives addressing client relationships and the well-being of employees.

## Executive Committee

### Assistant Director General Courts and Tribunal Services

#### Michael Talbot B Comm FCPA FAIM

Michael Talbot was appointed to his present role in September 2007. From December 2004 Michael was responsible for Corporate Services. He joined the Department as Director of Court Services in March 2004. Prior to that he was the National Group Manager for retail operations in Australia Post and has occupied a number of senior executive positions in both the public and private sectors.

### CEO NSW Trustee & Guardian

#### Imelda Dodds B Soc Sc (Social Work) MA (Public Policy)

Imelda Dodds is a social worker with more than 30 years' experience in human services and administration. Imelda has previously been the Public Guardian in Western Australia and a member of the NSW Guardianship Tribunal. She has held a number of national and international presidency roles in her profession and is the immediate past president of the International Federation of Social Workers, and Adjunct Professor of Social Work at the University of Sydney.

### Assistant Director General Crime Prevention and Community Programs

#### Brendan Thomas BA

Brendan Thomas was appointed to his current role in September 2007. He is responsible for community programs and crime prevention activity for the Division, including oversight of the Anti-Discrimination Board, the Aboriginal Services Division, Criminal Justice Interventions, the Diversity Services Unit and Victims Services. Brendan Thomas also chairs a number of committees including Victims Advisory Board, The NSW Anti Graffiti Action Team, Board of Management Design Out Crime Research Centre, Australian and New Zealand Crime Prevention Senior Officer's Group and NSW Crime Prevention Senior Officer's Group. Brendan has worked in crime prevention and criminal justice for more than 15 years and has written widely on crime prevention and Aboriginal justice issues. Prior to his current role, Brendan was the Director of the Crime Prevention Division. He has previously been the Executive Officer of the NSW Aboriginal Justice Advisory Council.

### Assistant Director General Policy and Legal

#### Maureen Tangney BA LLB

Maureen Tangney has been managing legal policy areas in the Attorney General's Department for over 10 years, most recently as Assistant Director General, Policy and Legal. Earlier in her career, Maureen worked for the Australian Taxation Office, the NSW Law Reform Commission and the NSW Privacy Committee (forerunner of Privacy NSW).

## Our Performance

### Courts and Tribunal Services

**Strategic direction:** Timely and effective resolution of disputes and civil and criminal matters.

Targets 2010/11	Results and Achievements
<ul style="list-style-type: none"> <li>Maintain the best performing courts in Australia with the best facilities aimed at reducing re-offending and building safer communities.</li> <li>Achieve the Report on Government Services (ROGS) benchmark of no more than 10 per cent of court cases being older than 12 months and no court cases older than 24 months.</li> <li>Resolve criminal appeal cases within the national target time frame of 90 per cent of criminal appeal cases less than 12 months old.</li> </ul>	<ul style="list-style-type: none"> <li>In 2009/10 NSW Local Courts continued to rank first in Australia for timeliness. Nearly 90 per cent of the criminal matters in NSW are finalised in the Local Courts within six months.</li> <li>In 2009/10 the NSW District Court continued to rank first in Australia for timeliness of criminal non-appeal matters.</li> <li>Civil non-appeal backlogs are the lowest they have been since Report on Government Service (ROGS) reporting began. NSW is now the best state in the country in this measure.</li> <li>NSW Courts and Tribunals achieved clearance rates of 93 per cent or higher across all matters, the highlights being the Supreme Court, which achieved a clearance rate of 120 per cent, and the District Court a clearance rate of 101 per cent.</li> <li>Supreme Court exceeded the national target every month during 2010/11 and by the end of June 2011, 95 per cent of criminal appeals were less than 12 months old.</li> </ul>
<ul style="list-style-type: none"> <li>Use technology in the court system particularly video conferencing to create significant savings across the justice sector.</li> </ul>	<ul style="list-style-type: none"> <li>Remote witness facilities have derived \$41.5 million in cost savings over the last three years.</li> <li>Target of 30,000 video conferencing sessions annually by 2010 and a savings target of \$18.3 million. This target has been surpassed with more than 60,000 sessions in 2010/11.</li> <li>In 2010/11 the Department spent \$1.261 million to continue the update of remote witness facilities, part of a \$12.3 million, three-year program.</li> <li>Implementation of the Courts Service Centre, which took 74,000 client calls in six months.</li> <li>Implemented Multi Court Remote Monitoring and Digital Audio Technology.</li> </ul>
<ul style="list-style-type: none"> <li>Implement evidence-based crime prevention, rehabilitation and support programs.</li> </ul>	<ul style="list-style-type: none"> <li>Opening of the Hunter Drug Court at Toronto.</li> </ul>
<ul style="list-style-type: none"> <li>Commitment to providing services in specialist jurisdictions to meet the evolving legal needs of the community.</li> </ul>	<ul style="list-style-type: none"> <li>Land and Environment Court celebrates 30 years.</li> <li>Community Justice Centres celebrate 30 years.</li> <li>Historic Armidale Court celebrates 150 years.</li> <li>Children's Court celebrates 105 years.</li> </ul>

## Our Performance

Targets 2010/11	Results and Achievements
<ul style="list-style-type: none"> <li>• Use Alternative Dispute Resolution (ADR) to remove from the court system those matters that have a good chance of resolving early so the court system can be reserved for matters that require a court hearing.</li> <li>• To increase the role of Alternative Dispute Resolution in NSW and promote a shift away from adversarial litigation.</li> <li>• Introduce measures to increase the use of ADR in the care jurisdiction of the Children's Court.</li> <li>• ADR Directorate becomes a Recognised National Mediator Accreditation Body under the National Mediator Accreditation System.</li> <li>• Legislative amendments to encourage the early resolution of civil disputes in NSW, including by using ADR.</li> <li>• Provide a free statewide mediation and other ADR service to the people of NSW to help them resolve their disputes without going to court.</li> </ul>	<ul style="list-style-type: none"> <li>• Opened the first Australian International Disputes Centre in Sydney in July 2010.</li> <li>• Commenced Dispute Resolution Conferences in the Children's Court in February 2011. Commenced external care and protection mediation pilot in September 2010.</li> <li>• Amendments to the <i>Civil Procedure Act 2005</i>, commenced in April 2011 and encourages parties to take 'reasonable steps' to resolve or narrow the issues in dispute before a case is commenced in court.</li> <li>• ADR Directorate now a Recognised Mediator Accreditation Body, and has nationally accredited almost 200 mediators.</li> <li>• In 2010/11 Community Justice Centres opened almost 5,000 case files. This is a growth rate of 60 per cent over two years. It conducted almost 2,000 mediations, with a settlement rate of 80 per cent.</li> </ul>
<ul style="list-style-type: none"> <li>• Provide access to, and support in using timely and authoritative legal information to assist the work and decision making of courts and tribunals and business centres across the Division.</li> <li>• Extend range and quality of training programs to judiciary, court and departmental staff. Increase their skills in using online legal information and maximise the Department's investment in legal information resources.</li> </ul>	<ul style="list-style-type: none"> <li>• 438,831 views/downloads from law library databases.</li> <li>• 17,504 library loans facilitated.</li> <li>• 15,079 reference queries completed.</li> <li>• More than 1,200 library clients attended the training programs offered by Library Services.</li> </ul>
<ul style="list-style-type: none"> <li>• Increase the availability of daily transcript services for civil matters in the District Court.</li> <li>• Pilot a procedure whereby all requests for daily transcripts are provided by contractors when parties are able to cover the cost.</li> </ul>	<ul style="list-style-type: none"> <li>• The Reporting Services Branch conducted a pilot process, which delivered up to seven transcripts daily from February–June 2011 meeting the demand from parties and meeting the expectations of the judiciary.</li> </ul>
<ul style="list-style-type: none"> <li>• Redefine the role of the Office of the Sheriff of NSW based upon its uniqueness as a leader in the provision of support services to courts.</li> </ul>	<ul style="list-style-type: none"> <li>• The Office of the Sheriff of NSW gained recognition as a 'law enforcement agency' to enhance its ability to operate alongside other law enforcement agencies in the protection of the judiciary, court users and staff.</li> </ul>

## Our Performance

### Crime Prevention and Community Programs

**Strategic direction:** Deliver effective crime prevention and diversionary programs

**Strategic direction:** Reduce re-offending

**Strategic direction:** Support vulnerable participants in the justice system

Targets 2010/11	Results and Achievements
<ul style="list-style-type: none"> <li>Reduce incidence of crime and violence in the community.</li> <li>Target priority crimes and high crime areas with specific strategies to reduce crimes against people by 10 per cent and crimes against property by 15 per cent.</li> <li>Implement effective interventions and programs designed to reduce re-offending and hold offenders accountable for their behaviour.</li> <li>Reduce the proportion of all offenders who re-offend within 24 months of being convicted.</li> </ul>	<ul style="list-style-type: none"> <li>Crime Prevention and Community Programs implemented strategies that have contributed to a reduction in graffiti offences from 13,956 in 2008 and 11,708 in 2009, to 9,645 in 2010 – a reduction of 30.9 per cent from 2008 to 2010.</li> <li>388 referrals to Court Referral of Eligible Defendants Into Treatment (CREDIT), 284 acceptances and 157 completions. Successful trial of CREDIT in Burwood, Tamworth and Quirindi Local Courts.</li> <li>307 justice forums were held with a 58 per cent victims participation rate.</li> <li>Awarded nine local government areas total funding of \$708,851 for crime prevention programs.</li> <li>Expanded Forum Sentencing to sites covering 24 Local Courts.</li> <li>Established the Video Visits Scheme, which allows Aboriginal families to maintain vital links to family members whilst they are in custody.</li> <li>Celebrated 10 years of the highly successful Magistrates Early Referral Into Treatment (MERIT) program.</li> <li>Establishment of Alcohol MERIT to nine courts across NSW: Bathurst, Broken Hill, Coffs Harbour, Dubbo, Manly, Orange, Wellington, Wollongong and Wilcannia.</li> <li>Expanded Circle Sentencing to Moree, Blacktown and Lismore, bringing the total number of statewide locations to 12.</li> </ul>
<ul style="list-style-type: none"> <li>Provide leadership and advice to the Division and other justice sector agencies about improving access to the justice system for people with disabilities and from culturally and linguistically diverse communities.</li> <li>Enhance the ability of the disability and culturally diverse communities to access the Department's services through community legal education and accessible information.</li> </ul>	<ul style="list-style-type: none"> <li>Diversity Services conducted legal education workshops for the Sudanese, Congolese, Pacific Islander and Chinese communities.</li> <li>Produced new legal education resources for African communities.</li> <li>Implemented strategies in the Division's Disability Strategic Plan 2010–2012.</li> <li>The Anti-Discrimination Board delivered 559 anti-discrimination seminars and community education sessions attended by 9,000 people.</li> <li>Increased the accessibility of the division's material, services and programs by increasing use of interpreting and translation services.</li> </ul>

## Our Performance

### Policy and Legal

**Strategic direction:** Deliver high quality client services

**Strategic direction:** Undertake law reform and develop evidence based justice policy and research

Targets 2010/11	Results and Achievements
<ul style="list-style-type: none"> <li>Collect, analyse and disseminate statistical crime information to allow for the effective development of evidence-based crime prevention policies and programs and to inform public debate about crime control.</li> <li>Publish high quality research and provide high quality information bearing on crime and criminal justice outcomes.</li> <li>Develop, implement and evaluate legislative and legal policy reform to protect human rights and community standards, and reduce crime.</li> <li>Increase regional representation of Public Defenders by 3 per cent.</li> <li>Provide additional resources to meet demand of Sydney West Trial Courts.</li> </ul>	<ul style="list-style-type: none"> <li>The Bureau of Crime Statistics and Research (BOCSAR) published six statistical reports, 25 research reports and responded to in excess of 600 direct requests for information about crime. BOCSAR's website also received in excess of 360,000 user sessions in 2010/11.</li> <li>The Law Reform Commission produced two major reports on complicity and family violence (the latter with the Australian Law Reform Commission), five consultation papers including Young People with Mental Health and Cognitive Impairment, Penalty Notices, Security for Costs, Cheating at Gambling, Compensation to Relatives, and a question paper on bail.</li> <li>The Legislation, Policy and Criminal Law Review Division advanced significant law reform through the development of 19 new laws, including laws relating to the recovery of criminal assets, suppression orders, surrogacy, victims compensation and journalists privilege.</li> <li>Successfully implemented and evaluated the Work and Development Order scheme.</li> <li>The Public Defenders Office increased the availability of Public Defenders to seven in regional NSW and three in Parramatta.</li> <li>Public Defenders based at Parramatta resulted in an increase of completed matters to almost 50 per cent at the Sydney West Trial Courts.</li> </ul>
<ul style="list-style-type: none"> <li>Provide high quality education services to law students. Improve services and efficiency of the Legal Profession Admissions Board.</li> </ul>	<ul style="list-style-type: none"> <li>The Legal Profession Admissions Board implemented the Board's Student Course Records &amp; Management System in December 2010. The new system will allow the Board to improve its services through better reporting, audit tracking, and eventually will consolidate financial reconciliation and reports.</li> </ul>
<ul style="list-style-type: none"> <li>Improve the standards adhered to by members of professional associations through the promotion of effective self-regulation.</li> <li>Advance consumer protection through the improvement of professional standards and increasing the diversity of industry groups participating in schemes.</li> <li>Reinstate Star Initiative Grants program to assist occupational association members in improving professional standards.</li> </ul>	<ul style="list-style-type: none"> <li>The Professional Standards Councils achieved a 2 per cent increase of professionals participating in <i>Cover of Excellence</i>® schemes. Compliance with the schemes contributes to the self-regulation and professionalism of association members, thereby enhancing the quality of services provided to consumers.</li> <li>Achieved a 3.1 per cent increase in number of professionals and one new association with a scheme and new industry sector covered.</li> <li>Star Initiative Grants program reinstated. Four grants totalling \$160,930 approved on a national basis.</li> </ul>

## Our Performance

### Legal and Community Services

**Strategic direction:** Provide representation and management of life matters for individuals

**Strategic direction:** Continue to promote and protect rights

**Strategic direction:** Deliver high quality client service

Targets 2010/11	Results and Achievements
<ul style="list-style-type: none"> <li>Support public access to Justice of the Peace services.</li> <li>Process the increased volume of Justice of the Peace reappointment applications without additional resources.</li> <li>Respond effectively and comprehensively to community feedback, questions and concerns.</li> <li>Provide 85 per cent of replies within the required time frames of between one and 21 calendar days.</li> </ul>	<ul style="list-style-type: none"> <li>The Community Relations Unit appointed or reappointed 37,848 Justices of the Peace compared to 20,495 in 2009/10.</li> <li>Published the first issue of JP News and distribution to more than 74,000 Justices of the Peace to improve access to information about their role and functions.</li> <li>Finalised 5,672 replies, with 85.2 per cent within the required time frames.</li> </ul>
<ul style="list-style-type: none"> <li>Provide legal services to government on a commercial basis.</li> <li>Achieve growth in fees charged for legal services.</li> </ul>	<ul style="list-style-type: none"> <li>The Crown Solicitor's Office earned \$49.4 million in professional fees and had an operating surplus of \$5 million.</li> <li>Achieved target growth in fees of 10.5 per cent compared to a target of 11.3 per cent.</li> <li>Achieved a client relationship rating of 86 per cent good to excellent.</li> </ul>
<ul style="list-style-type: none"> <li>Register NSW life events accurately and securely, in perpetuity, including births, deaths, marriages, changes of name, registered relationships, adoptions and changes of sex.</li> <li>Complete routine certificate applications within 10 working days.</li> <li>Ensure average customer waiting time for counter service is five minutes.</li> </ul>	<ul style="list-style-type: none"> <li>The Registry of Births, Deaths &amp; Marriages registered some 98,900 births, 48,700 deaths, 42,300 marriages and 18,700 changes of name. The Registry also performed 4,600 marriage ceremonies and issued 580,000 certificates.</li> <li>100 per cent of routine certificate applications were completed within standard service time.</li> <li>Average customer waiting time for counter service in 2010/11 was 5.1 minutes.</li> </ul>
<ul style="list-style-type: none"> <li>Deliver accurate and prompt legal advice and referrals to the community.</li> </ul>	<ul style="list-style-type: none"> <li>LawAccess NSW answered 197,653 calls and provided 20,480 legal advice sessions in 2010/11.</li> <li>LawAccess NSW employees won the Law Society's Excellence Award in Government Legal Service, and a LawAccess NSW employee was awarded the Division's 2010 Annual Achievement Award for Individual Excellence.</li> <li>LawAssist was launched with the first topics covering representing yourself in court and small claims. The LawAssist website received approximately 121,000 visits in 2010/11.</li> <li>LawAccess delivered 105 presentations to community groups, workers and agencies and attended more than 60 community events to raise awareness of its services.</li> </ul>
<ul style="list-style-type: none"> <li>Train public sector employees in new regulations about providing government information to the public.</li> </ul>	<ul style="list-style-type: none"> <li>Trained more than 400 public sector employees in 21 training sessions about the <i>Government Information (Public Access) Act 2009</i>.</li> </ul>

## Our Performance

Targets 2010/11	Results and Achievements
<ul style="list-style-type: none"> <li>Promote professionalism of legal services practitioners and reduce complaints.</li> </ul>	<ul style="list-style-type: none"> <li>The Office of the Legal Services Commissioner (OLSC) expanded its research portfolio through joint research projects with universities and the business sector.</li> <li>Reduction in the number of complaints against legal practitioners due to OLSC's focus on education and regulation.</li> </ul>
<ul style="list-style-type: none"> <li>Expand access to pre-planning information and to trustee and financial management services.</li> </ul>	<ul style="list-style-type: none"> <li>NSW Trustee &amp; Guardian drafted 1,597 new Powers of Attorney during the reporting period and 6,972 new wills.</li> <li>NSW Trustee &amp; Guardian conducted Good Will Week throughout NSW and was a major sponsor of Seniors Week, participated in Law Week, and conducted over 90 community talks and seminars, with 10 per cent being presentations to culturally diverse communities.</li> <li>NSW Trustee &amp; Guardian now offers financial management services at five offices that previously delivered trustee services only: Lismore, Chatswood, Gosford, Sydney Central and Newcastle.</li> </ul>

## Corporate Services

**Strategic direction:** Deliver high quality client services

**Strategic direction:** Continue to promote and protect rights

Targets 2010/11	Results and Achievements
<ul style="list-style-type: none"> <li>Provide an equitable and productive working environment for all staff.</li> <li>Educate managers and staff on equity and diversity issues through the provision of policies, practical guidance and tools for managers and staff.</li> <li>Improve support to EEO groups in the Division.</li> <li>A workplace where everyone is treated with fairness, dignity and respect.</li> <li>Improve staff awareness of grievance procedures.</li> </ul>	<ul style="list-style-type: none"> <li>Exceeded the public sector target of 2.6 per cent Aboriginal and Torres Strait Islander staff by achieving an employment rate of 4 per cent across the Division.</li> <li>Exceeded the 2010/11 public sector employment target of 1.1 per cent people with a disability requiring adjustment by achieving an employment rate of 3.3 per cent across the Division.</li> <li>The Human Resources Branch developed and/or implemented a range of equity and diversity strategies and initiatives including Aboriginal Cultural Respect Program; Disability Employment Development and Retention Strategy; Reasonable Adjustment Policy and Guidelines and Employing People With A Disability Guidelines; Community Language Allowance Scheme Guidelines and appointments.</li> <li>Provided and promoted 14,834 face-to-face and e-Learning training and development opportunities for all staff.</li> <li>96 per cent of all staff recorded some form of development in 2010/11.</li> <li>Promoted a healthy workplace and delivered occupational health and safety programs.</li> <li>Promoted and implemented a Dignity and Respect Program for staff.</li> <li>Developed and implemented a new Divisional Grievance Policy and associated resource materials for managers and staff.</li> </ul>

## Our Performance

Targets 2010/11	Results and Achievements
<ul style="list-style-type: none"> <li>Reduce the Division's impact on the environment, in particular energy use and carbon emissions, as per the Division's Environment Policy.</li> </ul>	<ul style="list-style-type: none"> <li>The Asset Management Branch managed the Division's pool vehicle fleet which exceeded the environmental performance target for 2011. The Division has also exceeded the mandated 2015 target of 5 per cent hybrids on fleet, with 28 per cent hybrids on fleet.</li> <li>Increased use of ethanol-based fuel in the vehicle fleet to achieve an average per quarter of 51.97 per cent across the Division in 2010/11, up from an average of 29.13 per cent in 2009/10.</li> <li>Reduced energy use of 5 per cent per square metre of occupied space.</li> </ul>
<ul style="list-style-type: none"> <li>Manage, develop and plan procurement of physical building assets to meet current and future functional requirements.</li> <li>Preserve and manage the Division's heritage assets.</li> </ul>	<ul style="list-style-type: none"> <li>Asset Management Branch delivered one of the largest facilities capital works programs in the last 10 years with nearly \$70 million of work completed.</li> <li>Finalised a comprehensive register of all fixed heritage assets and their respective heritage values which provides valuable information about the history of NSW courthouses.</li> <li>Incorporated Heritage Management into a revised Divisional Environmental Policy.</li> <li>Completed significant works on a number of heritage projects including the King St Court Complex, and Darlinghurst and Central Courthouses.</li> </ul>
<ul style="list-style-type: none"> <li>Promote community awareness of rights and the justice system through Law Week and community events.</li> <li>Maintain top 20 government website ranking.</li> <li>Expand service delivery channels and increase electronic service delivery with a focus on equity and diversity.</li> </ul>	<ul style="list-style-type: none"> <li>The Communications Unit co-ordinated the Division's strong presence at Law Week, The Royal Easter Show and community justice forums.</li> <li>Maintained the Division's position in the ranking of top 20 government websites.</li> <li>Implemented the content management system and usability testing of the One Website project.</li> <li>Worked with Divisions to create a consolidated career opportunities intranet to advertise job vacancies across the Department.</li> <li>Together with CSNSW, won a bronze medal in the Australasian Annual Reporting Awards for the first annual report of the newly amalgamated Department.</li> </ul>

# Courts and Tribunal Services



The Division manages and supports the largest court and tribunal network in the country. There are 164 courts and tribunals throughout NSW, many in regional and rural areas. It is a significant and complex system that employs more than 2000 staff and has an operating budget of approximately \$395 million per annum and generates \$129 million in revenue.

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- Community Justice Centres celebrates 30-year milestone
- First International Disputes Centre opens in Sydney
- Responding to changing national industrial relations landscape
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- Largest court upgrade program in a decade
- Strengthening Alternative Dispute Resolution in the Children's Court
- Office of the Sheriff recognised as law enforcement agency
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## NSW Courts and Tribunals

NSW Courts and Tribunals are managed by registrars and presided over by independent judges, magistrates and judicial officers. Supporting the court system is a network of registry staff, reporting services, Sheriff's officers, Library Services and an Alternative Dispute Resolution Directorate.

**Local Court** hears the majority of criminal and civil proceedings in NSW. This court has jurisdiction to deal with summary and committal proceedings in criminal matters, civil actions involving claims of up to \$100,000, and a range of other matters such as children's care proceedings, coronial inquests, applications for apprehended violence orders, and traffic and other minor offences.

**District Court** deals with serious offences committed by adults and children and hears most appeals from the Local Court. Criminal and some civil trials are heard by a judge and usually a jury. In its civil jurisdiction this court hears monetary, damages and equity claims for up to \$750,000, and applications for property settlements and motor vehicle accident personal injury claims.

**Supreme Court** hears the most serious criminal matters and a range of civil matters. This court has unlimited jurisdiction in civil disputes and plays an important supervisory role in the NSW court system through its criminal and civil appellate jurisdictions.

**Administrative Decisions Tribunal** reviews specific administrative decisions of NSW government agencies, resolves discrimination claims and retail lease disputes, and exercises disciplinary and regulatory functions over a range of professional and occupational groups.

**Dust Diseases Tribunal** hears claims for damages by those who have been affected by dust diseases, including diseases caused by asbestos exposure.

**Industrial Relations Commission of New South Wales** and **Industrial Court of New South Wales** are specialist jurisdictions that deal with matters arising from industrial or employment arenas. They resolve workplace disputes, deal with prosecutions relating to serious breaches of occupational health and safety legislation, set conditions of employment, create industrial awards, approve enterprise agreements, hear appeals from NSW public sector and transport sector employees, and decide claims of unfair dismissal or unfair contract.

**Land and Environment Court** is a specialist jurisdiction in relation to environmental law. It deals with a range of civil proceedings including merit appeals, civil enforcement, judicial review, and applications under the *Trees (Dispute Between Neighbours) Act 2006*. The court also has summary and appellate criminal jurisdiction in relation to environmental offences.

**Children's Court** deals with matters relating to the care and protection of children and young people, and also criminal cases concerning children and young people. It deals with young people who are under 18 years, or who were under 18 at the time of the alleged offence. The State's Children's Court Clinic is located within the courthouse at Parramatta.

**Coroner's Court** investigates deaths, suspected deaths, fires and explosions and other incidents as specified in the *Coroner's Act*. Coroners report on the manner and cause of death or the circumstances of the fire or explosion, and may make recommendations for preventing similar incidents.

**Drug Court (Adult Drug Court and Youth Drug Court)** deals with non-violent offenders who have committed drug-related crimes. This court combines intensive judicial supervision, drug treatment and case management for offenders who are dependent on drugs.

**Guardianship Tribunal** was transferred in April 2011 to the Department of Attorney General and Justice from the Department of Ageing, Disability and Home Care. The Guardianship Tribunal is an independent specialist disability tribunal. It exercises a protective jurisdiction and facilitates substitute decision making by hearing and determining applications for the appointment of guardians and financial managers for adults with decision-making disabilities.

## Court Support Services

**Library Services** provides access to authoritative legal information to the judiciary, crown solicitors, courts and departmental staff, as well as the NSW-based Federal Court.

**Office of the Sheriff of NSW** provides security and court support to the State's courts and tribunals pursuant to the *Sheriff Act 2005* and *Court Security Act 2005*. It also manages the Jury Service in accordance with the *Jury Act 1977*.

## NSW Courts and Tribunals

### Alternative Dispute Resolution (ADR)

**Directorate** was created in 2009 to co-ordinate, manage and drive ADR policy, strategy and expansion in NSW, including in courts. The ADR Directorate incorporates the Department's Community Justice Centres, which provide free mediation services to people to help resolve disputes without going to court.

**Reporting Services Branch** accurately records court and tribunal proceedings and produces timely and cost-effective transcripts for participants and judges in all courts and tribunals of NSW. It delivers a state-wide service from central, suburban and regional locations.

### Programs Available in Courts

Program	Service
<b>Aboriginal Client Service Specialists (ACSS)</b>	These liaison officers work in Local Courts to assist effective communication between the court and the local Aboriginal community and improve that community's understanding of court processes, procedures and services.
<b>Aboriginal Community Justice Groups (ACJGs)</b>	These are representative groups of local Aboriginal people who come together to examine the crime and offending problems in their communities and develop solutions. They work on a large number of local issues in co-operation with police, courts, community offender services and Juvenile Justice.
<b>Circle Sentencing</b>	Circle Sentencing is an alternative sentencing court for adult Aboriginal offenders. It directly involves local Aboriginal people in the process of sentencing offenders, with the aims of making it more meaningful and improving confidence in the criminal justice system.
<b>Community and Court Liaison Service</b>	Run by NSW Health, this service provides specialist mental health advice to NSW Local Courts to assist the courts in identifying the mentally ill or disordered charged with minor offences and diverting them to treatment in lieu of incarceration.
<b>Community Justice Centres</b>	Community Justice Centres (CJC) provide free mediation and other Alternative Dispute Resolution (ADR) services to the people of NSW to help them resolve their disputes without going to court. CJC conducts mediations all over the State using a panel of highly skilled and independent mediators.
<b>CREDIT (Court Referral of Eligible Defendants Into Treatment)</b>	Those identified as being at risk of re-offending undergo case management and are referred to social services. A pilot program continues at Burwood and Tamworth Local Courts.
<b>Drug Courts Youth Drug and Alcohol Court (YDAC)</b>	The NSW Drug Court is located at Parramatta and Toronto. The Drug Court is a specialist court that deals with offenders who are dependent on drugs. It has been found to be very successful in deterring re-offending. The YDAC operates across most of the Sydney metropolitan region and aims to reduce re-offending by young people with alcohol and/ or drug problems who have become entrenched in the criminal justice system.
<b>DVICM (Domestic Violence Intervention Court Model)</b>	A program piloted in Local Courts as an integrated criminal justice and community social welfare response to domestic violence.
<b>Forum Sentencing (formerly Community Conferencing)</b>	Forum Sentencing brings together an offender, the victim(s) of the offender's crime and other people affected by the crime. Forum Sentencing operates at selected NSW Local Courts and will be extended across the State over the next few years.
<b>MERIT (Magistrates Early Referral Into Treatment)</b>	This service is available in Local Courts to provide adult defendants who have drug problems the opportunity to rehabilitate as part of their bail conditions. The MERIT program has been expanded to include rehabilitation of defendants with alcohol problems.
<b>Traffic Offender Intervention program</b>	Working with the NSW Roads and Traffic Authority, this program targets offenders who have pleaded guilty to, or been found guilty of, a traffic offence in the Local Court. The program provides offenders with the information and skills necessary to develop positive attitudes towards driving and develop safer driving behaviours.

## NSW Courts and Tribunals

### Court Performance

The Productivity Commission's 2010 Report on Government Services (ROGS) compares the performance of courts in all jurisdictions across Australia for the 2009/10 financial year. These figures were published in January 2011. Results for NSW Court and Tribunal performance demonstrate court excellence in the timely resolution of cases; court effectiveness indicated by the backlog indicator; and efficiency indicated by costs per finalisation. The performance of NSW Courts and Tribunals continues to promote public trust and confidence in the court system.

### Court effectiveness

The 'backlog indicator' measures the age of a court's pending caseload against nominated time standards. The number of cases in the nominated age category is expressed as a percentage of the total pending caseload.

### Criminal matters

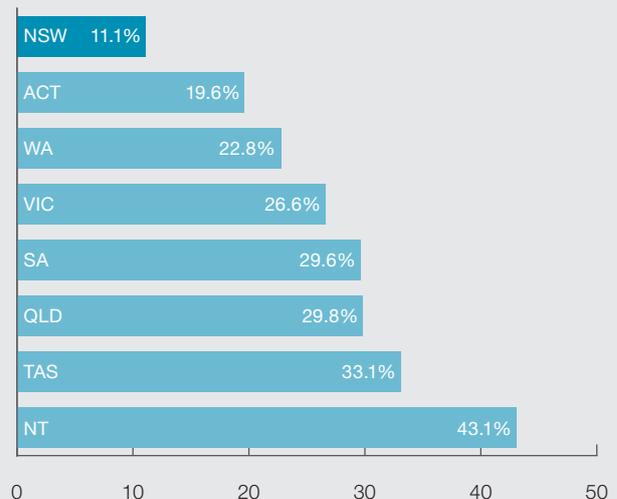
#### Local Courts

In 2009/10 NSW Local Courts continued to rank first in Australia for timeliness. Nearly 90 per cent of the criminal matters in NSW are finalised in the Local Courts within six months.

“NSW Local Courts continued to rank first in Australia for timeliness.”

“The performance of NSW Courts and Tribunals continues to promote public trust and confidence in the court system.”

#### Local Court 6 month criminal backlog



Source: ROGS 2009/10 (published January 2011) provides data for eight States and Territories for Local Courts.

## NSW Courts and Tribunals

### District Court

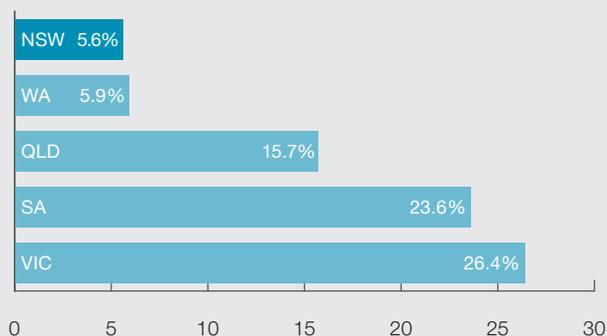
In 2009/10 the NSW District Court continued to rank first in Australia for timeliness of criminal non-appeal matters. NSW is one of only two States that meet the ROGS time standard of 10 per cent of pending matters being no older than 12 months. The District Court also halved the proportion of criminal appeal matters older than 12 months, from 1.2 per cent to 0.6 per cent.

“The NSW District Court continued to rank first in Australia for timeliness of criminal non-appeal matters.”

### Supreme Court

During 2009/10 the percentage of criminal non-appeal matters older than 12 months within the Supreme Court increased slightly from 14.9 per cent to 16.0 per cent. Despite this, its national ranking improved from sixth to fifth. This kind of variability in performance is usual for the NSW Supreme Court, which deals with the most serious types of criminal cases (principally those where there is potential for a life sentence to be imposed). Such trials are also often very lengthy.

#### District Court 12 month criminal non-appeal backlog



Non-appeal makes up 30 per cent of all new District Court criminal matters. Source: ROGS 2009/10 (published January 2011) provides data for five States and Territories for District Court.

#### Supreme Court 12 month criminal non-appeal backlog



Non-appeal makes up 20 per cent of all new Supreme Court criminal matters. Source: ROGS 2009/10 (published January 2011).

## NSW Courts and Tribunals

### Civil matters

#### Local Courts

The ROGS data does not provide figures for civil backlog of matters for Local Courts, as this data is not collected.

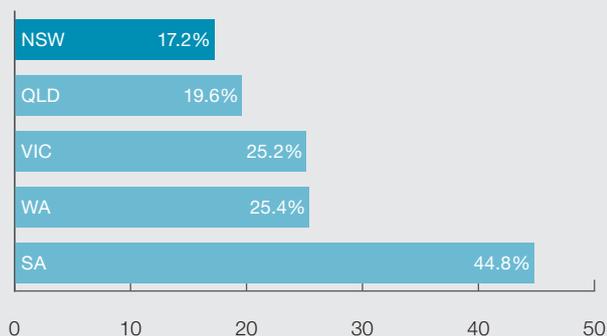
#### District Court

The District Court has continued its excellent performance in reducing the backlog of civil non-appeal matters older than 12 months from 20.6 per cent in 2008/09 to 17.2 per cent in 2009/10; and older than two years from 4.5 per cent in 2008/09 to 4.4 per cent in 2009/10. Civil non-appeal backlogs are now the lowest they have been since ROGS reporting began, decreasing from 40 per cent and 22 per cent in June 2004 respectively. NSW is now the best State in the country in this measure, improving one position from 2008/09.

The proportion of civil appeal matters older than 12 months increased from 1 per cent to 4.8 per cent. However, this is still well within Productivity Commission benchmarks of 10 per cent, and NSW remains one of the best performers in the country for this measure. There continues to be no civil appeal matters older than two years.

“Civil non-appeal backlogs are now the lowest they have been since ROGS reporting began ... and NSW is now the best State in the country for this measure.”

#### District Court 12 month civil non-appeal backlog



Non-appeal makes up 98 per cent of all new District Court civil matters.  
Source: ROGS 2009/10 (published January 2011)

“NSW remains one of the best performers in the country ... there continues to be no civil appeal matters older than two years.”

## NSW Courts and Tribunals

### Supreme Court

In 2009/10 the NSW Supreme Court ranked fourth in Australia for civil non-appeals. This is a significant achievement as non-appeal matters represent 93 per cent of the Supreme Court's civil workload.

### Court Efficiency

#### Clearance rate

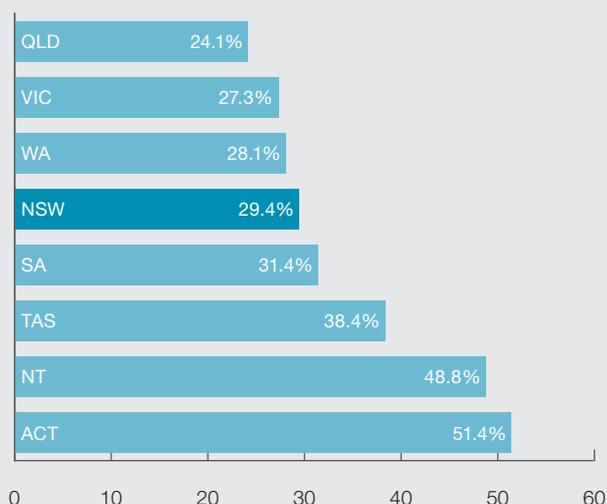
The clearance rate is the ratio of case finalisation to case registration over a particular period, expressed as a percentage. This is a measure of whether the court's caseload is increasing or decreasing. For example, a clearance rate of 100 per cent or more means the jurisdiction is reducing its pending caseload and is more likely to be able to meet time standards in future. A clearance rate of more than 100 per cent indicates that, in addition to current matters, the court is also finalising a backlog of matters.

NSW Courts and Tribunals achieved clearance rates of 93 per cent or higher across all matters, indicating that they are meeting the demand for their services. In particular, the Supreme Court achieved clearance

rates of 120 per cent and the District Court 101 per cent. These results are particularly impressive considering the degree to which workloads have increased over the previous five years.

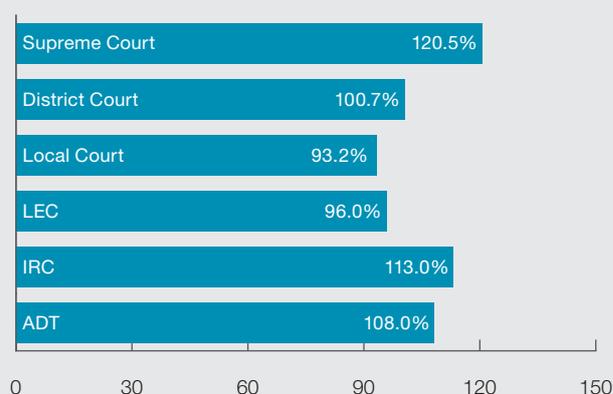
“NSW Courts and Tribunals achieved clearance rates of 93 per cent or higher across all matters. These results are particularly impressive considering the degree to which workloads have increased over the previous five years.”

### Supreme Court 12 month civil non-appeal backlog



Non-appeal makes up 93 per cent of all new Supreme Court civil matters.  
Source: ROGS 2009/10 (published January 2011).

### Clearance ratios for NSW Courts 2009/10



Non-appeal makes up 20 per cent of all new Supreme Court criminal matters.  
Source: ROGS 2009/10 (published January 2011).

## NSW Courts and Tribunals

### Cost per finalisation

NSW Courts and Tribunals, as reported in ROGS<sup>1</sup>, achieved a net expenditure per finalisation less than the interstate average in this category. When combining civil and criminal matters, the net expenditure per finalisation increased for the Supreme, District, Local and Children's Courts in 2009/10. Overall, NSW ranks fourth in the country when the cost per finalisation of all courts is considered. This indicates that NSW courts as a whole continue to achieve significant efficiencies, minimising cost to the taxpayer.

“...NSW courts as a whole continue to achieve significant efficiencies, minimising cost to the taxpayer.”

### Net expenditure per finalisation, criminal and civil

Court	Interstate average*	NSW
Supreme Court	\$7,255	<b>\$4,163</b>
District Court	\$5,444	<b>\$4,253</b>
Local Court	\$484	<b>\$366</b>
Children's Court	\$804	<b>\$1,033</b>

### Net expenditure per finalisation – all courts State comparison

State	Net expenditure per finalisation
QLD	\$530
TAS	\$538
VIC	\$598
NSW	\$729
SA	\$770
WA	\$772
NT	\$1,298
ACT	\$1,609

Source: ROGS 2009/10 (published January 2011)

1 Australian average not directly reported in ROGS.



Maclean Courthouse

## NSW Courts and Tribunals

### NSW Criminal Courts Statistics 2006 to 2010<sup>^</sup>

#### Charges<sup>^^</sup> finalised in NSW Local, Children's, District and Supreme Courts by offence type

	2006	% 2006	2007	% 2007	2008	% 2008	2009	% 2009	2010	% 2010
Homicide and related offences	331	0.1	325	0.1	333	0.1	381	0.1	320	0.1
Acts intended to cause injury	36,668	14.7	38,976	15.4	41,377	15.5	43,129	15.6	45,718	16.1
Sexual assault and related offences	2,358	0.9	2,449	1.0	3,514	1.3	3,819	1.4	4,343	1.5
Dangerous or negligent acts endangering persons	9,350	3.8	9,180	3.6	9,126	3.4	9,211	3.3	8,255	2.9
Abduction, harassment and related offences	1,574	0.6	1,653	0.7	2,019	0.8	2,330	0.8	2,626	0.9
Robbery, extortion and related offences	2,036	0.8	2,055	0.8	2,673	1.0	2,490	0.9	2,483	0.9
Unlawful entry with intent/ burglary, break and enter	5,600	2.2	5,737	2.3	6,458	2.4	6,131	2.2	6,209	2.2
Theft and related offences	21,904	8.8	21,229	8.4	21,461	8.0	21,138	7.6	23,183	8.1
Fraud, deception and related offences	10,184	4.1	10,065	4.0	10,839	4.1	13,711	5.0	20,615	7.2
Illicit drug offences	13,087	5.3	13,592	5.4	15,714	5.9	17,176	6.2	17,875	6.3
Prohibited and regulated weapons and explosives offences	3,087	1.2	3,079	1.2	3,123	1.2	3,483	1.3	4,018	1.4
Property damage and environmental pollution	11,864	4.8	12,603	5.0	13,301	5.0	14,629	5.3	14,675	5.2
Public order offences	18,362	7.4	20,053	7.9	20,404	7.6	20,275	7.3	19,822	7.0
Traffic and vehicle regulatory offences	80,295	32.2	77,920	30.8	79,767	29.9	78,255	28.3	67,754	23.8
Offences against justice procedures, government security & operations	28,143	11.3	29,215	11.5	32,140	12.0	34,857	12.6	39,618	13.9
Miscellaneous offences	4,413	1.8	4,850	1.9	4,829	1.8	5,714	2.1	7,146	2.5
Unknown offences (insufficient data provided)	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
<b>Total</b>	<b>249,256</b>	<b>100</b>	<b>252,981</b>	<b>100</b>	<b>267,078</b>	<b>100</b>	<b>276,729</b>	<b>100</b>	<b>284,660</b>	<b>100</b>

Source: NSW Bureau of Crime Statistics and Research

<sup>^</sup> Please note that in 2009 there were significant changes to the way court data was collected, counted and recorded and these changes affected the continuity of some series within our court data. As such, it is advisable not to directly compare the 2009 data presented in these tables with earlier years.

<sup>^^</sup> Note: These figures are the number of charges brought, rather than the number of persons charged. A charge refers to an instance of a particular type of offence being charged against a person. Prior to the introduction of JusticeLink, where there were multiple counts of the same offence (i.e. charged under the same Act and section) and each count received the same outcome, the multiple counts were treated as a single charge. Where multiple counts of the same offence had different outcomes, they were counted as separate charges. From 2008 in the Higher Courts and 2009 in the Local and Children's Courts, with the implementation of JusticeLink, each individual count has been treated as a separate charge.

## NSW Courts and Tribunals

### Court celebrations

#### NSW Youth Drug and Alcohol Court turns ten

The financial year has seen many milestones across the NSW court system. The first celebration saw the NSW Youth Drug and Alcohol Court, which aims to reduce re-offending by young people with alcohol and/or drug problems who become entrenched in the criminal justice system, celebrate its 10th anniversary in July 2010.

The NSW Youth Drug and Alcohol Court held a conference for practitioners, agency staff and service providers associated with the program to celebrate the milestone. It looked at how the court program links the juvenile criminal justice system with various government and non-government adolescent service providers, and included speakers such as Children's Magistrate Hilary Hannam, Paul Dillon from Drug and Alcohol Research Training Australia, and Matthew Willis from the Australian Institute of Criminology.

The court program began operations in July 2000 following a recommendation of the NSW Drug Summit in 1999 and operates across the Sydney metropolitan area. It examines the reasons behind offenders' behaviour, which may include health problems and education.

#### 105 years of the Children's Court of NSW

The Children's Court of NSW, one of the oldest courts in the world, celebrated 105 years in 2010. Established in 1905, it was concerned with juvenile offenders and children who were neglected or uncontrollable. It has always had the best interests of children at its heart and its aim was not to condemn or punish them but

to rehabilitate and protect them. These days the court processes more complex cases, but it is still concerned with rehabilitating and protecting the youngest and most vulnerable members of our society.

Today there are two jurisdictions of the Children's Court – criminal, and care and protection. The former seeks to alter young offenders' behaviour, rehabilitate them and divert them from custody and a life of crime. It uses options such as youth justice conferences, youth conduct orders, community service orders and sometimes detention. The court's other jurisdiction determines whether a child is in need of care and protection, and if so, what arrangements will be in the best interest of the child's welfare. In rural and regional areas, Local Court magistrates generally carry out the work of the Children's Court, although specialist children's magistrates also regularly travel to these areas to preside over care and protection matters.

#### Land and Environment Court of NSW marks its 30th anniversary

The Land and Environment Court of NSW marked its 30th anniversary in September 2010. The occasion was celebrated with a dinner at Parliament House for 250 dignitaries. In 30 years the court has grown to comprise six judges, nine commissioners and 16 acting commissioners, and resolves a variety of planning and environmental matters.

When it was established in 1980, the Land and Environment Court was the first superior specialist environment court in the world and continues to provide a benchmark for a specialised court. In 2009 it was the first court in the world to implement the International Framework for Court Excellence which



*The Children's Court of NSW is one of the oldest courts in the world.*

## NSW Courts and Tribunals

will result in improved public trust and confidence in the court's processes and the provision of accessible and effective justice in environmental and planning matters.

Developed by an international consortium of justice groups and organisations, the International Framework for Court Excellence is based on the premise that while there are many different court systems throughout the world, they share common ideals such as the need for impartiality, fairness, transparency and timeliness. The framework represents a resource to assist a court in assessing its performance against seven detailed areas of court excellence. For courts that are keen to ensure a high level of community confidence in their processes, it provides a model methodology for continuous improvement.

### Armidale Court celebrates 150 years with plans for new courthouse

The grand old building that is the Armidale Courthouse has been an essential part in dispensing justice in the New England area for 150 years.

The courthouse is currently used by the Supreme Court, District Court, Industrial Relations Commission, Land and Environment Court, Local Court and the NSW tribunals. Although it has served the community well over all this time it now struggles to meet the demands of the police, judiciary and the local community. The 2011/12 State budget has allocated \$15 million over four years to build a new courthouse in Armidale, due to be completed by March 2013.

As a heritage listed landmark in the centre of town, the community is now considering the proposed new life for the existing building.

### NSW Drug Court builds on its success

It has been an eventful year for the successful NSW Drug Court, which has operated in Parramatta for 12 years. In March 2011 the Drug Court expanded with the opening of the Hunter Drug Court in Toronto. The evidence-based program aims to stop the revolving door of drugs, crime and jail to return long-term offenders to living ordinary, productive lives.

The Hunter Drug Court operates from the Toronto Courthouse and will treat around 80 non-violent, drug dependent offenders each year in an intensive rehabilitation program. The program helps offenders stop using drugs, address the underlying causes of their criminal behaviour, and develop life skills.

It accepts referrals from Newcastle (District and Local Courts), East Maitland (District Court) and the Local Courts at Maitland, Belmont, Kurri Kurri, Raymond Terrace and Toronto. People who successfully complete the minimum 12-month program have the opportunity to avoid a prison term. A 2008 report by the NSW Bureau of Crime Statistics and Research found offenders who complete the Drug Court program are 37 per cent less likely to be convicted for any further offence.

The NSW Drug Court also partnered with Housing NSW in February 2011 in an agreement that will see the participants of the Drug Court program receive support to maintain secure social housing. Under the agreement, housing will be offered to participants who are in need and who are unable to gain accommodation in the private market due to the complexities of their situation. This means that eligible Drug Court clients will now be assisted in finding safe and secure housing as well as maintaining the tenancy.



*Celebrating 150 years of Armidale Court (left to right) were Magistrate Roger Prowse; University of New England's Vice Chancellor, Professor Jim Barber; Acting Chief Magistrate of NSW, Jane Motley; Supreme Court Justice, Stephen Rothman AO; Northern Tablelands MP Richard Torbay, who represented the Attorney General; Armidale Dumaresq Mayor, Cr Peter Ducat and Magistrate Mark Richardson.*

## NSW Courts and Tribunals

Reflecting the holistic approach of the Drug Court, these clients will continue to receive services that reduce drug dependency and re-offending.

The partnership will operate for the next two years in the Sydney West and Sydney South West Area Health Service boundaries through the Greater Western Sydney Housing Services Division.



*Judge Dive of the NSW Drug Court (left) and Ken Bone, of Housing NSW sign an agreement to help Drug Court participants receive housing assistance.*

### NSW Drug Court Senior Judge recognised by Prime Minister

NSW Drug Court Senior Judge Roger Dive received the prestigious Prime Minister's Award for Excellence and Outstanding Contribution to Drug and Alcohol Endeavours at the 2011 National Drug and Alcohol Awards. This award was in recognition of the on-going success of the program and the extraordinary contribution that his team has made to address the causes of re-offending and drug abuse.

The National Drug and Alcohol Awards are held annually to recognise achievements in preventing and reducing alcohol and other drug use and harm in Australia. The Prime Minister's Award is the highest honour given at the ceremony.

### Community Justice Centres celebrates 30-year milestone

Community Justice Centres (CJC) celebrated 30 years of service to the community in December 2010.

CJC provides free mediation and other Alternative Dispute Resolution (ADR) services to the people of NSW to help them resolve their disputes without going to court. CJC conducts mediations all over the State, using a panel of highly skilled and independent mediators.

CJC was first established as a pilot project by the NSW Government in 1980, and made permanent in 1983 with the commencement of the *NSW Community Justice Centres Act 1983*. It was heralded as "the most promising step taken this century to provide a system for the settlement of a class of dispute which the adversary process of our courts have never been able to resolve satisfactorily".<sup>1</sup> The term *Community Justice Centres* has even been enshrined in the Macquarie Dictionary.

Thirty years since its inception, neighbourhood disputes still account for more than half of the CJC caseload, with the most common disputes relating to fences, trees and noise. The CJC also help to resolve conflict between friends, families, workplaces and communities.

In 2010/11 the service opened almost 5,000 case files. This is a growth rate of 60 per cent over two years. It conducted almost 2,000 mediations. The CJC service continues to experience a growth in popularity as it is a more efficient and often less stressful alternative than going to court. In 2010/11, CJC mediators reached a settlement in almost 80 per cent of matters.

The CJC service is a key part of the NSW Government's strategy to increase the role of ADR in NSW and promote a shift away from adversarial litigation.

### First Australian International Disputes Centre opens in Sydney

The Australian International Disputes Centre opened in Sydney in July 2010, following law reforms at State and Federal levels which created an international best practice legal framework for arbitration in Australia.

The new hearing facility features ten custom built rooms, including a large 27 person hearing room. It is equipped with state-of-the-art video conferencing technology and access to translation and transcription services. It also features Indigenous artwork on loan from retired arbitrator Ken Hinds.

The \$600,000 centre is jointly funded by the Australian and NSW Governments, the Australian Centre for International Commercial Arbitration and the Australian Commercial Disputes Centre.

In a global economy international arbitration has emerged as a process of choice for many businesses as it delivers many benefits including expediency, efficiency, enforceability and commercial privacy.

These reforms provide the framework to resolve local, cross border and international disputes in Australia. International arbitration is a system of dispute resolution used by the world's leading international companies in the insurance, construction, oil, gas, shipping and engineering industries.

<sup>1</sup> NSW, Parliamentary Debates (Hansard), Legislative Assembly, 19 November 1980 at 3147.

## NSW Courts and Tribunals

The Australian Centre for International Commercial Arbitration estimates that the direct and indirect economic benefits to NSW and Australia will run into tens of millions of dollars each year. The world-class facility is attracting strong interest from corporations in the Asia Pacific and beyond.

### Responding to changing national industrial relations landscape

From 1 January 2010 all State and Territory governments (with the exception of Western Australia) referred their powers relating to the private sector to the Commonwealth. Essentially, given that the Work Choices legislation enacted in 2006 effectively and arbitrarily transferred corporations to the Commonwealth system at that time, this meant the balance of the private sector (partnerships and sole traders) moved across to the national system.

The Industrial Relations Commission remains committed to ensuring the delivery of timely and cost-effective services to parties who are in industrial dispute within the State system, such as NSW public sector and local government employers and employees.

The Commission also assumed the jurisdiction of the Government and Related Employees Appeals Tribunal and Transport Appeals Board from 1 July 2010. This involved engaging major stakeholders to ensure that procedures implemented upon such transfer resulted in a timely resolution of those matters. Feedback from the stakeholders indicated that the Commission met the expectations of the transition.

The Commission finalised 95 per cent of matters in accordance with time standards and maintained a strong clearance ratio in both jurisdictions.



*The Department leads the way in video conferencing in the justice environment.*

The Commission continues to work closely with its Federal counterpart organisation through its dual appointees and the services to organisations within the Federal system. The Industrial Relations Commission and the Court will work closely with government, through various Ministers and their departments, to implement significant changes as part of a new vision for the Commission.

### Leading the country in courtroom technology

#### Video conferencing

The Department leads the way in the use of video conferencing in the justice environment. There are now 256 audio-visual link suites in NSW courts, correctional centres, juvenile justice centres, police centres, Aboriginal Legal Services, Legal Aid offices, the Community Relations Commission, the Public Defenders Office and the Office of the Director of Public Prosecutions.

In 2005 the Department set a target of 30,000 video conferencing sessions annually by 2010 and a savings target of \$18.3 million. This target has been more than surpassed with over 60,000 sessions projected for 2010/11, mainly for court proceedings for prisoners in custody.

Video conferencing has also achieved savings across the justice sector through the reduced need to transport prisoners, juvenile offenders, expert witnesses, interpreters and staff to courts.

#### Remote witness facilities

Remote witness facilities allow vulnerable witnesses such as children and victims of sexual assault to give evidence remote from the courtroom.

There are currently 96 remote witness facilities in 82 metropolitan and regional courts allowing evidence to be presented into 157 courtrooms. Additionally, every court in NSW has access to remote witness facilities via portable kits. Remote witness facilities have derived \$41.5 million in cost savings over the last three years.

In 2010/11, the Department spent \$1.261 million to continue the update of remote witness facilities, part of a \$12.3 million, three-year program, which involved the upgrade or installment of new remote witness facilities to courts in Cessnock, Kings Street, Woy Woy and Darlinghurst. All regional and metropolitan courtrooms received an audit of existing equipment with the intention of maximising operation into the future.

## NSW Courts and Tribunals

### Multi-Court Remote Monitoring (MCRM) and Digital Audio Technology (DAT)

From January to June 2011, the Division managed a project to install remote monitoring facilities to monitor court proceedings held at the Parramatta Justice Precinct. Digital Audio Technology (DAT) was also made available to Local Courts in the Sydney metropolitan area and District Courts in regional NSW.

The project managed by Reporting Services Branch, in partnership with Information Services Branch and Courts Services, involved the design and development of a system known as the Multi-Court Remote Monitoring (MCRM) system, which allows the 24 courts located at Sydney West Trial Court, Parramatta Local Court and Parramatta Children's Court to be remotely monitored from the Justice Precinct Offices.

The MCRM system will be piloted from July to September 2011, with evaluation undertaken to assess the suitability of the system for further deployment. Once fully implemented, the MCRM system will deliver transformational change to the way court monitoring services are provided, increasing the flexibility and responsiveness of monitoring and transcription services provided to the courts, resulting in more cost-effective delivery of services.

The installation of DAT equipment, carried out as part of this project, will reduce the Department's exposure to risk through the continued operation of redundant analogue equipment in high volume court locations.

### Largest court upgrade program in a decade

The Division is committed to maintaining the best performing courts in Australia with the best facilities aimed at reducing re-offending and building safer communities. In line with this it has delivered one of the largest facilities capital works programs in the last 10 years with nearly \$70 million of work completed.

The largest project is the upgrade of the Law Courts Building at Queens Square, which included the delivery of twelve new courtrooms, that have made the Supreme Court more accessible to the public and increased its capacity to host large and complex cases. Ten courtrooms now have world-class audiovisual technology and modern furnishings. The centrepiece of the project is a 245 square metre appeals court capable of accommodating five judges at the bench, 38 legal practitioners at the bar table and 30 people in the public gallery.

Three courtrooms are also compatible with E-Court, a service that enables practitioners at the bar table to view real-time transcripts of proceedings on their laptop computers. Matters of significant public interest can also be broadcast on a television screen in the public area on level 12 and transmitted to the media room of the Law Courts complex. Interview rooms for the legal profession, waiting areas and public amenities have also been updated.

Work has also begun on the upgrade of facilities on levels 8 and 11 of the Law Courts Building, and all ten floors occupied by the Supreme Court will be refurbished as part of the \$94 million project due for completion in 2013/14.

Work also commenced on phase one of the upgrade for the Downing Centre/John Maddison Tower court complex. It involves redeveloping two-and-a-half floors of John Maddison Tower to provide the Dust Diseases Tribunal and Administrative Decisions Tribunal state-of-the-art facilities including courtrooms, tribunal rooms, registries, interview rooms, chambers and offices as well as video-link technology and additional security.

Approval for the new courthouse in Newcastle was announced in July 2010. The development of a replacement Newcastle Courthouse to supply Local, District and Supreme Courts has commenced with the acquisition of land adjacent to the Newcastle Town Hall. A contract to appoint the project managers has been finalised and design work has commenced. The project is on track for occupation in late 2014 at a cost of \$94 million.

Other investment is also on track with the completion of designs for the new Armidale Courthouse and the upgrade of Waverley Courthouse. Renovations have been completed on Lismore, Central and Sutherland Courthouses while the renovation for a new two-storey extension of the Taree Courthouse started in February 2010.

### Strengthening Alternative Dispute Resolution in the Children's Court

In 2010/11 the Alternative Dispute Resolution (ADR) Directorate worked closely with the Children's Court to transform the way the Court deals with care and protection matters, placing a much greater emphasis on the use of ADR.

Dispute Resolution Conferences were launched in the Children's Court on 7 February 2011. The conference is a form of ADR in which a child's family, Community Services, and the child's lawyer have an opportunity to participate in the decision-making process and to agree on the action that should be taken in the child's best interests.

## NSW Courts and Tribunals

They are conducted by Children's Registrars, who are all trained in ADR. The Children's Registrar assists the parties to identify the issues in dispute, develop options, consider alternatives and endeavour to reach an agreement. Any agreements that are reached at the Dispute Resolution Conference are referred back to the magistrate, who may make orders in accordance with the agreement if they independently concur that the agreement is in the child's best interest.

ADR in the care jurisdiction is designed to empower families to actively participate in the decision-making process around their child's future care. This in turn is expected to lead to better informed and more responsive child protection decisions, and build increasingly positive relationships between Community Services and families.

An independent evaluation of the program is being carried out and due to report in April 2012.

A new DVD and suite of brochures were produced by the ADR Directorate to inform and educate people about the ADR programs in the Children's Court. The resources are designed to assist families in understanding the ADR process and better prepare them for the process.

The comprehensive DVD explains the process of mediation and conciliation in a style that is easy to understand and informative. It is distributed to all participants in Dispute Resolution Conferences in the NSW Children's Court and is available at NSW Local Courts.

Three information brochures were also developed to complement the DVD – two for parents and carers titled *Going to a Dispute Resolution Conference in the Children's Court* and *Going to Mediation*, as well as one brochure designed specifically for children.

### Office of the Sheriff recognised as law enforcement agency

The Office of the Sheriff of NSW (SHO) which provides security and court support to the State's courts and tribunals, pursuant to the *Sheriff Act 2005* and *Court Security Act 2005*, set out to redefine its role as a leader in the provision of support services to courts. The Sheriff enforces judgments and orders issued by NSW Courts and Tribunals, Federal and Family Law Courts and matters under foreign convention agreements in accordance with the *Civil Procedure Act 2005*, *Fines Act 1996* and related Federal and Family Law Acts. The Sheriff also manages the NSW Jury Service in accordance with the *Jury Act 1977*.

In line with this business priority, 2010/11 has seen SHO recognised as a 'law enforcement agency', as defined by the *Privacy and Personal Information Protection Act 1998* (PPIPA), to enhance its ability to

operate alongside other law enforcement agencies in the protection of the judiciary, court users and staff. Legislation amendments have been made to the *Court Security Act 2005* No 1, particularly in relation to the definition of 'court premises' and 'discontinuing an arrest', to enhance its ability to respond to incidents within SHO span of responsibility.

The SHO introduced an updated policy and procedural manual, the product of consultative & collaborative work undertaken by union and non-union frontline staff, to ensure consistency of service delivery across all centres.

An enhanced training regime, incorporating tactical training delivered by the NSW Police Force, was introduced for all Officers-in-Charge. They also received training in leadership and management while all Sheriff's officers received online legislation training in security and civil enforcement to enhance the knowledge and skills of all sworn officers to a level consistent with the standards and expectations of a recognised law enforcement agency.

The SHO has undertaken to assess the training needs of court officers and implement court officer training on a regular basis.

## Innovative court Services

### Courts Service Centre

The NSW Courts Service Centre (CSC) is a new telephone service centre, which commenced operation on 24 January 2010. The service redirects enquiries away from registries so that registry staff can better focus on providing face-to-face counter service, courtroom support and attending to other court administration functions. It currently takes calls from four high volume registries as well as jury enquiries and has proven to be a great success answering over 74,000 calls between late January and 30 June 2011.

### JusticeLink eServices

JusticeLink eServices completed the project to deploy eight electronic documents for bulk filers in November 2010 to facilitate a better service to in excess of 200 registered organisations and 1,100 individual users. JusticeLink eServices provides a Civil Court document on-line lodgement service for legal practitioners, litigant organisations and mercantile agents to electronically lodge civil court documents from their offices directly into the Supreme, District and Local Courts. Following the introduction of JusticeLink eServices 54 per cent of case initiating documents were lodged electronically. Future planned rollouts of online forms will form part of the Legal eServices Project.

## NSW Courts and Tribunals

### Legal eServices

Legal eServices, building on the existing JusticeLink eServices system, continues to improve and expand the JusticeLink eServices eFiling capabilities. Providing a service for documents to be submitted electronically will increase productivity through the legal profession and companies who interact with NSW courts. Legal eServices will continue to increase the number of documents available to be submitted electronically and enhance the system with a more accessible interface. With Legal eServices enhancement of the JusticeLink eServices system, anyone in the community with internet access will also be able to electronically lodge documents with the NSW Courts. Improving services and implementing online options gives people the opportunity to avoid submitting documents in person. The introduction of Legal eServices will also allow a number of processes to be available online, such as enabling the legal profession, businesses or individuals to track the status of their case online.

Online searchable court lists was the first of these Legal eServices to be launched from April 2011 improving accuracy and convenience for clients. This service provides online access to up to date court listings for NSW Supreme, District and Local Courts. The online searchable court lists are updated four times per day providing information of daily courtroom activities such as dates, times and locations. The online service is a great success with over 2200 inquiries in the first three months.

### Joined Up Justice

In 2010/11 the Joined Up Justice project team continued to work on providing more sophisticated interfaces with other justice agencies, including Corrective Services NSW, Legal Aid NSW, the Office of the Director of Public Prosecutions, Roads and Traffic Authority, State Debt Recovery Office and other high volume partners in the justice system.

The Joined Up Justice project facilitates the exchange of data between the courts and major participants in the criminal justice system using a sector wide "Common Information Model". The JusticeLink system currently enables direct electronic data exchange between the courts and Juvenile Justice NSW, the NSW Police Force and the Bureau of Crime Statistics and Research.

### Completion of the Caselaw project

An updated version of the NSW Caselaw website, with a new web address – [www.caselaw.nsw.gov.au](http://www.caselaw.nsw.gov.au) – was launched in the second half of 2010/11. It provides information and resources for authors publishing judgments on the NSW Caselaw website. NSW Caselaw has been redesigned to better meet the needs of the users of the website. The new website provides

simpler navigation, a clearer structure and improved search functions making case law in NSW easier to find. NSW Caselaw transcends jurisdictional divisions and places decisions from 14 courts and tribunals all together on one website.

### Future directions

- An independent evaluation will be conducted of the new Alternative Dispute Resolution (ADR) initiatives in the Children's Court, reporting in April 2012.
- The ADR Directorate will continue to work to increase the role of Alternative Dispute Resolution in NSW and promote a shift away from adversarial litigation.
- Library Services will assume responsibility for the Caselaw online judgments service, which delivers timely and critical information resources for the judiciary, legal profession and public of NSW.
- The Supreme Court will further develop online forms and filing to decrease complexity in the documents required by the Court.
- The Supreme Court will continue streamlining of practices and procedures within the registry so that the Court's client service increases its efficiency levels and its client satisfaction.
- Office of the Sheriff of NSW will continue implementation of the 'Operational Review of Court and Judicial Security' recommendations 2009 including the risk categorisation of all courts and the introduction of court security risk management framework.
- The Office of the Sheriff of NSW will review current court officer management reporting arrangements with a view to identifying best practice resource allocation model.
- There will be continued implementation of the Joined Up Justice and Legal eServices projects.
- The Administrative Decisions Tribunal will continue to review and refine registry processes post implementation of the automated case management system.
- The Administrative Decisions Tribunal will explore the rationalisation of multi-member panels and enhance administrative support for members to maximise the use of their expertise.
- The Administrative Decisions Tribunal will work with the One Website team to create a more user friendly website that improves community awareness of the types of matters that can be heard by the ADT and the process.
- There will be further development of enhanced client service access channels – which will lead to greater access for the community and lower costs for participants in the justice system.

# Crime Prevention and Community Programs



Our Department leads the development of evidence-based policies and programs to prevent crime and reduce re-offending in NSW. It aims to reduce crime by working in partnership with communities, government and non-government agencies, businesses and other service providers to develop and implement targeted programs.

## In this chapter

- Keeping People Safe programs
- Aboriginal service programs of the highest quality
- Successful growth of innovative programs
- Anti discrimination education
- Successful holistic approach to reduce re offending
- International design centre helps to reduce crime
- Making the legal system accessible to culturally diverse clients
- Expansion of Forum Sentencing
- Taking action on graffiti
- MERIT celebrates a successful ten years
- Local crime prevention activities
- Reporting on victims of crime: the road to recovery
- Australia's first clearinghouse for victims of crime research
- Future directions

*Image above: The Law Week Expo was held in Martin Place in Sydney where 25 booths provided legal information including legal advice services, crime prevention initiatives, victims support services and making a will.*

## Crime Prevention and Community Programs

**Aboriginal Services Division's (ASD)** primary mission is to reduce the over-representation of Aboriginal people in the criminal justice system. The ASD is responsible for a number of key departmental programs including Circle Sentencing, Aboriginal Community Justice Groups and the Aboriginal Client Service Specialist program.

**Anti-Discrimination Board** promotes anti-discrimination and equal opportunity principles and policies throughout NSW. It does this by handling complaints of discrimination, through community and private sector education, and advising government.

**Criminal Justice Interventions (CJI)** develops and implements evidence-based interventions and programs designed to reduce re-offending, provide support to victims and hold offenders accountable for their behaviour. These programs promote community safety and confidence in the justice system. CJI programs include the Magistrates Early Referral Into Treatment (MERIT) program, the Court Referral of Eligible Defendants Into Treatment (CREDIT) program, Forum Sentencing, the Domestic Violence Intervention Court Model, the Youth Drug and Alcohol Court, and the Men's Domestic Violence Behaviour Change programs.

**Crime Prevention Programs (CPP)** leads the development of evidence-based policies and programs to reduce re-offending and prevent crime in NSW. CPP works in partnership with communities, government agencies, businesses and other service providers across NSW.

**Diversity Services** co-ordinates the implementation of the Division's *Disability Strategic Plan* and the *Culturally Diverse Communities' Access Plan*. The unit provides leadership and advice to the Department and other justice sector agencies on how to provide equity for people with a disability and for people from culturally and linguistically diverse communities within the justice sector.

**Victims Services** comprises three key areas. The Victims Compensation Tribunal offers compensation and counselling and recovers monies paid in compensation from convicted offenders. The Victims of Crime Bureau provides support and referral services for victims of crime. The Families and Friends of Missing Persons Unit provides support to families. Victims Services also provides secretariat support to the Victims Advisory Board, which provides advice to the Attorney General about the needs of victims of crime.

### **Families and Friends of Missing Persons**

**Unit** is the only one of its kind in Australia that provides specialised support to families and friends of missing people in NSW through practical assistance, information, counselling and group work.

## Crime Prevention and Community Programs

### Keeping People Safe programs

Measure		Historical actuals				Targets	
State Plan Priority or DAGJ Strategic Direction	Measure	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
Keeping People Safe – Effective Crime Prevention and support to reduce re-offending	Number of forums held	86	99	186	307	1,100	1,600
Keeping People Safe – Effective Crime Prevention and support to reduce re-offending	Percentage of forums held where the victim participated	N/A	N/A	56%	58%	60%	60%
Keeping People Safe – Effective Crime Prevention and support to reduce re-offending	Number of people accepted onto the MERIT program	1,774	1,857	1,787	2,033	2,250	2,350
Keeping People Safe – Effective Crime Prevention and support to reduce re-offending	Number of CREDIT program entries	N/A	N/A	189	284	300	–
Keeping People Safe – Effective Crime Prevention and support to reduce re-offending	Number of CREDIT intervention plans developed and signed	N/A	N/A	131	201	220	–

### Aboriginal service programs of the highest quality

The Aboriginal Services Division's (ASD) primary mission is to reduce the over-representation of Aboriginal people in the criminal justice system. The ASD provides Aboriginal clients with the highest quality criminal justice services to achieve their primary mission and to reduce the over-representation of Aboriginal people in the criminal justice system.

The ASD is responsible for a number of key departmental programs including Circle Sentencing, Aboriginal Community Justice Groups and the Aboriginal Client Service Specialist program. It also develops and implements new and innovative initiatives that aim to reduce the over-representation of Aboriginal people in all areas of the criminal justice system, including victimisation.

The ASD underwent a major reorganisation during the year. A regionalised management structure has been implemented and it has improved frontline services during 2010/11. These changes provide a solid platform

to develop and implement flexible programs to reduce Aboriginal involvement in the criminal justice system. There will also be a stronger focus on researching best practice programs from other jurisdictions to learn from their experiences, and on innovation and thinking 'outside the square' to achieve reductions in Aboriginal court appearance rates and tackle crime.

Four new Regional Co-ordinator positions were established in Dubbo, Armidale, Parramatta and Wollongong. These co-ordinators are responsible for providing frontline supervision, advice and support to staff that work on the Circle Sentencing, Aboriginal Client Service Specialists and Aboriginal Community Justice Groups programs. In addition, these officers will lead the implementation of innovative projects that are targeted at reducing Aboriginal offending and victimisation within communities.

The new regionalised management structure will provide greater operational support to frontline staff and will enable the Division to be more hands-on in its approach to consulting and working in partnership with Aboriginal communities.

## Crime Prevention and Community Programs

### Successful growth of innovative programs



*Circle Sentencing in Mount Druitt directly involves local Aboriginal community members in the justice process.*

#### Circle Sentencing expands

Throughout 2010/11 the Circle Sentencing program, an alternative sentencing court for adult Aboriginal offenders which directly involves local Aboriginal people in the process, was successfully expanded to Moree and Blacktown. This brought the total number of Circle Sentencing locations to twelve. The ASD will be working on strategies to expand Circle Sentencing more broadly across the State throughout 2011/12 in order to increase accessibility to this successful program.

#### Care Circles expanded to Lismore

In 2010/11 plans have been made to expand the Care Circles program to Lismore following a favourable evaluation of the pilot program. The Aboriginal Care Circles program pilot, in which Aboriginal community representatives in the Shoalhaven area help the Children's Court make decisions about Aboriginal children, including where they should live, who they see or services the family may need to help them care for their children, was initiated in Nowra in 2008.

An evaluation, conducted in 2010 by CIRCA (Cultural & Indigenous Research Centre Australia), found that the Aboriginal Care Circles pilot is a valuable program that provides an appropriate avenue for community input and community involvement in decision-making about Aboriginal children and young people. Families

that were involved with the pilot in Nowra strongly felt that Care Circles provided them with a greater level of satisfaction and acceptance of decisions relating to Aboriginal children and young people. It also gave parents a sense of ownership and control in identifying what is in the best interest of their child.

#### Video visits maintain vital links to family

In 2010/11 the Department introduced an innovative Video Visits scheme, which allows Aboriginal families to maintain vital links to family members whilst they are in custody.

The scheme addresses the barriers that prevent families and kin from maintaining contact, including financial hardship, transport constraints and large geographical distances. Maintaining contact between family members and inmates is critical in assisting with the effective transition of inmates from custody back into the community. The scheme allows inmates to maintain contact with children, which greatly supports their transition back into parenthood upon release.

This scheme aligns with the Department's strategic direction to reduce re-offending and provides an effective arrangement of transition from custody back to the community. The Department is in the process of expanding the scheme to Moree, Newcastle and Wagga Wagga.

## Crime Prevention and Community Programs

The ongoing success of these initiatives can be attributed to Aboriginal community members that participate in a voluntary capacity. The Department relies on their input to ensure that programs are truly inclusive and responsive to the needs of Aboriginal communities across the State.



*New Video Visits scheme allows inmates to maintain contact with families and children assisting their transition back into parenthood upon release.*

### Anti-discrimination education

The Department's Anti-Discrimination Board ran an education program that comprised on-site training, seminars and community education that were attended by almost 9,000 people during 2010/11.

Twenty-eight seminars and training sessions were conducted in Sydney and Newcastle for employers, employees and service providers that included information on:

- managing harassment and bullying prevention
- grievance handling
- EEO recruitment and employment practices
- managing psychiatric disabilities
- case law update
- contact officer training
- grievance management and resolution
- policy development.

Additionally, community education sessions were provided to target groups including the Vietnamese, Nepalese and Bhutanese communities; and Sudanese, Congolese and Swahili speaking refugees. Sessions were also held for carers, people with a disability (hearing or vision impaired), homeless people, and TAFE/university/school students. A number of information stalls were also held at community events such as Fair Day, Harmony Day and Homeless Connect.

The Anti-Discrimination Board also participated in the Mardi Gras parade and organised a poster competition for schools for Law Week, which gave primary and secondary students the opportunity to design a poster celebrating diversity in their community. This aimed to encourage them to think about and embrace their differences and to say 'no' to bullying.

### Successful holistic approach to reduce re-offending

The Court Referral of Eligible Defendants Into Treatment (CREDIT) program continued to exceed expectations during the year. It continued to receive positive feedback from magistrates and other stakeholders.

CREDIT is a key initiative of the NSW Government to reduce re-offending rates. The Local Court works in partnership with the NSW Police Force, NSW Health and Corrective Services NSW in the expansion and development of CREDIT, with the Crime Prevention Division of the Department of Attorney General and Justice as the lead agency. The design of the program draws on aspects of 'problem-solving' courts. These courts use a collaborative problem-solving approach to address underlying issues contributing to an offender's behaviour in order to reduce their likelihood of re-offending.

The program, which commenced at Tamworth and Burwood Local Courts in August 2009, is now also being trialled in Quirindi Local Court. It provides adult offenders access to a broad range of available services providing education or training, treatment, rehabilitation and other social welfare assistance and support.

This includes:

- accommodation
- financial counselling
- counselling for gambling
- mental health assessment or support
- suicide counselling
- domestic violence or sexual assault support
- drug assessment, treatment or support
- alcohol misuse and treatment
- education, training or employment
- disability services.

To support the implementation of the trial a service manual was developed and service level agreements with partner agencies were completed.

Given the success of CREDIT to date, the program is expected to continue beyond the trial period. Broader availability of the program will be considered following the results of an evaluation due in June 2012.

## Crime Prevention and Community Programs

### International design centre helps reduce crime

The Designing Out Crime Research Centre (DOCRC) is an international design centre that aims to influence the design of products and spaces to reduce the likelihood of crime. The Department established the centre at the University of Technology Sydney in 2008. Significant projects for the year included:

#### Safety on rail stations

For some time public transport commuters have provided ongoing feedback regarding the absence of rubbish bins at train stations. The NSW Government removed public rubbish bins to maximise public safety as they presented opportunities to conceal explosive devices. The DOCRC worked with RailCorp and the NSW Police Force to design and develop bins appropriate for the City Rail network that would minimise disruption and damage caused by vandalism, and facilitate police responses to suspicious activity. The bins are now in use at 28 of Sydney's busiest train stations.

#### Reducing vandalism and increasing community safety

The DOCRC worked closely with Housing NSW to maximise public access to the Shalvey Community Centre. The Community Centre had been the target of significant vandalism, and this had a negative impact on community access to its services.

The design centre introduced a number of design solutions that protected the community centre from vandalism while also creating a welcoming environment. This resulted in:

- replacement of the barbed-wire fence with a lower multi-coloured fence of irregular height that local residents helped to set up and paint. The multicoloured fence of irregular height makes it difficult to graffiti and climb up on, and is easy to maintain should it be damaged
- installation of a community garden, barbecue area and seating, security lighting and custom designed security screens.

#### Engaging international experts in responding to local crime problems

The DOCRC hosted two experts in designing strategies to prevent retail crime who were from the United Kingdom. The experts shared their latest designs and crime prevention strategies that could be applied in NSW to respond to retail theft through a number of forums with retailers, crime prevention practitioners and NSW Police Force representatives.

The centre has also entered into a unique partnership with Housing NSW and the University of Western Sydney to provide advice on housing redesign in areas of Mt Druitt.

The centre has also started innovative projects looking at the redesign of ATMs, supermarkets and transport areas to reduce crime.

### Making the legal system accessible to culturally diverse communities

During the year Diversity Services expanded their team with two new community liaison officers for the Chinese and Pacific Islander communities to help meet the needs of culturally diverse clients. They have been employed to engage with their communities and implement strategies to help the communities have a better understanding of the justice system and the services delivered by the Division.

This work is delivered as an integral part of the *Culturally Diverse Communities' Access Plan 2009–12*, which drives the Department's commitment to addressing the access and equity issues of the culturally and linguistically diverse communities of NSW.

The Department also broadened its commitment to various African communities through the launch of the new DVD, *The Law and You, Legal Information for African Communities in NSW*. The launch was attended by 150 African community leaders and elders from across the State together with service providers who support the communities. A second meeting was also held with African leaders and elders from numerous communities to explore strategies to create more responsive services and enhance their understanding of the justice system.

Training for both staff and community groups was an important component of the plans. Some of these sessions included legal education workshops for the Sudanese and Congolese communities, Pacific communities and Chinese communities, as well as extensive training and education of departmental staff.

Targeted resources and training tools were promoted through various professional sectors and the community to reinforce the rights of people with decision-making disabilities in line with the Capacity Toolkit. The Toolkit is also available on an MP3 file for people with vision impairment. Its fact sheet for people with decision-making disabilities was translated into Arabic, Chinese, Greek, Italian and Vietnamese.

Extensive effort has been put into representing the Department on the Government's Senior Officer's Group on People with Disabilities and the Criminal Justice System. The Department continues to work to present a co-ordinated and strategic response to the legislative and practical issues affecting people with intellectual disabilities in the criminal justice system across the Division, Juvenile Justice and Corrective Services NSW.

## Crime Prevention and Community Programs



*New Diversity Services team members have been employed to engage with their communities and implement strategies to help the communities have a better understanding of the justice system and the services delivered by the Division.*

### Expansion of Forum Sentencing

Forum Sentencing continued to expand and now operates in 24 Local Courts. The scheme commenced in September 2005 and was first initiated at two sites – Liverpool, and a court circuit on the north coast encompassing Tweed Heads, Murwillumbah, Byron Bay and Mullumbimby Local Courts.

The program brings together an offender, the victim(s) and other people affected by the crime. It provides those affected the opportunity to meet with the offender to tell them about the impact of the crime on their lives and have input into a plan for the offender that aims to repair the harm and reduce the impact of re-offending. This recompense can take a number of forms including an apology, financial reparation to the victim, or community work.

During the year program changes were introduced to ensure a greater focus on promoting victim participation and reduce re-offending. These included enhanced early assessments of offenders to better reduce the likelihood of re-offending and changes to the program guidelines. Forum Sentencing will continue its expansion to eventually provide state-wide coverage.

### Taking action on graffiti

The Division's Crime Prevention Program team successfully co-ordinated and completed a number of graffiti initiatives aimed at further reducing graffiti.

With the assistance of local governments across NSW, Graffiti Action Day 2011 successfully engaged community members and groups in the removal of graffiti and raised awareness of good graffiti removal methods. On the day, 825 volunteers at 237 sites removed 4,178 square metres of graffiti and 1,200 packs of graffiti cleaning equipment were distributed around the State. Clean-up teams removed graffiti from a range of sites, including bus shelters, council properties, community centres, shopping centres, playgrounds, businesses and parks.

Young offenders also removed graffiti or cleaned up council areas in Newcastle, Blacktown, Fairfield and Ashfield as part of Graffiti Action Day. Juvenile Justice continues to work with more than 20 local councils and community groups around the State to supervise young offenders on community service orders around the State as they remove graffiti from public view.

## Crime Prevention and Community Programs

### Working with local governments in promoting good practice design and maintenance to reduce the likelihood of graffiti

Through the CPTED (Crime Prevention Through Environmental Design) Funding Program, \$1 million was allocated to 10 local government areas to fund projects to reduce the incidence of graffiti on a range of assets within those areas. The funding program encourages projects that provide a permanent solution to graffiti vandalism, including additional lighting, construction of fences and planting of trees.

### MERIT celebrates a successful ten years

In July 2010 the Department's Magistrates Early Referral Into Treatment (MERIT) program celebrated a successful ten years with a conference in Lismore, its place of origin. Ninety delegates attended the event where they reflected on the achievements over the decade and discussed ways in which the program could develop and improve in the future.

MERIT offers drug treatment to bailed defendants prior to sentencing, and is now based in 65 Local Courts across NSW. The program successfully reduces re-offending through addressing a defendant's drug misuse and other underlying factors which may relate to offending behaviour. To date more than 13,000 participants have entered the program with 8,808 successfully completing it.

Completion of the program reduces the proportion of defendants reconvicted for any offence by 12 per cent according to a July 2009 report by the NSW Bureau of Crime Statistics and Research titled *The impact of drug participation on re-offending by defendants with a drug use problem*. During the year MERIT continued to expand its coverage with additional courts now offering treatment to people presenting with alcohol misuse as their primary problem.

The success of the MERIT program led to the establishment of programs for people with alcohol addiction. Alcohol MERIT exists in nine courts across the State consisting of Bathurst, Broken Hill, Coffs Harbour, Dubbo, Manly, Orange, Wellington, Wollongong and Wilcannia. Expansion of the program will be considered in 2012.

### Local crime prevention activities

Crime Prevention Programs (CPP) continued its work in developing partnerships with key government and non-government stakeholders to target specific crimes in identified hotspots. In 2010/11 nine local government areas in NSW were awarded total funding of \$708,851.

### Working with experts across the community

CPP has a long history of working closely with a range of stakeholders to respond to crime. In 2010/11 the team focused on engaging experts across the business and community sector who had an operational understanding of the crime facing NSW. This included:

- working closely with financial institutions and ATM manufacturers in considering solutions to fraud
- developing partnerships with licensees and clubs in priority locations to respond to alcohol-related assault
- working with organisations that represent car park and service station operators in responding to offences such as steal from motor vehicle or theft of petrol.

### Providing training to support the community in preventing crime

- In partnership with the Australian Retailers Association, CPP developed and delivered training resources to retailers on how to prevent retail theft. The training resources included a manual and online training course that will soon be available to retailers across NSW.
- In partnership with licensees in priority locations, CPP worked with experts to deliver training to support bar staff in dealing with intoxicated or confrontational patrons in a proactive and non-violent manner. The training increases safety for staff and patrons in premises that are known hotspots for alcohol-related crimes.

### Maximising safety in public spaces

Given the close link between alcohol intoxication and crime victimisation, the CPP worked closely with a range of stakeholders to implement strategies to support patron safety. This included the implementation of strategies to increase safe access to transport options late at night or in the early hours of the morning, such as the provision of buses with private security and the use of private security at selected taxi ranks.

## Crime Prevention and Community Programs

### Reporting on victims of crime: the road to recovery

A conference co-hosted by Victims Services explored how the media can report on important issues involving victims of crime without causing them any additional trauma. The *Road to Recovery Conference*, also hosted by the Journalism Education Association of Australia, was held in May at the University of Technology Sydney.

The media gives victims of crime a voice in the community and helps them to campaign for law reform in a range of areas including sexual assault. However, victims are often vulnerable in the aftermath of a crime and the Road to Recovery Conference heard from a number of high profile victims who felt the media could have been more sensitive in the coverage of their case.

The conference included a panel of victims of crime who spoke about their experiences with the media; victims support organisations, which included representatives of the Department of Attorney General and Justice, NSW Police Force, the Office of the Director of Public Prosecutions and NSW Health; and a panel of media organisations and academics.

Other key parties involved in the *Road to Recovery* project that also provided efficient and practical assistance to journalists to ensure they are respectful of victims. The conference was an important step towards developing resources and guidelines to help the majority of journalists who want to do the right thing by victims of crime.

The ABC, Network Ten, the *Sydney Morning Herald* and Sky News were among the media organisations represented at the conference. Their journalists gave an insight into the challenges they faced when reporting on victims of crime, including tight deadlines, competition with other media outlets and the need for a fresh angle.

Conference participants came up with a range of options to help the media and victims of crime understand each other. They included:

- free seminars for cadet journalists on reporting on victims of crime issues
- amendments to journalism codes of ethics to include standards of reporting on victims of crime
- development of tools for journalists dealing with victims of crime
- a guide to help victims deal with the media.



Group of conference participants at the Road to Recovery Conference. Left to right. Jolyon Sykes (Journalism Education Association of Australia), Michael O'Connell (Commissioner Victims' Rights SA), Howard Brown (Victims of Crime Assistance League), Jenna Price (UTS), Dr Leslie Cannold (Forum Facilitator), Martha Jabour (Homicide Victims Support Group), Robert Doran (Victims Services), Susan Smith (Sydney Women's Domestic Violence Advocacy), Mandy Young (Victims Services), Claire Duffy (Australian Press Council), Christine Robinson (Wirringa Baiya Aboriginal Women's Legal Centre).

## Crime Prevention and Community Programs

### Australia's first clearinghouse for victims of crime research

The Department announced plans for the establishment of Australia's first clearinghouse for research on helping victims of crime in May 2011.

The new website will be a one-stop shop for local and international research containing summaries of relevant articles, reports and conference papers. It aims to give an insight into the complex psychological, physical and financial problems that victims of crime can face to help identify what helps them in recovery.

This is part of the Division's commitment to ensuring that victims of crime have a strong voice in the administration of justice and to allow a judge to consider the possible and probable consequences of criminal behaviour, not only to society in general but the actual effect of a specific crime upon people.

A primary aim of the clearinghouse project is to also help identify where gaps are in the research, particularly in the Australian context, so that recommendations can be made about areas for future research.

### Future directions

- The Division will be establishing a number of specific and focused strategies to target reductions in specific crimes including reducing retail crime, stealing from motor vehicles, crime on public transport and continued work to reduce graffiti.
- Develop some real estimates of the cost of crime in NSW.
- Develop a comprehensive strategy to reduce the volume of offenders processed by the criminal justice system and to make the system more cost effective and responsive.
- Further evaluate Alcohol MERIT for consideration for expansion in more courts across the State.
- Develop new educational products and services to further the goal of eliminating discrimination and achieving equal opportunity.
- Launch new Victims of Crime Research Clearinghouse, a website that will be a portal for high quality research into victims of crime issues.

# Policy and Legal



Maintaining and improving the legislative and regulatory basis for a just and safe society is one of the primary roles of the Department. This includes developing legal policy and legislation; advising government on law, justice and legal reform; collecting, analysing and disseminating statistical crime information to build a strong evidentiary basis for criminal justice policy and programs; and delivering legal services fairly and justly.

## In this chapter

- New laws to update the justice system
- Public Defenders Office Aboriginal Law Graduates Program
- Quality research to inform justice policy
- Protecting and promoting people's interests
- The busiest Law Reform Commission in Australia
- An alternative way to study law
- Successful Work Development Order scheme here to stay
- Future directions

## Policy and Legal

### **Bureau of Crime Statistics and Research**

**(BOCSAR)** is the official source of NSW crime statistics. It conducts research into the frequency and distribution of crime; the efficiency, effectiveness and fairness of the NSW criminal justice system; and the effectiveness of policies and programs designed to reduce and prevent crime.

**DNA Review Panel** deals with applications from prisoners convicted of an offence prior to September 2006 whose claim of innocence may be affected by DNA evidence.

**NSW Law Reform Commission** is an independent statutory body established to reform, simplify and modernise the law in NSW. It provides independent, expert law reform and policy advice to government through the Attorney General.

**Legal Profession Admission Board** is responsible for approving the admission of lawyers and appointment of public notaries. It assesses and accredits academic and practical training courses in law provided by universities and colleges. The Board also registers and assesses students for its Diploma in Law and assesses the qualifications of overseas applicants.

**Legal Representation Office** provides legal advice and representation to people summonsed to appear before the Police Integrity Commission and the Independent Commission Against Corruption and other Commissions of Inquiry.

**Legal Services Branch** manages litigation matters involving the Attorney General, the Attorney General's Division and Corrective Services NSW and prepares submissions and recommendations to ensure that the common law and statutory powers of the Attorney General are exercised in accordance with the law.

### **Legislation, Policy and Criminal Law Review**

**(LPCLR)** advises the Attorney General, Director General, courts, tribunals and government agencies on legal policy and legislative reform. LPCLR also includes the Ministerial Liaison Unit, which co-ordinates briefings for the Attorney General, the State Copyright Manager who is responsible for copyright law and policy for the NSW Government, and the Departmental Spokesperson who responds to media enquiries and provides strategic media advice.

**Professional Standards Councils** approve and monitor *Cover of Excellence*® schemes, which require occupational associations to improve professional standards of their members through the implementation of risk management strategies, codes of ethics and conduct, and requiring members to carry sufficient professional indemnity insurance cover and/or business assets to protect consumers.

**NSW Public Defenders Office** provides salaried barristers, independent of government, to appear for clients who are charged with serious criminal offences and who have been granted legal assistance by the NSW Legal Aid Commission, the Aboriginal Legal Service (NSW/ACT) or a community legal centre. Public Defenders also provide legal advice and education for criminal law practitioners and play an active role in law reform.

**NSW Sentencing Council** is an independent public body established to consult with and advise the Attorney General on sentencing issues. It monitors and researches sentencing trends and practices. Council members include people involved in the process of justice ranging from victims of crime to legal professionals.

## Policy and Legal

### New laws to update the justice system

The Division advanced significant law reform through the development of 19 new laws designed to strengthen and modernise the justice system.

Some of these reforms include:

- a comprehensive regime for class actions
- laws to help settle civil disputes out of court
- a package of laws to strengthen the rights of victims of crime and to streamline the victims of crime compensation process
- stronger laws for dealing with serious sex offenders
- updating laws for electronic transactions
- laws to create a single agency to deal with privacy issues and access to government information
- new surrogacy laws regulating surrogacy arrangements
- new journalist shield laws
- updating offences relating to company directors
- stronger police “move on” powers.

The Division also played a lead role in a national project on legal profession regulation reform, and released a number of significant consultation papers. These papers covered topics including the reform of judicial review, and the use of family victim impact statements in homicide cases.

### Public Defenders Office Aboriginal Law Graduates Program

The Public Defenders Office’s highly successful Aboriginal Law Graduates Program, which provides a paid clerkship for Aboriginal law graduates, has seen ten graduates complete the program and be admitted as legal practitioners in NSW since 2002.

The program commenced in 2001 to increase the number of Aboriginal barristers practising in NSW by providing financial assistance and mentoring. In 2006 the program was expanded to provide Aboriginal law graduates assistance to complete their practical legal training at Public Defenders through a paid clerkship.

The clerkship is funded under the Indigenous Justice Strategy. Applications are assessed by a Public Defender and the Chambers Manager who also consult with the NSW Bar Association’s Indigenous Barrister’s Strategy Working Party, and, where relevant, the head of the law faculty of the tertiary institution.



*Left to right: Public Defender’s Office Aboriginal Law Graduates: Damian Beaufils (left) and Kristy Kennedy (right) with program coordinator Dina Yehia (centre).*

## Policy and Legal

### Sydney West and regional courts

The Public Defenders Office has created a permanent position based in Wagga Wagga to further consolidate representation in key regional areas. The Office now has seven Public Defenders based in regional locations. They have also increased their representation in regional courts by 3 per cent since last year.

The number of Public Defenders located at the Parramatta Justice Precinct was also increased from one to three to meet the additional demands of the Sydney West Trial Courts, resulting in an increase in completed matters of almost 50 per cent.

### Quality research to inform justice policy

The Bureau of Crime Statistics and Research (BOCSAR) continued to provide clients with high quality and timely information about crime and criminal justice issues, and high quality research to inform policy decisions about crime control and criminal justice administration.

BOCSAR published six statistical reports and responded to more than 600 ad hoc requests for information from government agencies, the media, academics, members of the public and other clients. More than 95 per cent of requests for information were responded to within time standards of two working days for requests available from data cubes and ten working days for requests requiring programming.

BOCSAR published 25 major research reports in 2010/11 including:

- *The impact of Criminal Case Conferencing on early guilty pleas in the NSW District Criminal Court*
- *Trends in the use of suspended sentences in NSW*
- *An evaluation of the Compulsory Drug Treatment Program*
- *Factors which influence the sentencing of domestic violence offenders*
- *Trends in property and illicit drug crime around the Medically Supervised Injecting Centre in Kings Cross: An update*
- *Assaults on school premises in NSW, 2005–2009*
- *Bail presumptions and risk of bail refusal: An analysis of the NSW Bail Act*
- *The effect of prison on adult re-offending*
- *Measuring offence seriousness*
- *An analysis of alcohol and psycho-stimulant use from the 2007 National Drug Strategy Household Survey*
- *Trends in possession and use of narcotics and cocaine*

- *Change in offence seriousness across early criminal careers*
- *Legally coerced treatment for drug using offenders: ethical and policy issues*
- *Reducing Indigenous Contact with the Court System*
- *Why is the juvenile re-offending rate higher than expected?*
- *Why does NSW have a higher imprisonment rate than Victoria?*
- *The decline in unconditional release before trial*
- *The association between alcohol outlet density and assaults on and around licensed premises*
- *Modelling supply rates of high-strength oxycodone across New South Wales*
- *An update of long-term trends in property and violent crime in New South Wales: 1990–2010*
- *Trends in assaults after midnight*
- *Screening cautioned young people for further assessment and intervention*
- *Re-offending in NSW*
- *Police bail and risk of re-offending*
- *Understanding crime hotspot maps.*

These reports can be found on the BOCSAR website: [www.bocsar.nsw.gov.au](http://www.bocsar.nsw.gov.au). In addition BOCSAR continued to improve client services and communication by including digital footage of media conferences on the website, expanding online data query tools and utilising social media platforms such as Twitter to ensure the public can quickly check the accuracy of media claims about crime and criminal justice.

### Protecting and promoting people's interests

The administrative responsibility for the Guardian ad Litem (GAL) Panel was transferred from Court Services to the Legal Services Branch (LSB) on 1 July 2009.

A GAL is someone who is responsible for the conduct of legal proceedings for a person, where that person is incapable of representing him or herself, incapable of giving proper instructions to his or her legal representative, and/or under legal incapacity due to age, mental illness or incapacity, disability or other special circumstances in relation to the conduct of the proceedings.

Since the transfer, LSB has undertaken an extensive review of the GAL Panel, reconfigured the appointment process, implemented and streamlined administrative processes, prepared a GAL Code of Conduct and finalised a GAL Handbook.

## Policy and Legal

The GAL Panel plays an important part in addressing the aims of the government to provide and support the most vulnerable in society, including those with a disability or mental health issue. The reforms to the GAL Panel accord with recommendations of the Special Commission of Inquiry into Child Protection Services in NSW.

Major achievements during 2010/11 include:

- launch of the GAL Code of Conduct and the GAL website, [www.gal.nsw.gov.au](http://www.gal.nsw.gov.au)
- establishment of the GAL Professional Advisory Committee
- publication of the GAL Complaints Guidelines and GAL Assistance Policy
- preparation of the GAL Handbook.

The functions of the GAL Panel have expanded and now provide support in many NSW jurisdictions including the Children's Court, District Court, Supreme Court and Administrative Decisions Tribunal. A memorandum of understanding has been developed between the Department of Attorney General and Justice, Legal Aid New South Wales and Department of Human Services, Family and Community Services, to provide support to children and young persons in out-of-home care who may have claims against the State of NSW.

### The busiest Law Reform Commission in Australia

The 2010/11 year was a busy one for the Law Reform Commission. It conducted more than 73 separate consultations with stakeholders, up from 53 in the previous year, and from 21 in 2008/9. Improving and extending community and stakeholder engagement has been a deliberate strategy of the Commission to achieve the Department's strategic goal: *Undertake law reform, and develop evidenced based justice policy and research.*

The Commission released consultation papers on young people with mental health and cognitive impairment issues in the criminal justice system, security for costs, penalty notices, cheating at gambling and compensation to relatives, and a questions paper on bail.

The Law Reform Commission also produced two major reports to government. The *Complicity* report made major recommendations to deal with a complex area of criminal law concerning joint criminal enterprise, conspiracy, and assisting other commit offences; and *Family Violence – A National Legal Response* was a joint report with the Australian Law Reform Commission and recommended significant reforms to the law relating to family and domestic violence.

At the end of 2010/11 the Law Reform Commission had seven references ongoing making it the busiest Law Reform Commission in Australia. The priority for 2011/12 is to deliver on these references in a timely way.

The Commission is an independent statutory body that provides expert law reform advice to government through the Attorney General on matters referred to it by the Attorney General.

### An alternative way to study law

The NSW Legal Profession Admission Board (LPAB) offers an alternative way to study law and enter the legal profession. Instead of completing a law degree at a tertiary institution, the LPAB, in conjunction with the Law Extension Committee of the University of Sydney, offers a Diploma in Law course. Entry requirements are less rigorous than for a law degree.

The Diploma in Law qualifies a person academically for admission as a lawyer in NSW and for admission purposes it is the equivalent of an LLB degree from a New South Wales accredited University Law School. Many eminent practitioners, including judges, senior partners and senior counsel, have entered law by undertaking the Diploma in Law.

The Board is responsible for making rules for, and approving, the admission of lawyers and appointment as a public notary. As the admitting authority in NSW, it regards both university degrees and the Diploma in Law equally as a professional qualification.

From 1848, the Supreme Court of New South Wales set examinations for admission to the profession. This tradition has been continued by the Admission Board and its predecessor bodies, allowing people to study law in the country as well as the city, and to become lawyers in circumstances where it might not have been possible otherwise.

The Board is not a degree-granting body and, unlike a university, does not offer personal supervision or facilities for research. Emphasis in the Board's curriculum is on its practical, professional orientation. In order to obtain a Diploma in Law the Students-at-Law are enrolled with the Legal Profession Admission Board, must undertake the Law Extension Committee's educational program in each subject, and sit for the Board's examinations. Lecturers, the majority of who are also the Board's Examiners, are a combination of highly qualified academics and legal professionals.

The fundamental aim of the course is to provide a readily accessible legal education and a flexible means of entry to the legal profession. The program is academically rigorous, but emphasis is placed on performance in the course rather than on high entry requirements.

## Policy and Legal

The course is designed to be especially suitable for part-time students, including country residents. Many find previous study and work experience, particularly in a law-related area, to be advantageous.

Students need to possess initiative and a strong motivation to study for the Board's examinations, as the amount of individual attention and the on-campus support provided in undergraduate university courses is not available.

### Successful Work and Development Order scheme here to stay

The successful Work and Development Order (WDO) scheme has been made permanent. The WDO scheme allows people who are homeless, have a mental illness or intellectual disability, or who are experiencing acute economic hardship, to work off their fines through activities such as education, mental health treatment and voluntary work with approved organisations and health practitioners. The WDO scheme is available from one of the earliest points of contact with the criminal justice system, when a penalty notice is issued.

The WDO scheme was initially established as a two-year pilot in July 2009. A recent evaluation of the pilot found that the scheme:

- helped to reduce re-offending (at the time the evaluation was conducted, 82.5 per cent of WDO recipients had not received a fine or penalty notice enforcement order since their WDO was approved). The evaluation reported that once given a way out of unpayable debt, most WDO recipients responded with a renewed commitment to clean living: buying train tickets, parking legally and generally trying to stay clear of trouble
- provided a positive incentive for people to engage in educational and vocational courses, and mental health and drug and alcohol treatment
- built the job skills of participants and opened up their employment opportunities
- reduced cost to government and non-government agencies
- improved mental health outcomes. In addition to reducing the anxiety associated with unpayable fine debt, there was strong feedback from mental health practitioners that WDOs encourage people to engage in, and stay in, mental health treatment. One mental health nurse commented, "the WDO is the most concrete and effective way of getting compliance with treatment I've seen. There is nothing else like it".

The scheme operates in partnership with a range of organisations and health practitioners, including Mission Australia, Youth off the Streets, and the Schizophrenia Fellowship, as well as doctors and nurses in the community. The scheme is monitored by the WDO Committee, made up of government and non-government stakeholders.

Throughout 2011/12, the Department will work with Legal Aid NSW and the State Debt Recovery Office (SDRO) to expand and better support the WDO scheme across the State. The Department will also implement legislative amendments to make people with a serious addiction to drugs, alcohol or volatile substances eligible for the scheme and to streamline the application process.

### Future directions

- Improve client services and communication with clients including posting digital footage of media conferences on the BOCSAR website, expanding online data query tools and utilising social media platforms to ensure the public can quickly check the accuracy of media claims about crime and criminal justice.
- Review of the duration of daylight saving; reform of judicial review in NSW; the establishment of an Inspector of Custodial Services; developing responses to various NSW Law Reform Commission reports, including those on privacy, complicity, company title; a review of the *Young Offenders Act 1997* and *Children (Criminal Proceedings) Act 1987*; statutory reviews of various Acts, including the *Civil Procedure Act 2005*, *Workplace Surveillance Act 2005*, *Defamation Act 2005*, and the *Crimes (Domestic and Personal Violence) Act 2005*.
- Promoting compliance and sharing of knowledge by officers involved in processing applications under the *Government Information (Public Access) Act* and between Right to Information Officers within the Justice Cluster. Examining the publication of a single Publication Guide for the new reporting year and ways in which knowledge, expertise and precedents can be shared between relevant Justice agencies.
- Working with Native Title, Aboriginal Land Claims and Status Branch staff following transfer of responsibility for claims to the Attorney General from 1 November 2011 with a view to ensuring appropriate governance is in place, processes are streamlined, stakeholder expectations are managed, and relationships with external agencies are maintained and enhanced.

# Legal and Community Services



The Department continued to focus on providing legal and other business services as well as protecting the interests and rights of people with special needs. They are committed to driving continued excellence and satisfaction in client service.

## In this chapter

- Registry services available through Australia Post
- Registry improves customer satisfaction
- Responding to community concerns
- Online feedback accepted
- Supporting Justices of the Peace
- Crown Solicitor's Office: a commercially successful operation
- Improved legal services
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## Legal and Community Services

**Community Relations Unit** provides support to the Attorney General in responding to community concerns, assists clients in their dealings with the Attorney General's Division, and administers the appointment of Justices of the Peace in NSW and selected other legal applications.

**LawAccess** is a free service that provides legal information, managed referrals and, in some instances, legal advice. LawAccess is available to anybody in NSW and is particularly focused on helping people who live in regional, rural and remote areas of NSW; are Aboriginal or Torres Strait Islander; have a disability; are from culturally and linguistically diverse backgrounds; or are at risk of harm and have an urgent legal problem. LawAccess NSW is a partnership between the Department of Attorney General & Justice, Legal Aid NSW, Law Society of NSW and NSW Bar Association.

**Registry of Births Deaths & Marriages** maintains records of all births, deaths and marriages occurring in NSW – helping to protect the legal entitlements of NSW citizens – and provides accurate and reliable data for planning and research. It is responsible for administration of the *Births, Deaths and Marriages Registration Act 1995*, the *Relationships Register Act 2010*, and the *Marriage Act 1961* (Commonwealth) for NSW.

**Office of the Legal Services Commissioner (OLSC)** is a co-regulator with the Law Society and NSW Bar Association. The OLSC is an independent complaints handling body to oversee the investigation and resolution of complaints about lawyers.

**Crown Solicitor's Office** provides legal services to the NSW Government. The Crown Solicitor is engaged by government agencies to perform tied legal services in matters which have implications for government beyond an individual Minister's portfolio; involve the constitutional powers and privileges of the State and/or the Commonwealth; raise issues which are fundamental to the responsibilities of Government; and relate to matters falling within the Attorney General's area of responsibility. The Crown Solicitor competes with the private legal profession for untied legal work.

**Legal Services Co-ordination Unit** is a consultancy and advisory service for legal management, education and training within NSW Government agencies. It facilitates the consistency in best practice management of legal services across whole of government and also manages the Vanuatu Legal Sector Strengthening Program.

**Solicitor General** appears on behalf of the State Government in judicial proceedings and provides legal advice to the government on legal matters.

**Crown Advocate** assists the Solicitor General in performance of his or her functions. Like the Solicitor General, the Crown Advocate is formally under the direction of the Attorney General.

**NSW Trustee & Guardian (NSWTG)** provides will-making, estate administration, executor, trust management, power of attorney management and financial management services to the people of NSW. NSWTG is legally appointed to protect and administer the financial affairs and property of people unable to make financial decisions for themselves where there is no other suitable person willing to assist.

**The Public Guardian** is legally appointed to make health and welfare decisions for people with a disability who are unable to make decisions for themselves. It also informs the community about guardianship and provides support to private guardians to fulfil their role.

## Legal and Community Services

### Registry services available through Australia Post

The Registry of Births Deaths & Marriages has responded to customer feedback and partnered with Australia Post to make access to certificate services easier than ever. Since December 2010, people have been able to lodge paperwork for births, deaths and marriages registrations at 52 Australia Post offices around NSW. The Registry's arrangement with Australia Post gives customers the benefits of online applications, extended opening hours (until 8 pm and on weekends in some areas), and service in suburban, regional and rural locations. The service initiative came after surveys revealed 80 per cent of customers wished to be able to apply for a certificate through their local post office.

### LifeLink system secures identity information

The Registry of Births Deaths & Marriages is also investing in new technology to meet the identity security demands of the 21st century. A new and unique electronic records system called LifeLink is being created to register NSW life events accurately and securely, in perpetuity. LifeLink is the Registry's new core IT system for registration and certificate production. It will be used to register births, deaths, marriages, changes of name, registered relationships, adoptions and changes of sex. Data cleansing of the Registry's historical data holdings, comprising some 57 million records, has been completed and a prototype system delivered. Extensive consultation with staff, together with process re-engineering, is underway to ensure LifeLink's smooth implementation in mid 2012.



*A new and unique electronic records system called LifeLink is being created to register NSW life events like weddings accurately and securely.*

### Registry improves customer satisfaction

Overall customer satisfaction improved by two percentage points to 93 per cent for 2010/11 following dedicated customer service training for all Registry staff. All routine certificate applications were completed within the standard service time of 10 working days. The average customer waiting time for counter service in 2010/11 was 5.1 minutes. Senior Registry staff members have been working closely with funeral directors and marriage celebrants to improve the quality of data provided for registrations. The rate of registration errors was 1.3 per cent in 2010/11, which was a reduction from the previous year's error rate of 1.8 per cent. The Registry handled 623 complaints in 2010/11, or 8.1 per 10,000 transactions. The most common causes of complaint were errors on certificates, Registry policies and procedures, and service breakdowns. The Registry is working to reduce the error rate further by improved procedures, better form designs, enhanced staff training and heightened staff awareness of quality issues.

### Responding to community concerns

The Community Relations Unit handled 5,672 correspondence matters in 2010/11, either by responding directly or by providing advice to the Attorney General. 85.2 per cent of those matters were finalised within required time frames, which range from one to 21 calendar days.

### Online feedback accepted

The Department improved mechanisms for online feedback about its services and websites via the Lawlink website in January 2011. The online feedback form at <http://feedback.lawlink.nsw.gov.au/> was initiated by the Community Relations Unit to complement other existing feedback methods including letter, email, fax, telephone and face-to-face. The online feedback form also enables feedback to be sent automatically and directly to the most appropriate business centre for follow up and response.

## Legal and Community Services

### Supporting Justices of the Peace

The Community Relations Unit appointed or re-appointed 37,848 Justices of the Peace (JPs) in NSW in 2010/11 – almost twice as many as the previous year. The first JP News email newsletter was developed, ready to send out to 74,000 JPs in NSW in July 2011. JP News was developed in response to a survey that found JPs wanted more regular communication from the Department. More than 2000 JPs were surveyed online about their opinions on support services for JPs. Other initiatives that resulted from the survey included the introduction of web-based credit card payments for JP purchases and a new JP Certificate of Appointment. The Attorney General approved the introduction of a system of rulings for JPs to provide definitive guidance about issues not covered in the current edition of *A Handbook for JPs in NSW*. The Community Relations Unit also worked with the NSW Police to enable more comprehensive national criminal records checks of JP applicants.

### Crown Solicitor's Office: a commercially successful operation

The Crown Solicitor's Office (CSO) earned \$49.4 million in professional fees by providing legal services to government on a commercial basis. It achieved 10.5 per cent toward the 11.3 per cent targeted growth in income from fees and had an operating surplus of \$5 million. The CSO was placed on a panel to provide legal services to NSW Health.



Crown Solicitor's Office teams provide legal services to government on a commercial basis.

### Improved legal services

The CSO achieved a client relationship rating of 86 per cent (good to excellent) in 2010/11. It continually sought to improve client care by training more than 400 public sector staff in the freedom of information legislation (*Government Information (Public Access) Act 2009* (GIPA Act)). It reached out to clients by providing a range of specialised electronic bulletins, redesigning its website, and starting to develop a secure document exchange. New service and supervision standards were introduced to better meet the needs and expectations of clients. The new standards responded to the results of two annual surveys including the Beaton Benchmark Survey that compares the performance of legal service providers, and the CSO Client Survey that seeks feedback directly from CSO clients and has consistently achieved a rating of four out of five. The CSO plans to introduce 'End of Matter' questionnaires, train clients in privacy legislation (PPIPA), and introduce the secure document exchange system.

### Improved public access to government information

The Crown Solicitor's Office trained more than 400 public servants about new requirements for providing government information to the public in 2010/11. Government employees were brought up to speed with the GIPA Act in 21 training sessions. The GIPA Act, which replaced the *Freedom of Information Act 1989*, supports open, accountable, fair and effective government. It encourages agencies to publicise information about their workings so members of the public can obtain information without the need for formal applications. The GIPA Act also establishes an enforceable right of access to documents where the agency's decision can be reviewed by the newly established Information Commissioner.

### Fast and accurate advice on legal matters

LawAccess NSW answered 197,653 calls and provided 20,480 legal advice sessions in 2010/11. The top 10 enquiries to LawAccess in 2010/11 included family law parenting arrangements, debt, divorce, wills, neighbours, apprehended violence orders, employment law and motor vehicle accidents.

## Legal and Community Services

A profile of LawAccess customers from the 2011 Annual Customer Satisfaction Survey showed that:

- 23.6 per cent were born overseas, representing 56 different countries
- 3.3 per cent were Aboriginal or Torres Strait Islander
- 23.4 per cent were over 55 years of age
- 7.8 per cent spoke a language other than English at home
- 12.1 per cent had special needs due to a disability
- 40 per cent were on a government pension or benefit
- 49.1 per cent were from outside Sydney.

LawAccess responded to over 1,750 calls through the National Translating and Interpreter Service (TIS).

### Helping self-represented litigants in Local Courts

The LawAssist website was launched during Law Week 2010 to provide a rich source of legal information for self-represented litigants. The website started with general information about representing yourself in court and small claims and expanded with resources on motor vehicle accidents and apprehended violence orders (AVOs). All LawAssist topics are from the perspective of the applicant and defendant, with case studies, step-by-step guides, sample forms and sources of assistance. The LawAssist website had approximately 121,000 visits in 2010/11, including 19,221 visitors in June 2011.

### Promoting free legal assistance around NSW

LawAccess continued to raise awareness of its services in metropolitan, regional and rural areas around NSW. LawAccess staff delivered 105 presentations to community groups, workers and agencies and attended more than 60 community events.

Highlights included:

- Aboriginal Community Information and Assistance Days hosted by the Department of Premier and Cabinet in Taree, Grafton, Mt Druitt, Campbelltown, Lismore, Tweed Heads, Katoomba and Liverpool
- Jobs Expos organised by Centrelink in Parramatta, Coffs Harbour, Taree and Nowra

- Country Support Forums hosted by Country Energy in Broken Hill, Tamworth and Wagga Wagga
- Know Your Rights Information Workshops for Community Workers organised by NSW Fair Trading in Castle Hill, Parramatta and Malabar.

LawAccess also participated in Seniors Week, International Women's Day, Harmony Day, Youth Week, Refugee Week, NAIDOC Week, Social Inclusion Week and International Day of People with Disabilities.

LawAccess reached out to people from services and communities in regional areas including Orange, Bathurst, Parkes, Forbes, Armidale, Guyra, Glen Innes, Inverell, Tingha, Bundarra, Bellingen, Dorrigo, Urunga, Nambucca Heads, Macksville, Bowraville, Sawtell, Coffs Harbour, Mulwala, Yarrowonga, Mathoura, Moama, Barham, Swan Hill, Tooleybuc, Euston, Mildura, Dareton, Wentworth, Buronga, Tumut, Gundagai and Brungle.

**Need Legal Help?**  
**Call LawAccess NSW**  
**1300 888 529**

[www.lawaccess.nsw.gov.au](http://www.lawaccess.nsw.gov.au)

New South Wales  
Government

Telephone Typewriter (TTY) 1300 888 529  
If you require an interpreter call the Translating and Interpreter Service (TIS) on 131 450 and ask for LawAccess NSW.

## Legal and Community Services

### Awards for dedicated staff members

LawAccess NSW outreach worker Wendy Elder was awarded the 2010 Department's Annual Achievement Award for Individual Excellence in recognition of her work with people from culturally and linguistically diverse communities. LawAccess NSW legal staff members Emma Keir, Tina Higgins and Trina Robinson were presented with the prestigious Law Society's Excellence Award in Government Legal Service at the 2010 Government Solicitors' Conference. The annual award recognises significant contributions by public sector solicitors who perform above and beyond their usual responsibilities.



*LawAccess NSW outreach worker Wendy Elder was awarded the 2010 DJAG Annual Achievement Award for Individual Excellence, in recognition of her work with people from culturally and linguistically diverse communities.*

### More legal practitioners and fewer complaints

While the number of legal practitioners has steadily grown, the numbers of complaints have fallen again in 2010/11. The activities of the Office of the Legal Services Commissioner (OLSC) to strengthen the professionalism of the legal industry have made a significant contribution to the reduction in complaints.

The OLSC is a co-regulator with the Law Society and Bar Association. The OLSC was created by the NSW Government in July 1994 as an independent complaints handling body to oversee the investigation and resolution of complaints about lawyers. The Office works to reduce complaints against legal practitioners, promote the rule of law and boost client protection.

In the last financial year the Office focused on education and risk profiling of legal practitioners. The OLSC has enhanced its educative role the past few years to concentrate on the concept of 'regulating for professionalism' as a means of improving the professionalism and ethical practices of the profession. This risk profiling approach was aimed at practitioners, law firms and practice areas.

### Office of the Legal Services Commissioner promotes professionalism

Last financial year the OLSC participated in a range of joint research projects with universities and the business sector. These research projects are designed to improve regulatory processes, promote professionalism within the legal profession and ensure client protection.

They included:

- an Australian Research Council project with the University of New South Wales, Ernst & Young and ASIC focusing on integrity and the professions
- a major research project with Sydney University focusing on the impact of technology on the practice of law.

## Legal and Community Services

### Web portal encourages better legal practices

The OLSC continued its work designing a web-based portal to improve legal practice compliance. The portal will allow the OLSC to conduct risk profiles on legal practitioners and practices, target those most at risk, and conduct early intervention to avoid complaints and disciplinary consequences. Officially called the Legal Practice Management and Audit System project, the portal will also:

- automate manual processes within the OLSC
- include a searchable database of legal practices (both incorporated and traditionally structured)
- allow information to be exchanged between OLSC and stakeholders
- merge legal practice data, legal practitioner data, OLSC complaints data, Law Society complaints data and information from the public Disciplinary Register
- help legal practices improve their management systems.

The third phase of the portal project is complete and the final implementation started on 1 July 2011.

### ISO re-certification

The OLSC achieved re-certification to ISO 9001 in Quality Management Systems for the fifth consecutive year. The OLSC is proud of its continued efforts to maintain ISO Accreditation, which has enabled it to improve its processes, systems and service delivery.

### Partnership helps vulnerable members of the community

The Public Guardian and the NSW Trustee & Guardian are two separate bodies, but they both help people with certain disabilities and some of their clients are the same. The agencies established a Working Together Protocol in 2010/11 to improve services for their joint clients.

The Public Guardian assists about 1,900 people with disabilities who are unable to make decisions. The NSW TG assists people with disabilities who are unable to manage their financial affairs. The Public Guardian responded to 2,373 requests to its telephone assistance line in 2010/11, an increase from 2,125 in 2009/10.

The agency's Information and Support Unit developed eight new publications and updated two existing resources. The client publication *Answers to Your Questions* has recently been produced as audio files available on the Public Guardian website [www.opg.nsw.gov.au](http://www.opg.nsw.gov.au) and on CD.

The Private Guardian Support Unit (PGSU) provides an information, support and referral service to family members or friends appointed as a person's guardian, including enduring guardians. Each quarter the PGSU distributes its newsletter, *Onguard*, to 1,239 registered guardians and receives approximately 280 contacts from guardians each year.

Fifty-five Public Guardian staff members attended constructive conflict management training and all guardianship staff attended investigations training in 2010/11.

### New offices, extra services and community outreach

NSW Trustee & Guardian (NSWTG) focused on improving its level of service to the community in 2010/11. Five offices that previously delivered trustee services also started managing the financial affairs of people with disabilities who are subject to a financial management order. Offices at Lismore, Chatswood, Gosford, Sydney Central and Newcastle offer financial management services for people with a disability that makes them incapable of managing their own financial affairs. NSWTG has continued to roll out its dual service model following its creation by a merger of the Office of the Protective Commissioner and the Public Trustee NSW. It opened its first new 'dual service' office in Bathurst in May 2010 and plans to open another in Wagga Wagga in the next year.

## Legal and Community Services

### Continued promotion and advocacy of rights

The NSW Trustee & Guardian conducted campaigns for Good Will Week and Seniors Week, participated in Law Week, and held promotional and community education activities across the state. It also delivered more than 90 talks and seminars in communities – 10 per cent of them to culturally and linguistically diverse groups.

### Restructure of finance and investment structures and products

The *Trustee and Guardian Act 2009* required the establishment of a NSW Trustee & Guardian Common Fund and a wind-up of the Interest Suspense Account (ISA) that was operated by the former Public Trustee.

NSWTG received an actuary's recommendation to meet the requirements of the Act. It will allocate funds to 'Future operating costs', a 'Reserve fund' and 'Return to common funds' so the Primary Portfolio will become similar to a cash pool. The Primary Portfolio interest rates will no longer be set in advance and the interest rate will be determined in arrears based on interest accumulated during the period.

A project has been established to move long-term funds from the Primary Portfolio into the current Financial Management Australian Fixed Interest Portfolio as a new NSW Trustee & Guardian Australian Fixed Interest Fund is not yet ready to commence. The NSW Trustee & Guardian Common Fund will commence in 20011/12, and this should provide similar or better returns over time.

### Future directions

- The Crown Solicitor's Office will deliver training to about 150 clients in privacy legislation (PPIPA) and about the same number in the freedom of information legislation (GIPA Act). The CSO will also be introducing 'End of Matter' questionnaires and will implement a new client document exchange facility.
- The Registry of Births Deaths & Marriages will complete development of its LifeLink IT system.
- LawAccess will continue the development of the LawAssist website, providing online tools for self-represented litigants in Local Courts. Future LawAssist topics include fines, neighbourhood disputes and employment law.
- NSWTG plans to open a new office in Wagga Wagga.
- Together with the Office of Ageing, NSWTG will establish a website to promote planning for later life strategies including information about wills, enduring power of attorney, enduring guardianship and advanced health care directives information.

# Corporate Services



Our Department employs over 4,300 people across more than 200 regional and metropolitan locations throughout NSW. We are committed to nurturing an Equal Employment Opportunity workplace with highly skilled and motivated staff. In line with this we provide excellent working conditions thereby maintaining a high level of client services, community information and education programs.

## In this chapter

- Boosting Aboriginal employment
- Largest capital works program in a decade
- A right to dignity and respect at work
- Promoting employment of people with a disability
- Educating about identity theft and crime prevention
- Preserving heritage assets
- Celebrating Law Week 2011
- Excellent environmental performance
- Reducing waste, energy and water
- Fostering highly skilled and motivated staff
- New online services increase efficiency and cost effectiveness
- Future directions

*Image above: Signage promoting the five step approach to avoiding identity theft was very well received by visitors attending the 2011 Sydney Royal Easter Show.*

## Corporate Services

**Asset Management Branch** manages and develops the Division's physical building assets and the procurement of assets. The unit also develops and oversees the Division's environmental policies, energy use, waste management and water consumption and manages its heritage assets. It oversees the procurement framework for the Department including management of its vehicle fleet.

**Communications Unit** manages communications within and across the Division. The unit also manages website and intranet communications of the Division and develops communications strategy and communications resources to support business centre goals.

**Finance and Strategy Branch** provides information on financial performance, resource allocation, management of the Department's budgets, processing and maintenance of financial records, and the management of strategic issues, to facilitate effective decision-making.

**Human Resources Branch** offers the full range of strategic, functional and transactional human resources support to the Division including recruitment, payroll, training and development, and workforce planning. It identifies and resolves strategic human resources issues. The branch is organised into four units: Human Services; Employee Relations; People Development; and Workforce Planning and Strategy.

**Information Services Branch** provides a broad range of information and technology services and facilities including service desk and desktop computing support, courtroom technology, telephone and computer networks, business systems and data storage, internet and intranet services, information security, disaster recovery facilities, switchboard services as well as corporate records and information management.

## Corporate Services

### Boosting Aboriginal employment



*The Norimbah Aboriginal Employment Unit continues to boost Aboriginal employment. Left to right: Mark Wenberg, Annette Hennessy, Brandon Brown and Yasmin Walker.*

The Attorney General's Division has continued to make significant achievements against the Department's *Aboriginal Employment Strategy 2006–2011*, which set targets of 6 per cent Aboriginal staff across the Department and 10 per cent in Local Courts and the Sheriff's Office by 2011.

In line with the strategy, the Division has seen the percentage of Aboriginal staff grow from 1.9 per cent in 2006 to 4 per cent in 2011, a figure that exceeds the NSW public sector target of 2.6 per cent. All business centres in the Division are encouraged to reach the targets, which were set in recognition of the high number of Aboriginal people who are clients or users of our services. Increasing the number of Aboriginal staff provides greater workforce diversity and understanding about the needs of Aboriginal communities to assist in providing more relevant services.

The Norimbah Aboriginal Employment Unit within the Human Resources Branch develops and implements strategies for the Department to achieve better employment outcomes for Aboriginal people. In 2010/11 these included the development of the Aboriginal Cultural Respect Program to assist staff in providing culturally appropriate services to Aboriginal

people; publication of the *Jobs to Help Our Mob* employment brochure to assist in recruitment activities and support of the Aboriginal Staff Network; and the distribution of the *Guwanyi* Aboriginal staff newsletter. The unit also continues to promote the Division's job opportunities to Aboriginal people through a job distribution network and by establishing links to Aboriginal employment services. It is also responsible for employing seven new school-based trainees and two Indigenous cadets.

In May and June 2011 the Division conducted new one-day Aboriginal Cultural Respect workshops, designed specifically for staff in client service roles to complement the Dignity and Respect policy. The workshops included how the concepts of culture affects communication and service delivery, identified the information and skills needed to deliver culturally competent and effective services to Aboriginal people, and examined case studies specific to the Department's operating environment. In total, six workshops and a managers' forum on building Aboriginal Cultural Respect were run across the state by experienced Aboriginal facilitators.

## Corporate Services

### Largest capital works program in a decade

The Division delivered one of the largest facilities capital works programs in the last 10 years with nearly \$70 million work completed. More than 50 per cent of these funds were spent at Queens Square on the upgrade of the Law Courts Building while the remaining funds were spent via the court upgrade program, minor works, and the start of the Newcastle Courthouse project.

Key aspects of the program included:

- delivery of 12 new courtrooms at Queens Square and numerous other works
- purchase of land for the new Newcastle Courthouse
- commencement of phase one of the Downing Centre/John Maddison Tower upgrade project including the fit-out for the Administrative Decisions Tribunal and the Dust Diseases Tribunal
- completion of a new call and contact centre at Parramatta
- support for the office upgrade program for NSW Trustee and Guardian
- completion of designs of the new Armidale Courthouse and the upgrade of Waverley Courthouse
- completion of the works at Lismore, Central and Sutherland Courthouses
- commencement of the renovations of Taree Courthouse
- completion of over 40 other projects across the portfolio.

### Newcastle Courthouse

In July 2010 a new courthouse in Newcastle was announced. The development of a replacement Newcastle Courthouse for Local, District and Supreme Court needs has commenced with the acquisition of land adjacent to the Newcastle Town Hall. A contract to appoint the project managers and architects has been finalised and design work has commenced. The project is on track for occupation in mid to late 2014 at a cost of \$94 million. The opportunity to develop a more comprehensive Justice Precinct is still being pursued with regular contact with Commonwealth agencies and the University of Newcastle.

### A right to respect and dignity at work

The Dignity and Respect Policy was launched by the Division in 2008, as part of its commitment to the creation of a workplace culture where all employees are treated with dignity and respect and a workplace is free from bullying, harassment, discrimination and violence.

The Division's Respect campaign, now in its fifth year, is focused on instilling a positive work culture, lifting standards of work behaviour, and developing strategies to build a productive and harmonious environment. The campaign drives a range of initiatives that foster good working relationships and demonstrate a real commitment to the well being of employees.

In the lead up to Respect Day 2010, an in-house survey was conducted which indicated increased awareness of work behaviour issues and remedies. It illustrated that employees are more aware of appropriate behaviour.

Respect Day was held on 20 September 2010 and staff at the around the state conducted a variety of team-building activities to celebrate the occasion. Staff at the Parramatta Justice Precinct attended a presentation about the Right to Dignity at Work Steering Committee's initiatives. The presentation covered themes such as the Division's Code of Conduct, and the Grievance Policies as well as various programs offered by People Development to encourage respectful workplace behaviour.

In a more creative manner the Anti-Discrimination Board's Sydney office celebrated Respect Day with a morning tea, incorporating traditional food, clothing and stories and the Legal Profession Admission Board developed its own snakes and ladders respectful pursuit game.

The Division will continue to encourage good workplace behaviour through enhanced training courses, new policies and resources, along with the *Right to Dignity at Work Strategy* and the Respect campaign. All training, development and induction programs now incorporate the Respect message including a new half-day course for all staff called *Dignity and Respect – Appropriate Workplace Behaviour*.

## Corporate Services

### Programs promoting the employment of people with a disability



Attendees at the successful Staff with Disabilities Conference in December 2010.

The Division actively seeks to improve the employment rate and employment experience of staff with a disability through the development and implementation of a number of strategies and guidelines including the *Disability Employment, Development and Retention Strategy 2010–2012*; the *Reasonable Adjustments Policy*; *Reasonable Adjustment Guidelines*; and *Employing People With a Disability Guidelines*.

The *Disability Employment, Development and Retention Strategy 2010–2012* aims to increase workforce participation and improve retention through tailored programs designed to facilitate the participation of people with a disability. One of the main priorities under this strategy is for the Division to increase the employment level of people with a disability by 20 per cent by 2012 to better reflect the diversity of its clients and better understand the needs of clients with a disability. The target is 7.56 per cent for people with a disability, and 2.28 per cent for people with a disability requiring adjustment, in the same time frame.

The Division also employed students with a disability under the *Stepping Into* program, conducted disability awareness training for staff, and continued to grow the Staff with a Disability Network which hosted a one-day conference in December 2010 to coincide with the International Day for People with a Disability.

The conference provided an opportunity for staff members with a disability to meet and hear about the latest disability initiatives, as well as hear from a number of guest speakers who had expertise in specific disability issues. The Hon. John Watkins, CEO of Alzheimer's Australia NSW, made a keynote speech about how his organisation provides leadership in dementia policy and services, and Louise Koelmeyer from the Westmead Breast Cancer Institute spoke about the daily issues faced by people living with breast cancer.

## Corporate Services

### Educating about identity theft and crime prevention

Identity theft and crime prevention programs were the focus of the Division's strong presence at the Sydney Royal Easter Show in April 2011. The Division partnered with the NSW Police Force to educate the public about law and justice issues.

The stand proved to be one of the most popular at the show with information about the Crime Prevention Division's motor vehicle theft and home security campaigns as well as the Registry of Births Deaths & Marriages' identity theft campaign. The five-step approach to avoiding identity theft was very well received by show-goers as they recognised the need to be more diligent with their personal information.

Staff from the Registry of Births Deaths & Marriages, LawAccess, Crime Prevention Division and the Communications Unit were on hand throughout the two weeks of the show to give away promotional bags filled with the Department's brochures and promotional items. Up to 2,000 bags were given out each day.

The NSW Police Force also provided some great children's activities including fingerprinting, a forensic sandpit in which children could search for clues such as mobile phones and bullet casings, and the opportunity to have their photo taken on the police quad bike.



*The Division's strong presence at the Sydney Royal Easter Show attracted plenty of public interest.*

### Preserving heritage assets



*Campbelltown Courthouse*

In the 2010/11 financial year the Division completed a comprehensive register of all its fixed heritage assets and their respective heritage values. Five years in the making, the register provides valuable information about the history of NSW courthouses, who designed and built them, how they have changed over the years and their significance to NSW as major public buildings. The register also provides extensive information in photographs of the buildings, property information and other major details.

The register will be expanded in 2011/12 to incorporate moveable heritage items such as antique furniture, paintings and other important items. A pilot study for moveable heritage has been successfully completed and the results will be used to develop the information gathering stage for the rest of the portfolio. The pilot study provided and improved the process for surveying and listing moveable heritage items. This enables the Division to commence compiling an accurate statewide Moveable Heritage Register across all courthouses.

In addition, significant works commenced on a number of heritage projects including the replacement of the slate roof on the King St Court Complex, replacement and repair of sandstone at Darlinghurst and Central Courthouses, and the completion of the upgrade of the cells at Central that were built in the late 1800s.

## Corporate Services

### Celebrating Law Week 2011

The Public Interest Law Clearing House (PILCH) Walk for Justice in Hyde Park launched the week-long festivities for Law Week 2011 on May 16. More than 300 people participated in the five-kilometre walk, which raises funds for pro bono services in NSW.

Staff across the Division also celebrated Law Week by co-ordinating more than 100 events across NSW, making this event the largest one yet. There was a wide range of activities held to promote the theme *Law and justice in your community*. These included mock trial exercises for high school students, competitions for primary school students, courthouse open days and a wide selection of seminars on topics as diverse as cyber-bullying, drink driving, family law, domestic violence, mental illness, and how the law affects senior citizens.

Once again the Law Week Legal Expo was held in Martin Place in Sydney's central business district. More than 25 booths provided information about legal advice services, crime prevention initiatives, victim support services, recruitment, writing a will and elder law issues. Crowds were also treated to live music from a range of entertainment including the Police Jazz Band and the Department's Just Voices Choir.

A legal information day was held in the forecourt of Parramatta Local Court in Western Sydney, where locals could access free legal advice and information about 15 of the legal services available in the area. Further afield in Belmont, 15 primary schools participated in the award winning *Clued Up Kids* crime-solving program and Bourke hosted an information day and barbeque in conjunction with the locally based, non-government organisation Thyama-li Family Violence Service.

### Excellent environmental performance



*The Justice Precinct Offices at Parramatta continues to facilitate staff initiatives to reinforce environmental awareness.*

In 2010/11 the Division once again worked hard to reduce its impact on the environment by reducing its energy consumption by 5 per cent per square metre of occupied space, reducing gas consumption by 20 per cent, and increasing the use of ethanol-blended fuel to 50 per cent of its fuel use to help reduce carbon emissions. These strategies are part of the Division's Environmental Policy.

A number of staff initiatives have been held throughout 2010/11 to reinforce environmental awareness. World Environment Day was celebrated on June 5 with all staff invited to a presentation on the international theme for 2011 of *Forests* by guest speaker Peter Cooper from the Wilderness Society. His presentation, called *Ethical Paper – paper that doesn't cost the earth*, raised awareness about the impact of native forest timber destruction and how our choice of paper can collectively halt destruction to old growth forests. In line with this presentation, business centres are encouraged to purchase a range of stationery items, carrying the EarthSaver logo, that are produced from post-consumer waste.

The Justice Precinct Offices (JPO) at Parramatta also ran The JPO Energy Challenge, which encouraged individuals to do their bit to reduce energy use. The challenge, organised by Asset Management Branch and the State Property Authority, ran from the beginning of January to the end of June 2011 to see which building level could make the biggest reduction in energy use per square metre.

## Corporate Services

### Reducing waste, energy use and water

#### Waste

The Department is committed to the Waste Reduction and Purchasing Policy and has achieved the following in 2010/11:

- A total of 103 tonnes of waste was collected at the Parramatta Justice Precinct with over 80 per cent being diverted from landfill – 82 tonnes of co-mingled and recyclable material was recycled and the remaining 21 tonnes was sent to the Woodlawn Waste energy facility at Goulburn where it was processed in the bioreactor, with the capture of biogas energy converted into green electricity, providing even more benefit to the environment.
- The Division recycled a total of 1,489 used toner cartridges, an increase of 54 per cent from last year, which also diverted 1.4 tonnes of waste from landfill.
- In total, the Division recycled over 333 tonnes of paper, cardboard and commingled materials.

#### Energy

- The Division continues to purchase 6 per cent Green Power across all its locations and is in the process of consolidating site energy suppliers across the state as one method to reduce costs.
- There has been a reduction in energy usage of over 5 per cent per square metre on top of the more than 20 per cent reduction reported since requirements began in 1995/96.
- For 2010/11 the Division has reduced its gas usage by over 20 per cent from the 2009/10 financial year.
- Further energy savings are expected by investigation of the latest energy efficient technologies for lighting. A pilot is planned for Parkes Courthouse where energy savings at the courthouse are estimated to be over 8,000 kilowatt-hours per year.

#### Water

The Division continued to reduce its potable water consumption by over 5 per cent due to water conservation methods such as reporting leaks, installing flow regulators, and rainwater tanks.

#### Fleet



*The Division has 28 hybrid vehicles on fleet exceeding the environmental performance target for 2011.*

The Division increased the use of ethanol-based fuel to achieve an average per quarter of 51.97 per cent across the Division in 2010/11, up from an average of 29.13 per cent in 2009/10. More than 50 per cent of the fuel the Division uses is now ethanol based, which is an increase of 48 per cent over the last five years.

The Division also reduced its fleet size by 20 per cent over the last six years, which equates to a reduction in greenhouse gas emissions of around 1,700 tonnes.

The Division's pool vehicle fleet exceeded the environmental performance target for 2011. It has also exceeded the mandated 2015 target of 5 per cent hybrids on fleet, with 28 per cent hybrids on fleet.

## Corporate Services

### Fostering highly skilled and motivated staff

The Division is committed to fostering highly skilled and motivated staff through a comprehensive training and development program, which is available to employees at all levels from trainees to management. The Human Resources Branch is responsible for developing and managing these career development initiatives and training courses to ensure appropriate human resources are available to satisfy future requirements of the Department in accordance with strategic planning.

These activities are developed and managed by the People Development team who continue to create and deliver programs to grow future leaders. Some of the current highlights and initiatives include:

- the Better Business Management – Middle Managers' Program, which is aimed at managers who want to increase their business knowledge skills and consists of a series of workshops and e-Learning modules
- the Apollo Mentoring Program, which links staff at levels 9/10 and 11/12 with senior staff mentors, the Explorer Mentoring Program for levels 5/6 and 7/8, and the Discovery Program for levels 1/2 and 3/4
- Achievement Planning, a process which links strategic business planning to everyday activities to manage business expectations while building and nurturing personal development
- the Learning Passport, an online tool to summarise professional and personal development activities
- the release of the *People Development Pathways to Success 2010–2011 Program* booklet to help ensure that training is incorporated in personal development plans at the achievement planning stage
- the Coaching Culture program to influence business culture across the Department
- System Operational Training, Systems Procedural Training, and Mandatory Continuing Legal Education.

Each employee is entitled to 30 hours of professional and personal development activities annually. An online tool called the Learning Passport is available to all employees to keep track of and plan their vocational training.

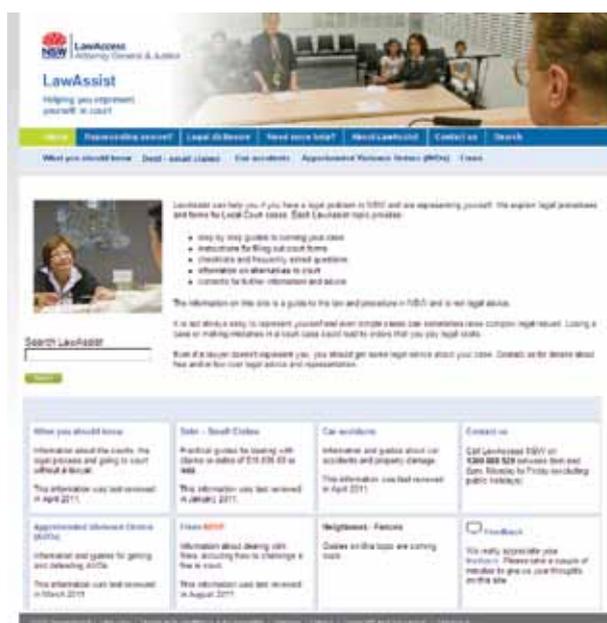
In 2010/11 the Division's training and development programs were successfully deployed in alignment with the NSW Public Sector Capability Framework.

### New online services increase efficiency and cost-effectiveness

Phase two of the One Website project was completed in 2010/11. The project, to be completed in three phases, involves a major overhaul of the Division's websites including the installation of a new Web Content Management System to create consistent and user-friendly sites to assist public access and the search for legal information.

An integral part of the project will be changing some of the traditional over-the-counter services to web-based services reflecting the trend of clients accessing information and making transactions via the internet. This web-based model of customer service will also pave the way for a more efficient and cost-effective way for the Division to do business into the future.

In phase two the Communications Unit reviewed the content of all the Division's websites to improve usability and accessibility, focusing on organising the content in a clear and consistent way that makes it easy for website visitors to find the information and services that the Division and the Department provides. The new websites have been designed to be navigated using clear, intuitive topics, meaning the website visitor does not need to know which part of the Division provides the information or service they need before they can find what they're looking for.



The Division's websites have been redesigned to increase usability and accessibility of information and services.

## Corporate Services

The new content management system is now in production and is progressively being rolled out to all the Division's websites – both internet and intranet – over the course of the year. Part of this involves progressively training the Division's web authors in the new content management system.

The Division is also implementing a new search engine that will make it easier for website visitors to quickly and easily find information on the Division's sites using plain language and terms that are meaningful to them.

The final phase of the project will involve the migration of legacy content to the new content management system and is due to be completed in the 2011/12 financial year.

- Asset Management Branch will move from a predominantly reactive to a programmed maintenance strategy, make improvements in corporate governance and focus on reducing operational risk.
- Continue to develop the Division's procurement framework to promote better governance of procurement processes to increase skills and awareness.
- Improved maintenance outcomes through an expanded maintenance program funded by a 45 per cent increase in maintenance funding.
- Progress the delivery of major projects at Armidale, Queens Square, Newcastle, Coffs Harbour and the Downing Centre/John Maddison Tower.

### Future directions

- The Communications Unit will complete the final phase of the One Website Project.
- Expand the career opportunities intranet to include job vacancies in the Guardianship Tribunal and Juvenile Justice NSW.
- Establish social media policies and guidelines.
- Implement a new events strategy.
- Develop a new marketing/external communications strategy.
- The Human Resources Branch will partner with business centres to facilitate the development of employee capability and enhance their capacity to respond to changing business requirements and deliver flexible business solutions.
- Provide reliable human resources data and timely information to enable business centre managers to undertake strategic analyses and make informed decisions regarding their workforce requirements.
- Engage in and contribute to the implementation and deployment of shared corporate services by managing human resources impacts and providing assistance and advice to relevant stakeholders.
- Provide enhanced human resources service provision by leveraging from industry best practice in policy and procedures and improvements in processes and technology.
- Provide strategic support and advice to enable business centres to plan, design and implement equitable and sustainable organisational and/or human resource changes.
- Provide expertise, support and advice in relation to managing employee, occupational health and safety and industrial relations matters and consultative arrangements.