

The District Court of New South Wales
Annual Review 2020

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FOREWORD BY THE CHIEF JUDGE

As it was for the rest of the world, 2020 was a challenging year for the Court. The year commenced with the horrific bushfires in New South Wales which were soon followed by the COVID-19 pandemic. The Court dealt with these challenges by innovative changes in practices and procedures, and technological enhancement.

Due to the spread of COVID-19, new jury trials were temporarily suspended in mid-March. Judge alone trials, sentencing hearings, appeals and civil hearings continued by the use of audio-visual link technology. The Court's virtual court capability was enhanced by 150% within a few weeks.

The Court worked closely in April with the Sheriff of NSW, the Department of Communities and Justice, and NSW Health to identify court venues and courtrooms which complied with the strict social distancing requirements as it was vital that the suspension of jury trials be lifted as soon as possible. It was indeed fortunate due to the reforms and additional judicial appointments I reported on in last year's Annual Review, that the pending criminal trial caseload has been reduced to 1,399 trials.

In May, a decision was made to re-commence jury trials on 15 June 2020 in Sydney (Downing Centre), Newcastle and Parramatta. The social distancing requirements, however, restricted the number of courtrooms that could be used in those venues for jury trials. For instance, jury trials were confined to 12 courtrooms in Sydney, the pre-COVID-19 capacity being 22 jury courtrooms.

An innovative jury empanelment process with the use of two different courtrooms was developed and jurors were not required to sit in the jury box but were spread across the courtroom in seats which had been identified as having a direct sightline to the witness box. I am particularly grateful to Judge Helen Syme for her contribution to the development of the new Jury Trial Protocol. Other initiatives that were taken by the Sheriff of NSW to ensure that jury service was a safe experience included temperature testing, individualised jury meals, social distancing and additional commercial cleaning. All of these initiatives were made known to potential jurors.

It was pleasing that when jury panels returned in mid-June, there were more members of the public prepared to serve on a jury than had been the case prior to the pandemic.

Jury trials re-commenced gradually in most other District Court venues in New South Wales during the year. However, the NSW Health 4m² social distancing rule continued to restrict the number of jury trials that could be conducted. To overcome some of these difficulties, walls were removed to enlarge the jury rooms in the Downing Centre and John Maddison Tower and external facilities such as church halls, office areas and clubs were utilised for empanelment and jury deliberation areas at Dubbo, Grafton, Lismore, Nowra, Parramatta, Port Macquarie and Wollongong. Despite these efforts, the Court's ability to hear jury trials did not exceed 70% of pre-COVID-19 jury trial capacity by the end of the year. Some 500 jury trials were vacated in 2020 due to the pandemic.

Eight Super call-overs were conducted throughout the State during the year which resulted in 173 criminal trials being finalised by pleas. The success of these Super call-overs was due to the patience and hard work of the following Judges:

- Roy Ellis (Port Macquarie)
- Antony Townsden (Campbelltown)
- Stephen Hanley SC (Parramatta)
- Dina Yehia SC (Sydney/Lismore)
- Warwick Hunt (Armidale/Tamworth)
- Christopher O'Brien AM (Goulburn/Nowra)

Practice Notes commenced in April establishing new case management procedures to ensure that criminal trials are dealt with efficiently, and avoidable delays are reduced whilst promoting procedural fairness.

Notwithstanding the difficulties confronting the Court, the civil work of the Court was dealt with efficiently. For the last four years, finalisations have exceeded registrations. In 2020, civil finalisations exceeded registrations by 282 matters and the finalisation rate of cases was the same as the preceding year.

In an extraordinary year, Judges, associates and court staff demonstrated courage, flexibility and dedication to ensure that justice was delivered. I thank all of them. Due to their efforts, the Court enters 2021 in a relatively good condition as illustrated by the comparison to previous years:

Year	Pending Criminal Trials	Pending Sentence Matters
2020	1,494	758
2019	1,399	800
2018	1,831	1,266
2017	2,008	1,307

Much has been achieved during the year. In particular, technology has been enhanced to enable more matters to be dealt with remotely so as to avoid, where possible, the inconvenience and expense of appearances in person in courtrooms which will continue to be utilised in future years.

I express my thanks to the Attorney General, the Honourable Mark Speakman SC, to the Secretary, senior executives and staff of the Department of Communities and Justice, and the Sheriff of NSW for their support of the Court.

The Honourable Justice D Price AO Chief Judge

THE DISTRICT COURT

- History
- Jurisdiction
- Judiciary
- Court Staff

History

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

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

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

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

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

It also provided for the appointment of a District Court Judge as Chairman of any Court of Quarter Sessions or General Sessions, to be held within the limits of the district for which that Judge was appointed. The purpose of the Act was briefly described in *The Practice of the District Courts of NSW* by W.J. Foster and C.E.R. Murray (Sydney, 1870) as follows:

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

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

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

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

Jurisdiction

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

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

In its civil jurisdiction the Court may deal with:

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

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

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

Judiciary

CHIEF JUDGE

The Honourable Justice Derek Michael Price AO*

JUDGES AS AT 31 DECEMBER 2020

His Honour Judge Garry William Neilson His Honour Judge Christopher John George Robison Her Honour Judge Robyn Christine Tupman Her Honour Judge Deborah June Payne Her Honour Judge Jennifer Anne English Her Honour Judge Susan Jennifer Gibb His Honour Judge Stephen Ronald Norrish QC Her Honour Judge Penelope Jane Hock Her Honour Judge Judith Clare Gibson His Honour Judge Roy David Ellis His Honour Judge John Roger Dive Her Honour Judge Deborah Anne Sweeney His Honour Judge James Leonard Alexandre Bennett SC His Honour Judge Peter Lind Johnstone His Honour Judge Peter Raymond Zahra SC Her Honour Judge Leonie Flannery SC His Honour Judge Paul Ivan Lakatos SC His Honour Judge Leonard Levy SC His Honour Judge Michael King SC His Honour Judge Andrew Michael Colefax SC Her Honour Judge Helen Lorraine Syme His Honour Judge John Frederick Stuart North His Honour Judge Graham Leslie Henson AM His Honour Judge Ross Victor Letherbarrow SC His Honour Judge Andrew Carl Haesler SC Her Honour Judge Donna Mary Lisa Woodburne SC Her Honour Judge Elizabeth Margaret Olsson SC His Honour Judge Clive Vaughan Jeffreys His Honour Judge David Ulric Arnott SC His Honour Judge Phillip Gregory Mahony SC His Honour Judge Christopher Phillip Hoy SC His Honour Judge Phillip Thomas Taylor SC His Honour Judge Gordon Bruce Lerve His Honour Judge Ian Hartley McClintock SC His Honour Judge Christopher Bruce Craigie SC

Her Honour Judge Sarah Jane Huggett His Honour Judge Antony Edward Townsden His Honour Judge Peter Raymond Whitford SC His Honour Judge Stephen Scott Hanley SC Her Honour Judge Sharron Norton SC His Honour Judge Mark Lloyd Williams SC Her Honour Judge Dina Yehia SC Her Honour Judge Julia Ann Baly SC His Honour Judge John Hatzistergos AM Her Honour Judge Jane Ariane Culver His Honour Judge Andrew Scotting* Her Honour Judge Jennie Anne Girdham SC Her Honour Judge Catherine Margaret Traill His Honour Judge Mark Buscombe His Honour Judge John Hunter Pickering SC Her Honour Judge Siobhan Pauline Herbert Her Honour Judge Penelope Margot Wass SC His Honour Judge Robert Edward Montgomery His Honour Judge Matthew Charles Leckie Dicker SC Her Honour Judge Nicole Frances Noman SC His Honour Judge Warwick James Hunt His Honour Judge Robert Forbes Sutherland SC His Honour Judge Phillip Gerard Ingram SC His Honour Judge Jeffery Mark McLennan SC Her Honour Judge Tanya Bright His Honour Judge David Wilson SC His Honour Judge David Russell SC* His Honour Judge Timothy Hans Gartelmann SC Her Honour Judge Gina O'Rourke SC His Honour Judge Christopher Gerard O'Brien AM Her Honour Judge Wendy Sue Strathdee* His Honour Judge Gerard Mark Phillips His Honour Judge Ian David Bourke SC His Honour Judge Jonathon James Priestley SC His Honour Judge Robert John Weber SC Her Honour Judge Kara Natalie Shead SC His Honour Judge Walter Graham Turnbull SC His Honour Judge Richard Weinstein SC Her Honour Judge Nanette Lee Williams

His Honour Judge Sean Elwin Grant His Honour Judge Justin Dupont Smith SC Her Honour Judge Sharon Harris His Honour Judge Alister John Abadee Her Honour Judge Susan Cole Her Honour Judge Sophia Frances Beckett

*denotes Member of the Dust Diseases Tribunal

RETIREMENTS

- His Honour Judge Michael Ivan Bozic on 2 February 2020
- His Honour Judge Anthony Martin Blackmore SC on 24 April 2020
- Her Honour Judge Laura Kathleen Wells SC on 16 August 2020

APPOINTMENTS HELD

- The Honourable Justice Derek Michael Price AO has been a Justice of the Supreme Court of NSW since 28 August 2006 and holds the appointment of President of the Dust Diseases Tribunal of NSW
- His Honour Judge John Roger Dive held the appointment of Senior Judge of the Drug Court of NSW
- His Honour Judge Peter Lind Johnstone held the appointment of President of the Children's Court of NSW
- His Honour Judge Paul Ivan Lakatos SC held the appointment of President of the Mental Health Review Tribunal
- His Honour Judge Graeme Leslie Henson AM held the appointment of Chief Magistrate of the Local Court of NSW
- His Honour Judge Gerard Mark Phillips held the appointment of President of the Personal Injury Commission of NSW
- Her Honour Judge Susan Cole held the appointment of Deputy President and Division Head of the New South Wales Civil and Administrative Tribunal (NCAT) Administrative and Equal Opportunity Division and Occupational Division

ACTING JUDGES (Alphabetical Order)

- Mr Christopher John Armitage
- Ms Audrey Suzanne Balla
- Mr Peter Graeme Berman SC
- Mr Anthony Martin Blackmore SC
- Mr Colin David Charteris SC
- Mr Paul Vincent Conlon SC
- Mr Malcolm Craig QC
- Mr James Patrick Curtis
- Mr Norman Edward Delaney
- Mr David Clement Frearson SC
- Mr Geoffrey John Graham
- Mr Gregory Scott Hosking SC
- Mr William Patrick Kearns SC
- Mr Brian John Knox SC
- Ms Megan Fay Latham SC
- Mr Mark Curtis Marien SC
- Mr Colin Emmett O'Connor QC
- Ms Anne Mary Quirk
- Ms Margaret Sidis
- Mr Stephen Lewis Walmsley SC
- Mr Jonathan Steuart Williams
- Mr Gregory David Woods QC

JUDICIAL REGISTRAR

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

VENUES

In 2020, the Court sat permanently in Sydney at the Downing Centre, 143-147 Liverpool Street, Sydney (in crime), where it occupies 21 courtrooms, and at the John Maddison Tower, 86 Goulburn Street, Sydney, where it occupies 23 courtrooms (mostly in civil).

In Sydney West, Judges sat full-time in the courthouses at Parramatta (8 courtrooms), Penrith (2 courtrooms) and Campbelltown (3 courtrooms). In addition, resident Judges presided at Albury, Armidale, Bathurst, Coffs Harbour, Dubbo, Gosford, Griffith, Lismore, Newcastle, Orange, Parkes, Tamworth, Wagga Wagga and Wollongong.

Other places where the Court sat were:

Bega, Bourke, Broken Hill, Coonamble, Goulburn, Grafton, Griffith, Katoomba, Moree, Nowra, Port Macquarie, Queanbeyan and Taree.

Court Staff

PRINCIPAL REGISTRAR

Ms Grace Romeo is the Principal Registrar and exercises functions pursuant to section 18H of the *District Court Act 1973*.

CRIMINAL LISTINGS AND JUDICIAL ARRANGEMENTS

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

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

CIVIL LISTINGS AND CASE MANAGEMENT

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

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

STRATEGIC PLAN

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

In 2017, the Court introduced its fifth Strategic Plan. The first such plan was adopted in 1995 and provided a template for significant changes in the way the Court operated as did the subsequent Strategic Plans released in 2000, 2007 and 2012.

The current Strategic Plan articulates the values of the Court and sets out the goals to be achieved over 2018 to 2021.

The Court is committed to discharging its responsibilities to ensure:

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

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

- The Criminal Business Committee;
- The Civil Business Committee; and
- The Professional Standards (Education) Committee.

Criminal Business Committee Report

TERMS OF REFERENCE

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

Consultation with court users is carried out through the Criminal Business Committee. The Committee consists of the Chief Judge, the Criminal Listing Director and representatives from the Law Society of NSW, Bar Association of NSW, Legal Aid Commission of NSW, Commonwealth and State DPP, Aboriginal Legal Service, Public Defenders and Crown Prosecutors.

ACTIVITIES

When the Committee met in 2020, the issues discussed included:

- Expanding readiness hearings of trial matters and the conduct of these hearings by way of AVL rather than by phone conference;
- AVL technology established in all courtrooms throughout the state;
- The continuing of the program of special criminal call-overs of State and Commonwealth trials throughout the state to identify early pleas;
- The Rolling List court to continue operating throughout the year and expanded to include matters from Sydney West;
- New resident Judges commencing from the start of term at Albury/Griffith, Bathurst/ Orange, Coffs Harbour and Dubbo;
- Continuing to sit at Katoomba;
- The allocation of additional weeks in the Court's schedule for the disposal of sentence matters. This has resulted in pending sentences falling from a high of 1,432 matters to 758 as at December 2020; and
- How the Early Appropriate Guilty Plea Reform Scheme, Table Offence Reform, appointment of additional Judges and the continuing program of Super call-overs have contributed to the Court's good result throughout the year.

The pending trial caseload of the Court increased from 1,399 trials in January 2020 to 1,494 in December 2020. There was a slight drop in trial registrations of 1% (16 trials). Given the major disruptions to the Court's sittings throughout 2020 due to COVID-19, this was a pleasing result. Initiatives implemented by the Court have enabled the criminal jurisdiction to remain relatively stable during a difficult year.

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

Civil Business Committee Report

TERMS OF REFERENCE

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

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

The Committee did not hold any meetings in 2020.

Professional Standards (Education) Committee Report

The District Court, in partnership with the Judicial Commission of NSW, provides a stimulating and practical continuing judicial education program for Judges. The program aims to inform Judges about changes to the law, community values, court practice and procedure in order to maintain and improve judicial performance.

Judicial education in 2020 was heavily impacted by the COVID-19 pandemic which restricted the ability to gather in person. However, Judges embraced opportunities to learn through new mediums such as webinars and the growth of this form of delivery has been a very positive outcome of this disruptive period.

With a focus on interactive learning, the program is based on enhancing skills, attitudes and knowledge in a judicially relevant environment. The Professional Standards (Education) Committee composed of Judges and the Judicial Commission's Director of Education, develops each education program based on the identified needs of Judges. Judges are involved in the development and delivery of the education program to ensure its relevance to the judicial role. A member of the Committee is also a member of the Judicial Commission's Standing Advisory Committee on Judicial Education.

The program is normally delivered through:

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

Many Judges are located in regional areas and, in the past, programs have been offered online and by webinar. However, the true value of this medium for delivering education was highlighted in 2020.

Participants are asked to rate the practical value of each education event to their role as a Judge. The overall ratings in 2020 reveal that Judges find the education program relevant and a useful source of knowledge and ideas. 82% of participants said that the education program was applicable to their role and 93% rated the programs as highly useful.

During 2020, within the constraints imposed by COVID-19 restrictions, Judges continued to receive focused and tailored training to meet their educational needs. Judges:

- Attended 11 separate programs of judicial education organised by the Judicial Commission; and
- Availed themselves of the Judicial Commission's newly expanded online library of video recordings.

PROGRAMS

Annual Conference

In 2020, the District & County Court Judges Australia and New Zealand Conference was set to be hosted in Sydney from 15 to 17 April. As such, Judges from the District Court of NSW were to attend in place of the NSW conference, as the program had been planned by NSW. However, unfortunately the conference had to be postponed to 2021 due to the pandemic, in compliance with health and safety orders.

Occasional Seminars

Throughout 2020, the Education Committee continued to work with the Judicial Commission to organise a series of twilight education sessions for Judges. These seminars and webinars provide useful and timely information on a range of topical matters relevant to the work of the District Court. They aim to enhance judicial performance and assist in the further development of judicial skills and knowledge. The challenges of delivering judicial education during COVID-19 impacted the program, but by utilising webinars and hybrid formats, Judges were afforded many educational opportunities.

Seminars and webinars were held on the following topics:

- Evidence Amendment (Tendency and Coincidence) Act 2020, 22 June 2020, 33 attended
- Approaches to Expertise, 18 August 2020, 18 attended
- The NJCA Sentencing Conference 2020 — a snapshot, 28 October 2020, 11 attended

Judicial Orientation

The National Judicial Orientation Program is a five-day orientation program which assists newly appointed Judges with the transition to judicial office by facilitating the development and refinement of the skills and knowledge necessary for effective judging. It is conducted by the National Judicial College of Australia with the assistance of the Judicial Commission of New South Wales and the Australian Institute of Judicial Administration. It was held in February 2020 and 15 Judges from the District Court attended including one from the NSW Workers Compensation Commission and one from the Dust Diseases Tribunal of NSW.

No new Judges were appointed in 2020.

Ngara Yura Program

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

- Bugmy Bar Book Committee together with Jonathan Rudin: Addressing Indigenous over-representation in Canada: legislation, litigation and mobilization, 11 February 2020, six attended
- Webinar: Virtual tour of the Linear Exhibition, MAAS, 24 September 2020, three attended

- Webinar: Implicit bias against Indigenous Australians: Implicit association test results for Australia, 14 October 2020, four attended
- Webinar: Making the past visible: The Colonial Frontier Massacre Map Project and the legacies of frontier massacres, 5 November 2020, one attended

Cross Jurisdictional Programs

These programs aim to facilitate discussion about current issues and provide opportunities for exchanging ideas between members of different courts. In 2020, a range of very topical areas were canvassed, including sexual harassment prevention and mental health challenges during the pandemic.

A number of Judges participated in these cross-jurisdictional programs:

- Webinar: The neurobiology of "prejudice" (or "bias") in legal decision making, 24 June 2020, 14 attended
- Webinar: An introduction to the Bugmy Bar Book project, 22 July 2020, seven attended
- Webinar: 2020 Interrupted Judicial wellbeing in trying times, 18 November 2020, eight attended
- Webinar: Sexual harassment prevention and response in the workplace – a new approach, 10 December 2020, four attended

Online Resources

There are a number of online resources permanently available to Judges. Bench books and other research tools are available online via the JIRS database and are updated regularly. Where possible, Judges are also able to view and participate in programs remotely either via the live streaming of certain programs or viewing a number of programs that have been recorded. The move to this more flexible mode of delivery has been a positive outcome because of the limitations imposed by COVID-19.

CRIMINAL JURISDICTION NEW SOUTH WALES

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

Trials

• Caseload

Sentences

Local Court Appeals

- Conviction Appeals
- Sentence Appeals

TRIALS

In 2020:

- Registrations rose by 2.7%
- Finalisations fell by 30.0%
- Pending trials rose by 6.8%
- Median finalisation time fell from 60.4 weeks to 59.6 weeks
- Average length of trials rose from 10.29 days to 10.62 days

Caseload

There were **1,356** trials finalised in 2020 as compared to **1,924** in 2019. There were **1,494** trials on hand at the end of 2020 compared to **1,399** trials at the end of 2019.

The number of sexual assault trials registered in 2020 was **512** compared to **577** in 2019 and **630** in 2018. Of these, **263** trials involved child sexual assault compared to **307** in 2019 and **352** in 2018.

Figure 1 tracks the state-wide trends in the criminal trial caseload for the previous five years.



Figure 1. Criminal Trial Caseload

Figure 2 shows variation in trial and sentence registrations for the previous five years.

Figure 2. Trial and Sentence Registrations



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

TIME STANDARDS

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

- 100% of sexual assault trials and trials of accused persons refused bail commenced within eight months of committal or other event that gives rise to the need for trial
- **100%** of cases commenced within 12 months of committal or other event that gives rise to the need for trial

TRIAL DURATIONS

The state-wide average length of criminal trials finalised in 2020 was **10.62** days compared to **10.29** days in 2019. In Sydney, the average duration was **12.57** days in 2020 compared to **14.22** days in 2019.

Figure 3 illustrates the fluctuating rise in the average trial duration time.



Figure 3. Average Trial Length

FINALISATIONS

In 2020, **65%** of all registered trials were finalised within the first 12 months.

Figure 4 illustrates the rate of finalisations for all trials.

Figure 4. Rate of Registered Trials Finalised



Figure 5 shows the age of all trials which were pending at the end of the year indicated.





Figure 6 tracks the median finalisation times from committal to commencement of the trial for matters finalised during the year indicated.

Figure 6. Median Finalisation Times – Criminal Trials



TRIAL LISTING OUTCOMES

About 1,975 trials were listed for hearing in 2020.

Of trials dealt with in 2020 (i.e. 62.5% of total listings):

- 26.0% pleaded guilty
- 52.6% proceeded to verdict
- 7.9% were "no billed"

- 5.1% were transferred
- 2.5% were aborted
- 2.4% ended with a "hung jury"
- 3.0% were otherwise disposed
- 0.5% had bench warrants issued

Table 1. Trial Listing Outcomes

The following table sets out trial listing outcomes for 2020.

	Sydney	Sydney West	Country	Total
NOT DEALT WITH	36.0%	40.2%	36.9%	37.5%
Vacated	20.4%	22.1%	14.7%	18.9%
Prior to Trial Week	9.3%	13.7%	7.3%	9.9%
During Trial Week	11.0%	8.4%	7.3%	9.1%
Other Not Dealt With (Trial Week)	15.6%	18.1%	22.2%	18.5%
Not Reached	0.0%	4.9%	8.1%	4.1%
Other	15.6%	13.2%	14.1%	14.4%
DEALT WITH	64.0%	59.8%	63.1%	62.5%
Dealt With Prior to Trial Week	6.0%	14.3%	6.1%	8.4%
No Billed	0.8%	2.4%	0.9%	1.3%
Bench Warrant	0.0%	0.2%	0.1%	0.1%
Plea	5.1%	7.9%	3.3%	5.3%
Other (e.g. deceased)	0.1%	0.0%	1.6%	0.6%
Transferred	0.0%	3.8%	0.1%	1.1%
Dealt With In Trial Week	16.2%	23.6%	16.2%	18.2%
No Billed	4.1%	4.8%	2.4%	3.7%
Bench Warrant	0.3%	0.0%	0.3%	0.2%
Plea	11.2%	12.2%	9.7%	11.0%
Other (eg. deceased)	0.5%	0.5%	2.7%	1.3%
Transferred	0.1%	6.0%	1.0%	2.1%
Trials Commenced	41.8%	21.9%	40.8%	35.9%
Aborted	2.4%	0.0%	1.9%	1.6%
Hung Jury	1.8%	1.1%	1.5%	1.5%
Proceeded	37.6%	20.8%	37.3%	32.9%

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

Figure 9 shows the outcome of those that commenced.









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

Figure 8. Trial Listings Dealt With



SENTENCES

In 2020:

- Registrations rose by 3.7%
- Finalisations fell by 14.3%
- Pending cases fell by 5.3%
- Median finalisation time fell from 32.0 weeks to 24.8 weeks

SENTENCES

There were **2,053** committals for sentence received in 2020 compared to **1,980** in 2019.

2,095 sentences were finalised during 2020 compared to **2,446** in 2019. There were **758** sentence matters pending at the end of 2020 compared to **800** at the end of 2019.

Figure 10 tracks the sentence caseload for the previous five years.

Figure 10. Sentence Caseload



TIME STANDARDS

The Court's ideal time standard for the commencement of sentences is:

 100% commenced within 6 months of committal

FINALISATIONS

In 2020, **73%** of all registered sentences were finalised within the first six months.

Figure 11 illustrates the rate of finalisation for all sentences.

Figure 11. Rate of Registered Sentences Finalised



LOCAL COURT APPEALS

In 2020:

- Registrations fell by 24.3%
- Finalisations fell by 26.4%
- Pending cases fell by 9.9%
- Median finalisation time rose from 24.2 weeks to 27.0 weeks

CONVICTION APPEALS

There were **1,003** conviction appeals lodged in 2020 and **1,049** finalisations. At the end of 2020, there were **421** conviction appeals pending compared to **467** at the end of 2019.

Figure 12 tracks the conviction appeal caseload for the previous five years.



Figure 12. Conviction Appeals Caseload

TIME STANDARDS

The Court's ideal time standard for the commencement of conviction appeals is:

 100% commenced within 12 months of appeal

FINALISATIONS

In 2020, **96%** of all registered conviction appeals were finalised within the first 12 months.

Figure 13 illustrates the rate of finalisations for all conviction appeals.





SENTENCE APPEALS

In 2020:

- Registrations fell by 9.7%
- Finalisations fell by 15.1%
- Pending cases rose by 21.2%
- Median finalisation time rose from 9.4 weeks to 10.4 weeks

SENTENCE APPEALS

There were **4,965** sentence appeals lodged in 2020 and **4,798** finalised. At the end of 2020, there were **955** sentence appeals pending compared to **788** at the end of 2019.

Figure 14 tracks the sentence appeals caseload for the previous five years.



Figure 14. Sentence Appeals Caseload

TIME STANDARDS

The Court's ideal time standard for the commencement of sentence appeals is:

 100% commenced within six months of appeal

FINALISATIONS

In 2020, **96%** of all registered sentence appeals were finalised within the first six months.

Figure 15 illustrates the rate of finalisations for all sentence appeals.

Figure 15. Rate of Registered Sentence Appeals Finalised



CIVIL JURISDICTION

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

New South Wales

Caseload

Sydney

- Caseload
- Residual Jurisdiction
- Alternative Dispute Resolution

Sydney West

Country

NEW SOUTH WALES

In 2020:

- Registrations fell by 5.6%
- Finalisations fell by 3.4%
- Pending cases fell by 5.3%
- Median finalisation time remained unchanged at 11.7 months

Caseload

EXPLANATORY BACKGROUND

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

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

REGISTRATIONS

There were **4,295** matters registered in 2020 compared to **4,549** in 2019.

FINALISATIONS

There were **4,577** matters finalised in 2020 compared to **4,739** in 2019.

PENDING

At the end of 2020, the pending caseload was **4,926** compared to **5,202** in 2019.

Comparison with previous years

Figure 16 tracks the Court's caseload for the previous five years.

Figure 16. NSW Civil Caseload



FINALISATION TIMES

In 2020, **61%** of all actions finalised were completed within 12 months with **91%** being completed within 24 months. This compares to **62%** and **90%** respectively in 2019.

Of the pending caseload at the end of 2020, **20%** exceeded 12 months and not more than 24 months and **5%** exceeded more than 24 months.

SYDNEY

In 2020:

- Registrations fell by 3.6%
- Finalisations fell by 4.8%
- Pending cases fell by 4.4%
- Median finalisation time remained unchanged at 11.4 months

Caseload

In 2020, Sydney civil case managed matters represented **74%** of the State's registrations and **71%** of the matters on hand.

Figure 17 shows the ratio of new civil actions commenced in Sydney, as compared to the whole State for the previous five years.





REGISTRATIONS, FINALISATIONS AND PENDING CASES

Excluding the Residual Jurisdiction, there were **3,173** new actions registered and **3,337** finalised in Sydney in 2020. At the end of 2020, there were **3,515** actions pending.

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

Figure 18. Sydney Caseload



FINALISATION TIMES

The Court's ideal time standard for civil cases is a **90%** finalisation rate within 12 months of commencement and **100%** within 24 months.

In 2020, **64%** of all actions finalised were completed within 12 months with **92%** being completed within 24 months; which was the same in the preceding year.

Of the pending caseload at the end of 2020, **17%** exceeded 12 months and not more than 24 months and **3%** exceeded 24 months.

HOW CASES ARE FINALISED

Table 2 shows the break-up of how case managed list matters were finalised in 2020. The categories of "Dismissed" and "Discontinued" include matters that settled without judgment being entered and/or terms of settlement being filed.

Table 2. Finalisation Outcomes

Judgment following Trial	154
Default Judgment	24
Settlement Filed	1,942
Dismissed	535
Discontinued	536
Arbitration	0
Transferred	146
Total	3,337

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

Table 3. Judgments/Settlements

Year	Total Disposals	Disposed of by Judgment Following Trial	Disposed of by Settlement Filed
2016	3,575	159	2,391
	(100%)	(5%)	(66%)
2017	3,762	141	2,415
	(100%)	(4%)	(64%)
2018	3,573	165	2,276
	(100%)	(5%)	(64%)
2019	3,504	157	2,166
	(100%)	(4%)	(62%)
2020	3,337	154	1,942
	(100%)	(5%)	(58%)

Residual Jurisdiction

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

The disputes that were transferred to the District Court are commonly referred to as its "**Residual Jurisdiction**" and involve the following:

- The *Police Act 1990*, concerning police officers "hurt on duty", and the *Police Regulation (Superannuation) Act 1906*, concerning the payment of superannuation benefits to police officers;
- Payment under the Police Regulation (Superannuation) Act 1906 (paid to the SAS Trustee Corporation) continued under the Superannuation Administration Act 1996 and special risk benefits payable by the Commissioner of Police;
- The Workers Compensation Act 1987, concerning workers in or about a coal mine;
- The Workers Compensation (Dust Diseases) Act 1942;
- The Sporting Injuries Insurance Scheme; and
- The Workers Compensation (Bush Fire, Emergency and Rescue Services) Act 1987.

During 2020, **227** actions were commenced and **253** finalised. At the end of 2020, there were **168** matters on hand in the Residual Jurisdiction.

Alternative Dispute Resolution

MEDIATION

Pursuant to Practice Note DC (Civil) No. 1, cases before the Sydney District Court are referred to mediation where appropriate. The referral may be either to private mediation or to court provided mediation. The Assistant Registrars in Sydney undertake the court provided mediation. In 2020, the Court referred **481** matters to mediation (**429** were referred to private mediation and **52** to court provided mediation). Settlement conferences were ordered in **1,456** matters.

Approximately **46%** of matters referred to mediation by Assistant Registrars were settled. There are no available statistics in relation to settlement of matters referred to private mediators.

SYDNEY WEST

Sydney West totalled **6%** of the number of new actions in 2020 (excluding the Court's residual jurisdiction).

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

Figure 19. % of NSW Registrations



In Sydney West there were **241** matters registered and **279** finalisations throughout the year. At the end of 2020, the total pending caseload was **327** compared to **365** the previous year.

Figure 20 shows comparative registrations, finalisations and pending caseloads for the previous five years.

Figure 20. Sydney West Caseload



Pending matters in Sydney West fell by **11.6%** and the median finalisation time was 13.6 months.

27% of pending cases exceeded 12 months and not more than 24 months and **9%** exceeded 24 months.

COUNTRY

Venues outside of Sydney and Sydney West totalled **15%** of the number of actions in 2020 (excluding the Court's Residual Jurisdiction).

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

Figure 21. % of NSW Registrations



Outside of Sydney and Sydney West, there were **654** matters registered and **708** finalisations throughout 2020. At the end of 2020, the total pending caseload was **916** compared to **967** in 2019. Figure 22 shows comparative registrations, finalisations and pending caseloads for the previous five years.

Figure 22. Country Civil Caseload



Pending matters in the country fell by **2.5%** and the median finalisation time was 13.1 months.

26% of pending cases exceeded 12 months and not more than 24 months and **10%** exceeded 24 months.

JUDICIAL RESOURCES

- Allocated Sittings
- Actual Sittings

Committees

Allocated Sittings

Table 4 sets out the number of judicial sitting weeks allocated in 2020 as published in the Court's Calendar of Sittings.

Table 4. Sitting Allocations

isdiction	No. of Weeks	Judge EFT	%
riminal	893	22.0	30%
Civil	691	17.0	24%
riminal	517	12.7	18%
Civil	6	0.1	0%
riminal	470	11.6	16%
Civil	24	0.6	1%
riminal	312	7.7	11%
Civil	25	0.6	1%
riminal	2,192	54.0	75%
Civil	746	18.4	25%
All	2,938	72.4	100%
	All	All 2,938	All 2,938 72.4

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

Actual Sittings

Table 5 sets out the number of days actually sat by the Court in 2020 converted into weeks (by dividing the number of days by five).

Table 5. Actual Sittings

Location	Jurisdiction	No. of Weeks	Judge EFT	%
Cudman	Criminal	1,038	25.6	39%
Sydney	Civil	427	10.5	16%
Sydney	Criminal	444	10.9	17%
West	Civil	9	0.2	0%
Major	Criminal	426	10.5	16%
Country	Civil	10	0.2	0%
Other	Criminal	302	7.4	11%
Venues	Civil	23	0.6	1%
	Criminal	2,210	54.4	82%
Total	Civil	469	11.6	18%
	All	2,679	66.0	100%

COMPARISON WITH 2019

Overall, there was a decrease of **251** weeks for sittings in 2020 compared to 2019. This included **228** fewer weeks of criminal sittings and **23** fewer weeks of civil sittings.

The reduction in criminal sittings was due to COVID-19, more rigorous case management of pending trials, the Early Appropriate Guilty Plea Reform Scheme and the finalisation of a number of listed special fixture trials.

ACTING JUDGES

Acting Judges provided an extra **708** days of actual sittings. Based on the maximum of **40.6** sitting weeks per year for a permanent Judge, this equated to **3.5** additional Judges. Figure 23 shows the fluctuations in the number of Acting Judges' weeks since 2016.



Figure 23. Acting Judges' Weeks

Table 6 sets out the number of sitting days by Acting Judges in 2020.

Table 6. Acting	Judges'	Sitting	Days 2020
-----------------	---------	---------	-----------

	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	TOTAL
Adams							17	15	16	15	7	2	72
Armitage		2	9		1	7	15	9		3	1	1	48
Balla								24	1	9		5	39
Berman		1				1	6	14	4	8	2	6	42
Blackmore											4	10	14
Conlon	4	7	15	1		9	9	6	10	19	6	7	93
Cowdroy										2	1		3
Craig		4				1	1	1					7
Curtis			6		1	3	2	8	8	9	15	5	57
Delaney		6	2			1						10	19
Frearson		1											1
Graham				2		1				2			5
Kearns				5						5	11	7	28
Knox			1								1	1	3
Latham	2	1			2			1	15	4	1	5	31
Madgwick		2											2
Marien	1	3		1	1	1	1	1	1	10	15	10	45
O'Connor							1	15	10	4			30
Quirk		5	5							2			12
Sorby		1											1
Walmsley			2				15	1	9	1	9	1	38
Williams						1		16	15		10	9	51
Woods	1	1	3			7	16	14	2	15	6	2	67
Total days	8	34	43	9	5	32	83	125	91	108	89	81	708
							Av	erage sit	ting days	s per Act	ing Judg	je 2020	31

SITTING DETAILS

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

	ALLOC (wee		AVAIL (da	ABLE .ys)		LLY SAT lys)	* AVEI RECORDE	
	CRIME	CIVIL	CRIME	CIVIL	CRIME	CIVIL	CRIME	CIVIL
Sydney Total	893	691	4,447	3,436	5,192	2,137	3.45	2.81
Campbelltown	129	0	621	0	535	1	3.38	0.00
Parramatta	285	6	1,399	30	1,312	44	3.97	3.18
Penrith	103	0	507	0	375	0	3.91	0.00
Sydney West Total	517	6	2,527	30	2,222	45	3.82	3.22
Gosford	79	5	388	25	375	11	4.15	4.36
Newcastle	171	11	839	54	847	62	3.53	3.87
Wollongong	62	9	306	44	288	44	3.64	4.05
O/S Total	312	25	1,533	123	1,510	117	3.71	3.98
Albury	25	2	122	9	115	4	3.18	4.25
Armidale	18	0	88	0	82	0	4.52	0.00
Bathurst	18	0	87	0	81	0	4.47	0.00
Bega	13	0	64	0	40	0	3.45	0.00
Bourke	1	0	5	0	5	0	3.00	0.00
Broken Hill	11	0	52	0	42	1	5.02	1.00
Coffs Harbour	35	2	170	10	185	0	4.41	0.00
Coonamble	3	0	15	0	20	0	4.95	0.00
Dubbo	41	2	201	10	183	12	4.83	4.67
Goulburn	22	0	109	0	94	0	3.74	0.00
Grafton	15	0	75	0	73	0	5.07	0.00
Griffith	16	1	79	4	70	0	3.67	0.00
Katoomba	19	0	93	0	85	0	3.66	0.00
Lismore	53	7	261	34	255	14	3.68	3.50
Moree	4	0	19	0	17	0	3.53	0.00
Nowra	26	1	129	5	108	0	3.71	0.00
Orange	20	2	100	10	87	6	4.25	3.00
Parkes	4	0	20	0	11	0	3.64	0.00
Port Macquarie	21	2	104	10	96	10	3.98	3.60
Queanbeyan	17	1	84	5	69	0	3.97	0.00
Tamworth	26	1	128	5	124	0	5.06	0.00
Taree	19	0	95	0	93	0	5.12	0.00
Wagga Wagga	43	3	210	15	196	1	3.03	5.00
Country Total	470	24	2,310	117	2,131	48	4.09	3.79
State Total	2,192	746	10,817	3,706	11,055	2,347	3.68	2.90

Table 7. District Court Sittings 2020

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

COMMITTEES

MEMBERSHIP OF COMMITTEES **DURING 2020:**

Policy and Planning Committee

The Honourable Justice D Price AO, Chief Judge (Chair) His Honour Judge G Neilson His Honour Judge C Robison His Honour Judge S Norrish QC Her Honour Judge P Hock Her Honour Judge J Gibson Her Honour Judge H Syme His Honour Judge R Letherbarrow SC His Honour Judge D Arnott SC His Honour Judge P Mahony SC His Honour Judge C Hoy SC His Honour Judge P Taylor SC His Honour Judge M Williams SC Her Honour Judge J Culver Her Honour Judge P Wass SC His Honour Judge R Montgomery Her Honour Judge S Grant Mr J Howard, Judicial Registrar (Secretary)

Criminal Business Committee

The Honourable Justice D Price AO. Chief Judge (Chair) Ms J Philipson, Office of the Director of Public Prosecutions (Commonwealth) Ms E Ampara, Office of the Director of Public Prosecutions (Commonwealth) Mr L Babb SC, Office of the Director of Public Prosecutions (NSW) Ms S Govind, Office of the Director of Public Prosecutions (NSW) Mr R Wilson SC, Deputy Public Defender Mr J Styles, Aboriginal Legal Service, Ms N Miles, Aboriginal Legal Service Ms R Khalilizadeh. Bar Association of NSW

Ms J Saunders, Law Society of NSW

Ms A Coultas-Roberts, Legal Aid Commission

Ms A Lumsden, Legal Aid Commission Mr R Hoyle, Legal Aid Commission Mr R Fornito, Criminal Listing Director Ms J Garvey, Manager, Judicial Support (Secretary)

Civil Business Committee

His Honour Judge R Letherbarrow SC (Chair) Her Honour Judge E Olsson SC His Honour Judge P Taylor SC His Honour Judge J Hatzistergos AM Her Honour Judge P Wass SC His Honour Judge R Montgomery His Honour Judge D Russell SC Mr L King SC, Bar Association of NSW Mr E Romaniuk SC, Bar Association of NSW Mr S Brodowski, Law Society of NSW Mr T Stern, Law Society of NSW Ms K McLean, Law Society of NSW Mr J Howard, Judicial Registrar (Secretary)

Professional Standards (Education) Committee

Her Honour Judge P Hock (Chair) His Honour Judge G Lerve Her Honour Judge S Huggett Her Honour Judge D Yehia SC His Honour Judge J Hatzistergos AM Her Honour Judge J Culver Her Honour Judge J Girdham SC His Honour Judge J Pickering SC His Honour Judge M Dicker SC His Honour Judge W Hunt His Honour Judge C O'Brien AM His Honour Judge R Weinstein SC His Honour Judge J Smith SC Mr J Howard, Judicial Registrar Ms U Doyle, Director of Education, Judicial Commission of NSW (Convenor)

Rule Committee

The Honourable Justice D Price AO, Chief Judge (Chair) His Honour Judge G Neilson Her Honour Judge E Olsson SC Mr P Khandar, Bar Association of NSW Mr T Stern, Law Society of NSW Mr J Prowse, Law Society of NSW Mr J Howard, Judicial Registrar (Secretary)

Security Committee

His Honour Judge C Robison (Chair) Her Honour Judge E Olsson SC His Honour Judge C Jeffreys His Honour Judge R Montgomery His Honour Judge R Sutherland SC Mr J Howard, Judicial Registrar (Secretary)

Technology Committee

Digital Services

The Honourable Justice D Price AO, Chief Judge (Chair) Her Honour Judge J Gibson (Secretary) His Honour Judge C Jeffreys Her Honour Judge J Culver His Honour Judge J Priestley SC His Honour Judge W Turnbull SC Ms G Romero, Regional Director, Metro Mr J Howard, Judicial Registrar Mr S Moore, A/Principal Policy Officer Mr P Falconer, Information and Digital Services Mr C Doulgeris, Information and

Building Committee

Her Honour Judge R Tupman (Convenor) Mr J Howard, Judicial Registrar Mr D Watson, Registrar, DDT Ms A Curtin, Registrar & Director, NCAT Mr R Cowburn, Brookfield Multiplex Ltd Mr K Breen, Judicial Support Officer (Secretary)

Criminal Trial Courts Bench Book Committee

His Honour Judge P Zahra SC His Honour Judge D Arnott SC Her Honour Judge S Huggett Her Honour Judge N Noman SC

Civil Trials Bench Book Committee

His Honour Judge R Letherbarrow SC His Honour Judge P Mahony SC His Honour Judge R Weinstein SC

Children's Court Education Committeee His Honour Judge P Johnstone

Ngara Yura Committee Her Honour Judge D Yehia SC
ANNEXURES

- Annexure A Criminal Caseload
- Annexure B Compliance with Criminal Time Standards
- Annexure C Civil Caseload / Civil Disposal Times

Annexure A1 Criminal Caseload

TRIALS

Registered

	2018	2019	2020	19/20 Variant
Sydney	495	436	528	21%
Sydney West	605	462	341	-26%
Newcastle	255	203	196	-3%
Gosford	89	52	58	12%
Wollongong	158	99	110	11%
Lismore	116	98	84	-14%
Dubbo	110	83	66	-20%
Wagga Wagga	69	59	68	15%
Country Total	797	594	582	-2%
State Total	1,897	1,492	1,451	-3%



Finalised

	2018	2019	2020	19/20 Variant	2
Sydney	702	617	419	-32%	
Sydney West	510	509	409	-20%	4
Newcastle	226	267	162	-39%	
Gosford	100	83	41	-51%	
Wollongong	149	167	103	-38%	
Lismore	136	116	97	-16%	
Dubbo	139	94	66	-30%	
Wagga Wagga	112	71	59	-17%	
Country Total	862	798	528	-34%	
State Total	2,074	1,924	1,356	-30%	



	2018	2019	2020	19/20 Variant
Sydney	604	423	532	26%
Sydney West	499	452	384	-15%
Newcastle	257	193	227	18%
Gosford	72	41	58	41%
Wollongong	144	76	83	9%
Lismore	106	88	75	-15%
Dubbo	83	72	72	0%
Wagga Wagga	66	54	63	17%
Country Total	728	524	578	10%
State Total	1,831	1,399	1,494	7%



Annexure A2

Criminal Caseload

SENTENCES

Registered

2018	2019	2020	19/20 Variant
729	587	668	14%
777	623	491	-21%
270	262	301	15%
104	79	107	35%
194	143	184	29%
117	111	132	19%
94	100	99	-1%
108	75	71	-5%
887	770	894	16%
2,393	1,980	2,053	4%
	729 777 270 104 194 117 94 108 887	729 587 777 623 270 262 104 79 194 143 117 111 94 100 108 75 887 770	729 587 668 777 623 491 270 262 301 104 79 107 194 143 184 117 111 132 94 100 99 108 75 71 887 770 894



Finalised

	2018	2019	2020	19/20 Variant
Sydney	894	861	663	-23%
Sydney West	705	745	548	-26%
Newcastle	248	277	324	17%
Gosford	97	101	97	-4%
Wollongong	181	171	174	2%
Lismore	123	113	124	10%
Dubbo	90	96	97	1%
Wagga Wagga	96	82	68	-17%
Country Total	835	840	884	5%
State Total	2,434	2,446	2,095	-14%



	2018	2019	2020	19/20 Variant
Sydney	563	289	294	2%
Sydney West	339	217	160	-26%
Newcastle	123	108	85	-21%
Gosford	49	27	37	37%
Wollongong	77	49	59	20%
Lismore	44	42	50	19%
Dubbo	40	44	46	5%
Wagga Wagga	31	24	27	13%
Country Total	364	294	304	3%
State Total	1,266	800	758	-5%



Annexure A3 Criminal Caseload

CONVICTION APPEALS

Registered

				19/20
	2018	2019	2020	Variant
Sydney	353	363	314	-13%
Sydney West	447	424	268	-37%
Newcastle	144	153	106	-31%
Gosford	59	60	34	-43%
Wollongong	108	105	90	-14%
Lismore	96	83	72	-13%
Dubbo	76	80	76	-5%
Wagga Wagga	44	57	43	-25%
Country Total	527	538	421	-22%
State Total	1,327	1,325	1,003	-24%



Finalised

	2018	2019	2020	19/20 Variant
Sydney	351	428	352	-18%
Sydney West	440	427	319	-25%
Newcastle	146	162	111	-31%
Gosford	62	65	39	-40%
Wollongong	102	116	65	-44%
Lismore	106	92	72	-22%
Dubbo	81	82	54	-34%
Wagga Wagga	38	54	37	-31%
Country Total	535	571	378	-34%
State Total	1,326	1,426	1,049	-26%



	2018	2019	2020	19/20 Variant
Sydney	250	185	147	-21%
Sydney West	154	151	100	-34%
Newcastle	50	41	36	-12%
Gosford	20	15	10	-33%
Wollongong	30	19	44	132%
Lismore	35	26	26	0%
Dubbo	19	17	39	129%
Wagga Wagga	10	13	19	46%
Country Total	164	131	174	33%
State Total	568	467	421	-10%



Annexure A4

Criminal Caseload

SENTENCE APPEALS

Registered

	2018	2019	2020	19/20 Variant
Sydney	1,196	1,337	1,221	-9%
Sydney West	1,967	1,597	1,388	-13%
Newcastle	735	764	741	-3%
Gosford	326	260	246	-5%
Wollongong	596	557	447	-20%
Lismore	412	424	335	-21%
Dubbo	424	349	371	6%
Wagga Wagga	187	212	216	2%
Country Total	2,680	2,566	2,356	-8%
State Total	5,843	5,500	4,965	-10%



Finalised

	2018	2019	2020	19/20 Variant
Sydney	1,323	1,334	1,214	-9%
Sydney West	1,966	1,658	1,303	-21%
Newcastle	690	868	678	-22%
Gosford	325	244	267	9%
Wollongong	586	563	436	-23%
Lismore	436	416	348	-16%
Dubbo	419	365	327	-10%
Wagga Wagga	207	204	225	10%
Country Total	2,663	2,660	2,281	-14%
State Total	5,952	5,652	4,798	-15%



				19/20
	2018	2019	2020	Variant
Sydney	268	271	278	3%
Sydney West	222	161	246	53%
Newcastle	183	79	142	80%
Gosford	41	57	36	-37%
Wollongong	73	67	78	16%
Lismore	63	71	58	-18%
Dubbo	62	46	90	96%
Wagga Wagga	28	36	27	-25%
Country Total	450	356	431	21%
State Total	940	788	955	21%



Annexure B1 Compliance with Criminal Time Standards

TRIALS – REGISTERED

Accused Custody

				Perc	centage	of Case	es Disp	osed wi	thin			
	4	4 Months	5	6	6 Month	s	1	2 Month	าร	>'	12 Mont	hs
	2018	2019	2020	2018	2019	2020	2018	2019	2020	2018	2019	2020
Sydney	9%	7%	14%	17%	18%	35%	70%	72%	68%	30%	28%	32%
Sydney West	19%	8%	17%	39%	19%	26%	84%	77%	69%	16%	23%	31%
Newcastle	16%	18%	17%	38%	33%	29%	78%	70%	71%	22%	30%	29%
Gosford	17%	24%	14%	32%	45%	29%	73%	79%	86%	27%	21%	14%
Wollongong	19%	14%	21%	29%	22%	36%	84%	69%	85%	16%	31%	15%
Lismore	20%	20%	19%	38%	32%	30%	83%	64%	74%	17%	36%	26%
Dubbo	16%	7%	16%	28%	36%	40%	82%	88%	84%	18%	12%	16%
Wagga Wagga	17%	6%	27%	29%	27%	47%	63%	70%	80%	37%	30%	20%
Country Total	18%	15%	18%	33%	32%	33%	79%	73%	78%	21%	27%	22%
State Total	15%	11%	17%	30%	24%	31%	77%	74%	72%	23%	26%	28%

Accused on Bail

				Perc	centage	of Case	es Disp	osed wi	thin	L		
	4	4 Month	S	6	6 Month	s	1	2 Month	าร	>.	12 Mont	hs
	2018	2019	2020	2018	2019	2020	2018	2019	2020	2018	2019	2020
Sydney	5%	3%	9%	9%	9%	21%	58%	60%	61%	42%	40%	39%
Sydney West	12%	7%	6%	23%	10%	13%	67%	67%	56%	33%	33%	44%
Newcastle	8%	10%	9%	15%	16%	13%	64%	62%	48%	36%	38%	52%
Gosford	16%	8%	10%	26%	26%	14%	66%	51%	71%	34%	49%	29%
Wollongong	16%	6%	8%	19%	16%	37%	65%	67%	75%	35%	33%	25%
Lismore	13%	7%	13%	29%	21%	28%	56%	61%	58%	44%	39%	42%
Dubbo	18%	14%	0%	24%	20%	20%	75%	52%	58%	25%	48%	43%
Wagga Wagga	3%	8%	10%	13%	23%	36%	45%	55%	69%	55%	45%	31%
Country Total	12%	9%	8%	20%	19%	25%	62%	61%	61%	38%	39%	39%
State Total	9%	6%	8%	17%	13%	20%	61%	62%	60%	39%	38%	40%

All Trials

				Perc	centage	of Case	es Disp	osed wi	thin			
	4	4 Month	S	6	6 Month	s	1	2 Month	าร	>`	12 Mont	hs
	2018	2019	2020	2018	2019	2020	2018	2019	2020	2018	2019	2020
Sydney	6%	5%	11%	11%	12%	26%	61%	64%	64%	39%	36%	36%
Sydney West	15%	7%	11%	29%	14%	19%	73%	72%	62%	27%	28%	38%
Newcastle	11%	13%	12%	24%	23%	19%	70%	65%	58%	30%	35%	42%
Gosford	16%	16%	12%	28%	35%	21%	69%	65%	79%	31%	35%	21%
Wollongong	17%	9%	12%	23%	18%	37%	73%	68%	79%	27%	32%	21%
Lismore	16%	10%	14%	32%	23%	28%	67%	62%	63%	33%	38%	37%
Dubbo	17%	11%	6%	26%	27%	28%	78%	68%	68%	22%	32%	32%
Wagga Wagga	7%	7%	14%	18%	25%	39%	51%	62%	72%	49%	38%	28%
Country Total	14%	11%	12%	25%	24%	28%	69%	65%	67%	31%	35%	33%
State Total	12%	8%	11%	21%	17%	25%	67%	66%	65%	33%	34%	35%

Annexure B2 Compliance with Criminal Time Standards

TRIALS – VERDICTS

Accused Custody

				Pe	ercentag	je of Ca	ses Disp	osed wi	thin			
	4	Month	s	6	6 Month	s	1	2 Month	IS	>'	12 Mont	hs
	2018	2019	2020	2018	2019	2020	2018	2019	2020	2018	2019	2020
Sydney	1%	1%	3%	8%	7%	22%	65%	56%	58%	35%	44%	42%
Sydney West	7%	4%	11%	27%	9%	26%	75%	68%	71%	25%	32%	29%
Newcastle	5%	11%	4%	35%	21%	8%	70%	54%	46%	30%	46%	54%
Gosford	25%	20%	0%	38%	33%	0%	75%	87%	71%	25%	13%	29%
Wollongong	4%	0%	17%	13%	6%	25%	87%	44%	83%	13%	56%	17%
Lismore	29%	14%	14%	57%	57%	57%	100%	100%	100%	0%	0%	0%
Dubbo	0%	0%	8%	31%	33%	17%	69%	67%	67%	31%	33%	33%
Wagga Wagga	10%	0%	29%	10%	7%	43%	60%	53%	86%	40%	47%	14%
Country Total	9%	8%	10%	27%	22%	20%	77%	62%	68%	23%	38%	32%
State Total	6%	5%	7%	21%	13%	22%	72%	61%	65%	28%	39%	35%

Accused on Bail

				Pe	ercentag	je of Ca	ses Disp	osed wi	thin			
	4	Month	S	6	6 Month	s	1	2 Month	IS	>`	12 Mont	hs
	2018	2019	2020	2018	2019	2020	2018	2019	2020	2018	2019	2020
Sydney	1%	1%	3%	3%	3%	18%	48%	52%	58%	52%	48%	42%
Sydney West	1%	1%	1%	9%	1%	9%	52%	58%	48%	48%	42%	52%
Newcastle	0%	2%	2%	4%	7%	5%	54%	47%	41%	46%	53%	59%
Gosford	0%	6%	0%	7%	17%	0%	47%	33%	43%	53%	67%	57%
Wollongong	6%	0%	6%	8%	6%	32%	44%	49%	74%	56%	51%	26%
Lismore	4%	0%	0%	4%	15%	7%	32%	58%	44%	68%	42%	56%
Dubbo	0%	3%	0%	8%	10%	6%	67%	50%	47%	33%	50%	53%
Wagga Wagga	0%	5%	4%	3%	19%	32%	34%	52%	60%	66%	48%	40%
Country Total	2%	2%	3%	6%	11%	16%	47%	49%	53%	53%	51%	47%
State Total	1%	1%	3%	5%	6%	15%	48%	52%	54%	52%	48%	46%

All Trials

				Pe	ercentag	je of Ca	ses Disp	osed wi	thin			
	4	Month	s	6	6 Month	S	1	2 Month	ıs	>.	12 Mont	hs
	2018	2019	2020	2018	2019	2020	2018	2019	2020	2018	2019	2020
Sydney	1%	1%	3%	4%	4%	19%	52%	53%	58%	48%	47%	42%
Sydney West	3%	2%	5%	15%	4%	15%	60%	62%	56%	40%	38%	44%
Newcastle	1%	5%	3%	13%	12%	6%	59%	49%	43%	41%	51%	57%
Gosford	9%	12%	0%	17%	24%	0%	57%	58%	57%	43%	42%	43%
Wollongong	5%	0%	9%	10%	6%	30%	61%	47%	77%	39%	53%	23%
Lismore	9%	3%	3%	16%	23%	18%	47%	65%	56%	53%	35%	44%
Dubbo	0%	3%	3%	16%	14%	10%	68%	53%	55%	32%	47%	45%
Wagga Wagga	3%	3%	9%	5%	14%	34%	41%	53%	66%	59%	47%	34%
Country Total	4%	4%	5%	12%	14%	17%	56%	53%	58%	44%	47%	42%
State Total	3%	2%	4%	10%	8%	18%	56%	55%	58%	44%	45%	42%

Annexure B3 Compliance with Criminal Time Standards

APPEALS

Conviction Appeals

				Pe	ercentag	e of Ca	ses Disp	osed wi	thin			
	4	Month	s	6	6 Month	s	1	2 Month	IS	>1	2 Mont	hs
	2018	2019	2020	2018	2019	2020	2018	2019	2020	2018	2019	2020
Sydney	17%	23%	31%	36%	47%	56%	93%	92%	93%	7%	8%	7%
Sydney West	63%	51%	40%	84%	77%	63%	98%	96%	96%	2%	4%	4%
Newcastle	61%	65%	56%	76%	86%	79%	95%	98%	97%	5%	2%	3%
Gosford	60%	54%	68%	85%	73%	81%	100%	90%	92%	0%	10%	8%
Wollongong	79%	77%	71%	89%	93%	83%	99%	97%	100%	1%	3%	0%
Lismore	63%	71%	65%	79%	85%	87%	98%	98%	100%	2%	2%	0%
Dubbo	64%	80%	71%	83%	89%	85%	98%	100%	98%	2%	0%	2%
Wagga Wagga	88%	82%	74%	95%	91%	90%	100%	100%	97%	0%	0%	3%
Country Total	67%	71%	66%	82%	87%	83%	98%	97%	98%	2%	3%	2%
State Total	52%	51%	46%	70%	72%	68%	97%	96%	96%	3%	4%	4%

Sentence Appeals

			Perce	ntage o	f Cases	Dispose	d within	ı	
	2	2 Month	s	6	6 Month	s	>	6 Month	IS
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Sydney	25%	61%	40%	95%	95%	93%	5%	5%	7%
Sydney West	80%	78%	73%	97%	97%	97%	3%	3%	3%
Newcastle	42%	49%	60%	96%	95%	97%	4%	5%	3%
Gosford	73%	71%	67%	97%	97%	95%	3%	3%	5%
Wollongong	75%	74%	68%	99%	99%	99%	1%	1%	1%
Lismore	63%	69%	55%	94%	99%	97%	6%	1%	3%
Dubbo	54%	61%	52%	97%	97%	95%	3%	3%	5%
Wagga Wagga	72%	71%	68%	95%	97%	96%	5%	3%	4%
Country Total	61%	63%	61%	96%	97%	97%	4%	3%	3%
State Total	59%	67%	59%	96%	97%	96%	4%	3%	4%

			Perce	ntage o	f Cases	Dispose	d within	1	
	3	8 Month	s	e	6 Month	s	>	6 Month	IS
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Sydney	4%	10%	28%	21%	46%	69%	79%	54%	31%
Sydney West	19%	13%	24%	65%	63%	69%	35%	37%	31%
Newcastle	17%	20%	33%	66%	73%	81%	34%	27%	19%
Gosford	16%	11%	20%	62%	65%	75%	38%	35%	25%
Wollongong	40%	29%	45%	76%	77%	90%	24%	23%	10%
Lismore	25%	37%	28%	72%	77%	78%	28%	23%	22%
Dubbo	25%	29%	27%	73%	76%	65%	27%	24%	35%
Wagga Wagga	42%	28%	36%	86%	78%	82%	14%	22%	18%
Country Total	27%	25%	33%	72%	74%	80%	28%	26%	20%
State Total	16%	16%	29%	50%	60%	73%	50%	40%	27%

Sentences

Annexure C1 Civil Caseload

	F	Registere	d		Disposed	ł		Pending	
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Sydney CML	3,433	3,291	3,173	3,573	3,504	3,337	3,879	3,676	3,515
Residual Jurisdiction	242	238	227	280	267	253	223	194	168
Parramatta	206	275	235	215	201	265	274	346	316
Penrith	9	16	6	18	18	12	19	17	11
Campbelltown	2	2	0	2	1	2	1	2	0
Sydney West	217	293	241	235	220	279	294	365	327
Newcastle	213	157	187	230	198	175	288	247	261
Gosford	44	40	47	54	43	40	58	55	62
Wollongong	105	148	90	115	131	150	155	173	113
Major Country	362	345	324	399	372	365	537	475	436
Albury	14	20	18	21	17	16	28	32	34
Armidale	0	2	3	1	2	2	1	1	2
Bathurst	8	8	7	12	4	10	12	16	13
Bega	2	0	4	7	0	1	0	0	3
Broken Hill	0	0	0	3	1	0	1	0	0
Coffs Harbour	14	26	23	26	22	18	20	24	29
Dubbo	9	15	18	9	9	15	17	23	26
Griffith	24	21	16	10	16	22	28	34	28
Lismore Region	76	94	92	101	94	83	102	102	112
Lithgow	13	8	18	9	10	9	13	11	20
Maitland	20	12	11	22	19	7	23	16	20
Nowra	16	11	12	12	23	11	27	15	16
Orange	20	21	16	15	16	22	23	29	23
Port Macquarie	26	47	31	39	30	38	35	52	45
Queanbeyan	6	12	10	7	11	11	10	12	11
Tamworth	20	11	11	20	21	16	32	23	18
Taree	17	15	8	8	16	17	22	21	12
Wagga Wagga	56	59	32	69	65	45	87	81	68
Other Venues	341	382	330	391	376	343	481	492	480
NSW Total	4,595	4,549	4,295	4,878	4,739	4,577	5,414	5,202	4,926

Annexure C2

Civil Disposal Times

	Me	dian De	elay				•	sed with		U	e of Pe			e of Pe	0
		(mths)			12 mth	-		24 mths			ths < 24			24 mth	-
Custo au OMI	2018	2019	2020	2018	2019	2020	2018 93%	2019	2020	2018	2019	2020	2018 3%	2019 3%	2020
Sydney CML	11.6	11.4	11.4	65%	64%	64%		92%	92%	19%	16%	17%	- / -		3%
Parramatta	12.0	13.5	13.2	57%	58%	55%	92%	87%	87%	29%	22%	27%	7%	7%	9%
Penrith	15.7	15.0	14.5	50%	66%	61%	86%	81%	84%	23%	7%	22%	15%	20%	22%
Campbelltown	54.9	10.1	9.0	88%	92%	88%	88%	92%	100%	0%	0%	0%	0%	0%	0%
Sydney West	12.1	13.5	13.6	57%	60%	57%	92%	87%	87%	28%	21%	27%	7%	8%	9%
Newcastle	13.8	14.3	14.0	52%	50%	48%	88%	81%	83%	21%	29%	26%	12%	7%	8%
Gosford	10.8	15.2	14.4	70%	63%	56%	96%	86%	79%	27%	31%	20%	8%	10%	11%
Wollongong	14.4	15.2	13.0	41%	43%	47%	83%	91%	87%	33%	19%	21%	6%	9%	12%
Major Country	13.4	14.9	13.6	52%	50%	49%	88%	85%	84%	26%	26%	24%	10%	8%	10%
Albury	15.3	18.2	12.5	36%	27%	50%	82%	68%	75%	20%	13%	34%	20%	13%	14%
Armidale	19.9	1.5	7.7	50%	100%	50%	100%	100%	100%	0%	0%	0%	0%	0%	0%
Bathurst	14.3	13.4	13.1	43%	50%	30%	93%	100%	80%	33%	9%	25%	22%	27%	25%
Bega	13.3	0.0	6.1	57%	0%	100%	86%	0%	100%	0%	0%	0%	0%	0%	0%
Broken Hill	12.3	50.2	0.0	0%	67%	0%	100%	67%	0%	0%	0%	0%	100%	0%	0%
Coffs Harbour	11.3	7.5	11.3	59%	79%	61%	93%	92%	100%	18%	5%	12%	12%	5%	4%
Dubbo	12.7	9.4	12.8	54%	55%	44%	92%	55%	88%	27%	22%	20%	9%	11%	5%
Griffith	36.1	13.9	18.1	33%	29%	17%	50%	76%	91%	8%	41%	36%	0%	3%	11%
Lismore Region	12.9	11.6	12.0	50%	50%	53%	88%	87%	91%	23%	19%	25%	6%	4%	6%
Lithgow	10.9	10.3	8.0	56%	67%	56%	89%	92%	100%	8%	20%	21%	17%	10%	11%
Maitland	11.4	11.8	17.8	60%	57%	38%	100%	78%	88%	14%	31%	25%	14%	15%	13%
Nowra	16.3	16.6	9.4	46%	36%	57%	69%	64%	93%	22%	47%	38%	22%	0%	13%
Orange	10.3	13.2	10.1	67%	61%	63%	89%	91%	90%	29%	30%	29%	5%	7%	10%
Port Macquarie	12.9	12.3	12.3	45%	47%	47%	86%	80%	88%	28%	22%	33%	6%	4%	7%
Queanbeyan	25.7	12.6	5.1	42%	60%	93%	58%	90%	100%	22%	0%	33%	11%	0%	0%
Tamworth	11.3	14.3	14.5	62%	32%	37%	88%	84%	68%	35%	25%	14%	4%	19%	14%
Taree	22.4	11.6	15.7	25%	67%	6%	50%	89%	88%	6%	22%	20%	0%	0%	10%
Wagga Wagga	12.7	16.4	14.3	47%	30%	41%	93%	77%	74%	36%	20%	41%	17%	16%	17%
Other Venues	12.9	14.3	12.7	49%	47%	48%	87%	82%	87%	24%	22%	28%	11%	8%	10%
NSW Total	11.8	11.7	11.7	62%	62%	61%	92%	90%	91%	21%	18%	20%	4%	5%	5%

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