



Local Court
New South Wales

3 July 2023

Local Court of New South Wales

Annual Review 2022





Acknowledgment of Country

The Chief Magistrate of the Local Court acknowledges that the locations where Local Courts sit are on traditional lands of First Nations peoples.

We pay our respects to elders past and present and extend that respect to all First Nations peoples and acknowledge their ongoing connection to culture, heritage, beliefs and their relationship to land, sea and community.

The Uluru Statement from the Heart reads:

Proportionally, we are the most incarcerated people on the planet. We are not an innately criminal people. Our children are alienated from their families at unprecedented rates. This cannot be because we have no love for them. And our youth languish in detention in obscene numbers. They should be our hope for the future. These dimensions of our crisis tell plainly the structural nature of our problem. This is the torment of our powerlessness.¹

The structural nature of the inequality that First Nations peoples experience cannot be separated from the legal system of which this court is a part. The Local Court of NSW acknowledges its power to take steps with a view to ameliorating that imbalance and undertakes to do so.

¹ The full statement can be accessed [here](#).



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Foreword by the Chief Magistrate of NSW



Deputy Chief Magistrate Tsavdaridis, Judge Johnstone, Deputy Chief Magistrate Freund

The continuation of the COVID-19 pandemic and numerous natural disaster events which occurred across New South Wales throughout 2022 posed considerable challenges to the operation of the Local Court.

These challenges significantly impacted upon court staff, judicial officers, court premises and the Court's ability to work through its pending caseload. I would like to take this opportunity to acknowledge and express my sincere thanks to the Court's judicial officers, court registry staff, the staff of the Chief Magistrate's Office and my associate for their hard work, diligence, and commitment over the past year.

There were a number of judicial movements in 2022. These included the retirement of Magistrates Ian Guy, Alan Railton, Mary Ryan, Michael Holmes, Bruce Williams, Margot Stubbs, Paul MacMahon and Eve Wynhausen. On behalf of the Local Court, I wish to recognise the important contributions

made by these judicial officers to the work of the Local Court, Children's Court and the Coronial jurisdiction during their time on the bench and thank them for their service. They have all been appointed by the Attorney General as acting magistrates. I also wish to particularly thank Magistrate Guy for his contribution towards magistrates' education over the years, which was invaluable. I would also like to congratulate her Honour Deputy State Coroner Carolyn Huntsman on her appointment as President of the Mental Health Review Tribunal and his Honour Magistrate Michael Antrum on his appointment as Deputy President of the Mental Health Review Tribunal.

In 2022, the Local Court welcomed 20 new judicial officers to its bench. The appointments come from a range of diverse backgrounds, both professionally and personally. These new appointees will greatly assist the Local Court to work through its demanding caseload and demonstrate the positive steps being taken towards progressing the development of a bench which better reflects the diversity of the community. During 2022, the Local Court Magistracy was effectively at gender parity, the exact ratio changing from time to time with retirements and new appointments.

I have been honoured to serve as Chief Magistrate since my appointment to the role on 6 September 2021. It is my view that the fundamental purpose of the Local Court is the summary disposal according to law of a very large and varied caseload in as just, fair, efficient and timely manner as possible.

Just disposal of cases requires the application of the law, that is, the common law as modified (extensively) by statute, in accordance with the rules of evidence and the relevant rules of practice and procedure.

Fair disposal involves the application of the rules of procedural fairness, the onus of proof and extending courtesy and consideration to the parties, and their legal representatives.

Efficient disposal involves the identification of, and the giving of attention to, the real issues in dispute while minimising legal technicality and formality to the extent permitted by the circumstances of the individual case. In this instance, minimising formality refers to placing an emphasis on substance rather than form, where appropriate, and reducing complexity by limiting the use of unnecessary 'legalese' and archaic conventions.

Timely disposal involves the resolution of cases as quickly and as cheaply as possible, balanced against the countervailing considerations already discussed.

These four core principles, namely, the just, fair, efficient and timely disposal of cases are, in my view, fundamental to the administration of justice in the Local Court.

In addition to these principles, the concept of therapeutic justice is critical when considering the unique role of the Local Court as a court of summary jurisdiction.

Enhancing and expanding the therapeutic and restorative justice options which are available in the Local Court is one of my priorities as Chief Magistrate. Intertwined with this objective is the need to ensure that equitable access to vital support services exists across the State, and this is something which I will continue to advocate for.

Despite the disruptions faced by the Court in 2022, significant progress has been made to develop and implement various initiatives and projects designed to facilitate the fundamental purpose of the Court and to increase the therapeutic and restorative justice options which are available.

During 2022, the Local Court worked collaboratively with stakeholder organisations on the expansion of the Magistrates Early Referral into Treatment Program (MERIT Program), the Statewide Community and Court Liaison Service (SCCLS) and the Justice Advocacy Service (JAS). These court-based services provide essential assistance to both the court and to those who are involved in proceedings before it, and I am deeply grateful for their support. As a result of this work and due to funding announcements made by the State Government, these important services will be made available at additional Local Court locations across the State.

I wish to re-emphasise that the Local Court is committed to making a positive contribution to the work being done in relation to the Closing the Gap Targets and to addressing the pressing issue of the over-representation of First Nations peoples in the legal system.

Throughout 2022, the Chief Magistrate's Office and the Local Court First Nations Committee worked collaboratively with Aboriginal Services Unit within the Department of Communities and Justice to expand and revitalise the Circle Sentencing Program. In 2023, the Local Court's Circle Sentencing program will become operational in an additional eight locations, namely: Batemans Bay, Broken Hill, Campbelltown, the Downing Centre, Penrith, Wagga Wagga, Waverley and Wollongong. I am pleased to announce Circle Sentencing has already commenced ahead of schedule in Wagga Wagga, with the first Circle Sentence taking place on 9 December 2022.

The Local Court will continue to explore culturally appropriate ways of involving First Nations peoples in its decision-making processes and to promote strategies designed to ameliorate the structural and systemic inequalities experienced by First Nations peoples.

I would also like to acknowledge the work of everyone who has been involved in the expansion of the Youth Koori Court to Dubbo.

The Youth Koori Court is an excellent example of a holistic, strengths-based process which involves interventions and collaboration amongst professionals to identify relevant risk factors which impact on a young person's continued involvement with the justice system, and actively monitors the wide-ranging interventions implemented to address these risk factors. Importantly, Aboriginal Elders and respected persons are involved and actively participate in the Youth Koori Court process.

The expansion of the Youth Koori Court to a regional location is a momentous occasion and I believe it will make a positive difference to outcomes for Aboriginal children and young people involved in Children's Court proceedings when it commences sitting in Dubbo in 2023.

A proposal to establish a Young Adult Court for individuals aged between 18 and 25 within the Local Court is another important project which was initiated in 2022, coordinated by Deputy Chief Magistrate Freund. The concept of the Young Adult Court is informed by increased understandings of brain science and neurobiological research which shows that the pre-frontal cortex of the brain (the frontal lobe) continues to develop into a person's mid-20's. The Young Adult Court will have a focus on rehabilitation and will provide access to scaffolding and support services to address the complex constellation of risk factors related to the root causes of offending. By doing so, the Young Adult Court proposal seeks to prevent people aged 18-25 from becoming enmeshed in the legal system. The Young Adult Court will operate by way of a list within the Local Court, and it is envisaged that this project will be piloted in two locations in late 2023.

Deputy Chief Magistrate Freund coordinated the development of a Domestic and Family Violence (DFV) Case Management Plan and specialist Domestic and Family Violence List with the assistance of the Chief Magistrate's Office. This initiative is significant from an operational perspective and involves reviewing and updating the Local Court's Domestic and Personal Violence Proceedings Practice Note, processes, and procedures with a view to ensuring that DFV matters are dealt with in a timely, culturally respectful and trauma-informed way. As a part of this project, it is anticipated that a Specialist Domestic and Family Violence List will be piloted in the Local Court in 2023, at several locations.

In my foreword to the 2021 Local Court Annual Review, I outlined my proposal for the creation of a 'Fourth Tier' of the NSW justice system, whereby quasi-judicial and administrative matters could be delegated to appropriately qualified individuals who have been appointed to quasi-judicial roles such as that of a judicial registrar, small claims assessor or registrar. In my view, this would enable the Court to carry out its business more efficiently and effectively by enabling magistrates to prioritise decision-making which requires their skill and expertise. The Fourth Tier also involves using technology to streamline processes and manage work. I am of the opinion that such an approach

would have other flow on benefits such as providing more opportunities for an increase in the utilisation of Alternative Dispute Resolution processes in the Court's civil jurisdiction and improving judicial well-being. Consequently, this is a paradigm shift which I am keen to continue to progress. Deputy Chief Magistrate Tsavdaridis has made and coordinated a detailed proposal through the Local Court Rule Committee, which I will continue to pursue more broadly through the Attorney General's office.

The Workload Review Project was also commenced in 2022 and is another key project which is connected to improving the well-being of the Court's judicial officers. The Workload Review Project, which is being overseen by her Honour Deputy Chief Magistrate Freund, involves an evidence-based examination of workloads at all locations across the State, including the Coroner's Court, with a view to adjusting discrepancies and bringing about a fairer distribution of the Court's caseload.

One of the biggest challenges facing the Court from my perspective, is the defended hearing delays which have occurred as a result of the COVID-19 pandemic. The Court will continue to generate strategies to address this issue, however, I want to make it clear that my main focus is not on statistics, but on welfare and well-being. It is not possible for magistrates to work harder than they already do, and it is not acceptable to ask them to work longer hours. The delays will take their course over time and reduce. In the meantime, we can only do what we can with what we have. Further resources are required to meaningfully address the Court's onerous workload, and I will continue to advocate for the adequate resourcing of the Local Court, Children's Court and the Coronial jurisdiction in my role as Chief Magistrate.

I wish to acknowledge the efforts of her Honour Deputy Chief Magistrate Freund and his Honour Deputy Chief Magistrate Tsavdaridis, who have made invaluable contributions to various projects and improvements in court processes, and to policy development within the Local Court. I am greatly appreciative of the support and assistance that they have provided to myself and the staff of the Chief Magistrate's Office over the past year, and I thank them for their dedication to their roles.

Additionally, I thank all of the members of the Committees of the Local Court for their time and endeavours over the past year. For the first time, the Local Court's Annual Review contains reports which detail the work undertaken by the Court's Committees which I trust will be of interest.

I would like to take this opportunity to recognise the contributions made to the administration of justice in New South Wales by the President of the Children's Court, her Honour Judge Ellen Skinner, and the New South Wales State Coroner, her Honour Magistrate Teresa O'Sullivan. I meet regularly with the President of the Children's Court and the New South Wales State Coroner to facilitate the symbiotic relationship between the courts of summary jurisdiction. I value our constructive discussions and look forward to continuing to work closely with Judge Skinner and State Coroner O'Sullivan on shared issues.

I also thank her Honour Magistrate Megan Greenwood for her excellent work as Senior Civil Magistrate over the past year. In particular, I would like to highlight Magistrate Greenwood's contribution to judicial education through her development of a civil webinar series for magistrates which is a fantastic initiative.

I would also like to extend my gratitude to the Court's stakeholders for their important contributions and willingness to work collaboratively with the Court to advance its program. In my view, such cooperation is critical to improving service delivery and outcomes for those involved in proceedings, including for defendants, victims and complainants.

I thank the staff of the Chief Magistrate's Office, the Court's Registrars, Sheriff's officers and the many staff employed in courts across the State, both metropolitan and regional, for their tireless efforts, commitment and support. The achievements of the Local Court are never solely attributable to its presiding judicial officers. The dedication of front-line support staff, working under enormous pressure and in what can often be a stressful environment, is something for which I am sincerely grateful.

Finally, I express my appreciation and gratitude to all Local Court Magistrates, Children's Magistrates and Deputy State Coroners for their dedication, application and professionalism in the discharge of their important offices during 2022.

I am tremendously pleased with what has been achieved in 2022 and I commend this report.



Peter Johnstone

JUDGE JOHNSTONE
CHIEF MAGISTRATE

Windsor Courthouse 200th Anniversary



The picture on the front page of this review was taken on 5 December 2022, the 200th Anniversary of Australia's oldest purpose-built courthouse at Windsor.

A ceremony was held on that date to celebrate the court's anniversary. The courthouse has functioned as part of the NSW judicial system since it was constructed in 1822.

The courthouse was commissioned by Governor Macquarie to replace its dilapidated timber predecessor, which was damaged in the floods of 1816.

Windsor Courthouse was designed by Francis Greenway. Built in a simple Georgian style, it is considered the most complete of Greenway's designs to have survived. It was constructed for about 1,800 pounds. No original plans exist for the building, possibly because Governor Macquarie was known to erect buildings without formal approval.

The NSW Government remains committed to ensuring the courthouse continues to be fit for purpose and retains its historic character.

Most recently, the NSW Government completed upgrades to the existing safe room and remote witness room to help domestic and sexual violence survivors and vulnerable witnesses to give their best evidence in court.

In 1900 a postcard was printed showing Windsor Courthouse behind its neat picket fence, with a message that read: 'Well and faithfully put together, like all Macquarie's work, and still good for many years.'

Part 1: Overview of jurisdictions



In NSW the three main courts, each with their own jurisdictions, are the Local Court, the District Court and the Supreme Court. Given the hierarchical structure of the court system, the vast majority of matters are heard in the Local Court. It is the busiest court in Australia. If a person has contact with a court in NSW, it is most likely to be the Local Court.

The Local Court hears and determines a wide range of matters across several jurisdictions. This section outlines the work undertaken in those jurisdictions and the developments in the most recent reporting period (calendar year 2022), which was the Court's busiest year yet. In total, 369,158 general crime matters were commenced, a 3.1% increase on 2021 figures and a 31.7% increase since 2011. In the civil jurisdiction 51,770 matters were commenced, an increase since 2021 of 19.5%.

In addition to the criminal, civil, industrial, and special jurisdictions of the Local Court, there are two related specialist jurisdictions being the Coronial Jurisdiction and the Children's Court.

The Coroner's Court is overseen by State Coroner O'Sullivan, and its jurisdiction is exercised by magistrates who hold a commission as Deputy State Coroner. The **Coroners Act 2009** confers jurisdiction on the court to hold inquests or inquiries concerning certain types of deaths or suspected deaths in NSW.

The **Children's Court Act 1987** constitutes the Children's Court as a Court of Record, such that it is separate from the Local Court, but with a symbiotic relationship between the two. Magistrates of the Local Court exercise Children's Court jurisdiction in both care and crime matters in various circumstances and at various locations.

The President of the Children's Court is Judge Skinner. Children's Magistrates are appointed by the Chief Magistrate in consultation with the President from the body of Local Court magistrates.

The Children's Court makes decisions in care and protection matters as well as criminal matters relating to all children and young people under the age of 18.

Criminal jurisdiction

Overview

The Local Court deals with over 90% of all criminal matters in the State, including the finalisation of charges for summary offences and the summary hearing of certain indictable offences nominated under **Schedule 1 of the *Criminal Procedure Act 1986*** (commonly referred to as ‘table offences’). The Court conducts committal proceedings to determine whether indictable offences should be committed to be heard in either the District or Supreme Court.

Magistrates are involved in most criminal proceedings from the time a matter first comes before the Court, to the time it is finalised. A matter is considered finalised for the purposes of this Annual Review where the matter is:

- finalised by a plea of guilty
- finalised at a hearing upon a not guilty plea, at which the defendant is found guilty or acquitted
- committed for sentence to the Supreme Court or District Court after a plea of guilty
- committed for trial in the Supreme Court or District Court where the matter is to be defended, or
- withdrawn by the prosecuting authority, and therefore dismissed.

Prosecutions in the criminal jurisdiction include matters that are:

- brought under Federal law by the Commonwealth Director of Public Prosecutions, and
- brought under State law either by the NSW Director of Public Prosecutions, NSW Police Force, or local councils and regulatory bodies.

When the Local Court deals with criminal matters, depending on the type of offence, a wide range of penalties and sentences can be imposed, such as:

Non-custodial sentences, including:

- dismissal without a conviction being recorded against the offender
- discharge upon condition the offender enter into an intervention program
- discharge under a Conditional Release Order, without conviction being recorded against the offender
- conviction without further punishment
- Community Correction Order, with conviction
- Conditional Release Order, with conviction
- fine, with conviction.

Custodial sentences, which include:

- an Intensive Correction Order, where the offender serves the sentence of imprisonment ‘in the community’ and is required to comply with conditions such as a curfew, supervision, completion of community service work, home detention, electronic monitoring, abstention, non-association, place restrictions, and/or completion of rehabilitative or treatment programs
- full-time imprisonment in a correctional centre.

Community Correction Orders and Intensive Correction Orders often involve assessment of suitability for conditions before the sentence is delivered. These assessments are conducted by Community Corrections. The presiding magistrate will use the prepared assessment report to inform the conditions which are appropriate given the offender’s individual circumstances. The maximum term of full-time imprisonment that can be imposed by the Local Court is a term of two years full-time imprisonment for a single offence, or an accumulation of up to five years for multiple offences where the penalty for each offence is a term of imprisonment.

Developments in criminal jurisdiction – 2022

This past year has seen a number of developments in the criminal jurisdiction that will impact on the Local Court, most notably:

Consent Laws

On 1 June 2022, the *Crimes Legislation Amendment (Sexual Consent Reforms) Act 2021* commenced, and amended the definition of consent in the *Crimes Act 1900*.

The Act inserts into the *Crimes Act 1900* a new subdivision '[c]onsent and knowledge of consent' comprising ss 61HF – 61HK, replacing the former definition of consent in s 61HE (now repealed). The new provisions apply to all offences committed on and from 1 June 2022 and apply to all sexual assault offences.

The objective of the amendment is to require the ongoing and mutual communication of consent, by either words or actions, before sexual activity occurs, and that consent is not to be presumed.

Section 61HK addresses the issue of knowledge about consent and requires the finder of fact to consider whether the belief of the accused was objectively reasonable in the circumstances.

Coercive Control

In 2022, NSW became the first jurisdiction in Australia to introduce a dedicated criminal offence targeting coercive control. Throughout several rounds of consultation, the Local Court of NSW provided feedback on the draft bill which ultimately became the *Crimes Legislation Amendment (Coercive Control) Act 2022*, which was passed by Parliament on 16 November 2022 and received royal assent on 23 November 2022.

The legislation, which currently has not commenced in its entirety, will create new definitions in s 54C and a new Table 1 offence of abusive behaviour towards current or former intimate partners at s 54D. These new provisions will commence no earlier than 1 February 2024 and the Coercive Control Implementation and Evaluation Taskforce, created by s 54I of the *Crimes Act 1900*, commenced on 12 December 2022.

The purpose of the legislation is to ensure that patterns of abusive behaviour, identified by the Joint Select Committee on Coercive Control as a precursor to domestic violence deaths, are identified early, prevented and eliminated in NSW.

Deputy Chief Magistrate Freund represents the Local Court on the Government Coercive Control Reference Group whose Terms of Reference includes advising on the implementation of the legislation and timeframes.

Organised Crime Reform Package

The Organised Crime Reform Package (the Package) consisted of a *suite* of new legislation and amendments, most of which commenced on 1 February 2023, with consultation occurring throughout 2022. The Package included:

- *Crimes Amendment (Money Laundering) Act 2022*
- *Law Enforcement (Powers and Responsibilities) Amendment (Digital Evidence Access Orders) Act 2022*
- *Dedicated Encrypted Criminal Communication Device Prohibition Orders Act 2022*
- *Confiscation of Proceeds of Crime Legislation Amendment Act 2022*.

The Package created a number of new Table 1 offences:

- **section 193BA Crimes Act 1900** – money laundering – proceeds of general crime
- **section 193C (1AA) and (1AB) Crimes Act 1900** – dealing with property suspected of being proceeds of crime.

The Package created supporting legislation to allow law enforcement authorities to apply to an authorised officer (which includes a magistrate or registrar of the Local Court) for a Digital Evidence Access Order, or an 'authorised magistrate' to make a Dedicated Encrypted Criminal Communication Device Prohibition Order.

The purpose of this legislation is to provide

additional investigative tools to police.

COVID-19 fines

On 29 November 2022, Justice Yehia heard the matter *Beame; Els v Commissioner of Police & Ors [2023] NSWSC 347*, her Honour published the reasons for the decision on 6 April 2023.

As a result of her Honour’s findings the NSW Government and Revenue NSW announced that it would be withdrawing 33,121 COVID-19 related fines. At that time the reasons for decision had not been published and therefore, matters where the defendant had elected to have the matter heard in the Local Court were not affected by the fine withdrawal and remained listed at the Court.

Following the Government announcement to withdraw the fines, Deputy Chief Magistrate Freund worked with the Commissioner for Fines Administration, NSW Police Force and Court Services to develop a state-wide consistent approach for those matters listed for hearing. Interim arrangements were put in place to vacate all matters listed for hearing and adjourn them until after the reasons for decision were made public.

Data

Between 1 January and 31 December 2022:

369,158

criminal matters were **commenced** in the Local Court, representing an increase of

- 3% since 2021
- 11.5% since 2017
- 31.7% since 2011.

373,904

criminal matters were **finalised**, 22,497 more than the prior reporting period which is a clearance ratio for the reporting period of 101%.

Timeliness

In accordance with published time standards, this Court aims to finalise 100% of summary criminal trials and indictable matters discharged or committed for trial or sentence to the Supreme or District Court within 12 months of commencement. It is noted that the COVID-19 pandemic and resource constraints have negatively impacted on this objective.

In 2022:

88.3% of matters were completed within **6 months** of commencement

96.7% of matters were completed within **12 months** of commencement.

Criminal jurisdiction	2018	2019	2020	2021	2022
Local Court general crime commenced	339,219	346,930	354,775	358,109	369,158
Local Court general crime finalised	338,807	351,852	351,630	351,407	373,904

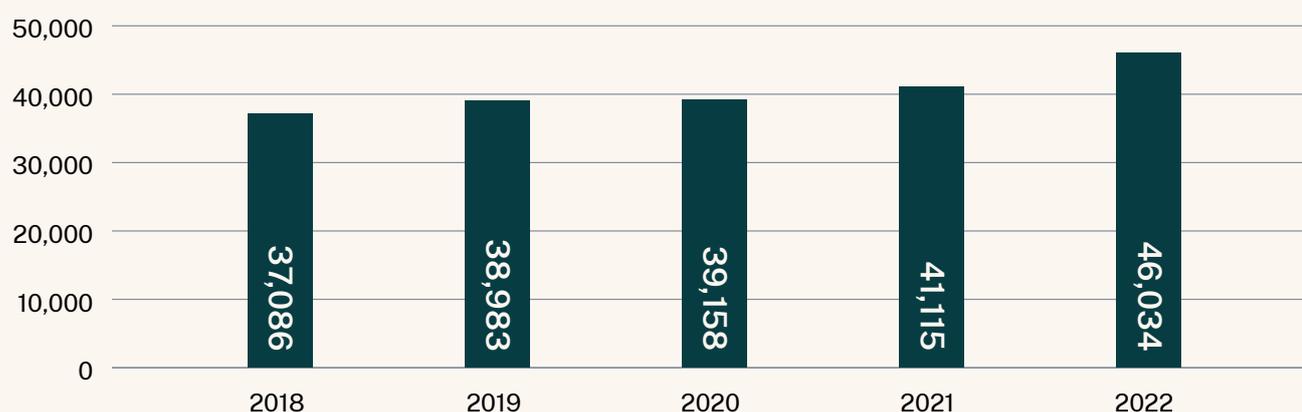
Domestic and personal violence

There has been a steady increase in lodgements and finalisations of both domestic and personal violence matters.

Apprehended violence statistics 2022

Domestic violence	2018	2019	2020	2021	2022
Lodgements	33,248	34,861	37,054	39,273	41,816
Final Orders made	26,363	28,025	28,826	30,101	33,680
Complaints withdrawn/dismissed	5,405	5,147	4,792	5,364	6,736
Complaints dismissed after hearing	477	442	314	325	476
Application not served	154	68	35	52	46
Orders varied/revoked	3,479	3,766	3,640	3,549	3,344
Application to vary/revoke withdrawn/dismissed	1,097	1,383	1,365	1,484	1,498
Other miscellaneous finalisations	111	152	186	240	254
Total finalisations	37,086	38,983	39,158	41,115	46,034

Total Domestic Violence finalisations





Captains Flat

Personal violence	2018	2019	2020	2021	2022
Lodgements	6,272	6,581	6,650	7,128	7,157
Final Orders made by Court	3,833	3,890	3,784	4,433	4,623
Complaints withdrawn/dismissed	1,984	1,836	1,749	1,857	1,851
Complaints dismissed after hearing	103	96	73	70	96
Application not served	43	27	12	9	5
Orders varied/revoked	138	149	111	121	113
Application to vary/revoke withdrawn/dismissed	57	71	42	58	52
Other miscellaneous finalisations	93	145	119	134	126
Total finalisations	6,251	6,214	5,890	6,682	6,866

The Local Court acknowledges the important work of, and the assistance received from:

- the Women’s Domestic Violence Court Advocacy Program (WDVCAP), which provides support and assistance for women and children in AVO proceedings across the State
- police domestic violence liaison officers, who provide assistance on list days
- community Justice Centres, which provide for mediation of complaints between private parties in personal violence order proceedings
- solicitors from the Legal Aid NSW *Domestic Violence Unit* and *Domestic Violence Duty Scheme*, who work with Women’s Domestic Violence Court Advocacy Services to provide legal advice on AVO list days, ADVO conditions, financial advice, family law, immigration and other issues
- court appointed questioners who assist the Court in meeting the requirements of s 289VA of the *Criminal Procedure Act 1986*. Court appointed questioners relay questions from unrepresented defendants in domestic violence hearings to the complainant.

Civil jurisdiction

Overview

The Local Court's civil jurisdiction hears and decides matters where people, companies or business owners may make claims for up to and including \$100,000 for recovery of debts, demands or damages. The civil work of the Local Court is managed by the Senior Civil Magistrate, her Honour Magistrate Greenwood.

The civil caseload of the Court is shared between the following divisions:

- The Small Claims Division hears claims with a monetary value of up to \$20,000. Proceedings in the Small Claims Division are conducted with as little formality and technicality as is needed for the proper consideration of the issues in dispute **s 35(2) Local Court Act 2007**. A small claims hearing is generally an informal process where the Court considers statements and documents provided by the parties. The parties are given the opportunity to comment upon the evidence. Small claims matters are generally presided over by an assessor, if the matter is listed at the Downing Centre. Otherwise, and elsewhere the matter will be presided over by a magistrate. Throughout 2022, where possible, small claims hearings were held remotely.
- The General Division hears claims between \$20,000 and \$100,000 (except in claims relating to personal injury or death, where the limit is \$60,000). Matters where the monetary value of the claim is less than \$20,000 may also be transferred to the General Division in circumstances where the issues in dispute are complex, difficult, or of such importance that they should more properly be dealt with in the General Division (**Part 2, Division 2 Local Court Rules 2009**).

Small Claims Division

Small claims assessors hear matters in the Small Claims Division (civil claims of \$20,000 or less). Assessors hear small claims lodged at the following Local Court locations:

- Albury
- Bankstown
- Blacktown
- Burwood
- Campbelltown
- Downing Centre
- Fairfield
- Hornsby
- Liverpool
- Manly
- Moss Vale
- Newtown
- Nowra
- Parramatta
- Penrith
- Picton
- Sutherland
- Waverley
- Windsor
- Wollongong

In all other Sydney metropolitan and regional locations, small claims matters are dealt with by the presiding magistrate at that location.

In 2022, there were 41,716 lodgements in the Small Claims Division.

Additional assessors have also been sought to take over all small claims work throughout NSW. At present, magistrates undertake small claims work in most regional areas. Magistrates have many competing priorities and having assessors with civil jurisdiction expertise undertake this work will likely improve timeliness and outcomes for litigants.

Small claims assessors are overseen by Deputy Chief Magistrate Tsavdaridis.

Operations

Remote attendances and changes to Practice Note Civ 1

During the COVID-19 period, the Court used Audio Visual Link (AVL) facilities to manage its civil work and conduct hearings where possible. Parties generally appeared at court by telephone. Anecdotally, litigants and their representatives responded positively to this change. In 2021, research undertaken by the Law Society of NSW showed the majority of solicitors supported the retention of many of the telephone, audio-visual and online measures put in place during the pandemic. Solicitors supported the increasing use of online systems to manage their matters and remote interlocutory hearings. One area of difficulty noted by solicitors was in relation to remote cross-examination of witnesses.

Section 56 of the *Civil Procedure Act 2005* imposes an obligation on the Court to manage matters in a way that facilitates the just, quick and cheap resolution of the real issues in the proceedings. Given the positive response from users, significant amendments were made to the Civil Practice Note (**Practice Note Civ 1**), which, in-part, made the COVID-19 technology arrangements permanent. Small claims matters, where cross-examination of witnesses is unusual, are, as a result, now heard to conclusion remotely, by telephone. General division matters are dealt with remotely until final hearing, which is held in person. The practice note now allows the court to direct in-person attendances in any matter, for example if a litigant has a disability which makes physical attendance at court more convenient.

The changes mean that users may conduct their matters without having to leave their office, business or home, increasing access to justice and reducing the costs of proceedings. For short interlocutory hearings, practitioners do not have to charge their clients for travelling to and from court locations. Only 10% of General Division matters reach final hearing, meaning that 90% of matters are finalised without the need for attendance at a court building.

Civil Liaison Committee

The Court established a Civil Liaison Committee to provide a forum to seek feedback and identify improvements to the management of the civil jurisdiction of this Court. The Committee meets four times a year and is attended by members and nominees of the Bar Association of NSW and the Law Society of NSW. The Committee assisted in the development of the Court's mediation protocol and has monitored the operation of remote attendances for Court appearances. A topic for consideration in 2023 will be expert evidence and whether there is a need for legislative or rule change to improve the quality and usefulness of expert evidence.

Alternative Dispute Resolution Policy

The Chief Magistrate has approved a mediation protocol for the Court's General Division that has been endorsed by the Court's Civil Liaison Committee. Pursuant to this protocol, it is anticipated that:

- the Court will order mediation at review when all evidence has been served, and
- while the parties may agree to private mediation, the Court will provide a free mediation service.

At present, the Court is unable to offer this service as the Department of Communities and Justice has advised it is no longer able to allocate registrars to undertake mediations. The Chief Magistrate has asked the Attorney General for additional resources to enable additional small claims assessors to be trained to undertake mediations.

Civil filings

Civil filings significantly reduced over the COVID-19 period. There are various reasons for this reduction, one is that many local government agencies suspended debt recovery for unpaid rates. In 2022 filings began to return to pre-COVID levels. While small claims filings are expected to return to pre-COVID levels in 2023, it might not be until 2024 before General Division filings return to pre-COVID-19 (2019) levels.



Dorrigo Court House

Civil hearings

In 2022, reduced small claims filings improved the time to hearing in that jurisdiction. General Division time to hearing has been adversely affected by the COVID-19 delays in listing criminal matters for hearing. The Court hopes to improve time from filing to final hearing for General Division matters in 2023.

Data

Between 1 January and 31 December 2022, a total of:

51,770

civil actions were **commenced** (increasing from 43,300 in 2021).

Of those matters:

41,716

were filed in the **Small Claims Division** and

6,428

were filed in the **General Division**.

This change constitutes 19.5% more filings than the previous year, but, as noted above, still significantly

less (40.6%) than the total number of lodgements in 2019 (87,210). The overall fall in number since 2019 can be attributed to the response by litigants to the COVID-19 pandemic, a response not to litigate. More matters were filed in 2022 compared to 2021, which suggests that the number of filings may be showing signs of returning to pre-pandemic levels.

Overall, **44,765** civil actions were **finalised** in the Local Court in 2022.

Timeliness (civil)

The Local Court's published time standards provide for the finalisation of:

90% of civil cases within **6 months** of the initiation of the proceedings in the Court

100% of civil cases within **12 months** of the initiation of proceedings in the Court.

In 2022:

- in the Small Claims Division, **94%** of matters were finalised within **12 months**
- in the General Division, **92%** of matters were finalised within **12 months**.

Civil jurisdiction lodgements

Civil jurisdiction	2018	2019	2020	2021	2022
Small claims division lodgements	57,293	72,070	45,277	33,454	41,716
General division lodgements	16,965	11,046	6,601	5,452	6,428
Total lodgements	78,069	87,210	55,189	43,300	51,770

Special jurisdiction

The Local Court exercises a special jurisdiction to determine proceedings other than criminal or civil proceedings for which power is conferred by an Act of Parliament: **Part 4 of the *Local Court Act 2007***.

Industrial jurisdiction



Buladelah Court House

Since 2013, all magistrates are appointed as industrial magistrates. The industrial jurisdiction hears matters involving:

- recovery of money owing under industrial instruments, such as awards, enterprise agreements and statutory entitlements
- prosecutions for breach of industrial instruments
- appeals from various administrative decisions (e.g., granting (or not) of licences)
- prosecutions for statutory breaches.

Children's Court

Description of jurisdiction

The New South Wales Children's Court was established in 1905 and separately constituted in 1987, pursuant to the *Children's Court Act 1987*. The Act provides for the appointment of a President who holds office as a Judge of the District Court. Children's magistrates are appointed from the Local Court bench by the Chief Magistrate in consultation with the President. The Chief Magistrate and President must form the opinion that the person has 'such knowledge, qualifications, skills and experience in the law and the social or behavioural sciences, and in dealing with children and young people and their families, as the Chief Magistrate and President each consider necessary to enable the person to exercise the functions of a Children's Magistrate' (s 7 *Children's Court Act 1987*).

Children's magistrates are appointed for a period of up to 5 years. The jurisdiction of the Children's Court may be exercised by the President, a children's magistrate, or a Local Court magistrate. In 2022, children's magistrates presided over approximately 90% of care and protection

proceedings and 71% of children's criminal proceedings in NSW. The remaining proceedings are dealt with by magistrates exercising Children's Court jurisdiction in regional areas.

The Children's Court jurisdiction includes criminal proceedings, applications for Apprehended Violence Orders, Care and Protection Proceedings and Applications under the *Education Act 1990*.

In the criminal jurisdiction, the Children's Court determines charges against children and young people who are between 10 and 18 years of age at the time the offence was allegedly committed. The Children's Court may finalise traffic offences (with certain restrictions), summary offences and indictable offences. Serious children's indictable offences may be committed for sentence or trial prior to finalisation in the District or Supreme Court. Children's magistrates also make Children's Court parole determinations where a young person is serving a control order and eligible for release before they turn 21. Where appropriate, the Children's Court will divert young offenders into treatment orders under the *Mental Health and Cognitive Impairment Forensic Provisions Act 2020*.



Campsie Children's Court

The Children’s Court hears Apprehended Violence Orders (AVO) where a defendant is between 10 and 18 years old. The Children’s Court endeavours to resolve the issues that led to an AVO using interim orders and treatment.

In the care and protection jurisdiction, the Children’s Court makes orders that are in the best interests of the safety, welfare, and well-being of each child before the court pursuant to the ***Children and Young Persons (Care and Protection) Act 1998***. The Children’s Court may make interim or final orders allocating parental responsibility to a parent, carer or the Minister for Families and Communities and Minister for Disability Inclusion with subsidiary orders addressing residence, contact, education, religion or culture and treatment.

Under the ***Education Act 1990*** the Children’s Court may order a parent of a school aged child or a child aged 12 or above to attend a compulsory education conference or to attend school.

Interagency collaboration

The Children’s Court deals with children and families with complex needs and issues. The Court plays a critical role in liaising with community groups and social agencies that can support children and families to improve their long-term prospects. The Children’s Court supports several key projects designed to link children and families into appropriate services to address their needs. The following are some of those services:

A Place to Go

The ‘A Place to Go’ program is available in the Nepean Area Police Command and the Parramatta Children’s Court. A ‘Place to Go’ draws on services across NSW Government and non-government service providers to deliver a coordinated service solution to support young people in contact with the criminal justice system. A ‘Place to Go’ also features a residential service, the ‘A Place to Go’ House, which provides access to therapeutic, trauma-informed short-term accommodation for young people who are unable to return home, while longer-term planning is undertaken.

Broadmeadow Pilot

The Broadmeadow Children’s Court Pilot Project commenced on 1 July 2019. The Project coordinates a team of NSW Government and non-government agencies to provide wraparound support to young people appearing in court. The Project is designed to remove barriers between partner agencies and include information sharing to support decision making, assessments and interventions, that address the factors that have led to the young person’s offending.

Education Court Liaison Officers

Education Court Liaison Officers (ECLOs) have been introduced across five Children’s Courts in a collaboration between the NSW Department of Education and the Court. These officers work in parallel with the court process to assist in identifying children who are not attending school and help them to find suitable options that match their needs and abilities. Since the roll-out of the program in 2018, ECLOs have assisted many children and young people to re-connect with their education to help them achieve their goals and ambitions.

Notable developments in 2022

Youth Koori Court Dubbo

On 18 July 2022, the NSW Government announced a funding package to help reduce the overrepresentation of First Nations young people in the State’s criminal justice system. This package included funding to expand the Youth Koori Court to the Children’s Court at Dubbo. The Children’s Court has undertaken extensive consultations with the First Nations community in Dubbo including the recruitment of a number of elders and respected First Nations community members to sit on the Youth Koori Court in Dubbo from March 2023.

Wellbeing Program

On 3 August 2022, the Children’s Court commenced a Judicial and Registrar Wellbeing Program. This program was run by Dr Kevin O’Sullivan, Conjoint Senior Lecturer at the University of New South Wales with prior research into judicial trauma. Group wellbeing sessions were held for children’s magistrates and children’s registrars by Dr O’Sullivan for small groups of six. The Wellbeing Program will continue during 2023.

Coronial jurisdiction

Overview

The NSW State Coroner is responsible for overseeing the work undertaken by all coroners within the State. The State Coroner must ensure that all examinable deaths, fires and explosions are properly investigated, and inquests and inquiries are held where it is considered appropriate to do so.

All magistrates, by virtue of their office, are coroners. A coroner has jurisdiction to conduct an inquest if a person has died a violent unnatural death, or a sudden death cause unknown, or under suspicious or unusual circumstances.

A death must be reported to the State Coroner or Deputy State Coroner where a person dies during the course of a police operation or while in custody, and an inquest must be conducted into the circumstances of that death. The State Coroner or a Deputy State Coroner has sole jurisdiction in relation to deaths in custody or as a result of a police operation and in relation to children in care or at risk of harm, and certain deaths of people with disabilities.

Coroners have jurisdiction to hold an inquiry into the cause and origin of certain fires and explosions.

The State Coroner, her Honour Magistrate Teresa O'Sullivan is responsible for overseeing and coordinating all coronial services.

Operations

Allocation of magistrates to coronial jurisdiction

The Chief Magistrate is responsible for the allocation of magistrates to the coronial jurisdiction.

As of 31 December 2022, there were seven full-time deputy state coroner positions working at the State Coroners Court, Lidcombe. One of the seven positions is shared between two part-



Corowa Court House

time magistrates. One of the coroner positions is temporary until June 2024, to assist while the State Coroner conducts a number of larger scale inquests.

There is also one part-time deputy state coroner position (one day per week) based at Newcastle.

Local Court magistrates also review coronial matters when they are on circuit across NSW.

In the year ending December 2022, 7,651 deaths were reported to the State Coroner. This figure represents an increase of 932 deaths from the previous year. In this same period 126 coronial inquests were conducted throughout the State, including four inquests relating to fires.

During 2022, modified court arrangements arising from the COVID-19 pandemic continued, however, this did not affect the overall number of inquests conducted.

Deaths in custody and deaths as a result of a police operation

Section 23 of the Coroners Act 2009 stipulates that if a person dies as result of police operations or while in custody, the death must be reported, and an inquest must be conducted by the State Coroner or a Deputy State Coroner.

Under **section 37 of the Act**, a summary of all section 23 deaths for each twelve-month period is provided to the Attorney General and tabled in Parliament.

In 2022, 49 deaths resulting from a death in custody or as a result of a police operation were reported to the State Coroner. This represents an increase of six deaths from the previous year. This figure includes deaths as a result of natural causes whilst in lawful custody, as well as deaths due to misadventure or suicide.

Of concern was the number of First Nations peoples' deaths reported pursuant to section 23 in 2022. There were 11 such deaths reported, 22% of all reported section 23 deaths.

Coronial findings were delivered for 46 section 23 matters in 2022, and a number of wide-ranging coronial recommendations were made as a result of these inquests.

Eleven matters reported to the coroner prior to 2022 were determined not to be a death in custody or police operation following careful consideration of the evidence.

Children in care or disability deaths

Section 24 of the Coroners Act 2009 requires mandatory reporting of the following deaths:

- deaths of children in care
- deaths of children who have been at risk of harm in the past three years
- deaths of siblings of children who have been at risk of harm in the past three years
- deaths of children whose deaths are, or may be, due to abuse, neglect or occurring in suspicious circumstances
- deaths of persons living in or temporarily absent from residential care provided by a service provider and authorised or funded under the **Disability Inclusion Act 2014** or a residential care centre for handicapped persons
- deaths of persons who are in a target group within the meaning of the **Disability Inclusion Act 2014** and receive from a service provider, assistance to enable independent living in the community.

In 2022 there were a total of 232 section 24 deaths reported to the coroner. This included disability deaths reported pursuant to **section 24(e) of the Act** and child deaths pursuant to **section 24(a), (b), (c), (d) of the Act**.

Fires

Section 30 of the Coroners Act 2009 gives the State Coroner jurisdiction to hold an inquiry into the cause and origin of fires and explosions where property has been damaged or destroyed. Generally, fires account for less than 10% of matters reported to a coroner and very few result in an inquiry.

In 2022, NSW State Coroner O'Sullivan convened an inquiry into the 2019-2020 Black Summer Bushfires, including inquests into the deaths of 25 persons associated with the bushfire season.

The opening address of the inquiry was heard on 25 August 2021 at Lidcombe Coroner's Court. Stage 1 hearings took place during 2021 and 2022 at both Lidcombe Coroner's Court and regional court locations. Stage 2 hearings addressing systemic issues commenced at Lidcombe in September 2022 and continued during March through to May 2023.

On 11 October 2022, her Honour State Coroner O'Sullivan issued guidelines to support the type and category of fires/explosions that are required to be reported to the Coroner to ensure fires (including bushfires) that have a significant impact on local communities or relate to a systemic health or safety issue are reported.

Legislative Amendments to the Coroners Act 2009

There were no amendments to the **Coroners Act 2009** in 2022.

The NSW Government is undertaking a statutory review of the **Coroners Act 2009** to determine whether the policy objectives and provisions of the legislation remain valid and appropriate. In April 2022, the State Coroner and Chief Magistrate provided comments to the statutory review.

State Coroner's Protocol – Supplementary arrangements applicable to s 23 deaths involving First Nations peoples

On 11 April 2022, the State Coroner issued the State Coroner's Protocol – Supplementary arrangements applicable to section 23 deaths involving First Nations Peoples.

The Protocol works in conjunction with Practice Note 3, setting out supplementary arrangements where a First Nations person has died in circumstances of a death within the meaning of **s 23 of the Coroners Act 2009** (deaths in custody or as a result of police operations).

The Court introduced these arrangements after a consultation process and reviewing of practices and procedures against the recommendations made by the Royal Commission into Aboriginal Deaths in Custody. Central to the protocol is the role of the Aboriginal Coronial Information and Support Program (ACISP) staff who provide ongoing support to the families of First Nations persons who die in custody. ACISP support begins the moment the death is reported to the State Coroner and continues through the inquest.

ACISP involvement fosters information sharing directly with families along with the support of another First Nations person who is highly cognisant of the coronial process.

The Court is committed to increasing engagement with First Nations families from the outset of the coronial investigation, including:

- working with the family to identify any cultural considerations relevant to the conduct of the coronial investigation and inquest, as well as any other issues and concerns surrounding the conduct of the coronial investigation
- ensuring the family is provided with information about the coronial process and their rights in a timely manner, including facilitating legal advice and representation
- ensuring the family is provided with regular updates regarding the status of the coronial investigation, including advice in relation to delay and the reasons for delay.

The Protocol also sets out the Court's commitment to ensuring mandatory inquests into deaths of First Nations peoples are conducted in a culturally sensitive and appropriate manner which is respectful of the needs of the community.

Though the protocol was formally implemented in April 2022, the arrangements under the protocol were informally enacted from November 2021. Since November 2021, ACISP has supported First Nations families through 14 inquests. ACISP

support includes initiatives such as early CCTV footage viewings; smoking ceremonies at inquest locations as well as places of death; display of cultural and kin items of significance in the courtroom and ACISP court presence throughout the inquest.

NSW Parliament Select Committee into the NSW Coronial Jurisdiction

The Legislative Council Select Committee into the NSW Coronial Jurisdiction was established on 6 May 2021 in response to a recommendation of the Select Committee on the High Level of First Nations People in Custody and Oversight and Review of Deaths.

The Committee received numerous submissions and conducted several public hearings. The entire Committee made a day-long site visit to the Lidcombe Forensic Medicine and Coroners Court Complex. The Committee Chair, the Honourable Adam Searle MLC, tabled the **Committee's report** to the NSW Parliament on 29 April 2022, making 35 recommendations.

The NSW Government response to the Legislative Council Select Committee report on the coronial jurisdiction in New South Wales was tabled on 31 October 2022. The response has been published on the Select Committee's **website**.

The NSW Government supported or supported in principle, 15 recommendations and noted 20 recommendations.

Royal Commission into Defence & Veteran Suicide

On 8 July 2021, the Federal Government announced the formal establishment of the Royal Commission into Defence & Veteran Suicide (DVSRC). Hearings by the Commission commenced in late 2021 and continued in 2022. The NSW Coronial jurisdiction and the State Coroner are committed to providing ongoing assistance to the Commission, including responding to Notices to Produce. While the predominant focus of the DVSRC to date has been on the Australian Defence Force (ADF), suicide and suicidality, there have been a number of expressions of interest in relation to the coronial system, including the experience of families of the coronial system.

Special Commission of Inquiry into LGBTQI hate crimes

On 19 April 2022, the Federal Government issued letters patent to Justice John Sackar to conduct a **Special Commission of Inquiry** into the manner and cause of 88 deaths and suspected deaths of men potentially motivated by gay hate bias between 1970 and 2010. The NSW State Coroner is committed to providing ongoing assistance to the Special Commission, having provided the relevant coronial files of the 88 identified deaths.

Continuing response to COVID-19

In 2022, the COVID-19 pandemic continued to impact the NSW Coronial jurisdiction. The experience and learnings of the previous years was used in managing the impact on the jurisdiction by making procedural changes to the operation of the court to ensure business continuity.

On 10 October 2022, the NSW State Coroner issued COVID-19 Memorandum No 7 advising that, where directed by a presiding magistrate, court users attending the Court must wear a fitted face covering/mask. Any exceptions to the wearing of masks are to be considered by the presiding magistrate, and that parties, legal representatives and family members may apply to appear via AVL.

These procedures will continue to be reviewed and modified as required in 2023 in response to public health advice.

The introduction of centralised reporting during COVID-19 proved to be so successful that the changes have been made permanent. The benefits achieved by centralising decision-making by specialist full-time coroners have been far reaching and have seen a reduction in the number of post-mortem examinations conducted.

Newmarch House and Ruby Princess inquests

A significant inquest arising from the COVID-19 pandemic was conducted in 2022. The Newmarch House inquest involved deaths arising from the COVID-19 outbreak at the Newmarch House Nursing Home and was heard by NSW Deputy State Coroner Lee for three weeks from 25 July 2022 to 12 August 2022 and has now concluded. Deputy State Coroner Lee is to give his findings on a date to be fixed.

An inquest into the COVID-19 related deaths of persons on the Ruby Princess cruise ship will be heard by the State Coroner on a date to be fixed in 2023.

Coronial Case Management Unit

The Coronial Case Management Unit (CCMU) enables co-located staff from all three stakeholder agencies concerned with the delivery of coronial services (NSW Health, Department of Communities and Justice and NSW Police) to collectively manage front-end coronial cases.

The CCMU's objective is to ensure that reportable deaths are subjected to a standardised initial assessment (in a timely manner) to enable a coroner to make an appropriate direction. This is achieved via processes which ensure relevant evidence is presented to a coroner to assist their decision, and by facilitating real time information sharing between stakeholders at a centralised location.

The CCMU helps ensure grieving families can lay their loved ones to rest sooner and receive better and more timely information. Led by coroners, the unit is a successful collaboration between police, forensic pathologists, medical specialists, and counsellors. State Budget funding in the financial year 2021-22 allowed the deployment of an additional magistrate which, as a result, led to the CCMU pilot scheme becoming permanent.

NSW Suicide Monitoring System

The NSW Suicide Monitoring System is an inter-agency project which was established in 2020 in collaboration with NSW Health, the Department of Communities and Justice, the State Coroner and NSW Police.

The system enables the collection, reporting and monitoring of information about recent suspected and confirmed suicide deaths in NSW.

All suicides and suspected suicides are reported by police to the State Coroner. Although data about suspected suicides is an estimate and a final determination of the manner of death can only be made by the coroner after detailed enquiry, the Suicide Monitoring System provides early access to information to support communities, local organisations, and government agencies to respond to suicide more quickly and effectively.

Monthly public reports are available [here](#).

Domestic Violence Death Review Team

Since 2010 the NSW Domestic Violence Death Review Team has been engaged in the systematic review of deaths occurring in the context of domestic violence. The scope of the review includes both individual case analyses and the maintenance of a comprehensive database from which research data are derived. The team recently released its 2019-21 report, the seventh report the Team has tabled in Parliament since its establishment. The report presents extended data findings in relation to intimate partner violence homicides as well as focused research relating to murder-suicides and filicides.

For this report the team elected not to make any new recommendations but rather has taken the opportunity to reflect on its body of work by undertaking an analysis of the 122 recommendations the team has made to-date. This aims to provide insights into the team's operation and progress and will inform the work moving forward. Such reflection will ensure the team continues to contribute to the reform of the domestic violence response system in the most meaningful and effective way possible.

Over the past 12 months, the secretariat has shared the learnings at a range of forums including a state-wide workshop with Community Corrections staff, and a training session with the Crown Solicitors Office Inquiries Practice Group. The secretariat has continued to work with death reviews in other jurisdictions, including leading a project in partnership with **Australia's National Research Organisation for Women's Safety Limited (ANROWS)** to progress the work of the Australian Domestic and Family Violence Death Review Network. The secretariat has also worked closely with coroners on inquests where domestic violence was a key issue being considered, providing specialised case analyses and contributing to the development of evidence-based recommendations.

Digitising the Coronial Pathway

The Department of Communities and Justice (DCJ) is finalising completion of Phase 1 of the Digitising Coronial Pathway to Improve Family Experience

project, funded by the NSW Government's Digital Restart Fund. This project aims to identify and design a digital solution that will reduce time consuming and disconnected processes between families and partner agencies and provide a streamlined and improved experience for families involved in the coronial pathway.

Phase 1 includes gathering insights and recommendations into how the experience of families could be improved along the steps of the coronial pathway by conducting interviews with members of the public with direct experience of the coronial process. These interviews have been developed into journey maps that visually demonstrate the connections between the research data and the emotions experienced by persons categorised according to service stage. The project was awarded further funding to implement Alpha and Beta solutions which will commence in February 2023, with completion by April 2024.

Assistant coroners

Assistant coroners across NSW work hard to ensure that all deaths and fires across NSW are appropriately reported and examined in a timely manner. The office and role of the coroner is one of the oldest within our legal system and assistant coroners provide critical assistance to magistrates in the performance of coronial functions.

While many are able to take much needed time off over the holiday period, the reality of coronial work is that it does not stop, and the families who are affected by sudden or unexpected deaths require continued support and diligent work. For the period 24 December 2022 to 6 January 2023, there were 299 deaths reported to the Coroner across NSW. Of these deaths, 167 were managed by Lidcombe, and 132 were managed by Local Court hubs and a team of dedicated assistant coroners.

Data

The following table shows a four-year history to year 2022 of reported deaths and fires and associated closures, filings and inquests and inquiries.

Calender Year	2019	2020	2021	2022
Reported Deaths and Fires				
Lidcombe (Metro):	3,672 Deaths	3,570 Deaths	3,563 Deaths	4,190 Deaths
	108 Fires	87 Fires	54 Fires	46 Fires
Regional:	3,037 Deaths	2,839 Deaths	3,156 Deaths	3,461 Deaths
	49 Fires	66 Fires	62 Fires	47 Fires
Total:	6,709 Deaths	6,409 Deaths	6,719 Deaths	7,651 Deaths
	157 Fires	153 Fires	116 Fires	93 Fires
Cases Closed for Deaths and Fires*				
Lidcombe (Metro)	3,660 Deaths	3,833 Deaths	3,646 Deaths	3,732 Deaths
Regional	43 Fires	61 Fires	41 Fires	46 Fires
Regional	2,913 Deaths	3,093 Deaths	3,175 Deaths	3,237 Deaths
	50 Fires	44 Fires	67 Fires	51 Fires
Total:	6,573 Deaths	6,926 Deaths	6,821 Deaths	6,969 Deaths
	93 Fires	105 Fires	108 Fires	97 Fires
Clearance Ratios				
Clearance Ratios	97.97% Deaths	108.07% Deaths	101.52% Deaths	91.09% Deaths
	59.24% Fires	68.63% Fires	93.1% Fires	104.3% Fires
Medical Certificates Filed				
Lidcombe (Metro)	781	783	744	815
Regional	365	524	569	579
Total:	1,146	1,307	1,313	1,394
Coronial Certificates Filed				
Lidcombe (Metro)	975	894	1,037	1,391
Regional	907	808	877	1,267
Total:	1,882	1,702	1,914	2,658
Inquest, Inquiries Deaths + Fires				
Lidcombe	110	88	89	113
Regional	14	14	14	13
Total closed by findings:	124	102	109	126
	+145 suspended	+154 suspended	+114 suspended	+119 suspended

* Reported number includes cases that may be re-opened for further investigation, that may have been previously closed or suspended.

In relation to the above table, matters closed before the holding of an inquest require significant work by a coroner in considering whether to dispense with the holding of an inquest. In every case, the decision to dispense with the holding of an inquest

involves a reading and assessment of a sometimes lengthy and complex brief of evidence. Much of a coroner's time is spent in requisitioning and reviewing material for cases, which ultimately do not proceed to inquest, as well as those that do.

Part 2: Local Court developments in 2022



Innovations, improvements and projects

Workload review

Over the course of 2022, the Chief Magistrate and Deputy Chief Magistrate Freund conducted a review of the workload of all Local Courts in NSW. This review was informed by various data sets including the number of filings, hearing delays and backlogs, sitting times at each location and survey results.

The key achievements of this project include:

- reviewing and amending the listing and sitting arrangements of all Local Courts whilst maintaining equal access to justice
- listing all matters from Leichardt Police Area Command at the Downing Centre Local Court to relieve pressure off Newtown Local Court
- listing all matters from Ryde Police Area Command at Burwood Local Court to relieve pressure off Hornsby Local Court
- listing all matters from Cumberland Police Area Command at Parramatta Local Court to relieve pressure off Fairfield Court
- redirecting an additional full-time magistrate to Parramatta Local Court to assist with the additional workload
- creating an additional part-time circuit sitting at Taree and Forster to relieve pressure off this circuit
- rationalising of the Riverina circuits including Cootamundra Local Court and Wagga Wagga Local Court.

The Chief Magistrate is committed to creating meaningful and workable listing and sitting arrangements in consultation with key stakeholders to reduce the hearing delay backlog and to ensure compliance with the published time standards for the finalisation of criminal matters. It is anticipated these changes will lead to better outcomes in the community. The Chief Magistrate's Office continues to review the workload biannually and make changes accordingly.

Review of the Magistrate's Handbook

The *Magistrate's Handbook* is a valuable resource which contains essential information and guidance for magistrates. However, since initial publication, the Handbook has only been updated in a piecemeal, ad-hoc fashion. In 2022, Deputy Chief Magistrate Freund conducted a wholesale review to ensure that the Handbook is current and that all relevant information is accessible in one place. The updated Handbook presents information in a succinct and user-friendly manner and as of May 2023, is available to magistrates on the Department of Communities and Justice Intranet site.

Young Adult List

In recent years, neurological and developmental psychology has concluded that the cognitive skills (including impulse control) and emotional intelligence of young adults (18–25 year olds) continue to develop into a person's mid-20's. Based on this research and the fact that young adults make up a quarter of total defendants in the Local Court, Deputy Chief Magistrate Freund is taking steps to establish a Young Adult List program in order to:

- improve young adults' engagement with and participation in the court process;
- reduce the risk factors related to re-offending of young adults, and
- improve outcomes for First Nation young adults.

This is an exciting initiative which is to be modelled on the New Zealand Young Adult List pilot in Porirua, which exhibits the following features:

- use of plain language to promote young adult engagement in court proceedings
- a greater, holistic understanding of the young adult by the court, legal practitioners and other support staff, and
- improved connection to supports that can be tailored to the young adult defendant.

A working group has been established consisting of representatives of the Department of Communities and Justice, Aboriginal Legal Service, Legal Aid, NSW Police, NSW Health and the Department of Housing. The working group has met three times since it was established and has identified the following milestones:

- the first stage is to implement a general list within existing funding and legislation, which would involve the leveraging of existing service providers
- the second stage involves developing new targeted interventions and/or expanding

existing programs for vulnerable cohorts and prioritising First Nations young adults to close the gap

- trial the Young Adult List at Mt Druitt and Wollongong, to commence in the latter half of 2023.

The pilot is to be evaluated by the NSW Bureau of Crime Statistics and Research (BOCSAR) with the hope that, if successful, the Young Adult List will be expanded to other courts with the assistance of government funding in the future.



Booligal Court House

Proposals for legislative reform

Throughout 2022, a number of legislative proposals were advanced by the Chief Magistrate's Office, under the guidance of Deputy Chief Tsavdaridis and Deputy Chief Magistrate Freund. The proposals broadly relate to the expansion of the Local Court's jurisdiction. The Chief Magistrate continues to advocate for the progression of these reforms and continues to work with the Attorney-General and the Department of Communities and Justice to ensure positive and innovative change is made.

Criminal jurisdiction

Over 90% of the criminal caseload is dealt with to finality in the Local Court. However, where an offender is already serving an imprisonment sentence of five years, whether in the community or in custody, the Local Court is powerless to impose a further sentence of imprisonment, even where such a sentence may be the appropriate penalty. This is a result of the operation of **section 58 of the Crimes (Sentencing Procedure) Act 1999**, which caps the maximum cumulative sentence that may be given in the Local Court at five years. The Chief Magistrate's Office is seeking to amend section 58 to increase the jurisdictional limit of the Local Court to 10 years to avoid the perverse outcome of effective impunity (in some instances) and to ensure summary disposal according to law in a just, fair, efficient, and timely manner.

Civil jurisdiction

Each division in the civil jurisdiction of the Local Court is capped at a monetary amount prescribed by **section 29 of the Local Court Act 2007**. Currently, the Small Claims Division is capped at \$20,000 and the General Division is capped at \$100,000. The Chief Magistrate's Office is seeking to amend section 29(1) to increase the limit of the Small Claims Division to \$40,000 and the General Division to \$250,000. It is estimated this increase would bring 1,000 matters from the District Court into the Local Court. Alongside this proposal, the Chief Magistrate's Office is requesting that an additional two assessors be appointed to assist the determination of the additional caseload (while increasing access to mediation). The Chief

Magistrate is confident this will further the overriding purpose of the **Civil Procedure Act 2005** to ensure the just, quick and cheap resolution of the real issues in proceedings.

Change title of magistrate to judge

The Chief Magistrate's Office has advocated and continues to advocate for a change of title from magistrate to 'Judge of the Local Court.'

Magistrates determine over 90% of judicial decisions in this State. The complexity of Local Court matters has increased over time due to the piecemeal expansion of the Court's jurisdiction, which has not been met with adequate resourcing.

The Local Court magistracy was granted independence and severed from the public service institution over forty years ago. Accordingly, there is no material difference between the judicial officers of this Court and the courts of superior jurisdiction. A change in title would thus reflect the true nature of the work performed in this jurisdiction and the nature of judicial office.

Traversal of penalty infringement notices

Penalty infringement notices may be issued by a variety of statutory authorities for a multitude of different offences. The recipient has the option to pay the penalty notice or elect to have the matter heard in court, following which, there is no process to reverse the election once the matter has entered the court system. The Chief Magistrate's Office is seeking for a new section to be inserted into the **Fines Act 1996** to enable a defendant to effectively withdraw their own court election after a court attendance notice has been issued and have the penalty infringement notice reinstated. This will assist defendants who may be unaware of the unintended consequences of court election and decongest an already busy court, improving timely access to justice in NSW.

Submissions

The Local Court is regularly consulted by Government and associated instrumentalities with respect to a wide range of legislative and policy related issues.

The Chief Magistrate, with the assistance of Deputy Chief Magistrate Tsavdaridis and Jonathon Rose, Policy Officer, made a number of submissions in response to stakeholder consultations, including the NSW Law Reform Commission; the NSW Sentencing Council; Policy, Reform and Legislation, DCJ; NSW Police and the Attorney-General. The submissions made related to, for example:

- Open Justice Consultation Paper regarding media recording of court proceedings and media access to courts
- the Transport Legislation Amendment (2026 Road Safety Action Plan) Bill 2022
- the Stronger Communities COVID-19 legislation
- the repeal and remaking of the **Workplace Surveillance Regulation 2017**
- the proposal to increase the NSW Civil and Administrative Tribunal's jurisdictional limit for consumer claims
- the repeal and remaking of the **Crimes (Sentencing Procedure) Regulation 2017**
- the **Crimes Amendment (Prohibition on display of Nazi symbols) Bill 2022**
- the draft Criminal Procedure Amendment (National Heavy Vehicle Regulator) Regulation 2022
- **section 58 of the Crimes (Sentencing Procedure) Act 1999** and the limitation on consecutive sentences
- the review of **Local Court Practice Note Civ 1**
- the amendment to ss 322 and 326 of the **Crimes Act 1900**
- the review of the **Bail Act 2013** pertaining to show cause offences and the definition of 'criminal associations'
- the review of sentencing for fraud offences

- an increase in civil jurisdictional limits and additional Small Claims Division assessors
- pre-release and post-release bail conditions.

In addition, Deputy Chief Magistrate Tsavdaridis has provided advice and oversight in relation to a number of legal and regulatory aspects of the Court's operations, including recent case law, practice notes and other practice and procedure related matters. In particular, Deputy Chief Magistrate Tsavdaridis provided advice, and more recently authored an article published in the Judicial Officers' Bulletin, on ***Immunity of Administrative Decisions by Judicial Officers***.



Euston Court House

Committees of the Local Court



Wyalong Court House

Education Committee

The Local Court Education Committee is convened by the Judicial Commission of NSW and is chaired by Deputy Chief Magistrate Freund and managed by Sarah Collins, Manager of Programs at the Judicial Commission. The magistrates who comprise the committee are Magistrates Ford, Franklin, Grahame, Greenwood, Horan, Hudson, Nash, J. Price, Stewart, Swain and Walsh.

The Education Committee was actively involved in the design and development of the education programs to magistrates and presented at the November 2022 Metropolitan Seminars. The orientation program was also held for 13 newly appointed magistrates in December 2022. The education programs will continue in 2023 with the February 2023 Metropolitan Seminars and the Annual Conference and the Regional Conferences to be held in March 2023.

In 2022 it was decided to try some different forms of judicial education with the rollout of the civil webinar series. The first of these was offered to new magistrates, recognising many come from a purely criminal jurisdiction and focused on the basics of the Local Court civil jurisdiction. Other forms of judicial education addressed specific common issues that regularly arise in the Local Court jurisdiction. The sessions were well received, and it is anticipated the education committee will roll out further webinars in 2023.

With the assistance of Magistrate Stewart, magistrates with less than two-years of experience on the bench were offered the opportunity to attend small group aggregate sentencing workshops. Following a positive reception more workshops of this kind are expected to be delivered in the coming years.

Family Violence Committee

When the Chief Magistrate was appointed in late 2021, Judge Peter Johnstone indicated that reducing the delays and implementing better strategies in how the Local Court deals with Domestic and Family Violence matters would be a priority, particularly as domestic and family violence contributes a large majority of the work of the Local Court. To that end, Judge Johnstone created the Domestic and Family Violence Committee chaired by Deputy Chief Magistrate Freund and comprising Magistrates Barko, D. Maher, Mabbutt, J. Price, Stone, Swain, O'Brien and Children's Magistrate Sheedy.

Consideration has been given by the Committee to issues including: the difficulties experienced by the Court in implementing legislation relating to Court Appointed Questioners, changes to the Practice Note to facilitate lapsing provisional/interim ADVOs (in the event there is no further incidents) and exploring a more 'trauma informed' court process. The latter initiative will be rolled out to pilot locations by the end of 2023.

First Nations Committee

The First Nations Committee was established by the Chief Magistrate at the beginning of 2022.

This important new Local Court committee is responsible for overseeing and developing initiatives designed to ameliorate the structural inequalities experienced by First Nations peoples who come into contact with the criminal legal system, contributing to the work being done in relation to the Closing the Gap Targets and improving the way in which the Court engages with First Nations peoples.

The First Nations Committee is chaired by Magistrate Douglass and its members are Magistrate Beattie, Magistrate Dick, Children's Magistrate Duncombe, Magistrate Farnan, Magistrate Funston, Magistrate Giroto, Magistrate Kemp, Magistrate Manea, Deputy State Coroner E Ryan, Magistrate Soars, Magistrate Swain, Magistrate Trad and Magistrate van Zuylen.

The First Nations Committee has established the following sub-committees:

- Issues Subcommittee
- Rehabilitation Subcommittee
- Youth Koori Court Subcommittee
- Closing the Gap Subcommittee

- Circle Sentencing Subcommittee
- Coronial Jurisdiction.

In 2022, the Committee met six times and worked collaboratively with stakeholder organisations, including the Transforming Aboriginal Outcomes Division of DCJ and the Judicial Commission of New South Wales, to progress projects such as the expansion of the Circle Sentencing Program and the development of a database for judicial officers which sets out the services and programs available for First Nations peoples across the state.

Innovations Committee

The Innovations Committee is chaired by Deputy Chief Magistrate Tsavdaridis, and its members are Magistrate Grogan, Magistrate Olischlager, Magistrate Soars, Magistrate Trad, Magistrate A Viney and Magistrate Walsh.

Discussions and consultations throughout 2022 were many and varied. They included reviews of forms and bench sheets; expanding availability of Intensive Correction Orders (ICOs) to additional offences; listing arrangements; online courts; licence appeals; charge certificates; appeals, bail; apprehended violence orders; fitness to plead issues; fine-only offences; orders made in the absence of defendants; costs; practice notes; electronic innovations; case conferences; and information sessions for new magistrates.

Legislative Reform Committee

The legislative Reform Committee is chaired by Deputy Chief Magistrate Tsavdaridis, and its members are Magistrate Chisholm, Magistrate Hawkins, Magistrate Hosking and Magistrate M Richardson.

Discussions and consultations during the course of 2022 included a range of diverse matters. They involved amendments to the **Bail Act 2013**; powers, duties and responsibilities of judicial officers; delegations; raising the Local Court's jurisdictional limits in civil proceedings; apprehended violence orders; Court Appointed Questioners and **s 58 of the Crimes (Sentencing Procedure) Act 1999**. Other matters traversed included alternative dispute resolution; **Mandatory Disease Testing Act 2021**; delegation of administrative and quasi-judicial powers to registrars; community-based orders in sentencing; proposal to allow for reversal of court elections; organised crime reform package of legislation; and serious road crimes review submissions.

Local Court Rule Committee

The Local Court Rule Committee was chaired by Deputy Chief Magistrate Tsavdaridis, with the Chief Magistrate as an ex officio statutory member. Its members the Chief Magistrate (ex officio statutory member), Magistrate Greenwood, Magistrate Dakin, and representatives from the registries, the DPP, Legal Aid NSW, NSW Police Force, the NSW Bar Association and the Law Society of NSW.

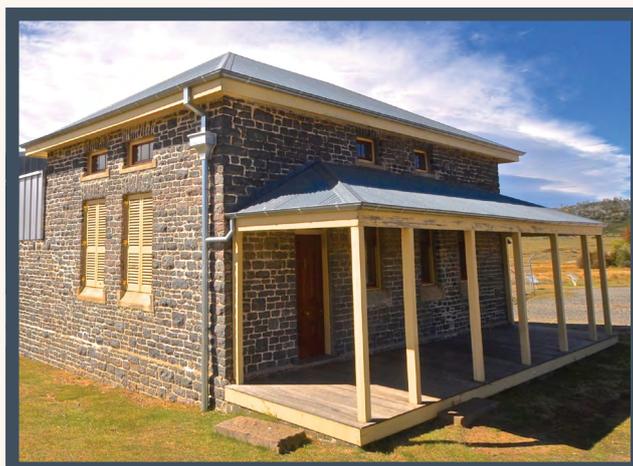
Throughout 2022, Deputy Chief Magistrate Tsavdaridis made detailed submissions to the Committee which resulted in the approval and subsequent amendment of the Local Court Rules 2009, enabling the transfer of civil matters from the General Division to the Small Claims Division in appropriate circumstances.

In addition, Deputy Chief Magistrate Tsavdaridis made detailed submissions to the Committee which resulted in the approval of amendments of the Local Court Rules 2009, with respect to the initial steps towards the creation of the Fourth Tier, with a view to delegating certain administrative and quasi-judicial functions to registrars. Whilst the Committee has passed a resolution in favour of the amendments, this remains one of the Chief Magistrate's broader policy objectives which will continue to be pursued through the Attorney General's office.

Well-being Committee

The Well-being Committee is constituted by Magistrates Barko, Crompton, Beattie, Halburd, Truscott, Denes, Forbes, Kennedy, Feather and O'Neil. The Committee works with the President and Committees of the Magistrates Association to advance objectives and strategies for improving the well-being and conditions of magistrates. Initiatives included relate to title, living away from home allowance and other tax and superannuation issues, overseeing and restructuring the magistrates' mentoring program and implementing strategies to better support regional magistrates. Other areas of Committee focus involved evaluating the Converge Employee Assistance Program and establishing a proactive program for magistrates to assist in the prevention of vicarious trauma and post-traumatic stress disorder.

Everyone on the committee is aware that its objectives and strategies are of huge importance to individual magistrates and the Court as a whole. The committee met five times in 2022.



Kiandra Court House

As a result of feedback received from magistrates about the treatment and counselling they received from the Converge Employee Assistance Program, members of the committee have trialled and evaluated the services of Converge and the committee has reported back to Converge about its findings and recommended improvements. The Committee is now working directly with this service to ensure the professionals are properly qualified, that they are aware of the work we do, and the various stresses faced on a daily basis.

In addition, because of recommendations made by the Committee, a submission has been made to the Government seeking a pilot of a well-being program based on the Victorian model, where magistrates attend on a psychologist four times a year and receive a day in chambers for that purpose.

Based on a recommendation of the Committee to provide additional and better support for regional magistrates, the Chief Magistrate's Office has also set up regular team meetings between magistrates sitting at various regional locations in order to encourage regular and free communication, form relationships and work together to assist each other with assistance provided by the Chief Magistrate's Office with any issues that may arise from time to time. These meetings have only just been implemented but with an expectation they will be ongoing into the future. As a result of concerns raised by members of the Committee in relation to the Judicial Commission having carriage and control of the mentoring program, that role has now been taken over by the Chief Magistrate's Office. The Committee going forward will look at mechanisms to formalise and supervise the program to ensure the ongoing protection and support of the wellbeing of all new magistrates.

Community Legal Centres

Judge Peter Johnstone acknowledges the significant contribution of Community Legal Centres (CLC) in New South Wales. The work undertaken by CLCs assists court users to navigate the court system, and in some circumstances avoid unnecessary court appearances. In instances where CLCs have assisted defendants, whether supported by an advice clinic in advance, or with the assistance of an in-person duty lawyer service, the court benefits considerably.

This section outlines the work of some of those centres and provides an overview of service availability.

19 CLCs in NSW regularly provide duty lawyer services across 26 Local Courts. Other centres provide assistance on matters where required across a wide variety of areas.

Summary of service availability

Centre	Assistance	Court
Ability Rights Centre	AVO clinic	State-wide as required
Central Coast CLC	Traffic & AVO clinic	Wyong
Central Coast CLC	AVO clinic	Gosford
Central Tablelands and Blue Mountains CLC	Working with WDVCS	Bathurst Lithgow Katoomba
Central Tablelands and Blue Mountains CLC	Criminal Law advice	Katoomba
Environmental Defender's Office	Criminal Law advice and representation to environmental defenders	State-wide as required
Far West Legal Centre	Traffic List	Broken Hill
Hunter CLC	AVO duty service	Newcastle
Inner City Legal Centre	Court assistance, a safe room and other support for LGBTQIA+ including people who are experiencing or escaping an abusive relationship	Downing Centre
Justice Support Centre (previously South West Sydney)	Driving Offences Legal Service – criminal and traffic offences	Bankstown
Kingsford Legal Centre	Minor criminal from Health Justice Partnership service	Waverley
Marrickville Legal Centre	Duty lawyer service across subject matter areas	Burwood Sutherland
Mid North Coast CLC	Traffic List	Taree Macksville
North & North West CLC	Duty lawyer service	Armidale Glen Innes

Centre	Assistance	Court
Shoalcoast CLC	Duty roster for DV list days	Nowra
Shoalcoast CLC	Duty advice and assistance all DV list days (with WDV CAS support)	Milton
Toongabbie Legal Centre	Free legal services to vulnerable members of the community across subject matter areas	Toongabbie
Western Sydney CLC	Traffic Law	Blacktown Penrith Parramatta Mount Druitt Windsor LC
Wirringa Baiya Aboriginal Women's Legal Service	AVO list	State-wide as required
Women's Legal Service NSW	Duty service – AVO / DV list with WDV CAS host	Blacktown Mt Druitt Penrith

The following provides an outline of some of the services provided by CLCs throughout the State.

Ability Rights Centre

The Ability Rights Centre (ARC) represents clients with disabilities who are applying for or responding to applications for apprehended violence orders.

The ARC gives advice about AVO proceedings, informing people with disabilities (and their carers) about court procedures, helping to draft statements and providing guidance to clients running their own case.

Through the combination of advice, casework and court representation services in AVO matters, ARC assists the Local Court to more efficiently and effectively handle matters if clients are self-represented. Many of the Ability Rights Centre clients have a cognitive or other impairment that puts them at special disadvantage in navigating the court process.

In matters where clients have cognitive impairment, the Ability Rights Centre may work in conjunction with the Justice Advocacy Service (JAS).

Central Coast Community Legal Centre

The Central Coast Community Legal Centre (Central Coast CLC) provides free weekly duty clinics at Wyong Local Court and Gosford Local Court.

Duty solicitors attend clinics to provide advice and assistance to unrepresented parties. The Centre works in partnership with Court staff and the local Legal Aid criminal team who provide a duty service. Generally, in traffic matters the Centre helps in fine-only matters or matters where the risk of imprisonment is unlikely. The Central Coast CLC helps in suspension appeals or court elected fines and provides referrals for participants to local Traffic Offender Programmes.

In AVO matters, the Centre helps in matters where there are no linked criminal offences. The centre generally helps defendants as both the Gosford Local Court and Wyong Local Court are serviced by the Central Coast Women's Domestic Violence Service, Legal Aid Domestic Violence Unit at Wyong, and Legal Aid panel solicitors at Gosford Local Court. The Central Coast CLC works collaboratively and closely with all the services to ensure workable and achievable ADVOs are put in place. Centre solicitors provide family law advice so that parties are aware of their legal obligations as parents and in ADVO matters. This means that matters are resolved quickly at Court and often on the first mention.

In 2022 the Central Coast CLC provided 552 duty lawyer services at the Wyong and Gosford Local Courts.

From August 2022, Central Coast CLC received Family Law Domestic Violence Sexual Assault funding and used the funding to develop a therapeutic jurisprudence approach to its AVO clinics. The Centre works closely with the Court, the local Men's Behaviour Change Program providers, other therapeutic services for men and the Domestic Violence Liaison Officers at the Gosford Local Court so that offenders who use violence against their families are identified early and are provided with informed referrals to these services. Referrals are generally made at first mention with consent of the male defendants.

Central Tablelands and Blue Mountains Community Legal Centre

The Central Tablelands and Blue Mountains Community Legal Centre (CTBMCLC) provides services at Bathurst, Lithgow and Katoomba Local Courts. The services provided can be summarised as follows:

- duty representation for female defendants in ADVO matters – CTBMCLC makes representations to police to have matters withdrawn where appropriate, negotiate variations to conditions, and ensure there is appropriate representation should the matter go to a hearing. However, CTBMCLC does not represent clients in hearings
- duty advice and assistance in relation to ADVO persons in need of protection (PINOP). CTBMCLC works with WDVCS to assist in ensuring that the ADVO is appropriate in the circumstances, often advocating directly to police in relation to variations required
- legal advice in relation to family law, parenting and property, including negotiating parenting plans at Court where appropriate
- assistance with ancillary property recovery orders
- advice and assistance with victim support matters
- any other legal advice, information or referral as required.

At Katoomba Local Court, CTBMCLC provide a drop-in crime advice clinic.

CTBMCLC assists the Court by ensuring that clients are linked in with Legal Aid duty lawyers, WDVCS and other services as needed. CTBMCLC advises clients prior to court and assists them navigating the service system. CTBMCLC follows up after court proceedings to ensure clients are informed of the progress of their matter and understand documentation and other issues.

Environmental Defenders Office

The Environmental Defenders Office (EDO) runs a nationwide program called 'Defending the defenders', which provides criminal law advice and representation to environmental protestors. The EDO has appeared in criminal matters in numerous Local Courts on behalf of clients in mentions, sentence proceedings and defended hearings throughout NSW.

EDO provides a service to those who might otherwise self-represent, often in large numbers, improving the efficiency of the Court.

Inner City Legal Centre

Through the Safe Relationships Project, Inner City Legal Centre (ICLC) provides court assistance, a safe room and other support for LGBTQIA+ people who are experiencing or escaping an abusive relationship. The service provides representation in criminal law matters to vulnerable clients.

ICLC is a generalist community legal service providing advice and casework to vulnerable clients in the areas of civil, criminal, domestic violence, employment and discrimination law. ICLC provides a state-wide service to LGBTQIA+ clients.

ICLC provides a duty solicitor service to LGBTQIA+ people experiencing domestic violence. In recognition of the fact there is not always a single perpetrator and victim, the service is available to both protected persons and defendants. ICLC also appears for clients in the Local Court in the following matters: AVO applications, sentence hearings, s 14 applications and defended hearings.

ICLC accepts referrals from services such as WDVCS and Legal Aid, particularly when there is a conflict of interest in AVO matters.

Marrickville Legal Centre

Marrickville Legal Centre (MLC) provides a Duty Lawyer Service (DLS) at Sutherland and Burwood Local Courts on domestic violence list days. The service is not limited to domestic violence matters and has also assisted with a range of other matters.

The service assists self-represented litigants through the provision of free legal advice and assistance to those who are not eligible for a grant of legal aid.

The DLS also provides court representation in cases where, for example, the defendant is unable to effectively advocate for themselves.

In 2014, the Law and Justice Foundation's study at the Central Coast found that defendants who receive advice gain a better understanding of the serious and widespread consequences that flow from an apprehended violence order (AVO). This resulted in a 21% reduction in breach of AVO matters at Wyong Court in the twelve months after the provision of the service.

Defendants who receive legal advice are in a better position to enter appropriate guilty pleas. The DLS strives to resolve matters early by advocating reasonable AVO conditions for defendants and protected persons. This leads to an increase in AVO matters that are finalised without admissions.

The service encourages defendants to engage in rehabilitation and/or intervention programs as this promotes better outcomes for the community as the risk of re-offending is reduced.

MLC plans to continue the DLS initiative at both Sutherland and Burwood Local Courts in 2023 and 2024.

The service is also advocating for legislative changes to allow defendants the ability to withdraw a decision to challenge a penalty notice in court, which will likely decrease the burden on Local Court resources.

With the assistance of secondees from Collin Biggers Paisley and law students, MLC assisted more than 1,200 clients in 2022.

Mid North Coast Community Legal Centre

Mid North Coast Community Legal Centre (MNC) solicitors provide a Duty Lawyer Service in the Taree and Macksville Local Courts offering a traffic duty program. MNC works with a range of related external services as appropriate to a client's matter, including WDVCS, Legal Aid and Aboriginal Legal Service. MNC assists the court by:

- advising defendants who are self-representing on traffic offence matters to help them present relevant arguments
- entering appropriate pleas and streamlining the presentation of relevant evidence for the magistrate's consideration on behalf of disadvantaged clients
- bringing important and relevant considerations to the attention of the magistrate to assist with sentencing.

Toongabbie Legal Centre Inc.

Deputy Chief Magistrate Tsavdaridis has supported the Toongabbie Legal Centre Inc. (TLC) since 2011, as a speaker and presenter at training and induction days for law student and solicitor volunteers. His Honour has given presentations at the Continuing Legal Education (CLE) seminars and annual 10 Saturday Seminar Series, and has been one of the speakers and facilitators at its advocacy workshops. Other magistrates who have attended as chairpersons or speakers, and have presented papers on a variety of topics, include Magistrate Swain, Magistrate Kennedy, Magistrate Stafford, Magistrate Sbrizzi, Magistrate Shields, Magistrate Bartley, Magistrate Abdul-Karim and Magistrate Antrum.

TLC is a not-for-profit, unfunded community legal centre located in Toongabbie. It is run by volunteers and has provided free legal services to vulnerable members of the community since 2007. TLC receives no core funding either from the State or Federal Governments, instead raising funds through annual fundraising dinners, raffles, donations, local businesses and legal firm sponsorships, and the CLE seminars.

TLC's patron is the Hon Margaret Beazley AC KC, Governor of NSW. Guest speakers at the annual dinners have included the Chief Justices of the High Court, Federal Court and Supreme Court of NSW

and various Attorneys-General. The CLE presenters have been judges and magistrates (including retired judicial officers) from the Supreme Court, District Court and Local Court of NSW, leading senior counsel and other specialists in the subject areas of each program. The CLE programs include whole-day seminars on criminal law, family law, tax and equity, Rule 6.1 (mandatory CLE components), employment and industrial law, conveyancing and State revenue and fines legislation.

The Local Court support of community legal centres such as TLC, through the ongoing attendance of its judicial officers to speak and present papers on different topics, provides an invaluable opportunity for legal practitioners to gain a thorough and up-to-date understanding of changes in the law and its application in the fields in which they practice. It also serves to highlight the steadfast commitment this Court's judicial officers have to the rule of law.

Western Sydney Community Legal Centre

Western Sydney Community Legal Centre (WSCLC) provides advice and representation in any traffic matter at the Local Court, including police, Local Council and Transport for NSW matters. Unrepresented defendants are referred to the Western Sydney CLC duty lawyer by a registrar, magistrate or court officer, normally before entering a plea. Solicitors are able to provide timely advice about what is an appropriate plea for the defendant. This service is extremely useful as defendants often mistakenly want to plead not guilty unaware that they do satisfy the elements of the offence. In those circumstances, solicitors are able to advise defendants to plead guilty with an explanation. This saves the court and prosecution time as they do not have to allocate a hearing date. This is in the defendant's best interest as they are better placed to receive the benefit of an early plea.

WSCLC provide a representation service. When representing clients on sentence, our solicitors are able to make submissions and ensure that relevant information is provided to the magistrate in a timely fashion. This assists with managing and reducing the busy workload of the courts.

In 2022, WSCLC provided 1,014 duty lawyer services across five Local Courts. WSCLC also focused on training up a number of solicitors to be able to appear and manage the duty services. There is now a team of seven solicitors who attend these Courts.

Women's Legal Service NSW

Women's Legal Service NSW assists women in NSW with a range of legal issues, including:

- domestic and family violence matters
- ADVOs
- minor civil and property claims in a domestic violence context, such as disputes over possession of a motor vehicle that might fall outside the family or de facto property regime
- property recovery matters in conjunction with ADVOs
- ADVO advice to victims and women defendants who have been mis-identified
- variations to ADVOs in relation to assistance with applications, procedural advice, private ADVO application matters, defended applications to hearing and preparing submissions and statements for variation hearings
- appealing a non-publication order on behalf of a victim of sexual assault
- disputed ownership of a pet with the pet at risk of being abused by the perpetrator
- occasionally advising women who have criminal charges as well as ADVO matters
- assisting WDVCS clients to apply for victim support.

Women's Legal Service NSW assists the Court with its workload by:

- representing clients
- providing extensive and detailed advice
- filling out forms and other services
- picking up matters as requested, including appearing as a friend of the Court to assist an unrepresented litigant.

Court-based programs



Wingham Court House

Circle Sentencing

Circle Sentencing is an alternative sentencing court for adult First Nations peoples who plead guilty or are found guilty in the Local Court. The Circle Sentencing program allows for input from the victim and offender, and directly involves Aboriginal people in the sentencing process, with the goal of empowering Aboriginal communities through their involvement.

As an alternative sentencing tool for magistrates, Circle Sentencing promotes the sharing of responsibility between the community and the criminal justice system. It attempts to address the causes of criminal behaviour and to develop solutions to issues raised, and actively involves the community in solving its problems.

The aims of Circle Sentencing are to:

- include members of Aboriginal communities in the sentencing process
- increase the confidence of Aboriginal communities in the sentencing process
- reduce barriers between Aboriginal communities and the courts
- provide more appropriate sentencing options for Aboriginal offenders
- provide effective support to victims of offences by Aboriginal offenders
- provide for the greater participation of Aboriginal offenders and their victims in the sentencing process
- increase the awareness of Aboriginal offenders of the consequences of their offences on their victims and the Aboriginal communities to which they belong
- reduce recidivism in Aboriginal communities.

In 2022, Circle Sentencing was available in the following communities:

- Armidale
- Blacktown
- Bourke
- Brewarrina
- Dubbo
- Kempsey
- Lismore
- Mount Druitt
- Nambucca
- Nowra
- Walgett
- Wellington

The number of matters which proceed to Circle Sentencing is dependent on factors including defendants opting to participate, the sentence a defendant is likely to receive, and the appropriateness of defendants to participate due to links to the local Aboriginal community.

In May 2020, BOCSAR released a report on Circle Sentencing. The study looked at 656 Aboriginal offenders who completed the program and found that, when compared to Aboriginal offenders sentenced in the traditional way, offenders participating in Circle Sentencing:

were **9.3 percentage points** less likely to receive a prison sentence

were **3.9 percentage points** less likely to reoffend within 12 months, and

take **55 days longer** to reoffend if and when they do.

The study represents a significant milestone in the development of clear evidence that Circle Sentencing reduces imprisonment and recidivism among First Nations peoples.

Justice Advocacy Service (JAS)

Brief program description

The Justice Advocacy Service (JAS), delivered by the Intellectual Disability Rights Service (IDRS) has two elements: JAS Advocacy, which has run since 2019, and JAS Diversion, which commenced in July 2022.

JAS Advocacy is a state-wide service that supports victims, witnesses and defendants to exercise their rights and participate in criminal justice processes through the provision of a support person. A client does not need to provide evidence of cognitive impairment to access the service.

JAS Advocacy is delivered by JAS advocates and volunteers across the State. JAS support usually involves an advocate or volunteer accompanying a person with a cognitive impairment (at a police station, Local Court or appointment) and acting as an intermediary. The advocate explains complex concepts, ensuring the person understands the information being communicated, and refers the person to a lawyer if required. Support can also include:

- individual advocacy to ensure victims, witnesses and suspects with a cognitive impairment know their rights
- targeted case coordination to defendants with a cognitive impairment to support applications for a diversionary order
- provision of training and capacity building to justice sector staff so they can better respond to the needs of people with a cognitive impairment.



Clarence Town & District Historical Museum (Former Court House)

2022 JAS data

Total referrals received	2,761	
Total number of unique clients supported	2,035	
Total number of cases	2,649	
	90.94%	Suspect/Defendant
	7.85%	Victim
	1.21%	Witness
% First Nations clients total	40.74%	
Total number Court supports provided	3,827	
Total AVL supports provided	403	
% of Court & AVL supports provided by volunteers	32.12%	
Total number JAS Diversion Court cases	147	
Total number of JAS Diversion clients	138	
JAS Diversion S14 outcomes	77 (52.38%)	Successful
	38 (25.85%)	Pending
	32 (21.77%)	Unsuccessful

Update on JAS expansion

JAS has operated since 2019. On 2 June 2021, the NSW Government announced its investment of \$28 million to extend JAS and expand its remit to include a court-based diversions service (JAS Diversion) at specific sites until June 2025. The Intellectual Disability Rights Service (IDRS) delivers functions of JAS across NSW.

Since 1 April 2022, the Department of Communities and Justice (DCJ) has worked closely with IDRS and all other government and non-government stakeholder agencies to monitor and evaluate the new court-based diversion service.

From July 2022, JAS commenced its court-based diversion service at six Local Courts: the Downing Centre, Parramatta, Blacktown, Penrith, Gosford and Lismore.

JAS Diversion provides targeted assistance to defendants with a cognitive impairment who are eligible for a section 14 diversion order under the *Mental Health and Cognitive Impairment Forensic Provisions Act 2020*. The service works with solicitors to facilitate diagnostic assessment and community-based support planning (including NDIS support where appropriate) to help inform and support an application for a diversion order for the magistrate's consideration.

2022 Premier's Awards

On 29 November the JAS received an honourable mention during the 2022 NSW Premier's Awards under the Securing Justice and Opportunity for Vulnerable People award category.

Process Evaluation

On 6 December 2022, DCJ executed a contract with EY to conduct a process evaluation of JAS. The process evaluation commenced in December 2022 and is expected to be completed in July 2023. The aims of the process evaluation are to:

- assess whether the service is being implemented as intended from 1 April 2022
- identify barriers and facilitators to the intended implementation of the service
- assess whether the implementation of the service supports its stated objectives and outcomes and identify where improvements can be made to achieve those stated objectives and outcomes.

State-wide Community and Court Liaison Service (SCCLS)

Justice Health and Forensic Mental Health Network (JHFMHN) is a Statutory Health Corporation established under the *Health Services Act 1997*. It delivers health care to adults and young people in contact with the forensic mental health and criminal justice systems across community, inpatient and custodial settings in New South Wales.

The SCCLS was established by JHFMHN in 1999 as a court-based service to assist magistrates with the diversion of people who are mentally ill, mentally disordered and/or have a cognitive impairment and have been charged with a summary offence, or an indictable offence treated summarily. The aim of the service is to assist magistrates by diverting these defendants away from the criminal justice system to civil inpatient services, community mental health services, or other supporting intervention options under section 14 and section 19 of the *Mental Health and Cognitive Impairment Forensic Provisions Act 2020*.

At each SCCLS location a Court Liaison Officer (an experienced mental health clinician) provides the following service:

- screens and identifies newly charged, remanded and out-of-custody defendants who are mentally ill, mentally disordered and or a cognitive impairment or are suspected of the same
- undertakes a comprehensive psychiatric and risk assessment of the defendant's mental state
- obtains collaborative medical information to confirm the defendant's psychiatric history and diagnostic confirmation
- liaises with treatment providers to ascertain current treatment or lack thereof, compliancy and develop feasible treatment plans
- seeks clinical supervision from the SCCLS Forensic Psychiatrist to ensure the provisional diagnosis is correct, the treatment recommendations are appropriate and mitigate any identified risk factors
- provides a court report to the magistrate summarising the defendant's clinical findings and available treatment options
- ensures the defendant is formally referred to a treatment provider following the magistrate's determination of the defendant's matters whether it be to the community or into custody.

The SCCLS currently operates in the following 23 Local Courts

- Bankstown
- Blacktown
- Burwood
- Campbelltown
- Central Sydney
- Coffs Harbour
- Dubbo
- Gosford
- Kempsey
- Lismore
- Liverpool
- Milton
- Mount Druitt
- Nowra
- Mount Druitt
- Parramatta
- Penrith
- Port Macquarie
- Sutherland
- Sydney Downing Centre
- Tamworth
- Wagga Wagga
- Wollongong
- Wyong

In 2022, the SCCLS screened 10,335 people for mental health illness, mental disorder and or cognitive impairment appearing before the Local Courts. Of this number, 2,810 received a comprehensive mental health assessment, of which 2,679 were found to have a mental illness and 2,237 were diverted from the criminal justice system.

In July 2022, the NSW Government announced its investment of \$13.4 million to expand the SCCLS to a further 35 courts across the State and at the Surry Hills Police Cells. This expansion will be rolled out over the next three years and includes the following locations: Albion Park, Albury, Bathurst, Blayney, Byron Bay, Cessnock, Corowa, Crookwell, Fairfield, Forster, Grafton, Goulburn, Griffith, Holbrook, Inverell, Katoomba, Leeton, Lithgow, Maitland, Maclean, Moree, Moss Vale, Mullumbimby, Murwillumbah, Muswellbrook, Newtown, Oberon, Orange, Picton, Queanbeyan, Singleton, Surry Hills Police Cells, Taree, Tweed Heads and Waverley. The expansion of SCCLS will also include the appointment of Aboriginal mental health workers to the service to ensure culturally informed diversions and community care.

Multicultural NSW interpreters

NSW has 29.3% of its population born overseas, and with 26.6% of NSW households speaking a language other than English at home, interpreters are regularly required in Local Courts.

Multicultural NSW has been a preferred language services provider for NSW Courts for more than 40 years. Almost all State courts work with Multicultural NSW, ensuring a consistent level of quality of service for everyone in need of an interpreter or translator.

The presence of interpreters removes language barriers for people with low English proficiency so they can effectively participate in proceedings and be in the same position as an English-speaking person.

Court interpreters may be called to interpret during:

- court mentions
- hearings
- bail applications
- committal processes
- trials
- sentencing
- sight translations of legal documents.

During 2022, Multicultural NSW provided interpreting services in over 130 Local Courts.

For the financial year to 30 June 2022, Multicultural NSW provided the following interpreting services to Local Courts across NSW:

- over 22,000 interpreting assignments
- interpreting services covering 113 languages with Arabic, Mandarin, Vietnamese, Cantonese and Persian being the most requested languages.

Court matters that had a high demand for interpreters included:

- hearings
- mentions
- trials
- sentences
- bail applications.

During 2022, Multicultural NSW and NSW Courts worked closely to implement continuous improvements in the provision of court interpreting. These efforts included:

- making court hearing loops available to interpreters so they can access the best audio input, enabling greater accuracy in interpreting

- working with court registries and onsite with the prosecution and defence to ensure interpreters have the required background information to allow them to better understand language in context
- investing in portable simultaneous interpreting equipment for longer hearings to allow complete interpreting in improved physical conditions.

Multicultural NSW supports the ongoing development of its interpreters while collaborating closely with government agencies to ensure best practice is applied.

Magistrates' Early Referral into Treatment (MERIT) Program

The MERIT program is a voluntary, pre-plea program for adults in the Local Court who have issues related to alcohol and other drug use. MERIT provides access to a wide range of alcohol and other drug treatment services for 12 weeks while court matters are adjourned. MERIT has operated since 2000 and is currently available at 62 Local Courts in NSW.

High level data – referrals, accepted and completed

During 2022:

2,747

defendants were referred to MERIT, of which:

- **1,856 (67.5%)** were accepted into the program
- **891 (32.4%)** were not accepted
- **596** of the referrals identified as Aboriginal or Torres Strait Islander

1,265

participants successfully completed the program, of which:

- **395** identified as Aboriginal or Torres Strait Islander

496

participants did not complete the program for the following reasons:

- **318** did not comply with the program conditions
- **107** withdrew voluntarily
- **45** were removed by the court
- **25** were exited for other reasons.

Expansion of MERIT

On 21 September 2022, the NSW Government announced a \$35.1 million investment over four years to expand the MERIT program as part of its final response to The Special Commission of Inquiry into the Drug 'Ice'. The expansion will enhance nine existing drug MERIT sites to include alcohol MERIT services and establish 30 new alcohol and other drug MERIT sites across NSW. Court locations for the program's expansion was approved by the Attorney General in July 2022.

The following sites are confirmed for phase one:

New MERIT teams for alcohol and other drugs

- Forster
- Goulburn
- Griffith
- Leeton
- Narrandera
- Taree
- Wentworth
- Yass

Expand existing MERIT to include alcohol referrals

- Katoomba
- Muswellbrook
- Penrith

Evaluation

A quantitative, qualitative, and economic analysis of MERIT is currently being led by the National Drug and Alcohol Research Centre, BOCSAR and NSW Health. The final report is anticipated to be delivered to the NSW Government in November 2023.

Traffic Offender Intervention Program

The Traffic Offender Intervention Program (TOIP) is a Local Court-based program targeting offenders who have pleaded guilty to, or been found guilty of, a traffic offence. The goal of the program is to provide offenders with the information and skills necessary to develop positive attitudes towards driving and develop safer driving behaviours. On application by the defendant, the defendant's legal representative, or by the court's own motion, magistrates may make a referral to an approved traffic course provider. The case may, in the meantime, be adjourned for sentencing, allowing sufficient time for the nominated course to be completed prior to sentence.

List of TOIP providers

In 2022 TOIP was delivered by the following providers:

- Aspire
- Road Sense
- PCYC
- TORP
- Save Traffic
- Sydney Safe Roads
- Blacktown TORP
- Scone Neighbourhood Centre

Data

TOIP Participation 2022*	
Number of referrals	34,942
Number of participants	23,745
Number of completions	21,571
Number of non-completions	1,856

TOIP Participant Demographics 2022*

Offence Type:

PCA	6,344	25.77%
Prohibited Drug	1,570	6.38%
Speeding	6,845	27.81%
Licence	3,992	16.22%
Regulatory	4,451	18.08%
Other	1,413	5.74%

Gender:

Male	17,478	74.56%
Female	5,870	25.04%
Non-binary	14	0.06%
Different term	79	0.34%

Aboriginality:

First Nations	1,514	6.46%
Non-First Nations	16,856	71.88%
Unknown	5,081	21.67%

Age:

Under 18 years	578	2.46%
18-19 years	1,046	4.46%
20-24 years	5,328	22.72%
25-29 years	3,483	14.85%
30-34 years	3,114	13.28%
35-39 years	2,549	10.87%
40-44 years	1,952	8.32%
45-49 years	1,865	7.95%
50-59 years	2,352	10.03%
60-69 years	901	3.84%
70-79 years	195	0.83%
80+ years	22	0.09%
Age not known	66	0.28%

* Please note that some TOIP providers have not collected all demographic data or are suspected to have incorrectly reported some demographic data. DCJ will work with all TOIP providers in 2023 to ensure compliance in reporting.



Young Court House

Justice Reinvestment

Justice Reinvestment funds communities to find local solutions to local problems which ultimately reduce the number of First Nations people in contact with the criminal justice system. Justice Reinvestment aims to reduce the disproportionately high rates of First Nations adults and young people represented in the criminal justice system and to address the underlying causes of incarceration and recidivism. It works to reduce contact with the criminal justice system by empowering local communities to design and implement their own strategies for addressing the underlying drivers of

crime. Justice Reinvestment requires a devolution of power, decision-making, and funding to local community leadership through a comprehensive approach to place-based change that employs targeted, evidence-based initiatives to achieve cost savings and further improve social and criminal justice outcomes.

On 27 February 2023 the Attorney General announced that Nowra and Kempsey would be the sites for project expansion.

Part 3: The Magistracy, Assessors, Coroners and Tribunal Members



Judicial officers of the Local Court

The judicial officers of the Local Court are magistrates. The Governor of NSW appoints magistrates pursuant to **section 13 of the *Local Court Act 2007 (Local Court Act)*** on the advice of the Executive Council.

The *Local Court Act* provides that the Governor of NSW may appoint a Chief Magistrate and Deputy Chief Magistrates.

At 31 December 2022 there were 142 magistrates who presided in the Local Court and Children's Court at 153 sitting locations throughout the State.

The magistrates who served the Court in 2022 are listed in this section.

A number of New South Wales' magistrates were seconded to other jurisdictions where a conflict of interest required interstate cooperation. Magistrate Crompton presided over a matter in the ACT, Magistrate Grogin in the Northern Territory and Magistrate Walsh in Victoria. Conversely, a number of interstate magistrates were seconded to sit in NSW where conflicts of interest arose here. These arrangements were co-ordinated by Deputy Chief Magistrate Tsavdaridis.

Chief Magistrate

His Honour Judge Peter Johnstone

Deputy Chief Magistrates

His Honour Magistrate Michael Allen

Her Honour Magistrate Teresa O'Sullivan,
State Coroner

Her Honour Magistrate Sharon Freund

His Honour Magistrate Theo Tsavdaridis

Magistrates

His Honour Magistrate Imad Abdul-Karim

His Honour Magistrate Michael Antrum
(until 21 October 2022)

Her Honour Magistrate Jennifer Atkinson

His Honour Magistrate Rami Attia
(from 11 May 2022)

Her Honour Magistrate Joan Baptie

His Honour Magistrate Michael Barko

His Honour Magistrate Stephen Barlow
(from 17 January 2022)

His Honour Magistrate Peter Barnett

His Honour Magistrate Glenn Bartley

Her Honour Magistrate Geraldine Beattie

Her Honour Magistrate Joy Boulos

His Honour Magistrate Rodney Brender

His Honour Magistrate George Breton

His Honour Magistrate Peter Bugden

Her Honour Magistrate Jayeanne Carney

His Honour Magistrate Ian Cheetham

His Honour Magistrate John Chicken

Her Honour Magistrate Bree Chisholm

His Honour Magistrate Gareth Christofi

His Honour Magistrate Roger Clisdell

His Honour Magistrate Stephen Corry

His Honour Magistrate Daniel Covington

Her Honour Magistrate Sharron Crews

Her Honour Magistrate Kathy Crittenden

Her Honour Magistrate Juliana Crofts
(from 14 March 2022)

His Honour Magistrate Michael Crompton

Her Honour Magistrate Rana Daher
(from 10 May 2022)

His Honour Magistrate Michael Dakin

Her Honour Magistrate Georgina Darcy

His Honour Magistrate David Day

His Honour Magistrate David Degnan

Her Honour Magistrate Robyn Denes

His Honour Magistrate Stuart Devine

His Honour Magistrate Douglas Dick

His Honour Magistrate Hugh Donnelly

His Honour Magistrate Mark Douglass

Her Honour Magistrate Susan Duncombe

His Honour Magistrate Geoffrey Dunlevy

His Honour Magistrate Andrew Eckhold

His Honour Magistrate Gregory Elks

Her Honour Magistrate Elizabeth Ellis

Her Honour Magistrate Clare Farnan

His Honour Magistrate Peter Feather

Her Honour Magistrate Dr Gabriel Fleming

Her Honour Magistrate Catherine Follent

Her Honour Magistrate Carmel Forbes

Her Honour Magistrate Nicole Ford

His Honour Magistrate Caleb Franklin

His Honour Magistrate Richard Funston

His Honour Magistrate James Gibson

Her Honour Magistrate Jennifer Giles

Her Honour Magistrate Claire Giroto

Her Honour Magistrate Michelle Goodwin

Her Honour Magistrate Harriet Grahame

Her Honour Magistrate Megan Greenwood

His Honour Magistrate Gregory Grogin

His Honour Magistrate Ian Guy
(until 28 January 2022)

His Honour Magistrate Christopher Halburd

Her Honour Magistrate Theresa Hamilton

Her Honour Magistrate Christine Haskett

Her Honour Magistrate Allison Hawkins

His Honour Magistrate Paul Hayes

His Honour Magistrate Kevin Hockey

His Honour Magistrate Michael Holmes, OAM
(until 30 June 2022)

Her Honour Magistrate Susan Horan

Her Honour Magistrate Rebecca Hosking

Her Honour Magistrate Julie Huber

His Honour Magistrate Ross Hudson

Her Honour Magistrate Melissa Humphreys

Her Honour Magistrate Carolyn Huntsman
(until 21 October 2022)

Her Honour Magistrate Holly Kemp

Her Honour Magistrate Erin Kennedy

His Honour Magistrate Trevor Khan
(from 3 February 2022)

Her Honour Magistrate Jillian Kiely

Her Honour Magistrate Janine Lacy

His Honour Magistrate Derek Lee

His Honour Magistrate Jeffrey Linden

His Honour Magistrate Michael Love

His Honour Magistrate Leslie Mabbutt

His Honour Magistrate Paul MacMahon

Her Honour Magistrate Debra Maher

His Honour Magistrate Ronald Maiden

Her Honour Magistrate Emma Manea
(from 1 February 2022)

His Honour Magistrate Shane McAnulty

Her Honour Magistrate Fiona McCarron

Her Honour Magistrate Margaret McGlynn

Her Honour Magistrate Susan McGowan

Her Honour Magistrate Susan McIntyre

Her Honour Magistrate Sally McLaughlin

His Honour Magistrate Donald McLennan
(from 8 June 2022)

Her Honour Magistrate Louise McManus

His Honour Magistrate Paul McMahon
(until 7 October 2022)

His Honour Magistrate Alexander Mijovich

Her Honour Magistrate Jacqueline Milledge

His Honour Magistrate Andrew Miller

Her Honour Magistrate Miranda Moody

His Honour Magistrate Gregory Moore
(from 15 November 2022)

His Honour Magistrate Robert Munro
(from 18 November 2022)

His Honour Magistrate Scott Nash

His Honour Magistrate (Bernard) Michael O'Brien

His Honour Magistrate David O'Neil

His Honour Magistrate Stephen Olischlager

His Honour Magistrate Michael Ong

His Honour Magistrate Justin Peach

Her Honour Magistrate Kasey Pearce

Her Honour Magistrate Kirralee Perry

His Honour Magistrate David Price

Her Honour Magistrate (Karen) Jennifer Price

His Honour Magistrate Roger Prowse

Her Honour Magistrate Margaret Quinn PSM

His Honour Magistrate Allan Railton
(until 28 January 2022)

His Honour Magistrate Daniel Reiss

His Honour Magistrate Mark Richardson

Her Honour Magistrate Robyn Richardson

Her Honour Magistrate Laurie Robertson
(from 16 November 2022)

Her Honour Magistrate Leanne Robinson

His Honour Magistrate Ian Rodgers

Her Honour Magistrate Elizabeth Ryan

Her Honour Magistrate Mary Ryan
(until 28 February 2022)

Her Honour Magistrate Catherine Samuels
(from 2 February 2022)

His Honour Magistrate Albert Sbrizzi

Her Honour Magistrate Suzanne Seagrave

Her Honour Magistrate Tracy Sheedy

His Honour Magistrate Brett Shields

Her Honour Magistrate Te'res Sia
(from 11 April 2022)

Her Honour Magistrate Julie Soars

Her Honour Magistrate Karen Stafford

Her Honour Magistrate Lisa Stapleton

His Honour Magistrate Phillip Stewart

His Honour Magistrate Robert Stone

Her Honour Magistrate Margot Stubbs
(until 19 July 2022)

Her Honour Magistrate Vivien Swain

His Honour Magistrate Aaron Tang
(from 7 June 2022)

His Honour Magistrate Brett Thomas

Her Honour Magistrate Katherine Thompson

His Honour Magistrate Peter Thompson

Her Honour Magistrate Fiona Toose

Her Honour Magistrate Jacqueline Trad

Her Honour Magistrate Elaine Truscott

His Honour Magistrate Brian van Zuylen

Her Honour Magistrate Alison Viney

His Honour Magistrate James Viney
(from 16 March 2022)

Her Honour Magistrate Lisa Viney

Her Honour Magistrate Julia Virgo

His Honour Magistrate Glenn Walsh

His Honour Magistrate Mark Whelan
(from 12 April 2022)

His Honour Magistrate Bruce Williams
(until 1 July 2022)

His Honour Magistrate David Williams

His Honour Magistrate Robert Williams

His Honour Magistrate Gary Wilson

Her Honour Magistrate Pauline Wright
(from 9 June 2022)

Her Honour Magistrate Eve Wynhausen
(until 30 December 2022)



Hay Court House

Children’s Magistrates

President of the Children’s Court, Judge Ellen Skinner

Children’s Magistrate Crompton

Children’s Magistrate Duncombe

Children’s Magistrate Eckhold

Children’s Magistrate Ford

Children’s Magistrate Maher

Children’s Magistrate Hayes

Children’s Magistrate Haskett (until 10 July 2022)

Children’s Magistrate Love

Children’s Magistrate MacMahon (retired in 2022)

Children’s Magistrate McCarron

Children’s Magistrate McManus

Children’s Magistrate R Richardson

Children’s Magistrate Sbrizzi

Children’s Magistrate Sheedy

Children’s Magistrate Stubbs (retired in 2022)

Children’s Magistrate Williams

Deputy State Coroners

In 2022, magistrates holding Deputy State Coroner commissions were:

Her Honour Magistrate Carmel Forbes

Her Honour Magistrate Harriet Grahame

His Honour Magistrate Derek Lee

Her Honour Magistrate Elizabeth Ryan

Her Honour Magistrate Joan Baptie

Her Honour Magistrate Erin Kennedy

Her Honour Magistrate Caroline Huntsman

His Honour Magistrate David O’Neil

The following magistrates held Deputy State Coroner commissions but worked as full-time magistrates in the regions:

His Honour Magistrate Caleb Franklin

His Honour Magistrate Robert Stone

His Honour Magistrate Brett Shields

Small Claims Assessors

There are two full-time-equivalent positions for assessors. The small claims assessors in 2022 were:

Ms Janice Connelly

Ms Danae Harvey

Ms Emma Keir

Judicial retirements during 2022

His Honour Magistrate Alan Railton
retired 28 January 2022

His Honour Magistrate Ian Guy
retired 28 January 2022

Her Honour Magistrate Mary Ryan retired 28
February 2022

His Honour Magistrate Michael Holmes
retired 30 June 2022

His Honour Magistrate Bruce Williams
retired 1 July 2022

Her Honour Magistrate Margot Stubbs
retired 19 July 2022

His Honour Magistrate Paul MacMahon
retired 7 October 2022

Her Honour Magistrate Eve Wynhausen
retired 30 December 2022.

Mental Health Review Tribunal in 2022

His Honour Magistrate Michael Antrum

Her Honour Magistrate Carolyn Huntsman

Judicial appointments during 2022

– profiles

Profiles

His Honour Magistrate Stephen Barlow

Stephen Barlow was admitted to the Supreme Court of NSW in 1999 and comes to the bench with 21 years of experience as a solicitor working in both legal aid and prosecution offices. Mr Barlow was also admitted to practice as a legal practitioner in South Australia and in the Northern Territory.

Mr Barlow has extensive experience working in the criminal law and appeared regularly in the Local Court, the Children’s Court, the District Court and the Supreme Court jurisdictions. Mr Barlow has worked as a solicitor with the Aboriginal Legal Service and as a trial advocate with the North Australia Aboriginal Justice Agency. Additionally, Mr Barlow has held positions as a legal advisor with the Public Solicitor’s Offices in the Solomon Islands and Vanuatu.

In 2018, Mr Barlow commenced working as a Solicitor Advocate with the Office of the Director of Public Prosecutions. In January 2021, Mr Barlow was appointed as a Crown Prosecutor.

Mr Barlow was sworn in as a magistrate of the Local Court on 17 January 2022.

Her Honour Magistrate Emma Manea

Emma Manea was admitted as a solicitor of the Supreme Court of NSW in October 1999 and comes to the bench with more than 23 years of experience as a solicitor.

Ms Manea began working in private practice after admission in October 1999, then as a Duty Solicitor at Burwood Local Court with Legal Aid NSW in 2002 and continued to work with Legal Aid NSW in a variety of roles within the Criminal Law division over the past 20 years.

Most recently before joining the bench, Ms Manea was the Manager of Professional Development in the Criminal Law Executive of Legal Aid NSW.

In this role, Ms Manea was responsible for developing and delivering the professional development requirements of approximately 400 in-house Legal Aid solicitors and developed and delivered CPD education sessions for lawyers in private practice.

Ms Manea was sworn in as a magistrate of the Local Court on 1 February 2022.

Her Honour Magistrate Catherine Samuels

Catherine Samuels was admitted to the Supreme Court of NSW in June 2000 and comes to the bench with more than 20 years of experience working as a legal practitioner. Ms Samuels holds a Master of Laws from the University of Sydney, was accredited as a Specialist in Children’s Law and holds qualifications as a mediator and conciliator.

Ms Samuels began her legal career as an Administrator and Community Educator and Tenants Advisor with the North and North West Community Legal Service Armidale. During the course of her legal career, Ms Samuels also worked for the NSW Crown Solicitors Office as a Senior Solicitor and went on to hold the position of Assistant Crown Solicitor where she led and managed the Child Protection Practice Group.

Before joining the bench, Ms Samuels held the position of Director, Child Protection, Legal with the Department of Communities and Justice. In this role, Catherine led and managed a large number of staff in DCJ’s Child Protection Practice Group and was responsible for the conduct of child protection legal practice, staffing and recruitment, the conduct of complex litigation and advice matters and the provision of legal advice to the Department’s Executive and Minister.

Ms Samuels was sworn in as a magistrate of the Local Court on 2 February 2022.

His Honour Magistrate Trevor Khan

Trevor Khan was admitted to practice as a solicitor to the Supreme Court of NSW in 1985 and comes to the bench with more than 20 years of experience as a legal practitioner. Mr Khan holds a Bachelor of Jurisprudence, a Bachelor of Laws and a Master of Laws with Excellence from the University of New South Wales.

Following his admission to practice, Mr Khan worked as a solicitor in the Tamworth area for over 20 years. Mr Khan held his first role as solicitor in a private practice called Everingham, Solomons & Co Solicitors and then worked as a self-employed solicitor and as a solicitor in partnership practices.

Mr Khan has appeared in the Local Court, the Children's Court, the Coronial jurisdiction, the District Court (including as an advocate in jury trials), the Family Court and the Supreme Court.

In March 2007, Mr Khan entered Parliament when he was elected as a Member of the Legislative Council. Mr Khan was subsequently appointed as the Deputy President & Chair of Committees for the Legislative Council of New South Wales and held this role until ascending to the bench.

Mr Khan was sworn in as a magistrate of the Local Court on 3 February 2022.

Her Honour Magistrate Juliana Crofts

Juliana Crofts was admitted to practice as a solicitor in the Supreme Court of NSW and the High Court of Australia in 2002. Ms Crofts holds a Bachelor of Commerce/Laws and a Master of Laws.

Ms Crofts comes to the bench with more than 19 years of experience as a criminal law solicitor and has worked in both metropolitan and regional communities across NSW. In 2004, Ms Crofts commenced working as a Local Court Crime Duty Solicitor with Legal Aid NSW and continued to work for Legal Aid NSW until ascending to the bench. Most recently, Ms Crofts held the position of Solicitor in Charge of the Port Macquarie Office of Legal Aid NSW.

In 2019, Ms Crofts was the recipient of the Government Lawyer of the Year Award by the Women Lawyers Association of NSW and the Criminal Law Division Award for Service Excellence by the Director of Criminal Law of Legal Aid NSW.

Ms Crofts was sworn in as a magistrate of the Local Court on 14 March 2022.

His Honour Magistrate James Viney

James Viney began his legal career in 1986 working as an Associate to Judge Brian Gallen of the District Court of NSW. Mr Viney commenced working as a solicitor in 1987 in a private law practice and was called to the Bar in 1997.

Mr Viney has been a member of Lachlan Macquarie Chambers for the past 24 years and has extensive experience in the area of criminal law appearing for both defendants and the prosecution.

Mr Viney has appeared in the coronial jurisdiction, the Children's Court, the Drug Court, the Local Court, the Land and Environment Court, the District Court and the Supreme Court of NSW. Mr Viney has also appeared in hearings before the Independent Commission Against Corruption and the Law Enforcement Conduct Commission.

Mr Viney was sworn in as a magistrate of the Local Court on 16 March 2022.

Her Honour Magistrate Te'res Sia

Te'res Sia comes to the bench with 20 years of experience as a practising solicitor. Ms Sia holds a Bachelor of Laws, a Bachelor of Commerce, a Diploma in Management and is an Accredited Specialist in Children's Law.

Ms Sia began her legal career working as a Clerk of the Court with the Attorney General's Department. Ms Sia joined Legal Aid NSW as a solicitor in 2002 and continued to work for Legal Aid in a variety of roles over 20 years including as a committals solicitor and as Acting Solicitor in Charge of the Children's Legal Service. Ms Sia has appeared in the Children's Court, Local Court, District Court and Supreme Court jurisdictions.

During her time with Legal Aid, Ms Sia also completed a secondment as a Principal Policy Officer with the Department of Communities and Justice. Most recently before ascending to the bench, Ms Sia held the position of Senior Solicitor with Legal Aid's High Service Unit, with a focus on providing legal assistance to children in out of home care.

Ms Sia was sworn in as a magistrate of the Local Court on 11 April 2022.

His Honour Magistrate Mark Whelan

Mark Whelan was admitted as a solicitor to the Supreme Court of NSW in 1987 and to the High Court of Australia in 1988. Mr Whelan holds a

Bachelor of Arts, a Bachelor of Laws and a Master of Laws. Mr Whelan is nationally accredited as a mediator and attained qualifications as an Accredited Specialist in Children's Law and in Family Law.

Mr Whelan comes to the bench with more than 30 years of experience in the legal sphere and has worked across a range of practice areas including in private practice, at the University of Newcastle and has volunteered as a solicitor in a number of Community Legal Centres. Mr Whelan has previously held positions as an Arbitrator with the Local Court of NSW and the District Court of NSW.

Mr Whelan has extensive experience as a solicitor advocate and has practiced in the areas of civil law, family law, care and protection law, criminal law and domestic violence proceedings. In 2006, Mr Whelan established his own law practice where he worked as the Principal Solicitor until his appointment to the bench.

Mr Whelan was sworn in as a magistrate of the Local Court on 12 April 2022.

Her Honour Magistrate Rana Daher

Rana Daher was admitted as a legal practitioner to the Supreme Court of NSW in 2000. Ms Daher comes to the bench with over 20 years of experience as a solicitor in both private practice and the public sector.

Following her admission to practice, Ms Daher began working as a solicitor in a private practice law firm and joined Legal Aid NSW as a solicitor in 2001. Ms Daher held a variety of roles during her professional career with Legal Aid NSW working as a family law solicitor, a criminal law solicitor and as a solicitor with the Children's Legal Service.

In 2008, Ms Daher commenced in the role of Children's Registrar with the Children's Court of NSW and held the position until appointment to the bench. In this role, Ms Daher conducted Dispute Resolution Conferences in the care and protection jurisdiction and presided in Court making decisions on procedural issues in accordance with the law and practice of the Children's Court.

Ms Daher was sworn in as a magistrate of the Local Court on 10 May 2022.

His Honour Magistrate Rami Attia

Rami Attia was admitted as a legal practitioner to the Supreme Court of NSW in 1993 and to the High Court of Australia in 1999. Mr Attia comes to the bench with more than 27 years of experience as a legal practitioner.

Mr Attia began working for the Office of the Director of Public Prosecutions first as a listing officer and then as a legal clerk while completing his studies. Mr Attia commenced in a solicitor role with the ODPP following his admission to practice.

In 1997, Mr Attia joined a private practice law firm where he became a Partner.

In 2003, Mr Attia established his own law practice where he worked as the principal solicitor until ascending to the bench.

Mr Attia was sworn in as a magistrate of the Local Court on 11 May 2022.

His Honour Magistrate Aaron Tang

With more than 20 years' experience as a criminal lawyer, Aaron Tang began his career as a legal editor for Butterworths Legal Publishers and a legal officer for the NSW Ombudsman. He joined Legal Aid NSW in 2002 where he worked as a senior lawyer across the Local, Children's and District Courts, including as Acting Solicitor in Charge of Children's Legal Service.

An accredited specialist in children's law, he served on the Law Society's Specialist Accreditation Advisory Committee, and Juvenile Justice and Children's Legal Issues Committees.

He worked in human rights law for Caritas Australia and UNICEF Cambodia.

As a senior legal officer with the Royal Commission into Institutional Responses to Child Sexual Abuse, he helped establish the Royal Commission's policies and practices and the management of private sessions.

Before joining the bench, he was the Manager of Legal Aid NSW's Strategic Law Reform Unit and the senior policy officer of its Criminal Law Division Executive.

Mr Tang was sworn in as a magistrate of the Local Court on 7 June 2022.

His Honour Magistrate Donald McLennan

Mr McLennan has a career of over 30 years within the NSW Justice System, having started with the NSW Police Force in 1984. He worked as a police prosecutor, legal review officer and a senior coronial advocate for over 19 years. In 2004 he was appointed Manager of Coronial Services NSW and Executive

Officer to the NSW State Coroner. In 2019, he was awarded the Queen's Birthday Honour of the Public Service Medal for 'Outstanding Public Service through the delivery of Coronial Services in NSW'.

Mr McLennan was sworn in as a magistrate of the Local Court on 8 June 2022.

Her Honour Magistrate Pauline Wright

Ms Wright was in private practice since her admission as a solicitor to the Supreme Court of NSW in 1985. She was a partner at a leading Central Coast environmental and planning law firm, PJ Donnellan & Co, until her swearing-in as a magistrate of the Local Court of NSW.

A former President of the Law Council of Australia, the Law Society of NSW and the NSW Council for Civil Liberties, Ms Wright also served as co-chair of the Human Rights Committee and Executive Committee member of LAWASIA. She was also the Australian representative on the board of the Union Internationale des Avocats.

As well as being an accredited specialist in local government and planning law, Ms Wright gained extensive criminal law experience, including the case of *R v Stephen*. She represented Ms Stephen, who was acquitted of murdering her de facto husband. The trial, in which Ms Wright briefed barrister Dr Peggy Dwyer, involved the consideration of self-defence in a domestic violence context.

Her environmental and planning law cases included *Davis v Gosford City Council*, a ten-year battle on behalf of the Council to defend sensitive habitat for the eastern pygmy possum against a proposal to build a waste recovery facility which culminated in the developer's special leave application being refused by the High Court.

In 2019 Ms Wright was awarded Woman Lawyer of the Year by the Women Lawyers Association of NSW and in 2021, she received the Macquarie University Alumni Award for Professional Excellence.

Ms Wright was sworn in as a magistrate of the Local Court on 9 June 2022.

His Honour Magistrate Gregory Moore

Gregory Moore has been a barrister in private practice for more than 32 years specialising in common law and family law. Most recently, he has practised in complex child protection and family law matters.

Mr Moore was sworn in as a magistrate of the Local Court on 15 November 2022.

Her Honour Magistrate

Laurie Robertson

Ms Robertson has more than 25 years' experience as a solicitor and sole practitioner. For 17 of those years, she worked predominately in children's law, care and protection and family law. Ms Robertson has delivered training sessions on child protection legal issues and has worked in policy roles in the child protection and out of home care areas.

Ms Robertson was sworn in as a magistrate of the Local Court on 15 November 2022.

His Honour Magistrate Robert Munro

Mr Munro was admitted as a legal practitioner in 2004 when he commenced working for Halletts Solicitors in Muswellbrook. Mr Munro was responsible for carriage of the firm's legal aid clients with a focus on criminal and family law.

In 2006 Mr Munro commenced working for the Commonwealth DPP. In this role he worked with experienced counsel on large scale drug importation matters and some extradition matters.

Mr Munro then worked for the Aboriginal Legal Service in the Redfern office. In this role Mr Munro was responsible for the committals practice at Liverpool Local Court which included clients charged with murder and sexual assault.

From 2009 to 2011 Mr Munro worked for the Legal Aid Commission firstly in their ICLC team before moving into the position of relief solicitor. Mr Munro's final position with Legal Aid was as the Senior Solicitor as part of the Children's Legal Service servicing the Bidura Children's Court.

Mr Munro was called to the bar in 2011 and commenced at Sir Owen Dixon Chambers. In this role he conducted many trials for the accused but also the Commonwealth Crown. In 2016 Mr Munro was appointed a Crown Prosecutor in Sydney and after that continued in that role at the Gosford office before moving to Newcastle.

Mr Munro has conducted approximately 100 trials across a broad range of matters including sexual assault and murder.

Mr Munro was sworn in as a magistrate of the Local Court on 17 November 2022.

Acting Magistrates

Recently retired magistrates may be commissioned as acting magistrates under s 16 of the Local Court Act 2007 for a limited tenure. Acting magistrates preside at weekend bail courts and cover absences for sick leave and extended leave.

Acting Magistrates in 2022

His Honour Acting Magistrate Robert Abood

His Honour Acting Magistrate John Andrews

His Honour Acting Magistrate Peter Ashton
until 30 June 2022

His Honour Acting Magistrate John Bailey

Her Honour Acting Magistrate Helen Barry

His Honour Acting Magistrate Leslie Brennan

His Honour Acting Magistrate Michael Connell

His Honour Acting Magistrate John Favretto

His Honour Acting Magistrate Andrew George
(until 25 March 2022)

His Honour Acting Magistrate Ian Guy
(from 28 January 2022)

Her Honour Acting Magistrate Estelle Hawdon

His Honour Acting Magistrate Geoffrey Hiatt

Her Honour Acting Magistrate Sharon Holdsworth

His Honour Acting Magistrate Michael Holmes
(from 30 June 2022)

Her Honour Acting Magistrate Mary Jerram
(until 30 June 2022)

His Honour Acting Magistrate Timothy Keady

Her Honour Acting Magistrate Joanne Keogh

Her Honour Acting Magistrate Georgia Knight

His Honour Acting Magistrate Christopher Longley

His Honour Acting Magistrate Paul Lyon

His Honour Acting Magistrate Paul MacMahon
(from 7 October 2022)

His Honour Acting Magistrate Malcolm MacPherson

His Honour Acting Magistrate Shaughan McCosker
(until 6 August 2022)

His Honour Acting Magistrate John McIntosh

His Honour Acting Magistrate Ian McRae

His Honour Acting Magistrate
Christopher McRobert

His Honour Acting Magistrate Carl Milovanovich

His Honour Acting Magistrate Peter Miszalski

His Honour Acting Magistrate Allan Moore
(until 30 June 2022)

His Honour Acting Magistrate Michael Morahan

His Honour Acting Magistrate Paul Mulroney

His Honour Acting Magistrate Anthony Murray

His Honour Acting Magistrate David O'Connor

His Honour Acting Magistrate Darryl Pearce

His Honour Acting Magistrate Michael Price

His Honour Acting Magistrate Robert Rabbidge

His Honour Acting Magistrate Alan Railton
(from 28 January 2022)

Her Honour Acting Magistrate Paula Russell

Her Honour Acting Magistrate Mary Ryan
(from 28 February 2022)

Her Honour Acting Magistrate Beverley Schurr

Her Honour Acting Magistrate Annette Sinclair

His Honour Acting Magistrate Anthony Spence

His Honour Acting Magistrate Garry Still

His Honour Acting Magistrate Michael Stoddart

Her Honour Acting Magistrate Margot Stubbs
(from 19 July 2022)

Her Honour Acting Magistrate Janet Wahlquist

His Honour Acting Magistrate Robert Walker

His Honour Acting Magistrate Bruce Williams
(from 1 July 2022)

His Honour Acting Magistrate George Zdenkowski



Tea Gardens Court House

Committee membership

Education Committee

Deputy Chief Magistrate Freund

Magistrate Antrum

Magistrate Hudson

Magistrate Huntsman

Magistrate Kennedy

Magistrate Mabbutt

Magistrate McIntyre

Magistrate Stewart

Magistrate Stone

Magistrate Swain

First Nations Committee

Magistrate Douglass

Magistrate Beattie

Magistrate Dick

Magistrate Duncombe

Magistrate Farnan

Magistrate Funston

Magistrate Giroto

Magistrate Kemp

Magistrate Manea

Magistrate Ryan

Magistrate Soars

Magistrate Swain

Magistrate Trad

Magistrate van Zuylen

Wellbeing Committee

Deputy Chief Magistrate Freund

Magistrate Barko

Magistrate Beattie

Magistrate Crompton

Magistrate Denes

Magistrate Feather

Magistrate Forbes

Magistrate Halburd

Magistrate Kennedy

Magistrate O'Neil

Family Violence Committee

Deputy Chief Magistrate Freund

Magistrate Barko

Magistrate J Price

Magistrate Mabbutt

Magistrate M Maher

Magistrate O'Brien

Magistrate Sheedy

Magistrate Stone

Magistrate Swain

Innovations Committee

Deputy Chief Magistrate Tsavdaridis

Magistrate Grogin

Magistrate Miller

Magistrate Olischlager



Milton Court House

Magistrate Soars

Magistrate Stubbs

Magistrate Trad

Magistrate A Viney

Magistrate Walsh

Court Security and Premises Committee

Deputy Chief Magistrate Freund

Magistrate McGowan

Magistrate Prowse

Local Court Rule Committee

Deputy Chief Magistrate Tsavdaridis

Magistrate Dakin

Magistrate Greenwood

Ms Lisa-Elaine Hutchinson

Ms Paula McNamara

Mr James Wiseman

Mr Robert Hoyles

Superintendent Kirsty Heyward

Mr Jonathon Prowse

Mr Michael McTegg

Judge Johnstone (ex officio)

Legislative Reform Committee

Deputy Chief Magistrate Tsavdaridis

Magistrate Chisholm

Magistrate Hawkins

Magistrate Hosking

Magistrate M Richardson

Magistrate Greenwood

Ms Lisa-Elaine Hutchinson

Ms Paula McNamara

Chief Magistrate's Office

The NSW Local Court has the largest number of judicial officers in a summary jurisdiction in Australia. Under the direction of the Chief Magistrate, the staff of the Chief Magistrate's Office (CMO) provide state-wide administrative support to magistrates and acting magistrates. The CMO is headed by an Executive Officer and, in 2022, also included a Policy Officer, two Project Officers, the Listing and Rostering Coordinator, the Courts Coordinator, an Executive Assistant, a Judicial Support Officer and an Administrative Assistant.

One of the primary functions of the CMO is to assist the Chief Magistrate in organising and managing the sittings of the Local Court throughout the State. The CMO is responsible for the publication of sittings schedules, rosters, the Chief Magistrate's circulars and memoranda, Local Court practice notes, listing of cases, and collection and publication of statistical information, and this Annual Review. The CMO coordinates magistrates' travel across the State to ensure requirements for sittings are met, and coordinates magistrates' attendance at various conferences throughout the year. The CMO assists the Chief Magistrate in preparing for and participating in ceremonial functions such as the swearing in of newly appointed magistrates.

Under the supervision of the Chief Magistrate and Deputy Chief Magistrates, the CMO is responsible for the day-to-day listing, management, and coordination of the Downing Centre Local Court.

The CMO also facilitates strategic and effective working relationships with clients and stakeholders. In particular, staff of the CMO provide advice to, and represent, the Chief Magistrate on committees and working groups regarding matters that affect the Court and assist the Chief Magistrate by providing research and project support relating to changes in legislation and policy. The CMO prepares and responds to consultation requests and identifies where proposals might be made to assist the ongoing development of a just, quick and cheap jurisdiction.

The work of the Local Court registries

The Local Court would be unable to operate effectively without the valued assistance and expertise of the more than 700 registry staff throughout the State.

Each registry provides administrative and clerical support. The Local Court is responsible for dealing with a complex range of matters from different jurisdictions and registry staff are required to have operational knowledge covering the wide variety of functions the courts must perform.

Staff at each registry are responsible for checking and accepting various documents filed at the Court, securing and maintaining court records, issuing court process and providing assistance to all court users. Many Local Court users are not legally represented so it is often registry staff who must explain the various, at times complex, court processes in a way the person can understand.

Throughout the COVID-19 pandemic the staff of the Local Court registry demonstrated resilience in maintaining the operations of the Court. Registry staff have shown flexibility and responsiveness by leading initiatives to help matters to proceed using existing technology and digital infrastructure.

Registrars

Registrars are appointed to the Local Court under **section 18 of the *Local Court Act 2007***. Registrars exercise quasi-judicial functions conferred upon them by legislation and instruments of delegation.

The work of a registrar includes:

- exercising delegated powers to make decisions about procedural matters in the criminal jurisdiction
- conduct of pre-trial reviews in civil claims and small claims hearings
- issuing and determining various applications/motions in all jurisdictions
- considering applications under ***Law Enforcement Powers and Responsibilities Act 2002 (LEPRA)***
- the management and supervision of court registry staff, including the administration of court processes as required by legislation, policy and procedure.

Part 4: Judicial education and professional development



Partnering with the Judicial Commission of NSW

The Local Court partners with the Judicial Commission to deliver high quality legal information and education services to assist the courts to achieve consistency in sentencing and promote the highest standards of judicial performance and ability so that public confidence in the administration of justice in NSW is preserved and replenished.



Merriwa Court House

Continuing judicial education program

The Judicial Commission's Local Court Education Committee, composed of magistrates and convened by the Manager, Programs, Judicial Commission, meets regularly during the year to plan the education program. Magistrates are involved in the design, development and delivery of the education program to ensure its relevance, independence and acceptance.

The program aims to inform judicial officers about legislative and common law changes; practice and procedure; social, cultural and environmental issues; developments in science and technology; and the art and craft of judging and communication skills. Orientation for newly appointed magistrates and First Nations cultural awareness, the Ngara Yura Program, are also offered. The learning palette encompasses conferences, seminars and webinars; skills-based sessions; and online resources published on the Judicial Information Resource System (JIRS). JIRS is an online support system providing hyperlinked modules of reference material designed to support discretionary judicial decision making, including sentencing.

Continuing education sessions offered in 2022

During 2022, magistrates received specialised training tailored to meet their educational needs, a summary of which follows:

- Permanent magistrates attended 891 days of judicial education, an average of over five days per magistrate (this meets the national standard for judicial professional development).
- The Local Court Annual Conference was held over three days in June 2022 for all NSW magistrates. Topics included evidence, Commonwealth sentencing, sexual harassment, mindfulness, court diversion, a criminal law update and others. The Annual Conference received an overall satisfaction rating above target at 92%.
- Smaller metropolitan and regional programs were attended by all magistrates. These sessions are interactive and structured around discussion and peer-based learning. They aim to facilitate the development of judicial knowledge and skills. Topics focussed on recent legislative amendments as well as courtroom management in light of COVID-19 challenges, evidence, bail and others. Common questions in coronial cases and recent developments in the Children's Court were also covered for regional magistrates.
- The online platform provided the opportunity to deliver information and training during a time when the courts were dealing with the unique challenges brought about by the COVID-19 pandemic and high workload.

Continuing the focus on skills development

- Sixteen newly appointed magistrates attended pre-bench training sessions designed to familiarise them with Local Court practice and procedure.
- Twelve magistrates attended a residential orientation program in November 2022 – a five-day residential program, which focuses on court craft and judicial skills for new magistrates.

- In 2022, magistrates appointed within the last two years were offered to attend a small group workshop on aggregate sentencing and twelve attended. The small group allowed a tailored approach to address any concerns and encourage discussion.
- 2022 saw the launch of the Civil webinar series (further details are provided below). This pilot program delivered three short webinars addressing key topic areas within the civil jurisdiction. One of these was offered to newly appointed magistrates covering the fundamentals of the Local Court's civil jurisdiction.

Cultural and cross jurisdictional programs

- Magistrates continued to participate in the Judicial Commission's Ngara Yura Program which aims to increase awareness among judicial officers about contemporary Aboriginal society, customs and traditions, and their effect on Aboriginal people in the justice system. Magistrates were well represented at all Ngara Yura programs in 2022.
- Cross-jurisdictional programs aim to facilitate discussion about current issues and provide opportunities for exchanging ideas between members of different courts. Due to COVID-19, there were limited options for in-person programs, however a number of magistrates attended the cross-jurisdictional webinar offering a refresher on Law Courts Resources.

Online resources on JIRS

In addition to online learning opportunities, resources are available to all magistrates via the JIRS database. These include topic-based videos and recordings of education sessions, podcasts, bench books and other research tools. Compilations of statistics and sentencing reports assist magistrates achieve consistency in sentencing.

Bench books

The most important bench books for magistrates are the Local Court Bench Book (LCBB) and the Sentencing Bench Book, available online on JIRS. The Local Court Bench Book Committee, chaired by the Managing Lawyer, Judicial Commission, has oversight of the content and updating of the LCBB. Deputy Chief Magistrate Tsavdaridis joined the

Committee in March 2022. Three updates to the LCBB were published in 2022, providing important information to magistrates regarding:

- the many new offences which commenced in 2022 including *Modern Slavery Act 2018* offences, and the offences of displaying the Nazi symbol, and cause damage or disruption to a major facility or major bridge, tunnel or road
- legislative changes to the *Bail Act 2013*, particularly in respect of the new s 22B regarding bail between conviction and sentence for offences for which an offender will be sentenced to imprisonment, and relevant case law
- sexual consent reforms as they apply to the Local Court.

Bail resources on JIRS

The commencement of the new s 22B of the *Bail Act 2013* regarding bail between conviction and sentence for offences for which an offender will be sentenced to imprisonment, and the decisions of the Court of Criminal Appeal and the Supreme Court regarding the application of the provision which followed significantly affected the work of the Local Court in relation to bail decisions following the entering of a plea of guilty or a finding of guilt after hearing. The Bail Resources page on JIRS, and JIRS generally, was updated with information regarding the provision upon commencement, and with case law shortly after relevant decisions were published. The Bail Resources page was developed in consultation with members of the Local Court.

Sentencing statistics on JIRS

The sentencing statistics for offences dealt with in the Local Court were updated on JIRS on five occasions throughout 2022, providing up to date sentencing information to magistrates.

JIRS training for new magistrates

The Commission conducted presentations to nine magistrates of the Local Court in 2022 about JIRS and how to use this most efficiently to assist them in their work on the Bench.

Magistrate/CMO inquiries

The Judicial Commission assisted magistrates and the Chief Magistrate's Office staff with eleven enquiries in 2022.

Case studies highlighting the program

Hybrid programs for the Local Court

COVID-19 provided a unique situation requiring a rapid transition to, and familiarity with, online learning platforms. In 2022, the Commission continued to build on the work of previous years to enhance the scope of our programs, using the new delivery platforms and technology. The online platform provided the opportunity to deliver information and training during a time when the courts were dealing with pandemic-related challenges and of course, high workload.

The metropolitan and regional programs are designed as smaller group workshops providing opportunities for greater levels of interaction and peer-based learning specific to the needs of the Local Court. The transition to hosting these programs wholly online required a level of flexibility and open mindedness not previously required to which the court adapted well.

The skill of the magistrates delivering online learning at such a high standard and maintaining interaction and discussion is to be applauded.

With the easing of venue capacity restrictions and the return of in-person education programs in 2022, previous experience with online delivery provided the opportunity to embed the transition to hybrid programs. Hybrid delivery has created greater accessibility to programs which has been invaluable given the continuing impact of COVID-19 as well as unprecedented weather events in recent years.

Civil webinar series

This successful pilot program commenced in the latter half of 2022, born from an opportunity to use the court's familiarity with online platforms to deliver shorter education sessions on specific topics in addition to the regular judicial education calendar. This series of three webinars focussed on topics relating to the civil jurisdiction of the Local Court as identified by the Senior Civil Magistrate. This series was designed as a refresher for those not regularly running civil cases or those new to the jurisdiction.

Each webinar ran for 15-30 minutes focusing on a single topic. This shorter online format allowed greater accessibility for regional magistrates to attend and worked well with competing court commitments. The webinars were recorded with both video and audio being available following the program for those unable to attend.

An evaluation of the pilot series reported an overall satisfaction rating of 96% or above for all three webinars as well as a 100% satisfaction rating from all participants with regard to usefulness and relevance. Following this overwhelmingly positive feedback there are plans to continue the series in 2023.

Magistrates who attended the Ngara Yura Program Seminar: A Story of Resistance: Fred Maynard and the Australian Aboriginal Progressive Association

March 2022

Her Honour Deputy Chief Magistrate Sharon Freund

Her Honour Magistrate Elizabeth Ryan

Her Honour Magistrate Susan Duncombe

Her Honour Magistrate Debra Maher

Magistrates who attended the Ngara Yura Program Webinar: Wellbeing Toolkit: Dadirri a culturally sensitive practice for recovering from trauma

May 2022

Her Honour Magistrate Jacqueline Trad

His Honour Magistrate Richard Funston

Her Honour Magistrate Catherine Samuels

Magistrates who attended the Ngara Yura Program Community Visit: Dharawal Community of La Perouse

May 2022

Her Honour Deputy Chief Magistrate Sharon Freund

His Honour Magistrate Glen Bartley

His Honour Magistrate Brian van Zuylen

His Honour Magistrate Richard Funston

His Honour Acting Magistrate Paul Mulroney

Magistrates who attended the Ngara Yura Program Webinar: First Nations Speaker Series: Emily McDaniel

September 2022

Her Honour Magistrate Carmel Forbes

His Honour Magistrate Brian van Zuylen

Magistrates who attended the Ngara Yura Program Webinar: Ngara Yura First Nations Speaker Series: Dr Miriam Rose AM

October 2022

Her Honour Magistrate Karen Stafford

His Honour Magistrate Richard Funston

Her Honour Magistrate Catherine Samuels

Her Honour Magistrate Pauline Wright

His Honour Magistrate Paul Mulroney

Magistrates who attended the Ngara Yura Program Webinar: First Nations Speaker Series: Mr Peter Cooley

October 2022

Her Honour Magistrate Carmel Forbes

His Honour Magistrate Brian van Zuylen

Her Honour Magistrate Megan Greenwood

His Honour Magistrate Richard Funston

Her Honour Magistrate Catherine Samuels

His Honour Acting Magistrate Paul Mulroney

Magistrates who attended the Ngara Yura Program Seminar: Frances Forbes Joint Program – The impact of Protectionist Policies on First Nations people

November 2022

Her Honour Magistrate Elaine Truscott

Her Honour Magistrate Joan Baptie

Her Honour Magistrate Susan Duncombe

His Honour Magistrate Richard Funston

Her Honour Magistrate Catherine Samuels

His Honour Magistrate Mark Whelan

His Honour Acting Magistrate Paul Mulroney

Magistrates who attended the Cross-jurisdictional Webinar: Maximising the Law Courts Resources

May 2022

Her Honour Magistrate Jacqueline Trad

Her Honour Magistrate Tracy Sheedy

His Honour Magistrate David O’Neil

His Honour Magistrate Scott Nash

Her Honour Magistrate Rebecca Hosking

His Honour Magistrate Mark Whelan

Magistrates who attended the Local Court of NSW Orientation Program

November 2022

His Honour Magistrate Stephen Barlow

Her Honour Magistrate Catherine Samuels

His Honour Magistrate Trevor Khan

Her Honour Magistrate Juliana Crofts

His Honour Magistrate James Viney

Her Honour Magistrate Te’res Sia

His Honour Magistrate Mark Whelan

Her Honour Magistrate Rana Daher

His Honour Magistrate Rami Attia

His Honour Magistrate Aaron Tang

His Honour Magistrate Don McLennan

Her Honour Magistrate Pauline Wright

Legal education, speaking engagements and participation with external bodies

His Honour Judge Peter Johnstone, Chief Magistrate

Membership of organisations:

- Member, Judicial Commission of NSW
- Member, Council of Chief Magistrates
- Member, Uniform Rules Committee
- Member, Australia Institute of Judicial Administration
- Member, Australian Judicial Officers Association
- Member, Advisory Committee of the Sydney Institute of Criminology
- Member, NSW Police Aboriginal Strategic Advisory Committee
- Member, Aboriginal Justice Partnership Committee
- Honorary Judicial Member, Law Society of NSW
- Associate Member, NSW Bar Association

Speaking engagements and other activities:

March

Presentation

Local Court Southern Regional Conference, 'Opening Address'.

Presentation

Local Court Northern Regional Conference, 'Opening Address'.

Presentation

2022 Rotary District 9675 Conference, 'How the Justice System Can Better Serve Young People'.

Panel Discussion

Sydney Medical Students' Conference 2022, 'Should Australia Raise the Minimum Age of Criminal Responsibility'.

June

Panel Discussion

Diverse Women in Law (DWL), '2022 Senior Practitioners Industry Gap Panel'.

August

Presentation

The Law Society of New South Wales Litigation Law and Practice Committee, 'Priorities of the Local Court'.

September

Presentation

Deloitte – Future of Criminal Justice Policy Round Table, 'Keynote Address: Priorities of the Local Court and the Future of Criminal Justice'.

October

Paper

Local Court of New South Wales Strategic Planning Day, 'Priorities of the Local Court'.

December

Interview

Diverse Women in Law (DWL) 2022 Journal, 'Interviews with Industry Experts'.

Her Honour Deputy Chief Magistrate Sharon Freund

Membership of organisations:

- Member, Law Society of NSW (Hon. Member)
- Associate Professor, Notre Dame Medical School
- Member, Women Lawyers Association
- Member, Judicial College of Australia
- Member, Diverse Women in Law
- Chair, Local Court Education Committee
- Chair, Local Court Family Violence Committee
- Chair, Local Court Well-being Committee
- Chair, Local Court Security Committee

Speaking engagements and other activities:

Participant

Premier Priorities workshop – reducing domestic and family violence.

1 June 2022 | Keynote speaker

Women's Domestic Violence Court Advocacy Service Conference.

5 September 2022 | Speaker

NSW Bar Readers Course – 'Introduction to the Local Court'.

9 May 2022 | Presiding magistrate

NSW Bar Association Bar Readers' Course Training Sessions, Downing Centre Local Court.

Local Court representative

Coercive Control Reference Group.

7 June 2022 | Speaker

Centre of Aging: 'The Local Court and how it operates'.

25 November 2022 | Speaker

Legalwise seminars – Criminal Law Symposium: 'Tips and Tricks from the Bench'.

Co-ordinator

Local Court Workplace Review.

Mentor

Court Observation Program, Diverse Women in Law.

His Honour Deputy Chief Magistrate Theo Tsavdaridis

Membership of organisations:

- Honorary Judicial Member, Law Society of NSW
- Member, Australian Judicial Officers' Association
- Member, Law Society Criminal Law Committee
- Member, Local Court Bench Book Committee
- Deputy Chair, Local Court Rule Committee

Speaking engagements and other activities

23 February 2022 | Speaker

Parramatta and District Regional Law Society CLE seminar 'Local Court Advocacy: From Court Craft to Etiquette'.

15 March 2022 | Attendance

at workshop for the Revision of the 2006 National Statement of Principles for Forensic Mental Health.

6 April 2022 | Speaker and interviewee

NSW Sentencing Council podcast – 'Sentencing Explained – Sentencing in the Local Court of NSW'.

24 March 2022 | Speaker

City of Sydney Law Society CLE seminar – 'Local Court Advocacy: From Court Craft to Etiquette'.

9 May 2022 | Speaker

NSW Bar Readers' Course – 'Local Court Day'.

9 May 2022 | Presiding magistrate

NSW Bar Association Bar Readers' Course Training Sessions, Downing Centre Local Court.

12 May 2022 | Speaker

Law Society of NSW CLE seminar – 'Local Court Advocacy: From Court Craft to Etiquette'.

18 and 25 June 2022 | Speaker and facilitator

Toongabbie Legal Centre Inc. Advocacy Workshop.

23 June 2022 | Speaker

NSW Bar Association CPD seminar for newly admitted barristers – Local Court Civil Practice: Tips from the Bench.

30 June 2022 & 1 July 2022 | Speaker and author

of paper 'Oral Decisions in the Real World', National Judicial College of Australia, Oral Judgments Course.

14 July 2022 | Speaker

Symposium to mark the Recommended National Standards for Working with Interpreters in Court and Tribunals (Second Edition).

21 July 2022 | Speaker

NSW Bar Association CPD seminar for newly admitted barristers – Local Court Advocacy: Tips from the Bench.

11 August 2022 | Speaker

Community Corrections Engagement and Development Program.

28 September 2022 | Speaker

Great Hall, University of Sydney, marking the retirement of Ross Anderson, Senior Lecturer, after 45 years of teaching, and the announcement of the Ross Anderson Scholarship.

31 October 2022 | Speaker

Strata Levies seminar.

4 November 2022 | Speaker

City of Sydney Law Society Annual Duty Solicitors' Training Day.

19 November 2022 | Keynote speaker and author

of paper 'From whence we came: Justices of the Peace and the Birth of the Magistracy', NSW Justices Association Annual Conference.

2022 | Chair and speaker

Toongabbie Legal Centre Inc. Criminal Law CLE Seminar.

His Honour Magistrate Glenn Bartley

Membership of organisations:

- Member, Environment and Planning Law Association
- Associate Member, NSW Bar Association

Speaking engagements and other activities:

March

Presentation

The Annual Saturday Seminar of the Inner West Law Society on 'Effective Advocacy in the Local Court'.

Presentation

CLE seminar at the Toongabbie Legal Centre on 'Effective Advocacy in the Local Court'.

May | Judge

NSW Bar Association, 'Bar Practice Course Final Mock Trial'.

Her Honour Magistrate Joy Boulos

Speaking engagements and other activities:

Presentation

CPD seminar at the NSW Bar Association, on 'Local Court practice' delivered together with Magistrates Gibson and Thompson.

Participation in the Court observation program

run by the Diverse Women in Law, focusing on mentoring and supporting women from diverse backgrounds and studying law.

Her Honour Magistrate Debra Maher

Membership of organisations:

Member of the rugby judiciary panels for Sydney Rugby Union, NSW Rugby Union and Rugby Australia.

His Honour Magistrate Philip Stewart

Speaking engagements and other matters:

August | Presentation

St George/Sutherland Law Society Dinner on 'Plea and Hearing Preparation and Delivery in the Local Court'.

November

Presentation

Judicial Education Metro on 'Choking Offences and Sentencing for Domestic Violence'.

Presentation

Introduction to Aggregate Sentencing Twilight Seminars (multiple).

Supervisor

of several Practical Legal Training students pending admission as solicitors.

His Honour Magistrate Scott Nash

Speaking engagements and other matters:

February | Appointment as General Editor

Local Government Law Journal.

May | Presentation

Participants at the ceremonies held with local members of the NSW and Federal Parliaments, Local Mayors, Victor Darcy (Senior Aboriginal Client and Community Support Officer), local Aboriginal elders and community representatives to celebrate Kempsey and Macksville Local Courts being awarded the 'Circle Sentencing Court' Premier's Award (photos attached).

June | Presentation

NSW Bar Association's New Barrister's Committee on 'The Civil Jurisdiction of the Local Court'.

Assessor Emma Keir

Membership of organisations:

Members of the Law Society Litigation Law and Practice Committee which also included Magistrate Greenwood.



Moruya Court House

Appendices

2022 court by court statistics

Court	Criminal lodgments	Criminal finalisations	Clearance ratios (%)
Albion Park	421	468	111.16
Albury	4,819	4,959	102.91
Armidale	2,117	2,061	97.35
Ballina	1,947	2,068	106.21
Bankstown	12,771	13,683	107.14
Batemans Bay	1,466	1,456	99.32
Bathurst	2,954	3,062	103.66
Bega	872	863	98.97
Belmont	3,313	3,320	100.21
Blacktown	9,585	10,064	105.00
Blayney	124	106	85.48
Boggabilla	140	129	92.14
Bombala	45	44	97.78
Bourke	1,023	1,105	108.02
Brewarrina	370	344	92.97
Broken Hill	2,411	2,352	97.55
Burwood	12,083	12,820	106.10
Byron Bay	1,586	1,615	101.83
Camden	6	6	100.00
Campbelltown	9,801	9,651	98.47
Casino	1,280	1,311	102.42
Central	3,705	4,538	122.48
Cessnock	2,571	2,796	108.75
Cobar	321	301	93.77
Coffs Harbour	5,406	5,174	95.71
Condobolin	188	168	89.36
Cooma	772	789	102.20
Coonabarabran	406	375	92.36
Coonamble	528	533	100.95

Court	Criminal lodgments	Criminal finalisations	Clearance ratios (%)
Cootamundra	490	507	103.47
Corowa	271	264	97.42
Cowra	834	872	104.56
Crookwell	29	16	55.17
Deniliquin	854	872	102.11
Dubbo	6,770	6,965	102.88
Dunedoo	44	13	29.55
Dungog	48	47	97.92
Eden	189	168	88.89
Fairfield	9,410	9,380	99.68
Finley	441	409	92.74
Forbes	608	620	101.97
Forster	1,803	1,838	101.94
Gilgandra	336	357	106.25
Glen Innes	711	705	99.16
Gloucester	75	51	68.00
Gosford	7,401	7,396	99.93
Goulburn	2,359	2,410	102.16
Grafton	2,378	2,337	98.28
Griffith	2,772	2,829	102.06
Gulgong	58	47	81.03
Gundagai	283	312	110.25
Gunnedah	949	933	98.31
Hay	267	246	92.13
Holbrook	128	100	78.13
Hornsby	7,289	7,255	99.53
Inverell	1,610	1,670	103.73
Junee	71	62	87.32
Katoomba	1,042	1,113	106.81
Kempsey	2,995	3,127	104.41
Kiama	1,017	1,014	99.71
Kurri Kurri	742	821	110.65
Kyogle	192	202	105.21
Lake Cargelligo	126	92	73.02
Leeton	813	834	102.58

Court	Criminal lodgments	Criminal finalisations	Clearance ratios (%)
Lightning Ridge	442	393	88.91
Lismore	3,850	3,819	99.19
Lithgow	1,612	1,565	97.08
Liverpool	13,463	14,027	104.19
Macksville	1,071	1,019	95.14
Maclean	570	551	96.67
Maitland	4,429	4,538	102.46
Manly	5,002	5,034	100.64
Milton	751	734	97.74
Moama	168	152	90.48
Moree	2,007	1,994	99.35
Moruya	524	447	85.31
Moss Vale	1,506	1,603	106.44
Mt Druitt	8,335	8,863	106.33
Mudgee	1,027	1,155	112.46
Mullumbimby	298	288	96.64
Mungindi	17	23	135.29
Murwillumbah	951	982	103.26
Muswellbrook	1,599	1,653	103.38
Narooma	260	256	98.46
Narrabri	704	673	95.60
Narrandera	443	458	103.39
Narromine	396	443	111.87
Newcastle	10,728	10,666	99.42
Newtown	5,032	5,018	99.72
Nowra	4,213	4,110	97.56
Nyngan	233	238	102.15
Oberon	60	56	93.33
Orange	3,013	3,013	100.00
Parkes	1,300	1,269	97.62
Parramatta*	26,164	25,907	99.02
Penrith	11,028	10,726	97.26
Picton	1,988	2,004	100.80
Port Kembla	2,938	3,045	103.64
Port Macquarie	4,760	4,977	104.56

Court	Criminal lodgments	Criminal finalisations	Clearance ratios (%)
Queanbeyan	2,274	2,299	101.10
Quirindi	311	317	101.93
Raymond Terrace	3,272	3,358	102.63
Rylstone	66	58	87.88
Scone	341	341	100.00
Singleton	1,444	1,458	100.97
Sutherland	15,014	15,319	102.03
Sydney Downing Centre	31,047	30,031	96.73
Tamworth	5,007	5,145	102.76
Taree	3,593	3,641	101.34
Temora	219	237	108.22
Tenterfield	318	328	103.14
Toronto	3,555	3,739	105.18
Tumbarumba	79	66	83.54
Tumut	593	603	101.69
Tweed Heads	3,845	4,010	104.29
Wagga Wagga	5,174	5,348	103.36
Walcha	91	86	94.51
Walgett	1,055	1,073	101.71
Warren	228	224	98.25
Wauchope	182	162	89.01
Waverley	7,219	7,339	101.66
Wee Waa	105	109	103.81
Wellington	728	788	108.24
Wentworth	830	823	99.16
West Wyalong	227	209	92.07
Wilcannia	312	317	101.60
Windsor	2,850	2,808	98.53
Wollongong	10,141	10,540	103.93
Woy Woy	5	2	40.00
Wyong	8,024	7,697	95.92
Yass	476	481	101.05
Young	1,215	1,204	99.09
TOTALS	369,158	373,904	101.29

* Parramatta Includes Weekend Bail Court lodgments.

Data includes matters transferred from one location to another in lodgments and finalisations.





The majority of the photographs of Courthouses in this *Annual Review* (unless otherwise stated) have been kindly provided by author and photographer, Lachlan Turner.

Lachlan Turner's 407 page book, *Historic and Heritage Court Houses in New South Wales*, is an authoritative and excellent index of New South Wales Courthouses, past and present. For those who wish to enquire about obtaining a copy of this book email Lachlan on turner-lmt@bigpond.com.

An on-line preview version presenting snapshots of the book's contents is available: online.fliphtml5.com/awdd/unnl/



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