



STRATEGIC PLAN

2022-2025



District Court
New South Wales

Introduction

The Honourable Justice Price AO, Chief Judge of the District Court of New South Wales

In my introduction to the Court's Strategic Plan which set the Court's goals from 2018 to 2021, I specifically mentioned the criminal trial caseload and the development of the proposed "Walama Court".

By the end of 2019, the pending criminal trial caseload had been significantly reduced and the "Walama List" commenced earlier this year.

However, the work of the Court has been adversely impacted by the COVID-19 pandemic since early 2020. The Court has demonstrated flexibility in confronting the many problems presented by COVID-19, which has included a major enhancement in the Court's technology.

The principal goal for this, the Court's sixth Strategic Plan, is to continue to deal with the many pressures placed on the Court by COVID-19 with efficiency and resilience, and to build upon the technological advancements made since 2020. The Plan identifies the need for more jury trial courtrooms to deal with the COVID-19 trial backlog.

The Plan also acknowledges the Court's commitment to expanding the Walama List as well as continuing to support the "Child Sexual Offence Evidence Pilot" and planning for an expansion of the Pilot.

We will continue to report on our progress in meeting the goals of this Strategic Plan in the Court's Annual Review.

The Role of the District Court

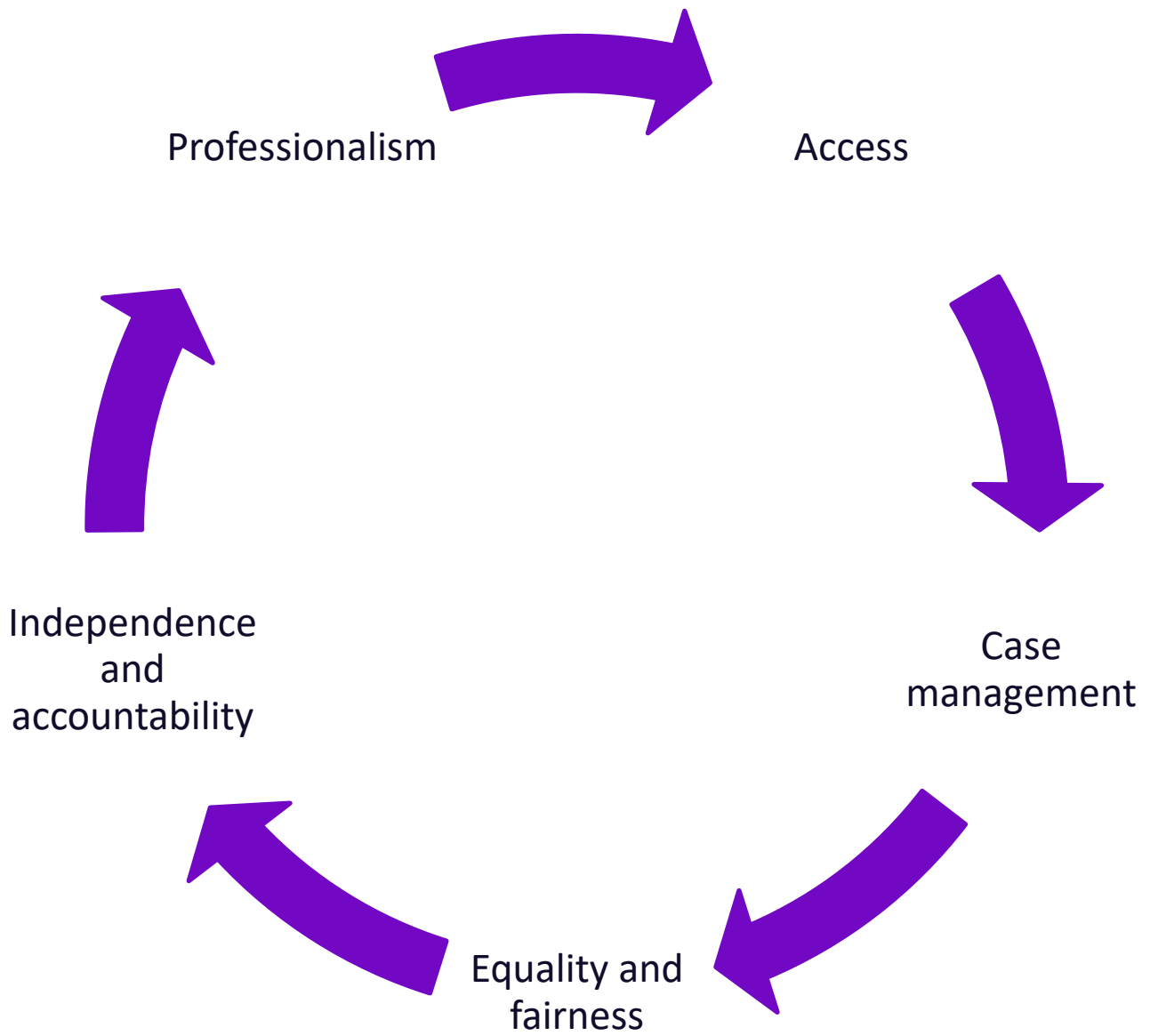
The District Court of NSW is a state-wide court with defined jurisdiction in both criminal and civil matters and is part of the judicial arm of government in NSW.

The Court is the intermediate Court in the State's judicial hierarchy. It is a trial court and also has appellate jurisdiction, special jurisdiction conferred by various statutes and a summary jurisdiction.

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

Values

The Court is committed to discharging its responsibilities to ensure:



Access

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

- Conducting proceedings in accordance with the principles of Open Justice, while allowing for closed hearings in limited circumstances.
- Providing accessible and modern facilities, such as AVL technology.
- Removing or minimising any barriers to appropriate participation in proceedings by the parties, representatives, witnesses, and observation by the press and the public.
- Dealing courteously and responsively with those who appear before it
- Seeking to minimize costs and delays to the parties by regularly reviewing Court procedures.
- Publishing news and information on the Court's website.
- Publishing judgments on NSW Caselaw, within the Court's resources.

Case Management

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

- The ongoing development of criteria for case management which reflects time and other appropriate considerations and monitoring performance.
- Meeting its obligations in the operation of the court system without undue delay.
- Encouraging and facilitating alternative dispute resolution.
- Coordinating and engaging with other agencies to educate practitioners to demonstrate better compliance with the Court's practices and procedures.

Equality and Fairness

The equal protection of the law to all by:

- Acting in accordance with procedures which ensure fair judicial process.
- Seeking consistency in decisions based on relevant legal considerations.
- Delivering timely judgments in clear and unambiguous terms.
- Having court records that are accurate and appropriately maintained.
- Minimising geographical inequities in convenient and timely access to the Court.
- Recognising issues impacting on individuals and groups who are vulnerable.

Independence and Accountability

The independence of the Judges of the Court, and the Court as a branch of our system of government, is ensured by maintaining the positions of criminal listing director and civil list manager as reporting to the Court. Accountability for the performance of the Court and its use of public funds by:

- Acting at all times in accordance with the principles of the separation of powers and maintaining effective communications with the Legislature, and the Executive branch of government.
- Managing its affairs in a way which ensures efficiency and effectiveness in the use of public funds.
- Informing the public about issues associated with judicial independence and the performance of the Court.
- Presenting to the other branches of government sound proposals for the resources to carry out its duties adequately.
- Promoting fair and equitable policies and practices regarding the conditions of service of Judges and non-judicial staff.
- Continuing constructive dialogue on matters of common interest with users of the Court system.

Professionalism

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

- Encouraging interest in the Court as a body of high standing and diverse jurisdiction.
- Maintaining and updating the Court's technology.
- Providing information promptly to Judges about relevant legal developments and methods of case and courtroom management.
- Assisting acting Judges and new appointees.
- Developing an integrated program of professional development.
- Providing appropriate attention and support to the wellbeing of Judges and non-judicial staff.

Goals

In accordance with its values, over 2022-2025 the Court will pursue the following five goals:

1. Resilience

The COVID-19 pandemic placed new and unforeseen pressures on the Court. The Court is committed to providing an efficient and accessible service to the public by responding to the challenges posed by the pandemic in dynamic and innovative ways. The Court continues to address, in particular, the COVID-19 jury trial backlog caused by the number of lockdowns enforced in 2020 and 2021. The Court will continue to modernise and enhance its use of technology to support access to the justice system.

2. Planning and management of the Court

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

3. Court operations and processes

The Court will prepare and implement a system for the earliest and most effective resolution of criminal matters and civil disputes, making use of innovative and efficient technology where possible.

4. Resource allocation and utilisation

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

5. Professional standards

In conjunction with the Judicial Commission of NSW, the Court will encourage and support excellence in the functioning of the Court by continuing to engage Judges in professional development and education.

1. Resilience

The Court will respond to the impact of the COVID-19 pandemic by:

1.1 increasing the number of Super Callovers to address the COVID-19 jury trial backlog.

1.2 decreasing the need for in-person court attendance where reasonable and practicable by use of the virtual courtroom or by other electronic means.

1.3 engaging and consulting with other agencies to develop facilities for e-Trial technology, which will decrease the need for physical copies of materials.

1.4 increasing the ability for court users to electronically file court documents.

1.5 in conjunction with the Department of Communities and Justice, planning and developing new jury trial courtrooms with jury facilities.

1.6 continuing to enhance the efficiency of pre-trial management through collaboration with other agencies.

1.7 collaborating with other agencies to develop strategies for efficient resolution of civil proceedings.

1.8 supporting the welfare of Judges, associates and court staff.

1.9 preventing the spread of COVID-19 by utilising, where appropriate, protective measures such as social distancing, face mask wearing and hand sanitizer.

2. Planning and Management of the Court

The Court will:

- 2.1 monitor the performance of the Court against the time standards set out on page 11.
- 2.2 maintain the Policy and Planning Committee, which comprises several Judges appointed by the Chief Judge, to provide advice to the Chief Judge on matters relating to the business of the Court.
- 2.3 maintain the five major working committees – the Criminal Business Committee, the Civil Business Committee, the Professional Standards (Education) Committee, the Technology Committee, and the Security Committee – that are accountable to the Policy and Planning Committee in relation to the objectives set out on page 12.
- 2.4 involve the agencies that interact with the Court in the planning process through ongoing communication and participation on relevant court committees.
- 2.5 continue to consult with the Office of the Sheriff of New South Wales and other security agencies to ensure the safety of Judges, non-judicial staff, and members of the public accessing the Court's services.

Time Standards

Criminal

Trials

100% of sexual offence cases of accused persons refused bail commenced within 8 months of committal or other event that gives rise to the need for trial

100% of cases commenced within 12 months of committal or other event that gives rise to the need for trial

Committals for Sentences

100% commenced within 6 months of committal

Appeals

100% of conviction appeals commenced within 12 months of appeal

100% of sentence appeals commenced within 6 months of appeal

Civil

Actions

90% disposed of within 12 months of commencement of proceedings

100% disposed of within 24 months of commencement of proceedings

Reserved Judgments

Reserved judgments to be delivered within 3 months of the date that judgment is reserved

Committee Objectives

Criminal Business Committee

To monitor, consult, report and advise on any matters relating to the criminal business of the Court

Civil Business Committee

To monitor, consult, report and advise on any matters relating to the civil business of the Court

Professional Standards (Education) Committee

To maintain an integrated program of professional development and educational support for Judges

Technology Committee

To monitor, consult, report and advise on the Court's use of technology

Security Committee

To monitor, consult, report and advise on the security of the Court

3. Court Operations and Processes

The Court will:

- 3.1 monitor lists to identify specific matters, trends or needs that warrant closer management.
- 3.2 continue to give priority listing to child care appeals.
- 3.3 maintain civil sittings in regional areas.
- 3.4 review sittings in regional areas to ensure expedited disposal of criminal cases.
- 3.5 facilitate alternative dispute resolution processes as appropriate.
- 3.6 continue to develop and expand the Walama List to provide culturally appropriate responses and sentencing processes for Indigenous offenders.
- 3.7 review and modify the Court's processes to ensure that they are responsive to the needs of all community groups.
- 3.8 monitor and manage sexual offence cases.
- 3.9 maintain the Court's commitment to the Child Sexual Offence Evidence Pilot and plan for expansion of the Pilot.
- 3.10 continue to utilise technology to facilitate the efficient and effective delivery of evidence, including the use of remote witness facilities and AVL for complainants.
- 3.11 consult widely on an ongoing basis, including with court users, to explore and investigate ways to improve operations, processes and procedures, and minimise the cost of litigation.
- 3.12 continue to identify causes and solutions for delay, and implement policies to mitigate delay, in criminal matters including the "Super Callovers", "Readiness Hearings", and case management of trials.
- 3.13 minimise in-person appearance by use of technology.
- 3.14 provide easier access to expert witnesses to appear by use of remote technology.

4. Resource Allocation and Utilisation

The Court will:

- 4.1 review its processes to maximise the benefits of technology.
- 4.2 support the timely production of transcripts as required by the Court.
- 4.3 encourage the taking of evidence by alternative means such as by the use of technology.
- 4.4 encourage the standardisation of formats for receiving evidence in electronic form.
- 4.5 maintain the resource and support requirements for Judges.
- 4.6 develop strategies for flexible resource support to assist Judges with research and Caselaw lodgement.
- 4.7 in conjunction with the Department of Communities and Justice, plan and develop new infrastructure in Sydney and regional NSW.

5. Professional Standards

The Court will:

- 5.1 work with the Judicial Commission of NSW in the provision of continuing education for Judges.
- 5.2 provide and support professional development opportunities for Judges.
- 5.3 provide new Judges and new associates with the opportunity for mentoring.
- 5.4 develop information protocols to assist Judges with court procedures and practices, including managing regional lists and sentencing lists, conducting lengthy trials, overseeing jury empanelment, and managing multiple accused trials.

Key Performance Indicators

The Court will report on the following key performance indicators in its Annual Review:

KPI 1: Planning and management of the Court

Time standards achieved

KPI 2: Planning and management of the Court

Improvements made and innovations introduced

KPI 3: Resource management and utilisation

Appropriate resources are allocated to meet the workload of the Court and are efficiently and effectively utilised by the Court

KPI 4: Professional standards

Professional development provided to Judges