



Strategic Plan

Judicial Commission of NSW

Outline

The Strategic Plan provides the framework for the Commission to facilitate high levels of efficiency and effectiveness in its operations. The Commission's operations focus on the use of judicial resources by promoting consistency of approach to sentencing, developing and enhancing the skills of judicial officers, and dealing with complaints in a timely and appropriate fashion.

The Strategic Plan will provide the means through which the Commission most effectively assists the judiciary to dispense justice in an efficient and fair manner.

Foreword from the Chief Executive

The *Judicial Officers Act* 1986 (NSW) established the Judicial Commission of NSW as an independent statutory authority. Since commencing operations in October 1987, the Commission has developed a range of services to assist the courts and help judicial officers carry out their duties. The Commission also investigates and deals with complaints about the ability or behaviour of judicial officers.

While much has been achieved, digital technology and government appropriation continue to alter the way the Commission delivers its education program and legal information services. The Commission and its staff are required to re-examine aspects of what we do, how we deliver our services, and how we structure and organise our resources to ensure optimum performance.

This Strategic Plan outlines the way in which the Commission intends to respond to contemporary challenges. It supplies an overall framework for the activities of the Commission and its staff over the next five years; and provides the basis for more detailed and specific business plans for its organisational units and agreements between the Commission and individual members of staff as to their roles, responsibilities and contribution to organisational performance.

Ernest Schmitt AM PSM
Chief Executive
Judicial Commission of NSW
May 2018

Mission

The Judicial Commission, an independent statutory corporation, is part of the judicial arm of government in NSW.

The Commission assists judicial officers and courts in the delivery of justice to the people of NSW by:

- providing professional support services which promote consistency in approach to sentencing and high standards of judicial performance
- organising and supervising a scheme for the continuing education of judicial officers
- dealing with complaints against judicial officers and referring appropriate cases to heads of jurisdiction or the Conduct Division
- advising the Attorney General on relevant matters
- liaising with persons and organisations in connection with its role
- entering into contractual arrangements for the Commission to supply property or services that comprise or make use of information technology, expertise or other things the Commission has developed in the exercise of its functions.

Key emerging issues

Digital technology

Digital technology presents new possibilities regarding delivery and access to information. This will require adaptation of the Commission's systems and services.

Competition

In light of an increasing range of databases, publications, education and training options available to judicial officers and the courts, the Commission will need to demonstrate, on a continuing basis, the value of its contribution to judicial performance.

Public perceptions

Closer media and public scrutiny of the courts, as well as changing community views and attitudes, will further raise public awareness of the court system and place increased demands on the Commission, its services and activities.

Government policies and priorities

Government policies regarding the criminal justice system, competing demands for the use of public funds and the government's approach to public management may require increased flexibility and responsiveness to change on the part of the Commission.

Primary goals

The primary goals of the Judicial Commission are to:

- ensure effective complaint handling
- provide processes for the timely and effective investigation of complaints about the ability or behaviour of judicial officers to enhance public confidence in the judiciary
- promote consistency of approach to sentencing
- promote consistency of approach to sentencing in the NSW court system
- contribute to high standards of judicial performance
- provide a continuing education program and information services which promote judicial capacity and high standards of judicial performance.

Secondary goals

The secondary goals of the Judicial Commission are to enhance its operation and organisational efficiency. This can be achieved by examining and implementing methods to:

- promote efficient delivery of the Commission’s education and information services
- promote public awareness of the Commission’s role, responsibilities and contribution to judicial performance
- generate income where appropriate to supplement funds received from Treasury to enhance the Commission’s performance of its primary functions
- enhance operational performance through fair, equitable and efficient management of the Commission’s staff and the utilisation of its technological and financial resources
- participate in the international and national community of judicial education providers to develop and implement best practice in NSW
- share knowledge, resources and accumulated experience with partner organisations and emerging jurisdictions to promote their capacity.

Primary goals

Ensure effective complaint handling

Effective complaint handling can be achieved by providing processes for the timely, effective, independent and objective investigation of complaints about the ability or behaviour of judicial officers to enhance public confidence in the judiciary.

Table 1: Effective complaint handling

Objectives	Strategies
1. Investigate complaints in accordance with statutory procedures.	1.1 Establish and implement policies, procedures and time standards for examination of complaints. 1.2 Monitor the number and nature of complaints and report regularly to the Commission on trends and developments. 1.3 Develop education sessions based on information and specific concerns gathered from complaints process.
2. Maintain the integrity, independence, objectivity and confidentiality of the Commission’s complaint handling functions.	2.1 Manage the complaint handling function in accordance with legislative procedures. 2.2 Account for the management of the system in accordance with the <i>Judicial Officers Act</i> .
3. Ensure that those who use the court system are aware of the Commission’s role and procedures.	3.1 Provide printed and online information about the Commission’s role and requirements regarding the lodgment of complaints.

Promote consistency of approach to sentencing

To promote consistency of approach to sentencing in the NSW court system

Table 2: Consistency of approach to sentencing

Objectives	Strategies
<p>1. Ensure that courts and judicial officers have timely and relevant information about sentencing patterns and sentencing remarks.</p> <p>Ensure judicial officers are promptly notified of changes to sentencing law and criminal law and criminal practice and procedure.</p>	<p>1.1 Review relevance of current information services in light of the changing needs of judicial officers and undertake periodic surveys of their needs.</p> <p>1.2 Maintain, enhance and deliver the Judicial Information Research System (JIRS) databases to provide access to sentencing information, including sentencing statistics, sentencing remarks, frequency of penalties imposed in similar cases, information about sentences given in similar circumstances, court specific data, information about rehabilitation facilities and sentencing options.</p> <p>1.3 Publish updates to the <i>Sentencing Bench Book</i>.</p> <p>1.4 Respond to individual requests for specific information relevant to particular sentencing issues.</p> <p>1.5 Maintain accuracy of legislation with weekly updates, update judgments, maintain bench books to reflect significant changes to the law; maintain email alert service.</p>
<p>2. Establish and develop collaborative relationships with Australian and overseas organisations undertaking relevant criminological research.</p>	<p>2.1 Participate in joint research with academic bodies and other organisations.</p>
<p>3. Undertake research on issues relevant to sentencing.</p>	<p>3.1 Analyse sentencing trends and published research papers and monographs.</p>

Promote judicial capacity and high standards of judicial performance

To provide education and information services to promote judicial capacity and high standards of judicial performance.

Table 3: Promoting judicial capacity and high standards of judicial performance

Objectives	Strategies
1. Provide a continuing education program to develop and enhance judicial skills, attitudes and knowledge.	1.1 Regularly evaluate the education needs of judicial officers to inform the design and delivery of the Commission's continuing education program. 1.2 Conduct an orientation program for newly appointed judicial officers. 1.3 Conduct annual conference programs for NSW courts. 1.4 Conduct education programs, workshops, seminars and field trips relevant to all NSW judicial officers and to the specific needs of courts to assist judicial officers to reach the national standard of 5 education days a year. 1.5 Conduct an Aboriginal Cultural Awareness program to promote intercultural communication.
2. Initiate new education and training programs.	2.1 Monitor developments in the law, social issues, values, ethics and judicial administration to identify new information and training needs. 2.2 Develop specialised education programs in conjunction with education committees and other agencies in the justice cluster, where relevant.
3. Provide regular information on issues relevant to judicial capacity and performance.	3.1 Review information services and enhance electronic delivery capabilities. 3.2 Publish newsletters and information bulletins on issues relevant to judicial capacity and performance. 3.3 Publish and maintain bench books.
4. Employ a wide-range of up to date methodologies to deliver education sessions including digital technology to deliver distance education.	4.1 Develop live streaming and webinars for judicial officers in remote and rural areas. 4.2 Maintain and enhance online learning courses on the JIRS platform.

Secondary goals

Enhancing the operation of the Judicial Commission

Examine the scope for further improvement in the operation of the Judicial Commission.

Table 4: Further improving the operation of the Judicial Commission

Objectives	Strategies
1. Review operations of the Commission.	1.1 Undertake comprehensive evaluation of the <i>Judicial Officers Act 1986</i> , in particular to identify any deficiencies. 1.2 Review the costs, benefits and appropriateness of broadening the scope of the Commission's work beyond the functions described in the Act.
2. Provide the Attorney General with comprehensive advice on the operation of the Commission.	2.1 Prepare and submit detailed recommendations regarding possible legislative amendments.
3. Share accumulated knowledge and experience with other judicial education bodies.	3.1 Provide capacity-building assistance to international jurisdictions and partner organisations. 3.2 Participate in exchanges and conferences.

Promoting awareness of the Commission

Promoting awareness of the Commission’s role, responsibilities and contribution to judicial performance

Table 5: Promoting awareness of the Commission

Objectives	Strategies
1. Increase knowledge and understanding of the work of the Commission and its contribution to judicial capacity and performance.	1.1 Develop a media and community relations strategy to support the work of the Commission. 1.2 Maintain good working relations with NSW agencies in the NSW justice cluster. 1.3 Establish and maintain contacts with Australian and international counterpart organisations. 1.4 Institute awareness programs for secondary and tertiary students, particularly law students, and the legal profession about the Commission’s activities.

Income generation

To examine ways of generating income where appropriate to supplement funds received from Treasury to enhance the Commission’s performance of its primary functions.

Table 6: Income generation

Objectives	Strategies
1. Identify legislative and other limits which may constrain generation of income.	1.1 Develop policy guidelines on income generation from Commission activities.
2. Set targets for income generation over the next two years.	2.1 Review opportunities for income generation and establish priorities which reflect the Commission’s agenda
3. Explore opportunities for financial grants for special projects.	3.1 Strengthen relationships with federal, State and Territory funding bodies and apply for grants to undertake research or training projects relevant to the Commission’s expertise and priorities.
4. Generate income from service provision to organisations and institutions other than NSW.	4.1 Develop charging guidelines. 4.2 Market services to other agencies and potentially interested parties. 4.3 Explore potential for joint venture initiatives (eg publishing, conferences and seminars). 4.4 Identify the level of interest outside NSW for the provision of Commission services and respond to market opportunities.

Enhancing operational performance through better management

To enhance operational performance through fair, equitable and efficient management of the Commission's staff and the utilisation of its technological and financial resources.

Table 7: Enhancing operational performance through better management

Objectives	Strategies
1. Identify and remove organisational impediments to efficient performance	1.1 Develop policy guidelines on income generation from Commission activities 1.2 Undertake a review of job descriptions and skills 1.3 Develop and implement policies regarding skills enhancement and career progression 1.4 Institute a revised performance management system 1.5 Improve internal communications through structured approach to staff meetings 1.6 Update and maintain the staff intranet which provides full and accurate information about relevant policies, procedures and entitlements.
2. Increase efficiency in the management of publishing functions	2.1 Benchmark Judicial Commission processes against private and public sector agencies which undertake similar functions 2.2 Develop efficiencies in publishing processes with an emphasis on online publishing 2.3 Undertake periodic reviews of loose-leaf and subscriptions publications to ensure content and format is relevant and adheres to current standards.
3. Institute ongoing process improvement to increase productivity	3.1 Undertake cost efficiency comparisons of designated professional and corporate support functions to develop a basis for process improvement, outsourcing or inter-agency contractual arrangements.

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