

Our vision

Excellence in judicial performance

Our purpose

To assist judicial officers attain excellence in judicial performance

Our values

Integrity. Teamwork. Trust. Responsiveness. Impartiality. Fairness. Confidentiality. Transparency. Innovation. Professionalism. Continuous Improvement. Consistency.

Our history

The Judicial Commission of New South Wales is an independent statutory corporation and a part of the judicial arm of government. It was established under the *Judicial Officers Act 1986* in response to calls for a formal mechanism to review sentences and sentencing practice, and to give effect to judicial accountability.

In its 16 years of operation the Commission has established a reputation as one of the leading institutions of its kind in the world. Many of the Commission's programmes, including its computerised Judicial Information Research System (JIRS) and bench books, have been used as models both in Australia and overseas.

Key achievements in 2002–2003

- Making the *Criminal Trial Courts Bench Book* generally available by placing it on the internet (see page 17)
- 100% attendance by new magistrates at the Magistrates' Orientation Programme (see page 12)
- 93% voluntary attendance by judicial officers at the Commission's annual conferences (see page 14)
- Judicial officers attending 1339 days of judicial education (see page 14)
- Publishing one major research monograph and completing two major research projects (see page 18)
- Informing judicial officers quickly about important sentencing reforms in NSW (see pages 11 and 21)
- Redesigning and relaunching the Commission's website to improve its usefulness (see page 26)
- Exceeding targets by finalising 94% of complaints within six months of receipt (see page 28)
- Working closely with similar bodies in other jurisdictions, including the Australian Institute of Judicial Administration, the National Judicial College of Australia and the Judicial College of Victoria (see page 13)

Legislative charter

The Commission's principal functions under the *Judicial Officers Act 1986* are to:

- organise and supervise an appropriate scheme for the continuing education and training of judicial officers
- assist the courts to achieve consistency in imposing sentences
- examine complaints against judicial officers.

The Commission may also:

- give advice to the Attorney General on such matters as the Commission thinks appropriate
- liaise with persons and organisations in connection with the performance of its functions.

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31 October 2003

The Honourable R J Debus MP
Attorney General
Parliament House
Sydney NSW 2000

Dear Attorney

The Judicial Commission of New South Wales has pleasure in presenting to you the report of its activities for the year ended 30 June 2003.

This report is submitted in accordance with section 49 of the *Judicial Officers Act* 1986 and section 12 of the *Annual Reports (Departments) Act* 1985. It is required to be laid before both Houses of Parliament.

Yours sincerely



J J Spigelman AC
President



E J Schmatt PSM
Chief Executive



President's Foreword

Over the course of the last year, the Judicial Commission of New South Wales has continued to perform its various functions designed to maintain and improve the quality and efficiency of judicial decision-making in this State.

The three principal fields in which the Commission operates are outlined in detail in the Forewords of previous Annual Reports: the handling of complaints concerning judicial officers in 1996–1997; the education programmes and publications in 1997–1998; and service to the criminal justice system in the form of Bench Books and sentencing judgments in 1998–1999. Each of these functions continued to be performed in 2002–2003 in the manner outlined in those earlier Reports.

The achievements of the Judicial Commission in these respects over the course of the last year are set out in detail in the Report. I wish to draw attention to two particular matters.

During the year the Commission decided to make the *Criminal Trial Courts Bench Book* publicly available. The compilation of this book and its availability to judges presiding at criminal trials has been one of the more enduring and significant of the contributions to the administration of justice made by the Commission. Different views were expressed as to the desirability of its publication. After careful consideration the Commission decided that the benefits outweighed any risks involved in publication. Specifically, the Commission hopes that the general availability of information upon which trial judges are likely to rely in formulating directions to the jury will ensure that the profession as a whole will assist trial judges and the Commission to keep directions up to date.

The second matter which is worthy of attention is the role the Commission plays in providing assistance to the judiciaries of developing countries. The Commission has continued to participate in training courses for Indonesian judges and also to provide advice on the Commission's own experience about the development of institutions to support an independent judiciary in Indonesia. During the year the Commission also developed and delivered an extensive training programme for judges from the Supreme People's Court, the highest court in the People's Republic of China.

The work of the Commission is greatly assisted by, indeed would not be able to be done without, the contribution made by many judicial officers who give generously of their time to serve on the various Committees of the Commission, such as the Education Committees of the respective courts, and also the Bench Book Committees. On behalf of the Commission I thank them for their contribution. I also express the collective appreciation of the members of the Commission to the dedicated and diligent staff whose professionalism and confidence attracts the admiration of the entire body of judicial officers of this State.

J J Spigelman AC

President

Year at a Glance

Key result area and strategies	Performance measures	Performance targets 2002–2003
Promote excellence in judicial performance through judicial education		
Conduct educational conferences and seminars — see page 11	Number of judicial education days per annum	Conduct 1350 judicial education days
	% of attendance at annual conferences	At least 90% voluntary attendance on average
	Overall satisfaction rating with judicial education	At least 85% average satisfaction rate on education evaluations
Provide publications — see page 17	Publication of the <i>Judicial Officers' Bulletin</i>	11 issues of the <i>Judicial Officers' Bulletin</i>
	Publication of <i>The Judicial Review</i>	2 issues of <i>The Judicial Review</i>
	Currency of the <i>Criminal Trial Courts Bench Book</i>	4 updates to the <i>Criminal Trial Courts Bench Book</i>
	Availability of the <i>Criminal Trial Courts Bench Book</i>	The <i>Criminal Trial Courts Bench Book</i> available on the internet by November 2002
	Currency of the <i>Local Courts Bench Book</i>	4 updates of the <i>Local Courts Bench Book</i>
	Publication of an education monograph	1 monograph
Conduct computer training — see page 19	Number of computer training sessions conducted	250 computer training sessions
	Provision of help desk service	Respond to 100% of calls immediately and resolve 80% of calls within 15 minutes
Promote consistency of approach to sentencing		
Provide sentencing information online via the Judicial Information Research System (JIRS) — see page 21	Usage of JIRS	Average usage of JIRS greater than 27 000 page hits per month
	Reliability of JIRS computer hardware	JIRS availability greater than 95%
	Number of enhancements to JIRS	3 or more enhancements to JIRS
	Accuracy and timeliness of sentencing information on JIRS	Judgments loaded on JIRS within 24 hours of receipt
		Summaries of judgments prepared within 2 weeks of receipt
		Sentencing statistics audited, processed and loaded on JIRS within 1 month of receipt
		Sentencing statistics to be current within 3 months
Undertake original research and publish material on sentencing — see pages 17, 18 and 23	Number of <i>Sentencing Trends and Issues</i> and monographs published	5 <i>Sentencing Trends and Issues</i> and 3 monographs
	Publication of additional research material	Commence revision of <i>Sentencing Manual</i> for publication by end 2004
	Provide research assistance	Respond to all requests immediately and resolve 80% of calls within 2 days
Ensure effective handling of complaints against judicial officers		
Review and update policies, procedures and time standards for examination of complaints — see page 26	Time standard for acknowledgment of complaints	All complaints acknowledged within 1 week of receipt
	Time standard for disposal of complaints	90% of complaints finalised within 6 months of receipt
		100% of complaints finalised within 12 months of receipt

Achievements 2002–2003	Performance targets 2003–2004
1339 judicial education days conducted	Conduct 1350 judicial education days
93% voluntary attendance on average	At least 90% voluntary attendance on average
89% average satisfaction rate on education evaluations	85% average satisfaction rate on education evaluations
Achieved	11 issues of the <i>Judicial Officers' Bulletin</i>
Achieved	2 issues of <i>The Judicial Review</i>
Revised and reissued main work; issued 3 major updates and 3 special bulletins	3 updates to the <i>Criminal Trial Courts Bench Book</i> in hard copy and online
Achieved	—
8 updates of the <i>Local Courts Bench Book</i>	4 updates of the <i>Local Courts Bench Book</i>
Manuscript completed — see page 17	Commence production on Education Monograph 3
243 computer training sessions	250 computer training sessions
654 help desk calls. Responded to 100% of calls immediately and resolved 80% within 15 minutes	Resolve 80% of calls within 15 minutes
Average usage of JIRS 34 642 page hits per month	Average usage of JIRS greater than 30 000 page hits per month
JIRS availability greater than 99%	JIRS availability greater than 95%
Achieved	3 or more enhancements to JIRS
Achieved	Judgments loaded on JIRS within 24 hours of receipt
Achieved	Summaries of judgments prepared within 2 weeks of receipt
Difficulties with receiving data — see page 21	Sentencing statistics audited, processed and loaded on JIRS within 2 months of receipt
Difficulties with receiving data — see page 21	Sentencing statistics to be current within 3 months
5 <i>Sentencing Trends and Issues</i> and 1 monograph — see page 17	5 <i>Sentencing Trends and Issues</i> and 3 monographs
Commenced — see page 18	Prepare manuscript of second edition of <i>Sentencing Manual</i>
Achieved	Respond to all requests immediately and resolve 80% of calls within 2 days
Achieved	All complaints acknowledged within 1 week of receipt
Achieved	90% of complaints finalised within 6 months of receipt
Achieved	100% of complaints finalised within 12 months of receipt

Our Organisation

MEMBERS OF THE JUDICIAL COMMISSION

As prescribed by the *Judicial Officers Act 1986*, the Judicial Commission consists of six official members, being the heads of jurisdiction of the State's six courts, and four members appointed by the Governor of New South Wales. Of the appointed members, one is a legal practitioner and the other three are persons of high standing in the community. The President of the Commission is the Chief Justice of New South Wales.

Official Members



The Honourable Chief Justice Spigelman AC

was appointed Chief Justice of New South Wales on 25 May 1998, and has occupied the position of President of the Commission from that date.



The Honourable Justice Campbell

was appointed Chief Judge of the Compensation Court on 7 February 1994.



The Honourable Justice Wright

was appointed President of the Industrial Relations Commission on 22 April 1998.



Ms Patricia Staunton AM

resigned as Chief Magistrate on 29 August 2002 to accept appointment as a Deputy President and judicial member of the Industrial Relations Commission.



The Honourable Justice Pearlman AM

was appointed Chief Judge of the Land and Environment Court on 6 April 1992.



His Honour Judge Price

was appointed Chief Magistrate on 12 September 2002.



The Honourable Justice Blanch

was appointed Chief Judge of the District Court on 13 December 1994.

Appointed Members



Mr Norman Lyall AM

was appointed a member of the Commission on 11 March 1998. He was reappointed as a member of the Commission for three years from 9 April 2001.



Ms Jenni Mack

was appointed a member of the Commission on 24 December 1998. She was reappointed as a member of the Commission for three years from 9 April 2001.



Dr Michael Dodson AM

was appointed a member of the Commission for three years from 4 April 2001.



Mr Alan Cameron AM

was appointed a member of the Commission for three years from 8 August 2001.

Meetings of the Commission

The Commission met seven times in 2002–2003 (in August 2002, October 2002, November 2002, February 2003, March 2003, May 2003 and June 2003). All Members attended each meeting, unless leave of absence was granted. The Chief Executive or his delegate attended the meetings to report on the operations of the Commission.

Although special meetings of the Commission may be convened to deal with urgent matters that cannot be dealt with during the usual meetings, no such special meetings were required during the reporting period.

EXECUTIVE MANAGEMENT



Chief Executive

Mr Ernest Schmatt PSM Dip Law (BAB)

Mr Schmatt is responsible for all of the Commission's operations. He has input into all aspects of the Commission's work, from financial management to research, complaints, information systems management and education activities.

Mr Schmatt held senior legal and management positions in the Public Sector before his appointment, in October 1987, as the first Deputy Chief Executive of the Judicial Commission. In March 1989, he was appointed to the position of Chief Executive of the Judicial Commission. He is a solicitor of the Supreme Court of New South Wales and the High Court of Australia. Mr Schmatt was awarded the Public Service Medal in the 1997 Queen's Birthday Honours List for service to Public Sector management and reform, Public Sector industrial relations and judicial education in New South Wales.



Education Director

Ms Ruth Windeler BSc (University of Toronto, Canada)

Ms Windeler is responsible for the Commission's judicial education programme. She works closely with the Education Committees of each court to plan and organise all Commission conferences and seminars, and is also responsible for the Commission's publishing programme.

Ms Windeler has held the position of Education Director since May 1996. Her career in professional education and training began in 1975 in Canada and includes appointments in a number of Commonwealth countries. She has been Director of the Canadian Advocates' Society Institute; Co-ordinator and Instructional Design Administrator for the Institute of Professional Legal Studies in New Zealand; Director of Standards and Development for the Law Society of Hong Kong; Secretary to the Advocacy Institute of Hong Kong; and Head of the Department of Continuing Medical Education and Re-certification for the Royal Australasian College of Surgeons.



Director, Research and Sentencing

Mr Ivan Potas BA LL.M (ANU)

Mr Potas is responsible for the Commission's research programme and for the content of the Commission's Judicial Information Research System (JIRS).

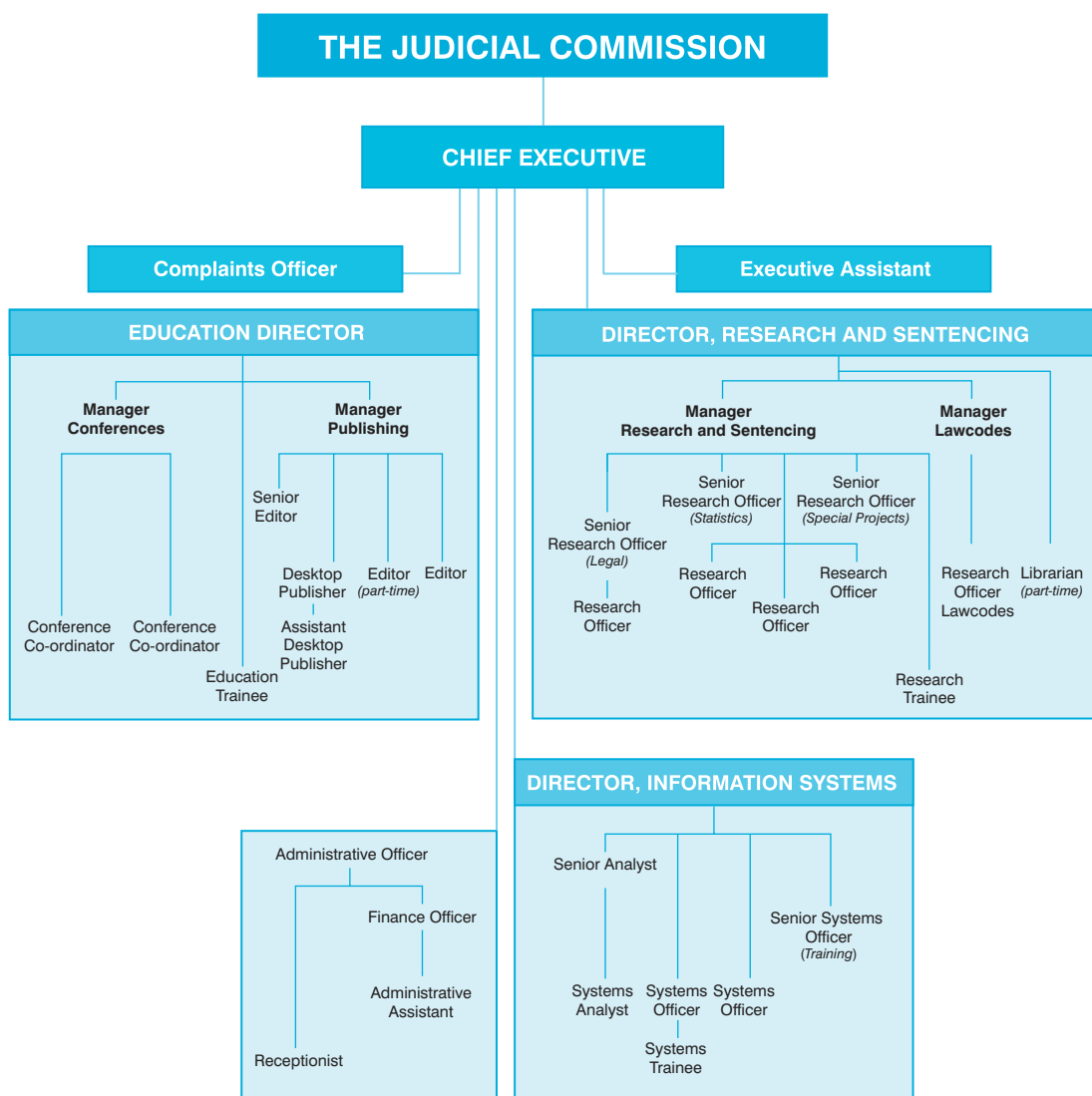
Mr Potas was previously the Research Director at the Commission for a period of three years, from 1991–1993, and then resumed that position in 1996. Before joining the Commission, he worked as Senior Criminologist with the Australian Institute of Criminology in Canberra. He is admitted as a barrister and solicitor of the Supreme Court of the Australian Capital Territory and the High Court of Australia, and is also admitted as a solicitor of the Supreme Court of New South Wales. He has extensive research experience and has published a number of books and articles on sentencing.

Commission staff

The Commission is supported by a staff of 34 comprising specialists in legal education, legal research and information technology. See page 30 for more detailed information about Commission staff.

In addition, the Commission is assisted in its work by a significant number of judicial officers, who give generously of their time to serve on the various committees established by the Commission (see Appendix 2 for details).

Figure 1 Our structure



Judicial Education

Strategic objectives

- Contribute to high standards of judicial performance
- Provide judicial officers with up to date information on law, justice and related areas
- Assist in the development of appropriate skills and values

Major strategies

- Conduct conferences and seminars
- Publish professional reference material
- Provide computer training

Key achievements 2002–2003

- Conducted 6 annual conferences attended on average by 93% of judicial officers
- 100% attendance by new magistrates at the Magistrates' induction day and Orientation Programme
- Judicial officers attending 1339 days of judicial education
- Conducted an Education and Publishing Survey of all NSW judicial officers
- Achieved 89% satisfaction rate for our conference and seminar programme
- Reissued the *Criminal Trial Courts Bench Book* and released it on the internet
- Published 8 updates of the *Local Courts Bench Book*
- Published 11 issues of the *Judicial Officers' Bulletin*
- Published 2 issues of *The Judicial Review*
- Published 5 issues of *Sentencing Trends and Issues*
- Conducted 243 computer training sessions
- Answered 654 help desk calls and resolved 80% within 15 minutes

CONFERENCES AND SEMINARS

The Commission's conference and seminar programme provides orientation and continuing education for judicial officers. Sessions range from induction courses for new appointees to specialist conferences on specific aspects of law, procedure, and judicial skills and techniques, as well as social issues. Ongoing input from judicial officers about the content and direction of our education programmes ensures the programmes provide relevant and timely information (see Appendix 2 for the composition of Education Committees).

Highlights for 2002–2003

Responding to sentencing reforms

The Commission arranged for Mr Peter Johnson SC to present a paper on "Reforms to New South Wales Sentencing Law – the *Crimes (Sentencing Procedure) Amendment (Standard Minimum Sentencing) Act 2002*" at a seminar in March 2003, to inform judicial officers about the new legislation.

Children's issues

The Commission continued to work with the Local Courts and Children's Court Education Committees to inform magistrates about Children's Court issues by:

- hosting two Children's Court conferences in October 2002 and April 2003 attended by 30 magistrates and Children's Court registrars
- hosting two Children's Court Twilight Seminars attended by 36 magistrates — the first seminar concentrated on the treatment and diagnosis of personality disorders; the second seminar focused on the criminal jurisdiction of the Children's Court
- holding sessions on Children's Court care matters for all magistrates, with extended sessions for country magistrates
- developing a manual and an education programme for judicial officers sitting in the new specialist Child Sexual Assault Court in Parramatta.



Magistrates attending the "court craft in practice" session at the Magistrates' Orientation Programme.



As part of the Aboriginal cultural awareness programme, judicial officers visited the Aboriginal community at La Perouse.



Magistrates attending one of the Commission's computer training sessions.



The Honourable Claire L'Heureux Dubé (on right, with Justices Bell and Schmidt) presented a seminar at the Commission on sexual assault.

MERIT

The Magistrates' Early Referral into Treatment Programme (MERIT) is a voluntary programme that aims to reduce drug-related crime by referring suitably motivated offenders into treatment. Initiatives to raise awareness of MERIT comprise:

- publication of an article on the progress of MERIT in the *Judicial Officers' Bulletin*
- the design and distribution of an information brochure on MERIT
- inclusion of information about MERIT on JIRS and the Commission's website
- a research project into magistrates' attitudes towards MERIT
- education sessions on MERIT.

Work on these activities is continuing and will be completed by December 2003.

Aboriginal Cultural Awareness Programme — Community visits

The Commission, in co-operation with the Australian Institute of Judicial Administration, organised two very successful visits by judicial officers to Aboriginal communities at La Perouse and Picton. These visits provided an opportunity for useful exchange of information and ideas on issues of mutual concern including sexual assault, and cultural and language differences. Although fewer individual Aboriginal cultural activities were conducted in this financial year, the topic was integrated into general sessions on offender management, sentencing and foster care.

Topical issues

Seminars provide an opportunity for judicial officers to discuss topical issues. In 2002–2003:

- sessions were held at both Metropolitan and Regional Magistrates' Conferences on "Sentencing where a Fine is an Appropriate Penalty"
- Justice Iacobucci of the Supreme Court of Canada participated in a round table discussion with judicial officers on topics such as judicial education and the problems associated with unrepresented litigants
- the Honourable Claire L'Heureux Dubé, a retired justice of the Supreme Court of Canada, presented a seminar on "Sexual Assault"

- a session on "Sentencing Mothers with Babies" informed judicial officers about the available services and programmes which they can take into account in sentencing
- a twilight seminar on offender management in NSW Corrections had a focus on Aboriginal offenders and discussed available programmes and services for offenders (both in custody and the community), alternative sentencing options and assessing the risk of reoffending.

Annual conferences

In 2002–2003, the Judicial Commission conducted annual conferences for each of the six courts in New South Wales, attended by approximately 300 judicial officers. Each conference was tailored to the needs of the court (see Appendix 4 for a list of education topics).

Magistrates' Induction and Orientation Programmes

In addition to the regular education programme, new magistrates are provided with orientation and induction training. There is a 100% attendance rate at these sessions, and has been for over 10 years.

- **Pre-bench training (induction training):** Prior to swearing in, each magistrate attends a pre-bench training workshop which focuses on developing awareness of fundamental aspects of court craft and procedure, for example, dealing with unrepresented litigants, ethics, bail, indictments, sentencing principles and decision-making. These sessions are conducted by two senior magistrates and the Education Director, and include role plays and feedback on performance as a magistrate.
- **Residential Orientation Programme:** Each new magistrate attends a five-and-a-half day residential course designed to build on existing experience and to encourage critical self-reflection within the context of a peer group. The programme consolidates fundamental judicial skills and disposition such as court craft, decision-making, sentencing, judicial administration and conduct. Interstate magistrates are invited to attend this programme.

National Judicial Orientation Programme

The eighth National Judicial Orientation Programme, jointly conducted by the Commission and the Australian Institute of Judicial Administration (AIJA), was attended by 24 participants from 11 courts in Australia, Fiji and Kiribati. This programme assists newly appointed judicial officers with their transition to judicial office by facilitating the development and refinement of the skills and knowledge necessary for effective judging. This programme will be conducted by the Judicial Commission, AIJA and the National Judicial College of Australia in October 2003.

Assistance to other jurisdictions

In 2002–2003, the Commission worked in co-operation with many domestic and international agencies and organisations. Highlights include:

- **Australasian Coroners' Society Conference:** On the request of the State Coroner, the Commission assisted in the administration of the Australasian Coroners' Society's international conference on *Disaster Victim Identification* in October 2002.
- **Indonesian Judicial Training Programme:** The Commission organised a four-day training programme for 14 judges from the Supreme and District Courts of Indonesia to learn about the Australian legal and judicial system. This programme was organised in conjunction with Australian Legal Resources International, the Indonesian Legal Development Foundation, IDP Jakarta and the Australian Institute of Judicial Administration.
- **The China-Australia Human Rights Technical Co-operation Programme, Supreme People's Court, Rules of Evidence Design Visit:** A delegation of six Chinese judges participated in a ten-day programme organised by the Judicial Commission and the Human Rights and Equal Opportunity Commission in June 2003. The programme included educational sessions, visits to the Supreme Court, District Court, Local Courts, Administrative Decisions Tribunal and the Coroners' Court, and a design workshop. The visit was part of a larger programme intended to strengthen the administration,

promotion and protection of human rights in China. The programme aimed to provide knowledge of how the rights of accused persons and witnesses are promoted and protected through the operation of the rules of evidence in criminal trials in Australia. As a result of this programme, the participants will be in a position to contribute to the formulation of policy relating to the development of new rules of evidence in China, and will be better able to interpret and apply the new rules, once formulated.

- **The National Judicial College of Australia and the Judicial College of Victoria** both began operation in late 2002. The Commission has worked in close co-operation with both organisations since their inception to provide assistance and to help avoid duplication of judicial education activities. We expect regular meetings to continue in 2003–2004.
- **Asia Pacific Judicial Educators Forum:** The Commission is a member of this organisation, established in February 2003 and located at the Philippine Judicial Academy. The purpose of the Forum is to provide an opportunity for the member bodies to exchange information and resources in order to improve the quality of judicial education, particularly in developing countries. At the inaugural meeting the Commission's Chief Executive was elected to the Executive of the Forum.



Indonesian judges attending the Commission's Judicial Training Programme.

Programme overview

In 2002–2003 we conducted 26 programmes (see Table 1). Topics included in this year’s education programme are detailed at Appendix 4.

Although attendance is voluntary, judges and magistrates attended 1339 days of judicial education in 2002–2003. As many judicial education sessions are held outside regular court time, either on weekends or in the evenings, the high participation rate (on average, 93% of judicial officers attended the Commission’s annual conferences) is an indicator of the effectiveness of the Commission’s conference programme.

Table 1 Conference and seminar activity 1999–2003

	1999–2000	2000–2001	2001–2002	2002–2003	target 2003–2004
Days of education*	1350	915.5	1358	1339	1350
Number of different programmes	18	19	28	26	28
Annual conferences	7	4 [†]	7	6	5
Workshops – country & metropolitan magistrates	2	2	4	4	4
Pre-bench training sessions	6	10	6	8	4
Week-long orientation programmes	2	2	2	2	2
Special seminars for all courts	3	3	1	5	3
Children’s Court section 16 seminars	n/a	n/a	2	2	2
Children’s Court twilight seminars	n/a	n/a	3	2	2
Indigenous seminars	0	0	7	2	2
Seminars for new magistrates	0	2	0	0	2
Days of training for Indonesian judges	2	3	3	4	4
Days of training for Chinese judges	n/a	n/a	n/a	6	n/a

* Note: A day of education is based on 5–6 instructional hours attended by a judicial officer. It is calculated by multiplying the number of participants by the duration of the conference: eg, 18 participants x 2 days = 36 education days.

† Fewer annual conferences were conducted because of rescheduling due to the Olympic Games.

Voluntary versus mandatory continuing judicial education

Attendance at all Judicial Commission educational sessions is voluntary and extremely high. In 2002–2003 the average attendance rate at annual conferences was 93%. Attendance at magistrates' induction and orientation programmes is 100%.

Feedback suggests that judicial officers voluntarily attend as many sessions as are offered because the programmes are relevant and useful, having been tailored to their needs. Favourable programme evaluations from highly-motivated participants suggest that the programming is beneficial to the performance of those judicial officers who attend.

Suggestions of mandatory continuing judicial education lie contrary to the concept of judicial independence and the idea of attendance through motivation. It should be noted that in those jurisdictions where there is mandatory continuing legal education (MCLE) there is no study which can directly link MCLE to the increased professional competence of lawyers. The key factor in any successful educational programme is motivation. Mandating education is more likely to decrease motivation than to increase it. When attendance rates at judicial education programmes are already extraordinarily high it could create resentment and a subsequent decrease in motivation if a mandatory component were imposed.

Programme evaluation

Education and Publishing Survey

In order to better meet the education needs of judicial officers, the Commission surveyed all judicial officers in September 2002, a third of whom responded. The overall survey results indicated that judicial officers find our conferences, seminars and publications informative, relevant and useful. The findings offer important guidance for the development and improvement of our education and publishing programmes, in particular how to:

- improve our distance education delivery
- respond to the demand for additional practical publications and workshops
- further develop our online publication strategy.

Improving service delivery

Seminars are usually held at the Commission's office in Sydney, which limits attendance to metropolitan judicial officers. To ensure that all judicial officers have access to seminar materials, survey respondents suggested placing seminar transcripts on JIRS or emailing them to judicial officers in remote locations. As a result:

- the paper produced for a twilight seminar held in March 2003 on important reforms to NSW sentencing law was placed both on JIRS and on the Commission's website; the seminar was also audiotaped and copies of the tapes have been provided on request to judicial officers unable to attend
- a twilight seminar on sentencing mothers with babies was audiotaped to enable a transcript to be prepared for distribution to judicial officers.

Conference and seminar evaluation

To ensure that the Commission's conference and seminar programme meets the needs of judicial officers, participants are asked to evaluate each conference and seminar according to its usefulness, content and delivery. Our target is an 85% satisfaction rate on each programme. In 2002–2003, the overall satisfaction rating with judicial education was 89% (see Table 2).



Participants at the National Judicial Orientation Programme receiving certificates of completion.

Table 2 Participant evaluation of 2002–2003 education programmes

Programme	Usefulness/ relevance (%)	Content (%)	Design & style (%)	Average (%)
Aboriginal Cultural Awareness Programme				
Community Visit to La Perouse	83	n/a	84	84
Community Visit to Campbelltown/Picton	not evaluated			–
Annual Conferences				
Supreme Court Annual Conference	86	87	92	88
Industrial Relations Commission Annual Conference	92	88	79	86
Land and Environment Court Annual Conference	91	85	94	90
District Court Annual Conference	89	89	89	89
Compensation Court Annual Conference	94	98	94	95
Local Courts Annual Conference	78	78	82	79
Orientation Programmes				
National Judicial Orientation Programme	91	98	90	93
Magistrates' Orientation Programme	85	83	78	82
Seminars				
Criminal Jurisdiction of Children's Court	93	90	89	91
Offender Management in NSW Corrections	100	93	93	95
Personality Disorders – Their Diagnosis and Treatment	86	n/a	87	87
Reforms to NSW Sentencing	96	97	84	92
Sentencing Mothers with Babies	93	88	92	91
Sexual Assault	not evaluated			–
Workshops (country & metropolitan magistrates)				
Local Courts Metropolitan Seminar Series 1	91	82	87	87
Local Courts Metropolitan Seminar Series 2	87	87	85	86
Local Courts Northern Regional	90	89	90	90
Local Courts Southern Regional	90	87	92	90
Average rating	90	89	88	89

Note: The formula used to calculate the results is as follows – Participants' ratings are converted from grades (A, B, C, D & E) to the numeric values 5, 4, 3, 2 & 1 respectively. The numeric values are then totalled, averaged and expressed as a percentage.

PUBLICATIONS

The Commission's publications programme provides judicial officers with professional reference material to assist them in the performance of their judicial functions. Our monographs, bulletins and journals are also supplied on a subscription basis to university law libraries, court libraries, interested individuals and research organisations in NSW, interstate and internationally. Published material covers criminal law, sentencing, judicial administration, practice and procedure, and social context issues. All publications are currently provided to judicial officers in hard copy and many are provided online via JIRS and the Commission's website.

Highlights for 2002–2003

Bench books

Bench books are court-specific looseleaf documents containing material of practical assistance to judicial officers. Bench Book Committees for each court oversee the legal content (see Appendix 2 for the composition of Bench Book Committees). Updates to the bench books are published simultaneously in hard copy and online. The majority of survey respondents (see page 15) found their bench book useful and primarily read it in hard copy.

- The *Criminal Trial Courts Bench Book* was completely revised and reissued to judicial officers in October 2002. An electronic version, complete with links to case law and legislation, was included on JIRS at the same time. Previously only available to judges, the Commission decided to make the *Criminal Trial Courts Bench Book* more generally available by placing it on the Commission's website on 1 November 2002. In addition to reissuing the bench book, the Commission published three updates and three special bulletins.
- The *Local Courts Bench Book* was significantly revised in 2002–2003 and eight updates were published. In preparation for the repeal of the *Justices Act 1902* a major effort was put into updating the bench book to ensure that magistrates had up to date material by the commencement of the new legislation (the *Criminal Procedure Amendment (Justices and Local Courts) Act 2001*).

Bulletins and journals

- The *Judicial Officers' Bulletin* is a monthly newsletter featuring topical articles of relevance to judicial officers and summaries of leading cases (see Appendix 5 for a list of articles published in the bulletin this year). In 2002–2003 the Commission met its target of publishing 11 issues of the bulletin both in hard copy and on JIRS. The bulletin is read by 99% of survey respondents, the majority of whom find both the online and hard copy versions useful.
- *The Judicial Review* publishes selected papers with a focus on legal developments and judicial practice and procedure (see Appendix 5 for a list of articles published this year). In 2002–2003 the Commission met its target of publishing two issues. Survey respondents indicated that they find the review's articles informative and prefer to receive the information in hard copy, although noted that it would be useful if it were available on JIRS. As a result, the Commission is assessing the feasibility of placing *The Judicial Review* online.

Education monographs

The Commission's education monographs explore topics of importance to judicial officers. The Commission's second education monograph, *A Matter of Judgment*, is a collection of essays that aims to promote high standards in judicial decision-making and clarity in judgment writing. Content refinements meant that the publication date was deferred from June to September 2003.

Sentencing Trends and Issues

Sentencing Trends and Issues are short empirical studies of sentencing law and practice. The majority of survey respondents found *Sentencing Trends* both useful and informative. The Commission met its target of publishing five studies in 2002–2003:

- Sentencing mentally disordered offenders: The causal link, No 23, September 2002
- Bail: An examination of contemporary issues, No 24, November 2002
- Sentencing methodology: Two-tiered or instinctive synthesis?, No 25, December 2002
- Sentencing trends for armed robbery and robbery in company: The impact of the guideline in *R v Henry*, No 26, February 2003
- Sentencing drink-driving offenders in the NSW Local Court, No 27, March 2003.

Research monographs

The Commission's research monographs are detailed studies of sentencing and related issues. In 2002–2003, the Commission published one monograph and completed two major research studies:

- *Sentencing Dangerous Drivers in NSW: Impact of the Jurisic Guidelines on Sentencing Practice (Monograph 21)* The first empirical study to gauge the effectiveness of guideline judgments in sentencing decisions, the study found that sentences imposed after the guideline judgment were both more consistent and more severe than in the past. This monograph was published in July 2002.
- *Homicide Sentencing in NSW 1994–2001* This study analyses the sentences imposed on offenders convicted of murder and manslaughter over an eight-year period. It examines 447 cases at both District Court and Supreme Court levels. The sentences are also compared with the results of the Commission's 1990–1993 homicide study.



The Commission's publishing programme helps keep judicial officers informed about sentencing, judicial administration and other current issues.

Scheduled to publish in 2002–2003, the study was much larger than anticipated and therefore took longer to complete. The manuscript was completed in June 2003 and it is expected to publish in the second half of 2003.

- *Circle Sentencing* This study, a collaborative project with the Aboriginal Justice Advisory Council, examines the operation of the first Circle Sentencing Court established at Nowra. The study reviews and analyses cases determined in the Circle Sentencing Court over the first 12 months of its operation. Interviews held with key participants, including the presiding magistrate involved in the development of this new initiative, reveal their attitudes on the value of this approach to sentencing Indigenous offenders. This study was completed and will publish in the second half of 2003.

Disabilities information

The Commission has adapted for judicial officers an Attorney General's Department publication about some of the problems and issues that could arise in court for people with disabilities. These include difficulties of physical access, how to avoid stereotyping people with disabilities, and how to make reasonable adjustment to allow people with disabilities to participate on an equitable level in court. It will publish in late 2003.

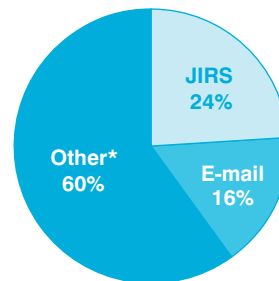
The Sentencing Manual

The Sentencing Manual is a compendium on sentencing principles and practice based on the information contained in JIRS. In view of the success of the manual (78% of respondents to our survey found the sentencing manual either extremely useful, very useful or useful), and having regard to the constant changes to sentencing law and practice, the Commission is considering publishing a second edition in looseleaf format.

COMPUTER TRAINING

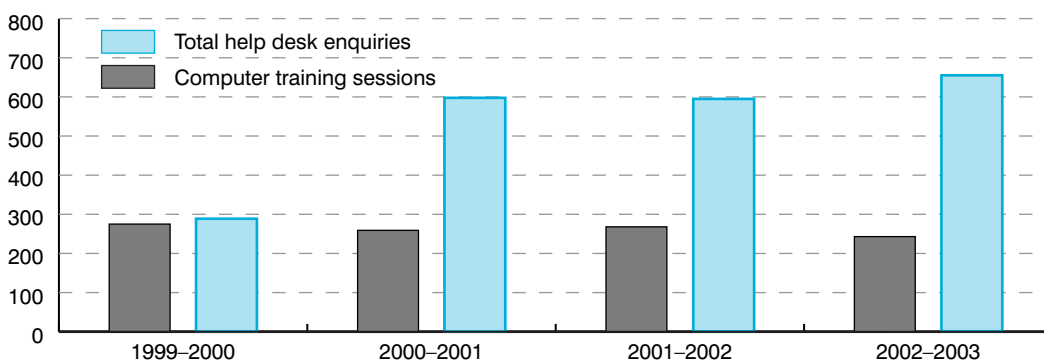
The computer training offered to the NSW judiciary by the Commission facilitates and supports the effective use of computers as an education, research and information management tool. In 2002–2003, the Commission provided 243 group and individual training sessions for judicial officers and associates, answered 654 help desk enquiries, and introduced judgment templates for magistrates and online access to library research facilities.

Figure 2 Help desk enquiries by subject



* “Other” includes enquiries regarding word processing, internet, software programmes, training requests, hardware faults.

Figure 3 Computer support 1999–2003



Magistrates attending a computer training session at the Southern Regional Magistrates’ Conference in March 2003.



Research and Sentencing

Strategic objectives

- Assist the courts to achieve consistency of approach in sentencing
- Reduce unjustified disparities in sentences imposed by the courts
- Improve sentencing efficiency generally
- Reduce the number of appeals against sentences

Major strategies

- Provide the online Judicial Information Research System (JIRS)
- Undertake original research and statistical analysis on aspects of sentencing and related topics
- Provide research assistance to judicial officers
- Maintain and develop the Lawcodes database

Key achievements 2002–2003

- Published one major research study (see page 18)
- Completed two major research studies (see page 18)
- Average of 34 642 page hits per month for JIRS
- JIRS availability greater than 99%
- Informed judicial officers quickly about important sentencing reforms in NSW
- Answered 154 research enquiries

JIRS

JIRS is an online judicial support system developed by the Commission that contains case law, legislation, principles of sentencing, sentencing statistics and online publications. Usage of JIRS is divided fairly evenly between judicial officers (45%) and other users (55%), including legal practitioners, government agencies and private subscribers.

Highlights for 2002–2003

Increasing usage

The value and relevance of JIRS is reflected by a 25% increase in usage of JIRS from an average of 27 688 page hits per month in 2001–2002 to 34 642 hits per month in 2002–2003. Material on JIRS continues to be cited in Court of Criminal Appeal decisions, highlighting its significant influence in the practice of sentencing in New South Wales.

Keeping judicial officers informed

The Commission prepares most of the secondary legal reference material available on JIRS. In 2002–2003, the Commission:

- prepared judicial officers for the changes to sentencing law introduced by the *Crimes (Sentencing Procedure) Amendment (Standard Minimum Sentencing) Act 2002* — the introduction of standard non-parole periods, which will have a substantial impact on sentencing practice, necessitated significant amendments to the sentencing principles and practice component of JIRS
- included 49 items for the What's New page on topics ranging from the impact of the High Court decision in *Wong v The Queen* (2001) 76 ALJR 79, to references to standard minimum sentences and the reformulation of the dangerous driving guideline in *R v Whyte* (2002) 55 NSWLR 252.

Sentencing statistics

The sentencing statistics component is a key feature of JIRS. It promotes consistency of approach to sentencing by providing judicial officers with information on the statistical range of sentences previously imposed for particular offences in the higher courts, the Local Courts and Children's Court. In 2002–2003 we again faced problems receiving



Dietmar Althaus, a law student from Germany, worked in the Commission's Research section for three months.



Stephen Cumines, Manager, Research and Sentencing oversees the content of JIRS.



Georgia Brignell and Trish Poletti undertake original research and write research reports on sentencing trends.



JIRS has proven to be a valuable research tool for judicial officers.

Figure 4 Number of JIRS pages accessed by users each year

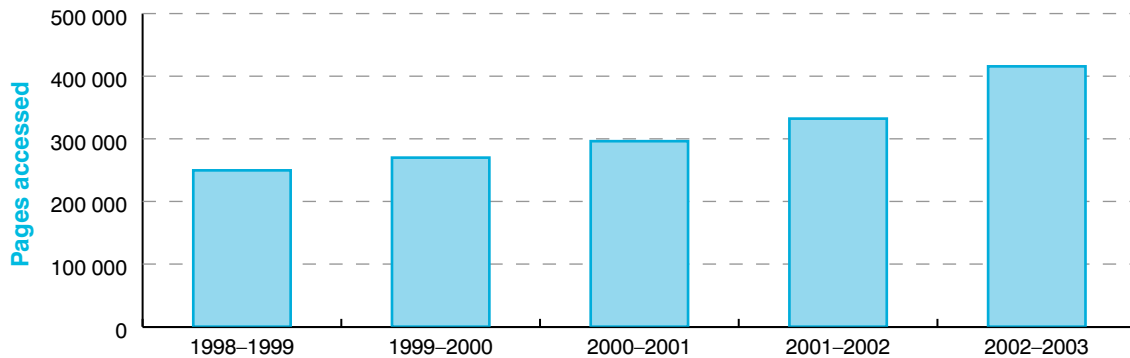
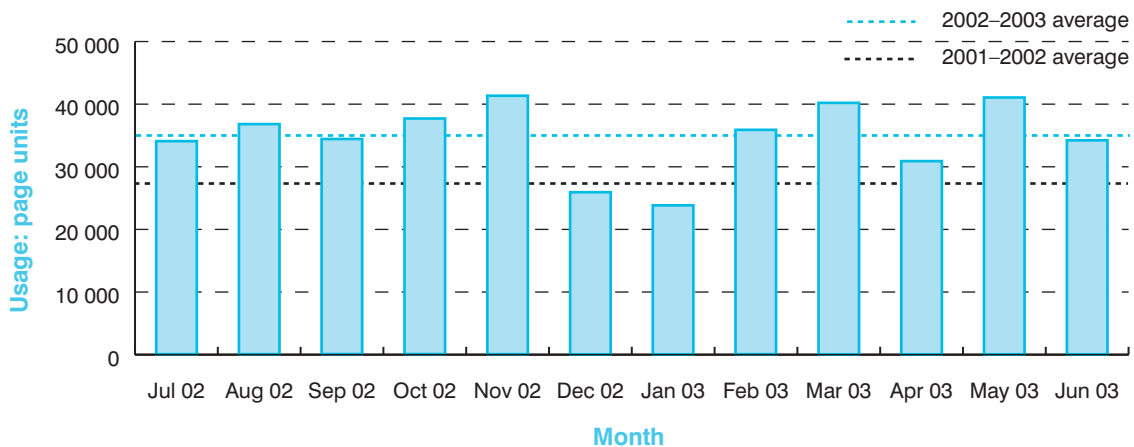


Figure 5 Number of JIRS pages accessed by users each month



timely, accurate and complete data from the higher courts within our targeted time frame of three months. The state of accuracy and completeness of the data received meant that the Commission was often unable to meet its target of auditing, processing and loading the higher courts sentencing statistics on JIRS within one month of receipt.

- **Higher Courts:** The Commission designed and built a District Court Statistics Collection System to improve the collection of sentencing data from the District Court. A live trial of the system began in June 2003 in the Sydney District Court. This system will result in more timely and accurate information for the Commission, the Bureau of Crime Statistics and Research and the courts.
- **Local Courts:** While we have been unable to meet the target of one month for the higher courts, in most instances Commission staff have been able to process and load Local Court data onto JIRS within the targeted time frame of one month from receipt.

- **Children’s Court:** The Commission has experienced difficulties in obtaining timely sentencing statistics for the Children’s Court. We have been working with the Department of Juvenile Justice to improve the flow of information and envisage that this situation will improve in the next financial year.

Improvements to JIRS operating system

JIRS currently operates on an Intranet and is available via the Attorney General’s Department’s wide area network or by dial up modem. The Commission is investigating ways to make JIRS more widely accessible by making it available over the internet.

In 2002–2003, we continued to make enhancements to the JIRS operating system, including:

- replacing the JIRS server to ensure a more reliable service and better response times

- further developing the Sentencing Date Calculator
- developing an advanced search mechanism to query multiple databases
- rewriting the JIRS menu system to increase portability to other servers, increase security and make the menu options more user friendly.

Review of JIRS

This research project has been postponed because it is clear that usage of JIRS has grown significantly since its inception (see Figure 4). As the system has emerged as a most valued resource, a review is not a high priority.

RESEARCH

Research assistance and enquiries

In 2002–2003, the Commission:

- dealt with 154 research enquiries from judicial officers, practitioners, libraries, subscribers and government agencies regarding sentencing information. This is a 10% increase on the 140 enquiries answered in 2001–2002
- provided research assistance to the judicial officers who review and revise the Commission's bench books
- provided information and assistance to the Review of the Law of Manslaughter in NSW conducted by the Honourable Mervyn Finlay QC for the NSW Government, the report of which was released in April 2003.

Research studies

The Commission's research studies evaluate different aspects of sentencing law and practice. The following research studies are in progress (see also pages 17–18):

- **Children's Court** This study on sentencing in the Children's Court was deferred as a consequence of problems associated with the available data. Once these issues are resolved, a study, containing the most up to date statistics available, will be undertaken.

- **Armed Robbery** Research work on this major study has commenced. It will analyse sentences for armed robbery offences handed down after the guideline judgment in *R v Henry*.

LAWCODES

The Lawcodes project aims to facilitate the electronic interchange of information between justice system agencies by establishing common codes to describe offences. This helps to ensure that information remains consistent as it moves through different agencies. Lawcodes data are used by the Commission, District and Local Courts, New South Wales Police, Australian Federal Police, the Bureau of Crime Statistics and Research, both the Commonwealth and New South Wales Offices of the Director of Public Prosecutions, the Roads and Traffic Authority, the Department of Juvenile Justice, NSW Agriculture, and Lake Macquarie City Council.

In 2002–2003, the Commission continued to update the information contained in the database and maintain the system. The Commission is investigating the feasibility of putting the system on the internet to meet the needs of legal practitioners to gain access to the information.



The Lawcodes database provides standardised and reliable information on common offences in New South Wales.

Complaints Against Judicial Officers

Strategic objectives

- Promote judicial accountability through effective complaint handling
- Promote good practice and higher standards of judicial performance
- Enhance public confidence in the judiciary

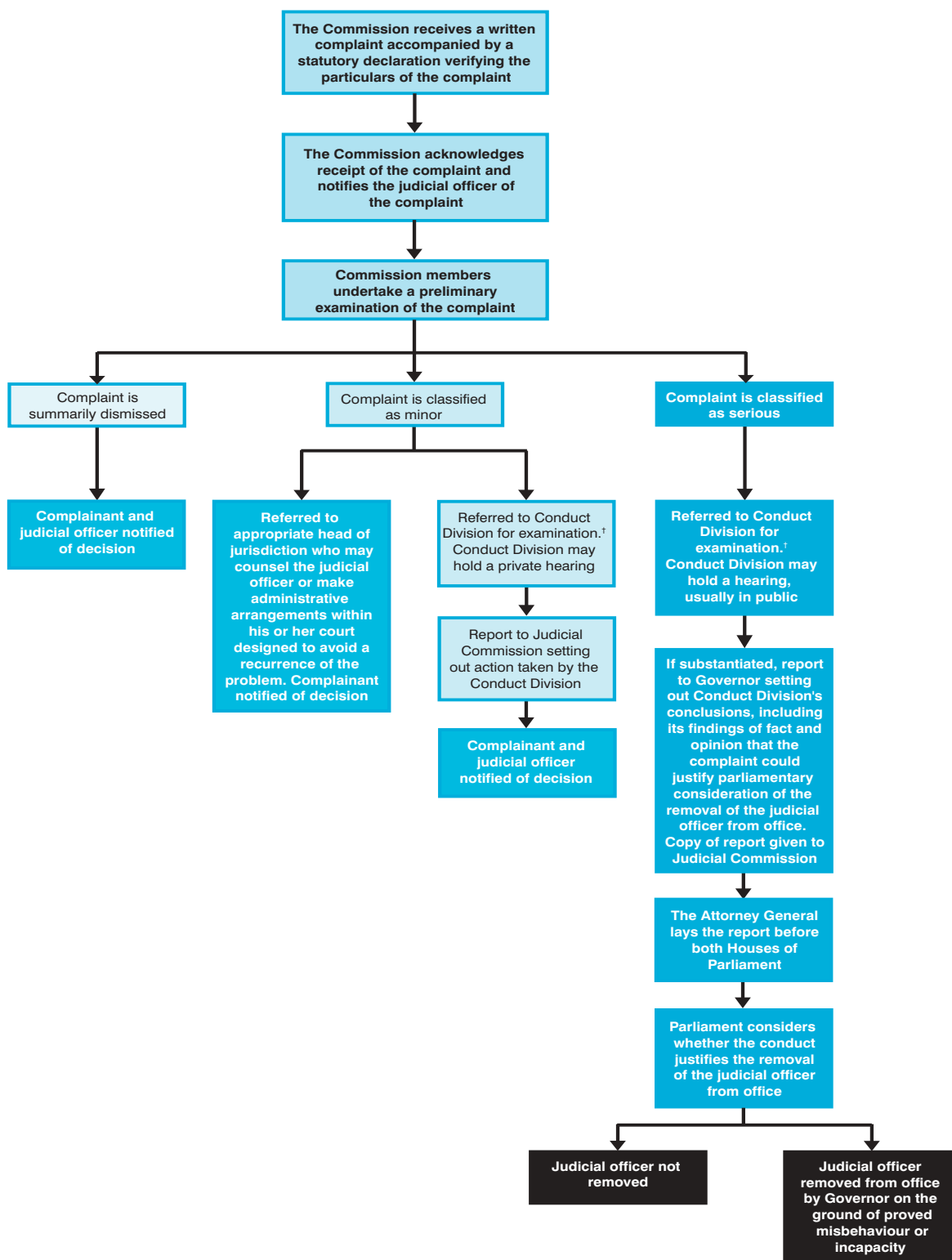
Major strategies

- Provide advice to the public about the Commission's complaint function
- Review and update policies, procedures and time standards for examination of complaints
- Monitor trends and developments in complaints received
- Examine and finalise complaints effectively and in a timely manner

Key achievements 2002–2003

- Improving the information provided to potential complainants about the complaint process
- All complaints acknowledged within one week of receipt
- 94% of complaints examined within six months of receipt
- 100% of complaints examined within 11 months of receipt

Figure 6 The Complaint Process



† After a complaint has been referred to the Conduct Division, the Division may reclassify the complaint at any time before disposing of it, if that action appears appropriate. If reclassified the complaint is dealt with accordingly.

* See Appendix 1 for further details of the complaint process.



Caroline Muldoon, the Commission's receptionist, is the first point of contact for people seeking information about the Commission.



The Commission's website informs potential complainants about the complaints process.



Cheryl Condon, Executive Assistant, assists complainants with enquiries about the complaint process.



The Commission's complaint form can be obtained from the Commission in hard copy or downloaded from the website.

THE COMPLAINT PROCESS

The *Judicial Officers Act 1986* established a comprehensive system for examining complaints that concern the ability or behaviour of judicial officers. The complaints process provides a level of judicial accountability in addition to traditional forms, such as proceedings being conducted in public, the requirement to give reasons for judicial decisions and decisions being subject to appellate review. See Figure 6 and Appendix 1 for an overview of the complaint process.

Advice to the public

The Commission's website is an important source of information on our role, the complaint process and sentencing information for the public and related agencies. In recognition of the growing number of people with access to the internet, the Commission redesigned and relaunched our website in February 2003 to improve its usefulness. The redesign structured material about the Commission in a more easily accessible way and improved the useability of the website. The website now provides an easy to understand guide to the Commission's complaint process, detailed information about possible outcomes of complaints, and a complaints form for downloading.

COMPLAINTS RECEIVED AND EXAMINED

In the period 1 July 2002 to 30 June 2003, 60 individual complainants made a total of 65 complaints about 57 judicial officers. One complainant made three complaints and three complainants submitted two complaints each. The balance of complaints were submitted individually.

As can be seen from Figure 7, during this period there was a decrease in the number of complaints received and examined.

Figure 7 Number of complaints received and examined by the Commission
1998–1999 to 2002–2003

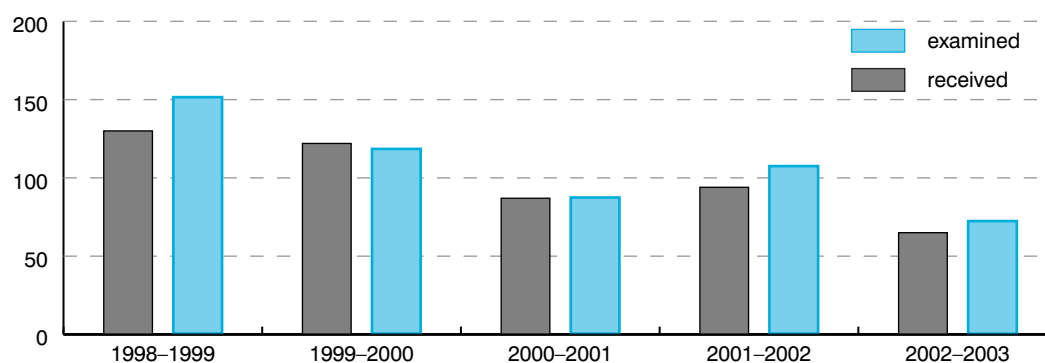


Table 3 Complaint particulars

Complaints pending at 30 June 2002	19
Complaints made during the year	65
Total number of complaints	84
Complaints examined and dismissed under sections 18 and 20 of the Act	72
Minor complaints disposed of during the year	0
Serious complaints disposed of during the year	0
Complaints withdrawn	5
Total number of matters finalised	77
Complaints pending at 30 June 2003	7

RESOLUTION OF COMPLAINTS

The Commission aims to finalise 90% of complaints within six months of receipt and 100% of complaints within 12 months of receipt. In 2002–2003, the Commission finalised:

- 17% of complaints within one month of receipt
- 72% of complaints within three months of receipt
- 83% of complaints within four months of receipt
- 94% of complaints within six months of receipt

The longest time taken to complete the examination of a complaint was 11 months. Delay in finalisation was caused by difficulty in obtaining information from the complainants to enable the Commission to obtain the necessary transcripts and sound recordings of the hearings that were the subject of complaint.

Complaints examined and dismissed

The Commission dismissed 72 complaints during the year based on criteria outlined in section 20 of the *Judicial Officers Act 1986*. Details are set out in Table 4 below.

Conduct Division: work and activity

The function of a Conduct Division of the Judicial Commission is to examine and deal with a complaint referred to it by the Commission.

On 25 January 2002 the Commission received a complaint from a solicitor alleging that Magistrate Roland Day had engaged in a course of conduct designed to influence the outcome of a criminal

prosecution in which he had been the presiding magistrate.

On 15 May 2002 the Commission, following its preliminary examination of the complaint, classified the matter as serious and referred it to a Conduct Division for investigation in accordance with section 21(1) of the *Judicial Officers Act*.

The Conduct Division appointed by the Commission to examine the complaint consisted of the following members:

- The Honourable Alan Abadee RFD, QC (Chairperson)
- His Honour Judge Derek Price of the District Court, and
- Magistrate Charles Gilmore of the Local Court.

The Conduct Division elected to conduct a public hearing in connection with the complaint and subsequently decided to extend, pursuant to section 31 of the Act, the original complaint to cover a further matter. The hearing of evidence commenced on 15 July 2002 and concluded on 26 July 2002. On that day Magistrate Day indicated that he wished to resign as a magistrate and tendered his resignation in writing to the Attorney General. On 31 July 2002, the Governor accepted Magistrate Day's resignation and he ceased to be a judicial officer. The Conduct Division noted the resignation had been accepted and in accordance with the provisions of section 32(1) of the Act ceased dealing with the complaint.

Table 4 Criteria adopted for dismissing complaints

Criteria	Section	Number of complaints
The complaint related to the exercise of a judicial or other function that was subject to adequate appeal or review	20(1)(f)	1
The complaint related to the exercise of a judicial or other function that was subject to adequate appeal or review and further consideration of the complaint by the Commission was unnecessary or unjustifiable	20(1)(f) & (h)	20
Further consideration of the complaint by the Commission was unnecessary or unjustifiable	20(1)(h)	50
The person complained about was no longer a judicial officer	20(1)(g)	1

PATTERNS IN THE NATURE AND SCOPE OF COMPLAINTS

In any consideration of the statistics of the complaints dealt with by the Commission it must be remembered that there are approximately 300 judicial officers in New South Wales who in the relevant period dealt with in excess of 400 000 matters.

Common causes of complaint

There has been little variation in the patterns in the nature and scope of complaints received in recent years. The most common grounds of complaint to the Commission continue to be allegations of failure to give a fair hearing and apprehension of bias. In 2002–2003, these two categories accounted for 66% of complaints made to the Commission, compared to 72% in the previous year. Many complaints of this type were made by unsuccessful parties to legal proceedings and by persons who conducted their own litigation before the courts. Complaints of bias are frequently accompanied by allegations of particular conduct by the judicial officer concerned which is said to evidence bias.

Other allegations

This year eight complaints alleged discourtesy or inappropriate comments made by a judicial officer. In total these complaints accounted for approximately 12% of all complaints received in 2002–2003 compared with 7% in this category last year. Two complaints alleged collusion between a

judicial officer and another person or persons. Following investigation these allegations were found to be baseless.

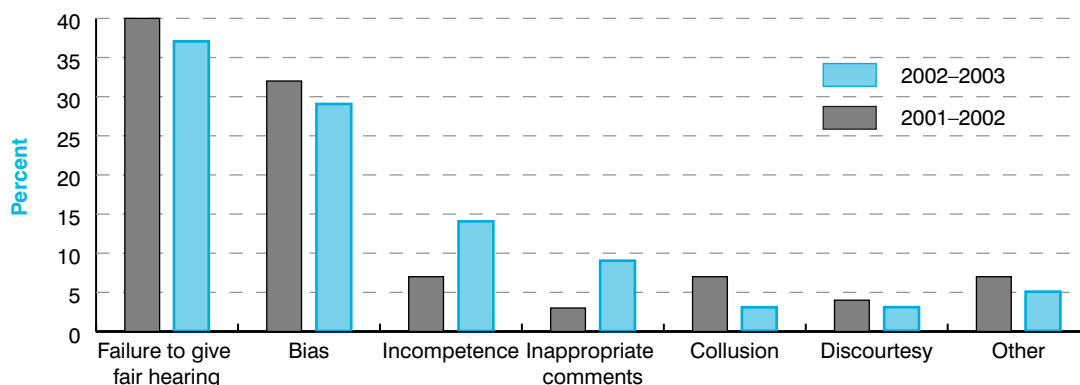
Substitute for appeals

As reported in previous years, many complaints, in essence, allege that a judicial officer made a wrong decision. These complaints are often made in apparent substitution of appeals to a higher court. They are usually made in circumstances where a party to litigation is aggrieved by an unfavourable decision but, for one reason or another, does not wish to appeal. Instead, a personal complaint against the judicial decision-maker is made to the Commission, usually alleging bias or incompetence. The Commission's role, however, is not that of an appellate tribunal with a function of correcting allegedly erroneous decisions and these complaints are dismissed accordingly.

Complaints arising from AVO proceedings

For a number of years the Commission has noted the high proportion of complaints received which arise from proceedings involving applications for Apprehended Violence Orders (AVOs). This year the number of complaints arising from AVO proceedings has reduced and represents 17% of all complaints made to the Commission. This compares with 26% of complaints last year.

Figure 8 Common causes of complaint: Basis of allegations



Corporate Operations

OUR STAFF

The Commission provides a safe, harmonious and productive working environment that offers interesting and fulfilling work, and motivates staff to excel in the performance of their duties and allows them to develop both professionally and personally.

In this way, the Commission has developed and retained staff, with 53% of staff having over six years service and 38% of staff having nine years or more service.

Student placements

The Commission's traineeships offer law students the opportunity to gain practical work experience. In 2002–2003, the Commission provide placements for three trainees in the research and education sections.

The Commission also participates in a programme that provides German law students with experience in the Australian legal system. In 2002–2003, one German law student undertook a three-month traineeship in the Research and Sentencing Section of the Commission, enabling him to fulfil part of the requirements of his German law degree.

Employment conditions

The Commission is an employer under the *Judicial Officers Act 1986*, with conditions of

employment being generally equivalent to those of the New South Wales Public Service. Members of the Public Service who accept a position at the Commission retain various rights and benefits, such as superannuation and extended leave.

Industrial Relations

The Public Service Association provides industrial coverage for staff members. No time was lost during the year because of industrial action, nor has any time been lost in the past five years.

Code of Conduct

The Commission's Code of Conduct guides staff in the performance of their duties, especially where ethical considerations may be involved. The Code of Conduct is available on the Commission's intranet. There was a minor amendment to the Commission's Code of Conduct during the reporting period to incorporate reference to the *Public Records Act 1998*.

Staff development and training

The Commission recognises that our staff are our most important asset and we attempt to develop their full potential. During 2002–2003 we spent \$27 000 on training, that is, approximately 1%

Table 5 Comparison of average number of employees by category

	1998–1999	1999–2000	2000–2001	2001–2002	2002–2003
Senior executive	3	3	3	3	3
Sentencing/judicial education	17	19	22	27	26
Administration/management support	5	5	5	5	5
Total staff	25	27	30	35	34

of our total expenses. Staff attended a number of courses that were chosen for the purposes of developing personal attributes, obtaining further professional skills or enhancing existing skills in established areas of expertise. In 2002–2003, the Commission also supported two staff members undertaking tertiary study by providing study leave.

Performance appraisal

The Commission’s performance management system concentrates on the establishment of agreed objectives and performance targets. It provides for regular reviews between supervisors and staff as well as formal appraisals on an annual basis.

Safe working environment — Occupational Health and Safety

There were no accidents or incidents reported during 2002–2003, nor has the Commission had any accidents or incidents reported in the past five years. A range of occupational health and safety activities were carried out this year, including a focus on building security, fire drills and hazard assessment. The occupational health and safety activities committee attended a training session on dealing with bomb threats and then briefed Commission staff.

ACCESS AND EQUITY

Action plan for women

Due to competing priorities and resource limitations the Commission has not yet finalised its Action Plan for Women. We have, however, addressed the relevant objectives of the NSW Government’s Action Plan for Women by:

- promoting a safe and equitable workplace through implementing harassment prevention policies, creating opportunities for part time employment and providing family responsibility leave
- maximising the interests of women in micro-economic reform by providing job sharing, traineeships, work from home opportunities and professional development opportunities
- promoting the position of women in society by conducting education sessions for the judiciary on gender awareness issues and domestic violence.



Charlotte Denison and Tanya Choy co-ordinate the Commission’s conferences.



Nora Arcilla provides administrative support to the Commission’s staff.



Murali Sagi oversees the Commission’s information technology needs.



The Commission’s traineeships offers law students such as Andrea Hadaway and Adam Russoniello the opportunity to gain practical work experience.

Table 6 Trends in the representation of EEO groups¹

EEO Group	% of total staff ²				
	Benchmark or target	2000	2001	2002	2003
Women	50	63	63	54	63
Aboriginal people and Torres Strait Islanders	2	0	0	3	3
People whose first language was not English	19	30	27	34	26
People with a disability	12	11	7	0	0
People with a disability requiring work-related adjustment	7	7.4	0	0	0

1. Staff numbers are as at 30 June 2003.

2. Excludes casual staff.

Note: The Commission is unable to publish details of trends in the distribution of salary levels of EEO group members because of privacy issues associated with small numbers of staff.

Spokeswomen's Programme

A highlight of the Spokeswomen's Programme in 2002–2003 was a one-day self-defence workshop attended by 13 Commission staff. The Commission's Spokeswoman also attended a Women's Information Day. During the year, the Spokeswomen's section on the Commission's intranet was updated and the information bay was moved to a more prominent place to ensure that information is more easily disseminated to all staff.

Equal Employment Opportunity

The Commission supports and implements the principles of equal employment opportunity. The Commission performs excellently on the representation of women and people whose first language was not English, exceeding the government's targets in both areas (see Table 6). The Commission is committed to:

- providing a productive work environment that is free from discrimination and harassment
- fostering the professional development of staff in a manner that attracts and retains employees.

An appointed Equal Employment Opportunity Co-ordinator keeps a watching brief on workplace issues to ensure optimum compliance with the spirit and intention of EEO policies.

Ethnic Affairs Priorities Statement

The Commission's Ethnic Affairs Priorities Statement outlines how the Commission incorporates the principles of cultural diversity into its programmes. Although the main focus of the Commission is to provide education and sentencing information for judicial officers, we do have a more general service delivery role in our complaints function. As such, in 2002–2003 the Commission incorporated the principles of cultural diversity into its programmes in two main ways:

- we provide sessions on cultural diversity in our education programme to enable judicial officers to recognise and appreciate the cultural differences that exist in our community. Topics in 2002–2003 included use of interpreters in court, and the Islamic religion as practised in Australia
- we seek to communicate with complainants from a non-English speaking background by accepting written complaints in languages other than English and by using the Translating and Interpreting Service for assistance with interviews, written translations and phone calls whenever necessary.

ENVIRONMENTAL ISSUES

Waste reduction and recycling policy

In accordance with the Commission's requirement to implement the Government's Waste Reduction and Purchasing Policy, in 2002–2003, the Commission made the following progress:

- **Reducing waste generation** The Commission reduces its generation of waste paper by using electronic communication methods, including email, online publication of Commission research on JIRS and the Commission's website, and placing electronic copies of Commission policies on the Commission's intranet.
- **Increasing resource recovery** The Commission returns all used toner cartridges for recycling and paper waste is collected by the building managers for recycling. In 2002–2003, the Commission recycled 27 toner cartridges and 5 tonnes of waste paper.
- **Increasing usage of recycled material** All stationery products purchased by the Commission contain a recycled component of 70% or more. The Commission also uses recycled toner cartridges.

Energy management

Strategies to support the Commission's policy of effective energy management include ensuring that we purchase computer and office equipment with a power saving mode. We continue to report to the Minister of Energy and Utilities on our electricity and fuel consumption under the government's Energy Management Policy. In this reporting period both our petrol and energy consumption increased slightly.

INFORMATION TECHNOLOGY

Development of case management systems

The Commission completed its development of the Adult Drug Court Case Management System and the system was implemented in February 2003. The system is able to generate most of the documents previously produced manually by court staff, such as bail undertakings and remand warrants. The Commission has received positive feedback from the Drug Court about the system's useability and functionality. The Commission continues to maintain the completed Youth Drug Court System.

Electronic service delivery

In line with the NSW Government's commitment to Electronic Service Delivery via the Internet, the Commission has been working to make more of its services, such as Lawcodes and publications, available online. The main enhancements in this regard in 2002–2003 were a completely revised user-friendly website (see page 26 for more details) and making the *Criminal Trial Courts Bench Book* available online (see page 17 for more details).

Disaster recovery

As the Commission relies extensively on information technology to carry out its functions, it has implemented effective and reliable disaster recovery plans. File and print servers are backed up to tape daily; and application servers are backed up weekly. A monthly back up of all servers is held in an off-site vault for a period of two years. In the event of a disaster, the purchase of off-the-shelf replacement PC file servers, together with the stored back up tapes, will ensure complete recovery of data and restoration of applications in a short period of time. Important paper records, such as complaint files, are stored in secure, fire proof cabinets to ensure their safety.



Ian MacKinnell, Senior Analyst.
The Commission's information technology services assist Commission staff, judicial officers and the courts to carry out their duties efficiently and effectively.

LIBRARY OPERATIONS

The Commission's library is used both by our staff and by judicial officers. It is a specialist library holding valuable collections in the areas of criminology, sentencing and judicial education. The library is a member of the Australia-wide Court Libraries network and maintains reciprocating relationships with those libraries and with the Australian Law Librarians Group.

In 2002–2003:

- the library software was upgraded to enable online access to the catalogue
- borrowings from other libraries fell by 66% and reference enquiries fell by 31%, mainly because of the completion of the revision work by the Bench Book Committee in October 2002 and changes made to the Research Department's Programme Schedule for 2002–2003
- a further 430 items were added to the library's catalogue, an increase of 91% over the previous year.



Maree D'Arcy, the Commission's Librarian. The Commission's library is an essential source of support for staff and judicial officers.

OPERATING ENVIRONMENT

Changes to legislation

The Commission operates under the *Judicial Officers Act 1986* and the *Judicial Officers Regulation 2000*. The following changes occurred:

- The *Compensation Court Repeal Act 2002* amended the *Judicial Officers Act* by removing all references to the Compensation Court of New South Wales and by replacing the Chief Judge of the Compensation Court as a Commission member with the President of the Court of Appeal. These amendments will commence in January 2004.
- The *Justices Legislation Appeal and Amendment Act 2001* amended the *Judicial Officers Act* by inserting new provisions relating to the immunity of judicial officers. These amendments will commence in July 2003.

Privacy management plan

The Commission is awaiting approval from the NSW Privacy Commissioner for its draft Privacy Code of Practice and Privacy Management Plan. The Commission did not conduct any reviews under the *Privacy and Personal Information Protection Act 1998*.

Risk management and insurance

An appropriate form and level of insurance exists in relation to all identifiable risk exposures. The Commission is a member of the Treasury Managed Fund, which provides comprehensive cover for physical assets, such as plant and equipment, motor vehicles and miscellaneous matters. The managed fund provides coverage for staff through workers' compensation and for the public through public liability cover. The fund is a form of self-insurance. A review of the level and method of insurance has been conducted and the appropriate risk level established. The Commission, because of its size, has little influence on the performance of the overall fund and the level of insurance adopted for 2002–2003 was principally determined on the basis of all members of the fund during the previous financial year.

FINANCIAL PERFORMANCE

Payment of accounts

The Commission aims to pay all accounts within the agreed terms or within 30 days of receipt of invoice if terms are not specified. Suppliers are notified of this policy in writing when orders for goods and services are placed.

As shown below, during the reporting period the Commission paid all accounts on time and was not required to pay penalty interest on any account.

Consultants

The Commission did not employ any consultants this year.

Credit card certification

The Chief Executive certifies that credit card usage in the Commission has met best practice guidelines in accordance with Premier's Memoranda and Treasury Directions.

Table 7 Aged analysis at the end of each quarter

Quarter	Within due date	Less than 30 days overdue	Between 30 & 60 days overdue	Between 60 & 90 days overdue	More than 90 days overdue
	\$	\$	\$	\$	\$
September	55 682	–	–	–	–
December	74 876	–	–	–	–
March	50 630	–	–	–	–
June	51 979	–	–	–	–

Table 8 Accounts paid on time within each quarter

Quarter	Accounts paid on time		Amount paid on time	Total amount paid
	Target %	Actual %	\$	\$
September	100	100	55 682	55 682
December	100	100	74 876	74 876
March	100	100	50 630	50 630
June	100	100	51 979	51 979

Financial Summary

Revenue

The principal source of revenue for the Commission is from the Consolidated Fund of Treasury (\$3.95 million). A further \$102 000 in revenue was received, of which \$95 00 was generated by the Commission through consultancy projects for other Government agencies and through the sale of publications and subscriptions for the JIRS database.

Expenditure

Expenses totalled \$4.271 million, an increase of \$579 000 over the previous year. Employee-related expenses accounted for \$2.747 million (64.3%), an increase of 18.9% on the previous year. Expenditure this year on the examination of a complaint by the Conduct Division was \$254 000.

Assets

Cash balances increased by \$44 000 over the previous year while non-current assets decreased by 21%.

Liabilities

The 53% increase in liabilities over the previous year is due to increases in prepaid revenues and provisions for employee-related benefits and related on-costs.

Figure 9 Expenditure

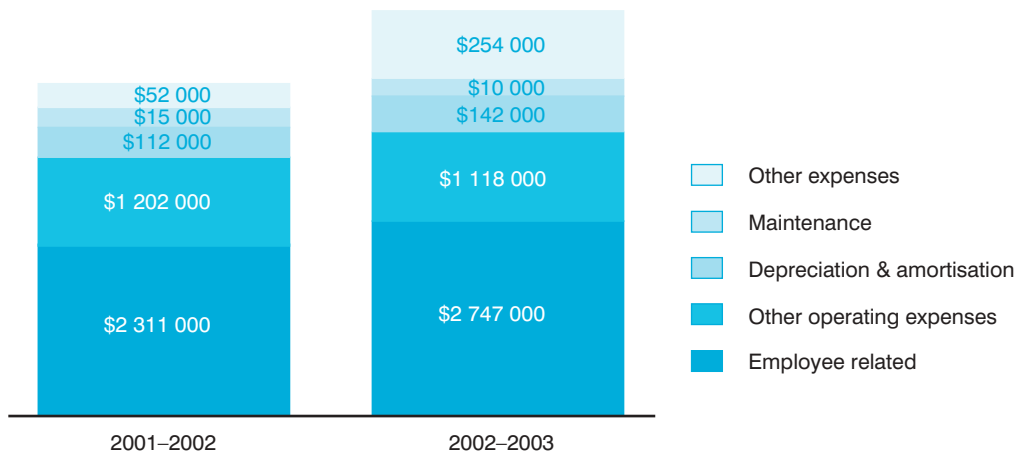
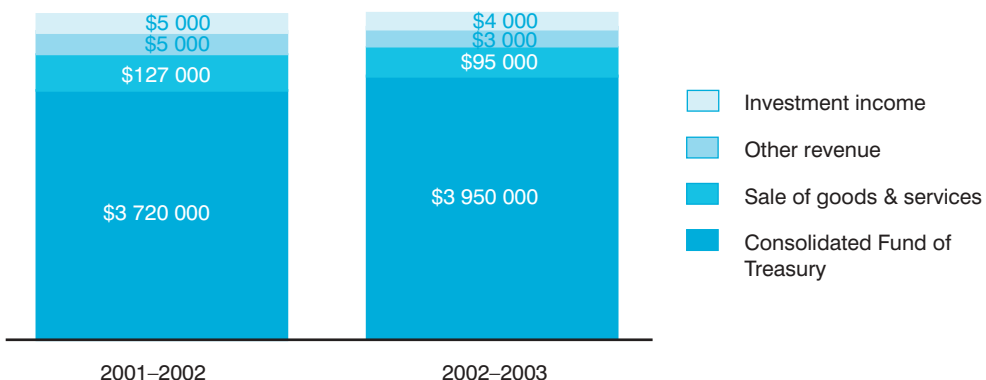


Figure 10 Income



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GPO BOX 12
SYDNEY NSW 2001

INDEPENDENT AUDIT REPORT

JUDICIAL COMMISSION OF NEW SOUTH WALES

To Members of the New South Wales Parliament

Audit Opinion

In my opinion, the financial report of the Judicial Commission of New South Wales:

- (a) presents fairly the Commission's financial position as at 30 June 2003 and its financial performance and cash flows for the year ended on that date, in accordance with applicable Accounting Standards and other mandatory professional reporting requirements in Australia, and
- (b) complies with section 45E of the Public Finance and Audit Act 1983 (the Act).

The opinion should be read in conjunction with the rest of this report.

The Chief Executive's Role

The financial report is the responsibility of the Chief Executive of the Judicial Commission of New South Wales. It consists of the statement of financial position, the statement of financial performance, the statement of cash flows, the summary of compliance with financial directives and the accompanying notes.

The Auditor's Role and the Audit Scope

As required by the Act, I carried out an independent audit to enable me to express an opinion on the financial report. My audit provides reasonable assurance to members of the New South Wales Parliament that the financial report is free of material misstatement.

My audit accorded with Australian Auditing and Assurance Standards and statutory requirements, and I:

- evaluated the accounting policies and significant accounting estimates used by the Judicial Commission of New South Wales in preparing the financial report, and
- examined a sample of the evidence that supports the amounts and other disclosures in the financial report.

An audit does not guarantee that every amount and disclosure in the financial report is error free. The terms 'reasonable assurance' and 'material' recognise that an audit does not examine all evidence and transactions. However, the audit procedures used should identify errors or omissions significant enough to adversely affect decisions made by users of the financial report or indicate that the Chief Executive had failed in their reporting obligations.

My opinion does not provide assurance:

- about the future viability of the Judicial Commission of New South Wales,
- that the Judicial Commission of New South Wales has carried out its activities effectively, efficiently and economically,
- about the effectiveness of its internal controls, or
- on the assumptions used in formulating the budget figures disclosed in the financial report.

Audit Independence

The Audit Office complies with all applicable independence requirements of Australian professional ethical pronouncements. The Act further promotes independence by:

- providing that only Parliament, and not the executive government, can remove an Auditor-General, and
- mandating the Auditor-General as auditor of public sector agencies but precluding the provision of non-audit services, thus ensuring the Auditor-General and the Audit Office are not compromised in their role by the possibility of losing clients or income.

A handwritten signature in dark ink, appearing to read 'David A. Jones'.

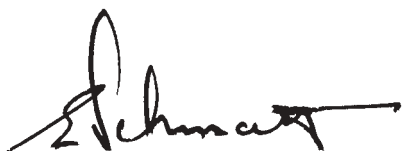
D A Jones FCPA
Director of Audit

SYDNEY
13 October 2003

Certification of Financial Statements

Pursuant to section 45F of the Public Finance and Audit Act 1983, I state that:

- (a) the Judicial Commission's Financial Statements are a general purpose financial report which has been prepared in accordance with applicable Australian Accounting Standards and other mandatory professional reporting requirements, the requirements of the Public Finance and Audit Act, 1983, the requirements of the finance reporting directives published in the Financial Reporting Code for Budget Dependent General Government Sector Agencies, the Public Finance and Audit Regulation, 2000 and the Treasurer's Directions;
- (b) the financial statements exhibit a true and fair view of the financial position and transactions of the Judicial Commission of New South Wales for the year ended 30 June 2003; and
- (c) there are no circumstances which would render any particulars included in the financial statements to be misleading or inaccurate.



E.J. SCHMATT

Chief Executive
9/10/2003

Statement of Financial Performance for the year ended 30 June 2003

	Notes	Actual 2003 \$'000	Budget 2003 \$'000	Actual 2002 \$'000
Expenses				
Operating expenses				
Employee related	2(a)	2,747	2,529	2,311
Other operating expenses	2(b)	1,118	1,090	1,202
Maintenance		10	10	15
Depreciation	2(c)	142	115	112
Other expenses	2(d)	254	–	52
Total Expenses		4,271	3,744	3,692
Less:				
Retained Revenue				
Sales of goods and services	3(a)	95	50	127
Investment income	3(b)	4	2	5
Other revenue	3(c)	3	5	5
Total Retained Revenue		102	57	137
Net Cost of Services	18	4,169	3,687	3,555
Government Contributions				
Recurrent appropriation	4	3,635	3,365	3,183
Capital appropriation	4	49	49	319
Acceptance by the Crown Entity of employee benefits and other liabilities	1(d)(iii) & 5	266	200	218
Total Government Contributions		3,950	3,614	3,720
SURPLUS/(DEFICIT) FOR THE YEAR FROM ORDINARY ACTIVITIES		(219)	(73)	165
SURPLUS/(DEFICIT) FOR THE YEAR		(219)	(73)	165
TOTAL REVENUES, EXPENSES AND VALUATION ADJUSTMENTS RECOGNISED DIRECTLY IN EQUITY		–	–	–
TOTAL CHANGES IN EQUITY OTHER THAN THOSE RESULTING FROM TRANSACTIONS WITH OWNERS AS OWNERS	15	(219)	(73)	165

The accompanying notes form part of these financial statements

Statement of Financial Position as at 30 June 2003

	Notes	Actual 2003 \$'000	Budget 2003 \$'000	Actual 2002 \$'000
ASSETS				
Current Assets				
Cash	7	57	15	13
Receivables	8	40	63	63
Other	9	75	53	53
Total Current Assets		172	131	129
Non-Current Assets				
Plant and equipment	10	346	373	439
Total Non-Current Assets		346	373	439
Total Assets		518	504	568
LIABILITIES				
Current Liabilities				
Payables	11	125	137	133
Provisions	12	177	189	147
Other	14	62	–	–
Total Current Liabilities		364	326	280
Non-Current Liabilities				
Provisions	13	122	–	37
Total Non-Current Liabilities		122	–	37
Total Liabilities		486	326	317
Net Assets		32	178	251
EQUITY				
Accumulated funds		32	178	251
Total Equity	15	32	178	251

The accompanying notes form part of these financial statements

Statement of Cash Flows for the year ended 30 June 2003

	Notes	Actual 2003 \$'000	Budget 2003 \$'000	Actual 2002 \$'000
CASH FLOWS FROM OPERATING ACTIVITIES				
Payments				
Employee related		(2,465)	(2,398)	(2,142)
Other		(1,597)	(1,210)	(1,410)
Total Payments		(4,062)	(3,608)	(3,552)
Receipts				
Sale of goods and services		160	50	131
Interest received		4	2	5
Other		194	116	164
Total Receipts		358	168	300
Cash Flows from Government				
Recurrent appropriation		3,635	3,365	3,183
Capital appropriation		49	49	319
Cash reimbursements from the Crown Entity		113	77	80
Net Cash Flows from Government		3,797	3,491	3,582
NET CASH FLOWS FROM OPERATING ACTIVITIES	19	93	51	330
CASH FLOWS FROM INVESTING ACTIVITIES				
Purchases of plant and equipment		(49)	(49)	(319)
NET CASH FLOWS FROM INVESTING ACTIVITIES		(49)	(49)	(319)
NET INCREASE/(DECREASE) IN CASH				
Opening Cash and Cash Equivalents		13	13	2
CLOSING CASH AND CASH EQUIVALENTS	7 & 20	57	15	13

The accompanying notes form part of these financial statements

Summary of Compliance with Financial Directives
 for the year ended 30 June 2003

Supplementary financial statement

	2003				2002			
	Recurrent Appropriation	Expenditure/ Net Claim on Consolidated Fund	Capital Appropriation	Expenditure/ Net Claim on Consolidated Fund	Recurrent Appropriation	Expenditure	Capital Appropriation	Expenditure
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
ORIGINAL BUDGET APPROPRIATION/ EXPENDITURE								
Appropriation Act	3,365	3,365	49	49	2,884	289	274	
Additional Appropriations	3,365	3,365	49	49	2,884	289	274	
OTHER APPROPRIATIONS/ EXPENDITURE								
Treasurer's Advance	365	270			414	77	45	
	365	270	0	0	414	77	45	
Total Appropriations/ Expenditure/Net Claim on Consolidated Fund (includes transfer payments)	3,730	3,635	49	49	3,298	366	319	
Amount drawn down against Appropriation		3,635		49			319	
Liability to Consolidated Fund		-		-				

The Summary of Compliance is based on the assumption that Consolidated Fund moneys are spent first (except where otherwise identified or prescribed).
 The variance between the Recurrent Treasurer's Advance and expenditure — Conduct Division \$95,000

Notes to and forming part of the Financial Statements for the year ended 30 June 2003

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

(a) Reporting Entity.

The Judicial Commission, as a reporting entity, comprises all of the operating activities under its control.

The reporting entity is consolidated as part of the NSW Total State Sector Accounts.

(b) Basis of Accounting

The Commission's financial statements are a general purpose financial report which has been prepared on an accruals basis and in accordance with applicable Australian Accounting Standards; other authoritative pronouncements of the Australian Accounting Standards Board (AASB); Urgent Issues Group (UIG) Consensus Views; the requirements of the *Public Finance and Audit Act* and Regulations; and the Financial Reporting Directions published in the Financial Reporting Code for Budget Dependent General Government Sector Agencies or issued by the Treasurer under section 9(2)(n) of the Act.

Where there are inconsistencies between the above requirements, the legislative provisions have prevailed.

In the absence of a specific Accounting Standard, other authoritative pronouncements of the AASB or UIG Consensus View, the hierarchy of other pronouncements as outlined in AAS 6 "Accounting Policies" is considered.

The financial statements are prepared in accordance with the historical cost convention. All amounts are rounded to the nearest one thousand dollars and are expressed in Australian currency. The accounting policies adopted are consistent with those of the previous year.

(c) Revenue Recognition

Revenue is recognised when the Commission has control of the good or right to receive, it is probable that the economic benefits will flow to the Commission and the amount of revenue can be measured reliably. Additional comments regarding the accounting policies for the recognition of revenue are discussed below.

(i) Parliamentary Appropriations and Contributions from Other Bodies.

Parliamentary appropriations and contributions from other bodies are generally recognised as revenues when the Commission obtains control over the assets comprising the appropriations/contributions. Control over appropriations

and contributions is normally obtained upon the receipt of cash.

An exception to the above is when appropriations are unspent at year end. In this case, the authority to spend the money lapses and generally the unspent amount must be repaid to the Consolidated Fund in the following financial year. As a result, unspent appropriations are accounted for as liabilities rather than revenue.

(ii) Sale of Goods and Services

Revenue from the sale of goods and services comprises revenue from the provision of products or services that is user charges. User charges are recognised as revenue when the Commission obtains control of the assets that result from them.

(iii) Investment income

Interest revenue is recognised as it accrues.

(d) Employee Benefits

(i) Salaries and Wages, Annual Leave, Sick Leave and On-Costs

Liabilities for salaries and wages and annual leave are recognised and measured in respect of employees' services up to the reporting date as the amount unpaid at the reporting date at current pay rates in respect of employees' services up to that date.

Unused non-vesting sick leave does not give rise to a liability as it is not considered probable that sick leave taken in the future will be greater than the benefits accrued in the future.

The outstanding amounts of payroll tax, workers' compensation insurance premiums and fringe benefits tax, which are consequential to employment, are recognised as liabilities and expenses where the employee benefits to which they relate have been recognised.

(ii) Accrued salaries and wages — reclassification

As a result of the adoption of Accounting Standard AASB 1044 "Provisions, Contingent Liabilities and Contingent Assets", accrued salaries and wages and on-costs has been reclassified to "payables" instead of "provisions" in the Statement of Financial Position and the related note disclosures,

Notes to and forming part of the Financial Statements for the year ended 30 June 2003

for the current and comparative period. On the face of the Statement of Financial Position and in the notes, reference is now made to “provisions” in the place of “employee entitlements and other provisions”. Total employee benefits (including accrued salaries and wages) are reconciled in Note 12 and 13 “Provisions”.

(iii) Long Service Leave and Superannuation

The Commission’s liabilities for long service leave and superannuation are assumed by the Crown Entity. The Commission accounts for the liability as having been extinguished resulting in the amount assumed being shown as part of the non-monetary revenue item described as “Acceptance by the Crown Entity of Employee Benefits and other Liabilities”.

Long service leave is measured on a short-hand basis. The short-hand method is based on the remuneration rates at year end for all employees with five or more years of service. It is considered that this measurement technique produces results not materially different from the estimate determined by using the present value basis of measurement.

The superannuation expense for the financial year is determined by using the formulae specified in the Treasurer’s Directions. The expense for certain superannuation schemes (namely Basic Benefit and First State Super) is calculated as a percentage of the employees’ salary. For other superannuation schemes (namely State Superannuation Scheme and State Authorities Superannuation Scheme), the expense is calculated as a multiple of the employees’ superannuation contributions.

(e) Insurance

The Commission’s insurance activities are conducted through the NSW Treasury Managed Fund Scheme of self insurance for Government agencies. The expense (premium) is determined by the Fund Manager based on past experience.

(f) Accounting for the Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where:

- the amount of GST incurred by the Commission as a purchaser that is not recoverable from the Australian Taxation Office is recognised as part of the cost of acquisition of an asset or as part of an item of expense.
- receivables and payables are stated with the amount of GST included.

(g) Acquisitions of Assets

The cost method of accounting is used for the initial recording of all acquisitions of assets controlled by the Commission. Cost is determined as the fair value of the assets given as consideration plus the costs incidental to the acquisition.

Assets acquired at no costs, or for nominal consideration, are initially recognised as assets and revenues at their fair value at the date of acquisition.

Fair value means the amount for which an asset could be exchanged between a knowledgeable, willing buyer and a knowledgeable, willing seller in an arm’s length transaction.

(h) Plant and Equipment

Physical assets, including computers and ancillary equipment, which form part of an overall system, network or office module are capitalised at cost.

(i) Depreciation of Non-Current Physical Assets

Depreciation is provided for on a straight-line basis for all depreciable assets so as to write off the depreciable amount of each asset as it is consumed over its useful life to the entity. The Commission has 3 classes of depreciable assets; Computer Equipment, Office Furniture, and Office Equipment. The depreciable rates applicable to these depreciable assets are 33.3%, 7.5% and 10% respectively.

Notes to and forming part of the Financial Statements for the year ended 30 June 2003

(j) Financial Instruments

Financial instruments give rise to both a financial asset of one entity and a financial liability or equity instrument of another entity. For the Commission, financial instruments range from cash at bank, accounts receivable, and accounts payable.

In accordance with AAS33 "Presentation and Disclosure of Financial Instruments", information is disclosed in Note 20 in respect of the credit risk and interest rate risk of financial instruments. All such amounts are carried in the accounts at net fair value unless otherwise stated.

(k) Maintenance and repairs

The costs of maintenance are charged as expenses as incurred, except where they relate to the replacement of a component of an asset, in which case the costs are capitalised and depreciated.

(l) Leased Assets

A distinction is made between finance leases which effectively transfer from the lessor to the lessee substantially all the risks and benefits incidental to ownership of the leased assets, and operating leases under which the lessor effectively retains all such risk and benefits.

Operating lease payments are charged to the Statement of Financial Performance in the periods in which they are incurred.

(m) Receivables

Receivables are recognised and carried at cost, based on the original invoice amount less a provision for any uncollectable debts. An estimate for doubtful debts is made when collection of the full amount is no longer probable. Bad debts are written off as incurred.

(n) Payables

These amounts represent liabilities for goods and services provided to the Commission and other amounts, including interest. Interest is accrued over the period it becomes due.

(o) Budgeted amounts

The budgeted amounts are drawn from the budgets as formulated at the beginning of the financial year and with any adjustments for the effects of additional appropriations, s 21A, s 24 and/or s 26 of the Public Finance and Audit Act 1983.

The budgeted amounts in the Statement of Financial Performance and the Statement of Cash Flows are generally based on the amounts disclosed in the NSW Budget Papers (as adjusted above). However, in the Statement of Financial Position, the amounts vary from the Budget Papers, as the opening balances of the budgeted amounts are based on carried forward actual amounts that is per the audited financial statements (rather than carried forward estimates).

(p) Reclassification of financial information

The Commission has effected a series of reclassifications in 2002/2003, which affect the 2001/2002 comparatives. Changes affecting Statement of Financial Position and note disclosure are as follows.

(i) Change affecting Statement of Financial Position and note disclosure is as follows.

As from 2002/03 the provision for annual leave and related on-costs have been recognised as current and non-current items. Leave accrued up to twenty (20) working days plus on-costs is treated as current while leave in excess of twenty (20) working days plus on-costs is treated as non-current. At 30 June 2003 current provision stood at \$159,945 while non-current provision amounted to \$56,739.

(ii) Change affecting Notes disclosure is as follows.

Consultancy payments of \$209,000 previously reported as Consultancy Fees are now reported as Fees for Services.

(q) Change in Measurement of Annual Leave and related on-costs

The Salaries and wages as disclosed in Note 2 and the Recreation Leave reported in Note 12 & 13 have been increased by \$10,318, which is 5% salary increase payable in July 2003. The related on-costs of \$82,233 have been provided for the first time this year.

The increase is consistent with the Government Actuary's assessment of measurement requirements per Accounting Standards, AASB 1028.

The change in accounting treatment has resulted in increases in expenses and provisions of \$92,551 respectively.

Notes to and forming part of the Financial Statements for the year ended 30 June 2003

	2003 \$'000	2002 \$'000		2003 \$'000	2002 \$'000
2. EXPENSES					
(a) Employee related expenses comprise the following specific items:			(c) Depreciation		
Salaries and wages (including recreation leave)	2,259	1,955	Computer equipment	117	90
Superannuation	178	145	Office furniture	11	10
Long service leave	78	64	Office equipment	14	12
Workers' compensation insurance	24	10		142	112
Payroll tax and fringe benefit tax	208	137	(d) Other expenses		
	2,747	2,311	Conduct Division	254	52
				254	52
(b) Other operating expenses			3. REVENUES		
Operating lease rental expense — minimum lease payments	384	395	(a) Sale of goods and services		
Fees for services	314	402	Sale of goods	7	12
Printing	77	67	Rendering of services	88	115
Stores and equipment	32	27		95	127
Members fees	110	102	(b) Investment income		
Books and periodicals	37	36	Interest	4	5
Postal and telephone	55	47		4	5
Training	27	22	(c) Other revenue	3	5
Travel expenses	13	23			
Data Communications	14	12	4. APPROPRIATIONS		
Electricity	10	10	Recurrent appropriations		
Insurance	10	10	Total recurrent drawdowns from Treasury		
Auditor's remuneration — audit of the financial report	16	16	(per Summary of Compliance and Statement of Financial Performance)	3,635	3,183
Recruitment	3	12	Capital appropriations		
Other	16	21	Total capital drawdowns from Treasury		
	1,118	1,202	(per Summary of Compliance and Statement of Financial Performance)	49	319

Notes to and forming part of the Financial Statements for the year ended 30 June 2003

5. ACCEPTANCE BY THE CROWN ENTITY OF EMPLOYEE BENEFITS AND OTHER LIABILITIES

The following liabilities and/or expenses have been assumed by the Crown Entity or other government agencies:

	2003 \$'000	2002 \$'000
Superannuation	177	145
Long Service Leave	78	64
Payroll Tax	11	9
	266	218

6. PROGRAMS/ACTIVITIES OF THE JUDICIAL COMMISSION

The Judicial Commission of New South Wales comprises only one program which is Program Number 24 Judicial Commission of New South Wales.

Objectives:

To monitor sentencing consistency, provide judicial education and training, and examine complaints against judicial officers.

7. CURRENT ASSETS — CASH

Cash at bank and on hand	57	13
	57	13

For the purpose of the Statement of Cash Flows, cash includes cash on hand and cash at bank. Cash assets recognised in the Statement of Financial Position are reconciled to cash at the end of the financial year as shown in the Statement of Cash Flows as follows:

Cash (per Statement of Financial Position)	57	13
Closing Cash and Cash Equivalents (per Statement of Cash Flows)	57	13

8. CURRENT ASSETS — RECEIVABLES

	2003 \$'000	2002 \$'000
Sale of goods and services	11	14
Other receivable including GST	27	47
Interest receivable	2	2
	40	63

All trade debtors are recognised as amounts receivable at balance date. Collectability of trade debtors is reviewed on an ongoing basis. Debts which are known to be uncollectable are written off. A provision for doubtful debts is raised when some doubt as to collection exists. The credit risk is the carrying amount (net of any provision for doubtful debts). No interest is earned on trade debtors. The carrying amount approximates fair value.

9. CURRENT ASSETS — OTHER

Prepayments		
Insurance	26	–
SWRE Licence Renewal	33	34
Miscellaneous	16	19
	75	53

10. NON-CURRENT ASSETS — PLANT AND EQUIPMENT

At Fair Value	1,357	1,364
	1,357	1,364
Accumulated Depreciation	1,011	925
	1,011	925
Written down value as at 30 June	346	439

Management considers the written down value to approximate market value as at 30 June 2003. The Commission continues to derive service potential and economic benefits from the following fully depreciated assets: Computer Equipment — 87 items, Office Equipment — 33 items and Office Furniture & Fittings — 37 items.

Notes to and forming part of the Financial Statements for the year ended 30 June 2003

Reconciliation

Reconciliation of the carrying amounts of plant and equipment at the beginning and end of the current and previous financial year are set below.

	2003 \$'000	2002 \$'000
Carrying amount at start of year	1,364	1,045
Additions	49	319
Disposals	(56)	–
Carrying amount at end of year	1,357	1,364

Accumulated depreciation

Carrying amount at start of year	925	813
Depreciation	142	112
Disposals	(56)	–
Carrying amount at end of year	1,011	925
Balance at the end of year	346	439

11. CURRENT LIABILITIES — PAYABLES

Sundry creditors	14	36
Accrued salaries, wages and on-costs	111	97
	125	133

12. CURRENT LIABILITIES — PROVISIONS**Employee benefits and related on-costs**

Recreation leave	160	147
Related on-costs	17	–
	177	147

13. NON-CURRENT LIABILITIES — PROVISIONS**Employee benefits and related on-costs**

Recreation leave	57	37
Related on-costs	65	–
	122	37

2003 \$'000	2002 \$'000
----------------	----------------

Aggregate employee benefits and related on-costs

Provisions — current	177	147
Provisions — non-current	122	37
Accrued salaries, wages and on-costs (Note 11)	111	97
	410	281

14. CURRENT LIABILITIES — OTHER

User charges received in advance	62	–
	62	–

15. CHANGES IN EQUITY**Accumulated Funds**

Balance at the beginning of the financial year	251	86
Surplus/(deficit) for the year	(219)	165
Balance at the end of the financial year	32	251

16. COMMITMENTS FOR EXPENDITURE

Commitments in relation to non-cancellable operating leases are payable as follows:

Not later than one year	434	426
Later than one year and not later than 5 years	568	979
Later than 5 years	–	–
Total (including GST)	1,002	1,405

These operating lease commitments are not recognised in the financial statements as liabilities. Operating lease commitments relate to rent of the Commission's office and motor vehicles. A contingent asset of \$91,000 is contained within the aggregate lease commitments being the recoverable GST on these leases.

17. CONTINGENT LIABILITIES AND CONTINGENT ASSETS

The Commission has no contingent liabilities or contingent assets as at 30 June 2003.

Notes to and forming part of the Financial Statements for the year ended 30 June 2003

18. BUDGET REVIEW**Net Cost of Services**

The actual net cost of services exceeded budget by \$482,000. This resulted mainly from the cost associated with the examination of a complaint referred to the Conduct Division. Special supplementation of \$365,000 was provided to cover the investigation. Only \$270,000 was required from this allocation and the balance of \$95,000 was not drawn down. In addition, to meet unanticipated demands for education services and to complete the revision of the Criminal Trial Courts Bench Book, the Commission was required to engage several temporary employees, the cost was met from revenues generated by the Commission. Revenue for the year exceeded budget forecast by \$45,000. This arose mainly from consultancies undertaken for the Attorney General's Department. This year, as a result of a change in measurement of annual leave and related on-costs (see Note 1(q)) for the first time provision was made for on-cost for annual leave of \$82,233. In addition, employee benefits for long service leave and superannuation were higher than forecast as a result of the expansion of the Research and Sentencing Division which began in 2002.

Assets and Liabilities

The decrease in net assets is the result of a combination of factors which are reported in Notes 7 to 14 of the notes to the financial statements.

Cash Flows

Cash flows from operating activities increased against budget forecast. The increase represents prepaid income.

19. RECONCILIATION OF CASH FLOWS FROM OPERATING ACTIVITIES TO NET COST OF SERVICES

	2003 \$'000	2002 \$'000
Net Cash used from operating activities	93	330
Cash flows from Government	(3,797)	(3,582)
Acceptance by the Crown Entity of employee benefits and other liabilities	(153)	(138)
Depreciation	(142)	(112)
Decrease/(increase) in provisions	(115)	(39)
Increase/(decrease) in prepayments and other assets	(1)	(2)
Decrease/(increase) in creditors	(54)	(12)
Net cost of services	(4,169)	(3,555)

20. FINANCIAL INSTRUMENTS**(i) Interest Rate Risk**

Interest rate risk is the risk that the value of the financial instrument will fluctuate due to changes in market interest rates. The Commission's exposure to interest rate risks and the effective interest rates of financial assets and liabilities at 30 June 2003 are as follows:

Notes to and forming part of the Financial Statements for the year ended 30 June 2003

	2003				2002			
	Floating interest rate	Non-interest bearing	Total carrying amount as per statement of Financial Position	Weighted average effective interest rate	Floating interest rate	Non-interest bearing	Total carrying amount as per statement of Financial Position	Weighted average effective interest rate
	\$'000	\$'000	\$'000	%*	\$'000	\$'000	\$'000	%*
(i) Financial Assets								
Cash	57	–	57	3.75	13	–	13	3.52
Receivables	2	113	115	N/A	2	114	116	N/A
Total financial assets	59	113	172	3.75	15	114	129	3.52
(ii) Financial Liabilities								
Accounts Payable	N/A	187	187	N/A	N/A	36	36	N/A
Total financial liabilities	–	187	187	–	–	36	36	–

* The weighted average effective interest rate was calculated by averaging the monthly interest rates utilised by Treasury to calculate the interest payable on the positive balance of the Commission's operating account at the ANZ and Westpac Bank.

(ii) Credit Risk

Credit risk is the risk of financial loss arising from another party to a contract/or financial position failing to discharge a financial obligation thereunder. The entity's maximum exposure to credit risk is represented by the carrying amounts of the financial assets.

The Commission does not have any significant exposure to any individual debtor.

21. JOINT PROGRAMS WITH AIJA

During the reporting period, the Commission in conjunction with the Australian Institute of Judicial Administration continued to operate joint bank accounts within the governments' financial framework. Treasury authorised this arrangement and a summary of the financial activities of this joint account is detailed below.

	2003 \$'000	2002 \$'000
ACCOUNT 1		
Opening Balance 1 July	91	86
Income		
Seminar fees	69	65
GST on sales	–	5
Interest Received	4	4
Total Income	73	74
Expenses		
Salaries and Overtime	2	13
Accommodation expenses	64	49

	2003 \$'000	2002 \$'000
GST to Commonwealth	–	2
Miscellaneous expenses	1	5
Total Expenses	67	69
Closing Balance 30 June	97	91
ACCOUNT 2		
Opening Balance 1 July	63	72
Income		
Miscellaneous Revenue	4	–
Interest received	3	2
Total Income	7	2
Expenses		
Employee Related	8	4
Travel	–	2
Fees — Conference	5	4
Fees for Services	1	–
Training	–	1
Total Expenses	14	11
Closing Balance 30 June	56	63

The balance of funds in these accounts will be applied principally towards the ongoing presentation of a National Judicial Programme and an Aboriginal Cultural Awareness Programme.

End of Audited Statements

Appendix 1 — Complaint handling process

The Commission examines complaints made against judicial officers. The Commission has no power to examine complaints against federal judicial officers or a person who is no longer a judicial officer.

Making a complaint

A complaint may be made to the Commission by any person or may be referred to the Commission by the Attorney General. The *Judicial Officers Act* requires that a complaint is in writing and that it identifies the complainant and the judicial officer concerned. The *Judicial Officers Regulation 2000* requires that the particulars of a complaint be verified by statutory declaration and that the complaint be lodged with the Chief Executive of the Commission.

If a person cannot write, he or she may visit the Commission and help will be provided to put the complaint in writing. If translation assistance from another language to English is required, the Commission will make arrangements for translation through the Translating and Interpreting Service.

The Commission publishes an information guide to assist members of the public to understand the Commission's complaint function. The Commission also has a standard form for lodging complaints which is available in hard copy or to download from our website.

Investigating a complaint

On receiving a complaint, the Commission is obliged to conduct a preliminary investigation into the matter. In every case, the judicial officer is advised of the fact that a complaint is made to the Commission and provided with a copy of the documentation.

The preliminary examination of all complaints must be undertaken by Commission Members at a properly constituted meeting of the Commission. The quorum for a meeting is seven Members, of whom at least one must be an Appointed Member. The Commission cannot delegate the preliminary examination of a complaint except to a committee, which must consist entirely of Members and include at least one Appointed Member.

The Commission conducts a thorough investigation of every complaint received, which often involves an examination of transcripts, sound recordings, judgments and other relevant material. If necessary, a response to the complaint is sought from the judicial officer.

Following its preliminary examination, the Commission must:

- summarily dismiss the complaint
- classify the complaint as minor or
- classify the complaint as serious.

Summary dismissal

A complaint may be dismissed summarily on one or more of a number of grounds under the Act. These grounds include where the Commission is of the opinion that there was available a satisfactory means of redress for dealing with the complaint, for example, where there is a right of appeal. The Commission is also required to summarily dismiss a complaint if the person complained about is no longer a judicial officer or where the matter is trivial, frivolous, vexatious or not in good faith. There are also other grounds for summary dismissal of complaints.

Classification: minor or serious

If a complaint is not dismissed by the Commission following the preliminary examination, it must be classified as either minor or serious.

The criterion for classifying a complaint as serious is that the grounds of complaint, if substantiated, could justify parliamentary consideration of the removal of the judicial officer complained about from office. Any other undismissed complaint is defined by the Act as minor.

In this way, the *Judicial Officers Act* draws a fundamental distinction between complaints about matters which could justify parliamentary consideration of the removal from office of a judicial officer, and other complaints. This statutory classification can sometimes give rise to misunderstandings, because complainants often regard matters as serious even if the complaint could not, viewed objectively, be considered as justifying parliamentary consideration of the removal of a judicial officer.

Where the complaint is classified as minor it may be referred either to the appropriate head of jurisdiction or to the Conduct Division. If the complaint is classified as serious it must be referred to the Conduct Division.

Outcome of a complaint

If a complaint is summarily dismissed by the Commission following its preliminary examination, both the complainant and judicial officer are advised in writing of this decision.

If the complaint is classified and referred to a Conduct Division for investigation, the Conduct Division is statutorily obliged to prepare a report of its findings. In relation to minor complaints, a Conduct Division reports on the matter to the Judicial Commission. Where the complaint is classified as serious, the report, setting out the Division's conclusions, is made to the Governor. In instances where a serious complaint has been wholly or partly substantiated and a Conduct Division is of the view that the matter may justify parliamentary consideration of the removal of the judge or magistrate from office, the Attorney General is required to lay the report before both Houses of Parliament.

The end result of a successful serious complaint against a judicial officer would be removal from office by the Governor on an address of both Houses of Parliament. In New South Wales, the holder of a judicial office can only be removed by the Governor on an address of both Houses of Parliament on the ground of proved misbehaviour or incapacity.

In relation to a successful minor complaint, the head of jurisdiction may counsel the judicial officer or make administrative arrangements within his or her court that are designed to avoid a recurrence of a problem.

The Commission's Role

The Commission's function, including the function of the Conduct Division, is to investigate a complaint, not

to discipline a judicial officer. There is no power in the Commission or the Conduct Division, or the head of jurisdiction, to impose any form of punishment on a judicial officer. The Commission is not a disciplinary body and has not been invested with such powers. It cannot punish a judicial officer by imposing fines, demotions or similar penalties.

The Conduct Division's Role

The function of a Conduct Division of the Commission is to examine and deal with a particular complaint that has been referred to it by the Commission. The Conduct Division, when established, comprises a panel of three judicial officers, or two judicial officers and a retired judicial officer, who have the authority to undertake an investigation into a complaint against a judicial officer and who may convene a hearing in connection with such an investigation. The hearing of minor complaints is conducted privately whilst those relating to serious complaints are convened in public, although there is a discretionary power to conduct proceedings in relation to a serious complaint in private.

The ultimate power of a Conduct Division in relation to a complaint is to make a report to the Governor, setting out its findings as to whether the complaint that has been investigated is wholly or partly substantiated, and whether it could justify parliamentary consideration of the removal of the judicial officer from office.

Appendix 2 — Committees

Education Committees

Education Committees have been established in each court and meet on a regular basis to discuss:

- content and design of judicial education programmes
- evaluation results of judicial education programmes
- recommendations for change.

The Standing Advisory Committee on Judicial Education consists of representatives from each of the courts' Education Committees. It advises the Commission on matters of continuing judicial education, implements Commission policy and strategy, and, where appropriate, co-ordinates the activities of the Education Committees.

The Education Director, Ms Ruth Windeler, convenes Education Committee meetings and provides professional input to the committees.

Standing Advisory Committee

- The Honourable Justice Handley AO (Chair)
- The Honourable Justice Schmidt
- The Honourable Mr Justice Lloyd
- His Honour Judge Cooper
- His Honour Judge O'Meally AM RFD
- Deputy Chief Magistrate H L Syme
- Ms R Windeler

Supreme Court Education Committee

- The Honourable Justice Handley AO (Chair)
- The Honourable Justice Giles
- The Honourable Mr Justice Studdert
- The Honourable Justice Santow OAM
- The Honourable Justice Kirby
- The Honourable Justice Austin
- The Honourable Justice Bell (appointed December 2002)

- The Honourable Justice Gzell (appointed December 2002)
- Master J K McLaughlin
- Ms N Johnston, Chief Executive Officer, Supreme Court (until March 2003)
- Ms M Greenwood, Acting Chief Executive Officer, Supreme Court (from March 2003)
- Ms R Windeler

Industrial Relations Commission Education Committee

- The Honourable Justice Wright
- The Honourable Justice Walton
- The Honourable Justice Schmidt (Chair)
- Commissioner P J Connor
- Commissioner J McLeay
- Ms R Windeler

Land and Environment Court Education Committee

- The Honourable Mr Justice Lloyd (Chair)
- Commissioner T Bly
- Ms M Greenwood, Registrar, Land and Environment Court (until March 2003)
- Ms P Green, Acting Registrar, Land and Environment Court (from March 2003)
- Ms R Windeler

District Court Education Committee

- His Honour Judge Cooper (Chair)
- His Honour Judge Knight
- Her Honour Judge Karpin
- His Honour Judge Christie QC
- His Honour Judge Goldring
- His Honour Judge Delaney
- Her Honour Judge Gibson (appointed February 2003)
- His Honour Judge Nicholson (appointed February 2003)
- Mr P Ryan, Acting Principal Courts Administrator, District Court
- Ms R Windeler

Compensation Court Education Committee

- His Honour Judge O’Meally AM RFD (Chair)
- His Honour Judge Geraghty
- His Honour Judge Neilson
- Her Honour Judge Ashford
- The Honourable Judge Walker
- Commissioner M A Wright
- Mr S D Davidson, Principal Courts Administrator, Compensation Court
- Ms R Windeler

Local Courts Education Committee

- Deputy Chief Magistrate H L Syme (Chair)
- Magistrate M MacPherson
- Magistrate D Sweeney
- Magistrate P Russell
- Magistrate A George
- Magistrate W Hunt
- Magistrate G Zdenkowski
- Ms R Windeler

Cross-Cultural Training Committee

- The Honourable Mr Justice Studdert
- The Honourable Justice Schmidt
- His Honour Judge Goldring
- Magistrate D Kok (Chair)
- Mr S Kerkyasharian AM (Ethnic Affairs Commission)
- Ms R Windeler

Children’s Court Education Committee

- Senior Children’s Magistrate and Deputy Chief Magistrate R Dive (Chair)
- Magistrate J Crawford
- Magistrate C McRobert (until 31 December 2002)
- Magistrate S Mitchell
- Magistrate B Schurr
- Magistrate P Mulroney
- Dr G Schreiber (Director, Children’s Court Clinic)
- Ms T Sheedy (Children’s Court Registrar)
- Mr D Croke (Children’s Court Registrar)
- Ms R Windeler

Joint Steering Committee with the AIJA — Aboriginal Cultural Awareness Programme

- The Honourable Justice Bell (Chair)
- His Honour Judge Norrish QC
- Senior Children’s Magistrate R Dive
- Federal Magistrate S Scarlett RFD
- Magistrate D Dick
- Mr E Schmatt PSM
- Ms R Windeler
- Ms J Selfe
- Mr S Jarrett
- Mr B Thomas

Joint Steering Committee with the AIJA — National Judicial Orientation Programme

- The Honourable Justice Stein AM
- The Honourable Mr Justice Lloyd (Chair)
- The Honourable Justice Byrne RFD
- The Honourable Justice Dessau
- His Honour Judge Cooper
- His Honour Judge Wodak

- Mr E Schmatt PSM
- Professor G Reinhardt
- Ms Marlene LeBrun (until March 2003)
- Mr John McGinness (from March 2003)
- Ms R Windeler

Bench Book Committees

The day-to-day work of revising the content of Bench Books is delegated to individual Bench Book Committees, acting on behalf of the Commission.

Criminal Trial Courts Bench Book Committee

- The Honourable Mr Justice Sully (Chairman)
- The Honourable Justice Greg James

- The Honourable Justice Howie
- The Honourable Acting Justice Carruthers
- The Honourable Acting Justice Smart
- His Honour Acting Judge Davidson QC
- Ms Georgia Brignell

Local Courts Bench Book Committee

- Deputy Chief Magistrate H L Syme
- Magistrate I Barnett
- Ms Roslyn Cook

Appendix 3 — Working with other organisations

Commission staff play an active role on committees of other organisations to assist the Commission achieve its corporate goals. Details of their involvements are:

Mr Ernest Schmatt PSM, Chief Executive

- Advisory Committee to the Commonwealth Judicial Education Institute, Halifax, Canada
- Standing Committee of Criminal Justice System Chief Executive Officers
- Sexual Assault Review Committee, Office of the Director of Public Prosecutions
- National Judicial Orientation Programme Steering Committee
- Aboriginal Cultural Awareness Programme Steering Committee
- Public Sector Chief Executive Officers' Executive Committee
- Asia Pacific Judicial Educators Forum

Mr Ivan Potas, Director, Research and Sentencing

- Senior Officers Committee to the Standing Committee of Criminal Justice System Chief Executive Officers
- Homosexual Advance Defence Monitoring Committee
- Sexual Assault Review Committee, Office of the Director of Public Prosecutions
- Non-association Place Restriction Legislation Committee

- Bail for Repeat Offenders Interagency Committee
- Repeat Offenders Senior Officers Group Committee
- Magistrates Early Referral into Treatment Programme (MERIT) Statewide Steering Group Committee

Ms Ruth Windeler, Education Director

- President, Executive Committee of the Continuing Legal Education Association of Australasia
- Organisation of Pacific Judicial Education Institutions
- National Judicial Orientation Programme Joint Steering Committee
- Aboriginal Cultural Awareness Programme Joint Steering Committee
- Child Sexual Assault Jurisdiction Pilot Interagency Project Team

Mr Stephen Cumines, Manager, Research and Sentencing

- Apprehended Violence Legal Issues Co-ordinating Committee
- Interagency Advisory Committee NSW Domestic Violence Pilot Perpetrator Programme
- NSW Alcohol Interlock Programme Interagency Steering Committee

Appendix 4 — Education Topics 2002–2003

Children's issues

- ADD and ADHD: Myth or epidemic?
- Child sexual assault pilot
- Children's Court care matters
- The criminal jurisdiction of the Children's Court
- The Family Court: Recovery orders and urgent applications

Civil law

- Appeal court retrospective
- Civil claims case management
- Civil law update (with a focus on the *Civil Liability Act*)
- Corporate collapse in Australia: The role of and implications for accounting
- Does our defamation law strike the right balance?
- Equitable damages/compensation
- Motor Accident Scheme
- Recurring themes
- Some recent developments on the civil claims front
- The Administrative Decisions Tribunal

Computer skills

- Carry on computing — Start at the source: Infosource
- Information technology update
- Internet transactions
- The new court administration system
- The Judicial Information Research System (JIRS)
- Using computers as a research and management tool
- Your computer survival kit

Criminal law

- Appeal court retrospective
- Business behind bars (Video)
- Current criminal trial issues
- Recent developments in criminal law including the Commonwealth Criminal Code
- Recurring themes
- Sexual assault
- The history of criminal law in NSW

Evidence

- Assessing the credibility of witnesses
- Bayes' theorem
- DNA and criminal procedures
- DNA statistical evidence
- Problems in evidence
- The Evidence Act

Indigenous issues

- Aboriginal issues
- Aborigines and the Local Court
- Indigenous law and the dogma of systemic bias
- The RTA and Aboriginal issues

Industrial relations

- Developments in the United Kingdom
- Labour hire companies
- Protecting employee entitlements
- Queensland State Commission update
- The relationship between national competition policy and labour regulation: Reviewing Chapter 6 of the NSW *Industrial Relations Act*

Judicial skills

- Alternative dispute resolution
- Court craft
- CourtLink: Courts online registry system
- Courtroom issues: Judicial conduct
- How to conduct a criminal trial
- Issues of concern amongst judicial officers in Canada and Australia
- Judgment writing
- Judicial administration and best practice
- Judicial skills I: Court craft
- Judicial skills II: Decision-making and excellence in communication
- Judicial skills III: The role of attitudes and values
- Judicial skills IV: Court craft in practice
- Judicial skills V: Beautiful one day...tragic the next
- Unrepresented litigants

Life skills

- Lifestyle part I: Time management
- Lifestyle part II: Psychological and physical health
- Meditation
- Optional exercise session

Sentencing

- Bail
- Offender management in NSW Corrections: Reducing re-offending through secure and humane management of offenders
- Reforms to NSW Sentencing Law: *The Crimes (Sentencing Procedure) Amendment (Standard Minimum Sentencing) Act 2002*
- Sentencing
- Sentencing of mothers with babies
- Sentencing principles for serious offences
- Sentencing where a fine is an appropriate penalty

Social issues

- Ecologically sustainable development
- Islamic religion as practised in Australia
- Media matters?
- NSW Sober Driver Programme
- Personality disorders: Their diagnosis and treatment
- Scandalising the court: Must we muzzle the press to preserve our independence?
- Social awareness issues including migrants, interpreters, ethnicity and gender

Appendix 5 — Articles published by the Commission

- Carolyn Adams, "A brave new world: The protection of human genetic information" (2002) 14(8) JOB 57
- Dr Larissa Behrendt, "Aboriginal women and the criminal justice system" (2002) 14(6) JOB 41
- Gillian Calvert, "Child sex offender cases: New standards for expert witnesses" (2002) 14(11) JOB 92
- Helen Garner, "Against embarrassment" (2002) 14(11) JOB 90
- Chief Justice Gleeson AC, "Public confidence in the judiciary" (2002) 14(7) JOB 49
- Judge Goldring, "Dust diseases and product liability laws" (2002) 6(1) TJR 73
- Graham Hazlitt, "DNA statistical evidence: Unravelling the strands" (2002) 14(9) JOB 66
- Melinda Kaye, "Section 68T Family Law Act 1975: Magistrates' powers to alter Family Court contact orders when making or varying ADVOs" (2002) 15(1) JOB 3
- Justice Michael Kirby AC CMG, "The rise and rise of the magistracy" (2002) 15(1) JOB 1
- Justice Michael Kirby AC CMG, "Expert evidence: Causation, proof and presentation" (2003) 6(2) TJR 131
- Judge Latham, "Criminal law update" (2002) 6(1) TJR 55
- Magistrate Jeff Linden, "MERIT scheme" (2003) 15(5) JOB 33
- Mark Marien, "Standard non-parole sentencing: The new sentencing reforms" (2002) 14(11) JOB 83
- Justice McHugh AC, "Tensions between the executive and the judiciary" (2003) 6 (2) TJR 111
- Judge Norrish QC, "Aboriginal cultural awareness programme: A brief report on activities" (2002) 14(9) JOB 65
- Judge Norrish QC, "Aboriginal English and language" (2002) 14(11) JOB 88
- Justice John Perry, "Have the judges gone too far? Courts versus the people" (2002) 15(4) JOB 25
- Judge Phegan, "Civil law update" (2002) 6(1) TJR 19
- Chris Puplick, "Justice: Now open to whom?" (2002) 6(1) TJR 95
- Mr Justice Sheller CSC, "Judicial independence" (2002) 6(1) TJR 1
- Daraius Shroff, "The 51A committal for sentence: A need for reform" (2002) 14(8) JOB 59
- Mary Spiers, "Crimes Legislation Amendment Act 2002" (2003) 15(2) JOB 9
- Alison Thompson, "Coroners and mass disasters: Issues, plans and responses" (2002) 14(10) JOB 75
- Justice Wood AO, "Forensic sciences from the judicial perspective" (2003) 6(2) TJR 149
- Judge Woods QC, "Sir John Jervis: Lower court reforms of 1850" (2003) 6 (2) TJR 177
- Lord Woolf, "A new approach to sentencing" (2002) 15(3) JOB 17
- Magistrate George Zdenkowski, "Non-financial non-custodial sentencing options in the Crimes (Sentencing Procedure) Act 1999" (2003) 6(2) TJR 189

TJR — *The Judicial Review*

JOB — *Judicial Officers Bulletin*

Appendix 6 — Publications List

Research monographs

- 1 The use of custodial sentences and alternatives to custody by New South Wales magistrates, 1990 (available only as a photocopy)
- 2 Community service orders: Views of organisers in New South Wales, 1991
- 3 Community service orders and periodic detention as sentencing options: A survey of judicial officers in New South Wales, 1991
- 4 Sentencing juvenile offenders and the *Sentencing Act 1989* (NSW): The impact of legislative and administrative changes in the Children's Court 1982–1990, 1991
- 5 A critical review of periodic detention in New South Wales, 1992
- 6 Sentencing drug offenders: Analysis of sentences imposed in the higher courts of New South Wales, 25 September 1989–31 December 1991, 1992
- 7 "Special Circumstances" under the *Sentencing Act 1989* (NSW), 1993
- 8 Alcohol as a sentencing factor: A survey of attitudes of judicial officers, 1994
- 9 Sentence Indication Hearings Pilot Scheme, 1994
- 10 Sentenced homicides in New South Wales 1990–1993, 1995
- 11 The evidence of children, 1995
- 12 Judicial views about pre-sentence reports, 1995
- 13 The *Sentencing Act 1989* and its effect on the size of the prison population, 1996
- 14 Magistrates' attitudes to drink-driving, drug-driving and speeding, 1997
- 15 Child sexual assault, 1997
- 16 Sentencing disparity and the gender of juvenile offenders, 1997
- 17 Sentencing disparity and the ethnicity of juvenile offenders, 1998
- 18 Periodic detention revisited, 1998
- 19 Sentencing drug offenders: Analysis of sentences imposed in the higher courts of New South Wales, 1 January 1992–31 December 1997, 1999
- 20 Apprehended Violence Orders: A survey of magistrates, 1999
- 21 Sentencing dangerous drivers in New South Wales: Impact of the Jurisic guidelines on sentencing practice, 2002
- 2 The impact of truth in sentencing: Part 2, the local courts, June 1992
- 4 Sentencing in the Court of Criminal Appeal, February 1993
- 5 Common offences in the local courts, March 1994
- 6 Common offences in the higher courts, July 1994
- 7 Sentencing homicide: The effect of legislative changes on the penalty for murder, June 1994
- 8 From murder to manslaughter: Partial defences in New South Wales, 1900 to 1993,
- 9 Common offences in the Children's Court, May 1995
- 10 Sentencing drink driver offenders, June 1995
- 11 "Sentenced to the rising of the court", January 1996
- 12 The use of recognizances, May 1996
- 13 Sentencing deception offenders Part 1, the local courts, June 1996
- 14 Sentencing deception offenders Part 2, the higher courts, October 1996
- 15 Driving causing death: Section 52A of the *Crimes Act 1900*, May 1997
- 16 An overview of sentence and conviction appeals in the New South Wales Court of Criminal Appeal, March 1998
- 17 Kidnapping — Section 90A *Crimes Act 1900* (NSW), July 1998
- 18 Common offences in the higher courts 1990–1997, August 1998
- 19 Sentencing offenders in the local courts — effects of the *Criminal Procedure (Indictable Offenders) Act 1995*, February 2000
- 20 Sentencing female offenders in New South Wales, May 2000
- 21 Protective custody and hardship in prison, February 2001
- 22 Conviction and sentencing appeals in the NSW Court of Criminal Appeal 1996–2000, February 2002
- 23 Sentencing mentally disordered offenders: The causal link, September 2002
- 24 Bail: An examination of contemporary issues, November 2002
- 25 Sentencing methodology: Two-tiered or instinctive synthesis?, December 2002
- 26 Sentencing trends for armed robbery and robbery in company: The impact of the guideline in *R v Henry*, February 2003
- 27 Sentencing drink-driving offenders in the NSW Local Court, March 2003

Sentencing Trends and Issues

- 1 The Children's Court, March 1991
- 2 The impact of truth in sentencing: Part 1, the higher courts, March 1992

Education Titles

- Fragile Bastion: Judicial independence in the nineties and beyond
- Judicial Officers' Bulletin (Vol 1–15)
- The Judicial Review (Vol 1–6)

Bench Books

- Civil Trials — Judicial essays and working papers
- Compensation Court Bench Book
- Criminal Trial Courts Bench Book
- Industrial Relations Commission Bench Book
- Land and Environment Court Bench Book
- Local Courts Bench Book

Brochures

- Complaints against judicial officers
- Judicial Commission of New South Wales
- Judicial Information Research System
- Judicial Information Research System: An invitation to subscribe
- The Judicial Review
- Presentation Pointers: Getting started and getting through your presentation
- Format for remarks on sentencing

Appendix 7 — Visitors to the Commission

In 2002–2003 the Commission received a number of visits from judicial officers and other distinguished visitors from both interstate and overseas seeking to benefit from our experience. Delegations from China, Indonesia, Vietnam, Malaysia and the Philippines received demonstrations of JIRS, tours of the Commission's facilities and an explanation of the Commission's functions and activities. Many of the visitors to the Commission were particularly interested in discussing the complaints function of the Commission, JIRS and our education programmes. Full details of visitors and delegations to the Commission in 2002–2003 are set out below.

Visitors

- The Honourable Mr Justice Iacobucci, Supreme Court of Canada (2 September 2002)
- Professor Dr Jur Walther Gottwald, Judge, Court of Appeal, Lueneburg, Germany (26 September 2002)
- The Honourable Rod Welford, MP, Attorney-General of Queensland and Minister for Justice (17 October 2002)
- Mr Keiron McCarron, Judicial Administrator to the Chief Justice of New Zealand (18 October 2002)
- The Honourable Justices Susanti Adi Nugroho SH MH and the Honourable Justice Ida Raden SH MH, Research and Development Center, Supreme Court of Indonesia (28 October 2002)
- Judge Stephané Thibault, Tribunal of First Instance, Noumea (October 2002)
- Ms Marlene Le Brun, Director, National Judicial College (9 December 2002)
- Ms Lyn Slade, Chief Executive Officer, Judicial College of Victoria (28–29 January 2003)

- The Honourable Claire L'Heureux Dubé, a retired justice of the Supreme Court of Canada (17 February 2003)
- Judge Yasusi Handa, Tokyo High Court (7 April 2003)
- Sheriff Principal John McInnes QC and Sheriff Brian Lockhart, Scotland (9 April)
- Mr Honourable Chief Justice Zheng'an Qin, President of the Beijing High People's Court, Mr Justice Ke Li, President of the Beijing Second Intermediate People's Court, Ms Justice Shangyn Bai, Mr Judge Xiong Chen, Ms Ping Zheo, Mr Shichen Jia and Mrs Ziva He (11 April 2003)
- Judge Dr Gabriel Kling, Deputy President of the District Court of Tel Aviv, Jaffa (20 June 2003)
- Judge Keisuke Hosoda, Tokyo District Court (26 June 2003)

Delegations

- 7 judges from the High People's Court of Guangdong Province, People's Republic of China (12 July 2002)
- 7 judges and other senior officials from the High People's Court of Shandong Province, People's Republic of China (22 July 2002)
- 6 member delegation from the Directorate General for Human Rights Protection, Indonesia (22 August 2002)
- 6 judges from the Supreme Court of the Philippines (11 October 2002)
- 18 judges and senior officials from Indonesia, participating in the Indonesia/Australia Specialised Training Project, Environmental Law and Enforcement (17 October 2002)

- 3 senior members of the Malaysian Commission for Law Revision and Law Reform (25 October 2002)
- 7 judges from the Supreme People’s Court of Vietnam (26 November 2002)
- 14 judges from Supreme and District Courts of Indonesia (24–26 March and 10 April 2003)
- 17 lawyers from Indonesia, participating in the Indonesia/Australia Specialised Training Project, Human Rights (8 May 2003)
- 7 judges and senior officials from the Supreme Court, Indonesia (21 May 2003)
- 7 judges from the Supreme People’s Court, People’s Republic of China (19–27 June 2003)

Appendix 8 — Overseas Visits

- In July 2002, the Commission’s Chief Executive, Ernest Schmatt, and the Director, Information Systems, Murali Sagi, presented a workshop in Jakarta for the Supreme Court of Indonesia on the functions and structure of the Judicial Commission of New South Wales. The workshop aimed to assist the Indonesian Supreme Court in their consideration of an appropriate model for a judicial commission for Indonesia. The visit also included an assessment of the information technology needs of the Supreme Court Training Centre. The visit was organised by Australian Legal Resources International and funded by AusAID.
- In February 2003, the Commission’s Chief Executive, Ernest Schmatt, attended the first Australasia Judicial Educators Forum, Manila, Philippines. Mr Schmatt delivered a paper on the judicial education programmes conducted by the Commission and assisted with the establishment of the Asia Pacific Judicial Educators Forum, of which he was elected an executive member. The Philippines Judicial Academy funded the visit.

Appendix 9 — Exchange of Information

The Commission actively seeks to exchange information with other government agencies, academic institutions and individuals. Since its establishment, the Commission has built strong links with similar organisations in other countries in order to share knowledge and experience, particularly in the areas of judicial education and criminological research. This has proved to be a most valuable network and, as a result, the Commission now holds a wealth of information concerning these subjects.

In 2002–2003, the Commission had discussions and exchanged information with the following organisations:

Australian

- Aboriginal Justice Advisory Council
- Administrative Decisions Tribunal
- Attorney General’s Department (Cth)
- Attorney General’s Department (NSW)
- Australian Agency for International Development
- Australian Bureau of Statistics
- Australian Institute of Criminology
- Australian Institute of Judicial Administration
- Australian Law Reform Commission
- Australian Legal Resources International
- Australian National University
- Bar Association of New South Wales
- Bureau of Crime Statistics and Research
- Centre for Democratic Institutions (ACT)
- College of Law
- Commonwealth Director of Public Prosecutions
- Community Relations Commission
- Continuing Legal Education Association of Australasia
- Courts Administration Authority, South Australia
- Criminal Law Review Division, Attorney General’s Department
- Department of Aboriginal Affairs
- Department of Corrective Services
- Department of Fair Trading
- Department of Information Technology and Management
- Department of Justice and Attorney General (Queensland)
- Department of Juvenile Justice
- Domestic Violence Advocacy Service
- Federal Court of Australia
- Health Care Complaints Commission

- High Court of Australia
- IDP Education Australia, International Division
- International Development Law Institute
- Independent Commission Against Corruption
- Institute of Criminology, University of Sydney
- Judicial College of Victoria
- Law and Justice Foundation of New South Wales
- Law Institute of Victoria
- Law Society of New South Wales
- Legal Aid Commission
- Leo Cussen Institute (Vic)
- Macquarie University Law School
- Motor Accidents Authority
- National Judicial College of Australia
- New South Wales Health Department
- New South Wales Law Reform Commission
- New South Wales Police Service
- New South Wales Sentencing Council
- Office of the Director of Public Prosecutions (ACT)
- Office of the Director of Public Prosecutions (NSW)
- Office of the Premier of New South Wales
- Office of the Privacy Commissioner of New South Wales
- Ombudsman's Office of New South Wales
- Parliamentary Counsel's Office
- Premier's Department (NSW)
- Public Defenders Office (NSW)
- Roads and Traffic Authority
- University of New South Wales Faculty of Law
- University of Sydney Faculty of Law
- University of Technology, Sydney
- University of Wollongong Faculty of Law
- Workers Compensation Commission

International

- American Judicature Society
- Asia Pacific Judicial Education Forum, Manila
- Canadian Association of Provincial Court Judges
- Commonwealth Judicial Education Institute, Halifax, Canada
- Commonwealth Magistrates' and Judges' Association, United Kingdom
- Commonwealth Secretariat, London, United Kingdom
- Continuing Legal Education Society of British Columbia, Canada
- Department for Courts, New Zealand
- Indonesian Center for Environmental Law
- Indonesian Institute for Independent Judiciary, Jakarta
- Institute of Judicial Studies, New Zealand
- Judicial Education Reference, Information and Technical Transfer (JERITT) Project, Michigan, USA
- Judicial Studies Board, London
- Michigan Judicial Institute, United States of America
- National Center for State Courts, Virginia, United States of America
- National Association of State Judicial Educators, Michigan, United States of America
- National Judicial Institute, Canada
- National and Supreme Courts of Papua New Guinea
- Philippines Judicial Academy, Manila
- Research and Development Center, Supreme Court of Indonesia
- New Zealand Law Society
- Supreme Court of Canada
- Supreme Court of Indonesia
- Supreme People's Court – Beijing, China
- University of Strathclyde, Scotland
- University of Windsor, Canada

Chief Executive Ernest Schmitt and the Commission's Executive Directors pictured with a delegation of judges from Indonesia.



Appendix 10 — Papers on the Commission Delivered at Conferences

Staff at the Commission are invited to present papers on the work of the Commission at a number of conferences and to visiting delegations. Details of these presentations are set out below:

- “The Role and Function of the Judicial Commission of New South Wales.” Presentation by the Chief Executive for the Supreme Court of Indonesia, Jakarta, Indonesia, 23–24 July 2002.
- “The Judicial Information Research System.” Presentation by the Chief Executive and Mr Murali Sagi for the Supreme Court of Indonesia, Jakarta, Indonesia, 23 July 2002.
- “The Role and Function of the Judicial Commission of New South Wales.” Presentation by the Chief Executive at a seminar for visiting judges of the Philippines Supreme Court, Sydney, 11 October 2002.
- “The Role and Function of the Judicial Commission of New South Wales.” Presentation by the Chief Executive for the Indonesia/Australia Specialised Training Project, Environmental Law and Enforcement, Sydney, 17 October 2002.
- “Using Computers as a Research and Management Tool.” Presentation by the Chief Executive, Ms Joy Blunt and Mr Murali Sagi at the National Judicial Orientation Programme, Sydney, 21 October 2002.
- “The Judicial Commission of New South Wales”. Presentation by the Chief Executive for the Malaysian Commission for Law Revision and Law Reform, Sydney, 25 October 2002.
- “The Sentencing Information System.” Presentation by the Chief Executive and Mr Murali Sagi for senior judicial officers and senior officers of the Department of Justice and Attorney General, Queensland, Brisbane, 11 December 2002.
- “The Sentencing Information System.” Presentation by the Chief Executive and Mr Murali Sagi for the Judicial College of Victoria, Melbourne, 16 December 2002.
- “Judicial Education in New South Wales.” Presentation by the Chief Executive at the Asia Pacific Judicial Educators Forum, Manila, Philippines, 11 February 2003.
- “The Role and Function of the Judicial Commission of New South Wales.” Presentation by the Chief Executive at the Indonesian Judges’ Training Session on the Australian Legal System, Sydney, 24 March 2003.
- “Information Technology of the Judicial Commission of New South Wales.” Presentation by the Chief Executive at the Judicial Training Programme for Indonesian Judges on the Australian Legal System, Sydney, 25 March 2003.
- “Continuing Judicial Education in New South Wales.” Presentation by Ms Ruth Windeler to a delegation of Indonesian judges, Sydney, 10 April 2003.
- “The Role and Function of the Judicial Commission of New South Wales.” Presentation by the Chief Executive to a delegation of judges from the Beijing High People’s Court, People’s Republic of China, 11 April 2003.
- “The Role and Function of the Judicial Commission of New South Wales.” Presentation by the Chief Executive at a training programme for Indonesian human rights lawyers organised by the University of Technology, Sydney, 21 May 2003.
- A series of six presentations on “The Sentencing Information System”, by the Chief Executive and Mr Murali Sagi at the Judicial College of Victoria, Melbourne, 27–28 May 2003.
- “The Sentencing Information System.” Presentation by the Chief Executive and Mr Murali Sagi at the Compensation Court Annual Conference, Katoomba, 12 June 2003.
- “The Use of Technology as a Judicial Support and Research Tool.” Presentation by the Chief Executive at the China-Australia Human Rights Technical Co-operation Program, Sydney

Appendix 11 — Freedom of Information

As an “agency” under the *Freedom of Information Act* 1989, the Commission is required to publish particular information and to determine requests for access to, or amendment of, information that it holds.

The Commission published its Summary of Affairs on 27 December 2002.

Categories of documents held by the Commission

Official documents of the Commission are stored in files that are held on the Commission’s premises.

These files fall into the following principal categories:

Administration

These files cover aspects of the Commission’s internal administration, including budget and finance matters, correspondence and accommodation. Education, research and computer related files are also held within the administration group.

Staff matters

These files relate to recruitment, staff training, staff personal files and salaries.

Contracts and tendering

The Judicial Information Research System has given rise to a number of documents, many of which still contain commercially sensitive material.

Commission matters

Minutes, agendas and business papers relating to meetings convened by and held at the Commission.

Complaints

Files and documents relating to complaints against judicial officers.

The Commission’s files are generally not available for inspection and documents in relation to complaints are subject to secrecy provisions and are thereby classed as exempt documents.

Access to documents published by the Commission

The following documents are available for inspection and purchase from the Commission’s Freedom of Information Co-ordinator:

- the Commission’s Summary of Affairs;
- the Commission’s Statements of Affairs; and
- the Commission’s Annual Report.

Access to documents for the purpose of alteration

The Commission holds no personal records of any member of the public. No arrangements exist for the public to change any documents held by the Commission. Staff (including former staff) do not need to use Freedom of Information to access their personal files.

Freedom of Information Report

Name of Agency	Judicial Commission of New South Wales
Period from	1 July 2002–30 June 2003
Agency reference number	1640
Number of FOI applications	Nil
Contact person	Mr Mario Devjak, Administrative Officer
Office Location	Level 5, 301 George Street, Sydney 2000
Telephone	(02) 9299 4421
Facsimile	(02) 9290 3194
Email	judcom@judcom.nsw.gov.au
Website	www.judcom.nsw.gov.au
Office hours	8.30 am–5.00 pm

Glossary

Appointed Member	— A non-judicial member of the Judicial Commission. See also Official Member.
Bench Books	— Reference books for judicial officers.
Complaint	— A complaint against a judicial officer about ability or behaviour, either made by a member of the public or referred to the Commission by the Attorney General.
Conduct Division	— A special panel that examines a particular complaint referred to it by the Commission.
Education Day	— Calculated on the basis of 5 to 6 instructional hours attended by a judicial officer.
Help Desk	— A telephone service for judicial officers that provides assistance with all aspects of computer usage.
JIRS	— see Judicial Information Research System.
Judicial Commission	— 1. An independent statutory organisation established by the <i>Judicial Officers Act 1986</i> 2. The Appointed Members and Official Members, collectively.
Judicial Information Research System (JIRS)	— An on-line legal reference tool for judicial officers, relevant government organisations and members of the legal profession.
Judicial Officer	— As defined in the <i>Judicial Officers Act 1986</i> : <ul style="list-style-type: none">□ a judge or master of the Supreme Court of NSW□ a member of the Industrial Relations Commission of NSW□ a judge of the Land and Environment Court of NSW□ a judge of the District Court of NSW□ a judge of the Compensation Court of NSW□ the President of the Administrative Decisions Tribunal□ a magistrate. The definition of judicial officer does not include retired judicial officers, federal judicial officers, Chamber Magistrates, arbitrators or legal practitioners.
Official Member	— A judicial member of the Judicial Commission.
Pre-bench Training	— An induction programme for newly appointed judicial officers to assist them with their transition to the bench.

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