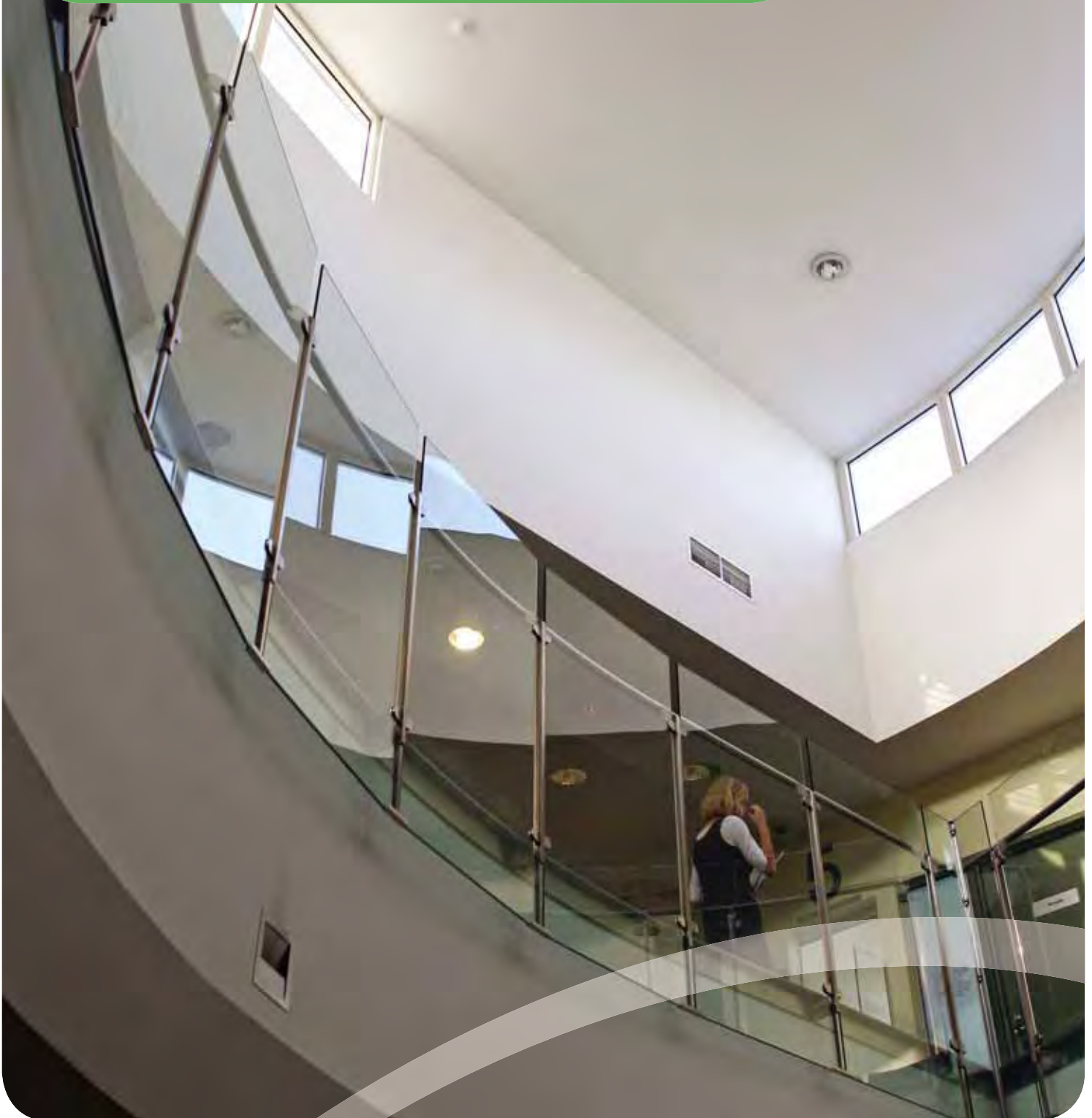




Magistrates' Court of Victoria
2009–10 annual report



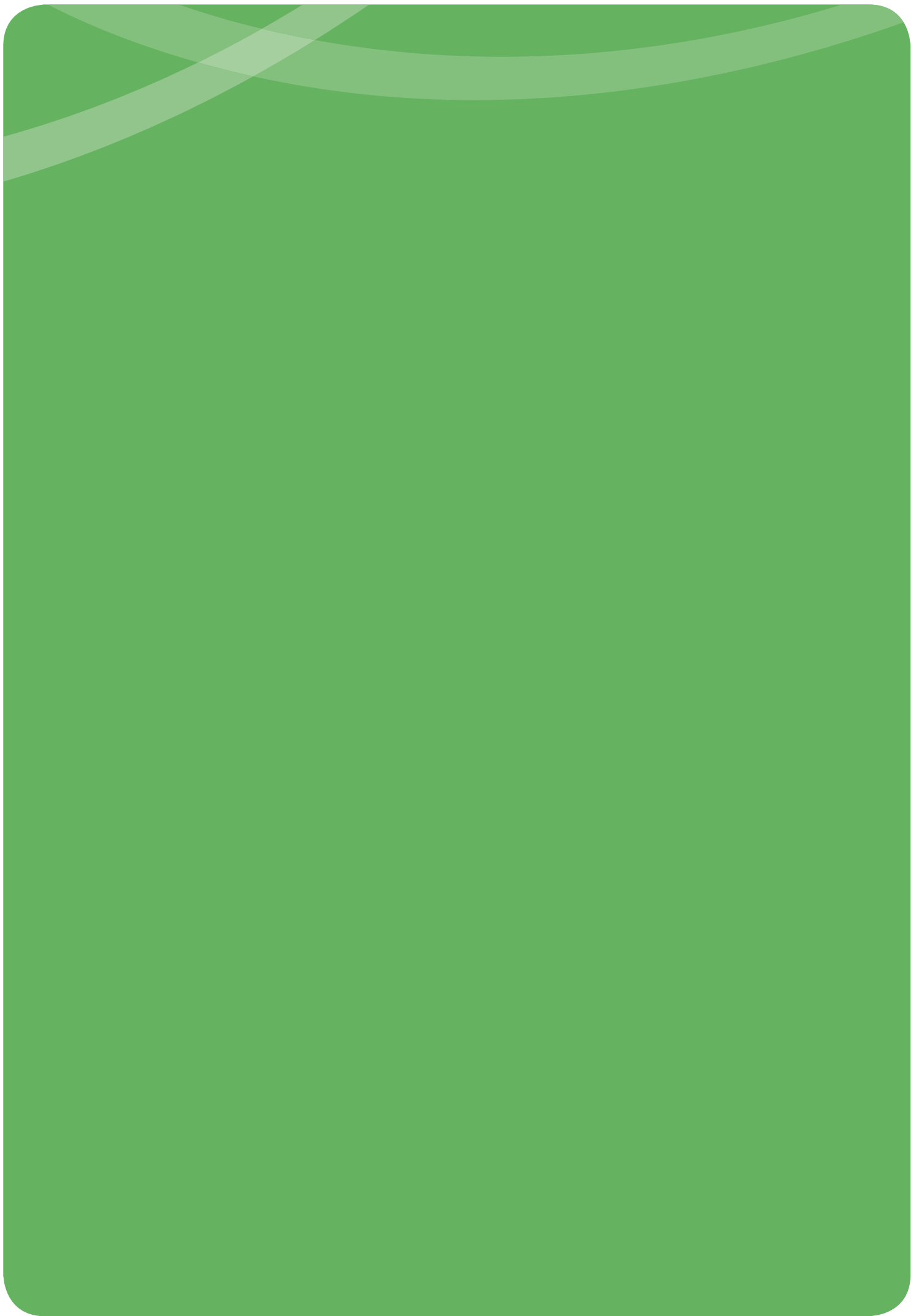


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Letter to the Governor

1 September 2010

To His Excellency
Professor David de Kretser AC
Governor of Victoria
Government House
MELBOURNE VIC 3004

May it please Your Excellency

At a meeting of the Council of Magistrates on 30 July 2010, the magistrates unanimously passed a motion adopting the enclosed Report of the Council of Magistrates for the year 1 July 2009 to 30 June 2010.

On behalf of the Council of Magistrates, I have the honour to present the Report to Your Excellency pursuant to section 15(3) of the *Magistrates' Court Act 1989*.

Yours sincerely

A handwritten signature in black ink, appearing to read 'I. Gray', written in a cursive style.

IAN L GRAY
Chief Magistrate

Report of the Chief Magistrate



Report of the Chief Magistrate

Introduction

It is with pleasure that I present the annual report for the court this year. The court has had another busy year, with overall caseload increasing yet again. The court performance measures show us once again rising to this challenge, and I am proud of the court's 2009-10 performance.

This year's report emphasises two significant themes, which ran through the past year: the court's engagement with the community and therapeutic jurisprudence initiatives. The court has increased its commitment to community engagement, with inclusive community initiatives such as open days and judicial mentoring and schools programs, as well as region-specific programs offered by courts in their local communities.

The court has also continued to develop programs that intend to improve outcomes for court users, putting many therapeutic jurisprudence concepts into practice. The launch of the Assessment and Referral Court (ARC) List is an exciting development, while the evaluation of the Court Integrated Services Program (CISP) has articulated what we in the court have known for some time now: that the program has improved the well-being of clients and reduced re-offending.

However, as in previous years significant resourcing issues remain. Again the question must be asked: how can the court sustainably continue with the combined development of new initiatives and maintenance of appropriate efficiency and service levels, against a backdrop of relative under-resourcing of the core business of the court? I also remain particularly concerned about the need for infrastructure upgrades in certain parts of state.

Court Performance

The court has been confronted with significant increases in caseload over the past three years, for example in the criminal jurisdiction. Family violence matters alone have increased by more than 21.7% since 2006-07. The total number of finalised criminal cases in the court has increased by 35.2% over the same period, while civil complaints have decreased by just 7.9%. Despite the overall increase in caseload, clearance rates remain impressive, with all regions achieving clearance rates above target in the criminal jurisdiction, and nine out of twelve regions recording clearance rates above target in the civil jurisdiction.

Not only has the number of matters before the court increased, but magistrates also report an increasing complexity of matters before them. Some jurisdictions and courts continue to experience issues with backlog, however the court has reduced the number of civil complaints pending by 11.3% since July 2009. In addition, the court currently has the lowest number of criminal matters pending since January 2007.

Funding and Resources

Once again this year we have seen an increase in the overall caseload of the court. Various factors have contributed to this, including expanding jurisdiction and legislative changes. However, the reasons for this challenge are nowhere near as important as the court's response. The court prides itself on its impressive track record of performance and innovation, however stress on the court's resources jeopardises the upholding of these achievements into the future.

While I thank the government for continued support for programs such as the Court Integrated Services Program (CISP) with continued funding, the court's core budget continues to increase at a significantly lower rate than the court's caseload and responsibilities. Specific funding for programs and initiatives is needed and welcomed, however

piecemeal funding arrangements highlight the lack of control that court administrators have over the budget, and exacerbate the shortcomings of current funding arrangements.

Court administrators are denied the flexibility to allocate and distribute available resources to where they are most needed. They must balance the competing expectations of the government, the judiciary and the public, and are in the best possible position to determine how budget funds are allocated throughout the court.

Budget constraints are also felt in the court buildings and facilities. In fact, the budget for capital improvements and minor new works has not kept pace with other, also insufficient, budgetary increments. This has created enormous pressure on infrastructure. Although I am pleased to see a commitment to enhance the capacity of the Bendigo Court through utilisation of the former Victoria Police facilities, other courts, such as Dandenong and Shepparton are in need of significant upgrades. As I have reported before, the Shepparton facility in particular is far below an acceptable standard for a busy regional headquarters court.

International Framework for Court Excellence

In last year's report I introduced the International Framework for Court Excellence ('the framework'). The framework sets out the values, concepts and tools that the court can use to assess and enhance court administration as well as measure the 'quality' of justice. I am pleased to report that the court has adopted the framework. Magistrates and staff are in the process of an initial evaluation of the court, based on the measures provided by the framework. Once the outcomes of that evaluation are known, the court will assess how to best respond to ensure that it maintains its reputation as a court of best practice.

Next Generation Courts

As I mentioned last year, the Magistrates' Court of Victoria is contributing to a project titled '*Next Generation Courts*' (NGC) that seeks to understand what a truly integrated non-adversarial court would look like and how it would operate. The NGC is a project that is being coordinated by the Courts and Tribunal Unit of the Department of Justice, for all Victorian courts and tribunals.

The NGC seeks to improve the administration of justice across the full spectrum of cases where the traditional judicial model of decision-making, operating in isolation, will not appropriately address the underlying causes of offending behaviour. Utilising therapeutic jurisprudence principles via access to collaborative, multidisciplinary case management (like CISP/Neighbourhood Justice Centre (NJC) type court support) can provide long-term resolution to people's interdependent personal, social and legal problems. Overarching legal principles such as just punishment, deterrence, rehabilitation, and protection of the community are not discarded. Problem-oriented justice is as much about a culture and attitude in dealing with cases as it is about an appropriate referral to court support services. NGC also takes the lessons from NJC in relation to community engagement and crime prevention.

The NGC address underlying causes of offending and victimisation, using problem-oriented approaches via collaborative court support programs.

Therapeutic Jurisprudence

In the past decade, courts in Australia and around the world have been implementing therapeutic jurisprudence programs, as a comprehensive way of handling matters. In a summary court, like this court, the opportunities are profound, but so are the challenges. The number of people appearing in the court each day, across the entire state, means an opportunity to not only deal with criminal offending through punishment, deterrence and rehabilitation, but in a variety of ways to positively affect the lives of people who appear before the court. The same opportunity brought about by the sheer volume of people coming into the court, also presents our greatest challenge. How do we respond fairly and efficiently to each individual who comes through the door? How do we distribute programs equitably and consistently across 54 courts?

The answers do not lie in any given program or practice direction. These greatest challenges are met through the dedication of magistrates and staff, who are committed to the fundamental principles of case-by-case justice and also to the application of the principles of therapeutic jurisprudence, where appropriate. To speak of the evolution of the court does little justice to what is really happening – “the court”, as most people know it, is a place, a building. What is truly happening is an evolution of culture. To give credit where it is due, we need to separate ‘the court – the place’ from ‘the court – the people’.

The programs put in place in the court, such as the CISP, Criminal Justice Diversion Program, the ARC List, the Neighbourhood Justice Centre, the Specialist Family Violence Courts and the Koori and Drug Courts, some of which I discuss in more detail below, represent an acknowledgment from magistrates and staff that justice can be done in many different ways. The court continues to strive towards best practice, and implement therapeutic jurisprudence programs where they help achieve that aim.

ARC List and CISP Evaluation Launch

On 28 June 2010, I had the pleasure of hosting, in conjunction with the Attorney-General, the combined launch of the Assessment and Referral Court (ARC) List and release of the evaluation of the Court Integrated Services Program (CISP).

I am proud of the successful implementation of the CISP, and the dedication of the magistrates and staff involved in its operation. Within the court we have known the program to be a success, and the results of this independent review are a welcome acknowledgement of the benefits of this wonderful program.

I am also very proud of the court’s new ARC List, and look forward to reporting on positive outcomes in future reports.

An International Perspective

Engagement with courts, judges and magistrates in other jurisdictions remains an important facet of court life. The development of relationships with other jurisdictions provides magistrates with a unique opportunity to broaden their professional education (their commitment to which I commend later in this report) and expand their knowledge and expertise. As in previous years, I have had the privilege of representing the court in a number of public engagements. This year I have had the pleasure of speaking at the *Association of Australian Magistrates Biennial Conference* in Darwin in June, the *10th International Alcohol Interlock Symposium* in October, and in July in East Timor at the *Transforming Timor-Leste for Sustainable Development, Human Rights and Peace: An Opportunity for Dialogue*.



AIJA Conference

Of particular note this year, the court hosted the *Non-Adversarial Justice: Implications for the Legal System and Society Conference* from 4-7 May 2010. Presented by the Australasian Institute of Judicial Administration (AIJA) and Monash University Faculty of Law, the conference featured an 'Open House' event at the Melbourne Court. The event showcased the range of problem solving and innovative initiatives the court has implemented. A welcome reception was held in the judicial chambers following the event.

The conference, held at Hilton on the Park, was opened by the Attorney-General and featured many wonderful local and international speakers with broad experience and a wealth of knowledge about practical and theoretical therapeutic jurisprudence. Magistrates, court staff and administrators were all involved in various aspects of the conference, and not only reaped the benefits of the knowledge and expertise showcased, they were also integral to the success of the conference.

The conference was a great opportunity, not only for attendees to broaden their knowledge and understanding of therapeutic justice and its implementation in courts around the world, but also to showcase the Melbourne Magistrates' Court and the wonderful programs available here and throughout the state. The feedback from conference participants about the range and depth of initiatives in the Magistrates' Court of Victoria was unanimously positive and is a testament to the dedication of the court to the principles of non-adversarial justice.

Community Information, Education and Media

Law Week

As in previous years, the court has committed to meaningful engagement with the community. The court again enthusiastically participated in Law Week activities, which ran from 16-23 May. Law Week activities provided unique insight into how the court operates, including the work of the specialist courts and services, and the commitment of the court to therapeutic jurisprudence within the traditional court paradigm. It has become an important event in the court's calendar, as an opportunity to engage with the public in a meaningful way, outside the confines of the traditional interactions.

Magistrates' Courts throughout Victoria opened their doors to the public during Law Week for tours, mock hearings, presentations from magistrates and senior registrars, as well as question-and-answer sessions. The events provided a valuable opportunity for the public to learn more about their local court, and are part of the court's overall commitment to closer partnerships and linkages with the community.

Melbourne Magistrates' Court welcomed over 400 visitors to an open day on Saturday May 22, featuring tours, presentations, mock hearings and information stalls. The large number of visitors who attended the Melbourne Open Day this year, was no doubt due in part to the ongoing support of the Victoria Law Foundation. Special thanks must go to Melissa Biram, Manager of Magistrates' Support Services and Donna Caruana, Court Advice Officer, for their tireless efforts in organising the event.

Engagement with Students

An important part of the court's commitment to public education is its engagement with secondary and tertiary students. This year at Melbourne alone, over 6000 students from more than 100 schools participated in the court's *'Schools Program'*. The program provides an opportunity for magistrates and registrars to talk to school groups about the functions and processes of the court, providing a unique insight into the court. Feedback from schools who have participated in the program is positive, with teachers commenting that the students benefit greatly from the presentations.

As well as the *'Schools Program'*, the court was also again involved in the *Judicial Mentoring Program* facilitated by La Trobe University. The court has enthusiastically participated in this program for several years, which aims to enhance students' learning of law by exposing them to the realities of legal practice and judicial decision-making. Students are encouraged to use the experience of judicial mentoring to analyse legal principles and reflect on the values and dynamics of the legal system. They are encouraged to assess the effectiveness of legal remedies available to clients and the legal system in which they operate. A key feature of the program is the partnering of students with a magistrate as their judicial mentor for the duration of the program.

Regional Engagement

Across the state, courts engage on matters of importance to their local communities. Dandenong Magistrates' Court provided a workshop on bail applications in February of this year. The Latrobe Valley Court conducted coronial training for 15 overseas-trained psychiatrists from the local regional hospital, moot courts for the Office of Corrections and participated in a schools program, including road safety seminars. Frankston is involved in the *'Youth Assist'* program run by Mission Australia and Frankston police, which recently won national recognition at the 2009 Australian Crime and Violence Prevention Awards.

Sunshine Court has recently embarked on an exciting pilot project with the Alfred Hospital, Victoria Police and the Visy Centre targeting 'hoon driving' and offences involving violence. The project requires participants to spend a day at the hospital where they visit the trauma unit, listen to speakers including medical staff, paramedics and police, as well as have the opportunity to speak with patients who have suffered serious injuries as a result of road accidents and violent offences.

Media

Throughout the year I have continued my commitment to an open and transparent court by engaging with the media. A well-informed media is essential to inform the community about the court's work.

In particular, engagement with the media beyond the everyday reporting of court proceedings offers an opportunity to connect with the public and open the court to them in an effective way.

Law Week provided the most significant opportunity to engage with the media this year, due to the inherent interest in the event and the work of the Victorian Law Foundation in promoting it. In a first, ABC local radio broadcasted live from the Melbourne Magistrates' Court to promote Law Week and to discuss the success of the Court Integrated Services Program.

While the courts traditionally do not comment on current affairs, I have found it useful to discuss issues such as law and order and sentencing in the media. These occasions have included appearing on 3AW, ABC morning radio and ABC Stateline, and interviews with The Age newspaper and an opinion piece in the Herald Sun.

In the 2008 report I referred to the need for a court based media liaison/public information officer and said "there is a clear need for the court to have the immediate in-house ability to deal with media enquiries about decisions made and also to have the capacity to meet the community information and education obligations which will increase in future years". This remains a priority.

Terms and Conditions

This year, the Terms and Conditions Committee made three submissions to the Judicial Remuneration Tribunal. The Council of Magistrates' submission on leave entitlements underline the need to put magistrates on an equal footing with other judicial officers in the state. The committee, on behalf of the magistrates, sought parity as to annual leave and long service leave. The committee also submitted that the magistrates' living away from home allowance be payable for three years, to align the payment with the period for which magistrates are assigned to a location. The committee also prepared a submission on judicial pensions, superannuation and long-term disability entitlements.

I would like to express my gratitude to John Griffin for helping to obtain Mercers for the substantial actuarial work arising from the reform of magistrates' superannuation. John's assistance in this regard was invaluable.

The Executive Committee

The Executive Committee is made up of the Chief Magistrate and eight magistrates elected by the Council of Magistrates. The committee is responsible for the formulation and monitoring of policy when the Council of Magistrates is not in session. The range of issues the committee consider is broad, this year including professional development, terms and conditions, budget issues, judicial assignment coordination matters and court facilities. The committee's commitment to improving court policy has been unwavering, and I thank the members for their involvement in the committee this year.

Professional Education

The court's Professional Development Committee did valuable work over the past year. Once again, the committee, in conjunction with the Judicial College of Victoria (JCV), coordinated a comprehensive education program for magistrates, and I thank Magistrate Audrey Jamieson and the members of the committee for their effort and commitment throughout the year.

As in previous years, magistrates actively participated in the education events presented by the JVC. This year, the program included the new *Criminal Procedure Act 2009*, 'Hearsay and Admissions', and 'Tendency, Coincidence, Credibility and Character'. The dedication of the magistrates to their professional development is consistent and commendable.



Appointments and Retirements

APPOINTMENTS

New Magistrates

Ms Susan Armour
Ms Suzie Cameron
Mr Peter Dotchin
Mr Franz Holzer
Mr John Lesser
Ms Jo Metcalf
Mr John O'Callaghan
Ms Julie O'Donnell
Ms Ros Porter
Mr Jack Vandersteen
Mr Michael Wighton

New Acting Magistrates

Mr Ian McGrane
Mr Steven Raleigh

Retirements and Resignations

Mr Raffaele Barberio
Mr Isaac Beder
Mr John Dugdale
Mr Tom Hassard
Ms Jacinta Heffey
Mr Reg Marron
Mr Rowan McIndoe
Mr Jim Mornane
Mr Michael Stone
Mr Peter White

Acknowledgements

As in previous years, I wish to thank all the magistrates, judicial registrars and court staff for their hard work and dedication throughout the year. Special thanks go to the Deputy Chief Magistrates, State Coordinating Magistrate, Regional Coordinating Magistrates and the Supervising Magistrates for their outstanding contribution to the administration of the court.

The Magistrates' Support Services team led by Melissa Biram, and including Administrative Assistant, Nola Los, Court Librarian, Libby Gray, Legal Researcher, Aranea Carstairs and Assistant to the State Coordinating Magistrate, Sharon Hughes, provide all manner of assistance to myself and all magistrates, and are to be thanked for their dedication and support. I also wish to thank my Executive Assistant Lesma King, for her hard work throughout the year.

Finally, I thank the CEO, Charlotte Stockwell for her strong leadership of the administration of the court and for her continued support of myself and the magistrates during the year. I also thank John Griffin, Executive Director, Courts, for his consistent, decisive and strategic support for the court throughout the past year.

Report of the Chief Executive Officer



Report of the Chief Executive Officer

I am pleased to present this year's annual report, reflecting on 2009-10, which has been an incredibly challenging, hectic, yet satisfying year for the Magistrates' Court.

It has been a busy year both in and out of the courtroom, as we have continued to deliver a first class service to the Victorian community, meeting operational resource challenges, at the same time embracing a range of legislative reforms and new problem solving initiatives.

Court Performance

Continuing the trend for a number of years now, the court continues to experience unprecedented increases in caseloads and consequential demands on resources. With an average increase of 6-10% per year since 2005-06, this sustained demand pressure is mounting and compounding pressure on our judicial and administrative capacity to maintain effectiveness. Despite these pressures the court has continued to exceed performance targets, maintaining a strong criminal clearance rate in 2009-10.

The government's ongoing commitment and support of our current family violence specialisation arrangements, reflects the amount of positive work the court is doing in this regard and the momentum we have generated in terms of delivering a more structured and appropriate response to instances of family violence. Although the quality of our family violence response has significantly improved, the court's ability to effectively manage its ever-increasing caseload is and will continue to be a challenge. While we continue to work very hard towards identifying and implementing internal case management efficiencies to respond to our demand challenges, support and funding which directly results in increased resources for the court will be critically important to delivering a consistent and responsive family violence service, which minimises delay and promotes access to court users across Victoria.

I wish to make special mention of all the staff across the state who work so hard within the family violence jurisdiction and make it clear that I, and the rest of the executive team, recognise the outstanding work they do on a daily basis. Unfortunately, numbers alone fail to tell the full story of their dedication and commitment to the cause of justice and in the service of the Victorian community. They deal with often very sensitive and traumatic instances of family violence, and of course victims and perpetrators, with impartiality, empathy and a great degree of professionalism. As any person who has visited a Victorian Magistrates' Court would know, they are busy and often hectic places - the work our staff do to support proceedings involving family violence must always be considered in the context of that environment and in this regard, their efforts are extraordinary. To the staff at all our courts, I thank you all.

Highlights

Under the '*Courts Innovation Project*' a revolutionary planning tool was developed for the court this year. Titled the '*Court Activity Model*', the new planning instrument can be used to facilitate operational analysis, tactical forecasting and strategic planning. This new way of planning provides the court with the ability to review various strategic outputs and consider alternative models of resource deployment. The model provides the ability to undertake jurisdiction-specific scenario planning and provides substantial benefits over more traditional activity measurement approaches. Congratulations to the '*Court Activity Model*' project team for their effort and significant contribution to the ongoing development and improvement of the court.



One of the landmark initiatives and important highlights this year has been the introduction of the Assessment and Referral Court (ARC) List at the Melbourne Magistrates' Court. The ARC List is a specialist court list developed by the Department of Justice and the Magistrates' Court to meet the needs of accused persons who have a mental illness and/or a cognitive impairment. One of the key aims of the list is to reduce the risk of harm to the community by addressing the underlying factors that contribute to offending behaviour. I have no doubt that this problem-solving approach to offending will be positive and worthwhile for both participants and the wider community. I would like to acknowledge the hard work of all involved in establishing the list, particularly the working groups established to support program development and implementation. While I generally resist recognising individuals in projects such as these, I would like to make special mention of the efforts of Glenn Rutter of the Courts and Tribunals Unit, whose expertise and dedication to the list has been instrumental to its success.

The success of the Court Integrated Services Program (CISP) in helping to reduce re-offending and address the over-representation of offenders from disadvantaged and marginalised backgrounds in the criminal justice system, was highlighted and confirmed this year following an evaluation by Dr Stuart Ross of Melbourne Consulting and Custom Programs within the University of Melbourne, as well as an economic evaluation by PricewaterhouseCoopers. The government's support and commitment to this important program was also reflected in the 2009 budget with funding provided to continue the service at Melbourne, Latrobe Valley and Sunshine Courts. The evaluations both tell us that the CISP is meeting its service delivery targets, is providing a very valuable service to court users and directly produces economic savings which far outweigh the program delivery costs. The Attorney-General and Chief Magistrate recently launched the evaluations of the CISP and I thank all those who attended.

New Directions

Since the launch of *'New Directions'*, I have consistently emphasised service excellence as a key priority, and in January I declared that the theme for 2010 would be 'delivering service'. We regularly record a strong focus on service delivery in employee attitude surveys. However, it is important not only to maintain this focus, but also to strive to further enhance our standards - even in the face of increasing operational pressures. A revised *'Service Charter and Complaints Policy'*, and new guides for managers about service delivery will help us with our objective of delivering a first class service. I know that all our staff take pride in their work, and exhibit high levels of professionalism often under difficult conditions. I believe a renewed focus on service is entirely consistent with this approach.

The court handles approximately 12,000 licence restoration inquiries annually and the administration of these applications is complex and time consuming. Considering this, the *'New Directions'* team and Courts Technology Group worked together this year to develop an online licence restoration guide. Essentially, the online guide provides an alternative, user-friendly method for applicants to obtain their unique re-licensing requirements, following the entry of information about their offence. I have received a lot of positive feedback from a range of stakeholders about the time saving and service benefits of the guide, which showcases the court's modern and responsive service approach.

Acknowledgements

I would like to take this opportunity to thank a number of people for their contribution to the court over the year. From the service improvements to frontline operations, our strengthened strategic planning capacity and our integration and acceptance of justice policy reform, there is no doubt the court has moved forward in leaps and bounds, and we are now much closer to realising our ultimate vision of becoming the leading court of summary jurisdiction in Australia.

Firstly, I would like to acknowledge and thank the Chief Magistrate, Ian Gray for his support and leadership throughout the year, and also the magistracy for their continuing support.

Thank you also to John Griffin, Executive Director, Courts and Callum Ingram, Director, Courts and Tribunals Unit and their departmental staff for their assistance and support.

Finally, I would like to express my appreciation and gratitude to my personal staff, the court's Executive Group and all staff across the 54 Magistrates' Court venues for their dedication and professionalism throughout the year.

Overview of the Magistrates' Court of Victoria



Overview of the Magistrates' Court of Victoria

The Magistrates' Court of Victoria was established under section 4 of the *Magistrates' Court Act 1989*. The court sits at 54 metropolitan, suburban and regional locations and comprises 111 magistrates, ten acting magistrates and five judicial registrars. The magistracy is supported by registrars and support staff, including staff working in the Children's Court and the Victims of Crime Assistance Tribunal.

The court exercises a varied, substantial and extensive jurisdiction, which continues to evolve and grow.

Criminal Jurisdiction

The court has jurisdiction to determine and impose sentences for summary offences and a wide range of indictable offences. Where the court does not have jurisdiction to deal with indictable charges, it conducts committal proceedings to determine if there is sufficient evidence for the accused to be committed to stand trial at the Supreme Court or County Court.

Civil Jurisdiction

The court has jurisdiction to hear and determine claims up to \$100,000. In addition, the court has jurisdiction to hear claims for equitable relief, such as applications for injunctions or for the return of property, or to prevent disposal or dissipation of assets.

WorkCover

The court deals with a number of proceedings under the *Accident Compensation Act 1985* and the *Workers Compensation Act 1958*.

Industrial Division

The Industrial Division of the court deals with disputes between employees and employers over employee entitlements, whether those entitlements arise under a contract of employment, an industrial instrument, the *Workplace Relations Act 1996* (Cth), the *Long Service Leave Act 1993*, the *Public Holidays Act 1993* or the *Outworkers (Improved Protection) Act 2003*.

Family Violence and Family Law Jurisdiction

The court has jurisdiction to hear and determine applications for intervention orders to protect family members from family violence under the *Family Violence Protection Act 2008*. The court also hears and determines applications relating to stalking under the *Stalking Intervention Orders Act 2008*. Under both these acts the court can make interim orders in urgent cases. In addition, the court has jurisdiction to deal with some family law cases under the *Family Law Act 1975* (Cth), the *Child Support (Assessment) Act 1989* (Cth) and the *Marriage Act 1961* (Cth).

Municipal Electoral Tribunal

The tribunal hears disputes arising from Victorian local government elections, pursuant to the *Local Government Act 1989*.

Victims of Crime Assistance Tribunal

The tribunal provides financial assistance to help victims of crime recover from the physical or mental injuries suffered by them as a result of an act of violence, pursuant to the *Victims of Crime Assistance Act 1996*. All magistrates sit as members of the tribunal. For more information, please refer to the annual report of the Victims of Crime Assistance Tribunal.



Children's Court

The Children's Court of Victoria was established by the *Children and Young Persons Act 1989* (repealed) and is continued by the *Children, Youth and Families Act 2005*. It is a court with two divisions that deals with matters relating to children and young people. One division deals with protection and family law matters and the other division deals with criminal charges against children and young people. All magistrates sit in the Children's Court in locations across Victoria, including a dedicated Children's Court in Melbourne.

For more information, please refer to the annual report of the Children's Court of Victoria.

Coroners Court of Victoria

Coroners investigate reportable deaths and fire, as set out in the *Coroners Act 2008* (which came into effect on 1 November 2009), and hold inquests where appropriate. In addition, coroners make recommendations regarding public health and safety to assist in reducing the incidence of preventable death and injury within the community. All magistrates are appointed as coroners and do coronial work either at the Coroners Court of Victoria in Melbourne or at country Magistrates' Courts. For further information, please refer to the annual report of the Coroners Court of Victoria.

After-Hours Service

The court provides the services of a magistrate and registrar between the hours of 5.00pm and 9.00am on weekdays, and 24 hours on weekends and public holidays. This service deals with urgent applications that require consideration outside normal court hours including applications for search warrants and complaints for intervention orders.

Court Support and Diversion Services

The court has developed and participates in a number of initiatives designed to improve its responsiveness to members of the community when they attend court. The purpose of these initiatives is to support the work of the court and to bridge gaps of understanding and communication between the court, the government, court users and the general public. Details of the support services provided by the court are provided in this report.

The Court's Registries

The court's registries exist as an integral part of the efficient administration of the court.

Registrars have certain duties, powers and functions conferred by the *Magistrates' Court Act 1989* and associated regulations and rules. These functions include issuing process, determining particular types of applications, conducting mediations and pre-hearing conferences in civil cases, listing cases and providing the public with procedural advice regarding court processes. A significant function of registrars, deputy registrars and trainee registrars is to work with and assist magistrates in the operation and running of court hearings.

A growing number of administrative and support staff work alongside registrars at many of the 54 court locations throughout the state. All work collaboratively to support the many jurisdictions that comprise the Magistrates' Court of Victoria.

Governance and Judicial Administration

Establishment of the Court

The Magistrates' Court of Victoria is established under the section 4 of the *Magistrates' Court Act 1989*. The court is constituted by its magistrates, judicial registrars and registrars. Pursuant to section 15(3) of the Act, the magistrates must report annually to the Governor on the operation of the court.

Structure and Operation

Chief Magistrate

The Chief Magistrate is the head of the court and its senior judicial officer.

The Chief Magistrate is responsible for:

- assigning duties for magistrates
- calling and chairing meetings of the Council of Magistrates (the 'council')
- making Rules of Court in consultation with Deputy Chief Magistrates
- issuing practice directions
- performing statutory functions.

Deputy Chief Magistrates

Two or more Deputy Chief Magistrates may be appointed to the court. The roles and areas of responsibility of a Deputy Chief Magistrate include:

- assisting the Chief Magistrate as requested or assigned by the Chief Magistrate
- in the absence of the Chief Magistrate, the senior Deputy Chief Magistrate shall act as the Chief Magistrate

- acting within allocated areas of responsibility
- exercising delegated powers in consultation with the Chief Magistrate
- acting as a member of the Management Committee of the court.

Regional Coordinating Magistrates

The Chief Magistrate appoints a Regional Coordinating Magistrate in each region for a period of three years. The role of Regional Coordinating Magistrates is to:

- allocate magistrates to hear cases in their region
- supervise the disposition of cases in their region
- report regularly to the Chief Magistrate on the operation of their region
- consult with the Senior Registrar of the region
- develop and implement initiatives and strategies in accordance with council policy

During the 2009-10 period, the Regional Coordinating Magistrates met on 4 December 2009 and 5 March 2010.

Supervising Magistrates

Supervising Magistrates are appointed by the Chief Magistrate for a term of three years to assume responsibility for the following areas of the court:

- criminal jurisdiction
- civil jurisdiction
- family violence and family law jurisdiction
- the Victims of Crime Assistance Tribunal
- the Sexual Offences List
- the Koori Court

- court support services and specialist programs
- other areas of responsibility as the council determines.

The role of the Supervising Magistrate is to liaise with the magistracy, the administrative staff and the community. Supervising Magistrates also develop protocols, rules and practice directions to be recommended to the Chief Magistrate for implementation, and ensure the dissemination of legislative and procedural changes in the relevant jurisdiction.

State Coordinating Magistrate

The Chief Magistrate appoints a State Coordinating Magistrate for a period of three years. The role and functions of the State Coordinating Magistrate include:

- day-to-day coordination and allocation of magistrates and acting magistrates
- granting and recording of magistrates' leave entitlements
- developing, implementing and reviewing listing protocols and practices in conjunction with the Chief Magistrate, State Coordinating Registrar and the Chief Executive Officer
- liaising with Regional Coordinating Magistrates, the State Coordinating Registrar and registrars on a statewide basis
- setting of court sitting dates, conferences and meetings in consultation with the Chief Magistrate
- acting as a member of the Management Committee of the court.

Council of Magistrates

A council of the permanent magistrates must meet at least once in each year on a day or days fixed by the Chief Magistrate to:

- consider the operation of the *Magistrates' Court Act 1989* and the rules
- consider the workings of the officers of the court and the arrangements relating to the duties of court officials
- inquire into and examine any defects that appear to exist in the system of procedure or administration of the law in the court.

During 2009–10 the Council of Magistrates met on 31 July 2009, 20 November 2009 and 26 March 2010.

Executive Committee

The Executive Committee is an annually-elected committee of magistrates chaired by the Chief Magistrate, and whose members meet monthly to deal with matters of policy and report to the Council of Magistrates.

Jurisdictional Committees

The court has established committees for each jurisdiction of the court. A Supervising Magistrate heads each committee and reports to the Chief Magistrate about the work of their respective committee. Minutes of all committee meetings are circulated to all magistrates.

In this report, the section '*Internal Committees*' provides further details on the structure and activities of each of the committees during the reporting period.

Map of Locations



| REGION | COURTS IN REGION |
|------------------------------|--|
| Melbourne | Melbourne, Moorabbin |
| Barwon South West | Geelong, Colac, Hamilton, Portland and Warrnambool |
| Broadmeadows | Broadmeadows, Castlemaine, Kyneton, Moonee Ponds |
| Dandenong | Dandenong |
| Frankston | Frankston, Dromana |
| Gippsland | Latrobe Valley (Morwell), Bairnsdale, Korumburra, Moe, Omeo, Orbst, Sale, Wonthaggi |
| Grampians | Ballarat, Ararat, Bacchus Marsh, Edenhope, Hopetoun, Horsham, Nhill, St Arnaud, Stawell |
| Heidelberg | Heidelberg, Preston |
| Hume | Shepparton, Benalla, Cobram, Corryong, Mansfield, Myrtleford, Seymour, Wangaratta, Wodonga |
| Loddon Mallee | Bendigo, Echuca, Kerang, Maryborough, Mildura, Ouyen, Robinvale, Swan Hill |
| Neighbourhood Justice Centre | Neighbourhood Justice Centre (Collingwood) |
| Ringwood | Ringwood |
| Sunshine | Sunshine, Werribee |

2009-10 The Year in Review



2009-10

The Year in Review

General

Australian Institute of Judicial Administration Conference 2010

As part of the Australian Institute of Judicial Administration (AIJA) Conference, which was held in Melbourne this year, the Magistrates' Court hosted an 'Open Day Expo' at the Melbourne Magistrates' Court on 4 May 2010. The expo focused on and showcased, the court's innovative non-adversarial programs and initiatives.

Business Continuity Plan

This year business continuity management was identified as a key area for planning reform. The primary focus was to ensure that all court locations throughout the state had effective continuity and emergency management arrangements.

Considerable work was undertaken to develop, review and test plans, which have now been implemented at 48 court venues. Courts are now strategically equipped to manage and minimise the impact of any disruption to the availability of services.

Programs and Initiatives

Assessment and Referral Court (ARC) List

The court partnered closely with the Programs & Strategy Branch, Court and Tribunals Unit and relevant stakeholder agencies to implement and operationalise the Assessment and Referral Court (ARC) List at the Melbourne Magistrates' Court.

The ARC List has been established to help break the cycle of offending and to address the needs of accused persons who have a cognitive impairment, intellectual disability or mental illness.

Referrals to the ARC List commenced on 31 March 2010, with hearings from 21 April 2010.

Court Activity Model

The '*Court Activity Model*' is a resource developed this year to assist the court in its operational, tactical and strategic resource allocation. The model contributes to determining where the relative effort or current focus of the court's resources (in terms of court hours of both magistrates and registry staff) is applied. The model describes and categorises most operations within the court. All resources and practices within the court fall within the scope, ranging from corporate services, hearing cases and post-hearing management activities. The model provides substantial benefits over more traditional activity measurement processes for the following reasons:

- it accounts for all activities that the court engages in and provides a clear distinction between time spent in determination, time spent managing, time spent answering enquiries, and time spent managing the court, and
- it allows the court to determine the effort expended in each process element, create a baseline, and capture changes in effort over time. For example, the effort expended per case in each jurisdiction can be determined by dividing appropriate process elements or activities by the total number of cases disposed per year in that jurisdiction.

There are substantial benefits to the Magistrates' Court and wider court portfolio's strategic capability through redeveloping and updating the '*Court Activity Model*'; these include:

- operational – an accurate measurement of the court's current activities and outputs, using existing and readily available data
- tactical – the ability to identify, verify and quantify resource and workload issues, and
- strategic – the ability to examine impact on the court's resources and outputs by modelling alternative process and caseload scenarios.



SMS Reminders – Court Integrated Service Program

A new SMS reminder project is being trialled for Court Integrated Service Program (CISP) clients at the Melbourne Magistrates' Court. CISP clients can now receive reminder notices for court hearings, case management reviews and agency assessments by SMS message. The objective of the pilot project is to evaluate the efficiencies gained by replacing the current systems with the SMS reminders, monitoring improvements in attendance rates at client appointments, and client satisfaction with the new service.

Licence Restoration Tool

The Magistrates' Court website now hosts a new online guide to the licence restoration process. The guide was developed in conjunction with the Courts Technology Group and court staff by the 'New Directions' team.

This online resource is designed to improve the level of service provided to members of the public in this complex area of procedure and to reduce the amount of time court staff currently spend guiding users through the re-licensing process.

Coordination Structure, Melbourne Magistrates' Court

The review and restructure of the coordination of listings function at the Melbourne Magistrates' Court was a significant process improvement during the reporting period, and demonstrative of the court's focus of delivering service excellence. It is reported in more detail within this report.

Awards and Milestones

Court Portfolio Awards Recipients

On Friday 26 March 2010, the following Magistrates' Court staff received awards at the *Courts Portfolio Staff Forum & Awards Presentation* hosted by Executive Director, Courts John Griffin:

- Helene Plozza – in recognition of her work on the court's 'Licence Restoration Tool'

- Robert Challis – in recognition of his work on the *Criminal Procedure Act 2009*
- Sharon Hughes, Leesa Willan and Brooke Spiden – in recognition of their work as 'Genette Super Users'.

Criminal Procedure Act 2009 – Implementation

From 1 January 2010, landmark reforms to criminal procedure were introduced with the commencement of the *Criminal Procedure Act 2009* and *Evidence Act 2008*. The reforms are also supported by new Magistrates' Court Criminal Procedure Rules 2009.

The new legislation aims to help reduce delays as well as provide modern, clear, efficient and fair procedures. The anticipated benefits for the courts busy summary jurisdiction include:

- reduction of delays in charging offenders and bringing them before the court
- reduction of unnecessary adjournments
- early disclosure
- improved efficiency without affecting rights of the accused
- improved access to police prosecutor, early in the process to discuss access to material and charges

Importantly, change management preparations for the court's systems, practices and procedures were effectively implemented to support the new legislation, at the same time maintaining the courts operational functionality to dispose of its high volume caseload. This was made possible thanks to the dedicated work of Criminal Supervising Magistrate, Charlie Rozencwajg, Deputy Chief Magistrate Dan Muling, the court's project team and the Courts' Technology Group.

The support and working relationships with key agencies through the *Summary Procedure Steering and Working Groups*, as well as the *Implementation and Coordination Group*, was also fundamental to the success of the project.

Organisational Change and Development Unit

An organisational change and development function was introduced into the Magistrates' Court to strengthen and sustain the organisation's capability and capacity. An organisational development framework was created to strengthen the court's people, systems and process capability. The framework will also build linkages between the human resource management and the learning and development functions, to deliver quality services consistently and efficiently.

The organisational change and development function has worked closely with various courts and services to build collaborative work cultures. This work has involved developing leadership and teamwork capability at local court venues, through participation in various leadership and management development processes, or through specific interventions designed to achieve local management objectives.

The Training and Development Unit and the Human Resource Unit have provided high levels of service to customers and stakeholders across the court, despite the constraints of staff changes and functional reviews. Staff continually add value through improving processes and exploring new ways of doing things.

Management and Leadership Development

Approximately 20 staff and managers from the court attended a variety of leadership and management development programs, including five managers across the state who participated in the department's pilot *Accelerated Leadership Development Program*.

Induction of New Staff to the Court

A review of the court's existing induction program for new starters resulted in a formal induction program, which now encompasses an induction component administered at local venues. The process incorporates the human resource and training aspects of induction. The new formal induction program commenced in January 2010, in which 50 new starters have participated.

Recruitment of Trainee Court Registrars

Two recruitment campaigns in January and May 2010 ensured a steady supply of registry workforce to the court, with 37 trainee court registrars recruited and commencing the *Certificate IV in Government (Court Services)*.

Education of Trainee Court Registrars

The ongoing education of trainee court registrars through the *Certificate IV in Government (Court Services)* continues to strengthen the capability of the registry workforce. This has been possible through successful collaboration with RMIT, the service provider. Local managers continue to provide support and coaching to trainees in their learning process.

In collaboration with local managers, the training and development unit facilitated the transfer of numerous trainees across various court sites, jurisdictions and services, to meet the learning requirements of the Certificate IV.

On 20 November 2009, a celebration was held in Court 2 at the old Melbourne Magistrates' Court for the first group of 25 trainee court registrars to complete their Certificate IV through RMIT. Trainees received a certificate of completion from RMIT, and congratulations from representatives of the Courts and Tribunals Unit.

On 27 May 2010, 24 trainee court registrars in *Certificate IV in Government (Court Services)* graduated at the Southern Cross building. The graduation was attended by John Griffin, Executive Director, Courts and Justice Ross, President of Victorian Civil and Administrative Tribunal (VCAT), as well as by representatives from all jurisdictions.

Training Support Services

The training and development unit continues to be involved in the provision of training support to a variety of initiatives within the court, including the training of staff in the new *Criminal Procedure Act 2009*.

Year at a Glance

| CRIMINAL | 2007-08 | 2008-09 | 2009-10 |
|---|-----------|----------------------|-----------|
| Cases initiated | 154,732 | 167,359 | 160,444 |
| Cases finalised | 156,337 | 177,987 ¹ | 176,132 |
| Criminal cases finalised within six months | 88.3% | 88.6% | 87.8% |
| Cases pending | 34,701 | 35,205 | 30,506 |
| Criminal cases pending for more than twelve months | 7.2% | 8.0% | 8.4% |
| Cases finalised at contest mention | 7,258 | 9,405 | 7,521 |
| Committal proceedings finalised ² | 3,068 | 2,767 | 2,834 |
| Cases finalised at ex parte hearings | 4,958 | 5,375 | 4,823 |
| Appeals lodged against conviction or sentence | 2,176 | 2,142 | 2,721 |
| Infringement Court enforcement orders made ³ | 1,148,292 | 1,129,275 | 1,226,665 |

| COURT SUPPORT AND DIVERSION SERVICES | 2007-08 | 2008-09 | 2009-10 |
|--|---------|---------|---------|
| Referrals by Program | | | |
| Court Integrated Services Program (CISP) | 2,046 | 2,218 | 2,137 |
| Aboriginal Liaison Officer Program | 203 | 165 | 213 |
| CREDIT/Bail Support Program | | | |
| CREDIT | 1,588 | 1,883 | 1,920 |
| Bail Support Program | 1,055 | 1,527 | 1,554 |
| Criminal Justice Diversion Program | 7,710 | 7,280 | 6,963 |
| Matters Finalised/Heard | | | |
| Enforcement Review Program | 632 | 1,507 | 1,412 |

¹ As a consequence of a data audit, this figure is now amended by this report.

² Committal proceedings finalised includes those matters directed to stand trial, and those summarily finalised in this court.

³ This was previously reported as "infringements initiated", which incorrectly described the data, and is now amended by this report.

Year at a Glance Continued

| CIVIL | 2007-08 | 2008-09 | 2009-10 |
|---|---------|---------|---------|
| Complaints issued or filed | 68,829 | 69,259 | 65,617 |
| Claims actioned ⁴ | 45,169 | 46,154 | 45,762 |
| Claims finalised ⁵ | 44,663 | 45,326 | 44,926 |
| Default orders made | 37,138 | 38,128 | 37,444 |
| Defended claims finalised comprising: | 7,525 | 7,198 | 7,482 |
| <i>Pre-hearing conference and mediation</i> | 2,402 | 2,656 | 2,481 |
| <i>Hearing</i> | 2,007 | 2,074 | 2,295 |
| <i>Arbitration</i> | 3,116 | 2,468 | 2,706 |
| Defended claims finalised within six months | 81.5% | 82.8% | 82.3% |
| Defended claims pending | 2,124 | 2,266 | 2,058 |
| Defended claims pending for more than twelve months | 9.9% | 9.0% | 7.8% |
| Defence notices filed (including WorkCover) | 8,031 | 8,026 | 8,318 |
| Up to \$10,000 claimed | 4,914 | 4,676 | 4,839 |
| More than \$10,000 claimed | 3,117 | 3,350 | 3,479 |

| FAMILY LAW, FAMILY VIOLENCE AND AFTER HOURS | 2007-08 | 2008-09 | 2009-10 |
|--|---------|---------|---------|
| Total family violence intervention order applications issued | 26,686 | 28,635 | 30,303 |
| Total family violence complaints finalised | 23,682 | 25,854 | 27,535 |
| Family law finalisations | 1,591 | 1,495 | 1,591 |
| Applications for intervention orders received by After Hours Service | 6,860 | 7,539 | 8,582 |

⁴ 'Claims actioned' refers to the aggregate of defence notices filed (including WorkCover and default orders made).

⁵ 'Claims finalised' refers to the aggregate of default orders made and claims finalised at arbitration, open hearing or pre-hearing conference.

Internal Committees



Internal Committees

There is a very active jurisdictional committee structure within the court. These committees comprise individually of:

- magistrates
- magistrates and registrars
- magistrates, registrars and representatives from external agencies.

These committees support the work of the court across all jurisdictions, with magistrates, registrars and other participants devoting their time to this work over the year.

Executive Committee

Committee Chair: Chief Magistrate Ian Gray

Members: Deputy Chief Magistrate Lance Martin, Magistrates Sharon Cure, Sarah Dawes, Phillip Goldberg, John Hardy, Kate Hawkins, Kay Robertson, Charlie Rozencwajg, Fiona Stewart and Susan Wakeling.

The Executive Committee meets monthly to discuss a wide range of issues. The committee is responsible for the formulation and monitoring of policy when the Council of Magistrates is not in session. As a result, the range of issues considered by the committee is very broad, and at times overlaps with other committees. Meeting minutes are published for the information of magistrates.

The matters considered by the committee during the reporting period included:

- under-resourcing of courtrooms
- bench clerk training and standards
- magistrates' professional development
- privacy issues
- Judicial Remuneration Tribunal (JRT)
- judicial assignment policy
- Executive Committee membership
- terms and conditions of magistrates
- Judicial College of Victoria programs
- judicial conduct
- Assessment and Referral Court (ARC) List
- judicial complaints
- courtroom facilities
- budget issues
- judicial officers and workload allocation
- media liaison
- coordination issues
- human resources.

Professional Development Committee

Committee Chair: Magistrate Audrey Jamieson

Members: Chief Magistrate Ian Gray, Deputy Chief Magistrates Peter Lauritsen and Jelena Popovic, Magistrates Jennifer Bowles, Caitlin English, Fiona Hayes, Catherine Lamble, Annabel Hawkins and Michelle Hodgson.

The Professional Development Committee (PDC) of the Magistrates' Court is a committee of the Council of Magistrates, established to assist the Chief Magistrate to provide for the professional development and training of magistrates. In addition to promoting the ongoing professional development and training in all areas relevant to the discharge of the office of magistrate, the committee liaises with the Judicial College of Victoria (JCV) in planning, promoting and delivering judicial education programs.

JCV representatives, Samantha Burchell, Carly Schrever and Fiona Brice who have attended and participated in the committee meetings, have assisted the PDC during the last year.

The demand and need for professional development specific to magistrates far exceeds the number of court-allocated days, however, the committee has endeavoured to continue to provide a diverse program of topics, and to vary the general structure of the programs in an attempt to capture the interests of most.

In the reporting year, three committee-organised professional development days were conducted. The themes of these days included:

- *'Aspects of the Trial Process'* in July 2009 at the Royal Melbourne Yacht Squadron
- *'Coroners: The Changing Tide of Coronial Work'* in October 2009, with visits to the Victorian Police Forensic Science Laboratories, Thomas Embling and Port Philip Prison for those not attending this workshop

- *'Across Jurisdictions'* at the Melbourne Cricket Ground in April 2010.

In addition to the three official professional development days, the committee was also involved in organising the afternoon session of the November Council of Magistrates' meeting on the subject of *'Issuing of Search Warrants'*. All conferences are reported in detail in the 'Judicial Activities' section of this report.

Feedback from all professional development days has highlighted the relevance and value magistrates place on participating in these events.

The committee continues to assist the State Coordinating Magistrate in the professional development component of the Country Magistrates' Conference.

The committee continues to advocate for a review of the mentoring program, with a view to incorporating it into the induction program for new magistrates.

The committee acknowledges the contribution of Clive Alsop and Fiona Stewart, who both resigned from the committee during the year.

The committee also acknowledges the administrative and organisational support provided by Nola Los and Lesma King. The provision of professional development to all magistrates would be extremely more difficult without their assistance. The committee also thanks Melissa Biram for the assistance she has provided during the year.



Information Technology Committee

Committee Chair: Deputy Chief Magistrate Dan Muling

Members: Magistrates Peter Power, Richard Wright, Nunzio La Rosa, Courts IT Group Manager Hans Wolf, IT Group Coordinator Eddie Dolceamore, Corporate Communications Officer Daphne Christopherson, Applications Services Manager Ross Capuana, Business Engagement, Knowledge Information and Technology Services Jon Thomson, Courtlink Manager Lynn Germain, In Court Technology Manager David Hoy and various representatives from the Integrated Courts Management System (ICMS) Team Kerry Kirk, Marlies Oman and Eamon O'Hare.

The court's Information Technology (IT) Committee is an active sponsor of continuous improvement to the Courtlink Case Management System and provides an increasingly comprehensive body of information delivered electronically through the Internet and the intranet.

The committee was involved in the following projects:

- identification of enhancements to Courtlink Case Management System and monitoring application and system upgrades
- upgrading of telephone systems across the state
- replacement of PCs out of warranty across the state
- participation in the Integrated Courts Management System (ICMS) project
- the digital recording of committals at Melbourne Magistrates' Court
- launch of the Courts & Tribunal Portfolio updated Wiki, including a Wiki Forum section (a website allowing easy creation and editing of any number of documents)
- investigation of IT initiatives as part of 'New Directions' such as SMS technology and electronic kiosks

- 'Virtual Magistrate Pilot' – creation of a virtual court by projecting a life size image of magistrate, bar table and witness box from one court to another, minimising the need for magistrates to travel and increasing access to justice
- EFAS – Electronic Filing of Appearance System.

Civil Rules Committee

Chair: Deputy Chief Magistrate and Supervising Magistrate Peter Lauritsen

Members: Magistrates Barry Braun, Franz Holzer and Brian Wright, Judicial Registrar Barry Johnstone, Deputy Registrar Mark Vendy, Solicitors, Robert White and John Dunne, Barristers, Simone Bingham and Frank Ravida.

The committee was delighted that Franz Holzer remained a member following his appointment as a magistrate. Simone Bingham replaced him as a representative of the Victorian Bar.

During the year, the committee held 16 meetings. This represents a large contribution by members to the development of amendments to the existing rules of court and the last stages of the longstanding process of the alignment of the court's civil procedure rules with those of the County and Supreme Courts.

Despite the expectations contained in the previous annual report, it is now anticipated that the aligned rules will commence on 1 January 2011. During April 2010, an exposure draft of the aligned civil procedure rules was distributed to the legal profession and others for comment. Since June, the committee has examined the submissions.

Dispute Resolution Committee

In August 2009, the court established a dispute resolution committee. Its first meeting was held on 10 September 2009. Its membership comprises magistrates, registrars (including the Principal Registrar), representatives of the Law Institute and the Bar Council, and other legal practitioners.

Chair: Deputy Chief Magistrate Peter Lauritsen

Members: Magistrates Brian Wright and Franz Holzer; Simone Shields; Mark Vendy; Danny Barlow (since replaced by Marcel Alter); Carey Nichol; Neil Twist; Gina Ralston and Nerida Wallace. Other persons who have attended the meetings during the year were David Bryson and Tanya Turner.

The committee has met on eleven occasions during the year. It discussed the following topics:

- (a) an examination of the *Courts Legislation Amendment (Judicial Resolution Conference) Act 2009* and the expansion of judicial mediation in the court. This has resulted in the proposal to offer litigants a form of dispute resolution called “early neutral evaluation” conducted by magistrates
- (b) the introduction of an intake officer to coordinate and supervise the dispute resolution processes offered by the court, and
- (c) the establishment of a single list of external mediators. This also involved the issues of qualification and ongoing training.

Sexual Assault Management Committee

Committee Chair: Deputy Chief Magistrate and Supervising Magistrate Felicity Broughton

Members: Magistrates Clive Alsop, Jennifer Bowles, Amanda Chambers, Sharon Cure, Sarah Dawes, Annabel Hawkins, Jo Metcalf, Peter Reardon, Duncan Reynolds, Jenny Tregent, Jack Vandersteen, Susan Wakeling and Belinda Wallington, and Sexual Offences List Coordinator, Melanie Quinn.

This is the third full year of the operation of the Sexual Assault Management Committee. The committee was first established in the latter part of 2006. The Chief Magistrate established the Sexual Assault Management Committee to lead the court in addressing the challenges and responsibilities of the court in managing sexual assault issues across all

jurisdictions and in the context of the implementation of the recommendations made in the 2004 Victorian Law Reform Commission’s Report, *Sexual Offences: Law and Procedure*.

The committee meets bi-monthly and has active participation from metropolitan, rural and Children’s Court magistrates. The focus of the committee continues to primarily be with the criminal jurisdiction of the court. In summary, the committee considered the following:

- continued implementation issues arising from the Victorian Law Reform Commission’s (VLRC) *Sexual Offences: Law and Procedure Final Report 2004*
- consideration of the significant implications, in relation to sexual offences, of the introduction of the *Criminal Procedure Act 2009* and Uniform Evidence Act
- the further refinement of case conferencing procedures and the promotion of the efficient determination of all cases
- specific and thematic issues arising from individual cases and the development of appropriate responses, for instance, the emerging challenges in relation to the online environment including child pornography and grooming offences
- initiatives to better capture and collate qualitative and quantitative information regarding sex offence case characteristics
- professional development and judicial education in the area of sexual assault
- appropriate responses to the challenges faced by vulnerable witnesses including children and witnesses with a cognitive impairment.

Criminal Law Committee

Committee Chair: Supervising Magistrate Charlie Rozencwajg

Members: Deputy Chief Magistrates Dan Muling and Jelena Popovic; Magistrates Gerard Lethbridge, Lesley Fleming, Peter Reardon, Fiona Stewart, Sarah Dawes, Suzie Cameron, Sharon Cure, Jack Vandersteen, Donna Bakos, Tony Parsons, Tom Barrett and Martin Grinberg.

This has been a significant year with the commencement of the *Criminal Procedure Act 2009* on 1 January 2010. The committee was actively involved in responding to the many drafts of the Bill and, since its enactment, in assessing the implementation of its procedures. This often gave rise to proposals of amending legislation, which were adopted, in the *Consequential Amendments Act* and the *Justice Legislation Amendments Act*. This was particularly so in relation to section 54 of the *Criminal Procedure Act 2009*.

The committee was also responsible for the drafting of corresponding Criminal Procedure Rules, the first time a comprehensive set of rules has been produced in the criminal jurisdiction of this court.

An important function of the committee has been to identify difficulties that arise with Courtlink in the application of new procedures and orders under the *Criminal Procedure Act 2009*. The necessity in this jurisdiction to enter such orders on Courtlink, makes early identification of these matters and their rectification essential. The committee acknowledges the work of court administration in promptly dealing with the matters raised by the committee.

The committee has been extensively engaged in considering matters of both procedure and substance. It has advised on the proposal of the Chief Judge of the County Court for 'early plea hunting,' focusing on discussion at the conclusion of the evidence in a contested committal and introduced a 'County Court Checklist' for straight 'hand-up brief' committals to ensure there is no delay with the listed plea date in the County Court. The committee has also responded

on behalf of the court to the proposed "hate crimes" amendments to section 5 of the *Sentencing Act 1991*.

Realising the increasing reliance upon appearances via video-links, the committee produced a set of guidelines for the appropriate use of this medium in court.

The committee regularly considers matters raised by magistrates or outside agencies as diverse as the affect on the court of the appointment of special counsel under the *Police Integrity Act 2008*, or the powers of a magistrate, if any, on return of property seized on an extra-territorial warrant.

The committee also looks at areas of efficiency and matters giving rise to delay in the court's procedures. It has introduced procedures in the listing of consolidated pleas requiring the parties to sign off on charges and summaries therefore avoiding last minute adjournments. Procedures were also introduced when an application is made for cases to be listed for contested hearing, to address at an early stage, issues such as witness facilities, interpreters and video-links. The early identification of criminal offences arising in the context of family violence is also important in this context.

The committee is currently considering procedures to ensure that informants and prosecutors are more active in obtaining victim impact statements and doing so in a manner that will minimise the need for further adjournment.

The committal stream has also been the focus of the committee, encouraging early resolution discussions with a proposal that the Office of Public Prosecutions (OPP) communicate its 'bottom line' to the defence in the form of an offer prior to the first committal mention. It has also encouraged a more active role from the OPP in the filtering process of applications to cross-examine witnesses and encouraged magistrates to hold defence more accountable for the necessity to call individual witnesses.

The committee has also promoted the duty barristers pro bono scheme, ensuring that the weekly roster is available in each courtroom at Melbourne and

Dandenong where it operates. The committee acknowledges the valuable assistance offered by this scheme in providing urgent advice to unrepresented parties and often witnesses, which permits proceedings to continue without the need for adjournment. We thank the barristers involved for giving generously of their time.

The committee has produced a '*Companion Bench Folder*', which is currently in the production phase. A copy will be available in every courtroom in Victoria and will contain useful information the need for which arises on a daily basis, ranging from a graph of the interlock provisions of the *Road Safety Act 1986* to the eligibility requirements of the Assessment and Referral Court. I would particularly like to thank Fiona Stewart and Suzie Cameron for their work in putting this folder together.

A sub-committee with Vic Roads was established in 2009 and it has been an important avenue, not only for the court to raise its concerns with Vic Roads processes, but as a vehicle for Victoria Police to improve its communication with that institution. The committee has considered ways of improving the demerit notification system as well as the procedures for optional election by drivers. Uncertainty in these areas consumes significant time in the court. The committee will be active in the review of the *Road Safety Act 1986*, which has recently commenced.

The Department of Justice has instituted a review of the *Bail Act 1977* and formed a committee with representatives from all three jurisdictions. This review will be conducted in two stages. Stage one has recently been completed covering issues such as the qualifications necessary for a bail justice, powers of suspension of bail justices, venue for post committal bail issues and the procedures for admitting accused to bail with or without sureties present.

The requirement that an informant must consent to an accused undertaking the diversion program pursuant to section 59 of the *Criminal Procedure Act 2009*, has long been an issue of concern to magistrates. In 2009, the committee recommended the Chief Magistrate make representation to the Attorney-

General to amend the legislation, leaving the issue to the discretion of the court. The response to the Chief Magistrate's proposal has so far been negative. The committee continues to promote legislative change in this area.

The court has long been concerned with delays to its proceedings occasioned by the requirements of forensic analysis by the Forensic Services Centre of Victoria Police. The committee has now developed a dialogue with the centre and has obtained current time estimates for the various analyses required in criminal matters. This information has been distributed to all magistrates and will be routinely updated in the form of a newsletter from the centre. The committee will also have scientists from the centre attend its meetings to give presentations and address questions.

In November 2008, the court formed the 'Criminal Court Users Group', which offered representation to all agencies involved in the Magistrates' Court as well as the court's administration. This provides a venue for the criminal law committee to raise and communicate its issues with the various agencies as well as providing a forum for them to do likewise, with both the court and each other.

This committee has, amongst other things, been instrumental in the introduction of telephone interpreter services in the custody centre; the re-instatement of the use of custody booths on the ground floor of Melbourne; the provision of phone numbers for immediate confirmation of the calculation of pre-sentence detention from the records department of the Office of Corrections; the introduction of new protocols for Court 1 at Melbourne; and the drafting of information sheets for the listing of contested proceedings.

The committee has currently addressed the issue of child witnesses in cases other than those arising in the context of family violence. It has also expressed concern that far too many state prosecutions fail to assist the court when sentencing for child pornography, with the categorisation of the level of seriousness of the pornographic material. This concern has been acknowledged by Victoria

Police Prosecutions, who have introduced the use of the COPINE scale in the sentencing process, commencing 2 September 2010. The benefits of bringing all parties together to cooperatively address issues of mutual concern will be an ongoing benefit to the administration of justice in this court.

I genuinely thank the members of the committee for their continuing involvement in the many issues that arise in the criminal jurisdiction and for their continuing meaningful contribution and support.

Finally, I would like to express my appreciation to Rob Challis of court administration for his invaluable assistance over a range of issues involved in the practical implementation of much that has been introduced this past year.

Family Violence and Family Law Portfolio Committee

Committee Chair: Magistrate Catherine Lamble

Members: Deputy Chief Magistrate Felicity Broughton, Magistrates Noreen Toohey, Anne Goldsbrough, Pauline Spencer, Graham Keil, Amanda Chambers, Denise O'Reilly, Annabel Hawkins and Jo Metcalf and Acting Magistrate Francis Zemljak, together with the Manager of the Family Violence Projects and Initiatives Unit, Deb Nicholson.

The work of the committee included:

- monitoring the operations of the family law and family violence jurisdictions throughout the state, with particular emphasis on the Family Violence Court Division and Specialist Family Violence Services
- ongoing development of practices, procedures and forms for the *Family Violence Protection Act 2008* and *Stalking Intervention Orders Act 2008*, including amendments to draft order conditions and consideration of the contents of the information form used as part of the process to initiate applications

- responding to the interim evaluation of family violence safety notices and the Australian Law Reform Commission's family violence inquiry
- contributing to the development of the Judicial College's family violence bench book and investigating the development of a family law bench book
- responding to the professional development needs of magistrates including a session at the May professional development day on applying family violence risk assessment principles to judicial decision making
- consulting with the Department of Justice about its review of intervention orders that do not arise from family relationships and amendments to the *Family Violence Protection Act 2008*
- consulting about the development of the 'Koori Family Violence Support Project' in the Melbourne Magistrates' Court.

Occupational Health and Safety Committee

Committee Chair: Magistrate Charlie Rozencwajg

Members: Magistrates Susan Armour, Simon Garnett, Graeme Johnstone, Noreen Toohey and Brian Wright; court administration representative Ken Young; and Department of Justice representative Gayle Sherwell.

The Occupational Health and Safety Committee meets regularly to discuss occupational health and safety issues. The committee comprises judicial officers as well as representation from the Department of Justice and court administration. Its varied membership helps ensure that the issues before the committee are addressed with input from relevant stakeholders so that health and safety improvements can be achieved expeditiously.



The matters considered by the committee during the reporting period included:

- court security
- medical assessments for magistrates
- WorkSafe health checks
- court water quality
- vehicle access to buildings
- overcrowding of car parks
- ergonomic assessment for sitting on the bench
- driving for regional magistrates.

Victims of Crime Assistance Tribunal (VOCAT) Coordinating Committee

Supervising Magistrates: Magistrates Susan Wakeling and Amanda Chambers

The tribunal's Coordinating Committee is chaired by the tribunal's Supervising Magistrate, and comprises magistrates and registrars.

Committee Chair: Magistrate Amanda Chambers

Committee Members: Deputy Chief Magistrates Dan Muling and Felicity Broughton, Magistrates Susan Wakeling, David Fanning, Catherine Lamble, Duncan Reynolds, Luisa Bazzani and Jo Metcalf. Registry staff were represented by Samantha Adrichem (Principal Registrar), Mereana White (Standards and Compliance Officer), Kate Salter (Registry Manager) and Gerard Hageman (Acting Registry Manager).

The committee met regularly over the reporting period to consider a range of issues, including:

- the joint submission of the tribunal and the Magistrates' Court of Victoria to the Department of Justice Discussion Paper '*Reviewing Victims of Crime Compensation: Sentencing Orders and State-funded Awards*', and participation on the Review Steering Committee and Reference Group

- the tribunal's management of, and response to, applications for financial assistance arising from the 2009 Victorian bushfires
- legislative reform that will allow the Chief Magistrate to delegate powers and functions under the *Victims of Crime Assistance Act 1996* to judicial registrars
- the introduction of financial assistance for safety-related expenses incurred by primary victims of an act of violence from 1 July 2010
- amendments to the Victims of Crime Assistance Procedure Rules 2007 to set out a procedure for applications for review of decision of judicial registrars, and amendments to the '*Application for Assistance*' form
- the ongoing operation and further development of the Koori VOCAT List following confirmation of permanent funding for the position of Koori VOCAT List Registrar from 1 July 2009, and publication of a report regarding the operation of the Koori VOCAT List and recommendations for its future operation
- the outcome of applications to the Victorian Civil and Administrative Tribunal (VCAT) for the review decisions, and a number of subsequent appeals to the Supreme Court of Victoria
- the restriction on the publication of information related to an application for financial assistance as provided by section 43 of the *Victims of Crime Assistance Act 1996*
- identifying relevant content for inclusion in training and professional development events for magistrates and registrars
- reviewing and endorsing a new procedure manual for registry staff that provides comprehensive information and guidelines about the jurisdiction of the tribunal, the legal requirements that guide the consideration and determination of applications for assistance, and the procedures registrars should follow when managing and processing an application for assistance, and

- monitoring statistical information across venues regarding the increasing number of applications for assistance lodged and determined, awards of assistance made (including interim awards, particularly by registrars), and the amount of assistance awarded.

Members of the committee participated in:

- the provision of training to magistrates through small group training sessions, and by addressing magistrates at a professional development conference
- the 2009 registry conference, an annual training event for registrars and administrative staff from across Victoria
- *'Regional Victim Service Forums'* in Bendigo, Shepparton, Traralgon and Warrnambool, conducted in conjunction with the Victims Support Agency (Department of Justice). The forums provided an opportunity for the tribunal to explain its operations and procedures, develop relationships with local service providers and to participate in discussion of initiatives designed to support victims of crime
- continuing professional development and information sessions for staff of the Victims Assistance and Counselling Program, Victims of Crime Helpline (Department of Justice), the Witness Assistance Service within the Office of Public Prosecutions
- providing information about the tribunal to members of the Greek community, and at an Open Day at the Melbourne Magistrates' Court during Law Week 2010
- the 'Open House' event for delegates attending the Australian Institute of Judicial Administration's (AIJA) *Non-Adversarial Justice: Implications for the Legal System and Society Conference*

- a panel of Victorian magistrates presenting 'Practical Tips' for managing non-adversarial courts and tribunals at the AIJA *Non-Adversarial Justice: Implications for the Legal System and Society Conference*, and
- regular meetings with the Victims Support Agency to discussion issues relating to services to victims of crime.

Further information about the tribunal and its activities throughout the reporting period is available from the tribunal's annual report for the year ending 30 June 2010.

Terms & Conditions Committee

Committee Chair: Chief Magistrate Ian Gray

Members: Magistrates Amanda Chambers, John Hardy, Gregory Levine, Richard Pithouse, Michael Smith and Acting Magistrate Francis Zemljak.

The Terms and Conditions Committee of the Council of Magistrates is responsible for developing and making submissions or representations to tribunals or authorities that determine upon the conditions of appointment and remuneration of judicial officers.

This year the committee made three submissions to the Judicial Remuneration Tribunal on leave entitlements, living away from home allowance and, most significantly, superannuation.

The committee submitted to the tribunal that magistrates' superannuation, pensions, leave entitlements and long-term disability entitlements are inadequate and are vastly inferior to the entitlements afforded to judges of the Supreme and County Courts and federal magistrates. A report by Mercers entitled *'Actuarial Review of Magistrates' Superannuation'*, provided a thoroughly researched actuarial basis on which to support this submission.

Jurisdictions of the Court



Jurisdictions of the Court

Criminal Jurisdiction

The Magistrates' Court has jurisdiction to hear and determine summary offences as well as a wide range of indictable offences which can be heard summarily pursuant to chapter 3 of the *Criminal Procedure Act 2009*. In addition to this Act, the criminal jurisdiction of the court derives its jurisdiction from state and federal Acts including the *Crimes Act 1958*, the *Crimes Act 1914* (Cth) and a diverse range of other legislation containing offence provisions. Examples of the diversity of legislation in this jurisdiction, includes the *Food Act 1984*, the *Occupational Health and Safety Act 2004*, the *Transport Act 1983*, the *Transport Accident Act 1986* and the *Road Safety Act 1986*.

There are many indictable offences, which can be tried summarily. These include theft, burglary, causing injury recklessly or intentionally, indecent assault, robbery and affray. Where the offence involves property that is alleged to have been stolen, destroyed or damaged, the court's jurisdiction is limited, in relation to any single offence, to property the value of which does not exceed \$100,000. Where the court does not have jurisdiction to hear and determine an indictable offence, the court conducts committal proceedings to decide if there is sufficient evidence for the accused to be committed to stand trial in either the County Court or the Supreme Court.

Summary Case Conferences

The Criminal Procedure Act 2009 ('the Act') commenced on 1 January 2010, and with it, important changes to summary procedure were introduced.

Specifically, the Act introduces the summary case conference, which is an out of court discussion between parties, to identify issues in dispute, explore resolution and manage the progression of a case.

Section 54(2) of the Act provides that in proceedings where a preliminary brief has been served on an accused a summary case conference must be conducted before a matter can be listed for contest mention, summary hearing, or before a request for a full brief is made.

The Magistrates' Court may direct parties to have a summary case conference in other summary proceedings, when the police brief is not served, under section 54(3) of the Act.

Experienced police prosecutors are appointed as Summary Case Conference Managers to discuss matters by phone, email or in person.

Contest mentions have played an important role in summary proceedings and will continue to do so. However, there are many cases where issues can and should be discussed and resolved at an earlier stage. Summary case conferences provide the mechanism for these discussions.

Committal Proceedings

Committal proceedings constitute a significant component of the court's workload. Proceedings are heard in the Melbourne court and country courts, while suburban courts hear committals that are of one day's duration or less. At a committal proceeding, the magistrate hears evidence in chief from prosecution witnesses who are then cross examined by the defence. At the conclusion, the magistrate determines if the evidence is of sufficient weight to support a conviction for the charge or charges. If the magistrate is of the view that a jury could not convict the accused of the charge or charges, the accused is discharged. If the magistrate determines that a jury could convict, the accused is committed to stand trial in either the County or Supreme Court.



Committal Case Conferences

Committal Case Conferences are listed at the request of the parties or upon the direction of the court. The primary aim of case conferences is to identify matters capable of resolution and to define the issues in dispute where a matter is to proceed by way of contested committal hearing. At the conference, the magistrate will encourage open and frank discussion about the case. Resolution rates for matters, which are the subject of committal case conference, continue to grow. This illustrates that such conferences are an effective means of achieving early resolution and, thus, significant savings in hearing time.

Mention System

The bulk of the court's criminal work is dealt with through the mention system. The mention system is essentially a case management tool allowing courts to identify the particular stream a proceeding will follow at an early stage. The mention system allows an accused who has entered a plea of guilty, to have the proceeding finalised without delay.

Contest Mention System

A contest mention is a preliminary hearing involving all of the parties that aims to identify matters that can be resolved other than by way of a contested summary hearing. If, after open discussion of the issues the matter is resolved, the charges are either withdrawn or a plea of guilty is entered. If the issues in dispute are not resolved, the contest mention system assists in refining issues, such as identifying necessary witnesses, the need for interpreters or remote witness facilities, thereby allowing accurate time estimates to be determined. The contest mention system operates at court venues throughout Victoria.

Bail Applications

The Magistrates' Court continues to hear applications for bail on a regular basis. These applications are given priority as they relate to the liberty of the accused person. Applications for bail are subject to the provisions of the *Bail Act 1977* and a number of considerations are taken into account when making bail decisions.

Ex Parte Hearings

Ex parte hearings occur when an accused person who has been summonsed for a summary offence does not attend court. The magistrate will base his or her decision upon the evidence produced by the prosecution, and only if the brief of evidence has been served on the accused. If the evidence proves the charge or charges beyond reasonable doubt, then the charge or charges are found proved and the magistrate will impose a penalty. Ex parte hearings can only take place in certain circumstances, and the courts sentencing options are limited, for example, it is not possible to sentence an accused person to imprisonment in an ex parte hearing.

Appeals

A party may appeal to the County Court in relation to a conviction and/or sentence imposed by the Magistrates' Court. They may also appeal to the Supreme Court on a point of law.



Judicial Registrars

The Magistrates' Court has five judicial registrars who can hear a range of matters that includes (but is not limited to):

- infringements applications
- licence restoration applications
- certain council prosecutions
- certain traffic prosecutions
- Department of Infrastructure prosecutions
- returns of property seized under warrant.

Sexual Offences List

From 1 January 2010, major legislative reforms came into operation with the introduction of the Uniform Evidence Act and the new *Criminal Procedure Act 2009*. These "generic" reforms have amended a number of the legislative provisions, which were introduced as part of the 2006 sexual assault reforms. It is too early to confidently assess the impact of the 2010 changes.

In the three years to the end of 2009, reforms to sexual assault law and practice had progressively been implemented and consolidated. Some of the principle aims had been to:

- (a) improve all participants, and in particular, complainants' experience of the court process, and
- (b) ensure the court process facilitates the entering of guilty pleas at the earliest possible opportunity in that process, and

- (c) minimise delay in the completion of the court process, particularly for the most vulnerable complainants: those who are children and cognitively impaired.

It is to be noted that the sexual assault reform strategy only provided direct support for sexual offence proceedings listed in the committal stream of the Magistrates' Court. It is pleasing to report that the number of pleas of guilty from committal to the County Court has increased from 41.6 per cent in the 2005-06 year to 58.1 per cent in the 2008-09 year. Up until the 2005-06 year, the rate of guilty pleas at committal had been deteriorating for some time. Case management procedures generally appear to be operating very effectively.

Sexual offences in the summary stream of the Magistrates' Court and summary sexual offences in the Children's Court were not the subject of resources in the sexual assault reform strategy. Given the Victorian Law Reform Commission's recommendations in its 2004 Report, '*Sexual Offences: Law and Procedure*', this gap is difficult to comprehend. Nevertheless, both the Magistrates' and Children's Courts have sought to improve their processes as best they can without resources.

As reported in the 2008-09 annual report, sexual offences lists now exist at Melbourne and at all rural headquarter courts. These additional lists appear to have improved practices and outcomes. Further, over the last year, the court has made a significant effort to ensure there is improved case management of summary sex offence prosecutions by Victoria Police. However, it is clear that these initiatives have gone as far as they can without resources. The court is now looking for the support of government to ensure that the sexual assault reforms can be fully implemented in the summary streams of both the Magistrates' and Children's Courts.

It is also to be noted that in last year's annual report, the court reported upon the urgent need for buildings and infrastructure upgrades to safely and appropriately meet the needs of vulnerable witnesses, particularly in rural and suburban courts. These concerns have still not been addressed and require urgent attention.

The Magistrates' Court has continued its active contribution to the development and implementation of a number of related reforms in other parts of the justice system including:

- the Department of Justice Sexual Assault Advisory Committee
- the Sexual Assault Project Officers Working Group
- the Judicial College of Victoria Multi-disciplinary Committee
- the Child Witness Project Control Group, which oversees the operation of the Child Witness Service
- the Statewide Advisory Committee to Prevent Sexual Assault
- the Office of Public Prosecutions Interactive Legal Education Project Steering Committee.

Deputy Chief Magistrate Felicity Broughton has continued to lead the Sexual Assault Portfolio. Melanie Quinn has also continued her work as the Sexual Offences List Coordinator. The work of the Sexual Assault Management Committee is discussed in the internal committees section of this report.

The court would like to acknowledge the high level of engagement and cooperation received from stakeholders to the ongoing process of reform.

Civil Jurisdiction

Operation

During the reporting period there were:

- (a) 65,617 complaints issued across the state
- (b) 8,318 defences filed
- (c) 44,926 matters finalised by default order, prehearing conference, arbitration or open hearing
- (d) 82.3% of defended claims were finalised within six months.

The *Accident Compensation Amendment Act 2010* removed the jurisdictional limits on the court's jurisdiction under the *Accident Compensation Act 1985*. This resulted in the court having a corresponding jurisdiction with the County Court relating to statutory benefit claims. Owing to the commencement dates of the amendments, the effect of these changes is not expected to be felt until the later part of 2010.

The *National Consumer Credit Protection Act 2009 (Cth)* commenced on 1 July 2010. It confers jurisdiction in relation to credit matters on state and commonwealth courts. Previously, credit disputes were largely handled in the Victorian Civil and Administrative Tribunal. From the court's perspective, the most significant area is the small claims procedure, because of the breadth of matters that may come within that procedure. In terms of numbers of cases, the tribunal's jurisdiction was relatively small. It remains to be seen how much work will be generated by these changes.

The Mediation Pilot Program continues to expand gradually. It was described in detail in the 2007-08 annual report. During the year, it expanded to the courts at Werribee and Latrobe Valley. Both expansions were achieved by practice direction. The resolution rate of dispute remains extremely high. The rate at Broadmeadows remains at 85%.

During the second half of the year, the court developed a proposal for a form of appropriate dispute resolution called “early neutral evaluation”. The concept is not new and has been successful in the United States. It is expected to operate from October 2010. This proposal will differ from other similar schemes in that the evaluation will be conducted by a magistrate and participation will be compulsory. As a pilot program, it will commence at the court at Melbourne.

Notwithstanding the above initiatives, the vast bulk of appropriate dispute resolution events are conducted by the court’s registrars and deputy registrars in the form of pre-hearing conferences and mediations. Their work remains outstanding with resolution rates consistently about 72%. Their work provides an important service to the community by securing early resolution of disputes at a great saving to the parties and to the court in terms of judicial time.

WorkCover

The objective of the WorkCover jurisdiction is to hear and determine matters under the *Accident Compensation Act 1985* and the *Workers Compensation Act 1958*, as expeditiously as possible.

The court has jurisdiction to hear and determine matters under the *Accident Compensation Act 1985* and arising out of decisions of the Victorian WorkCover Authority, authorised insurer, employer, self-insurer or conciliation officer

Industrial Division

The work of the Industrial Division is concerned primarily with disputes between employees and employers over employee entitlements, whether those entitlements arise under a contract of employment, an industrial instrument or the *Fair Work (Commonwealth Powers) Act 2009*. Prosecutions for breach of industrial instruments and of the *Fair Work (Commonwealth Powers) Act 2009* are also regularly dealt with by the division.

The list is managed from the Melbourne Magistrates’ Court and, when required, arrangements are made for hearings to be conducted in regional courts.

Mediation

A strong emphasis is placed upon the role of the mediation of cases brought in the division. Skilled judicial registrars have assisted in the resolution of many claims.

Family Violence Jurisdiction

The Magistrates’ Court has jurisdiction to hear and determine applications for intervention orders. The jurisdiction was subject to substantial reform during the last reporting year and this year the court has continued its focus on improving its response to family violence, applying the *Family Violence Protection Act 2008*.

Approximately three quarters of all intervention order applications relate to family violence. As in previous years, the numbers of intervention order applications have increased. The number of applications for intervention orders issued increased to 30,303 in the reporting year. This compares to 28,635 in 2008-09 and 26,686 in 2007-08. The number of applications issued increased by 5.8% from last year. The number of applications finalised for the reporting period was 27,535, which demonstrates an increase of 6.5% from the previous year.

Management of the Jurisdiction

The Supervising Magistrate for Family Violence and Family Law, Catherine Lambie, provides judicial leadership. The Family Violence Programs and Initiatives Unit has administrative responsibility for family violence projects including the Family Violence Court Division and the Specialist Family Violence Services. The senior registrars are responsible for intervention orders in their regions but some courts have dedicated family violence registrars.

The Supervising Magistrate chairs the Family Violence and Family Law Portfolio Committee. She represents the court on a variety of committees including the Family Violence Statewide Advisory Committee, the Family Violence Stakeholders Reference Group, the Family Violence Projects Monitoring Committee and the Victoria Police/Magistrates' Court Committee. Because of the relationship between the family violence jurisdiction and other areas of the court such as VOCAT, CISP and magistrates' professional development, the Supervising Magistrate also sits on a number of committees within the court. The Supervising Magistrate and other magistrates also conduct presentations on family violence to organisations such as Victoria Legal Aid, Leo Cussen Institute, Bar Readers' Course and Relationships Australia.

Members of the portfolio group sit in different courts across the state and provide feedback about the operation of the *Family Violence Protection Act 2008* within those courts and assist in promoting best practice and developing and maintaining relationships with court user groups in their regions, for example, a session on advocacy in family violence cases involving legal practitioners appearing at that court.

Family Violence Resource Officers

Senior registrars nominate registrars who accept special responsibility for family violence in their regions. They are the people to whom other staff can refer for advice, mentoring and information about family violence issues and they provide feedback about the operation of the *Family Violence Protection Act 2008*. They meet regularly and receive ongoing training facilitated by the Family Violence Programs and Initiatives Unit. In the reporting year, their training included a session on older women and family violence, the '*Common Risk Assessment Framework*' and amendments to the *Family Violence Protection Act 2008*.

Family Violence Projects and Initiatives Unit

The Family Violence Projects and Initiatives Unit manages the programs of the Family Violence Court Division and Specialist Family Violence Services. It provides ongoing workforce development for staff in those courts including applicant support workers and respondent workers and for family violence resource officers across the Magistrates' Court. Staff of the unit liaise, consult and work with the different areas of government involved in family violence, Victoria Police, Victoria Legal Aid, and community organisations and service providers as part of Victoria's integrated response to family violence.

Listing Arrangements

Most courts designate particular days to deal with intervention order applications. Usually family violence cases are heard in a separate list to non-family violence intervention order applications. The designation of particular days for intervention order applications facilitate the attendance of prosecutors and police applicants, duty lawyer services and support services for litigants if they are available.

Family Violence Court Division

The Family Violence Court Division sits at Heidelberg and Ballarat Courts. The family violence lists in those courts include intervention order applications, criminal charges arising from family violence incidents, family law proceedings and applications to the Victims of Crime Assistance Tribunal. Division courts include the following key features:

- magistrates are assigned to the division based on their knowledge and experience in dealing with family violence cases
- court staff, police prosecutors and duty lawyers have also participated in special education and training about family violence
- magistrates making final intervention orders have the power to order men who have used violence against a female partner or former partner to attend a prescribed men's behaviour change program aimed at changing violent and abusive behaviour
- an applicant support worker provides information and support to applicants and children at court and referral to support services in the community
- a respondent worker provides information and support to respondents and referrals from the court to support services in the community. The respondent worker also undertakes assessment for participation in the men's behaviour change programs
- additional security staff to ensure the safety of persons affected by violence at court
- outreach services for persons affected by family violence who are referred by the applicant support worker.

Specialist Family Violence Services

The Specialist Family Violence Services operate at Melbourne, Sunshine, Werribee and Frankston. Although the services share most of the features of the Family Violence Court Division, they do not have the same legislative basis nor do they have an annexed prescribed men's behaviour change program. There is no funding for respondent workers.

After Hours Service

This service operates from the Melbourne Magistrates' Court. Registrars and magistrates are on duty for urgent applications by members of Victoria Police between 5.00 pm and 9.00 am each weekday and all weekends and public holidays. Intervention order applications and family violence safety notices account for approximately 70% of the work of the After Hours Service. Efficient response times are critical in the area of family violence and the service has ensured that 96% of all applications are responded to within 10 minutes. Staff provide procedural information to police enquiring about intervention order applications and family violence safety notices. The After Hours Service collects data about family violence safety notices to assist in the evaluation of their implementation.



Neighbourhood and Stalking Disputes

The court hears and determines applications for intervention orders under the *Stalking Intervention Orders Act 2008*. Applications under this act may relate to serious criminal conduct but many applications have the character of neighbourhood disputes involving anti-social rather than violent behaviour. Often the issues raised in these disputes are better suited to mediation than intervention order proceedings. The court has welcomed the ongoing expansion of a scheme administered and staffed by the Dispute Settlement Centre of Victoria to provide assessments at metropolitan courts for parties considering mediation of their cases. The Dispute Settlement Centre reports excellent success rates for resolution of the disputes.

Magistrate Gerard Lethbridge is leading the court's response to changes in this jurisdiction anticipated in the next reporting year.

Family Law Jurisdiction

The Magistrates' Court has jurisdiction to deal with a number of cases under the *Family Law Act 1975* (Cth), the *Child Support (Assessment) Act 1989* (Cth) and the *Marriage Act 1961* (Cth). Access to the family law jurisdiction in the Magistrates' Court is particularly valuable for rural residents because sittings of the Federal Magistrates' Court and Family Court may not occur frequently in country areas.

In any year, the court deals with a variety of applications at all its locations. These include:

- children's matters either on an interim basis or by consent
- property and maintenance proceedings arising from married and de facto relationships if the value does not exceed \$20,000 or the parties consent

- child maintenance orders under section 66G of the *Family Law Act 1975* (Cth)
- section 117 departure orders for assessments in special circumstances under the *Child Support (Assessment Act) 1989* (Cth)
- declarations relating to whether persons should be assessed for payment of child support under section 106 of the *Child Support (Assessment Act) 1989* (Cth)
- declarations of parentage under section 69VA of the *Family Law Act 1975* (Cth)
- injunctions under section 68B of the *Family Law Act 1975* (Cth)
- recovery orders for the return of a child under section 67U of the *Family Law Act 1975* (Cth)
- the appointment of independent children's lawyers under section 68LA of the *Family Law Act 1975* (Cth)
- consent to the marriage of minors under section 12 of the *Marriage Act 1961* (Cth).

Exercising Family Law Jurisdiction in Family Violence Cases

There is an important relationship between the family law and the family violence jurisdiction of the Magistrates' Court. Many incidents of violence occur in the context of ongoing parenting arrangements following separation or divorce. Section 90(2) of the *Family Violence Protection Act 2008* requires the court to use its power under section 68R of the *Family Law Act 1975* (Cth), to revive, vary, discharge or suspend the provisions of family law orders relating to persons spending time with children if the family law order is inconsistent with the conditions of an intervention order the court proposes to make.



Municipal Electoral Tribunal

The Municipal Electoral Tribunal ('the tribunal'), constituted under the *Local Government Act 1989*, hears disputes arising from Victorian local government elections.

The tribunal is constituted by a magistrate appointed by the Attorney-General. A candidate or ten voters at an election may apply, in writing and within 14 days of the result, for the tribunal to conduct an inquiry into the election.

Upon conducting the inquiry and listening to any evidence called, the tribunal may:

- declare that any person declared duly elected, was not duly elected
- declare any candidate duly elected who was not declared, duly elected
- declare an election void
- dismiss or uphold an application in whole or in part
- amend or permit the amendment of an application
- order the inspection and copying of documents in connection with the election
- undertake a preliminary review of an application
- award any costs it deems appropriate.

While the rules of evidence do not apply, and the tribunal must act without regard to technicalities or legal forms, the burden of proof remains at all times with the applicant. Application for a review of a decision of the tribunal is made to the Victorian Civil and Administrative Tribunal (VCAT).

The tribunal continues to provide an efficient and effective forum for examination of the conduct of disputed local government elections.

Specialist Courts



Specialist Courts

Koori Court

The need for a Koori Court arose due to an over-representation of Aboriginal and Torres Strait Islander people across all levels of the criminal justice system. Despite Victoria having the lowest imprisonment rate of Indigenous offenders in Australia (with the exception of Tasmania), in 2001 it was estimated at the commencement of the adult Koori Court pilot, that Koories were 12 times more likely to be imprisoned than other Victorians.

The Koori Court program has grown significantly from its initial pilot locations of Shepparton (2002) and Broadmeadows (2003). In 2009-10, adult Koori Courts sat regularly at Shepparton, Broadmeadows, Warrnambool (on circuit to Portland and Hamilton), Latrobe Valley, Bairnsdale, Mildura and Swan Hill. Children's Koori Courts also operate at Melbourne and Mildura, while a County Koori Court is currently being piloted at Latrobe Valley.

The Koori Court has the following aims:

Criminal justice aims

- to reduce Indigenous over-representation in the prison system
- to reduce the failure to appear rate at court
- to decrease the rates at which court orders are breached
- to reduce the rate of repeat offending
- to deter crime in the community generally, and
- to increase community safety.

Community building aims

- to increase Indigenous ownership of the administration of the law
- to increase positive participation by Koori offenders and community
- to increase accountability of the Koori community for Koori offenders, and
- to promote and increase community awareness about community codes of conduct/standards of behaviour.

The Koori Court offers an alternative approach to sentencing by enhancing the ability of the court to address the underlying issues that lead to a person's offending, and to put in place programs and treatments that are designed to address these issues. By doing this, the Koori Court can have a significant effect on reducing re-offending by accused persons who appear before it.

Workforce

The Koori Court currently employs 60 Aboriginal community elders and respected persons around the state, along with an additional 14 full-time staff members. The courts remain the largest employer of Aboriginal and Torres Strait Islander staff members within the Department of Justice. In addition, approximately 25 magistrates regularly sit at the various Koori Court locations around the state.



Wamba Wamba Language Initiative

In July 2009, the Swan Hill Koori Court launched its *Wamba Wamba Language Initiative*, which has seen the use of local Aboriginal Wamba Wamba language spoken by elders and respected persons at the opening and closing of each matter heard at Swan Hill Koori Court. This is a significant innovation for the Magistrates' Court, and is a powerful cultural aspect of the Swan Hill Koori Court.

Training and Professional Development

As part of their ongoing professional development, Koori Court elders and respected persons undertook a comprehensive refresher training program designed to augment training initially provided at the launch of the respective Koori Courts. In addition, Koori Court officers and elders participated in a range of other professional development activities, such as *Alcohol and Other Drugs Awareness*, *Suicide Mental Health Training*, defensive driving and St John's Level 1 First Aid Training. A number of courts completed site visits to other Koori Court locations, as well as other department-related facilities, such as Wulgunngo Ngalu Learning Place in Yarram.

Drug Court

The Drug Court has been located at the Dandenong Magistrates' Court for eight years.

It combines the powers of the criminal justice system with a therapeutic focus on treating drug and alcohol dependency and other complex needs.

The Drug Court is a division of the Magistrates' Court and is responsible for the sentencing and supervision of offenders who have committed offences to which a drug and/or alcohol dependency have contributed.

Offenders accepted onto the Drug Court program are placed on a Drug Treatment Order (DTO). Under the order, the magistrate sentences an offender to a term of imprisonment not exceeding two years. This sentence is not activated provided an offender complies with the two-year supervision and treatment component of the DTO.

Supervision and Treatment

The particular purposes of the supervision and treatment component of the DTO include the following:

- to facilitate the rehabilitation of the offender by providing a judicially-supervised and therapeutically-orientated drug and/or alcohol treatment and supervision program
- to take account of an offender's drug and/or alcohol dependency
- to reduce the level of criminal activity contributed to by a drug and/or alcohol dependency
- to reduce the offender's overall health risks.

The supervision and treatment component of the DTO contains strict conditions. The offender is required to undergo drug and/or alcohol testing and treatment, to attend supervision, and to appear back before the Drug Court on a regular basis. The Drug Court magistrate can activate various periods of imprisonment if the offender does not comply with the conditions of the order or commits further offences. The Drug Court Magistrate may also cancel the treatment and supervision component of the DTO and commit the offender to serve their imprisonment term.

To maximise effectiveness, treatment and planning takes a holistic approach including mental health and other psycho-social needs with a view to promoting sustainable stability in their future and assist them towards a good life.

Criteria for Drug Court

Under section 18Z of the *Sentencing Act 1991*, offenders are eligible for referral to the Drug Court if they:

- plead guilty
- reside within the postcode areas specified in the government gazette
- are willing to consent in writing to such an order
- are likely to have a sentence of immediate imprisonment.

Referrals can be made by any Magistrates' Court if the offender appears to meet the above criteria. Referrals can also be made by the County Court on appeal from the Magistrates' Court.

If a matter is accepted on referral an initial screening by a Drug Court Case Manager takes place. If found eligible, the matter is then adjourned for three weeks to allow for a suitability assessment to be conducted by a Drug Court Clinical Advisor and the Drug Court Senior Case Manager.

On the balance of probabilities, the Drug Court must be satisfied that:

- the offender is dependent on drugs and/or alcohol
- the offender's dependency contributed to offending
- the offending must be within the sentencing jurisdiction of the Drug Court and be punishable by imprisonment
- the offending must not be a sexual offence or involve the infliction of actual bodily harm other than of a minor nature
- the offender must not be subject to a parole order, Combined Custody and Treatment Order (CCTO), Intensive Corrections Order (ICO), or Supreme Court or County Court sentencing order
- the Drug Court considers that a sentence of imprisonment is appropriate
- the Drug Court considers that it would not have ordered that the sentence be served by way of an ICO in the community or as a suspended sentence.

Drug Court Team

The Drug Court is presided over by the Drug Court Magistrate Margaret Harding. She heads a professional multi-disciplinary team made up of a program manager, deputy registrar, case managers, clinical advisors, Legal Aid solicitor, police prosecutors and liaison officer and the Drug Court Homelessness Assistance Program (DCHAP) housing support workers and other service providers.

The DTO is administered in a manner consistent with therapeutic principles, and the Drug Court magistrate engages with the participant and structures the court process to maximise therapeutic potential.

Whilst the magistrate has ultimate responsibility for decision-making, she adopts a team approach in managing participants, taking into account mental health, clinical correctional and other life perspectives. This therapeutic jurisprudential approach is a fundamental shift from the mainstream management of offenders.

Rewards and sanctions

The Drug Court uses rewards and sanctions to assist in enabling behavioural change.

The Drug Court magistrate uses rewards and incentives to acknowledge a participant's positive progress.

Rewards include:

- positive praise
- applauding achievements
- advancement to the next phase
- decreased supervision and court appearances
- reduced drug testing
- removal of imprisonment sanctions
- removal of additional conditions added to the DTO
- removal of imposed community work
- certificates
- food vouchers
- early completion
- graduation.

Sanctions are used as a motivator for participants to comply with the conditions of the order to achieve the therapeutic goals of the DTO.



Sanctions include:

- verbal warnings
- new conditions by way of variations
- demotion to earlier phase
- increased supervision
- increased drug testing
- community work
- increased court supervision
- imprisonment days
- cancellation of the treatment and supervision component and activation of imprisonment sentence, or re-sentencing.

Benefits

For those who successfully complete the Drug Court program, rehabilitation means a new freedom from drug use and drug related offending, and the opportunity to become positive members of the community and to live a good life.

Other benefits to participants include:

- helping to eliminate criminal offending and time spent in custody
- harm minimisation and improved health including mental health
- improved employment prospects and training
- better social and family relations
- support in learning and maintaining positive parenting skills
- less homelessness and associated risks
- greater self esteem.

Benefits to the community include:

- greater sense of personal and community safety
- fewer victims of crime
- reduced justice costs due to lower re-offending rates
- improved community health and well being
- lower drug and alcohol related health costs
- less welfare dependency and associated costs.

Significant Events for 2009-2010

Public Engagements

CPSSU, Beijing, China: Magistrate Harding was invited to present on the Drug Court of Victoria at the Chinese People's Public Security University (CPSSU) in Beijing in July 2009. Whilst in Beijing, Magistrate Harding met with judges, senior delegates and political figures and visited a number of Chinese drug treatment centres. Magistrate Harding continues to maintain a valuable link in assisting Professor Xie Chuanyu of the CPSSU in their endeavours to achieve reform in the area of drug-related offending and justice responses.

NADCP Conference, Boston USA: Magistrate Harding and the Drug Court Program Manager Elisa Buggy were invited to present to the National Association of Drug Court Professionals at their 16th Annual Conference in Boston, Maine, USA in June 2010. Key linkages with Drug Court professionals from all parts of the United States were made. While in the USA, the magistrate and the program manager took the opportunity to visit a number of treatment and problem oriented courts in California, Oregon, New York and Massachusetts. Invaluable information was collected and will be useful for the future of therapeutic jurisprudence in Victoria.

AIJA Non-Adversarial Justice Conference, Melbourne, Australia:

Magistrate Harding gave presentations on various aspects of the Drug Court of Victoria to local, national and international delegates of the 'Non-Adversarial Justice Conference' hosted by the AIJA in May 2010. The program manager also attended the conference.

Community and Inter-Departmental/Agency Involvement

Linkages were made with the following organisations in this financial year:

- *The Burnett Institute:* assisted in longitudinal study of benzodiazepines.
- *Family Drug Help:* developed partnership in assisting families of participants to understand the dependence of loved ones.
- *Local Schools, TAFE, Chisholm Institute, Universities:* Received many visits from students at these institutes.
- *Victorian Drug and Alcohol Prevention Council:* Magistrate Harding re-appointed to continue active membership and Drug Court representation.
- *Next Generation Courts project (CTU, DoJ):* Magistrate Harding and the Program Manager assisted the 'Next Generation Courts' project team in envisaging the potential expansion of the DTO in conjunction with the Next Generation project.
- *Community Correctional Services/Southern Metropolitan Region:* Visits received from Gabrielle Levine, Regional Director (SMR) as well as attendance at various Corrections Victoria events.
- *Western Australia Drug Court:* Received visits in May 2010 from Magistrate Vicki Stewart and Lynton Piggott of the Drug Court program in WA.

- *Mirabelle Foundation*: Received visits and made linkages with the Mirabelle Foundation of Victoria in June 2010.
- *Judge Peggy Fulton-Hora, California USA*: Judge Hora visited Drug Court in May 2010 and spent the day observing the program and court processes. She then gave the team and the court some valuable feedback on her observations and was extremely adulatory of the work the Drug Court is doing.

Media Engagements:

Magistrate Harding participated in the following media engagements for the Drug Court:

- *The Law Report, ABC Radio National*: Two part series on problem solving courts, featuring the Drug Court of Victoria. First broadcast, 3 November 2009 (repeated 6 April 2010).
- *The Listener Magazine, (New Zealand)*: "Court Short", published 17 April 2010.
- *The Journal (Dandenong, Vic)*: "Day in Court of Second Chances", published 17 May 2010.

Major Projects:

Drug Court Evaluation: The Drug Court is currently undergoing a program evaluation being conducted by the Programs and Strategies Branch of the Courts and Tribunals Unit in the Department of Justice. Beginning in November 2009, the project seeks to revisit questions asked in the evaluation report of 2004-05 and evaluate the effectiveness of the Drug Court. The evaluation is due to be finalised before the end of 2010. Both Magistrate Harding and the program manager sit on the steering committee for this project.

Drug Court DVD: In 2009, The 'C' Word production company in association with Rocket Surgery Productions were commissioned by the office of the Executive Director, Courts to produce a short film featuring the Drug Court for the purposes of creating an accessible medium to inform people of the court and its program. The project was completed in February 2010 and has proven to be an excellent tool for informing interested parties about the Drug Court of Victoria.

DRUIS – Drug Court Information Management

System: A sound and effective information management system is shown to be vital in ensuring positive outcomes for participants in Drug Courts as well as for reporting requirements, ongoing evaluation and continuous improvement of a program. Given this, the Drug Court has embarked on an overhaul of the current Drug Court IMS (DRUIS), which will see an improvement in the range, and depth of data collected as well as a more efficient and effective case management system for the Drug Court and key service providers. This project is due for completion in July 2010.

Neighbourhood Justice Centre: Justice in the Community



Neighbourhood Justice Centre: Justice in the Community

Neighbourhood Justice Centre: Justice in the Community

Engaging local residents and businesses as well as Neighbourhood Justice Centre (NJC) clients and offenders has proved a success. Three years after the NJC opened, a comprehensive evaluation of the centre has shown extremely positive results.

The evaluation of the Neighbourhood Justice Centre for the period March 2007- June 2009 was conducted by an independent team of researchers from the University of Melbourne, Flinders University, Brotherhood of St Laurence, the Social Research Centre and PricewaterhouseCoopers.

Evaluation Results

Successfully piloted the first community justice centre in Australia

- Established a vibrant, community court and neighbourhood centre in Collingwood, in the City of Yarra.
- The Neighbourhood Justice Centre (NJC) is seen as a community asset by residents, with over 11,000 people contacting the centre in its first year. Two years on, one in three Yarra residents is familiar with the NJC.

Reduced re-offending

- Recidivism rates reduced from 41% down to 34% – a drop of 7%.
- In comparison to offenders from other courts (with the same profile), NJC offenders were 14% less likely to re-offend.

Achieved value for money

- Benefit-cost modelling showed that for every \$1 invested in the Neighbourhood Justice Centre (NJC), the expected return would range between \$1.09 and \$2.23.
- Every \$1 the NJC invested in community projects attracted \$5.66 from other agencies.

Increased offender compliance and community work

- At the NJC, the completion rate for Community Based Orders is 75% compared with a statewide average of 65%.
- For the NJC, offenders completed 105 hours of unpaid community work on average, compared with the statewide average of 68 hours.

Improved users' experience of the justice system

- NJC clients report very high levels of satisfaction with their experience of the NJC, compared to other courts.
- NJC court users show greater confidence in the justice system than at other courts.

Crime reduction

- Since the establishment of the NJC, the crime rate in Yarra has reduced by 12%.
- Residential burglaries are down 26%, motor vehicle theft is down 38% and other (mainly commercial) burglaries are down 20%.

The NJC is a one-stop shop, providing integrated access to the justice system. A wide array of social service and justice agency staff are located at the Centre. These include Fitzroy Legal Service, Legal Aid Victoria, St Vincent's Health, Koori justice workers, financial, alcohol and other drug counsellors, police prosecutors, community corrections, mediation services, housing support, and psychologists.

The NJC has an integrated team of workers representing both the NJC and some 15 external agencies.

The court listens, acts and responds to the needs of those it serves – individuals and the community.

The multi-jurisdictional court includes a Magistrates' Court, a Children's Court (Criminal Division), a Victims of Crime Assistance Tribunal (VOCAT) and the following Victorian Civil and Administrative Tribunal (VCAT) matters – Guardianship and Administration, Residential Tenancy and Small Claims.

An important aspect of the Magistrates' Court at the NJC is having one magistrate who hears all matters from first mention to conclusion. As the sole magistrate for over three years, Magistrate Fanning is well informed on local issues.

Mr Fanning applies a comprehensive approach in hearing cases where there are problems of mental health, substance abuse, unemployment, family violence and other factors which impact offending behaviour. The traditional judicial process is not well placed to deal with these underlying factors.

At the NJC, a number of different strategies are adopted; this often involves the utilisation of the various services that are located at the NJC, the use of problem-solving meetings, appropriate use of mediation and judicial monitoring of the progress of clients.

There is also an active review process for clients undertaking community-based orders. One of the conditions of such orders is that the client returns to court every few months to report on progress.

For the twelve months from 1 July 2009 to 30 June 2010, the court (including VCAT) finalised 2,889 cases.

Reducing illicit drug activity in North Richmond

The NJC works on many issues of concern to the local community, to try to prevent crime and improve community safety. One example is around drug activity and drug-related crime in Richmond. In the past, there have been a number of responses developed to address drug activity in the North Richmond community. But, these responses have occurred in isolation, thus limiting their effectiveness.

The NJC wanted to create real change by involving everyone with local knowledge and expertise in coming up with solutions. In March and April 2010, the NJC held two workshops with all the key players so they could collaborate effectively on the issue. The workshops included representatives from the Victoria police, North Richmond Community Health, Office of Housing, Harm Reduction Victoria, Youth Substance Abuse Service, North Richmond Community Health Centre, Yarra City Council and many others.



At the workshops, the participants discussed innovative efforts to harmonise criminal justice approaches with public health and disease prevention approaches. They came up with five practical strategies to tackle the consequences of illicit drug use in North Richmond.

One current project involves an independent community health worker being based at the local police station during drug operations. This means they can provide an assessment and referral for people charged with offences at the earliest possible time.

Other projects and partnerships

- *Everyday People Everyday Rights*: the NJC and the Victorian Equal Opportunity and Human Rights Commission have partnered on a project to raise awareness of how human rights relate to the everyday lives of people in the City of Yarra
- *Surveillance in public places*: Following the Victorian Law Reform Commission's (VLRC) paper on surveillance in public places, the NJC convened a forum of community stakeholders to discuss the issue. The forum provided feedback on the VLRC recommendations.
- *Smith Street solution*: The NJC partnered with the City of Yarra and other government agencies to respond to anti-social behaviour on Smith Street. The NJC worked with a local indigenous organisation to engage with affected communities.

Court Support and Diversion Services



Court Support and Diversion Services

The Magistrates' Court of Victoria offers and participates in a variety of services and programs to improve its responsiveness to the community when they attend court. These initiatives support the objectives of the court and provide improved understanding and communications with other courts, the government, court users and the general public. In addition, the support services aim to assist those accused who may present with issues of social or cultural disadvantage. These underlying issues may include having a disability, substance abuse or mental illness, all of which the court aims to address and cater for by offering continually evolving support programs to meet the varying needs of those who require them. A number of the programs refer court users to various services in the community for treatment and support, while being monitored by the court. Such programs act to reinforce the link between the court and the community and its service system.

The support programs offered by the Magistrates' Court of Victoria can also, in many cases, continue to provide assistance in the higher courts such as the County Court and the Court of Appeal.

Assessment and Referral Court (ARC) List

The Assessment and Referral Court (ARC) List (the list) is a specialist court list developed by the Department of Justice and the Magistrates' Court of Victoria to meet the needs of accused persons who have a mental illness and/or cognitive impairment.

The list was established by the *Magistrates' Court Amendment (Assessment and Referral Court List) Act 2010* and is a pilot program which will be conducted over a period of three years

The list commenced accepting referrals from 31 March 2010, and its first hearing was held on 21 April 2010. Following therapeutic jurisprudence principles, hearings are conducted in an informal manner with all participants, including the List Magistrate, sitting at a specially designed oval hearing table.

For the first six months, the list will sit on Wednesday each week. Thereafter, the list will sit two days a week.

List Staff

List staff consists of:

- a program manager
- two clinical advisors (psychologists), with a third expected to commence in the 2010-11 financial year
- a case advisor
- a bench clerk/ARC List registrar
- a senior project officer from the Programs and Strategy Branch, Courts and Tribunals Unit, whose position will transfer to the Magistrates' Court of Victoria in 2010.

List magistrates are Deputy Chief Magistrate Jelena Popovic and Magistrates Susan Wakeling and John Lesser.

Eligibility

To be eligible:

- the accused is charged with a criminal offence that is not a violent, serious violence or serious sexual offence as defined by section 6B(1) of the *Sentencing Act 1991*
- the accused has one or more of the following:
 - a mental illness
 - an intellectual disability
 - an acquired brain injury
 - an autism spectrum disorder
 - a neurological impairment, including but not limited to dementia



- the accused has one or more of the above, which causes a substantially reduced capacity in at least one of the areas of self-care, self-management, social interaction or communication
- the accused would benefit from a problem-solving court process and an individual support plan
- the accused must consent to participate in the list.

Referral Process

The list has a target of 300 participants being accepted into the list per year. Referrals are accepted from the accused, significant others, community service organisations, magistrates, police, prosecutors, legal representatives and other court based support services. Early discussion with program staff prior to making a referral is requested so that the program's capacity to manage the referral, coordination of treatment and support, and monitoring of participants is monitored.

Once the referral is made, the list process involves:

1. The CISP staff will conduct an initial assessment. The CISP staff will also commence addressing support needs at this stage.
2. Liaison will occur with the list staff to determine whether the accused will be recommended to participate in the list at the next available court date.
3. During the time the participant is linked with the ARC List, the allocated clinical advisor will complete a comprehensive clinical assessment. This may be done during several appointments with the clinical advisor.
4. At the next available list sitting, the List Magistrate will decide whether to accept the participant in the list.
5. If the participant is accepted, the List Clinical Advisor will develop a draft individual support plan (ISP) in collaboration with the participant and the CISP staff for approval by the magistrate.

6. The participant appears before the List Magistrate on a regular basis to discuss their progress.
7. If the list participant pleads guilty at the end of their participation, she or he will be sentenced within the list.
8. Participants will be involved with the list for between three and 12 months, with most being discharged from the list within six months.
9. If the referral is not accepted, the accused person's charges will be referred back to mainstream court lists. Where appropriate, the CISP will continue to provide necessary support to the accused, or, where connected with services, referred back to relevant treatment and support services.
10. If the participant pleads not guilty, their case will be returned to mainstream court for a contested hearing.

Court Integrated Services Program (CISP)

The CISP is a multi-disciplinary program for accused on bail or summons, or any party to a court proceeding, including applicants, respondents and accused from all jurisdictions of the Magistrates' Court, such as the Family Violence Division.

The program was established by the Department of Justice and Magistrates' Court of Victoria to assist in ensuring that the accused receive support and access to treatment services to promote safer communities through reduced rates of re-offending.

Case Study

A 29-year old client was referred to CISP with high heroin dependence, limited family support and no previous drug and alcohol counselling. The case manager assessed that the client was finding it difficult to understand the severity of his situation. There were some serious concerns as to the client's ability to comply with the program as he was an active heroin user at the time, and missed some appointments.

After being informed by CISP and the magistrate that he would be exited from the program and potentially placed in prison if he missed a single appointment from that time on, the client made what can only be described as a massive effort. The client put himself through home withdrawal and completely abstained from heroin use since that time.

Further to this, the client obtained full time employment in the fruit picking industry, has re-engaged with his family and has become a functional and supportive member of his family and the Vietnamese community.

The court acknowledged the marked improvement in the client's behaviour and although he had prior offences, the magistrate sentenced the client to a two-year good behaviour bond, thus allowing him to travel to Mildura to work and improve his and his family's lives.

This is achieved by:

- providing accused persons with short term assistance with health and social needs
- working on the causes of offending through individualised case management support
- priority access to treatment and community support services
- reducing in the likelihood of the accused re-offending.

Clients are provided with a range of services:

- an assessment and if appropriate the development of a plan for treatment and support
- three levels of support based on the assessed needs of the client, which may include case management for up to four months
- referrals, and linkages to support services including drug and alcohol treatment, acquired brain injury services, accommodation services disability and mental health services, as well as the Aboriginal Liaison Officer.

Statistical data

In 2009-2010 CISP received 2137 referrals. Of these 1130 (53%) were engaged in case management.

Treatment and Support

The following are the top five treatment and supports to which CISP referred clients in 2009-10:

- 626 acquired brain injury services
- 1964 drug and alcohol services, including Community Offenders Advice and Treatment Service (COATS)
- 3322 material aid
- 547 mental health services
- 462 pharmacotherapy, includes Buprenorphine, Methadone and Naltrexone.

Evaluation

The CISP was evaluated from its establishment in late 2006 to mid 2009. The University of Melbourne conducted a Process and Outcome Evaluation and PricewaterhouseCoopers conducted an Economic (Cost Effectiveness Analysis) Evaluation. The CISP Evaluation was launched by the Attorney-General on 28 June 2010.

Evaluation findings (Process and Outcome evaluation)

The evaluation found that in 2007 & 2008:

- 81% of clients were male
- 8.1% identified as indigenous
- On average CISP clients presented with 2.6 needs.

Alcohol and other Drugs

- 72% of participants reported current illicit drug use
- 43% reported current alcohol use
- 33% reported alcohol dependence.

Mental Health

- 37% of referrals identified a mental health problem
- Only 40% of those individuals were currently receiving treatment.

Acquired Brain Injury

- Around 9% of referrals identified as having indicators of an ABI (prevalence in general community is 0.4%).

Intellectual Disability

- 3.6% of referrals were identified as having an intellectual disability

Treatment and Support Services

- CISP made 10,032 referrals for clients to treatment and support services, which is an average of 4.25 separate referrals per client.



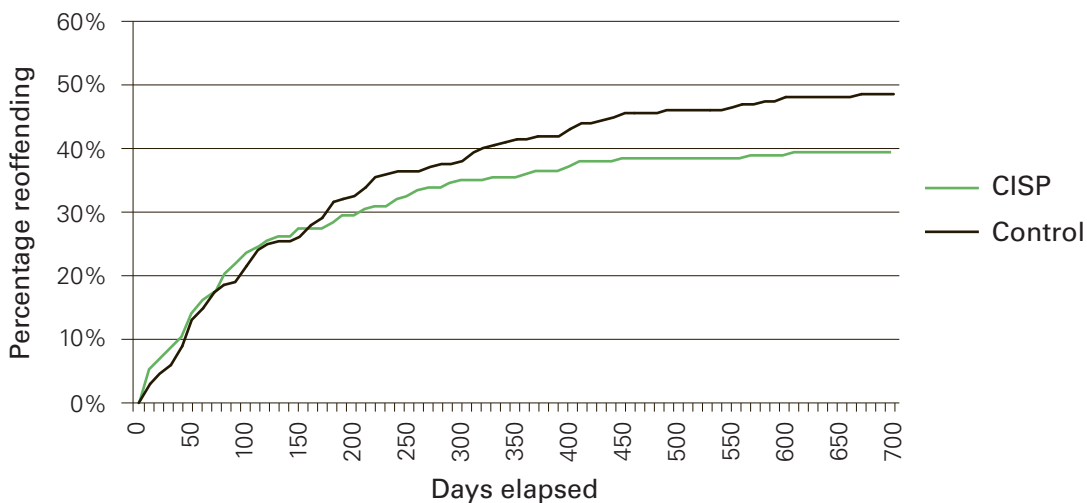
**Evaluation findings
(Cost Effectiveness Analysis)**

A sample survey of CISP clients and a comparable sample (comparable persons who have not undergone the CISP) indicates that the CISP has resulted in a 10% reduction in the re-offending rate and avoided costs of imprisonment of \$1.98million per annum.

The table below shows the estimated total benefits from reduced re-offending over 30 years, five years and two years:

| | 30 YEAR BENEFITS | 5 YEAR BENEFITS | 2 YEAR BENEFITS |
|--|------------------|-----------------|-----------------|
| Est. total benefits from reduced re-offending | \$16,826,420 | \$7,470,662 | \$4,948,726 |
| Savings to the community for every \$1 spent on CISP | \$5.90 | \$2.60 | \$1.70 |

The graph below shows that by 700 days, around the two-year mark, the difference in re-offending between the control group and CISP participants is substantial.



Housing

CISP has access to 20 transitional housing management properties, located throughout Melbourne, with housing support provided to each client in transitional housing management (THM) by HomeGround Services. This accommodation and support provides clients with stability and assists them to meet their bail conditions.

The aim of housing support is to assist program participants to address the issues underlying their homelessness. The housing support worker provides assistance with tenancy sign up, long term housing, exit plans and is a point of contact for the transitional housing managers who manage the properties.

In 2009-10 CISP made 337 referrals to HomeGround Services Initial Assessment and Planning service for client assistance with services such as crisis accommodation, information and referral for housing options and public housing applications (segment 1).

The CISP Process and Outcome Evaluation found that in total over a quarter of all engaged clients were in unstable accommodation when they were assessed for entry to CISP.

Program Enhancement

Conference Representation

The CISP was presented at the following:

- The Australasian Corrections Education Association Reintegration Conference
- The 2nd Victorian Civil and Administrative Tribunal Guardianship conference
- The 5th Australasian Drug Strategy Conference for Victoria Police and Australian Federal Police
- The Australasian Institute of Judicial Administration (AIJA) conference.

SMS Reminders - Pilot

In May 2010, the '*SMS Reminders Project*' commenced at the Melbourne Magistrates' Court CISP. This project involves using an automated SMS system to send text messages to clients on the CISP at Melbourne to remind them of court hearing dates, interviews with case managers and appointments for acquired brain injury services (if applicable).

The '*SMS Reminders Project*' is a pilot for six months and subject to evaluation outcomes, it may be expanded to the CISP at Latrobe Valley and Sunshine Magistrates' Courts and clients on the CREDIT/Bail Support Program.

Specialist Staff

In May 2010, CISP employed three mental health case managers to work with clients experiencing mental illness or cognitive impairment, as part of the Assessment and Referral Court (ARC) List.

Acquired Brain Injury (ABI) Services – Pilot 12 months

As at 30 June 2010 the contract between the Department of Justice and arbias to provide ABI services to CISP clients expired.

Commencing 1 July 2010, as a 12-month pilot, CISP will implement an alternative process to deliver ABI services to its clients by court-employed staff.

Aboriginal Liaison Officer Program

The Aboriginal Liaison Officer (ALO) Program became operational in 2002. The creation of this program was a direct result of the Victorian Aboriginal Justice Agreement, a partnership between the Victorian Government and Victorian Indigenous Communities. This agreement was brought about by recommendations from the *'Royal Commission into Aboriginal Deaths in Custody'*.

The program aims to address the over-representation of indigenous people in the Victorian justice system by working with indigenous accused when they enter the court system. In addition, the service helps Aboriginal people to maximise their chances of rehabilitation through culturally appropriate and sensitive intervention.

The ALO Program has a coordinator and liaison officer. It operates as part of the Court Integrated Services Program (CISP) and offers the range of services provided by the CISP.

The objectives of the ALO Program include:

- to provide advice to indigenous accused who come into contact with the court, and their families
- provide access to services for indigenous accused who come into contact with the court
- to raise awareness within the criminal justice system of cross-cultural issues
- to provide advice and report to magistrates and relevant court staff in relation to appropriate courses of action for indigenous accused
- to liaise with local Aboriginal communities to inform them of the court process
- to consult, negotiate and liaise with government and non-government organisations to coordinate service delivery and promote knowledge of issues relating to Aboriginal persons.

Any party to a court proceeding can access the ALO Program, including applicants, respondents and the accused from all jurisdictions of the Magistrates' Court, such as the Family Violence Court Division.

The ALO Program is located at the Melbourne Magistrates' Court, but is a statewide service.

Case Study

An Indigenous young male was referred to the program for assistance with drug and alcohol issues. The ALO Program/ CISP referred the client to drug and alcohol counselling. The client engaged extremely well and was able to maintain extended periods of abstinence by the completion of his participation on the program.

The young man also had literacy issues and was assisted with a referral to, and payment of, a literacy and numeracy course and 1:1 tuition. The client enrolled in the program and according to the facilitator engaged extremely well and attended all sessions.

Statistical Data

In the 2009-10 period 213 clients referred to the CISP identified as Aboriginal only, Torres Strait Islander only or Aboriginal /Torres Strait Islander. This is 10% of total CISP referrals for the 2009-2010 period.

Program Enhancement

ALO Program Working Party

The ALO Program Working Party meets quarterly and was established to:

- examine the court and community expectations of the ALO program
- acknowledge the separate focus of duties between the two positions, the ALO Coordinator (the state-wide operational requirements of the Aboriginal Justice Agreement funded position) and the ALO
- review the operation and structure of the ALO program to ensure the court and community expectations are achieved
- review the relationship of the Aboriginal Liaison Officers with other identified positions within the court.

Stakeholder representation on the working party includes Koori elders, Uncle Bootsie Thorpe and Uncle Lester Green, and representatives from the Programs and Strategy Branch, Courts and Tribunals Unit.

In August 2009, the Working Party agreed to a protocol between the Koori Court and the Court Integrated Services Program (CISP) and the CREDIT/ Bail Support Program. The protocol outlines the responsibilities of the Koori Court, the CISP and the CREDIT/Bail Support Program where cases are transferred between courts, and aims to enhance cooperation between program staff. Depending upon eligibility, accused attending Koori Court may access the various programs servicing a particular Magistrates' Court.

Koori Staff Network Conference – 2010

The ALO Coordinator participated in the *'Koori Staff Network Conference'* on 23 and 24 March 2010. The conference brought together Koori staff from within the Department of Justice to promote leadership, information sharing and the development of workplace strategies.

CREDIT/Bail Support Program

The CREDIT/ Bail Support (CBS) Program aims to achieve the following outcomes:

- the successful completion of bail by an accused person who would otherwise be remanded in custody
- a reduction in the number of accused remanded due to lack of accommodation and/or treatment or support in the community
- the successful placement of the accused in drug treatment and/or rehabilitation programs
- the long-term reduction in involvement of accused persons in the criminal justice system.

Clients are provided with a range of services while on bail and participating in the program, including:

- an assessment and the development of a plan for treatment and support
- case management for up to four months, including support and monitoring
- referrals and linkages to community support and treatment.



Case Study 1

A female client, in her late 30s, was facing her seventh drink driving charge. The client had impressed the magistrate so much with her performance on the CREDIT/Bail Support Program, that instead of imposing a custodial sentence, the magistrate sentenced her to an Intensive Correction Order. This ensured the client's access to drug and alcohol counselling would continue, so she could strengthen the improvements she had made in her life. The usual loss of licence applied, however, the magistrate acknowledged the improvements the client had made and wished to support her recovery further.

Case Study 2

A client, who has been in and out of prison for most of his adult life, was linked to supports and treatment by his CREDIT/Bail Support Program Case Manager. The client joined a cricket club and is socialising with "straight people". The client reports he never liked those types of people previously because they did not accept him. The client has fitted into the club and no longer wishes to be associated with his past acquaintances. He is now eager to have a team manager role at the club's football team to continue his links throughout winter. The client is excited, and grateful that he has been assisted to remove the blinkers he has always worn, and believes for the first time at age 40 years, he is seeing the world clearly without the cloud of substance use.

Statistical data

Referrals

In 2009-10, 1920 referrals were made to the CREDIT component of the program and 1554 to the Bail Support Program component.

Sixty-six clients referred to the CREDIT/Bail Support Program identified as Aboriginal only, Torres Strait Islander only, or Aboriginal/Torres Strait Islander.

Referrals by Referral Reason

The top seven reasons for referral were:

- 484 alcohol abuse
- 255 anger management
- 206 housing
- 928 illicit substance abuse
- 765 lack of appropriate support
- 290 mental health
- 222 unclear mental health status.

Treatment and Support

In 2009-10 referrals made by the CREDIT/Bail Support Program to treatment and support services included:

- 1760 drug and alcohol services, including Community Offenders Advice and Treatment Service (COATS)
- 361 housing/accommodation services
- 3391 material aid, includes food vouchers, key passes and travel cards
- 215 medical
- 309 mental health services
- 278 pharmacotherapy, includes Buprenorphine, Methadone and Naltrexone.

Housing

The CREDIT/Bail Support Program has access to 20 transitional housing management (THM) properties, with an additional 10 properties allocated for the Corrections Victoria Better Pathways Strategy, designated as priority for women. All clients living in one of these houses are provided with housing support by HomeGround Services. This accommodation and support provides clients with stability and assists them to meet their bail conditions.

The aim of housing support is to assist program participants to address the issues underlying their homelessness. The housing support worker provides assistance with tenancy sign up, long term housing, exit plans and is a point of contact for the transitional housing managers who manage the properties.

Program Enhancement

In May 2009, the court was successful in gaining ongoing funding to maintain the CREDIT/Bail Support Program case manager position at the Moorabbin Magistrates' Court.

The case manager assessed an average of 9.75 clients per month in the 2009-10 period; the majority of which were referrals from legal representatives.

Youth Justice – Court Advice Service Melbourne Central Courts Unit

The Youth Justice Court Advice Service (YJ CAS) Melbourne Central Courts Unit is a specialised youth specific service provided by the Department of Human Services Youth Justice for young people aged between 18 and 20 years who are appearing in court on criminal matters.

The Melbourne Central Courts Unit has been operating from the Melbourne Magistrates' Court since January 1998 providing a service to the Melbourne Magistrates', County, Supreme Courts and the Court of Appeal.

YJ CAS is offered by the Department of Human Services (DHS), Youth Justice Program to all adult courts in the state of Victoria. The primary focus of YJ CAS is to divert young offenders from the adult criminal justice system, where appropriate. Referrals to the YJ CAS can be received directly from:

- Magistrates', County and Supreme Courts
- legal representatives
- regional youth justice units
- CISP
- the young person, their family and community agencies.

YJ CAS provides:

- advice in relation to available bail support services, including accommodation, appropriate treatment or program availability
- pre-sentence reports to the court regarding a young person's suitability for a Youth Justice Centre (YTC) order
- supervision and case management for young people who have been released on bail or deferral under the supervision of Youth Justice, including making referrals to community service organisations and treatment programs
- information for the young person and their family or significant others
- assistance to identify appropriate diversionary strategies for young people out of the criminal justice system, and where appropriate referral to:
 - accommodation
 - drug and alcohol treatment
 - mental health assessments and treatment

- counselling, such as psychological, family therapy or anger management
- legal services
- other support services
- liaison with judicial officers, legal and court personnel and CISP to develop the most appropriate approach for young people with multiple and complex needs
- detailed reports to the court regarding the progress of young people on bail or deferral of sentence
- information to key-stakeholders regarding young people who are undergoing a YJC sentence in relation to:
 - the young person’s progress while under sentence in a YJC
 - the potential impact of a concurrent or cumulative sentence upon the overall sentence.

Corrections Victoria – Community Correctional Services

Community Correctional Services (CCS) is a business unit of Corrections Victoria. CCS provides pre-sentence court advice to the Magistrates’, County and Supreme Courts through the assessment of offenders in relation to their suitability for community based orders, intensive correction orders and combined custody and treatment orders.

These assessments occur at the request of the court and are generally completed ‘on the spot’. CCS also provides a more comprehensive pre-sentence report in the event that the court requests a more detailed assessment of the accused prior to sentencing.

As well as providing assessments and reports to the court, CCS also prosecutes offenders who appear at the Magistrates’ Court having been charged with

breaching any of the above orders or on application to cancel or vary any such order.

Due to the volume of activity at Melbourne Magistrates’ and County Courts, a dedicated team of CCS court advice staff comprise the Court Services Unit (CSU). The CSU is housed within court support services at the Melbourne Magistrates’ Court.

Mental Health Court Liaison Officer

The Mental Health Court Liaison Service (MHCLS) is a court-based assessment and advice service provided by Forensicare, the Victorian Institute of Forensic Mental Health.

The service, funded by the Department of Human Services was first established at the Melbourne Magistrates’ Court in November 1994 and since that time has been extended, on a half-time basis, to the following metropolitan Magistrates’ courts: Dandenong, Frankston, Ringwood, Heidelberg, Broadmeadows and Sunshine. In 2007 the Department of Justice allocated funding for a full time court liaison position at the Sunshine Magistrates’ Court as part of the Court Integrated Services Program (CISP).

Apart from the services provided by Forensicare, there are five half-time rural-based Mental Health Court Liaison positions provided by the local area mental health services that cover the Geelong, Shepparton, Bendigo, Ballarat and Latrobe Valley Magistrates’ Courts.

In the metropolitan courts, senior mental health clinicians provide on-site services. An on-call consultant forensic psychiatrist is available to discuss issues when required. The MHCLS is able to provide assessment and triage. If required treatment and case management are provided by area mental health services.

The MHCLS provides the court with accurate and up-to-date information about a person’s mental health to ensure the person receives appropriate care.

The service provides:

- mental state assessment and advice regarding the management and needs of persons referred
- verbal and written reports to the court, as required
- assistance with transfer of acutely mentally unwell people to area mental health services
- training and education for judicial, other legal and support service staff regarding the role of the MHCLS
- close collaboration with CISP in the management of people referred
- advice for custodial staff on the management of people in custody, such as medication management
- advice regarding risk issues related to mental illness
- referral and linkage to support services
- consultation and advice to support agencies, professional representatives and family members involved in a client's care.

The MHCLS, together with Forensicare's Community Integration Program (CIP – Forensicare, a service providing time-limited clinical input for people with serious mental health problems in the community) play an important role in referring persons to community based organisations such as area mental health services, psychologists and general practitioners at the time of bail or release from custody.

The service accepts referrals from anyone who has a concern about the mental health of individuals who will be appearing before the court. The service works closely with CISP, both referring clients to this program, and receiving referrals from them. It is anticipated that a close relationship will also be developed with the new Assessment and Referral Court (ARC) List, which has recently commenced operating at the Melbourne Magistrates' Court.

Criminal Justice Diversion Program

The Criminal Justice Diversion Program (CJDP) provides mainly first time offenders with the opportunity to avoid a criminal record by undertaking conditions that benefit the offender, victim and community as a whole.

The program provides the following benefits:

- reduces the likelihood of re-offending by tailoring an order according to the needs of the accused
- assists offenders to avoid an accessible criminal record
- assists in the provision of rehabilitation services to the accused
- increases the use of community resources to provide counselling and treatment services
- ensures that restitution is made to the victim of the offence if appropriate
- ensures the victim receives an apology if appropriate
- assists local community projects with voluntary work and donations
- provides more flexibility for orders
- a diversion coordinator monitors cases and conditions, ensuring accountability of the accused.

Governing Legislation

Effective 1 January 2010, legislation governing the CJDP (section 128A of the Magistrates' Court Act) was replaced by Section 59 of the *Criminal Procedure Act 2009*.

Victim Involvement

Where a charge involves a victim, the court seeks the victim's view of the matter. This may include:

- whether the victim agrees with the course of action
- the amount of compensation sought for damage to property
- how the crime has affected the victim.

Victims are not obliged to respond to the court's contact. However, the victim is entitled to express his/her view by way of letter or in person on the day of the hearing. The court will notify victims of the hearing outcome, if requested to do so.

Trial Expansion of Infringements System

A three-year trial commenced on 1 July 2008 that allows police to issue an infringement notice for certain offences instead of charging an accused to appear at court on summons or bail. It is recognised that this trial may impact on the number of referrals of such offences to the CJDP.

These offences include:

- careless driving
- indecent language
- offensive behaviour
- consuming or supplying liquor on unlicensed premises
- failure to leave licensed premises when requested
- shop theft of goods worth up to \$600
- wilful damage to property of up to \$500.

A comparison of the offence types for infringement offences for the 2009-10 period measured against referrals for the same offences in 2007-08 highlights the impact on referrals of these offences to the CJDP. In 2009-10, charges referred to the CJDP as part of the infringement notices introduction have decreased by 26% compared to 2007-08. This is demonstrated in the below table.

| CHARGE REFERRED | 2009/10 | 2007/08 | VARIANCE | PERCENTAGE VARIANCE |
|--|-------------|-------------|-------------|---------------------|
| Careless driving | 753 | 1085 | -332 | -31% |
| Indecent language | 86 | 103 | -17 | -17% |
| Offensive behaviour | 96 | 320 | -224 | -70% |
| Consuming or supplying liquor on unlicensed premises | 0 | 5 | -5 | -100% |
| Failure to leave licensed premises when requested | 4 | 7 | -3 | -43% |
| Shop theft of goods worth up to \$600 | 683 | 728 | -45 | -6% |
| Wilful damage to property of up to \$500 | 235 | 256 | -21 | -8% |
| TOTAL | 1857 | 2504 | -647 | -26% |

Note: although the value attributed for charges referred relating to shop theft and wilful damage is not available, it is recognised that a majority of referrals to the CJDP for such offences would fall within the prescribed categories for infringements (ie up to \$600 for shop theft and \$500 for wilful damage).

Statistical Data

The CJDP received 6,963 referrals from various prosecuting agencies during 2009-10, representing a 4% decrease compared with 7280 referrals received in 2008-09. The highest number of referrals related to male accused aged 17-25 years, representing 72% of referrals received.

Of these accused, 5232 were placed on a diversion plan (accepted into the program), compared with 5412 accused in 2008-09.

During 2009-10, accused undertook 11,957 conditions, compared with 12,560 in 2008-09.

In 2009-10, 1189 matters were found not suitable/refused by magistrates and judicial registrars statewide, representing 17% of referrals that were refused.

During 2009-10, a total of 5017 accused successfully undertook conditions and completed their diversion plan, representing 90.7% of accused who were placed on the CJDP, compared with 5599 (90.2%) in 2008-09.

During 2009-10, 53 accused identified as Aboriginal and/or Torres Strait Islander during the diversion interview process.

Community Involvement

Voluntary Work

Accused perform voluntary work where possible within their local community or the area where they committed the offence. During 2009-10, 58 accused were ordered to undertake a total of 1011 hours of voluntary work with various non-profit organisations including:

- Father Bob Maguire Foundation
- Geelong Street Clean Up Program
- Mildura Rural City Council
- Salvation Army
- St Vincent de Paul.

Voluntary work referrals for 2009-10 decreased significantly compared to previous years due to the statewide agreement with Keep Australia Beautiful Victoria ceasing in June 2009.

Donations

Each year accused in the CJDP direct donations to local charities or non-profit organisations. During 2009-10 accused undertook to pay a total of \$937,598.76 in donations to charities and local community projects.

Approximately \$154,000 of the donations ordered were directed to be paid to the Magistrates' Court Fund. The Court Fund distributes monies to local community services.

In addition, over \$84,000 in donations was allocated to child and youth support services statewide. These include community youth resource centres, Blue Light groups, programs supporting disadvantaged youths such as Ropes programs, *'Kids Under Cover'*, *'Kids Hope Australia'*, *'Typo Station'*, *'Handbrake Turn'*, *'Onside Victoria'* and local schools.

A further \$148,000 in donations was directed to community run safety initiatives such as various Country Fire Authorities, State Emergency Services and search and rescue services such as surf life-saving clubs.

Over \$108,000 was allocated to hospitals statewide and more than \$335,000 to community health and family support centres.

Approximately \$29,000 in donations supported road safety initiatives such as Road Trauma Support Services Victoria, *'Cool Heads Program'* and local road safety organisations.

Restitution

A further \$714,019.67 in restitution was undertaken to be paid to victims during 2009-10.



Enforcement Review Program

The Enforcement Review Program (ERP) assists members of the community who have 'special circumstances' and outstanding fines registered at the Infringements Court. The ERP enables the Magistrates' Court to impose outcomes that reflect the circumstances of the offending.

The Infringements Court and the Magistrates' Court jointly manage the ERP. The Special Circumstances List operates at the Melbourne Magistrates' Court each Thursday and is part of the Court Support and Diversion Services.

Eligibility

Special circumstances matters are identified by section 65 of the *Infringements Act 2006*. A person must demonstrate that they are unable to understand that their conduct constitutes an offence or control their conduct that constitutes an offence.

An application for revocation of fines in relation to special circumstances together with supporting medical evidence is made to the Infringements Court, which may include:

- an intellectual disability
- a diagnosed mental illness
- an acquired brain injury
- a serious addiction to drugs, alcohol or a volatile substance
- homelessness.

If the Infringements Court registrar grants the application, the relevant prosecuting agencies may withdraw proceedings. Where this does not occur, the matter is listed in open court before a magistrate or judicial registrar for determination in the Special Circumstances List.

Court Process

The magistrate or judicial registrar will consider the special circumstances outlined in the application and has full discretion as to what type of order to impose, but could include a dismissal pursuant to Section 76 of the *Sentencing Act 1991*, an undertaking to be of good behaviour or reimposition of the fine.

All applicants must attend court unless they suffer exceptional circumstances, such as being institutionalised and must be prepared to plead guilty to the offence.

The prosecutor may request VicRoads to perform a licence review for driving related offences. Demerit points are still recorded with VicRoads for the relevant regulated offences upon a finding of guilt.

Statistical data

The ERP received 26,352 individual infringements for listing in the Special Circumstances List, relating to 1257 accused, from the Infringements Court in 2009-10.

A total of 2495 matters have been listed in the Special Circumstances List in 2009-10. Of these matters, 1412 have been finalised by a magistrate or judicial registrar, representing an overall clearance rate of 57% of the matters listed for the financial year.

The 1412 matters finalised in 2009-10 is a decrease of 6.7% compared to matters finalised in 2008-09. This decrease is due to a higher number of sitting days in 2008-09, which was a strategy to clear a backlog of cases.

Of the 1412 matters that were finalised within the Special Circumstances List, 60% of accused appeared in open court and 40% were heard ex parte.

Judicial Activities



Judicial Activities

While the primary role of a magistrate is to preside over and make decisions on a range of cases, the breadth and nature of the work of a magistrate goes well beyond this. Magistrates participate in an extensive range of other duties beyond their work on the bench, with many regularly involved in a range of projects and initiatives, as well as community engagement activities on behalf of the court.

Magistrates routinely engage in professional development opportunities, including those set by the court's Professional Development Committee (PDC), and also those set by the Judicial College of Victoria (JCV). Many magistrates undertake their own professional activities beyond those set more formally. In addition to this, many magistrates regularly engage with their local community by chairing and participating in external committees and boards, participating in moot courts for external organisations, speaking publicly to community and other interest groups, as well as participating in local initiatives and programs.

While this section is not intended as an exhaustive list of the activities that all magistrates have been involved in during the reporting period, it provides an informative and illustrative snapshot of the nature and extent of a magistrate's role beyond the bench.

Professional Development Conferences

During the reporting period, the court's Professional Development Committee (PDC) conducted three one-day legal education conferences on issues and topics with particular currency and relevancy to the magistracy. The committee were also significantly involved in the preparation of other professional development sessions during the reporting period.

2009-10 Professional Development Days

'Aspects of the Trial Process'

On 30 July 2009, magistrates attended a PDC conference dedicated to matters related to the trial process. Dr Sue McNicol of Counsel spoke on '*Privilege and Public Interest Immunity*' followed by The Honourable E William Gillard QC who spoke about '*The Efficient Conduct of a Trial*', enlightening magistrates about his experiences gained through his many years of experience on the Bench and as a barrister. Ms Joanna Kalowski conducted the afternoon session, which was devoted to the '*Art of Communication – Courtroom Communication Management*'.

The calibre of the three speakers was outstanding making this professional development day a great success.

'Coroners: The Changing Tide of Coronial Work'

On 16 October 2009 a coronial training workshop was held in preparation for the introduction of the new *Coroners Act 2008* which was due to commence on 1 November 2009. Stephen Lodge, Manager, New Courts Act Project, Courts and Tribunals Unit, Department of Justice, presented '*Implications of the Coroners Act 2008*'. Coroner Paresa Spanos with Dr Adam O'Brien and Carmel Young RN from the Clinical Liaison Service spoke about '*Managing a Complex Medical Matter*'.

This was followed by a panel scenario-based presentation and discussion on matters to do with '*In-care, Custody and Control*'. The panel was headed by the State Coroner, Judge Jennifer Coate and included Coroner John Olle, Louise Johnson, Director Legal Services, Department of Human Services and Dr Ruth Vine, Director, Mental Health Victoria. The JCV kindly provided an optional presentation during the lunch break on accessing the Coroner's Bench Book on JOIN and how to view the Coroner's Twilight Seminars on Podcast.

In the afternoon, Sarah Gebert, Project Manager, Policy & Legislation, Courts and Tribunals, Department of Justice and Martin Botros, Policy Officer, Coroners Court of Victoria had the difficult task of making the *'The New Regulations under the Coroners Act 2008'* interesting! This was followed by the Victorian Institute of Forensic Medicine representatives, Dr Noel Woodford, Head of Forensic Pathology and Dr Dimitri Gerostamoulos, Toxicology Manager, speaking on *'The Role of the Pathologist in the Coronial Process'*. The day concluded with good advice to coroners from Michele Skinner, Manager, Family & Community Support Services, Coroners Court of Victoria who spoke on *'Self-care for Coroners'* and *'Responding to Bereaved Family Members'*.

'Across the Jurisdictions'

On 23 April 2010, magistrates attended the Melbourne Cricket Ground for the first committee organised professional development day for 2010. The topics were diverse, covering many of the jurisdictions magistrates are required to deal with on a daily basis. Judge Paul Grant, President of the Children's Court spoke on *'Recent Trends in Youth Offending'* followed by Dr George Halasz who provided a very interesting talk on *'Understanding the Young Offender – Development of the Teenage Brain'*. After morning tea, Magistrates Pauline Spencer and Catherine Lamble spoke on *'Applying Family Violence Risk Assessment Principles to Judicial Decision Making'*, followed by a *'JOIN Presentation'* by JCV representatives Marilyn Lambert and Carly Schrever, which was aimed at encouraging increased use of this electronic resource.

After lunch, Magistrates Amanda Chambers and Susan Wakeling and Deputy Chief Magistrate Felicity Broughton spoke on *'Hot Topics in VOCAT'*. The day concluded with a well received session on *'Enforcement Matters'* expertly delivered by Vanessa Lo Guisto, Acting Manager, Infringements Court, Julie Brown, North West Operations Manager, Sheriffs Office, Brett Cain, State Coordinating Registrar,

Melbourne Magistrates' Court and Larissa Douglas, Senior Diversion Coordinator for the Criminal Justice Diversion Program and Enforcement Review Program. The response to the day was very positive.

The PDC meets monthly and endeavours to provide a high standard of professional development activities to magistrates. New membership to the PDC is welcome.

Judicial College of Victoria

Throughout the year, magistrates have participated in a range of interesting and highly relevant professional development conferences, seminars and activities facilitated by the Judicial College of Victoria.

The topics that attracted some of the highest attendance rates from the court during the year, included:

- *'The New Criminal Procedure Act'*
- *'Emerging Issues in Expert Evidence'*
- *'Child and Cognitively Impaired Witnesses'*
- *'Hearsay and Admissions'*
- *'Privilege Intensive'*
- *'Coroners Intensive'*
- *'Self-Represented Litigants – The Challenges'*
- *'Tendency, Coincidence, Credibility and Character'*
- *'Sexual Assault'*.

Featured Judicial Activities

The following provides a snapshot of specific activities individual magistrates have been involved in during the reporting period.

In addition to these specific activities, several magistrates also participated in the *'Non-Adversarial Justice Conference'* facilitated by the Australasian Institute of Judicial Administration (AIJA) and Monash University in Melbourne between 4-7 May 2010.

Magistrate Brian Wright, Melbourne Magistrates' Court

Magistrate Wright is the convenor of the Publications Committee of Fitzroy Legal Service, which publishes the 'Law Handbook'. He is responsible for writing three chapters for that book.

He also gave a professional development seminar on the Victims of Crime Assistance Tribunal for trainee/articled clerk volunteers at Fitzroy Legal Service in May 2010.

Magistrate Simon Garnett, Melbourne Magistrates' Court

On 15 May 2010, Magistrate Garnett presented a paper to Australian Lawyers Association (Victorian Branch) on *'The Implications of the Recent Amendments to the Accident Compensation Act 1985 on Proceedings in the Magistrates' Court'*.

Acting Magistrate Brian Barrow

Acting Magistrate Brian Barrow (along with the court's Chief Executive Officer, Charlotte Stockwell) participated in the Whitelion Bail Out event at the Old Melbourne Gaol on Friday 28 May 2010.

Whitelion is a non-profit organisation that supports disadvantaged young people to live more positive and fulfilled lives through a variety of programs. The court donated \$10,000 from the Court Fund towards the event.

Magistrate Catherine Lamble, Melbourne Magistrates' Court

At the invitation of the Iranian government, Deb Nicholson, the manager of the Family Violence Programs and Initiatives Unit and Magistrate Catherine Lamble attended and presented at the *'Women's Rights in the Judicial Justice Process'* international conference in Tehran on 20 and 21 December 2009.

The conference included delegates from countries such as Iraq, Sudan, Bahrain, Italy, Pakistan and Switzerland together with religious, government and judicial leaders from Iran. Some of the topics discussed at the conference included the role of women in the justice system from an Islamic jurisprudence perspective, responses to family violence in Iran, the role of United Nations conventions in Iran, women's prisons and the contributions of non-government organisations to women's welfare.

During the reporting period, Magistrate Lamble also presented at:

- Deans Lecture Series, Monash University Law School, *'Family Violence in the Magistrates' Court'* on 4 August 2009
- Leo Cussen Institute, *'The New Family Violence Legislation and Other Initiatives'* on 9 October 2009



- Family Relationships Centre, Chadstone, *'Key Changes to Family Violence Law in Victoria'* on 12 November 2009
- Women's Legal Service seminar for family violence support workers *'Dealing with Family Violence in the Courts'* on 2 December 2009
- Australian Institute of Judicial Administration Family Violence Conference, Brisbane, *'Towards Best Practice'* in October 2009
- Relationships Australia Victoria *'Family Violence Protection Act'* on 3 May 2010
- Bar Readers Course, *'Family Violence for Barristers'*, on 12 October 2009 and 14 May 2010.

Magistrate Anne Goldsbrough, Melbourne Magistrates' Court

On 14 December 2009, the Federal Attorney-General, the Hon Robert McClelland MP, announced the appointment of Magistrate Anne Goldsbrough as a part-time Commissioner of the Australian Law Reform Commission (ALRC) until 31 August 2010 (and since extended to 10 September 2010).

Ms Goldsbrough's appointment is for the purposes of assisting ALRC's current inquiry into the interaction in practices of state and territory family/domestic violence and child protection laws with the Family Law Act 1975 and relevant commonwealth, state and territory laws. The inquiry is also examining the impact of inconsistent interpretation or application of sexual assault in a family violence context, including rules of evidence, of victims of such violence.

Ms Goldsbrough's work with the ALRC is welcomed by the court and acknowledged as reflecting her long-standing commitment and experience in these areas.

In addition, during the year Ms Goldsbrough provided advice on, and contributed to the development of a multi-disciplinary family violence training package of film and materials for professionals working with the Australian family law system.

The Melbourne Magistrates' Court library was the chosen location for the filming on 1 June 2010 with Ms Goldsbrough and other family violence and family law legal professionals from outside the court. The package of materials is due to be released by the Federal Attorney-General's department, shortly.

Regional Coordinating Magistrate Gerard Bryant, Magistrates Annabel Hawkins and John Murphy, and Acting Magistrate Stella Stuthridge, Hume Region

Magistrates in the Hume region participate regularly in the *'Cool Heads Road Trauma Awareness Seminar'*, a driver awareness program set up by local police. The magistrates also initiated a process whereby a *'Cool Heads'* program has now commenced in Wangaratta and Wodonga. The feedback for the Wangaratta session was very positive, and the Wodonga program is due to occur later in the year.

Some of the magistrates in the region also deliver presentations to participants of *'Operation Newstart'*, a collaborative program between Shepparton Police and the Education Department, to help young people at the crossroads of their lives, by exposing them to new experiences and encouraging them to set and achieve goals.

In addition, Acting Magistrate Stuthridge is a member of:

- the Specialisation Board for the Law Institute of Victoria and
- the Advisory Board for the La Trobe University Law Degree.

Magistrate David Fanning, Neighbourhood Justice Centre

As the sole magistrate at the Neighbourhood Justice Centre in Collingwood, Magistrate Fanning has become a very well-recognised figure in the local Yarra community.

Mr Fanning works hard to build relationships with local residents in and out of the courtroom. He regularly meets local residents, traders and service providers and listens to their concerns.

Through listening to community members, it became clear that sentencing was generating a great deal of community interest.

"There was misunderstanding around sentencing amongst some members of the community," Mr Fanning said. "I thought the best way to tackle this was to personally go into the community and explain the sentencing process to anyone who was interested."

Over the past year, Mr Fanning has held four meetings called *'Talking Justice'*, to inform and discuss sentencing with people in the community including at the Collingwood, Richmond and Fitzroy housing estates.

At each session, Magistrate Fanning gave a presentation on sentencing and the various factors that must be taken into account when sentencing an offender. Then some scenarios were given to the group and Mr Fanning asked for opinions on what sentence should be handed down.

He then gave additional information on the offender's background, the victim's circumstances and the impact of the crime upon the community. The group then reconsidered the appropriateness of their initial judgements. These scenarios attracted very animated and constructive discussions.

'Talking Justice' was a success, with more than 120 people in total attending the community conversations. Feedback given after the meetings showed that people had a better understanding of the sentencing process and greatly appreciated spending time with Mr Fanning.

One community member commented that: "I didn't realise how complex it was and how many things you've got to take into account."

Magistrate Fanning considers the Neighbourhood Justice Centre an integral part of the local Yarra community, and as such he attends and speaks at numerous local meetings and events.

In the past twelve months, he has met with around 40 different community groups, organisations and agencies.

Mr Fanning says that the NJC is open to suggestions and concerns from the local Yarra community. In order to listen and respond to local ideas, a Community Justice Advisory Group (CJAG) has been established. The group includes local residents, businesses, agencies, Victoria Police and the Office of Housing. Magistrate Fanning and NJC staff meet with the group monthly.

"The advice and direction we receive from the community advisory group is instrumental in helping us respond to local issues," Mr Fanning said. "It is a positive relationship that is getting stronger each year."

Milestones, Events and Initiatives



Milestones, Events and Initiatives

Each year, the magistrates and staff of the Magistrates' Court celebrate important milestones and engage in key initiatives and events.

This section provides a snapshot of some of the court's key milestones, events and initiatives for the reporting period:

- the Melbourne Magistrates' Court Coordination Review
- the achievements of the New Directions team
- the Assessment and Referral Court (ARC) List & Court Integrated Services Program (CISP) Evaluation Launch
- the Australasian Institute of Judicial Administration (AIJA) and Monash University Faculty of Law 'Non-Adversarial Justice Conference'

Melbourne Magistrates' Court Coordination Review

The management and coordination of listings is a complex and challenging aspect of court administration, particularly at high volume courts such as the Melbourne Magistrates' Court, where approximately 2000 court users enter the building per day.

During the reporting period, the staffing structure for coordination functions at the Melbourne Magistrates' Court was reviewed. In April 2010, a new improved structure was implemented, initially for 12 months, following funding approval.

The structure was developed to ensure that the Coordination Unit at the Melbourne Magistrates' Court is resourced with appropriately qualified and experienced staff to proactively manage listings. The new structure has placed the court in an excellent position to navigate the increasing demands, whilst maintaining and improving service excellence.

The various coordinating offices at Melbourne - committals, summary, sexual offences and major trials - will ultimately be located in the one office, leading to better communication between the teams, as well as the ability to provide a more streamlined service to court users. A Listings Manager position was created to lead and manage all coordination functions, and this role has responsibility for future planning and active engagement of stakeholders, as well as the judiciary and senior management.

There have also been some physical changes, such as the placement of an Appearance Counter on level three, which puts it in close proximity to the main mention courts. This will further enhance the service to those appearing at court, such as police prosecutors and Victoria Legal Aid. This will lead to improved efficiencies in the ability of coordination staff to service these courtrooms.

As part of the initiative, a position was also created to assist the State Coordinating Magistrate with the vast administrative functions of that role, including rostering and the ongoing allocation of judicial resources, as well as short, medium and long term planning requirements. This role works closely with the coordination unit at the Melbourne Magistrates' Court, but also with coordinators around the state.

New Directions

The project management team, along with staff from across the court, have delivered a number of initiatives to advance key strategic reforms. Several key objectives have underpinned the work completed in the past 12 months:

- providing better information and services to the public
- developing the management and leadership capacity of the court's administration
- enabling better people management and staff development, and enhancing the court's analytical and process improvement capability.

An overarching objective has been to integrate the reform agenda into the work of management bodies, and expressing this agenda in the court's business plan.

- Public information and services were expanded through the launch of an online licence restorations guide (to assist the public to navigate this complex process), and commencing a trial of an SMS reminder service for CISP clients.
- Management and leadership skills were developed with a program of team training for management teams, increasing the court's participation in leadership programs hosted by the Department of Justice, and establishing the Strategic Operations Group (a team of senior operational managers to drive the reform agenda).
- Better people management and staff development were enabled through introducing a contemporary competency based personnel management framework, revamping staff selection processes and adopting a comprehensive organisational development framework (giving a structure for career-long training and development).
- Enhanced analytical capability and process improvement were provided by developing a workload analysis tool and through the ongoing work of the Performance Support Unit, which evaluated operational and administrative processes at court venues.

The focus of future work under the 'New Directions' project will be to continue to drive court-wide systems reforms that will support our staff to provide better quality services to all court users. This will enable the court's administration to respond more effectively to the increasingly complex and demanding workload in its various jurisdictions.

The court has increased its engagement with stakeholders receiving assistance from the portfolio's Innovation Fund for four activities, and hosting two student interns provided through the Victoria Law Foundation internship program. One of the 'New Directions' initiatives – the online licence restorations guide – garnered an award for a member of the project management team at the annual Courts Portfolio

Staff Forum. The project management unit has also supported the court's adoption of the International Framework for Court Excellence, which will form the basis for refining both strategic plans and operational reviews in the future.

ARC List and CISP Evaluation Launch

On 28 May 2010, the Chief Magistrate Ian Gray and the Attorney General the Honourable Rob Hulls, collaboratively launched the Assessment and Referral (Court) List and the Evaluation Report of the Courts Integrated Support Program (CISP) at an event in judicial chambers at Melbourne Magistrates' Court.

At the launch, the Chief Magistrate, the Attorney General, Deputy Chief Magistrate Jelena Popovic and Magistrate John Lesser acknowledged the successes of the CISP program, while introducing the new ARC List initiative to the audience.

ARC List

The ARC List is a specialist court list developed by the Department of Justice and the Magistrates' Court of Victoria to meet the needs of accused persons who have a mental illness and/or a cognitive impairment. It was established by the *Magistrates' Court Amendment (Assessment and Referral Court List) Act 2010*, and it aims to reduce the risk of re-offending by addressing the underlying causes of participants' offending.

Magistrate John Lesser was appointed in December 2009 and will preside over hearings, as one of three list magistrates. Magistrate Lesser was president of the Mental Health Review Board prior to his judicial appointment.

The list aims to:

- reduce the risk of harm to the community by addressing the underlying factors that contribute to offending behaviour
- improve the health and wellbeing of accused persons with a mental impairment by facilitating access to appropriate treatment and other support services
- increase public confidence in the criminal justice system by improving court processes and increasing options available to courts in responding to accused persons with a mental impairment, and
- reduce the number of offenders with a mental impairment received into the prison system.

The list is located at Melbourne Magistrates' Court and works collaboratively with the CISP, which provides case management to participants. Case management may include psychological assessment, referral to welfare, health, mental health, disability, and/or housing services and/or drug and alcohol treatment.

CISP Evaluation

In 2006, an evaluation of the CISP commenced. That evaluation was finalised and released in 2010, providing information about the implementation and operation of the program up to the middle of 2009. Overall, the evaluation found that CISP:

- had achieved or exceeded its targets for the engagement and retention of clients
- was able to match the intensity of intervention to the risk and needs of clients, and
- achieved a high rate of referral of clients to treatment and support services.

Other key findings were:

- a study of CISP clients' health and well-being showed they had much lower levels of mental health than comparable community groups and that their mental health improved during their period on the program
- magistrates and other stakeholders showed a high level of support for the program and its outcomes, and
- compared with offenders at other court venues, offenders who completed CISP showed a significantly lower rate of re-offending in the months after they exited the program.

AIJA Conference

Between 4 – 7 May 2010, the court played an integral role in the *'Non-Adversarial Justice: Implications For The Legal System And Society Conference'* presented by the Australasian Institute of Judicial Administration (AIJA) and Monash University Faculty of Law.

Amongst other things, the conference sought to explore the theory and practical application of non-adversarial justice approaches by courts.

Over the three days the conference was held at the Hilton on the Park, a range of keynote speakers from around the world, contributed to discussion and learnings on non-adversarial justice. Speakers and contributors from the Magistrates' Court of Victoria included:

- Chief Magistrate Ian Gray presented a session *"Non-Adversarial Justice in a Modern Multi-Jurisdictional Court"*
- Deputy Chief Magistrate Jelena Popovic convened a panel discussion *"A Little Less Intuition, A Little More Knowledge"*, as well as a session with Joseph Shields and Peter Lamb on the *'Court Integrated Services Program'*



- Magistrate Margaret Harding presented *'The Victorian Drug Court'*
- Deputy Chief Magistrate Peter Lauritsen co-presented *'Forcing them to the table – Compulsory Court-Annexed Mediation in the Civil Jurisdiction of the Magistrates' Court of Victoria'*
- Magistrate David Fanning presented *'Reflections of the Magistrate at Australia's First Neighbourhood Justice Centre'*
- Magistrates Pauline Spencer and Greg Connellan from Dandenong Magistrates' Court co-presented a facilitated discussion on *'Mainstreaming Solution-Focused Judging'*
- CEO, Charlotte Stockwell on *'Managing the Non-Adversarial Court'*
- Magistrates Clive Alsop, Susan Wakeling and John Lesser presented a panel on *'Practical Tips'*.

In addition to the main conference, the Melbourne Magistrates' Court also hosted two events to open the conference on Tuesday 4 May. The events, an 'Open House' in the afternoon, followed by an evening 'Welcome Reception' in the library, were well-attended and received by conference delegates.

The open house event was held to showcase the range of problem solving and innovative initiatives that have been implemented across the court and the department, and the diverse range of partnerships that exist to support these.

The open house activities included:

- sessional mock court hearings involving our problem solving courts and programs
- presentations and interactive displays from court programs and partner agencies
- tours of facilities and discussion with key program staff, program/service providers and stakeholders

- sessional audio-visual displays/presentations
- key stakeholder information stalls, including the Children's Court, Coroners Court and the Neighbourhood Justice Centre
- roving representatives of the magistracy and the administration.

The event was a great success, capturing the interest of delegates, and the enthusiasm and dedication of the court and its key stakeholders. The day ended with a formal welcome reception, where Chief Magistrate Ian Gray formally welcomed the delegates to Melbourne, the court and the event.

Dandenong Magistrates' Court

During the reporting period, Dandenong Magistrates' Court continued to demonstrate a strong and progressive focus on community engagement and therapeutic jurisprudence. This is best demonstrated by the range of projects and initiatives the court has been involved in, and in some cases recognised for.

Pro Bono Initiative

The Dandenong Court, led by Regional Coordinating Magistrate Lesley Fleming, and the Victorian Bar Duty Barristers, were nominated for a 'Justice Innovation Award' at the 2010 Victorian Bar Pro Bono Awards on 18 May 2010, in a formal ceremony at the Supreme Court Library.

While the court did not win the award, Magistrate Fleming was delighted to have the innovation of the Dandenong Court recognised by Chief Justice Marilyn Warren AC, at the event.



Pacific Islander Project

On 21 May 2010, the 'Te Waka One Ocean Project', in partnership with the Dandenong Court, unveiled a mural created by young people from the City of Greater Dandenong Polynesian community.

The 'Te Waka One Ocean Project' is an early intervention program for young people aged 10 to 18 years from communities living in the City of Greater Dandenong. The project has supported young people from a Polynesian background to design and create the mural through its arts and crafts programs. Other activities run by Te Waka One Ocean include traditional bone carving, touch rugby, a young leaders program and an early intervention program for at risk primary school children that provides culturally appropriate life skills and advice.

Over 80 invited guests attended the unveiling of the mural at the Dandenong Court, and witnessed traditional Polynesian dancing, singing and the Haka all performed by young people.

Advocacy Workshops

During the year, the court also commenced conducting a series of 'Advocacy Workshops' for students from the Springvale Monash Legal Service, holding four during the year.

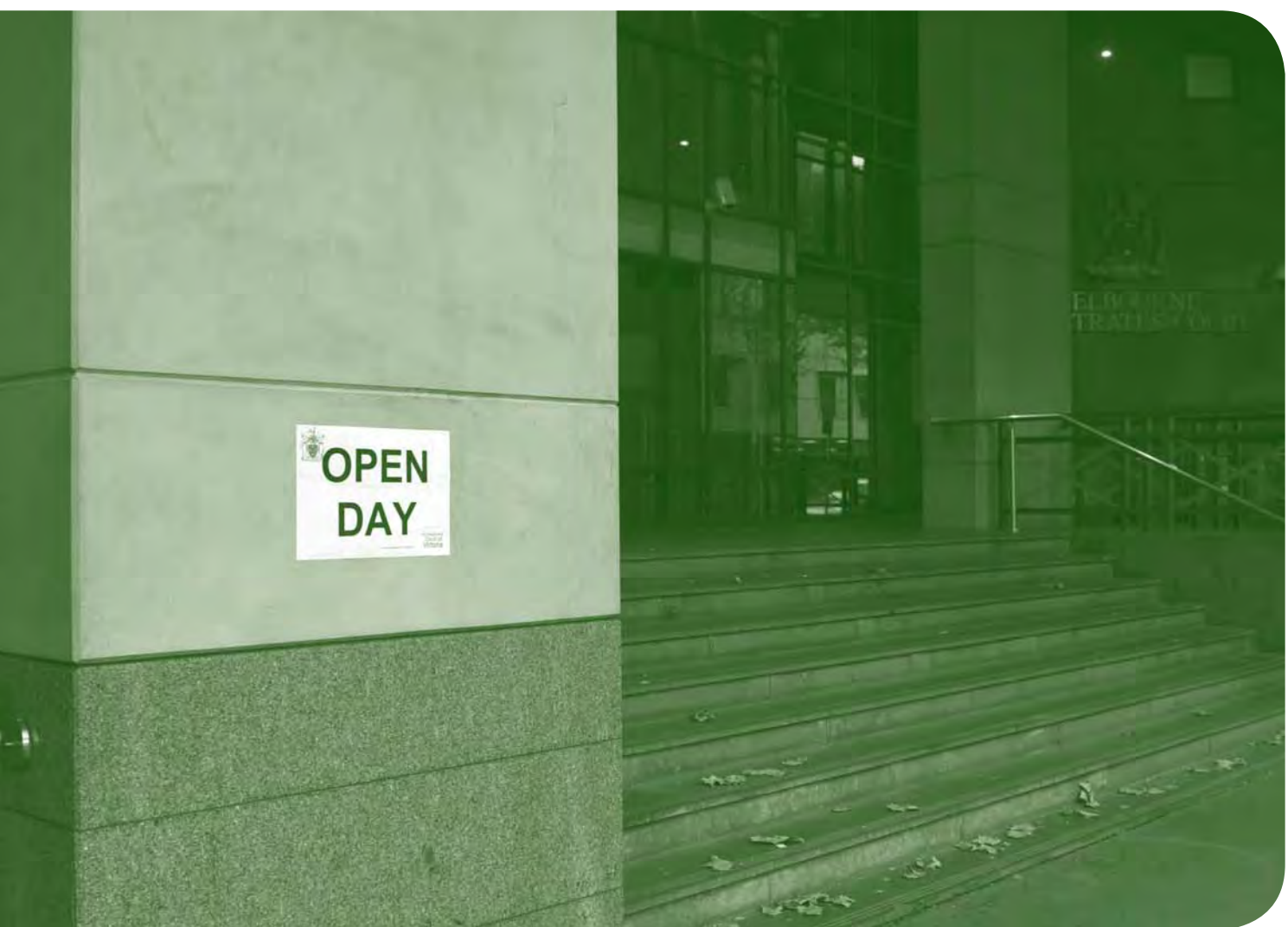
In addition to this, Justice David Harper of the Supreme Court of Victoria, together with magistrates at the Dandenong Court, presented an 'Advanced Advocacy Workshop' for the local profession. Attendees included Victorian Legal Aid, Victorian Aboriginal Legal Service, local practitioners, prosecutors and students. Feedback from attendees was excellent and the Law Institute gave CLE points to those lawyers who attended.

Students at Dandenong Magistrates' Court

The magistrates at Dandenong Court have demonstrated a strong commitment to law student mentoring, hosting students from all Victorian law schools during the reporting period.

In addition to this, students from Monash University Faculty of Law have assisted the Dandenong Court in undertaking a research project into violent female offenders. The project is ongoing, and the court is pleased with the delivery of excellent outcomes through the dedicated efforts of the students.

Community Engagement



Community Engagement

The court is always very proud of the range of ways it engages with the community each year and the 2009-10 year was no different in this regard. Each year the court participates in many recurrent activities such as 'Law Week', 'Court User Forums', the La Trobe University 'Judicial Mentoring Program', along with hosting thousands of students as part of school group visits and work experience programs.

In addition to these regular activities, this report also highlights some significant local activities the court has initiated or been involved in during the reporting period.

Broadmeadows Magistrates' Court

During the 2009-10 period, the Broadmeadows Magistrates' Court continued its impressive record of engaging with the local community, participating in local events and initiatives and cultivating relationships with key stakeholders. The focus of this work is in the family violence jurisdiction and is led by Family Violence Resource Officer, Lisa Grey with full support from Senior Registrar, Rick Roberts.

Regional Coordinating Magistrate Bob Kumar, in his role as Ambassador of White Ribbon Day, provides leadership and support to the Court in its activities providing education in the local community on family violence issues. Magistrate Kumar's enthusiasm and commitment to promoting the message against family violence in Hume has been recognised by the Hume Domestic Violence Network in their recent invitation to him to be their Patron.

The family violence registry staff at the Broadmeadows Court regularly run training sessions to both community members and outreach support services on navigating the court process for intervention orders. The general spirit of how the registry staff deal with family violence applications on a daily basis supports the positive image that the court enjoys. It is this work and the good relationships that are cultivated as a consequence, that supports the court's involvement in larger scale events.

The Broadmeadows Magistrates' Court's involvement in projects such as the '*Hume Women's Link*' has had the effect of increasing their network opportunities with local organisations. Participation in community-based projects gives the court exposure to cultural diversity issues and enhances responsiveness to local community needs. The benefits of proactive participation are twofold – it helps the court identify and implement local initiatives to make it more responsive to local court users and it encourages the community to engage in services provided by the court.

Following are examples of some of the key work the Broadmeadows Court was involved in during the year.

Hume Women's Link Summary

During the reporting period, and in her capacity as the Family Violence Resource Officer, Lisa Grey participated in a Community Engagement Project with the Victorian Immigrant and Refugee Women's Coalition (VIRWC), the peak membership body in Victoria for over 40 immigrants and refugee women's group.

The VIRWC established a Victorian '*Women's Link Project*' supported by the Australian Government's '*Diverse Australia Program*' in an effort to link mainstream women's organisations with immigrant and refugee women's groups.

In May 2009, the first *'Hume Women's Link Forum'* was held to engage women from both mainstream and ethnic community groups to work together on locally-identified issues. At that forum, a working party was established to address the barriers to community harmony in the city of Hume, of which Lisa volunteered to become a member.

The working party's aim was to facilitate a community development project that aimed to build strong women's networks within the local Hume community by identifying and implementing relevant strategies.

As part of one of the strategies, the group developed, facilitated and presented an Advanced Leadership Training Course for immigrant and refugee community leaders in Hume, where the graduates would be known as "champions" and would be responsible for encouraging women in local community groups to become more involved in the community.

As part of the leadership training course, Lisa also facilitated a Domestic Violence Forum for the *'Family Violence and Empowerment Day'* with the assistance of members from my Hume Domestic Violence Network including the Broadmeadows Community Legal Service, Berry Street, Victoria Legal Aid and the Broadmeadows Police. She gave an overview of the legislation and court process for intervention orders, then formed an "expert panel" with her colleagues, and used a mock family violence scenario to demonstrate how to navigate around the various procedures and service providers available.

The graduation of the students from the Advanced Leadership Training Course and the launch of the *'Hume Women's Directory'* was held on 27 November 2009 at the Global Learning Centre. The Hume City Council Mayor opened the event and Regional Coordinating Magistrate Kumar launched the directory and presented the graduates with their certificates. The court fund of the Broadmeadows Magistrates' Court providing funding for the event.

Hume Domestic Violence Network Community Engagement Activity 2009 – Roxburgh Park

The Hume Domestic Violence Network was established in 1994 and meets on the first Monday of each month. The Broadmeadows Court is one of a large number of local organisations and agencies involved in the network.

The focus of the network is to raise awareness in the community of the issues surrounding domestic violence by means of community education to the public and other workers about the myths, realities and criminal nature of domestic violence and of the support services and resources available.

During the last week of October each year, the network organises an event to support *'Week Without Violence'* as a call to end all forms of violence against women.

The major event for the network during the reporting period was the *'Youth Engagement Clothesline Project'* in collaboration with Roxburgh College. The Hume Domestic Violence Network coordinated t-shirt painting workshops for the entire year 9 student body at the school where they were asked to paint their messages and ideas of healthy relationships on white t-shirts. These t-shirts were then displayed around the school during the Week Without Violence to promote a positive message to their peers. The event culminated with a group activity on 30 October 2009, where audiovisual displays of those t-shirts, a CASA video and a DVD produced by Women's Health in the North West, were some of the key aspects of the event. A guest presenter took the group through her "talking diary" and video about her experience as a domestic violence victim.

The event was funded by the *Northern Metropolitan Sub Regional Integrated Family Violence Program Small Grants Scheme for Local Family Violence Networks* and supported by the Broadmeadows Magistrates' Court.

International Women's Day Event

In December 2009, Lisa was invited to join the Hume International Women's Day 2010 Committee. She joined as the Assistant Chair and Secretary. Other organisations represented on the Broadmeadows committee included Amnesty International, Broadmeadows Legal Service, Centrelink, Consumer Affairs, Hume City Council, Migrant Resource Centre North West, and Northern Turkish Women's Association.

On Tuesday 9th March 2010, the committee held their International Women's Day Event. The theme for the event was '*Empowering Women to End Poverty by 2015*'. The event was held at the Broadmeadows Town Hall, which was decorated in purple, and green (representing the colours of suffrage). The event included guest speakers, Indigenous dance, workshops and information booths.

The Broadmeadows Court supported the funding of wristbands that were given out to the community members with the slogan "Empowering Women in Broadmeadows".

The half day event was well-attended by over 400 members of the Hume community.

Domestic Violence Forum

Magistrate Bob Kumar and Lisa Grey were invited to participate in a local Member of Parliament's forum as keynote speakers on 23 September 2009.

Approximately 75 local residents attended Kelvin Thompson MP's '*Domestic Violence Forum*' at the Coburg Library.

Community Bilingual Educators Program

During the year, the court continued its involvement in the *Community Bilingual Educators Program*, which is coordinated by the department's *Justice for Refugees Program*. In particular, Magistrate Anne Goldsbrough continued her leadership of the court's contribution to the program which is focused on improving legal literacy within refugee communities.

The program commenced as a voluntary program in 2006. With the support of the court, Magistrate Goldsbrough opened the Melbourne venue on a number of Saturday mornings throughout the year to provide a tour of a courtroom and to make a presentation on legal information to identified and respected community elders (known as 'bilingual educators'), chosen from new and emerging communities. The purpose of this is to highlight and explain the difference between commonwealth and state jurisdictions, particularly with respect to family well-being – in particular family violence and family law.

The program enables greater understanding of the court processes and relevant civil and criminal justice systems for the community educators, who are able to use the information in the communities to strengthen existing community networks, improve awareness and facilitate access to mainstream services. This is particularly critical in communities where languages are oral and not able to be translated in a written form (such as many of the south Sudanese ethnic groups). To date, 12 bilingual educators are now employed by the department.



MMC Law Week Open Day

At the Melbourne Magistrates' Court on Saturday, May 22, over 400 visitors attended the court to participate in a range of exciting activities as part of the Victoria Law Foundation's, *Courts' Open Day* event. The event is annually held as the closing day of Law Week festivities.

The court built on previous years experience and developed an exciting program with a range of activities to the capture interest of attendees. Many of these activities were in extremely high demand by visitors on the day. These activities included:

- a condensed version of the 'A Walk in her Shoes' tours (a very successful court initiative reported on in 2008-09 annual report), which was facilitated by Applicant Support Worker, Bez Robertson, Manager, Family Violence Registry, Jason Morks and Supervising Magistrate Catherine Lamble
- a presentation on the Victims of Crime Assistance Tribunal (VOCAT) facilitated by tribunal Principal Registrar Samantha Adrichem and Supervising Magistrate Amanda Chambers
- a very popular criminal mock hearing, presided over by Acting Magistrate Brian Barrow, and attended by approximately 140 visitors
- a sentencing discussion with Chief Magistrate Ian Gray
- an engaging case study and discussion with Court Integrated Services Program (CISP) Manager, Jo Beckett and a successful participant of the program.

In addition to these events, a variety of key stakeholders hosted information stalls in the foyer. Some of the participants included the court's Koori Unit, as well as the Salvation Army, Court Network and Corrections Victoria, the Aboriginal Family Violence Legal Prevention Service, representatives from the Department of Justice Recruitment Services team and the Sheriff's Office.

Roving members of staff and judiciary were also present to answer questions on the day and assist attendees.

Law Week activities were hosted at many court venues during the course of the week, including Ballarat, Bendigo, Broadmeadows, Dandenong, Frankston, Geelong, Latrobe, Mildura, Moorabbin, Shepparton, Sunshine, Wangaratta, Warrnambool and Wodonga Courts.

Ringwood Open Day for Eastern Aboriginal Community

Ringwood Court hosted an event for members of the Aboriginal community living in the eastern metropolitan region on 31 March 2010. The aim of the day was to provide education on both the operation of the Ringwood Magistrates Court, and to facilitate an environment where representatives from local agencies could present information and answer questions about their role.

Promoted via the Eastern Metropolitan Region, Regional Aboriginal Justice Advisory Committee (EMR RAJAC), the eastern region boasts 10% of the overall Aboriginal population in Victoria, and Ringwood Court is the only court in the Eastern Metropolitan Region.

Participants were given a tour of the court, and then observed proceedings in both the Magistrates' Court and Children's Court, noting the contrasting styles of both in operation. This was followed by a forum, where the participants were addressed by the Regional Co-ordinating Magistrate, Mr Nunzio La Rosa, and members of the Sheriff's Office, Community Corrections and Consumer Affairs, on the services each offers and how they interact with each other.

The day was reported as a great success in helping to demystify some of the court processes, and in explaining the roles that the various agencies play in connection with each other.



Law Week 2010 – Mock Koori Court, Latrobe Valley Law Courts

As part of contributions to Law Week 2010, the staff at Latrobe Valley Law Courts conducted a mock Koori Court on 18 May 2010. In addition to court staff, participants included Aboriginal elders and respected persons and representatives from key stakeholders.

The mock court was held in courtroom four in the Latrobe Valley Court Complex, which is significant due to its centrepiece, the Koori Court table - a very fine piece of local carpentry work by Damien Wright.

The mock court followed the process of a standard Koori Court hearing, with support services in particular, playing a key role. This facilitated an engaging general discussion about the role of the support services in the court, such as what they offer and their importance to the court and the proceedings. Magistrate Edwin Batt explained the sentencing process, which led to some general discussion and sentencing-related questions.

The interest shown by the local community in this event has been the impetus in the court's decision to hold a further event as part of NAIDOC week in July. The court has also committed to holding sessions on a more regular basis, supporting their ongoing commitment to promote the Koori Court, and to reaching out to their local community.

Educational Programs

Judicial Mentoring Program

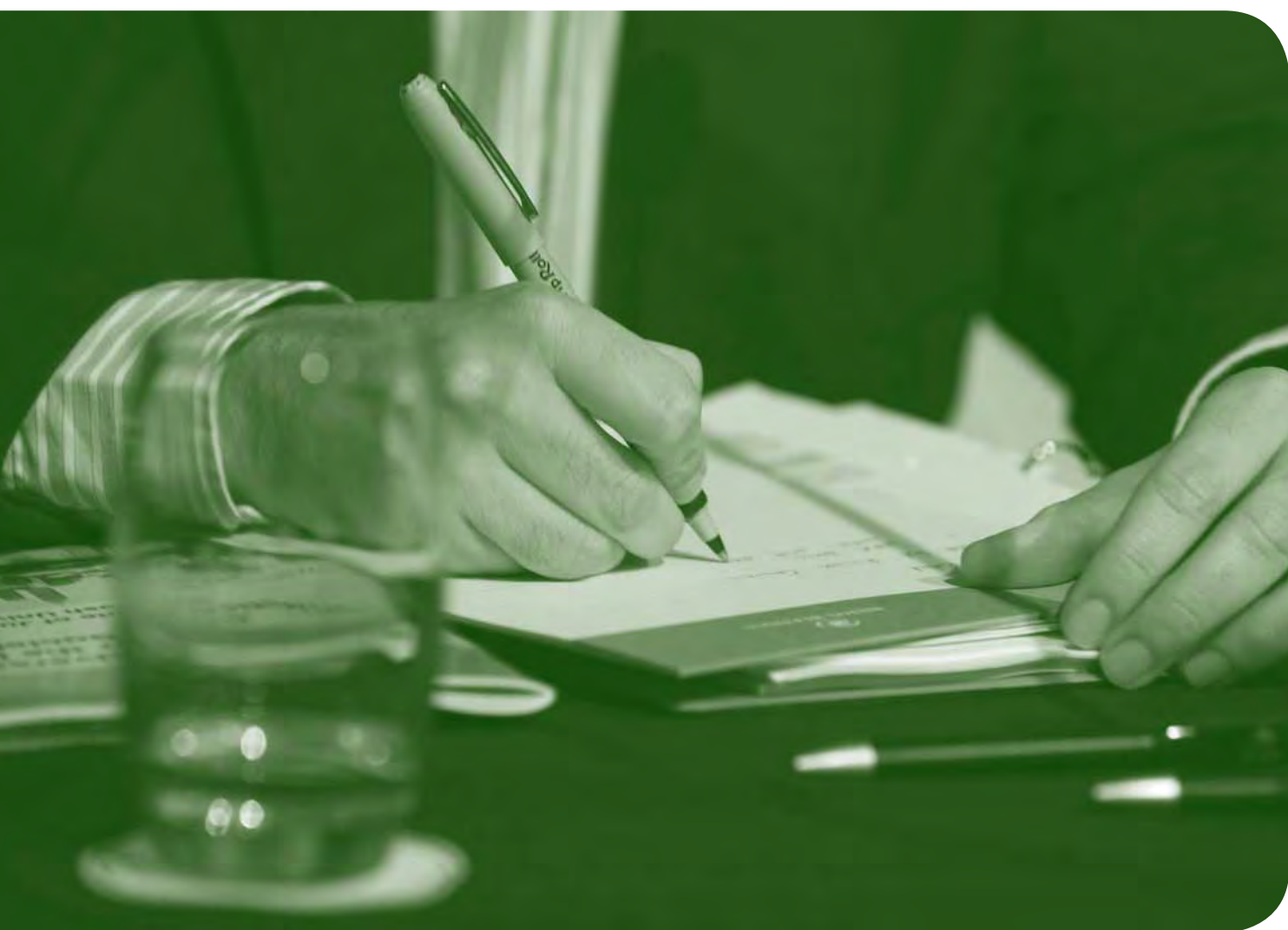
The Magistrates' Court of Victoria and La Trobe University have continued to sustain an educational partnership throughout 2009-10. The La Trobe University Mentoring Program is a clinical legal education program organised jointly by the School of Law and Legal Studies at La Trobe University and the Magistrates' Court. It forms part of a law subject called Criminal Procedure and Evidence.

During the reporting period, magistrates from Melbourne, Broadmeadows, Dandenong, Geelong, Sunshine, Ringwood, Shepparton and the Coroners Courts participated in the scheme. The program provides magistrates with an opportunity to engage in practical legal education, and law students with a constructive opportunity to experience and participate in the operation of the law in practice.

Schools

Magistrates' Courts also participate in work experience programs at a statewide level. Work experience programs provide students from high schools, TAFE colleges and universities with the opportunity to experience the daily operations of a court. In addition to providing students with work experience opportunities, throughout the year the court also hosted thousands of students from visiting school groups across the state. These court visits provide students with a 'day in the life' view of the Magistrates' Court of Victoria and assists in enhancing their understanding of the Victorian justice system. During the year, roughly half of these students attended the Melbourne Magistrates' Court as part of that court's 'School Talks' program. The program operates on a roster basis with a pool of registrars and magistrates volunteering their time to provide a short information session on the operation of the court and an opportunity for students to ask questions. Courts around the state also provide similar programs to their local school communities.

Statistical and Financial Information



Criminal Law Statistics

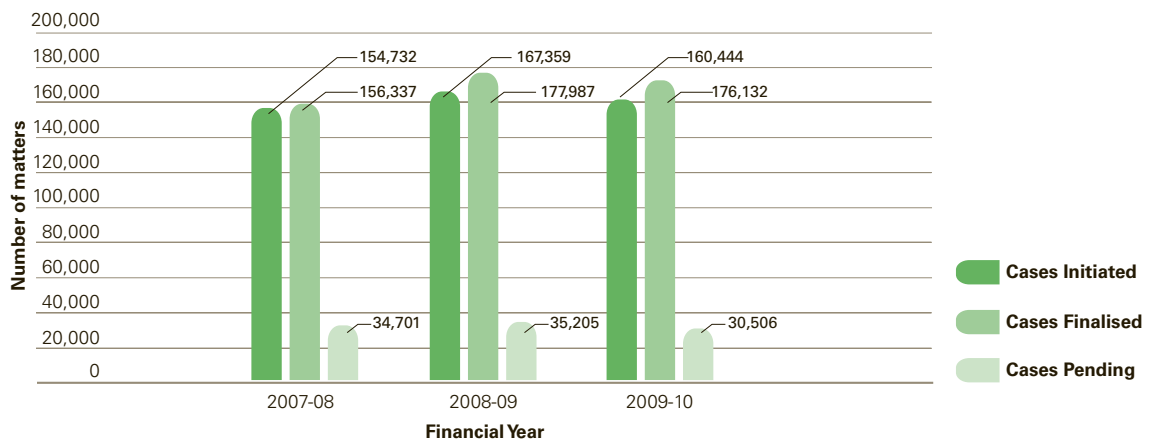
20 Most Common Proven Offences 2009-10⁶

| RANK | OFFENCE DESCRIPTION | ACT / REGULATION | NUMBER OF PROVEN OFFENCES |
|------|---|--|---------------------------|
| 1 | Theft | <i>Crimes Act 1958</i> | 24,657 |
| 2 | Drive whilst disqualified/authorisation suspended/cancelled | <i>Road Safety Act 1986</i> | 15,693 |
| 3 | Obtain Property by deception | <i>Crimes Act 1958</i> | 8,571 |
| 4 | Have/exceeded PCA within 3 hours of breath test | <i>Road Safety Act 1986</i> | 8,469 |
| 5 | Exceed signed speed limit | <i>Road Safety (Road Rules) Regulations 1999</i> | 8,386 |
| 6 | Use unregistered vehicle/trailer on highway | <i>Road Safety Act 1986</i> | 7,020 |
| 7 | Fail to answer bail | <i>Bail Act 1977</i> | 6,943 |
| 8 | Possess a drug of dependence | <i>Drugs, Poisons and Controlled Substances Act 1981</i> | 6,337 |
| 9 | Drunk in a public place | <i>Summary Offences Act 1966</i> | 6,304 |
| 10 | Criminal damage | <i>Crimes Act 1958</i> | 6,151 |
| 11 | Burglary | <i>Crimes Act 1958</i> | 4,883 |
| 12 | Unlicensed driving | <i>Road Safety Act 1986</i> | 4,798 |
| 13 | Refuse/fail to furnish information/a return | <i>Taxation Administration Act 1997</i> | 4,789 |
| 14 | Unlawful assault | <i>Summary Offences Act 1966</i> | 4,736 |
| 15 | Drive vehicle unregistered in toll zone | <i>Melbourne City Link Act 1995</i> | 4,606 |
| 16 | Hinder/obstruct/delay police | <i>Summary Offences Act 1966</i> | 4,267 |
| 17 | Careless driving | <i>Road Safety Act 1986</i> | 3,997 |
| 18 | Intentionally/recklessly cause injury | <i>Crimes Act 1958</i> | 3,935 |
| 19 | Contravene Family Violence Intervention Order | <i>Family Violence Protection Act 2008</i> | 3,868 |
| 20 | Use other drug of dependence | <i>Drugs, Poisons and Controlled Substances Act 1981</i> | 3,125 |

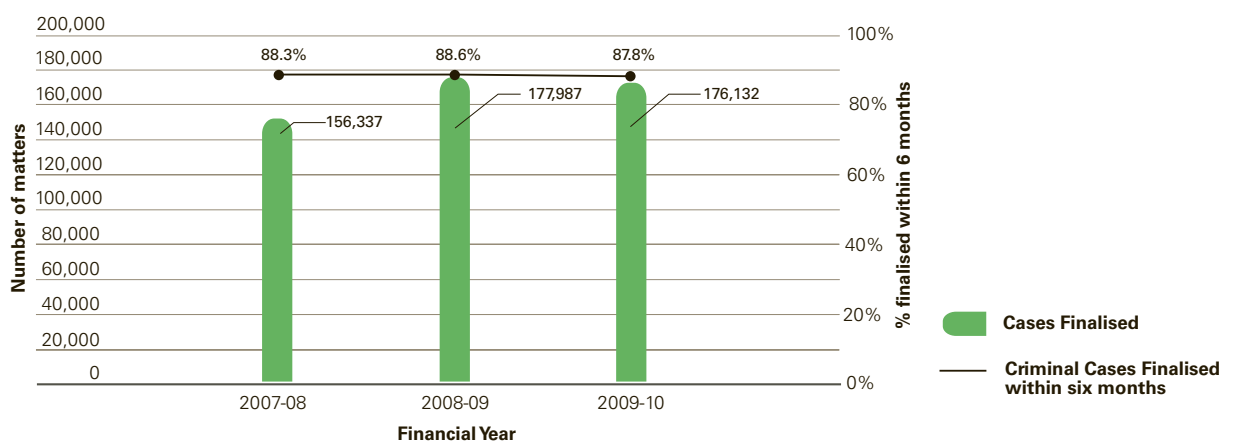
⁶ Proven offences is the number of offences proven by the magistrates, and does not represent the total number heard by magistrates during the reporting period.

Criminal Law Statistics Continued

Criminal Case Activity

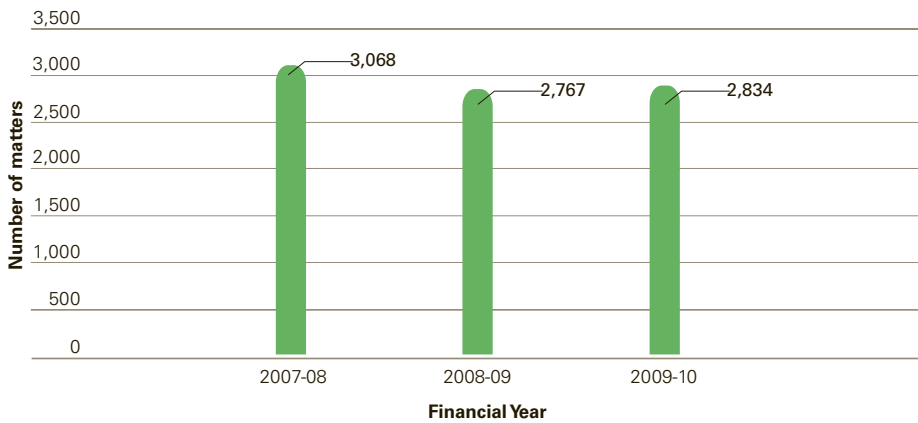


Criminal Cases Finalised

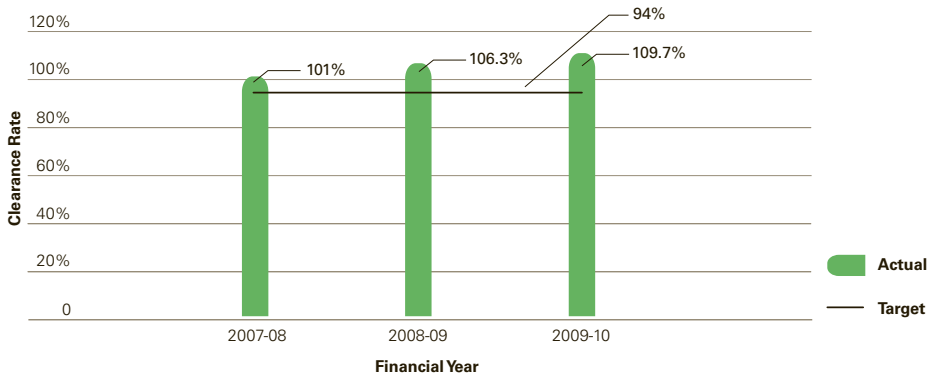


Criminal Law Statistics Continued

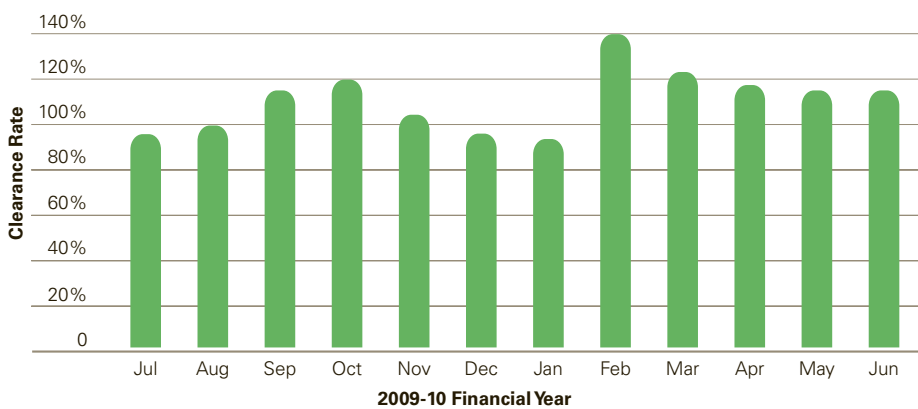
Committal Proceedings Finalised



Criminal Clearance Rate

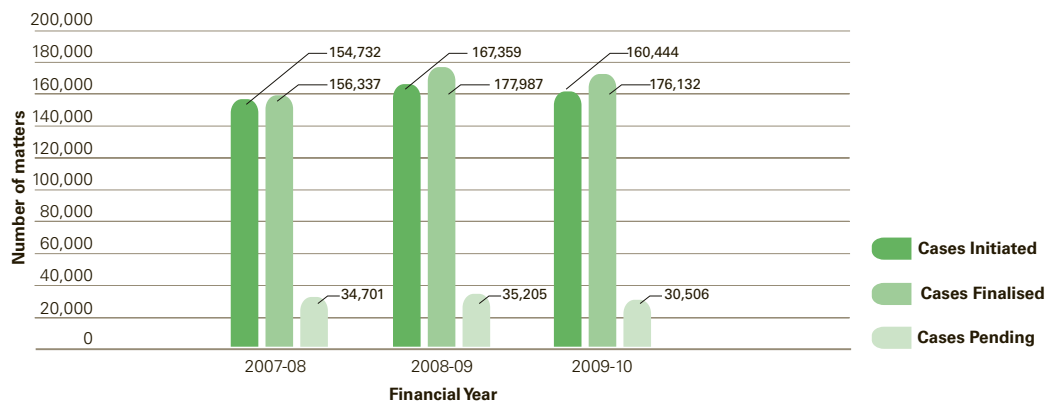


Criminal Clearance Rate 2009-10 – Monthly Perspective

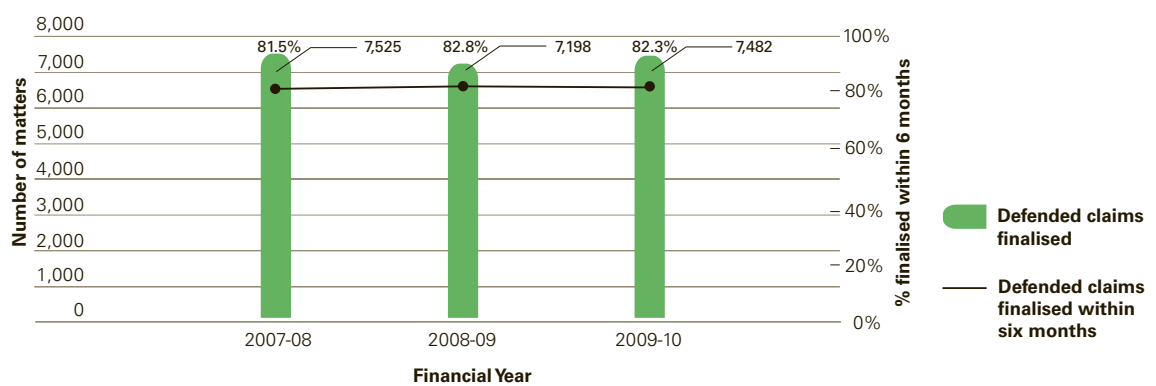


Civil Law Statistics

Civil Case Activity

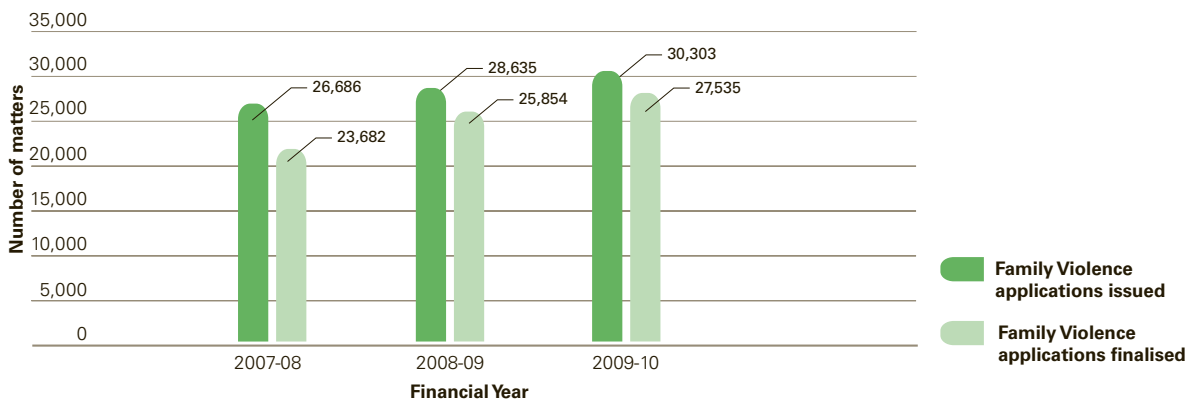


Defended Claims Finalised Activity

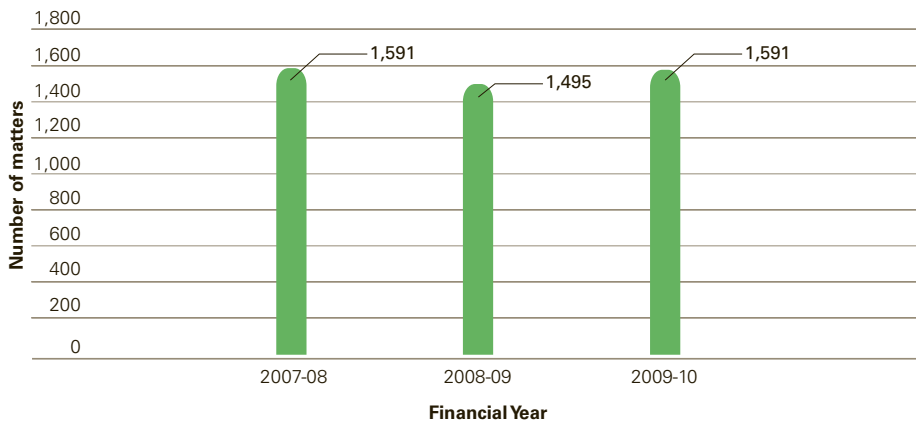


Family Violence and Family Law Statistics

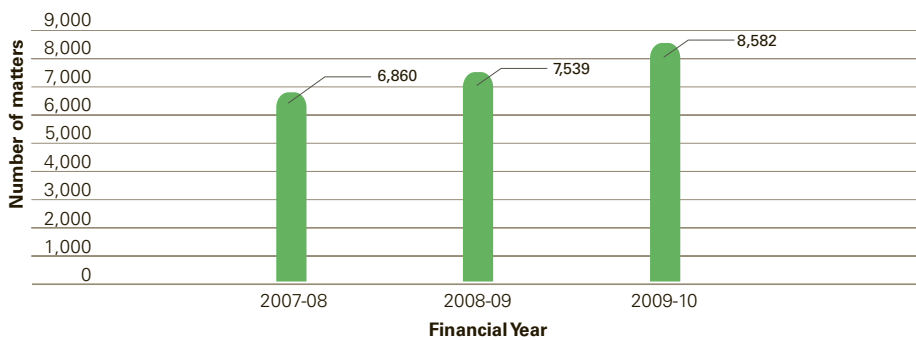
Family Violence Case Activity



Family Law Finalisations



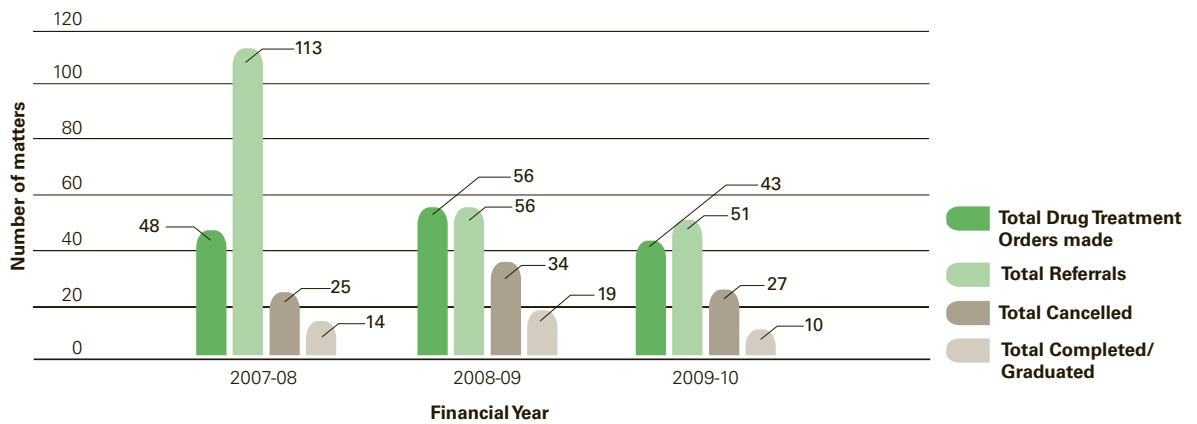
Application For Intervention Orders Received by After Hours Service



Specialist Courts

Drug Court

Drug Court Activity⁷



⁷ Please note, due to an active education campaign for judicial officers about Drug Court in 2007-08, the referral rates for that year are higher than those subsequent. The stabilisation of referrals over the last two reporting periods acknowledges that the program has been operating at or very near its capacity during this time.

Court Support and Diversion Services Statistics

Criminal Justice Diversion Program

Total Conditions Ordered 2009-10⁸

| CONDITIONS | TOTAL |
|----------------------------------|--------------|
| Apology to victim | 1993 |
| Voluntary work | 58 |
| Compensate victim | 975 |
| Counselling/Treatment – alcohol | 120 |
| Counselling/Treatment – drug | 192 |
| Counselling/Treatment – gambling | 7 |
| Counselling/Treatment – other | 326 |
| Defensive driving course | 295 |
| Donation | 3719 |
| Fare Enough! Education Program | 19 |
| Good behaviour | 1542 |
| Letter of gratitude to informant | 2110 |
| Other | 363 |
| Road Trauma Awareness Seminar | 238 |
| TOTAL | 11957 |

⁸ Accused may undertake more than one condition as part of their Diversion Plan.

Enforcement Review Program

Matters Finalised by Reason of Application Type

| REASON ⁹ | TOTAL FINALISED |
|--|-----------------|
| Mental illness | 947 |
| Physical health | 21 |
| Acquired brain injury and / or intellectual disability | 15 |
| Drug dependence and / or alcohol dependence | 297 |
| Homelessness | 132 |
| TOTAL | 1412 |

Orders Made in Open Court

| ORDERS ¹⁰ | NUMBER OF ORDERS |
|--|------------------|
| Adjourned undertaking without conviction | 404 |
| Adjourned undertaking with conviction | 8 |
| Dismissed pursuant to section 76 of the <i>Sentencing Act 1991</i> | 593 |
| Reduction of fine | 185 |
| Struck out / Withdrawn | 222 |
| Other | 0 |
| TOTAL | 1412 |

⁹ These statistics are based on the primary reason for the application, as accused may fit multiple criteria.

¹⁰ These statistics are based on the primary order made on the case, as most matters have multiple orders.

Financial Statements

Year Ended 30 June 2010

| | NOTE | ACTUAL 2009-10 | ACTUAL 2008-09 |
|--|------|-------------------|-------------------|
| SPECIAL APPROPRIATIONS | | | |
| Magistrates' Salaries and Allowances | | 31,758,212 | 29,517,329 |
| Total Special Appropriations | | 31,758,212 | 29,517,329 |
| ANNUAL APPROPRIATIONS | | | |
| Salaries, Overtime and Annual Leave | | 19,643,522 | 17,863,144 |
| Superannuation | | 1,850,461 | 1,689,372 |
| Payroll Taxation | | 1,127,773 | 1,030,259 |
| Fringe Benefits Taxation | | 8,150 | -594 |
| Provision for Long Service Leave | | 629,044 | 552,849 |
| WorkCover Levy | | 125,548 | 140,804 |
| WorkCover | | 1,561 | 570 |
| Total Salaries and Associated Expenditure | | 23,386,059 | 21,276,404 |
| OPERATING EXPENDITURE | | | |
| Travel and Personal Expenses | | 831,168 | 1,425,044 |
| Printing, Stationery and Subscriptions | | 1,242,801 | 1,252,651 |
| Postage and Communication | | 761,008 | 792,125 |
| Contractors and Professional Services | | 161,983 | 117,678 |
| Training and Development | | 118,803 | 167,579 |
| Motor Vehicle Expenses | | 38,919 | 62,233 |
| Operating Expenses | | 308,078 | 671,219 |
| Jury, Witness and Award Payments | | 65,237 | 63,074 |
| Information Technology Costs | | 280,518 | 489,128 |
| Urgent and Essentials | | 168,045 | 202,127 |
| Rent and Property Services | | 545,032 | 644,736 |
| Property Utilities | | 865,725 | 607,339 |
| Repairs and Maintenance | | 686,162 | 2,093,450 |
| Finance Lease Interest (including Bank Charges) | | 64,596 | 68,488 |
| Court Security Project | | 2,997,265 | 2,862,385 |
| Losses on Sale of Motor Vehicles | | 7,243 | 70,863 |
| Total Operating Expenditure | | 9,142,583 | 11,590,119 |
| Total Salaries and Operating Expenditure | | 32,528,642 | 32,866,523 |

| | NOTE | ACTUAL 2009-10 | ACTUAL 2008-09 |
|---|------|-------------------|-------------------|
| COURT FEE INITIATIVES | | | |
| Shortfall in Operating Expenses | 3 | 445,233 | 446,306 |
| After-Hours Project | 3 | 0 | 471,132 |
| Magistrates Disability Benefits Assessment | 3 | 0 | 45,455 |
| Victims of Crime Koori Initiative | 3 | 0 | 150,364 |
| New Directions Project | 3 | 452,684 | 679,639 |
| Building Condition Audit | 3 | 224,219 | 0 |
| Addressing Diversity – Multi Cultural Support | 3 | 210,500 | 0 |
| Information Security | 3 | 242,098 | 0 |
| Criminal Listing Coordinators | 3 | 76,085 | 0 |
| Total Court Fee Expenditure | | 1,650,819 | 1,792,896 |
| COURT SUPPORT PROGRAMS | | | |
| Court Diversion Project | 4 | 1,355,533 | 1,200,440 |
| Bail Support Program | 4 | 818,851 | 786,936 |
| CREDIT | 4 | 1,335,299 | 1,344,117 |
| Drug Court | 4 | 1,254,907 | 1,110,953 |
| Koori Court | 4 | 2,199,276 | 2,295,040 |
| Family Violence Program | 4 | 1,059,712 | 995,238 |
| Specialist Family Violence Project | 4 | 706,477 | 825,918 |
| Court Integrated Services Program | 4 | 2,255,924 | 2,266,592 |
| Total Court Support Programs Expenditure | | 10,985,979 | 10,825,234 |
| Total Annual Appropriations Expenditure | | 45,165,440 | 45,484,653 |

| | NOTE | ACTUAL 2009-10 | ACTUAL 2008-09 |
|--|------|-------------------|-------------------|
| DEPARTMENTAL CONTROLLED EXPENDITURE | | | |
| Essential Services Maintenance | 5 | 1,008,560 | 989,465 |
| Rental Accommodation | | 2,436,671 | 2,529,890 |
| Depreciation – Land and Buildings | 1, 2 | 7,674,684 | 7,641,639 |
| Amortisation – Land and Buildings | 1, 2 | 21,774 | 26,902 |
| Amortisation – Motor Vehicles | 1, 2 | 1,147,770 | 1,026,609 |
| Depreciation – Plant and Equipment | 1, 2 | 23,233 | 41,478 |
| Total Department Controlled Expenditure | | 12,312,692 | 12,255,983 |
| CAPITAL EXPENDITURE | | | |
| Purchases of Plant and Equipment | | 103,405 | 590,375 |
| Total Capital Expenditure | | 103,405 | 590,375 |

Notes to and forming part of the Financial Statements

Note 1

Items identified as departmental controlled expenditure are fully funded for the financial year by the Department of Justice. Any surplus or deficit outcome for the financial year has no impact on the court's recurrent budget. Any budget savings achieved in these expenditure items cannot be redeployed to meet other general expenses.

Note 2

Depreciation is the process of allocating the value of all non-current physical assets controlled by the court over their useful life, having regard to any residual value remaining at the end of the assets' economic life. The Department of Justice finance unit allocates this charge on a monthly basis as part of the end-of-month process.

Depreciation charges are based on the value of each individual asset, the method of depreciation used for each asset, the specified rate of depreciation and the physical location of the asset.

Note 3

Included in the total annual appropriations expenditure are court fee funded initiatives (revenue retention), which were approved and completed during the 2009-10 financial year.

Note 4

Court support programs have been established and incorporated into the operations of the Magistrates' Court. Although these programs are funded individually by government, the overall annual expenditure forms part of the total annual appropriations expenditure of the court.

Note 5

The Department of Justice contracted Urban Maintenance Systems in December 2004 and then CBC from March 2010, to maintain the essential services within departmental buildings. The Magistrates' Court (including the Children's Court) were allocated \$700,000 for the year to ensure that all essential services in court buildings are compliant with the Essential Services Legislation. The balance was funded by the Magistrates' Court. This expenditure is not directly controlled by the court.

July 2010

Directories and Contacts



Directory of Magistrates and Judicial Registrars

Chief Magistrate

Mr Ian Leslie Gray

Deputy Chief Magistrates

Mr Daniel John Muling
Ms Jelena Popovic
Mr Peter Henry Lauritsen
Ms Felicity Anne Broughton
Mr Lance Ivan Martin

State Coordinating Magistrate

Mr Lance Ivan Martin

Regional Coordinating Magistrates

Barwon South West

Mr Ronald Norman Saines

Broadmeadows

Mr Robert Krishnan Ashok Kumar

Dandenong

Ms Lesley Ann Fleming

Frankston

Mr Ross Frederick Betts

Gippsland

Mr Henry Clive Alsop

Grampians

Ms Mary Kay Robertson

Heidelberg

Ms Jillian Mary Crowe

Hume

Mr Gerard Bryant (from 27/11/2009)
Mr Reg Marron (to 31/7/2009)¹¹

Loddon Mallee

Mr William Paterson Gibb

Moorabbin

Mr Paul Anthony Smith

Neighbourhood Justice Centre

Mr David Kevin Fanning

Ringwood

Mr Nunzio La Rosa

Sunshine

Ms Noreen Mary Toohey

¹¹ Magistrate Reg Marron resigned on 31 July 2009 to take up an appointment as a magistrate in the Magistrates' Court of Tasmania



Supervising Magistrates

Civil

Mr Peter Henry Lauritsen – DCM

Criminal

Mr Charlie Rozencwajg

Family Violence and Family Law

Ms Catherine Frances Lambie

Information Technology

Mr Daniel John Muling – DCM

Court Support Services and Specialist Programs

Koori Court

Ms Jelena Popovic – DCM

Sexual Offences List

Ms Felicity Anne Broughton – DCM

Victims of Crime Assistance Tribunal

Ms Amanda Chambers (co-chair)

Ms Susan Melissa Wakeling (co-chair)

Magistrates

Mr Henry Clive Alsop

Ms Susan Jane Armour (appointed 13/10/2009)

Ms Donna Bakos

Mr Raffaele Barberio (resigned 6/4/2010)

Mr Thomas Arthur Dent Barrett

Mr Edwin Charles Batt

Ms Luisa Rita Bazzani

Mr Isaac Joseph Beder (retired 1/12/2009)

Mr John Stephen Bentley

Mr Ross Frederick Betts

Ms Susan Adele Blashki

Ms Angela Joy Bolger

Ms Jennifer Carolyn Anne Bowles

Mr Barry Bernard Braun

Mr Leonard Harold Brear

Ms Felicity Anne Broughton

Mr Gerard Robert Bryant

Ms Suzanne Lara Cameron (appointed 1/12/2009)

Mr Andrew Thomas Capell

Ms Rosemary Carlin

Mr James Maxwell Brooke Cashmore

Ms Amanda Chambers

Mr Michael Patrick Coghlan

Ms Ann Elizabeth Collins

Mr Gregory Connellan

Mr David Bruce Sidney Cottrill

Mr Peter Couzens

Mr Rodney Leslie Crisp

Ms Jillian Mary Crowe

Ms Sharon Elizabeth Cure

Ms Sarah Kingsley Dawes

Mr John William Doherty

Mr Peter Gordon Dotchin (appointed 23/6/2010)

Mr John Philip Dugdale (retired 19/2/2010)

Ms Caitlin Creed English

Mr David Kevin Fanning
Mr Bernard Robert Fitzgerald
Mr Julian Francis Fitz-Gerald
Ms Lesley Ann Fleming
Mr Roger Wilson Franich
Mr Simon Gerard Garnett
Mr William Paterson Gibb
Ms Jane Catherine Gibson
Mr Phillip Goldberg
Ms Jennifer Anne Benn Goldsbrough
Mr Ian Leslie Gray
Mr Martin Grinberg
Ms Jennifer Margaret Grubissa
Mr Maurice Gurvich
Ms Margaret Gill Harding
Mr John William Hardy
Mr Thomas Kevin Hassard (retired 27/11/2009)
Ms Annabel Mary Hawkins
Ms Kate Isabella Hawkins
Ms Fiona Ann Hayes
Ms Jacinta Mary Heffey (retired 7/5/2010)
Mr Louis Joseph Hill
Mr Francis Ross Hodgens
Ms Michelle Therese Hodgson
Mr Franz Johann Holzer (appointed 8/7/2009)
Ms Audrey Graham Jamieson
Mr Graeme Douglas Johnstone
Mr Frank William Dudley Jones
Mr Graham Douglas Keil
Mr Jonathan George Klestadt
Mr Robert Krishnan Ashok Kumar
Ms Elizabeth Anne Lambden
Ms Catherine Frances Lamble
Mr Nunzio La Rosa
Mr Peter Henry Lauritsen
Mr John Leon Lesser (appointed 15/12/2009)

Mr Gerard Michael Lethbridge
Mr Gregory John Zalman Levine
Ms Kay Helen Macpherson
Mr Rowan George McIndoe (retired 17/7/2009)
Mr Gregory Laurence McNamara
Mr Reg Marron (resigned 31/7/2009)
Mr Lance Ivan Martin
Mr Peter Harry Mealy
Mr Peter Mellas
Ms Johanna Margaret Metcalf (appointed 1/12/2009)
Mr Daniel John Muling
Mr John Martin Murphy
Mr Stephen Paul Myall
Mr John Lawrence O'Callaghan (appointed 9/2/2010)
Mr William John George O'Day
Ms Julie Ann O'Donnell (appointed 13/10/2009)
Ms Denise Mary O'Reilly
Ms Kim Michelle Willmott Parkinson
Mr Anthony William Parsons
Mr Richard John Pithouse
Ms Jelena Popovic
Ms Roslyn Jane Porter (appointed 23/6/2010)
Mr Peter Thomas Power
Mr Peter Anthony Reardon
Mr Duncan Keith Reynolds
Ms Mary Kay Robertson
Mr Charlie Rozencwajg
Mr Ronald Norman Saines
Mr Marc Anthony Sargent
Mr Michael Leslie Smith
Mr Paul Anthony Smith
Ms Sharon Elizabeth Smith
Ms Paresa Antoniadis Spanos
Ms Pauline Therese Spencer
Ms Heather Margaret Spooner
Ms Fiona Margaret Stewart

Mr Michael Henry Lewis Stone (retired 11/8/2009)
Ms Noreen Mary Toohey
Ms Jennifer Beatrix Tregent
Mr Jack Vandersteen (appointed 13/10/2009)
Mr Ian Maxwell Von Einem
Ms Susan Melissa Wakeling
Ms Belinda Jane Wallington
Mr Iain Treloar West (Deputy State Coroner)
Mr William Peter White (retired 22/1/2010)
Mr Michael Gerard Wighton (appointed 23/6/2010)
Mr Brian Robert Wright
Mr Richard Thomas Wright

Acting Magistrates

Mr Brian Stirtevant Barrow
Mr John Douglas Bolster
Mr Brian Joseph Clifford
Ms Michelle Pauline Elizabeth Ehrlich
Mr Timothy John McDonald
Mr Ian Thomas McGrane (appointed 22/9/2009)
Mr James Stanislaus Mornane (retired 27/11/2009)
Mr Steven Raleigh (appointed 22/9/2009)
Ms Stella Maria Dolores Stuthridge
Mr Terry John Wilson
Mr Lionel Cedric Winton-Smith¹²
Mr Francis Patrick Zemljak

Judicial Registrars

Mr Graeme John Horsburgh
Mr Barry Raymond Johnstone
Mr Peter Mithen
Mr Richard O'Keefe
Ms Angela Assunta Soldani

¹² Magistrate Lionel Winton-Smith's appointment during the reporting period was to 24/06/2010. He was subsequently reappointed as an acting magistrate on 27/07/2010

Directory of the Executive Group

Purpose

The Executive Group (EG) is a decision-making body, formed to effectively address the strategic, operational and political challenges associated with the operation of the Magistrates' Court of Victoria.

The EG is collectively accountable for the operational management of the court and the delivery of objectives contained in the current Business Plan, Strategic Plan, and directives from the Department of Justice. The EG is established to support the Chief Executive in effectively discharging his/her responsibilities as accountable officer.

Membership

The EG is comprised of:

- The CEO, Charlotte Stockwell
- Principal Registrar, Manager Melbourne & Metropolitan Courts, Simone Shields
- Manager Regional Courts, Peter McCann
- Manager Specialist Courts, Simon McDonald
- Manager Corporate Services, Victor Yovanche
- Acting Manager Organisational Change and Development, Sandra Morris
- Manager New Directions, Stewart Fenwick

Responsibilities

The main responsibilities of the EG are:

- to make strategic and major decisions about the court's vision, mission, objectives and key policies
- to communicate the vision, role, direction and priorities of court to staff and other stakeholders
- to ensure effective allocation and management of court's staff and financial resources
- to monitor and improve court's performance according to the *Magistrate's Court of Victoria Business Plan 2009/2010*
- to develop the annual operating budget of the court
- to manage major change initiatives, supported by the Strategic Plan and the New Directions for the Magistrates' Court 2008-2011
- to provide support, direction and advice to the court's Strategic Operations Group
- to resolving sensitive matters.

Decision making

The EG makes decisions collectively, taking full account of the views of all members. The CEO has final approval of all decisions in his/her capacity as responsible officer.

Court Locations and Contacts



Court Locations and Contacts

ARARAT

Cnr Barkly and Ingor Streets
PO Box 86
Ararat 3377
Ph: 03 5352 1081
Fax: 03 5352 5172

BACCHUS MARSH

Main Street
PO Box 277
Bacchus Marsh 3340
Ph: 03 5367 2953
Fax: 03 5367 7319

BAIRNSDALE

Nicholson Street
PO Box 367
Bairnsdale 3875 (DX 214191)
Ph: 03 5153 1000
Fax: 03 5152 1405

BALLARAT

100 Grenville Street South
PO Box 604
Ballarat 3350 (DX 214276)
Ph: 03 5336 6200
Fax: 03 5336 6213

BENALLA

Bridge Street
PO Box 258
Benalla 3672 (DX 214472)
Ph: 03 5761 1400
Fax: 03 5761 1413

BENDIGO

71 Pall Mall
PO Box 930
Bendigo 3550 (DX 214508)
Ph: 03 5440 4140
Fax: 03 5440 4173

BROADMEADOWS

Cnr Pearcedale Parade and
Dimboola Road
PO Box 3235
Broadmeadows 3047
(DX 211268)
Ph: 03 9221 8900
Fax: 03 9221 8901

CASTLEMAINE

Lyttleton Street
PO Box 92
Castlemaine 3450
Ph: 03 5472 1081
Fax: 03 5470 5616

COBRAM

Cnr Punt Road and High Street
Cobram 3644
(C/- Box 607 Shepparton 3630)
Ph: 03 5872 2639
Fax: 03 5871 2140

COLAC

Queen Street
PO Box 200
Colac 3250 (DX 215272)
Ph: 03 5231 5455
Fax: 03 5232 1054

CORRYONG

Jardine Street
(C/- Box 50 Wodonga 3690)
Corryong 3707
Ph: 02 6043 7000 (Wodonga)

DANDENONG

Cnr Foster & Pultney Streets
PO Box 392
Dandenong 3175 (DX 211577)
Ph: 03 9767 1300
Fax: Criminal 03 9767 1399
Fax: Civil 03 9767 1352

DROMANA
Codrington Street
PO Box 105
Dromana 3936
Ph: 03 5987 2606
Fax: 03 5987 2191

ECHUCA
Heygarth Street
PO Box 76
Echuca 3564
Ph: 03 5480 5800
Fax: 03 5480 5801

EDENHOPE
Shire Offices
West Wimmera Shire Council
49 Elizabeth Street
(C/- PO Box 111, Horsham 3400)
Edenhope 3318
Ph: 03 5362 4444
(Horsham Court)

FRANKSTON
Fletcher Road
PO Box 316
Frankston 3199 (DX 211788)
Ph: 03 9784 5777
Fax: 03 9784 5757

GEE LONG
Railway Terrace
PO Box 428
Geelong 3220 (DX 216046)
Ph: 03 5225 3333
Fax: 03 5225 3392

HAMILTON
Martin Street
PO Box 422
Hamilton 3300 (DX 216376)
Ph: 03 5572 2288
Fax: 03 5572 1653

HEIDELBERG
Jika Street
PO Box 105
Heidelberg 3084 (DX 211906)
Ph: 03 8458 2000
Fax: 03 8458 2001

HOPETOUN
Shire Offices
Shire of Karkaroc
75 Lascelles Street
(C/- Box 111, Horsham 3400)
(DX 216519)
Hopetoun 3396
Ph: 03 5362 4444
(c/- Horsham Court)

HORSHAM
Roberts Avenue
PO Box 111
Horsham 3400 (DX 216519)
Ph: 03 5362 4444
Fax: 03 5362 4454

KERANG
Victoria Street
PO Box 77
Kerang 3579 (DX 216739)
Ph: 03 5452 1050
Fax: 03 5452 1673

KORUMBURRA
Bridge Street
PO Box 211
Korumburra 3950
Ph: 03 5658 0200
Fax: 03 5658 0210

KYNETON
Hutton Street
PO Box 20
Kyneton 3444
Ph: 03 5422 1832
Fax: 03 5422 3634

LATROBE VALLEY

134 Commercial Road
PO Box 687
Morwell 3840 (DX 217729)
Ph: 03 5116 5222
Fax: 03 5116 5200

MANSFIELD

Cnr High and Highett Street
PO Box 105
Mansfield 3722
Ph: 03 5775 2672
Fax: 03 5775 3003

MARYBOROUGH

Clarendon Street
PO Box 45
Maryborough 3465
Ph: 03 5461 1046
Fax: 03 5461 4014

MELBOURNE

233 William Street
GPO Box 882G
Melbourne 3001 (DX 350080)
Phone: 03 9628 7777
Fax: Committal Coordinator
03 9628 7733
Fax: Criminal Coordinator
03 9628 7808
Fax: Criminal Registry
03 9628 7826
Fax: Civil Coordinator
03 9628 7736
Fax: Civil Pre-hearing Conference 03 9628 7837
Fax: Civil Registry 03 9628 7728
Fax: Family Law 03 9628 7874
Fax: VOCAT 03 9628 7853

MILDURA

56 Deakin Avenue
PO Box 5014
Mildura 3500 (DX 217506)
Ph: 03 5021 6000
Fax: 03 5021 6010

MOE

Lloyd Street
PO Box 87
Moe 3825 (DX 217629)
Ph: 03 5127 4888
Fax: 03 5127 8780

MOONEE PONDS

Kellaway Avenue
(C/- PO Box 3235
Broadmeadows 3047)
Moonee Ponds 3039
Ph: 03 9370 7111
Fax: 03 9370 5067

MOORABBIN

1140 Nepean Highway
PO Box 2042 Moorabbin
Highett 3190 (DX 212145)
Ph: 03 9090 8000
Fax: 03 9090 8001

MYRTLEFORD

Myrtle Street
Myrtleford 3737
Ph: 03 5752 1868
Fax: 03 5752 1981

NEIGHBOURHOOD JUSTICE CENTRE

241 Wellington Street
PO Box 1142
Collingwood 3066 (DX 211512)
Ph: 03 9948 8777
Fax: 03 9947 8799

NHILL

110 MacPherson Street
(C/- PO Box 111, Horsham 3400)
Nhill 3418
Ph: 03 5391 1207

OMEO

Shire Offices
Day Avenue
(C/- Box 367 Bairnsdale 3875)
(DX 214191)
Omeo 3898

ORBOST

Wolsley Street
(C/- Box 367 Bairnsdale 3875
Orbost 3888 (DX 214191)
Ph: 03 5154 1328

OUYEN

Shire Offices
Oke Street
(C/- PO Box 5014, Mildura 3500)
Ouyen 3490
Ph: 03 5023 0519
(C/- Mildura Court)

PORTLAND

67 Cliff Street
PO Box 374
Portland 3305
Ph: 03 5523 1321
Fax: 03 5523 6143

PRESTON

Cnr Roseberry Avenue
& Kelvin Grove
PO Box 268
Preston 3072 (DX 212407)
Ph: 03 9470 2768
Fax: 03 9478 4957

RINGWOOD

Ringwood Street
PO Box 333
Ringwood 3134 (DX 212456)
Ph: 03 9871 4444
Fax: 03 9871 4463

ROBINVALE

George Street
(C/- Box 5014 Mildura 3500)
Robinvale 3549
Ph: 03 5026 4567

SALE

Foster Street (Princes Highway)
PO Box 351
Sale 3850 (DX 218574)
Ph: 03 5144 2888
Fax: 03 5144 7954

SEYMOUR

Tallarook Street
PO Box 235
Seymour 3660 (DX 218685)
Ph: 03 5735 0100
Fax: 03 5735 0101

SHEPPARTON

High Street
PO Box 607
Shepparton 3630 (DX 218731)
Ph: 03 5821 4633
Fax: 03 5821 2374

ST ARNAUD

Napier Street
PO Box 17
St Arnaud 3478
Ph: 03 5495 1092

STAWELL

Patrick Street
PO Box 179
Stawell 3380
Ph: 03 5358 1087

SUNSHINE

10 Foundry Road
PO Box 435
Sunshine 3020 (DX 212686)
Ph: 03 9300 6200
Fax: 03 9300 6269

SWAN HILL

Curlewis Street
PO Box 512
Swan Hill 3585 (DX 218991)
Ph: 03 5032 1352
Fax: 03 5033 1955

WANGARATTA

Faithful Street
PO Box 504
Wangaratta 3677 (DX 219436)
Ph: 03 5721 0900
Fax: 03 5721 5483



WARRNAMBOOL

218 Koroit Street

PO Box 244

Warrnambool 3280 (DX 219592)

Ph: 03 5564 1111

Fax: 03 5564 1100

WERRIBEE

Cnr Duncans Road & Salisbury Street

PO Box 196

Werribee 3030 (DX 212868)

Ph: 03 9974 9300

Fax: 03 9974 9301

WODONGA

5 Elgin Boulevard

PO Box 50

Wodonga 3690 (219762)

Ph: 02 6043 7000

Fax: 02 6043 7004

WONTHAGGI

Watt Street

PO Box 104

Wonthaggi 3995

Ph: 03 5672 1071

Fax: 03 5672 4587

