



ANNUAL REPORT 2016-2017





1 September 2017

The Honourable Linda Dessau AM,
Governor of Victoria

Government House
Melbourne Vic 3004

Dear Governor,

On behalf of the Council of
Magistrates, I present the
Magistrates' Court Annual Report
for the year 1 July 2016 to 30 June
2017 pursuant to section 15(3) of the
Magistrates' Court Act 1989.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'P. Lauritsen', written over a white background.

PETER LAURITSEN
Chief Magistrate



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ABOUT THE **MAGISTRATES' COURT OF VICTORIA**

The Magistrates' Court of Victoria (MCV) is the largest court per head of population in Australia. A key component of Victoria's justice system, MCV hears more than 90 per cent of the criminal and civil cases that come before Victorian courts.

The criminal jurisdiction hears and determines summary and some indictable offences, and most committal hearings for matters that go to trial at the County and Supreme courts.

In the 2016-17 financial year more than 166,000 criminal cases were initiated and a total of 726,000 hearings related to criminal matters were held.

The civil jurisdiction hears disputes arising from debts, claims for damages and other monetary or property disputes up to the value of \$100,000. It also deals with claims for compensation for workplace injuries, and hears claims by employees and employers under the *Fair Work Act 2009*.

MCV has 124 magistrates and 718 staff working across 51 locations.

As a key provider of justice in Victoria, MCV has specialist courts and programs for people who present with underlying mental health or substance abuse issues, social or cultural disadvantage, or a disability.

These services seek to reduce crime by addressing the pre-existing issues that may lead to offending or anti-social behaviour.

MCV's services include:

Koori Court

The Koori Court provides a culturally appropriate setting for the hearing of matters where an Aboriginal and/or Torres Strait Islander defendant has pleaded guilty. The court setting is less formal, with the magistrate, a Koori elder or respected person, a court officer and the family of the defendant all sitting around a table and contributing. This reduces cultural alienation and diverts defendants away from imprisonment when possible.

Drug Court

The Drug Court offers accused persons the option to undertake a Drug Treatment Order (DTO) in lieu of serving a sentence. The intensive, integrated drug treatment regime is judicially supervised and provides an alternative therapeutic response addressing the underlying cause of drug addiction. Structured to promote honesty, accountability and a change in participants' behaviour, DTO non-compliance attracts swift and significant consequences including jail.

Specialist Family Violence Court

The Specialist Family Violence Court is a multi-jurisdictional court model that holistically deals with a range of family violence legal matters. This includes family violence intervention orders, family violence criminal matters, family law and Victims of Crime Assistance Tribunal (VOCAT) matters. Court staff receive specific training in trauma-informed practice. Court services are integrated with wider family violence services to meet victims' needs and hold perpetrators accountable.

Neighbourhood Justice Centre

The Neighbourhood Justice Centre (NJC) is a multi-jurisdictional community justice centre in Collingwood that hears cases involving residents of the City of Yarra. It resolves disputes by addressing the underlying causes of harmful behaviour and tackling social disadvantage. NJC magistrates hear criminal and civil matters (including VOCAT applications), family violence and personal safety intervention order matters. Children's Court (criminal division) and Victorian Civil and Administrative Tribunal (VCAT) matters are also heard at the centre.

Victims of Crime Assistance Tribunal

The Victims of Crime Assistance Tribunal (VOCAT) provides financial assistance to victims of violent crime to assist with their recovery and expenses that resulted from the crime.

Night Court

The Night Court at Melbourne Magistrates' Court hears bail and remand matters from the metropolitan area. It operates from 5pm to 9pm, seven days a week.

Weekend Remand Court

The Weekend Remand Court operates Saturdays and Sundays from 10am to 4pm at the Melbourne Magistrates' Court. It hears bail and remand matters.

Court Integrated Services Program

The Court Integrated Services Program (CISP) provides accused persons with short-term assistance to address the causes of their offending prior to sentencing. Through individualised case management, it facilitates priority access to treatment and community support services. CISP also incorporates the Koori Liaison Officer (KLO) Program, which advises and reports to magistrates and relevant court staff on appropriate courses of action for Aboriginal and/or Torres Strait Islander accused.

Assessment and Referral Court List

The Assessment and Referral Court List (ARC) is a specialist pre-sentence court program that addresses the needs of accused persons with a mental illness and/or a cognitive impairment. ARC works collaboratively with CISP to provide a wide range of support. The ARC List operates on a problem-solving court model, where the magistrate hears the matters and reviews the accused person's progress in a less formal manner. A guilty plea is required before an individual support plan is developed. Participants can be on the list from three to 12 months.

CISP Remand Outreach Pilot

The CISP Remand Outreach Pilot (CROP) is a joint initiative with Corrections Victoria. CISP Assessment and Liaison Officers (CALOs) work in prisons to proactively identify remand prisoners who may be eligible for bail if appropriate community supports were put in place. CALOs assist remand prisoners to identify and address barriers to receiving these supports.

VISION AND VALUES

OUR VISION

An innovative, accessible and responsive court that provides quality services to the Victorian community.

OUR VALUES

- Accessibility
- Courtesy and respect
- Timeliness
- Innovation and change
- Fairness
- Integrity
- Transparency
- Working together



MESSAGE FROM THE **CHIEF MAGISTRATE**

With pleasure, I present the Annual Report of the Magistrates' Court of Victoria for the financial year ending 30 June 2017.

Non-production of persons in custody

Despite the guarded optimism of my message last year, this issue has not been resolved. The issue is an unintended result of the large increase in the number of persons on remand and the means by which those persons enter the various venues of the court around the state. If a person is in custody and must appear physically in a venue of the court, he or she will need to travel from wherever they are kept to the police cells nearest to the venue. These cells have very limited capacity and their number has barely increased since the issue arose in 2013.

Last year, I thought the expansion of the court's audio visual capacity coupled with legislative changes would complete the solution. Despite the significant increase in the number of persons appearing by audio visual link, it has not yet.

The creation of new remand places at Ravenhall Prison and the restoration of the Metropolitan Remand Centre will give relief by removing significant numbers of persons in custody from police cells and enabling those who must appear physically to do so. In the face of increasing remand numbers, this relief may last for a few years only.

The 2017 State Budget set aside monies for detailed planning of new court facilities at Bendigo and Werribee. A new courthouse at Werribee provides an opportunity to create an ample number of cells in the courthouse to cope with anticipated and future demand.

Family violence

On 29 March 2016, the Royal Commission into Family Violence delivered its report. It made 227 recommendations, a number of which affected the court. The 2017 State Budget provided monies to achieve a number of initiatives, including:

- to establish over four years, five specialist family violence court venues
- construct a new case management system for the court and the Children's Court to replace Courtlink.

Work has started on these and the other initiatives.

Increased demand

The state has a community safety strategy. In last year's State Budget, and as a result of an announcement by the Premier in December 2016, there will be an increase in the number of members of Victoria Police of 2729 over time. Although such an increase will have a deterrent effect upon potential criminals, experience shows that there will be an increased number of persons charged with criminal offences. With the aid of Court Services Victoria (CSV), the court is gauging the effect as a prelude to approaching the government for additional resources to cope with the anticipated increased demand.



Safety and security

In my report last year, I spoke of monies set aside in that year's State Budget to increase security within courthouses. Since 30 June 2017, a contract has been entered to provide court security officers (CSOs). Before the end of the calendar year, they will provide security at every venue of the court when sitting. Also since the end of the year, Parliament passed the *Justice Legislation Amendment (Court Security, Juries and Other Matters) Act 2017*. Part six enhances the powers of authorised officers to accommodate the CSOs.

Expansion of ARC List, CISP and CROP

The 2017 State Budget provided monies for the expansion of the Assessment and Referral Court List (ARC List), the Court Integrated Services Program (CISP) and the off-shoot of CISP known as CROP (CISP Remand Outreach Program).

The ARC List presently operates out of the court at Melbourne. The expansion will allow it to operate in a suburban and country region of the court. This will represent a significant expansion of the ARC List.

CISP and CROP provide services that can mean the difference between an accused person obtaining a grant of bail or remaining in custody pending the finalisation of his or her criminal proceedings. Its expansion will have an impact on the non-production issue discussed to the left.

Acknowledgement

I thank my judicial colleagues, the chief executive officer (CEO), the principal registrar, registrars and staff for their efforts during the year. Without their efforts, the court could not operate as well as it does in the face of ever-increasing demand.

In March 2017, Richard Wright died shortly after he reached the age of 70. Mr Wright had been an outstanding judicial officer. He will be sadly missed.

Peter Lauritsen
Chief Magistrate



MESSAGE FROM THE **CHIEF EXECUTIVE OFFICER**

MCV began a transformation journey in 2016-17 while responding to an increasingly demanding environment.

Key projects undertaken over the year set the foundations to deliver innovative, accessible and responsive courts. Technological initiatives provided a more seamless court user experience and efficient delivery of services. MCV played a key role in responding to the methamphetamine crisis, opening two new Drug Courts in Melbourne's CBD and expanding family violence initiatives across the state.

As the Chief Magistrate has outlined, the 2016 Royal Commission into Family Violence made 227 recommendations. Of those, MCV is leading the implementation of 24 recommendations and is working with other agencies to implement a further 123 recommendations that directly or indirectly impact the court.

The recommendations build on the internationally recognised work delivered by our family violence programs. The additional \$130 million in State Government funding allows MCV to strengthen its services with more staff deployed in targeted areas, courts redesigned to enhance victim safety and for Specialist Family Violence Courts (SFVC) to be rolled out at Shepparton, Heidelberg, Ballarat, Frankston and Moorabbin headquarter courts over the next four years.

The SFVCs will play an integral role in driving social change, ensuring victims are supported and that perpetrators of violence are held accountable for their actions and receive appropriate support to change their behaviour.

Continued growth in demand

The long-term trend of growing demand for MCV's services continued, particularly in metropolitan regions. Since 2012-13, the total number of criminal and bail applications across the state increased by 76 per cent. Bail applications alone rose 111 per cent.

In 2016-17 there were 108,780 criminal and bail applications finalised, which was a 17 per cent increase on the previous year. This included 46,520 applications for bail — a rise of 19 per cent year on year.

Following the tragic events of Bourke Street in January 2017, a Night Court opened at the Melbourne Magistrates' Court to hear bail applications. The Night Court and the Weekend Remand Court ensure serious offenders are brought before the court as quickly as possible, reducing the bottleneck of bail applications at the start of each day.

The sharp increase in bail applications created delays in the court system as they often require considerable time and resources to complete.

It also placed pressure on Victoria's burgeoning prison population with one in three prisoners awaiting sentencing as at 30 June 2016. Apart from the increase in criminal matters, Justice Paul Coghlan's review of Victoria's bail process attributed the problem to a rise in the number of warrants issued per day to appear at court, accused persons not being brought to court, people serving sentences in police cells and insufficient information provided to bail decision-makers.



MCV is continuing to work closely with Victoria Police, Corrections Victoria, the legal profession and the community to address these issues.

Family violence

During the reporting period, 78,092 family violence and personal safety matters were heard by the court, an overall increase of 5 per cent on last year. To finalise those cases there were 131,301 family violence matters before the court, an increase of 7 per cent on the previous year and a 34 per cent increase over the past five years.

MCV rebranding

To support MCV's unprecedented agenda of change, work started to modernise our corporate image with a new brand and logo. This vibrant brand supports MCV's stakeholder engagement and underpins our contemporary approach to delivering justice.

Staffing

To support the significant change being implemented at MCV, Melissa Martino was appointed Director, Court Operations in December 2016. Melissa and her team are focused on operational issues and challenges impacting courts across the state, including the implementation of the Night Court, audio visual link upgrades, and the transportation of prisoners.

The People and Organisational Development team was restructured, with a new performance management system implemented. A new Learning and Organisational Development Unit was created to support learning opportunities for individuals and teams.

Acknowledgements

I would like to acknowledge and thank our talented and dedicated staff, who continue to provide quality services in challenging circumstances. The efforts of our staff are fundamental to MCV being able to operate to high standards.

I would also like to thank the Chief Magistrate, the wider magistracy and judicial registrars for all the support they have provided to me and the MCV staff.

Andrew Tenni
CEO

THE YEAR AT A GLANCE



Criminal cases finalised

198,185

DECREASED 1%

Criminal cases initiated

166,499

INCREASED 3%



Total criminal hearings

726,249

INCREASED 6%



Bail application orders made

46,520

INCREASED 19%



Committal proceedings finalised

3182

INCREASED 12%



Civil complaints issued

39,978

INCREASED 7%



Number one charge - Theft

33,852

INCREASED 7%



Personal safety intervention order hearings

16,751

INCREASED 7%



Family violence intervention order hearings

61,341

INCREASED 4%



MAGISTRATES' COURT ORGANISATIONAL STRUCTURE

MCV's judicial and administrative arms work cohesively to deliver an innovative and responsive court that provides quality services to the Victorian community.

Led by the Chief Magistrate, Peter Lauritsen, the judiciary has four deputy chief magistrates including a state coordinating magistrate and 10 regional coordinating magistrates overseeing 51 locations throughout Victoria.

Through a suite of committees, the judiciary oversees legislative changes and the administration of law.

MCV's CEO, Andrew Tenni, manages the administrative arm of the court. The executive leadership group includes the CEO and directors of court operations; specialist courts and programs; organisational change, people culture and transformation; and finance and strategy.

Judicial officers

Chief Magistrate

Mr Peter Lauritsen

Deputy Chief Magistrates

Mr Barry Braun
(until 15 December 2016)
Ms Felicity Broughton
Mr Lance Martin
Ms Jelena Popovic

Supervising Magistrates

Civil

Mr Barry Braun
(until 15 December 2016)
Mr Philip Ginnane
(from 16 December 2016)

Criminal

Mr Charlie Rozencwajg
Ms Suzie Cameron

Drug Court

Mr Anthony Parsons

Family Violence and Family Law

Ms Felicity Broughton
Ms Kate Hawkins

Koori Court and CISP

Ms Jelena Popovic

VOCAT

Mr Andrew Capell
Ms Johanna Metcalf

State Coordinating Magistrate

Mr Franz Holzer

Regional Coordinating Magistrates

Barwon South West
Mr Ronald Saines
(until 31 December 2016)
Ms Ann McGarvie
(from 1 January 2017)

Broadmeadows

Mr Patrick Southey
(until 31 December 2016)
Mr Martin Grinberg
(from 1 January 2017)

Dandenong

Mr Jack Vandersteen

Frankston

Mr Paul Smith
(until 8 November 2016)
Mr Gerard Lethbridge
(from 9 November 2016)

Gippsland

Ms Fiona Hayes

Grampians

Ms Cynthia Toose
(until 31 December 2016)
Mr Ron Saines
(from 1 January 2017)

Heidelberg

Ms Susan Wakeling

Hume

Ms Stella Stuthridge

Loddon Mallee

Mr Bruce Cottrill

Neighbourhood Justice Centre

Mr David Fanning

Ringwood

Mr Nunzio La Rosa
(until 31 December 2016)
Ms Jan Maclean
(from 1 January 2017)

Sunshine

Ms Noreen Toohey
(until 31 December 2016)
Ms Kay Robertson
(from 1 January 2017)

Magistrates

Mr Ian Alger
Ms Susan Armour
Ms Megan Aumair
Mr Julian Ayres
Ms Donna Bakos
Mr Thomas Barrett
Ms Luisa Bazzani
Mr John Bentley
Ms Angela Bolger
Mr Timothy Bourke
Ms Jennifer Bowles
Mr Gerard Bryant
Mr Anthony Burns
(appointed 28 February 2017)
Mr Darrin Cain
Ms Rosemary Carlin
Mr Michael Coghlan
Ms Ann Collins
Mr Gregory Connellan
Mr Rodney Crisp
Ms Jillian Crowe
Ms Sarah Dawes
Mr John Doherty
(retired 18 April 2017)
Mr Peter Dotchin
Mr Peter Dunn
Ms Jacinta Dwyer
(appointed 28 February 2017)
Ms Michelle Ehrlich
Ms Caitlin English
Ms Rosemary Falla
Mr David Faram
Mr Bernard Fitzgerald
Ms Lesley Fleming
Mr Simon Garnett
Mr Timothy Gattuso
Ms Jane Gibson
Mr Phillip Goldberg
Ms Anne Goldsbrough
Ms Jennifer Grubissa
Ms Carolene Gwynn
(until 9 May 2017)
Ms Margaret Harding
Mr John Hardy
Ms Annabel Hawkins
Ms Michelle Hodgson
Ms Gail Hubble
Ms Audrey Jamieson
Mr Graham Keil
Ms Meagan Keogh
Dr Michael King
Mr Jonathan Klestadt
Ms Elizabeth Lambden
Ms Catherine Lamble
Ms Sarah Leighfield
(appointed 27 September 2016)
Mr Dominic Lennon
Mr John Lesser

Ms Denise Livingstone
Ms Mary-Anne MacCallum
Ms Therese McCarthy
(appointed 28 February 2017)
Ms Kay Macpherson
Mr Raj Malhotra
(appointed 28 February 2017)
Ms Urfa Masood
Mr Ross Maxted
Mr Andrew McKenna
Mr Gregory McNamara
Mr Peter Mealy
Mr Peter Mellas
Mr Peter Mithen
Mr Stephen Myall
Mr John O'Brien
Mr John O'Callaghan
Ms Julie O'Donnell
Ms Kim Parkinson
Mr Richard Pithouse
Ms Roslyn Porter
Mr Hugh Radford
Mr Peter Reardon
Mr Duncan Reynolds
Mr Gregory Robinson
Mr Marc Sargent
Mr Barry Schultz
Mr Michael Smith
Ms Sharon Smith
Ms Paresa Spanos
Ms Pauline Spencer
Ms Fiona Stewart
Mr Mark Stratmann
Mr Charles Tan
Ms Jennifer Tregent
Mr Timothy Walsh
Mr Ian Watkins
Mr Ian West
Mr Michael Wighton
Mr Brian Wright
Mr Simon Zebrowski
(appointed 27 September 2016)
Mr Francis Zemljak

Reserve Magistrates

Mr Clive Alsop
Mr Ross Betts
Mr Doug Bolster
Mr Barry Braun
Mr Len Brear
Mr Phillip Byrne
Mr Brian Clifford
Mr John Doherty
Mr Lou Hill
Mr Frank Jones
Mr Bob Kumar
Mr Gregory Levine
Mr Ian McGrane
Mr Dan Muling
Mr John Murphy

Mr Peter Power
Mr Steven Raleigh
Mr Alan Spillane
Mr Ian Von Einem
Mr Peter White

Judicial Registrars

Ms Ruth Andrew
Mr Julian Bartlett
Mr Mick Bolte
Ms Samantha Dixon
Mr Graeme Horsburgh
Mr Barry Johnstone
Mr David McCann
Ms Sharon McRae
Mr Richard O'Keefe
Ms Angela Soldani

Executive team

Chief Executive Officer

Mr Andrew Tenni

Principal Registrar

Ms Simone Shields

Manager, Regional Courts/ Manager, Court Operations

Mr Keith Turner

Director, Specialist Courts and Programs

Mr Robert Challis

Director, Court Operations

Ms Melissa Martino

Director, Finance and Strategy

Ms Simone Richardson

Director, ICT Services

Sharon McAnelly
(until 2 September 2016)
Ms Mansi Hasabnis

Director, People, Culture and Transformation

Mr Iain McKinnon
(until 31 March 2017)
Ms Julie Berry
(from 20 March 2017)
Ms Simone Ilett
(from 26 June 2017)

State Coordinating Registrar

Mr Brett Cain

Director, Neighbourhood Justice Centre

Ms Kerry Walker
(until 7 March 2017)
Dr Cameron Wallace
(from 23 January 2017)



COURT COMMITTEES

Judiciary and court staff sit on internal committees that oversee and guide the effective operation of the court and its resources.

The court's primary committees are:

Executive Committee

Chaired by Chief Magistrate Peter Lauritsen

The committee considers the operation of the *Magistrates Court Act 1989*, the associated rules and the working of the offices of the court. It also examines defects in the procedure and administration of the law.

Issues considered include the rollout of audio visual links across the state, the non-production of prisoners, and the implementation of the recommendations from the Royal Commission into Family Violence.

Civil Practice Committee

Chaired by Supervising Magistrate Philip Ginnane

The committee reviews civil court processes and, where necessary, proposes amendments to rules of the court and comments on legislative changes that impact the court's functions.

Issues considered include expert witness evidence given in proceedings, particularly the use of joint expert testimony in motor vehicle claims involving the quantum of repairs, and the proper use of electronic data interchange filing.

Criminal Law Committee

Chaired by Supervising Magistrates Charlie Rozencwajg and Suzie Cameron

The committee oversees the functions of the court's criminal jurisdiction and addresses substantive, procedural and administrative matters. These range from preparing responses to proposed legislative initiatives, drafting practice directions, responding to discussion papers from government, drafting prescribed forms and overseeing changes to the Criminal Procedure Rules and providing advice to the Chief Magistrate.

The committee consulted and provided advice on matters including:

- delegation of additional powers to judicial registrars
- process of review by magistrates of judicial registrar decisions
- amendments to the Courtlink case management system
- the regime for determining less serious indictable offences summarily without the consent of the accused where the accused does not appear before the court.

Criminal Court Users Committee

Chaired by Supervising Magistrate Charlie Rozencwajg

The committee has representatives of all agencies that use the court including Victoria Police prosecutions, Law Institute of Victoria, Office of Public Prosecutions, Criminal Bar Association, Corrections Victoria, Victorian WorkCover Authority, Victoria Legal Aid, Victoria Police Forensic Science Department, Child Witness Services, Melbourne Custody Centre, Commonwealth Director of Public Prosecutions, Central Prisoner Records in Corrections, CISP and various sub-departments of these agencies.

It provides vital consultation, communication and feedback on proposed initiatives with the court and the various agencies. It disseminates information to court users and provides a forum to discuss any difficulties experienced by member agencies.

Dispute Resolution Committee

Chaired by State Coordinating Magistrate Franz Holzer

The committee considers the management of the court's legal dispute processes.

Issues considered by the committee include the development of a proposed Memorandum of Understanding and mediation protocols with VCAT and the expansion of the Dispute Settlement Centre of Victoria court mediation program to regional locations.

Family Violence and Family Law Portfolio Committee

**Chaired by Deputy Chief Magistrate
Felicity Broughton and Magistrate Kate Hawkins**

The committee monitors and improves the operations of the court in relation to family violence, personal safety and family law.

Issues considered include:

- strategies for managing the growing demand for intervention orders, including process and legislative reform
- enhancing the understanding of intervention orders and ensuring accountability for respondents by simplifying the order's language
- establishing family violence lead magistrates across all headquarter courts in Victoria
- conceptualising and supporting new technological innovations for family violence including the expansion of the electronic interface with Victoria Police's case management system (LEAP), online application forms, the online engagement project, case management system improvements and other IT-based initiatives.

Human Resources Committee

Chaired by Deputy Chief Magistrate Lance Martin and Director, People, Culture and Transformation, Simone Ilett

The committee advises the Chief Magistrate and CEO on human resources matters.

Issues considered include the management of current and potential staff with criminal records and increasing diversity through best practice recruitment.

Information Technology Committee

Chaired by CEO Andrew Tenni

The committee oversees the effective management of the court's information technology including Courtlink, audio visual services and telephony. A key focus was reviewing a complex program of IT initiatives to replace the near obsolete Courtlink and LEX telephony system.

During the last reporting period, the committee oversaw the following initiatives:

- business case and funding submissions for the 2017-18 Expenditure Review Subcommittee (ERSC) were successfully completed and funding of \$89.2 million was approved over four years to replace the case management system
- expansion of wifi in public and registry areas of all metropolitan and regional courts
- statewide rollout of an electronic mention diary
- implementation of online forms for licence eligibility and interlock removal applications.

Education Committee

Chaired by Magistrate Jennifer Bowles

The Education Committee assists the Chief Magistrate to provide professional development for the court's magistrates. It oversees metropolitan and rural education conferences for magistrates and has a close collaborative relationship with the Judicial College of Victoria.

Sexual Assault Management Committee

Chaired by Supervising Magistrate Belinda Wallington

Comprising metropolitan and regional Children's Court magistrates, the committee reviews and comments on proposed legislative changes, including suggesting reforms. It works with the Professional Development Committee and the Judicial College of Victoria to provide professional development, in the area of sexual offences, to the broader magistracy.

Issues considered include the need for the evidence of children and cognitively impaired complainants to be audio-visually recorded in line with practices in the County and Children's courts. The committee supported a pilot intermediary scheme to assist with the communication of vulnerable witnesses and the rollout of specialist sex offence lists in all regional areas.

Victims of Crime Assistance Tribunal Coordinating Committee

Chaired by Supervising Magistrates Andrew Capell and Johanna Metcalf

The committee drives initiatives to improve outcomes for victims of crime and VOCAT's operations.

To support consistency across venues, the committee reviews the Chief Magistrate's practice directions and guidelines and, where necessary, makes recommendations.

High-level issues considered include proposed reforms to remove time limits on applications for assistance made by victims of childhood abuse and a request to empower registrars to make interim awards from \$5000 to \$10,000.



LEGISLATIVE REFORM

Of the diverse range of changes to legislation introduced to the court over the past year, an amendment allowing warrants of arrest to be issued electronically increased the capacity of police to efficiently execute warrants in a timely manner.

Developing and refining legislative amendments involved extensive engagement with the Department of Justice and Regulation, Department of Health and Human Services, Victoria Police, VicRoads, Corrections Victoria, Victorian Building Authority and Consumer Affairs Victoria. The court assisted the legislative reform by providing reference material for the court's judicial officers and registrars. Where necessary, processes were changed or introduced and the court's case management system was enhanced to support the implementation of the legislative amendments.

Legislative amendments introduced during the reporting period include changes to:

- Magistrates' Court Criminal Procedure (Amendment No. 6) Rules 2016
- *Independent Broad-based Anti-corruption Commission Act 2011*
- *Criminal Organisations Control Amendment (Unlawful Associations) Act 2015*
- *Justice Legislation Further Amendment Act 2016*
- *Building Legislation Amendment (Consumer Protection) Act 2016*
- *Confiscation and Other Matters Amendment Act 2016*
- *Justice Legislation (Evidence and Other Acts) Amendment Act 2016*
- *Crimes Legislation Amendment Act 2016*
- *Serious Sex Offenders (Detention and Supervision) Amendment (Community Safety) Act 2016*
- Magistrates' Court General Civil Procedure and Judicial Registrars (Miscellaneous Amendments) Rules 2016
- *Crimes Amendment (Carjacking and Home Invasion) Act 2016*
- *Road Legislation Further Amendment Act 2016 Road Safety Act 1986*
- *Child Wellbeing and Safety Amendment (Oversight and Enforcement of Child Safe Standards) Act 2016*
- *Sex Offenders Registration Amendment Act 2016*
- *Assisted Reproductive Treatment Amendment Act 2016*
- *Sentencing (Community Correction Order) and Other Acts Amendment Act 2016*
- *Rooming House Operators Act 2016*
- *Corrections Legislation Amendment Act 2016.*

CASE STUDY

NEIGHBOURHOOD JUSTICE CENTRE

The Neighbourhood Justice Centre's (NJC) success in reducing recidivism and its capacity to rehabilitate was acknowledged at its 10-year anniversary celebrations in March 2017. The Chief Justice of the Supreme Court of Victoria, the Honourable Marilyn Warren, said NJC tackles and solves the "most challenging justice problems humanity can bring forward". "NJC has had, and will continue to have, an enduring, reforming and innovative impact on access to justice in this state," Her Honour said.

Australian Institute of Criminology's (AIC) 2015 research showed that when compared to a match control group, NJC's clients are less likely to reoffend in the two years post-sentencing and are more likely to successfully complete their community corrections orders. The AIC found 76.9 per cent of NJC's clients successfully completed their orders as compared to the state average of 40.1 per cent. This outcome contributed to a decline in City of Yarra crime rates.

COURT OPERATIONS

Criminal jurisdiction

The increasing workload continues to present one of the biggest challenges for MCV, with growth anticipated to continue at up to 10 per cent per year. In the criminal jurisdiction, almost 200,000 cases were finalised in 2016-17. While this figure is lower than in previous years, it reflects a change in the way infringement matters are being initiated by the court, which came into effect during the reporting period.

When infringement matters are removed from the criminal caseload, the number of finalisations increased by 2 per cent from the previous year to 189,405.

The mix of these matters has also changed, with fewer cases being initiated and finalised by charge and summons and more matters being initiated by information, charge and warrant. This means an increasing number of complex cases are being brought before the Magistrates' Court, putting additional strain on the system not only for the court but for those operating in the system.

The number of criminal and bail applications dealt with continues to increase year-on-year with more than 108,780 applications finalised during 2016-17. This is a 17 per cent increase on the previous year. This represents a 76 per cent increase in the total number of applications finalised by MCV since 2012-13.

Family violence and personal safety matters have increased by 23 per cent since 2012-13, with 78,092 matters heard by the court in 2016-17. Finalising those matters necessitated 131,301 listings, which was a 7 per cent increase on 2015-16 and a 34 per cent increase over the last five years.

During this reporting period there has been a major focus on the area of bail, particularly due to the review undertaken by Justice Coghlan. In order to provide a detailed understanding of trends in bail and the impact on the court, MCV has revised the way in which it reports on this area. The statistics on page 30 contain a detailed breakdown of bail outcomes.

In 2016-17 there were 46,520 applications for bail, which was an increase of 19 per cent on the previous year. This represents a significant increase of 111 per cent over the past five years. The complex nature of these applications means they often require considerable time and resources to complete, placing further pressure on the court.

In preparing this annual report and reviewing the way MCV reports bail matters, an issue was identified where some orders had been incorrectly counted in previous years. This means that the figure for 2015-16 should have been 39,056 (an increase of 18 per cent on the previous year) rather than the 51,803 that was reported last year. This change is reflected on page 30.

Civil jurisdiction

The court's civil jurisdiction comprises three main jurisdictions:

- the general civil jurisdiction
- the jurisdiction conferred by the *Workplace Injury Rehabilitation and Compensation Act 2013*, the *Accident Compensation Act 1985* and the *Workers Compensation Act 1958*
- proceedings within the industrial division.

The civil jurisdiction finalised 44,932 cases for the year, which was a decrease of 3 per cent. This is consistent with the last reporting period. Historically the state of the economy played a significant role in the rise and decline in the number of civil claims being issued. This is most readily apparent in actions for debt recovery.

With the overall increase in caseload across the criminal and civil jurisdictions, the court has continued to work on improvements to the management of functions performed and the services provided.



General civil jurisdiction

This jurisdiction deals with proceedings where the disputed amount does not exceed \$100,000 or, in the case of equitable relief, the value of the relief does not exceed \$100,000.

Within this jurisdiction, there is a subset entitled “arbitration for small claims”. Unless the court orders or the regulations provide otherwise, all complaints must, pursuant to section 102 of the Magistrates’ Court Act, be referred to arbitration where the amount of monetary relief is less than \$10,000. There are two distinctive features of arbitration for small claims: the rules of evidence and procedure may be relaxed; and the costs of the successful party are fixed at an amount, which is less than that normally obtainable in the trial division of the court.

WorkCover jurisdiction

The WorkCover division deals with claims under the Accident Compensation Act and the Workers Compensation Act. The WorkCover division also includes claims under the Workplace Injury Rehabilitation & Compensation Act.

The court has jurisdiction to hear and determine matters arising out of decisions of the Victorian WorkCover Authority, an authorised insurer, an employer, a self-insured or conciliation officer.

Pursuant to section 266(1) of the Workplace Injury Rehabilitation and Compensation Act, the court has a like jurisdiction to inquire into, hear and determine any question or matter under that Act, as well as the Accident Compensation Act and the Workers Compensation Act that the County Court has jurisdiction to consider. The only exception is that the court cannot grant a serious injury certificate for common law damages.

Industrial division

The industrial division of the court exercises an extensive jurisdiction under the *Fair Work Act 2009* and in matters concerning the interpretation and application of awards and other industrial instruments that govern the entitlements of employees, outworkers and contractors including the determination of and imposition of penalties in appropriate cases.

The court has the power to impose monetary penalties for civil breaches of relevant statutes and awards. The court also has the power to impose criminal convictions and penalties, as well as order the recovery of monies due in successful prosecutions for breaches of employer obligations under the *Fair Work Act*. It also exercises exclusive jurisdiction to hear and determine prosecutions under the *Long Service Leave Act 1992*.

The work of the industrial division involves hearing and determination of simple and complex employment arrangements.

During the course of the reporting period, 106 complaints were filed of which 56 were small claims.

Alternative dispute resolution

The overarching purpose of the *Civil Procedure Act 2010* and the Rules of Court is to facilitate the just, efficient, timely and cost-effective resolution of civil disputes. The court provides three appropriate dispute resolution processes: pre-hearing conference, mediation and early neutral evaluation.

Municipal Electoral Tribunal

The Municipal Electoral Tribunal hears disputes arising from Victorian local government elections. It heard and determined seven matters arising from local government elections held in 2016 and 2017.



In 2016-17, MCV made substantial progress in implementing initiatives outlined in a Boston Consulting strategic review of the court's processes and operations.

This work supported our three-year 2014-17 strategic plan to transform MCV into an innovative, accessible and responsive organisation providing quality services to the Victorian community.

Demand for court services continues to grow at an unprecedented rate, particularly in the areas of crime and family violence. To manage an increasing workload, changing community needs, and growing stakeholder expectations, MCV has evolved to ensure it continues to provide a high level of service to the people of Victoria.

The 2016-17 annual report details the progress that has been made in delivering the objectives identified in the 2014-17 strategic plan.

These priority areas are:

- specialist courts
- family violence
- custody and demand management
- people capacity
- technology capacity
- assets and facilities.



SPECIALIST COURTS

Our goal: As part of MCV's core business, provide a comprehensive range of specialist court support services that reduce reoffending, harm, and social and financial costs to the community.

MCV opened two new Drug Courts at the Melbourne Magistrates' Court in 2017 providing capacity for 170 Drug Treatment Orders (DTO). The CBD courts were central to the State Government's Ice Action Plan and reflect the success of Victoria's first Drug Court at Dandenong. The court sourced 100 residential properties to provide DTO participants with safe and stable environments while focusing on their rehabilitation.

During the year, MCV was funded to expand its therapeutic approach to justice including:

- \$24.2 million for 17 CISP staff, including advanced and Koori case managers and 13 CROP managers at various prisons. These new positions are being rolled out to Bendigo, Ballarat, Broadmeadows, Heidelberg, Latrobe Valley, Moorabbin and Ringwood Magistrates' Courts in 2018.
- \$19.9 million to expand the ARC List in metropolitan and regional Victoria. The first ARC List will be shared across Moorabbin and Frankston courts.

A steering committee comprising judicial members, senior court staff and representatives from Victoria Police and Victoria Legal Aid was formed to oversee the expansion of the Drug Court, CROP, CISP and the ARC List.

To ensure triage and assessment processes are in place from first listing, the Court Support and Diversion Services team reconfigured its delivery model to increase the use of brief interventions for accused persons that do not have access to the advice and support service.

CISP developed new intervention levels designed to match the needs of clients, with a brief intervention service for low needs clients and case management for accused people that require intensive support and monitoring. MCV worked with the Department of Justice and Regulation and Corrections Victoria to examine housing needs of remandees and ex-prisoners.

A principles and guidelines framework for programs was developed to ensure consistency and effectiveness in our approach. In-depth CISP metrics were developed to analyse each individual program's performance against predetermined targets. The metrics monitor program referrals, assessments conducted, participants accepted for case management, and program exit and completion rates.

To encourage first-time Aboriginal and/or Torres Strait Islander offenders to use the Criminal Justice Diversion Program, Koori models of the support service were rolled out in Melbourne, Mildura, Broadmeadows, La Trobe Valley, Geelong and Shepparton courts. MCV's 11th Koori Court was opened in July 2016 in Geelong. MCV representatives worked with Court Services Victoria to develop a Koori Inclusion Action Plan 2016-18, which is based on the Victorian Aboriginal Justice Agreement Phase 3.

FAMILY VIOLENCE

Our goal: Increase the safety of the affected family member and their children by ensuring a consistent service across the state, delivered with greater sensitivity, ensuring co-ordination and efficiency in management of cases, and the ability to refer victims and offenders to services.

During 2016-17, MCV expanded the Specialist Family Violence Court (SFVC) model to bring an integrated approach to addressing victims' needs and holding perpetrators accountable. The model implements the recommendations from the Royal Commission into Family Violence and the Victorian Government's family violence reforms. It includes:

- all family violence matters will be heard and determined in the SFVC. Interventions are made to prevent future violence and, where possible, civil and family matters are heard together, enhancing the clarity of information before the magistrate and minimising the number of times parties attend court. Victims and perpetrators are directed to appropriate support services
- SFVC facilities are designed to ensure the safety of those experiencing family violence with separate entrances, waiting areas and partitioned courts
- all court staff and judiciary receive specific training in trauma-informed practice. The court has increased specialist support resources including Koori and interpreter services. The court's success is measured through metrics focused on victims' experiences and outcomes.

During the year, specialist family violence services were expanded to all headquarter courts across the state with family violence lead magistrates appointed to provide leadership and best practice. Specialist family violence registrars and applicant and respondent practitioners were also appointed. In the 2017-2018 State Budget, MCV received funding to establish SFVCs at Shepparton, Ballarat, Heidelberg, Frankston and Moorabbin courts over the next four years.

Initiatives delivered during the year to support the enhanced model include:

- support to victims of family violence attending the court with \$4.2 million spent on upgrades to Horsham, Heidelberg, Bendigo, Broadmeadows, Geelong, Sunshine, Werribee, Wangaratta, Dandenong and Ringwood courts. Works focused on keeping the parties apart with separate entrances, waiting areas and dividing screens in

courts. Video conferencing facilities were expanded across the state to allow victims of family violence to appear before court by video link from alternative locations

- addressing the underlying causes of violence by delivering CISP programs at Warrnambool and Bendigo, and expanded programs at Geelong, Heidelberg and Mildura courts. Three CISP family violence case managers were appointed to Ballarat, Heidelberg, Frankston and Moorabbin courts, which have the jurisdiction to make counselling orders. To ensure full access to services, MCV appointed a Koori program manager to deliver a Koori Family Violence Victim Support Program in 2017 and employed additional CALD staff
- evaluating the family violence online application form pilot and commencing a statewide rollout of the initiative implementing it at Ringwood, Warrnambool, Hamilton and Portland courts. Using simplified language, the online form provides quicker and improved services for victims and streamlines court administration. The form is connected to Courtlink, enabling the transfer of information without double-handling by registry staff
- working with the National Law Crime and Community Safety Council to develop and implement the National Domestic Violence Order Scheme
- following the electronic transfer of Victoria Police LEAP criminal offence information to Courtlink, MCV is investigating whether Courtlink's family violence intervention order application narrative can be transferred to LEAP
- working with the Department of Health and Human Services and agencies to roll out a risk assessment management panel and to support interagency information sharing in high-risk family violence cases
- working closely with the Department of Justice and Regulation to request State Government funding for a family law demand modelling project. It aims to produce an evidence base to inform further developments in this jurisdiction. Improving our work in this jurisdiction is pivotal to our overall family violence response.



CUSTODY AND DEMAND MANAGEMENT

Our goal: Meet escalating demand for court services so those required at court are able to be present, while reducing the transportation of accused in custody to court where it is appropriate.

In mid-2017, MCV completed the roll-out of audio visual links (AVL) to 38 court locations, increasing the number of units installed in courtrooms, and remote witness and mobile video conference rooms, from 67 to 170. The number of accused appearing before the courts via AVL increased from 148 matters per week in 2015 to 462 per week between January and July in 2017. There was also a corresponding decrease in non-transportation of prisoner issues from 20 per cent in 2015 to 10.2 per cent between January and July 2017.

To optimise defendant and prisoner movements MCV:

- implemented a central contact point for warrants and other custody-related outcomes with Corrections Victoria. The initiative improved information transfer, including accuracy and timelines between the court and key custodial agencies
- introduced a Courtlink application enabling court coordinators to view the number of listed cases involving people in custody. This supported active management of court appearances, reducing pressure and minimising the non-transportation of accused.

An MCV and CSV review of security at courts across the state resulted in additional security being deployed at Latrobe Valley, Bendigo, Mildura, Moorabbin, Geelong and Ballarat courts. Funding has been provided for enhanced security, including entry screening to remove prohibited items and a better trained private Court Security Officer service, which will be rolled out across 40 courts from late 2017.

In February 2017, a trial of an after-hours bail and remand court started at Melbourne Magistrates' Court in response to the Bourke Street tragedy. The court sits from 5pm to 9pm, seven days a week.

The court's weekend caseload has continued to increase with an average of 42 accused before the court each weekend. A pilot was run from November to February with a community corrections officer available on Saturdays to undertake community corrections order assessments referred by a magistrate. Video conferencing is used at Broadmeadows, Frankston and Ringwood police stations to facilitate the appearance of informants at the weekend court. MCV is working to expand this service to Bendigo and Dandenong.

PEOPLE CAPACITY

Our goal: Build an agile and responsive learning culture to develop a skilled and knowledgeable workforce to support the judiciary and serve the community.

A new leadership structure was implemented by MCV's administration arm to manage the growing demand for our services. The structure — court operations, corporate services, information technology and workforce reform — ensures the effective management of infrastructure upgrades including the new Courtlink system and the development and implementation of innovative and accessible services.

During the year, MCV established a Learning and Organisational Development Unit to provide high level leadership and team building support to staff.

An induction program was developed that includes information on legislation, family violence, vicarious trauma and cross-cultural awareness. A performance and learning management system (PALMS) was launched across CSV that included employee performance management plans and training courses.

The Specialist Courts team developed a training register and the Family Violence Initiatives and Programs Unit developed a capability matrix identifying training requirements for family violence practitioners.

MCV received White Ribbon Australia accreditation in March 2017. To attain the recognition MCV met 15 criteria to create a safer, more respectful workplace for women, including policy improvements for staff wellbeing and the delivery of gender equity training to staff.

In March 2017, MCV partnered with LinkedIn to enhance and expand recruitment for the broad range of roles the court offers. A LinkedIn page was developed to improve the court's profile and attract a wider pool of applicants for roles. It has proven successful, particularly in recruiting specialist roles.

CASE STUDY

MELBOURNE DRUG COURT

Peter is in his 40s and has a history of trauma, drug use and imprisonment dating back to his teenage years. Removed from his family at birth, Peter was sexually assaulted while in state residential care. His mother died in 2016 and until recently he did not have regular contact with his two sons. When referred to the Drug Court, Peter was experiencing long-term homelessness, trauma, drug and alcohol, financial issues and isolation.

An area of distress for him was not having custody of his children — his only remaining family. Peter was diagnosed with cancer two weeks into the Drug Treatment Order and required immediate surgery. Peter said that having the Drug Court team's support allowed him to maintain hope that he could beat the cancer and drug use and have a good life.

For the first time in 15 years Peter has reduced his drug use. He has gained custody of one of his sons who sometimes attends appointments with him.



TECHNOLOGY CAPABILITY

Our goal: Meet all stakeholders' expectations of modern service delivery using technology to increase convenience, access and efficiency.

MCV uses technology to streamline the delivery of its services and during the year developed, expanded and enhanced the following initiatives:

- in 2016, MCV received \$89.2 million to develop and implement a new integrated case management system to replace Courtlink. MCV established a case management system project team and began gathering requirements for possible software solutions. The project is expected to run until 2022
- MCV's case tracking system was enhanced with additional electronic notifications. It allows court users, parties, witnesses and victims to track the progress of cases listed on the MCV website with hearing dates and notifications delivered via email and/or SMS. More than 8200 emails were sent during the year along with 72,800 text messages. In December 2016, legal practitioners were given the ability to register with 2135 emails sent regarding 1134 cases
- an electronic mention diary piloted in November 2016 at Dandenong, Geelong and Colac courts is being rolled-out across the state. It replaces paper-based mention diaries at police stations and assists both the courts and Victoria Police to optimise the scheduling of listings at court. Victoria Police has real-time, 24-hour access to listing dates for first mention hearings, providing greater efficiency for informants and the court. MCV is also exploring the use of an electronic diary to list intervention order applications from 2018
- in 2016, an online interface was developed with Victoria Police to electronically issue and send warrants to arrest
- NJC piloted online guilty pleas for summary offences with a fine-based outcome. Submitting a guilty plea online avoids the need for court users to travel to the court and wait for their case to be heard to enter a plea. NJC has been working closely with City of Yarra prosecutions, the Traffic Camera Office and Victoria Police to look at other infringements that may be included in the project
- NJC piloted a service providing court users with real-time information about the status of their court activities on a screen in the court foyer. The MyCase navigation system includes the ability to check-in on arrival, view the activities planned for a visit, such as referrals for support services, and view the overall progress of a case. The system also sends mobile phone notifications for each scheduled activity
- in December 2016, MCV started a project to modernise payment processing, including expanding BPAY capabilities. In January 2014, only 17 per cent of total fines were paid via BPAY, but this grew to 71 per cent, or more than \$2 million, by June 2017. The expanded BPAY capability doubled the amount collected
- development of a number of online forms, including civil applications, driver licence restoration and family violence intervention order applications was undertaken.

ASSETS AND FACILITIES

Our goal: Ensure facilities are functional, safe and secure environments.

MCV and CSV facilities management teams amalgamated to strengthen the management of MCV's buildings. The team used demand modelling to identify priority areas for the development of court facilities and delivered a strategic asset management plan.

Redevelopment work following flood and fire damage was completed at Heidelberg and Cobram courts, and the Dandenong Drug Court.

Works began on the new \$73 million multi-jurisdictional Shepparton Law Courts building. The five-storey regional headquarters for the Hume Goulburn region is due for completion in 2018.

Works began on upgrading security at 16 courts following a CSV review of security arrangements across the state.

CASE STUDY

NEIGHBOURHOOD JUSTICE CENTRE'S COMMUNITY CONFERENCE

Eight young men involved in the 2016 Moomba riots had their charges heard under NJC's community conference program. Jointly proposed by Victoria Police and Victoria Legal Aid, the conference created a broader understanding of the group dynamic and the individuals involved in the offending. The presiding magistrate authorised the conference as part of a diversion plan. It was believed a process where young people faced their victims, family and other people that had been harmed would enable accountability for their actions.

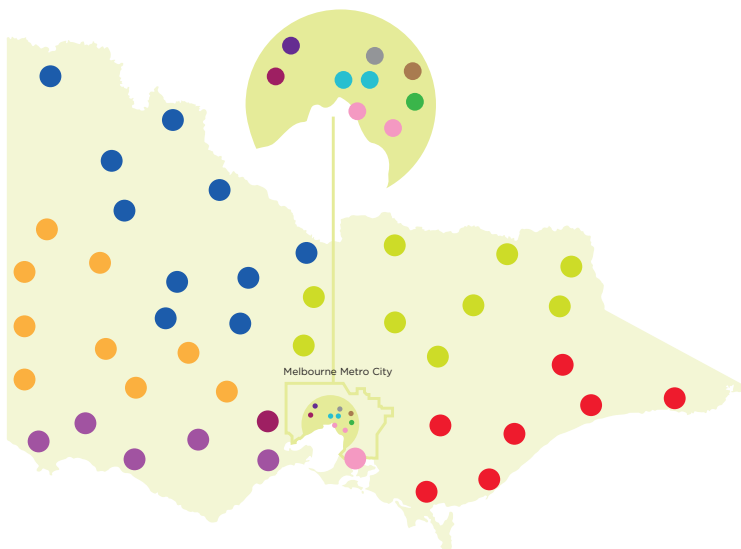
Restoring relationships with everyone involved to ensure there is no longer conflict, including with the young men's families, is a key principle of restorative justice. Forty people participated in the process and a key understanding was that the men's offending appeared out of character – most were unable to understand why they offended.

The realisation that when large groups gather the "threshold of behaviour" can regress to a point where they do things together they would not ordinarily do, was used as the basis for developing a plan to address their offending. The eight young people involved have not reoffended.



STATEWIDE PERSPECTIVE

The court is divided into 12 administrative regions. Each region consists of a headquarter court and many also include satellite courts.



REGIONS (33)

- Barwon South West
- Broadmeadows
- Dandenong
- Frankston
- Gippsland
- Grampians
- Heidelberg
- Hume
- Loddon Mallee
- Melbourne
- Ringwood
- Sunshine

A regional coordinating magistrate and a senior registrar manage each region. Throughout the regions, the judiciary and court staff work closely with a wide range of stakeholders to promote effective community engagement and to provide improved understanding and communications between the court and the community.

Barwon South West

The Barwon South West Region includes courts at Geelong (headquarter court), Colac, Hamilton, Portland and Warrnambool. The multi-jurisdictional region conducts Children's, Koori, County and Supreme Court hearings and is supported by five (5.5) magistrates and 40 staff.

It finalised a total of 18,058 matters during the year. This included 10,733 criminal matters, which was an increase of 11 per cent on 2015-16.

Initiatives

A Koori Court was opened at Geelong in August 2017. To enhance victim safety and perpetrator accountability, the Geelong Court established a family violence registry and fast tracked hearings involving

violence. Security upgrades at the court included building a discreet access to the family violence courtroom and a safe waiting area for women.

Broadmeadows

Five magistrates and a judicial registrar (three days per week) preside over Magistrates' and Children's courts at Broadmeadows. The region is supported by 29 registry, administrative and court services staff.

It finalised 23,705 matters during the year. This included 6073 intervention orders, which was a 5 per cent increase on the previous year.

Initiatives

CVGT Australia Second Chance, a pilot alternative sentencing option that allows the accused to undertake supervised work as their sentence, was started during the year. CVGT Australia also provides intensive post-placement services to support transition into employment. The court also collaborated with Northern Community Legal Centre to pilot a mediation program for people with family violence intervention orders.

Dandenong

The Dandenong Court serves the cities of Greater Dandenong, Casey and the Shire of Cardinia. Seven magistrates and a judicial registrar preside over the Magistrates', Children's and Drug courts.

The region finalised 25,433 matters during the year, experiencing a 19 per cent increase in civil matters for the year with 1699 concluded.

Initiatives

Pending criminal matters have reduced by approximately 60 per cent in the past three years as a result of a restructure of the court's criminal lists, but the number of civil matters and intervention orders increased. Court upgrades provided a safe waiting area for victims of family violence, as well as a dedicated working area for applicant and respondent practitioners. Security incidents between parties attending court have since decreased considerably.

The court's successful alcohol diversion program was recognised with a VicHealth Award in December. The program aims to break the cycle of alcohol recidivism by addressing the underlying causes and delivering offenders into treatment and support.

Frankston

The Frankston region includes Frankston (headquarter court), Moorabbin and Dromana. Two regional coordinating magistrates, seven magistrates and one judicial registrar preside.

The region finalised 32,320 matters during the year, including a 6 per cent increase in intervention orders with 8880 heard.

Initiatives

Frankston and Moorabbin were identified as future Specialist Family Violence Courts and the region continued to focus on providing improved responses to family violence, including fast tracking in criminal matters. Moorabbin continued to strengthen relationships with community services and local agencies by hosting a forum with representatives from the criminal justice system, including magistrates, police and more than 25 different treatment agencies and organisations. The region also has a strong emphasis on community engagement with judicial officers and staff working closely with their local communities, hosting court tours, organising forums and attending a wide range of events.

Gippsland

The Gippsland region includes the headquarter Latrobe Valley Court at Morwell and satellite courts at Bairnsdale, Sale, Orbost, Omeo, Korumburra and Wonthaggi. The multi-jurisdictional region conducts Supreme, County, Children's, Federal Circuit and Koori Court, VOCAT, VCAT and Fairwork Australia hearings. The region has 4.25 magistrates and 13 registrars.

It finalised 17,990 matters during the year, including 10,188 criminal matters. The number of criminal matters increased by 17 per cent during the year. This was reflective of the growing crime rate in the Latrobe City Shire, which was one of the highest in Victoria with 19,631 offences per 100,000 people.

Initiatives

A Children's Court Youth Diversion commenced in the region and 31 young people undertook the ROPES program at Latrobe Valley.

Grampians

The Grampians region includes Ballarat (headquarter court), Bacchus Marsh, Ararat, Stawell, Horsham, Nhill, St Arnaud, Edenhope and Hopetoun courts. The multi-jurisdictional region conducts Magistrates', Children's, VOCAT, Family Violence Court and County and Supreme Court hearings. The region has three magistrates, a judicial registrar and 30 staff.

The region finalised 11,869 matters, experiencing a 9 per cent increase in criminal cases.

Initiatives

Court facility improvements included registry upgrades at Stawell and Bacchus Marsh and video conferencing installation at Bacchus Marsh and Ararat.

Court staff and judicial officers were active in community engagement, including Law Week tours, hosting school visits and White Ribbon Day activities.

Heidelberg

Heidelberg Court has Children's and Children's Koori Court, civil debt proceedings, VOCAT, VCAT and a Specialist Family Violence Court (SFVC). It is supported by five magistrates, one judicial registrar, 23 registry and four support staff.

The region finalised 22,169 matters during the year. This included 15,432 criminal matters, which was a 57 per cent increase on the previous year.

Initiatives

Heidelberg Magistrates' Court is home to one of Victoria's first SFVCs. Reopened after a 17-month closure due to flooding, the court has been redesigned to increase user safety. Its SFVC focus on increasing the accountability of people who use violence against family members.

The court has begun a CVGT Australia youth employment initiative, Second Chance. Eligible youth offenders receive work placement services and support while their sentence is deferred.

Hume

The Hume region encompasses the Benalla, Seymour, Shepparton (headquarter court), Wangaratta and Wodonga courts with Cobram, Corryong, Mansfield and Myrtleford courts being attended by a registrar on a visiting basis. The region has four magistrates and a judicial registrar.

It finalised 14,930 matters, experiencing a 15 per cent increase in the number of intervention order applications heard.

Initiatives

Construction of a new multi-jurisdictional court facility at Shepparton continued during the year. This involved extensive consultations with various jurisdictions and user groups around operational planning and requirements. The court continued to sit adjacent to the construction zone, which presented a number of challenges for the judiciary, court staff and court users.

Work continued on the new Cobram Court, which was damaged by fire in March 2016.

Loddon Mallee

The Loddon Mallee region includes Bendigo (headquarter court), Kyneton, Castlemaine, Maryborough, Echuca, Swan Hill, Kerang, Mildura, Robinvale and Ouyen. The multi-jurisdiction region conducts Magistrates', Children's, County and Supreme Court and VOCAT hearings. Supported by 43 staff the region has four magistrates and a judicial registrar.

The region finalised 18,041 matters, experiencing an 11 per cent rise in criminal matters to 10,924.

Initiatives

Listing charges arising from family violence incidents were fast tracked and an additional listing day was provided each week for Children's Court family matters. Remote access to court was enhanced with additional and upgraded video link facilities across the region. CISP was implemented at Bendigo in 2017.

Also in 2017, eight courts in the region implemented the court-annexed mediation program, where defended civil proceedings were referred for mediation through the Dispute Settlement Centre of Victoria. This resulted in a reduction of 23 per cent in the number of civil matters finalised in the court.

Melbourne

Located in the central business district, the Melbourne Magistrates' Court has 53 magistrates and judicial registrars and 110 registry and administrative staff. NJC in Collingwood is also in the Melbourne region.

The Melbourne region finalised 61,316 matters, including 41,845 criminal cases.

Initiatives

To alleviate pressure on the court system in 2017, a Night Court was established to deal with bail and remand matters. The Weekend Remand Court continued with strong demand processing up to 50 bail and remand matters each weekend. Two Melbourne Drug Courts with capacity for 170 participants were established and fast tracking of family violence criminal matters commenced.

Ringwood

Ringwood has Magistrates' and Children's Court hearings. It has six magistrates and a judicial registrar, who presides six days each fortnight. The court is supported by 27 staff including newly appointed family violence practitioners and two CISP practitioners.

It finalised 25,092 matters during the year, with increases recorded in the number of criminal, civil and intervention order matters concluded.

Initiatives

An online lodgement capability for family violence intervention order applications was launched in October 2016. The portal feeds the lodgement notification onto the Courtlink system and at 30 June 2017 the court had received 97 applications through this system.

Court waiting times were reduced by the introduction of SMS messaging to practitioners in all contested mention listings prior to matters being called in court. Additional judicial resources were allocated to manage the increase in demand in criminal and family violence hearings at the court.

Sunshine

The Sunshine region includes the Sunshine (headquarter court) and Werribee courts. The region has seven magistrates, one judicial registrar and 38 staff comprising registrars, CISP, family violence applicant and respondent practitioners, and administrative personnel.

It finalised 29,226 matters during the year with the number of civil matters heard increasing by 20 per cent.

Initiatives

The region offers a number of innovative programs including some that are designed to respond to the needs of young people. This includes a therapeutic approach to sentencing for young offenders who appear in court on matters relating to risk-taking behaviour, and a program that includes intensive psycho-social assessment to prevent further offending.

Comprehensive operating statement for the financial year ended 30 June 2017

	Note	2017 \$'000	2016 \$'000
Continuing operations			
Income from transactions			
Output appropriations	1	92,062	79,861
Special appropriations		43,688	43,802
Grants		7,577	3,224
Other income	2	5,378	3,000
Total income from transactions		145,127	129,888
Expenses from transactions			
Employee expenses	3	94,040	85,525
Depreciation and amortisation	4	15,088	9,022
Interest expense		124	142
Grants and other transfers	5	3,998	256
Supplies and services		34,558	29,337
Total expenses from transactions		142,430	124,282
Net result from transactions (net operating balance)		2,697	5,606
Other economic flows included in net result			
Other gains (losses) from other economic flows	6	1,294	(1806)
Total other economic flows included in net result		1,294	(1,806)
Net result		2,192	3,799

Note 1 The increase in output appropriations reflects additional funding for new and expanded initiatives for expanded family violence services and the expansion of the Drug Court program.

Note 2 Other income includes insurance claim revenues, such as for the Heidelberg Magistrates' Court flood recovery works.

Note 3 Growth in employee expenses reflects the rollout of new and expanded initiatives for expanded family violence services, and the expanded Drug Court program.

Note 4 Depreciation and amortisation expenses have increased as a result of the revaluation of Court Services Victoria assets.

Note 5 Grants expenses reflect allocations made to other government agencies and private organisations for the delivery of various services or programs.

Note 6 Other gains and losses from other economic flows primarily reflects revaluation adjustments to the provision for long service leave.

Criminal summary

		2012-13	2013-14	2014-15	2015-16	2016-17	% diff 15-16
Cases initiated		175,345	218,409	247,025	160,942	166,499	3%
Cases finalised		188,537	237,452	275,552	199,960	198,185	-1%
Bail application orders made		22,018	28,692	33,344	39,056	46,520	19%
Applications finalised		39,799	42,766	46,005	53,936	62,260	15%
Breach cases		8,907	8,060	8,806	9,466	11,142	18%
Total criminal listings		591,736	684,004	766,091	683,709	726,249	6%
Caseload							
	Notes	2012-13	2013-14	2014-15	2015-16	2016-17	% diff 15-16
Cases initiated	1, 2	175,345	218,409	247,025	160,942	166,499	3%
Cases finalised	1, 2	188,537	237,452	275,552	199,960	198,185	-1%
Cases finalised per court region	3						
Barwon South West		7,666	8,416	9,317	9,699	10,733	11%
Broadmeadows		11,199	14,015	15,829	19,243	16,624	-14%
Dandenong		13,933	16,524	19,624	17,150	16,648	-3%
Frankston		15,649	17,538	19,300	22,114	21,437	-3%
Gippsland		7,740	8,010	8,642	8,718	10,188	17%
Grampians		5,802	6,075	6,693	6,615	7,225	9%
Heidelberg	4	13,991	15,570	13,026	9,854	15,432	57%
Hume		6,233	7,550	8,059	8,573	9,239	8%
Loddon-Mallee		7,285	8,646	9,627	9,827	10,924	11%
Melbourne		67,586	101,076	128,725	48,599	41,845	-14%
Ringwood		10,525	12,906	15,898	15,988	17,192	8%
Sunshine		19,265	19,512	18,780	21,911	19,330	-12%
NJC		1,663	1,614	2,032	1,669	1,368	-18%
Total		188,537	237,452	275,552	199,960	198,185	-1%

Note 1 The reduction in caseload from 2014-15 to 2015-16 is the direct result of changes to the way infringement cases are processed on the case management system.

Note 2 Cases initiated and finalised refer to criminal cases commenced or finalised in the Magistrates' Court of Victoria for the financial year specified. The totals do not include some enforcement hearings or applications.

Note 3 The above totals breakdown the criminal cases finalised by region. Across the state, court locations are divided into 12 regions. Each region consists of a headquarter court and some regions are made up of satellite courts.

Note 4 No court hearings were held at the Heidelberg Magistrates' Court in financial year 2015-16. Most lists were transferred to the Melbourne Magistrates' Court, with others transferred to Broadmeadows and Ringwood. Cases listed at the Melbourne Magistrates' Court will be included in the Heidelberg region statistics.

Initiation breakdown

	2012-13	2013-14	2014-15	2015-16	2016-17	% diff 15-16
Charge and summons	92,006	96,510	105,850	101,807	107,822	6%
Charge and information	29,969	31,558	36,258	39,767	42,502	7%
Charge and warrant	3,470	3,874	3,949	4,230	4,477	6%
Notice to appear	109	287	197	216	368	70%
Infringement revocation	49,791	86,180	100,771	14,922	11,330	-24%
	175,345	218,409	247,025	160,942	166,499	3%

Cases in the court can be commenced by different initiation types. The charge and information and charge and warrant initiation types include the accused persons that have come before the court in the first instance on bail or remand.

Bail orders

Notes	2012-13	2013-14	2014-15	2015-16	2016-17	% diff 15-16
Bail application orders made 1						
Bail granted	10,110	13,067	14,493	17,370	20,873	20%
Bail refused	3,200	5,378	7,565	9,803	11,744	20%
Bail revoked	1,591	2,110	2,637	3,037	4,042	33%
Bail varied	7,117	8,137	8,649	8,846	9,861	11%
	22,018	28,692	33,344	39,056*	46,520	19%
Secondary bail orders made						
Extension of bail 4a	69,781	76,238	93,541	98,217	108,782	11%
No application for bail 4b	21,480	29,436	36,568	48,076	57,653	20%
	91,261	105,674	130,109	146,293	166,435	14%
Total bail orders	113,279	134,366	163,453	185,349	212,955	15%
Other orders 5						
Application for bail - struck out/withdrawn	932	1,202	1,846	2,448	2,769	13%
Application for bail variation - struck out/withdrawn	328	362	445	539	532	-1%
Application for revocation of bail - struck out/withdrawn	304	364	515	630	969	54%
Total bail applications struck out/withdrawn	1,564	1,928	2,806	3,617	4,270	18%

*In preparing this annual report, an issue was identified where some bail orders had been incorrectly counted in previous years. The figures above have been amended to reflect the correct calculations.

Note 1 Orders made by the court in relation to an application for bail, an application for revocation of bail or application for bail variation.

Note 2 If the accused has been granted bail, the informant or Director of Public Prosecutions may apply for bail to be revoked.

Note 3 If the accused has been granted bail, the accused or prosecution may apply for bail conditions to be varied

Note 4a On each occasion an accused appears before the court on bail and the matter is adjourned for further hearing, an order extending bail is made by the court.

Note 4b On each occasion an accused appears before the court in custody and makes no application in relation to bail they are further remanded in custody by the court.

Note 5 When a formal application is filed and listed before the court and is not proceeded with by the applicant, the application is ordered as struck out/withdrawn by the court.

The above table records the number of individual applications heard and determined. These figures do not reflect the number of individual cases or persons who have bail granted or refused. The items below are counted in these figures:

- an accused person with multiple cases, and applications for bail on all of those cases
- bail revocation applications lodged on multiple cases for the one accused
- multiple applications heard on the one case (either applications for bail, to vary or revoke bail).

Caseload

	Notes	2012-13	2013-14	2014-15	2015-16	2016-17	% diff 15-16
Application types	1, 2						
Licence restoration applications		10,894	10,021	9,860	8,037	7,586	-6%
Interlock removal applications		5,685	5,392	5,238	4,981	5,067	2%
Rehearing applications		1,281	1,799	1,747	2,543	1,898	-25%
Application to vary or cancel sentencing order		1,332	1,658	1,733	1,836	1,964	7%
Application under section 84U Road Safety Act		542	373	510	831	1,017	22%
Application to question/ investigate a person in custody		763	692	118	59	39	-34%
Application for forfeiture of property		402	413	490	465	439	-6%
Application for forensic procedure		1,164	1,231	2,431	5,878	7,043	20%
Applications for special mention		1,025	947	890	849	1,113	31%
Committal-related applications		1,767	1,799	1,763	1,739	2,052	18%
Infringement-related applications		4,047	6,380	7,258	9,910	6,248	-37%
Application for AVL order for accused	3					3,077	
Application for physical appearance of accused	3					3,383	
All remaining applications		10,897	12,061	13,967	16,808	21,334	27%
Applications finalised		39,799	42,766	46,005	53,936	62,260	15%

Note 1 There are many different types of applications that can be determined in the criminal jurisdiction of the Magistrates' Court of Victoria. Some applications are heard in conjunction with a case also before the court, whereas others can be listed independent of a pending case. This total is capturing applications where a formal application is filed with the court. Common application types are highlighted above.

Note 2 In previous annual reports this section included applications for bail, applications for bail variation and applications for revocation of bail for both written applications and oral applications made in open court. These have been removed from this section. See the new section on bail orders for a detailed breakdown of bail orders and applications.

Note 3 These applications were introduced on 1 December 2016 pursuant to s42L & s42M of the *Evidence (Miscellaneous Provisions) Act 1958* and relate to an accused in custody either physically appearing before the court or appearing via audio visual link.

Breaches of sentencing orders

	Notes	2012-13	2013-14	2014-15	2015-16	2016-17	% diff 15-16
Number of cases listed for a breach of sentencing order		6,894	6,158	6,826	8,264	10,662	29%
Number of cases listed for restoration of suspended sentence		2,013	1,902	1,980	1,202	480	-60%
Total		8,907	8,060	8,806	9,466	11,142	18%

Finalised cases with particular sentencing orders can be relisted at the court under breach proceedings if a charge is issued. These hearings are attached to the original case and are not counted as part of Budget Paper No. 3 reporting requirements. The above are the number of breach cases that had their first listing in the specified financial year.

Committals and appeals

	Notes	2012-13	2013-14	2014-15	2015-16	2016-17	% diff 15-16
Committal proceedings finalised	1	3,265	3,156	2,839	2,842	3,182	12%
Appeals lodged against conviction and/or sentence	2	2,804	2,713	2,875	2,988	2,870	-4%

Note 1 The above total is included in the finalisations reported to the State Government as part of Budget Paper No. 3 requirements.

Note 2 Appeals lodged against conviction and/or sentence to the County Court.

Infringements

	Notes	2012-13	2013-14	2014-15	2015-16	2016-17	% diff 15-16
Appeals against infringement registrar's refusal to revoke enforcement	1	24,958	45,556	43,102	70,508	40,388	-43%
Infringement revocations granted and defaulted to the court	1	2,036	3,433	2,310	5,221	4,197	-20%
Infringement matters referred to the special circumstances list of the court	1	22,716	37,050	55,184	49,537	56,336	14%
Total matters referred to the Magistrates' Court from the Infringements Court		49,710	86,039	100,596	125,266	100,921	-19%
Infringement warrant case initiations	2	4,499	6,450	7,819	6,746	6,244	-7%
Individual infringement warrant initiations	2	195,566	294,633	353,734	306,343	327,057	7%

Note 1 Enforcement matters dealt with by the Infringements Court can be referred to the Magistrates' Court of Victoria for determination or election to appeal by the person or company subject to the enforcement. If referred to the Magistrates' Court of Victoria, these cases are counted in the finalisations in the caseload section.

Note 2 Infringement warrant case initiations counts the number of people who have been referred to the Magistrates' Court by the Sheriff's Office of Victoria on unpaid warrants for fines (including persons in custody who have requested an order to convert outstanding warrants to a term of imprisonment). Individual infringement warrant initiations refers to the number of individual warrants that have been listed before the court for enforcement. These cases are not captured as part of the Budget Paper No. 3 reporting requirements.

Non-appearance by accused

	Notes	2012-13	2013-14	2014-15	2015-16	2016-17	% diff 15-16
Warrants to arrest issued by the court		38,237	43,935	53,805	62,316	66,531	7%
Matters determined at an ex parte hearing		2,476	2,272	1,639	1,468	992	-32%

If an accused fails to appear on the listed court date, a magistrate may issue a warrant to arrest. If a warrant is executed, the person subject to the warrant will be bailed or remanded for further hearing to the court.

Timeliness

	Notes	2012-13	2013-14	2014-15	2015-16	2016-17	% diff 15-16
Criminal cases finalised within six months		88.1%	87.0%	89.9%	84.3%	81.3%	-4%
Number of cases pending as at 30 June 2014		36,686	39,127	45,762	44,254	51,554	16%
Of the pending cases, the amount of cases that have been pending for more than 12 months		2,777	3,065	3,192	3,853	4,918	28%

The court aims to finalise 85 per cent of criminal cases within six months or less. It is required to report to the State Government on this target as part of Budget Paper No. 3 requirements.

Listings

	Notes	2012-13	2013-14	2014-15	2015-16	2016-17	% diff 15-16
Hearing types	1						
Mention listings	2, 3	269,644	323,147	354,551	350,068	360,869	3%
Plea of guilty hearings		47,049	51,403	59,552	62,461	74,132	19%
Contest mention listings		12,048	13,499	15,707	16,900	18,673	10%
Contested hearing listings		10,117	9,062	8,175	8,657	8,678	0%
Committal mention listings		5,885	5,529	5,262	4,813	5,421	13%
Committal hearing listings		3,725	3,017	2,464	2,399	2,607	9%
Application listings	3	104,906	137,232	136,239	107,862	114,411	6%
Breach sentencing order listings		24,276	21,870	24,768	29,086	40,870	41%
Restoration of suspended sentence listings		3,636	3,532	3,744	2,621	1,312	-50%
Judicial monitoring listings		1,745	2,227	3,233	4,412	5,633	28%
Courts Integrated Services Program listings		4,014	3,586	3,973	3,898	5,180	33%
Drug Court listings		2,723	3,608	3,504	3,476	3,666	5%
Diversion listings		13,911	14,515	14,391	14,428	14,311	-1%
Infringement special circumstances listings	3	28,254	33,394	62,471	10,530	6,348	-40%
Infringement warrant listings		9,307	11,666	14,112	12,271	11,798	-4%
All remaining listings	5	50,496	46,717	53,945	49,827	52,340	5%
Total listings in the Magistrates' Court of Victoria	3, 6	591,736	684,004	766,091	683,709	726,249	6%

Note 1 The above table highlights the common hearing types of the Magistrates' Court. A case can be determined by plea of guilty at different stages of a court proceeding, not limited to the plea of guilty hearing type.

Note 2 2015-16 mention listings have been revised up from 305,068 to 350,068.

Note 3 The reduction in listings from 2014-15 to 2015-16 is the direct result of changes to the way infringement cases are processed on the case management system.

Note 4 2015-16 application listings have been revised up from 75,042 to 107,862.

Note 5 All remaining listings includes hearing types not specified above. This can be pre- or post-finalisation of the case.

Note 6 Total listings include all cases and applications that have been before the court for a hearing in the specified financial year.

Top 25 charges

Rank 16-17	Rank 15-16	Description	2015-16	2016-17	Difference
1	(2)	Theft	33,852	36,216	7%
2	(1)	Drive vehicle unregistered in toll zone (Citylink)	45,834	34,352	-25%
3	(4)	Contravene family violence intervention order	21,274	24,906	17%
4	(3)	Drive vehicle unregistered in toll zone (Eastlink)	27,300	23,145	-15%
5	(5)	Drive whilst disqualified, suspended or cancelled	20,412	21,354	5%
6	(8)	Unlawful assault	17,253	19,757	15%
7	(6)	Possession/attempted possession of a drug of dependence	18,146	19,079	5%
8	(7)	Exceed speed limit	17,850	17,496	-2%
9	(9)	Obtain property by deception	15,386	15,039	-2%
10	(10)	Fail to answer bail	11,704	12,857	10%
11	(15)	Commit indictable offence whilst on bail	8,943	11,653	30%
12	(12)	Criminal damage	9,888	11,076	12%
13	(16)	Handle/receive/retain stolen goods	8,788	10,543	20%
14	(14)	Use unregistered vehicle/trailer	9,326	10,346	11%
15	(11)	Intentionally/recklessly cause injury	10,164	10,107	-1%
16	(13)	Exceeded prescribed concentration of alcohol (inc. refuse PBT)	9,731	9,468	-3%
17	(17)	Park for longer than indicated	7,937	9,390	18%
18	(18)	Unlicensed driving	7,740	8,659	12%
19	(20)	Contravene conduct condition of bail	6,118	7,440	22%
20	(21)	Burglary	5,910	6,241	6%
21	(19)	Deal property proceeds of crime	6,192	6,106	-1%
22	(24)	Careless driving	5,163	5,420	5%
23	(23)	Fail to pay parking fee	5,747	5,360	-7%
24	n/a	Provide use of tanning unit for fee or reward	n/a	5,114	100%
25	(22)	Fail to furnish tax information	5,826	4,985	-14%

Finalised charges include all charges filed with the Magistrates' Court of Victoria that have been found proven, not proven, withdrawn by the prosecuting agency or committed to a higher jurisdiction within the financial year.

Civil summary

	Notes	2012-13	2013-14	2014-15	2015-16	2016-17	% diff 15-16
Total complaints issued		52,442	46,095	41,884	37,209	39,978	7%
Total claims finalised		34,182	54,686	50,824	46,231	44,932	-3%
Total number of cases where a defence notice filed		7,495	7,502	7,570	7,240	7,845	8%
Applications finalised		14,375	13,917	14,152	14,662	14,355	-2%

Complaints

	Notes	2012-13	2013-14	2014-15	2015-16	2016-17	% diff 15-16
Complaints issued or filed							
Up to \$10,000 claimed		40,098	34,121	30,567	26,757	28,383	6%
More than \$10,000 claimed		12,344	11,974	11,317	10,452	11,595	11%
Total complaints issued		52,442	46,095	41,884	37,209	39,978	7%

Complaints can be filed in the Magistrates' Court of Victoria for a monetary value up to \$100,000.

Claims finalised

	Notes	2012-13	2013-14	2014-15	2015-16	2016-17	% diff 15-16
Defended claims finalised at a hearing	1						
Arbitration		2,269	2,001	1,808	2,200	2,563	17%
Hearing		2,279	2,093	1,937	2,060	2,300	12%
Pre-hearing conference or mediation		1,545	1,571	1,300	1,080	1,041	-4%
Any other hearing type		1,467	1,874	2,519	1,828	1,922	5%
Total of defended claims finalised at a hearing		7,560	7,539	7,564	7,168	7,826	9%
Default orders made	2	28,089	26,096	24,675	20,961	20,263	-3%
Complaints dismissed (under Regulation 21.11 of Magistrates' Court Civil Procedure Rules 2010)	3	n/a	22,925	21,104	18,102	16,843	-7%
Total claims finalised	4, 5	39,649	56,560	53,343	46,231	44,932	-3%

Note 1 Cases where defences have been lodged and have been finalised, sorted by the hearing type where the matter was finalised.

Note 2 Plaintiff applies to the court for an order in default of a defence being filed by the defendant.

Note 3 Regulation 21.11 of the Magistrates' Court Civil Procedure Rules 2010 states that a complaint will be dismissed against any defendant three months after the expiration of the validity of service period of the complaint.

Note 4 Total claims finalised is the total of both the defended claims finalised at a hearing, and default orders made.

Note 5 Total claims finalised from 2013-14 also include complaints dismissed (under regulation 21.11 of the Magistrates' Court Civil Procedure Rules)

Claims finalised (continued)

Notes	2012-13	2013-14	2014-15	2015-16	2016-17	% diff 15-16
Civil cases finalised per court region						
Barwon South West	1,011	938	708	703	895	27%
Broadmeadows	717	634	719	620	1,008	63%
Dandenong	1,611	2,007	1,770	1,425	1,699	19%
Frankston	1,834	1,464	1,420	1,597	2,003	25%
Gippsland	422	440	661	478	674	41%
Grampians	923	769	758	637	574	-10%
Heidelberg	701	522	462	395	708	79%
Hume	1,361	863	1,043	916	987	8%
Loddon-Mallee	1,997	1,498	1,524	1,418	1,090	-23%
Melbourne	20,104	19,385	17,272	15,311	13,088	-15%
Ringwood	1,762	1,415	1,298	1,176	1,495	27%
Sunshine	1,739	1,826	2,085	1,625	1,946	20%
Total	34,182	31,761	29,720	26,301	26,167	-1%

The above totals include the civil cases finalised at either arbitration, hearing, pre-hearing conference or default order by region. Across the state, court locations are divided into 12 regions. Each region consists of a headquarter court and some regions are made up of satellite courts.

Defence notices

Notes	2012-13	2013-14	2014-15	2015-16	2016-17	% diff 15-16
Defence notices filed						
Against complaints of up to \$10,000 claimed	3,006	2,657	2,621	2,791	3,124	12%
Against complaints of more than \$10,000 claimed	3,073	3,091	3,070	2,678	3,237	21%
WorkCover defences filed	1,416	1,754	1,879	1,771	1,484	-16%
Total number of cases where a defence notice filed	7,495	7,502	7,570	7,240	7,845	8%

A defendant to a claim can file a defence within specified timeframes depending on the complaint type. Defences can be filed outside specified timeframes as long as a default order has not been made. When a defence is filed with the Magistrates' Court, the case will be listed for either an arbitration, pre-hearing conference, or mediation.

Applications

	Notes	2012-13	2013-14	2014-15	2015-16	2016-17	% diff 15-16
Application types	1						
Interlocutory applications		1,438	1,195	1,146	1,216	1,142	-6%
Applications for preliminary discovery		77	36	43	18	15	-17%
Applications for substituted service		2,039	2,669	2,887	3,612	3,982	10%
Applications for summary order		88	72	63	71	69	-3%
Applications to extend complaint		175	166	185	353	254	-28%
Application for rehearing		3,270	3,150	3,227	3,390	3,353	-1%
Applications under s24 of <i>Second-Hand Dealers and Pawnbrokers Act 1989</i>	2	386	362	319	371	275	-26%
All remaining applications		317	218	274	329	143	-57%
Enforcement applications	1	6,585	6,049	6,008	5,302	5,122	-3%
Applications finalised		14,375	13,917	14,152	14,662	14,355	-2%

Note 1 There are numerous types of applications that can be determined in the civil jurisdiction of the Magistrates' Court of Victoria. Some applications are heard in conjunction with a case also before the court, whereas others can be listed independent of a pending case. The total applications above also capture the applications in the civil enforcement section below, except for warrants to seize property. Common application types are highlighted above.

Note 2 Applications under s24 of the Second-Hand Dealers and Pawnbrokers Act are generally dealt with by a registrar. Persons who identify their property at a second-hand dealer or pawn shop and have sufficient evidence to prove it is their property can apply to the court to obtain an order to have their goods returned.

Timeliness

	Notes	2012-13	2013-14	2014-15	2015-16	2016-17	% diff 15-16
Defended claims finalised within six months		80.7%	80.9%	79.1%	79.9%	82.6%	3%
Defended claims pending as at 30 June		1,726	1,689	1,695	1,767	1,786	1%
Of the pending cases, the number of cases that have been pending for more than 12 months		131	115	136	181	196	8%

The court aims to finalise 80 per cent of civil cases within six months or less. It is required to report to the State Government on this target as part of Budget Paper No. 3 requirements.

Civil enforcement

	Notes	2012-13	2013-14	2014-15	2015-16	2016-17	% diff 15-16
Oral examinations finalised (including those under the <i>Judgment Debt Recovery Act 1984</i>)	1	4,953	4,572	4,470	3,810	3,659	-4%
Attachment of earnings hearings finalised	1	1,174	1,035	1,170	1,180	1,151	-2%
Attachment of debt hearings finalised	1	79	86	77	53	71	34%
Applications for instalment order finalised	2	379	356	291	259	241	-7%
Warrants to seize property issued	3	4,715	4,829	4,129	4,007	3,548	-11%
Total		11,300	10,878	10,137	9,309	8,670	-7%

Note 1 The above are hearings where a debtor in a civil matter must attend. These hearings are conducted by a registrar of the court.

Note 2 A debtor or creditor can apply to the registrar for an instalment order. The applicant does not need to appear for a determination to be made.

Note 3 Warrants to seize property are requested by the creditor and filed with the Sheriff's Office of Victoria for execution.

CASE STUDY

FAMILY VIOLENCE INTERVENTION ORDER

Kavita presented at the Melbourne Magistrates' Court to obtain a family violence intervention order after her partner, Girish, had threatened to physically harm her and her children and had caused property damage to their home.

Police charged Girish with intentionally damaging property and threat to inflict serious injury. They also took out a family violence safety notice to protect Kavita and her children. At court, the family violence registrar explained to Kavita that both the criminal charges and the intervention order application would be heard at the same time. The family violence applicant practitioner also spoke to Kavita about her personal circumstances and the court process. They discussed a safety plan and potential applications to access victims of crime assistance, as well as the ability to change her tenancy agreement through the VCAT. The applicant practitioner also made referrals to a number of support services in Kavita's local community.

Girish pleaded guilty to the offences and consented to the intervention order. Kavita said that at first she felt frightened to attend court, however she came away feeling supported by the magistrate, registrar and the support staff, and felt confident that she had the right information and support in place to move forward safely from her relationship with Girish.

Intervention orders summary

Family violence and personal safety combined

	Notes	2012-13	2013-14	2014-15	2015-16	2016-17	% diff 15-16
Total finalised cases with one or more interim orders		18,954	20,152	23,365	24,256	26,528	9%
Total original matters finalised		39,352	39,961	43,105	43,434	44,093	2%
Total applications finalised		5,103	5,624	6,155	6,861	7,471	9%
Total matters		63,409	65,737	72,625	74,551	78,092	5%
Total listings for finalised matters		98,131	99,868	111,639	122,909	131,301	7%

Caseload

	Notes	2012-13	2013-14	2014-15	2015-16	2016-17	% diff 15-16
Family violence intervention order applications							
Finalised cases with one or more interim orders	1	13,720	15,073	17,711	18,865	20,622	9%
Original matters finalised	2	29,217	29,978	32,614	33,763	33,748	0%
Application for extension	3	1,202	1,327	1,550	1,686	1,842	9%
Application for revocation	3	822	783	852	770	796	3%
Application for variation	3	2,638	3,047	3,302	3,850	4,333	13%
Total		47,599	50,208	56,029	58,934	61,341	4%
Personal safety intervention order applications							
Finalised cases with one or more interim orders	1	5,234	5,079	5,654	5,391	5,906	10%
Original matters finalised	2	10,135	9,983	10,491	9,672	10,345	7%
Application for extension	3	237	272	266	317	280	-12%
Application for revocation	3	51	53	36	42	43	2%
Application for variation	3	153	142	149	195	177	-9%
Total		15,810	15,529	16,596	15,617	16,751	7%
Total family violence and personal safety matters		63,409	65,737	72,625	74,551	78,092	5%

Note 1 Interim orders can be made before a final order is made on the case. The number expresses the amount of finalised cases that had an interim order made during the case. If more than one interim order was made on a case, only one is counted in this total.

Note 2 Original matters refer to finalising orders made on an application and summons, an application and warrant or a family violence safety notice. Finalising an order does not necessarily mean an intervention order has been made.

Note 3 Applications refer to application for extension, variation and revocation. These applications can occur at any time of the hearing, and after a final order is made. Any party to the proceeding is able to make an application.

Caseload (Continued)

Notes	2012-13	2013-14	2014-15	2015-16	2016-17	% diff 15-16
Family violence and personal safety matters per region						
Barwon South West	4,707	5,098	5,740	6,041	6,430	6%
Broadmeadows	4,921	4,928	5,733	5,785	6,073	5%
Dandenong	6,323	6,123	6,657	6,962	7,086	2%
Frankston	8,451	8,342	8,828	8,353	8,880	6%
Gippsland	4,088	4,521	6,736	7,343	7,128	-3%
Grampians	3,533	3,963	3,447	3,968	4,070	3%
Heidelberg	5,558	6,154	5,480	4,835	6,029	25%
Hume	3,896	3,800	3,700	4,098	4,704	15%
Loddon-Mallee	4,898	5,247	5,700	5,663	6,027	6%
Melbourne	4,187	4,852	5,940	6,352	6,383	0%
Ringwood	4,571	4,772	5,604	6,010	6,405	7%
Sunshine	7,802	7,506	8,299	8,262	7,950	-4%
NJC	474	431	761	879	927	5%
Total	63,409	65,737	72,625	74,551	78,092	5%

The above totals breakdown the cases finalised by region. Across the state, court locations are divided into 12 regions. Each region consists of a headquarter court and some regions are made up of satellite courts. If more than one interim order was made on a finalised case, only one interim order is counted in these totals.

Mode of issue

Notes	2012-13	2013-14	2014-15	2015-16	2016-17	% diff 15-16
Family violence and personal safety intervention order applications commenced (by initiation type) ¹						
Application and summons	26,875	28,101	29,496	28,093	28,636	2%
Application and warrant to arrest	8,898	7,147	6,755	7,146	7,459	4%
Family violence safety notice	8,682	10,337	13,009	15,056	15,469	3%
Total	44,455	45,585	49,260	50,295	51,564	3%
Family violence applications commenced (by applicant) ²						
Victoria Police	21,944	23,210	26,000	27,951	28,931	4%
Private application	11,936	11,925	12,318	12,118	11,788	-3%
Personal safety intervention orders commenced (by applicant) ²						
Victoria Police	1,985	2,096	2,477	2,728	3,171	16%
Private application	8,590	8,354	8,465	7,498	7,674	2%
Total Victoria Police applications	23,929	25,306	28,477	30,865	32,102	4%
Total private applications	20,526	20,279	20,783	19,610	19,462	-1%

Note 1 The above shows a breakdown of how the family violence or personal safety intervention order case commenced. Applications and warrants and safety notices are commenced by Victoria Police.

Note 2 The above shows the breakdown between applications in which police were applicants, and private applicants.

Listings

Notes	2012-13	2013-14	2014-15	2015-16	2016-17	% diff 15-16
Number of family violence listings	74,692	77,303	87,215	98,861	106,356	8%
Number of personal safety intervention order listings	23,439	22,565	24,424	24,048	24,945	4%
Total	98,131	99,868	111,639	122,909	131,301	7%

The above total represents the number of listings the finalised cases in the specified financial years had before completion. A case may come before the court on multiple occasions before it is finalised.

Family law

Notes	2012-13	2013-14	2014-15	2015-16	2016-17	% diff 15-16
Total family law finalisations	1,082	1,204	1,088	1,050	995	-5%

The Magistrates' Court of Victoria has limited powers under the *Family Law Act 1975*.

After-hours service

Notes	2012-13	2013-14	2014-15	2015-16	2016-17	% diff 15-16
Intervention order applications received by after-hours service	11,443	11,448	10,055	10,681	10,465	-2%

A significant proportion of the after-hours service of the Magistrates' Court of Victoria comprises family violence and personal safety intervention order matters. From 2013-14 intervention order applications received by after-hours service includes intervention orders under the *Family Violence Protection Act 2008* and the *Personal Safety Intervention Orders Act 2010*. Previous years only counted applications under the *Family Violence Protection Act 2008*.

Snapshot

Cases finalised per court region

	Criminal	% diff 15-16	Civil	% diff 15-16	IVOs	% diff 15-16	Total
Barwon South West	10,733	11%	895	27%	6,430	6%	18,058
Broadmeadows	16,624	-14%	1,008	63%	6,073	5%	23,705
Dandenong	16,648	-3%	1,699	19%	7,086	2%	25,433
Frankston	21,437	-3%	2,003	25%	8,880	6%	32,320
Gippsland	10,188	17%	674	41%	7,128	-3%	17,990
Grampians	7,225	9%	574	-10%	4,070	3%	11,869
Heidelberg	15,432	57%	708	79%	6,029	25%	22,169
Hume	9,239	8%	987	8%	4,704	15%	14,930
Loddon-Mallee	10,924	11%	1,090	-23%	6,027	6%	18,041
Melbourne	41,845	-14%	13,088	-15%	6,383	0%	61,316
Ringwood	17,192	8%	1,495	27%	6,405	7%	25,092
Sunshine	19,330	-12%	1,946	20%	7,950	-4%	29,226
NJC	1,368	-18%	-	-	927	5%	2,295
Total	198,185	-1%	26,167	-1%	78,092	5%	302,444

Intervention orders (IVO) counted include interim and other family violence and personal safety intervention orders.

CASE STUDY

COURT SUPPORT SERVICES

Sam, a Barkindji man in his late 20s, was referred to Mildura CISP after being charged with theft and drug-related offences. Sam had a history of childhood trauma and was dependent on methamphetamine. He would hang his head avoiding eye contact when he spoke because he felt “shame”. He had difficulty maintaining focus during conversations and required considerable support to manage his appointment schedule. After two unsuccessful placements on CISP, Sam’s third CISP engagement was extended and went for more than five months.

Sam completed a psychiatric assessment and was prescribed medication to assist in the management of a diagnosed ADHD disorder. A neuropsychological assessment identified Sam had “chronic, long-standing intellectual disability and global developmental delay, affecting both physical and cognitive domains”. The clinical neuropsychologist made recommendations to assist Sam. Sam continues to abstain from using ice and has regular appointments with his Koori Alcohol and Drug Diversion Worker and attends Galiamble Men’s Recovery Centre. Sam now speaks clearly with his head up, making eye-contact.

Court Support and Diversion Services

Referrals

Name of program/service	2014-15	2015-16	2016-17
ARC List	206	181	185
CISP	1890	2170	2126
CISP participants who identified as Koori	170	240	254
Court Advice and Support Officer	456	367	270
CREDIT *	1305	1128	532
Bail Support Program **	1185	1141	569
CREDIT/Bail Support participants who identified as Koori	66	87	94
Criminal Justice Diversion Program	7286	6872	7265

* Commencing this financial year counting rules for CREDIT referrals were revised in line with funding.

** Commencing this financial year counting rules for Bail Support Program referrals were revised in line with funding.

CISP – Top six referrals by reason

	2016-17
Problems with illicit drugs	1738
Mental illness/other mental disorder	1313
Accommodation – emergency or long-term	1185
Problems with alcohol	470
Anger management	332
Acquired brain injury/cognitive impairment	218

Participants may have more than one reason for referral.

CISP – Top six treatment and support services to which participants were referred

	2016-17
Alcohol and other drug: including pharmacotherapy	1588
Mental health: including the Court's Mental Health Court Liaison Service, counselling, psychological and psychiatric services	904
Material aid: including travel cards, food vouchers, crisis packs and backpack swags	781
Housing: including the CISP initial assessment and planning service, crisis and transitional housing	590
Medical: including assessment of medical needs, medication review and specialist services	488
Men's behaviour change programs	188

Court Advice and Support Officer — Top five referrals by reason

	2016-17
Legal	127
Mental health	105
Accommodation	95
Alcohol and other drug	58
Material aid	48

Court Advice and Support Officer — Number of people assisted

	2014-15	2015-16	2016-17
Brief intervention	441	365	270

ARC List — Referral source

	2014-15	2015-16	2016-17
CISP	6	6	6
Community Service/Organisation	3	5	3
Department of Health & Human Services	0	2	2
Legal – Community Legal Centre	18	14	9
Legal – Legal Representative	168	146	158
Magistrate	8	3	5
Self-referral	3	3	1
Victoria Police	0	2	1
Total	206	181	185

ARC list — Number of persons accepted in each diagnostic criteria (primary diagnosis)

	2014-15	2015-16	2016-17
Mental illness	58	46	32
Intellectual disability	8	10	7
Acquired brain injury	10	7	9
Autism spectrum disorder	2	0	3
Neurological impairment	0	0	0

ARC List – Outcomes of proceedings referred to the List

	2014-15	2015-16	2016-17
Number of accused accepted onto the ARC List	78	63	51
Number of accused discharged in accordance with section 4U or 4Y of the <i>Magistrates' Court Act 1989</i>	9	2	9
Number of proceedings finalised	128	87	124
Number of proceedings transferred out	96	74	83
Number of individual support plans approved	75	54	35
Number of hearings conducted in the ARC List	1772	1667	1571
Number of proceedings transferred out of the ARC List in accordance with section 4X(2) of the <i>Magistrates' Court Act 1989</i>	4	1	1

CISP Remand Outreach Pilot (CROP)

	2014-15	2015-16	2016-17
Number of remandees provided with CROP assistance	899	781	547
Accused received bail following CROP involvement	273	342	269

CREDIT/Bail Support – Top six referrals by reason*

	2016-17
Problems with illicit drugs	1081
Mental illness/other mental disorder	744
Accommodation – emergency or long-term	290
Anger management	134
Problems with alcohol	132
Family violence	74

* Participants may have more than one reason for referral.

CREDIT/Bail Support – Top six treatment and support services to which participants are referred

	2016-17
Alcohol and other drug services, including pharmacotherapy	904
Mental health: including psychological and psychiatric services, counselling and the Mental Health Court Liaison Service	707
Material aid: including travel cards, crisis packs and food vouchers	317
Medical: including assessment of medical needs, general practitioner and specialist services	168
Housing: including crisis accommodation	121
Men's behaviour change program	93

COURT LOCATIONS

ARARAT

Cnr Barkly & Ingor Sts
PO Box 86
Ararat 3377
T: 03 5352 1081
F: 03 5352 5172

BACCHUS MARSH

Main Street
PO Box 277
Bacchus Marsh 3340
T: 03 5367 2953
F: 03 5367 7319

BAIRNSDALE

Nicholson Street
PO Box 367
Bairnsdale 3875
T: 03 5152 9222
F: 03 5152 4863

BALLARAT

100 Grenville Street South
PO Box 604
Ballarat 3350
T: 03 5336 6200
F: 03 5336 6213

BENALLA

21 Bridge Street
PO Box 258
Benalla 3672
T: 03 5761 1400
F: 03 5761 1413

BENDIGO

71 Pall Mall
PO Box 930
Bendigo 3550
T: 03 5440 4140
F: 03 5440 4173

BROADMEADOWS

Cnr Pearcedale Parade
& Dimboola Road
PO Box 3235
Broadmeadows 3047
T: 03 9221 8900
F: 03 9221 8901

CASTLEMAINE

Lyttleton Street
PO Box 92
Castlemaine 3450
T: 03 5472 1081
F: 03 5470 5616

COBRAM

Cnr Punt Road &
High Street
Cobram 3644
C/- PO Box 607
Shepparton 3630
T: 03 5872 2639
F: 03 5871 2140

COLAC

Queen Street
PO Box 200
Colac 3250
T: 03 5234 3400
F: 03 5234 3411

CORRYONG

11 Jardine Street
Corryong 3707
PO Box 50
Wodonga 3690
T: 02 6043 7000

DANDENONG

Cnr Foster & Pultney Sts
PO Box 392
Dandenong 3175
T: 03 9767 1300
F: Criminal 03 9767 1399
F: Civil 03 9767 1352

DROMANA

Codrington Street
PO Box 105
Dromana 3936
T: 03 5984 7400
F: 03 5984 7414

ECHUCA

Heygarth Street
PO Box 76
Echuca 3564
T: 03 5480 5800
F: 03 5480 5801

EDENHOPE

Shire Offices
West Wimmera
Shire Council
49 Elizabeth Street
Edenhope 3318
C/- PO Box 111
Horsham 3400
T: 03 5362 4444

FRANKSTON

Fletcher Road
PO Box 316
Frankston 3199
T: 03 9784 5777
F: 03 9784 5757

GEELONG

Railway Terrace
PO Box 428
Geelong 3220
T: 03 5225 3333
F: 03 5225 3392

HAMILTON

Martin Street
PO Box 422
Hamilton 3300
T: 03 5572 2288
F: 03 5572 1653

HEIDELBERG

Jika Street
PO Box 105
Heidelberg 3084
T: 03 8488 6700
F: 03 9458 3456

HOPETOUN

Shire Offices
Shire of Karkaroc
75 Lascelles Street
Hopetoun 3396
PO Box 111
Horsham 3400
T: 03 5362 4444

HORSHAM

Roberts Avenue
PO Box 111
Horsham 3400
T: 03 5362 4444
F: 03 5362 4454

KERANG

Victoria Street
PO Box 77
Kerang 3579
T: 03 5452 1050
F: 03 5452 1673

KORUMBURRA

Bridge Street
PO Box 211
Korumburra 3950
T: 03 5658 0200
F: 03 5658 0210

KYNETON

Hutton Street
PO Box 20
Kyneton 3444
T: 03 5422 1832
F: 03 5422 3634

LATROBE VALLEY

134 Commercial Road
PO Box 687
Morwell 3840
T: 03 5116 5222
F: 03 5116 5200

MANSFIELD

Cnr High & Highett Sts
PO Box 105
Mansfield 3722
T: 03 5775 2672
F: 03 5775 3003

MARYBOROUGH

Clarendon Street
PO Box 45
Maryborough 3465
T: 03 5461 1046
F: 03 5461 4014

**MELBOURNE**

233 William Street
GPO Box 882
Melbourne 3001
Phone: 03 9628 7777
F: Committal coordinator
03 9628 7733
F: Criminal coordinator
03 9628 7808
F: Criminal registry
03 9628 7826
F: Civil coordinator
03 9628 7736
F: Civil pre-hearing
conference
03 9628 7837
F: Civil registry
03 9628 7728
F: Family law
03 9628 7874
F: VOCAT 03 9628 7853

MILDURA

56 Deakin Avenue
PO Box 5014
Mildura 3500
T: 03 5021 6000
F: 03 5021 6010

MOORABBIN

1140 Nepean Highway
Highett 3190
PO Box 2042
Moorabbin
T: 03 9090 8000
F: 03 9090 8001

MYRTLEFORD

Myrtle Street
Myrtleford 3737
T: 03 5752 1868
F: 03 5752 1981

**NEIGHBOURHOOD
JUSTICE CENTRE**

241 Wellington Street
PO Box 1142
Collingwood 3066
T: 03 9948 8600
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NHILL

110 MacPherson Street
Nhill 3418
PO Box 111
Horsham 3400
T: 03 5391 1207

OMEO

Shire Offices
Main Street
Omeo 3898
PO Box 367
Bairnsdale 3875
T: 03 5152 9222

ORBOST

Wolsley Street
Orbost 3888
PO Box 367
Bairnsdale 3875
T: 03 5154 1328

OUYEN

Shire Offices
Oke Street
Ouyen 3490
PO Box 5014
Mildura 3500
T: 03 5021 6000

PORTLAND

67 Cliff Street
PO Box 374
Portland 3305
T: 03 5523 1321
F: 03 5523 6143

RINGWOOD

39 Ringwood Street
PO Box 333
Ringwood 3134
T: 03 9871 4444
F: 03 9871 4463

ROBINVALE

George Street
Robinvale 3549
PO Box 5014
Mildura 3500
T: 03 5026 4567

SALE

Foster Street
(Princes Highway)
PO Box 351
Sale 3850
T: 03 5144 2888
F: 03 5144 7954

SEYMOUR

56 Tallarook Street
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Seymour 3660
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SHEPPARTON

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Shepparton 3630
T: 03 5821 4633
F: 03 5821 2374

ST ARNAUD

Napier Street
PO Box 17
St Arnaud 3478
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STAWELL

Patrick Street
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Stawell 3380
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SUNSHINE

10 Foundry Road
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Sunshine 3020
T: 03 9300 6200
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SWAN HILL

121 Curlewis Street
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Swan Hill 3585
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WANGARATTA

24 Faithful Street
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Wangaratta 3677
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F: 03 5721 5483

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218 Koroit Street
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Warrnambool 3280
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