



# 2017-18 Annual Report



# Contents

About the Magistrates’ Court of Victoria .....2

Vision and values .....4

The year at a glance .....5

Message from the Chief Magistrate .....6

Message from the CEO .....8

Magistrates’ Court organisational structure .....10

Court committees .....12

Legislative reform.....14

Court operations .....15

Statewide perspective .....20

Shepparton Law Courts.....23

Financials and statistics .....24

Court locations .....42

Abbreviations .....44

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 2017 to 30 June 2018 pursuant  
to section 15(3) of the *Magistrates’ Court Act 1989*.

Yours sincerely



PETER LAURITSEN  
Chief Magistrate

# About the Magistrates' Court of Victoria

**The Magistrates' Court of Victoria (MCV) is a key part of Victoria's justice system, hearing more than 90 per cent of the criminal and civil cases that come before Victorian courts.**

The criminal jurisdiction hears and determines summary offences and some indictable matters, as well as conducting committal hearings in relation to serious indictable offences that are determined in the County or Supreme courts.

In 2017-18, more than 160,473 criminal cases were initiated and a total of 713,062 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 a dedicated and committed workforce that includes 106 magistrates working across the court's 51 locations, as well as 12 judicial registrars and 778 staff. Six magistrates sit at the Coroners Court and 14 at the Children's Court.

In addition to its court operations, MCV also provides a number of specialist courts and programs that aim to improve outcomes for those presenting at court, as well as the community. Many of those who come before the court are assessed to have underlying mental health or substance abuse issues, social or cultural disadvantage, or a disability.

Our specialist courts and programs are solution-focused. They use the opportunity of an individual's participation in the justice system to prevent future offending, improve individual wellbeing and increase community safety.

## MCV's services include:

### Assessment and Referral Court

The Assessment and Referral Court (ARC) is a specialist therapeutic and solution-focused court designed to ensure access to justice and improved outcomes for accused individuals who have a mental illness and/or cognitive impairment.

It works collaboratively with the Court Integrated Services Program (CISP) to provide a wide range of support. ARC operates on a problem-solving court model, where the magistrate hears the matters and reviews the accused person's progress in a less formal setting. A guilty plea is required before an individual support plan is developed. Participants can be involved from three to 12 months.

### Bail and Remand Court

The Bail and Remand Court (BaRC) began sitting at the Melbourne Magistrates' Court on 30 April, replacing the night and weekend court model that was introduced after the Bourke Street tragedy in January 2017. The court hears bail and remand matters from across the metropolitan area, from 10am – 9pm seven days a week. The model expanded night court operations to include Victoria Police prosecutors, Victoria Legal Aid, Protective Services Officers, Community Correctional Services and CISP.

### Court Integrated Services Program

The Court Integrated Services Program (CISP) is a statewide, court-based program that supports eligible clients to address their health and/or social needs with an aim to reduce the likelihood of reoffending.

CISP works with clients during the bail (or pre-trial) stage of their criminal proceedings. It is a voluntary program and clients are provided with individualised case management to support timely access to community-based treatment and support services, including drug and alcohol treatment, accommodation, disability or mental health services.

### CISP Remand Outreach Pilot

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

### Drug Court

MCV's Drug Court sits at the Dandenong and Melbourne Magistrates' courts. Drug courts provide offenders with a drug and/or alcohol dependency the option to undertake a drug treatment order (DTO) in lieu of serving a sentence. The intensive, integrated

drug treatment program is judicially supervised and provides a therapeutic response to address the underlying causes of drug addiction. Structured to promote honesty, accountability and a change in participants' behaviour, DTO non-compliance attracts swift and significant consequences, including jail.

### Koori Court

MCV's Koori Court is a culturally appropriate sentencing court for Aboriginal and Torres Strait Islander defendants who plead guilty.

The Koori Court facilitates conversations with the defendant and their family and lawyer sitting around an oval table, directly engaging with Koori Court Elders, the magistrate, Victoria Police, Corrections and a Koori Court officer to address underlying issues.

Elders and Respected Persons (ERPs) and Koori Court officers reduce cultural alienation, strengthen accountability and ensure the process is culturally safe.

Sentencing decisions informed by cultural conversations are more appropriate to cultural needs and divert Koori defendants from prison wherever possible.

### 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 aid their recovery and to cover expenses that resulted from the crime.

VISION  
AND  
VALUES



Accessibility



Courtesy and respect



Fairness



Integrity

**Our vision:** To be an innovative, accessible and responsive court that provides quality services to the Victorian community.



Innovation and change



Timeliness



Transparency



Working together

CRIMINAL CASES INITIATED

160,473



CRIMINAL CASES FINALISED 196,871 -1%



#1 CHARGE:  
DRIVING VEHICLE  
UNREGISTERED  
IN CITYLINK TOLL ZONE

41,119

TOTAL CRIMINAL HEARINGS 713,062 -2%

112,135  
FAMILY  
VIOLENCE  
LISTINGS +5%



44,202  
BAIL APPLICATION  
ORDERS MADE  
5% DECREASE

3426  
COMMITTAL  
PROCEEDINGS  
FINALISED +8%

38,697  
CIVIL COMPLAINTS  
ISSUED -3%

27,606  
PERSONAL SAFETY  
INTERVENTION  
ORDER LISTINGS  
11% INCREASE

# Message from the Chief Magistrate

It is with pleasure that I present the Annual Report of the Magistrates' Court of Victoria for the year ending 30 June 2018.

## Judicial wellbeing

It has been a challenging year for the court's judicial officers and administrative staff with the deaths of former Magistrate Jacinta Dwyer in October and Magistrate Stephen Myall in March.

These tragic events brought a renewed focus to the issue of judicial wellbeing as the court worked to manage increasing demands while ensuring the health and safety of everyone within it.

To ensure the court is addressing workplace needs, I invited former Supreme Court Justice Bernard Teague to co-chair a new judicial wellbeing committee. The committee was set up to make recommendations to me about how the court could implement best-practice initiatives. It has a large membership, many of whom are judicial officers.

The committee moved quickly to make a number of recommendations, which I implemented. These included: a strategic wellbeing plan; limiting sitting hours of the court to 10am and 4pm; introducing a monthly chamber day for every magistrate and judicial registrar to allow time to prepare reserved decisions and deal with other chamber work; introducing a formal induction process for new magistrates; and four voluntary wellbeing days for each magistrate to build resilience through sessions with trained counsellors. This last item is in addition to an employee assistance program that has been available for many years.

The health and wellbeing of our judicial officers and staff is our highest priority and I look forward to continuing to work with the committee to ensure our court is providing a safe and supportive working environment.

## Non-production

In my previous annual report messages, I have raised the issue of the non-production of persons in custody and have explained how it arises. This issue is a consequence of a larger issue: the rapid increase in the number of unsentenced persons held in custody.

Although many measures have been taken to overcome the issue of non-production, they have reduced but not eliminated the issue. There are now two main factors driving the number of unsentenced prisoners: the recruitment of new members of the Victoria Police and the effects of the significant changes to bail laws in 2018.

The court has been managing strong growth in the number of proceedings over the past decade with many of its venues at or exceeding capacity.

There are increases in two areas in particular that exceed that created by the increase in the state's population: applications for intervention orders under the *Family Violence Protection Act 2008* and the *Personal Safety Intervention Orders Act 2010* and criminal charges arising out of family violence incidents; and applications for bail, which can be more complex because of the tighter restrictions.



During February 2017, the court introduced night sittings in one courtroom at Melbourne. On 30 April 2018, those sittings were redesigned to become part of the Bail and Remand Court concept recommended by Justice Coghlan in his second advice to the State Government. This enabled two sittings in the same courtroom: the first starting at 10am and finishing at 4pm; and the second starting at 4pm and finishing at 9pm. Coupled with weekend sittings, the court now offers a sitting at Melbourne every day of the year between 10am and 9pm except on public holidays when it sits between 4pm and 9pm only.

This measure increases the ability of parties to access justice. It also adds to the court's ability to meet rising workloads.

## Shepparton Law Courts

On 23 March, the Attorney-General opened the new courthouse at Shepparton. This is the first large-scale building project undertaken by Court Services Victoria (CSV).

The old courthouse used by the Supreme and County courts will be re-developed into a safe waiting area for victims and others to wait until their case is called into a courtroom.

I thank the members of the committee, especially the community members who travelled from Shepparton to Melbourne for two out of every three meetings.

The committee worked with stakeholders for more than three years to ensure the building and its

courtrooms were designed to meet the needs of all jurisdictions and enable the delivery of modern court services. It is a world-class facility, and I would like to thank all those involved with the project for their hard work.

## Acknowledgements

MCV welcomed 11 new magistrates and two judicial registrars during the year, and I would like to congratulate each on their appointment: Carolyn Burnside, Abigail Burchill, David Starvaggi, Frances Medina, Rod Higgins, Julie Grainger, Tara Hartnett, Michael Wardell, Mia Stylianou, Sharon McRae, Simon Guthrie, Leah Hickey and Katherine Rynne.

- The court also farewelled a number of magistrates who retired or ceased to hold the office due to age: Jill Crowe, John O'Brien, Michael Smith, Bruce Cottrill and Cathy Lamble. I thank them for their service to the court and the community.

Finally, I would like to thank all my judicial colleagues, the court's chief executive officer, its principal registrar, registrars and staff for their continued efforts throughout the year. Without their commitment to the administration of justice, the court could not operate as well as it does.

Chief Magistrate  
Judge Peter Lauritsen



# Message from the CEO

**It's been a year of review for MCV as we continued to explore ways we can deliver high-quality services in a future that will be shaped by increasing demand and potential changes to our service delivery model.**

Our venues continue to be extremely busy and how we manage this increasing pressure has been a key focus for our leadership team throughout the year.

There were a number of significant changes during the year that impacted the number of offenders being brought before the court and the way we hear cases. These included bail reform, the Victorian Government's 2017 Community Safety Strategy, providing an additional 3000 police officers over four years, and issues created by the non-transportation of prisoners in custody to court locations.

Total criminal hearings at our venues have risen by 20 per cent since 2012-13 and this growth is forecast to continue over the next decade.

Coupled with the sheer increase in volume, the time needed to resolve matters is also rising.

There are no easy solutions to many of the challenges being experienced throughout the justice system, but a number of projects are underway that will look at the demand our venues are experiencing, review how we do business and explore opportunities, both in technology and service delivery, that will enable us to continue to deliver quality justice outcomes into the future.

We launched a workforce of the future project during the year that explored our anticipated needs around the state so we could determine how our processes and structures should best evolve to ensure we can continue to meet demand.

The project explored the range of roles and structures we're after to ensure we are ready to meet future challenges.

We also completed a review of operations at the Melbourne Magistrates' Court, which is our busiest venue. With criminal finalisations rising by 8 per cent at this location during the year, how we balance demand pressures and infrastructure limitations will be crucial as we continue to plan for the future.

MCV's staff numbers grew by 13 per cent during the year as we expanded the Drug Court, CISP and ARC, and continued our investment in delivering the recommendations of the Royal Commission into Family Violence.

To accommodate our growing staff numbers, we signed a lease for two floors of additional office space at 350 Queen Street. This site will be home to 140 team members as well as state-of-the-art Drug Court assessment and testing facilities when renovations are completed later this calendar year.

The new Bail and Remand Court began sitting at Melbourne in April. It operates from 10am to 9pm seven days a week, including weekends, and is the first court of its kind anywhere in the world.

The Shepparton Law Courts opened in March and I would like to acknowledge the dedication and commitment of our team in delivering this successful project. It was a long journey and the hard work for our Shepparton staff really began when the building was ready for occupancy. I would like to thank everyone who put in long hours to ensure a seamless transition to the new building.

We have also undertaken building works and safety improvements at a number of venues including Melbourne, Ararat, Bairnsdale, Horsham, Korumburra, Ringwood, Dandenong, Colac, Hamilton, Horsham and Swan Hill.

These changes and improvements have seen the creation of safe waiting areas, secure counters, installation of duress alarms, interview rooms, lighting, carpet, seating, painting, patching, docks, audio visual link (AVL) upgrades and multimedia installations.

Our commitment to upgrade safety and security continued with the introduction of court security officers (CSOs) on sitting days to 40 courts around the state. CSOs are purpose-trained, licensed private security guards whose role is to help ensure that safety is maintained in and around court buildings.

Their role includes conducting entry screening to detect and remove prohibited items, including weapons making our courts safer for all.



Among the other highlights for the year:

- the Drug Court Division at Melbourne saw its first graduations one year after launching
- the ARC List expanded to Moorabbin and Frankston
- we expanded CROP services
- we marked the 15-year anniversary of the Broadmeadows Koori Court and launched an Elders and Respected Persons honour roll
- the family violence information sharing scheme commenced in February, enabling information sharing entities to share data for risk assessment or protection for victims of family violence
- we piloted a family violence contact centre that will manage phone queries relating to court matters, easing demand on registry staff at the Melbourne Magistrates' Court.

I would like to thank our directors, managers and senior registrars for the leadership they provided to our staff during what was a challenging period for our organisation.

I would also like to thank all our dedicated staff right across the state who continued to work tirelessly to provide quality court services for the people of Victoria.

**Chief Executive Officer  
Andrew Tenni**

# Organisational structure

The Magistrates' Court of Victoria is led by Chief Magistrate Peter Lauritsen, who is supported by four deputy chief magistrates, a state coordinating magistrate and 11 regional coordinating magistrates who preside at 51 locations around the state.

Through a suite of committees, the judiciary makes recommendations about the administration of the law and the running of the court to improve processes.

The magistrates are supported by an administrative team, which is led by CEO Andrew Tenni, to deliver an innovative and responsive court that provides quality services to the Victorian community.

## The judiciary

### Chief Magistrate

Mr Peter Lauritsen

### Deputy chief magistrates

Ms Felicity Broughton  
Mr Franz Holzer  
Mr Lance Martin  
Ms Jelena Popovic

### Supervising magistrates

#### Civil

Mr Philip Ginnane

#### Criminal

Mr Charlie Rozencwajg  
Ms Suzanne Cameron

#### Drug Court

Mr Anthony Parsons

#### Family Violence and Family Law

Ms Felicity Broughton  
Ms Kate Hawkins

#### Koori Court and CISP

Ms Jelena Popovic

#### Sexual Offences List

Ms Belinda Wallington

### VOCAT

Ms Fiona Hayes  
Ms Johanna Metcalf

### State coordinating magistrate

Mr Franz Holzer

### Regional coordinating magistrates

#### Barwon South West

Ms Ann McGarvie

#### Broadmeadows

Mr Martin Grinberg

#### Dandenong

Mr Jack Vandersteen

#### Frankston

Mr Gerard Lethbridge

#### Gippsland

Mr Simon Garnett

#### Grampians

Mr Ron Saines

#### Heidelberg

Ms Meagan Keogh

#### Hume

Ms Stella Stuthridge

#### Loddon Mallee

Dr Michael King

#### Melbourne

Ms Susan Wakeling

#### Neighbourhood Justice Centre

Mr David Fanning

#### Ringwood

Ms Jan Maclean

#### Sunshine

Ms Kay Robertson

## Magistrates

*As at 30 June 2018*

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 Jennie Bowles (CHC)  
Mr Gerard Bryant  
Ms Abigail Burchill  
Mr Anthony Burns  
Ms Carolyn Burnside  
Mr Darrin Cain (CHC)  
Mr Andrew Capell  
Ms Rosemary Carlin (CCOV)  
Mr Michael Coghlan  
Ms Ann Collins  
Mr Gregory Connellan  
Mr Rodney Crisp  
Ms Sarah Dawes  
Mr Peter Dotchin (CHC)  
Mr Peter Dunn  
Ms Michelle Ehrlich (CHC)  
Ms Caitlin English (CCOV)  
Ms Rosemary Falla  
Mr David Faram  
Mr Bernard Fitzgerald  
Ms Lesley Fleming (CHC)  
Mr Timothy Gattuso  
Ms Jane Gibson (CHC)  
Mr Phillip Goldberg  
Ms Anne Goldsbrough  
Ms Julie Grainger  
Ms Jennifer Grubissa  
Mr Simon Guthrie  
Ms Margaret Harding (CHC)

Mr John Hardy  
Ms Tara Hartnett  
Ms Annabel Hawkins (CHC)  
Mr Rodney Higgins  
Ms Michelle Hodgson (CCOV)  
Ms Gail Hubble (CHC)  
Ms Audrey Jamieson (CCOV)  
Mr Graham Keil  
Mr Jonathan Klestadt  
Ms Elizabeth Lambden  
Mr Nunzio LaRosa  
Ms Sarah Leighfield  
Mr Dominic Lennon  
Mr John Lesser  
Ms Denise Livingstone  
Ms Mary-Anne MacCallum  
Ms Therese McCarthy  
Ms Kay Macpherson (CHC)  
Mr Raj Malhotra  
Ms Urfa Masood  
Mr Ross Maxted  
Mr Andrew McKenna  
Mr Gregory McNamara  
Ms Sharon McRae  
Mr Peter Mealy  
Ms Fran Medina  
Mr Peter Mellas  
Mr Peter Mithen  
Mr John O'Callaghan  
Ms Julie O'Donnell  
Ms Kim Parkinson (CHC)  
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 Paul Smith  
Ms Sharon Smith (CHC)  
Mr Patrick Southey

Ms Paresa Spanos (CCOV)  
Ms Pauline Spencer  
Mr David Starvaggi  
Ms Fiona Stewart  
Mr Mark Stratmann  
Ms Mia Stylianou  
Mr Charles Tan  
Ms Noreen Toohey  
Ms Cynthia Toose  
Ms Jennifer Tregent  
Mr Timothy Walsh  
Mr Michael Wardell  
Mr Ian Watkins  
Mr Iain West (CCOV)  
Mr Michael Wighton  
Mr Brian Wright  
Mr Simon Zebrowski  
Mr Francis Zemljak (CHC)

### 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  
Ms Cathy Lamble  
Mr Gregory Levine  
Mr Ian McGrane  
Mr Dan Muling  
Mr John Murphy  
Mr John O'Brien  
Mr Peter Power  
Mr Steven Raleigh  
Mr Michael Smith  
Mr Alan Spillane  
Mr Ian von Einem

## Judicial registrars

Ms Ruth Andrew  
Mr Julian Bartlett  
Mr Mick Bolte  
Ms Samantha Dixon  
Mr Anthony Gwynne  
Ms Leah Hickey  
Mr Barry Johnstone  
Mr David McCann  
Mr Richard O'Keefe  
Ms Alison Paton  
Ms Katherine Rynne  
Ms Angela Soldani

CHC indicates magistrates sitting at the Children's Court, CCOV indicates magistrates sitting at the Coroners Court.

### Principal registrar

Ms Simone Shields

### Manager court operations

Mr Keith Turner

## Executive team

### Chief executive officer

Mr Andrew Tenni

### Directors

#### Specialist courts and programs

Mr Robert Challis (until 9 February)  
Ms Elissa Scott (acting until 30 June)

#### Court operations

Ms Melissa Martino

#### Finance and strategy

Ms Simone Richardson

#### People, culture and transformation

Ms Simone Ilett

#### Organisational change

Mr Chris Sheard

#### Neighbourhood Justice Centre

Ms Elissa Scott

# Court committees

The court’s primary committees are:

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. A key focus during the year was judicial wellbeing and refining the induction process for new magistrates.

Executive Committee

Chaired by Chief Magistrate Peter Lauritsen

The committee considers the operation of the Magistrates Court Act, the associated rules and the working of the court. It also examines defects in the procedure and administration of the law. Issues considered included 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 ensuring that appropriate practices are in place to manage the efficient resolution of its caseload.

The committee oversaw the implementation of changes to the Magistrates’ Court General Civil Procedure Rules 2010, as well as rule changes concerning the award of costs in matters involving the appointment of litigation guardians, and harmonised a number of rules with provisions at the County and Supreme courts.

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, 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 delegations to judicial registrars, a review of sentencing for minor drug offences, prisoner transport, security

for magistrates, ex parte hearings of indictable matters, court fees for certified extracts, updates to the court companion, correct venue, diversion and bail.

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.

Issues discussed during the year included appearances via AVL, electronic hand-up briefs, summary case conferencing and bail application forms.

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 online dispute resolution, the Access to Justice Review and the development of a memorandum of understanding with the Dispute Settlement Centre of Victoria with regard to mediation within the court.

Family Violence and Family Law Portfolio Committee

Chaired by Deputy Chief Magistrate and Supervising Magistrate Felicity Broughton and Supervising 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:

- applying strategies for managing the growing demand within the intervention order jurisdiction through improved practices and contribution to legislative reform

- establishing professional development programs and working with the Judicial College of Victoria to facilitate family violence training for all magistrates
- identifying process and system issues to improve the court experience for those experiencing family violence
- facilitating a best practice justice response for children and adults experiencing family violence by holding perpetrators accountable for their actions.

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 resource and occupational health and safety matters.

Issues considered include a number of strategic improvement initiatives including policy development, recruitment, people management and reporting.

Sexual Assault Management Committee

Chaired by Supervising Magistrate Belinda Wallington

Comprising metropolitan and regional magistrates from MCV and the Children’s Court, the committee reviews and comments on proposed legislative

changes and works to promote consistency in case management. Its focus has been preparing for the introduction of the Intermediary Pilot Scheme at Melbourne and of ground rules hearings around the state.

Victims of Crime Assistance Tribunal Coordinating Committee

Chaired by Supervising Magistrates Johanna Metcalf and Andrew Capell (until February) and then Fiona Hayes

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.

Issues considered include recommendations arising from the Royal Commission into Family Violence, establishment of a national redress scheme as a key recommendation of the Royal Commission into Institutional Responses to Childhood Sexual Abuse, and proposed reforms under the *Justice Legislation Amendment (Victims) Act 2018* that would remove time limits relating to applications for assistance made by victims of childhood abuse and expand the definition of relevant offence.



# Legislative reform

The court administers a range of legislation, with a number of Acts, rules and Regulations introduced or amended during the reporting period.

These include:

- *Children and Justice Legislation Amendment (Youth Justice Reform) Act 2017*
- *Corrections Legislation Miscellaneous Amendment Act 2017*
- *Crimes Legislation Amendment (Public Order) Act 2017*
- *Drugs, Poisons and Controlled Substances Miscellaneous Amendment Act 2017*
- *Jury Directions and Other Acts Amendment Act 2017*
- *Bail Amendment (Stage Two) Act 2018*
- *Firearms Amendment Act 2018*
- *Justice Legislation Amendment (Victims) 2018*
- *Oaths and Affirmations Act 2018*
- *Crimes Legislation Amendment (Protection of Emergency Workers and Others) Act 2017*
- *Magistrates' Court Criminal Procedure (Amendment No 7) Rules 2017*
- *Magistrates' Court General Civil Procedure (Miscellaneous Amendments) Rules 2017*
- *Family Violence Protection Amendment Regulations 2017*
- *National Domestic Violence Order Scheme Regulations 2017*
- *Family Violence Protection (Information Sharing) Regulations 2018*
- *Magistrates' Court Criminal Procedure (Amendment No 8) Rules 2018 and Magistrates' Court Criminal Procedure (Amendment No 9) Rules 2018*
- *Magistrates' Court General Civil Procedure and Miscellaneous Proceedings (Costs Amendment) Rules 2017*
- *Fines Reform Regulations 2017*
- *Infringements Amendment Regulations 2017*
- *Bail Amendment Regulations 2017*
- *Magistrates' Court (Family Violence Protection) Amendment Rules 2017*
- *Magistrates' Court (Judicial Registrars) Amendment Rules 2018.*

# Court operations

The court has had another busy year managing more than 713,000 criminal listings.

This was a slight decrease on the previous year (down 2 per cent) due in part to the implementation of the *Fines Reform Act 2018* on 31 December 2017.

While one of the aims of the legislation was to move some low-level infringement matters from the court to a new agency, technical difficulties experienced by Fines Victoria resulted in reduced volumes across a broader range of matters than had been anticipated. These cases are expected to return to the court once the technical issues have been resolved.

Total criminal listings have increased by 20 per cent since 2012-13 with many court venues soon to reach or exceed capacity.

The court finalised a record number of committals during the year (3426), which was an 8 per cent increase on 2016-17.

The total number of criminal applications finalised rose by 4 per cent, including 44,202 bail-related applications and 68,906 other applications including licence restorations and special mentions.

Family violence continued to be a priority area for MCV with the total listings for personal safety and family violence intervention orders rising by 7 per cent to 139,741. This represents a 40 per cent increase since 2013-14.

Listings in the Drug Court rose by 92 per cent to 7052 due to the expansion of the program with the opening of a second court at Melbourne on 3 August. The program continues to have a success rate of more than 40 per cent.

The Magistrates' Court is responsible for determining applications for search warrants under a variety of different state and commonwealth Acts, as well as a large number of applications under the *Children, Youth and Families Act 2005*. These applications have increased by 23 per cent over the past five years, rising from 18,461 in 2013-14 to 23,014 in 2017-18. These applications are determined by all venues of the Magistrates' Court, with a large proportion dealt with by an after-hours service (27 per cent) and 25 per cent lodged at the Melbourne Magistrates' Court.

## Bail and Remand Court

Bail continued to be an area of focus in the wake of the review undertaken by Justice Coghlan in May 2017. In response to recommendation 29 from Justice Coghlan's report, the Bail and Remand Court (BaRC) launched at the Melbourne Magistrates' Court on 30 April.

The model expanded the night and weekend court operations, which were introduced in January 2017 following the Bourke Street incident, to include key stakeholders such as Victoria Police prosecutors, Victoria Legal Aid, Protective Services Officers, Community Correctional Services and CISP.

# Court operations

With sittings from 10am-4pm and 4pm-9pm seven days a week, the court hears after-hours applications from across the metropolitan area, with police bringing accused into Melbourne for the hearings.

The BaRC model creates a more efficient process for those accused who are brought before the court in custody. In addition to providing greater access for accused persons who are arrested to first appear, they also now have access to legal representation as well as assessments for bail support services.

Figures from the first two months of operation show that 463 people appeared before BaRC, with 17 per cent granted bail and 71 per cent either refused bail or making no application.

The BaRC model has been successful in enabling a higher percentage of matters to resolve earlier, either through finalisation of the bail process or a guilty plea. This reduces pressure on the criminal justice system not only at Melbourne but at other court venues.

## Video conferencing

MCV successfully completed a video conferencing expansion program in July, bringing the number of courtrooms with audio visual technology to 170 across 38 venues.

The number of matters heard via audio visual link increased by 6.2 per cent to 23,760.

This resulted in a 55 per cent reduction in the number of people not being brought to court in the six months to 30 June (587), compared with the same period in 2017 (1298).

A working group with key stakeholders has been established to explore ways audio visual technology can be used to further improve access to court proceedings.

## New case management system

Court Services Victoria received \$89.2 million in the 2017-18 State Budget to develop a modern case management system for MCV and the Children's Court. Each year the courts manage more than 350,000 cases, but the 30-year-old Courtlink system is outdated and no longer fit-for-purpose.

Significant project planning was completed during the year and an expressions-of-interest process launched. The new system will support ongoing caseload growth, enable the court to meet service expectations, and streamline data capture and information exchange.

The new system will be a key part of the court's ongoing business transformation process as we strive to modernise and provide a greater level of customer service to court users.

## Drug Court

The Drug Court opened a second list at the Melbourne Magistrates' Court on 3 August, making it the largest Drug Court in Australia.

Since the start of its first list in March 2017, the Melbourne Drug Court has imposed 141 drug treatment orders (DTO) for offenders to receive intensive support to address their substance abuse and offending.

The first Drug Court at Melbourne was launched as part of the State Government's Ice Action Plan, which aimed to make the community safer through a targeted reduction in methamphetamine use and drug-related crime.

The program celebrated its first graduation in May, when one of its initial participants completed the requirements of their two-year order within 12 months. With a 12-year history of substance abuse, the participant successfully engaged in all aspects of the DTO, rebuilt relationships with community and family, and successfully abstained from all drugs. The graduate has gone on to undertake tertiary studies and enrolled in a peer mentoring course to support others who are taking part in the program.

## Koori Court

The Koori Court honoured 12 of its Elders and Respected Persons (ERPs) with the introduction of honour boards to mark distinguished service at Shepparton in October and Broadmeadows in April. The boards recognise the substantial contribution they have made to the Koori Court and their local communities.

Eighteen new ERPs joined the court during the year.

## Assessment and Referral Court

MCV received \$22 million over four years as part of the 2017-18 State Budget to expand the Assessment and Referral Court to Moorabbin, Frankston and Gippsland. This will allow for an additional 288 ARC referrals each year. ARC has been available at Melbourne since 2010.

The ARC list commenced at the Moorabbin Magistrates' Court in January, with an official launch by the Attorney-General in June.

It is designed to address the complex needs of people with mental illness, intellectual disability, acquired brain injury, autism and dementia, and is designed to assess their needs and divert them from the criminal justice system. It links participants with medical care, housing and treatment for drugs and alcohol while providing ongoing judicial monitoring.

Mental health is a significant issue in Victoria's justice system with about 40 per cent of prisoners dealing with at least one mental health issue.

## CISP and CROP

MCV marked the 10-year anniversary of CISP operations in August. CISP is a court-based support program that supports participants to address their health and/or social needs with an aim to reduce the likelihood of re-offending.

Participants are provided with short-term interventions prior to sentencing including case management and referral to treatment and support services.

What started as a three-year pilot program at Melbourne and Sunshine Magistrates' courts, is now in operation at 19 court venues.

In the 2017-18 State Budget, MCV received \$25.2 million over four years to expand CISP and CROP to additional court and prison locations.

Eighteen additional positions were created to expand CISP at Ballarat, Broadmeadows, Heidelberg, Latrobe Valley, Melbourne, Bendigo, Moorabbin and Ringwood. This will enable the program to increase its capacity and reach an additional 650 high risk and vulnerable court users.

The CROP program was also expanded during the year and now comprises 13 positions, 11 of which are located within the larger remand prisons. CROP is a collaboration with Corrections Victoria. Staff proactively work to identify prisoners who may be eligible for bail if appropriate community support can be provided. This may include accommodation, alcohol and drug treatment, or support for mental health issues.

## Family violence reform

The 2016 Royal Commission into Family Violence made 227 recommendations to transform the way Victoria responds to family violence. 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 2017-18 State Budget provided \$130 million over four years to enable MCV to implement new initiatives and to support broader reform in courts to strengthen the approach to family violence.

The reform program will deliver initiatives across MCV, as well as the Children's and Coroners courts, and the Judicial College of Victoria.

It is overseen by a steering committee chaired by the Chief Magistrate and including an independent member, the Honourable Marcia Neave.

In the past year the court has successfully implemented three recommendations from the Royal Commission:

- recommendation 64 introduced daily coordination meetings with applicant and respondent support workers before hearing a family violence list to ensure high-risk cases were given priority, interpreters were available, and legal representatives could manage conflict
- recommendation 114 involved issuing a practice direction that encouraged the use of personal property conditions in family violence intervention orders
- recommendation 118 involved issuing a practice direction that encouraged magistrates hearing intervention order applications to inquire as early as possible about whether the applicant and respondent were in shared rental accommodation and, if so, ensured the protected person was notified of the right to apply for a new tenancy agreement and received information about how to do so.

# Court operations

Significant progress has been made towards implementing a number of other recommendations including:

- the launch of a family violence contact centre at the Melbourne Magistrates' Court in May (recommendation 63), which will manage transactional inquiries from a central location to free up court staff to deal with other matters
- further planning for the establishment of specialist family violence courts (SFVC) at Shepparton, Ballarat, Moorabbin, Frankston and Heidelberg. Significant architectural and service design planning has been undertaken including extensive stakeholder consultations and co-design workshops with victim survivors (recommendation 60). 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.

Significant work has also taken place to review the court's family law jurisdiction and to undertake demand modelling. This will inform a 12-month family law demonstration project at a regional and metropolitan court location (recommendation 60).

More than \$4.2 million has been invested over the past two years to upgrade venues and improve the safety of women and children impacted by family violence. This includes upgraded

facilities at Horsham, Heidelberg, Bendigo, Broadmeadows, Geelong, Sunshine, Werribee, Wangaratta, Dandenong, Latrobe Valley and Ringwood.

The court supported White Ribbon Day with a breakfast attended by staff at the William Cooper Justice Centre. The campaign encourages men and boys to take a stand and say that violence is never acceptable. White Ribbon recognises that most men do not commit violence against women but staying silent about the issue allows it to continue. MCV is one of 107 officially accredited White Ribbon Workplaces nationwide.

## Neighbourhood Justice Centre

NJC introduced a new online service to enable people to plead guilty to selected low-level summary offences, including minor traffic and public transport matters. Approximately 25 per cent of the 3000 matters heard at the NJC Magistrates' Court each year are summary matters that typically resolve with a fine, but they take up considerable time. The new service is designed to free resources that can then be used on more complex matters. The system mirrors the existing right to submit a written guilty plea for such offences.

The centre also launched a pilot program in conjunction with peak body No To Violence (NTV) that is designed to change the behaviour and attitudes of male respondents in family violence matters. In a first for Victorian courts,

an NTV men's respondent worker now engages men face-to-face to challenge violence-enabling beliefs and attitudes before they participate in behaviour-change programs.

To help better assist clients with gambling issues, which are often stigmatised and under-reported, the centre also partnered with the Victorian Responsible Gambling Foundation to investigate attitudes held by courts and treatment services towards gamblers. The centre hopes to develop practices that can be utilised by all courts.

The centre launched a new website during the year. The new site is designed to make it easier for clients, the community and professionals to access vital information about the centre and its services.

NJC continued to lead the way nationally and internationally in promoting the benefits of holistic justice solutions, hosting a number of delegations keen to see the model in action. Sixteen senior public officials from the Seoul Metropolitan Government visited the centre to look at the relationship between the court and its onsite treatment services as part of its plans to improve welfare services.

The centre also mentored the University of Western Australia to develop a proposal for a community justice centre in that state and hosted WA Minister Simone McGurk, who has portfolio responsibilities for child protection, community services and domestic violence.

In May, Magistrate David Fanning travelled to Birmingham, Alabama, to speak at the Community Courts and Public Safety Conference. This engagement reflects the centre's profile as an International Community Mentor Court.

## Civil matters

The court's civil jurisdiction comprises three main jurisdictions:

- the general civil 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
- 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 43,968 claims for the year, which was a 2 per cent decrease on the previous year. Historically the state of the economy played a significant role in the rise and decline in the number of civil claims being issued. There was a 9 per cent decline in claims up to \$10,000 (25,785) but an 11 per cent rise in the number of complaints issued where more than \$10,000 was being claimed (12,912).

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.

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 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*.

## 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 during the year.



# Statewide perspective

The court is divided into 12 administrative regions, each managed by a regional coordinating magistrate and a senior registrar. Each region consists of a headquarter court and many also include satellite courts. The judiciary and court staff work closely with a range of stakeholders to provide improved access to justice to all Victorians.

### Barwon South West

The Barwon South West region includes courts at Geelong (headquarter court), Colac, Hamilton, Portland and Warrnambool.

#### Initiatives

To enhance victim safety, the Geelong Magistrates’ Court installed a safe waiting area for family violence applicants, a separate entrance to the family violence court for all applicants and partitioned seating in court. The Orange Door service was also introduced, which is a support and safety hub for anyone affected by family violence.

A fast track family violence list commenced at Geelong and Warrnambool, with the addition of a lead family violence magistrate at the courts.

The CISP service was introduced to Warrnambool, and the service was enhanced at Geelong with the introduction of a team leader and the addition of an extra practitioner.

### Broadmeadows

Five magistrates and a judicial registrar preside over the Magistrates’ Court at Broadmeadows.

#### Initiatives

The court continued to contribute to and facilitate many community-based initiatives such as the Hume Community Safety Advisory Committee, the Hume Domestic Violence Network and Second Chance Young Stars.

The Party Program sentencing option was introduced at Broadmeadows following its successful launch at Sunshine Magistrates’ Court. The program is an injury prevention and health promotion program aimed at those aged 18-25. The program aims to show the possible consequences that can happen to those who make risky choices.

The 15-year anniversary of the Koori Court at Broadmeadows was celebrated in April with the launch of the honour roll of Koori Elders and Respected Persons.

### Dandenong

The Dandenong Magistrates’ Court serves the cities of Greater Dandenong, Casey and the Shire of Cardinia.

This year marks the end of a four-year period of restructuring criminal lists that resulted in a reduction in pending criminal matters by approximately 60 per cent. This reduces the risk of reoffending and enables faster sentencing. The court acknowledges the support of the Dandenong Prosecutions

Unit, Victoria Legal Aid Dandenong, Corrections Victoria and local defence practitioners in achieving this objective.

#### Initiatives

A fast-tracking pilot began at Dandenong in accordance with practice direction 10 of 2017. All eligible accused persons now have their contravention proceedings listed with 14 days if on bail or within 28 days on summons.

In partnership with Catholic Care, the court delivered a justice education program for newly arrived refugees. It was presented by magistrates, senior members of Victoria Police, a child psychologist, VCAT members, and staff from the court, Consumer Affairs Victoria staff and local councils.

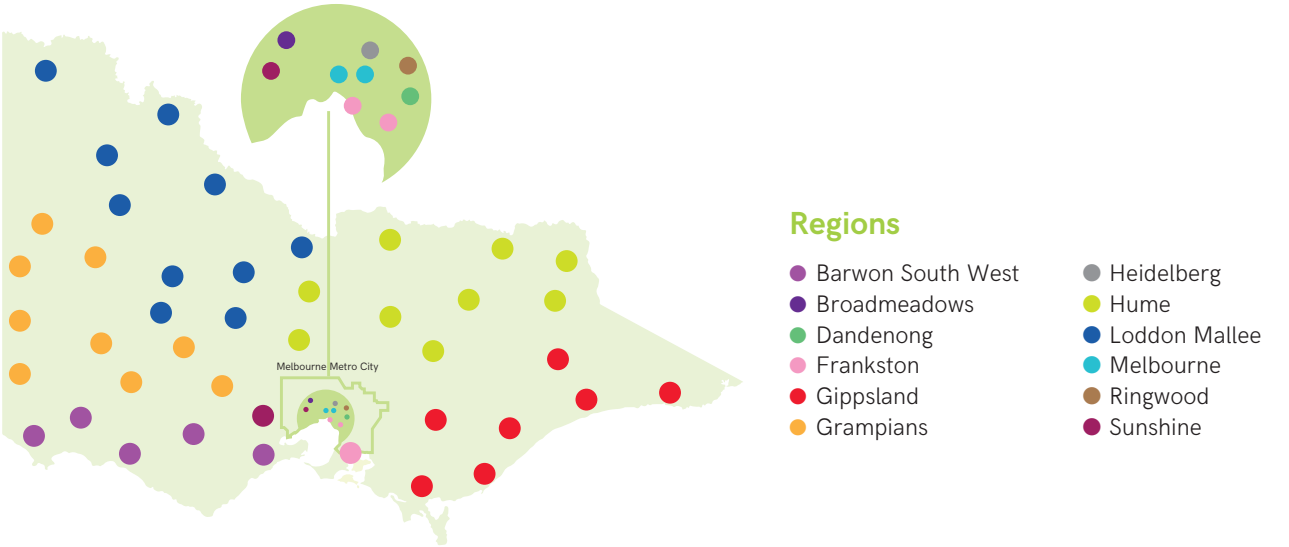
### Frankston

The Frankston region includes Frankston (headquarter court), Moorabbin and Dromana.

#### Initiatives

The Assessment and Referral Court (ARC) commenced at Moorabbin in January. ARC aims to meet the needs of accused persons who have a mental illness and/or a cognitive impairment

This year the multi-jurisdictional Moorabbin Justice Centre in Highett celebrated its 10-year anniversary with an event attended by Attorney-General Martin Pakula, Chief Magistrate Peter Lauritsen and former Attorney-General Rob Hulls.



The Frankston Magistrates’ Court has been involved with the Living Free Project, which is a two-year program that aims to identify, address and improve systemic issues and responses for women who are at risk of entering the justice system. It aims to address the underlying causal factors of offending behaviours to reduce recidivism and entrenchment in the justice system.

### Gippsland

The Gippsland Region comprises seven courts with the headquarter court situated at Morwell and other venues at Sale, Bairnsdale, Orbost, Omeo, Korumburra and Wonthaggi.

The region experienced a 26 per cent increase in the number of finalised criminal cases this year — the biggest increase of any region.

#### Initiatives

Significant renovation work was undertaken at the Latrobe Valley, Sale, Bairnsdale, Korumburra and Wonthaggi courts.

Work is ongoing on the establishment of an Assessment and Referral Court list at Latrobe Valley and Korumburra to commence on 1 July 2018, with an expansion planned to commence at Sale and Bairnsdale in 2019.

CISP was expanded across the region to include service provision at Latrobe Valley, Korumburra and Wonthaggi courts with the intention of expanding the service to Sale and Bairnsdale in 2019.

### Grampians

The Grampians region includes Ballarat (headquarter court), Bacchus Marsh, Ararat, Stawell, Horsham, Nhill, St Arnaud, Edenhope and Hopetoun courts.

#### Initiatives

The Ararat Magistrates’ Court reopened in July following major safety and security upgrades. A new waiting area and interview room were built to create a safer experience for those impacted by family violence. Major registry upgrades were completed at Bacchus Marsh and Horsham.

Court security officers are now present at all courts in the region on sitting days to provide entry screening and roving security.

Ballarat Magistrates’ Court was named as one of five new specialist family violence courts to help deliver on recommendation 182 from the Royal Commission. Planning work for building upgrades commenced, which will include a separate entrance to the court and a safe space for victim survivors and their families.

### Heidelberg

Heidelberg is home to one of Victoria’s first specialist family violence divisions. It experienced a 7 per cent increase in the number of family violence and personal safety matters heard during the year.

#### Initiatives

The increase in the number of family violence and personal safety matters

heard during the year contributed to an overall 2 per cent increase in the number of matters heard at Heidelberg. This combined with pressures caused by the Children’s Court sitting one day each week led to longer sitting days. Timeframes for contest mention cases increased to 13 weeks and contests to 18 weeks during 2017. To reduce the delays, the court worked closely with Victoria Police prosecutors and Victoria Legal Aid to develop lists that provide greater capacity to hear contest mentions, including those relating to family violence offences. The mention process was also streamlined and dedicated bail and custody sessions were introduced two days per week. By the end of the year, the changes had successfully reduced timeframes by more than half.

In August, two audio-visual link facilities were installed at the court, bringing to six the number of courtrooms that can hear matters where an accused is in custody. The court also has two mobile units and a remote witness facility.

In May, the first phase of a two-stage Indigenous artwork installation commenced. It features local history, flora and fauna.

### Hume

The Hume region encompasses Benalla, Seymour, Shepparton (headquarter court), Wangaratta, Wodonga, Cobram, Corryong, Mansfield and Myrtleford.

#### Initiatives

The new Shepparton Law Courts building opened in March 2018 with

a significant increase in staff at that site including an extra magistrate (see page 23).

A new listing structure was introduced across the region to help manage the caseload in preparation for Shepparton becoming a specialist family violence court in the 2019-20 financial year.

CISP was implemented at Shepparton, Wangaratta and Wodonga courts, providing bail and sentencing support for accused persons.

#### Loddon Mallee

The Loddon Mallee region consists of 10 venues including Bendigo (headquarter court), Kyneton, Castlemaine, Maryborough, Echuca, Swan Hill, Kerang, Mildura, Robinvale and Ouyen.

#### Initiatives

Swan Hill Court was upgraded to improve safety for court users, especially those impacted by family violence. The upgrades include the creation of a separate waiting area and interview room, and the installation of a mobile visual screen in court.

The historic Kyneton courthouse closed for renovation works in October that included security upgrades and the building of a new registry office. It is expected to reopen in late 2018.

The Mildura Law Court increased its capacity in January with additional support being provided by a judicial registrar.

#### Melbourne

Melbourne is the largest venue of the Magistrates' Court, finalising more than 45,000 criminal matters in 2017-18. This was an 8 per cent increase on the previous year.

#### Initiatives

A Bail and Remand Court was introduced at Melbourne on 30 April to alleviate pressure on the court system. An expansion of the night and weekend courts that were introduced in January 2017, it hears matters until 9pm seven days a week and includes key stakeholders such as Victoria Police prosecutors, Victoria Legal Aid, Protective Services Officers, Community Correctional Services and CISP.

Magistrate Sue Wakeling transferred to the Melbourne Magistrates' Court in January to take on the new role of regional coordinating magistrate.

#### Ringwood

Ringwood Court has six magistrates and a judicial registrar.

The year saw pending criminal contested hearings reduce from 249 to 153. This can be attributed to several changes including specialist contest mention courts and the allocation of specialist contest mention prosecutors.

#### Initiatives

Capital building works commenced to improve safety, accessibility and functionality for court users and staff. Works included expanding public waiting areas, additional interview

rooms, updating the registry and public entrance, improved temperature control with a new heating system and public lift.

The court implemented specialist custody lists to reduce the number of non-transported prisoners and additional mention lists to reduce delays.

#### Sunshine

The Sunshine region includes the headquarter court at Sunshine and a venue at Werribee.

#### Initiatives

The region has experienced another busy year dealing with more than 19,000 criminal matters. It is also one of the busiest courts for family violence and personal safety matters dealing with almost 8000 during the year. While the non-production of sentenced and remand prisoners has been an ongoing issue for the region, the increased use of audio-visual links at the court during the year helped to reduce the number of people failing to appear.

# Shepparton Law Courts

## Victoria's first purpose-built, multi-jurisdictional court was officially opened at Shepparton on 23 March by Attorney-General Martin Pakula.

The \$73 million, five-storey building is the new regional headquarters for MCV's Hume/Goulburn region, providing modern court services to Shepparton and surrounding areas.

The building's six courtrooms have been designed to be adaptable based on caseload requirements, with the capacity to accommodate hearings of the Magistrates' Court, VCAT and the County, Supreme, Children's and Coroners courts.

All court participants were considered in the design of the new building, including the jury, the public and how the judiciary interacts with lawyers.

Separate facilities have been provided for the judiciary, law enforcement officers, legal services, support service providers, juries, volunteers, staff and all required administrative services. Key design principles optimise security and safety for all court users while providing for ease of access and circulation within the facility.

The modern design evokes an open, transparent and accessible justice system. Public waiting spaces and courtrooms are generous in scale, calm in character and filled with natural light.

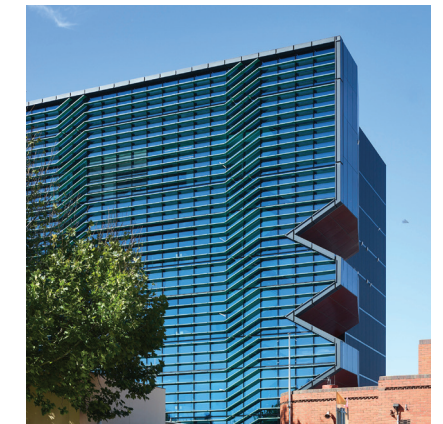
The building also includes a dedicated Koori courtroom to recognise Shepparton's role as the first Victorian venue to launch a Koori Court in 2002.

The centrepiece of the Koori Court is a striking table, which features a design by Bangerang artist Kevin Atkinson. It represents the Murray, Goulburn,

Campaspe, Broken, Ovens and King rivers, which are culturally important to the Traditional Owners.

With its prominent corner position at the intersection of the Goulburn Valley and Midland highways, the striking new building engages with the adjacent 1930s courthouse on High Street by way of a generous landscaped public plaza.

The original courthouse will be retained and remodelled to become a specialist family violence court in the 2019-20 financial year.





# Financials and statistics

Magistrates’ Court of Victoria financial statement for year ending 30 June 2018

| Comprehensive operating statement for the financial year ended 30 June 2018 |       |                |                |
|---|-------|----------------|----------------|
|   | Notes | 2018<br>\$'000 | 2017<br>\$'000 |
| <b>Income from transactions</b>   |       |                |                |
| Output appropriations   | 1     | 126,065        | 105,612        |
| Special appropriations  |       | 50,155         | 43,688         |
| Grants  |       | 4,073          | 7,577          |
| Other income  | 2     | 0              | 5,378          |
| <b>Total income from transactions</b>                                       |       | <b>180,294</b> | <b>162,256</b> |
| <b>Expenses from transactions</b>   |       |                |                |
| Employee expenses   | 3     | 107,295        | 94,040         |
| Depreciation and amortisation   |       | 17,946         | 15,088         |
| Interest expense  |       | 112            | 124            |
| Grants and other transfers  | 4     | 4,199          | 3,998          |
| Capital asset charge  |       | 10,849         | 11,751         |
| Supplies and services   |       | 35,292         | 34,558         |
| <b>Total expenses from transactions</b>                                     |       | <b>175,693</b> | <b>159,558</b> |
| <b>Net result from transactions (net operating balance)</b>                 |       | <b>4,600</b>   | <b>2,698</b>   |
| Other gains/(losses) from other economic flows                              | 5     | (194)          | 1,294          |
| <b>Net result from continuing operations</b>                                | 6     | <b>4,407</b>   | <b>4,179</b>   |

Notes to and forming part of the financial statements:

- Note 1: The increase in output appropriations reflects the additional funding of new and expanded initiatives. Consistent with CSV financial statements the above is inclusive of capital asset charge.
- Note 2: Other Income for 2016-17 includes insurance claim outcomes.
- Note 3: Employee expenses include staff training and development costs, with the growth in employee expenses reflective of workforce increases to support new and expanded initiatives.
- Note 4: Grants expense reflects allocations for various programs funded to budgeted sectors outside our portfolio and private organisations.
- Note 5: The revaluation amount reflects an adjustment to the provision for long service leave and disposal of property, plant and equipment.
- Note 6: The net result from continuing operations for 2017 was reported in the 2016-17 annual report as 2,192. The figures above now include an income variance and other economic flow included in CSV accounts but not previously included in MCV's annual report.

# Criminal

| Criminal summary             |       |         |         |         |         |         |                            |
|------------------------------|-------|---------|---------|---------|---------|---------|----------------------------|
|                              | Notes | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18<br>% diff<br>16-17 |
| Cases initiated              |       | 175,345 | 218,409 | 247,025 | 160,942 | 166,499 | 160,473 -4%                |
| Cases finalised              |       | 188,537 | 237,452 | 275,552 | 199,960 | 198,185 | 196,871 -1%                |
| Bail application orders made |       | 22,018  | 28,692  | 33,344  | 39,056  | 46,520  | 44,202 -5%                 |
| Applications finalised       |       | 39,799  | 42,766  | 46,005  | 53,936  | 62,260  | 68,906 11%                 |
| Breach cases                 |       | 8907    | 8060    | 8806    | 9466    | 11,142  | 10,583 -5%                 |
| Total listings               |       | 591,736 | 684,004 | 766,091 | 683,709 | 726,249 | 713,062 -2%                |

| Caseload                                |       |                |                |                |                |                |                            |
|---|-------|----------------|----------------|----------------|----------------|----------------|----------------------------|
|   | Notes | 2012-13        | 2013-14        | 2014-15        | 2015-16        | 2016-17        | 2017-18<br>% diff<br>16-17 |
| Cases initiated                         | 1     | 175,345        | 218,409        | 247,025        | 160,942        | 166,499        | 160,473 -4%                |
| Cases finalised                         | 1     | 188,537        | 237,452        | 275,552        | 199,960        | 198,185        | 196,871 -1%                |
| <b>Cases finalised per court region</b> | 2     |                |                |                |                |                |                            |
| Barwon South West                       |       | 7666           | 8416           | 9317           | 9699           | 10,733         | 10,323 -4%                 |
| Broadmeadows                            |       | 11,199         | 14,015         | 15,829         | 19,243         | 16,624         | 14,173 -15%                |
| Dandenong                               |       | 13,933         | 16,524         | 19,624         | 17,150         | 16,648         | 15,354 -8%                 |
| Frankston                               |       | 15,649         | 17,538         | 19,300         | 22,114         | 21,437         | 19,802 -8%                 |
| Gippsland                               |       | 7740           | 8010           | 8642           | 8718           | 10,188         | 12,799 26%                 |
| Grampians                               |       | 5802           | 6075           | 6693           | 6615           | 7225           | 6719 -7%                   |
| Heidelberg                              | 3     | 13,991         | 15,570         | 13,026         | 9854           | 15,432         | 15,774 2%                  |
| Hume                                    |       | 6233           | 7550           | 8059           | 8573           | 9239           | 9076 -2%                   |
| Loddon-Mallee                           |       | 7285           | 8646           | 9627           | 9827           | 10,924         | 9855 -10%                  |
| Melbourne                               |       | 67,586         | 101,076        | 128,725        | 48,599         | 41,845         | 45,377 8%                  |
| Ringwood                                |       | 10,525         | 12,906         | 15,898         | 15,988         | 17,192         | 17,027 -1%                 |
| Sunshine                                |       | 19,265         | 19,512         | 18,780         | 21,911         | 19,330         | 19,232 -1%                 |
| NJC                                     |       | 1663           | 1614           | 2032           | 1669           | 1368           | 1360 -1%                   |
| <b>Total</b>                            |       | <b>188,537</b> | <b>237,452</b> | <b>275,552</b> | <b>199,960</b> | <b>198,185</b> | <b>196,871 -1%</b>         |

- Note 1: 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 2: 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 3: No court hearings were held at Heidelberg Magistrates’ Court in 2015-16. Most lists were transferred to the Melbourne Magistrates’ Court, with others transferred to venues at Broadmeadows and Ringwood. Cases listed at Melbourne Magistrates’ Court will be included in the Heidelberg statistics.

| Initiation breakdown    |       |         |         |         |         |         |         |                 |
|-------------------------|-------|---------|---------|---------|---------|---------|---------|-----------------|
|                         | Notes | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 | % diff<br>16-17 |
| Charge and summons      |       | 92,006  | 96,510  | 105,850 | 101,807 | 107,822 | 100,303 | -7%             |
| Charge and information  |       | 29,969  | 31,558  | 36,258  | 39,767  | 42,502  | 41,417  | -3%             |
| Charge and warrant      |       | 3470    | 3874    | 3949    | 4230    | 4477    | 4209    | -6%             |
| Notice to appear        |       | 109     | 287     | 197     | 216     | 368     | 304     | -17%            |
| Infringement revocation |       | 49,791  | 86,180  | 100,771 | 14,922  | 11,330  | 14,240  | 26%             |
|                         |       | 175,345 | 218,409 | 247,025 | 160,942 | 166,499 | 160,473 | -4%             |

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

| Applications   |       |         |         |         |         |         |         |                 |
|--|-------|---------|---------|---------|---------|---------|---------|-----------------|
|  | Notes | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 | % diff<br>16-17 |
| Application types  | 1, 2  | 16,560  | 17,516  | 20,169  | 26,629  | 39,497  | 42,672  | 8%              |
| Licence restoration applications                           |       | 10,894  | 10,021  | 9,860   | 8,037   | 7,586   | 8,107   | 7%              |
| Interlock removal applications                             |       | 5685    | 5392    | 5238    | 4981    | 5067    | 4780    | -6%             |
| Rehearing applications                                     |       | 1281    | 1799    | 1747    | 2543    | 1898    | 1597    | -16%            |
| Application to vary or cancel sentencing order             |       | 1332    | 1658    | 1733    | 1836    | 1964    | 1933    | -2%             |
| Application under section 84U Road Safety Act              |       | 542     | 373     | 510     | 831     | 1017    | 1305    | 28%             |
| Application to question or investigate a person in custody |       | 763     | 692     | 118     | 59      | 39      | 31      | -21%            |
| Application for forfeiture of property                     |       | 402     | 413     | 490     | 465     | 439     | 393     | -10%            |
| Application for forensic procedure                         |       | 1164    | 1231    | 2431    | 5878    | 7043    | 6932    | -2%             |
| Applications for special mention                           |       | 1025    | 947     | 890     | 849     | 1113    | 1367    | 23%             |
| Committal-related applications                             |       | 1767    | 1799    | 1763    | 1739    | 2052    | 1846    | -10%            |
| Infringement-related applications                          |       | 4047    | 6380    | 7258    | 9910    | 6248    | 9817    | 57%             |
| Application for AVL order for accused                      | 3, 4  |         |         |         |         | 3077    | 7540    | 145%            |
| Application for physical appearance of accused             | 3     |         |         |         |         | 3383    | 6184    | 83%             |
| All remaining applications                                 |       | 10,897  | 12,061  | 13,967  | 16,808  | 21,334  | 17,074  | -20%            |
| Applications finalised                                     |       | 39,799  | 42,766  | 46,005  | 53,936  | 62,260  | 68,906  | 11%             |

- 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 Magistrates’ 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 and oral applications made in open court. These are now recorded in a separate table on page 27.
- 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.
- Note 4:** The increase in applications for AVL reflects a priority of MCV to alleviate some of the resource strains that physical appearances in court entails.

| Bail orders   |       |         |         |         |         |         |         |                 |
|---|-------|---------|---------|---------|---------|---------|---------|-----------------|
|   | Notes | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 | % diff<br>16-17 |
| Bail application orders made                                    | 1     |         |         |         |         |         |         |                 |
| Bail granted  |       | 10,110  | 13,067  | 14,493  | 17,370  | 20,873  | 19,405  | -7%             |
| Bail refused  |       | 3200    | 5378    | 7565    | 9803    | 11,744  | 11,609  | -1%             |
| Bail revoked  | 2     | 1591    | 2110    | 2637    | 3037    | 4042    | 4055    | 0%              |
| Bail varied   | 3     | 7117    | 8137    | 8649    | 8846    | 9861    | 9133    | -7%             |
|   |       | 22,018  | 28,692  | 33,344  | 39,056  | 46,520  | 44,202  | -5%             |
| Secondary bail orders made                                      |       |         |         |         |         |         |         |                 |
| Extension of bail   | 4a    | 69,781  | 76,238  | 93,541  | 98,217  | 108,782 | 100,609 | -8%             |
| No application for bail   | 4b    | 21,480  | 29,436  | 36,568  | 48,076  | 57,653  | 55,910  | -3%             |
|   |       | 91,261  | 105,674 | 130,109 | 146,293 | 166,435 | 156,519 | -6%             |
| Total bail orders   |       | 113,279 | 134,366 | 163,453 | 185,349 | 212,955 | 200,721 | -6%             |
| Other orders  | 5     |         |         |         |         |         |         |                 |
| Application for bail<br>— struck out or withdrawn               |       | 932     | 1202    | 1846    | 2448    | 2769    | 2794    | 1%              |
| Application for bail variation<br>— struck out or withdrawn     |       | 328     | 362     | 445     | 539     | 532     | 528     | -1%             |
| Application for revocation of bail<br>— struck out or withdrawn |       | 304     | 364     | 515     | 630     | 969     | 1283    | 32%             |
| Total bail applications<br>struck out or withdrawn              | 6     | 1564    | 1928    | 2806    | 3617    | 4270    | 4605    | 8%              |

- 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 DPP may apply for bail to be revoked.
- Note 3:** If the accused has been granted bail, either the accused or prosecution may apply for the conditions of bail to be varied.
- Note 4:** 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.
- Note 5:** 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.
- Note 6:** 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 or withdrawn.

The above table records the number of individual applications heard and determined by the court. These figures do not reflect the number of individual cases or persons who have bail granted or refused. The following events are included 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; and multiple applications heard on the one case (either applications for bail, to vary or revoke bail).

| Breaches of sentencing orders                                |       |         |         |         |         |         |         |                 |
|--|-------|---------|---------|---------|---------|---------|---------|-----------------|
|  | Notes | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 | % diff<br>16-17 |
| Number of cases listed for a breach of sentencing order      | 1     | 6894    | 6158    | 6826    | 8264    | 10,662  | 10,441  | -2%             |
| Number of cases listed for restoration of suspended sentence | 1, 2  | 2013    | 1902    | 1980    | 1202    | 480     | 142     | -70%            |
| Total  |       | 8907    | 8060    | 8806    | 9466    | 11,142  | 10,583  | -5%             |

- Note 1:** Finalised cases with particular sentencing orders can be relisted at the Magistrates’ Court under breach proceedings if a charge is issued. These hearings are attached to the original case and are not counted as part of the Budget Paper No. 3 reporting requirements. The above are the number of breach cases that had their first listing in the specified financial year.
- Note 2:** Suspended sentences were abolished for offences committed on or after 1 September 2014. Consequently the number of cases listed for restoration of suspended sentences have decreased.

| Committals and appeals                            |       |         |         |         |         |         |         |                 |
|---|-------|---------|---------|---------|---------|---------|---------|-----------------|
|   | Notes | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 | % diff<br>16-17 |
| Committal proceedings finalised                   | 1     | 3265    | 3156    | 2839    | 2842    | 3182    | 3426    | 8%              |
| Appeals lodged against conviction and/or sentence | 2     | 2804    | 2713    | 2875    | 2988    | 2870    | 2853    | -1%             |

**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        | 2017-18        | % diff<br>16-17 |
| Appeals against infringement registrar's refusal to revoke enforcement                    | 1     | 24,958        | 45,556        | 43,102         | 70,508         | 40,388         | 52,132         | 29%             |
| Infringement revocations granted and defaulted to Magistrates' Court                      | 1     | 2036          | 3433          | 2310           | 5221           | 4197           | 5656           | 35%             |
| Infringement matters referred to the special circumstances list of the Magistrates' Court | 1     | 22,716        | 37,050        | 55,184         | 49,537         | 56,336         | 57,095         | 1%              |
| <b>Total matters referred to the Magistrates' Court from the Infringements Court</b>      |       | <b>49,710</b> | <b>86,039</b> | <b>100,596</b> | <b>125,266</b> | <b>100,921</b> | <b>114,883</b> | <b>14%</b>      |
| Infringement warrant case initiations   | 2, 3  | 4499          | 6450          | 7819           | 6746           | 6244           | 2287           | -63%            |
| Individual infringement warrant initiations   | 2, 3  | 195,566       | 294,633       | 353,734        | 306,343        | 327,057        | 163,383        | -50%            |

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

**Note 2:** Infringement warrant case initiations count 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 refer 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.

**Note 3:** Fines Reform legislation commenced on 31 December 2017 resulting in a large reduction in infringement warrant cases, which are expected to return to the court when technical issues at Fines Victoria are resolved.

| No appearances by accused                           |       |         |         |         |         |         |         |                 |
|---|-------|---------|---------|---------|---------|---------|---------|-----------------|
|   | Notes | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 | % diff<br>16-17 |
| Warrants to arrest issued by the Magistrates' Court |       | 38,237  | 43,935  | 53,805  | 62,316  | 66,531  | 61,181  | -8%             |

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 Magistrates’ Court.

| Timeliness   |       |         |         |         |         |         |         |                 |
|--|-------|---------|---------|---------|---------|---------|---------|-----------------|
|  | Notes | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 | % diff<br>16-17 |
| Criminal cases finalised within six months   |       | 88.1%   | 87.0%   | 89.9%   | 84.3%   | 81.3%   | 74.0%   | -9%             |
| Number of cases pending as at 30 June 2018   |       | 36,686  | 39,127  | 45,762  | 44,254  | 51,554  | 39,813  | -23%            |
| Of the pending cases, the amount of cases that have been pending for more than 12 months |       | 2777    | 3065    | 3192    | 3853    | 4918    | 5055    | 3%              |

The Magistrates’ Court aims to finalise 85 per cent of criminal cases within six months. The Magistrates’ Court of Victoria 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        | 2017-18        | % diff<br>16-17 |
| <b>Hearing types</b>  | 1       |                |                |                |                |                |                |                 |
| Mention listings  | 2, 3    | 269,644        | 323,147        | 354,551        | 350,068        | 360,869        | 340,826        | -6%             |
| Plea of guilty hearings                                     |         | 47,049         | 51,403         | 59,552         | 62,461         | 74,132         | 77,353         | 4%              |
| Contest mention listings                                    |         | 12,048         | 13,499         | 15,707         | 16,900         | 18,673         | 18,704         | 0%              |
| Contested hearing listings                                  |         | 10,117         | 9062           | 8175           | 8657           | 8678           | 8419           | -3%             |
| Committal mention listings                                  |         | 5885           | 5529           | 5262           | 4813           | 5421           | 5220           | -4%             |
| Committal hearing listings                                  |         | 3725           | 3017           | 2464           | 2399           | 2607           | 3560           | 37%             |
| Application listings  | 4       | 104,906        | 137,232        | 136,239        | 107,862        | 114,411        | 96,414         | -16%            |
| Breach sentencing order listings                            |         | 24,276         | 21,870         | 24,768         | 29,086         | 40,870         | 43,538         | 7%              |
| Restoration of suspended sentence listings                  |         | 3636           | 3532           | 3744           | 2621           | 1312           | 551            | -58%            |
| Judicial monitoring listings                                |         | 1745           | 2227           | 3233           | 4412           | 5633           | 6821           | 21%             |
| Courts Integrated Services Program listings                 |         | 4014           | 3586           | 3973           | 3898           | 5180           | 5487           | 6%              |
| Drug Court listings   | 5       | 2723           | 3608           | 3504           | 3476           | 3666           | 7052           | 92%             |
| Diversion listings  |         | 13,911         | 14,515         | 14,391         | 14,428         | 14,311         | 15,257         | 7%              |
| Infringement special circumstances listings                 | 3       | 28,254         | 33,394         | 62,471         | 10,530         | 6348           | 5855           | -8%             |
| Infringement warrant listings                               |         | 9307           | 11,666         | 14,112         | 12,271         | 11,798         | 6868           | -42%            |
| All remaining listings                                      | 5       | 50,496         | 46,717         | 53,945         | 49,827         | 52,340         | 71,137         | 36%             |
| <b>Total listings in the Magistrates’ Court of Victoria</b> | 3, 6, 7 | <b>591,736</b> | <b>684,004</b> | <b>766,091</b> | <b>683,709</b> | <b>726,249</b> | <b>713,062</b> | <b>-2%</b>      |

**Note 1:** The above table highlights the common hearing types in the Magistrates’ Court. Important: 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 were 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 in the case management system.

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

**Note 5:** Drug Court started sitting at Melbourne in March 2017 resulting in a large increase in listings.

**Note 6:** All remaining listings includes hearing types not specified above. This can be before or after finalisation of the case.

**Note 7:** 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*          | Description   | 2016-17 | 2017-18 | Difference |
| 1 (2)          | Drive vehicle unregistered in toll zone (Citylink)                  | 34,352  | 41,119  | 20%        |
| 2 (1)          | Theft   | 36,216  | 34,751  | -4%        |
| 3 (4)          | Drive vehicle unregistered in toll zone (Eastlink)                  | 23,145  | 29,759  | 29%        |
| 4 (3)          | Contravene family violence intervention order                       | 24,906  | 26,495  | 6%         |
| 5 (5)          | Drive while disqualified, suspended or cancelled                    | 21,354  | 21,742  | 2%         |
| 6 (6)          | Unlawful assault  | 19,757  | 20,932  | 6%         |
| 7 (7)          | Possession/attempted possession of a drug of dependence             | 19,079  | 18,925  | -1%        |
| 8 (9)          | Obtain property by deception  | 15,039  | 17,236  | 15%        |
| 9 (8)          | Exceed speed limit  | 17,496  | 16,463  | -6%        |
| 10 (10)        | Fail to answer bail   | 12,857  | 12,734  | -1%        |
| 11 (11)        | Commit indictable offence while on bail                             | 11,653  | 12,429  | 7%         |
| 12 (12)        | Criminal damage   | 11,076  | 10,921  | -1%        |
| 13 (13)        | Handle/receive/retain stolen goods                                  | 10,543  | 10,704  | 2%         |
| 14 (14)        | Use unregistered vehicle/trailer                                    | 10,346  | 9999    | -3%        |
| 15 (15)        | Intentionally/recklessly cause injury                               | 10,107  | 9813    | -3%        |
| 16 (18)        | Unlicensed driving  | 8659    | 8975    | 4%         |
| 17 (19)        | Contravene conduct condition of bail                                | 7440    | 7648    | 3%         |
| 18 (17)        | Park for longer than indicated                                      | 9390    | 6706    | -29%       |
| 19 (21)        | Deal property proceeds of crime                                     | 6106    | 6511    | 3%         |
| 20 (20)        | Burglary  | 6241    | 5594    | -10%       |
| 21 (22)        | Careless driving  | 5420    | 5560    | 3%         |
| 22 (16)        | Exceeded prescribed concentration of alcohol (including refuse PBT) | 9468    | 5324    | -44%       |
| 23 (n/a)       | Exceeded prescribed concentration of drugs                          | 4518    | 5049    | 12%        |
| 24 (n/a)       | Exceed/have PCA within three hours of a breath test                 | 4606    | 4963    | 8%         |
| 25 (22)        | Fail oral fluid test within three hours of driving                  | 4064    | 4606    | 13%        |

\*2016-17 ranking in brackets

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

| Civil summary                                      |       |         |         |         |         |         |         |              |
|--|-------|---------|---------|---------|---------|---------|---------|--------------|
|  | Notes | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 | % diff 16-17 |
| Total complaints issued                            |       | 52,442  | 46,095  | 41,884  | 37,209  | 39,978  | 38,697  | -3%          |
| Total claims finalised                             |       | 34,182  | 54,686  | 50,824  | 46,231  | 44,932  | 43,968  | -2%          |
| Total number of cases where a defence notice filed |       | 7495    | 7502    | 7570    | 7240    | 7845    | 7256    | -8%          |
| Applications finalised                             |       | 14,375  | 13,917  | 14,152  | 14,662  | 14,355  | 13,698  | -5%          |

| Complaints                 |       |         |         |         |         |         |         |              |
|----------------------------|-------|---------|---------|---------|---------|---------|---------|--------------|
|                            | Notes | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 | % diff 16-17 |
| Complaints issued or filed |       |         |         |         |         |         |         |              |
| Up to \$10,000 claimed     |       | 40,098  | 34,121  | 30,567  | 26,757  | 28,383  | 25,785  | -9%          |
| More than \$10,000 claimed |       | 12,344  | 11,974  | 11,317  | 10,452  | 11,595  | 12,912  | 11%          |
| Total complaints issued    |       | 52,442  | 46,095  | 41,884  | 37,209  | 39,978  | 38,697  | -3%          |

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 | 2017-18 | % diff 16-17 |
| Defended claims finalised at a hearing   |       |         |         |         |         |         |         |              |
| Arbitration  | 1     | 2269    | 2001    | 1808    | 2200    | 2563    | 2225    | -13%         |
| Hearing  |       | 2279    | 2093    | 1937    | 2060    | 2300    | 2185    | -5%          |
| Pre-hearing conference or mediation  |       | 1545    | 1571    | 1300    | 1080    | 1041    | 1003    | -4%          |
| Any other hearing type   |       | 1467    | 1874    | 2519    | 1828    | 1922    | 1779    | -7%          |
| Total of defended claims finalised at a hearing  |       | 7560    | 7539    | 7564    | 7168    | 7826    | 7192    | -8%          |
| Default orders made  | 2     | 28,089  | 26,096  | 24,675  | 20,961  | 20,263  | 19,722  | -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  | 17,054  | 1%           |
| Total claims finalised   | 4, 5  | 39,649  | 56,560  | 53,343  | 46,231  | 44,932  | 43,968  | -2%          |

- 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 | 2017-18 | % diff<br>16-17 |
| Civil cases finalised<br>per court region |       |         |         |         |         |         |         |                 |
| Barwon South West                         |       | 1011    | 938     | 708     | 703     | 895     | 964     | 8%              |
| Broadmeadows                              |       | 717     | 634     | 719     | 620     | 1008    | 1199    | 19%             |
| Dandenong                                 |       | 1611    | 2007    | 1770    | 1425    | 1699    | 1626    | -4%             |
| Frankston                                 |       | 1834    | 1464    | 1420    | 1597    | 2003    | 2376    | 19%             |
| Gippsland                                 |       | 422     | 440     | 661     | 478     | 674     | 741     | 10%             |
| Grampians                                 |       | 923     | 769     | 758     | 637     | 574     | 622     | 8%              |
| Heidelberg                                |       | 701     | 522     | 462     | 395     | 708     | 1227    | 73%             |
| Hume                                      |       | 1361    | 863     | 1043    | 916     | 987     | 775     | -21%            |
| Loddon-Mallee                             |       | 1997    | 1498    | 1524    | 1418    | 1090    | 898     | -18%            |
| Melbourne                                 |       | 20,104  | 19,385  | 17,272  | 15,311  | 13,088  | 9888    | -24%            |
| Ringwood                                  |       | 1762    | 1415    | 1298    | 1176    | 1495    | 1839    | 23%             |
| Sunshine                                  |       | 1,739   | 1826    | 2085    | 1625    | 1946    | 2269    | 17%             |
| Total                                     |       | 34,182  | 31,761  | 29,720  | 26,301  | 26,167  | 24,424  | -7%             |

The above totals breakdown 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 | 2017-18 | % diff<br>16-17 |
| Defence notices filed                              |       |         |         |         |         |         |         |                 |
| Against complaints of up to \$10,000 claimed       |       | 3006    | 2657    | 2621    | 2791    | 3124    | 2642    | -15%            |
| Against complaints of more than \$10,000 claimed   |       | 3073    | 3091    | 3070    | 2678    | 3237    | 3182    | -2%             |
| Workcover defences filed                           |       | 1416    | 1754    | 1879    | 1771    | 1484    | 1432    | -4%             |
| Total number of cases where a defence notice filed |       | 7495    | 7502    | 7570    | 7240    | 7845    | 7256    | -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 | 2017-18 | % diff<br>16-17 |
| Application types   | 1     |         |         |         |         |         |         |                 |
| Interlocutory applications  |       | 1438    | 1195    | 1146    | 1216    | 1142    | 1118    | -2%             |
| Applications for preliminary discovery  | 2     | 77      | 36      | 43      | 18      | 15      | 54      | 260%            |
| Applications for substituted service  |       | 2039    | 2669    | 2887    | 3612    | 3982    | 3936    | -1%             |
| Applications for summary order  |       | 88      | 72      | 63      | 71      | 69      | 64      | -7%             |
| Applications to extend complaint  |       | 175     | 166     | 185     | 353     | 254     | 217     | -15%            |
| Application for rehearing   |       | 3270    | 3150    | 3227    | 3390    | 3353    | 3326    | -1%             |
| Applications under s24 of <i>Second-Hand Dealers and Pawnbrokers Act 1989</i> | 3     | 386     | 362     | 319     | 371     | 275     | 282     | 3%              |
| All remaining applications  |       | 317     | 218     | 274     | 329     | 143     | 149     | 4%              |
| Enforcement applications  | 1     | 6,585   | 6,049   | 6,008   | 302     | 5122    | 4552    | -11%            |
| Applications finalised  |       | 14,375  | 13,917  | 14,152  | 14,662  | 14,355  | 13,698  | -5%             |

- 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 also capture the applications in the civil enforcement section below, except for warrants to seize property. Common application types are highlighted above.
- Note 2:** This application category relates to preliminary discovery attempts to identify the correct defendant before the matter commences or to identify if there is sufficient information available to commence a proceeding. The increase in this category reflects an increase in the complexity of cases heard at MCV.
- Note 3:** 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 for an order to have their goods returned.

| Timeliness   |       |         |         |         |         |         |         |                 |
|--|-------|---------|---------|---------|---------|---------|---------|-----------------|
|  | Notes | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 | % diff<br>16-17 |
| Defended claims finalised within six months  |       | 80.7%   | 80.9%   | 79.1%   | 79.9%   | 82.6%   | 74.0%   | -10%            |
| Defended claims pending as at 30 June  |       | 1726    | 1689    | 1695    | 1767    | 1786    | 1890    | 6%              |
| Of the pending cases, the amount of cases that have been pending for more than 12 months |       | 131     | 115     | 136     | 181     | 196     | 171     | -13%            |

MCV aims to finalise 80 per cent of civil cases within six months. 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 | 2017-18 | % diff 16-17 |
| Oral examinations finalised (including those under the <i>Judgement Debt Recovery Act 1984</i> ) | 1     | 4953    | 4572    | 4470    | 3810    | 3659    | 3314    | -9%          |
| Attachment of earnings hearings finalised  | 1     | 1174    | 1035    | 1170    | 1180    | 1151    | 904     | -21%         |
| Attachment of debt hearings finalised  | 1     | 79      | 86      | 77      | 53      | 71      | 109     | 54%          |
| Applications for instalment order finalised  | 2     | 379     | 356     | 291     | 259     | 241     | 191     | -21%         |
| Warrants to seize property issued  | 3     | 4715    | 4829    | 4129    | 4007    | 3548    | 3643    | 3%           |
| Total  |       | 11,300  | 10,878  | 10,137  | 9309    | 8670    | 8161    | -6%          |

**Note 1:** The above are hearings where a debtor in a civil matter must attend. These hearings are conducted by a registrar.

**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.

Intervention orders

| Intervention orders summary: family violence and personal safety combined |       |         |         |         |         |         |         |              |
|---|-------|---------|---------|---------|---------|---------|---------|--------------|
|   | Notes | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 | % diff 16-17 |
| Total finalised cases with one or more interim orders                     |       | 18,954  | 20,152  | 23,365  | 24,256  | 26,528  | 26,932  | 2%           |
| Total original matters finalised  |       | 39,352  | 39,961  | 43,105  | 43,434  | 44,093  | 43,151  | -2%          |
| Total applications finalised  |       | 5103    | 5624    | 6155    | 6861    | 7471    | 7336    | -2%          |
| Total matters   |       | 63,409  | 65,737  | 72,625  | 74,551  | 78,092  | 77,419  | -1%          |
| Total listings for finalised matters                                      |       | 98,131  | 99,868  | 111,639 | 122,909 | 131,301 | 139,741 | 7%           |

| Caseload  |       |         |         |         |         |         |         |              |
|---|-------|---------|---------|---------|---------|---------|---------|--------------|
|   | Notes | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 | % diff 16-17 |
| Family violence intervention order applications   |       |         |         |         |         |         |         |              |
| Finalised cases with one or more interim orders   | 1     | 13,720  | 15,073  | 17,711  | 18,865  | 20,622  | 21,073  | 2%           |
| Original matters finalised                        | 2     | 29,217  | 29,978  | 32,614  | 33,763  | 33,748  | 32,790  | -3%          |
| Application for extension                         | 3     | 1202    | 1327    | 1550    | 1686    | 1842    | 1876    | 2%           |
| Application for revocation                        | 3     | 822     | 783     | 852     | 770     | 796     | 707     | -11%         |
| Application for variation                         | 3     | 2638    | 3047    | 3302    | 3850    | 4333    | 4215    | -3%          |
| Total   |       | 47,599  | 50,208  | 56,029  | 58,934  | 61,341  | 60,661  | -1%          |
| Personal safety intervention order applications   |       |         |         |         |         |         |         |              |
| Finalised cases with one or more interim orders   | 1     | 5234    | 5079    | 5654    | 5391    | 5906    | 5859    | -1%          |
| Original matters finalised                        | 2     | 10,135  | 9983    | 10,491  | 9672    | 10,345  | 10,361  | 0%           |
| Application for extension                         | 3     | 237     | 272     | 266     | 317     | 280     | 307     | 10%          |
| Application for revocation                        | 3     | 51      | 53      | 36      | 42      | 43      | 43      | 0%           |
| Application for variation                         | 3     | 153     | 142     | 149     | 195     | 177     | 188     | 6%           |
| Total   |       | 15,810  | 15,529  | 16,596  | 15,617  | 16,751  | 16,758  | 0%           |
| Total family violence and personal safety matters |       | 63,409  | 65,737  | 72,625  | 74,551  | 78,092  | 77,419  | -1%          |

**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 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 has been made. Any party to the proceeding is able to make an application.

| Family violence and personal safety matters per region |       |         |         |         |         |         |                            |
|--|-------|---------|---------|---------|---------|---------|----------------------------|
|  | Notes | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18<br>% diff<br>16-17 |
| Barwon South West                                      |       | 4707    | 5098    | 5740    | 6041    | 6430    | 2%                         |
| Broadmeadows   |       | 4921    | 4928    | 5733    | 5785    | 6073    | -4%                        |
| Dandenong  |       | 6323    | 6123    | 6657    | 6962    | 7086    | 2%                         |
| Frankston  |       | 8451    | 8342    | 8828    | 8353    | 8880    | -10%                       |
| Gippsland  |       | 4088    | 4521    | 6736    | 7343    | 7128    | -2%                        |
| Grampians  |       | 3533    | 3963    | 3447    | 3968    | 4070    | -2%                        |
| Heidelberg   |       | 5558    | 6154    | 5480    | 4835    | 6029    | 7%                         |
| Hume   |       | 3896    | 3800    | 3700    | 4098    | 4704    | -1%                        |
| Loddon-Mallee  |       | 4898    | 5247    | 5700    | 5663    | 6027    | 0%                         |
| Melbourne  |       | 4187    | 4852    | 5940    | 6352    | 6383    | 2%                         |
| Ringwood   |       | 4571    | 4772    | 5604    | 6010    | 6405    | -1%                        |
| Sunshine   |       | 7802    | 7506    | 8299    | 8262    | 7950    | 0%                         |
| NJC  |       | 474     | 431     | 761     | 879     | 927     | -9%                        |
| Total  |       | 63,409  | 65,737  | 72,625  | 74,551  | 78,092  | 77,419<br>-1%              |

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 one interim order is counted in these totals.

| Listings  |       |         |         |         |         |         |                            |
|---|-------|---------|---------|---------|---------|---------|----------------------------|
|   | Notes | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18<br>% diff<br>16-17 |
| Number of family violence listings                    |       | 74,692  | 77,303  | 87,215  | 98,861  | 106,356 | 112,135<br>5%              |
| Number of personal safety intervention order listings |       | 23,439  | 22,565  | 24,424  | 24,048  | 24,945  | 27,606<br>11%              |
| Total   |       | 98,131  | 99,868  | 111,639 | 122,909 | 131,301 | 139,741<br>6%              |

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 | 2017-18<br>% diff<br>16-17 |
| Total family law finalisations |       | 1082    | 1204    | 1088    | 1050    | 995     | 981<br>-1%                 |

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

\*17-18 does not include Latrobe.

| Mode of issue   |       |         |         |         |         |         |                            |
|---|-------|---------|---------|---------|---------|---------|----------------------------|
|   | Notes | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18<br>% diff<br>16-17 |
| FV and PSIO applications commenced (by initiation type) | 1     |         |         |         |         |         |                            |
| Application and summons                                 |       | 26,875  | 28,101  | 29,496  | 28,093  | 28,636  | 27,628<br>-4%              |
| Application and warrant to arrest                       |       | 8898    | 7147    | 6755    | 7146    | 7459    | 7537<br>1%                 |
| Family violence safety notice                           |       | 8682    | 10,337  | 13,009  | 15,056  | 15,469  | 15,317<br>-1%              |
| Total   |       | 44,455  | 45,585  | 49,260  | 50,295  | 51,564  | 50,482<br>-2%              |
| Family violence applications commenced by               | 2     |         |         |         |         |         |                            |
| Victoria Police   |       | 21,944  | 23,210  | 26,000  | 27,951  | 28,931  | 28,212<br>-2%              |
| Private application                                     |       | 11,936  | 11,925  | 12,318  | 12,118  | 11,788  | 11,376<br>-3%              |
| Personal safety intervention orders commenced by        | 2     |         |         |         |         |         |                            |
| Victoria Police   |       | 1985    | 2096    | 2477    | 2728    | 3171    | 3413<br>8%                 |
| Private application                                     |       | 8590    | 8354    | 8465    | 7498    | 7674    | 7486<br>-2%                |
| Total Victoria Police applications                      |       | 23,929  | 25,306  | 28,477  | 30,865  | 32,102  | 31,625<br>-1%              |
| Total private applications                              |       | 20,526  | 20,279  | 20,783  | 19,610  | 19,462  | 18,862<br>-3%              |

**Note 1:** The above shows a breakdown of how the family violence or personal safety intervention order matter commenced. Applications, 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.

| After-hours service   |       |         |         |         |         |         |                            |
|---|-------|---------|---------|---------|---------|---------|----------------------------|
|   | Notes | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18<br>% diff<br>16-17 |
| Intervention order applications received by the after-hours service |       | 11,443  | 11,448  | 10,055  | 10,681  | 10,465  | 9931<br>-5%                |

A significant proportion of the after-hours service comprises family violence and personal safety intervention order matters. From 2013-14, the statistics include intervention orders under Family Violence Protection Act 2008 and Personal Safety Intervention Orders Act 2010. The previous years count applications under the Family Violence Protection Act only.

# Snapshot

| Cases finalised per court region |          |                 |        |                 |        |                 |         |
|----------------------------------|----------|-----------------|--------|-----------------|--------|-----------------|---------|
|                                  | Criminal | % diff<br>16-17 | Civil  | % diff<br>16-17 | IVOs   | % diff<br>16-17 | Total   |
| Barwon South West                | 10,323   | -4%             | 964    | 7%              | 6587   | 2%              | 17,874  |
| Broadmeadows                     | 14,173   | -17%            | 1199   | 16%             | 5860   | -4%             | 21,232  |
| Dandenong                        | 15,354   | -8%             | 1626   | -4%             | 7204   | 2%              | 24,184  |
| Frankston                        | 19,802   | -8%             | 2376   | 16%             | 8019   | -10%            | 30,197  |
| Gippsland                        | 12,799   | 20%             | 741    | 9%              | 6999   | -2%             | 20,539  |
| Grampians                        | 6719     | -8%             | 622    | 8%              | 3992   | -2%             | 11,333  |
| Heidelberg                       | 15,774   | 2%              | 1227   | 42%             | 6455   | 7%              | 23,456  |
| Hume                             | 9076     | -2%             | 775    | -27%            | 4636   | -1%             | 14,487  |
| Loddon-Mallee                    | 9855     | -11%            | 898    | -21%            | 6050   | 0%              | 16,803  |
| Melbourne                        | 45,377   | 8%              | 9888   | -32%            | 6497   | 2%              | 61,762  |
| Ringwood                         | 17,027   | -1%             | 1839   | 19%             | 6356   | -1%             | 25,222  |
| Sunshine                         | 19,232   | -1%             | 2269   | 14%             | 7923   | 0%              | 29,424  |
| NJC                              | 1360     | -1%             | -      | -               | 841    | -9%             | 2201    |
| Total                            | 196,871  | -1%             | 24,424 | -7%             | 78,092 | 5%              | 299,387 |

% diff — percentage increase or decrease in 2017-18 compared to 2016-17.  
Intervention orders — family violence and personal safety intervention orders, including interim orders made and applications.



# Court Support & Diversion Services

| ARC           |         |         |         |         |
|---------------|---------|---------|---------|---------|
|               | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
| ARC referrals | 206     | 181     | 185     | 202     |

ARC data is provided in accordance with Section 4S (9) of the Magistrates’ Court Act.

| ARC referral source                   |         |         |         |         |
|---------------------------------------|---------|---------|---------|---------|
|                                       | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
| CISP                                  | 6       | 6       | 6       | 1       |
| Community service/organisation        | 3       | 5       | 3       | 0       |
| Department of Health & Human Services | 0       | 2       | 2       | 0       |
| Legal — community legal centre        | 18      | 14      | 9       | 15      |
| Legal — legal representative          | 168     | 146     | 158     | 184     |
| Magistrate                            | 8       | 3       | 5       | 2       |
| Self-referral                         | 3       | 3       | 1       | 0       |
| Victoria Police                       | 0       | 2       | 1       | 0       |
| Total                                 | 206     | 181     | 185     | 202     |

| ARC — Removal of matters prior to acceptance                     |         |         |         |         |
|--|---------|---------|---------|---------|
|  | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
| Not accepted   | 5       | 4       | 4       | 3       |
| Removed due to non-attendance, remanded and/or further offending | 53      | 36      | 40      | 33      |
| Plea of not guilty prior to acceptance                           | 0       | 1       | 1       | 1       |
| Magistrate exited participant from program                       | 32      | 24      | 29      | 32      |
| Participant death  | 3       | 0       | 3       | 1       |
| Participant did not wish to participate                          | 6       | 8       | 6       | 5       |
| Total  | 99      | 77      | 83      | 75      |

| ARC — Number of persons accepted in each diagnostic criteria (primary diagnosis) |         |         |         |         |
|--|---------|---------|---------|---------|
|  | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
| Mental illness   | 58      | 46      | 32      | 44      |
| Intellectual disability  | 8       | 10      | 7       | 9       |
| Acquired brain injury  | 10      | 7       | 9       | 18      |
| Autism spectrum disorder   | 2       | 0       | 3       | 2       |
| Neurological impairment  | 0       | 0       | 0       | 0       |
| Total  | 78      | 63      | 51      | 73      |

| ARC — Participants finalising matters                                 |         |         |         |         |
|---|---------|---------|---------|---------|
|   | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
| Completed program — plea of guilty                                    | 81      | 46      | 49      | 35      |
| Did not complete individual support plan — non-attendance             | 3       | 1       | 4       | 3       |
| Did not complete individual support plan — remanded/further offending | 8       | 2       | 2       | 3       |
| Consent to participate withdrawn                                      | 0       | 0       | 0       | 1       |
| Participant death   | 0       | 0       | 0       | 0       |

| ARC — Outcomes of referred proceedings  |         |         |         |         |
|---|---------|---------|---------|---------|
|   | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
| Number of accused accepted onto list  | 78      | 63      | 51      | 73      |
| Number of accused discharged in accordance with section 4U or 4Y of the Magistrates’ Court Act      | 9       | 2       | 9       | 3       |
| Number of proceedings finalised   | 128     | 87      | 124     | 68      |
| Number of proceedings transferred out   | 96      | 74      | 83      | 75      |
| Number of individual support plans approved   | 75      | 54      | 35      | 51      |
| Number of proceedings transferred out of the ARC List in accordance with the Magistrates’ Court Act | 4       | 1       | 1       | 1       |

| CISP                                      |         |         |         |         |
|---|---------|---------|---------|---------|
|   | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
| CISP referrals                            | 2993    | 3445    | 3385    | 3604    |
| CROP assessments                          | N/A     | N/A     | N/A     | 954     |
| Total CISP assessments                    | N/A     | N/A     | N/A     | 3240    |
| Accepted participants                     | N/A     | N/A     | N/A     | 1705    |
| CISP participants who identified as Koori | 170     | 240     | 254     | 189     |
| CASO referrals                            | 456     | 367     | 270     | 374     |

| Criminal Justice Diversion Program         |         |         |         |         |
|--|---------|---------|---------|---------|
|  | 2014-15 | 2015-16 | 2016-17 | 2017-18 |
| Referrals                                  | 7286    | 6872    | 7265    | 7592    |
| Hearings conducted                         | N/A     | N/A     | N/A     | 5942    |
| Conditions undertaken                      | N/A     | N/A     | N/A     | 13,916  |
| Plans finalised — undertaken and completed | N/A     | N/A     | N/A     | 5255    |

| Enforcement Review Program |   |
|----------------------------|---|
| Individual infringements   | The ERP received 43,491 individual infringements for listing in the Special Circumstances List, relating to 1230 accused.<br><i>This is a 24 per cent decrease in the number of infringements received for listing and a 43 per cent decrease in the number of accused compared to 2016-17.*</i>  |
| Matters listed             | A total of 2617 matters were listed in the Special Circumstances List.<br><i>This is a 15 per cent decrease compared to 2016-17.*</i>   |
| Finalisations              | Of the matters listed, 1758 were finalised by a magistrate or judicial registrar, representing an overall clearance rate of 67 per cent of the matters listed for the financial year. <i>This is a 7 per cent decrease in the clearance rate compared to 2016-17.*</i><br><br>Of the 1758 matters finalised, 61 per cent of accused appeared in open court and 39 per cent were heard ex parte. |

\*The ERP figures in 2017-18 were impacted by the commencement of the Fines Reform Act on 31 December 2017.



# Court locations

**Ararat**  
Cnr Barkly & Ingor Streets  
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 5116 1616

**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  
Corryong 3707  
T: 02 6043 7000

**Dandenong**  
Cnr Foster & Pultney Streets  
PO Box 392  
Dandenong 3175  
T: 03 9767 1300

**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 Karkarooc  
75 Lascelles Street  
Hopetoun 3396  
PO Box 111  
Horsham 3400  
T: 03 5362 4444

**Horsham**  
22 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 4465 3102  
F: 03 4465 3107

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

**Mansfield**  
Cnr High & Highett Streets  
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 3189  
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  
F: 03 9948 8699

**Nhill**  
110 Macpherson Street  
Nhill 3418  
PO Box 111  
Horsham 3400  
T: 03 5362 4444

**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  
PO Box 351  
Sale 3850  
T: 03 5144 2888  
F: 03 5144 7954

**Seymour**  
56 Tallarook Street  
PO Box 235  
Seymour 3660  
T: 03 5735 0100  
F: 03 5735 0101

**Shepparton**  
14 High Street  
PO Box 607  
Shepparton 3630  
T: 03 5895 4444  
F: 03 5895 4511

**St Arnaud**  
Napier Street  
PO Box 17  
St Arnaud 3478  
T: 03 5495 1092  
F: 03 5495 1367

**Stawell**  
Patrick Street  
PO Box 179  
Stawell 3380  
T: 03 5358 1087  
F: 5358 3781

**Sunshine**  
10 Foundry Road  
PO Box 435  
Sunshine 3020  
T: 03 9300 6200  
F: 03 9300 6269

**Swan Hill**  
121 Curlew Street  
PO Box 512  
Swan Hill 3585  
T: 03 5032 0800  
F: 03 5033 0888

**Wangaratta**  
24 Faithfull Street  
PO Box 504  
Wangaratta 3677  
T: 03 5721 0900  
F: 03 5721 5483

**Warrnambool**  
218 Koroit Street  
PO Box 244  
Warrnambool 3280  
T: 03 5564 1111  
F: 03 5564 1100

**Werribee**  
Cnr Duncans Road  
& Salisbury Street  
PO Box 196  
Werribee 3030  
T: 03 9974 9300  
Fax 03 9974 9301

**Wodonga**  
5 Elgin Boulevard  
PO Box 50  
Wodonga 3690  
T: 02 6043 7000  
F: 02 6043 7004

**Wonthaggi**  
Watt Street  
PO Box 104  
Wonthaggi 3995  
T: 03 5672 1071  
F: 03 5672 4587



# Abbreviations

|              |   |
|--------------|---|
| <b>ARC</b>   | Assessment and Referral Court               |
| <b>CASO</b>  | Court advice and support officer            |
| <b>CISP</b>  | Court Integrated Services Program           |
| <b>CROP</b>  | CISP Remand Outreach Pilot                  |
| <b>CSV</b>   | Court Services Victoria                     |
| <b>DTO</b>   | Drug treatment order                        |
| <b>ERP</b>   | Elders and Respected Persons                |
| <b>ISP</b>   | Individual support plan                     |
| <b>KLO</b>   | Koori liaison officer                       |
| <b>MCV</b>   | Magistrates’ Court of Victoria              |
| <b>NJC</b>   | Neighbourhood Justice Centre                |
| <b>NTV</b>   | No To Violence                              |
| <b>SFVC</b>  | Specialist Family Violence Court            |
| <b>VCAT</b>  | Victorian Civil and Administrative Tribunal |
| <b>VOCAT</b> | Victims of Crime Assistance Tribunal        |

**Magistrates' Court of Victoria**

233 William Street  
GPO Box 882  
Melbourne 3001

**DX** 350080

**T** 03 9628 7777

[mcv.vic.gov.au](http://mcv.vic.gov.au)

