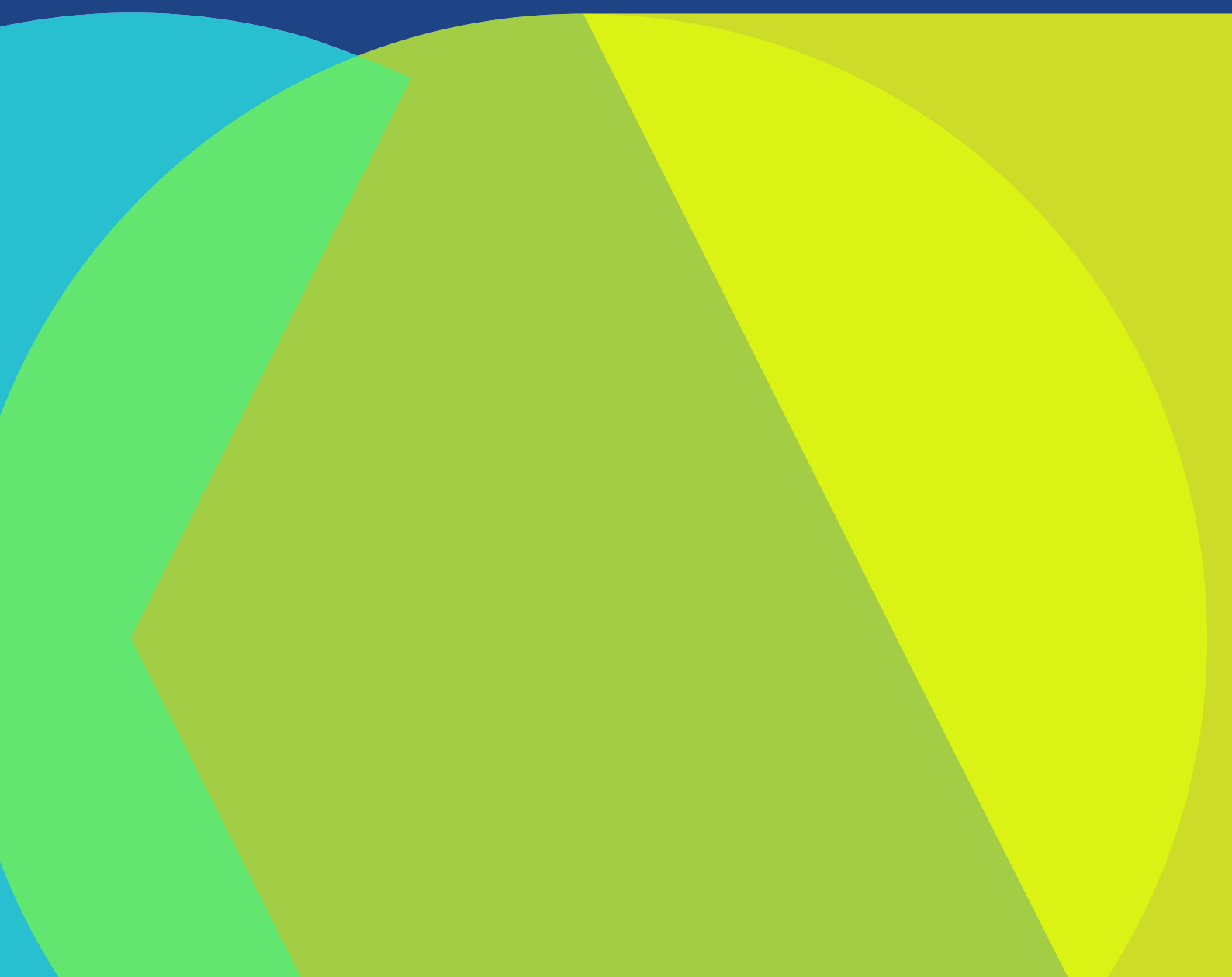




ANNUAL REPORT

2018-19



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 2018 to 30 June 2019 pursuant to section
15(3) of the *Magistrates' Court Act 1989*.

Yours sincerely



PETER LAURITSEN
Chief Magistrate

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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 2018-19, more than 150,000 criminal cases were initiated and a total of 660,000 hearings related to criminal matters were held.

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

MCV has a dedicated and committed workforce that includes 116 magistrates working across the court's 51 locations, as well as 17 reserve magistrates, 13 judicial registrars and 855 staff. Five magistrates sit at the Coroners Court and 15 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 offending, improve 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.

Ready to help: Court Network volunteers provide information and support at court venues.

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 2018, 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.

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 venues at Dandenong and Melbourne. The Drug Court provides 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



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





151,765

Criminal cases initiated

-5%



177,588

Criminal cases finalised

-10%



660,262

Total criminal hearings

-7%

81,024

Family violence and personal safety matters

+5%

THE YEAR AT A GLANCE



3168

Committal proceedings finalised

-8%



40,100

Civil complaints issued

+4%



36,307

#1 Charge - Theft

+4%



17,613

Applications where bail was granted

-9%



20,478

Search warrant applications

+12%



MESSAGE FROM THE CHIEF MAGISTRATE

It is with pleasure that I present the Annual Report of the Magistrates' Court of Victoria for year ending 30 June 2019.

Historically, the Magistrates' Court of Victoria has worked hard to establish and expand its various therapeutic jurisdictions and services. This was an area of focus again during the year, particularly in relation to family violence.

The existence of these jurisdictions and services are beneficial to the safety of the community. However, they sit within a larger court environment and create their own issues and pressures.

FAMILY VIOLENCE

The 2017-2018 State Budget saw a great deal of money set aside to address family violence. During the year, MCV was able to start several initiatives including the ongoing development of five venues of the new Specialist Family Violence Court Division: Shepparton, Heidelberg, Ballarat, Frankston and Moorabbin. This is the centrepiece of the Magistrates'

Court's response to family violence. It joins specialisation to therapeutic services to enable a safer community.

The development of the division involved a considerable amount of construction: safe waiting areas, separate entrances into buildings and separate entrances into courtrooms. Within the safe waiting areas, multi-media screens have been installed providing information in many languages. Support services for victims and perpetrators of family violence have also been developed.

During the year, the Koori family violence support program, now called Umalek Balit, was re-established at two venues: Melbourne and Mildura.

Also, the family violence phone contact centre saw a rapid expansion in the number of persons using the service. The centre provides expert advice, including

referrals to support services, to all persons involved in family violence.

The Royal Commission into Family Violence made 26 recommendations that solely or mainly affect the Magistrates' Court, and MCV has delivered more than half of those recommendations.

NON-PRODUCTION OF PEOPLE IN CUSTODY

I have written about this issue in earlier messages. As I have pointed out previously, this is a consequence of increasing numbers of persons in custody, especially on remand, and static infrastructure.

The latter refers to the capacity of police cells around the state. Their capacity has not increased for many years despite a massive increase in the number of unsentenced prisoners in the last six years. An unsentenced prisoner who needs to appear physically at a Magistrates' Court venue enters that court via the nearest police cells. No venue allows for a person in custody to be brought directly into a courthouse.

Despite the introduction of many measures, legislative and administrative, the issue persists although at a reduced level from the highpoints reached in 2013.

AUDIO-VISUAL TECHNOLOGY

During 2015-16, monies were spent on a new audio-visual system for our venues and legislation was amended. As a result, the number of audio-visual links between a courtroom and a person in custody increased enormously. In the latest State Budget, further monies were provided to expand the number of audio-visual units into eight metropolitan venues. This adds to the capacity of those venues to deal with the cases of those in custody.

DRUG COURT AND ARC LIST

During the year, the Drug Court became established at Melbourne. In November 2018, Drug Court House relocated from limited, temporary premises to permanent, fit-for-purpose premises within a 10-minute walk from the courthouse at Melbourne. Consequently, the Drug Court was able to increase

significantly the numbers of offenders on drug treatment orders.

The ARC List continued its expansion into the Latrobe Valley region.

SHEPPARTON

In March 2018, the new courthouse at Shepparton opened. During the year, work started on converting the existing Supreme and County courthouse into a safe waiting area for victims of crime, vulnerable witnesses and applicants for intervention orders. This work proceeded through the year, with the project due to finish in the first quarter of the 2019-20 financial year.

WELLBEING

In last year's message, I spoke about the measures introduced to enhance the wellbeing of judiciary and administrative staff. The Magistrates' Court and the Children's Court deal with every criminal proceeding commenced in a court in this state, determining the vast majority of those proceedings.

As with all courts exercising this jurisdiction, MCV is coping with the increasing complexity of the problems facing the community, especially the impact of methamphetamine and the reality that so many of the persons appearing have mental health issues.

ACKNOWLEDGEMENTS

I consider myself fortunate to work with such dedicated and hard-working members of the judiciary, the deputy chief magistrates, the chief executive officer, the principal registrar, registrars, deputy registrars and administrative staff. Each has worked in a challenging environment and has assisted in the efficient delivery of justice around the state.



PETER LAURITSEN
Chief Magistrate

MESSAGE FROM THE CHIEF EXECUTIVE OFFICER

Change has been a key theme I have spent considerable time working through during the year as MCV moves ahead with a substantial program of reform.



A YEAR OF PROGRESS

It has been a year of major progress for the court as we work to enhance the client-facing court experience for Victorians as well as improve the systems and processes behind the scenes that enable our judiciary and staff to deliver quality justice outcomes.

Our frontline court staff have overseen another busy year with more than 660,000 criminal listings in our venues.

Regional courts have been particularly stretched with criminal initiations rising by 4 per cent in a climate that continues to see growth in family violence and personal safety matters, as well as rising civil initiations.

Criminal listings were down at our metropolitan venues due to the impact of the *Fines Reform Act 2014*.

The increasing complexity of criminal matters due to a range of factors including accused with addiction or

mental health issues continues to put pressure on all our venues to manage demand.

A considerable increase in the number of people appearing before the court in custody as a result of the *Bail Amendment Act 2018* has also increased the workload on registry staff and the time needed to deal with individual matters in court.

How we deal with these challenges into the future continues to be a key focus for our leadership team.

TECHNOLOGY UPGRADES

Technology will play a big part in reshaping our service delivery model over the next five years. CSV received \$89.2 million in the 2017-18 State Budget to develop a modern case management system for MCV and the Children's Court. When fully implemented, the new system will create a person-centered view of the work of the court, automate manual processes that are inefficient, and enable great integration and connectivity for the whole justice system.

Extensive work was undertaken during the year to identify a suitable product to work with.

We launched a major workforce planning program that will give us strategies to address some of the challenges we face and help us to build a court that will enable us to attract, retain and support staff now and into the future.

Part of this was the formation of a staff advisory group that will develop a new workforce structure for MCV to transform the way we work. I am excited that our staff are playing a key role in shaping our future.

FAMILY VIOLENCE REFORM

In the second year of our family violence reform program, I am pleased to report that we have made considerable progress in making the court process easier and safer for those experiencing family violence.

MCV delivered key milestones during the year including the launch of a family violence contact centre that is designed to divert phone queries from staff at registries. It took more than 28,000 calls during its pilot year, meaning registry staff were able to spend more time assisting people who come to court venues for assistance with family violence matters.

Planning is well underway for the launch of five new specialist family violence courts, the first of which will start sitting at Shepparton early in 2019-20.

Members of the Koori community experiencing family violence can now access specialised support with the launch of Umalek Balit at our venues at Melbourne and Mildura. The service includes dedicated women's and men's practitioners who will work with applicants and respondents to guide them through the court process. Aboriginal women are 34 times more likely to be hospitalised from family violence but the majority of incidents are not reported due to a range of complex issues.

THERAPEUTIC APPROACHES

I am pleased that we will be further expanding our services for Aboriginal and Torres Strait Islander

people with funding received under the Victorian Aboriginal Justice Agreement Phase 4 for additional Koori Courts at Heidelberg, Wodonga/Wangaratta and Bendigo/Echuca.

We were able to reflect during the year on the success of the Koori Court model as we marked the 15-year anniversary of the Warrnambool Koori Court and launched an Elders and Respected Persons Honour Roll. It was yet another milestone of which MCV should be proud.

ACKNOWLEDGEMENTS

I would like to thank our directors, managers and staff at MCV for their support during the year and recognise their hard work right around the state.

And, finally, in what is his last annual report, I would like to acknowledge the contribution that Chief Magistrate Peter Lauritsen has made to the court over his seven-year tenure as head of our jurisdiction, and 30-year career as a magistrate.

His leadership and guidance over the past few years have laid the groundwork for what will be an exciting future for our organisation as we embrace the opportunities presented by technology, reforming our service delivery model and focusing on the delivery of improved justice outcomes for Victorians.



ANDREW TENNI
CEO

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 Hugh Radford

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 2019

Mr Ian Alger

Ms Susan Armour

Ms Megan Aumair

Mr Julian Ayres

Ms Donna Bakos

Mr Stephen Ballek

Ms Luisa Bazzani

Mr John Bentley

Ms Jacqueline Billings (CHC)

Ms Angela Bolger

Ms Jade Bott

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 Peter Dotchin (CHC)
 Ms Alana Duffy
 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 Kieran Gilligan
 Mr Phillip Goldberg
 Ms Anne Goldsbrough
 Ms Julie Grainger
 Ms Jennifer Grubissa
 Mr Simon Guthrie
 Mr John Hardy
 Ms Tara Hartnett
 Ms Annabel Hawkins (CHC)
 Mr Rodney Higgins
 Mr Timothy Hoare
 Ms Michelle Hodgson (CCOV)
 Ms Gail Hubble (CHC)
 Ms Audrey Jamieson (CCOV)
 Mr Graham Keil
 Mr Russell Kelly
 Mr Costas Kiliass
 Mr Randall Kune (CHC)
 Ms Elizabeth Lambden
 Mr Nunzio LaRosa
 Mr Stephen Lee
 Ms Sarah Leighfield
 Mr Dominic Lennon
 Mr John Lesser
 Ms Denise Livingstone
 Ms Mary-Anne MacCallum
 Ms Therese McCarthy
 Mr Michael McNamara
 Ms Kay Macpherson (CHC)
 Ms Urfa Masood

Mr Ross Maxted
 Mr Andrew McKenna
 Mr Gregory McNamara
 Ms Sharon McRae
 Ms Fran Medina
 Mr Peter Mellas
 Mr Peter Mithen
 Ms Michelle Mykytowycz
 Mr John O'Callaghan
 Ms Julie O'Donnell
 Ms Kim Parkinson (CHC)
 Mr Shiva Pillai (CHC)
 Mr Richard Pithouse
 Ms Roslyn Porter
 Ms Vicky Prapas
 Mr Peter Reardon
 Mr Duncan Reynolds
 Mr Gregory Robinson
 Mr Marc Sargent
 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 Jacinta Studham
 Ms Mia Stylianou
 Mr Charles Tan
 Ms Noreen Toohey
 Ms Cynthia Toose
 Ms Letizia Torres
 Ms Jennifer Tregent
 Ms Olivia Trumble
 Mr Timothy Walsh
 Ms Nahrain Warda
 Mr Michael Wardell
 Mr Ian Watkins
 Mr Michael Wighton
 Mr Brian Wright
 Mr Simon Zebrowski
 Mr Francis Zemljak (CHC)

RESERVE MAGISTRATES

Mr Clive Alsop
 Mr Thomas Barrett
 Mr Ross Betts
 Mr Doug Bolster
 Mr Barry Braun
 Mr Len Brear
 Mr Phillip Byrne
 Mr Brian Clifford
 Mr Bruce Cottrill
 Mr Rodney Crisp
 Mr John Doherty
 Ms Margaret Harding (CHC)
 Mr Lou Hill
 Mr Frank Jones
 Mr Jonathan Klestadt
 Mr Bob Kumar
 Ms Cathy Lamble
 Mr Gregory Levine
 Mr Ian McGrane
 Mr Peter Mealy
 Mr Dan Muling
 Mr John Murphy
 Mr John O'Brien
 Mr Peter Power
 Mr Steven Raleigh
 Mr Barry Schultz
 Mr Michael Smith
 Mr Alan Spillane
 Mr Iain West (CCOV)

JUDICIAL REGISTRARS

Ms Ruth Andrew
 Mr Julian Bartlett
 Mr Mick Bolte
 Ms Shannon Dellamarta
 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

Court operations

Ms Melissa Martino

Family violence reform

Ms Mariela Diaz

Finance and strategy

Ms Simone Richardson

People, culture and transformation

Ms Simone Ilett

Neighbourhood Justice Centre

Ms Rachel Powning

Organisational change

Mr Chris Sheard

Specialist courts and programs

Ms Elissa Scott

COURT COMMITTEES

The court's primary committees are:

Education Committee

**Chaired by Magistrate Jennifer Bowles
(until October 2018) and Gail Hubble**

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. Three education conferences were held during the year, along with an intensive educational program for recently appointed magistrates.

Executive Committee to the Council of Magistrates

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 judicial wellbeing, the non-production of prisoners, and the administration of a number of changes to rules that impacted the working of the court.

Civil Practice Committee

Chaired by Supervising Magistrate Hugh Radford

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, harmonised a number of rules with provisions at the County and Supreme courts, and the finalisation of Rules concerning offers of compromise in arbitration matters.

Criminal Law Committee

Chaired by Supervising Magistrates Charlie Rozenchwajg 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 a dedicated AVL court at Melbourne, alternative ways of presenting evidence, changes to the form media and third-parties use to access information, ground rule hearings in criminal matters and electronic replacements for the faxing of documents.

Criminal Court Users Committee

Chaired by Supervising Magistrate Charlie Rozenchwajg

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 alternative methods of presenting evidence, appeal bail, community correction order assessments, and appearances via audio-visual link (AVL).

Dispute Resolution Committee

Chaired by Deputy Chief Magistrate Franz Holzer

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

Issues considered included mediation and alternative dispute resolution processes and opportunities in civil and criminal jurisdictions, the role of dispute resolution in the court's strategic plan, the importance of stakeholder engagement and use of the MCV website to raise awareness of the court's dispute resolution services, and discussion about the opportunities presented by online dispute resolution.

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 included professional development programs and working with the Judicial College of Victoria to facilitate family violence training for magistrates, applying strategies for managing growing demand within the intervention order jurisdiction, identifying process and system issues to improve the court experience for those experiencing family violence, and facilitating a best practice justice response for children and adults experiencing family violence by holding perpetrators accountable.

Human Resources Committee

Chaired by Deputy Chief Magistrate Lance Martin

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 Magistrate Fiona Hayes and Johanna Metcalf

The committee drives initiatives to improve outcomes for victims of crime and VOCAT's operations. To support consistency across venues, it reviews the Chief Magistrate's practice directions and guidelines and, where necessary, makes recommendations.

Issues considered include the recommendations from the Victorian Law Reform Commission report recommending repeal of the VOCA Act and establishment of a reformed state-funded assistance scheme, the rise in the number of applications for assistance, measures to manage the increased workload, and implementation of the recommendations from the Royal Commission into Family Violence.

Wellbeing Committee

Chaired by Magistrate Hugh Radford, Magistrate Suzie Cameron and the Hon. Bernard Teague

The committee was established in 2018 to provide recommendations to the Chief Magistrate on how the court could implement best-practice initiatives to ensure the ongoing wellbeing of judicial officers. Issues considered during the year included the strategic wellbeing plan, the success of the wellbeing days and the induction program for new magistrates.

LEGISLATIVE REFORM

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

- *Bail Amendment Regulations 2018*
- *Children Legislation Amendment (Information Sharing) Act 2018*
- *Children, Youth and Families Amendment (Bail) Regulations 2018*
- *Criminal Procedure Amendment Regulations 2018*
- *Family Violence Protection Amendment Regulations 2018*

- *Judicial Proceedings Reports Regulations 2018*
- *Justice Legislation Amendment (Access to Justice) Act 2018*
- *Justice Legislation Amendment (Family Violence Protection and Other Matters) Act 2018*
- *Justice Legislation Amendment (Terrorism) Act 2018*
- *Legal Identity of defendants (Organisational Child Abuse) Act 2018*
- *Liquor and Gambling Legislation Amendment Act 2018*
- *National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Act 2018*
- *Road Safety Road Rules Further Amendment Rules 2018*
- *Road Safety (Drivers) (General) and (Vehicles) Amendment Regulations 2018*
- *Serious Offenders Act 2018*

In session: Magistrate Donna Bakos considers evidence during a mock hearing at the Melbourne Magistrates' Court.



COURT OPERATIONS

Demand pressures continue to present challenges for MCV venues around the state with the court experiencing strong growth in family violence and civil matters during the year.

Applications in relation to family violence and personal safety matters rose by 5 per cent to 81,024, while civil applications finalised rose by 14 per cent to 15,640.

Criminal matters continue to represent the largest volume of work for the court with 660,262 criminal listings managed during the year.

Criminal listings, however, declined by 7 per cent overall due to the impact of the Fines Reform Act, which commenced in December 2017.

While one of the aims of the legislative change was to move some low-level infringement matters from the court to a new agency, ongoing technical difficulties experienced by that agency, Fines Victoria, resulted in reduced volumes across a broader range of matters than had been anticipated.

Changes to the way an infringement matter can be commenced in the Magistrates' Court resulted in reduced volumes of infringement-related matters being lodged, particularly at metropolitan court venues. This was largely responsible for a 21 per cent decline in the number of criminal matters heard at the Melbourne Magistrates' Court this year.

In contrast, the court's regional venues recorded a 4 per cent increase in criminal initiations, further increasing pressure on infrastructure in country areas.

This reduction in the number of infringement-related matters affected a number of areas of the court, from initiations and finalisations through to enforcement and breach cases. Infringement offences have historically been a big part of the court's criminal workload, with infringement matters featuring in the top five finalised charges for the past few years.

This year, infringements related to driving on Citylink without paying a toll dropped by 75 per cent, the same offence on Eastlink by 70 per cent and speeding by 38 per cent.

The delayed infringement-related matters are expected to return to the court once Fines Victoria finally resolves the outstanding issues, and planning is well advanced to manage this process.

Complex crime

While infringement-related matters can generally be resolved quickly and finalised in the absence of the accused, an increasing amount of court time is now being allocated to more complex matters.

The incidence of contravening a family violence intervention order rose by 6 per cent during the year, becoming the second most frequent charge to come before the court. Theft rose by 4 per cent to become the most frequent charge heard.

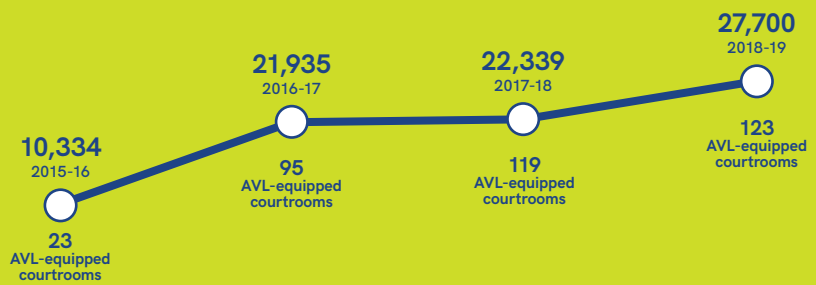
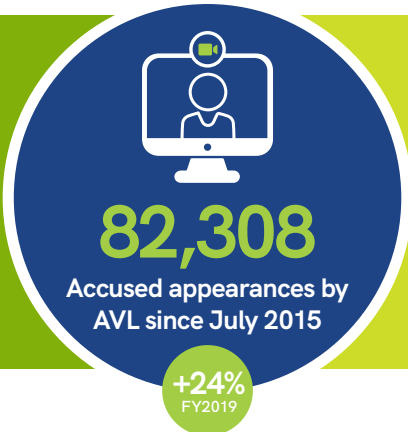
During 2018-19 the court dealt with 19,866 matters where the accused was in custody for their first appearance. This was a 34 per cent increase on the previous financial year.

A matter when an accused remains in custody must be heard by a magistrate and may require a greater number of mentions and applications, increasing demand on court resources. This includes a greater workload for registry staff when compared with a matter when an accused is on bail.

Changes to the Bail Act in May and July 2018 made it more difficult for accused to obtain bail, and this resulted in the number of people seeking bail during the year declining by 8 per cent.

While the trend suggests that lower level offending is decreasing, more complex and serious charges are increasing, placing additional pressure on court workloads.

AVL USAGE



Audio-visual technology

There has been considerable investment in audio-visual technology over the past few years, with the number of courtrooms furnished with the equipment increasing from 23 in 2015-16 to 123 this financial year. This allowed 27,700 people to appear for their matters from prison, easing pressure on transport and police cell capacity. This was a 24 per cent increase on the previous year.

Bail and Remand Court

The Bail and Remand Court sits at the Melbourne Magistrates' Court from 10am - 9pm seven days, including an afternoon session on public holidays.

In its first full financial year of operation, it had 11,008 people appear before it. This included 5085 people who had their matter dealt with outside what have been traditional court business hours. Sixty-two per cent of those who appeared before BaRC were remanded in custody, while 14 per cent were granted bail.

Of note, 18 per cent of matters were finalised at first hearing, negating the need for additional court time at other venues across the metropolitan area and helping to address capacity issues at police cells. Approximately 700 people who appeared before BaRC were connected with support services to assist with a range of issues including substance abuse, homelessness, mental health, family violence and anger management.

Family violence matters accounted for approximately 20 per cent of BaRC listings with 2300 survivors of family violence having their offender held to account before the court. Of those, 750 had intervention order proceedings expedited and heard with their consent.

VOCAT

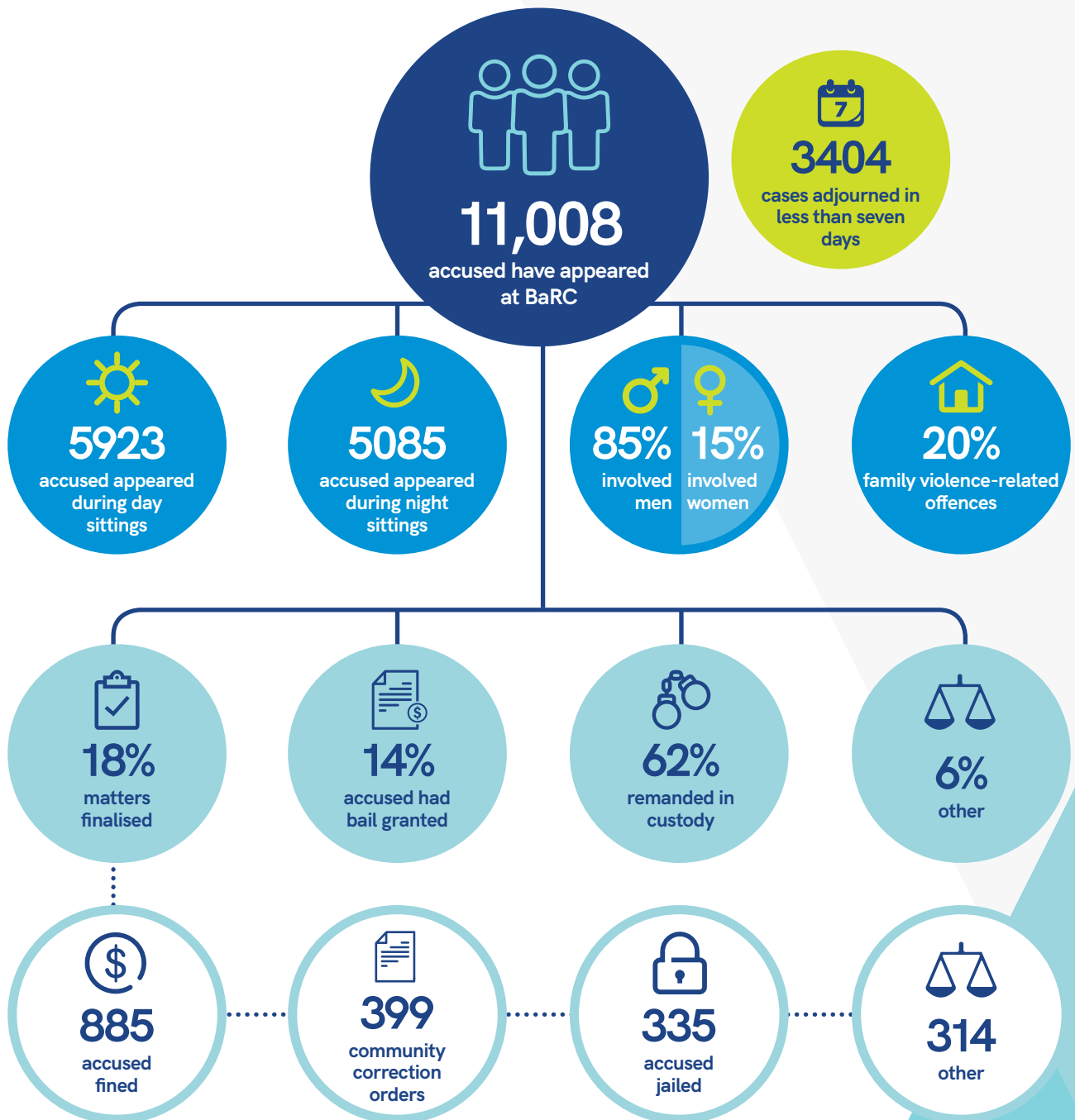
The Victims of Crime Assistance Tribunal (VOCAT) provides financial assistance to victims of violent crime to aid their recovery and to cover expenses that resulted from the crime. Magistrates spend considerable time determining these applications, which are lodged under the *Victims of Crime Assistance Act 1996*.

VOCAT applications increased by 9.7 per cent to 8067 during the year, with more than 5119 awards of assistance granted during the year.

The Victorian Law Reform Commission released a report in September recommending that the *VOCA Act 1996* be revoked and that VOCAT be run administratively outside of courts. In the 2019-20 financial year, MCV will be addressing some of the issues highlighted in the report including developing a trauma-informed case management model and furthering specialised services to victims.

BAIL AND REMAND COURT

Snapshot July 2018 to June 2019



Search warrants

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 increased by 14 per cent to 26,225 during the year, rising by 41 per cent since 2013-14. The court provides an after-hours service to ensure warrants can be obtained 24 hours a day, seven days a week. One magistrate is rostered to determine requests between 5pm and 8.30am.

Children's Court matters in regional areas

Regional venues of the Magistrates' Court have spent an increasing amount of time this year dealing with Children's Court and Family Division matters. These complex and often urgent matters, which can take considerable time to hear, rose by 12 per cent in country regions during the year. Some regions have reported having to increase the listing capacity for Family Division matters. The biggest increases were in Barwon South West (12.44 per cent) and Grampians (12.5 per cent).

Chamber and wellbeing days

The introduction of chamber and wellbeing days for magistrates to help manage stress resulted in a number of court venues having to reduce the size of mention lists. This impacted the timeliness at which some venues were able to finalise matters.

New office at 350 Queen Street

More than 130 staff from the Drug Court, CISP, Koori Court and the Family Violence Division relocated to a new building at 350 Queen Street in November. The new building provides fit-for-purpose space for MCV specialist areas including interview rooms for case management, drug testing facilities for the Drug Court, training and programs rooms, as well as collaborative work areas for staff and project teams.

Technology upgrades

CSV 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.

Extensive work was completed during the year to review and endorse the functional requirements for the request-for-proposal stage of the project. When launched in 2021, the new system will support ongoing caseload growth, enable the court to meet service expectations, and streamline data capture and information exchange.

MCV has been working with Victoria Police on a joint project to introduce the electronic messaging of bail outcomes from the court via Courtlink to the Victoria Police system, LEAP. From November, bail decisions have been messaged to police every 30 minutes. The automation of these messages has brought about a significant reduction in general bail enquiries to registries and requests for certified extracts.

The new office 365 platform was rolled out to all sites across the state in 2018 as part of CSV's project to move courts off the Department of Justice's network and onto the government shared platform, operated by Cenitex.

MCV also launched a new website in December. The website was redeveloped in response to the recommendations from the Access to Justice Review. The review identified major impediments for people from low socio-economic backgrounds to access information about the legal system. The new site enables the information to be translated into more than 38 different languages, improving accessibility for court users.

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 43,245 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 1 per cent decline in claims up to \$10,000 (25,485) but a 13 per cent rise in the number of complaints issued where more than \$10,000 was being claimed (14,615).

The total number of applications finalised rose by 14 per cent to 15,640.

The WorkCover division deals with claims under the *Accident Compensation Act 1985* and the *Workplace Injury Rehabilitation and Compensation Act 2013*.

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.

SPECIALIST COURTS AND PROGRAMS

ARC

ARC expanded to Gippsland in July with the program added to the list at the Latrobe Valley and Korumburra courts. Funding was received in the 2017-18 financial year to expand the program to venues at Moorabbin and Frankston. In its first full year of operation, the Frankston list had 48 participants with 13 completions while the Moorabbin Justice Centre had 85 participants listed with 35 completions. It is anticipated the additional funding will enable approximately 288 additional clients to participate in ARC each year.

Atrium Housing and Support Program

MCV is a key partner in a 20-month pilot program that is designed to improve access to bail for those coming before the court without stable accommodation. The Atrium Housing and Support Program, which launched in October, is funded by Corrections Victoria with services provided by the Australian Community Support Organisation, Caraniche and Melbourne City Mission.

CISP staff work closely with the service providers to deliver a wrap-around support model that is designed to provide safe and secure accommodation, address participants' needs and divert them from further involvement with the criminal justice system.

The first short-term accommodation house opened in November with 12 men taking part in the program during the year. A second house, which will be available to women, will open in the 2019-20 financial year.

CISP and CROP

CISP provides individualised support to eligible clients to identify and address underlying health and/or social needs prior to finalising criminal matters. In the 2017-18 State Budget, MCV received \$25.2 million over four years to expand CISP and CROP to extra courts and prisons.

The opening of the Shepparton Law Courts in 2018

allowed for the establishment of the Hume Court Support Services Team, which works across venues at Shepparton, Wangaratta and Wodonga. By expanding the program's geographical reach into the north-east, more clients can access health and social interventions that reduce the frequency and severity of offending while increasing community safety.

The program also focussed on developing and strengthening the focus on client-centred practice and outcomes.

The CROP program reported a steady increase in assessments during the year, highlighting the importance of continuing to provide a tailored and coordinated service. A joint initiative with Corrections Victoria, CROP case managers work in prisons to assist remand prisoners to identify community services to support bail applications. This may include accommodation, alcohol and drug treatment, or support for mental health issues.

Drug Court

It was another successful year for the Drug Court with 236 referrals, resulting in 155 new drug treatment orders imposed (69 at Dandenong and 86 at Melbourne).

Fourteen participants graduated from Melbourne during the year, with three successfully completing certificates at Holmesglen TAFE.

At Dandenong, 10 participants graduated during the year and the program exceeded capacity with a three-month wait list early in 2019. On-site therapeutic programs offered including SMART recovery, Narcotics Anonymous, Art Attack, Dads Do Matter, Harm Reduction and ReLink continued to provide structured interventions in a supported environment, assisting participants to build life skills and reconnect positively with their communities. Education and employment readiness programs, such as the YMCA Bridge Program and Find your Future, provided measurable benefits with three participants successfully completing certificates in civil construction and two in traffic management.



The Melbourne Drug Court team relocated from interim premises in Lonsdale Street to a purpose-built facility at 350 Queen Street in November. The new premises have modern testing facilities, 21 interview rooms, a programs room and improved amenities and security for staff and participants.

The fit-out has enabled more therapeutic programs to be run in-house, including Narcotics Anonymous, Butterfly, Soft Toy Project, Peer Induction, Trauma Informed Yoga and Reclink.

CASE STUDY

“Jed” completed his DTO within 12 months. He successfully completed a Certificate IV in Alcohol and Other Drugs and gained full-time employment on completion. Since his graduation, “Jed” has been giving back to the Victorian community, facilitating harm-reduction sessions for Drug Court participants at Melbourne and Dandenong.

Koori Court

Approximately 1100 Aboriginal people accessed Koori Court statewide during the 2018-19 financial year.

Dandenong Magistrates’ Court was gazetted as a Koori Court in April, holding its first sitting in May. The Koori Court is set for further expansion over the next four years with additional funding of \$6.6 million granted during the year under Burra Lotjpa Dunguludja, the Victorian Aboriginal Justice Agreement Phase 4. This will allow for additional courts to be established at Heidelberg, Wodonga/Wangaratta and Bendigo/Echuca.

A culturally significant milestone was achieved at the Broadmeadows Koori Court in March when, for the first time since it was established in 2002, there was full representation of Aboriginal people at the Koori

Open for business: Wurundjeri Elder Uncle Ron Jones welcomes visitors to Courts Open Day at the Melbourne Magistrates’ Court.

Court table. This included Magistrate Abby Burchill (Yorta Yorta, Dja Dja Wurrung), Elders and Respected Persons Peter Webster (Kamilaroi) and Uncle Kevin Coombs (Wotjobakuk), Koori Court officer Corey Wanganeen (Yorta Yorta, Kokatha, Narangga) and VLA solicitor John Cattanaach (Marrithiyal).

“The most empowering part of this experience was when we all introduced ourselves at the table, proudly identifying who we are and where we’re all from. I felt a sense of pride as an Aboriginal man. Knowing the history of Koori Court, it shows we have come a long way as Aboriginal people, that we are still practising one of the oldest living cultures in the world through today’s justice system.”

- Koori Court officer Corey Wanganeen

Warrnambool’s Koori Court marked its 15-year anniversary in February with the launch of an Elders and Respected Person’s honour roll. Three Gunditjmara Elders were recognised for their dedication to the court and support for their community: Aunty Laura Bell, Uncle Daryl Rose and Aunty Christine Saunders.



Prompt assistance:
Registry staff help court users to lodge an application.

Neighbourhood Justice Centre

In a first for an Australian court, NJC is trialling an app that is designed to assist clients with alcohol and other drug addictions avoid relapsing. The 24-month trial of the eRecovery app is testing how app-based support services can improve clinical care and bolster clients' self-efficacy. NJC has incorporated the SMART Recovery program into the trial, which is being monitored and evaluated by Melbourne University.

In response to concerns raised by African community leaders that newly arrived immigrants were being racially vilified, NJC established the NJC African Communities Leaders and Workers Network to improve relations between the African community, and justice and other agencies, and to assist vulnerable young people. Comprising representatives of seven African nations, this is the only network of its kind in Victoria.

With Carlton/Fitzroy Financial Counselling and RMIT University, NJC re-established its Fines Assist

Clinic that is designed to help Yarra residents who are struggling with unpaid fines. RMIT students studying financial counselling provide assistance to the residents, giving them the opportunity for valuable work experience.

NJC has finalised a strategic plan that details how it will improve access to justice for residents in its catchment area. A key priority of the plan is the expansion of the NJC model to other high-risk communities. To further this objective, a blueprint is being developed that will guide the rollout of the NJC model when additional locations are identified and funded.

NJC expanded its support services during the year introducing an LGBTI practitioner team for LGBTI-specific responses to family violence, an expanded Berry Street outpost, and Caraniche for high-risk Corrections clients with intensive alcohol and other drug needs.

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 25 recommendations to prioritise the safety of victim survivors attending court.

In 2018-19, the court's focus moved from policy design to implementation with the delivery of a digitally enabled court response, fit-for-purpose facilities where people are safe, enhanced perpetrator interventions, as well as training and development for frontline and specialist staff.

To fund these activities, MCV spent \$19.3 million, which included \$1.9 million for family violence reform at the Children's Court, Coroners Court and the Judicial College of Victoria.

A new Family Violence Court Division opened at the Shepparton Magistrates' Court on 31 October 2018. This gives families access to specialised support and services as well as providing the court with the ability to order men to take part in behaviour change programs. The introduction of applicant and respondent practitioners means that victim survivors and respondents are engaged in risk assessment, safety planning and referrals (recommendation 60).

Umalek Balit, a dedicated Koori family violence and victim support program, was launched at the Melbourne Magistrates' Court in November. The program offers members of the Aboriginal and Torres Strait Islander community access to specialised support that includes women's and men's practitioners to guide applicants and respondents through the court process, including family-violence related intervention orders, and criminal or Victims of Crime Assistance Tribunal matters.

In April 2019, Mildura Magistrates' Court became the second site to offer Umalek Balit. The occasion also launched the FVIO Breaches pilot, which saw Mildura

Magistrates' Koori Court and County Koori Court become the only Victorian Courts gazetted to hear intervention order breaches.

As part of steps to deliver an inclusive and diverse approach to those experiencing family violence, a new LGBTI practitioner team was recruited in November. Based at the Neighbourhood Justice Centre with outreach to venues at Melbourne and Heidelberg, the team includes family violence practitioners and respondent practitioners. Supporting the delivery of a professional, non-discriminatory and accessible response to family violence, the team provided support to 60 members from the LGBTI community in the first seven months (recommendation 87).

Fifty-five multi-media screens were installed at 21 courts across the state to provide information about the family violence intervention order process and support services to clients, with information displayed in multiple languages increasing accessibility.

Family violence information on MCV website was updated, with content translatable into 35 languages (recommendation 73). The court's online information on family violence was also updated during the year and incorporated into the main MCV website (mcv.vic.gov.au). The main website allows the content to be translated into 35 languages and meets accessibility requirements (recommendation 73).

MCV's family violence contact centre took more than 28,000 enquiries during 2018-19. The contact centre now takes enquiries from the Melbourne, Shepparton, Ringwood, Sunshine, Geelong, Dandenong, Frankston and Heidelberg courts. The contact centre has improved the court's responsiveness and reduced waiting times (calls answered in 43 seconds), creating greater capacity for staff to focus on clients in attendance at these court locations (recommendation 63).

MCV played a key role in the implementation of two system-wide initiatives — the Family Violence Information Sharing Scheme and the Family Violence Multi-Agency Risk Assessment and Management (MARAM) Framework.

The information sharing scheme was designed to allow the free flow of information between prescribed government agencies and community service organisations. During the year, MCV received 6400 requests for information from 60 prescribed entities. A dedicated team assessed 97 per cent of requests as appropriate information to share.

The MARAM framework is designed to ensure services are effectively identifying, assessing and managing family violence risk. MCV participated in a number of whole-of-government working groups to assist with the development of MARAM resources and products. This work will allow for the court's family violence processes, procedures and risk assessment tools to align to the framework. Senior staff have also completed training modules to help align responsibilities with the framework.

Making it easier for court users to navigate family law matters across the different jurisdictions is the aim of the Family Law Demonstration Project at the Shepparton Magistrates' Court. Moving between the Magistrates', Children's and Federal Family courts can be stressful, expensive and time-consuming for families experiencing family violence while also trying to finalise family law matters, including custody and settlements. The fragmented court system increases the safety risks for affected family members and their children. This project is looking at how best family violence and family law matters could be considered and dealt with by one jurisdiction, when appropriate to do so (recommendation 131 and 60).

Shepparton Magistrates' Court will be gazetted as Victoria's first specialist family violence court (SFVC) in the 2019-20 financial year. Significant building work has been completed this year to transform the old Shepparton Magistrates' Court into a separate waiting area for those with family violence matters coming before the court. Specialist staff have been recruited and trained in preparation for the launch. Planning has also been completed for the commencement of the SFVCs at Ballarat, Frankston and Heidelberg Magistrates' Courts in the next financial year (recommendation 60).

Substantial planning has been undertaken to implement a Remote Hearing Pilot at the Geelong Magistrates' Court. The pilot, which will commence in July 2019, will enable female family violence victims to participate in their court hearing via video conference facilities at a location other than the court building. Remote hearings aim to reduce the risk of violence at court, minimise the trauma associated with face-to-face interactions and increase family violence victims' choice as to how they participate in the court process (recommendation 71).

Technology is also being used to make it easier for affected family members to apply for a family violence intervention order.

A new family violence intervention order application form has been developed to greatly increase a victim's access to the form, by making it available through the MCV website. The intervention order form has been re-designed to simplify the application process and enhance a victim's application experience, including being translatable into different languages. The new online form will be implemented statewide by March 2020 (recommendation 74).

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.

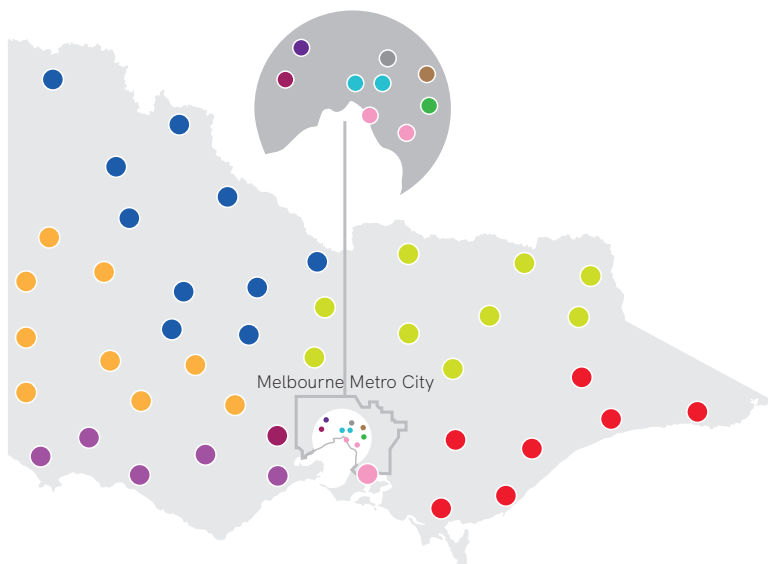
INITIATIVES

The Barwon South West region heard more than 6360 family violence and personal safety matters during the year. To help meet the growing need for hearings of this type, the Geelong Magistrates' Court increased its number of Family Violence Fast Tracking lists by 50 per cent, rising from one per week to three per fortnight.

The number of sitting days were also increased at Hamilton and Portland during the year to help address delays at those venues.

Building works were completed at Colac and Hamilton during the year. The works included upgrades to registry offices and providing safe waiting areas for court users involved in family violence and other matters.

Geelong Magistrates' Court was also selected as the site for a new remote hearing pilot in which applicants for intervention orders will be able to appear at their court hearing via video link from a separate, safe location.



REGIONS

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

Extensive stakeholder engagement was undertaken during the year with the pilot due to commence in the first quarter of the 2019-20 financial year.

Broadmeadows

Six magistrates and two judicial registrars preside over the Magistrates' Court at Broadmeadows.

INITIATIVES

It was another busy year at Broadmeadows with the court hearing more than 13,000 criminal matters, and also recording a 23 per cent increase in the number of civil claims finalised.

Court staff and judicial officers have continued to contribute to and facilitate many community-based initiatives such as the Hume Community Safety Advisory Committee, the Hume Domestic Violence Network and Banksia Gardens.

Dandenong

The Dandenong Magistrates' Court serves the cities of Greater Dandenong, Casey and the Shire of Cardinia. Family violence and personal safety matters rose by 6 per cent during the year.

INITIATIVES

Dandenong Magistrates' Court was gazetted as a Koori Court in April, holding its first sitting in May. Koori Court sittings for adults and children are scheduled at Dandenong every six weeks.

Upgrade works were completed at Dandenong during the year, with courtrooms receiving new paint, seating and upgraded lighting. The court registry areas were also refitted and public meeting booths installed.

The court partnered with Catholic Care to run a six-week justice education program for refugees. Each session covered a range of topics including an introduction to the court system, Victoria Police and the community and Legal Aid services.

Frankston

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

INITIATIVES

Extensive building works were carried out at venues across the region, improving amenity and safety for staff and court users. Frankston's courtrooms received new docks, while the holding cell doors were also replaced. The seating was upgraded in all courtrooms while the interior was repainted and lighting improved. The registry area was also refurbished to facilitate a more open plan.

At the Moorabbin Justice Centre, all the docks in the custody courtrooms were modified to improve security, while work started to provide a separate waiting area for those coming to court for family violence matters.

The venue introduced an occasional childcare service one day a week that is designed to assist parents who attend court with their children.

Moorabbin has also started referring male respondents in family violence matters to a pilot program that is aimed at early intervention for men who present with drug and alcohol dependence issues.

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.

INITIATIVES

The region heard more than 10,900 criminal matters during the year, as well experiencing an 8 per cent increase in the number of family violence and personal safety matters listed (7579).

Gippsland has Victoria's highest rate of family violence incidents per head of population as well as the highest number of child protection applications and children in out-of-home care.



Leading the way: Shepparton Law Courts will be the site of Victoria's first specialist family violence court.

The Assessment & Referral Court commenced at Latrobe Valley, Korumburra and Wonthaggi in July. It deals with offenders suffering from a mental illness, intellectual disability, an acquired brain injury, autism or a neurological impairment.

Grampians

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

INITIATIVES

The Ballarat Magistrates' Court was selected as one of five venues around the state to become a specialist family violence court, in accordance with recommendation 60 of the Royal Commission into Family Violence.

The court received \$4.97 million to enable building works to be completed to provide safe waiting areas, accessibility for people with disabilities, private interview rooms for use by registrars and service providers, and remote witness facilities. Work started at the end of March and the new SFVC is expected to commence sitting in November 2019.

Extensive upgrade works were also carried out at Nhill courthouse due to termite damage. The venue closed in February for major repairs that included replacing the floor, skirting boards, door frames, carpet and staff bathroom. Heating and cooling systems were also upgraded, while a new disability access ramp has been installed, gardens landscaped, and new fencing and public toilets built. The court is expected to reopen in August.

Secure docks were also installed at Horsham and Ballarat.

The Mental Health Advice and Response Service (MHARS) launched at Ballarat in November. The service is an initiative of the Forensic Mental Health Implementation Plan (FMHIP) and facilitates the provision of clinical advice to magistrates on the mental health of individuals appearing before the court. MHARS aim is to intervene early in the criminal justice process by identifying those with a mental illness, providing timely advice to the courts and linking with treatment providers.

Heidelberg

Heidelberg is home to one of Victoria's first specialist family violence divisions. It experienced a 2 per cent increase in the number of family violence and personal safety matters heard during the year, rising to 6567.

INITIATIVES

Heidelberg Magistrates' Court experienced a 10 per cent increase in the number of matters where no application for bail was made, bail was refused or revoked. At the same time, there was a 16 per cent decrease in the number of matters where bail was granted. The number of accused appearing before the court in custody is placing significant pressure on the processes and resources of the court. Heidelberg had a total of 4041 individuals appear in custody, which is an average of 16.4 people per day.

New audio-visual link technology was added during the year and Heidelberg now has AVL facilities in all its courtrooms. Appearances by AVL is used to minimise the impact on the local police custody cells as transportation of accused is problematic.

The second phase of the Heidelberg Court Artwork project was completed in July. The project included the installation of various paintings, wall murals and a ceiling mobile.

Hume

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

INITIATIVES

After the commissioning of the new court facility in Shepparton in March 2018, work continued during the year to develop the original 1930s court building into mediation suites and a separate waiting area for family violence victims. That work is expected to be completed in the first quarter of the 2019-20 financial year when Shepparton will become Victoria's first specialist family violence court.

The CISP program expanded to Shepparton, Wodonga and Wangaratta during the year, and building works were completed at Seymour to provide better safety and amenity for victims of family violence victims and other court users.

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. Four magistrates are based at Bendigo and sit at seven locations. Magistrates visit Mildura, Robinvale and Ouyen on a roster. A judicial registrar sits weekly at Bendigo.

INITIATIVES

Extensive building works were carried in the region during the year. Safety upgrades at Swan Hill included the addition of a safe waiting area for victims of family violence, while improvements at Maryborough included disability access, repairs, painting, replacement of carpet and restoration of the historic building's heritage façade. The venue was closed between January and April 2019 to complete the works.

The 2018-19 State Budget provided \$4.85 million for an upgrade at the Echuca Law Court to improve safety, security, access and the operability of the court. The improvements will include separate and safe entrances for the court and the Shire of Campaspe, which shares the building, increased interview rooms, separate vulnerable persons waiting area, repairs and modernisation.

The Kyneton Court was officially reopened in October by Attorney-General Martin Pakula. The heritage-listed building was redeveloped in 2017-18 to deliver safer and more secure court facilities. Improvements included a new interview room, secure registry, separate waiting spaces and a visual separation barrier in the courtroom to improve the safety of people impacted by family violence. A secure connection between the Kyneton Police Station and the courthouse was also built to ensure the safer movement of people in custody.

Melbourne

Melbourne is the largest venue of the Magistrates' Court with 44 magistrates and three judicial registrars hearing more than 35,795 criminal matters during the year as well as 10,853 civil matters and 6765 family violence and personal safety matters.

INITIATIVES

Melbourne has a family violence fast tracking court that sits daily to help manage its significant family violence list. This court implements best practice for the management of cases where an accused is charged with family violence-related offences and also deals with any associated family violence intervention order applications. These lists are supported by specialist services including applicant and respondent practitioners, Women's Legal Service, Inner Melbourne Community Legal Service, Women's Health West, Intouch, Victoria Police lawyers, and lawyers from Victoria Legal Aid.

In 2019 the court also recruited two LGBTI support workers to provide support for the members of LGBTI community experiencing family violence.

Much-needed refurbishments were carried out at Melbourne during the year in both public and staff areas. Improvements included new workstations for staff, cabinets for file storage and new carpet and seating in public areas.

Ringwood

Ringwood has seven magistrates and a judicial registrar. It successfully reduced its pending criminal caseload by 30 per cent since the allocation of an additional judicial resource in January.

INITIATIVES

Building upgrade works were completed in March. The improvements included increased public waiting space, an additional public lift, upgraded lighting and public toilet facilities, new heating and cooling systems, new carpet and blinds, and upgraded staff workstations.

Ringwood has also taken part in the Gateways bail pilot, a scheme designed to provide temporary accommodation for those being released from custody. Run in conjunction with the Department of Health and Human Services and the Salvation Army, it also provides referrals to support services.

Sunshine

The Sunshine region includes the headquarter court at Sunshine and a venue at Werribee. Eight magistrates sit across the region along with one judicial registrar.

INITIATIVES

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

Sunshine provides formal and informal information sessions to school groups, newly arrived immigrants and disadvantaged youth, with magistrates and court staff outlining their roles and providing information on sentencing, deterrence, interpretation of law, young people and crime and court processes.

FINANCIALS AND STATISTICS

Magistrates' Court of Victoria financial statement for year ending 30 June 2019

Comprehensive operating statement for the financial year ended 30 June 2019			
	<i>Notes</i>	2019 \$'000	2018 \$'000
Income from transactions			
Output appropriations	1	151,886	126,065
Special appropriations		55,904	50,155
Grants		8,164	4,073
Other income		0	0
Total income from transactions		215,954	180,294
Expenses from transactions			
Employee expenses and judicial officer remuneration	2	123,102	107,295
Depreciation and amortisation		22,539	17,946
Interest expense		117	112
Grants and other transfers	3	5,368	4,199
Capital asset charge		12,514	10,849
Supplies and services		41,240	35,292
Total expenses from transactions		204,879	175,693
Net result from transactions (net operating balance)		11,076	4,600
Other gains/(losses) from other economic flows	4	(2,429)	(194)
Net result from continuing operations		8,646	4,407

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: 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 3: Grants expense reflects allocations for various programs funded to budgeted sectors outside our portfolio and private organisations.

Note 4: The revaluation amount reflects an adjustment to the provision for long service leave and disposal of property, plant and equipment.

CRIMINAL

Criminal summary								
	Notes	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	% diff 17-18
Cases initiated		218,409	247,025	160,942	166,499	160,473	151,765	-5%
Cases finalised		237,452	275,552	199,960	198,185	196,871	177,588	-10%
Bail-related applications		28,692	33,344	39,056	46,520	44,202	40,637	-8%
Applications finalised		42,766	46,005	53,936	62,260	73,708	67,973	-8%
Contravention of sentencing order cases		8060	8806	9466	11,142	10,583	10,219	-3%
Criminal listings		684,004	766,091	683,709	726,249	713,062	660,262	-7%
Caseload								
	Notes	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	% diff 17-18
Cases initiated	1	218,409	247,025	160,942	166,499	160,473	151,765	-5%
Cases finalised	1	237,452	275,552	199,960	198,185	196,871	177,588	-10%
Cases finalised per court region	2							
Barwon South West		8416	9317	9699	10,733	10,323	10,346	0%
Broadmeadows		14,015	15,829	19,243	16,624	14,173	13,006	-8%
Dandenong		16,524	19,624	17,150	16,648	15,354	14,210	-7%
Frankston		17,538	19,300	22,114	21,437	19,802	17,463	-12%
Gippsland		8010	8642	8718	10,188	12,799	10,987	-14%
Grampians		6075	6693	6615	7225	6719	6250	-7%
Heidelberg	3	15,570	13,026	9,854	15,432	15,774	13,863	-12%
Hume		7550	8059	8573	9239	9076	8914	-2%
Loddon-Mallee		8646	9627	9827	10,924	9855	10,152	3%
Melbourne		101,076	128,725	48,599	41,845	45,377	35,795	-21%
Ringwood		12,906	15,898	15,988	17,192	17,027	16,115	-5%
Sunshine		19,512	18,780	21,911	19,330	19,232	19,212	0%
NJC		1614	2032	1669	1368	1360	1275	-6%
Total		237,452	275,552	199,960	198,185	196,871	177,588	-10%

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, applications, relisted warrants to arrest, or contravention of sentencing order cases.

Note 2: The above totals break down 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 also have one or more satellite courts.

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

Initiations								
	Notes	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	% diff 17-18
Charge and summons		96,510	105,850	101,807	107,822	100,303	104,021	4%
Charge and information		31,558	36,258	39,767	42,502	41,417	43,070	4%
Charge and warrant		3874	3949	4230	4477	4209	4435	5%
Notice to appear		287	197	216	368	304	187	-38%
Infringement revocation	1	86,180	100,771	14,922	11,330	14,240	52	-100%
		218,409	247,025	160,942	166,499	160,473	151,765	-5%

Cases in the Magistrates' Court can be commenced by different types of process. Cases coming before the court where the accused is either in custody or on bail will be subject to a charge and information or charge and warrant.

Note 1: The introduction of the Fines Reform Act saw legislation relating to infringement revocations repealed. As such, infringement revocation matters are no longer referred to the Magistrates' Court and will be removed from future reports.

Bail orders								
	Notes	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	% diff 17-18
Applications before the court where bail was granted		13,067	14,493	17,370	20,873	19,405	17,613	-9%
Applications before the court where bail was refused		5378	7565	9803	11,744	11,609	11,487	-1%
Listings before the court where no application for bail was made		29,436	36,568	48,076	57,653	55,910	60,685	9%
	1	47,881	58,626	75,249	90,270	86,924	89,785	3%
Applications before the court where bail was revoked		2110	2637	3037	4042	4055	3468	-14%
Applications before the court where bail was varied		8137	8649	8846	9861	9133	8069	-12%
Listings before the court where bail was extended		76,238	93,541	98,217	108,782	100,609	87,348	-13%
Other Orders								
Application for bail - struck out/withdrawn		1202	1846	2448	2769	2794	2677	-4%
Application for bail variation - struck out/withdrawn		362	445	539	532	528	392	-26%
Application for revocation of bail - struck out/withdrawn		364	515	630	969	1283	2631	105%
Total bail applications - struck out/withdrawn	2	1928	2806	3617	4270	4605	5700	24%

Note 1: For these applications, the accused in the case before the court has come before the court in custody.

Note 2: Struck out/withdrawn means the listed application did not proceed before the court.

This 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. All of the events listed below are counted in these figures:

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

Applications								
	Notes	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	% diff 17-18
Licence eligibility applications		10,021	9860	8037	7586	8107	8000	-1%
Interlock removal applications		5392	5238	4981	5067	4780	4676	-2%
Rehearing applications		1799	1747	2543	1898	1597	496	-69%
Application to vary or cancel sentencing order		1658	1733	1836	1964	1933	1356	-30%
Application under section 84U Road Safety Act		373	510	831	1017	1305	1211	-7%
Application to question/ investigate a person in custody		692	118	59	39	31	52	68%
Application for forfeiture of property		413	490	465	439	393	321	-18%
Application for forensic procedure		1231	2431	5878	7043	6932	7239	4%
Application for special mention		947	890	849	1113	1367	1324	-3%
Committal-related applications		1799	1763	1739	2052	2313	2234	-3%
Infringement-related applications		6380	7258	9910	6248	9817	4930	-50%
Application for AVL order for accused	1				3077	7540	8641	15%
Application for physical appearance of accused	1				3383	6184	6401	4%
All remaining applications		12,061	13,967	16,808	21,334	21,409	21,092	-1%
Applications finalised		42,766	46,005	53,936	62,260	73,708	67,973	-8%

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.

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

Note 1: 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.

Contravention of sentencing orders								
	Notes	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	% diff 17-18
Number of cases listed for a contravention of sentencing order	1	6158	6826	8264	10,662	10,441	10,185	-2%
Number of cases listed for restoration of suspended sentence	1,2	1902	1980	1202	480	142	34	-76%
		8,060	8,806	9,466	11,142	10,583	10,219	-3%

Note 1: Finalised cases with particular sentencing orders can be relisted at the Magistrates' Court under contravention proceedings if a charge is issued. This does not include contravention of intervention order or bail charges. These hearings are attached to the original case and are not counted as part of cases initiated. The above are the number of contravention cases that had their first listing in the specified financial year.

Note 2: Suspended sentences were abolished for offences committed on or after September 1 2014; consequently cases listed for restoration of suspended sentences have decreased and will continue to do so.

Committals and appeals								
	Notes	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	% diff 17-18
Committal proceedings finalised		3156	2839	2842	3182	3426	3168	-8%
Appeals lodged against conviction and/or sentence	1	2713	2875	2988	2870	2853	2459	-14%

Note 1: Appeals lodged against conviction and/or sentence to the County Court.

Infringements								
	Notes	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	% diff 17-18
Appeals against infringement registrar's refusal to revoke enforcement	1	45,556	43,102	70,508	40,388	52,132	380	-99%
Infringement revocations granted and defaulted to Magistrates' Court	1	3433	2310	5221	4197	5656	49	-99%
Infringement matters referred to the special circumstances list of the Magistrates' Court	1	37,050	55,184	49,537	56,336	57,095	210	-100%
Total matters referred to the Magistrates' Court from the Infringements Court		86,039	100,596	125,266	100,921	114,883	639	-99%
Infringement/enforcement warrant case initiations	2	6,450	7,819	6,746	6,244	2,287	36	-98%
Individual infringement/enforcement warrant initiations	2	294,633	353,734	306,343	327,057	163,383	436	-100%
Time served applications initiations	3					1,087	1,606	48%
Individual fines subject to the applications	3					15,335	28,224	84%

Note 1: These are the numbers of individual infringements that were initiated in the financial year under the Infringements Act referral system, not the Fines Reform Act where cases are commenced by way of charge and summons.

Note 2: Infringement/enforcement warrant case initiations counts the number of people who have been referred to the Magistrates' Court by the Sheriff's Office of Victoria on unpaid warrants for fines. Individual infringement/enforcement warrant initiations refers to the number of individual warrants that have been listed before the court for enforcement. These cases are not captured as part of the Budget Paper No. 3 reporting requirements.

Note 3: Time served applications initiated under section 171A of the Fines Reform Act. These applications are heard at the Melbourne Magistrates' Court.

Warrants to arrest issued and relisted								
	Notes	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	% diff 17-18
Warrants to arrest issued by the Magistrates' Court		43,935	53,805	62,316	66,531	61,181	48,561	-21%
Relisted warrants to arrest by the Magistrates' Court		40,676	50,407	58,371	64,603	60,694	49,768	-18%

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.

Relisted warrants are counted if the relist date is in the financial year specified.

Timeliness								
	Notes	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	% diff 17-18
Criminal cases finalised within six months		87.0%	89.9%	84.3%	81.3%	80.6%	80.9%	0%
Number of cases pending as at 30 June		39,127	45,762	44,254	51,554	49,516	52,840	7%
Of the pending cases, the number of cases that have been pending for over 12 months		3065	3192	3853	4918	5187	4251	-18%

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	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	% diff 17-18
Listing types	1							
Mention listings	2,3	323,147	354,551	350,068	360,869	340,826	320,092	-6%
Plea of guilty hearings		51,403	59,552	62,461	74,132	77,353	77,443	0%
Contest mention listings		13,499	15,707	16,900	18,673	18,704	17,713	-5%
Contested hearing listings		9062	8175	8657	8678	8419	7230	-14%
Committal mention listings		5529	5262	4813	5421	5220	4828	-8%
Committal hearing listings		3017	2464	2399	2607	3560	3372	-5%
Application listings	3	137,232	136,239	107,862	114,411	96,414	92,121	-4%
Contravene criminal sentencing order listings		21,870	24,768	29,086	40,870	43,538	45,221	4%
Judicial monitoring listings		2227	3233	4412	5633	6821	8094	19%
Courts Integrated Services Program listings		3586	3973	3898	5180	5487	4676	-15%
Drug Court listings	4	3608	3504	3476	3666	7052	7358	4%
Diversion listings		14,515	14,391	14,428	14,311	15,257	15,335	1%
Infringement warrant listings		11,666	14,112	12,271	11,798	6,868	344	-95%
All remaining listings	5	83,643	120,160	62,978	60,000	77,543	56,435	-27%
Total listings in the Magistrates' Court of Victoria	3,6,7	720,930	832,306	696,860	733,909	713,062	660,262	-7%

Note 1: The above table highlights the common listing types of 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 have been revised up from 305,068 to 350,068.

Note 3: The reduction in listings from 2014-15 to 2015-16 was the result of changes to the way infringement cases were processed in the case management system.

Note 4: Drug Court at Melbourne became operational in March 2017 resulting in a large increase in listings.

Note 5: 2015-16 Application listings have been revised up from 75,042 to 107,862.

Note 6: All remaining listings includes listing types not specified above.

Note 7: Total listings include all case listings and application listings that have been before the court for a hearing in the specified financial year.

Search warrants							
Notes	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	% diff 17-18
Search warrant applications considered by the Magistrates' Court	15,917	16,960	17,049	17,656	18,262	20,478	12%
Applications for safe custody considered by the Magistrates' Court under the Children Youth and Families Act	2724	3196	3644	4237	4752	5747	21%
	18,641	20,156	20,693	21,893	23,014	26,225	14%

If a search warrant is issued, there is usually an subsequent action of the seized material being brought before the court.

Search warrant data only available from 2013-14

CIVIL

Summary							
Notes	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	% diff 17-18
Total complaints issued	46,095	41,884	37,209	39,978	38,697	40,100	4%
Total claims finalised	54,686	50,824	46,231	44,932	43,968	43,245	-2%
Total number of cases where a defence notice filed	7502	7570	7240	7845	7256	7237	0%
Applications finalised	¹ 13,917	14,152	14,662	14,355	13,698	15,640	14%

Complaints							
Notes	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	% diff 17-18
Complaints issued or filed							
Up to \$10,000 claimed	34,121	30,567	26,757	28,383	25,785	25,485	-1%
More than \$10,000 claimed	11,974	11,317	10,452	11,595	12,912	14,615	13%
Total complaints issued	46,095	41,884	37,209	39,978	38,697	40,100	4%

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

Claims finalised								
	Notes	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	% diff 17-18
Defended claims finalised at a hearing ¹								
Arbitration		2001	1808	2200	2563	2225	2177	-2%
Open hearing		2093	1937	2060	2300	2185	2440	12%
Pre-hearing conference or mediation		1571	1300	1080	1041	1003	911	-9%
Any other hearing type		1874	2519	1828	1922	1779	1715	-4%
Total of defended claims finalised at a hearing		7539	7564	7168	7826	7192	7243	1%
Default orders made	2	26,096	24,675	20,961	20,263	19,722	19,596	1%
Complaints dismissed (under Regulation 21.11 of Magistrates' Court Civil Procedure Rules 2010)	3	22,925	21,104	18,102	16,843	17,054	16,406	1%
Total claims finalised	4, 5	56,560	53,343	46,231	44,932	43,968	43,245	-2%
Civil cases finalised per court region								
Barwon South West		938	708	703	895	977	797	-18%
Broadmeadows		634	719	620	1008	1255	1539	23%
Dandenong		2007	1770	1425	1699	1641	1598	-3%
Frankston		1464	1420	1597	2003	2432	2264	-7%
Gippsland		440	661	478	674	746	635	-15%
Grampians		769	758	637	574	614	554	-10%
Heidelberg		522	462	395	708	1260	1104	-12%
Hume		863	1043	916	987	782	780	0%
Loddon-Mallee		1498	1524	1418	1090	900	696	-23%
Melbourne		19,385	17,272	15,311	13,088	10,343	10,853	5%
Ringwood		1415	1298	1176	1495	1901	2004	5%
Sunshine		1826	2085	1625	1946	2284	2300	1%
Total		31,761	29,720	26,301	26,167	25,135	25,124	0%

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 the defended claims finalised at a hearing and default orders made.

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

The above totals break down the civil cases finalised at either arbitration, hearing, prehearing conference or default order.

Defence notices								
	Notes	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	% diff 17-18
Defence notices filed								
Against complaints of up to \$10,000 claimed		2657	2621	2791	3124	2642	2572	-3%
Against complaints of more than \$10,000 claimed		3091	3070	2678	3237	3182	3328	5%
Workcover defences filed		1754	1879	1771	1484	1432	1337	-7%
Total number of cases where a defence notice filed		7502	7570	7240	7845	7256	7237	0%

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, prehearing conference, or referred to the Dispute Settlement Centre of Victoria for mediation.

Applications								
	Notes	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	% diff 17-18
Application types								
Interlocutory applications		1195	1146	1216	1142	1118	1194	7%
Applications for preliminary discovery	2	36	43	18	15	54	52	-4%
Applications for substituted service		2669	2887	3612	3982	3936	4193	7%
Applications for summary order		72	63	71	69	64	32	-50%
Applications to extend complaint		166	185	353	254	217	271	25%
Application for rehearing		3150	3227	3390	3353	3326	3436	3%
Applications under s24 of <i>Second-Hand Dealers and Pawnbrokers Act 1989</i>	3	362	319	371	275	282	255	-10%
All remaining applications		218	274	329	143	149	137	-8%
Enforcement applications	1	6049	6008	5302	5122	4552	6070	33%
Applications finalised		13,917	14,152	14,662	14,355	13,698	15,640	14%

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

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

Timeliness								
	Notes	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	% diff 17-18
Defended claims finalised within six months		80.9%	79.1%	79.9%	82.6%	74.0%	79.3%	7%
Defended claims pending as at 30 June		1689	1695	1767	1786	1890	1881	0%
Of the pending cases, the amount of cases that have been pending for over 12 months		115	136	181	196	171	183	7%

The Magistrates' Court aims to finalise 80 per cent of civil cases within 6 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.

Civil enforcement								
	Notes	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	% diff 17-18
Oral examinations finalised (including those under the <i>Judgement Debt Recovery Act 1984</i>)	1	4572	4470	3810	3659	3314	4806	45%
Attachment of earnings hearings finalised	1	1035	1170	1180	1151	904	1207	34%
Attachment of debt hearings finalised	1	86	77	53	71	109	84	-23%
Applications for instalment order finalised	2	356	291	259	241	191	173	-9%
Warrants to seize property issued	3	4829	4129	4007	3548	3643	3324	-9%
Total		10,878	10,137	9309	8670	8161	9594	18%

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

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

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

INTERVENTION ORDERS

Intervention orders summary: family violence and personal safety combined								
	Notes	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	% diff 17-18
Total finalised cases with one or more interim orders		20,152	23,365	24,256	26,528	26,932	28,800	7%
Total original matters finalised		39,961	43,105	43,434	44,093	43,151	44,608	3%
Total applications finalised		5624	6155	6861	7471	7336	7616	4%
Total matters		65,737	72,625	74,551	78,092	77,419	81,024	5%
Total listings for finalised matters		99,868	111,639	122,909	131,301	139,741	139,999	0%

Caseload								
	Notes	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	% diff 17-18
Family violence intervention order applications								
Finalised cases with one or more interim orders	1	15,073	17,711	18,865	20,622	21,073	22,487	7%
Original matters finalised	2	29,978	32,614	33,763	33,748	32,790	33,914	3%
Application for extension	3	1327	1550	1686	1842	1876	1874	0%
Application for revocation	3	783	852	770	796	707	686	-3%
Application for variation	3	3047	3302	3850	4333	4215	4501	7%
Total		50,208	56,029	58,934	61,341	60,661	63,462	5%

Caseload								
	Notes	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	% diff 17-18
Personal safety intervention order applications								
Finalised cases with one or more interim orders	1	5079	5654	5391	5906	5859	6313	8%
Original matters finalised	2	9983	10,491	9672	10,345	10,361	10,694	3%
Application for extension	3	272	266	317	280	307	307	0%
Application for revocation	3	53	36	42	43	43	45	5%
Application for variation	3	142	149	195	177	188	203	8%
Total		15,529	16,596	15,617	16,751	16,758	17,562	5%
Total family violence and personal safety matters		65,737	72,625	74,551	78,092	77,419	81,024	5%

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

Note 2: Original matters refer to finalising orders made on an application and summons, an application and warrant or a family violence safety notice. Finalising 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 made. Any party to the proceeding is able to make an application.

Family violence and personal safety matters per region								
	Notes	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	% diff 17-18
Barwon South West		5098	5740	6041	6430	6587	6360	-3%
Broadmeadows		4928	5733	5785	6073	5860	5771	-2%
Dandenong		6123	6657	6962	7086	7204	7665	6%
Frankston		8342	8828	8353	8880	8019	8447	5%
Gippsland		4521	6736	7343	7128	6999	7579	8%
Grampians		3963	3447	3968	4070	3992	4043	1%
Heidelberg		6154	5480	4835	6029	6455	6567	2%
Hume		3800	3700	4098	4704	4636	5460	18%
Loddon-Mallee		5247	5700	5663	6027	6050	6780	12%
Melbourne		4852	5940	6352	6383	6497	6765	4%
Ringwood		4772	5604	6010	6405	6356	6294	-1%
Sunshine		7506	8299	8262	7950	7923	8350	5%
NJC		431	761	879	927	841	903	7%
Total		65,737	72,625	74,551	78,092	77,419	80,984	5%

The above totals break down 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.

Note: Caseload total for 2018-19 differs from actual total by 40 cases. This is due to incomplete data in regions.

Mode of issue								
	Notes	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	% diff 17-18
FV & PSIO applications commenced (by initiation type)	1							
Application and Summons		28,101	29,496	28,093	28,636	27,628	27,754	0%
Application and warrant to arrest		7147	6755	7146	7459	7537	8244	9%
Family violence safety notice		10,337	13,009	15,056	15,469	15,317	16,226	6%
Total		45,585	49,260	50,295	51,564	50,482	52,224	3%
Family violence applications commenced (by applicant)	2							
Victoria Police		23,210	26,000	27,951	28,931	28,212	30,226	7%
Private application		11,925	12,318	12,118	11,788	11,376	10,747	-6%
Personal safety intervention orders commenced (by applicant)	2							
Victoria Police		2096	2477	2728	3171	3413	4063	19%
Private application		8354	8465	7498	7674	7486	7186	-4%
Total Victoria Police applications		25,306	28,477	30,865	32,102	31,625	34,289	8%
Total private applications		20,279	20,783	19,610	19,462	18,862	17,933	-5%

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

Note 2: The above shows the break down between applications in which police were applicants and private applicants.

Listings								
	Notes	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	% diff 17-18
Number of family violence listings		77,303	87,215	98,861	106,356	112,135	112,728	1%
Number of personal safety intervention order listings		22,565	24,424	24,048	24,945	27,606	27,271	-1%
Total		99,868	111,639	122,909	131,301	139,741	139,999	0%

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	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	% diff 17-18
Total family law finalisations		1204	1088	1050	995	981	1107	13%

The Magistrates' Court of Victoria has limited powers under the Family Law Act 1975. *17-18 does not include Latrobe.

After hours service								
	Notes	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	% diff 17-18
Intervention order applications received by the after-hours service		11,448	10,055	10,681	10,465	9,931	10,098	2%

A significant proportion of the after hours service comprises family violence and personal safety intervention order matters.

SNAPSHOT

Cases finalised per court region							
	Criminal	% diff 18/19	Civil	% diff 18/19	IVOs	% diff 18/19	Total
Barwon South West	10,346	0%	797	-18%	6360	-3%	17,503
Broadmeadows	13,006	-8%	1539	23%	5771	-2%	20,316
Dandenong	14,210	-7%	1598	-3%	7665	6%	23,473
Frankston	17,463	-12%	2264	-7%	8447	5%	28,174
Gippsland	10,987	-14%	635	-15%	7579	8%	19,201
Grampians	6250	-7%	554	-10%	4043	1%	10,847
Heidelberg	13,863	-12%	1104	-12%	6567	2%	21,534
Hume	8914	-2%	780	0%	5460	18%	15,154
Loddon-Mallee	10,152	3%	696	-23%	6780	12%	17,628
Melbourne	35,795	-21%	10,853	5%	6765	4%	53,413
Ringwood	16,115	-5%	2004	5%	6294	-1%	24,413
Sunshine	19,212	0%	2300	1%	8350	5%	29,862
NJC	1275	-6%			903	7%	2178
Total	173,778	-12%	25,124	3%	80,984	5%	279,886

% diff 18-19: percentage increase or decrease in 18-19 compared to 17-18.

IVOs - Family violence and personal safety intervention orders, including interim orders made and applications.

VOCAT APPLICATIONS FOR ASSISTANCE LODGED, FINALISED AND PENDING

Caseload						
	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19
Number applications lodged	5722	6053	6221	7312	7351	8067
Number orders made finalising claims	6611	6113	5910	7209	7655	7666
Number applications pending on 30 June	5843	6039	6757	7207	7292	8176
Case processing times						
Proportion of applications finalised within nine months of lodgement	50%	54.70%	47.60%	51.5%	51.4%	68.9%
Proportion of applications finalised within 12 months of lodgement	65.20%	69.40%	62.90%	65.7%	67.4%	31.1%
Age of pending caseload						
Proportion of applications pending for nine months or more on 30 June	41.10%	39.60%	40.60%	36.1%	37.2%	27.7%
Proportion of applications pending for 12 months or more on 30 June	31.80%	29.30%	31.30%	26.6%	27.1%	16.2%

TOP 25 CHARGES

Rank*	Description	2016-17	2017-18	Difference
1 (2)	Theft	34,751	36,307	4%
2 (4)	Contravene family violence intervention order	26,495	27,998	6%
3 (7)	Possession/ attempted possession of a drug of dependence	18,925	21,263	12%
4 (8)	Obtain property by deception	17,236	20,786	21%
5 (5)	Drive while disqualified, suspended or cancelled	21,742	20,170	-7%
6 (6)	Unlawful assault	20,932	19,476	-7%
7 (11)	Commit indictable offence while on bail	12,429	15,070	21%
8 (10)	Fail to answer bail	12,734	13,686	7%
9 (13)	Handle/receive/retain stolen goods	10,704	11,667	9%
10 (1)	Drive vehicle unregistered in toll zone (Citylink)	41,119	10,317	-75%
11 (12)	Criminal damage	10,921	10,305	-6%
12 (9)	Exceed speed limit	16,463	10,228	-38%
13 (14)	Use unregistered vehicle/trailer	9999	9749	-3%
14 (16)	Unlicensed driving	8975	9158	2%
15 (3)	Drive vehicle unregistered in toll zone (Eastlink)	29,759	9023	-70%
16 n/a	Park for longer than indicated	8896	9408	6%
17 (15)	Intentionally/ recklessly cause injury	9813	8585	-13%
18 (17)	Contravene conduct condition of bail	7648	7991	4%
19 (19)	Deal property proceeds of crime	6511	7200	11%
20 (23)	Exceeded prescribed concentration of drugs	5049	5855	16%
21 (25)	Fail oral fluid test within three hours of driving	4606	5450	18%
22 (20)	Burglary	5594	5422	-3%
23 n/a	Stop in area where "no stopping sign" applies	4551	4983	9%
24 (21)	Careless driving	5560	4967	-11%
25 (22)	Exceeded prescribed concentration of alcohol (including refuse PBT)	5324	4819	-9%

2017-18 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.

COURT SUPPORT AND DIVERSION SERVICES

Assessment and Referral Court

ARC referrals

	2014-15	2015-16	2016-17	2017-18	2018-19
Total referrals	206	181	185	202	323

ARC referral source

	2014-15	2015-16	2016-17	2017-18	2018-19
CISP	6	6	6	1	0
Community service/organisation	3	5	3	0	0
Department of Health & Human Services	0	2	2	0	0
Legal — community legal centre	18	14	9	15	13
Legal — legal representative	168	146	158	184	298
Magistrate	8	3	5	2	9
Self-referral	3	3	1	0	3
Victoria Police	0	2	1	0	0
Total	206	181	185	202	323

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

	2014-15	2015-16	2016-17	2017-18	2018-19
Mental illness	58	46	32	44	81
Intellectual disability	8	10	7	9	14
Acquired brain injury	10	7	9	18	21
Autism spectrum disorder	2	0	3	2	4
Neurological impairment	0	0	0	0	4
Total	78	63	51	73	124

ARC — Participants finalising matters

	2014-15	2015-16	2016-17	2017-18	2018-19
Completed program — plea of guilty	81	46	49	35	39
Did not complete individual support plan: non-attendance	3	1	4	3	4
Did not complete individual support plan: remanded/further offending	8	2	2	3	7
Consent to participate withdrawn	0	0	0	1	1
Participant death	0	0	0	0	1

ARC - Outcomes of referred proceedings					
	2014-15	2015-16	2016-17	2017-18	2018-19
Number of accused accepted onto list	78	63	51	73	83
Number of accused discharged in accordance with section 4U or 4Y of the Magistrates' Court Act	9	2	9	3	12
Number of proceedings finalised	128	87	124	68	54
Number of proceedings transferred out	96	74	83	75	30
Number of individual support plans approved	75	54	35	51	108
Number of proceedings transferred out of the ARC List in accordance with the Magistrates' Court Act	4	1	1	1	1

CISP					
	2014-15	2015-16	2016-17	2017-18	2018-19
CISP referrals	2993	3445	3385	3604	3967
CROP assessments	N/A	N/A	N/A	954	939
Total CISP assessments	N/A	N/A	N/A	3240	3022
Accepted participants	N/A	N/A	N/A	1705	2112
CISP participants who identified as Koori	170	240	254	189	511
CASO referrals	456	367	270	374	263

Criminal Justice Diversion Program					
	2014-15	2015-16	2016-17	2017-18	2018-19
Referrals	7286	6872	7265	7592	7442
Hearings conducted	N/A	N/A	N/A	5942	6092
Conditions undertaken	N/A	N/A	N/A	13,916	14,151

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
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Corryong 3707
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DANDENONG

Cnr Foster & Pultney
Streets
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Dandenong 3175
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DROMANA

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PO Box 105
Dromana 3936
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Heygarth Street
PO Box 76
Echuca 3564
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EDENHOPE

Shire Offices
West Wimmera
Shire Council
49 Elizabeth Street
Edenhope 3318
C/- PO Box 111
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Fletcher Road
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Shire Offices
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75 Lascelles Street
Hopetoun 3396
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Horsham 3400
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HORSHAM

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KORUMBURRA

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KYNETON

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LATROBE VALLEY

134 Commercial Road
PO Box 687
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PO Box 105
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233 William Street
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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
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1140 Nepean Highway
Highett 3190
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ORBOST

Wolsley Street
Orbost 3888
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Shire Offices
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Ouyen 3490
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Mildura 3500
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ROBINVALE

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Robinvale 3549
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SEYMOUR

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ABBREVIATIONS

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

Magistrates' Court of Victoria

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