



SUPREME COURT OF TASMANIA

ANNUAL REPORT 2011-2012





Chief Justice Ewan Crawford

THE CHIEF JUSTICE'S ANNUAL REPORT FOR THE SUPREME COURT OF TASMANIA 2011 - 2012

This report is submitted in accordance with s194H of the Supreme Court Civil Procedure Act 1932, pursuant to which the Chief Justice is to provide a report to Parliament. This report is to include details as to the administration of justice in the Court during the current year and any other matters that the Chief Justice considers appropriate.

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THE YEAR AT A GLANCE

- WORK OF THE COURT

The Court continues to reduce the backlog of civil cases, while criminal cases are trending upwards.

- SIGNIFICANT BUILDING WORKS

Juror facilities are further improved, and planning of major upgrades to all Supreme Court buildings commences.

- INFORMATION TECHNOLOGY

Improvements in case management systems are in progress, and courtroom technology infrastructure is enhanced.

- NEW REGISTRAR

Mr Jim Connolly was appointed as the Court's 17th Registrar following the untimely death of Registrar Elizabeth Knight.

- PROCEDURAL REFORM

The Court has proposed procedural reform in Probate and Letters of Administration, and execution and enforcement of judgments



THE YEAR AT A GLANCE

CRIMINAL JURISDICTION

Originating matters	564
Appeals	28
Total matters lodged	592
Finalised First Instance	537
Finalised Appeals	26
Total matters finalised	563

PROBATE

Grants of Probate	2003
Grants of Letters of Administration	164
Elections to Administer	45
Reseal	28
Total Probate matters	2240

CIVIL JURISDICTION

Originating Matters	981
Appeals	84
Total Lodgments	1065
Finalised First Instance	1007
Finalised Appeals	75
Total matters finalised	1082

MEDIATION

Personal Injuries Motor Vehicle	35
Personal Injuries Industrial	6
Contract	26
Testators Family Maintenance	21
Relationships Act	9
Building	5
Other	69
Total mediations conducted	171
Total settled at mediation	93

More detailed statistical information can be found in Appendix A



Registrar Elizabeth Knight

THE JUDICIAL YEAR IN REVIEW

The death of Elizabeth Knight

The judges and staff were deeply saddened by the death of the Registrar of the Court, Elizabeth Ann Knight, on 15 January 2012, at the age of 55, after a short illness. She was the Court's 16th Registrar and the first woman to hold that office. She joined the Court under a contract for five years from 28 May 2007.

Ms Knight came from Queensland with an outstanding record as an administrator in courts and tribunals. She was a driving force in major projects and reform, including the development of a civil case management system and new technology for court recording and video conferencing. She was an excellent lawyer, entirely logical and a lateral and innovative thinker.

Her primary loyalties were to the judges and the Court, and the people with whom she worked. She was hardworking, thorough and dedicated. She had a strong sense of personal responsibility. Although forthright and direct, she was refreshingly down to earth and unassuming.

She fiercely guarded the independence of the judiciary and was vigilant about preserving it. She was a proponent of service to the community and access to justice. Her integrity and professionalism earned her the respect and trust of the judges, staff of the Court, legal practitioners and litigants. She will also be remembered for her kind encouragement of staff and her warmth and good humour.

At the time of Ms Knight's death, plans were in place for her contract to be renewed for another term. She is greatly missed.



Registrar James (Jim) Connolly

THE JUDICIAL YEAR IN REVIEW

A new Registrar

James (Jim) Andrew Connolly took office as the 17th Registrar of the Court on 7 May 2012.

Mr Connolly graduated from the University of Tasmania with combined degrees of Bachelor of Arts and Bachelor of Laws with Honours and was admitted as a legal practitioner in 1985. He completed a training course in mediation in 1997.

After a short time with a private firm, his employment has largely been in public service since 1989. He had some years in the Department of Justice. In 1998 he became the Administrator of the Magistrates Court of Tasmania, continuing in that office until his appointment as Registrar of this Court.

It follows that he brought to this Court considerable experience and qualifications as a court administrator. The Court was fortunate to be able to obtain his services.

Disposition of case load

Some of the statistics forming part of this report are in a different form to those of previous years. They are more informative and provide a better understanding of trends in the Court's performance.

On the civil side of the Court, the number of pending cases has continued to drop in accordance with the trend in recent years. Of cases that proceeded to mediation, 54% settled at the conference and a further 6% after it.

The trend of disposition of criminal cases has seen an increase in the number of pending cases. The number of trials and hearings of pleas of guilty reduced during the year, particularly in the second half, due mainly to cases not being ready for hearing. The upward trend in the number of pending cases continues to be monitored, but is not a major concern at this time.

Probate work

The number of probates and letters of administration granted by the Court has continued to rise and was at a record high of 2,240 for the year, reflecting the ageing of the Tasmanian population overall.

Probate practice and procedure is old. For example, the Court's *Probate Rules* were made in 1936 and the rules of court used in the United Kingdom are sometimes applicable. Work is in progress on the development of new *Probate Rules*.



THE SUPREME COURT OF TASMANIA IN PROFILE

The Supreme Court of Tasmania (the Court), created by the Charter of Justice 1823, forms part of a multi-layered court system, which exercises both Federal and State jurisdictions. The Court is the superior court of the State and, is equal in status to, but independent of, the Legislature and the Executive.

Currently six judges constitute the Court. The Associate Judge, Registrar and approximately 50 administrative staff support them.

Structure of the Court

Court systems throughout Australia are hierarchical with most States adopting three levels of courts;

- Magistrates (or local) Courts
- County or District Courts
- Supreme Courts

In Tasmania, there are only two levels in the court hierarchy, being the Magistrates Court and the Supreme Court.

The Court is divided into three broad areas of operation, namely criminal, civil and appeal matters.

Criminal matters are those in which an accused person is charged with an indictable offence. Upon entry of a plea of not guilty, an indictable offence is tried by a judge and jury of twelve persons.

In civil matters, the Court determines disputes

involving sums in excess of \$50,000. The trials are usually conducted by a judge sitting alone, although provision does exist for some cases to be tried with a jury of seven people.

Appeals from the decisions of a single judge, or a judge and jury, are heard by a Bench of three or more judges, called a Court of Criminal Appeal when sitting in criminal matters and the Full Court when sitting in civil matters. There is provision enabling an appeal to be heard by only two judges.

Jurisdiction of the Court

The Court exercises both original and appellate jurisdictions. Original jurisdiction is when a matter comes before the Court for a decision for the first time. Appellate jurisdiction is when the Court determines appeals from single judges, from the Magistrates Court, or from various tribunals where there exists a right to appeal to the Supreme Court.

Mediation

Only a very small percentage of civil cases require resolution by a hearing in the court. Most of these cases settle at mediation. The mediators are the Registrar and other court officers as well as selected legal practitioners where necessary. The Court has the power to direct that a case be referred to mediation before it will be listed for trial. Court-annexed mediation is a very popular and successful means of resolving civil disputes. It provides expedition, saves costs and produces a just result. Without it, the Court would not be able to cope with its caseload.

Registries of the Court

The Court operates civil, criminal, probate and district registries.



THE SUPREME COURT OF TASMANIA IN PROFILE

Criminal Registry

The Criminal Registry receives and processes documents lodged by the Director of Public Prosecutions, which initiate criminal proceedings, and lists criminal trials and other hearings. It receives and processes appeals and applications for leave to appeal and prepares appeal documentation for use by the Court of Criminal Appeal. It also receives and processes applications to review decisions from the Magistrates Court and State tribunals.

Probate Registry

The Probate Registry deals with applications for grants of probate, letters of administration and other related matters. It is responsible for determining, on application for a grant of representation, what document or documents constitute the last will of the deceased and/or who is entitled to be the legal personal representative of the deceased.

Most of these applications are decided without a court hearing. If there is a dispute, it is heard and determined by the Court in the same way as all other civil cases are heard and determined. When these determinations have been made, a grant is issued to the legal personal representative of the deceased.

District Registries

The Court maintains registries in Launceston and Burnie, to deal with civil and criminal matters.

THE JUDGES AND THE ASSOCIATE JUDGE

Judges

Judges of the Supreme Court are appointed by the Governor on the advice of the Executive Council (a Council of State Ministers including the Premier), from the ranks of

barristers and solicitors who have at least ten years' standing in their profession.

The Bench of the Supreme Court currently consists of the Chief Justice and five other judges, known as puisne judges. This is an Anglo-French term meaning 'subordinate' and pronounced "puny".

The Supreme Court Act 1887, s2, provides that the Court consists of a maximum of seven judges. Six judges presently constitute the Court. Those presently holding office are:

The Chief Justice:

The Honourable Ewan Charles Crawford

The Judges:

The Honourable Peter Ethrington Evans
The Honourable Alan Michael Blow OAM
The Honourable Shan Eve Tennent
The Honourable David James Porter
The Honourable Helen Marie Wood

Associate Judge

The Governor appoints the Associate Judge of the Supreme Court in the same manner as a judge. The Associate Judge assists the Judges in conducting the civil jurisdiction of the Court. For instance, the Associate Judge deals with interlocutory, that is procedural, applications in civil matters, before they come on for trial.

The Associate Judge can also hear and determine many cases that formerly could only be heard by a judge. This legislative change has assisted the capacity of the Court to manage its caseload.

The Associate Judge:

The Honourable Stephen Holt



Caption: Justice Helen Wood, Justice Shan Tennent, Justice Peter Evans, Chief Justice Ewan Crawford, Justice Alan Blow OAM, Justice David Porter, Associate Justice Stephen Holt, Registrar Jim Connolly



THE SUPREME COURT OF TASMANIA IN PROFILE

THE WORK OF THE SUPREME COURT OF TASMANIA

The jurisdictions exercised by the Court, and the administrative support of the judicial functions of the Court, are numerous and varied. Most people are generally aware of the Court's jurisdictions in criminal and civil cases. However, there are many other aspects of the Court's work.

Office of the Sheriff

The office of the Sheriff can be traced back to medieval England. The office of Sheriff in Tasmania was created by the royal Charter of Justice published by Letters Patent in 1824 (which also established the Supreme Court). The Sheriff is a statutory officer appointed pursuant to the Sheriff Act 1873. The Sheriff also holds office as Registrar of the Supreme

Court. The Charter of Justice enables the Sheriff to appoint deputies, and the Sheriff is represented at the Principal and District Registries by his deputies.

The functions of the Sheriff are prescribed by statute and include the following:

- administration of the Juries Act 2003
- service and execution (enforcement) of court orders and judgments
- court security.

Administration of Juries

The jury is an integral part of the judicial system and provides the link between the community and the criminal justice system of "trial by one's peers".

Jury service is a vital component of civic participation in our democracy and for many people is the most direct contact they will

have with this important community function. In Tasmania, juries are used almost exclusively in criminal trials. Juries are rarely empanelled in civil trials in Tasmania.

The Sheriff is responsible for administration of juries in accordance with the *Juries Act 2003*. This involves maintenance of the roll of potential jurors, determining the jury districts for each registry location, issuing juror summonses, determining applications for exemption or deferral, instructing jurors on their role within the justice system, administering juror expense claims, and handling general enquiries.

The Court's jury database is sourced from the Electoral Roll maintained by the Tasmanian Electoral Commission, with jurors being selected at random by computer. In total 12,280 juror summonses were issued across the State during the reporting period. Attendance rates for jurors varied by region in

accordance with previous trends.

A total of 105 jury panels were formed for criminal trials during the reporting period. There were no civil jury trials conducted.

Payment to jurors for loss of income, attendance and expenses in 2011-2012 totalled approximately \$537,000.

The Court continues to review its facilities and building access for jurors in all regions. During the current period a substantial upgrade to facilities was made in Launceston which included providing jurors with separate and secure access to and from the court building. The success of this project has meant that a similar focus will be given to juror access in Hobart and Burnie into the future.



THE SUPREME COURT OF TASMANIA IN PROFILE

Enforcement of Court Orders

Writs to enforce judgments and orders received by the Sheriff are for immediate execution. The Sheriff can be sued for damages arising from negligence and delay.

Execution of court orders outside the immediate precincts of Hobart and Launceston are usually entrusted to the Bailiffs of the Magistrates Court (Civil Division) – who are often officers of Tasmania Police – by virtue of Rule 903 of the *Supreme Court Rules 2000*. If circumstances require, the Sheriff or any of his officers may execute any Writ within the State.

The number of Writs filed with the Court has remained constant following an increase in 2009 in the jurisdictional limit in the Magistrates Court (Civil Division) for liquidated claims from \$20,000 to \$50,000. In 2011-2012, Sheriff's officers executed 64 Writs of Execution, being 51 Writs of Possession and 13 Writs of *Fieri Facias*.

Applications for orders for possession of premises pursuant to s146 of the *Land Titles 1980* increased to 303 for the reporting period in comparison with 218 and 176 in the previous two reporting periods. With the escalation in applications it is anticipated that there will be growth in the number of Writs of Possession for execution in the coming year.





THE SUPREME COURT OF TASMANIA IN PROFILE

Court Security

Court security officers have continued to provide support to the Court to ensure the safety and security of all persons attending court. Security monitoring devices include the use of walk-through metal detectors, hand held metal detectors and CCTV surveillance. Security personnel are appointed as authorised officers pursuant to s1B of the *Admissions to Court Act 1916*. Authorised officers have powers which extend to the following:

- require persons entering the court to be identified; and
- require persons entering the court to deposit with an authorised officer any placard, instrument, device or thing that is liable to engender violence or create a breach peace; and
- require a person to leave, or not enter, a court or remove a person from the court.

The acting Registrar attended a meeting of the Court and Judicial Security Group in Sydney in May 2012. The meeting was attended by representatives of courts in most States and Territories, by representatives of Federal jurisdictions, including the High Court of Australia, and New Zealand. Discussions included the gathering and sharing of security information between agencies within States and across borders; and new technology and its capacity to breach different types of security measures in place in court houses. This led to a discussion about the design of court houses and their fittings, the training of staff in new equipment, the prospect of savings by jurisdictions agreeing terms of tender and jointly procuring equipment, and the need for legislative reform on court security issues.



Court Security and Registry Staff Peter Graham, Neil Wright, Paul Shane (rear), Jackie Murfitt, Les Marshall, Janine Wigg and Susan Crisp (front)



THE SUPREME COURT OF TASMANIA IN PROFILE

Probate

The Probate Registry issues grants which signify legal personal representatives have been appointed to administer the estate of deceased persons. The Probate Registry is located at the Hobart Registry of the Court.

The most common grants are for :

- probate (where an executor applies to prove a will),
- letters of administration with the will annexed (where there is no executor to prove the will and a person with a financial interest in the estate under the terms of the will applies); and
- letters of administration (where there is no will and a person entitled to benefit under intestate succession law applies).

This reporting year the Probate Registry issued 2,240 grants of which 2,003 were grants of probate, 164 were grants of letters of administration, 45 were elections to administer low value estates, and 28 were reseals of grants from other jurisdictions.

These grants are made in response to non-contentious applications. Once filed these applications are considered by the Probate Supervisor to ensure all necessary documentary evidence (providing details about the deceased, the will if any, the assets and liabilities of the estate, the executors or administrators, and beneficiaries) has been submitted to ensure that the authority to administer the deceased person's estate is granted to the person legally entitled to the grant. Applications are then referred to either the Assistant Deputy Registrar or the Deputy Registrar for either approval or further action.

Over the last 10 years or so the number of applications in person to the Probate Registry has increased. Delay in issuing grants is a concern that is being addressed by allocation of additional resources. Also of concern is the likelihood that at least some applicants in person, in administering estates, do not fully comprehend the task. The Court is planning to improve the information resources available to applicants-in-person, as part of its project to modernise the Probate Rules applicable to this jurisdiction.



Assistant Deputy Registrar Brendan McManus, Deputy Registrar Robert Walker and Registrar Jim Connolly



THE SUPREME COURT OF TASMANIA IN PROFILE

Information Technology

The Court relies increasingly on information technology to perform its functions. During 2011 – 2012 the Court took significant steps forward in the areas of in-court technology and data collection and management. In July 2011 the Court's IT Strategic Plan was formally adopted and endorsed by the Chief Justice. It outlines the significant IT projects planned for the Court, including:

- the relocation of the Criminal Case Management System (CCMS) to a new platform;
- the introduction of eFiling into the civil jurisdiction of the Supreme Court;
- the relocation of Probate records and functionality to the Civil Registry Management System (CRMS);
- the introduction of secure, external search capability for CRMS;

- the expansion of the Court's video conferencing capabilities to all courtrooms around the State;
- the upgrading of the in-court digital audio-recording system including an interface with CRMS; and
- the expansion of the provision of Wi Fi services to those using the court.

The Supreme Court has this year witnessed advances in both the rollout of hardware and system improvement. 2011-12 saw the introduction of laptop computers on the benches in all courtrooms statewide to allow the Judiciary to access legislation, sentencing data and on-line legal resources whilst sitting in court. Also during the reporting year, phase 1 of an upgrade to the in-court digital audio-visual recording system was completed involving upgrades to software, servers, and network connectivity.



Budget Officer Michael Matthews, IT Project Officer Mark Stagg and acting Manager Andrew Smart



THE SUPREME COURT OF TASMANIA IN PROFILE

The system enables audio-recordings to be managed centrally or transmitted to transcribing typists at any location in the State. Further enhancement is scheduled for upgrading of microphones, cameras, mixers and cabling.

The Civil Registry Management System continues to provide a more efficient case management system than has been available in the past. An interface with Finance One allows for more efficient financial transactions to be undertaken relating to filing fees and debts. CRMS is also being evaluated as a system to host the Court's criminal and probate caseload. In 2011-2012, Criminal Registry staff commenced managing and listing Bail Applications on CRMS which now allows for the bail application, hearing dates and outcomes to be electronically recorded, transmitted, and searched.

The Court's IT Project Officer attended the Australasian Courts Technology Group annual meeting in November 2011 hosted by the High Court in Canberra to facilitate an exchange of ideas amongst those who manage technology in court environments. The main topics of discussion included:

- Court Data and System Security;
- The issue, use and security issues surrounding portable devices (tablets and smart phones);
- Audio Visual and Video Conferencing facilities and their use in court rooms;
- Cloud computing and its potential uses in the courts; and
- Electronic Document Lodgment.





THE SUPREME COURT OF TASMANIA IN PROFILE

Judges' Library

The Judges' Library is essential to the efficient performance of the judicial function and the writing of judgments. The main library collection is located in Judges' Chambers in Hobart, and is comprised of law reports from most common law jurisdictions, textbooks, periodicals, serials, journals, and legislation. In more recent times, the Judges' Library subscribes to a variety of on-line legal resources, law reports, and texts via the various legal publishers.

The Library also contains copies of earlier unreported judgments of previous Judges of the Supreme Court. Publication of the Court's judgments on the Internet, plus management of the Court's external and internal websites is undertaken by library and chambers staff.

The Library also provides library services to Judges when sitting in Launceston and Burnie, which have limited hard copy collections.

The Supreme Court Librarian manages the availability of on-line and hard copy legal resources within a constrained budget, and provides training in legal information research skills. In September 2011, the Librarian attended the annual conference of the Australian Law Librarians' Association to learn of the strategic questions all libraries should be addressing in the 21st century, including the role of the legislation drafter, changes and proposed developments to the Australian Government's legal website (ComLaw); legislation and policy governing access to government information; disaster management and business continuity; and the use of social media to deliver library services.



Librarian Dorothy Shea (front) with Chambers Staff Helen Vizer, Christine Parker, Ann-Marie Nuttall and Jo Carswell



THE SUPREME COURT OF TASMANIA IN PROFILE

Transcribing Services

The Supreme Court has an experienced Transcribing Service to produce transcripts of selected court proceedings for Judges, counsel and parties to litigation. Transcripts are prepared without charge to the parties in most criminal trials, and at cost in those civil proceedings where the parties have requested a transcript.

Digital audio-recording technology now enables high-quality audio-visual recording of the proceedings in the courtroom to be transmitted in real time to transcribing typists based at the local Court location, or if assistance is required, to any of the other transcribing typists based in the other Court locations in the State. The Court employs a pool of approximately 22 transcription typists on either a full-time or part-time basis. Transcript can be provided as a daily transcript if required during a trial, or at a later stage if required for appeals or other purposes.

In April 2012, the Supreme Court hosted the annual Courts Transcription Services Working Group Conference. The group this year comprised representatives from courts in most Australian States and Territories, New Zealand, and the Family Court. Topics discussed related to the production and management of service levels of transcription, sourcing of staff following retirement of generally ageing workforces, a review of technology initiatives undertaken by each jurisdiction, and prudent use of fee retention. Delegates were invited to view a detailed demonstration of Tasmania's new court recording and transcription system.



Transcribing Supervisor Kath Kinsella (front) with transcribers Sally Ransley, Lee Knight, Carole Triffitt, Rosemary Kelly, Stuart Baker, Dianne Bond, Lynne Murphy and Linda Etherington.



THE SUPREME COURT OF TASMANIA IN PROFILE

Civil User Group

The Civil User Group was established by the Court to provide a forum for lawyers practicing in civil litigation to discuss proposals for reform. Following commencement in September 2010, the Civil User Group continued its bi-annual meetings during 2011-2012. Chaired by Justice Evans, members of the group included the Associate Judge, the Registrar, the Registry Supervisor, and representatives from the Law Society, Independent Bar, Women Lawyers, Bar Association and Young Lawyers Committee.

Issues raised and considered by the Group, for referral to the Judges and the Rule Committee, during the reporting year included:

- A proposal to allow electronic filing of documents by lawyers. A pilot scheme with a number law firms will test the concept in Hobart and Launceston, and if successful, e-filing will be made available to all. An amendment to the *Supreme Court Rules*

2000 is being drafted.

- An expansion of the availability of electronic publication of Law Lists to lawyers, particularly in relation to the Associate Judge's list.
- The removal of the prohibition on printing on both sides of a page of documents and pleadings filed with the Court.
- A proposal to enable expert witnesses' evidence to be presented more efficiently, by enabling the Court to direct that expert witnesses confer, identify the matters upon which they agree or disagree, and to give evidence concurrently in the trial.
- A proposal to amend the *Supreme Court Civil Procedure Act 1932* to enable class actions to be commenced in the Supreme Court.
- A proposal to allow the defendant/respondent in the trial of a civil matter to make an opening address immediately after that of the plaintiff/applicant, subject to any contrary direction of the court or a judge.

- A more efficient and practical requirement for parties answering interrogatories to set out their answers in a clear format, requiring the text of each interrogatory followed by the relevant answer. Parties are required to deliver the interrogatories in electronic form in order to facilitate the process.

Professional Development

The Court seeks to provide appropriate professional development opportunities for its staff. Attending conferences enables staff to build relationships with stakeholders in courts across the Asia-Pacific region, and share ideas and concepts from other courts as we address future demands.

In October 2011 the acting Manager of the Supreme Court attended the Australasian Court Administrators' Conference in Sydney hosted by the Australian Institute of Judicial Administration. The title of the conference was

"Australian Courts: Serving Democracy and its Public". 130 delegates attended the conference ranging from various management levels, Chief Justices from across Australia, as well as senior officials from New Zealand and Singapore.

The Conference was focussed on court innovation, and working towards the future. The message emphasised by senior officials in attendance was one of encouraging the Judiciary and Court Administrators to always display innovation and creativity by showing a willingness to plan for the future.

The conference demonstrated how the daily functions of a court are continually changing to cope with the demanding world of technology, amongst other things. Singaporean delegates demonstrated how their courts have become a world leader in court technology, from simple registry processes and litigation procedures, to their in-courtroom technology and equipment.



Judges' Associates and Attendants Zoe Lippis, John Savcenko, Bradley Wagg, Jeremy Climie, Nathan Street, James Weld (rear); Bronwyn Styles, Clare Dirksen, Meredith Hagger, David Langmaid and Richard Grubb.



Launceston Supreme Court staff Lisa Godman, Alan Davenport, Ric Rees, George Woolley (rear), Jill Hayes, Louise Spencer and District Registrar Chris Nason (front)



Burnie Supreme Court staff David Luttrell, Natalie Luttrell and Gaylene Weekes.



COURT ADMINISTRATION - PERFORMANCE

Overview

The work of the Court is divided into two major jurisdictional areas – crime and civil. Unlike many other Supreme Courts, the Court is not divided into divisions. All judges hear matters at first instance and on appeal, in both jurisdictions. In addition, the Court sits in three regions within the State: Hobart, Launceston and Burnie.

The workload of the Court is subject to fluctuations that are beyond the ability of the Court to control. The nature of the legal process requires it to hear any matter falling within the jurisdiction of the Court that is brought before it. As the jurisdiction of the Court expands and contracts with statutory changes and social conditions, so does its workload.

The overall objectives for Court Administration for the reporting year were:

- To be open and accessible
- To process matters in an expeditious and timely manner
- To provide due process and equal protection before the law
- To be independent yet accountable to Parliament for performance

A national framework of performance indicators adopted by the Court supports the objectives of the Court and the two principal indicators are summarised below.



Civil Registry Staff: Alan Parrott, Vicki Guinane (rear), Sharon Barnett, Shelley Bawden, Emma Tomlin and Malcolm Farmer.



COURT ADMINISTRATION - PERFORMANCE

Backlog Indicator

The backlog indicator is a measure of timeliness and delay. This indicator specifically measures the Court's pending caseload against national timeliness standards. The national time standards targets are that no more than 10% of lodgments pending completion should be more than 12 months old; and no lodgments pending completion should be more than 24 months old.

Backlog Indicator Criminal Jurisdiction

Supreme Court (Criminal) - First Instance

	2009-10	%	2010-11	%	2011-12	%
Total Pending Caseload	321	100	324	100	351	100
Pending < 12mths	282	88	270	83	305	87
Pending > 12mths and < 24mths	26	8	39	12	26	7
Pending > 24mths	13	4	15	5	20	6

Supreme Court (Criminal) - Appeal

	2009-10	%	2010-11	%	2011-12	%
Total Pending Caseload	17	100	16	100	18	100
Pending < 12mths	15	88	16	100	17	94
Pending > 12mths and < 24mths	2	12	0	0	1	6
Pending > 24mths	0	0	0	0	0	0



COURT ADMINISTRATION - PERFORMANCE

Backlog Indicator Civil Jurisdiction

Supreme Court (Civil) - First Instance

	2009-10	%	2010-11	%	2011-12	%
Total Pending Caseload	846	100	828	100	830	100
Pending < 12mths	516	61	554	67	560	70
Pending > 12mths and < 24mths	232	27	171	21	168	21
Pending > 24mths	98	12	103	12	74	9

Supreme Court (Civil) - Appeal

	2009-10	%	2010-11	%	2011-12	%
Total Pending Caseload	44	100	52	100	61	100
Pending < 12mths	33	75	47	87	46	75
Pending > 12mths and < 24mths	10	22	4	11	15	25
Pending > 24mths	1	3	1	2	0	0



COURT ADMINISTRATION - PERFORMANCE

Clearance Rate (finalisations/lodgments) All Matters

Supreme Court clearance rate (First instance)

	2009-10	2010-11	2011-12
Criminal Jurisdiction	95.7%	100.6%	95.1%
Civil Jurisdiction	118.3%	100.7%	98.4%
Total Court	108.6%	100.6%	97.2%

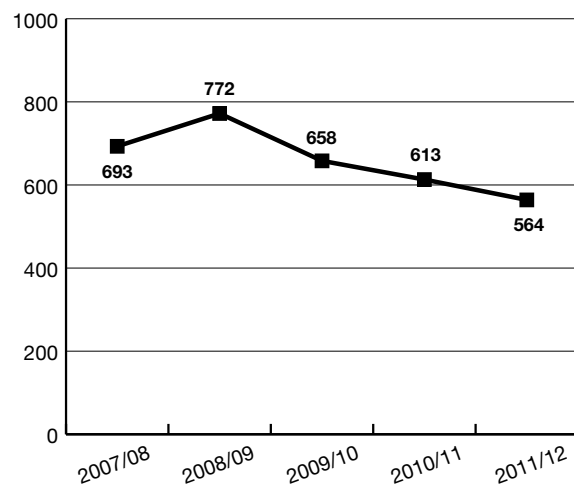
Clearance Rate

The Clearance Rate indicator is a measure that shows whether the Court is keeping up with its workload. The indicator denotes the number of finalisations in the reporting period expressed as a percentage of the number of lodgments for the same period. A result of 100% indicates the Court is finalising as many matters as it receives. A result greater than 100% indicates the Court is reducing its pending caseload.

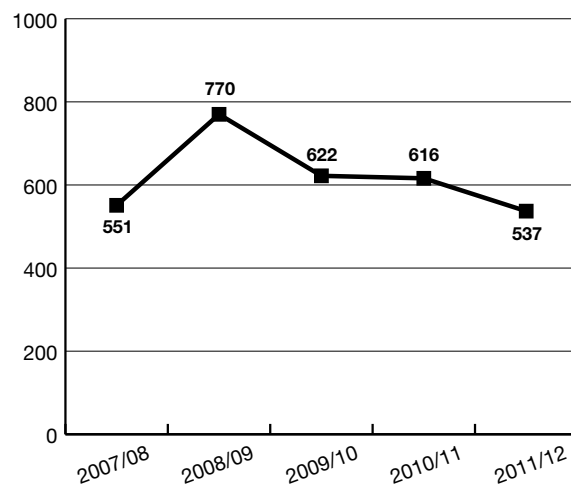


APPENDIX A. STATISTICAL INFORMATION - ORIGINAL JURISDICTION

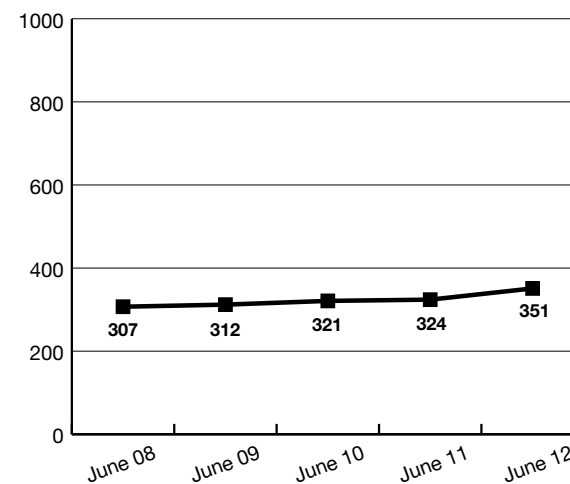
Criminal Lodgements



Criminal Finalisations



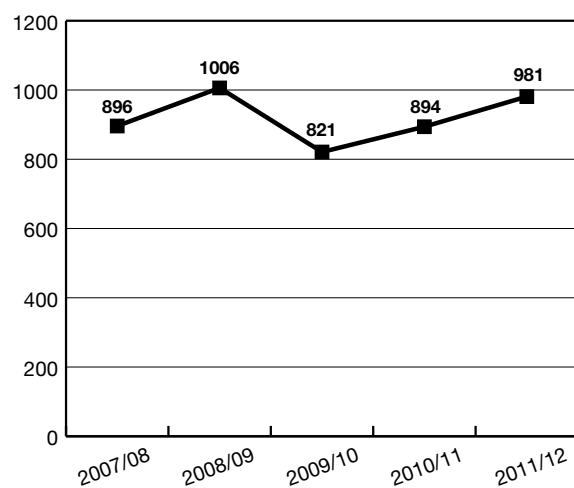
Criminal Pending



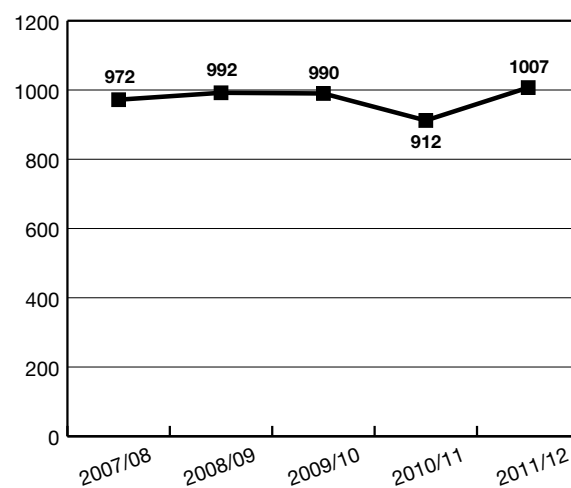


APPENDIX A. STATISTICAL INFORMATION - ORIGINAL JURISDICTION

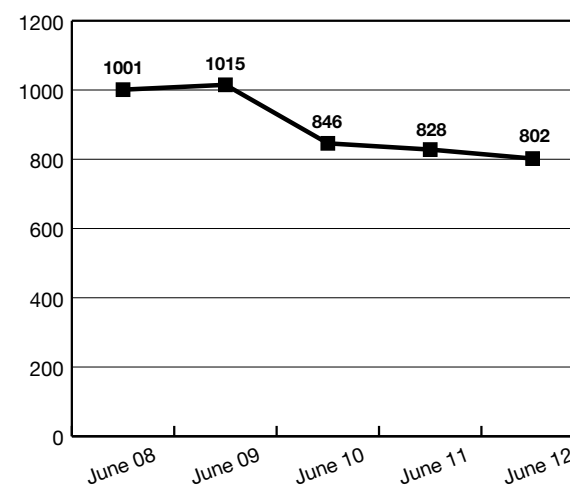
Civil Lodgements



Civil Finalisations



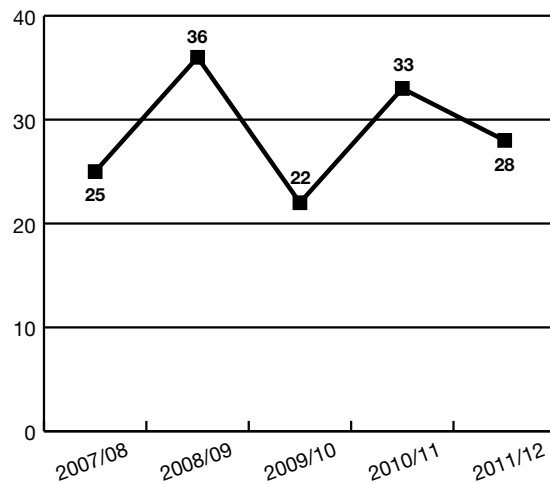
Civil Pending



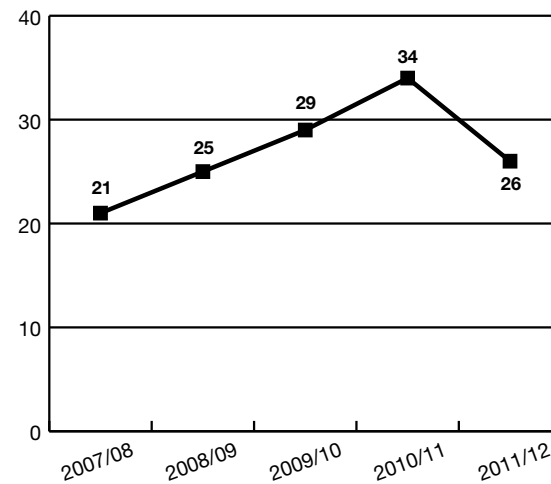


APPENDIX A. STATISTICAL INFORMATION - APPELLATE JURISDICTION

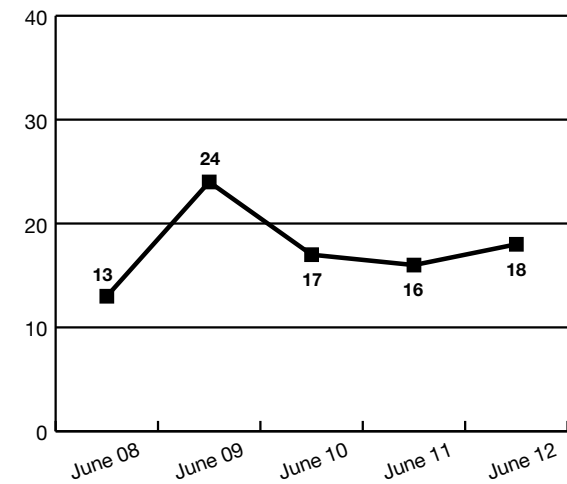
Criminal Appeals Lodgements



Criminal Appeals Finalisations



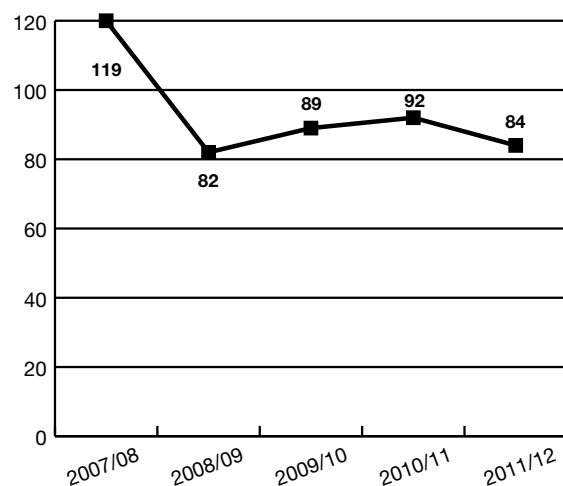
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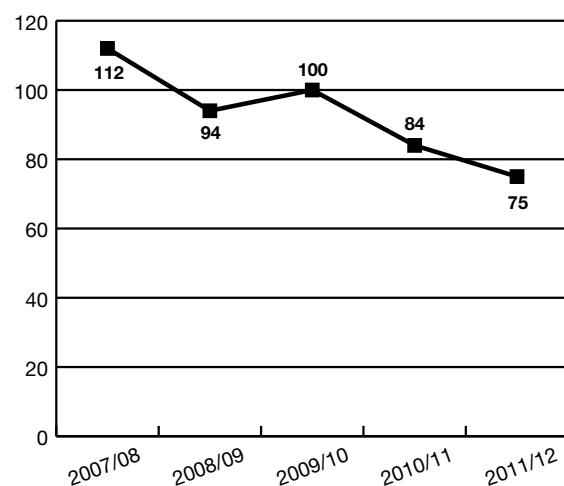


APPENDIX A. STATISTICAL INFORMATION - APPELLATE JURISDICTION

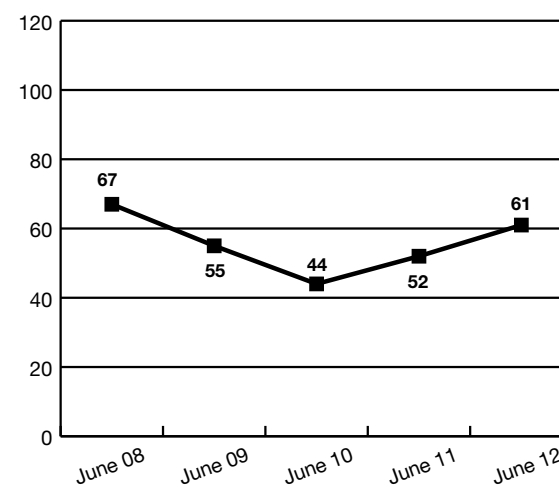
Civil Appeals Lodgements



Civil Appeals Finalisations



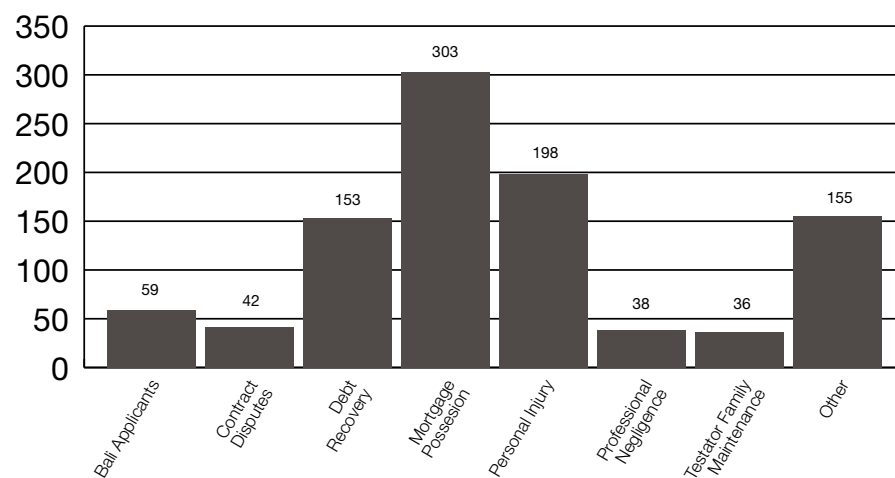
Civil Appeals Pending



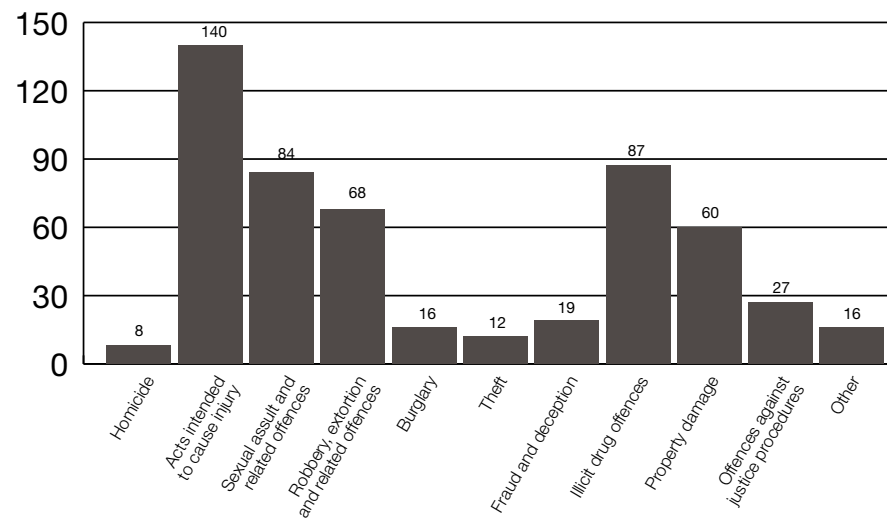


APPENDIX A. STATISTICAL INFORMATION - MISCELLANEOUS

Civil Case Types 2011-2012



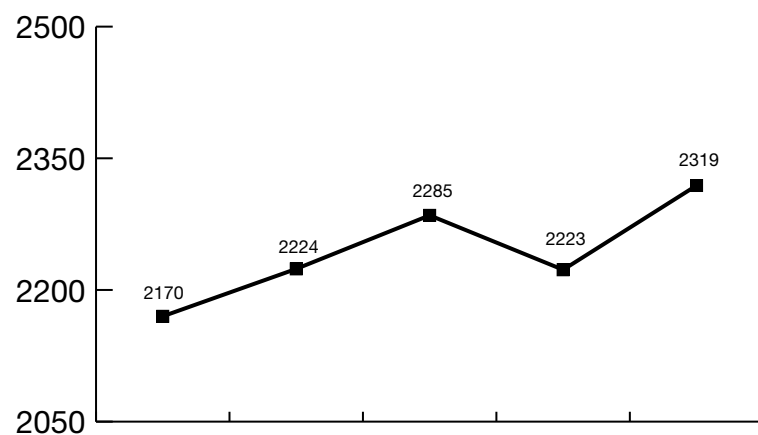
Criminal Case Types 2011-2012



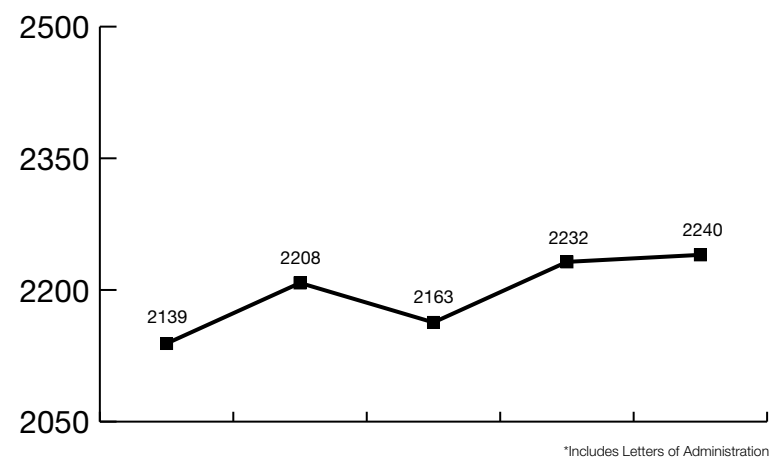


APPENDIX A. STATISTICAL INFORMATION - MISCELLANEOUS

Probate* Lodgments



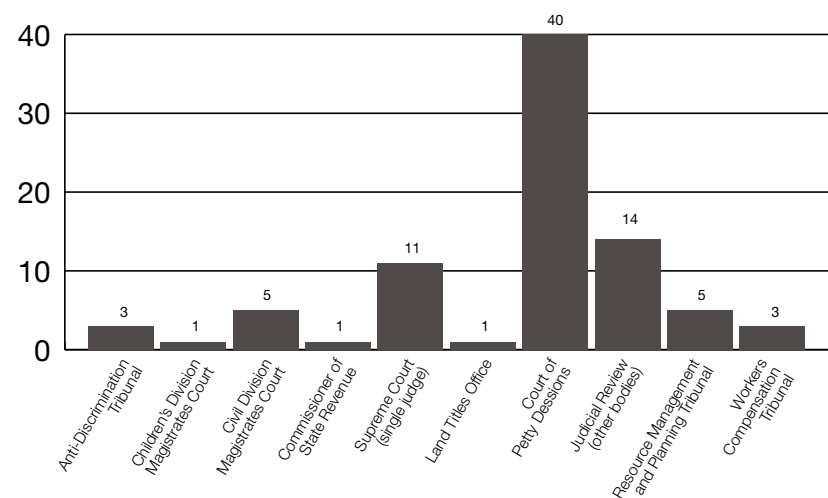
Probate* Grants



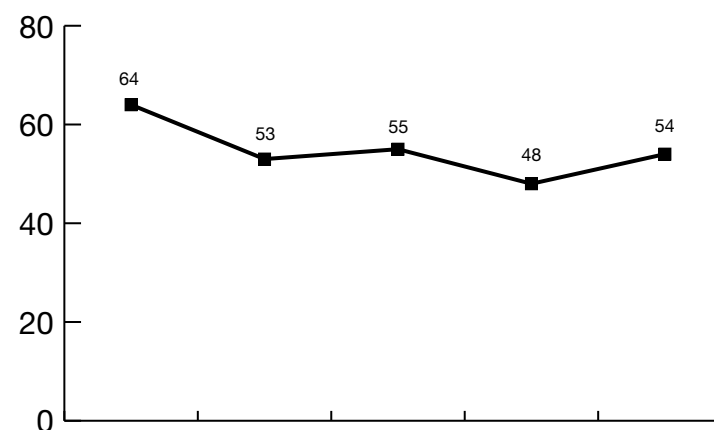


APPENDIX A. STATISTICAL INFORMATION - MISCELLANEOUS

Civil Appeal Lodgments by Origin 2011-2012



Mediations - Percentage of Matters Settled at Conference

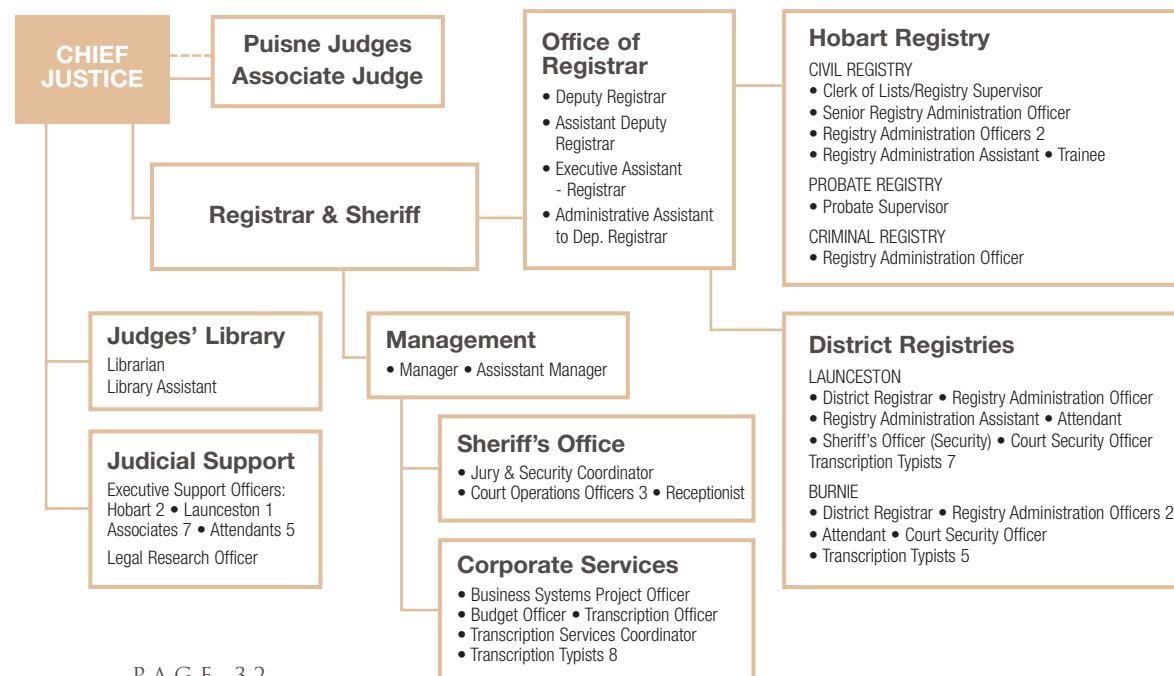




APPENDIX B. STAFFING INFORMATION

Numbers of Judges and Staff (FTE's)

	2010-2011	2011-2012
Judges and Associate Judge	7.0	7.0
Judicial Support	13.7	14.0
Civil Registry	9.4	9.5
Criminal Registry	3.3	3.5
Probate	1.5	1.5
Court Security and Sheriffs	5.1	4.4
Court Reporting	7.7	7.9
Library	1.1	1.1
Information Technology	1.0	1.0
Mediators	1.0	0.9
First Line Support Staff	2.0	2.0
Total	52.8	52.8





APPENDIX C. OPERATING ACCOUNT - EFFECTIVE YEAR ENDING 30 JUNE 2012

RECEIPTS	NOTE	2010-11 ACTUAL	2011-12 ACTUAL
Recurrent Appropriation	1	4,398,662	4,485,560
Registry Fees & Collections		468,498	470,565
Provision of Transcript		16,964	22,150
Probate Fees & Charges		807,797	850,840
Mediation Fees		36,510	40,800
Sheriff's Fees		6,755	6,138
Court Reporting		46,263	58,454
Video Conferencing		11,805	18,012
TOTAL RECEIPTS		5,793,254	5,952,519

EXPENDITURE	NOTE	2010-11 ACTUAL	2011-12 ACTUAL
EMPLOYEE EXPENSES			
Salaries & Wages etc		2,844,945	2,937,082
Fringe Benefits Tax		32,819	36,331
Payroll Tax		195,760	200,466
Superannuation		312,201	317,258
Worker Compensation Insurance		29,728	35,018
Training		2,885	2,523
TOTAL EMPLOYEE RELATED		3,418,338	3,528,678



APPENDIX C. OPERATING ACCOUNT - EFFECTIVE YEAR ENDING 30 JUNE 2012

ADMINISTRATION & OTHER EXPENSES

	NOTE	2010-11 ACTUAL	2011-12 ACTUAL
Fuel, Light & Power		193,571	208,792
Advertising & Recruitment		1,415	12,637
Rental		13,432	2,538
Communications		68,067	74,300
Travel		70,303	77,035
Consultancies	2	73,158	26,358
Printing & Stationery		19,154	26,677
Rates		162,662	160,351
Other Administration		179,085	158,604
Repairs & Maintenance		125,864	123,168
Minor Equipment	3	72,707	208,205
Library Materials		88,964	92,436
Computers & IT		312,926	298,939
Expenses of Witnesses		71,106	85,646
Expenses of Jurors		621,753	537,867
Other Expenses		132,851	141,514
TOTAL ADMINISTRATIVE & OTHER EXPENSES		2,207,018	2,372,692
TOTAL EXPENDITURE		5,625,356	5,901,370

OVERHEAD CONTRIBUTION BY THE DEPARTMENT OF JUSTICE

	NOTE	2010-11 ACTUAL	2011-12 ACTUAL
OVERHEAD CONTRIBUTION BY DOJIR		794,550	1,198,779

RESERVED BY LAW PAYMENTS RECEIVED (SALARIES OF JUDICIAL OFFICERS)

	NOTE	2010-11 ACTUAL	2011-12 ACTUAL
Salaries & Other Entitlements of Judges		2,577,088	2,823,894
Salary & Other Entitlements of the Associate Judge		365,656	402,865
TOTAL		2,942,744	3,226,759

NOTES TO FINANCIAL STATEMENTS

Note 1: Excludes Reserved-by-Law expenditure

Note 2: Decrease in use of external mediation consultants. IT video-conferencing infrastructure in Burnie maintained under warranty.

Note 3: Upgrade of digital audio-visual recording system

