



MAGISTRATES COURT OF TASMANIA ANNUAL REPORT 2018 - 2019

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MAGISTRATES CHAMBERS
GPO Box 354
Hobart Tasmania 7000

The Honourable Elise Archer MP
Attorney-General and Minister for Justice
Level 10, 15 Murray Street
HOBART, TAS 7000

Dear Attorney-General

**MAGISTRATES COURT AND CORONIAL DIVISION
ANNUAL REPORTS 2018-2019**

I enclose the Annual Report for 2018-2019 for the Magistrates Court, as required by the *Magistrates Court Act 1987*, section 17C. The report is provided to you as Minister for Justice.

The report incorporates the annual report for the Coronial Division which is required by the *Coroners Act 1995* section 69 to be provided to you as Attorney-General.

Yours sincerely

A handwritten signature in black ink, appearing to read 'C. Archer', written over a light grey horizontal line.

Chief Magistrate

19 November 2019

YEAR AT A GLANCE 2018-2019

Criminal Statistics

ADULT CRIMINAL LODGEMENTS	YOUTH JUSTICE CRIMINAL LODGEMENTS
16,641 ↓ 8.5%	1,140 ↓ 17%
FINALISATIONS	FINALISATIONS
15,888 ↓ 12%	1,105 ↓ 18%

Coroners Court Reportable Deaths, Fires & Explosions

CORONERS COURT REPORTABLE DEATHS, FIRES & EXPLOSIONS LODGED	CORONERS COURT REPORTABLE DEATHS, FIRES & EXPLOSIONS FINALISED
654 ↑ 9.4%	568 ↓ 6.1%

Civil Statistics

NUMBER OF CIVIL CLAIMS LODGED	NUMBER OF CIVIL CLAIMS FINALISED
3,424 ↓ 8.8%	3,670 ↑ 0.7%

Family Violence Order Applications

FVO APPLICATIONS LODGED	FVO APPLICATIONS FINALISED
1,361 ↑ 16%	1,361 ↑ 27%

Activity of the Magistrates Court (incl. Youth Justice)

TOTAL NUMBER OF LISTINGS
153,893 ↓ 3.7%

Aim and Purpose of the Court

The aim of the Magistrates Court is to contribute to a fair, just and safe Tasmania. The Court serves the community by providing access to an accountable, independent and impartial system of justice which is administered according to law.

The purpose of the Magistrates Court of Tasmania is to provide an open, transparent and accessible system of justice, to apply the rule of law, and to protect and respect individuals' rights.

Values

Judicial independence – the Court acts independently from Government in the exercise of its judicial functions.

Our staff behave with integrity and respect, are accountable, cooperative, act without bias and in accordance with the State Service Code of Conduct.

More detailed information about the Court's day-to-day operations (services, locations, decisions, court lists) is available on the Magistrates Court website.

Overview of the Court

The Magistrates Court of Tasmania is a statutory body created as a court of record by section 3A of the *Magistrates Court Act 1987*. It is made up of the Chief Magistrate, the Deputy Chief Magistrate, and the Magistrates.

Magistrates have jurisdiction to hear and determine a broad range of legal matters.

Magistrates sitting in Courts of Petty Sessions hear and determine:

- simple offences
- crimes triable summarily under State and Commonwealth legislation
- breaches of duty
- applications under various State and Commonwealth statutes
- they also exercise a wide range of appellate and review functions

Magistrates also hear simple and indictable offences in the Youth Justice Division, as well as exercising child safety responsibilities under the *Children, Young Persons and Their Families Act 1997*.

Magistrates in the Civil Division hear and determine civil matters to a value of \$50,000 or an unlimited amount with the consent of the parties. Disputes up to a value of \$5,000 are dealt with as Minor Civil Claims and undergo simplified procedures prior to, and at hearing.

In addition to the Court of Petty Sessions, divisions of the Court are provided for in legislation. These Divisions are:

- Civil Division
- Youth Justice Division
- Administrative Appeals Division
- Coronial Division
- Children's Division
- Mining Division

Acknowledgments

2018-2019 has been a very busy year for the Court. I express my appreciation to Deputy Chief Magistrate Michael Daly; all of the magistrates, including Temporary Magistrate Peter Dixon; the Administrator of Courts Penelope Ikedife; Deputy Administrator Roger Illingworth; and all Court staff for their hard work, professionalism and dedication throughout the reporting period.

The Court continues to be supported in its work through the ongoing and significant assistance provided by the bench justices. The volunteer bench justices' work is highly valued by all of the magistrates, and I acknowledge their important service to the Tasmanian community and the administration of justice.

Finally, I acknowledge the work of the magistrates, who make up the Court, and whose commitment to their work is outstanding.

Magistrates

At 30 June 2019, the end of the current reporting period, the Magistrates Court was constituted by the following magistrates:

Hobart	Launceston
Chief Magistrate C J Geason	Magistrate S J Brown
Deputy Chief Magistrate M F Daly	Magistrate S E Cure
Magistrate S F Mollard (retired 2/08/2019)	Magistrate K J Stanton
Magistrate C P Webster	
Magistrate G A Hay	Devonport
Magistrate O M McTaggart	Magistrate D R Fairley
Magistrate R J Marron	Magistrate L S Topfer
Magistrate S J Cooper	Burnie
Magistrate AR McKee	Magistrate T K Jago

This year has seen a number of changes among the magistracy, beginning with the retirement of Temporary Magistrate Rod Chandler on 15 March 2019. Magistrate Chandler received a number of temporary appointments from the Governor and he served the Court for approximately 16 years, both simultaneously with his appointment as Commissioner of the Workers Rehabilitation and Compensation Tribunal, and after the cessation of that appointment in 2016. Magistrate Chandler contributed an enormous amount to the work of the Coronial Division, where his particular focus on hospital deaths resulted in a number of recommendations for the improvement of medical services and processes, to the benefit of all Tasmanians.

With Magistrate Chandler's retirement Magistrate Andrew McKee, who was formerly stationed in Devonport, transferred to Hobart. On Magistrate McKee's transfer to Hobart the Court was pleased to have Mr Peter Dixon appointed for his second term as a temporary magistrate from 9

November 2018 to 17 March 2019. Mr Dixon, a magistrate of this Court for 26 years before his retirement in 2012, also assisted the court in 2017–2018 by sitting as a temporary magistrate in Launceston pending the appointment of Magistrate Stanton. In this reporting period, his assistance in the North West was invaluable in ensuring that, together with Magistrates Jago and Fairley, the caseload in the region was effectively dealt with during the period between the transfer of Magistrate McKee and the appointment of Magistrate Topfer.

On 8 April 2019 the Court was pleased to celebrate Magistrate Leanne Topfer's appointment as a magistrate. Like the other North Western magistrates Magistrate Topfer, who is stationed in Devonport, sits in both Burnie and Devonport and across all the divisions of the Court.

Although his appointment did not formally end until 2 August 2019, Magistrate Mollard's last working day after 30 years as a magistrate was 29 June 2019. Magistrate Mollard was first appointed in 1989 to the Devonport Court and later sat in Burnie for several years, before being transferred to Hobart in 1994. Magistrate Mollard will be greatly missed by staff and magistrates.

Court Staff

At the end of the reporting period, 30 June 2019, the Magistrates Court employed 57 staff (53.66 full time equivalents) distributed across the four permanent court registries situated in Hobart, Launceston, Devonport and Burnie¹.

In addition, the Court employs one trainee in each of the Launceston, Devonport and Burnie registries, and two in Hobart through training service providers. The employment of trainees is not only beneficial to the Court, but also provides young people with opportunities to complete relevant qualifications and to gain valuable experience in a workplace.

Bench Justices

The Court once again expresses its gratitude for the voluntary contributions of the bench justices who provide a critically important service to the administration of justice in Tasmania. Their work ensures that people who are arrested are brought before the Court as soon as practicable, at which time they have an opportunity to make an application for bail. The bench justices' continuing contribution to the criminal justice system in this State is commendable and invaluable.

To give an indication of the level of service provided by the bench justices, in Hobart alone, during the reporting period, bench justices:

- Dealt with 642 adult defendants
- Dealt with 36 youths
- Convened 184 mid-week courts (usually sitting at 7pm)
- Convened 463 weekend courts (held each weekend day at 11am and 7pm)
- Dealt with 238 family violence matters

¹ Staffing numbers exclude magistrates as they are not Tasmanian State Service employees. At 30 June 2019 there were 15 full time equivalent magistrates.

As well as presiding over after hours courts, bench justices conduct preliminary proceedings hearings for indictable offences within the usual business hours of the Court. The number and complexity of preliminary proceedings increased markedly throughout the state during the reporting period, requiring bench justices to sit more frequently and for longer hours to deal with the workload. Much of the increase can be attributed to an increase in the number of indictable offences, the Supreme Court's changes to the case management of its lists, and the concentrated sittings of that Court where the Supreme Court has had more trials running simultaneously in an effort to reduce its backlog of cases.

To ensure that bench justices are well informed in the exercise of their powers the Chief Magistrate or her delegate holds regular meetings with bench justices. Bench justices are also provided with extensive training before being added to the roster of justices who may preside over their own court.

Professional Development

The Court continues its involvement in national and international forums for the discussion of justice and court administration in a variety of jurisdictions exercised by the Court.

During the reporting year the Court was represented at the following meetings and conferences:

Meetings and/or Conferences	Magistrate	Location	Date (s)
<i>Judicial Conference of Australia Meeting</i>	Deputy Chief Magistrate Daly	Melbourne	5-7 October 2018
<i>Judicial Leadership – Heads of Jurisdiction and Council of Chief Magistrates Meeting</i>	Chief Magistrate Geason	Melbourne	23-27 October 2018
<i>Asia Pacific Coroners Conference</i>	Magistrates McTaggart, Cooper and Chandler	Canberra	13-16 November 2018
<i>Judicial Conference of Australia Meeting</i>	Deputy Chief Magistrate Daly	Melbourne	15-16 March 2019
<i>Council of Chief Magistrates Meeting</i>	Chief Magistrate Geason	Sydney	17 May 2019
<i>National Court Administrators' Meeting</i>	Deputy Administrator Roger Illingworth	Sydney	17 May 2019
<i>Association of Australian Magistrates – Executive Meeting</i>	Magistrate C Webster	Melbourne	31 May 2019
<i>Judicial Conference of Australia Colloquium 2019</i>	Deputy Chief Magistrate Daly, Magistrate Cure	Darwin	7-9 June 2019

The magistrates' professional development program continued with a conference held in Hobart on 1-2 November 2018.

A range of presentations were delivered by guest presenters and magistrates. Topics included updates on home detention electronic monitoring implementation and Police body-worn cameras, as well as presentations and discussions on sentencing, judicial wellbeing, and national standards for working with interpreters in court.

I express my gratitude to the organisers of the conference and to the presenters who have significantly contributed to the ongoing development of the expertise of the Tasmanian Magistracy.

The Chief Magistrate is also responsible under the *Magistrates Court Act 1987* for the professional development of Court staff. Staff have undertaken a variety of training opportunities including:

- New staff inductions
- Interpreters' Symposium – Supreme Court
- White Ribbon (Managers/Supervisors)
- Unconscious Bias (Managers/Supervisors)
- Dealing with Client Aggression
- Ethics and Behaviour
- Managing Mental Health and Wellbeing in the Workplace
- Continuation of a multi-skilling program in the Hobart registry
- Lean Thinking Course (various managers)
- Tasmanian Public Sector High Performance and Leadership Workshop (one staff member)
- ANZSOG Applied Learning Seminar Designing Policy as an Investment (one staff member)
- State Service Management Office Managers Essential Program (two staff members)
- NCIS Coding Training (coronial staff)
- Web Editing – Squiz Matrix (one staff member)
- Simple Procurement Training
- JIRA Training
- Writing in Plain English
- First Aid Refresher Training
- New Supervisor Course (various staff)
- Recruitment and Selection Panel Training
- WHS Training for Managers and Team Leaders

Legislative Changes

There have been a number of new bills and amendments to legislation during the reporting period which have had an effect on the operation of the Magistrates Court.

The Court is often consulted on draft legislation and legislative projects, where the legislation may have an impact on the Court.

Legislation which has been the subject of consultation in the reporting period includes:

- *Burial and Cremation Amendment Bill 2019*

- *Crime (Confiscation of Profits) Amendment Bill 2018*
- *Criminal Code Amendment (Bullying) Bill 2019*
- *Criminal Code and Related Legislation Amendment Bill 2018*
- *Evidence Act 2001*
- *Family Violence Reforms Bill 2018*
- *Justice and Related Legislation (Marriage Amendments) Bill 2018*
- *Justice Legislation (Organisational Liability for Child Abuse) Amendment Bill 2019*
- *Justices of the Peace (Code of Conduct) Regulations 2019*
- *Magistrates Court (Criminal and General) Bill 2018*
- *Restraint Orders Bill 2017*
- *Sentencing Amendment (Phasing out Suspended Sentences) Bill 2017*
- *Surveillance Legislation Amendment (Personal Police Cameras) Bill 2018*
- *Workplace (Protection from Protesters) Amendment Bill 2019*
- *Youth Justice Regulations 2009*

Criminal and General Division Legislation

During the reporting period work continued on drafting a new suite of legislation governing the procedures applicable to the Court's criminal and general jurisdiction. The proposed Magistrates Court (Criminal and General Division) legislative package will result in:

- a new Magistrates Court (Criminal and General Division) Act
- a new Magistrates Court (Criminal and General Division) Rules
- a new Magistrates Court (Criminal and General Division) Fees Regulations
- a new Restraint Orders Act
- consequential amendments to the *Justices Act 1959*, the *Magistrates Court Act 1987*, the *Supreme Court (Civil Procedure) Act 1932* and other court-related legislation

The Court's ability to manage the resolution of cases in a timely manner is partly dependent on the legislative framework governing the Court's processes. The current framework is provided by the *Justices Act 1959*. The proposed new legislation is expected to help to expedite the criminal litigation process while protecting fundamental rights to a fair trial and access to justice.

The Bill includes provisions for early prosecution disclosure, earlier entry of pleas, fewer adjournments, facilitating the summoning of police officers as witnesses, shorter preliminary proceedings on serious indictable charges, and straightforward methods of evidence presentation. Many of the changes will require significant changes to the current way the Court and other services, particularly Tasmania Police, go about their work, with consequential resourcing impacts. Very importantly, the changes will require major improvements in information technology systems for both Tasmania Police and the Magistrates Court. The Court's IT needs are expected to be met through the Department of Justice's Justice Connect IT program.

Caseload

The 2018-2019 year has been very busy, although overall lodgements were 8.5% lower than the previous year. The 2017-2018 lodgements were very high, but this year's reduction is also contributed to by a 13% decrease in the number of traffic offences that were lodged by Tasmania Police. The reduction in the number of traffic offences before the Court has had a minimal effect on the Court's workload because traffic offences are among the simplest and quickest to finalise. Other more complex areas of work have remained steady or increased, leading to a reduction in the number of finalised cases during the year.

The complexity of the matters before the Court has increased during the reporting period with the commencement of new types of sentencing options - home detention (with or without electronic monitoring) and community correction orders, which replace the former community service orders and probation orders. The sentencing process has become more complex after a plea or finding of guilt, and it often requires several appearances before a sentence can be imposed. The new types of sentencing orders provide the Court with additional and more nuanced options which assist in enabling it to achieve the important principles of sentencing.

Detailed statistics about the types and numbers of matters lodged appear later in this Annual Report.

The Court's incoming caseload during the 2018-19 reporting year was as follows:

Case Lodgements

Type	Number
Criminal – Adult	16,641
Criminal – Youth Justice	1,140
Family violence order applications	1,361
Restraint order applications	1,253
Child protection applications	983
Civil (minor civil, civil, residential tenancy)	3,424
Miscellaneous applications (adult & youth)	2,154
Breaches of orders (incl. bail, probation)	5,212
Administrative appeals, Mining Tribunal	38
Coronial cases	654

With a reduction in finalisations has come a reduction in the fines imposed by the court. Court fees are also down on the previous year, which has a direct and significant impact on the funds available to the Court to offset the cost of its operations. The 8% reduction in traffic lodgements accounts for majority of the 10% drop in criminal court fees.

The Fines, Costs, Fees and Levies imposed were as follows:

Fines, Fees and Levies Imposed	2017-2018	2018-2019
Fines	\$4,861,559	\$4,092,122
Criminal court fees	\$871,108	\$788,716
Victims of Crime Compensation levies	\$326,000	\$313,512
Civil Court Fees	\$592,854	\$590,133
Appeal Costs Fund levies	\$33,392	\$38,788
Total	\$6,684,913	\$5,233,138

Problem-solving Courts

During the reporting year the Court continued its activities in the areas of problem-solving justice, also called therapeutic justice. This approach to justice requires courts to acknowledge that rather than simply processing cases, the court system should be concerned with attempting to address the problems that lead to a person's appearance in court, and work to change offender behaviour and improve public safety where appropriate.

Currently the Court takes this approach in the following areas:

- Court Mandated Drug Diversion (CMD) program
- Diversion List (DL)
- Family Violence List
- Youth Justice

The Court relies on the support and expertise of other organisations to ensure the success of the problem-solving courts. In particular, assistance is provided by Community Corrections, Forensic Mental Health Services, the Defendant Health Liaison Service, Youth Justice, Legal Aid Commission of Tasmania, specialist police prosecutors, and non-government support services.

Court Mandated Drug Diversion Program

The Court Mandated Drug Diversion Program (CMD) was introduced in 2007 to divert people whose offending behaviour is linked to illicit drug use into drug treatment interventions. The CMD program has capacity for approximately 120 defendants statewide. A court may sentence an offender onto the program under a drug treatment order which involves a range of treatment options depending on what is most suitable for an offender's needs. The Supreme Court may now also make drug treatment orders, the supervision of which is carried out by the Magistrates Court. During the reporting period the Supreme Court made 9 drug treatment orders as the principal sentence.

The Magistrates Court's supervision of drug treatment orders is very intensive. It commences with weekly review appearances, which usually reduce in frequency over time until the order, which may last for two years, is completed. The CMD program may include some or all of the following:

- Individual counselling
- Group counselling
- Random illicit drug testing
- Residential rehabilitation
- Case management
- Detoxification (via the State Alcohol and Drug Service)

CMD has been successful in diverting a group of offenders away from prison into community-based treatment and has had some positive impacts on delaying relapse or a return to crime.

Diversion List

Another key offender diversion program operated in the Court is the Diversion List (DL). The DL began in Hobart and has now become a permanent feature of Court operations in all registry locations. At present, the DL sits twice a month in Hobart and once a month in each of Launceston, Burnie and Devonport, and is presided over by specialist magistrates (who also preside over general lists). The Hobart Diversion List also includes persons with acquired brain injuries or cognitive disabilities who commit summary offences.

The DL is a “problem solving court” program that diverts eligible defendants to mental health, disability and other welfare services to address the underlying issues of their criminal behaviour. Using provisions within the *Bail Act 1994* and the *Sentencing Act 1997*, the DL seeks to provide an alternative to traditional criminal sanctions where mental illness is causative of the offending behaviour.

The Diversion List benefits from invaluable support from Mental Health Court Liaison Officers, who are located at the Hobart court and others who assist in Launceston, Devonport and Burnie. They assist the Court by providing assessments and recommendations to identify and appropriately deal with people who appear before the Court with mental health issues. The allocation of these expert staff by the Tasmanian Health Service is gratefully acknowledged by the Court.

Family Violence List

Since the commencement of the *Family Violence Act 2004* the Court has been listing separate court sessions for family violence matters to improve its responses and co-ordination with support agencies including specialist police prosecutors, Safe Families Co-ordination Unit, Legal Aid, and the Court Support and Liaison Service.

Contest Mention List

The contest mention mechanism is a process which enables a defendant who intends to plead guilty to an offence heard in the Magistrates Court to do so at the earliest possible stage of the pre-trial proceedings. For matters that are not resolved by a guilty plea at contest mention the process is designed to reduce the number of issues in dispute, which should reduce the hearing time.

Youth Justice

The Youth Justice court continues to operate as a specialised court list statewide. A dedicated magistrate in each registry hears all youth justice cases in which the Court promotes a therapeutic, strength-based approach.

Deferred sentencing options under the *Youth Justice Act 1997* continue to provide an opportunity to defer a sentence for some young people for the purpose of assessing the young person's capacity and prospects for rehabilitation or participation in an intervention plan, and for the purpose of allowing the young person to demonstrate what rehabilitation has occurred or to allow them to participate in an intervention plan.

The Youth Court continues to be supported by, and acknowledges the invaluable assistance of, Tasmania Police who provide dedicated prosecutors and early intervention officers, and the Director of Legal Aid who provides dedicated legal practitioners.

The Court also acknowledges the Education Department which provides Education Liaison Officers statewide who aim to re-engage young people appearing before the court with education. This is a vital part of youth court as many of the young people appearing have disengaged from education.

The Court also acknowledges the commitment of government and non-government bodies who have assisted in building a more integrated team approach which is working towards better outcomes for young offenders.

Court User Groups

The Court holds Court User Groups in each of the regions – South, North and North West – which aim to strengthen the Court's consultative processes with a range of court users, including the legal profession and various court support agencies.

The Court User Groups assist with feedback on the operation of the courts and provide useful input which can be included in the Court's strategic planning processes. Regional and relatively informal consultation processes with key stakeholders are also likely to improve the Court's service delivery, and the status and reputation of the Court within the broader community.

The establishment of the user groups builds on the Court's goals of community engagement and continuous improvement.

A wide range of organisations considered major stakeholders of the Court are invited including the:

- Law Society of Tasmania
- Independent Bar
- Tasmania Police
- Tasmanian Prison Service
- Community Corrections
- Legal Aid Commission

- Tasmanian Aboriginal Community Legal Service
- Victims Support Service
- Children and Youth (DHHS), incorporating Child Safety Services and Youth Justice Services
- Statewide Mental Health Services (DHHS)
- Community Legal Centres
- Tasmanian Law Reform Institute
- Office of the Director of Public Prosecutions – Summary Prosecutions and Witness Assistance Scheme

Information Technology

Justice Connect

The Magistrates Court relies on a number of IT systems to assist it in its work. The CRIMES system is used for the Court’s criminal work, the Magistrates Court Case Management System (MCMS) for civil work, and Monash University National Centre for Coronial Information (MUNCCI) and National Coronial Information System (NCIS) for coronial work.

All of these systems are aged and due for replacement, as are many other IT systems in use in the Department of Justice. In recognition of the need for modern systems the Justice Connect program will replace these outdated technologies with a contemporary architecture and platform. The aim is to connect the Magistrates Court with other parts of the justice system so that accurate, relevant information can be provided in real time without the current reliance on manual, paper-based processes. The magnitude of the program means that it will occur in stages, with Stage 1 focusing on the criminal and corrective services systems, including the replacement of CRIMES. The program is a very significant piece of work for the Court and is expected to take several years to complete, with a tender process due to be completed in early 2020.

Video Conferencing

The Court’s video-conference facilities increase the community’s access to justice by permitting witnesses and defendants in custody to attend court by video link from any location in Tasmania, interstate or overseas. Video-conferencing substantially reduces the cost of adducing evidence from witnesses who would otherwise have to travel to attend the hearing. It can also reduce the number of trips a person in custody is required to make from Hobart or Launceston to appear in a court in another location in the North or North West, significantly reducing the cost, inconvenience and risk associated with such transports. Provision has also been made for vulnerable witnesses to give their evidence remotely from a protected witness room in the court building or elsewhere, and the video conferencing system has been integrated with the Court’s digital audio recording system.

During the reporting period the Court was fortunate to receive funding through Safe Homes Safe Families to upgrade audio visual equipment in its protected witness rooms in Hobart and Devonport, as well as to move and upgrade the Court Support Liaison Service telephone in Hobart to a more private location in the Court foyer. The audio visual improvements ensure a much

better quality of experience for vulnerable people, including family violence complainants, and have allowed the Court to replace aged hardware with modern equipment and a better environment in which to give evidence.

Many of the Court's existing video conferencing facilities are due to be updated. With the increasing reliance on the presentation of digital evidence, whether in the form of CCTV footage or footage from police body worn cameras or even mobile phones, the Court needs to ensure that digital evidence can be presented using modern equipment with high resolution pictures. During the reporting period the Court was pleased to obtain funding through the Solicitors' Guarantee fund to set up a modern videoconferencing court in Hobart which is due for completion in late 2019.

The Court continues to seek funding to bring all of its courtrooms up-to-date with reliable, good quality audio visual equipment. This work includes a strategy to improve video conferencing at country courts as well as at the permanent registries to provide better access to justice to those in more remote regions.

Most King Island courts are operated by video link, although a magistrate will sit in person on King Island when required. At present Queenstown circuit courts are held in person as there is no infrastructure available to operate video conferencing from the Queenstown court building. The Court is investigating the viability of connecting the NBN to the court building to permit reliable video conferencing, but must first formalize its occupation of the building, which is owned by the West Coast Council.

During the reporting period the Smithton country court was required to move from the Circular Head Council Chambers in Goldie Street, Smithton due to a Council resolution requiring the Court to vacate the premises due to perceived work health safety risks for council staff. The Court has obtained a short-term license for an alternative building in Smithton, but the building is not suitable to hold in-person court attendances. As a consequence, matters listed in the Smithton country court are now dealt with by video link to Burnie, with more complex cases being listed in Burnie where defendants and witnesses are required to appear in person.

Burnie Court Redevelopment

The Burnie Court complex located in Alexander Street, Burnie, is shared by the Supreme Court and the Magistrates Court. The building is old and no longer fit for purpose. In recognition of this, in the 2017-18 State budget the government announced funding of \$15 million to refurbish the court building to improve conditions for staff and services to the public. The Department of Justice's project team's work has been ongoing, overseen by a steering committee which includes representation from both the Magistrates and Supreme Courts. At present consideration is being given to how best to provide suitable accommodation while ensuring that the Court continues to operate without interruption.

Legal Education and Community Involvement

During the reporting year magistrates and court officers were engaged in a range of legal education programs that are aimed at improving the understanding of the justice system for a number of groups, such as young lawyers, prosecutors, probation officers, Justices of the Peace, legal studies students, school and community groups.

Legal Practice Course

Since 1997 the Hobart magistrates have been delivering lectures and supervising practical courtroom exercises for university law graduates who are enrolled in the six month Legal Practice Course. This is conducted between February and August each year.

Magistrates convene mock courts for two hours every week after court adjourns in the afternoon to introduce law graduates to the courtroom environment in preparation for their entry into legal practice. The trainees prepare and deliver applications, make submissions, deliver pleas in mitigation, and conduct minor contested hearings. The magistrates provide feedback to the trainees on their delivery, content, and advocacy skills. The exercises form part of the assessment for the unit.

Based on feedback from course participants the Criminal Law Practice and Advocacy unit is considered to be one of the most practical units studied by the trainees as the Magistrates Court is the jurisdiction in which junior lawyers are most likely to practice in the early years of their professional life. The opportunity for students to appear before real magistrates in a court setting is an aspect of the course that is the envy of many interstate jurisdictions.

CourtWatch

As part of the Legal Practice Course CourtWatch program the Magistrates Court hosts each trainee for a day. On a succession of days over a two week period, small groups of trainees are shown the practices and procedures of the Court in both its administrative and judicial functions so they will be better equipped to meet the challenges of legal practice. They have the opportunity to sit in court with a magistrate and to gain an understanding of the administrative processes of the Court.

Legal Education

As part of a commitment to continuing professional development in the legal profession, and for others who regularly deal with the Court, magistrates often present at seminars and conferences. To provide the general public with a better understanding of the justice system staff conduct court tours for school and community groups. The Court also hosts work experience students who are given the opportunity to experience the administrative operations that support the judicial work of the magistrates, to observe court sessions, and to meet with magistrates.

Magistrates have given a number of presentations, including:

Organisation	Topic	Magistrate
University of Tasmania Law School	Issues in Youth Justice	<i>Chief Magistrate Geason</i>
Supreme Court	Discussion – Cultural Diversity and Best Practice for Judicial Officers	<i>Chief Magistrate Geason</i>
Criminal Law Conference – Law Society	Ethics in Sentencing	<i>Chief Magistrate Geason</i>
University of Tasmania Law School	Panel – Impact of the Law School on Careers	<i>Chief Magistrate Geason</i>
Tasmanian Women Lawyers	Panel – Thriving not just Surviving in the Law	<i>Chief Magistrate Geason</i>
Tasmania Police Academy	Judicial Perspective on Causes of Offending	<i>Deputy Chief Magistrate Daly</i>
Southern Young Lawyers Committee of the Law Society of Tasmania	Ethical Advocacy (with Justice Kerr)	<i>Deputy Chief Magistrate Daly</i>
Princes Street Primary School	Mock Sentencing Court	<i>Deputy Chief Magistrate Daly</i>
Tasmanian Criminal Law Conference	Therapeutic Jurisprudence (Drug and Mental Health)	<i>Magistrate Hay</i>
University of Tasmania	Torts	<i>Magistrate McTaggart</i>
Tasmania Police Academy, Police Recruit Ceremony	Official Speaker – Reviewing Officer	<i>Magistrate McTaggart</i>
National Council of Women	Address	<i>Magistrate McTaggart</i>
Tasmania Police Academy	Police Recruit Training Presentation	<i>Magistrate McTaggart</i>
Legal Practice Course	Coronial Practice and Procedure	<i>Magistrates McTaggart and Cooper</i>
DPFEM/SES/DPAC/FSST/State Forensic Pathology	State Disaster Mass Fatality Workshop	<i>Magistrate Cooper</i>
National Work, Health and Safety Forum		<i>Magistrate Cooper</i>
Australia and New Zealand Counter Terrorism Exercise		<i>Magistrate Cooper</i>
NW Justices of the Peace Association	Sentencing Workshop and Mock Court	<i>Magistrate Jago</i>
University of Tasmania	Professional Opportunities on the North West Coast	<i>Magistrate Jago</i>
University of Tasmania – Legal Practice Course	Magistrates Court Practice and Procedure	<i>Magistrate Fairley</i>
North West Practitioners and Registrars	Giving Evidence in Court and Coronial Matters	<i>Magistrate Fairley</i>
Bench Justices	Bench Justice Training Program	<i>Magistrate Fairley</i>
Young Lawyers – Law Society of Tasmania	Advocacy Seminar	<i>Magistrate Fairley</i>
Launceston General Hospital	Coronial Process training for surgeons	<i>Magistrate Chandler</i>
General Practice Managers (North)	Coronial System Presentation	<i>Magistrate Chandler</i>
Calvary Hospital	Coronial Practice	<i>Magistrate Chandler</i>

Access to Justice

I acknowledge the range of court support services which are provided, often on a voluntary basis, to assist clients who are having difficulty in understanding the Court process or accessing legal advice or representation.

Disability Access

The Department of Justice has a Disability Justice Plan for Tasmania 2017-2020. The Magistrates Court continues to work towards achieving actions in the Plan with a focus on improving physical access to court buildings, staff training, and better access to information and services. Where a need arises the Court makes adjustments to standard procedures to accommodate the needs of people with disability.

During the reporting period the Court continued to work through the recommendations of an access appraisal report for the Hobart building that was obtained in the previous reporting period with a view to improving physical access and other services within its buildings.

Interpreters

Interpreters provide an essential service to the Court and to the administration of justice. The interpreter's role is to remove the language barrier and to put the party in the same position in the proceedings as an English-speaking person. The interpreter is essential to the provision of a fair trial. Interpreters are supplied at the Court's expense and the Court always endeavours to provide the best-qualified, accredited interpreter that is available.

During the reporting period the Judicial Council on Cultural Diversity held a Symposium at the Supreme Court in Hobart to discuss its National Standards for Working with Interpreters in Courts and Tribunals which was attended by a number of magistrates and Court staff. The recommended standards will be considered by the Court and current practices and procedures will be assessed against them.

During the reporting period the Court paid \$42,240.00 for interpreters and used interpreters on 204 matters, an increase on the 2017-18 year where \$32,245.26 was paid to interpreters on 168 matters.

Community Legal Services

In each region of the State the Court is assisted by the various Community Legal Services. The Hobart Community Legal Service has offices in Hobart and Bridgewater. Along with the provision of free legal advice, the HCLS provides legal representation for the after-hours and weekend courts and the on-call roster for holiday periods.

In Launceston the Launceston Community Legal Centre provides free legal advice and referrals to Legal Aid and private practitioners. In Burnie and Devonport the North West Community Legal Centre Inc. provides a similar service.

All these organisations assist the Court greatly by preparing parties with information on how the Court process operates and what is expected to happen in the court room.

Duty Lawyer Scheme

I acknowledge the work of the Law Society of Tasmania, the Centre for Legal Studies and Hobart Community Legal Centre for the continuation of the duty lawyer service in Hobart, which is staffed by newly qualified lawyers on a roster system. Their services provide assistance to applicants, defendants and respondents who are appearing in the Magistrates Court. They contribute significantly to the efficiency and effectiveness of the Court in providing access to justice to those who would otherwise have been unrepresented.

Witness Assistance Service

The Witness Assistance Service is a unit within the Office of the Director of Public Prosecutions. In the reporting period the Witness Assistance Service again received a grant through the Solicitors' Guarantee Fund to provide additional witness assistance officers in each of the Hobart and Launceston Magistrates Courts. The service, which began operating in the Magistrates Court in early 2017, is available to provide assistance for all types of matters but with a particular focus on sexual abuse matters and matters that fall outside the legislative definition of family violence. The Service also assists witnesses in the preparation of victim impact statements. The Court has also benefitted from the provision of services to coronial inquests.

During the reporting period the Service dealt with 60 preliminary proceedings in Hobart, together with 16 Police prosecution matters and 12 coronial matters. The positions in the Magistrates Court are meeting a gap in services and have resulted in good outcomes for both witnesses and the Court process, since better support for witnesses often means that they are more willing to give evidence and may be able to give better-quality evidence to inform the Court.

Salvation Army – Court and Prison Chaplaincy

A Salvation Army Chaplain attends the Hobart registry regularly to offer help and support through the court process to offenders, their families, victims, and witnesses. This service also can be important as a referral service to other programs such as:

- personal development programs
- alcohol and drug programs
- housing and homeless services
- aged care assistance
- family violence services
- financial counselling

Save the Children

Save the Children (STC) continues to support and assist statewide some of the young people who are subject to bail and young people who have transitioned from Ashley Youth Detention Centre. A STC youth worker interviews the young person and helps them to identify some pro-social goals and develop a plan as to how to achieve the identified goals. The STC youth workers will also support the young person to seek legal advice, attend appointments and attend court. A report is

prepared to update the Court on the progress being made by the young person. STC will also support the young person to engage in some pro-social recreational activities which provide other options to offending behaviour.

The partnership between STC and the youth court is an invaluable resource as by working as a collaborative team it is possible to achieve better outcomes for some of our very disadvantaged young people who are offending and appearing in court.

Baptcare and Mission Australia

Other services that actively engage with the Youth Justice Court are Baptcare and Mission Australia. Each offers assistance and support to young people with a range of needs, such as homelessness, alcohol and drug problems, education and training, family breakdown, and mental illness.

Coronial Division

The jurisdiction and operation of the Coronial Division is set out in the *Coroners Act 1995* and the *Coroners Rules 2006*. This report is submitted pursuant to section 69 of the *Coroners Act 1995* (the Act).

The coroner's jurisdiction is to investigate reportable deaths, fires and explosions. Reportable deaths are primarily those that are sudden, unnatural, unexpected or suspicious. Coroners are required to make recommendations where appropriate and comment on matters related to public health or safety or the administration of justice, and for the purpose of prevention of future deaths.

During the reporting period Coroner Olivia McTaggart continued her role as the Chief Magistrate's delegate and full-time coroner. Coroner Simon Cooper also undertook a full-time coronial role while Coroner Andrew McKee was transferred to Hobart by the Attorney General undertaking both criminal and coronial work until he transitioned into coronial full-time in April 2019 to replace the retiring Coroner Rod Chandler.

Coroner Rod Chandler retired in March 2019. I take this opportunity to thank Coroner Chandler for the significant contribution he has made to coronial practice and procedure in Tasmania for over a decade. I wish Coroner Chandler an interesting and peaceful retirement from judicial office.

I thank the many organisations involved in assisting the work of the Coronial Division. I am appreciative of the work of the Chief Clerk and Manager of the Division, Penelope Ikedife and Victor Stojcevski respectively. I also thank Jane Mcleod who took over as Manager of the Division from early June to cover a 6 month secondment taken up by Victor Stojcevski.

I acknowledge the crucial role of State Forensic Pathologist, Dr Chris Lawrence, and his team of forensic pathologists. Dr Chris Lawrence was the State Forensic Pathologist for Tasmania and Director of Statewide Forensic Medical Services from 2002-2019 until he recently took up a position in New Zealand. We welcome Dr Don Ritchey as Acting Director.

I would also like to underscore the vital support provided by all levels of Tasmania Police, including the many officers who assist the coroners in their investigations. In particular, I acknowledge the assistance provided to coroners by coroners' associates, and the cooperative manner in which up to eleven associates have integrated themselves at various times into the operations of the Division. Similarly, I would also like to acknowledge the important functions played in coronial investigations by Forensic Science Service Tasmania; forensic odontologists; Dr Tony Bell, the in-house medical adviser to the coroners; and Ms Libby Newman, Clinical Nurse Specialist, Forensic Pathology.

Coronial Education

A particular focus of coroners, coroners' associates and key staff of the Division has been educating legal professionals, medical professionals and the community at large about coronial matters.

Over the reporting period, coroners and Coronial Division staff provided the following education sessions:

- Coronial Process training for surgeons at the Launceston General Hospital by Coroner Chandler
- Coronial System Presentation to General Practice Managers (North) by Coroner Chandler
- Presentation at the National Suicide Prevention Conference, Adelaide by Agatha Faulkner (Senior Tasmanian Suicide Register Research Officer)
- Council of Chief Coroners Conference attended by Chief Coroner Olivia McTaggart
- Legal Practice Course, Coronial Practice and Procedure, by Chief Coroner Olivia McTaggart and Coroner Simon Cooper
- State Disaster Mass Fatality Workshop attended by members from DPFEM, SES, DPAC, FSST, State Forensic Pathology attended by Coroner Simon Cooper
- University of Tasmania Torts attended by Chief Coroner Olivia McTaggart
- An address to the National Council of Women by Chief Coroner Olivia McTaggart
- Tasmania Police Academy Police Recruit Training Presentation attended by Chief Coroner Olivia McTaggart
- National Work, Health and Safety Forum attended by Coroner Cooper
- Australia and New Zealand Counter Terrorism Exercise attended by Coroner Cooper
- Giving Evidence in Court and Coronial Matters for the North West Practitioners and Registrars by Magistrate Fairley
- Coronial Practice for Calvary Hospital given by Coroner Chandler

Tasmanian Suicide Register

The Tasmanian Suicide Register (TSR) commenced operation in the Coronial Division of the Magistrates Court on 6 November 2017.

The TSR is a state-based suicide surveillance system, operated by a trained research officer. It gathers detailed information on people who die by suicide in Tasmania and the circumstances surrounding their death. The TSR will:

- enable detailed analysis of demographics and trends over time
- provide data for future policy and planning to inform targeted public health and suicide prevention policy
- assist in the evaluation of suicide prevention initiatives
- be accessible to genuine researchers in this field

Information gathered during the coronial investigation produces the richest source of data from which to understand a suicide death. The TSR is deliberately placed within the coronial setting to assist Tasmanian coroners to understand Tasmanian suicide data in greater detail, and to make recommendations to prevent suicide that are informed by evidence.

The establishment of a TSR was one of a number of recommendations made by Coroner McTaggart in inquest findings released in November 2016. The TSR is jointly funded by the Department of Justice and the Department of Health (DoH) and is a key action of the Tasmanian Suicide Prevention Strategy 2016-2020. Its establishment has been a collaborative project between the then Department of Health and Human Services, the Department of Justice (DoJ), and the Magistrates Court, and is governed by an inter-agency project working group.

In 2018 the TSR research officer completed coding of five years of suicide-related information into the TSR. This included deaths occurring between 1 January 2012 and 31 December 2016. Subsequently, the DoH and the Coronial Division began consultations regarding the provision of data from the TSR for the purposes of a collaborative Tasmanian Suicide Register Report. The report will examine data from the TSR and is expected to be finalised in 2019.

Throughout the reporting period various research institutions and government departments have recorded their interest in accessing data from the TSR with ongoing discussions currently underway.

I would like to acknowledge the ongoing support for this project from DoH and DoJ, and from the Coroner's Court of Victoria which assisted with the establishment of the TSR and continued to provide support to the project until 31 December 2018.

Tasmanian Multiple Fatality Response Plan (Associate Plan)

The Tasmanian Multiple Fatality Response Plan (2017) was approved in December 2017 by the State Emergency Management Committee as a state level emergency management plan issued by the Chief Magistrate's delegate and maintained by the Department of Justice. The Associate Plan replaces the Tasmanian Coronial Services Plan 2003.

The Plan aims to describe the arrangements for coordinating statewide coronial services to manage a multiple fatality event in Tasmania and is based on existing legal processes and practices. It provides an agreed framework to manage multiple fatality events, whether an emergency exists or not. The Plan is focused on coronial services, but also envisages Disaster Victim Identification (DVI) scenarios in the case of an emergency.

In October 2018 senior members of all participating agencies met at the Police Academy, Rokeby, to undertake a desktop exercise to test the Plan. A scenario involving a terrorist-related incident was circulated prior to the exercise. The objectives were to discuss the management of the hypothetical incident, identify and discuss deficiencies in the Plan, practice collective decision-making, and validate the Plan's procedures as relevant to the hypothetical incident.

The exercise was a success and resulted in some minor alterations being made to the Plan.

Tasmanian Overdose Deaths Register

In Tasmania, all deaths from suspected non-natural causes (including suspected overdose deaths) must be reported to the Coronial Division for investigation. If the investigation establishes the death was an overdose, it is entered into the Tasmanian Overdose Deaths Register (TODR).

The TODR definition of an overdose death is consistent with the definition of "drug poisoning

death” and is a death where the expert death investigators (the coroner, forensic pathologist and forensic toxicologist) established that the acute toxic effects of a drug or drugs played a contributory role. Therefore, overdose deaths include deaths where acute toxic effects of drugs were the only cause, and deaths where acute drug toxicity contributed in combination with other non-drug causes such as cardiovascular or respiratory disease. Deaths associated with the behavioural effects of drug taking (for example a fatal motor vehicle collision while affected by drugs and alcohol) or its chronic effects (for example haemorrhage of a gastrointestinal ulcer caused by chronic ibuprofen consumption) are excluded.

Deaths in Custody

As required by section 69(2)(a) of the Act, I advise that during the reporting period there were three deaths in custody reported to the coroner. Five inquests into deaths in custody were concluded in the reporting period.

Deaths in Care

During the reporting period there were seven deaths reported of persons held “in care” as defined in section 3 of the Act. Additionally, during the reporting period seven inquests were completed in relation to deaths in care from previous reporting periods.

Deaths in care [findings have been published](#) on the Magistrates Court website.

Other Inquests and Findings

All [findings and recommendations](#) considered by coroners to be of public interest are published on the Magistrates Court website.

Responses to Coronial Recommendations

Recommendations are an important part of the coronial jurisdiction and pursuant to section 28(2) of the Act a coroner is required, whenever appropriate, to make recommendations to prevent future deaths. Unlike most other Australian coronial jurisdictions, Tasmania lacks either a statutory or policy-based mandatory response regime to coronial recommendations. Consequently, the status of coronial recommendations in Tasmania is unclear and there is scope for improvement in this area.

Nevertheless, over the course of the reporting period there were favourable responses from several Government departments in response to some coronial recommendations. The Division has been working with Government departments to put in place some voluntary guidelines about the provision of responses to coronial recommendations and has been pleased with the level of co-operation that has been forthcoming from many departments.

Court Statistics and Performance Indicators

Caseload

Table 1: Summary Figures, by Court, 2018-19

COURTS	Caseloads		Lodgements		Finalisations	
	No.	Change year on year	No.	Change year on year	No.	Change year on year ⁴
CRIMINAL - ADULT						
Criminal complaints ¹	16,641	-8.5%	15,888	-12%		
<i>Committal Proceedings</i>			322	8.1%		
Breaches of orders ²	4,975	2.6%	4,555	3.5%		
Other applications ³	2,043	3.6%	1,749	6.4%		
CRIMINAL – YOUTH JUSTICE						
Criminal complaints ¹	1,140	-17%	1,105	-18%		
<i>Committal Proceedings</i>			3	-75%		
Breaches of orders ²	237	19%	206	-1.4%		
Other applications	111	-4.3%	76	-14%		
CIVIL						
Civil claims (inc. minor civil, residential tenancy) ³	3,424	-8.8%	3,670	0.7%		
Family violence order applications	1,361	16%	1,361	27%		
Restraint order applications	1,253	9.6%	1,252	9.2%		
CIVIL – CHILDREN'S COURT						
Care and protection applications and orders	983	16%	897	18%		
CORONERS COURT						
Reportable deaths, fires and explosions	654	9.4%	568	-6.1%		
TRIBUNALS						
Administrative Appeals ⁵	38	5.6%	20	-51.3%		
Mining Tribunal ³	0	-100%	0	-100%		
TOTAL	32,860		31,652			

¹ In accordance with the Report on Government Services (RoGS) statistics manual, the counting unit adopted for criminal complaints is a defendant per case based unit. This figure includes family violence and intervention order criminal activity (such as the breach of a family violence or intervention order) and not the civil activity (the application of an order) which is set out separately under 'civil'. Full details are provided in Table 5.

² Breaches of orders include all breaches that are not categorised as criminal activity for national ABS and RoGS reporting purposes. Orders include bail, suspended sentence, probation, and community service (now community correction orders), among others. A breakdown of breaches by order type is provided in Table 10.

³ Applications to grant or vary bail, for restricted driver licence and for other applications.

⁴ The percentage changes are rounded to two significant figures.

⁵ The counting unit adopted for civil claims and tribunals is case based.

Source: CRIMESStats database; Civil Registry Management System (CRMS).

Table 2: Pending Caseload (at 30 June 2019) & Backlog Indicator, by Selected Courts 2018-19

Pending Caseloads and Backlog Indicator ¹	No. Pending Caseload	change year-on-year	% aged > 12 Months	change year-on-year
Criminal Division - Complaints (Adult)	7,477	-4.0%	15.1	0.1 pp
Criminal Division - Complaints (Youth Justice)	395	-4.4%	7.6	0.6 pp
Civil Division - Claims, Family Violence Orders, and Restraint Orders	3,648	2.8%	13.5	2.8 pp
Children's Court - Care and Protection and Supervision Orders	84	27%	19.0	2.3 pp
Coroners Court - Reportable deaths, fires and explosions	638	15%	42.6	1.7 pp

¹ This table summarises information provided in Tables 15 and 16. In accordance with the Report on Government Services (RoGS) statistical reporting manual, the pending caseload for civil claims, family violence and intervention orders, and care and protection orders counts only originating matters (e.g. application for an order) and not secondary processes (e.g. application to vary an order).

Source: CRIMESStats database; Civil Registry Management System (CRMS).

Table 3: Activity of the Magistrates Court (incl. Youth Justice) in 2018-19, by Listing Type

	No.	change year on year
Total Listings in the Magistrates Court of Tasmania¹	153,893	-3.7%
Common hearing types²		
Mention Listings	24,844	-5.2%
Application Listings	10,768	13%
Hearing Listings	6,171	0.3%
Plea Listing	61,965	-2.5%
Sentence Listing	31,763	-7.0%
Court Mandated Diversion Reviews	2,637	-24%
Contest Mention Listings	1,427	-24%

¹ Total listings includes all criminal matters, family violence and child protection applications that appeared before the Magistrates Court, including the Youth Justice jurisdiction, within the relevant reference period. Listings for civil claims are not included.

² Some common listing types have been highlighted in the table above. It should be noted that a plea can be entered or sentences handed down at different stages of court listings, not limited to sentence or plea listings.

Source: CRIMESStats database.

Table 4: Magistrates Court Fines and Fees (incl. Youth Justice Court) in 2018-19

	(\$'000)	change year on year
CRIMINAL		
Fines	4,093	-16%
Court Costs	789	-9.4%
Appeal Costs Find Levy	39	17.7%
Victims of Crime Compensation Levy	314	-3.7%
Other Costs ¹	214	-13%
CIVIL		
Civil Court Fees	548	-7.6%

¹ 'Other costs' include special penalties, analysis fees, and other party costs.
 Source: CRIMESStats database; Civil Registry Management System (CRMS), FinanceOne.

Court Statistics

Table 5: Summary Statistics by Court Level, 2014-15 to 2018-19

	2014-15	2015-16	2016-17	2017-18	2018-19	change 2017-18 to 2018-19
CRIMINAL						
Lodgements						
Criminal complaints ¹	17,024	17,664	18,061	18,187	16,641	-8.5%
Breaches of orders ²	3,728	4,247	4,466	4,847	4,975	2.6%
Applications to grant or vary bail ³	355	455	436	458	496	8.3%
Applications for restricted driver licence ⁴	604	596	588	532	519	-2.4%
Other applications ⁵	894	970	906	982	1028	4.7%
Finalisations						
Criminal complaints ¹	15,390	16,653	16,415	18,047	15,888	-12%
Committal Proceedings	261	249	246	298	322	8.1%
Breaches of orders ²	3,145	4,144	3,995	4,403	4,555	3.5%
Applications to grant or vary bail	288	352	298	297	320	7.7%
Applications for restricted driver licence	551	577	567	526	520	-1.1%
Other applications	795	857	762	821	909	11%
YOUTH JUSTICE COURT						
Lodgements						
Criminal complaints ¹	1,230	1,109	1,283	1,370	1,140	-17%
Breaches of orders ²	237	221	249	199	237	19%
Applications to grant or vary bail ³	30	28	49	55	58	5.5%
Applications for restricted driver licence ⁴	-	-	2	1	1	0.0%
Other applications ⁵	61	61	47	60	52	-13%
Finalisations						
Criminal complaints ¹	1,217	1,150	1,110	1,347	1,105	-18%
Committal Proceedings	8	5	12	12	3	-75%
Breaches of orders ²	311	217	234	209	206	-1.4%
Applications to grant or vary bail	22	21	26	38	34	-11%
Applications for restricted driver licence	-	-	2	1	1	0.0%
Other applications	58	37	55	49	41	-16%

CIVIL						
Lodgements						
Civil claims ⁶	4,434	4,083	3,838	3,756	3,424	-8.8%
Family violence order applications ⁷	909	1,129	1,058	1,172	1,361	16%
Restraint order applications	1,223	1,135	1,250	1,143	1,253	9.6%
Finalisations						
Civil claims ⁶	4,931	4,274	4,034	3,645	3,670	0.7%
Family violence order applications	763	934	922	1,073	1,361	27%
Restraint order applications	1,092	1,045	1,106	1,146	1,252	9.2%
CHILDREN'S COURT						
Care and protection applications lodged	659	763	735	848	983	16%
Care and protection applications finalised	656	657	613	758	897	18%
CORONERS COURT						
Reportable deaths and fires lodged	542	568	579	598	654	9.4%
Reportable deaths and fires finalised	489	494	582	605	568	-6.1%
TRIBUNALS⁶						
Lodgements						
Administrative Appeals	34	30	46	36	38	5.6%
Mining Tribunal	1	-	1	4	0	-100%
Finalisations						
Administrative Appeals	45	30	30	39	20	-51.3%
Mining Tribunal	2	-	-	1	-	-100%

¹ In accordance with the Report on Government Services (RoGS) statistics manual, the counting unit adopted for criminal complaints is a defendant per case based unit. This figure includes family violence and intervention order criminal activity (such as the breach of a family violence or intervention order) and not the civil activity (the application of an order) which is set out separately under 'civil'.

² Breaches of orders include all breaches that are not categorised as criminal activity for national ABS and RoGS reporting purposes. Orders include bail, suspended sentence, probation, and community service (now community correction orders), among others. A breakdown of these breaches by order type is provided in Table 10.

³ Reported in the 2016-17 annual report under the separate application type categories 'Filed Written Application for Bail' (*Bail Act 1994*, Section 23) and 'Filed Written Application to Vary Bail' (*Bail Act 1994*, Section 23).

⁴ Formerly reported in the 2016-17 annual report under the application type category 'Restricted Driver License Application' (*Vehicle and Traffic Act 1999*, Section 18).

⁵ Reported in the 2016-17 annual report under the separate application type categories of 'Application to have conviction set aside or penalty varied' (*Monetary Penalties Enforcement Act 2005*, Section 40), 'Preliminary proceedings order by Supreme Court' (*Justice Act 1959*, Section 61(2)), 'Application to set aside conviction and penalty' (*Justices Rules 2003*, Regulation 38), 'Drug treatment order review –vary conditions' (*Sentencing Act 1997*, Section 27), 'Other applications under Sentencing Act' (*Sentencing Act 1997*), 'Other applications under Youth Justice Act' (*Youth Justice Act 1997*), and 'Other miscellaneous applications'.

⁶ The counting unit adopted for civil claims and tribunals is case based.

⁷ Family violence order application lodgements do not include the sub-category 'Other applications regarding family violence order', a new category in 2017-18, in order to maintain consistency with past Annual Reports. For 2018-19, the categories included have expanded for this report and for RoGS. Therefore, results shown are not directly comparable to previous years.

Source: CRIMESStats database; Civil Registry Management System (CRMS).

Table 6: Family and Domestic Violence Summary Statistics, 2014-15 to 2018-19

Family and Domestic Violence Summary Statistics	2014-15	2015-16	2016-17	2017-18	2018-19	change 2017-18 to 2018-19
Application to grant a FVO						
Lodgements	532	669	583	648	747	15%
Finalisations	449	587	526	627	780	24%
Applications to extend or vary a FVO¹						
Lodgements	163	208	242	277	326	18%
Finalisations	143	157	205	227	311	37%
Applications to extend or vary a Police FVO²						
Lodgements	125	131	128	151	176	17%
Finalisations	97	91	93	117	167	43%
Applications to revoke a FVO						
Lodgements	22	42	37	24	42	75%
Finalisations	15	38	28	29	38	31%
Applications to revoke a Police FVO						
Lodgements	46	49	41	49	64	31%
Finalisations	39	37	45	53	59	11%
Applications to register an Interstate FVO						
Lodgements	21	30	27	19	5	-74%
Finalisations	19	24	23	19	5	-74%
Other applications regarding FVOs³						
Lodgements	1	1	2	4	1	-75%
Finalisations	1	0	2	1	1	0%
Breach of FVOs and Police FVOs⁴						
Lodgements	552	738	760	803	803	0.0%
Finalisations	506	622	689	748	738	-1.3%

¹ Reported in the 2016-17 annual report under the separate application type categories of 'to extend a Family Violence Order' and 'to vary a family violence order'. From 2017-18, this category also includes applications to vary an Interstate Domestic Violence Order (*Domestic Violence Orders (National Recognition) Act 2016, Section 25*).

² Reported in the 2016-17 annual report under the separate application type categories of 'to extend a Police Family Violence Order' and 'to vary a Police Family Violence Order' under the *Family Violence Act 2004*.

³ This is a new application category in 2017-18 that reports applications for restriction of publication (*Family Violence Act 2004, Section 32(1)*) and other family and domestic violence applications not further classified.

⁴ Breaches refer to charges under the *Family Violence Act 2004, Section 35 (1)*.

Source: CRIMEStats database

Table 7: Child Care and Protection Summary Statistics, 2014-15 to 2018-19

CARE AND PROTECTION ORDERS (CPOs)	2014-15	2015-16	2016-17	2017-18	2018-19	change 2017-18 to 2018-19
Applications for an CPO assessment¹						
Lodgements	151	180	170	201	256	27%
Finalisations	129	143	131	178	228	28%
Applications to grant a CPO²						
Lodgements	292	331	288	311	393	26%
Finalisations	326	296	243	304	352	16%
Applications to extend or vary a CPO³						
Lodgements	128	170	187	197	211	7.1%
Finalisations	126	143	163	180	219	22%
Applications to revoke a CPO⁴						
Lodgements	19	13	5	18	13	-28%
Finalisations	18	11	5	16	15	-6.3%
Other applications regarding CPOs⁵						
Lodgements	69	69	83	121	110	-9.1%
Finalisations	57	64	71	80	83	3.8%

¹ Reported in the 2016-17 annual report under the separate application type categories of 'Application for Assessment Order', 'Application for a further Assessment Order s22(5)' and 'Application for a further Assessment Order s22(5)(b)', under the *Children, Young Persons and Their Families Act 1997*.

² Reported in the 2016-17 annual report under the separate application type categories of 'Application for a Care and Protection Order (12 months) s42', 'Care & Protection Order granting custody of a child to the Secretary s42(4)(b)', 'Application for Care and Protection (Guardian-ship Order) s42(4)(c)' and 'Application for Care and Protection Order (until attains 18 years) s42(4)(d)' under the *Children, Young Persons and Their Families Act 1997*.

³ Reported in the 2016-17 annual report under the separate application type categories of 'Application for extension of care and protection order s44(1)' and 'Applications for variation of a Care and Protection Order' under the *Children, Young Persons and Their Families Act 1997*.

⁴ Reported in the 2016-17 annual report under the separate application type category of 'Application for revocation of a Care and Protection Order' under the *Children, Young Persons and Their Families Act 1997*.

⁵ Reported in the 2016-17 annual report under the separate application type categories of 'Application for Warrant to Take Child to Place of Safety' and 'Other applications under *Children, Young Persons and Their Families Act 1997*'.

Source: CRIMESStats database

Table 8: Restraint Order Summary Statistics, 2014-15 to 2018-19

Restraint Orders (ROs)	2014-15	2015-16	2016-17	2017-18	2018-19	change 2017-18 to 2018-19
Application to grant a RO						
Lodgements	1,128	1,063	1,169	1,064	1,180	11%
Finalisations	1,015	980	1042	1,065	1,178	11%
Applications to extend or vary a RO¹						
Lodgements	53	47	47	54	53	-1.9%
Finalisations	49	42	40	51	52	2.0%
Applications to revoke a RO						
Lodgements	24	26	32	22	19	-14%
Finalisations	25	22	23	26	21	-19%
Other Applications regarding a RO²						
Lodgements	2	1	2	3	1	-67%
Finalisations	3	1	1	4	1	-75%
Breach of an RO or Interim RO³						
Lodgements	88	101	119	100	125	25%
Finalisations	90	96	94	104	109	4.8%

¹ Reported in the 2016-17 annual report under the separate application type categories of 'Application to extend Restraint Order' (*Justices Act 1959*, Section 106G), and 'Application to vary Restraint Order' (*Justices Act 1959*, Section 106G).

² This is a new application category in 2017-18 that reports applications for registration of interstate restraint orders (*Justices Act 1959*, Section 106GB(1)(a)), and other applications not further classified.

³ Breaches refer to charges under the *Justices Act 1959*, Section 106I (1).

Source: CRIMESStats database

Table 9: Criminal Matters, by Court Level and Selected Offence Types, 2014-15 to 2018-19

	2014-15	2015-16	2016-17	2017-18	2018-19	change 2017-18 to 2018-19
MAGISTRATES COURT (ADULT)						
Crimes against the person						
Lodgements	2,676	2,818	2,946	3,240	3,294	1.7%
Finalisation	2,423	2,643	2,621	3,032	2,932	-3.3%
Property and deception offences						
Lodgements	2,311	2,314	2,463	2,611	2,398	-8.2%
Finalisation	2,090	2,385	2,204	2,620	2,344	-11%
Drug offences						
Lodgements	1,035	1,005	1,182	1,265	1,173	-7.3%
Finalisation	874	1,020	940	1,192	1,125	-5.6%
Public order and security offences						
Lodgements	1,500	1,577	1,561	1,628	1,567	-3.7%
Finalisation	1,475	1,517	1,476	1,588	1,436	-9.6%
Traffic and other offences						
Lodgements	8,062	8,253	8,041	7,616	6,596	-13%
Finalisation	7,478	7,903	7,752	8,072	6,802	-16%
Justice procedure offences						
Lodgements	1,291	1,576	1,717	1,656	1,479	-11%
Finalisation	1,216	1,401	1,582	1,690	1,402	-17%
Other offences						
Lodgements	148	126	152	171	134	-22%
Finalisation	125	123	126	157	169	7.6%
YOUTH JUSTICE						
Crimes against the person						
Lodgements	275	270	301	362	265	-27%
Finalisation	278	256	268	339	273	-19%
Property and deception offences						
Lodgements	467	408	528	572	508	-11%
Finalisation	458	442	449	577	472	-18%
Drug offences						
Lodgements	31	43	51	54	37	-31%
Finalisation	28	42	39	54	40	-26%

Public order and security offences						
Lodgements	202	160	165	215	162	-25%
Finalisation	190	171	147	206	163	-21%
Traffic and other offences						
Lodgements	201	175	159	112	116	4%
Finalisation	206	191	160	124	112	-9.7%
Justice procedure offences						
Lodgements	46	45	67	48	46	-4.2%
Finalisation	59	51	53	55	41	-25%
Other offences						
Lodgements	9	7	12	7	6	-14%
Finalisation	44	53	20	78	4	-95%

Source: CRIMESStats database

Table 10: Breaches of Orders and/or Order Conditions, 2014-15 to 2018-19

	2014-15	2015-16	2016-17	2017-18	2018-19	change 2017-18 to 2018-19
MAGISTRATES COURT (ADULT)						
Breach of bail						
Lodgements	2,885	3,263	3,496	3,849	3,886	1.0%
Finalisations	2,409	3,247	3,078	3,533	3,482	-1.4%
Breach of suspended sentence						
Lodgements	447	593	610	624	676	8.3%
Finalisations	401	535	550	552	614	11%
Breach of Community Corrections orders¹						
Lodgements	233	242	196	183	286	56%
Finalisations	209	229	239	177	332	88%
Other breaches						
Lodgements	163	149	164	191	127	-34%
Finalisations	126	133	128	141	127	-10%
YOUTH JUSTICE COURT						
Breach of bail						
Lodgements	169	120	149	135	148	10%
Finalisations	249	122	135	144	131	-9.0%
Breach of suspended sentence						
Lodgements	30	39	30	22	35	59%
Finalisations	29	43	27	23	32	39%
Contravention of Community Service orders						
Lodgements	29	37	31	29	24	-17%
Finalisations	30	32	34	28	26	-7.1%
Other breaches						
Lodgements	10	25	39	13	30	131%
Finalisations	3	20	38	14	35	150%

¹ Previously reported 'Breach of Supervision orders' now incorporated within Breach of Community Corrections Orders and Contravention of Community Service Orders.

Source: CRIMESStats database

Coronial Division

Table 11: Coronial – Summary of coronial activity 2014-15 to 2018-19

Deaths reported to the Coroner	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Lodgements	542	568	579	598	654
Deaths in Custody or Care	8	8	4	2	10
Fires/Explosions	0	0	0	0	0
Number of inquests held	10	11	22	19	23
Number of cases closed	489	494	582	605	568

Table 12: Coronial – Inquests and Investigations Completed 2014-15 to 2018-19

	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Aircraft	1	0	0	3	0
Death in Custody/Care	4	3	6 ¹	2	12 ³
Domestic Accident	3	4	0	7	3
Drowning	13	13	9	6	5
Drug Overdose	29	23	25	22	14
Fall	31	32	33	42	69
Homicide	2	8	7	6	5
Hospital	17	25	34	19	31
House Fire	0	2	1	2	1
Marine Fatality	2	0	0	0	0
Industrial Accident	2	1	0	4	7
Natural	242	251	343	320	292
Other	16	11	12	19	20
SIDS/SUDI	4	2	2	2	3
Suicide	71	67	73 ²	87	64
Undetermined Causes	17	11	10	29	18
Vehicle Crash	34	41	29	35	25 ⁴
TOTAL	488	494	582	605	568

¹Two deaths in custody/care were suicides and are repeated in the suicide category

²Two suicides are also reported in the deaths in custody/care category

³One case included as a suicide

⁴Does not include two industrial transport fatalities – they are included in the Industrial Accident category

Table 13: Coronial: Motor Vehicle Deaths; Inquests & Investigations Completed 2014-15 to 2018-19

	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Driver	10	22	20	9	10
Bystander / Pedestrian	1	6	2	3	6
Passenger	8	10	3	6	2
Bicycle	3	0	0	1	2
Motorcycle	12	3	4	16	5
Motorised Wheelchair	0	0	0	0	0
TOTAL	34	41	29	35	25¹

¹Does not include two industrial transport fatalities

Table 14: Coronial – Self-Inflicted Deaths – Closed – by method – 2014-15 to 2018-19

	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
Hanging	32	32	25	44	32
Carbon Monoxide	7	5	8	6	7
Drug Overdose	11	6	13	19	10
Burns	0	2	2	0	0
Gunshot	8	8	11	8	4
Drowning	2	2	7	7	3
Jumping	4	4	2	3	5
Other	7	8	5	0	3
TOTAL	71	67	73	87	64

Performance Indicators

A national framework of performance indicators adopted by the Court support the aims of the Court. Key measures used to assess the performance of the Magistrates Court are:

Backlog Indicator – a measure of effectiveness in relation to timeliness and delay

Clearance Rate - an efficiency measure of the inputs per output unit

Attendance Indicator - an effectiveness measure of timeliness and delay.

These measures should be treated as indicative rather than definitive as the Court does not have total control over the process for adjudicating criminal matters, resolving civil disputes and investigating coronial matters, and consequently other parties may introduce and contribute to delays.

Backlog Indicator

This indicator is a measure of case processing timeliness. This measure has been developed on a national basis as a means of determining the performance of a court.

In the criminal jurisdiction, those defendants who have bench warrants associated with them have been excluded from the count, and in the civil jurisdiction those lodgements that have not been acted upon in the last 12 months have been excluded. The aim has been to focus on those matters that are part of an 'active pending' population.

Similarly, the indicator recognises that case processing must take some time and that such time does not necessarily equal delay. Timeliness can be affected by delays caused by factors other than those related to the workload of the Court (for example, a witness, a party, or counsel not being available or ready to proceed).

The backlog indicator measures the Court's pending caseload against timeliness standards and the Court's performance is set out in Tables 15 and 16.

Table 15: Criminal Pending Caseload (at 30 June 2019) & Backlog Indicator 2014-15 to 2018-19

PENDING CASELOAD ¹	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	change 2017-18 to 2018-19
MAGISTRATES COURT						
Total lodged pending completion	7,312	7,426	7,952	7,788	7,477	-4.0%
Between 6 and 12 months	1,353	1,294	1,748	1,650	1,560	-5.5%
Greater than 12 months	1,007	967	1,000	1,166	1,130	-3.1%
Backlog Indicator						
% greater than 6 months	32.3	30.4	34.6	36.2	36.0	-0.2 pp
% greater than 12 months	13.8	13.0	12.6	15.0	15.1	0.1 pp
YOUTH JUSTICE COURT						
Total lodged pending completion	438	354	442	413	395	-4.4%
Between 6 and 12 months	69	39	48	55	78	42%
Greater than 12 months	53	47	24	29	30	3.4%
Backlog Indicator						
% greater than 6 months	27.9	24.3	16.3	20.3	27.3	7 pp
% greater than 12 months	12.1	13.3	5.4	7.0	7.6	0.6 pp

pp refers to percentage points

¹ In accordance with the Report on Government Services (RoGS) statistics manual, the counting unit adopted for criminal complaints is a defendant per case based unit. This figure includes family violence and intervention order criminal activity (such as the breach of a family violence or intervention order) and not the civil activity (the application of an order) which is set out separately under 'civil' in Table 16.

Source: CRIMESStats database

Table 16: Civil Pending Caseload (at 30 June 2019) & Backlog Indicator 2014-15 to 2018-19

PENDING CASELOAD ¹	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	change 2017-18 to 2018-19
CIVIL MAGISTRATES COURT						
Total lodged pending completion	3,729	3,557	3,477	3,547	3,648	2.8%
Between 6 and 12 months	1,177	1,014 ²	994	1072	1,158	8.0%
Greater than 12 months	460	409	431	378	493	30%
Backlog indicator						
% greater than 6 months	43.9	40	41.0	40.9	45.3	4.4 pp
% greater than 12 months	12.3	11.5	12.4	10.7	13.5	2.8 pp
CHILDREN'S COURT						
Total lodged pending completion	45	58	59	66	84	27%
Between 6 and 12 months	3	5	6	13	15	15%
Greater than 12 months	4	3	6	11	16	45%
Backlog indicator						
% greater than 6 months	15.6	13.8	20.3	36.4	36.9	0.5 pp
% greater than 12 months	8.9	5.2	10.2	16.7	19.0	2.3 pp
CORONERS COURT						
Total lodged pending completion	518	555	569	553	638	15%
Between 12 and 24 months	107	132	132	145	174	20%
Greater than 24 months	65	45	92	81	98	21%
Backlog indicator						
% greater than 12 months	33.2	31.9	39.4	40.9	42.6	1.7 pp
% greater than 24 months	12.5	8.1	16.3	14.6	15.4	0.8 pp

pp refers to percentage points

¹ In accordance with the Report on Government Services (RoGS) statistics, the pending caseload for civil claims, family violence and intervention orders, and care and protection orders counts only originating matters (e.g. application for an order) and not secondary processes (e.g. application to vary an order).

² In 2015-16 and 2016-17, this figures was incorrectly published as 1,104.

Source: CRIMESStats database, Civil Registry Management System (CRMS).

Clearance Rate

The clearance rate is an indicator of efficiency in processing the inflow of cases through the Court and has been agreed nationally as a measure of whether a court is keeping up with its workload. The Court's performance against this measure is set out in Table 19.

The clearance rate is the number of finalisations in the reporting period divided by the number of lodgements in the same period (multiplied by 100 to convert to a percentage). The following should assist in understanding the clearance rate:

- A figure of 100 per cent indicates that, during the reporting period, the Court finalised as many cases as were lodged
- A figure greater than 100 per cent means that the pending caseload of the Court is decreasing
- A figure less than 100 per cent means that the pending caseload of the Court is increasing

It should be noted that the clearance rate can be affected by external factors, such as the readiness of parties, changes in legislation, and the Court's case management practices.

Table 17: Criminal Disposals by Court Level, 2014-15 to 2018-19

CRIMINAL DISPOSALS ¹	2014-15	2015-16	2016-17	2017-18	2018-19	change 2017-18 to 2018-19
MAGISTRATES COURT						
Total finalised cases	15,390	16,653	16,415	18,047	15,888	
Cases finalised in 6 to 12 months	3,196	3,926	4,197	4,566	3,830	-16%
Cases finalised after 12 months	2,394	2,592	2,495	3,632	2,985	-18%
Disposal Indicator						
% greater than 6 months	36.3	39.1	40.8	45.4	42.9	-2.5 pp
% greater than 12 months	15.6	15.6	15.2	20.1	18.8	-1.3 pp
YOUTH JUSTICE COURT						
Total finalised cases	1,217	1,150	1,110	1,347	1,102	-18%
Cases finalised in 6 to 12 months	224	229	202	300	280	-6.7%
Cases finalised after 12 months	155	141	94	130	86	-34%
Disposal Indicator						
% greater than 6 months	31.1	32.2	26.7	31.9	33.2	1.3 pp
% greater than 12 months	12.7	12.3	8.5	9.7	7.8	-1.9 pp

pp refers to percentage points

¹ In accordance with the Report on Government Services (RoGS) statistics manual, the counting unit adopted for criminal complaints is a defendant per case based unit. This figure includes family violence and intervention order criminal activity (such as the breach of a family violence or intervention order) and not the civil activity (the application of an order) which is set out separately under 'civil' in Table 18.

Source: CRIMESStats database

Table 18: Civil Disposals by Court Level, 2014-15 to 2018-19

CIVIL DISPOSALS ^{1, 2}	2014-15	2015-16	2016-17	2017-18	2018-19	change 2017-18 to 2018-19
MAGISTRATES COURT						
Total finalised cases	na	na	6143	5,760	6,283	9.1%
Cases finalised in 6 to 12 months	na	na	2071	1,960	1,964	0.2%
Cases finalised after 12 months	na	na	798	752	1073	43%
Disposal Indicator						
% greater than 6 months	na	na	46.7	47.1	48.3	1.2 pp
% greater than 12 months	na	na	13.0	13.1	17.1	4.0 pp
CHILDREN'S COURT						
Total finalised cases	na	na	327	406	448	10%
Cases finalised in 6 to 12 months	na	na	39	34	62	82%
Cases finalised after 12 months	na	na	11	18	36	100%
Disposal Indicator						
% greater than 6 months	na	na	15.3	12.8	21.9	9.1 pp
% greater than 12 months	na	na	3.4	4.4	8.0	3.6 pp
CORONERS COURT						
Total finalised cases	na	na	582	605	568	-6.1%
Cases finalised in 12 to 24 months	na	na	245	196	183	-6.6%
Cases finalised after 24 months	na	na	102	138	66	-52%
Disposal Indicator						
% greater than 6 months	na	na	59.6	55.2	43.8	-11.4 pp
% greater than 12 months	na	na	17.5	22.8	11.6	-11.2 pp

pp refers to percentage points

¹ This indicator has been published in the Report on Government Services (RoGS) for civil matters from the 2016-17 financial year onwards. The above recorded pre-2016-17 data has been generated using the methods prescribed for RoGS.

² In accordance with the Report on Government Services (RoGS) statistics manual, the Civil Magistrates Court and Children's Court pending caseload for civil claims, family violence and intervention orders, and care and protection orders counts only originating matters (e.g. application for an order) and not secondary processes (e.g. application to vary an order).

Source: CRIMESStats database, Civil Registry Management System (CRMS).

Table 19: Criminal and Civil Clearance Rates, by Court, 2014-15 to 2018-19

	2014-15	2015-16	2016-17	2017-18	2018-19	change 2017-18 to 2018-19
CRIMINAL						
Magistrates Court	91.9	95.7	92.2	100.9	97.4	-3.5 pp
Youth Justice Court	98.9	103.7	86.5	98.3	96.7	-1.6 pp
CIVIL						
Civil Magistrates Court	106.8	104	104.5	99.2	104.1	4.9 pp
Children's Court	121.2	100.9	107.6	116.3	112.3	-4.0 pp
Coroner's Court	90.2	87.0	100.5	101.2	87.0	-14 pp

pp refers to percentage points

Source: CRIMESStats database, Civil Registry Management System (CRMS).

Attendance Index

The attendance index is based upon the number of court attendances required to resolve a matter and has been identified nationally as an appropriate effectiveness measure. Table 20 shows the Court's performance against this measure.

The number of attendances is the number of times that parties or their representatives were required to be present in court to be heard by a judicial officer or mediator/arbitrator (including appointments which were adjourned or rescheduled).

This year's Report presents the total number of finalisations during the year and the number of attendances associated with these matters (no matter when the attendance occurred). This approach simply represents an average number of attendances per finalisation. In the context of the attendance indicator, it is important to note that Alternative Dispute Resolution (ADR) can resolve matters out of court and reduce court attendances.

Table 20: Criminal and Civil Attendance Indicator, by Court, 2014-15 to 2018-19

	2014-15	2015-16	2016-17	2017-18	2018-19	change 2017-18 to 2018-19
CRIMINAL						
Magistrates Court	4.0	4.3	4.2	4.4	4.5	0.1 pp
Youth Justice Court	5.8	5.2	4.9	5.5	5.6	0.1 pp
CIVIL						
Civil Magistrates Court	1.1	1.2	1.2	1.3	1.4	0.1 pp
Children's Court	5.4	5.0	4.8	4.6	4.7	0.1 pp
Coroner's Court	1.0	1.4	3.1	3.1	4.4	1.3 pp

pp refers to percentage points

Source: CRIMESStats database, Civil Registry Management System (CRMS).

Court Finances

The Magistrates Court contributes to the Department of Justice output entitled 'Administration of Justice'. The Court orders the payment of fees and fines, which are set out in Table 21. The Court's expenditure is set out in Table 22.

The totals in Table 22 include expenditure from the Consolidated Revenue Fund and Reserve By Law.

Table 21: Magistrates Court Fines and Fees (inc. Youth Justice Court), 2014-15 to 2018-19 (\$'000)

	2014-15	2015-16	2016-17	2017-18	2018-19	change 2017-18 to 2018-19
CRIMINAL						
Fines	3,312	3,919	4,211	4,861	4,093	-16%
Court Costs	710	814	829	871	789	-9.4%
Appeal Costs Fund Levy	28	31	32	33	39	18%
Victims of Crime Compensation Levy	263	312	288	326	314	-3.7%
Other Costs ¹	250	272	155	247	214	-13%
CIVIL						
Civil Court Fees	649	608	592	593	548	-7.6%

¹ 'Other costs' includes special penalties, analysis fees, and other party costs.

Table 22: Expenditure by outlay – Magistrates Court Services, 2014-15 to 2018-19

	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
	Actual \$,000	Actual \$,000	Actual \$,000	Actual \$,000	Actual \$,000
Salaries of magistrates and staff	8,589	8,664	8,721	9,302	9,681
Other Employee Related Expenses	225	274	278	353	367
Information Technology	280	290	309	349	413
Materials Supplies & Equipment	105	121	103	119	96
Travel and Transport	268	273	303	311	328
Property Expenses	1,565	1,639	1,600	1,903	1,850
Other Expenditure	374	510	731	1,377	1,392
Consultants	8	21	1	5	13
TOTAL	11,414	11,792	12,046	13,719	14,142