



MAGISTRATES COURT OF TASMANIA
ANNUAL REPORT
2019 to 2020

CONTENTS

FROM THE CHIEF MAGISTRATE	5
YEAR AT A GLANCE 2019 to 2020	6
Aim and Purpose of the Court	7
Our Values	7
Overview of the Court	7
Court Locations	9
Magistrates	10
Court Staff	10
Bench Justices	11
Professional Development	12
Covid-19 Arrangements and Impacts	13
Legislative Changes	14
Criminal and General Division Legislation	14
Caseload	15
Information Technology (IT)	17
Justice Connect	17
Video Conferencing	17
Burnie Court Redevelopment	19
Legal Education and Community Involvement	20
Legal Practice Course	20
CourtWatch	20
Legal Education	20
Access to Justice	21
Disability Access	21
Interpreters	22
Community Legal Services	22
Duty Lawyer Scheme	22
Witness Assistance Service	23
Salvation Army – Court and Prison Chaplaincy	23
Save the Children	24
Other support services	24
Coronial Division	25
Coronial Education	26
Tasmanian Suicide Register	26
Tasmanian Overdose Deaths Register	27
Deaths in Custody	28
Deaths in Care	28
Other Inquests and Findings	28
Responses to Coronial Recommendations	28

Court Statistics and Performance Indicators _____	29
Caseload _____	29
Table 1: Summary Figures by Court 2019 to 20 _____	29
Table 2: Pending Caseload at 30 June 2020 and Backlog Indicator by Selected Courts 2019 to 20 _____	30
Table 3: Activity of the Magistrates Court (incl. Youth Justice) by Listing Type 2019 to 20 _____	30
Table 4: Magistrates Court Fines and Fees (incl. Youth Justice Court) 2019 to 20 _____	31
Court Statistics _____	32
Table 5: Summary Statistics by Court Level 2015 to 16 to 2019 to 20 _____	32
Table 6: Family and Domestic Violence Summary Statistics 2015 to 16 to 2019 to 20 _____	35
Table 7: Child Care and Protection Summary Statistics 2015 to 16 to 2019 to 20 _____	36
Table 8: Restraint Order Summary Statistics 2015 to 16 to 2019 to 20 _____	37
Table 9: Criminal Matters by Court Level and Selected Offence Types 2015 to 16 to 2019 to 20 _____	38
Table 10: Breaches of Orders and/or Order Conditions 2015 to 16 to 2019 to 20 _____	40
Coronial Division _____	41
Table 11: Coronial – Summary of Coronial Activity 2015 to 16 to 2019 to 20 _____	41
Table 12: Coronial – Inquests and Investigations Completed 2015 to 16 to 2018 to 19 _____	41
Table 13: Coronial – Motor Vehicle Deaths – Inquests and Investigations Completed 2015 to 16 to 2019 to 20 _____	42
Table 14: Coronial – Self-Inflicted Deaths – Closed by Method 2015 to 16 to 2019 to 20 _____	42
Performance Indicators _____	43
Backlog Indicator _____	43
Table 15: Criminal Pending Caseload at 30 June 2020 and Backlog Indicator 2015 to 16 to 2019 to 20 _____	44
Table 16: Civil Pending Caseload at 30 June 2020 and Backlog Indicator 2015 to 16 to 2019 to 20 _____	45
Clearance Rate _____	46
Table 17: Criminal Disposals by Court Level 2015 to 16 to 2019 to 20 _____	47
Table 18: Civil Disposals by Court Level 2015 to 16 to 2019 to 20 _____	48
Table 19: Criminal and Civil Clearance Rates by Court 2015 to 16 to 2019 to 20 _____	49
Attendance Index _____	50
Table 20: Criminal and Civil Attendance Indicator by Court 2015 to 16 to 2019 to 20 _____	50
Court Finances _____	51
Table 21: Magistrates Court Fines and Fees (inc. Youth Justice Court) 2015 to 16 to 2019 to 20 _____	51
Table 22: Expenditure by Outlay – Magistrates Court Services 2015 to 16 to 2019 to 20 _____	51



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 2019 to 2020**

I enclose the Annual Report for 2019 to 2020 for the Magistrates Court, as required by the *Magistrates Court Act 1987*, section 17C.

The report incorporates the Annual Report for the Coronial Division which is required by the *Coroners Act 1995*, section 69.

The reports are provided to you as Minister for Justice and Attorney-General.

Yours sincerely

A handwritten signature in black ink, appearing to read 'C. Archer', written in a cursive style.

Chief Magistrate

26 November 2020

FROM THE CHIEF MAGISTRATE

The 2019-2020 year has been incredibly challenging for the Court and I am very grateful to our dedicated and committed magistrates and staff for their outstanding work throughout the reporting year.

The rapid response required by the Court in March due to Covid-19 was made possible by everyone's willingness to be flexible and work together.

I am particularly appreciative of the work of our Administrator of Courts, Penelope Ikedife, whose professionalism and dedication throughout the reporting period has been exceptional, particularly through our Covid-19 response. I also thank and am very grateful to our Covid-19 team, Deputy Chief Magistrate Michael Daly, Magistrate Simon Cooper, Deputy Administrator Roger Illingworth until his retirement in April, Deputy Administrator Adrienne Kile, and District Registrar/Manager Marissa Priest. Their contributions have been, and continue to be, invaluable in planning and responding to Covid-19.

Finally, I acknowledge the commitment and collegiality of the magistrates which is sincerely appreciated.

YEAR AT A GLANCE 2019 to 2020

Criminal Statistics

ADULT CRIMINAL	YOUTH JUSTICE CRIMINAL
Lodged	Lodged
16,253 ↓ 2.3%	1,063 ↓ 7%
Finalised	Finalised
13,654 ↓ 14%	1,027 ↓ 7%

Coroners Court Reportable Deaths, Fires & Explosions

CORONERS COURT REPORTABLE DEATHS, FIRES & EXPLOSIONS	CORONERS COURT REPORTABLE DEATHS, FIRES & EXPLOSIONS
Lodged	Finalised
751 ↑ 14.8%	722 ↑ 27.1%

Civil Statistics

NUMBER OF CIVIL CLAIMS	NUMBER OF CIVIL CLAIMS
Lodged	Finalised
2,545 ↓ 25.7%	3,308 ↓ 9.9%

Family Violence Order (FVO) Applications

FVO APPLICATIONS	FVO APPLICATIONS
Lodged	Finalised
1,370 ↑ 1%	1,145 ↓ 16%

Activity of the Magistrates Court (including Youth Justice)

TOTAL NUMBER OF LISTINGS
154,874 ↑ 0.6%

Aim and Purpose of the Court

The aim of the Magistrates Court of Tasmania is to inspire confidence in justice. 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 protect rights and to uphold the law fairly and impartially.

Our Values

- Independence
- Integrity
- Respect for all
- Timeliness
- Transparency

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.

The work of the Court is supported by approximately 60 staff around the State.

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 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.

The Court sits as the Court of Petty Sessions, a court of summary jurisdiction provided for in the *Justices Act 1959*. Other divisions of the Court are provided for in legislation. These divisions are:

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

More detailed information about the Court's day-to-day operations, including services, locations, decisions and court lists, is available on the Magistrates Court website at <https://www.magistratescourt.tas.gov.au/>.

Magistrates

At 30 June 2020, 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 (ret. 02/08/2019)	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	
Magistrate A R McKee	Burnie
Magistrate R B Webster (from 07/10/2019)	Magistrate T K Jago
Magistrate J G Hartnett (from 29/06/2020)	

During the reporting year the Court farewelled its longest serving magistrate, Magistrate Sam Mollard, who was a magistrate for 30 years. Magistrate Mollard has been missed during the year, but the Court was pleased to welcome Magistrate Robert Webster as Magistrate Mollard's replacement.

In an unprecedented year for judicial appointments the Court also welcomed the appointment of Magistrate Jackie Hartnett who is an additional magistrate, rather than one replacing an outgoing judicial officer. Magistrate Hartnett's appointment brings the total number of magistrates state-wide to 16.

Court Staff

At the end of the reporting period, 30 June 2020, the Magistrates Court employed 63 staff (55.03 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.

¹ Staffing numbers exclude magistrates as they are not Tasmanian State Service employees. At 30 June 2020 there were 16 full time magistrates.

Bench Justices

The Court once again expresses its gratitude for the voluntary contributions of the bench justices and their service to the administration of justice. A large part of bench justices' 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.

This year the bench justices have been particularly flexible in adapting to and accommodating changes brought about by Covid-19. Circumstances have been quite challenging at times, and the bench justices have continued to be an invaluable support to the Court and in their contribution to the criminal justice system in this State.

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 628 adult defendants
- dealt with 39 youths
- convened 215 mid-week courts (usually sitting at 7pm)
- convened 421 weekend courts (held each weekend day at 11am and 7pm)
- dealt with 246 family violence matters.

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. In 2019 to 20 fewer preliminary proceedings hearings were heard because all preliminary proceedings hearings were suspended between April and July 2020 for Covid-19 safety reasons. The Supreme Court suspended criminal trials during the same period which meant that the lack of preliminary proceedings hearings did not cause delays in the Supreme Court.

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. They are able to contact a magistrate at any time if they require assistance.

The number of preliminary proceedings hearings conducted around the State was evenly spread across all registries:

- Hobart - 20
- Burnie - 21
- Devonport - 18
- Launceston - 21

During the reporting period, magistrates covered the after-hours court duties of bench justices from mid-April until late May, due to Covid-19 arrangements. The

number of after-hours courts was reduced and magistrates sat in courts at weekends, using audio-visual links to allow parties, and the magistrate, to attend remotely. The Court is grateful to the court clerks who managed the administrative workload at weekends and provided essential support to the magistrates.

Professional Development

The Court continues its involvement in national and international forums for the discussion of justice and court administration issues 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>Magistrates Orientation Program</i>	Magistrate Topfer	Brisbane	2 to 6 September 2019
<i>Commonwealth Magistrates' and Judges' Association Conference</i>	Magistrate Hay	Papua New Guinea	8 to 12 September 2019
<i>Magistrates Orientation Program</i>	Magistrate R Webster	Sydney	1 to 6 December 2019
<i>National Judicial College of Australia - Judicial Officers with Leadership Responsibilities Program</i>	Deputy Chief Magistrate Daly	Sydney	30 October to 1 November 2019
<i>National Judicial College of Australia - Writing Better Judgements</i>	Magistrate Jago	Sydney	10 to 12 February 2020

The magistrates' professional development program continued with a conference held in Launceston from 17 to 18 October 2019. Usually a second conference would be held in April but this did not occur due to Covid-19. In October, a range of presentations were delivered by guest presenters and magistrates. Topics included updates on body worn cameras, family violence electronic monitoring and home detention orders, as well as presentations and discussions on sentencing, achieving the best evidence from vulnerable witnesses, obtaining the child's views in child safety matters, collaborative decision making, and the complexities of language.

This very valuable conference was only possible with the assistance of the organisers of the conference and 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 the following topics:

- New staff inductions

- De-escalation Strategies
- Recruitment and Selection Panel Training
- Ethics and Behaviour
- Family Violence
- Managing Mental Health and Wellbeing in the Workplace
- Unconscious Bias
- Violence Against Women
- Work Health and Safety Training

Covid-19 Arrangements and Impacts

The Magistrates Court made a number of changes to its normal operations from March 2020, in response to the Covid-19 pandemic. The changes were set out in several practice directions and circulars published on the Court's [website](#), and responded to the changing circumstances and public health advice.

Despite the challenging circumstances, the Court prioritised the matters it dealt with to ensure that access to justice was maintained. Bail applications were given priority, as were matters where the accused was in custody, youth justice, child protection, family violence, restraint order, court mandated diversion (drug treatment orders), and residential tenancy matters.

This approach meant that the most vulnerable and those whose liberty was affected were assured of access to the Court.

The Court maintained its commitment to protecting the health and safety of magistrates, staff and others attending the Court's buildings, and has ensured that it complies with directions issued by the Director of Public Health. Due to density and social distancing requirements limits were placed on the number of additional people who were admitted to court buildings, with priority given to those who were required to appear, those who were attending as support persons, and the media. Even after the relaxation of density requirements the need to maintain physical distance between individuals has placed considerable limitations on the size of court lists because of the comparatively low number of people who can be accommodated in each courtroom and the Court buildings generally.

Early in the Covid-19 peak period Tasmania Police were asked to reduce the number of matters listed into summons and police bail lists by 50 per cent. They were also asked to push out the first listing date, with summonses to be listed to a date not sooner than 20 weeks and for police bail to a court date not sooner than 12 weeks. The cap on the number of cases which can be listed by Police remains in place because it is the means by which the Court can best limit the number of people who need to enter the Court buildings.

Audio visual and telephone links were made available for as many court users as possible. During the fourth quarter the Court directed the use of remote means

of appearing, except where a magistrate required an in-person attendance. The court suspended its usual audio and audio visual link fees. The media was provided with access by audio visual link on request. Audio visual and telephone link options for appearances continue to be available, with the permission of the magistrate. The usual fees for remote appearances have not been reinstated to ensure that the option of a telephone or audio visual appearance is available to people regardless of their financial circumstances.

The Burnie Magistrates Court was closed to the public for a period of approximately three weeks in April and May as a consequence of public health directions arising from an outbreak in the region. Magistrates and court staff continued to work from the building, but during that period all matters were dealt with by audio visual link or telephone.

One consequence of the Covid-19 safety measures was to reduce the number of matters that could progress through the Court, thus further increasing the Court's backlog. During the peak of the Covid-19 period the Court's criminal lodgements did not reduce significantly but the first appearances for those matters were delayed, which increased case duration.

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:

- Criminal Code Amendment (Sexual Abuse Terminology) Act 2020
- Covid-19 Disease Emergency (Miscellaneous Provisions) Act 2020
- *Dangerous Criminals and High Risk Offenders Bill 2020*
- Evidence (Children and Special Witnesses) Amendment Act 2020
- Evidence Amendment Act 2020
- Justice Legislation Amendments (Criminal Responsibility) Act 2020
- Tasmanian Civil and Administrative Tribunal Bill 2020

Criminal and General Division Legislation

The *Magistrates Court (Criminal and General Division) Act 2019*, the *Magistrates Court (Criminal and General Division) (Consequential Amendments) Act 2019* and the *Restraint Orders Act 2019* were passed by Parliament on 12 December 2019, but are yet to be proclaimed.

As stated in section 3, the main purpose of the *Magistrates Court (Criminal and General Division) Act 2019* is to establish and provide for the administration of justice in the new Magistrates Court (Criminal and General Division) in a manner which:

- provides for enhanced access to justice
- facilitates the timely dispensing of justice according to law
- ensures that all proceedings are conducted fairly

During the reporting period an implementation project commenced, with the project manager reporting to the Magistrates Court Criminal and General Division Steering Committee. Implementation of this legislation is heavily reliant on support from Tasmania Police and other important external parties, including the Law Society of Tasmania, the Tasmanian Bar, and Tasmania Legal Aid. All these organisations will be affected by the new legislation, and their input and assistance with its development has been very valuable.

In addition to the large number of processes and procedures that need to be reviewed and amended before the Act can be proclaimed, the implementation project is also dependent on integration with Astria. Astria is the new information technology (IT) system being developed by the Justice Connect program, which is a substantial Department of Justice undertaking to replace aged IT systems and which will bring efficiencies to the justice system as a whole.

The implementation project is working closely with the Astria project team to ensure that the implementation of the new legislation, rules and regulations are integrated into the Court's new IT system.

Caseload

In 2019 to 20 the Court experienced a decrease in adult criminal lodgements of 2.3 per cent. This followed a larger decrease of 8.5 per cent in 2018 to 19, predominantly due to a reduction in lodgements for traffic offences, which tend to be quick to finalise. There were 16,641 lodgements in the 2018 to 19 year and 16,253 in the 2019 to 20 year.

Lodgements of general civil proceedings decreased by 25.7 per cent. However, lodgements of restraint orders and family violence orders, which are counted as civil lodgements in the Report on Government Services, have remained steady, increasing by 1.1 per cent from the 2018 to 19 year.

The Covid-19 risk mitigation measures that were implemented in the final quarter of 2019 to 20 had a significant impact on the adult criminal pending caseload. The adult criminal backlog increased 26 per cent in the reporting period, from 7,477 at 30 June 2019 to 9,401 at 30 June 2020.

The complexity of the matters before the Court has increased during recent years

with the use 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. These types of sentencing orders provide the Court with additional and more nuanced options which assist in enabling it to address 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 2019 to 2020 reporting year was as follows:

Case Lodgement Type	Number
Criminal – Adult	16,253
Criminal – Youth Justice	1,063
Family violence order applications	1,370
Restraint order applications	1,273
Child protection applications	733
Civil (minor civil, civil, residential tenancy)	2,545
Miscellaneous applications (adult & youth)	2,259
Breaches of orders (incl. bail, suspended sentence, community service orders)	5,150
Administrative Appeals, Mining Tribunal	16
Coronial cases	751

Revenue from civil fees decreased in 2019 to 20 and is at the lowest level for the past eight years. There has been a continuation of a trend of decreasing civil lodgements in 2019 to 20 as well as a general downturn in activity in the civil jurisdiction, which may be partly attributable to Covid-19.

With a lower number of criminal matters being finalised (down 13.9 per cent) in 2019 to 20 due to Covid-19, there has been a reduction in the imposition of court costs, which in turn reduces the Court's income. Court costs were down \$88,000 or 11.2 per cent in 2019 to 20 compared with the previous year and were the lowest recorded in the past five years.

Court fines are not retained by the Court. In 2019 to 20 the Court imposed \$3,525,000 in fines, 14 per cent less than in the 2018 to 19 year. Details of the fines, costs, fees and levies imposed by the Court in 2019 to 20 are provided in Court Finances section - Table 21.

Information Technology (IT)

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 Civil Registry Management System (CRMS) for civil work, and Monash University National Centre for Coronial Information (MUNCCI) and National Coronial Information System (NCIS) for coronial work.

In 2018 the government announced the Justice Connect program which will replace Tasmania's justice IT systems.

During the reporting period, the government awarded the tender to deliver the new system to a consortium of companies. The new system, known as Astria, will be implemented in stages. The first stage is due to be completed in mid-2023 and the second, replacing civil and coronial systems, by early 2024.

Astria will 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. Astria will also allow the Magistrates Court to implement changes to court processes under the new *Magistrates Court (Criminal and General Division) Act 2019*, which is not yet proclaimed.

Video Conferencing

The Court's video-conference facilities increase the community's access to justice. Traditionally witnesses and defendants in custody may be permitted 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, significantly reducing the cost, inconvenience and risk associated with such transports.

Provision is 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 significantly increased the matters that could be dealt with by telephone or video link, in order to limit the number of people required to enter court buildings, to reduce movement around the State, and to enable compliance with physical distancing requirements. Parties to proceedings, lawyers and prosecutors as well as staff from other services such as Community Corrections were able to appear remotely. In some instances magistrates also worked remotely, using audio visual links to run their courts.

To support the use of remote access to courts any fees that would normally be imposed for parties to appear by telephone or video link (usually for civil matters) were suspended.

As noted previously, all Burnie Magistrates Court matters were dealt with via audio visual link or telephone during the three week period of closure to the public in April and May 2020. The increased use of video conferencing with the Tasmania Prison Service since April 2020 has reduced the need to transport defendants to court in many cases. This has been particularly evident Burnie and Devonport, where courts have been able to deal with more complex matters, including sentencing, by video link. In the absence of this technology a body warrant would be issued to require the defendant to appear in person.

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 modern video conferencing facilities were installed in two Hobart courtrooms, completed with funds awarded in the 2018 to 19 year by the Solicitors' Guarantee Fund and from the Court's own retained revenue. These improvements proved very timely given the increased demand for video conferencing during the Covid-19 peak period in quarter four, and thereafter.

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 sits in person on King Island when required. At present Queenstown circuit courts are held in person. It is likely that the Queenstown court will need to relocate elsewhere in the town in the future, and the Court's aim is to move to a building with infrastructure available to enable some courts to be held by video link.

The majority of the Smithton court lists are dealt with by video link as the current building is not suitable for in-person appearances. There are significant acoustic issues within the building that make video link courts difficult. As a consequence, complex matters are dealt with in the Burnie court. The Court continues to investigate other sites for the Smithton court, however to date no viable alternative has been found.

The Court also sits in St Helens and Scottsdale and these courts are held in person. The Whitemark court is conducted by video link, although a magistrate will sit in person if matters are listed for hearing.

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 to 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.

During the reporting period the Department of Justice's project team reviewed the viability of the existing building for redevelopment. The assessment of the existing Burnie Court Complex, undertaken during the design process, raised a number of issues that were unable to be mitigated within the available budget.

In June 2020, the Government announced that \$5.9 million of funding for the project will be brought forward to progress relocation of the Courts to the University of Tasmania's campus at Mooreville Road, Burnie. Planning work is progressing for the refurbishment of the site to create a modern, fit-for-purpose court complex, with a tender process for architects to be commenced early in the 2020 to 21 year.

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, schools and community groups.

Legal education activities were interrupted in early 2020 due to the implementation of Covid-19 restrictions. This particularly affected the Legal Practice Course students and the regular tours that are available to schools.

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 long 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. Despite missing some scheduled appearances due to Covid-19 restrictions, the Court successfully changed the mock courts to audio visual courts using Zoom, albeit with limited exercises.

The Criminal Law Practice and Advocacy unit provides invaluable experience for students to appear before real magistrates in a court setting. This 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 usually hosts each trainee for a day to provide them with the opportunity to sit in court with a magistrate and to gain an understanding of the administrative processes of the Court. Unfortunately due to Covid-19 this program was not available in 2019 to 20.

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, however this option was not available in the fourth quarter, due to Covid-19 restrictions. 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
<i>National Judicial College of Australia (NJCA), Brisbane</i>	Training New Magistrate	Chief Magistrate Geason
<i>Law Society Tasmania</i>	Covid-19 Navigating Criminal Practice	Chief Magistrate Geason
<i>Litigation Convention - Law Society of Tasmania</i>	Sentencing for Early Career Lawyers	Deputy Chief Magistrate Daly
<i>North West Young Lawyers – Law Society of Tasmania</i>	Tips for Good Legal Practice	Magistrates Fairley and Topfer
<i>North West and North Medical Registrars</i>	Medico-Legal Issues Lecture/Workshop	Magistrate Fairley
<i>Litigation Convention - Law Society of Tasmania</i>	The Coronial Court for Early Career Lawyers	Magistrate McKee
<i>Litigation Convention - Law Society of Tasmania</i>	Expert Evidence in the Context of Tribunals and Divisions of the Magistrates Court not bound by the Rules of Evidence	Magistrate McKee
<i>Tasmanian Fire Service</i>	Coronial Overview	Magistrate Cooper
<i>Tasmania Police Academy</i>	Tips for Good Coronial Investigations	Magistrate McTaggart
<i>Royal Hobart Hospital Emergency Department</i>	Documentation from a Coronial Perspective	Magistrate Cooper
<i>Royal Hobart Hospital via Zoom</i>	Reporting a Case to the Coroner	Magistrate Cooper

Access to Justice

There are a 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 to 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. When 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 make improvements to all Court buildings based on recommendations of access appraisal reports for the Hobart and Launceston buildings, and on advice from disability support organisations.

During the reporting period the Court, together with partner organisations in government and the disability sector, received a Law Foundation grant to develop an informative video on the experience of coming to court for people with a disability or with low, or no, literacy. The video will provide information on Court buildings, process and etiquette to aid understanding and demystify an experience that can be confronting and stressful.

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 and is working towards achieving the National Standards for Working with Interpreters in Courts and Tribunals.

During the reporting period the Court paid \$37,719 for interpreters, a decrease on the 2018 to 19 year when \$42,240 was paid to interpreters. In 2019 to 20 fewer cases were dealt with by the Court, meaning fewer interpreters were required for hearings and other appearances.

Community Legal Services

In each region of the State the Court is assisted by the various Community Legal Services. The Hobart Community Legal Service (HCLS) 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. Their after-hours services are only available in Hobart.

In Launceston, the Launceston Community Legal Centre provides free legal advice and referrals to Tasmania Legal Aid and private practitioners. In Burnie and Devonport the North West Community Legal Centre Inc., Victims Support Service and Women's Legal Service provide similar services.

Duty Lawyer Scheme

The Court acknowledges the work of the Law Society of Tasmania, the Centre for Legal Studies and the Hobart Community Legal Service 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.

The face-to-face element of the service was suspended during the fourth quarter of the reporting period due to Covid-19 restrictions, but advice was available by telephone and the service was re-established in the court building at the earliest opportunity.

Witness Assistance Service

The Witness Assistance Service is a unit within the Office of the Director of Public Prosecutions. The service, which began operating in the Magistrates Court in 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 benefitted from the provision of services for court matters, including coronial inquests.

In the reporting period the Witness Assistance Service again received a grant through the Solicitors' Guarantee Fund to provide two additional witness assistance officers in each of the Hobart and Launceston Magistrates Courts. Despite lacking funding to provide a service in the North West, assistance was also provided in that region. The level of service provided by the Witness Assistance Service has been significantly affected by Covid-19 because of the limited number of hearings that were occurring during that period.

The work of the Witness Assistance Service helps meet a gap in services and has 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. The service is open to anyone, regardless of religious affiliation. This service is an important 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 state-wide 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 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 collaborating it is possible to achieve better outcomes for some of our very disadvantaged young people who are offending and appearing in court.

As the Youth Justice Division was a priority area that the Court continued to deal with during the Covid-19 peak, STC maintained its involvement with the Court throughout that time.

Other support services

Other services that actively engage with the Youth Justice Court are Mission Australia, Life without Barriers, the Department of Education and Baptcare. 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).

A coroner's role 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 Magistrate Olivia McTaggart continued her role as the Chief Magistrate's delegate and full-time coroner, and Magistrates Simon Cooper and Andrew McKee also undertook full-time coronial roles.

The Court is grateful to the many organisations involved in assisting the work of the Coronial Division. In particular, the Court acknowledges the crucial role of State Forensic Pathologist, Dr Don Ritchey, who was appointed during the reporting period and who also took on the role of Director of the Statewide Forensic Medical Services. In Hobart, forensic pathologist Dr Andrew Reid commenced in February 2020 and Dr Chris Lawrence returned on a casual basis for a period beginning in April 2020. In Launceston, Dr Terry Brain continued his valuable work, assisted by Dr Ruchira Fernando.

All levels of Tasmania Police, including the many officers who assist the coroners in their investigations, provide an important service to the Coronial Division. The assistance provided by coroners' associates has been invaluable, and the cooperative manner in which up to 12 associates have integrated themselves at various times into the operations of the Division is central to its operation.

September 2019 saw the commencement of a trial whereby the police sergeants allocated to the Coronial Division were centrally located in Hobart. This led to improvements in access to the coroners and higher completion rates in comparison with earlier years.

The Coronial Division is also reliant on the important functions played in coronial investigations by the Forensic Science Service Tasmania, forensic odontologists, the in-house medical adviser to the coroners Dr Tony Bell, and Ms Libby Newman, Clinical Nurse Specialist Forensic Pathology.

During the Covid-19 pandemic the Magistrates Court, including the Coronial Division, continued to operate. To reduce the impact of the Covid-19 pandemic some types of matters were adjourned, or dealt with through the use of technology to reduce the

need for physical appearances in courtrooms.

All inquests that were listed between 20 March and 19 June 2020 inclusive were cancelled and have been progressively re-listed since that time. Initially case management conferences were cancelled, but after a short period in which processes were adapted, most case management conferences were conducted by audio visual link. The remainder of the Coronial Division's work proceeded as normal, but with variations to take into account social distancing requirements.

As the bulk of the Coronial Division's work involves investigations but no inquest, investigations into deaths continued to be progressed during the Covid-19 period, and findings and recommendations continued to be published. The Division was able to improve its clearance rate on the previous year, achieving a clearance rate of 96.1 per cent during the 2019 to 20 year, compared with 87 per cent in 2018 to 19. Consistent with the need to cancel inquests during the fourth quarter, the Division held 14 inquests during the year, compared with 23 in 2018 to 19.

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. Details of the presentations given by magistrates are set out above, under the heading "Legal Education". The following presentation was also given:

Transition to Practice for nursing graduates at the Royal Hobart Hospital, by Katie Luck (Coroner's Associate)

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:

- enables detailed analysis of demographics and trends over time
- provides data for future policy and planning to inform targeted public health and suicide prevention policy
- assists in the evaluation of suicide prevention initiatives
- is 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 Magistrate McTaggart in inquest findings released in November 2016. The TSR is jointly funded by the Department of Justice (DoJ) and the Department of Health (DoH) and is a key action of the Tasmanian Suicide Prevention Strategy 2016 to 2020.

Since the commencement of the Register, the TSR research officer has completed coding of five years of suicide-related information. This includes 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, which examines data from the TSR, was finalised in the reporting period and was provided to the DoH to inform the report to the Tasmanian Government on Suicide in Tasmania.

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

The Court acknowledges the ongoing support for this project from DoH and DoJ, and from the Coroners Court of Victoria which assisted with the establishment of the TSR and which continues to provide support.

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 is used to gain a better understanding of the number and profile of drug related deaths in Tasmania. The Register shows the annual frequency, contributing drug types, contributing pharmaceutical drug groups and the individual contributing drugs of overdose deaths. 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

This report is required by section 69(2)(a) of the Act to include information on deaths in custody. During the reporting period there were three deaths in custody reported to the coroner and one inquest into a death in custody was concluded.

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 five 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 2019 to 20

Caseloads	Lodgements		Finalisations	
	No.	Change year on year ⁴	No.	Change year on year
COURTS				
CRIMINAL - ADULT				
Criminal complaints ¹	16,253	-2.3%	13,654	-14%
Breaches of orders ²	4,949	-0.5%	4,161	-8.6%
Other applications ³	2,155	5.5%	1,589	-9.1%
CRIMINAL – YOUTH JUSTICE				
Criminal complaints ¹	1,063	-7%	1,027	-7%
Breaches of orders ²	201	-15%	210	1.9%
Other applications ³	104	-6.3%	70	-8%
CIVIL⁵				
Civil claims (incl. minor civil, residential tenancy)	2,545	-25.7%	3,308	-9.9%
Family violence order applications	1,370	1%	1,145	-16%
Restraint order applications	1,273	1.6%	1,092	-12.8%
CIVIL – CHILDREN'S COURT				
Care and protection applications and orders	733	-25%	698	-22%
CORONERS COURT				
Reportable deaths, fires and explosions	751	14.8%	722	27.1%
TRIBUNALS⁴				
Administrative Appeals	14	-63.2%	38	90%
Mining Tribunal	2	n/a	0	n/a
TOTAL	31,413		28,036	

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 Australian Bureau of Statistics 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 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 2020 and Backlog Indicator by Selected Courts 2019 to 20

Pending Caseloads and Backlog Indicator ¹	No. Pending Caseload	change year on year	% aged > 12 Months	change year on year
Criminal Division Complaints (Adult)	9,401	25.7%	16.9	1.7 pp
Criminal Division Complaints (Youth Justice)	414	4.8%	8.5	0.9 pp
Civil Division Claims, Family Violence Orders, and Restraint Orders	2,989	-18.1%	16.0	2.4 pp
Children's Court Care and Protection and Supervision Orders	46	-45%	30.4	11.4 pp
Coroners Court Reportable deaths, fires and explosions	669	5%	34.7	-8 pp

pp refers to percentage points

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) by Listing Type 2019 to 20

	No.	change year on year
Total Listings in the Magistrates Court of Tasmania¹	154,874	0.6%
Common hearing types²		
Mention Listings	24,866	0.1%
Application Listings	10,827	0.5%
Hearing Listings	6,176	0.1%
Plea Listing	61,972	0.0%
Sentence Listing	31,795	0.1%
Court Mandated Diversion Reviews	2,647	0.4%
Contest Mention Listings	1,427	0.0%

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) 2019 to 20

	(\$'000)	change year on year
CRIMINAL		
Fines	3,525	-14%
Court Costs	701	-11.2%
Appeal Costs Fund Levy	35	-10%
Victims of Crime Compensation Levy	290	-7.6%
Other Costs ¹	117	-46%
CIVIL		
Civil Court Fees	418	-23.7%

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 2015 to 16 to 2019 to 20

	2015 to 16	2016 to 17	2017 to 18	2018 to 19	2019 to 20	Change 2018 to 19 To 2019 to 20
CRIMINAL						
Lodgements						
Criminal complaints ¹	17,664	18,061	18,187	16,641	16,253	-2.3%
Breaches of orders ²	4,247	4,466	4,847	4,975	4,949	-0.5%
Applications to grant or vary bail ³	455	436	458	496	625	26.0%
Applications for restricted driver licence ⁴	596	588	532	519	419	-19.3%
Other applications ⁵	970	906	982	1028	1,111	8.1%
Finalisations						
Criminal complaints ¹	16,653	16,415	18,047	15,888	13,654	-14%
Committal Proceedings	249	246	298	322	310	-3.7%
Breaches of orders ²	4,144	3,995	4,403	4,555	4,161	-8.6%
Applications to grant or vary bail	352	298	297	320	309	-3.4%
Applications for restricted driver licence	577	567	526	520	419	-19.4%
Other applications	857	762	821	909	861	-5%
YOUTH JUSTICE COURT						
Lodgements						
Criminal complaints ¹	1,109	1,283	1,370	1,140	1,063	-7%
Breaches of orders ²	221	249	199	237	201	-15%
Applications to grant or vary bail ³	28	49	55	58	48	-17.2%
Applications for restricted driver licence ⁴	-	2	1	1	0	-100%
Other applications ⁵	61	47	60	52	56	8%

Table 5 (Con't): Summary Statistics by Court Level 2015 to 16 to 2019 to 20

	2015 to 16	2016 to 17	2017 to 18	2018 to 19	2019 to 20	Change 2018 to 19 To 2019 to 20
Finalisations						
Criminal complaints ¹	1,150	1,110	1,347	1,105	1,027	-7%
Committal Proceedings	5	12	12	3	12	300%
Breaches of orders ²	217	234	209	206	210	1.9%
Applications to grant or vary bail	21	26	38	34	23	-32%
Applications for restricted driver licence	-	2	1	1	0	-100%
Other applications	37	55	49	41	47	15%
CIVIL⁶						
Lodgements						
Civil claims ⁶	4,083	3,838	3,756	3,424	2,545	-25.7%
Family violence order applications ⁷	1,129	1,058	1,172	1,361	1,370	1%
Restraint order applications	1,135	1,250	1,143	1,253	1,273	1.6%
Finalisations						
Civil claims ⁶	4,274	4,034	3,645	3,670	3,308	-9.9%
Family violence order applications	934	922	1,073	1,361	1,145	-16%
Restraint order applications	1,045	1,106	1,146	1,252	1,092	-12.8%
CHILDREN'S COURT						
Care and protection applications lodged	763	735	848	983	733	-25%
Care and protection applications finalised	657	613	758	897	698	-22%
CORONERS COURT						
Reportable deaths and fires lodged	568	579	598	654	751	14.8%
Reportable deaths and fires finalised	494	582	605	568	722	27.1%

Table 5 (Con't): Summary Statistics by Court Level 2015 to 16 to 2019 to 20

	2015 to 16	2016 to 17	2017 to 18	2018 to 19	2019 to 20	Change 2018 to 19 To 2019 to 20
TRIBUNALS⁶						
Lodgements						
Administrative Appeals	30	46	36	38	14	-63%
Mining Tribunal	-	1	4	0	2	n/a
Finalisations						
Administrative Appeals	30	30	39	20	38	90%
Mining Tribunal	-	-	1	0	0	n/a

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 for 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 Australian Bureau of Statistics 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 to 17 Annual Report under the separate application type categories 'Filed Written Application for Bail' (*Bail Act 1994*, Section R23) and 'Filed Written Application to Vary Bail' (*Bail Act 1994*, Section 23).

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

⁵ Reported in the 2016 to 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 to 18, in order to maintain consistency with past Annual Reports. For 2018 to 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); MUNCCI Coronial database.

Table 6: Family and Domestic Violence Summary Statistics 2015 to 16 to 2019 to 20

Family Violence Orders (FVO)	2015 to 16	2016 to 17	2017 to 18	2018 to 19	2019 to 20	Change 2018 to 19 To 2019 to 20
Application to grant a FVO						
Lodgements	669	583	648	747	771	3%
Finalisations	587	526	627	780	648	-17%
Applications to extend or vary a FVO¹						
Lodgements	208	242	277	326	312	-4%
Finalisations	157	205	227	311	242	-22%
Applications to extend or vary a Police FVO²						
Lodgements	131	128	151	176	186	6%
Finalisations	91	93	117	167	164	-2%
Applications to revoke a FVO						
Lodgements	42	37	24	42	28	-33%
Finalisations	38	28	29	38	25	-34%
Applications to revoke a Police FVO						
Lodgements	49	41	49	64	70	9%
Finalisations	37	45	53	59	65	10%
Applications to register an Interstate FVO						
Lodgements	30	27	19	5	2	-60%
Finalisations	24	23	19	5	1	-80%
Other applications regarding FVOs³						
Lodgements	1	2	4	4	1	-75%
Finalisations	0	2	1	5	0	-100%
Breach of FVOs and Police FVOs⁴						
Lodgements	738	760	803	803	804	0.1%
Finalisations	622	689	748	738	752	1.9%

¹ Reported in the 2016 to 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 to 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 to 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 to 18 that reports family violence orders made in proceedings for a family violence offence (*Family Violence Act 2004, Section 36*) 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: CRIMESStats database

Table 7: Child Care and Protection Summary Statistics 2015 to 16 to 2019 to 20

Care and Protection Orders (CPOs)	2015 to 16	2016 to 17	2017 to 18	2018 to 19	2019 to 20	Change 2018 to 19 To 2019 to 20
Applications for a CPO assessment¹						
Lodgements	180	170	201	256	200	-22%
Finalisations	143	131	178	228	171	-25%
Applications to grant a CPO²						
Lodgements	331	288	311	393	236	-40%
Finalisations	296	243	304	352	267	-24%
Applications to extend or vary a CPO³						
Lodgements	170	187	197	211	177	-16.1%
Finalisations	143	163	180	219	160	-27%
Applications to revoke a CPO⁴						
Lodgements	13	5	18	13	17	31%
Finalisations	11	5	16	15	14	-6.7%
Other applications regarding CPOs⁵						
Lodgements	69	83	121	110	103	-6%
Finalisations	64	71	80	83	86	3.6%

¹ Reported in the 2016 to 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 to 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 (Guardianship 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 to 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 to 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 to 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 2015 to 16 to 2019 to 20

Restraint Orders (ROs)	2015 to 16	2016 to 17	2017 to 18	2018 to 19	2019 to 20	Change 2018 to 19 To 2019 to 20
Application to grant a RO						
Lodgements	1,063	1,169	1,064	1,180	1,197	1.4%
Finalisations	980	1042	1,065	1,178	1,032	-12.4%
Applications to extend or vary a RO¹						
Lodgements	47	47	54	53	52	-2%
Finalisations	42	40	51	52	42	-19%
Applications to revoke a RO						
Lodgements	26	32	22	19	24	26%
Finalisations	22	23	26	21	18	-14.3%
Other Applications regarding a RO²						
Lodgements	1	2	3	1	0	-100%
Finalisations	1	1	4	1	0	-100%
Breach of an RO or Interim RO³						
Lodgements	101	119	100	125	88	-30%
Finalisations	96	94	104	109	111	1.8%

¹ Reported in the 2016 to 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 to 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 2015 to 16 to 2019 to 20

	2015 to 16	2016 to 17	2017 to 18	2018 to 19	2019 to 20	Change 2018 to 19 to 2019 to 20
MAGISTRATES COURT (ADULT)						
Crimes against the person						
Lodgements	2,818	2,946	3,240	3,294	2,861	-13%
Finalisation	2,643	2,621	3,032	2,932	2,427	-17%
Property and deception offences						
Lodgements	2,314	2,463	2,611	2,398	2,604	9%
Finalisation	2,385	2,204	2,620	2,344	2,075	-11%
Drug offences						
Lodgements	1,005	1,182	1,265	1,173	1,162	-1%
Finalisation	1,020	940	1,192	1,125	946	-16%
Public order and security offences						
Lodgements	1,577	1,561	1,628	1,567	1,959	25%
Finalisation	1,517	1,476	1,588	1,436	1,685	17%
Traffic and other offences						
Lodgements	8,253	8,041	7,616	6,596	5,982	-9%
Finalisation	7,903	7,752	8,072	6,802	5,371	-21%
Justice procedure offences						
Lodgements	1,576	1,717	1,656	1,479	1,446	-2%
Finalisation	1,401	1,582	1,690	1,402	1,355	-3%
Other offences						
Lodgements	126	152	171	134	239	78%
Finalisation	123	126	157	169	105	-38%
YOUTH JUSTICE						
Crimes against the person						
Lodgements	270	301	362	265	266	0%
Finalisation	256	268	339	273	238	-13%
Property and deception offences						
Lodgements	408	528	572	508	399	-21%
Finalisation	442	449	577	472	421	-11%
Drug offences						
Lodgements	43	51	54	37	46	24%
Finalisation	42	39	54	40	37	-8%

Table 9 (Con't): Criminal Matters by Court Level and Selected Offence Types 2015 to 16 to 2019 to 20

	2015 to 16	2016 to 17	2017 to 18	2018 to 19	2019 to 20	Change 2018 to 19 To 2019 to 20
Public order and security offences						
Lodgements	160	165	215	162	210	30%
Finalisation	171	147	206	163	190	17%
Traffic and other offences						
Lodgements	175	159	112	116	85	-27%
Finalisation	191	160	124	112	86	-23%
Justice procedure offences						
Lodgements	45	67	48	46	46	0%
Finalisation	51	53	55	41	50	22%
Other offences						
Lodgements	7	12	7	6	11	83%
Finalisation	53	20	78	4	5	25%

Source: CRIMESStats database

Table 10: Breaches of Orders and/or Order Conditions 2015 to 16 to 2019 to 20

	2015 to 16	2016 to 17	2017 to 18	2018 to 19	2019 to 20	Change 2018 to 19 to 2019 to 20
MAGISTRATES COURT (ADULT)						
Breach of bail						
Lodgements	3,263	3,496	3,849	3,886	4,062	4.5%
Finalisations	3,247	3,078	3,533	3,482	3,295	-5.4%
Breach of suspended sentence						
Lodgements	593	610	624	676	614	-9.2%
Finalisations	535	550	552	614	588	-4%
Breach of Community Correction orders¹						
Lodgements	242	196	183	286	131	-54%
Finalisations	229	239	177	332	174	-48%
Other breaches						
Lodgements	149	164	191	127	142	12%
Finalisations	133	128	141	127	104	-18%
YOUTH JUSTICE COURT						
Breach of bail						
Lodgements	120	149	135	148	117	-21%
Finalisations	122	135	144	131	139	6.1%
Breach of suspended sentence						
Lodgements	39	30	22	35	29	-17%
Finalisations	43	27	23	32	30	-6%
Contravention of Community Service orders						
Lodgements	37	31	29	24	17	-29%
Finalisations	32	34	28	26	15	-42.3%
Other breaches						
Lodgements	25	39	13	30	38	27%
Finalisations	20	38	14	35	26	-26%

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

Source: CRIMESStats database

Coronial Division

Table 11: Coronal – Summary of Coronal Activity 2015 to 16 to 2019 to 20

Deaths reported to the Coroner	2015 to 16	2016 to 17	2017 to 18	2018 to 19	2019 to 20	Change 2018 to 19 to 2019 to 20
Lodgements	568	579	598	654	751	14.8%
Deaths in Custody or Care	8	4	2	10	10	0%
Fires/Explosions	0	0	0	0	0	0%
Number of inquests held	11	22	19	23	14	-39.1%
Number of cases closed	494	582	605	568	722	27%

Table 12: Coronal – Inquests and Investigations Completed 2015 to 16 to 2018 to 19

	2015 to 16	2016 to 17	2017 to 18	2018 to 19	2019 to 20
Aircraft	0	0	3	0	1
Death in Custody/Care	3	6 ¹	2	12 ³	6
Domestic Accident	4	0	7	3	0
Drowning	13	9	6	5	10
Drug Overdose	23	25	22	14	28
Fall	32	33	42	69	93
Homicide	8	7	6	5	8
Hospital	25	34	19	31	32
House Fire	2	1	2	1	2
Marine Fatality	0	0	0	0	5
Industrial Accident	1	0	4	7	1
Natural	251	343	320	292	357
Other	11	12	19	20	28
SIDS/SUDI	2	2	2	3	2
Suicide	67	73 ²	87	64	73
Undetermined Causes	11	10	29	18	28
Vehicle Crash	41	29	35	25 ⁴	48
TOTAL	494	582	605	568	722

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 and Investigations Completed 2015 to 16 to 2019 to 20

	2015 to 16	2016 to 17	2017 to 18	2018 to 19	2019 to 20
Driver	22	20	9	10	24
Bystander / Pedestrian	6	2	3	6	1
Passenger	10	3	6	2	7
Bicycle	0	0	1	2	0
Motorcycle	3	4	16	5	14
Motorised Wheelchair	0	0	0	0	2
TOTAL	41	29	35	25¹	48

¹Does not include two industrial transport fatalities

Table 14: Coronial – Self-Inflicted Deaths – Closed by Method 2015 to 16 to 2019 to 20

	2015 to 16	2016 to 17	2017 to 18	2018 to 19	2019 to 20
Hanging	32	25	44	32	43
Carbon Monoxide	5	8	6	7	5
Drug Overdose	6	13	19	10	6
Burns	2	2	0	0	1
Gunshot	8	11	8	4	5
Drowning	2	7	7	3	2
Jumping ¹	4	2	3	5	5
Other ²	8	5	0	3	6
TOTAL	67	73	87	64	73

¹Includes jump from bridge, natural cliff, multi-storey car park

² Includes refusal of food/water, non-drug poisoning, irrespirable atmosphere, and sharp object

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 2020 and Backlog Indicator 2015 to 16 to 2019 to 20

PENDING CASELOAD ¹	2015 to 16	2016 to 17	2017 to 18	2018 to 19	2019 to 20	Change 2018 to 19 to 2019 to 20
MAGISTRATES COURT						
Total lodged pending completion	7,426	7,952	7,788	7,477	9,401	25.7%
Between 6 and 12 months	1,294	1,748	1,650	1,560	2,035	30.4%
Greater than 12 months	967	1,000	1,166	1,130	1,585	40.3%
Backlog Indicator						
% greater than 6 months	30.4	34.6	36.2	36.0	38.5	2.5 pp
% greater than 12 months	13.0	12.6	15.0	15.1	16.9	1.7 pp
YOUTH JUSTICE COURT						
Total lodged pending completion	354	442	413	395	414	4.8%
Between 6 and 12 months	39	48	55	78	58	-26%
Greater than 12 months	47	24	29	30	35	16.7%
Backlog Indicator						
% greater than 6 months	24.3	16.3	20.3	27.3	22.5	-4.9 pp
% greater than 12 months	13.3	5.4	7.0	7.6	8.5	0.9 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 16.

Source: CRIMESStats database

Table 16: Civil Pending Caseload at 30 June 2020 and Backlog Indicator 2015 to 16 to 2019 to 20

PENDING CASELOAD ¹	2015 to 16	2016 to 17	2017 to 18	2018 to 19	2019 to 20	change 2018 to 19 to 2019 to 20
CIVIL MAGISTRATES COURT						
Total lodged pending completion	3,557	3,477	3,547	3,648	2,989	-18.1%
Between 6 and 12 months	1,014 ²	994	1,072	1,158	1,084	-6.4%
Greater than 12 months	409	431	378	493	477	-3%
Backlog indicator						
% greater than 6 months	40.0	41.0	40.9	45.3	52.2	7 pp
% greater than 12 months	11.5	12.4	10.7	13.5	16.0	2.4 pp
CHILDREN'S COURT						
Total lodged pending completion	58	59	66	84	46	-45%
Between 6 and 12 months	5	6	13	15	8	-47%
Greater than 12 months	3	6	11	16	14	-13%
Backlog indicator						
% greater than 6 months	13.8	20.3	36.4	36.9	47.8	10.9 pp
% greater than 12 months	5.2	10.2	16.7	19.0	30.4	11.4 pp
CORONERS COURT						
Total lodged pending completion	555	569	553	638	669	5%
Between 12 and 24 months	132	132	145	174	130	-25%
Greater than 24 months	45	92	81	98	102	4%
Backlog indicator						
% greater than 12 months	31.9	39.4	40.9	42.6	34.7	-8 pp
% greater than 24 months	8.1	16.3	14.6	15.4	15.2	-0.1 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 to 16 and 2016 to 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 2015 to 16 to 2019 to 20

CRIMINAL DISPOSALS¹	2015 to 16	2016 to 17	2017 to 18	2018 to 19	2019 to 20	Change 2018 to 19 to 2019 to 20
MAGISTRATES COURT						
Total finalised cases	16,653	16,415	18,047	15,888	13,654	-14%
Cases finalised in 6 to 12 months	3,926	4,197	4,566	3,830	3,323	-13%
Cases finalised after 12 months	2,592	2,495	3,632	2,985	2,647	-11%
Disposal Indicator						
% greater than 6 months	39.1	40.8	45.4	42.9	43.7	0.8 pp
% greater than 12 months	15.6	15.2	20.1	18.8	19.4	0.6 pp
YOUTH JUSTICE COURT						
Total finalised cases	1,150	1,110	1,347	1,105 ²	1,015	-8%
Cases finalised in 6 to 12 months	229	202	300	280	209	-25.4%
Cases finalised after 12 months	141	94	130	86	112	30%
Disposal Indicator						
% greater than 6 months	32.2	26.7	31.9	33.2	31.6	-1.6 pp
% greater than 12 months	12.3	8.5	9.7	7.8	11.0	3.2 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.

² In 2018 to 19, this figures was incorrectly published as 1,102.

Source: *CRIMESStats database*

Table 18: Civil Disposals by Court Level 2015 to 16 to 2019 to 20

CIVIL DISPOSALS^{1,2}	2015 to 16	2016 to 17	2017 to 18	2018 to 19	2019 to 20	Change 2018 to 19 to 2019 to 20
MAGISTRATES COURT						
Total finalised cases	na	6,143	5,760	6,283	5,916	-5.8%
Cases finalised in 6 to 12 months	na	2,071	1,960	1,964	1,734	-11.7%
Cases finalised after 12 months	na	798	752	1,073	1,109	3%
Disposal Indicator						
% greater than 6 months	na	46.7	47.1	48.3	48.1	-0.3 pp
% greater than 12 months	na	13.0	13.1	17.1	18.7	1.7 pp
CHILDREN'S COURT						
Total finalised cases	na	327	406	448	344	-23%
Cases finalised in 6 to 12 months	na	39	34	62	52	-16%
Cases finalised after 12 months	na	11	18	36	44	22%
Disposal Indicator						
% greater than 6 months	na	15.3	12.8	21.9	27.9	6 pp
% greater than 12 months	na	3.4	4.4	8.0	12.8	4.8 pp
CORONERS COURT						
Total finalised cases	na	582	605	568	722	27.1%
Cases finalised in 12 to 24 months	na	245	196	183	171	-6.6%
Cases finalised after 24 months	na	102	138	66	130	97%
Disposal Indicator						
% greater than 6 months	na	59.6	55.2	43.8	41.7	-2.1 pp
% greater than 12 months	na	17.5	22.8	11.6	18.0	6 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 to 17 financial year onwards. The above recorded pre-2016 to 17 data has been generated using the methods prescribed for RoGS.

² In accordance with the 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 2015 to 16 to 2019 to 20

	2015 to 16	2016 to 17	2017 to 18	2018 to 19	2019 to 20	Change 2018 to 19 to 2019 to 20
CRIMINAL						
Magistrates Court	95.7	92.2	100.9	97.4	85.9	-11.5 pp
Youth Justice Court	103.7	86.5	98.3	96.7	95.5	-1.2 pp
CIVIL						
Civil Magistrates Court	104.0	104.5	99.2	104.1	114.0	9.9 pp
Children's Court	100.9	107.6	116.3	112.3	141.6	29.3 pp
Coroners Court	87.0	100.5	101.2	87.0	96.1	9 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 2015 to 16 to 2019 to 20

	2015 to 16	2016 to 17	2017 to 18	2018 to 19	2019 to 20	Change 2018 to 19 to 2019 to 20
CRIMINAL						
Magistrates Court	4.3	4.2	4.4	4.5	4.8	0.3 pp
Youth Justice Court	5.2	4.9	5.5	5.6	5.8	0.2 pp
CIVIL						
Civil Magistrates Court	1.2	1.2	1.3	1.4	1.6	0.2 pp
Children's Court	5.0	4.8	4.6	4.7	4.5	-0.2 pp
Coroners Court	1.4	3.1	3.1	4.4	5.3	0.9 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) 2015 to 16 to 2019 to 20

	2015 to 16 Actuals \$,000	2016 to 17 Actuals \$,000	2017 to 18 Actuals \$,000	2018 to 19 Actuals \$,000	2019 to 20 Actuals \$,000	Change 2018 to 19 to 2019 to 20 \$,000
CRIMINAL						
Fines	3,919	4,211	4,861	4,093	3,525	-14%
Court Costs	814	829	871	789	701	-11.2%
Appeal Costs Fund Levy	31	32	33	39	35	-10%
Victims of Crime Compensation Levy	312	288	326	314	290	-7.6%
Other Costs ¹	272	155	247	214	117	-46%
CIVIL						
Civil Court Fees	608	592	593	548	418	-23.7%

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

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

Table 22: Expenditure by Outlay – Magistrates Court Services 2015 to 16 to 2019 to 20

	2015 to 16 Actual \$,000	2016 to 17 Actual \$,000	2017 to 18 Actual \$,000	2018 to 19 Actual \$,000	2019 to 20 Actual \$,000
Salaries of magistrates and staff	8,664	8,721	9,302	9,681	9,751
Other Employee Related Expenses	274	278	353	367	374
Information Technology	290	309	349	413	455
Materials Supplies & Equipment	121	103	119	96	144
Travel and Transport	273	303	311	328	260
Property Expenses	1,639	1,600	1,903	1,850	2,196
Other Expenditure	510	731	1,377	1,392	1,751
Consultants	21	1	5	13	10
TOTAL	11,792	12,046	13,719	14,142	14,941