

Australian Capital Territory

LAW COURTS AND TRIBUNAL

Corporate Plan 2017-2020

July 2017

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Introduction

I am pleased to present the Corporate Plan for the ACT Law Courts and Tribunal (ACTLCT).

The ACTLCT supports the Supreme Court, Magistrates Court and ACAT by providing registry, court support, forensic, corporate and strategic services. The ACTLCT is part of the Justice and Community Safety Directorate.

The Corporate Plan sets out the purpose of the ACTLCT and how it will deliver the strategic priorities of the Supreme Court, Magistrates Court, ACT Civil and Administrative Tribunal (ACAT) and ACTLCT Business Plan which are set out below.

This Corporate Plan recognises the need for innovation and for new facilities, systems and processes to be designed with the future in mind. It builds on the current work in relation to the implementation of the Integrated Case Management System (ICMS), the design and construction of the new court facilities, the support for case management initiatives in each jurisdiction and implementation of the International Framework for Court Excellence (IFCE) and the Australasian Framework for Tribunal Excellence. The plan also deals with strengthening staff and financial management within the ACTLCT and improving customer services.

The plan sets out an ambitious range of projects and activities that will be undertaken while the ACTLCT continues to deliver high quality registry, corporate and sheriff services to the courts and tribunal. Its success is heavily dependent on the skills and commitment of our staff to continuous improvement while maintaining business as usual.

This Corporate Plan is a living document that will be reviewed each year.

Philip Kellow

Principal Registrar and Chief Executive Officer

20 July 2017

Supreme Court

The Supreme Court of the ACT commenced on 1 January 1934. The Supreme Court is the highest court in the Australian Capital Territory. It is invested with both original and appellate jurisdiction.

The Court comprises the Chief Justice, four resident judges, a resident associate judge, additional judges and acting judges.

In civil matters the Supreme Court has an unlimited monetary jurisdiction, although claims for less than \$250 000 are usually heard in the Magistrates Court. Civil matters in the Supreme Court are heard by a single judge or the Associate Judge. The Associate Judge is responsible for hearing most civil matters.

With respect to criminal matters, trials are heard in the Supreme Court before a judge and jury or (in a limited range of cases) by a judge alone, at the election of the accused.

The Supreme Court considers appeals from decisions of the Magistrates Court, the Industrial Court, the Children's Court, and the ACT Civil and Administrative Tribunal. The Supreme Court is usually constituted by a single judge when considering these appeals.

The Supreme Court is known as the Court of Appeal when exercising its appellate jurisdiction. The ACT Court of Appeal was created in 2001 pursuant to section 37E of the *Supreme Court Act 1933*. Prior to the creation of the Court of Appeal, appeals lay to the High Court (from 1934 until 1977) and then to the Federal Court of Australia (from 1977 until 2002). The Court of Appeal first sat on 31 October 2001 and its first delivered judgment was *Suffolk v Meere* [2002] ACTCA 1, 28 March 2002.

Supreme Court purpose and achievement of goals

The Supreme Court's purpose is to maintain and promote the rule of law and to provide leadership within the justice system.

The strategies to achieve this purpose are:

- delivering impartial, high quality and timely decisions
- by resolving each case by the process most suited to achieving a just, quick and effective outcome
- by ensuring transparent, easy and cost-effective access to the Court for all
- by communicating openly, clearly and respectfully
- by being accountable for the use of public resources
- by developing and applying best practice.

Planning for the future in the Supreme Court

The Supreme Court Strategic Statement outlines the following priorities for 2017/2018:

1. To enhance the efficiency and cost-effectiveness of Court of Appeal processes.
2. To enhance mediation processes.
3. To develop and implement an International Framework for Court Excellence plan.
4. To work closely with the ACT Government and Juris Partners to ensure that the new Supreme Court building meets the Court's needs and is of world standard.
5. To prepare for a smooth transition to the new Supreme Court building in 2017/2018.
6. To fully integrate technological innovations into the Court's processes.
7. To explore the potential for a Drug and Alcohol Court.

Magistrates Court

The Magistrates Court commenced as the Court of Petty Sessions and was established on 25 November 1930 as the Territory's first court. Prior to its establishment Territorians were required to travel interstate to Queanbeyan, Goulburn or Cooma to have their legal matters heard.

The Magistrates Court operates under the Magistrates Court Act. It has jurisdiction to hear a wide range of matters across both the civil and criminal jurisdictions. The Magistrates Court Act also sits as the Childrens Court, Family Violence Court, Galambany Court and Industrial Court. The Chief Magistrate and magistrates also constitute the Coroners Court.

Most of the Magistrates Court's work is in the criminal jurisdiction. The court also has a broad jurisdiction to hear and determine civil applications where the value of the claim is between \$25,000 - \$250,000.

Magistrates Court purpose and achievement of goals

The Magistrates Court's purpose is to uphold the rule of law and provide access to justice within its statutory framework to the Territory's citizens.

This is achieved by applying the following precepts:

Respect

- Treat all people who come before, work with or in the court respectfully.
- Respect judicial independence.
- Work together cooperatively as a court.

Fairness

- Make decisions according to law.
- Treat people impartially.
- Promote access to justice.
- Provide an opportunity for all people who come before, work with or in the court to be heard.

Transparency

- Provide open and reasoned decision making.
- Adopt clear processes.

Integrity

- Model honest, ethical and professional behaviour.

Professionalism

- Commit to excellence in the delivery of justice.
- Pursue ongoing education, learning, innovation and improvement.

Timeliness

- Pursue timely completion of court functions.

Resourcefulness

- Balance available court resources proportional to the nature and significance of the court functions.
- Demonstrate efficient and accountable use of court resources (or use court resources efficiently and accountably).
- Avoid unnecessary impact, imposition of costs, and imposition of time upon people associated with the court process.

Planning for the future in the Magistrates Court

The key priorities for the Magistrates Court in 2017/2018 are as follows:

1. Ensure the Magistrates Court is a productive and supportive place to work for magistrates and registry staff
2. Undertake a workflow review to identify efficiencies and incorporate quality assurance processes in court support
3. Establish processes for the use of the ICMS to support the judicial function (such as the eBenchsheet and production of court documents)
4. Seek arrangements for an eighth magistrate and conduct an ongoing assessment of judicial resourcing
5. Upgrade the Magistrates Court web site
6. Strengthen data collection and the use of data in planning processes
7. Improve access to court statistics, listings and budget reports
8. Establish processes reflecting indigenous engagement and supporting access to justice for vulnerable court users
9. Introduce a therapeutic care court
10. Establish a reliable pathology service for coronial matters.

ACT Civil and Administrative Tribunal

The ACT Civil and Administrative Tribunal (ACAT) commenced operation in February 2009. It is established under the *ACT Civil and Administrative Tribunal Act 2008* (the ACAT Act).

ACAT considers and resolves applications lodged by individuals, businesses, government agencies and occupational regulatory authorities about many different things. The subject matter of applications extends from the review of multi-million dollar planning and taxation decisions to the disconnection of essential services. Regardless of the subject matter, each case is of fundamental importance to the participants and often, to sectors within the ACT community. Applications can be made about:

- the review of a large number of administrative decisions
- discrimination complaints
- guardianship, financial management and enduring powers of attorney
- mental health treatment and care
- residential tenancies disputes
- energy and water hardship and complaints
- civil disputes valued at under \$25,000
- unit titles disputes
- liquor licensing
- compliance with some long service leave obligations
- the discipline and regulation of various occupations including construction occupations, surveyors, architects, security agents, real estate agents, teachers and the health and legal professions.

ACAT purpose and achievement of goals

ACAT's purpose is to promote the rule of law for civil and administrative justice in the ACT by:

- providing accessible systems that encourage people to resolve disputes themselves
- making authoritative and timely decisions to resolve disputes when needed
- adopting fair procedures and processes which enable people to be heard
- applying the law equally and treating people equally and with respect, regardless of their circumstances
- being responsive to the needs of each case
- working in a way that attempts to heal relationships rather than harm.

Planning for the future in the ACT Civil and Administrative Tribunal

The ACAT Strategic Statement outlines the following priorities for 2017/2018:

1. Dispute resolution

- Continue to develop high quality formal and informal dispute resolution processes

- Monitor and effectively respond to trends in matters brought to the tribunal and to new and changing laws
 - Strengthen engagement with key stakeholders
 - Streamline processes for matters of less financial value
 - Provide easy access to useful information that assists parties to represent themselves
 - Explore the application of therapeutic jurisprudence and other innovative approaches to the tribunal's work.
- 2. Ensure ACAT is a productive, attractive place to work for members and registry staff**
- Develop and implement a training and induction program, and develop a performance framework for members
 - Implement workforce training plan for registry staff
 - Continue to build a collaborative, collegiate culture
 - Continue to embrace and influence change, be resilient and show initiative.
- 3. Support services and registry**
- Finalise and embed governance structure and standard operating procedure for ACAT Trust and budget processes
 - Work in partnership with ACT Law Courts and Tribunal Administration (ACTLCT) to implement the new ICMS Case Management System
 - Upgrade the ACAT web site
 - Strengthen data collection and the use of data in planning processes
 - In collaboration with ACTLCT, ensure ACAT's future premises are suited to its purpose and provide an appropriate balance of informality and professionalism.

ACT Law Courts and Tribunal

Background

The ACTLCT is part of the Justice and Community Safety Directorate. It has an annual budget of over \$35 million and engages more than 150 staff.

The ACTLCT is led by the Principal Registrar and Chief Executive Officer appointed under the Court Procedures Act and has the following business areas:

- Executive
- Governance
- Corporate and Strategic Services
- Registry Operations
- Sheriff's Office and Court Services.

ACTLCT purpose and achievement of goals

The purpose of the ACTLCT is to support the proper administration of justice by providing high quality support to judicial officers and tribunal members and high quality services to those using the courts and tribunal.

The strategies to achieve this purpose include:

- transitioning to a more integrated digital operating environment that will include more intuitive and usable websites, new online service and information exchange options for external users, integrated case management tools, support for electronic trials and hearings and better systems for managing records
- modernising courts and tribunal accommodation and infrastructure
- supporting the courts and ACAT to implement the frameworks for court and tribunal excellence
- building workforce capacity to ensure staff are engaged, flexible, adaptable and equipped to provide outstanding service
- managing our resources effectively and efficiently
- engaging with our external stakeholders who use our services or have an impact on our environment and help us to carry out our work.

Planning for the future in the ACTLCT

In creating our business plan, the ACTLCT has considered the priorities of the courts, ACAT and the ACT Government.

The major priorities for 2017/2018 include:

- completing the implementation of the new integrated courts management system and procuring a new jury management system
- ensuring the new courts precinct and related services meet the needs of the judiciary, staff and court users
- assisting the courts and ACAT to develop plans for prioritising and implementing key elements of the frameworks for court and tribunal excellence
- assisting in the design and implementation of a Drug and Alcohol Court and other court-based diversion programs
- strengthening our organisational structures, staffing and financial management
- improving customer services.

The ACTLCT business plan is attachment A.

Key milestones

The key activities of the ACTLCT to deliver the strategic priorities are summarised below.

Objective or project	Tactics	Target
Technology projects		
ICMS	Complete rollout of ICMS - Stage 3 (criminal and online)	Mid 2018
ICMS support arrangements	Negotiate arrangements with WA	December 2017
Jury management system	Identify and procure new JMS	Mid 2018
New Court and Tribunal Facilities		
Design and construction	Ensure timely and effective input to: <ul style="list-style-type: none"> • Stage 1 – construction of the new facility and upgrades to Magistrates Court; and • Stages 2A and 2B – Refurbishment of the Supreme Court 	Stage 1 - early 2018 Stages 2A and 2B - late 2018
Transition to new facilities	Arrangements for the governance and operation of the new facilities are identified and implemented.	December 2017
ACAT accommodation	ACAT's future accommodation needs are identified (whether or not relocation proceeds).	December 2017
Frameworks for Court and Tribunal Excellence		
Implementation plans	Implementation plans adopted by each head of jurisdiction	Mid 2017

Objective or project	Tactics	Target
Priority actions undertaken	Key ACTLCT actions arising from the Frameworks undertaken in accordance with the implementation plans	Ongoing
Drug and Alcohol Court and other court-based diversion programs		
Design	Support development of preferred models for DAC and other court-based diversion programs.	November 2017
Funding	Contribute to development of business cases for ongoing funding.	February 2018
Improved administration		
Ensure ACTLCT is a productive and attractive place to work	Review outcomes of staff survey and implement strategies to address concerns	August 2017 and ongoing
Performance and development	All staff (other than associates) to have current Performance Plans	July 2017
Workforce structures and capabilities	Review organisational structures and workforce capabilities and develop implementation plan	November 2017
Financial management	New ACTLCT internal budget reports developed and in use	September 2017
Business intelligence	Develop first tranche of business reports using COGNOS	December 2017
Registry and related services		
Better user engagement	Single telephone enquiry line	June 2017
	SMS notification system for parties, jurors and witnesses	October 2017
	Improved websites	December 2017
Volunteer services	Support the introduction of a volunteer service for supporting the vulnerable witness suites	December 2017

Objective or project	Tactics	Target
Better registry processes	Review registry procedures to improve alignment with court and ACAT business and the ICMS.	March 2018
Sentencing Database	Identify next set of improvements to the Sentencing Database	Mid 2018
Dispute resolution	Support the further development and implementation of high quality formal and informal dispute resolution processes	Ongoing
Electronic court and tribunal proceedings	Court rooms, remotes witness rooms and hearing rooms have relevant technologies	Mid 2018
	Legislation, rules, practice directions and guidelines as necessary are in place	Mid 2018
	Training and support arrangements in place	Mid 2018

Attachment A – ACT Law Courts and Tribunal Business Plan 2017

Priority/Source	ICMS and JMS <i>Budget Commitment</i> <i>Government priority</i> <i>Strategic priority</i>	New Court Facilities <i>Budget Commitment</i>	International Frameworks for Court and Tribunal Excellence <i>Priority of Heads of Jurisdiction</i> <i>Ministerial Strategic Outcomes</i>	Drug and Alcohol Court and other court-based diversion programs	Staff and Financial Management <i>Internal</i>	Improve customer service <i>Internal</i>
Description	<p>Implementation of the new integrated case management system (ICMS).</p> <p>Procurement of a new jury management system (JMS) from NSW Government.</p>	<p>Construction of a modern courts facility that will include state-of-the-art courtrooms and a suite of mediation rooms for alternative dispute resolution.</p>	<p>Providing administrative and other support to the courts and ACAT for the implementation of the International Frameworks for Court and Tribunal Excellence</p>	<p>Providing administrative and other support to assist in the design and implementation of a DAC and other court-based diversion programs, including support to the Supreme Court's DAC working party and the Childrens Court therapeutic justice program in care and protection matters.</p>	<p>Developing strategies to align workforce structure and capability to the needs of the courts and ACAT.</p> <p>ACTLCT staff feel supported to perform their functions, improved communication, ACTPS values are integrated and staff have Performance Plans.</p> <p>Improve financial management through better allocation and monitoring of internal budgets including the provision of dedicated budgets for the Supreme Court, Magistrates Court, ACAT and Forensic Medical Centre.</p>	<p>Improve services through streamlining registry procedures, developing better web sites and introducing a single telephone enquiry line and SMS notifications system.</p>
Budget	<p>ICMS - \$10.618m</p> <p>JMS – capital funding of \$180K within ICMS budget. Recurrent funding for JMS support to be sought</p>	<p>\$150m</p>	<p>Nil.</p> <p>Funding to be sought as required for particular elements of the implementation.</p>	<p>Nil.</p> <p>Funding to be sought as required</p>	<p>Nil.</p> <p>To be undertaken within existing ACTLCT resources and with support of PWS and SF.</p>	<p>Nil.</p> <p>Funding to be sought as required</p>
Milestones	<p>ICMS</p> <ul style="list-style-type: none"> • Stage 1 (ACAT) complete • Stage 2 (civil) complete • Stage 3 (criminal and online) expected mid 2018 <p>JMS</p>	<ul style="list-style-type: none"> • November 2017 – complete Stage 1 • August 2018 – complete Stage 2 	<ul style="list-style-type: none"> • June 2017 – Finalise implementation plan for each jurisdiction. 	<p>TBA</p>	<ul style="list-style-type: none"> • April 2017 – complete Performance Plan training for all staff • July 2017 – all staff to have current Performance Plans. • September 2017 – review of organisational structures 	<ul style="list-style-type: none"> • March 2017 – single telephone enquiry line • April 2017 – SMS notification system • December 2017 – updated web sites for each jurisdiction

	<ul style="list-style-type: none"> • Agreement with NSW made by mid-2017. • Implementation to be advised. 				<p>and workforce capabilities completed and implementation plan developed</p> <p>June 2017 – new ACTLCT budgets and financial reports developed and in use.</p>	<ul style="list-style-type: none"> • Ongoing – better registry procedures that align with court and ACAT business and the ICMS.
Key Partners	<ul style="list-style-type: none"> • Supreme Court • Magistrates Court • ACAT • WA Government (ICMS) • NSW Government (JMS) • SSICT 	<ul style="list-style-type: none"> • Supreme Court • Magistrates Court • Juris Partnership • CMTEDD • CWI • SSICT 	<ul style="list-style-type: none"> • Supreme Court • Magistrates Court • ACAT 	<ul style="list-style-type: none"> • Supreme Court • Magistrates Court • Childrens Court • Health and other agencies providing prospective DAC team members or therapeutic justice services • LPP • Corrections 	<ul style="list-style-type: none"> • Chief Justice • Chief Magistrate • ACAT President • PWS • Strategic Finance 	<ul style="list-style-type: none"> • Supreme Court • Magistrates Court • ACAT • Shared Services
Key Stakeholders	<ul style="list-style-type: none"> • Judicial officers and ACAT members • ACTLCT staff • Justice agencies • Court and tribunal users • Jurors 	<ul style="list-style-type: none"> • Judicial officers • ACTLCT staff • Justice agencies • Court and tribunal users 	<ul style="list-style-type: none"> • Judicial officers and ACAT members • Justice agencies • Court and tribunal users 	<ul style="list-style-type: none"> • Government and non-government justice agencies 	<ul style="list-style-type: none"> • ACTLCT staff • Unions 	<ul style="list-style-type: none"> • Judicial officers and ACAT members • ACTLCT staff • Justice agencies • Court and tribunal users
Strategic Outcome	<p>ICMS streamlines processes, improves data collection and analysis and provides a platform for online services such as the electronic lodgement of court and tribunal documents.</p> <p>JMS provides improved management of jury selection, attendance and payment (including online services) and better data.</p>	<p>The ACT will have modern court facilities that expand capacity for trials and alternative dispute resolution processes, improve jury and vulnerable witness facilities and support use of courtroom technologies.</p>	<p>The courts and ACAT use the frameworks to assess their performance against the specified areas of excellence and to provide a model methodology for continuous evaluation and improvement.</p>	<p>Improved rehabilitation outcomes for serious offenders in relation to whom there is a close connection between substance dependency and offending.</p> <p>Improved outcomes in Childrens Court care and protection matters.</p>	<p>Staffing structure and capabilities better support the business of the courts and tribunal.</p> <p>Workplace is a productive, collegiate and attractive place to work.</p> <p>Improved financial management.</p>	<p>Improving the services provided to judicial officers, ACAT members and court and tribunal users.</p>