

Australian Capital Territory
COURTS AND TRIBUNAL

Corporate Plan
2017-2020

September 2018 Update

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Introduction

I am pleased to present this update of the Corporate Plan for the ACT Courts and Tribunal (ACTCT).

The ACTCT supports the Supreme Court, Magistrates Court and ACT Civil and Administrative Tribunal (ACAT) by providing registry, court support, forensic, corporate and strategic services. The ACTCT is part of the Justice and Community Safety Directorate.

The Corporate Plan sets out the purpose of the ACTCT and how it will deliver the strategic priorities of the Supreme Court, Magistrates Court, ACAT and ACTCT 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 and the Australasian Framework for Tribunal Excellence. The plan also deals with strengthening staff and financial management within the ACTCT and improving customer services.

The plan sets out an ambitious range of projects and activities that will be undertaken while the ACTCT 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

September 2018

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 Supreme 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 ACAT. 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 2018/2019:

1. To transition smoothly to the new Supreme Court building and to develop the best methods of integration into the new physical environment.
2. To pilot criminal case conferencing.
3. As far as practicable, to implement the National Standards for Working with Interpreters in Courts and Tribunals developed by the Judicial Council for Cultural Diversity.
4. As part of implementing the International Framework for Court Excellence, to review key activities and projects against the Framework and undertake a user survey of the Court.
5. To develop protocols for undertaking Court processes by electronic means and to pilot eTrial technologies.
6. To review all the Court's practice directions including the Court of Appeal Practice Direction.
7. To review and continue implementing the Court's Strategic Plan to Facilitate access to the Court for Aboriginal and Torres Strait Islander People in the ACT.
8. Subject to Government funding, to finalise a proposal for a Drug and Alcohol Court and commence implementing the proposal.

Magistrates Court

The Magistrates Court is established by the *Magistrates Court Act 1930*. It has jurisdiction to hear a wide range of matters across both the civil and criminal jurisdictions. The Magistrates Court also sits as the Childrens Court, Family Violence Court, Galambany Court, Warrumbul 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 and in some cases, such as commercial leases, the jurisdiction is not limited.

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.
- 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 2018/2019 are as follows:

1. Ensure the Magistrates Court is a productive and supportive place to work for magistrates and registry staff.
2. Undertake further workflow reviews to identify efficiencies and incorporate quality assurance processes in court support.
3. Implement processes for the use of the ICMS to support the judicial function (such as the eBenchsheet and production of court documents).
4. Advocate for an increase in judicial resourcing.
5. Implement the new Magistrates Court web site.
6. Strengthen data collection and the use of data in planning processes.
7. Continue to implement and report on the recommendations of the Judicial Council on Cultural Diversity's *National Framework to improve accessibility to Australian courts for Aboriginal and migrant and refugee women*.
8. Develop and refine processes in the Children Court including implementation of the *Warrumbul Circle Sentencing Court* and establishment of a therapeutic care court.
9. Develop and implement improved guidelines and processes for the coronial jurisdiction including the establishment of a reliable pathology service.

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.

ACAT values and behaviours

To achieve this purpose ACAT values:

- accessibility and transparency
- timeliness, professionalism and quality

- fairness
- innovation
- awareness of the impact of our work on the well-being of individuals and of the community.

ACAT members and professional support staff value collegiality and cooperation and seek at all times to promote the informal, respectful, yet professional nature of the tribunal.

Planning for the future in the ACT Civil and Administrative Tribunal

The ACAT Strategic Statement outlines the following priorities for 2018/2019:

1. *Dispute resolution*

- Continue to develop high quality and accessible dispute resolution processes that are formal and informal as appropriate
- Monitor and effectively respond to trends in matters brought to the ACAT 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
- Continue to build the capability of the ACAT registry staff through skills development and training.
- Continue to build a collaborative, collegial culture
- Continue to embrace and influence change, be resilient and show initiative
- Continue to foster a culture of ongoing improvement and accountability, which is supported by regular review and development of registry processes and policies.

3. *Support services and registry*

- Finalise and embed governance structure and standard operating procedure for ACAT Trust and budget processes
- Work in partnership with ACTCT to implement the next stages of the ICMS Case Management System
- Upgrade the ACAT web site
- Strengthen data collection and the use of data in planning processes
- In collaboration with ACTCT, ensure ACAT's future premises are suited to its purpose and provide an appropriate balance of informality and professionalism.

ACT Courts and Tribunal

Background

The ACTCT is part of the Justice and Community Safety Directorate. It has an annual budget of over \$63 million and engages more than 150 staff.

The ACTCT 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.

ACTCT purpose and achievement of goals

The purpose of the ACTCT 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 ACTCT

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

The major priorities for 2018/2019 include:

- completing the implementation of the new integrated courts management system
- procuring and implementing a new jury management system
- operationalising the first stage of the new courts precinct and related services and ensuring the second stage of the precinct meets 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 ACTCT business plan 2018/2019 is attachment A.

Key milestones

The key activities of the ACTCT 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 services) and Stage 4 (enhanced online services)	Stage 3 – late 2018 Stage 4 – mid 2019
Jury management system	Procure and implement a new JMS	Late 2019
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 – late 2018 Stages 2A and 2B – late 2019
Transition to new facilities	Arrangements for the governance and operation of the new facilities are identified and implemented.	Late 2018
ACAT accommodation	ACAT's future accommodation needs are identified.	Late 2018
Frameworks for Court and Tribunal Excellence		
IFCE stocktake and further actions plan	Assess key activities and arrangements against the Frameworks and identify further actions	Late 2018
User surveys and other priority actions undertaken	User surveys and key actions undertaken in accordance with the further actions plans	User surveys – mid 2019 Other actions – per further actions plans
Drug and Alcohol Court and other court-based diversion programs		

Objective or project	Tactics	Target
Design	Support development of preferred models for DAC and other court-based diversion programs.	Late 2018
Funding	Contribute to development of business cases for ongoing funding.	Late 2018
Improved administration		
Ensure ACTCT is a productive and attractive place to work	Review outcomes of staff survey and implement strategies to address concerns	Ongoing
Performance and development	All staff (other than associates and temporary staff) to have current Performance Plans	Ongoing
Workforce structures and capabilities	Review organisational structures and workforce capabilities and develop implementation plan	Ongoing
Financial management	New ACTCT internal budget reports developed and in use	Late 2018
Business intelligence	Continue to develop business reports using COGNOS	Mid 2019
Registry and related services		
Better user engagement	SMS notification system for parties, jurors and witnesses	Mid 2019
	Improved websites – implement new architecture, design and content of each website	Mid 2019
Volunteer services	Support the introduction of a volunteer service for supporting the vulnerable witness suites	Early 2019
Better registry processes	Continue to review and improve registry procedures and workflows to align with court and ACAT business, ICMS and legislative requirements	Ongoing
	Review and update first tranche of internal registry practice and procedure guides	Mid 2019
	Update ACAT Procedural Manual	Mid 2019

Objective or project	Tactics	Target
Sentencing Database	Identify next set of improvements to the Sentencing Database	Mid 2019
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	Late 2018
	Legislation, rules, practice directions and guidelines as necessary are in place	Late 2018
	Training and support arrangements in place	Late 2018
	Pilot eTrial software	Mid 2019
Coroners jurisdiction		
Practice and procedure	Review and update Coroners Court procedures and processes	Mid 2019
Forensic pathology services	Engage a full-time forensic pathologist	Early 2019
Accessible courts and tribunal		
Better information for court and tribunal users	Develop videos to provide information for court and tribunal users	Early 2019
Better information in family violence matters	Update guides and information for parties in family violence matters	Early 2019
Access by Aboriginal and Torres Strait Islander people	Continue to develop the cultural competency of staff	Ongoing
	Continue to develop strategies for recruiting Aboriginal and Torres Strait Islander people	Mid 2019
	Develop facilities and services to better support Aboriginal and Torres Strait Islander people	Stage 1 – late 2018 Stages 2A and 2B – late 2019
Access by CALD people	Arrange for family violence information to be available in several community languages	Mid 2019
	Continue to develop the cultural competency of staff	2019

Objective or project	Tactics	Target
Disability justice	Provide training for staff to improve their awareness of disabilities	2019
	Improve physical access and signage through the new court facilities	Stage 1 – late 2018 Stages 2A and 2B – late 2019
Interpreters	Provide guidance for staff on working with interpreters	2019

Attachment A – ACT Courts and Tribunal Business Plan 2018/2019

Priority/Source	ICMS and JMS <i>Budget Commitment Government priority Strategic priority</i>	New Court Facilities <i>Budget Commitment</i>	International Frameworks for Court and Tribunal Excellence <i>Priority of Heads of Jurisdiction 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).</p>	<p>Complete construction and operationalisation of a modern courts facility that includes 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>ACTCT 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 – \$1.1m</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 ACTCT 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) – late 2018 • Stage 4 (enhanced online) – mid 2019 <p>JMS</p> <ul style="list-style-type: none"> • Stage 1 Procurement – late 2018 	<ul style="list-style-type: none"> • Stage 1 – late 2018 • Stage 2 – late 2019 	<ul style="list-style-type: none"> • IFCE stocktake reports – late 2018 • User surveys – mid 2019 	<p>TBA</p>	<ul style="list-style-type: none"> • Staff training plans developed – December 2018 • Complete review of organisational structures and workforce capabilities and develop implementation plan – mid 2019 • ACTCT budgets and financial reports developed 	<ul style="list-style-type: none"> • SMS notification system – April 2019 • Updated web sites for each jurisdiction – mid 2019 • Better registry procedures that align with court and ACAT business and the ICMS – ongoing.

	<ul style="list-style-type: none"> • Stage 2 Building and testing the system – 2019 • Implementation – late 2019 				in TM1 and in use – late 2018	<ul style="list-style-type: none"> • Improve accessibility of courts and ACAT – ongoing.
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 • ACTCT staff • Justice agencies • Court and tribunal users • Jurors 	<ul style="list-style-type: none"> • Judicial officers • ACTCT 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"> • ACTCT staff • Unions 	<ul style="list-style-type: none"> • Judicial officers and ACAT members • ACTCT 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>