



2019 ANNUAL REVIEW DISTRICT COURT OF WESTERN AUSTRALIA

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FROM THE CHIEF JUDGE



Kevin Sleight

Chief Judge
District Court of Western Australia

The District Court is presently experiencing a workload crisis and is in need of significant additional judicial and administrative resources.

Criminal Jurisdiction

Within the criminal jurisdiction there have been a number of factors which have contributed to an increase in the workload of the court.

In the last 12 months there has been an increase in criminal lodgments of 8.1%. This has been partly due to the enactment of the *Court Jurisdiction Legislation Amendment Act 2018* (WA) which came into effect on 1 January 2019. As a result of this legislation the District Court has been given an increased jurisdiction in non-homicide criminal matters which attract a maximum penalty of life imprisonment. This has meant that the District Court now deals with a significant number of cases (such as arson and armed robbery) which were previously dealt with by the Supreme Court. The legislation also provides for an increase in the jurisdiction of the Magistrates Court. However, the increase in the jurisdiction of the Magistrates Court has not had any significant impact on the workload of the District Court.

In addition to these jurisdictional changes, there has been an increase in the number of sex cases coming before the court (an increase of 9% over 12 months). Approximately 70% of all sex cases involve allegations of sexual abuse of children. This has led to a corresponding increase in the pre-recording of evidence of children. Furthermore, the court has introduced ground rules hearings for very young children (generally children under the age of five) or witnesses under a significant disability. These ground rules hearings set parameters for the questioning of such witnesses.

The level of depravity of the offending against children has also increased over recent years. Given the level of depravity of child sex cases, the court is now consistently imposing very lengthy sentences with non-parole periods commensurate with sentences imposed for the most serious homicide cases dealt with in the Supreme Court.

The impact of the increase in the number of criminal cases coming before the court has been exacerbated by matters becoming more complex and lengthier, creating further demands on judicial resources. The workload pressures have meant that the number of cases on hand (that is, matters waiting to be dealt with) has increased to 2,202 matters as at 31 December 2019, an increase of 19.5% on the previous year. The median time to trial (that is, the time from the date the matter is committed from the Magistrates Court to the first day of any listed trial) is 43 weeks, an increase of 12.8% over the last 12 months.

The increase in the number of cases before the court has also led to an increase in the number of pre-trial hearings, including directions hearings to resolve evidentiary issues before trial. There has also been an increase in duty judge matters brought about by the need to case manage matters and also to hear an increasing number of bail applications due to the long delays that exist. These additional commitments are statistically summarised as follows:

2015	2019	Percentage Increase over 5 years
Pre-recordings of Evidence		
59	129	118.6%
Direction Hearings		
256	314	22.7%
Duty Judge Hearings		
985	1270	28.9%
Bail Applications		
77	223	189.6%

Civil Jurisdiction

There has also been a significant increase in the civil workload of the court as a result of amendments to the *Limitation Act 2005* (WA). As I mentioned in last year's annual review, amendments came into effect on 1 July 2018 removing time limitations for claims for damages for child sexual abuse causes of action. The amendments also provide a mechanism for claimants to apply to set aside previous out of court settlement agreements which would have otherwise prevented such claims being made. In 2019 there were 134 writs filed claiming

damages for child sexual abuse causes of action, an increase of 191.3% on the previous year. In addition, 111 applications (an increase of 753.8% on the previous year) were made by claimants seeking orders setting aside previous settlement agreements and seeking leave to commence proceedings for damages for child sexual abuse. Many of the claimants are elderly men claiming historic sexual abuse whilst they were children kept in institutions run by religious orders. Given the age of the claimants there is a need to deal with these claims expeditiously. This has created a significant challenge for the court. In October/November 2019 a blitz was conducted listing all outstanding applications by claimants seeking orders to set aside previous settlement agreements and applications seeking leave to commence proceedings. To enable sufficient judicial resources to be made available for this blitz, the Chief Justice agreed to make available a Supreme Court judge over a four-week period to conduct criminal trials in the District Court, thus freeing up a District Court judge over the same period to hear the applications relating to child sexual abuse causes of action.

In 2019 the District Court conducted 53 civil trials, an increase of 8 trials compared with 2018. This created a considerable challenge to the court because of the need to provide sufficient out-of-court time to judges to write judgments arising from these trials. This has been particularly difficult in light of the increasing criminal workload of the court.

Over listing and judicial workload

In an effort to cope with its significant workload, the court continues its practice of over listing criminal matters (by 40% throughout 2019) and civil matters (by 100% throughout 2019). The practice of over listing enables the court to maximise the judicial resources available by ensuring that where trials or hearings do not proceed before a particular judge (generally due to a settlement of some sort) then there are other matters available to list before the judge. However, a by-product of the practice is that the workload of the judges and their staff is relentless. A recent survey conducted involving a cohort of voluntary judges indicated that some judges were working in excess of 14 hours per day on a regular basis. The aggregate judicial sitting time in 2019 was 18,958 hours, an increase of approximately 4% in the last 12 months.

During the year the court placed an emphasis upon judicial wellness with various initiatives undertaken. However, the bottom line is that the hours that judges and their staff work cannot be sustained.

Broome conference

A highlight of the year was a cultural immersion conference in Broome in September 2019. The District Court of Western Australia serves the largest land mass of any District/County court in Australia, being an area of approximately 2.6 million square kilometres. Judges of the court conduct approximately 140 weeks of circuit hearings per year. These circuits serve such remote areas as the Kimberley region, the Pilbara and "the lands" area east of Kalgoorlie. For some time the court has tried to introduce a scheme whereby judges of the court have an opportunity to visit remote aboriginal communities whilst on circuit. It was hoped that the visits would give judges an insight into the unique social and cultural influences that exist

in such communities. For various reasons these attempts have been unsuccessful. However, this year, with the assistance of a generous grant from the National Judicial College of Australia and in cooperation with the Broome campus of the Notre Dame University, a three-day cultural immersion program was conducted in Broome. Whilst in Broome the judges stayed in student accommodation on the Notre Dame campus. The program included a day visit to the Bidjandanga Aboriginal community approximately 130 km south of Broome and an overnight stay on Karajarri land. The program was attended by 21 District Court judges and 5 Supreme Court judges (including the Chief Justice). The program provided a deeper understanding of the culture of the local Aboriginal people and the many disadvantages experienced by Aboriginal people who appear before the District Court.

Open Day

On Sunday, 17 November 2019 the District Court conducted an open day for the general public. There were 637 visitors to the District Court building. Visitors were able to take part in a mock jury empanelment in a courtroom with a judge presiding, tour the detention centre for a behind-the-scenes look at the cells where people are held in custody, and ask questions of judges and staff who attended on a voluntary basis. The number of visitors was well above previous open days conducted by the District Court. This was most pleasing as the day provides an opportunity for members of the public to gain a greater understanding of the court and the judicial process which plays such an important and an independent role in a democratic society.

Technology upgrade

In 2019 all 24 courtrooms in the District Court building in Perth underwent a technology upgrade. In broad terms this converted the courtrooms from an analogue system to a digital system. However, other improvements were made to the visual, audio and recording capabilities of each courtroom. The upgrade project was carried out over a full 12 month period, with two courtrooms per month being upgraded. During the period of the upgrade the District Court was provided with an additional two refurbished courts in the Central Law Courts building.

Retirements

On 31 December 2019 His Honour Judge Stephen Scott retired. I thank Judge Scott for his contributions to the court and the administration of justice.

Conclusion

Finally, I thank all of the judges, registrars, the executive manager of the court, Su Owen and all the staff of the court for their dedication and hard work during a year in which the court has been substantially challenged by its ever-increasing workload.

Kevin Sleight

*Chief Judge
District Court of Western Australia*

THE DISTRICT COURT AT A GLANCE

Our 2019 achievements	<ul style="list-style-type: none"> • The median time to sentence for matters committed to the Court remains at 20 weeks despite the increasing workload. • Introduction of ground rule hearings for very young children and / or witnesses under a significant disability. • Achieved the target of 90% of all documents in the civil jurisdiction being electronically lodged. • Digital upgrade of all courtrooms in the District Court Building completed on time. 																												
Our jurisdiction	<p>Criminal: All matters that must be tried before a jury, or judge alone including those for which the maximum term of imprisonment that can be imposed is a life sentence, except homicide.</p> <p>Civil: General claims for liquidated sums, debt or damages up to \$750,000 and unlimited jurisdiction for all personal injury claims.</p> <p>Appellate: Appeals from:</p> <ul style="list-style-type: none"> • Magistrates exercising civil jurisdiction; • Criminal Injuries Compensation Assessors; and • Arbitrators under Part XI of the <i>Workers' Compensation and Injury Management Act 1981 (WA)</i>. 																												
Our areas of operation	<table border="0"> <tr> <td>Perth</td> <td></td> <td>Esperance</td> <td>592km from Perth</td> </tr> <tr> <td>Albany</td> <td>389km from Perth</td> <td>Geraldton</td> <td>370km</td> </tr> <tr> <td>Broome</td> <td>1664km</td> <td>Kalgoorlie</td> <td>544km</td> </tr> <tr> <td>Bunbury</td> <td>155km</td> <td>Karratha</td> <td>1275km</td> </tr> <tr> <td>Busselton</td> <td>193km</td> <td>Kununurra</td> <td>2214km</td> </tr> <tr> <td>Carnarvon</td> <td>814km</td> <td>South Hedland</td> <td>1304km</td> </tr> <tr> <td>Derby</td> <td>1770km</td> <td></td> <td></td> </tr> </table>	Perth		Esperance	592km from Perth	Albany	389km from Perth	Geraldton	370km	Broome	1664km	Kalgoorlie	544km	Bunbury	155km	Karratha	1275km	Busselton	193km	Kununurra	2214km	Carnarvon	814km	South Hedland	1304km	Derby	1770km		
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Our workload	<ul style="list-style-type: none"> • 491 criminal trials including 126 circuit trials • 1,447 people committed for trial from Magistrates Court • 1,470 people committed for sentence from Magistrates Court • 53 civil trials • 5,161 new actions commenced by writ • 119 appeals determined • 2,160 civil mediations and pre-trial conferences 																												
Our people	<ul style="list-style-type: none"> • 30 judges (3 serving in other jurisdictions) • 5 registrars • 37.7 court administration staff • 57 judicial support staff 																												
Our budget	<p>An amount of \$22.4 M</p>																												

OUR JUDGES

The following were the Judges of the Court as at 31 December 2019:

Chief Judge

His Honour Judge Kevin Frederick Sleight

Judges

His Honour Judge Andrew Steven Stavrianou
Her Honour Judge Troy Denise Sweeney SC
His Honour Judge Bruce James Hamilton Goetze
His Honour Judge Michael John Bowden
His Honour Judge Christopher Peter Stevenson
His Honour Judge Stephen George Scott
Her Honour Judge Felicity Clare Earls Davis
His Honour Judge Patrick Brian O'Neal
His Honour Judge Simon Elliot Stone
His Honour Judge John Gerard Staude
His Honour Judge Ronald Edward Birmingham QC
His Honour Judge Timothy Sharp
Her Honour Judge Audrey Gillian Braddock SC
His Honour Judge David Ronald Parry
His Honour Judge Mark Edward Herron
Her Honour Judge Vicki Laura Stewart
His Honour Judge Laurence Mark Levy SC
Her Honour Judge Linda Petrusa SC
His Honour Judge Michael John Gething
His Honour Judge Alan Laurence Troy
Her Honour Judge Belinda Jane Lonsdale
Her Honour Judge Fiona Vernon
His Honour Judge Hylton Colin Quail
Her Honour Judge Kathleen Helen Glancy
Her Honour Judge Wendy Gillan
His Honour Judge John Brian Prior
Her Honour Judge Amanda Jayne Burrows SC
His Honour Judge Stephen John Lemonis

Other appointments held by Judges of the District Court of Western Australia

The following District Court Judges are not available to the Court as they are engaged for the appointments indicated below:

Her Honour Judge Julie Anne Wager
President, Children's Court of WA

His Honour Judge T Sharp
Acting President, State Administrative Tribunal

His Honour Judge DR Parry
Deputy President, State Administrative Tribunal

Judicial retirements since December 2018

His Honour Judge Stephen George Scott retired on 31 December 2019

Judicial appointments since December 2018

His Honour Judge Stephen John Lemonis was appointed on 1 February 2019

Judicial movements since December 2018

Nil

Registrars as at 31 December 2019

Principal Registrar	Shane Melville
Registrar	George Augustus Kingsley
Registrar	Jacquie Kubacz
Deputy Registrar	Simon Peter Harman
Deputy Registrar	Richard John Hewitt

CRIMINAL JURISDICTION

The Court deals with all serious criminal offences that must be tried before a judge and jury, or a judge sitting alone. This includes offences for which the maximum term of imprisonment that can be imposed is life imprisonment, except homicide.

Prosecutions determined by the Court include serious assaults, sexual assaults, serious fraud, arson, armed robbery, commercial theft, burglary and drug related offences.

Please note that figures may differ slightly from those previously published due to regular data integrity checks.

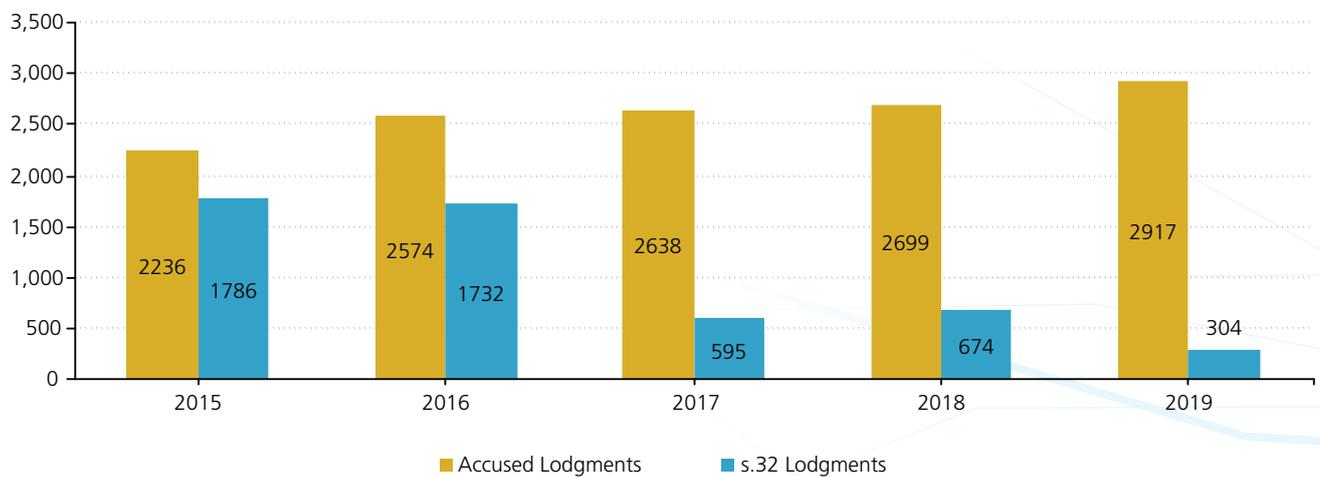
Lodgments

Criminal lodgments increased in 2019 with 2,917 new accused matters lodged, a 8.1% (218 matters) increase when compared with 2,699 matters in the previous year.

Included in Graph 1 below is the number of summary charges requested by accused persons, pursuant to a section 32 *Sentencing Act 1995* notice, to be dealt with by the Court when sentencing. This procedure allows an accused who is to be sentenced following conviction in the District Court, to request to be sentenced by the sentencing judge on any outstanding summary charges to which they have pleaded guilty in the Magistrates Court.

In 2019 there were 304 section 32 charges lodged, a 55% decrease (370 charges) when compared with the 674 lodged in 2018. This is due to a change in practice by the Office of the Director of Public Prosecutions whereby consent to commit Magistrates Court charges to the District Court is only given where the charges relate to the District Court indictable matter.

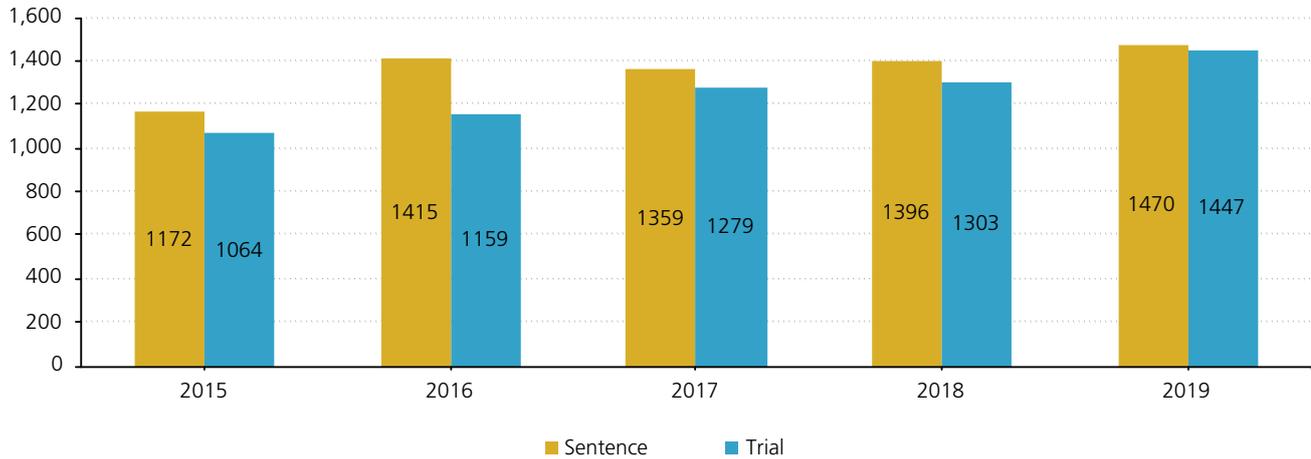
Graph 1 Accused Matters and Section 32 Charges Lodged



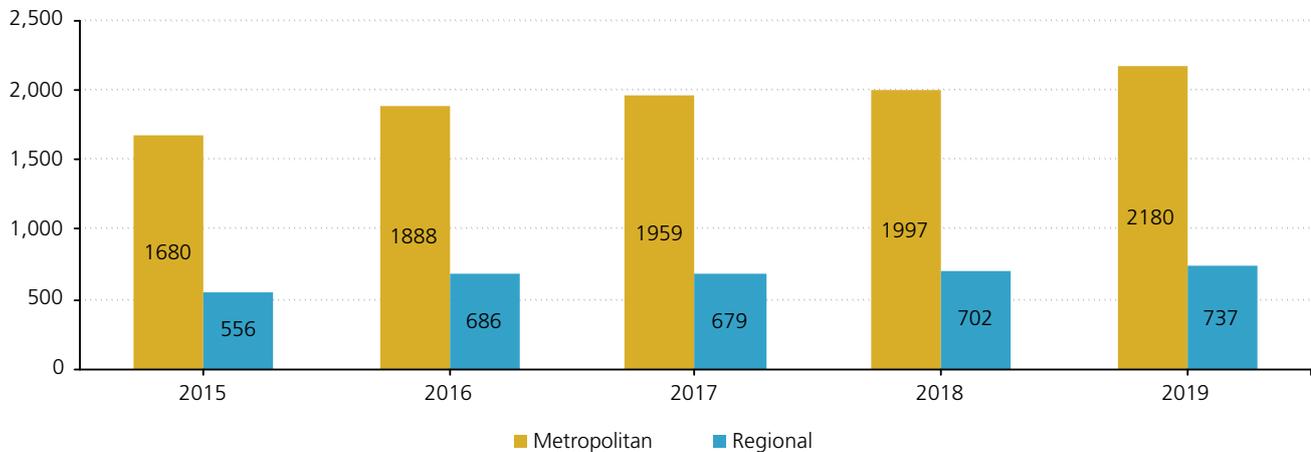
Graph 2 below, illustrates the division in the Court’s work between matters committed for trial and those committed for sentence. There were 144 (11%) more committals for trial lodged with the Court in 2019 than in the previous year. There were 74 (5.3%) more committals for sentence lodged with the Court in 2019 than in the previous year.

Graph 3 below, displays the spread of the Court’s criminal workload in relation to accused matters lodged, as between the metropolitan area and the 12 regional locations to which the Court circuits. It illustrates an increase in metropolitan (183) and circuit (35) lodgments, with an overall increase of 218 accused matters lodged.

Graph 2 Accused Lodgments by Committal Reason



Graph 3 Accused Lodgments by Region



Finalisations

There were 2,552 criminal matters finalised in 2019, 228 (8.2%) less than the 2,780 in 2018. Refer to Graph 4 below.

Fewer matters were finalised (2,552) than were lodged (2,917) which resulted in a clearance index of 87.5%, a decrease on the clearance index of 103.5% achieved in 2018.

The majority of the Court’s judicial resource is concentrated in the criminal jurisdiction of the Court, undertaking activities associated with the conduct of criminal trials.

A total of 936 criminal matters were listed for trial state-wide, similar to the 912 listed last year. Of these matters 491 proceeded, being 52.5% of the matters listed and similar to the total of 488 matters in 2018. Refer to Graph 5 below.

The major reason for trials not proceeding when listed are late pleas of guilty, discontinuances, or adjournments.

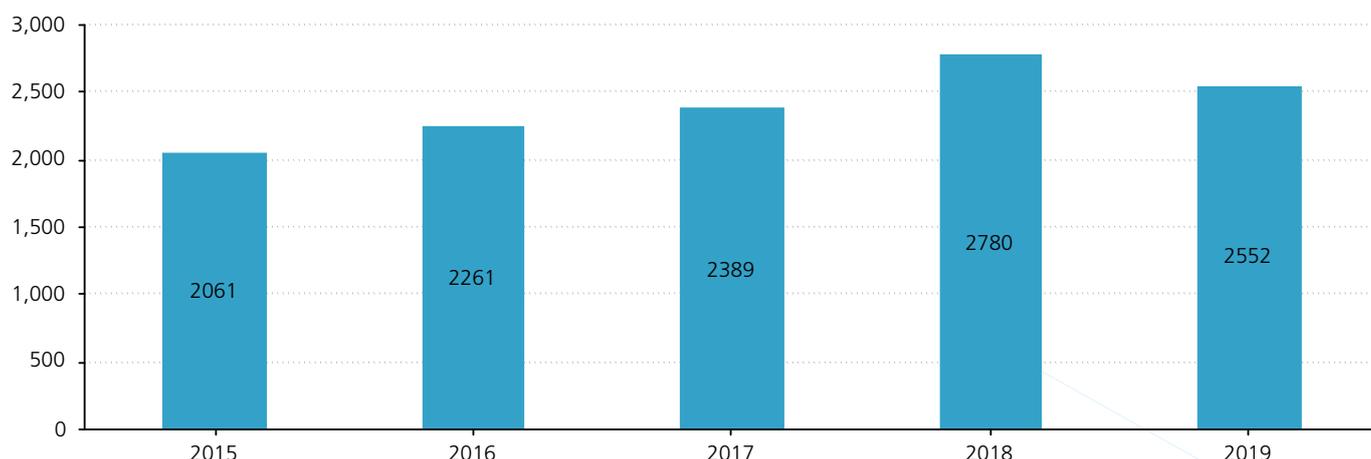
It is the Court’s practice to list more matters in a month than can actually be heard. This enables the Court to compensate for the high rate of trials that don’t proceed for the reasons previously mentioned. Listing in this manner ensures the optimisation of judicial resources and the attendance of jurors is not wasted.

The average length of all trials state-wide is 3.72 days similar to the 3.76 days in 2018.

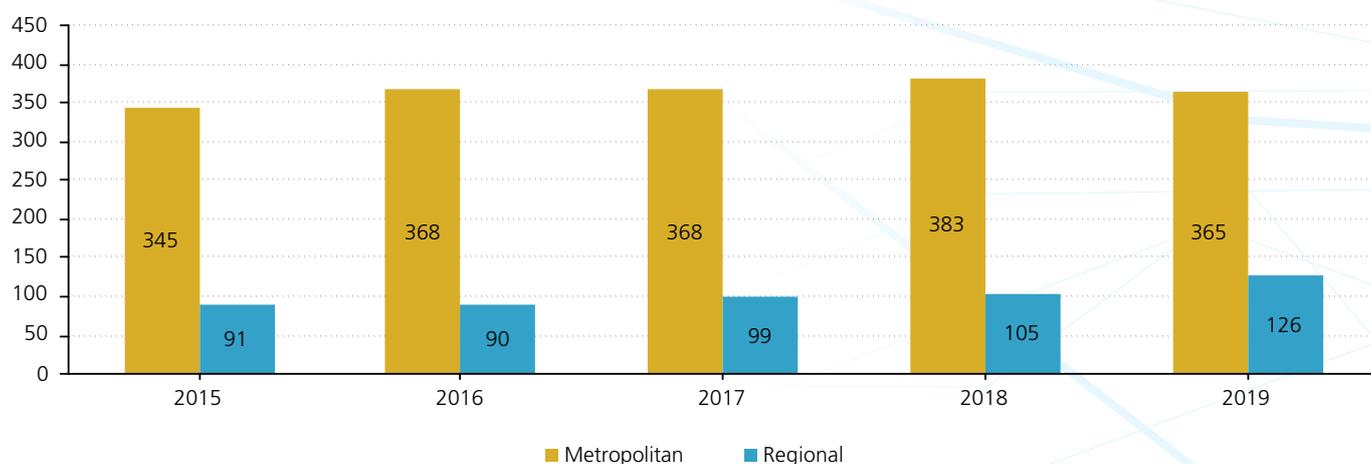
The average length of the 365 criminal trials conducted in Perth during 2019 was 3.98 days similar to the 3.99 days in 2018.

In 2019, there were 105 trials conducted state-wide where the trial duration was 5 days or greater, 1 more than 2018. Accommodating lengthy trials can be resource intensive for the Court, with additional time being taken up with the case management of the many issues that arise in the period leading up to trial.

Graph 4 Accused Matters Finalised



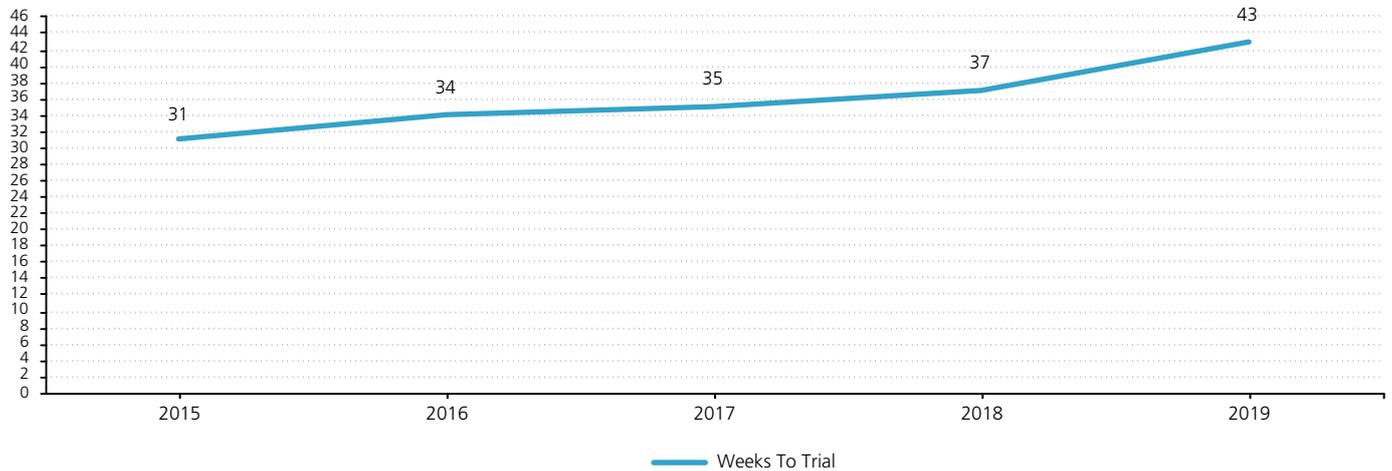
Graph 5 Criminal Trials Proceeding



Graph 6 illustrates the Court’s median time to criminal trial since 2015, with the result for 2019 recorded as 43 weeks in December. Median time to trial measures the period in which an accused person waits for their first trial date in the District Court, following committal by the Magistrates Court.

The criminal time to trial target is 32 weeks. The increase above this target to 34 weeks in 2016, 35 weeks in 2017, 37 weeks in 2018 and 43 weeks in 2019 is primarily due to the growth in committals for trial.

Graph 6 Median Trial to Trial



Sentencing

Of the 2,552 accused matters finalised in 2019, 2,033 resulted in a sentence being handed down. This is a decrease of 278, or 12%, when compared with the 2018 figures of 2,311 being sentenced.

An accused person, who pleads guilty to an indictable offence/s in the Magistrates Court and is committed to the District Court for sentence, can expect to appear at a sentence mention hearing around eight weeks after the date of their committal. An appearance at a sentence mention hearing is before a Registrar who ensures that the prosecutor has filed an indictment, that a pre-sentence report is available if

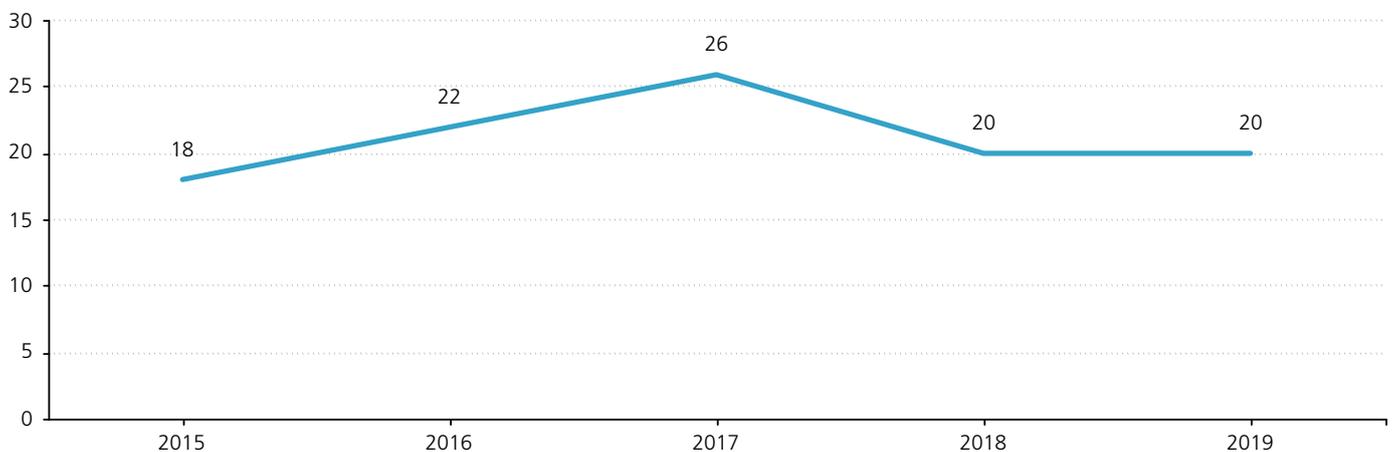
required (or is in the process of being prepared) and that in all other respects the matter is ready to proceed to a sentencing hearing.

Sentencing matters are listed in dedicated lists before a Judge on Tuesdays, Thursdays and Fridays of each week.

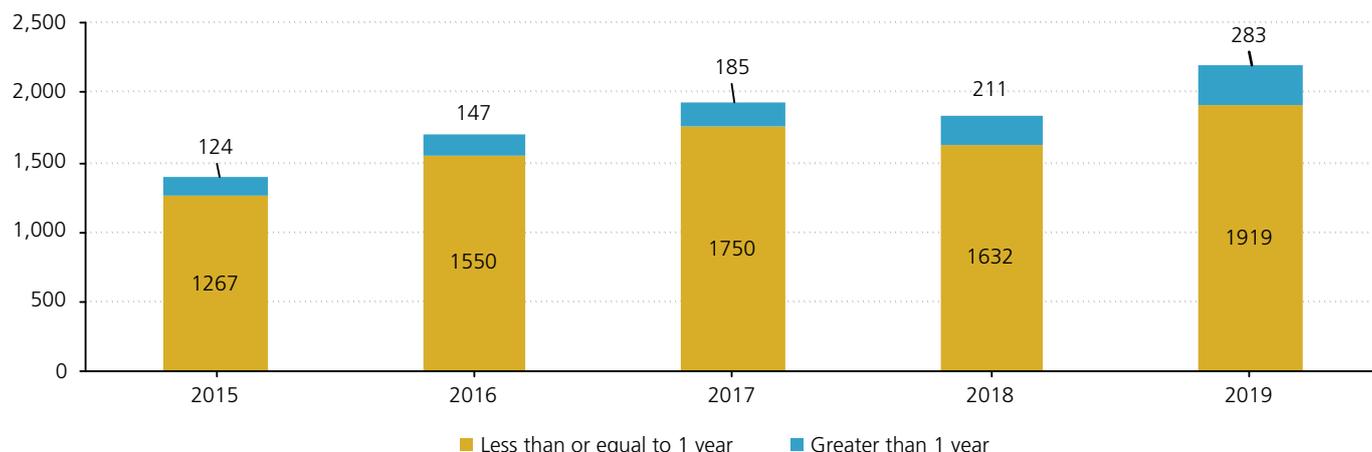
The Court’s median time to sentence is illustrated in Graph 7. It is the measurement in weeks between the date of committal from the Magistrates Court and the date a sentence is imposed at the District Court (excluding matters listed for trial before sentencing).

The median time to sentence for 2019 is 20 weeks, the same as in December 2018.

Graph 7 Median Time to Sentence



Graph 8 Criminal Matters on Hand



Matters on Hand

There were 2,202 criminal matters on hand, 359 (19.5%) more than the 1,843 in 2018. This increase is primarily due to the increase in lodgments as explained earlier. Of the matters on hand as at 31 December 2019, 87% were less than or equal to 12 months in age, similar to the previous year.

The District Court on Circuit

The District Court is committed to the delivery of fair, equitable and accessible justice services for all citizens of Western Australia. Therefore, in addition to the main registry of the Court which is located within the Perth central business district, the Court conducts criminal circuits to the regional locations of Albany, Broome, Bunbury, Busselton, Carnarvon, Derby, Esperance, Geraldton, Kalgoorlie, Karratha, Kununurra and South Hedland.

Court facilities at these locations vary as to their suitability for the conduct of criminal trials by a judge and jury. Regional court buildings are regularly monitored on behalf of the Department of Justice, as to their utility, by resident staff of the Magistrates Court.

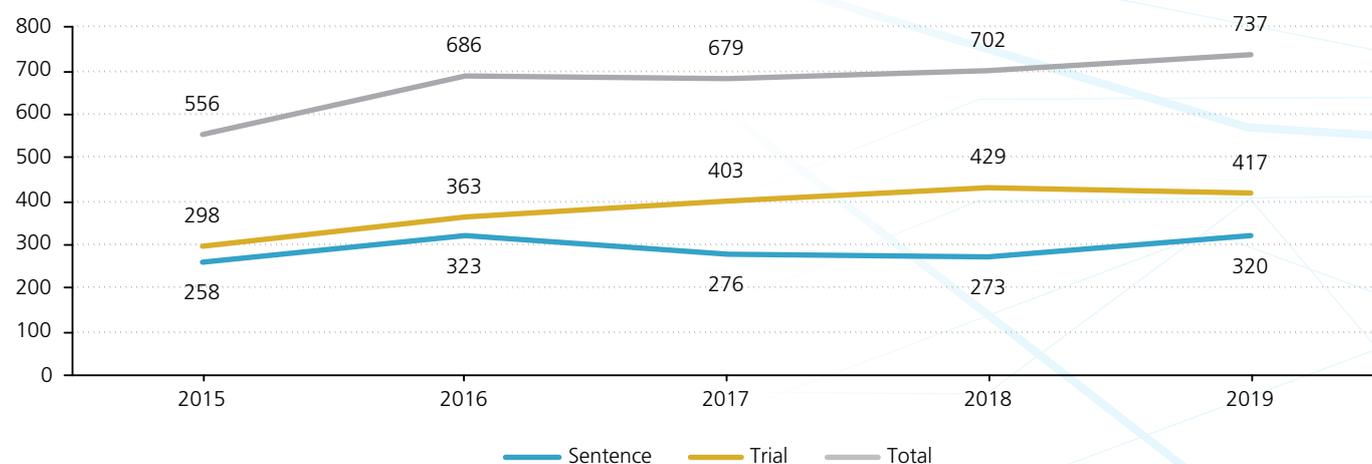
The assistance provided by Magistrates Court staff to Judges and their personal staff when on circuit throughout the State is acknowledged and appreciated by the District Court.

Graph 9 illustrates committals to the Circuit Courts.

The average length of a criminal trial at circuit locations visited by the Court during 2019 was 2.98 days, more than the 2.9 days in 2018.

Trial dates were allocated for 178 circuit trial matters during the year similar to the 151 allocated in 2018. 126 of those matters, or 71%, proceeded to a trial. This was 21 matters more than last year.

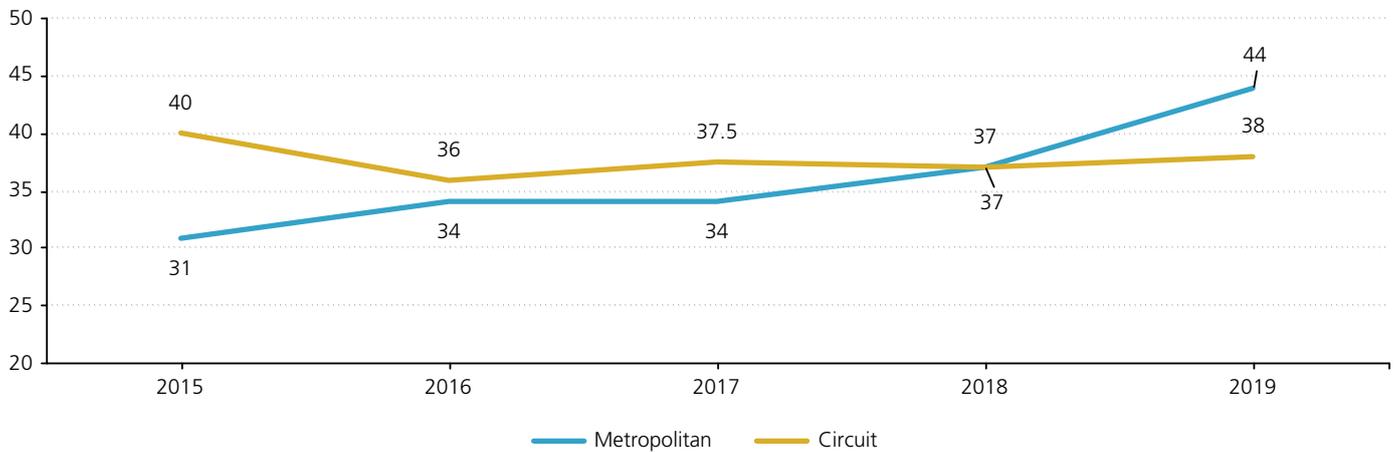
Graph 9 Circuit Criminal Lodgments



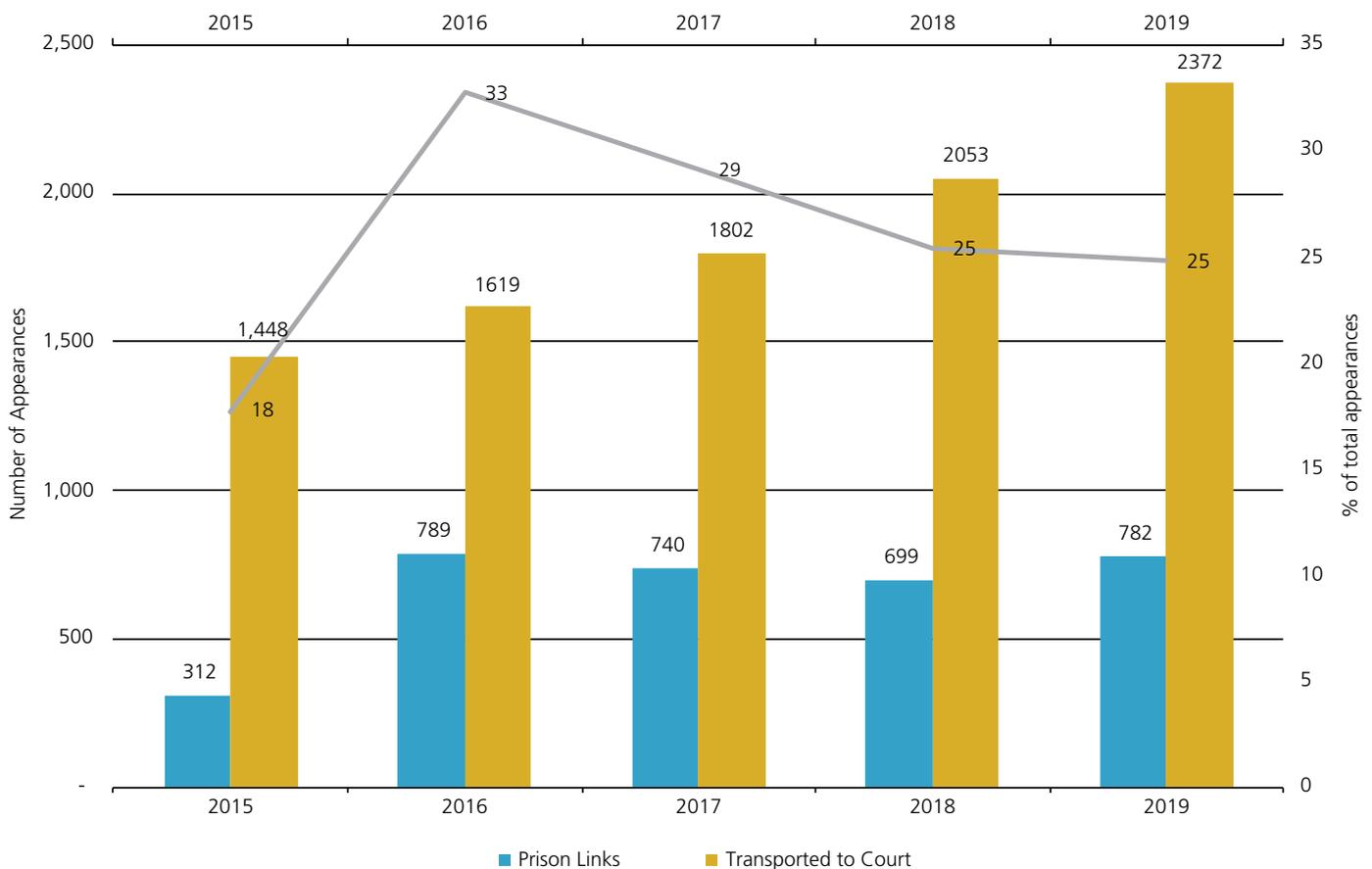
The median time to criminal trial at circuit locations is illustrated in Graph 10 below. The time to trial for 2019 was 38 weeks, one week more than in 2018.

The Court continues to make use of video links so as to reduce the need for persons in custody from being transported to the Court for minor appearances. See Graph 11 below.

Graph 10 Median Time to Trial Trend Metro -v- Circuit



Graph 11 No. of Video Links Appearances



CIVIL JURISDICTION

The District Court’s civil jurisdiction is to hear and determine claims for liquidated sums up to \$750,000. The Court has unlimited jurisdiction in claims for damages for personal injury. In practice it hears all damages claims for injuries sustained in motor vehicle accidents as the Magistrates Court does not have jurisdiction to deal with those claims.

Please note that figures may differ slightly from those previously published due to regular data integrity checks.

Caseload

The Court’s civil caseload in 2019 continued to be heavily weighted towards personal injury claims with the majority arising from workplace accidents and motor vehicle accidents. Following amendment of the *Limitation Act 2005* (WA) the Court is now also receiving applications for personal injury associated with historical sexual abuse.

Most personal injury cases settled at a pre-trial conference, either following discussions between the parties or with the assistance of a Registrar, acting as a mediator. The Court’s aim is to set down a personal injury action for a pre-trial conference within six months of the action commencing.

The remainder of the Court’s civil business comprises commercial cases that include debt recovery, disputes over the sale of businesses and the operation of leases. Commercial disputes are case managed by Registrars of the Court by

convening directions hearings, making programming orders and progressing cases towards resolution. It is the Court’s aim to ensure that the parties to an action participate in a mediation conference with the aim of settlement, at the earliest possible time after they come into possession of information that will allow for meaningful discussion.

The Court has appellate jurisdiction for appeals from the decisions of other Courts and Tribunals, as follows:

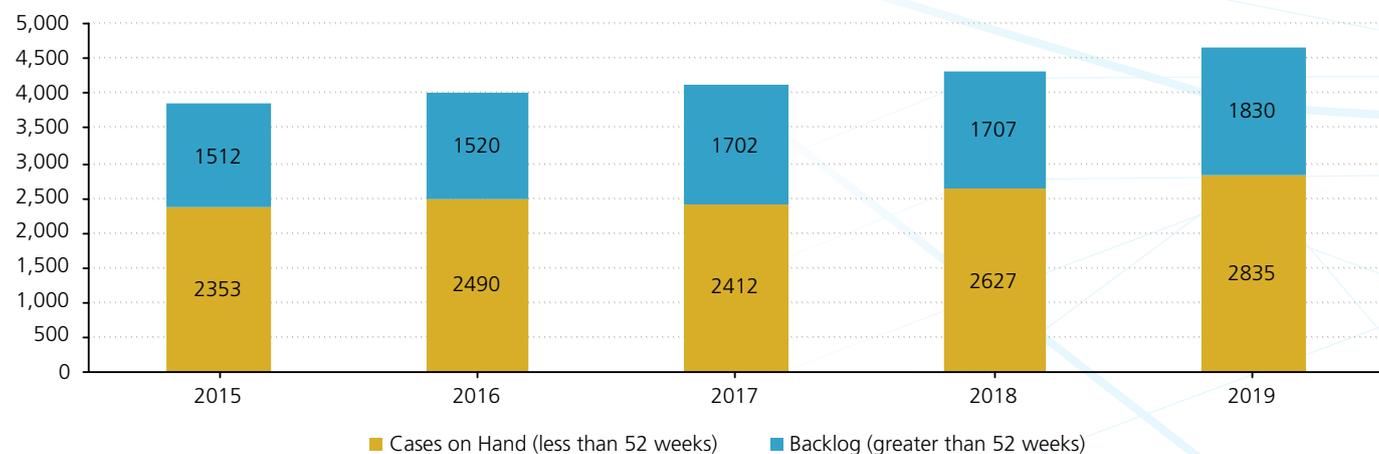
- Appeals from the decisions of Magistrates sitting in the civil jurisdiction of the Magistrates Court (includes appeals against restraining orders, either made or refused);
- Appeals against the decisions of Assessors of the Criminal Injuries Compensation Tribunal for awards or non-awards to victims of crime; and
- Appeals from the decisions of arbitrators made under Part XI of the *Workers’ Compensation and Injury Management Act 1981*.

Lodgments

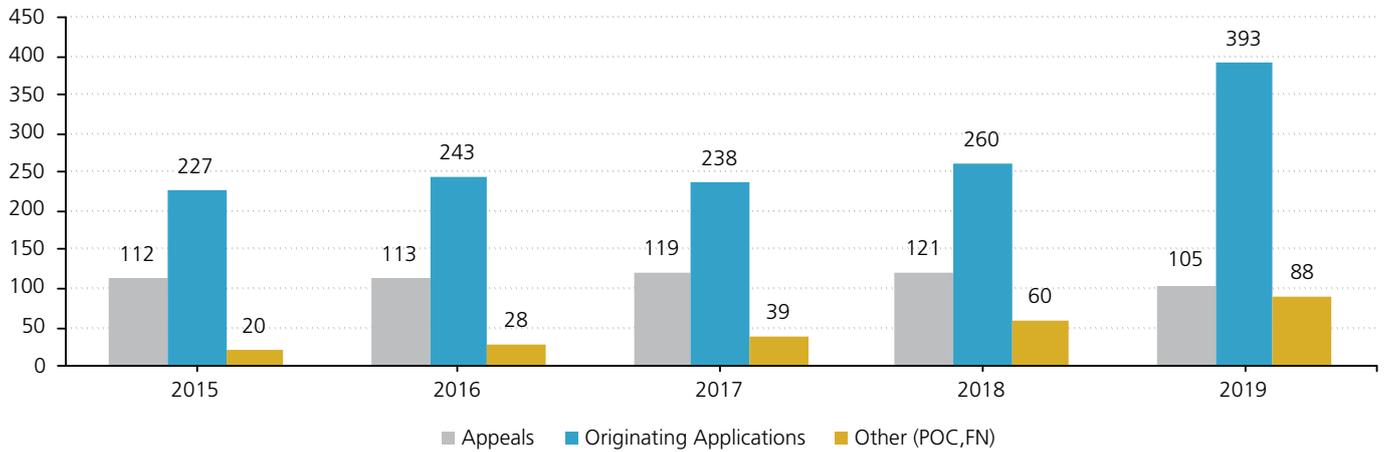
There were 5,747 new civil case lodgments including appeals in 2019, an increase of 7.6% on the 5,339 in 2018.

New writs lodged increased 5.4% in 2019 with 5,161 new writs lodged compared with 4,898 writs lodged in 2018. Refer to Graph 12. Personal injury claims accounted for 88% of all new writs lodged in 2019 similar to 2018. The remaining 12% is made up of commercial claims. Graph 13 illustrates appeals and originating summons lodgments.

Graph 12 Civil Lodgments (Writs Only)



Graph 13 Civil Lodgments (Appeals and Originating Summons)



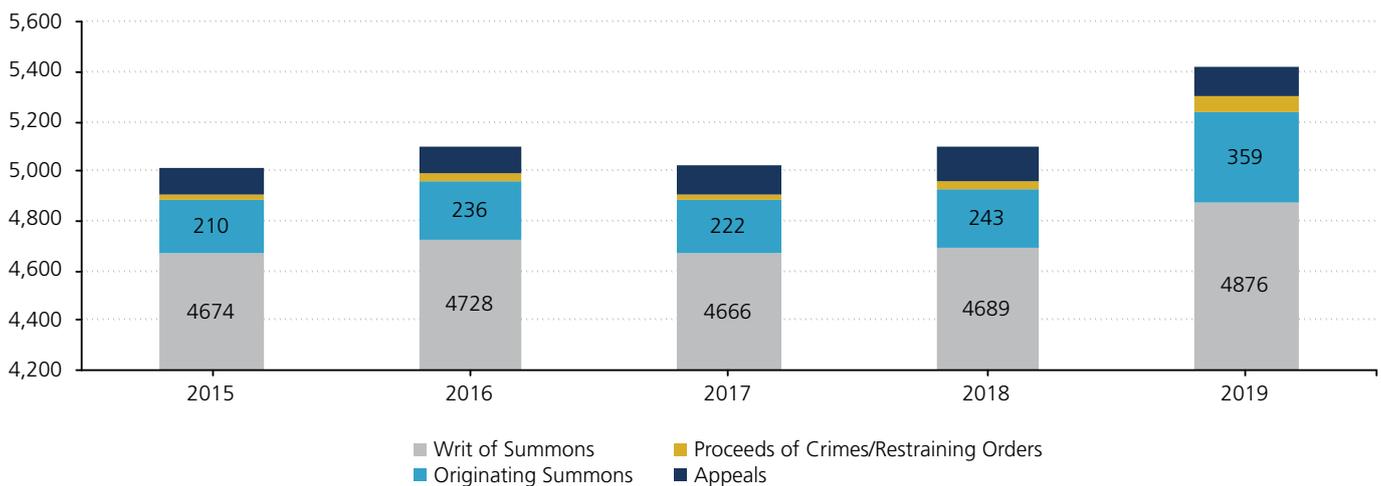
Finalisations

Civil litigation is managed through an extensive programme of case management and alternative dispute resolution.

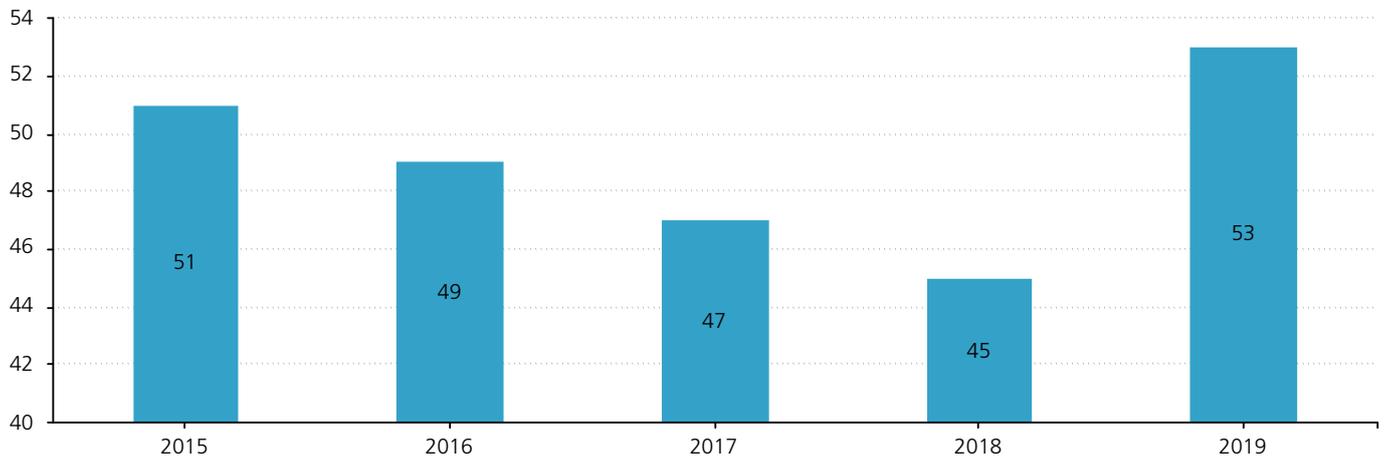
The success of the programme is measured by the fact that very few civil cases actually proceed to a trial in the District

Court. In 2019 there were 5,419 cases finalised as illustrated in Graph 14. There were 4,876 Writ of Summons in civil cases finalised in 2019, 176 trials listed, 15 or 9% more than the 161 listed in 2018. Fifty three (53) cases, or 1% of the total, proceeded to trial, 18% (8) more than the 45 cases in 2018. Refer to Graph 15.

Graph 14 Civil Finalisations



Graph 15 Civil Cases Proceeding to Trial



A total of 192 mediation and 1,968 pre-trial conferences giving a total of 2,160 conferences were conducted by the Registrars of the Court in 2019. This represents 23 more than 2018 and is likely to be the result of work undertaken by the legal profession to resolve the case before Registrar involvement.

The Court has five Registrars. All are experienced mediators.

The Court’s aim is to finalise more cases than are commenced each year. The number of cases finalised in 2019 (5,419) when compared with the number of new cases commenced (5,747) results in a clearance index of 94% which is similar to 2018.

The median time to settle a case without trial is 17 weeks, two weeks less than the 19 weeks in 2018.

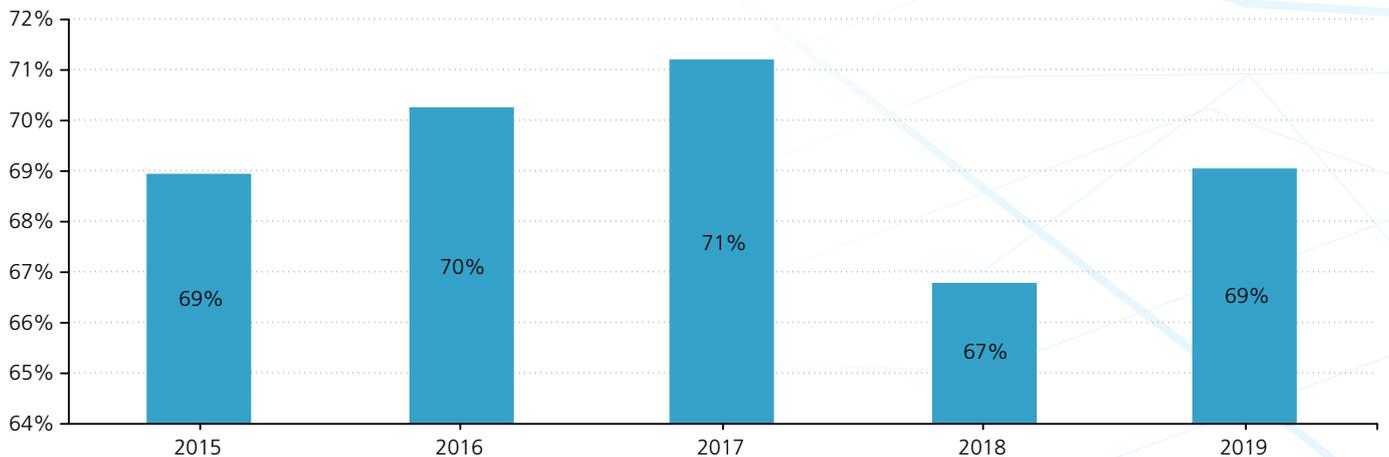
There were 53 civil trials conducted in 2019, 8 more than 2018. Of these cases, 10 proceeded to trial where the duration of the trial was greater than 5 days, one less than in 2018.

The average length of a civil trial in 2019 is 4 days, the same as in 2018. Success in mediation often means it is the more complex cases that proceed to trial and, by their nature, require more time to resolve. Clearing these cases will result in a lower average length of trial.

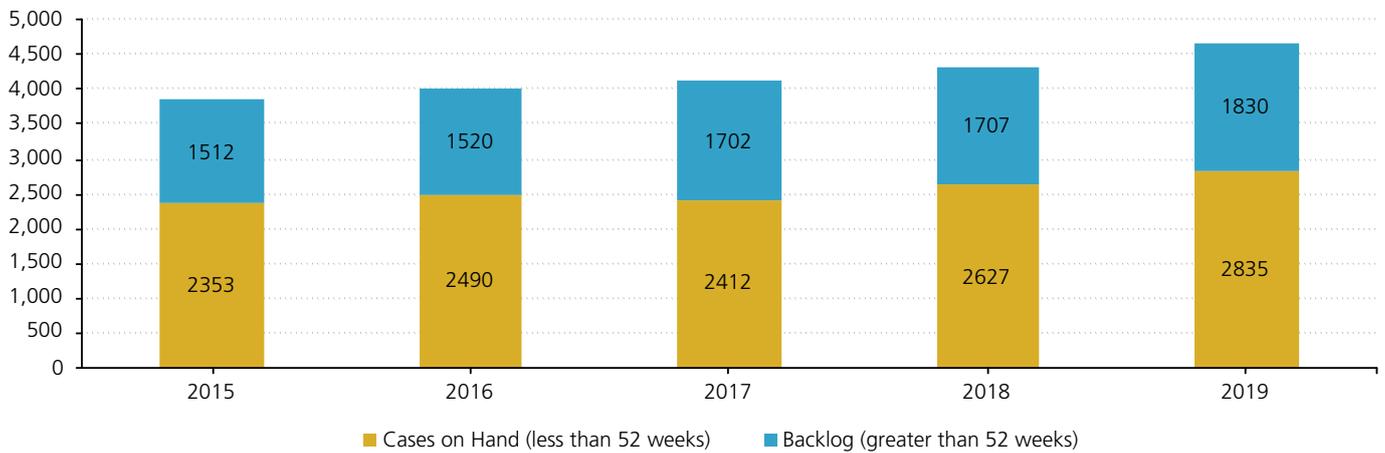
Approximately 69% of the Court’s civil cases were finalised within a period of 52 weeks of their commencement in 2019, a slight increase on the 2018 (67%) result as illustrated in Graph 16.

The median time to finalise a civil case by trial decreased from 132 weeks in 2018 to 115 weeks in 2019.

Graph 16 Percentage of Civil Cases Finalised within 52 Weeks



Graph 17 Civil Cases on Hand and Backlog



Cases on Hand

There were 4,665 cases on hand in December 2019, 331 (7.6%) more than the 4,334 cases on hand in December 2018. Of the cases on hand, 60.7% were less than 52 weeks of age, similar to the 2018 position. Refer to Graph 17

Appellate Jurisdiction

There were 105 civil appeals lodged with the Court in 2019. Of these:

- 43 arose from the decisions of Magistrates exercising jurisdiction under the *Magistrates Court (Civil Proceedings) Act 2004* and the *Restraining Orders Act 1997*;
- 40 arose from the decisions of Criminal Injuries Compensation Assessors;
- 21 arose from the decisions of arbitrators made under Part XI of the *Workers’ Compensation and Injury Management Act 1981*; and
- 1 on appeal from another jurisdiction.

The Court finalised 119 appeals in 2019 with 85% of the appeals being resolved within 12 months of their lodgment. The Court aims to resolve all appeals lodged with the Court within 12 months of their commencement.

Information on appeals and material to assist self-represented persons with the lodgment of an appeal are available on the District Court website.

OTHER HIGHLIGHTS



Professional Development for Members of the Judiciary

All available District Court judges were joined by five justices of the Supreme Court in attending the Mapu Kungulu, Mapu Ngarlu, Mapu Muwarr Wakajku (Open Mind, Good Feeling, Good Talk and Business for All of Us): District and Supreme Court Judges' Conference in September 2019 at the University of Notre Dame Australia Broome Campus. The District Court would like to acknowledge the Yawuru and Karajarri Traditional Owners who graciously hosted the program on their land and the Nulungu Research Institute who coordinated the program. The program was developed in close collaboration with the Karajarri and Yawuru people, along with the Bidyadanga community and, as a number of sessions were tailored to the judicial context, the judicial members of the organising committee. The conference was opened by the Hon John Quigley, Attorney General. It included sessions on intergenerational trauma, child health matters and aboriginal interpreting. Information shared included many personal stories of challenge, hope and resilience, a presentation about conservation, Indigenous Protected Areas and animals on Karajarri land and community kinship systems. A day trip to Karajarri Country, discussions with the Bidyadanga community members and a visit to the La Grange Massacre Site were highlights of the program. A more detailed account of the experience can be found at https://researchonline.nd.edu.au/nulungu_insights/5/

Once per month a Judge of the Court presents at lunchtime a paper on a recent decision of the Court of Appeal or the High Court of Australia. Judges also attend a number of seminars throughout the year organised by various judicial education bodies.

All registrars are members of the Resolution Institute and have undertaken various professional development activities throughout the year.

The District Court Building

For the twelve months of 2019 courtroom video and audio technology in the District Court building was upgraded to deliver court recording and audio visual systems and services designed to cater for current and future needs of the jurisdictions sitting in the building. The most significant change was the move from analogue to digital equipment. This enables real time monitoring of faults so they can be readily detected through the software programs used. It will also enable the majority of issues to be fixed remotely and remedied quickly. The upgrade of two courtrooms per month required teams within the Higher Courts, Magistrates Courts and various contract providers to work together to ensure the ongoing availability and effective use of resources across various facilities during this time. Their teamwork is acknowledged and their assistance greatly appreciated.

The District Court Building Open Day

On Sunday, 17 November 2019 the District Court conducted an open day for the general public. There were 637 visitors to the District Court building with this number being well above previous open days. A mock jury empanelment in a courtroom with a judge presiding was a highlight of the self-guided tour as was the detention centre tour which provided a behind-the-scenes look at the cells where people are held in custody. The day provided an opportunity for members of the public to gain a greater understanding of the court and the judicial process and ask questions of judges and staff.

The Court's Website

This year has seen a complete revamp of the District Court's website. The content has been reviewed from the point of view of the person using the website and reorganised to be much simpler to follow but still representative of what the court does.

The website provides case and general information about the operations of the District Court for the legal profession, self-represented persons and members of the general public. Information available through the website includes practice directions, circulars to practitioners, fee and form information, general updates on civil and criminal procedure and a procedure manual to assist self-represented persons.

The Court's Registry

With the implementation of mandatory electronic lodgment by the law profession of documents associated with the civil jurisdiction of the court, the District Court registry counter again experienced a significant reduction in the number of persons attending the Court to transact business on behalf of themselves or their legal firm.

There were approximately 7,289 customers served in 2019, a 3,340 (31%) decrease on 2018.

A total of 54,280 documents were lodged in 2019, 3,559 (7%) more than in 2018. Ninety percent or 49,070 of these were lodged electronically, a 17.5% increase on 2018. Prior to implementation of eLodgment in July 2016, eLodgment accounted for only 1,321 or 6% of documents lodged, prior to eLodgment being mandated in March 2018 eLodgment accounted for 13,721 or 18% of documents being lodged.

Subpoena management remains a significant component of registry work. In 2019 2,011 subpoenas were lodged, 759 (27%) less than 2018. There were 2,330 subpoenaed items produced, 62 (3%) more than the previous year.

DISTRICT COURT COMMITTEES

as at 31 December 2019

Management Council Committee

Chief Judge Sleight (Chair)
Judge Wager
Judge Goetze
Judge Staude
Judge Herron
Judge Gething
Principal Registrar Melville
S Owen – Executive Manager

Civil Administration Committee

Chief Judge Sleight (Chair)
Judge Birmingham
Judge Herron
Judge Vernon
Judge Glancy
Principal Registrar Melville
Registrar Kubacz
S Owen – Executive Manager
J Petrovski – Manager Civil
J Howard – Manager of Associates and Ushers
C Jina – Manager Performance

Criminal Administration Committee

Chief Judge Sleight (Chair)
Judge Scott
Judge Levy
Judge Petrusa
Judge Troy
Judge Quail
Principal Registrar Melville
S Owen – Executive Manager
J Howard – Manager of Associates and Ushers
S Cooke – Manager Criminal
C Jina – Manager Performance

Library Committee

Chief Judge Sleight (Chair)
L Lyon – Manager Library & Information Services (DoJ)
W Lei – Librarian
S Owen – Executive Manager

District Court Building Committee

Judge Stevenson (Chair)
Judge Goetze
Principal Registrar Melville
S Owen – Executive Manager
W Hawley – Manager Customer Support
A Stevenson – Executive Manager Business Services
P Smith – Manager AV Transcription Systems & Services
R Randall – Director, Court Risk and Assessment
M Shaw – Operations Manager Western Liberty Group
B Konrath – Account Manager, BGIS
R Smart – Contract Manager G4S

Technology Committee

Judge Gething (Chair)
Judge Braddock
Principal Registrar Melville
S Owen – Executive Manager
A Stevenson – Executive Manager Business Services
P Smith – Manager AV Transcription Systems & Services
J Howard – Manager of Associates and Ushers
W Hawley – Manager Court Services
D McLean – Executive Manager Technology Planning and Development (DoJ)
J Kettle – Manager Infrastructure Services (DoJ)
M Shaw – Operations Manager Western Liberty Group
B Konrath – Account Manager, BGIS

Judges' Benchbook Committee

Judge Davis (Convener)
Judge Troy
Judge Lonsdale
Judge Lemonis
Cham Madondo, Legal Research Officer

2019 District Court Judges' Conference Committee

Judge Staude (Chair)
Judge Braddock
Judge Quail
Judge Lonsdale
Judge Prior

District Court 50th Anniversary Committee

Judge Wager (Chair)
Judge Birmingham
Judge Troy
Judge Stewart
Judge Glancy
Judge Gillan
Ms Joanne Stampalia Executive Director CTS (DoJ)
Ms Tania Sloan

EXTERNAL COMMITTEES

His Honour Chief Judge Sleight

Member, Heads of Jurisdiction Committee
Member, Chief Justice's Senior Counsel Committee
Chair, Inter-Jurisdictional Education Committee
Chair, Witness Intermediary Project Steering Committee
Member, Judicial Council on Cultural Diversity
Advocate, Cultural Diversity Justice Network

Her Honour Judge Wager

President, Children's Court of Western Australia
Member, Inter-Jurisdictional Education Committee
Member, National Judicial College of Australia Council
President of Totius

His Honour Judge Stavrianou

Member, Judicial Council of Australia Governing Council

His Honour Judge Stevenson

Member, Resolution Institute
Committee Member, Schools Conflict Resolution and Mediation Program (SCRAM)
Member, Western Australian Dispute Resolution Association (WADRA)
Member, Courts Jury Advisory Committee
SQNLDR, RAAF Standby Reserve (Legal) (ADF)
Member, Law Society Alternative Dispute Resolution Committee

His Honour Judge Staude

Member, Law School Advisory board, University of Notre Dame
Member, National Judicial College of Australia National Judicial Orientation Program Steering Committee

Her Honour Judge Stewart

District Court Representative, Judicial Systems Replacement Working Group
Member Australian Association of Women Judges

His Honour Judge Levy

Member, Chief Justice's Non-Contentious Evidence Sub-Committee
Representative, Acceptance of Electronic Briefs for Prosecution (Commonwealth Prosecutions) Sub-Committee

His Honour Judge Quail

Member, Law School Advisory Board,
University of Notre Dame

Registrar Kingsley

Member, Law Society Courts Committee
Member, Law Society Family Court Delay Working Group
Member, Law Society Self Represented Litigants Sub-Committee

All Registrars

Member, Resolution Institute





**DISTRICT
COURT
OF WESTERN
AUSTRALIA**

500 Hay Street, Perth WA 6000
Telephone: (08) 9425 2128
Facsimile: (08) 9425 2268

districtcourt.wa.gov.au