

MEDIA RELEASE

ADDITIONAL DISTRICT COURT FUNDING A STEP IN THE RIGHT DIRECTION

7 DECEMBER 2015



The President of the New South Wales Bar Association, Noel Hutley SC, today welcomed the State Government's decision to provide additional funding to address criminal trial delays in the District Court.

The Attorney General, the Hon Gabrielle Upton MP, has announced a \$20 million package to assist in addressing current backlogs in the Court.

The number of criminal trials in the District Court has increased from 1019 in 2011 to 2055 in September 2015. Increases in police funding have resulted in a growth in the number of arrests and, as a result, an increase in serious offences proceeding to trial. In that time, there was no equivalent increase in resources for the Court, Crown Prosecutors or Public Defenders, resulting in a crushing workload for judges, the Director of Public Prosecutions and defence counsel. In fact the number of judges has declined.

A recent report by the Bureau of Crime Statistics and Research revealed that the average time taken to finalise criminal cases where the defendant is on bail in NSW in 2014 was 369 days – an increase of over a third since 2007. The report also found that the average delay where the accused was in custody was 300 days before their case is resolved in the District Court.

“The Court's resources have been stretched beyond capacity. For some time the Association has been calling for the funding of additional judicial positions in the court and additional legal aid resources to address the backlog. The Government's package is a step in the right direction. It is an important interim measure to reduce the backlog, given the disproportionate funding for law enforcement measures and insufficient resourcing for the courts, Director of Public Prosecutions and legal aid” said Mr Hutley.

“The Government's package will go some way towards alleviating these pressures upon the Court. The additional resources will help address these problems in the short term, however more significant funding is required to clear the disturbing backlog, which impacts not only on accused persons, but also victims of crime and potential witnesses” said Mr Hutley.

“The Attorney General has indicated that she will be seeking input from key stakeholders in the justice system in order to find a lasting resolution regarding District Court delays and the Association is ready, willing and able to work with the Government to find long term solutions to these systemic problems and develop a sustainable criminal justice system which fairly addresses the requirements of all persons concerned including victims and witnesses” Mr Hutley said.

Media Contact: Alastair McConnachie: 0420 314 462