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Over the last 12 months, the College has also significantly increased the involvement of retired judges. If the College is to become a university for judges, then retired judges are its alumni. They enrich College programs and publications with their wide-ranging expertise and experience, acting as editors, presenters and chairs.

A highlight of the year is the College’s new dedicated learning space. The importance of having a fixed, dedicated learning space cannot be underestimated. There is a simple reason why many students return to the same study or library over the course of their life, regardless of their stage of learning. A stable and orderly haven inevitably relaxes the mind and makes one more receptive to learning. It is anticipated that the new learning space will have this effect. The new learning centre will be the first ‘campus’ for Victorian judicial officers.

Despite all of the change that is entailed by the College’s evolution, its central tenets remain steadfast. Ten years after the College’s inception, they are worth reiterating. First, it remains an institution led by judges, for judges. Its curriculum is judge-created; its publications are judge-edited; and its programs, where appropriate, are judge-taught. Secondly, the College’s primary goal remains the dispensation of world-class judicial education, facilitating the highest levels of judicial practice. Thirdly, the College remains an independent statutory authority, committed to promoting judicial independence and impartiality, and in turn, supporting the rule of law.

In summary, it has been a magnificent year. Members of the public are encouraged to visit our website at http://www.judicialcollege.vic.edu.au/.

In closing, on behalf of the Board I extend our congratulations and deep appreciation to the College staff led by Lyn Slade, the CEO. We are a first-class institution because we are supported by a first-class CEO and staff.

The Honourable Marilyn Warren AC
Chief Justice of the Supreme Court of Victoria
Chair of the Judicial College of Victoria
We must always change, renew, rejuvenate ourselves; otherwise we harden.

Johann Wolfgang von Goethe

Message from the Chief Executive Officer

In a year marked by the 10th anniversary of the College’s modest beginnings, ideas of organisational transformation are very present. We have come a long way from the earliest days, when the aim was for judicial education to gain some traction. Then, on my own, I occupied a single office with little more than a desk and a phone.

Since 2002, through a process of constant growth and maturation, judicial education in Victoria has taken hold as a necessary and integral part of the legal system. Education and change are symbiotic; as the law is constantly evolving, so, too, are the need and desire for continuing education, learning and support in the judiciary.

The College has consistently responded to these new demands; and rather than reaching a point of stasis, it continues to transform itself. Now, it is a vibrant and influential organisation, drawing on the skills, knowledge and talents of current and retired judges, members of the legal profession, academics, scholars and specialists in other fields, as well as staff with a range of capabilities and expertise. And rather than being inward looking, its contribution is not only to the judicial system, but beyond to the wider profession and the community.

Symbolically, a decade of organisational life has been marked in the past year by a number of tangible changes, one of the most notable being the completion, as noted by the Chief Justice, of the College’s new dedicated learning centre. The importance of having a fixed, dedicated facility adjacent to its office accommodation in the William Cooper Justice Centre cannot be underestimated. Educationally, this light-filled space provides a secure, appropriate and convenient area conducive to learning. As a small capital works project, it required minimal reconfiguration and fit-out. And because the College no longer requires external venues, it represents a more efficient use of College resources, in terms of both staff time and cost savings. From July 2013, we will conduct virtually all College judicial education programs here.

On the publications front, we have republished the suite of College electronic bench books and manuals in a new, sophisticated and user-friendly online format. Additionally, College publications reached record usage this year. The Civil Juries Charge Book, the first of its kind in Australia, was added to the College’s range, and is already proving to be an indispensable resource for judges sitting in the civil jurisdiction.

The College’s educational curriculum has also had a number of pioneering additions made to it, including the following programs: Constitutional Role of the Judge (a collaboration with Melbourne Law School), Evidence-Based Law, Civil Juries and Enriching the Role and Career of Longer Serving Judicial Officers. Judicial education is not just the transmission of facts. It is a challenging, multifaceted and, increasingly, multidisciplinary, learning experience. Where appropriate, experienced College staff provide their educational expertise to facilitate exercises, pose questions and provide templates, guides, models and advice.

This year, the College’s modes of communication have continued to broaden. The Judicial Officers Information Network (JOIN) has a revised interface and significant, additional functionality – including a calendar and a ‘What’s New’ section. This has bolstered the College’s communication with judicial officers, keeping them abreast not only of College activities, but also of noteworthy and current legal developments.

The College has also embraced social media to communicate with the legal profession and the broader community. Its Twitter presence has proven to be a valuable tool in reaching the College’s wider audience, and in early June the College’s Facebook page was launched.

While much change has accompanied the College’s growth over the past decade, the strategic direction of the College and its mandate remain constant. The judiciary’s leadership in education and professional development continues to drive the College’s work, and technology is merely one tool used to enhance the process of learning.

Some other things also remain unchanged. We remain grateful to those judicial officers who contribute generously to the work of the College, in particular on steering and editorial committees and as presenters, to ensure that the continuous learning of their peers is ‘judge led’ and relevant. And professionalism and enthusiasm continue to be the hallmarks of College staff, and their commitment to the College and its work is exemplary. We are all indebted to the Board for its vision and leadership over the past decade, and look forward to working with Victoria’s judiciary into the future. On a personal level, I am especially grateful to Chief Justice Marilyn Warren for her continuing support and encouragement.

Lyn Slade
Chief Executive Officer
About Us

What is the Judicial College of Victoria?
The College is the continuing education and professional development arm of the Victorian judiciary. Its function is to assist the professional development of Victorian judicial officers by providing continuing education and training for:
- Supreme Court Judges and Associate Justices;
- County Court Judges;
- Magistrates;
- Coroners;
- Full-time and Sessional VCAT Members; and
- Judicial Registrars.
The College achieves this function in several ways, including by:
- Managing and administering a professional development program through which approximately 40 timely and relevant programs are made available to all judicial officers each year. Judicial College programs include workshops, seminars and field visits, and every major program benefits from the oversight of a judicial steering committee.
- Preparing, updating and maintaining over a dozen online publications. Every publication is a practical guide to the law and is relevant to all Victorian jurisdictions. All publications are prepared and maintained with the oversight of judicial editorial committees.

Who benefits?
The Victorian justice system as well as the wider community benefit from the work of the College, through its assistance in the development of high-performing and skilled judicial officers who are equipped to respond to the challenges of the role and the needs of a socially and culturally diverse Victorian community.

How and when was the Judicial College established?
The Judicial College is an independent statutory authority established under the "Judicial College of Victoria Act 2001. The passing of the Act had bipartisan political support. The College commenced operation in November 2002, with the appointment of the current Chief Executive Officer. November 2012 marked the College’s 10th anniversary.

What is the Judicial College’s governance structure?
The College is governed by a Board of Directors consisting of two Governor-in-Council appointees, the heads of each main Victorian jurisdiction and two member of the academic staff of a tertiary or other educational institution.

Our guiding principles
- The Judicial College strives to preserve and promote the constitutional principle of an independent judiciary while maintaining effective working relationships with the executive arm of government.
- The College’s judicial education and professional development curricula are calibrated to ensure high standards of judicial practice and the rule of law.
- Participation in the College’s activities by judicial officers is based on the principles of experiential learning and peer support, with an emphasis on the sharing of knowledge and experience between colleagues.
- Judicial education programs emphasise both professional development and continuing legal education.
- In order to support an independent judiciary and independent judicial practice, the College’s judicial education and professional development activities are judge led, with input from appropriately qualified academics and content experts.
- The community benefits through the provision of College online manuals, free to members of the legal profession and the wider community.
The Year at a Glance

Leadership

- Board members: 46
- Judicial steering committee members: 6
- Judicial editorial committee members: 43

Projects

- New dedicated learning centre: 01
- "What’s New" updates posted on JOIN: 300+
- Social media followers: 544
- JOIN upgrade

Jury Directions Simplification Project

Programs

- Programs: 40
- New programs: 20
- Participating academics: 34
- Field visits: 6
- Average program evaluation rating: 94%

Publications

- Publication page hits: 1,131,893
- Increase in website traffic: 37.4%
- Average duration (mins) of web user visitation: 7.48
- Mobile publications’ usage:
  - Direct traffic: 49%
  - Referral traffic: 12%
  - Search traffic: 39%

Number of programs addressing each curriculum category:

- Substantive Law & Practice
- Skills Development
- Social Context
- Judicial Practice

Major updates released:
- 29

Sentencing decisions summarised:
- 148

Field visits:
- 0
- 3
- 6
- 9
- 12
The Honourable Murray Gleeson AC QC

The Honourable Murray Gleeson AC QC delivered a presentation entitled ‘The judiciary as the third arm of government’ at the Judicial College and University of Melbourne Law School collaborative program, Constitutional Role of the Judge.

The Honourable William Gummow AC QC

The Honourable William Gummow AC QC delivered a presentation on the topic of ‘Judicial review of executive action’ at the Judicial College and University of Melbourne Law School collaborative program, Constitutional Role of the Judge.

The Honourable Michael Black AC QC

The Honourable Michael Black AC QC delivered a presentation entitled ‘Interactions between government and the courts’ at the Judicial College and University of Melbourne Law School collaborative program, Constitutional Role of the Judge. Mr Black also co-delivered a presentation on ‘Discovery: In the age of cooperation’ at the College’s Managing Discovery program.

The Honourable David Ashley QC*

The Honourable David Ashley QC led the Civil Juries judicial steering committee this year. The committee guided development of the Civil Juries Workshop and developed the Judicial College’s new online Civil Juries Charge Book. Mr Ashley also presented at the Judicial College program on Current Issues in DNA Evidence.


The Honourable Bernard Bongiorno AO QC

The Honourable Bernard Bongiorno AO QC began work this year as the judicial editor of the forthcoming Judicial College online publication, the Suppression Orders Bench Book.

The Honourable David Byrne QC

The Honourable David Byrne QC assisted the College as a member of the judicial steering committee for the program on Assessing Witnesses. Mr Byrne also delivered a presentation for that program, entitled ‘Witness assessment – a judge’s perspective’.

The Honourable Ray Finkelstein QC

The Honourable Ray Finkelstein QC co-delivered a presentation on ‘Discovery: In the age of cooperation’ at the College’s Managing Discovery program.

The Honourable Peter Gray QC

The Honourable Peter Gray QC was an active member of the Judicial Officers’ Aboriginal Cultural Awareness Committee this year.

The Honourable Hartley Hansen QC

The Honourable Hartley Hansen QC chaired this year’s Civil Law program, which focused on Expert Evidence in Civil Cases.

The Honourable David Harper AM QC

The Honourable David Harper AM QC was a member of the judicial steering committee for the College’s program Enriching the Role and Career of Longer Serving Judicial Officers.

The Honourable Tim Smith QC

The Honourable Tim Smith QC has assisted the College significantly with evidence law since the inception of the Evidence Act 2008. This year Mr Smith has continued to lend his evidence expertise to the College, guiding the updating process for the College’s Evidence Manual, as well as acting as a member of the judicial steering committee for the Advanced Practical Evidence program.

The Honourable Bernard Teague AO

The Honourable Bernard Teague AO was a member of the judicial steering committee for The Media and the Court, and chaired the program.

The Honourable Frank Vincent AO QC

The Honourable Frank Vincent AO QC was a member of the judicial steering committee for the College’s program on Current Issues in DNA Evidence.

His Honour Tom Wodak

This year Mr Tom Wodak continued to provide substantial assistance to the College through his contribution to the Judgment Writing teaching faculty.

As at 30 June 2013.
Jury Directions Simplification Project

This year, the Judicial College of Victoria played a significant role in the Jury Directions Simplification Project. The project was a breakthrough review of jury directions, providing practical recommendations to reduce the complexity and duration of jury directions in Victoria.

The Simplification Project is closely connected to the Jury Directions Act 2013, which commenced on 1 July 2013. The Act introduces a jury directions request process and reforms to the summing up and directions on beyond reasonable doubt and post-offence conduct. In preparation for this Act, the Judicial College ran a seminar in conjunction with the Supreme Court of Victoria. More than 200 judges and legal practitioners gathered in the Banco Court on 19 June to hear Justice Chris Maxwell, Justice Robert Redlich, Justice Mark Weinberg and Judge Mark Gamble speak about how the Act would change criminal trials. The aim of the Simplification Project was to provide a template for a second round of jury directions reforms.

The project was a collaborative effort with the team led by Justice Mark Weinberg and comprising senior legal researchers from the Judicial College and the Criminal Law Review section of the Department of Justice. Mr Matt Weatherson and Mr Jamie Walvisch – Judicial College members of the research team – played central roles in the project.

The research team was assisted by a Judicial Consultation Group and a number of individuals with recognised expertise in jury directions.

Four areas of law that historically have given rise to extremely complex, and sometimes unintelligible, jury directions were examined over the course of the project:

- Complicity;
- Circumstantial evidence and inferences;
- Tendency, coincidence and context evidence; and
- Unreliable witnesses and corroboration.

The final 366-page report, known as the ‘Weinberg Report’, is a comprehensive overview of these topics and contains specific proposals for consideration by the Department of Justice’s specialist Jury Directions Advisory Group. The proposals, supported by draft legislation developed by the Office of Chief Parliamentary Counsel, are expected to simplify jury directions significantly and reduce the risk of appeals.

The Jury Directions Simplification Project was an important, successful and fruitful collaboration between the Supreme Court of Victoria, the Department of Justice and the Judicial College of Victoria. Since publication in October 2012, the Final Report has been very well received. Chief Justice Marilyn Warren AC remarked, upon the report’s publication, that ‘if adopted by the government, the Weinberg Report will be a turning point in Victoria’s criminal justice history. It is a matter of real urgency’.

Civil Juries Charge Book

The Civil Juries Charge Book is a new online publication, published in May. Containing 40 civil charges, it is the first publication in Australia dedicated to charging civil juries.

The Charge Book’s development was guided by a judicial steering committee, which included Justice David Ashley, Justice Jack Forrest, Justice David Beach, Judge Chris O’Neill, Judge Philip Misso and Judge Frank Saccardo. Each of the members made substantial contributions to the Charge Book, and the committee continues to meet in order to maintain and update the publication.

The Civil Juries Charge Book’s full suite of charges includes:

- Preliminary directions;
- Case-specific directions on all major causes of action;
- Directions on damages;
- Evidentiary directions; and
- Final directions.

The case-specific charges cover a wide number of civil topics, including: transport accidents, industrial accidents, occupiers’ liability, medical negligence, negligence defences, multiple defendants, battery, assault without battery, malicious prosecution, false imprisonment, sexual assault and defamation.

Bearing in mind that directions to juries can easily become long and convoluted (and thus increase the risks of juror miscomprehension and appealable error), the Charge Book has been concisely drafted, and includes numerous options and choices that enable judges to modify the charge to fit the case in question. Accordingly, it is anticipated that the Charge Book will assist judges in shortening, refining and improving the quality of charges given in civil trials.
Collaborating with universities and academics

As legal scholarship becomes increasingly nuanced and complex – drawing on disciplines such as sociology, economics, history and science – the potential benefit that the academy can provide to the judiciary also increases. Furthermore, the extensive curricula of 21st-century law schools offer specialisation and interdisciplinary perspectives of which the judiciary is able to take considerable advantage. In return, the judiciary is able to inform legal scholarship and professional legal training from the perspective of daily practice.

Thus, this year, the Judicial College has endeavoured to increase collaboration with universities and academics in order to develop the relationship between the judiciary and academia. While most of the College’s collaborations have been with domestic institutions, the College has also been able to draw on the experience and expertise of international institutions and academics.

The experience of an academic working with the Judicial College

Professor Jonathan Clough of Monash University has for several years contributed to Judicial College programs in varying capacities. Beginning in 2007 as a presenter for the Juries Intensive Workshop, he has been involved in a number of evidence, jury, media and cybercrime-related programs over the past few years. This financial year, Professor Clough was a member of The Media and the Court steering committee, and provided advice on the development of a series of Technology Twilights. At the Digital Forensics program he presented on the topic of digital evidence, focusing on the challenges it presents to the courts.

‘Working with the Judicial College has been an outstanding experience. The collaboration has truly been mutually beneficial and I have gained as much from participating as a committee member as I have from presenting at College programs.’

Professor Jonathan Clough

Constitutional Role of the Judge

This year the Judicial College collaborated with Melbourne Law School to develop a full-day workshop on the Constitutional Role of the Judge. Chaired by Chief Justice Marilyn Warren AC, this program provided an opportunity for participants to consider current developments in the role of the judiciary as the third arm of government and its relationships with the executive and the legislature.

This program drew together eminent speakers on constitutional law, including the Honourable Murray Gleeson AC QC, the Honourable William Gummow AC QC, the Honourable Michael Black AC QC, Justice Susan Kenny and Laureate Professor Cheryl Saunders AO.

The feedback from participants was that the program was of great value and provided an informative and penetrating analysis of these important issues.

In the 2012–2013 year, the Judicial College has been delighted to work with the following universities and academics:

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<tr>
<th>University of Melbourne</th>
<th>Professor Adrienne Stone</th>
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<td>Professor Mark Creamer</td>
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<td>Professor Michael Crommelin AO</td>
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<td>Professor Marcia Langton AM</td>
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<td>Professor Christopher Wallace-Crabbe AM</td>
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<td>Monash University</td>
<td>Associate Professor David Ranson</td>
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<td>Associate Professor David Wells</td>
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<td>Associate Professor Pamela Snow</td>
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<td>Dr Ian Freckleton SC</td>
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<td>Dr Star McNicol SC</td>
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<td>Dr Craig Hassed</td>
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<td>The University of New South Wales</td>
<td>Ms Mehera San Rioque</td>
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<td>Associate Professor Anne Cossins</td>
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<td>Charles Sturt University</td>
<td>Professor Jane Goodman-Delahunty</td>
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<td>Dr Georgina Heydon</td>
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<td>RMIT University</td>
<td>Associate Professor Melissa de Zwart</td>
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<td>The University of Adelaide</td>
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<td>Swinburne University of Technology</td>
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<td>Dr Vivienne Farrell</td>
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<td>The University of Alabama (USA)</td>
<td>Dr Helen Paterson</td>
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<td>Emeritus Professor James Raymond</td>
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<td>Other</td>
<td>Professor Edward Berry</td>
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<td>Flinders University</td>
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<td>Professor Neil Brewer</td>
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<td>Southern Methodist University (USA)</td>
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<td>Professor Bryan Garner</td>
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<td>Associate Professor David Wells</td>
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Judicial College of Victoria Annual Report 2012–13
Publications upgrade

The past year saw the most substantial overhaul of the Judicial College’s online publications since the Search Warrants Manual, the Magistrates’ Court Bench Book and the Victorian Sentencing Manual were first published online in 2004.

In October 2012, the College launched a sleek new authoring tool and interface for the online manuals, which has significantly improved user-friendliness and overall navigability. For example, the publications now contain a breadcrumb trail, indicating each page’s root path. Additionally, the manuals – now running on HTML5 – have significantly improved functionality and include the following features:

- **Mobile and tablet friendly.** The new interface is accessible on a wide range of mobile and tablet devices.
- **Improved search.** All College publications now feature a Google-like search function. Results remain displayed in the left pane while the user can browse each result in the main window.
- **In-built cross-references.** Cross-references to related sections now appear at the bottom of each page, improving overall navigability.
- **Increased speed.** Particularly on mobile devices, College publications now load at a faster rate.
- **Instant feedback.** A new button enables users to provide page-specific feedback.

Behind the scenes, the new authoring tool streamlines the processes for updating Judicial College publications. As a result, the College has been able to release updates faster than ever.

JOIN upgrade

In October 2012, the Judicial College launched its new Judicial Officers Information Network (JOIN), the College’s judicial intranet. The new JOIN represents the most substantial update since its inception in December 2004.

JOIN has been given a complete facelift, and now features the following:

- **Revised search.** JOIN’s significantly improved search extends beyond individual pages and can now search the contents of electronic files, such as PDFs.
- **New repository of program materials.** Most materials from College programs are now hosted on JOIN in a sleek and accessible interface.
- **‘What’s New’ section.** The centrepiece of the homepage, ‘What’s New’ serves to keep judicial officers abreast of relevant news and events in the law.
- **Program calendar.** Located on JOIN’s homepage, the program calendar provides a quick overview of the College’s program schedule for the month.
- **Reorganised site structure and streamlined pages.** Accessibility has been improved by simplifying JOIN’s layout and content on a number of pages.

Usage statistics indicate that judicial officers continue to make extensive use of JOIN as the first port of call for all of their legal research and information needs.
In 2012, the Judicial College joined Twitter, with the handle @JudicialCollege. The College has utilised Twitter to publicise its online manuals, notifying prospective followers of updates, revisions and new material. It has also used Twitter as a social tool to inform our followers about news items relevant to the Victorian judiciary.

The above tweet, as an example, notified College Twitter followers of the commencement of the new journalist privilege, and the Evidence Manual’s updated commentary on that privilege’s operation. The hash-tag #auslaw is often included in College tweets to bring the topic to the attention of Twitter users searching for tweets about Australian law.

Since joining Twitter, the Judicial College has:

- Gained 544 Twitter followers;
- Tweeted 351 times;
- Been re-tweeted 326 times; and
- Had 1719 click-throughs to online content featured in College tweets.

The College’s Twitter following continues to grow steadily and Twitter is proving to be a significant medium through which the College can communicate with its wider audience.
Projects for the Year Ahead

Judicial College of Victoria Learning Centre
Capital works for a new judicial training facility, adjacent to the College’s office accommodation in the William Cooper Justice Centre, are complete. The Judicial College of Victoria Learning Centre will become the base for most Judicial College programs, and brings the Board a step closer to achieving its vision of a ‘university for judges’.

A new online bench book – the Suppression Orders Bench Book
The Judicial College is currently working to produce a complete and practical online guide to the law relating to suppression of information orders in Victoria. The College plans to publish the Suppression Orders Bench Book in 2013–2014.

Continued and increasing collaboration with universities
This year the Judicial College established a number of strong new relationships with universities, both in Australia and internationally. The College will seek to strengthen these relationships in 2013–2014, and to foster new relationships as it expands its academic curriculum.

Judicial Symposium
In 2012, the College Board endorsed a proposal for the inaugural Judicial Symposium. Designed for judicial leaders across jurisdictions and to be held in 2014, this workshop will explore some of the systemic issues about the judiciary and the judicial system that emerge from other JCV programs, such as Court Craft and Enriching the Role and Career of Longer Serving Judicial Officers. The program will enhance learning about the judicial role, not only for individual participants, but also for the judicial system as a whole. It will explore in depth how judicial officers grapple with and rise to the unique challenges of their work, considering themes such as judicial management, independence and isolation, accumulated stress and mentoring.

Honorary fellowships of the Judicial College of Victoria
In order to honour exceptional, voluntary contributions made by retired judges, academics and other professionals to the Judicial College, in 2013–2014 the College will begin appointing Fellows of the Judicial College of Victoria. These honorary appointments, awarded directly by the College’s Board, will recognise outstanding, voluntary and continuous service contributions to the College’s educational programs, publications or institutional capacity.

Social Media
The College is currently testing the effectiveness of a Facebook page in promoting its online publications and posting relevant news items. As part of the College’s community engagement program, which has broadened to include university and VCE Legal Studies students, the use of Facebook will assist in expanding the Judicial College’s outreach capabilities and improve its ability to interact with this particular audience. It is anticipated that those who ‘Like’ the Judicial College and subscribe to its posts will find particular utility in being able to have a social discussion on a topical issue.
Each year, the Judicial College delivers a structured Continuing Professional Development scheme. The 2012–2013 year saw the Judicial College deliver 40 programs across four curriculum categories.

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<td>**   20</td>
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<td>Current Issues in DNA Evidence</td>
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<td>Writing Better Judgments</td>
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<td>Court Craft – Briefing for 360° Survey</td>
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<td>Assessing Witnesses</td>
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<td>Judgment Writing</td>
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<td>Judgment Writing Refresher</td>
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<td>Self-Represented Litigants</td>
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<td>Sentencing Low-Level Indigent Offenders</td>
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<td>Enhancing the Role and Career of Longer Serving Judicial Officers</td>
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<td>October</td>
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<td>Coroner – Understanding SIDS as a Cause of Death</td>
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<td>Visit to Loddon Prison and Tarrengower Prison</td>
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<td>Visit to Worawa Aboriginal College</td>
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<td>Managing Discovery</td>
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<td>Communicating with Children and Young People</td>
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<td>Court Craft – Communication in the Courtroom</td>
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<td>Constitutional Amendments</td>
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<td>Sentencing – Intermediate Orders and Reoffending</td>
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<td>NJI (Canada) International Online Program: Child Pornography</td>
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<td>Visit to Speed Measurement Support Centre</td>
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<td>Expert Evidence in Civil Cases</td>
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<td>The Media and the Court</td>
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<td>Forensic Medicine – Understanding Toxicology</td>
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<td>Self-Represented Litigants</td>
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<td>Oral Decisions</td>
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<td>Oral Decisions Refresher</td>
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<td>Technology – Digital Forensics</td>
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<td>Visit to Victoria Police Forensic Services Department</td>
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<td>Understanding the Mind – Understanding Borderline Personality Disorders</td>
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<td>Understanding the Mind – Addiction Recovery</td>
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<td>Visit to Melbourne Assessment Prison and Judy Lazarus Transition Centre</td>
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<td>**   19</td>
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<td>Jury Directions Act 2013</td>
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<td>Evidence-Based Law</td>
</tr>
</tbody>
</table>
Enriching the Role and Career of Longer Serving Judicial Officers

‘In life, and art, there are cyclic surges of endeavour and, in every case, the movement involves a pattern of getting started, keeping going, and getting started again.’

Seamus Heaney (2008) *Stepping Stones*

Enriching the Role and Career of Longer Serving Judicial Officers was developed and run as a pilot program in 2012. The program was directed to a small group of judicial officers (from all four jurisdictions) who have been in the judicial role for more than 10 years. It gave participants an opportunity to explore and gain a deeper understanding of their role and, where necessary, to revitalise them in their work. The program had two components: a series of prior personal interviews followed by a one-day workshop. It considered past, present and future personal and systemic influences that affect taking up the judicial role, and looked at future contributions the judicial role might make to personal, professional and community outcomes.

A range of issues for further consideration emerged from the workshop, including those related to the themes of judicial management, accumulated stress and vicarious trauma, and judicial mentoring. These themes will be covered at the Judicial Symposium to be held in 2014.

**Civil Juries**

A full-day workshop, the Civil Juries program provided participants with an opportunity to engage completely with the fine craft of managing a civil jury trial. Particular attention was given to developing and structuring a civil jury charge in a way that is clear and concise, highlights all of the issues the jury will need to consider, and conforms with all relevant law.

The Civil Juries program marked the launch of the Civil Juries Charge Book, a new Judicial College online publication. The Charge Book is similar to the model charges provided to participants during the workshop, but continues to be updated as required.

*This charge book will be a most valuable tool and a work upon which I will heavily depend!*

**Feedback from the Civil Juries program**

*In my court, the burgeoning workload often tends to overcome and sometimes submerge judicial officers, with the result that at times we are unable to examine core beliefs and underpinning principles of jurisprudence and evidence. This seminar rejuvenated my approach to many aspects of my function. It was a most progressive and inspiring presentation.*

Magistrate Andrew McKenna

**Technology series**

Three technology programs were held this year, each focusing on one of the following topics:

- Digital Forensics;
- Technology in the Courtroom; and
- Understanding Social Networks.

Digital Forensics covered areas such as the admissibility of digital evidence, the process of recovering digital evidence and the commonly argued defences that arise. The Technology in the Courtroom workshop provided an opportunity for judicial officers to get answers to new questions such as ‘What evidence, if any, can be presented by tablet in the courtroom?’ The final program, Understanding Social Networks, was a primer on how social media is currently affecting Victorian judicial practice.

**Evidence-Based Law**

The Judicial College ran its first Evidence-Based Law program this year, reflecting the growing stature of the evidence-based law movement in the international legal community. Evidence-based law is an approach to legal practice and judicial decision making in which sound, empirical and preferably quantitative research is used to guide the development of legal doctrine.

The program included a full overview of the rationale and principles of evidence-based law, and provided innovative ways of approaching the judicial task. The program introduced ways in which empirical research can improve judicial practices and judicial decision making, and included novel empirical research that could, in an appropriate case, bear directly on discretionary decision making by judicial officers.

*In my court, the burgeoning workload often tends to overcome and sometimes submerge judicial officers, with the result that at times we are unable to examine core beliefs and underpinning principles of jurisprudence and evidence. This seminar rejuvenated my approach to many aspects of my function. It was a most progressive and inspiring presentation.*

Magistrate Andrew McKenna

**Steering committee**

- The Honourable David Harper AM QC
- Justice David Ashley
- Justice Jack Forrest
- Justice David Beach
- Judge Chris O’Neill
- Judge Philip Misso
- Judge Frank Saccardo
- Ms Carly Schrever, Ms Cassie Carter and Mr Eamonn Hortle (JCV)

**Steering committee**

- Justice Emilios Kyrou
- Judge Gerard Mullaly
- Magistrate Andrew McKenna
- Mr Peter Kidd SC
- Mr Saul Holt SC
- Ms Carly Schrever and Ms Cassie Carter (JCV)
### Programs Report

#### Steering and specific-purpose committees*

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<thead>
<tr>
<th>Topic</th>
<th>Committee members</th>
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</thead>
<tbody>
<tr>
<td><strong>Assessing Witnesses</strong></td>
<td>Judge Frank Gucciardo, Magistrate Phillip Goldberg, Deputy President Heather Lambrick, the Hon. David Byrne QC, Ms Carly Schrever (JCV)</td>
</tr>
<tr>
<td><strong>Civil Juries</strong></td>
<td>Justice David Ashley, Justice Jack Forrest, Justice David Beach, Judge Chris O’Neill, Judge Philip Misso, Judge Frank Saccardo, Ms Carly Schrever, Ms Cassie Carter and Mr Eamonn Horle (JCV)</td>
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<tr>
<td><strong>Communicating with Children and Young People</strong></td>
<td>Judge Meryl Sexton, Magistrate Jennifer Bowles, Ms Carly Schrever (JCV)</td>
</tr>
<tr>
<td><strong>Constitutional Role of the Judge</strong></td>
<td>Justice Pamela Tate, Laureate Professor Cheryl Saunders AO (Melbourne Law School), Professor Adrienne Stone (Melbourne Law School), Ms Cassie Carter and Ms Amy Peek (JCV)</td>
</tr>
<tr>
<td><strong>Coroners’ Education Committee</strong></td>
<td>Justice Jennifer Coate (until November 2012), Judge Ian L. Gray, Magistrate Audrey Jamieson, Magistrate Stella Stuthridge, Ms Margaret Craddock (Principal Registrar), Ms Cassie Carter (JCV)</td>
</tr>
<tr>
<td><strong>Current issues in DNA Evidence</strong></td>
<td>Judge Frank Shelton, Magistrate Jack Vandersteen, the Hon. Frank Vincent AO QC, Ms Amy Peek (JCV)</td>
</tr>
<tr>
<td><strong>Enriching the Role and Career of Longer Serving Judicial Officers</strong></td>
<td>The Hon. David Harper AM QC, Judge Meryl Sexton, Dr John Newton, Ms Catley Whelan, Ms Samantha Burchell (JCV)</td>
</tr>
<tr>
<td><strong>Evidence-Based Law</strong></td>
<td>Justice Emilius Kyrou, Judge Gerard Mullaly, Magistrate Andrew McKenna, Mr Peter Kidd SC (Crown Prosecutor), Mr Saul Holt SC (Victoria Legal Aid), Ms Carly Schrever and Ms Cassie Carter (JCV)</td>
</tr>
<tr>
<td><strong>Indigenous Cultural Awareness (Judicial Officers Aboriginal Cultural Awareness Committee)</strong></td>
<td>Justice Stephen Kaye (Chair), Judge Sandra Davis, Judge Paul Grant, Judge David Parsons, Deputy Chief Magistrate Jelena Popovic, Magistrate Ann Collins, Magistrate Rose Falla, Member Robert Scott, Justice Victoria Bennett (Family Court of Australia), Judge Kate Hughes (Federal Circuit Court), the Hon. Peter Gray QC, the Hon. John Coldrey QC, the Hon. Geoff Eames AO QC, Ms Munya Andrews, Mr Mason Alkpinson, Mr Hans Bokeland, Ms Annie Braybrook, Ms Wanda Braybrook, Ms Abbie Burchill, Ms Yvonne Lingua, Mr Andrew Jackomous, Mr Rudolph Kirby, Ms Milicent Lang, Mr Brendan Loizou, Mr Ted Lovett, Mr Bevan Mailman, Ms Aislinn Martin, Mr Wayne Muir, Ms Jacki Turfrey, Ms Amy Peek, Ms Carly Schrever, Ms Cassie Carter and Ms Aimee Foo (JCV)</td>
</tr>
<tr>
<td><strong>Judgment Writing</strong></td>
<td>Professor James Raymond, Justice Kim Hargrave, his Honour Tom Wodak, Professor Christopher Wallace-Crabbe AM, Mr Gideon Haigh, Ms Ginger Briggs, Ms Amy Peek (JCV)</td>
</tr>
<tr>
<td><strong>Oral Decisions</strong></td>
<td>Justice Lex Lasry, Judge Lisa Hanan (until February 2013), Judge Frank Gucciardo, Magistrate Kate Hawkins, Senior Member Bernadette Steele, Ms Amy Peek and Ms Fiona Dea (JCV)</td>
</tr>
<tr>
<td><strong>Self-Represented Litigants</strong></td>
<td>Justice Katharine Williams, Judge Rachele Lewitan AM, Magistrate Caitlin English, Senior Member Bernadette Steele, Ms Cassie Carter (JCV)</td>
</tr>
<tr>
<td><strong>The Media and the Court</strong></td>
<td>Judge Irene Lawson, Magistrate Kate Hawkins, Magistrate Mandy Chambers, the Hon. Bernard Teague AO, Professor Jonathan Clough, Ms Amy Peek (JCV)</td>
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*As at 30 June 2013*
The past financial year saw unprecedented growth in Judicial College online publication usage. Usage increased for nine publications, and eight publications set yearly page-view records.

The record number of page views can be attributed to:
- The many significant updates to the College’s major publications;
- The overhaul of both the publication interface (see page 16) as well as the overhaul of JOIN (see page 17);
- A comprehensive promotional program for all publications; and
- The growing stature and reputation of the College’s publications among its wider audience.

Technical data for publication usage indicate that over the past financial year:
- Publication usage increased externally, as well as from JOIN.
- Pleasingly, users accessed Judicial College manuals in a variety of ways, including by using search engines, direct links and social media referrals.
- Search terms indicated that a significant number of users came to use the College’s manuals after making general searches (and not only when searching specifically for Judicial College publications).
- A small contingent of the College’s audience comprised mobile users, with the bulk of them using tablet devices.
- Demographically, the vast majority of publication traffic came from Australia, although the manuals aroused some interest internationally.
- Within Australia, most usage was by Victorian users, although the College had a small number of interstate users, with most coming from Sydney.

The Criminal Charge Book
This year, the Criminal Charge Book editorial committee focused on improving the clarity of existing directions and preparing for the commencement of the Jury Directions Act 2013 on 1 July 2013. The Act introduces four main changes:
- Reforms to the judge’s obligation to give directions, and the introduction of a request for directions process;
- Reforms to the content of the judge’s summing up, including the obligation to identify evidence and put the prosecution and defence cases;
- Statutory directions for use in cases in which jurors ask a question about the meaning of ‘beyond reasonable doubt’; and
- Reforms to post-offence conduct (consciousness of guilt) directions.

The Jury Directions Act 2013 has been described as making ‘legal history. From the 1st of July when the Jury Directions Act comes into force, criminal trials will be made simpler by law’ (Maxwell P, 19 June 2013). The request for directions process requires the parties to identify the directions they consider necessary in that trial. This will reinforce the value of the Criminal Charge Book as an invaluable reference not only for judges, but also for the profession more broadly. Its systematic and comprehensive approach to directions will help counsel make informed decisions about which directions are necessary. The model charges will also allow the judge and counsel to speak the same language when discussing which directions should be given, and will enable parties to make targeted submissions about not only the topic of a direction, but also the language of that direction.

Consciousness of guilt is another area in which the Act will have a major effect on the Charge Book. At common law, evidence of post-offence conduct requires complex directions in order to comply with highly prescriptive requirements. This has led to very lengthy bench notes and charges to cover the range of possible directions that could be necessary. Under the Act, the law of post-offence conduct (as it is now known) will be substantially simplified, and model directions have been developed to give effect to the new statutory directions.

The Criminal Charge Book editorial committee has worked extensively to prepare for the significant changes introduced by the Jury Directions Act 2013 and to ensure that the Charge Book is ready for the new approach to criminal trials, which commenced on 1 July 2013.
Victorian Sentencing Manual
This year, the Victorian Sentencing Manual had the most growth in the number of page views of all College publications, with a 36 per cent increase in page-view usage. This significant increase may be substantially attributed to the ongoing, major revisions and additions that were made over the financial year.

Legislative changes affecting sentencing law provided a significant impetus for several of the updates made over the year, and substantial changes were made to the following subject areas:

- Sentence indication;
- Compensation;
- Community correction orders;
- Drug treatment orders;
- Suspended sentences; and
- Fines.

Several updates were also made as a result of judicial decisions. An important range of updates was made to the ‘Offence Selection’ chapter, resulting from the Victorian Court of Appeal’s comments on the relevance of any less punitive offence that may have been charged instead of the offence for which the offender fell to be sentenced. The ‘Current Sentencing Practices’ chapter was also subject to several major updates, in order to reflect the substantial amount of case law that has considered and commented on this topic in recent years.

A new chapter was inserted into the Sentencing Manual on the topic of ‘Vehicle Impoundment, Immobilisation and Confiscation’. The chapter addresses the legislative regime surrounding vehicle impoundment, immobilisation and confiscation that result from ‘hoon driving’ offences. Over the year, major updates were also made to the ‘Burglary and Aggravated Burglary’ chapter of the Manual, including the addition of detailed commentary and analyses regarding sentencing practices for these offences.

Finally, this year saw a move to a new format for summaries of Court of Appeal sentencing decisions. The new format enables the Sentencing Manual’s qualitative overviews to be presented in a more concise and revealing manner. These case summaries continue to be organised both by date and by the offence charged.

Victorian Criminal Proceedings Manual
This year, the Victorian Criminal Proceedings Manual has focused on a series of changes to court procedure, including the new County Court Criminal Procedure Practice Note and changes to the conduct of special hearings resulting from the Criminal Procedure Amendment Act 2012.

The Manual now also includes information on a range of frequently prosecuted, indictable offences, to help users identify whether offences can be determined summarily. This valuable information will enable users to easily determine the correct procedure in the Magistrates’ Court and facilitate the efficient running of the courts.

Uniform Evidence Manual
Furthermore, over the past year, regular updates were made to various topics in the Uniform Evidence Manual, in order to reflect case law developments in Victoria and other uniform evidence law jurisdictions.

In particular, a suite of major updates was made to several topics affected by the Court of Appeal’s groundbreaking decision in Dupas [2012] VSCA 328. These updates were available within weeks of the Court’s decision and were thus among the first commentary available regarding the decision.

A second major update was the inclusion of a new chapter regarding the journalist privilege, as a result of the introduction of the privilege in Victoria. This new chapter was published and available to the judiciary, as well as the College’s wider audience, on 1 January 2013, the day on which the privilege commenced.
Other online publications and resources

<table>
<thead>
<tr>
<th>Publication</th>
<th>Details</th>
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<tbody>
<tr>
<td>Bail Digest</td>
<td>Updated to reflect significant case law and legislative changes.</td>
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<tr>
<td>Civil Juries Charge Book</td>
<td>The Civil Juries Charge Book was first published in May 2013. An overview of this publication can be found on page 13 of this Annual Report.</td>
</tr>
<tr>
<td>Civil Procedure Bench Book</td>
<td>New chapters were included relating to expert witnesses and costs, in response to legislative changes giving courts increased powers in relation to each of these areas. Updates were made to the certification requirements section of the bench book, resulting from changes to that regime introduced by the Civil Procedure Amendment Act 2012.</td>
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<tr>
<td>Coroners Bench Book</td>
<td>On 1 January 2013, the Coroners Bench Book received a major update due to the commencement of the Evidence Amendment (Journalist Privilege) Act 2012. This Act introduced major changes to how coroners deal with questions of privilege. The updates were released to coincide with the commencement. The year saw two further updates to incorporate recent cases and journal articles discussing relevant issues in the coronial jurisdiction.</td>
</tr>
<tr>
<td>Family Violence Bench Book</td>
<td>Major updates were made to the ‘Social Context’ chapter to reflect new research and statistics. Updates were made regarding Commonwealth family law reforms that changed the definition of family violence for the purposes of the Family Law Act 1975. Updates were made to reflect changes to the family violence safety notice and counselling order regimes in the Family Violence Protection Act 2008.</td>
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<tr>
<td>Sexual Assault Manual</td>
<td>Updated to reflect significant case law and legislative changes.</td>
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<tr>
<td>Search Warrants Manual</td>
<td>Updated to reflect significant case law and legislative changes.</td>
</tr>
<tr>
<td>Personal Safety Intervention</td>
<td>Updated to reflect significant case law and legislative changes.</td>
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<td>Orders Bench Book</td>
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Community engagement

The unprecedented growth in publications usage has been supported by an active and engaged strategy, aimed at raising awareness of the Judicial College’s publications among the wider legal community. The cornerstone of this strategy is the College’s update alerts. Thirty-five alerts were distributed this year to the College’s growing list of subscribers. These alerts inform users of the changes to existing content and demonstrate our commitment to responding to changes in the law.

This year, the College has broadened its engagement strategy to cover VCE Legal Studies students and teachers. While the College’s primary audience is the Victorian judiciary, all College online manuals are written in plain language and are designed to be accessible to a wider audience. This makes them ideal tools for teachers and students to understand matters such as:

- The role of the parties in an adversarial trial;
- The elements of offences such as murder and theft;
- Examples of current sentencing practice; and
- The importance of the overarching obligations in civil litigation.

All of these matters are explained in clear and accessible language in the College’s online publications. As a result, the College presented at the Victorian Commercial Teacher’s Association annual conference in 2012 and will again present at the 2013 annual conference. These presentations provide teachers with a guide to how the manuals are relevant to their students and how to use the manuals to aid lesson preparation. This includes explaining the role of the model directions in the Charge Book, the recent cases collections in the Sentencing Manual, and the online quizzes that form part of the Civil Procedure Bench Book.

The College has continued to build strong links with Victoria Police, conducting two demonstrations this year for Victoria Police prosecutors and one demonstration for Sexual Offences and Child Abuse Investigation Team detectives as part of the new Brief Authorisation Course. These demonstrations are consistently well received, with prosecutors grateful to learn about the depth of resources available to assist them in their important work. The recognition by Victoria Police of the value of the manuals as accessible and easy-to-use legal research tools has meant that over 10 per cent of all visits to the manuals come from Victoria Police members.
### Staff of the JCV as at 30 June 2013

<table>
<thead>
<tr>
<th>Topic</th>
<th>Committee Members</th>
</tr>
</thead>
<tbody>
<tr>
<td>Civil Juries Charge Book (New 2013 publication)</td>
<td>Justice David Ashley, Justice Jack Forrest, Justice David Beach, Judge Chris O’Neill, Judge Philip Mioso, Judge Frank Saccardo, Mr Eamonn Hortle (JCV)</td>
</tr>
<tr>
<td>Civil Procedure Bench Book (2010 – current)</td>
<td>Judge Maree Kennedy, Chief Magistrate Peter Lauritsen, Ms Jane Mevel (JCV)</td>
</tr>
<tr>
<td>Coroners Bench Book (2009 – current)</td>
<td>Justice Jennifer Coate (until November 2012), Judge Ian L. Gray, Magistrate Audrey Jamieson, Mr Matt Weatherston (JCV)</td>
</tr>
<tr>
<td>Magistrates’ Court Bench Book (2004 – current)</td>
<td>Chief Magistrate Peter Lauritsen, Magistrate Caitlin English, Magistrate Duncan Reynolds, Magistrate Marc Sargent, Magistrate Annabel Hawkins, Ms Jane Mevel (JCV)</td>
</tr>
<tr>
<td>Sexual Assault Manual (2007 – current)</td>
<td>Judge Meryl Sexton, Judge Susan Pullen, Deputy Chief Magistrate Felicity Broughton, Mr Matt Weatherston (JCV)</td>
</tr>
<tr>
<td>Victorian Sentencing Manual (2004 – current)</td>
<td>Justice Betty King, Judge Carolyn Douglas, Judge Jane Patrick, Magistrate Jo Metcalf, Emeritus Professor Arie Freiberg AM, Mr Patrick Tehan QC, Mr Bruce Gardner FSFM (OPP), Mr Chris Michell (OPP), Ms Jane Mevel and Mr Eamonn Hortle (JCV)</td>
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</table>

*As at 30 June 2013*
Audit and Finance Committee
The Judicial College of Victoria and the Sentencing Advisory Council have a joint Audit and Finance Committee to oversee their financial operations. Due to their small size, the College and the Council have come together to maximise effective use of resources. During 2012–2013, the Committee comprised the following members:

David Greenall
(Chairperson, independent member)

Karol Hill (independent member)

David Jorgensen (independent member)

Sally Hay (Sentencing Advisory Council representative)

Julie Venturini (Judicial College of Victoria representative to November 2012)

Kylie Pearce (Judicial College of Victoria representative to January 2013)

Alex Blake (Judicial College of Victoria representative from February 2013).

Mr Tony Matthews is the College’s Chief Finance and Accounting Officer (CFAO) and attends Committee meetings by standing invitation, providing financial advice as required. During the year the College bid farewell to its previous CFAO, Anthony Phillips, after several years of valuable service to the Committee.

The chief executive officers of both organisations and a representative of the Victorian Auditor-General’s Office (VAGO) and the internal auditors, Pitcher Partners, also attend meetings by standing invitation.

The Audit and Finance Committee undertakes the oversight of:

- Financial performance and reporting processes, including the annual financial statements;
- The scope of work, performance and independence of the internal auditor;
- The scope of work, performance and independence of the external auditor;
- The operation and implementation of the risk management framework;
- Matters of accountability and internal control affecting the operations of the College;
- Processes for monitoring compliance with laws and regulations; and
- Selection, appointment and removal of the College’s CFAO.

In fulfilling its responsibilities, the Committee has:

- Reviewed the financial statements for the Annual Report and recommended them to the responsible bodies (or delegates) for approval;
- Reviewed the scope and results of the External Auditor’s examination of the Financial Report and matters brought to its attention;
- Received reports from the internal auditors, Pitcher Partners, and monitored follow-up by management on the auditor’s recommendations in relation to:
  - Budget and forecasting;
  - Human resources and payroll
- Regularly reviewed the CFAO’s financial reports on the entities’ finances;
- Completed a Committee self-assessment and submitted a summary of the results to the entities;
-Reviewed the risk register and noted that the risks were being appropriately addressed by management;
- Reviewed the Committee’s annual program;
- Reviewed the scope of the annual internal audit;
- Reviewed the Department of Justice’s Code of Practice;
- Reviewed the entities’ Business and Strategic Plans; and
- Met separately with representatives of the Victorian Auditor-General’s Office and reviewed the VAGO audit strategy for the 2013 annual financial audit.
Human Resource Management
The College promotes the personal and professional development of its staff to achieve sustained improvements and create satisfying career paths. The College actively promotes safe work practices, career development, balanced lifestyles and a friendly, non-discriminatory working environment.

Comparative Workforce Data
The College had a core staff of 13 (headcount) and 12 (full-time equivalent) as at 30 June 2013. Contractors are engaged to perform the duties of the CFOO and Internal Auditor.

Occupational Health and Safety
During 2012–2013, there were no human or financial costs of occupational injury and illness. Many staff took advantage of the subsidised influenza immunisation program organised by the Department of Justice. Staff members participated in fire-drill evacuation exercises, and have access to ergonomic equipment and assessments by qualified professionals.

Employment and conduct principles
Department of Justice merit and equity principles are applied in the appointment and management of staff, and the College’s guiding principles are consistent with the public sector values and employment principles articulated in the Public Administration Act 2004.

Victorian Industry Participation Policy
In October 2003, the Victorian Parliament passed the Victorian Industry Participation Policy Act, which requires public bodies and departments to report on the implementation of the Victorian Industry Participation Policy. Departments and public bodies are required to apply the policy in all tenders over $3 million in metropolitan Melbourne and $1 million in regional Victoria. This did not apply to the College.

Consultancies
| Total number of consultancies in the year ended 30 June 2013 with values of less than $10,000 (excluding GST) | 0 |
| Total cost (excluding GST) | - |
| Total number of consultancies in the year ended 30 June 2013 with values of $10,000 or greater (excluding GST) | 0 |
| Total cost (excluding GST) | - |

Freedom of Information
The Freedom of Information Act 1982 allows the public a right of access to documents held by the College. For the 12 months ending 30 June 2013, the College received no Freedom of Information (FoI) requests.

Making an FoI Request
Access to documents may be obtained through written request to the Freedom of Information Manager, as detailed in s 17 of the Freedom of Information Act 1982. In summary, the requirements for making a request are that:
- It should be made in writing.
- It should identify as clearly as possible what document is being requested.
- It should be accompanied by payment of the appropriate application fee (the fee may be waived in certain circumstances).

Requests for documents in the possession of the College should be addressed to:
Judicial College of Victoria
Freedom of Information Manager
William Cooper Justice Centre
Level 7, 223 William Street
MELBOURNE VIC 3000

Requests may also be lodged online at www.foi.vic.gov.au. Access charges may apply once documents have been processed and a decision has been made regarding access (for example, photocopying and search and retrieval charges). Further information regarding Freedom of Information can be found on FOI Online, www.foi.vic.gov.au.

National Competition Policy
In 1996, Australian governments (federal, state and territory) agreed to review and, where appropriate, reform all existing legislative restrictions on competition. Under the National Competition Policy, the guiding legislative principle is that legislation, including future legislative proposals, should not restrict competition unless it can be demonstrated that:
- The benefits of the restriction to the community as a whole outweigh the costs; and
- The objectives of the legislation can only be achieved by restricting competition.

Where applicable, the College complies with the requirements of the National Competition Policy.

Compliance with the Whistleblowers Protection Act 2001
The Whistleblowers Protection Act 2001 encourages and assists people in making disclosures of improper conduct by public officers and public bodies. The Act provides protection to people who make disclosures in accordance with the Act, and establishes a system for the matters disclosed to be investigated and for rectifying action to be taken.

The College does not tolerate improper conduct by employees, nor the taking of reprisals against those who come forward to disclose such conduct. The College is committed to ensuring transparency and accountability in administrative and management practices, and supports the making of disclosures that reveal corrupt conduct, conduct involving a substantial mismanagement of public resources, or conduct involving a substantial risk to public health and safety or the environment.

The College will take all reasonable steps to protect people who make such disclosures from any detrimental action in reprisal for making the disclosure, and to afford natural justice to the person who is the subject of the disclosure.

Compliance with the Building Act 1993
The College does not own or control any government buildings and consequently is exempt from notifying its compliance with the building and maintenance provisions of the Building Act 1993.

Improper Conduct Reporting Procedures
Disclosures of improper conduct or detrimental action by the College staff or contractors may be made, in the first instance, to the Chief Executive Officer:
Ms Lyn Slade, CEO
Judicial College of Victoria
William Cooper Justice Centre
Level 7, 223 William Street
MELBOURNE VIC 3000

Alternatively, disclosures of improper conduct or detrimental action by the College or its employees may be made directly to the Ombudsman:
The Ombudsman Victoria
Level 9, 459 Collins Street (North Tower)
MELBOURNE VIC 3000

Telephone: (03) 9613 6222
Toll free: 1800 806 314
Internet: www.ombudsman.vic.gov.au
Email: ombudsman@ombudsman.vic.gov.au

Further Information
Written guidelines outlining the system for reporting disclosures of improper conduct or detrimental action by the Victorian Privacy Commissioner or his employees are available for public perusal at www.privacy.vic.gov.au.
Disclosures under the
Whistleblowers Protection Act 2001

For the 12 months ending 30 June 2013, the College did not receive any disclosures.

<table>
<thead>
<tr>
<th>Types of disclosures made to public bodies during the year</th>
<th>2012–13 No.</th>
<th>2011–12 No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public interest disclosures</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Protected disclosures</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>The number of disclosures referred during the year by the public body to the Ombudsman for determination as to whether they are public interest disclosures</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>The number and types of disclosed matters referred to the public body by the Ombudsman for investigation</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>The number and types of investigations taken over from the public body by the Ombudsman</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>The number of requests made by a whistleblower to the Ombudsman to take over an investigation by the public body</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>The number and types of disclosed matters that the public body has declined to investigate</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>The number and types of disclosed matters that were substantiated upon investigation and the action taken on completion of the investigation</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

Any recommendations made by the Ombudsman that relate to the public body: Recommendation regarding file security and management

n/a  n/a

Additional information available on request

In compliance with the requirements of the Standing Directions of the Minister for Finance, details in respect of the items listed below have been retained by the College and are available on request, subject to the provisions of the Freedom of Information Act 1982.

- A statement that declarations of pecuniary interests have been duly completed by all relevant officers;
- Details of shares held by a senior officer as nominee or held beneficially in a statutory authority or subsidiary;
- Details of publications produced by the entity about itself, and how these can be obtained;
- Details of changes in prices, fees, charges, rates and levies charged by the entity;
- Details of any major external reviews carried out on the entity;
- Details of major research and development activities undertaken by the entity;
- Details of overseas visits undertaken, including a summary of the objectives and outcomes of each visit;
- Details of major promotional, public relations and marketing activities undertaken by the entity to develop community awareness of the entity and its services;
- Details of assessments and measures undertaken to improve the occupational health and safety of employees;
- A general statement on industrial relations within the entity and details of time lost through industrial accidents and disputes;
- A list of major committees sponsored by the entity, the purposes of each committee and the extent to which the purposes have been achieved; and
- Details of all consultancies and contractors including:
  - Consultants/contractors engaged;
  - Services provided; and
  - Expenditure committed to for each engagement.

Risk Management and Insurance
(Standing Direction 4.5.5.1)

I, Lyn Slade, certify that the Judicial College of Victoria has risk management processes in place consistent with the Australian/New Zealand Risk Management Standard, and an internal control system is in place that enables the executive to understand, manage and satisfactorily control risk exposures. The Audit and Finance Committee verifies this assurance and that the risk profile of the Judicial College of Victoria has been critically reviewed within the past 12 months. I also certify that the Judicial College of Victoria has complied with the Ministerial Direction 4.5.5.1 – insurance.

Lyn Slade
Chief Executive Officer
2 September 2013

Disclosure Index

An index identifying the College’s compliance with statutory disclosure requirements is contained in the Disclosure Index (see page 78).
Comparative Financial Results

The table below summarises information on the financial results and financial position prepared on an accrual basis, of the Judicial College of Victoria for the financial year 2012–2013 and comparisons with the preceding four financial years.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Grant from Department of Justice</td>
<td>2,259,323</td>
<td>2,155,500</td>
<td>1,945,345</td>
<td>1,982,336</td>
<td>2,610,600</td>
</tr>
<tr>
<td>Other grants</td>
<td>–</td>
<td>280,000</td>
<td>150,000</td>
<td>515,500</td>
<td>103,500</td>
</tr>
<tr>
<td>Total income</td>
<td>2,259,323</td>
<td>2,435,500</td>
<td>2,095,345</td>
<td>2,497,836</td>
<td>2,714,100</td>
</tr>
<tr>
<td>Expenses</td>
<td>2,225,093</td>
<td>2,222,881</td>
<td>2,243,823</td>
<td>2,180,526</td>
<td>2,782,431</td>
</tr>
<tr>
<td>Other economic flows</td>
<td>4,009</td>
<td>(11,986)</td>
<td>(429)</td>
<td>(246)</td>
<td>(5,561)</td>
</tr>
<tr>
<td>Net result for the period</td>
<td>38,238</td>
<td>200,633</td>
<td>(148,907)</td>
<td>317,064</td>
<td>(73,892)</td>
</tr>
<tr>
<td>Net cash flow from operating activities</td>
<td>(188,168)</td>
<td>8,376</td>
<td>7,841</td>
<td>6,702</td>
<td>5,212</td>
</tr>
<tr>
<td>Total assets</td>
<td>1,786,426</td>
<td>1,134,758</td>
<td>916,534</td>
<td>1,052,998</td>
<td>894,919</td>
</tr>
<tr>
<td>Total liabilities</td>
<td>628,747</td>
<td>366,836</td>
<td>349,245</td>
<td>336,802</td>
<td>495,787</td>
</tr>
</tbody>
</table>