

Judicial College of Victoria
Annual Report 2009–2010



Judicial
College of
Victoria

The College Board

The Honourable Marilyn Warren AC
*Chief Justice, Supreme Court of Victoria
Chair of the College*

The Honourable Justice Ian Ross AO
*President, Victorian Civil and
Administrative Tribunal*

His Honour Chief Judge Michael Rozenes AO
County Court of Victoria

Chief Magistrate Ian L Gray
Magistrates' Court of Victoria

Appointees of the Governor-in-Council on the
recommendation of the Attorney-General:

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MESSAGE FROM THE CHIEF JUSTICE

2009/10 was a watershed year for the Judicial College of Victoria. This year marked the end of the development phase, and signalled the transition to a mature institution looking to consolidate its achievements and prepare for growth and expansion over the next ten years.



THREE interlocking milestones have made 2009/10 memorable:

FIRST, the College Board explored a future and long-term perspective with the development of a strategic vision to take the College into the next decade and beyond.

SECONDLY, the College's progress and achievements to date were reviewed through an independent evaluation of the College and its work.

AND THIRDLY, the College has positioned itself to maximise opportunities for achieving increased ongoing funding from government through the development of a robust evidence-based business case.

The goal, therefore, in 2011 will be to ensure that we have sufficient resources to meet our medium term strategic objectives, and provide a platform for growth into the future.

Strategic Vision 2010–2020

Ultimately, the vision for the College is to be the exemplar of best practice in judicial education, a 'university for judicial officers', which will be the principal and pre-eminent provider of education and professional development for Victorian judicial officers. Such an institution will have dedicated state-of-the-art facilities and will provide courses and study opportunities in designated fields, supported by both legal education experts and professorial judicial officers.

The immediate focus and ten year horizon for the College is:

SHORT TERM:	2010 - 2011	Consolidation, including preparing for and securing increased ongoing funding to support the development of a model for responding to jurisdiction-specific education needs.
MEDIUM TERM:	2012 - 2014	Growth, extending the model for jurisdiction-specific education needs to all jurisdictions.
LONG TERM:	2015 - 2020	Creating a world-class institution which is the pre-eminent provider of judicial education and training in Victoria, with state-of-the-art facilities.

2009 Independent Evaluation

The College enjoys the high regard of the Victorian judiciary, and has established itself as an important element in the judicial landscape. This was reflected in the results of an independent evaluation conducted by HBL Mann Judd. In the evaluation, the College is credited with having affected a culture of continuing professional development and life-long learning in the judiciary, with an emphasis on learning from and with peers in law and other disciplines.

The College's Continuing Professional Development (CPD) scheme is in its third year of operation. The CPD scheme, an Australian-first, presents each judicial officer with the opportunity to undertake at least ten hours of professional development each year at the College.



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The numbers of judicial officers participating in College programs increased markedly since the commencement of the CPD scheme in 2007. This trend continued in 2009/10.

It is pleasing to note that judicial officers confirm the College has made a significant difference to the judicial landscape in its short history. It is highly regarded by other judicial education institutions, both within Australia and overseas, and is seen as a world leader in the development of innovative experiential adult learning initiatives specifically tailored to meet the needs of a modern judiciary.

Framework of Judicial Abilities and Qualities

The College's Framework of Judicial Abilities and Qualities sets out the core competencies required of a modern judicial officer. The evaluation noted that as a self-development tool, it assists judicial officers to plan their individual current and future professional development needs, and it also guides the design and delivery of programs and associated resources to assist in acquiring and maintaining the skills, knowledge and abilities to perform their role to the highest professional standards.

The Framework covers a combination of legal knowledge, technical skills and personal qualities. And embedded and enacted in judicial practice these qualities exemplify 'professional behaviour'. Professionalism, as opposed to technical competence, represents the highest standards of conduct that the Victorian community has a right to expect of its judiciary and to which all Victorian judicial officers aspire.

The Future

It is clear the College is faced with important challenges. The College works within a complex legal and high pressure judicial work environment, and must manage the various expectations and perceptions associated with delivery of its products and services.

The number of programs developed and delivered by the College has placed increasing demands on the judge-led education model, particularly for judges in the higher courts who play an important leadership role in encouraging participation from across the jurisdictions.

At the time of writing the government has announced the establishment of a Judicial Commission in Victoria to deal with both judicial education and complaints. The Board is extremely disappointed by the announcement. Judicial education provided through the College must not be compromised through management of complaints. It is important that Victorian judicial officers see the College as a creative and innovative institution that enriches the quality of their judgment. We hope that aspiration is not frustrated by the new commission. It is essential, therefore, that government adequately fund the new commission to preserve the quality of judicial education in Victoria.

On behalf of the Board, I take this opportunity to thank Justice Kevin Bell for his significant contribution to the Board's deliberations during his two-year term as President of the Victorian Civil and Administrative Tribunal, and to welcome his successor Justice Iain Ross AO.

I am also pleased to convey the Board's gratitude to the hard-working College staff, especially our CEO Lyn Slade, and also to our judicial colleagues who have generously donated their time, knowledge and expertise throughout the year working on the numerous steering and editorial committees, preparing and delivering papers and attending as participants in College programs. Their energy and enthusiasm in the face of an increasing workload demonstrates a strong commitment to judicial education.



The Honourable Justice Marilyn Warren AC

*Chief Justice of the Supreme Court of Victoria
Chair of the Judicial College of Victoria*

MESSAGE FROM THE CHIEF EXECUTIVE OFFICER

Four major legislative reform projects set the agenda for our work program throughout 2009/10—evidence, criminal procedure, coronial practice and appropriate dispute resolution.



Flagged in the government's Justice Statement 2 released in October 2008, in 2009/10 these pieces of legislation were enacted and the College was tasked with providing education and resources to assist judicial officers with these wide-ranging changes. Comprehensive education frameworks for each area of reform were developed, encompassing a variety of programs and online resources and manuals.

Deserving particular attention is the evidence project. The new legislation commenced on 1 January 2010, and presented a 'once-in-a-generation' change across all the courts. Over 2009/10 a College project team worked with a judicial steering committee to produce and deliver a range of resources to prepare judicial officers for these substantial changes. The project was multi-faceted, involving scenario-based workshops, videos and podcasts, self-administered online knowledge tests, flow charts and checklists, and online publications.

The challenges of driving education projects and working closely with the judiciary in any area cannot be underestimated, and these are increased when projects impact on work practices embedded in the adversarial system itself. The ability of College staff to achieve outstanding results in this complex environment, to achieve consensus in some extremely vexed areas of law, and to move projects forward demonstrates exceptional strategic thinking, facilitation and service delivery skills. The team's professionalism and expertise enabled the College to produce outstanding judicial education programs and resources over this year. This team received a 2010 Courts Portfolio Award for "demonstrating exceptional teamwork and innovation in judicial education programs and resources to support the successful system-wide implementation of the *Uniform Evidence Act*".

As noted by the Chief Justice, the College and its work were independently evaluated in 2009. Data collection included individual interviews, group consultations and an online survey, which canvassed the views of the judiciary and key stakeholders in the wider legal system.

Addressing the learning needs of judicial officers based in outer suburban and regional areas was highlighted as an area for investigation through improved use of technology and exploring other innovative delivery strategies. Importantly, despite increasing demand for judicial education, a recurring theme in the consultation process was that judicial officers have limited time to participate in education due to increasing workloads.

This year we are proud to have delivered education and resources that matched a rapid rate of legislative reform, ensuring judicial officers are prepared well in advance. The pace of reform seems likely to continue and, despite funding constraints, the College will use its best endeavours to continue to deliver innovative and timely judicial education and professional development.

I am grateful to the Board for their leadership, support and guidance throughout this challenging year. I am very fortunate also to have staff that are committed and passionate about their work, and who continually strive for, and achieve, exceptional results. To each one I extend my sincere thanks.



Lyn Slade
Chief Executive Officer

HIGHLIGHT

OCTOBER 2009: IOJT CONFERENCE ON TRAINING THE JUDICIARY

Judicial leaders from forty-eight nations gathered in Sydney in October 2009 for the 4th International Conference on the Training of the Judiciary (IOJT), the theme of which was ‘Justice through Judicial Professional Development’.

Chief Justice Marilyn Warren presented on the College’s 360 Degree Feedback Survey, now in its fourth year. The presentation involved a two-part video clip illustrating the 360 Degree process, with commentary and insights by Chief Justice Warren and Ms Maryanne Mooney, the organisational psychologist engaged by the College to conduct this project.

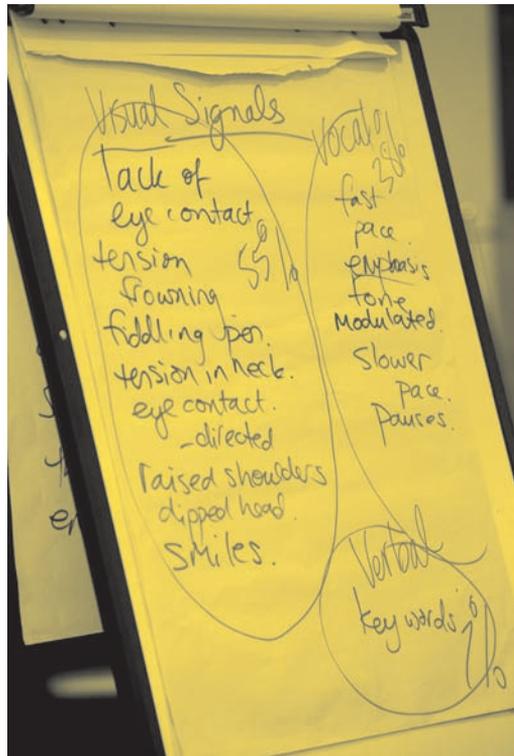
The Chief Justice outlined the project’s journey from concept to implementation and explored some of the issues that arose along the way and how they were successfully resolved. Its genesis was in comments that judges seldom received honest and helpful feedback on how they carry out their role, both inside and outside the courtroom. And the project arose out of two simple questions asked of judicial officers:

- Q When is the last time you obtained honest and genuine feedback on how you carry out your role?**
- Q How do you know the message you send is congruent with your intentions?**

The program is primarily aimed at longer-serving judicial officers, and Chief Justice Warren noted that the 360 Degree Feedback Survey has proved to refresh and reinvigorate their experience of judicial practice.

Importantly, as a participant herself in the 360 Degree Feedback Survey in 2008, the Chief Justice provided a first-hand account of the experience and personal reflections on the benefits gained. She also outlined how receiving constructive feedback has informed her own personal and professional development, and confirmed her belief that undertaking this exercise provides judicial officers with a powerful professional and personal development opportunity.

This innovative concept continues to attract national and international attention, and this College has assisted both the National Judicial College and the New South Wales Judicial Commission to conduct the program for their own judicial officers.



MAJOR PROJECTS

2009/10 was a period of substantial legislative reform in Victoria, significantly impacting upon the work of Victorian judicial officers and altering many established rules and practices. These included four major projects:

1. Uniform evidence law commenced operation in Victoria, requiring judicial officers to radically alter established practices of responding to evidentiary issues in court.
2. The laws of criminal procedure were consolidated and criminal case management procedures were overhauled.
3. The Coroners Court was established as a court with a specialised inquisitorial jurisdiction, and with it came many changes to coronial practice and procedure.
4. Supreme Court and County Court judges were empowered to preside over judicial dispute resolution processes, providing them with another tool to assist with the expeditious resolution of disputes.

The College responded to these challenges by providing a host of resources in keeping with best practice in judicial education and training.

1. REFORMS TO EVIDENCE LAW

The commencement of the *Evidence Act 2008* in early 2010 brought one of the most profound changes to practice and procedure in Victorian courts. In many instances, practices that were second nature to judicial officers have been modified or supplanted.

In order to assist judicial officers to gain the same level of familiarity with the new Act by the date of commencement, the College built on its 2008/09 work to ensure Victorian judicial officers were fully prepared for the new laws on the commencement date of 1 January.

Publication of the Uniform Evidence Manual commenced in 2009. Providing judicial officers with a practical and comprehensive guide to the changes in evidence law, the manual is the first port of call guide to the application of the *Evidence Act 2008*. It includes:

- commentary on substantive sections of the Act,
- discussion of uniform evidence legislative policy,
- cross-references to the current edition of Stephen Odgers' Uniform Evidence Law, and
- a comprehensive dictionary of terms.

As with most College publications, the manual is available free of charge on the College website where an email update and RSS service are also available to inform subscribers of updates as they are published. The manual can be viewed, searched or browsed online in a similar way to using an online database.

“The law of evidence lends itself to problem-based learning. The commission suggests that engaging judicial officers ... in programs which involve examples taken from the facts of leading cases is likely to be the most effective method of demonstrating and appreciating the operation of the UEA.”

Victorian Law Reform Commission,
Implementing the Uniform Evidence Act Report 5.7
(February 2006)

Taking up the VLRC's suggestion for problem-based learning, three Evidence Knowledge Tests were developed to enable individuals to test their knowledge about significant evidence topics; in particular, hearsay, tendency/coincidence, opinion, unfavourable witnesses and judicial discretions. These easy to use tests provide a clear but challenging method of gaining knowledge about some of the subtler distinctions in the new law. Published on the College website, they continue to garner widespread positive comments from website users on their value and innovation.

The new evidence regime required revision of the College's highly regarded Victorian Criminal Charge Book. The Charge Book remains a key resource for trial judges and legal practitioners alike, providing model jury directions, explanatory commentary, statutory extracts, lists of authorities and checklists for many offences. It also assists trial judges to tailor jury directions in matters where the law is often complex and provides a reference for judges to ensure the trial is conducted according to law. As President Maxwell noted in the *Said* case, its value extends beyond being an aid to judges to providing a contribution to an efficient and cost-effective justice system.

“I want to express this Court's appreciation of the work that has gone into the charge book, and to reiterate the hope that that work will continue to pay dividends. Every time appealable error is avoided, every time the community is saved the time and expense of an appeal and a retrial, **the vital importance of the charge book is reinforced.**” (emphasis added)

President Chris Maxwell,
R v Said VSCA 244 (October 2009)

The Victorian Law Reform Commission in its report on Jury Directions, described the Charge Book as “a superb resource which reflects the complexity, volume and uncertainty of the law of jury directions”. Victorian Law Reform Commission, *Jury Directions: Final Report 2.42* (May 2009)

The College is committed to the Charge Book's continuing improvement. We are working to ensure as much of the Charge Book is drafted in plain language as is practicable while ensuring that very complex areas of law remain accurate at all times.

2. REFORMS TO CRIMINAL PROCEEDINGS

The *Criminal Procedure Act 2009* also commenced on 1 January 2010. This overhauled and consolidated three Acts dealing with criminal procedure and introduced new procedures aimed at creating efficient and flexible case management processes.

To assist judges and magistrates, the College developed a new *Criminal Proceedings Manual*. This manual explains the operation of this new Act and incorporates relevant common law principles and interpretative statements from existing authorities. The manual also expands the range of resources offered by the College for Victorian judicial officers conducting criminal proceedings by complementing the *Victorian Criminal Charge Book*, the *Victorian Sentencing Manual* and the *Uniform Evidence Manual*. Cross-references to these publications assist online users to find accurate and relevant information in the correct publication.

3. REFORMS TO CORONIAL PRACTICE

The commencement of the *Coroners Act 2008* in November 2009 marked the most significant reform of the Victorian coronial system since its creation in 1865. The Act established the Coroners Court of Victoria as a 'specialist inquisitorial court', and noted that one of its major purposes is to contribute to reducing preventable deaths through coronial findings and recommendations.

In 2008/9 the College began developing a training package specifically directed to coroners focussed on supporting them in the performance of their roles under the new Act. Over 2009/10 the College focussed on consolidating education on these new aspects of coronial practice. Notably, programs were specifically designed to ensure that regional magistrates, whose work only occasionally involves coronial duties, were able to obtain maximum benefit. To this end, video links were used wherever possible, and a two-day Coroners Intensive was delivered in regional Victoria.

The development of the *Coroners Court Benchbook*, which started in 2008/9, continued. This is a practical, online reference that assists coroners and registrars in their understanding of the new Act, rules and regulations. The benchbook aims to contribute to a consistent statewide approach to coronial work, and to promote best practice in this new jurisdiction.

4. NOVEL JURISDICTION: APPROPRIATE DISPUTE RESOLUTION

The reach of appropriate dispute resolution (ADR) continues to grow, as evidence mounts of its benefits to parties and to the justice system itself. The concept of the judicial resolution conference was formally introduced into Victorian courts with the commencement of the *Courts Legislation Amendment (Judicial Resolution Conference) Act 2009* in September of that year. Judges and magistrates can now add ADR techniques and processes to their traditional repertoire of determinative functions, giving them greater scope to deal with relevant disputes expeditiously.

Instrumental to the success of judicial resolution conferences is the authority, knowledge and extensive experience that judges naturally bring to the role of impartial facilitator. The ADR environment can raise a number of complex technical and ethical issues, and it is imperative that judicial officers have appropriate support available to maintain the integrity of the judicial dispute resolution process.

In 2009/10 the College continued to deliver resources that support excellence in judicial dispute resolution. The College organised a number of workshops presented by international experts, including pioneers of the process from Canada and New Zealand, jurisdictions where judicial dispute resolution is well-established.



CONTINUING PROFESSIONAL DEVELOPMENT

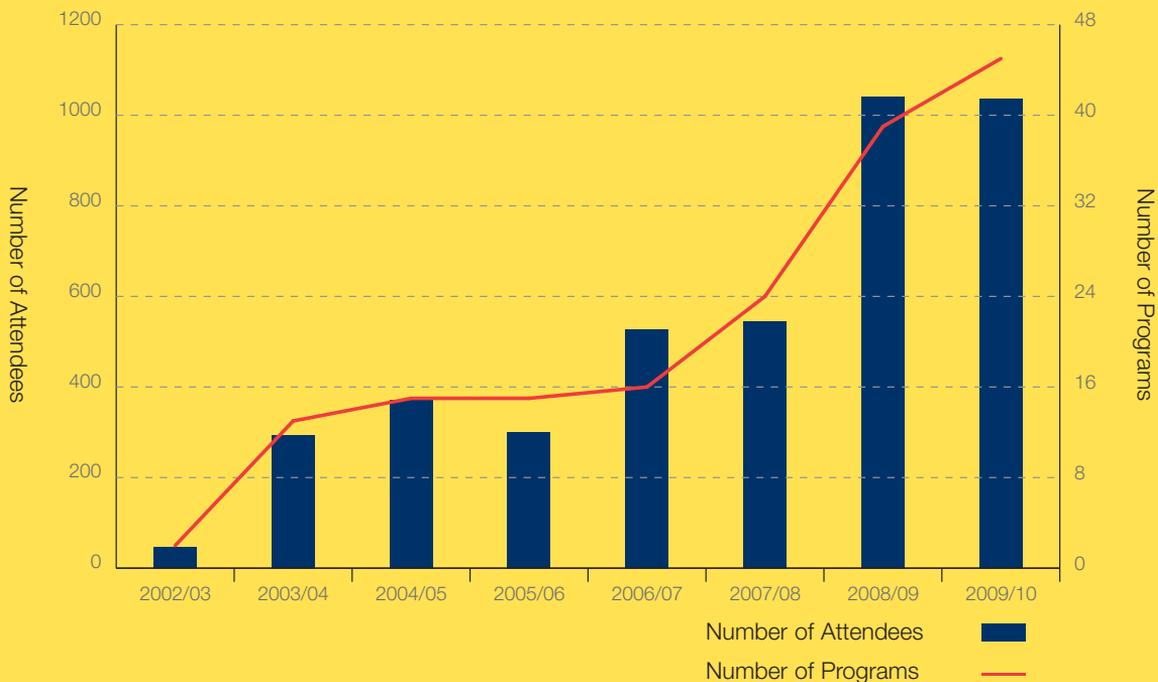
In 2009/10 the College designed, developed and implemented a secure continuing professional development website specifically tailored to assist individual judicial officers to plan and record their professional development over their career on the bench. A staged roll-out commenced in early 2010 enabling judicial officers to quickly access their own continuing professional development history and register for future College programs.



The College's continuing professional development scheme for judicial officers is in its third year of operation, having commenced in 2007. An Australian first, it established a scheme for the College to provide 10 hours each year of continuing professional development for every Victorian judicial officer. The scheme provides the opportunity for judicial officers to participate in continuing professional development programs that:

- (a) have significant intellectual or practical content that supports judicial practice,
- (b) are conducted by persons qualified by practical, academic or other relevant experience in the topic, and
- (c) extend the judicial officer's knowledge and skills in areas relevant to judicial practice.

JCV Attendance and Program Levels from 2002/03 to 2009/10



Complementing the publications and resources outlined above, throughout 2009/10 the College delivered a range of workshops and seminars addressing key areas of substantive change. As with all our substantive law and practice programs, these were aimed at providing judicial officers with practical, theoretical and authoritative experience with legislative change, to build on and consolidate knowledge in these new areas.

Guided by judicial steering committees, comprised of judicial officers with a wealth of experience in the area, each scenario-based workshop or seminar was aimed to give Victoria's judicial officers a greater understanding of the practical application of the new legislative regimes.

Presenters and facilitators included some of the most knowledgeable and experienced judicial officers, practitioners and academics in Australia.



JUDICIAL OFFICERS INFORMATION NETWORK (JOIN)

The Judicial Officers Information Network (JOIN) is the College's intranet for judicial officers. Through JOIN, judicial officers have quick and easy access to abundant and authoritative legal reference material, providing access to a wide variety of authoritative, up-to-date resources (including College publications, podcasts and materials) in one central location.

Since beginning as a pilot in 2004, JOIN has become one of the College's flagship achievements. Thoroughly embraced by judicial officers, it is a vital resource and as one judicial officer commented, JOIN hosts "our essential tools of trade, these are like a doctor's scalpel."

"JOIN represents almost a complete law library at your desktop."

Justice Paul Coghlan
Supreme Court of Victoria

"The College is critical in making sure that we have, at our fingertips, the tools that we need on a daily basis. Those tools need to be current, and they need to be readily accessible. JOIN fulfils both of these."

Chief Judge Michael Rozenes AO
County Court of Victoria

"The Judicial Officers Information Network is brilliant."

Chief Magistrate Ian Gray
Magistrates Court of Victoria

The College ensures judicial officers are proficient in using JOIN by providing one-on-one training for all new appointees, and for other judicial officers on request.

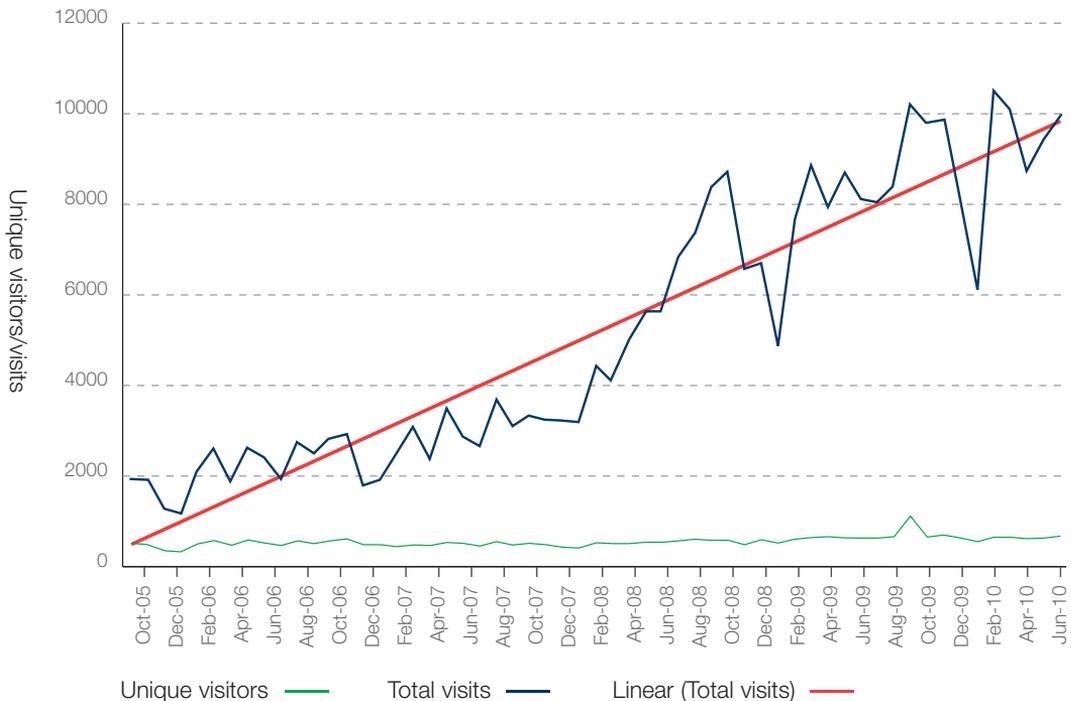
Other frequent users are court staff, associates and secretaries who work closely with judicial officers. The most used sections of JOIN include online publications and benchbooks, and the links to judgments and reports. Aggregated usage data reveals that:

- JOIN averages over 600 users each month,
- around 75 per cent of judicial officers use JOIN,
- 80 per cent of users access JOIN once a week or more.

Visits to JOIN increased by 37.5 per cent in February 2010 from February 2009. The graph below shows the usage growth since JOIN's launch in 2004.

The JOIN Management Group has representatives from each jurisdiction and comprises a cross-section of users. JOIN Management Group meets three times a year and its members champion and continue to promote JOIN amongst their peers, listen to comments and general feedback.

A major addition to JOIN was the *Family Violence Benchbook*, which commenced in 2008/9 and examines the *Family Violence Protection Act 2008*. It was formally launched in April 2010. This benchbook looks at when to make an intervention order, and sentencing principles when a person contravenes an order, and provides guidance on the interaction between family violence orders and family law orders, child protection orders and firearms and weapons permits. A further chapter covering the complex social context and court craft issues faced in this jurisdiction is currently under development, with publication due in 2010/11.



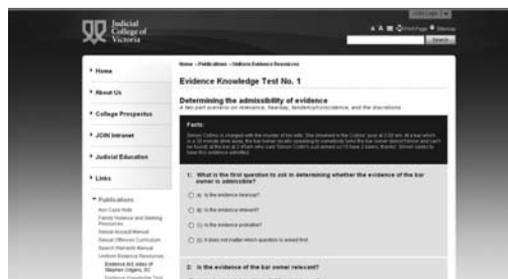
JUDICIAL COLLEGE OF VICTORIA WEBSITE

In September 2009, the College launched its new website incorporating a user-centred design and using Web 2.0 software to increase the reach and timeliness of its educational resources.

The website incorporates a number of features to ensure judicial officers, legal practitioners and the public more generally can easily keep abreast of changes to legislation, court processes and practice.

As an example, the *Evidence Act* resources on the website include:

- *Uniform Evidence Manual* with commentary on the substantial sections of the Act, hyperlinks to reference sites, expandable sections covering statutory references, citations of relevant cases, search facility and a dictionary of terms,
- Introduction to the *Uniform Evidence Act in Victoria: Significant Changes* that can be read online or printed for later use,
- Flowcharts and checklists for easy reference,
- Videos of presentations on the scope of the Act,
- Multiple choice knowledge tests based on scenarios, with immediate feedback on selected answers,
- RSS and email update service,
- the ability to comment on pages and email a page to a friend.



PROGRAMS

TOPIC	DATE
Coroners Series: Exercising the Coroner's Discretion	15 July 2009
Trial Methodology	21 July 2009
Court Craft: 360 Degree Feedback	6 August 2009
The New Criminal Procedure Act	7 August 2009
Coroners Series: Preparing for an Inquest	11 August 2009
The New Criminal Procedure Act	14 August 2009
Judgment Writing	26–28 August 2009
The Judge's Role in Assisting with Juror Comprehension	4 September 2009
Koori Twilight: Lateral and Family Violence Within Indigenous Communities	8 September 2009
Logic & Legal Reasoning in Judicial Decision-Making	17–18 September 2009
Ethics & Obligations in Judicial Decision-Making	21–22 September 2009
Emerging Issues in Expert Evidence	2 October 2009
Supreme Court Seminar: Professor Marilyn Lake	5 October 2009
Judicial Settlement Conferencing	8–9 October 2009
Developments in Contract	15 October 2009
Coroners Series: The Changing Tide of Coronial Work – Inquest Law and Practice Under the <i>Coroners Act 2008</i>	16 October 2009
Advanced Leadership	22–23 October 2009
Coroners Series: Findings Writing	26 October 2009
Court Craft: Communication in the Courtroom	30 October 2009
Child & Cognitively Impaired Witnesses	13 November 2009
Koori River Walk	14 November 2009
Self-Represented Litigants	20 November 2009

Judicial Orientation	10-12 February 2010
Judicial Leadership	12 February 2010
Hearsay & Admissions	26 February 2010
Aboriginal Culture & Language	2 March 2010
Coroners Series: Chambers Findings & Suppression Orders	3 March 2010
Visit to Victorian Forensic Science Centre	5 March 2010
Visit to Wulgunggo Ngalu	12 March 2010
Making Sense of Legislation	19 March 2010
Prison Visit	9 April 2010
Coroners Series: The Life of a Coroner—the Good, the Bad and the Ugly	14 April 2010
Privilege Intensive	16 April 2010
Oral Decisions	22–23 April 2010
Advanced Issues in Mediation	27 April 2010
Coroners Intensive	28–30 April 2010
Indigenous Walk	1 May 2010
Coroners Series: Jurisdictional Issues in Child Death Investigations	5 May 2010
Self-Represented Litigants – The Challenges	14 May 2010
Sentencing Elderly, Infirm & Mentally Impaired Offenders	20 May 2010
Tendency, Coincidence, Credibility & Character	28 May 2010
Coroners Series: The Role of the Coroners Prevention Unit	2 June 2010
DNA Evidence & the 'CSI' Effect	8 June 2010
Experience of Refugees	11 June 2010
Visit to Thomas Embling Hospital	18 June 2010
Sexual Assault: Managing the Demands of the Judicial Role	25 June 2010

PUBLICATIONS

TITLE	STATUS
Coroners Benchbook	Progressively published since 2009
Family Violence Benchbook	Progressively published since 2009
Introduction to the Uniform Evidence Act: Significant Changes	2009 publication
Search Warrants Manual	Progressively published since 2004
Sexual Assault Manual	2007 publication
Suppression of Information: Legislation and Regulations	2006 publication
Uniform Evidence Benchbook	Progressively published since 2009
Victorian Criminal Charge Book	Progressively published since 2005
Victorian Criminal Proceedings Manual	Progressively published since 2009
Victorian Sentencing Manual	Progressively published since 2004
Magistrates' Court Benchbook	Progressively published since 2004

SPECIFIC PURPOSE COMMITTEES

TOPIC	STEERING COMMITTEE
<p>Appropriate Dispute Resolution</p>	<p>Chief Justice Marilyn Warren AC Justice Mark Weinberg Associate Justice John Eftim Judge Maree Kennedy Mr Peter Lauritsen DCM Ms Margaret Lothian VCAT Professor Tania Sourdin Judicial College: Ms Carly Schrever</p>
<p>Child & Cognitively Impaired Witness</p>	<p>Judge Meryl Sexton Judge Tony Howard Ms Felicity Broughton DCM Judicial College: Ms Carly Schrever</p>
<p>Coronial Practice</p>	<p>State Coroner Judge Jennifer Coate Mr Clive Alsop RCM Ms Audrey Jamieson M Ms Gayle Chirgwin Judicial College: Mr Matthew Weatherson & Ms Fiona Brice</p>
<p>Court Craft – <i>360 Degree Feedback</i> – <i>Communication in the Courtroom</i></p>	<p>Chief Justice Marilyn Warren AC Justice Kevin Bell Chief Judge Michael Rozenes AO Chief Magistrate Ian Gray Judicial College: Ms Carly Schrever</p>
<p>Criminal Proceedings</p>	<p>Justice Betty King Judge Tony Howard Judge Mark Taft Ms Caitlin English M Mr Charlie Rozencwajg M Ms Rosemary Carlin M Judicial College: Mr Matthew Weatherson & Ms Fiona Brice</p>

Evidence Law

Justice Mark Weinberg
Hon Tim Smith QC
Justice Iain Ross AO
Judge Felicity Hampel
Mr Peter Lauritsen DCM
Mr Duncan Reynolds M
Judicial College: Ms Julia Cook & Ms Fiona Brice

Family Violence Benchbook

Judge Paul Grant
Ms Catherine Lamble M
Ms Kate Hawkins M
Ms Pauline Spencer M
Ms Jane Gibson M
Judicial College: Mr Matthew Weatherson

Indigenous Cultural Awareness: Judicial Officers Cultural Awareness Committee (JOACAC)

Justice Stephen Kaye
Judge Sandra Davis
Judge Paul Grant
Judge David Parsons
Ms Jelena Popovic DCM
Ms Ann Collins M
Mr Robert Scott VCAT
Justice Peter Gray (Federal Court of Australia)
Justice Victoria Bennett (Family Court of Australia)
Mr Daniel O'Dwyer M (Federal Magistrates' Court of Australia)
Hon John Coldrey QC, Hon Geoffrey Eames QC, Mr Mason
Atkinson, Ms Anne Bambrook, Mr Jim Berg, Mr Hans
Bokelund, Ms Munya Andrews, Ms Antoinette Braybrook,
Ms Wanda Braybrook, Ms Abbie Burchill, Mr Frank Guivarra,
Mr Andrew Jackomos, Mr Rudolph Kirby, Mr Brendan Loizou,
Mr Ted Lovett, Mr Bevan Mailman & Ms Aislinn Martin
Judicial College: Ms Carly Schrever & Ms Sally Hyatt

JOIN Management Group

Justice James Judd
Judge Tim Ginnane
Ms Caitlin English M
Ms Catherine Aird DP VCAT
Mr James Butler
Mr Michael Conway
Mr Ian Edwards
Ms Christina Finch
Ms Madhavi Ligam
Mr Hans Wolf
Judicial College: Ms Marilyn Lambert & Mr Damian Siracusa

<p>The Judge's Role in Assisting with Juror Comprehension</p>	<p>Justice Robert Chambers (New Zealand) Judge Felicity Hampel Dr Jonathan Clough Dr Jacqueline Horan Judicial College: Ms Carly Schrever</p>
<p>Judgment Writing</p>	<p>Professor James Raymond (USA) Justice Kim Hargrave Justice Linda Dessau AM (Family Court of Australia) Professor Christopher Wallace-Crabbe Ms Ginger Briggs Ms Helen Garner Mr Michael Gawenda Mr Tom Wodak Judicial College: Ms Sally Hyatt</p>
<p>Judicial Leadership</p>	<p>Chief Judge Michael Rozenes AO Chief Magistrate Ian Gray Judicial College: Ms Samantha Burchell</p>
<p>Judicial Orientation</p>	<p>Chief Judge Michael Rozenes AO Chief Magistrate Ian Gray Judicial College: Ms Fiona Brice</p>
<p>Making Sense of Legislation: Essential Tools for Navigating Statutes</p>	<p>Justice Chris Maxwell Justice Iain Ross AO Judge Jane Campton Ms Kate Hawkins M Judicial College: Ms Carly Schrever</p>
<p>Oral Decisions</p>	<p>Professor Ed Berry (USA) Justice Lex Lasry Judge Sandra Davis Judge Wendy Wilmoth Judicial College: Ms Sally Hyatt</p>
<p>Self-Represented Litigants – The Challenges</p>	<p>Justice Katherine Williams Judge Rachelle Lewitan AM Ms Caitlin English M Ms Bernadette Steele DP VCAT Judicial College: Ms Carly Schrever</p>

Sexual Assault

Judge Meryl Sexton
Ms Felicity Broughton DCM
Judicial College: Ms Carly Schrever

Syllabus Advisory Committee

Justice Hartley Hansen
Justice Paul Coghlan
Associate Justice Melissa Daly
Judge Wendy Wilmoth
Judge Frank Gucciardo
Magistrate Caitlin English
Magistrate Brian Wright
Deputy President Catherine Aird
Senior Member John Billings
Professor Susan Campbell AM

Victorian Criminal Charge Book

Justice Robert Redlich
Justice Mark Weinberg
Justice Elizabeth Curtain
Justice Paul Coghlan
Justice Lex Lasry
Judge Margaret Rizkalla
Judge Carolyn Douglas
Judge Susan Pullen
Judge Jeanette Morrish
Judge Gerard Mullaly
Judge Paul Lacava
Judicial College: Mr Chris Michell, Mr Jamie Walvisch &
Mr Matthew Weatherson

Victorian Sentencing Manual

Justice Betty King
Judge Carolyn Douglas
Judge Jane Patrick
Ms Belinda Wallington M
Professor Arie Freiberg AM
Mr Patrick Tehan QC
Mr Bruce Gardner
Judicial College: Mr Chris Michell,
Mr Matthew Weatherson & Mr Damian Siracusa

DISCLOSURES

As a statutory authority, the College is required to comply with a number of government acts and regulations.

Organisational Governance and Statutory Compliance

As a Public Entity, accountable and effective governance is required under the *Financial Management Act 1994*, the *Public Administration Act 2004*, the *Audit Act 1994*, and other applicable laws, regulations and directions from the Minister of Finance.

The College has undertaken to complete compliance certification under the Financial Management Certification Framework in conjunction with the Department of Justice.

Human Resource Management

The College promotes the personal and professional development of its staff in order to achieve sustained improvements and to create satisfying career paths. The College actively promotes safe work practices, career development, work/life balance and a friendly and non-discriminatory working environment.

Staff Development and Training

During 2009/10, the College offered a wide range of opportunities to equip staff with the knowledge and skills required for their jobs. Staff members were encouraged to extend their professional skills through participation in:

- internal and external professional development courses in business, finance, personal development and information technology,
- conferences dealing with judicial education and training,
- executive and management training programs, and
- assistance to staff members undertaking undergraduate and postgraduate studies.

Financial Management

The College abides by a Financial Code of Practice that encompasses procurement, the use of assets and resources, potential conflicts of interest, secondary employment, financial gifts and gratuities.

Employees are subject to the Department of Justice Code of Conduct (consistent with the Victorian Public Service Code of Conduct and the objectives of the *Public Administration Act 2004*) and regular financial reporting is scrutinised by internal audit provided by Oakton Services.

Outsourced Consultancies and Major Contracts

There were no outsourced consultancies or contracts in excess of \$100,000.

Privacy

The College manages personal information in accordance with the *Information Privacy Act 2000*. There were no privacy related complaints for the year ending June 2010.

Freedom of Information

The *Freedom of Information Act 1982* allows the public the right to access documents held by the College. In the 12 months ending 30 June 2010, the College did not receive any applications.

Whistleblowers

The *Whistleblowers Protection Act 2001* encourages and facilitates disclosures of improper conduct by public officers and public bodies. For the 12 months ending 30 June 2010, the College did not receive any disclosures.

Compliance with the *Building Act 1993*

In accordance with the directions of the Minister for Finance, the annual report must include a statement about compliance with the building and maintenance provisions of the *Building Act 1993* for publicly owned buildings controlled by the College. However, the College does not own or control any government buildings.

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.

Occupational Health and Safety

The College has assigned an Occupational Health and Safety (OHS) Officer and OHS has been factored into the College's overall risk management framework. In addition to attending OHS presentations, all staff are provided with materials on the *Occupational Health and Safety Act 2004* and with guides on ergonomic assessment. Staff also have access to ergonomic equipment and to assessments by qualified professionals, and all have participated in fire-drill evacuation exercises.

There were no claims of OHS related injury for the year ending 30 June 2010.

Industrial Relations

The College enjoys a cooperative relationship with employee representative organisations. No time was lost during the year through industrial disputes or accidents.

Diversity

In accordance with the requirements outlined in the Premier's Circular 2003 and the whole-of-government performance reporting framework, the College is required to report on its responsiveness to the following Victorian community areas:

- culturally and linguistically diverse (CALD) communities,
- indigenous communities,
- women, and
- youth.

The College strives for an inclusive approach, balanced with the need to uphold principles of judicial independence and deliver programs and resources to meet the judicial education needs of judicial officers.

As part of its judicial education curriculum, the College conducts a three-day Judicial Orientation program, of which one full day is devoted to Koori cultural awareness training at the Koori Heritage Trust. In addition, in 2009/10 the College conducted five further programs on Aboriginal Cultural Awareness, including a twilight seminar on Aboriginal culture and language, and a field visit to Wulgunggo Ngalu - a correctional facility for indigenous offenders on community based orders.

In order to assist judicial officers to be responsive to CALD communities, during 2009/10 the College held a full-day program entitled 'Experience of Refugees', bringing together members of Victoria's recently arrived communities, including the Somali, Sudanese, Burmese, Afghani and Iraqi communities.

Merit and Equity

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*.

Environmental Management and Impacts

The College plays an active role in reducing its environmental impact by operating within the Department of Justice's Environmental Management policy and participating in Sustainability Victoria's ResourceSmart Government program. Under this program, a strategy has been developed which aims to improve the Council's performance in relation to energy, water and paper consumption, recycling and waste management. In addition, the College has a nominated Environment Officer who represents the College on the Department's 'Justice Environment Network'.

Audit Committee

Because of its small size, and to maximise the effective use of limited resources, the College and the Sentencing Advisory Council have a joint audit committee to oversee both organisations' financial operations.

As at 30 June 2010, the audit committee comprises:

- David Greenall
(Chairperson – independent member)
- Prue Boughey
(Sentencing Advisory Council representative)
- Gep Blake
(Judicial College of Victoria representative)
- Geoff Davine (independent member – Courts and Tribunals Unit, Department of Justice).

The Chief Finance and Accounting Officer for both organisations attends committee meetings by standing invitation and provides finance support as required. The College's Chief Executive Officer and the Director of the Sentencing Advisory Council also attend meetings as required. A representative of the Office of the Auditor General has a standing invitation to attend. The audit committee met four times in 2009/10 and has oversight of:

- financial performance and financial reporting processes, including annual financial statements,
- the scope of work, performance and independence of internal audit,
- the scope of work, independence and performance 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,
- the effectiveness of management information systems and other systems of internal control,

- the acceptability of, the correct accounting treatment for and disclosure of significant transactions which are not part of the College's normal course of business,
- the sign-off of accounting policies, and
- the College's process for monitoring compliance with laws and regulations and its own codes of conduct and financial practice.

In performing its duties, the audit committee maintains an effective working relationship with the College Board, management, and the internal and external auditors.

Risk Management

In accordance with DTF Standing Direction 4.5.5, the following attestation of compliance is made following agreement by the Audit and Finance Committee that such an assurance can be given:

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 last 12 months.



Lyn Slade
Chief Executive Officer

JCV STAFF AS AT 30 JUNE 2010

Chief Executive Officer

Lyn Slade BA, LLB, MBus
(Leadership & Organisation Dynamics)

Director Project Development

Maria Lusby PSM, BA, LLB
(2007 Justice Award – Courts Portfolio)

PA to CEO & Program Support

Caroline Neeling B Mus (Hons)

CONTINUING PROFESSIONAL DEVELOPMENT

Director Education

Samantha Burchell BA, LLB
(2009 Justice Award – Courts Portfolio)

Managers Projects & Programs

Carly Schrever BSc, LLB

Fiona Brice BA, LLB (Hons)

(2010 Justice Award – Courts Portfolio)

Sally Hyatt BA, LLB (Hons)

Project Officer

Toby Verey BA (Hons), LLB (Hons)

RESEARCH & PUBLICATIONS

Director Research & Publications

Chris Michell BA (Hons), LLB
(2008 Justice Award – Courts Portfolio)

Senior Research Officers

Jamie Walvisch BA (Hons), LLB (Hons)

Matthew Weatherson BSc (Hons) LLB (Hons)

(2010 Justice Award – Courts Portfolio)

Research Officers

Jane Mevel BA, LLB (Hons), Grad Dip (Leg Practice)

Mereana White BA, LLB (Hons)

E-LEARNING

JOIN Coordinator

Damian Siracusa BA, LLB, Grad Dip (Leg Practice)
(2010 Justice Award – Courts Portfolio)

ADMINISTRATION

Operations Manager

Gep Blake Cert IV in Business (Frontline Mgmt)

Administrative Assistants

Konstantina Giblett & Rebecca Mond BTech

INTERNS

Eamonn Hortle (Law Student, University of Melbourne)

(2010 Justice Award – Courts Portfolio)

Sarah Welch (June 2010, Leo Cussen Institute)



**Judicial
College of
Victoria**

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