

Annual Report 2007



The Australasian Institute of
Judicial Administration Incorporated

for the year ended 30 June 2007

COMMUNICATION WITH THE AIJA

The Institute welcomes and encourages inquiries about its work, about membership and judicial administration generally. Inquiries can be directed to:

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WEB SITE

The AIJA web site is located at <http://www.aija.org.au> and provides information about the Institute and its research and education programs.

PATRONS

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Chief Justice of Australia

The Rt Hon Dame Sian Elias GNZM
Chief Justice of New Zealand

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PRESIDENT'S MESSAGE



The Hon Justice Virginia Bell

A significant development in the history of the AIJA took place in 2006-2007 with the strengthening of the association between the Institute and New Zealand. The agreement by the Department of Justice in New Zealand to contribute to the annual funding of the Institute along with the Attorneys General of the Commonwealth and States and Territories has resulted in changes to the AIJA constitution to reflect the closer association. I express my gratitude to Council members Laurie Glanfield, Ian Govey and Ron Young for their work in relation to the new arrangement with New Zealand. The Institute will ensure, so far as it is practicable, that its research and education programmes have relevance to those involved in judicial administration in New Zealand. The Chief Justice of New Zealand, the Rt Hon Dame Sian Elias GNZM, has accepted an invitation to be a joint patron of the Institute with the Chief Justice of Australia, the Hon Murray Gleeson AC.

The AIJA is honoured to have been invited to participate in an International Consortium for Court Excellence involving the Subordinate Courts of Singapore and the United States bodies, the Federal Justice Center and the National Center for State Courts. The goal of the framework for Court Excellence is to develop a framework of values, concepts and tools by which court systems worldwide can voluntarily assist the quality of justice and court administration which they deliver. Council members Laurie Glanfield and Christine Wheeler, with Andrew Cannon as alternate, represent the AIJA as a member of the Consortium. A face to face meeting took place in Singapore at the end of June 2007 amongst the members of the Consortium and there will be a further meeting in Washington DC in November 2007. It is hoped that the work that is being carried out by the Consortium will inform ongoing discussion within the AIJA in relation to quality indicators.

Quality and the Administration of Justice was the theme of the AIJA Annual Conference which took place in Adelaide in September 2006. There is no doubt that the measurement of court performance and, in particular, whether appropriate quality indicators can be identified and applied, are matters of some debate amongst those involved in judicial administration.

The AIJA website has been redesigned. The design takes account of the need for easy website navigation and will enable the Institute to adopt a role as a clearing house for the exchange of information in relation to matters such as therapeutic jurisprudence, family violence and other matters relevant to judicial administration.

Educational programmes have been conducted throughout the year and are referred to more fully later in the Annual Report. Apart from the Annual Conference, educational programmes have included the Appellate Judges' Conference in Adelaide in September 2006, the 10th Annual AIJA Tribunals Conference in Melbourne 7-8 June 2007 and a Working with Juries Seminar in Melbourne on 15 June 2007. The educational events

planned for the 2007-2008 year include a Discovery Seminar in August 2007, an Indigenous Courts Conference in September 2007, the Annual Conference on the theme of Cultures and the Law in October 2007 and a Technology for Justice Conference in June 2008.

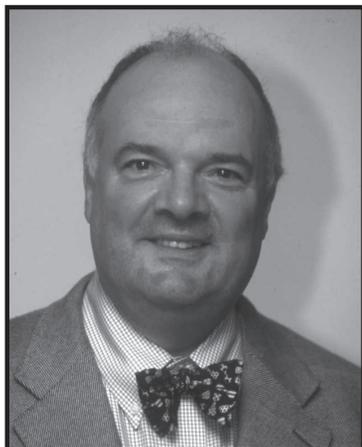
The AIJA Strategic Plan has been under review by all Standing Committees of the Institute and was the subject of discussion at the June 2007 meeting of Council. A revised plan will be discussed by Council at its meeting in November 2007. I am grateful to Megan Greenwood, Council member and convenor of the Communications Committee for her work in relation to the revised Strategic Plan.

The Project and Research Committee, chaired by Council member, Bob Nicholson, has been active throughout the year. It has approved the commissioning of a second edition of the Aboriginal Benchbook (WA). At the request of Council for Chief Justices, the AIJA has published a second edition of the Guide to Judicial Conduct. Work continues in relation to a number of projects including the Child Witnesses Benchbook.

Ms Liz Richardson joined the Secretariat of the Institute in January as Assistant Director. I am grateful to her, to all staff at the Secretariat and, in particular, to the Executive Director, Professor Greg Reinhardt, for their significant efforts through the last year.

*The Hon Justice Virginia Bell
President, AIJA*

REPORT FROM THE EXECUTIVE DIRECTOR



Professor Greg Reinhardt

I noted in last year's report that AIJA education programs have become focused more directly on "themes" in judicial administration. One means of achieving this is to conduct "show and tell" type seminars. The first of these occurred last year with the Expert Evidence Seminar in November 2005. Then this year the AIJA conducted a Working with Juries Seminar in June.

The "show and tell" approach enables participants, whether courts or tribunals, the legal profession and others involved in judicial administration relevant to the subject matter of the seminar, to provide information concerning current practices and problems prior to the seminar so that this can be collated and form the basis of discussion at the seminar. It provides a means by which what works and what doesn't work can be discussed in a constructive way with the results being published so as to encourage best practice in the area. Such seminars will continue in the 2007-2008 year.

A monograph of papers from the Therapeutic Jurisprudence Conference was published during the year and several other papers which were not published in the monograph were identified for publication in the *Journal of Judicial Administration*. Other papers will be published on the AIJA website if consent for that has been given by authors.

The Institute is conscious of the importance of on-line learning in judicial education. The Institute was pleased to host Associate Professor Ben Gianni of Carleton University in Canada to speak of the development of on-line learning in that country at the 10th AIJA Tribunals conference in June. The Institute will continue to explore the possibility of the delivery of on-line learning for judicial officers, for tribunal members and others working in judicial administration.

As an academic with a research interest in civil procedure, I have been pleased to be involved in the work of the Committee on Harmonised Procedure established by the Council of Chief Justices and chaired by Justice Kevin Lindgren of the Federal Court. The work which has been carried out by that Committee has been particularly valuable and the Committee is to be commended for its work in relation to asset preservation and search orders (Mareva and Anton Piller orders). The Committee will embark on a study of rules which might be relevant to litigation funding over the coming months.

In June I was involved in a workshop in Phnom Penh, Cambodia on alternative dispute resolution. The workshop team was led by Justice Murray Kellam AO, former President of the Institute, and other members of the group included Mr Dan O'Gorman SC, Mr Bob Reed, Barrister, Queensland, Ms Madeline Brennan, Barrister, Queensland and Judge Sandra Davis, County Court, Victoria.

The President in her report has referred to the important work being undertaken by the Institute with courts and judicial administration bodies in Singapore, the United States

and Europe for the development of a Framework for Court Excellence. This is an exciting initiative for the Institute which is pleased to be involved in a consortium which includes such eminent participants.

I continue to edit the *Journal of Judicial Administration*, to speak particularly on matters relevant to insurance law, and to teach both at Monash University and the University of Melbourne.

I would like to extend my thanks to all of the Institute who have worked so hard this year including Ms Liz Richardson, Assistant Director, Ms Delwyn Gillan, Mrs Kathy Jarrett, Mrs Heather Sevald and Mrs Mary Young. Their work at the Institute is greatly valued

*Professor Greg Reinhardt
Executive Director, AIJA*

COUNCIL

The AIJA is governed by its Council, which has 29 elected and appointed members. They are drawn from a broad spectrum across the field of judicial administration, including representatives of the judiciary (including the magistracy), tribunals, court administrators, the legal profession, academia and government service. In addition to attending four regular Council meetings each year, all Council members are expected to serve on at least one Committee. A list of Council members as at 30 June 2007 appears at the front of this report.

Joining Council this year were Justice Patrick Keane, Court of Appeal, Supreme Court of Queensland, Mr John Griffin PSM, Executive Director Courts, Department of Justice, Victoria, Mr David Curtain QC, Practitioner, Victoria and Ms Anne Sullivan, Partner, Blake Dawson Waldron, New South Wales.

Retirements from Council this year were Ms Amanda Watt, Mr Tim Goodes, and Judge Peter Johnstone who became a New South Wales District Court judge during the year. Justice John Byrne also retired from Council upon the completion of his term as President.

Following this year's Annual General Meeting, Council elected Justice Christine Wheeler Supreme Court of Western Australia and Mr Laurie Glanfield, Director-General of the New South Wales Attorney-General's Department as Deputy Presidents.

OVERSEAS REPRESENTATION ON COUNCIL

As a reflection of the close ties between the Australian and New Zealand judiciaries, there is a permanent position on the AIJA Council set aside for a judicial representative from New Zealand, nominated by the Chief Justice of that country. That position is currently held by Justice Ron Young of the High Court of New Zealand.

Under a special provision in the AIJA Rules, Council has also granted observer status on Council to the Papua New Guinea judiciary, another country with which the Institute has close ties. The current PNG representative is The Hon Sir Salamo Injia Kt, Deputy Chief Justice of the Supreme Court of Papua New Guinea.

BOARD OF MANAGEMENT

Supervision of the day-to-day management of the Institute is the responsibility of the AIJA Board of Management. The Board consists of the President and two Deputy Presidents, together with the Convenors of the AIJA's three standing committees – the Education Committee, the Project and Research Committee and the Communications Committee. The Board can also co-opt other members of Council to serve on the Board. As at 30 June 2007, the members of the Board of Management were Justice Virginia Bell, AIJA President, Mr Laurie Glanfield AM, Deputy President, Justice Christine Wheeler, Deputy President, Dr Andrew Cannon AM, Convenor of the Education Committee, Ms Megan Greenwood, Convenor of the Communications Committee and Justice RD Nicholson AO, Convenor of the Project and Research Committee.

LIFE MEMBERS

The AIJA award of Life Membership is given to members or others in the judicial administration community who are judged to have made a significant contribution to the

AIJA's work or to the administration of justice generally. Council recognized the efforts this year of the Hon Justice Geoffrey Eames of the Victorian Court of Appeal.

Justice Eames became a member of the Indigenous Cultural Awareness Committee of the Institute in October 1999. He was involved in the organization of and actively participated in the Indigenous Cultural Awareness Conferences held in Marysville in March 2000, Alice Springs in June 2002 and Marysville in October 2004. He was also involved in the planning for the Indigenous Courts Conference Mildura, in September 2007.

Justice Eames has chaired the Advisory Committee for the AIJA Project on Jury Charges and, indeed, proposed the project as a subject for research by the Institute.

COURSE, CONFERENCE AND SEMINAR PROGRAMS

The AIJA's education program includes conferences, workshops, lectures and seminars designed for judges, magistrates, tribunal members, court administrators, lawyers and others with an interest in judicial administration. It includes regularly scheduled events and additional seminars and conferences on particular topics. The program is overseen by the AIJA's Education Committee, convened by Dr Andrew Cannon AM, Deputy Chief Magistrate, South Australia.

All AIJA education programs are conducted on a fee-paying basis, which requires registration fees to be set at a level that covers costs. The Institute also attempts to achieve a 20% profit on each education activity which is channelled to its Research Fund used to fund research into judicial administration.

2006-2007 programs included:

- **3rd AIJA Appellate Judges' Conference, Adelaide, 14-15 September 2006**

The Third AIJA Appellate Judges' Conference took place in Adelaide at the Federal Court of Australia from 14-15 September 2006. The three main themes in the conference program were the international dimension, issues of practical relevance to appellate work, and encouragement for interactive discussion.

A reception for participants and accompanying persons was held at Government House Adelaide, hosted by the Deputy Governor of South Australia, His Excellency Mr Bruno Kruminis AM.

Conference delegates heard of current appellate practice both in the United States (through a presentation by the Hon Sandra Day O'Connor) and in England and Wales (with a presentation by the Rt Hon Sir Anthony Clarke (Master of the Rolls)). Other presenters included:

- The Hon James Wood AO, QC, former Chief Judge of the Common Law Division of the Supreme Court of New South Wales;
- The Hon Justice Kenneth Hayne AC, High Court of Australia;
- The Hon Justice Keith Mason AC, President of the New South Wales Court of Appeal;

- The Hon Justice John McGrath, Supreme Court of New Zealand;
- The Hon Justice John Byrne, President of the AIJA;
- The Hon Chief Justice Diana Bryant, Chief Justice of the Family Court of Australia; and
- The Hon Justice Christine Wheeler, Court of Appeal of Western Australia.

The AIJA thanks the Hon Chief Justice John Doyle AC, Chief Justice of South Australia, the Hon Justice John Mansfield of the Federal Court of Australia, the Hon Justice Keith Mason AC, and the Hon Justice John McGrath for their assistance in developing the program. Thanks are also due to the Federal Court of Australia and, in particular, to the Hon Chief Justice Michael Black AC, for hosting the Conference.

- **24th AIJA Annual Conference, Adelaide, 15-17 September 2006**

The 24th AIJA Annual Conference was held on 15-17 September 2006 at the Adelaide Convention Centre, North Terrace, Adelaide and was attended by approximately 230 delegates. The AIJA was honoured to have as keynote speaker at the 24th AIJA Annual Conference, the Honourable Sandra Day O'Connor, Associate Justice, retired, from the Supreme Court of the United States.

The topic of Justice O'Connor's address was "Terror and Justice" in which she described the conflict between the executive and judicial branches of the United States Government in confronting the necessities of wartime.

Her address commenced with the suspension of the constitutional right to a writ of habeas corpus by President Abraham Lincoln during the United States Civil War, proceeded to the exigencies brought about by the 2nd World War and then focused upon the current conflict between the executive branch of Government and the United States Supreme Court post September 11.

Justice O'Connor's visit to Australia was supported by the Embassy of the United States of America.

The principal focus of the 24th Annual Conference was upon "Affordable Justice". The conference benefited greatly from a discussion of the current situation in England and Wales involving, amongst others, the Master of the Rolls and Head of Civil Jurisdiction, the Rt Hon Sir Anthony Clarke. Other sessions included:

- Measuring Court Performance: Can Appropriate Quality Indicators be Identified and Applied?
- Getting Serious about the Causes of Delay and Expense in the Criminal Justice System;
- Alternatives to Activity Based Costing;
- Alternatives to Adversarial Hearings;
- Alternative Approaches in Criminal Cases: Sentence Indication Hearings;

- Funding Litigation: The Challenge; and
- Costs and the Legal Profession – Transparency, Professional Responsibility and the Impact of Case Management.

The AIJA Project and Research Committee and Council have been actively engaged in consideration of possible research projects identified at the conference.

Papers and presentations from the conference are available on the AIJA Website at <www.ajja.org.au>

- **Twilight Seminar, Court Governance, Melbourne, 16 January 2007**

The AIJA held a Twilight Seminar in association with Monash University on 16 January 2007 where Professor Carl Baar from York University, Canada gave a presentation entitled 'Court Governance in an Evolving World'. The Seminar was attended by some 37 delegates at the Monash University Law Chambers in Melbourne. Professor Baar spoke about the "Court Models" study by the Canadian Judicial Council examining court governance in terms of the relations between executive and judiciary in the court administration in Canada.

- **10th AIJA Tribunals Conference, Melbourne, 7-8 June 2007**

Some 208 delegates attended the 10th Annual AIJA Tribunals Conference at the Windsor Hotel, Melbourne on 7-8 June 2007. The theme of this year's conference was "Improving the Quality of Justice before Tribunals".

A particular focus of the conference was training and professional development for tribunal members. The Institute was pleased to invite Associate Professor Ben Gianni, Carleton University, Co-ordinator of Computer Education, National Judicial Institute, Canada, to speak on the work which has been carried out in Canada on on-line learning. The Canadian experience is likely to inform any work which may be undertaken in Australia by way of on-line learning for judicial officers and tribunal members having regard to the similar diversity in geography and spread of population.

The programme included practical sessions for those involved in equal opportunity claims, in relation to alternative dispute resolution and tribunals and expert evidence and tribunals and provided an opportunity for a frank exchange of ideas in relation to these.

Other sessions included judgment writing, dealing with unusually persistent complainants, e-tribunals, decisions on documents, awards of costs before tribunals, lawyers in tribunal proceedings, ethics and tribunals and involving those with an intellectual disability in tribunal proceedings.

Feedback from the conference has been extremely positive and thanks are due to the steering committee for the conference convened by Mrs Anne Coghlan, Deputy President, Victorian Civil and Administrative Tribunal.

Papers and presentations from the conference are available on the AIJA Website at <www.ajja.org.au>

- **Working with Juries Seminar, Melbourne, 15 June 2007**

On the 15 June 2007 the AIJA held a seminar on Working with Juries at the Melbourne Business School, Carlton. The invitation-only Seminar was attended by some 33 delegates, consisting of judges from the County and District Court, Supreme Court and Court of Appeal levels, as well as Sheriffs and Jury Commissioners from most states of Australia. Three delegates also attended from New Zealand. The seminar was very successful in providing all concerned with the opportunity to discuss the findings of the AIJA study by Professor Ogloff, Dr Clough and Associate Professor Goodman-Delahunty 'Enhancing communication with Australian and New Zealand juries: A survey of judges' and enabling different jurisdictions throughout Australia and New Zealand to 'show and tell' the various approaches to issues relating to jury trial management in civil and criminal trials. Finally, the seminar assisted to identify the challenges of working with juries faced by all jurisdictions and how they might best be tackled.

The Seminar programme was based on information provided to the AIJA by the Courts on a broad range of jury trial management issues including:

- Issues arising before trial
- Issues arising at the beginning of the trial
- Issues that arise during the trial
- Issues arising during jury deliberation
- Issues associated with verdict and after the verdict is received.

The Seminar highlighted that there is a large diversity of approach to common issues faced by Courts in jury trial management. After a day of in depth discussion courts were asked to go away after the Seminar and think about five or six things that could be done better in their Court.

A detailed report on the Seminar will be published by the AIJA on its website.

Papers and presentations from the conference are available on the AIJA Website at <www.ajja.org.au>

Other Education Activities

During the past year, the AIJA also contributed to a number of other education events run by other organisations. These included participation in the National Judicial Orientation Program in Sydney on 9-13 October 2006 and in Victoria on 14-18 May 2007 (the AIJA has three representatives on the Steering Committee for the Program, as well as the Executive Director of the AIJA).

STRATEGIC PLAN AND PROJECT THEMES

The AIJA Strategic Plan provides for the AIJA Council to set the themes that will direct the Institute's work. The following are the current themes identified by Council in 2004 to guide the AIJA's activities:

- Proportionality;
- Caseflow management, including ADR;
- Courts and the public;
- Litigants in person;
- Diversionary programs;
- Indigenous cultural awareness;
- Information technology and the courts; and
- Uniform and harmonised procedure.

Council reviews these themes on a regular basis to ensure that new or emerging issues are quickly accommodated.

• Proportionality

The AIJA Project and Research Committee have under consideration how best to proceed with a project focused on proportionality. Proportionality is now part of the overriding objective underlying civil procedure rules in many jurisdictions. The programme for the 2006 AIJA Annual Conference was prepared with a view to better informing the nature of research focused upon the need to ensure there is proportionality of a case to the amount of money involved, its importance, the complexity of issues involved and the financial position of the parties. The AIJA will consider this topic further once the Victorian Law Reform Commission has completed its' Civil Justice Review in early 2008.

• Caseflow management, including ADR

The AIJA Project and Research Committee have under active consideration what research might usefully be undertaken in this area. Amongst possible areas of research are where case management has had a positive effect on the cost of litigation, its impact on court resources, its impact of settlement of cases, and its possible impact on the complexity of litigation. The AIJA will consider this topic further once the Victorian Law Reform Commission has completed its' Civil Justice Review in early 2008.

• Courts and the Public

The AIJA's report on *Courts and the Public*, by Professor Stephen Parker in 1998, has served as a catalyst for a number of initiatives by courts designed to improve

public access to the courts and quality of communication between the courts and the public in relation to aspects of their work. The AIJA continues to monitor these developments and to consider opportunities for future projects in this area. This year's AIJA Annual Conference focused on communication between courts and the media, the issue of televising of court proceedings and the impact of developments in technology, particularly the Internet.

In 2007-2008 the AIJA will consider the commissioning of a new report on Courts and the Public.

- **Litigants in Person**

The increasing numbers of people using the courts without legal representation has given rise to a number of initiatives in courts and tribunals over recent years.

In the development of education programmes and future research, the AIJA will have under active consideration the need to accommodate issues relevant to Litigants in Person.

- **Diversionsary programs**

Recent years have seen the introduction in a number of jurisdictions of programs that are designed to divert offenders from the mainstream criminal justice process and address the problems underlying their offending behaviour.

In June 2006 the AIJA conducted the 3rd International Conference on Therapeutic Jurisprudence in Perth. An Australasian Therapeutic Jurisprudence Clearinghouse developed and administered by Dr Michael King is now based on the AIJA website.

- **Indigenous Cultural Awareness**

This project was established to assist with the implementation of recommendation 96 of the report of the Royal Commission into Aboriginal Deaths in Custody by providing indigenous cultural awareness training for judicial officers. It is overseen by the AIJA's Indigenous Cultural Awareness Committee, currently convened by AIJA Council member Judge Mary Ann Yeats of the District Court of Western Australia.

An Indigenous Courts' Conference took place in Mildura, Victoria, in September 2007. A second edition of the Aboriginal Benchbook by Stephanie Fryer Smith has also been commissioned and will be published in early 2008 with the support of the Western Australian Attorney-General's department and the AIJA.

- **Information Technology and the Courts**

The AIJA's Technology for Justice Project held its last biennial conference in 2004.

The Institute's 2005 Annual Conference, held in New Zealand, took technology as one of its themes, but focused on policy, planning and issues associated with the use of technology in the justice system. The Institute also continues to contribute to the work of the Council of Chief Justices IT Working Group and its expertise and information on this topic has been sought on a regular basis throughout the year.

The AIJA Education Committee has proposed a further Technology Conference in June 2008.

- **Uniform and Harmonised Procedure**

AIJA Council continues to monitor the work being done, at national and state levels, in relation to harmonisation of civil procedure and uniform rules. A session discussing these developments was held at this year's AIJA Annual Conference and the Institute will continue to assist with these initiatives, including providing ongoing support to the Council of Chief Justices' Committee on Harmonised Procedures, chaired by Justice Kevin Lindgren. The Committee has conducted work in relation to the harmonization of Corporations Law Court rules, subpoena rules, Mareva and Anton Piller orders; and is currently looking at rules in relation to litigation funding and service out of the jurisdiction. The Council of Chief Justices has asked the AIJA to look at harmonization of the rules of discovery and the AIJA will hold a 'show and tell' seminar on discovery in Melbourne on 24 August 2007.

RESEARCH

The AIJA Project and Research Committee considers proposals for funding research projects from the AIJA Research Fund and makes recommendations to Council for approval of new projects. The Committee, convened by Justice Robert Nicholson, has met regularly throughout the year. The Research Fund consists of profit earned on AIJA conferences and seminars.

Current research projects on hand include:

- **Jury Charges**

This project, begun in 2003, is supervised by a Project Advisory Committee consisting of experienced trial court judges from all Australian jurisdictions and New Zealand, and until his retirement in July 2007, was convened by Justice Geoff Eames of the Victorian Supreme Court. The project aims to examine jury charges and communication with the jury and to assist in developing procedures and policies that will enhance judicial communication with the jury. The principal researcher is Professor James Ogloff of Monash University.

The first stage of the project; a survey of trial court judges concerning their communications with juries was completed last year and a report on the findings of the survey has been finalised and published. It is available from the AIJA Secretariat. The second stage of the project, namely interviews with judges is underway, with further stages of the project yet to be determined.

- **Proportionality**

A review of the literature on the topic of 'proportionality' has been conducted by Professor Sue Campbell, Law School, Monash University. Associate Professor Campbell spoke on this topic at the 2004 AIJA Annual Conference and her report has been published in (2005) 14 *Journal of Judicial Administration* 144. As noted above, the AIJA Project and Research Committee have under consideration how best to proceed with a project focused on proportionality subject to the Civil Justice Review underway by the Victorian Law Reform Commission.

- **Child Witnesses in Sexual Offence Cases**

The project was begun as a follow up to the seminar on Child Witnesses which took place in July 2004. An Advisory Committee chaired by Judge Helen O'Sullivan of the Queensland District Court has been engaged in scoping the project and identifying a researcher. The objective is to produce a benchbook to assist judicial officers in this difficult area. Dr Michael King has been appointed to write the Benchbook and will commence work on this project in July 2007.

- **Legal Thesaurus Project**

The project is intended to provide assistance in the task of retrieval of computerised information and to complement the AIJA publication *Guide to Uniform Production of Judgments*. The project commenced in 2000 under the supervision of the project Advisory Committee headed by The Hon Trevor Olsson AO until his retirement from the Committee in early 2007. The AIJA Project and Research Committee are considering the best way forward for this project.

- **Court Statistics**

The AIJA Project and Research Committee has under active consideration the issue of performance indicators and court statistics and has identified the area of quality as relates to courts and the judiciary for work to be conducted. The AIJA has formed a Quality Reference Group to specifically consider the work required on this topic. In the related topic of judicial benchmarking, three AIJA Council members are representing the AIJA in an International Consortium for Court Excellence involving the Subordinate Courts of Singapore, the United States bodies the Federal Justice Center and the National Center for State Courts.

COMMUNICATIONS

The AIJA Communications Committee was formed as a result of strategic planning process in 2005. The Committee's terms of reference are to:

- Enhance the AIJA's profile in the Asia/Pacific region;
- Develop an international focus through liaison with international bodies sharing common objectives;
- Develop a closer working relationship with court administrators to encourage greater exchange of information and ideas;
- Develop a communications strategy for members and non-members to deliver information about the AIJA, its services and projects;
- Develop strategies to target member groups such as magistrates, court administrators, tribunal members and the legal profession;
- Develop a services strategy that makes effective use of technology and encourages non-members to join the AIJA; and
- Involve members in AIJA activities by:
 - seeking ideas for, or opinions about, AIJA projects;
 - forming interest groups; and
 - holding specific conferences and workshops.

The Committee is convened by AIJA Board and Council member Ms Megan Greenwood, Chief Executive Officer of the Supreme Court of New South Wales.

This Committee has been very active since it formed, developing a position statement on the AIJA's role, the revision of the AIJA's media protocol, the formulation of policy in relation to corporate membership and the upgrading of the AIJA website. These documents are available on the new look AIJA website which was launched in July 2007.

SPONSORSHIP

Council has approved a sponsorship protocol drafted by Council member John Gunson. The protocol is designed to formalise the circumstances in which it is appropriate for the AIJA to accept sponsorship in relation to education activities and research. The sponsorship policy can be viewed on the AIJA website under About Us - Policies and Protocols.

AIJA AWARD FOR EXCELLENCE IN JUDICIAL ADMINISTRATION

This is the third year in which the AIJA Award for Excellence in Judicial Administration has been made in recognition of the 25th Anniversary of the establishment of the Institute. This year's award was made to the Judicial Commission of New South Wales in recognition of its contribution to the administration of justice through the Equality before the Law Benchbook.

The Award was received by the Hon James Spigelman AC, Chief Justice of New South Wales, at the dinner held during the AIJA Annual Conference in Adelaide.

PUBLICATIONS

Each year, the AIJA issues a number of publications. These include published reports from research projects, our newsletter, *AIJA News*, and papers from conferences and seminars, including the AIJA Oration. The Law Book Company publication, the *Journal of Judicial Administration*, edited by the Executive Director, also provides an opportunity to publish lengthier articles in the field. Information about recent publications, and general information about the Institute's work, is available on its web site <www.aija.org.au>.

The following are the main publications produced in the year under report:

- **AIJA News**

The Institute's newsletter, *AIJA News*, is designed to keep members informed of the Institute's activities and also to bring its work to the attention of a wider national and international audience. It is published three times a year in the months of February, June and October. The news is also published electronically on the AIJA website and emailed to members who prefer that form of delivery.

- **Journal of Judicial Administration**

Published by the LBC Information Services (Thomson Legal & Regulatory Group Pty Ltd), the *Journal of Judicial Administration* (JJA) acts as a focus for the description, discussion and analysis of developments in the field of judicial administration. As editor of the journal, the Executive Director endeavours to include material which focuses on current issues in relation to the role and operation of the judicial system and related institutions. The JJA is now a refereed journal.

- **Transforming Legal Processes in Court and Beyond**

This publication contains a selection of refereed papers presented at the 3rd International Conference on Therapeutic Jurisprudence held in Perth, Western Australia on 7-9 June 2006. This publication is available for purchase from the AIJA Secretariat.

- **Guide to Judicial Conduct (Second Edition)**

This publication is available free of charge from the AIJA Secretariat or can be downloaded from the AIJA website. AIJA Website at <www.ajja.org.au>

AIJA INFORMATION COLLECTION

The AIJA library contains a collection of materials relating to judicial administration from Australian sources, but supplemented by other jurisdictions: mainly the United States, the United Kingdom, New Zealand and Canada. Our Librarian, Mary Young, is happy to take reference inquiries from members and researchers.

AIJA FUNDING AND ACCOUNTS

The AIJA receives the major part of its funding from contributions by all Australian Governments through the Standing Committee of Attorneys-General (SCAG). This is supplemented significantly by the Institute's income from membership fees. The AIJA Research Fund is constituted by means of a 20% contribution levied on its education programs.

The Institute's accounts are annually audited by Mr Jeff Knott, of the firm Deloitte Touche Tohmatsu, Chartered Accountants and Advisers. Copies of the Annual Financial Statements will be available for the Annual General Meeting to be held in October.

AIJA AND MONASH UNIVERSITY

The AIJA has an affiliation arrangement with Monash University Law School which enables it to occupy premises in Monash Law Chambers at 1st Floor, Equity Chambers, 472 Bourke Street Melbourne. The arrangement provides the Institute with a range of services and the AIJA is grateful for the assistance provided to it by the university during the year. The Dean of the Law School, Professor Arie Freiberg, is a member of the AIJA Council.

MEMBERSHIP

The Institute's membership as at 30 June 2007 was 1098. That figure included 'trial' memberships, extended to non-members who attended AIJA conferences during the past 12 months.

The membership was made up as follows:

MEMBERSHIP	By State/ Territory	MEMBERSHIP	By Category
New South Wales	244	Judges	344
Victoria	226	Masters	12
Queensland	115	Magistrates	84
South Australia	80	Tribunal Members	93
Western Australia	87	Court Administrators	68
Tasmania	39	Legal Practitioners	132
Northern Territory	15	Academics	42
Australian Capital Territory	39	Librarians	15
Overseas	95	Corporate	84
		Others	39
		Retired Judicial Officers	27
TOTAL	940	TOTAL	940

LOCAL CHAPTERS

The AIJA Rules provide for the development of local chapters.

Currently there is an active Local Chapter of the AIJA in South Australia, chaired by AIJA Council Member Judge Christine Trenorden. The membership of the Local Chapter is 82.

