

MEDIA RELEASE

JUDICIAL RESOURCES THE KEY TO SOLVING CRIMINAL TRIAL DELAYS

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Additional judges must be appointed to the District Court to address chronic delays in the disposal of criminal trials, the President of the New South Wales Bar Association Jane Needham SC said today.

Yesterday the Bureau of Crime Statistics and Research released a report which indicated that the average time taken to finalise criminal cases where the defendant is on bail in NSW has increased by over a third since 2007. Average delays in matters where the accused is in custody are even higher.

“The average time to finalise a case has blown out due to a combination of factors, including a growth in the number of arrests for serious offences and more matters proceeding to trial” Ms Needham said.

“These statistics are particularly concerning in matters where the accused is in custody awaiting trial. We have a presumption of innocence in our criminal justice system, yet delays in the court mean that individuals are spending an average of 300 days in custody before their case is resolved, at which point they may be found not guilty” said Ms Needham. “This also has substantial cost implications for the corrections system”.

“While funding for police has increased, the court’s resources are stretched beyond capacity, and despite the efforts of the judiciary, prosecutors and defence counsel, delays are only getting worse” she said.

“Despite the recent appointment of two judges to the Court to specifically deal with sexual assault matters, more judicial officers are desperately needed to deal with the backlog in the criminal list. Although other initiatives such as encouraging early guilty pleas are worth considering, the Government’s first priority must be to ensure that our courts are equipped to deal with the growth of matters proceeding to trial by appointing extra judges to deal with the increasing problem of delays in determining criminal matters” said Ms Needham.

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