

*Advocacy, continued  
from page 14*

Your client must understand the nature of the undertaking and the possible consequences for him or her of providing it to the court.

In a matter that is factually or legally complex, and where time permits, you should consider the use of a chronology and an outline of submissions for presentation to the court prior to or at the commencement of the hearing.

The use of such aids has been discussed in earlier articles in this series.

In an application of this kind, where the outcome is most likely to be directly affected by the quality of the submissions made by the advocate, you will call upon your early anticipatory preparation and the advocacy skills you have developed elsewhere to present the application in the most persuasive manner possible.

*1 NR Burns, Injunctions: A  
Practical Handbook (LBC 1988)*

## Robertson to speak at Law Conference

Renowned human rights lawyer (and sometime host of the popular *Hypotheticals*), Geoffrey Robertson, will be a keynote speaker for the Commonwealth Law Conference in April.

Mr Robertson was recently appointed President of the Special Court for Sierra Leone to prosecute war crimes and crimes against humanity in that country.

He will speak at a conference plenary session about his work in Sierra Leone and also take part in a number of business sessions.

He is the latest addition to the conference program, joining other luminaries including Cherie Blair QC, Dr Mary Robinson and Karpal Singh.①

# National report: NT superior courts "slow"

The Northern Territory has ranked last place for the percentage of non-appeal civil matters finalised within 12 months in the Supreme and Federal Courts.

The national *Report on Government Services 2003* is compiled for the Steering Committee for the Review of Commonwealth/State Service Provision by the Productivity Commission. It covers 2001-02.

The report shows the NT finalised 46.3 percent of its non-appeal civil matters before the Supreme Court and Federal Court (Territory cases) compared with 94.3 percent in WA, 74.9 percent in NSW, 73.3 percent in Victoria, 69.1 percent in Qld, 94.3 percent in WA, 86.9 percent in SA, 59 percent in Tasmania and 48 percent in the ACT.

The Territory fared better with its percentage of civil appeals finalised by the superior courts within 12 months at 94.5 percent (second rank).

Also, the percentage of non-appeal criminal matters finalised within 12 months in the Supreme Court was 85.8 percent (fifth rank).

The report also used "expenditure less income (excluding fines) per finalisation" as an efficiency indicator.

Expenditure less income per criminal finalisation for magistrates' courts only (excluding electronic and children's courts) was \$415 nationally. Across jurisdictions, it was highest in NSW (\$647) and lowest in Tasmania (\$128). The Territory's figure was around \$570-\$580.

### *complexity and distribution*

The Productivity Commission says the complexity and distribution of cases can vary between jurisdictions and when comparing the performance of different jurisdictions, it is important to note that unlike other jurisdictions, Tasmania, the ACT and the NT do not have three tier court systems.

The report also features Northern Territory Government comments which say, in part:

*During the 2001-02 reporting year, the former Office of Courts Administration merged with related government agencies in the Northern Territory to form the Department of Justice. At the same time, the Northern Territory Government commenced significant financial reforms designed to increase efficiency and effectiveness in the delivery of government services, as well as a system of improved accountability and openness. Systems to implement accrual accounting, underpinned by Working for Outcomes objectives, were prepared by all agencies.*

The government says significant initiatives and improvements included:

- A review of its existing information systems, with a particular focus on the data reporting facilities and communication systems. The review looks at the enhancements needed to meet the future needs of the judiciary (including the magistracy) in areas such as caseload, activity, progress through the system including delays and case specific data.
- Major enhancement of civil case-flow in the local court to result from the introduction of electronic document lodgements in 2003.
- The improvement of video conferencing facilities in the larger courthouses.
- A number of "Courts and the Public" initiatives implemented by the Office of Courts Administration to enhance public confidence, improve access to and increase knowledge of the courts system.
- The start of the Fines Recovery Unit operations on 1 January 2002. ①