



National Judicial College of Australia

ANNUAL REPORT

2022-2023

26 October 2023

To the Council of Chief Justices of Australia and New Zealand and the Council of Attorneys-General

In accordance with clause 17 of the Constitution of the National Judicial College of Australia (the **NJCA**), I am pleased to send to you a report by the Council of the NJCA on the operations of the NJCA during the financial year 2022-2023.

This is the NJCA's 21st annual report.

Yours sincerely

A handwritten signature in black ink, consisting of a large, stylized initial 'C' followed by a horizontal line and the name 'C. Kourakis' written below it.

Chief Justice Christopher Kourakis

Supreme Court of South Australia

Chair, Council of the National Judicial College of Australia

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Foreword by the Chair of the NJCA Council



The first half of the year saw a return to normality for NJCA Council Members, Program Advisory Committee Members, our Program Committees and our Judicial Education and Commonwealth Sentencing Database staff. This was welcome relief after the lockdowns and disruptions to our programming in the previous years due to the waves of the COVID-19 pandemic that swept the country. Without a doubt, what was a traumatic and exhausting time for members of the Australian judiciary and for us as judicial educators, fuelled the resolve of the NJCA and our commitment to lead judicial education at the national level.

In terms of governance, the NJCA Council continues to fulfil its responsibilities adeptly. After substantial changes to the membership of the Council in 2021-2022, the Council was able to concentrate on the task of good governance and stewardship.

Our flagship orientation programs, judgment writing programs, specialty programs, new programs such as *Children in the Court*, along with our more established judicial officer programs such as *Reflections on the Judicial Function*, all returned with much enthusiasm. The NJCA also delivered a bespoke program for the Dubai International Financial Centre on judgment writing.

The end of the calendar year culminated in birthday celebrations for the 20th anniversary of the NJCA. The commemorative programme began with a ceremony at Government House graciously hosted by their Excellencies the Governor-General and Mrs Linda Hurley, followed by a gala dinner at the striking Margaret Whitlam Pavilion in the National Arboretum. A substantial number of Heads of Jurisdiction, eminent Justices, Judges, Magistrates and NJCA life members from across Australia travelled to join us to celebrate, reflect and acknowledge this significant milestone in judicial education. I know the NJCA will continue to develop, implement and deliver high-quality judicial education. As Chair of Council, I was pleased to observe this significant achievement.

I take this opportunity to acknowledge the invaluable contribution and involvement of a substantial number of eminent Chief Judges, Judges, Magistrates and Tribunal Members who selflessly volunteer their time, energy, experience and knowledge to the Program Advisory Committee and the various Program Planning Committees. We are indebted to those judicial officers who manage to find time away from family and busy court schedules in order to do this. The realisation of all NJCA programs would not happen without such commitment. This dedication to program excellence is shared by the NJCA's staff, external keynote and guest presenters. I thank them all.

On behalf of the Council, I thank the Council of Chief Justices of Australia and New Zealand and the Council of Attorneys-General for their continuing support of the work of the NJCA.

A handwritten signature in black ink, which appears to read "C. Kourakis". The signature is written in a cursive style with a long horizontal stroke extending to the right.

Chief Justice Chris Kourakis
Supreme Court of South Australia
Chair, Council of the National Judicial College of Australia

The NJCA turns 20

"Tonight, we acknowledge that judicial education and training in Australia at the national level over the past 20 years has been transformed, transformed by those of you in this very room and many judicial officers with whom you have collaborated. Together, we celebrate that the judicial education landscape through the creation of the NJCA alone, has undeniably helped to foster the sense of an Australian judiciary." **Chief Justice Chris Kourakis, NJCA Chair Welcome address**

Our 20th anniversary celebration in December 2022 was an afternoon and evening dedicated to celebrating the significant contribution of NJCA's life members, those from Council and PAC past and present, program planning committee chairs and friends of the NJCA over the past 20 years. The cocktail reception at Government House was memorable, especially the Governor-General's comments on the importance of the NJCA within the Australian judicial education landscape. Other highlights were speeches at the dinner by the Chair, Chief Justice Chris Kourakis and a keynote address delivered by Justice Stephen Gageler.





“Discerning a sense of vocation, of personal meaning and social purpose, happens over time and requires intentional and ongoing personal reflection, as well as institutional support. That is the role into which the NJCA has grown admirably over the twenty years of its existence. The cultural change that has been occurring for the better over the period of its existence could not have occurred without the contribution of current and former members of the judiciary, many of whom I am pleased to see here tonight. Judges and magistrates lead the NJCA judicial education programs for good reason: we extend our knowledge; we learn from one another; we share our experiences, our application of court-craft, our moments of reflection and our own individual quest for judicial excellence.” **Justice Stephen Gageler, in his keynote address, 8 December 2022**





L-R: Council Members: Ms Kate Latimer, Mr Richard Glenn, Chief Magistrate Geason, Chief Magistrate Mary-Louise Hribal, Chief Justice Christopher Kourakis, Mr David Mackie, Chief Judge Peter Kidd (Justice Murray Aldridge, Ms Tamsyn Harvey, Justice Martin Burns, Justice Katrina Banks-Smith, Judge Laurence Levy (not pictured)



L-R: PACI Members: Justice Julie McIntyre, Professor Heather Roberts, Magistrate Andree Horrigan, Judge Liz Boyle, Magistrate Alison Adair, Acting Justice Monika Schmidt, Justice Glenn Martin, Chief Justice Christopher Kourakis, Ms Kate Latimer, Mr David Mackie, Justice Brigitte Markovic, Justice James Stevenson (Judge Martine Marich, Professor Anthony Connolly, Acting Judge Ann Ainslie-Wallace (not pictured)



Overview of the College's Judicial Education and Training Programs

The NJCA is proud of its delivery of judicial education in all Australian jurisdictions. The NJCA strives to adopt best practice andragogy in the learning design and delivery of its programs, with a focus on experiential learning. In this context, most of our face-to-face programs are limited to 30 participants, to ensure targeted small group, problem-based and transformative learning. This approach requires a greater involvement and commitment by our presenters and facilitators, the majority of whom are volunteer judicial officers. To enhance knowledge, experts are called on as appropriate to present information relevant to their field of expertise, often presenting the findings from their innovative research of relevance to the judiciary.

Justices, judges, magistrates and tribunal members from all courts in Australia are eligible to attend NJCA programs. Programs are provided for judicial officers at different stages of their career, including orientation programs for the newly appointed, as well as programs for those more experienced.

The NJCA's Program Advisory Committee (PAC) and each program planning committee continuously review and evaluate programs. New programs are developed based on proposals made by judicial officers, program planning committees and government agencies. Our *Children in the Court Program*, delivered for the first time this year, is a good example of a proposal led initiative.

Concurrently, with our five-day flagship and two and three day programs, in 2022/23 the NJCA has successfully designed and delivered several bespoke programs, which we have now delivered to jurisdictions in their State/Territory at their request. This initiative has made it both more time efficient and cost-effective for individual jurisdictions to be able to provide targeted judicial education for their judicial officers.

Over the past year, the NJCA has also continued to deliver its successful one-day program on *Family Violence in the Court* to judicial officers around the country. The program is supported by a grant from the Commonwealth Attorney-General's Department. What has made this program so effective is the modular design that allows the program to be tailored by a skilful and experienced program committee for each specific jurisdiction.

Programs Delivered July 2022 – June 2023

Power Imbalance in and out of Court

Noosa, 8 August 2022

It was agreed by the Program Advisory Committee in 2020 that the NJCA should address the issue of judicial bullying in a judicial education program to unpack the causes and effects of bullying behavior within the context of the judiciary. The theme was expanded on to look at the exercise of power by judicial officers in and out of the courtroom.

The program was presented to 70 Queensland Supreme Court and District Court judges at their annual conference in August. The aim of the session was to increase awareness of the existence and corrosive nature of the inappropriate exercise of power in court system hierarchy, and the need to not only be on guard but to take personal responsibility in identifying and dealing with matters.



Family Violence in the Court

- Alice Springs, 10 August 2022 – delivered to 21 Magistrates from the Northern Territory and Western Australia
- Brisbane Magistrates Conference, 6 September 2022 – delivered to 35 magistrates in Brisbane
- Administrative Appeals Tribunal & Western Australia Civil and Administrative Tribunal, Perth, 20 October 2022 – delivered to 28 tribunal members
- Federal Circuit and Family Court of Australia, Perth, 21 October 2022 – delivered to 17 judges

This program, which is supported by a grant from the Commonwealth Attorney-General's Department, implements recommendations by the joint Australian Law Reform Commission and NSW Law Reform Commission report *Family Violence—A National Legal Response and the Commonwealth's National Plan to Reduce Violence against Women and their Children 2010 – 2022*.

It is designed to provide practical information and develop skills for judicial officers and tribunal members responding to family and domestic violence.

Participants engage in experiential learning exercises, applying the National Domestic and Family Violence Bench Book (the **NDFVBB**) to purposefully drafted scenarios in order to develop skills in managing proceedings involving allegations of family and domestic violence. Answers, using the NDFVBB are then unveiled by Dr Heather Douglas, Monash University. Participants also receive a detailed briefing from investigative journalist and researcher, Ms Jess Hill, on markers of coercive control in intimate relationships.

The flexible model of the program has successfully been tailored for each particular jurisdiction. The participant feedback confirms that the program has initiated a better understanding of coercive control surrounding domestic and family violence discourse and the flow on effects within the justice system are undeniable. Respondents also noted the practicality and relevance of the NDFVBB in their comments. Assessed against the ALRC's recommendation and the National Plan, the evaluative survey objectively indicates that the program as it is currently designed has been highly

successful. Feedback on individual presenters has also been consistently positive.

Feedback:

"Across all sessions: The expertise and capacity of the presenters to convey the learnings from the various sessions was of a very high standard"

"Presenter did a beautiful job of role modelling vulnerability and candour while also demonstrating skill to effectively deliver the message."



National Magistrates Orientation Program

Brisbane, 29 August - 2 September 2022

This five-day program aims to provide newly appointed magistrates with the skills necessary to facilitate a transition to a role on the bench.

The program provides a balance of theory sessions (participants hear from subject matter experts and discuss topics and issues with their peers as well as more experienced judicial officers), and practical sessions involving facilitator led practice in managing the court room and delivering oral decisions in front of their peers. Key sessions in the program included ethics, litigants in person, resilience, and wellbeing, Cultural awareness, emerging communities and interpreters, childhood trauma and the effect on brain structure and function.

The following topics were also covered youth court, family and domestic violence, judgment writing, contempt in court along with working with interpreters in the courtroom.

The program was presented to 34 magistrates from across Australia in 2022. There was an overwhelmingly positive response with all respondents rating the program as “excellent” or “very good”.

Feedback:

“Very valuable for all new magistrates. Very well organised. What I admired was that all presenters were so approachable and willing to assist. Very welcoming environment to learn.”

“Thank you. This was a very valuable experience, and all presenters and presentations were of the highest quality”

“I was looking forward to this programme but it still exceeded all expectations. There was collegiality in the group, we had friendly, approachable and knowledgeable facilitators, the content was interesting, varied, and directly relevant to our day-to-day work and our level of experience. 10 out of 10! I wish we could do this every year...”

“The program, speakers and facilitators were uniformly excellent.”

Writing Better Judgments

Hobart, 5 – 7 October 2022

This 3-day program has been designed to enable judges to enhance their ability to write clear, concise, comprehensive, coherent and convincing judgments in a timely fashion.

It provided facilitated sessions by judges and writers with substantial experience in teaching judgment writing. Sessions provided practical tools and tips for better judgment writing. The program provided a high level of interactivity, including group workshops and individual feedback.

The program was delivered to 35 judicial officers. Participants evaluated the overall program as either ‘excellent’ or ‘very good’. While the practical exercise of rewriting a judgment was viewed by most participants as extremely helpful to embedding concepts. Participant comments when asked ‘what was the most important takeaway from the program?’ included:

“Structure makes writing faster, easier and more coherent”

“It was liberating to know that we didn't necessarily need to include a) the slabs of legislation and b) an address of all the parties' submissions, just the relevant/disputed matters”

“Issues based decision making is good. I have license appropriately to find my voice”

Overall program feedback:

“This is an exceptional program and should be part of mandatory ongoing professional development.”

“It felt great to realise you are a part of a larger group of judges from all over Australia struggling at times to do your best.”

“Thank you to all NJCA staff and the legal & creative presenters for such an excellent course.”

“I remained fully engaged for the whole 3 days. There was really no low point.”



Reflections on the Judicial Function

Sydney, 26 – 28 October 2022



Reflections on the Judicial Function is aimed at experienced judges and magistrates, encouraging them to make the most of the remaining balance of their careers and help them to meet both the ongoing and cumulative challenges and choices of being on the bench. The program itself fits into the professional development pathway for judicial officers offered by the College.

The overall rationale of the program is to promote reflection and in turn, renewal, for judicial officers so as to enable them to continue to find professional joy in being productive and senior leaders within the judicial community as well as promoting confidence in their own enduring purpose and strengths. Discussion, discourse and debate by participants are central to all sessions over the 2-and-a-half-day program.

The program focuses on issues relevant to judicial duty but not black letter law or court craft; rather, the focus is on issues that enable a better understanding of the judicial role and its importance within the Australian community. The program discusses contemporary issues, developments, and trend lines as well as providing a thoughtful forum for senior judges and magistrates to discuss and reflect on the potential challenges and dangers experienced by historic and present-day judicial officers in other countries. For this reason, the program draws on both legal and non-legal critical thinking and knowledge.

The program was delivered to 16 judicial officers with all respondents rating the course 'excellent' or 'very good'.

Feedback:

"I think it reinforced the benefit of doing other things apart from work - and I enjoyed meeting the cohort of colleagues from other jurisdictions."

“It reminded me of the limits of judicial power and that this is not the way we change the world.”

“Apart from the content it was great to meet colleagues from all jurisdictions, geographic and jurisdictional. And also to be discussing things outside of the law.”

“Overall an excellent thought-provoking seminar. I really appreciated the opportunity to step away from hearing days, connect with other participants and hear new ideas.”



National Judicial Orientation Program

Adelaide, 13 – 18 November 2022

The NJOP assists newly appointed judicial officers with the transition to judicial office by facilitating the development and refinement of the skills, knowledge and attitudes necessary for effective judging. Along with court craft skills, the program focused on conduct and ethics, managing resources and priorities, physical and psychological health, judicial prejudice, lifestyle and resilience and assessing witness credibility.

Strategies around judgment writing, controlling court proceedings, overcoming cultural barriers, self-represented litigants and sentencing were also given to the participants through variety of experiential learning methods such as role play and scenarios.

In total 40 newly appointed justices and judges attended November 2022. Participants evaluated the overall program as ‘excellent’ or ‘very good’.

Feedback was overwhelmingly positive:

“It is a really impressive program.”

“I really enjoyed the course. I thought it was polished and very well run. I would recommend it very strongly.”

“The sessions were tailored to the aims of the program and all presenters were well prepared.”

National Magistrates Intensive Program

Brisbane, 27 – 29 November 2022



The National Magistrate Intensive Program (**NMIP**) was designed to meet the needs of Magistrates to focus specifically on skills, knowledge and court craft relevant to the experience of Magistrates who have been appointed for 12 months or more and who were unable to attend an NMOP as a result of COVID.

The program omitted content that more experienced magistrates were likely to already have covered, abbreviated content to focus on only that which was relevant and extended other content to match participants' experience.

The three-and-a-half-day residential program was delivered to 21 magistrates. Participants evaluated the overall program as 'excellent' or 'very good'.

Feedback:

“The topics and presenters were well targeted at the experience level of their audience. In my case, it reinforced much of what I do, and opened up some thinking about alternative approaches in some areas.”

“The program did well to assume some base knowledge. All the examples were realistic which made the discussion valuable.”

NJCA/ANU Joint Conference: Therapeutic Jurisprudence Conference

Canberra, 24 - 25 February 2023

The 2023 NJCA/ANU Joint Conference provided judicial officers, academics, policy makers and other experts the opportunity to discuss and examine mechanisms for introducing therapeutic practices into Australian courtrooms.

Presenters from across Australia shared their experiences and lessons learned from existing therapeutic programs as a foundation for extending, developing and implementing practices in a range of judicial settings.

The justice system has a significant impact on the emotional and psychological wellbeing of participants. It also plays a significant role in the rehabilitation of offenders and the likelihood of re-offending.

Courts applying therapeutic jurisprudence principles humanise the legal process, adapting it to achieve outcomes that preserve and promote the wellbeing of participants.

The program had 81 participants who rated the content of the program highly.

Feedback:

“An excellent conference with a high calibre of presenters and participants. The conference was very professionally organised.”

“A diverse range of speakers providing valuable insights into their work and areas of expertise. Also, having lived experience represented was great.”

“It was a really good conference. Thank you for all of your work in putting it together. A diverse range of speakers providing valuable insights into their work and areas of expertise. Also, having lived experience represented was great. I'm also really pleased the conference was recorded as I'm looking forward to re-watching a number of the sessions.”

“It confirmed and deepened my existing knowledge of TJ and gave me some ideas for how to approach it in different ways in my work.”



Children in the Courts

Hobart, 20 - 21 February 2023



This pilot program was designed for judges and magistrates who regularly deal with matters involving children, including care and protection orders, family law and criminal law.

Participants had the opportunity to work with experienced judges, magistrates, social workers, and local and international psychologists to develop practical skills in working with children and their families in the courtroom.

Leading experts and experienced judicial officers from across Australia guided delegates through a series of case studies designed to draw out the essential issues involving children.

The program provided timely and relevant information on the interaction between children's emotional and psychological development, relationships with others, and the legal system.

In total, 23 judicial officers attended the program and positively received.

Feedback:

“Excellent first program: well crafted, good mixture of listening and interacting.”

“Great format to apply case scenarios to theory learnt.”

“A big thank you to the organisers. This was the best Australian based CPD that I have been to.”

“Congratulations all on a well put together and very enjoyable conference.”

Writing Better Judgments I

Hobart, 8 – 10 March 2023

This three-day program has been designed to assist judges to enhance their ability to write clear, concise, comprehensive, coherent and convincing judgments in a timely fashion.

It provided facilitated sessions by judges and writers with substantial experience in teaching judgment writing.

Sessions provided practical tools and tips for better judgment writing. The program provided a high level of interactivity, including group workshops and individual feedback. Sessions focused on:

- preparation and planning for judgments
- determining what is good legal writing
- issues identification and resolution
- structure, language and style, and writers block and procrastination

The Hobart program was delivered to 37 judicial officers. Participants evaluated the overall program as either ‘excellent’ or ‘very good’.

Feedback:

“By far, the most beneficial and productive program in which I have been a participant. Would have loved to have had the considerable assistance and knowledge which was imparted at a much earlier stage in my career.”

“Every part of the program was completely relevant and interesting.”

“I think anyone who regularly writes judgments should do this course.”

“An absolute must attend for all judicial officers. This should be made mandatory as it is so valuable in our work.”



Writing Better Judgments – a bespoke program

Dubai, 13 – 15 March 2023

This program was specially designed for those who write judgments for the Dubai International Financial Centre (DIFC). It was based on the Writing Better Judgments program NJCA offers to all judges in Australia and presented to 21 participants.

There was a significant focus on the experiential learning – “learning by doing.” Through the use of a complementary lecture style and small group feedback sessions, participants were encouraged to discuss, share, listen and learn from one another so as to build judicial knowledge, skill and excellence in relation to judgment writing.



DIFC, Dubai

National Judicial Orientation Program

Brisbane, 25 – 31 March 2023

The NJOP assists newly appointed judicial officers with the transition to judicial office by facilitating the development and refinement of the skills, knowledge and attitudes necessary for effective judging. Topics covered include conduct and ethics, managing priorities and resources, both psychological and physical, court craft, prejudice, assessing witness credibility and judgment writing, along with sentencing, cultural barriers and court proceedings and control.

To that end, 37 newly appointed justices and judges attended the March 2023 delivery of the Program. Participants evaluated the overall program as ‘excellent’ or ‘very good’.

Feedback:

“The presenters were excellent. However, it was also so helpful meeting everyone else on the course. I think that I learnt as much from the table discussions as I did from the presenters. The opportunity to discuss matters on the tables was invaluable.”

“Thanks for a brilliant program. One of the great strengths was that in all the sessions where examples were used (i.e. the trials from hell) they were extremely useful. I loved the intense practicality of the entire program. I also loved the morning walks and the yoga sessions. Thankyou - it was all so invigorating.”



Strategies for Managing a Busy List, Senior Judicial Registrar’s, Federal Circuit and Family Court of Australia

Melbourne, 21 June 2023

NJCA was asked by the Federal Circuit and Family Court of Australia to deliver a bespoke full day training session, comprising of the delivery of theory and undertaking of practical tasks for Senior Judicial Registrars in the Federal Circuit and Family Court of Australia.

Training took place across 8 sessions which included, but not limited to:

- Preparing for a day of busy lists
- Managing a rowdy courtroom
- Oral Decisions in the real world
- Court craft skills in action
- Court craft and technology
- Self-care

All 35 Senior Registrars who attended, rated the program highly.

Feedback:

“A lot of useful discussion and tips”

“Reassuring that many of the strategies I am already using were suggested but further examples and different options for employing these strategies were incredibly valuable”

“It really reinforced the need to develop your own strategies that work for you, to make use of all the tools available to you and to ensure your own well-being is attended to.”

Writing Better Judgments, Federal Circuit and Family Court of Australia, Judicial Officers

Melbourne, 22 - 23 June 2023

The NJCA was asked by the Federal Circuit and Family Court of Australia to design and present a condensed version of our Writing Better Judgments program. This was held over one and half days at their courts in Melbourne.

The program was delivered to 18 judges who rated the program highly.

Feedback:

“Such a great program. I have already re-started a judgment – removing substantial chunks of unnecessary narrative and substantially shortening the whole thing”

“The notion of judgment writing being an ongoing process was important as it enabled one to think no matter how poor one might be with it you can always progress”

“Having others from the same jurisdiction/court enabled discussion between and in sessions to reference real world working examples”

“Fab course. Skilled, approachable presenters. It has made a huge difference to my approach and practice of writing. Thank you”

Oral Decisions

Sydney, 29 - 30 June 2023

This one and a-half day, non-residential program gives participants a toolkit for delivering oral decisions with confidence. The participants had an opportunity to practice the delivery of oral decisions and received individual feedback from seasoned practitioners in a safe and supportive environment.

The program included sessions on:

- Oral Decisions: The why, when and how
- Effective listening and note-taking
- Oral presentations and group work
- Creating a judicial presence



The program was delivered to 17 judicial officers whose overall assessment of the program was 'excellent' to 'very good'.

Feedback included:

"Really well presented", "Great balance of content and ... practice and received feedback"

"Always a wonderful experience meeting with other judges. The breaks are also very valuable opportunities to discuss common issues, approaches and ideas".

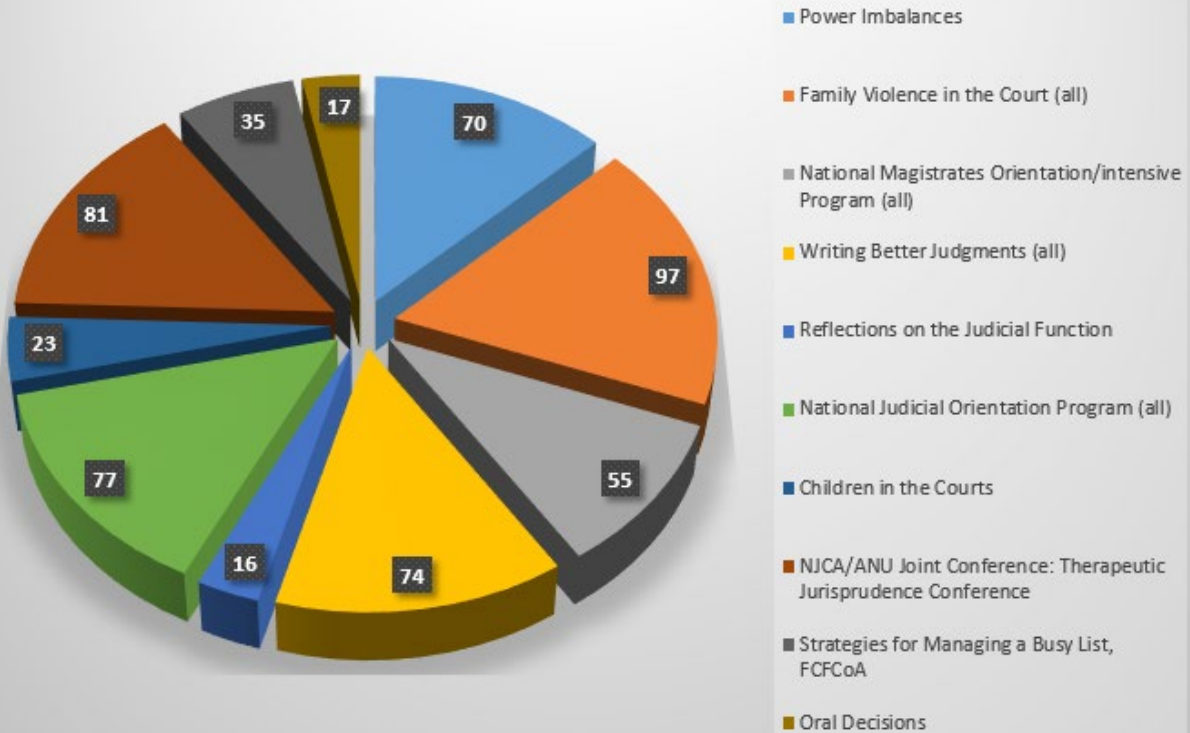


Facts and Figures

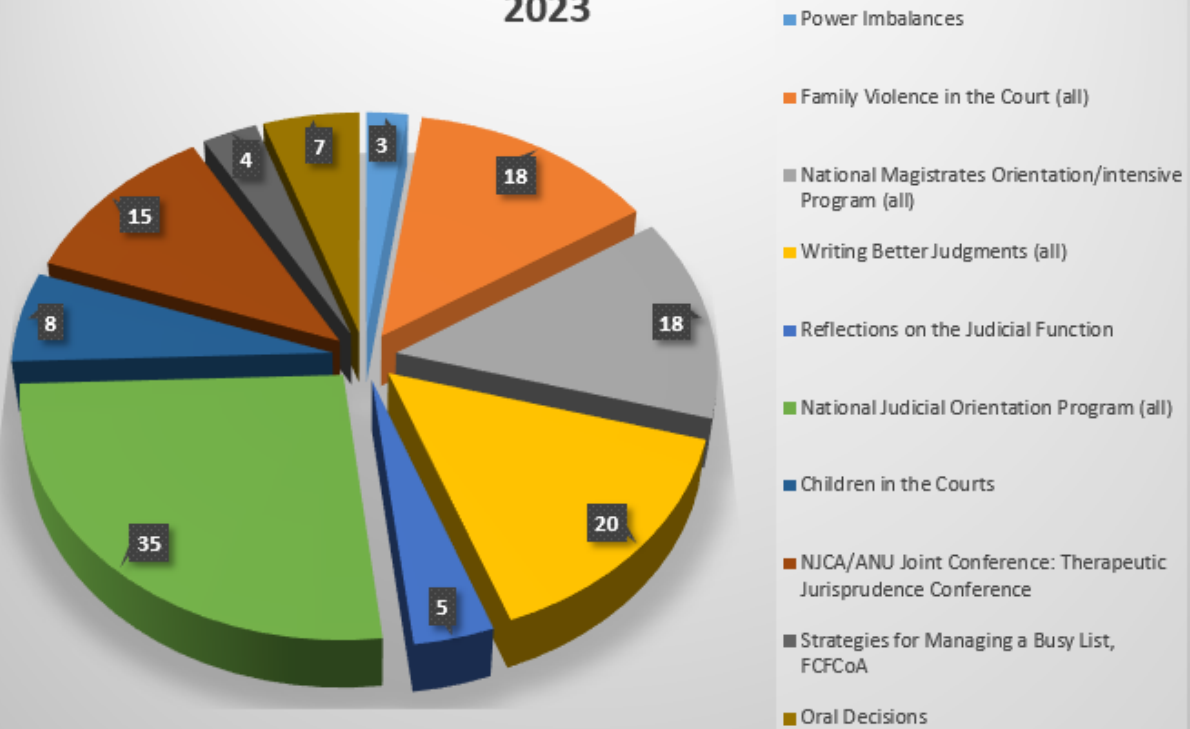
Programs July 2022 – June 2023	Date	Location	Length of program	No. of participants	No. of volunteer judicial officers developing/ delivering the program
Power Imbalances	8 August 2022	Noosa, QLD	1.5 hours	70	3
Family Violence in the Court	10 August 2022	Alice Springs, NT	1 day	21	6
National Magistrates Orientation Program	29 August – 2 September 2022	Brisbane, QLD	4.5 days	34	11
Family Violence in the Court - Brisbane Magistrates Conference	6 September 2022	Brisbane, QLD	5 days	34	2
Writing Better Judgments	5 – 7 October 2022	Hobart, TAS	3 days	35	8
Family Violence in the Court – AAT & WACAT	20 October 2022	Perth, WA	1 day	25	5
Family Violence in the Court - Federal Circuit and Family Court of Australia	21 October 2022	Perth, WA	1 day	17	5
Reflections on the Judicial Function	26 – 28 October 2022	Sydney, NSW	3 days	16	5
National Judicial Orientation Program	13 - 18 November 2022	Adelaide, SA	5 days	40	20
National Magistrates Intensive Program	27 - 29 November 2022	Brisbane, QLD	3 days	21	7
Children in the Courts	20 – 21 February 2023	Hobart, TAS	2 days	23	8

NJCA/ANU Joint Conference: Therapeutic Jurisprudence Conference	4 - 5 February 2023	Canberra, ACT	2 days	81	15
Writing Better Judgments	13 – 15 March 2023	Dubai, United Arab Emirates	3 days	21	7
National Judicial Orientation Program	26 – 31 March 2023	Brisbane, QLD	5 days	37	15
Strategies for Managing a Busy List, Federal Circuit and Family Court of Australia, Senior Judicial Registrar's	21 June 2023	Melbourne, VIC	1 day	35	4
Writing Better Judgments, Federal Circuit and Family Court of Australia, Judicial Officers	21 – 23 June 2023	Melbourne, VIC	1.5 days	18	5
Oral Decisions	29--30 June 2023	Sydney, NSW	1.5 days	17	7
Total				545	133

Number of participants by program 2022 - 2023



No. of volunteer judicial officers who developed/presented the delivered program 2022 - 2023



Commonwealth Sentencing Database

The NJCA develops and hosts the Commonwealth Sentencing Database (the **CSD**), a set of resources to assist in the sentencing of federal offenders. The CSD comprises three principal aspects: 'Principles & Practice', 'Recent Cases & Legislation', and 'Comparative Sentencing Tables'. All materials are developed by NJCA researchers under the oversight of the CSD Editor. The CSD can be found online at csd.njca.com.au.

'Principles & Practice' provides concise information on the statutory and common law requirements for sentencing federal offenders. Principles & Practice materials are updated by NJCA researchers and approved by an academic panel comprising Naomi Wootton (Barrister, Editor of the CSD), Professor Mark Nolan (Director, Centre for Law and Justice, CSU), Dr. Anthony Hopkins (A/Prof, ANU College of Law / Special Magistrate, ACT Magistrates Court), Dr. Faith Gordon (A/Prof and Deputy Associate Dean of Research, ANU College of Law), Judge Laurie Levy (District Court of Western Australia), and Deputy Chief Magistrate Anthony Gett (Queensland Magistrates Court).

'Recent Cases & Legislation' provides summaries of recent federal sentencing decisions and amendments to the federal sentencing statutory scheme. In the past year, more than 150 cases and amendments have been summarised.

Since September 2021, the NJCA has been working on a series of comparative sentencing tables for federal offences. The purpose of the tables is to promote consistency in sentencing federal offenders by providing judges and lawyers with a readily available and useable database of comparable cases. The tables contain both qualitative and quantitative information about past cases so that comparisons can be more readily made between past cases and a case before the court. There are a total of twenty two tables covering four categories of offences (terrorism/security offences, drug offences, financial crimes and child exploitation offences); the tables for drug offences and financial crimes were completed this past year and are available on the CSD website (the terrorism offences tables having been previously finalised) and the fourth is nearly complete. In all, the tables as a whole contain around 1200 cases. In addition, the comparative tables are being completely redesigned and turned into a searchable database; this will be progressively rolled out in the coming year.

The NJCA and the Australian National University – Judge in Residence Program

The NJCA secretariat continues to be generously hosted by the Australian National University College of Law in accordance with its current memorandum of understanding.

The Joint ANU/NJCA partnership program, Judge in Residence, is again in full force after the disruption to ANU's teaching during the COVID-19 pandemic. Led by Associate Professor Heather Roberts, who is also a member of the NJCA's Program and Advisory Committee, the program hosts two judges during the academic year.

In 2023 retired Chief Justice of the ACT, the Honourable Helen Murrell SC, and President of the South Australian Court of Appeal, the Honourable Mark Livesey KC, participated in a number of events and classes for students from first to final year, as well as public symposia. Students in the ANU's moot program in particular expressed their appreciation for the generosity and assistance of the Visiting Judges.

The ANU also continues to be grateful for the involvement of alumni of the *Judge in Residence* program in ongoing events, including Tom Gray KC, Justice Monika Schmidt and Dr John Lowndes, who have participated in a range of classes this year and for their work with Associate Professor Heather Roberts on the development of new course offerings. The first of these will commence in Semester 2 2024, with further details to follow in the next Annual Report.

At the ANU Open Day and as well as alumni events, Associate Professor Heather Roberts is often asked to profile the *Judge in Residence* program and its benefits. The relationship with the NJCA, and the student access to judicial officers across the nation that the program provides remains as a critical and highly valued point of distinction of the ANU Law degree.

College Funding

The NJCA operational costs are met by annual contributions totalling \$760,787.00 in 2022/2023 from Commonwealth, State and Territory Governments.

Grant funding from the Commonwealth Government for targeted activities, such as the Family Violence in the Court training program and the Commonwealth Sentencing Database, also form part of total revenue.

Government funding does not cover the cost of delivering programs, so the NJCA charges registration fees. The fees vary according to program length, venue and the number of presenters.

The NJCA's financial accounts are audited by Vincents. The NJCA provides an annual report to the Australian Charities and Not-for-Profits Commission.

College Administration

NJCA Council

The governing Council is composed of four judicial members, a member nominated by the Commonwealth Attorney-General, and a member nominated by participating State and Territory Attorneys-General.

The members of the Council and their alternates are listed in Attachment A.

Programs Advisory Committee

The Programs Advisory Committee oversees the work of planning committees in developing and presenting programs, sets priorities for development of new programs, and advises the Council and committees on educational methods.

Members of the Committee are listed in Attachment B.

Program Planning Committees

Small committees of judicial officers and administrators plan and oversee the delivery of programs. The members of each committee responsible for programs delivered in 2022/2023 are listed in Attachment C.

Life membership

To be considered for appointment as a Life Member, the person (either a judicial or a non-judicial officer) must have rendered exceptional service to the NJCA over an extended period. This service must be beyond the call of his or her ordinary duties.



Life Members are listed in Attachment D.

The NJCA Office

The NJCA's office is located on the ANU campus, with the ANU Law School building in Canberra. The office staff are primarily involved in the day-to-day planning, delivery and coordination of programs and projects. They also service meetings of the Council and Committee, maintain financial and other systems and deal with correspondence and liaison with courts, government agencies and the public.

Office staff are listed in Attachment E.

Communication with the NJCA

Enquiries can be directed to:

The Chief Executive Officer
National Judicial College of Australia
Building 5, Fellows Road
ANU, ACT 2601
Telephone: (02) 6125 6655
Email: njca@anu.edu.au
Website: www.njca.com.au



Attachments

(A) NJCA Council members and Council alternates at 30 June 2023

The Council

Chief Justice Christopher Kourakis (Chair) <i>Supreme Court of South Australia</i>	Nominee of the Chief Justices of State and Territory Supreme Courts
Justice Murray Aldridge <i>Federal Circuit and Family Court of Australia</i>	Nominee of the Chief Justices of the Federal and Family Court
Judge Laurie Levy <i>District Court of Western Australia</i>	Nominee of the Chief Judges of the District or County Courts
Chief Magistrate Catherine Geason <i>Magistrates Court of Tasmania</i>	Nominee of Chief Magistrates of the States and Territories
Ms Tamsyn Harvey <i>Commonwealth Attorney-General's Department</i>	Nominee of the Attorney-General of the Commonwealth
Chief Judge Peter Kidd <i>County Court of Victoria</i>	Nominee of the Chief Judges of the District or County Courts

Council Alternates

Justice Katrina Banks-Smith <i>Supreme Court of Western Australia</i>	Nominee of the Chief Justices of State and Territory Supreme Courts
Justice Martin Burns <i>Supreme Court of Queensland</i>	Nominee of the Chief Justices of the State and Territory Supreme Courts
Mr Richard Glenn <i>ACT Justice and Community Safety Directorate</i>	Nominee of the Attorneys-General of the participating States and Territories
Chief Magistrate Mary-Louise Hribal <i>Magistrates Court of South Australia</i>	Nominee of the Chief Magistrates of the States and Territories
Ms Alice Linacre <i>Commonwealth Attorney-General's Department</i>	Nominee of the Attorney-General of the Commonwealth

(B) Members of Program Advisory Committee at 30 June 2023

Programs Advisory Committee

Justice Glenn Martin AM (Chair)	Supreme Court of Queensland
Magistrate Alison Adair	Magistrates Court of South Australia
Acting Judge Ann Ainslie-Wallace	Federal Circuit and Family Court of Australia
Judge Liz Boyle	Federal Circuit and Family Court of Australia
Magistrate Andrée Horrigan	Children’s Court of Western Australia
Justice Brigitte Markovic	Federal Court of Australia
Judge Julie McIntyre	District Court of South Australia
Associate Professor Heather Roberts	ANU College of Law
Acting Judge Monika Schmidt	Supreme Court of New South Wales
Justice James Stevenson	Supreme Court of New South Wales
Professor James Stellios	ANU College of Law

(C) Members of Program Planning Committees at 30 June 2023 (excluding NJCA staff)

National Judicial Orientation Program

Acting Judge Ann Ainslie-Wallace (Chair)	Formerly Family Court of Australia
Judge Peter Cole	Federal Circuit and Family Court of Australia
Ms Una Doyle	Judicial Commission of New South Wales
Judge Sarah Huggett	District Court of New South Wales
Justice Brigitte Markovic	Federal Court of Australia
Judge Samantha Marks	County Court of Victoria
Justice Glenn Martin AM	Supreme Court of Queensland
Judge Julie McIntyre	District Court of South Australia
Judge John Staude	District Court of Western Australia
Justice Julie Ward	President, Court of Appeal, Supreme Court of New South Wales

National Magistrates Orientation Program

Magistrate Andrée Horrigan (Chair) Children's Court of Western Australia

Magistrate Teresa Anderson Magistrates Court of South Australia

Chief Magistrate Catherine Geason Magistrates Court of Tasmania

Deputy Chief Magistrate Anthony Gett Magistrates Court of Queensland

Magistrate Fiona Hayes Magistrates Court of Victoria

Chief Magistrate Steven Heath Magistrates Court of Western Australia

Chief Judge Elizabeth Morris Northern Territory Local Court

Magistrate John Wells Magistrates Court of South Australia

ANU/NJCA Joint Conference (Therapeutic Jurisprudence)

Chief Magistrate Lorraine Walker (Co-Chair) Magistrates Court of the Australian Capital Territory

Associate Professor Anthony Hopkins (Co-Chair) Australian National University, College of Law

Professor Lorana Bartels Australian National University, College of Arts and Social Sciences

Magistrate Andrée Horrigan Children's Court of Western Australia

Dr Anne Macduff Australian National University, College of Law

Magistrate Pauline Spencer Magistrates Court of Victoria

Effective Judicial Presentations

Justice Glenn Martin AM (Chair)

Supreme Court of Queensland

Acting Judge Ann Ainslie-Wallace

Formerly Family Court of Australia

Family Violence in the Court

Justice Judy Ryan (Co-Chair)

Formerly Federal Circuit and Family Court of Australia

Magistrate Jay Pandya (Co-Chair)

Magistrates Court of South Australia

Judge Liz Boyle

Federal Circuit and Family Court of Australia

Judge Kate Hughes

Federal Circuit and Family Court of Australia

Chief Judge Elizabeth Morris

Northern Territory Local Court

Magistrate Colin Strofield

Magistrates Court of Queensland

Oral Decisions

Justice James Stevenson (Chair)

Supreme Court of New South Wales

Judge Susanne Cole

NSW Civil and Administrative Tribunal

Ms Lucy Cornell

CEO, The Voice Advisory

Judge Penny Eldridge

Youth Court of South Australia

Judge Warwick Hunt

District Court of New South Wales

Dr. John Lowndes

Honorary Professor ANU College of Law

Magistrate Roslyn Porter

Magistrates Court of Victoria

Chief Justice Peter Quinlan

Supreme Court of Western Australia

Reflections on the Judicial Function

Justice Stephen Gageler AC (Chair)

High Court of Australia

Acting Judge Ann Ainslie-Wallace

Formerly Family Court of Australia

Chief Justice Alan Blow AO

Supreme Court of Tasmania

Associate Justice Melissa Daly

Supreme Court of Victoria

Judge Martin Flynn

District Court of Western Australia

Justice Alan Robertson

formerly Federal Court of Australia

Magistrate John Wells

Magistrates Court of South Australia

Writing Better Judgments I

Acting Justice Monika Schmidt AM (Chair) Supreme Court of New South Wales

Justice Craig Colvin Federal Court of Australia

President Fleur Kingham Land Court Queensland

Justice Glenn Martin Supreme Court of Queensland

Justice Debra Mullins Supreme Court of Queensland

Writing Better Judgments II

Acting Justice Monika Schmidt AM (Chair) Supreme Court of New South Wales

Magistrate Jennifer Atkinson Local Court of New South Wales

Chief Magistrate Steven Heath Magistrates Court of Western Australia

President Fleur Kingham Land and Environment Court of Queensland

Justice David Lovell Supreme Court of South Australia

(D) Current NJCA Life Members

Acting Judge Ann Ainslie-Wallace	District Court of New South Wales
The Hon John Byrne AO RFD	Formerly Supreme Court of Queensland
The Hon Linda Dessau AC	Formerly Family Court of Australia
The Hon John Doyle AC QC	Formerly Supreme Court of South Australia
The Hon John Dowsett AM	National Native Title Tribunal
Chief Magistrate Steven Heath	Magistrates Court of Western Australia
The Hon Murray Kellam AO	Formerly Supreme Court of Victoria
The Hon Glenn Martin AM	Supreme Court of Queensland
The Hon Wayne Martin AC QC	Formerly Supreme Court of Western Australia
Justice Debra Mullins AO	Supreme Court of Queensland
The Hon Helen Murrell	Formerly Supreme Court of the Australian Capital Territory
Professor Mark Nolan SFHEA	Director of the Centre for Law and Justice, Charles Sturt University
Acting Justice Monika Schmidt AM	Supreme Court of New South Wales
The Hon Tom Wodak	Formerly County Court of Victoria

(E) The NJCA Office Staff (30 June 2023):

Ms Kate Latimer	Chief Executive Officer
Ms Karen Gregory	Deputy CEO and Education Director
Ms Lisa Cram	Program Manager
Ms Katie Knight	Program Manager
Ms Breanna Minisini	Program Manager
Ms Amber Mercer	Office Manager
Mr Benjamin Ettinger	CSD Senior Research Assistant
Mr Hamish McKinnon	CSD Senior Research Assistant
Mr Lachlan Cameron	CSD Research Assistant
Ms Indigo Casablanca	CSD Research Assistant
Mr Daniel Marns	CSD Research Assistant

VINCENTS

National Judicial College Incorporated
Management Letter

30 June 2023

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11 September 2023

Private & Confidential

The President
National Judicial College of Australia
Building 5, ANU Law College of Law
Fellows Road
ACTON ACT 2601

Dear Sir/Madam,

We have completed the audit of National Judicial College Incorporated (the Company) for the year ended 30 June 2023.

Our audit was performed to obtain reasonable assurance whether the financial report as a whole is free of material misstatement, whether due to fraud or error. Reasonable assurance is a high level of assurance, but is not a guarantee that an audited conducted in accordance with Australian Auditing Standards will always detect a material misstatement when it exists.

This communication is prepared solely for the information of management and is not intended for any other purpose. We accept no responsibility to a third party who uses this communication.

Yours faithfully,



Phillip Miller
Director
Vincents Assurance and Risk Advisory

1. Operating result for the year

The company achieved an overall operating surplus for the year totalling \$287,385 as compared to a total operating surplus for the 2022 year of \$324,453. The current year result represents an overall result decrease of \$37,068.

Total income for the year of \$2,226,936 represented a 49.7% increase as compared to the 2022 year of \$1,487,805.

Total expenditure for the year of \$1,939,552 represented a 66.7% increase as compared to the 2022 year total of \$1,163,352.

2. Unadjusted Opening Balance

Observation

During the course of our audit, we have noticed that the opening balance for the financial year 2023, was not accurate as the audit adjustments relating to the 2022 financial year had not been entered before providing the accounting records for the 2023 audit.

Recommendation

We recommend that all audit adjustments for each relevant year should be posted as soon as the financial statements are signed at the end of the relevant year. Undertaking this process will ensure that the accounting records always correctly align with the audited financial statements at the completion of each years audit.

3. Grant Income

Observation

During the course of our audit, we have noted that the Grant incomes from various government funding were not recorded in compliance with the requirements of accounting standard AASB15 – Revenue from Contracts with Customers. In particular, allocations of the correct amount of government funding had not been undertaken to align with the performance obligations in accordance with the Standard.

Recommendation

We recommend that management assess the requirements of AASB 15 – Revenue from Contracts with Customers, and correctly allocate grant income against the performance obligations as required by the Standard.

4. Audit Adjustments

Observation:

During the course of our audit, we noted that a number of accounting adjustments were recommended to be recorded, in order to align the accounting records with the audited financial statements. We have provided those recommended journals at "APPENDIX A".

Recommendation:

We recommend that management arrange to input the journals into the organisations accounting records as soon as possible.

It should be appreciated that our audit procedures are designed primarily to enable us to form an opinion on the financial statements of the incorporation and may therefore not bring to light all the errors or weaknesses that may exist in terms of internal controls, procedures, and systems. It is the committee's responsibility to maintain an adequate system of internal control as the principle safeguard against irregularities which an audit examination may not disclose.

We would like to thank you and your staff for your assistance and co-operation while conducting our work. Should you require any further assistance, please do not hesitate to contact our office.

Yours faithfully,



Phillip Miller
Director
Vincent's Assurance and Risk Advisory

VINCENTS

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14 Moore Street
Canberra ACT 2601

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NATIONAL JUDICIAL COLLEGE OF AUSTRALIA

ABN: 20 100 577 544

Financial Statements

For the Year Ended 30 June 2023

NATIONAL JUDICIAL COLLEGE OF AUSTRALIA

ABN: 20 100 577 544

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For the Year Ended 30 June 2023

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NATIONAL JUDICIAL COLLEGE OF AUSTRALIA

ABN: 20 100 577 544

Directors' Report 30 June 2023

The directors present their report on NATIONAL JUDICIAL COLLEGE OF AUSTRALIA for the financial year ended 30 June 2023.

General information

Directors

The names of the directors in office at any time during, or since the end of, the year are:

Names	Position	Appointed/Resigned
Chief Justice Christopher Kourakis	Supreme Court of Australia Director and Chair	Appointed 17 April 2020
Justice Murray Aldridge	Federal Circuit and Family Court of Australia Director	Appointed 3 Dec 2021
Chief Magistrate Catherine Geason	Magistrates' Court of Tasmania Alternate Director	Appointed 20 Sep 2019
Ms Tamsyn Harvey	Attorney-General's Department Director County Court of Victoria	Appointed 3 Dec 2021
Chief Judge Peter Kidd	Director	Appointed 16 Sept 2022
Alternate Members		
Justice Katrina Banks-Smith	Federal Court of Australia Director	Appointed 17 Sept 2021
Justice Martin Burns	Supreme Court of Queensland Director	Appointed 13 May 2022
Mr Richard Glenn	Deputy Director General, Justice and Community Safety Directorate Australian Capital Territory Director	Appointed 9 May 2017
Judge Laurence Levy	District Court of Western Australia Director	Appointed 16 May 2022
Chief Magistrate Mary-Louise Hribal	Magistrates Court of South Australia Director	Appointed 17 Sept 2021
Ms Alice Linacre	Attorney-General's Department Director	Appointed 24 Feb 2023
Mr David Mackie	Director General, Department of Justice and Attorney General, Queensland Director	Appointed 14 Feb 2017 Resignation 2 May 2023
Judge Dina Yehia	District Court of New South Wales Director	Appointed 21 Sept 2018 Resignation 7 July 2022
Mr Iain Anderson	Commonwealth Attorney General's Department	Appointed 14 Jan 2019 Resignation 24 Feb 2023

Directors have been in office since the start of the financial year to the date of this report unless otherwise stated.

Company secretary

The following person held the position of Company secretary at the end of the financial year:

Kate Latimer has been the company secretary since 18 January 2021.

Short term objectives

The Company's short term objectives are to:

- Present and implement projects that will further the professional development of judicial officers in Australia.

NATIONAL JUDICIAL COLLEGE OF AUSTRALIA

ABN: 20 100 577 544

Directors' Report 30 June 2023

General information

Long term objectives

The Company's long term objectives are to:

- Assist judicial officers to administer the law in a just, competent and speedy manner by providing judicial professional development activities.

Strategy for achieving the objectives

To achieve these objectives, the Company has adopted the following strategies:

- Establish planning committees of judicial officers to develop and conduct judicial education programs, conferences and workshops; and
- Manage the development and operation of projects such as a Commonwealth Sentencing Database and publication of monographs.

Members' guarantee

NATIONAL JUDICIAL COLLEGE OF AUSTRALIA is a company limited by guarantee. In the event of, and for the purpose of winding up of the company, the amount capable of being called up from each member and any person or association who ceased to be a member in the year prior to the winding up, is limited to \$ 1 for members that are corporations and \$ 1 for all other members, subject to the provisions of the company's constitution.

At 30 June 2023 the collective liability of members was \$ 12 (2022: \$ 12).

Principal activities

The principal activities of the Company during the financial year was:

- to assist judicial officers through professional development to administer the law in a just, competent and speedy manner.

Significant changes

No significant change in the nature of these activities occurred during the year.

Significant changes in state of affairs

No significant changes in the Company's state of affairs occurred during the financial year.

Operating results and review of operations for the year

Operating result

The profit of the Company for the financial year after providing for income tax amounted to \$ 287,385(2022: \$ 324,453).

NATIONAL JUDICIAL COLLEGE OF AUSTRALIA

ABN: 20 100 577 544

Directors' Report
30 June 2023

Indemnification and insurance of officers and auditors

No indemnities have been given or insurance premiums paid, during or since the end of the financial year, for any person who is or has been an officer or auditor of NATIONAL JUDICIAL COLLEGE OF AUSTRALIA.

Auditor's independence declaration

The auditor's independence declaration in accordance with section 60-40 of the Australian Charities and Not-for-profits Commission Act for the year ended 30 June 2023 has been received and can be found on page 4 of the financial report.

Signed in accordance with a resolution of the Board of Directors:

Director: 

Director: Catherine Geason

Dated this 15th day of September 2023

NATIONAL JUDICIAL COLLEGE OF AUSTRALIA

ABN: 20 100 577 544

Statement of Profit or Loss and Other Comprehensive Income For the Year Ended 30 June 2023

		2023	2022
	Note	\$	\$
Revenue	4	2,200,087	1,444,139
Finance income	5	26,849	3,666
Other income	4	-	40,000
Employee benefits expense	6	(837,569)	(739,342)
Judicial Education Program Expenses		(875,340)	(333,123)
CSD Grant related Expenses		(99,400)	-
Administrative Expenses		(97,044)	(62,541)
Other Expenses		(30,199)	(28,346)
Income tax expense		-	-
Surplus for the year		287,385	324,453
Other comprehensive income, net of income tax			
Items that will not be reclassified subsequently to profit or loss		-	-
Items that will be reclassified to profit or loss when specific conditions are met		-	-
Total comprehensive income for the year		287,385	324,453

The accompanying notes form part of these financial statements.

NATIONAL JUDICIAL COLLEGE OF AUSTRALIA

ABN: 20 100 577 544

Statement of Financial Position

As At 30 June 2023

	Note	2023 \$	2022 \$
ASSETS			
CURRENT ASSETS			
Cash and cash equivalents	7	1,635,331	1,022,139
Trade and other receivables	8	38,665	62,542
Other financial assets	9	1,275,616	1,477,534
Other assets	12	37,973	77,439
TOTAL CURRENT ASSETS		<u>2,987,585</u>	<u>2,639,654</u>
NON-CURRENT ASSETS			
Property, plant and equipment	11	2,626	2,594
TOTAL NON-CURRENT ASSETS		<u>2,626</u>	<u>2,594</u>
TOTAL ASSETS		<u>2,990,211</u>	<u>2,642,248</u>
LIABILITIES			
CURRENT LIABILITIES			
Trade and other payables	13	86,698	87,283
Contract liabilities	10	706,740	667,060
Provisions	14	68,509	47,026
TOTAL CURRENT LIABILITIES		<u>861,947</u>	<u>801,369</u>
TOTAL LIABILITIES		<u>861,947</u>	<u>801,369</u>
NET ASSETS		<u>2,128,264</u>	<u>1,840,879</u>
EQUITY			
Reserves		402,685	376,000
Retained earnings		1,725,579	1,464,879
TOTAL EQUITY		<u>2,128,264</u>	<u>1,840,879</u>

The accompanying notes form part of these financial statements.

NATIONAL JUDICIAL COLLEGE OF AUSTRALIA

ABN: 20 100 577 544

Statement of Changes in Equity For the Year Ended 30 June 2023

2023

	Retained Earnings	General Reserve	Total
	\$	\$	\$
Balance at 1 July 2022	1,464,879	376,000	1,840,879
Surplus for the year	287,385	-	287,385
Transfers from retained earnings to general reserve	(26,685)	26,685	-
Total other comprehensive income for the period	-	-	-
Balance at 30 June 2023	1,725,579	402,685	2,128,264

2022

	Retained Earnings	General Reserve	Total
	\$	\$	\$
Balance at 1 July 2021	1,140,426	376,000	1,516,426
Surplus for the year	324,453	-	324,453
Total other comprehensive income for the period	-	-	-
Balance at 30 June 2022	1,464,879	376,000	1,840,879

The accompanying notes form part of these financial statements.

NATIONAL JUDICIAL COLLEGE OF AUSTRALIA

ABN: 20 100 577 544

Statement of Cash Flows For the Year Ended 30 June 2023

	2023	2022
Note	\$	\$
CASH FLOWS FROM OPERATING ACTIVITIES:		
Receipts from Government Grants and Programs	2,445,952	1,475,957
Payments to suppliers and employees	(2,061,495)	(1,812,950)
Interest received	26,849	3,666
Net cash provided by/(used in) operating activities	<u>411,306</u>	<u>(333,327)</u>
CASH FLOWS FROM INVESTING ACTIVITIES:		
Purchase of property, plant and equipment	(32)	(1,599)
Proceeds from investments	201,918	-
Net cash provided by/(used in) investing activities	<u>201,886</u>	<u>(1,599)</u>
Net increase/(decrease) in cash and cash equivalents held	613,192	(334,926)
Cash and cash equivalents at beginning of year	<u>1,022,139</u>	<u>1,357,065</u>
Cash and cash equivalents at end of financial year	7 <u>1,635,331</u>	<u>1,022,139</u>

The accompanying notes form part of these financial statements.

NATIONAL JUDICIAL COLLEGE OF AUSTRALIA

ABN: 20 100 577 544

Notes to the Financial Statements For the Year Ended 30 June 2023

The financial report covers NATIONAL JUDICIAL COLLEGE OF AUSTRALIA as an individual entity. NATIONAL JUDICIAL COLLEGE OF AUSTRALIA is a not-for-profit Company, registered and domiciled in Australia.

The functional and presentation currency of NATIONAL JUDICIAL COLLEGE OF AUSTRALIA is Australian dollars.

Comparatives are consistent with prior years, unless otherwise stated.

1 Basis of Preparation

The financial statements are general purpose financial statements that have been prepared in accordance with the Australian Accounting Standards - Simplified Disclosures and the *Australian Charities and Not-for-profits Commission Act 2012*.

The financial statements have been prepared on an accruals basis and are based on historical costs modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and financial liabilities.

Significant accounting policies adopted in the preparation of these financial statements are presented below and are consistent with prior reporting periods unless otherwise stated.

Notes to the Financial Statements

For the Year Ended 30 June 2023

2 Summary of Significant Accounting Policies

(a) Revenue and other income

Revenue from contracts with customers

The core principle of AASB 15 is that revenue is recognised on a basis that reflects the transfer of promised goods or services to customers at an amount that reflects the consideration the Company expects to receive in exchange for those goods or services.

Generally the timing of the payment for sale of goods and rendering of services corresponds closely to the timing of satisfaction of the performance obligations, however where there is a difference, it will result in the recognition of a receivable, contract asset or contract liability.

None of the revenue streams of the Company have any significant financing terms as there is less than 12 months between receipt of funds and satisfaction of performance obligations.

Specific revenue streams

The revenue recognition policies for the principal revenue streams of the Company are:

Grant income

The Company's primary source of revenue is from Grants. The grant agreement would constitute the contract for AASB 15 purposes, and the grant specifies the transaction price. The grant is "to assist with projects or activities that contribute to the pursuit of an equitable and accessible system of civil justice". This purpose would make up the performance obligation for AASB 15 purposes. As the grant does not specify on the type or the number of projects or activities, the revenue would be able to be recognised as revenue at the time of the first project or activity.

Rendering of services

The Company's rendering of services is made up of the hosting of training and conferences. The Company has concluded that revenue from the rendering of these services should be recognised at the point in time when the event is held, as this is when the performance obligation has been met. Under AASB 15 this is deemed to be the point in time when risks and rewards are transferred.

Statement of financial position balances relating to revenue recognition

Contract assets and liabilities

Where the amounts billed to customers are based on the achievement of various milestones established in the contract, the amounts recognised as revenue in a given period do not necessarily coincide with the amounts billed to or certified by the customer.

When a performance obligation is satisfied by transferring a promised good or service to the customer before the customer pays consideration or the before payment is due, the Company presents the contract as a contract asset, unless the Company's rights to that amount of consideration are unconditional, in which case the Company recognises a receivable.

When an amount of consideration is received from a customer prior to the entity transferring a good or service to the customer, the Company presents the contract as a contract liability.

Notes to the Financial Statements For the Year Ended 30 June 2023

2 Summary of Significant Accounting Policies

(a) Revenue and other income

Statement of financial position balances relating to revenue recognition

Contract cost assets

The Company recognises assets relating to the costs of obtaining a contract and the costs incurred to fulfil a contract or set up / mobilisation costs that are directly related to the contract provided they will be recovered through performance of the contract.

Costs to obtain a contract

Costs to obtain a contract are only capitalised when they are directly related to a contract and it is probable that they will be recovered in the future. Costs incurred that would have been incurred regardless of whether the contract was won are expensed, unless those costs are explicitly chargeable to the customer in any case (whether or not the contract is won).

The capitalised costs are amortised on a straight line basis over the expected life of the contract.

Set-up / mobilisation costs

Costs required to set up the contract, including mobilisation costs, are capitalised provided that it is probable that they will be recovered in the future and that they do not include expenses that would normally have been incurred by the Company if the contract had not been obtained. They are recognised as an expense on the basis of the proportion of actual output to estimated output under each contract. If the above conditions are not met, these costs are taken directly to profit or loss as incurred.

Costs to fulfil a contract

Where costs are incurred to fulfil a contract, they are accounted for under the relevant accounting standard (if appropriate), otherwise if the costs relate directly to a contract, the costs generate or enhance resources of the Company that will be used to satisfy performance obligations in the future and the costs are expected to be recovered then they are capitalised as contract costs assets and released to the profit or loss on an systematic basis consistent with the transfer to the customer of the goods or services to which the asset relates.

Other income

Other income is recognised on an accruals basis when the Company is entitled to it.

(b) Income tax

The Company is exempt from income tax under Division 50 of the *Income Tax Assessment Act 1997*.

(c) Goods and services tax (GST)

Revenue, expenses and assets are recognised net of the amount of goods and services tax (GST), except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO).

Receivables and payable are stated inclusive of GST.

Notes to the Financial Statements

For the Year Ended 30 June 2023

2 Summary of Significant Accounting Policies

(c) Goods and services tax (GST)

Cash flows in the statement of cash flows are included on a gross basis and the GST component of cash flows arising from investing and financing activities which is recoverable from, or payable to, the taxation authority is classified as operating cash flows.

(d) Property, plant and equipment

Each class of property, plant and equipment is carried at cost or fair value less, where applicable, any accumulated depreciation and impairment.

Plant and equipment

Plant and equipment are measured using the cost model.

Depreciation

Property, plant and equipment, excluding freehold land, is depreciated on a straight-line basis over the asset's useful life to the Company, commencing when the asset is ready for use.

The depreciation rates used for each class of depreciable asset are shown below:

Fixed asset class	Depreciation rate
Office Equipment	33.3% - 50%

At the end of each annual reporting period, the depreciation method, useful life and residual value of each asset is reviewed. Any revisions are accounted for prospectively as a change in estimate.

(e) Financial instruments

Financial instruments are recognised initially on the date that the Company becomes party to the contractual provisions of the instrument.

On initial recognition, all financial instruments are measured at fair value plus transaction costs (except for instruments measured at fair value through profit or loss where transaction costs are expensed as incurred).

Financial assets

All recognised financial assets are subsequently measured in their entirety at either amortised cost or fair value, depending on the classification of the financial assets.

Classification

On initial recognition, the Company classifies its financial assets into the following categories, those measured at:

- amortised cost

Notes to the Financial Statements

For the Year Ended 30 June 2023

2 Summary of Significant Accounting Policies

(e) Financial instruments

Financial assets

Financial assets are not reclassified subsequent to their initial recognition unless the Company changes its business model for managing financial assets.

Amortised cost

The Company's financial assets measured at amortised cost comprise trade and other receivables and cash and cash equivalents in the statement of financial position.

Subsequent to initial recognition, these assets are carried at amortised cost using the effective interest rate method less provision for impairment.

Interest income, foreign exchange gains or losses and impairment are recognised in profit or loss. Gain or loss on derecognition is recognised in profit or loss.

Impairment of financial assets

Impairment of financial assets is recognised on an expected credit loss (ECL) basis for the following assets:

- financial assets measured at amortised cost

When determining whether the credit risk of a financial assets has increased significant since initial recognition and when estimating ECL, the Company considers reasonable and supportable information that is relevant and available without undue cost or effort. This includes both quantitative and qualitative information and analysis based on the Company's historical experience and informed credit assessment and including forward looking information.

The Company uses the presumption that an asset which is more than 30 days past due has seen a significant increase in credit risk.

The Company uses the presumption that a financial asset is in default when:

- the other party is unlikely to pay its credit obligations to the Company in full, without recourse to the Company to actions such as realising security (if any is held); or
- the financial assets is more than 90 days past due.

Credit losses are measured as the present value of the difference between the cash flows due to the Company in accordance with the contract and the cash flows expected to be received. This is applied using a probability weighted approach.

Trade receivables

Impairment of trade receivables have been determined using the simplified approach in AASB 9 which uses an estimation of lifetime expected credit losses. The Company has determined the probability of non-payment of the receivable and multiplied this by the amount of the expected loss arising from default.

Notes to the Financial Statements

For the Year Ended 30 June 2023

2 Summary of Significant Accounting Policies

(e) Financial instruments

Financial assets

The amount of the impairment is recorded in a separate allowance account with the loss being recognised in finance expense. Once the receivable is determined to be uncollectable then the gross carrying amount is written off against the associated allowance.

Where the Company renegotiates the terms of trade receivables due from certain customers, the new expected cash flows are discounted at the original effective interest rate and any resulting difference to the carrying value is recognised in profit or loss.

Other financial assets measured at amortised cost

Impairment of other financial assets measured at amortised cost are determined using the expected credit loss model in AASB 9. On initial recognition of the asset, an estimate of the expected credit losses for the next 12 months is recognised. Where the asset has experienced significant increase in credit risk then the lifetime losses are estimated and recognised.

Financial liabilities

The Company measures all financial liabilities initially at fair value less transaction costs, subsequently financial liabilities are measured at amortised cost using the effective interest rate method.

The financial liabilities of the Company comprise trade payables, accruals and contract liabilities.

(f) Impairment of non-financial assets

At the end of each reporting period the Company determines whether there is evidence of an impairment indicator for non-financial assets.

Where an indicator exists and regardless for indefinite life intangible assets and intangible assets not yet available for use, the recoverable amount of the asset is estimated.

Where assets do not operate independently of other assets, the recoverable amount of the relevant cash-generating unit (CGU) is estimated.

The recoverable amount of an asset or CGU is the higher of the fair value less costs of disposal and the value in use. Value in use is the present value of the future cash flows expected to be derived from an asset or cash-generating unit.

Where the recoverable amount is less than the carrying amount, an impairment loss is recognised in profit or loss.

Reversal indicators are considered in subsequent periods for all assets which have suffered an impairment loss.

Notes to the Financial Statements

For the Year Ended 30 June 2023

2 Summary of Significant Accounting Policies

(g) Cash and cash equivalents

Cash and cash equivalents comprises cash on hand, demand deposits and short-term investments which are readily convertible to known amounts of cash and which are subject to an insignificant risk of change in value.

(h) Employee benefits

Provision is made for the Company's liability for employee benefits, those benefits that are expected to be wholly settled within one year have been measured at the amounts expected to be paid when the liability is settled.

Employee benefits expected to be settled more than one year after the end of the reporting period have been measured at the present value of the estimated future cash outflows to be made for those benefits. In determining the liability, consideration is given to employee wage increases and the probability that the employee may satisfy vesting requirements. Cashflows are discounted using market yields on high quality corporate bond rates incorporating bonds rated AAA or AA by credit agencies, with terms to maturity that match the expected timing of cashflows. Changes in the measurement of the liability are recognised in profit or loss.

(i) Economic dependence

NATIONAL JUDICIAL COLLEGE OF AUSTRALIA is dependent on the Australian Government Attorney-General's Department for the majority of its revenue used to operate the business. At the date of this report the directors have no reason to believe the Australian Government Attorney-General's Department will not continue to support NATIONAL JUDICIAL COLLEGE OF AUSTRALIA.

(j) Provision for wind up reserve

The board have resolved that a reserve be created to account for the cost of operations in the event that the organisation is required to wind up. The reserve is reviewed and adjusted accordingly on an ongoing basis.

Notes to the Financial Statements

For the Year Ended 30 June 2023

3 Critical Accounting Estimates and Judgments

Those charged with governance make estimates and judgements during the preparation of these financial statements regarding assumptions about current and future events affecting transactions and balances.

These estimates and judgements are based on the best information available at the time of preparing the financial statements, however as additional information is known then the actual results may differ from the estimates.

The significant estimates and judgements made have been described below.

Key estimates - impairment of property, plant and equipment

The Company assesses impairment at the end of each reporting period by evaluating conditions specific to the Company that may be indicative of impairment triggers. Recoverable amounts of relevant assets are reassessed using value-in-use calculations which incorporate various key assumptions.

Key estimates - revenue recognition - long term contracts

The Company undertakes long term contracts which span a number of reporting periods. Recognition of revenue in relation to these contracts involves estimation of future costs of completing the contract and the expected outcome of the contract. The assumptions are based on the information available to management at the reporting date, however future changes or additional information may mean the expected revenue recognition pattern has to be amended.

Key estimates - receivables

The receivables at reporting date have been reviewed to determine whether there is any objective evidence that any of the receivables are impaired. An impairment provision is included for any receivable where the entire balance is not considered collectible. The impairment provision is based on the best information at the reporting date.

Key judgments - useful lives of depreciable assets

Management reviews its estimate of the useful lives of depreciable assets at each reporting date, based on the expected utility of the assets.

NATIONAL JUDICIAL COLLEGE OF AUSTRALIA

ABN: 20 100 577 544

Notes to the Financial Statements For the Year Ended 30 June 2023

4 Other Revenue and Income

Revenue from continuing operations

	2023	2022
	\$	\$
Revenue from contracts with customers (AASB 15)		
- Contributions and Grants received	1,200,574	1,142,528
- Program Fees	999,513	301,611
Total Revenue	2,200,087	1,444,139

	2023	2022
	\$	\$
Other Income		
- Government Income Assistance	-	40,000
Total Revenue and Other Income	2,200,087	1,484,139

Disaggregation of revenue from contracts with customers

The disaggregation of revenue from contracts with customers is as follows:

	2023	2022
	\$	\$
Timing of revenue recognition		
- At a point in time	999,513	301,611
- Over time	1,200,574	1,142,528
Revenue from contracts with customers	2,200,087	1,444,139

5 Finance Income and Expenses

Finance income

	2023	2022
	\$	\$
Interest income		
- Interest received	26,849	3,666
Total finance income	26,849	3,666

NATIONAL JUDICIAL COLLEGE OF AUSTRALIA

ABN: 20 100 577 544

Notes to the Financial Statements For the Year Ended 30 June 2023

6 Result for the Year

The result for the year includes the following specific expenses:

	2023	2022
	\$	\$
Other expenses:		
Employee benefits expense	837,569	739,342
Impairment of non-financial assets		

7 Cash and Cash Equivalents

	2023	2022
	\$	\$
Cash at bank and in hand	1,614,796	1,001,666
Short-term deposits	20,535	20,473
	<u>1,635,331</u>	<u>1,022,139</u>

8 Trade and Other Receivables

	2023	2022
	\$	\$
CURRENT		
Trade receivables	37,825	61,702
	<u>37,825</u>	<u>61,702</u>
Accrued Interest	840	840
	<u>38,665</u>	<u>62,542</u>
Total current trade and other receivables	<u>38,665</u>	<u>62,542</u>

9 Other Financial Assets

	2023	2022
	\$	\$
CURRENT		
Term Deposits	1,275,616	1,477,534
	<u>1,275,616</u>	<u>1,477,534</u>
Total	<u>1,275,616</u>	<u>1,477,534</u>

Notes to the Financial Statements

For the Year Ended 30 June 2023

10 Contract Balances

Contract assets and liabilities

The Company has recognised the following contract assets and liabilities from contracts with customers:

	2023	2022
	\$	\$
CURRENT		
Amount Received in Advance	706,740	667,060
Total current contract liabilities	706,740	667,060

The contract liabilities relate to the unspent grant and program funds. The milestones as per the grant and program agreement had not been satisfied during the year ended 30 June 2023 and therefore been carried forward to the next year.

11 Property, Plant and Equipment

	2023	2022
	\$	\$
PLANT AND EQUIPMENT		
Office equipment		
At cost	10,778	10,746
Accumulated depreciation	(9,551)	(9,551)
Total office equipment	1,227	1,195
Computer equipment		
At cost	7,826	7,826
Accumulated depreciation	(6,427)	(6,427)
Total computer equipment	1,399	1,399
Total property, plant and equipment	2,626	2,594

(a) Movements in carrying amounts

Movement in the carrying amounts for each class of property, plant and equipment between the beginning and the end of the current financial year:

	Office Equipment	Computer Equipment	Total
	\$	\$	\$
Year ended 30 June 2023			
Balance at the beginning of year	1,195	1,399	2,594
Additions			
Additions	32	-	32
Balance at the end of the year	1,227	1,399	2,626

NATIONAL JUDICIAL COLLEGE OF AUSTRALIA

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Notes to the Financial Statements For the Year Ended 30 June 2023

12 Other Non-Financial Assets

	2023	2022
	\$	\$
CURRENT		
Other assets	37,973	77,439
	<u>37,973</u>	<u>77,439</u>

13 Trade and Other Payables

	2023	2022
	\$	\$
CURRENT		
Trade payables	13,041	26,475
GST payable	4,744	17,848
Accrued Expenses	18,317	734
Super Payable	2,664	6,586
Employee related payables	47,932	35,640
	<u>86,698</u>	<u>87,283</u>

Trade and other payables are unsecured, non-interest bearing and are normally settled within 30 days. The carrying value of trade and other payables is considered a reasonable approximation of fair value due to the short-term nature of the balances.

14 Employee Benefits

	2023	2022
	\$	\$
Current liabilities		
Long service leave	15,138	11,981
Provision for employee benefits	53,371	35,045
	<u>68,509</u>	<u>47,026</u>

15 Reserves

(a) General reserve

The board have resolved that a reserve be created to account for the cost of operations in the event that the organisation is required to wind up. A term deposit with IMB Bank has been established to hold funds related to the reserve. The reserve is reviewed and adjusted accordingly on an ongoing basis.

16 Members' Guarantee

The Company is registered with the *Australian Charities and Not-for-profits Commission Act 2012* and is a Company limited by guarantee. If the Company is wound up, the constitution states that each member is required to contribute a maximum of \$ 1 each towards meeting any outstanding obligations of the Company. At 30 June 2023 the number of members was 12 (2022: 12).

NATIONAL JUDICIAL COLLEGE OF AUSTRALIA

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Notes to the Financial Statements For the Year Ended 30 June 2023

17 Key Management Personnel Disclosures

The remuneration paid to key management personnel of the Company is \$ 241,528 (2022: \$ 240,435).

18 Auditors' Remuneration

	2023	2022
	\$	\$
Remuneration of the auditor [Vincent's Assurance & Risk Advisory], for:)		
- Audit and Preparation of Financial Statements	12,002	10,505
Total	12,002	10,505

19 Contingencies

In the opinion of those charged with governance, the Company did not have any contingencies at 30 June 2023 (30 June 2022: None).

20 Related Parties

(a) The Company's main related parties are as follows:

Key management personnel - refer to Note 17.

Other related parties include close family members of key management personnel and entities that are controlled or significantly influenced by those key management personnel or their close family members.

21 Events After the End of the Reporting Period

The financial report was authorised for issue on 31 August 2023 by those charged with governance.

No matters or circumstances have arisen since the end of the financial year which significantly affected or may significantly affect the operations of the Company, the results of those operations or the state of affairs of the Company in future financial years.

22 Statutory Information

The registered office and principal place of business of the company is:

NATIONAL JUDICIAL COLLEGE OF AUSTRALIA
Building 5
ANU Law College Of Law
ACTON ACT 2601

NATIONAL JUDICIAL COLLEGE OF AUSTRALIA

ABN: 20 100 577 544


Responsible Persons' Declaration

The responsible persons declare that in the responsible persons' opinion:

- there are reasonable grounds to believe that the registered entity is able to pay all of its debts, as and when they become due and payable; and
- the financial statements and notes satisfy the requirements of the *Australian Charities and Not-for-profits Commission Act 2012*.

Signed in accordance with subsection 60.15(2) of the *Australian Charities and Not-for-profit Commission Regulation 2013*.

Responsible person  CS Kardor

Responsible person  Catherine Geason

Dated this 15th day of September 2023



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