



PART SIX ADMINISTRATION



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Images: Rosella Namok (1979-) Lockhart River Queensland, Today now ... we all got to go by same laws, 2003 acrylic on canvas. Collection of the High Court of Australia. Winner of the High Court Centenary Art Prize run in conjunction with the Australian Bar Association for the centenary of the Court, 6 October 2003. Marea Gazzard Bularri 1 stoneware receptacle.



Overview

Statutory provisions covering the administration of the High Court appear primarily in Part III of the High Court of Australia Act 1979 (Cth).

Of particular relevance are s 17 (administration of the Court), s 19 (functions and powers of the Chief Executive and Principal Registrar) and s 26 (officers and employees). The operations of the Registry, which is under the control of the Chief Executive and Principal Registrar, are provided for in Part IV of the Act. Part 5 deals with Court finances and accounts.

The High Court's executive team comprises the Manager Corporate Services Jeff Smart, the Court Librarian Petal Kinder, the Chief Executive and Principal Registrar Andrew Phelan, the Senior Registrar Carolyn Rogers, and the Senior Executive Deputy Registrar, Ben Wickham.

Chief Executive and Principal Registrar

Section 18 of the *High Court of Australia Act 1979 (Cth)* provides for the appointment by the Governor-General, upon the nomination of the Court, of the Chief Executive and Principal Registrar of the High Court. The Chief Executive and Principal Registrar holds office for such period, not exceeding five years, as is specified in the instrument of his or her appointment, but is eligible for re-appointment (s 20(1)).

The current Chief Executive and Principal Registrar, Mr Andrew Phelan, was appointed to the position on 20 July 2007.

The Chief Executive and Principal Registrar has the function of 'acting on behalf of, and assisting, the Justices in the administration of the affairs of the High Court under section 17 and has such other functions as are conferred on him or her by this Act or are assigned to him or her by the Court' (s19(1)).

The Chief Executive and Principal Registrar has power to 'do all things that are necessary or convenient to be done for or in connection with the performance of his or her functions' (s 19(2)).

In the performance of his or her functions and the exercise of his or her powers the Chief Executive and Principal Registrar shall comply with any directions given to him or her by the Court (s 19(7)).

Officers and employees

The Chief Executive and Principal Registrar may appoint such other officers and engage other employees as the Court considers necessary for the purposes of the Court (s 26(1) and (3)). The Court determines the terms and conditions of employment, including remuneration and allowances (s 26(4)). Employees of the High Court are not covered by the *Public Service Act 1999* (Cth). Further information about officers and employees of the Court is provided in the organisation chart following, in the Human Resources Management section of this Part below, and in [Annexure B](#).



The High Court's executive team, from left, Manager Corporate Services, Jeff Smart; Senior Registrar, Carolyn Rogers; Court Librarian, Petal Kinder; Senior Executive Deputy Registrar, Ben Wickham; and Chief Executive and Principal Registrar, Andrew Phelan.

High Court of Australia organisational chart as at 30 June 2011



External scrutiny

Section 42 of the *High Court of Australia Act 1979* (Cth) provides that the Court 'shall cause to be kept proper accounts and records of the transactions and affairs relating to the administration of the affairs of the Court under section 17 and shall do all things necessary to ensure that all payments out of the moneys held by the Court are correctly made and properly authorised and that adequate control is maintained over the assets held by, or in the custody of, the Court and over the incurring of liabilities by the Court'.

Section 43 of the Act provides for the Auditor-General annually to inspect and audit the accounts and records of the financial transactions of the Court and to draw the attention of the Attorney-General to any irregularity disclosed by that inspection and audit. During 2010–11 the Auditor-General did not conduct any performance audits involving the Court. Results of the Auditor-General's audit of the Court's 2010–11 financial statements, which can be found at Part Seven of this report, were reported to the Attorney-General on 6 September 2011. The report was unqualified and there were no significant issues arising from the audit.

Section 47 of the Act requires the Court, as soon as practicable after 30 June in each year, to prepare and submit to the Attorney-General a report relating to the administration of the affairs of the Court under s 17 during the year that ended on that 30 June, together with financial statements in respect of that year in such form as the Finance Minister approves. The Court's *Annual Report 2009–10* was submitted to the Attorney-General on 30 September 2010 and it was presented to the Parliament on 14 October 2010.

Registry

The Registry provides administrative services for the judicial activities of the Court and coordinates the case-flow management of the judicial workload of the Court.

The Senior Registrar and Deputy Registrars provide information and assistance to practitioners and self-represented persons on the jurisdiction, practice and procedure of the Court as contained in the Constitution, the *Judiciary Act 1903* (Cth) and the *High Court Rules 2004*. They supervise the issue of writs of summons, the filing of applications for constitutional writs in the original jurisdiction, and the filing of applications for leave or special leave to appeal and notices of appeal in the appellate jurisdiction of the Court.

The Principal Registry of the Court is situated in Canberra. Offices of the Registry are also located in Canberra, Melbourne, Sydney, Adelaide, Brisbane, Darwin, Hobart and Perth. The Canberra, Melbourne and Sydney Registries are staffed by officers of the Court. Registry functions in Hobart are performed by officers of the Supreme Court of Tasmania under ministerial arrangements. Registry functions in Adelaide, Brisbane, Darwin and Perth are performed by officers of the Federal Court of Australia by arrangement between the Chief Justices of the respective Courts.

The Registry Service Charter describes the function of the Registry and the standards of service that can be expected from the Registry staff. The Service Charter also provides a system for the resolution of complaints regarding the provision of Registry services. In accordance with the Service Charter, the Chief Executive Principal Registrar dealt, when necessary,

with complaints received during the reporting year. The Service Charter is available at the Registry in each capital city and on the Court's website, www.hcourt.gov.au.

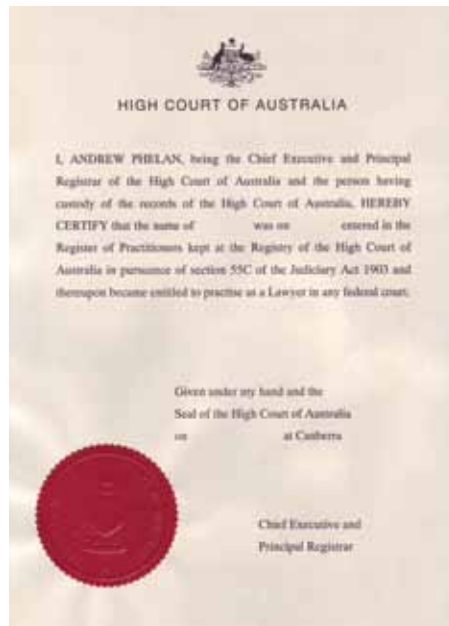
The Court has its own Court reporting service which provides an accurate transcript of the proceedings of the High Court for the use of the Justices. The High Court's transcript is a verbatim record of its proceedings and includes the full text of citations referred to by counsel during the hearings. The transcript is also made available, in paper form and electronically on the AustLII and BarNet websites to legal practitioners, litigants and other interested persons. The transcript is usually available within two hours of the Court rising each sitting day in Canberra. Transcripts of special leave applications and cases heard on circuit are available in paper form and on the website within a few days of the hearing. Transcripts dating back to 1994 are available on that site.

A total of 351 individual transcripts, containing 5 409 pages, was produced by the Court reporting service during 2010–11. This is similar to the number of transcripts produced by the Court reporting service during the 2009–10 reporting year.

When the Court delivers judgments, copies are immediately available from the Canberra, Melbourne and Sydney offices, and are provided to the parties and media free-of-charge. Additional copies can be purchased, at the fee prescribed in the *High Court of Australia (Fees) Regulations 2004*, by the parties and the public in the Canberra, Melbourne and Sydney offices of the Registry. This service is also provided if the Court delivers judgments when sitting in other cities. Judgments are also available on the AustLII and BarNet websites on the

day they are delivered by the Court and can be viewed and downloaded, worldwide, without cost. The Court published 240 special leave dispositions in 2010–11.

All legal practitioners in Australia who wish to practise in federal courts or State or Territory courts exercising federal jurisdiction are required to have their names entered in the Register of Practitioners maintained by the Chief Executive & Principal Registrar in Canberra. The Registry provides an information service to practitioners advising them of their entitlement to practise in federal courts and the procedure for having their name entered on the register. If required to, the Registry provides them with certificates to enable them to seek admission in other jurisdictions. The names of 2 646 new practitioners were added to the register in 2010–11.



Judicial workload

Cases filed

Comparisons of the number of cases filed in each Registry and the categories of cases filed during 2009–10 and 2010–11 are provided in the following table.

The number of cases filed has increased this year, with a total of 715 cases filed compared with 680 cases filed in 2009–10. The proportion of special leave applications filed by self-represented litigants during 2010–11 was 34% compared with 51% during 2009–10.

In 2010–11, 55% of the cases filed during 2010–11 were filed in the Sydney office of the Registry. The Melbourne office of the

Registry, which processed cases filed in Melbourne, Adelaide and Hobart, accounted for 25% of total filings in 2010–11. The Registry in Canberra processed cases filed in Canberra, Brisbane, Darwin and Perth, accounting for 20% of all filings.

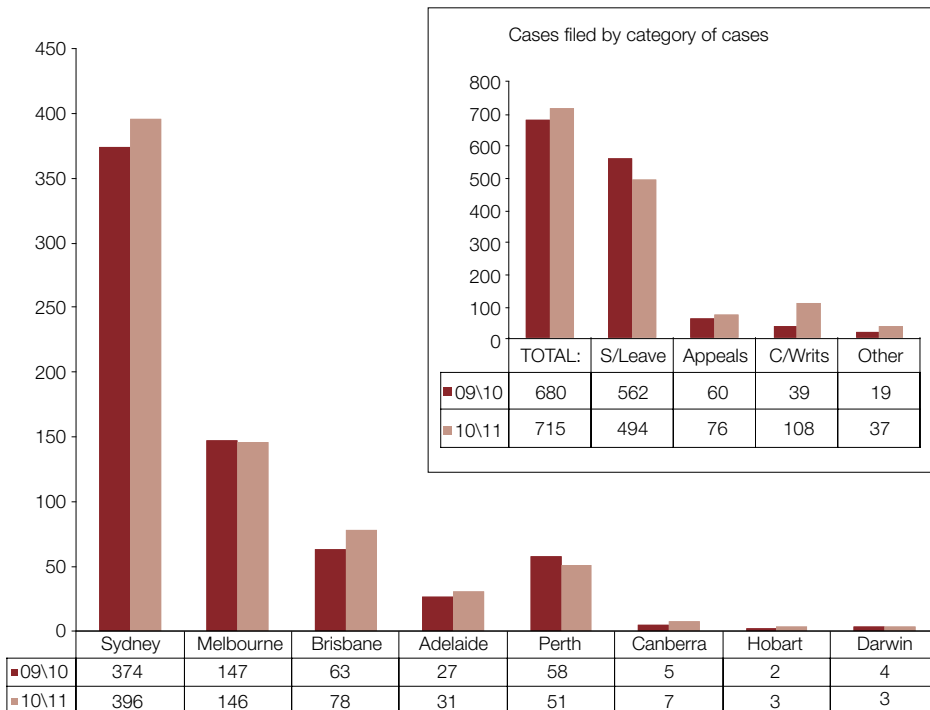
Cases decided

The top table on page 29 table compares the number of cases and categories of cases decided by the Court during 2009–10 and 2010–11.

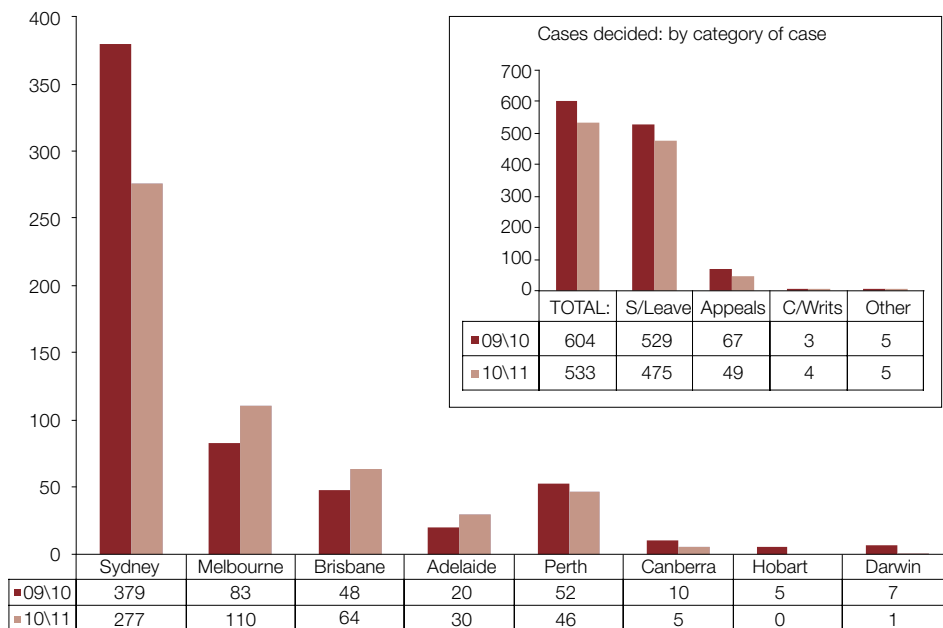
Pending cases

The number of cases pending in the Court at 30 June 2011 is recorded in the second table on page 29.

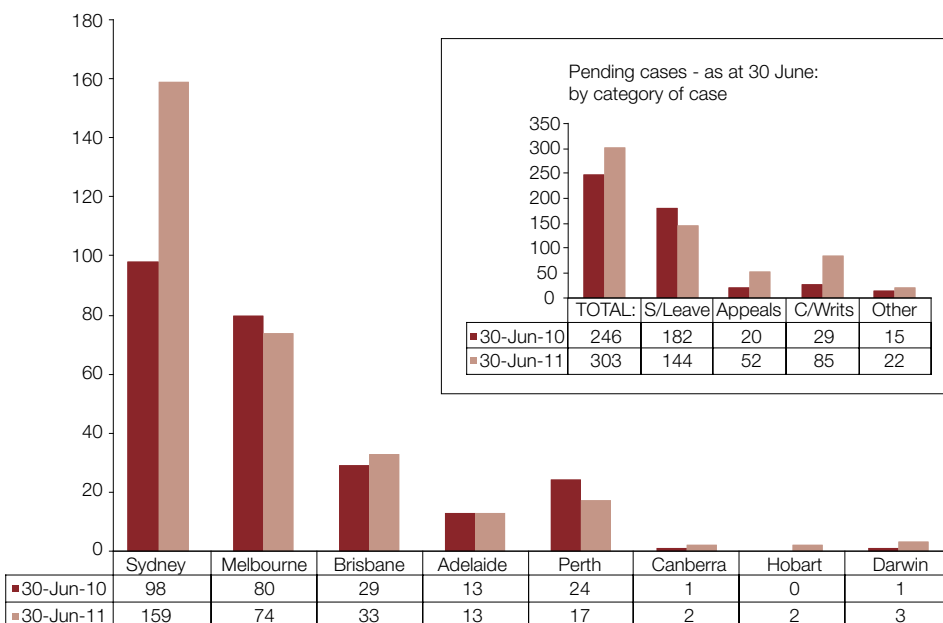
Cases filed by Registry



Cases decided: by Registry



Pending cases as at 30 June: by Registry



Original jurisdiction

Cases commenced in the original jurisdiction of the Court include applications made under s 75(v) of the Constitution against officers of the Commonwealth, applications for removal from other courts into the High Court pursuant to s 40 of the *Judiciary Act 1903* (Cth), cases stated, and references under s 18 of the *Judiciary Act*. Cases governed by these procedures include cases arising under the Constitution or involving its interpretation.

During the reporting year 145 cases were commenced in the original jurisdiction of the Court, compared with 58 in 2009–10. This increase is a result of the significant increase in the number of constitutional writs. Cases commenced in the original jurisdiction are generally listed before a single Justice of the Court in the first instance. Not all cases filed in the original jurisdiction proceed to hearing before the Full Court. Some cases are remitted to another Court for trial pursuant to s 44 of the *Judiciary Act*. In 2010–11, the Full Court delivered judgment in six cases filed in the original jurisdiction.

The Court sits as the Court of Disputed Returns to try petitions disputing the validity of elections or returns of persons to the House of Representatives or the Senate. These cases are usually determined by a single Justice or remitted to another Court for determination. There were 5 election petitions filed during the reporting year. Two of these petitions were withdrawn by the petitioner in this Court and three were remitted to the Federal Court of Australia. Of those three remitted, two were dismissed and one was withdrawn in the Federal Court.

Appellate cases finalised

The top table on page 31 compares how appellate cases were finalised during 2009–10 and 2010–11.¹

There were seven applications for special leave referred to the Full Court to be argued as if on appeal in 2010–11. Six of these matters have now been heard. The determination figures have been adjusted to reflect those final outcomes.

The *High Court Rules 2004* provide that the Court may determine leave and special leave applications on the papers without an oral hearing. In those cases, the applications are not listed for hearing but for pronouncement of orders and publications of reasons only. Of the applications decided in 2010–11, 50% were finalised without an oral hearing, compared with 59% in 2009–10.

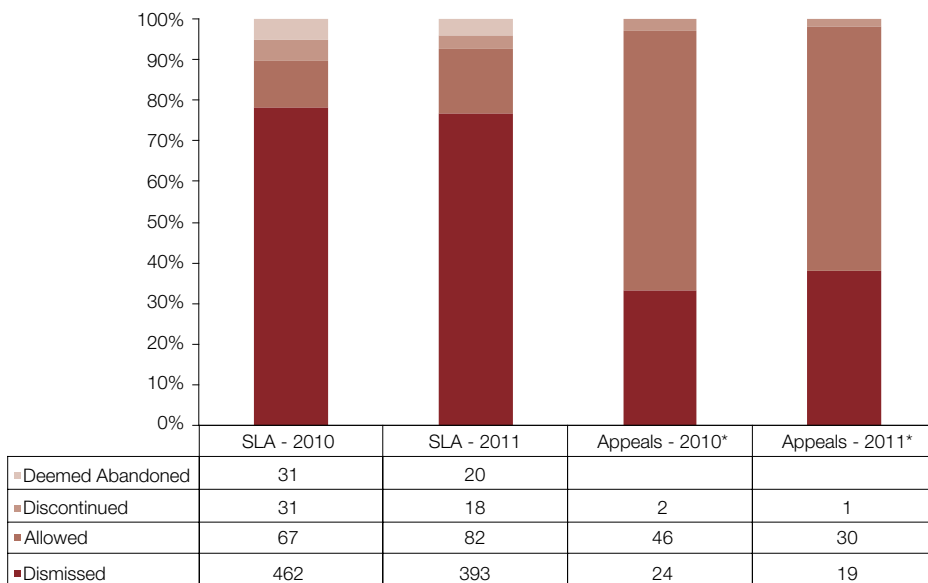
Appellate cases – time for determination

The provisions of Chapter 4 of the *High Court Rules 2004* impose time standards for the filing of applications for special leave to appeal and appeals. These provisions assist case-flow management by providing time standards for the various stages in the preparation of special leave applications and appeals. The second table on page 31 compares the periods of time taken for cases filed in the appellate jurisdiction of the Court during 2009–10 and 2010–11 to be determined.

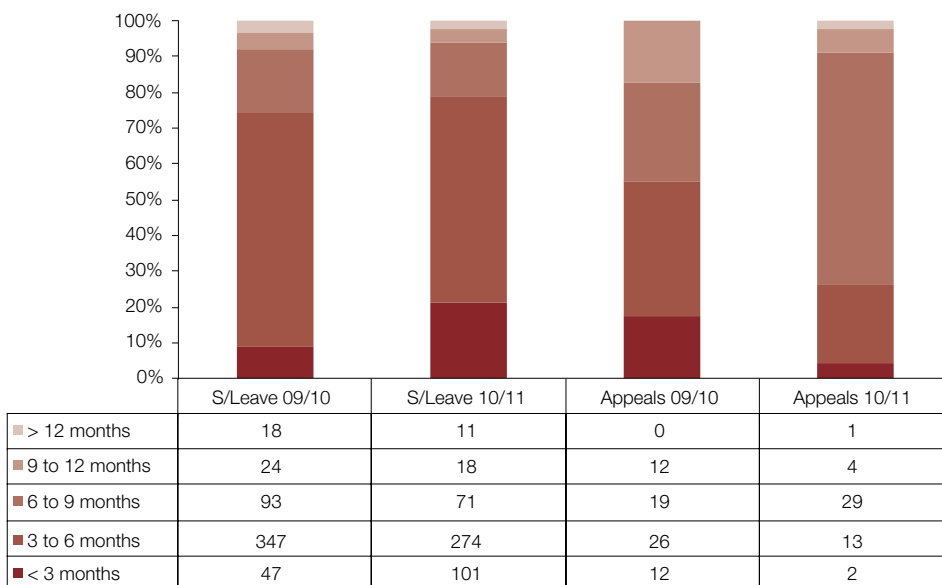
Ninety four per cent of the applications for leave or special leave to appeal, and 90% of the appeals decided by the Court during the reporting year were completed within nine months of filing. The figures for 2009–10 were 92% and 83% respectively.

¹ Deemed abandonment provisions only apply to special leave applications and do not apply to appeals

Means of determination: by applications and appeals



Time for determination: by applications and appeals



Rules of Court

The Justices have responsibility for making Rules of Court which prescribe the annual sittings of the Court, regulate all cases of practice and procedure in the Court, and prescribe the various forms to be used for proceedings of the Court.

The *High Court Rules* which govern the practice and procedure of the Court are kept under review by the Rules Committee. The Rules Committee consists of Justice Heydon AC (chair), Justice Crennan AC and Justice Kiefel AC. The Court consults with interested persons and organisations when any significant changes are contemplated to the Rules.

Rules of Court are made and promulgated as legislative instruments. Copies of the Rules are distributed to all legal publishers, law societies and bar associations immediately a Rule is made, and copies are available in all offices of the Registry and on the Internet for the information of the profession and the public.

During 2010–11 the Court made the following Rules of Court:

- Legislative Instrument F2010L02394 on 24 August 2010 – Annual sittings of the High Court
- Select Legislative Instrument No 240 of 2010 on 1 October 2010 – Amendment to change the procedures that govern the steps to be taken before the hearing of appeals and correct, update or clarify other parts of the Rules
- Select Legislative Instrument No 274 of 2010 on 2 November 2010 – Amendment to Schedule 2 (Costs)
- Legislative Instrument F2011L01372 on 23 June 2011 – Annual sittings of the High Court.

Cost of litigation

Court fees and charges

Fees and charges in the High Court form an integral part of litigation costs and are set by the *High Court of Australia (Fees) Regulations 2004* on the initiative of the Attorney-General. Fees payable for filing, issuing or sealing a document in an office of the Registry of the High Court, or for obtaining a document or service, are prescribed in Schedule 1 of the Regulations.

Until 31 October 2010 Regulation 9 of the *High Court of Australia (Fees) Regulations 2004* provided that persons in receipt of legal aid, persons who hold a concession card issued by Centrelink or the Department of Veterans' Affairs, inmates of prisons, children under the age of 18, persons in receipt of youth allowance or an Austudy payment, and persons in receipt of benefits under the ABSTUDY scheme, were exempt from payment of the filing fees and hearing fees associated with the proceedings in the High Court. Since 1 November 2010 these persons are required to pay the reduced fee of \$100 in each matter filed.

A person liable to pay a filing fee or a hearing fee may apply to the Registrar to have the two-thirds of the fee waived upon ground that payment of the fee would cause financial hardship to that person. A refusal by a Registrar to waive a fee may be reviewed by the Administrative Appeals Tribunal. There were three refusals to waive a fee in the reporting period.

During the reporting year 703 cases attracting a filing fee and/or hearing fees were filed in the Court. Of these, 172, or 24%, of cases were either fully exempt from payment of the fee (cases filed to

31 October 2010) or eligible for payment of the reduced fee (cases filed since 1 November 2010). The Registrar waived payment of two-thirds of the fee in 218, or approximately 31%, of cases. The filing

fees and hearing fees foregone in these 390 cases amounted to \$580 421. This is an increase from \$379 643 in the previous reporting year. The composition of this total is shown in the following table.

Record of non-payment of fees 2010–11

Reasons for non-payment	regulation	no.	amount
Legal Aid (exemption)	9(1)(a)	31	\$33 084
Holder of a concession card (exemption)	9(1)(b)(i) & (ii)	89	\$179 038
Prison inmate or person in lawful detention (exemption)	9(1)(b)(iii)	49	\$52 847
Child under the age of 18 years (exemption)	9(1)(b)(iv)	2	\$4 048
Youth allowance or austudy payment recipient (exemption)	9(1)(b)(v)	1	\$1 974
ABSTUDY recipient (exemption)	9(1)(b)(vi)	0	0
Financial hardship (waiver of two-thirds fee)	10	218	\$309 430
TOTAL		390	\$580 421

Professional costs

The allowable professional costs of, and incidental to, the steps in proceedings in the High Court are contained in the Second Schedule to the *High Court Rules* 2004. The *High Court Rules* provide for an estimate of costs as an alternative to the taxation of bills of costs. Such an estimate is made in the absence of the parties and, if the parties do not object in accordance with the Rules, a Certificate of Taxation is issued for the amount of the estimate. As a result the need for bills of costs to be taxed with the attendance of the parties has been substantially reduced.

Library and Research

The Court has a Library Committee, which is chaired by Justice Gummow AC and includes Justice Hayne AC, Justice Heydon AC, the Chief Executive and Principal Registrar and the Court Librarian.

Functions

The functions of the Library and Research Branch are to:

- assemble and maintain collections to assist the Court in its work
- provide high quality reference and research services to the Court
- provide library facilities to legal practitioners appearing before the Court
- publish bulletins to inform the legal profession and the public about progress in cases before the Court

- maintain links with other libraries and information sources to supplement the reference and research material in the Court's collection
- devise and implement systems supporting reference and research services.

Library materials budget

The library's acquisitions and subscription costs remained within budget during the year. Subscription rates, particularly for on-line subscriptions, have continued to rise above rates of inflation, although these were moderated to some extent by the relative strength of the Australian dollar during the year.

Reference and research

Legal Research Officer

During the year the Legal Research Officer undertook research and analysis on a variety of legal issues at the direction of the Justices and the Chief Executive and Principal Registrar. The Legal Research Officer also produces the *High Court Bulletin*, which provides information to the public about cases before the Court, and the *Overseas Decisions Bulletin*, which provides information to the Justices about relevant decisions from overseas jurisdictions.

Authorities

The library is responsible for ensuring that the Court has available to it during hearings in Canberra the range of authorities relied upon in arguments. During the year, the library provided authorities to the Justices for 60 hearings.

The library provides assistance to counsel when they appear before the Court. This might range from inquiries about retrieving material to more complicated queries, such as researching legislative history.

Collection development and organisation

Acquisitions

The following table provides the number of volumes held on each level of the library and the total number of volumes held in Canberra.

Location	Number of volumes
Level 9	42 877
Level 8	61 207
Bar library	17 305
All Canberra chambers	19 137
Level 7	7 455
Total	147 981
Acquisitions	
Books purchased	307
New online subscriptions	6

Special projects

During 2010–11 the Library and Research branch undertook special project work. The project continues into the 2011–12 financial year. The Binding of Bills and Explanatory Memoranda project involves the binding of loose Australian bills and explanatory memoranda into bound volumes for each Parliamentary session. This is done to prevent the loss of material and facilitate

retrieval. Thirty-nine volumes were bound during the year. This comprised: three volumes for each of the sessions 1917–1919, 1920–1921 and 1922; five volumes for the session 1923–1924; one volume for 1925; six volumes for the session 1926–1928; one volume for 1929; six volumes for 1932–1934 and 1934–1937; and five volumes for 1937–1939. Work continues concurrently on binding old bills and explanatory memoranda, some of which are very fragile, and more recent bills and explanatory memoranda. When this project has been completed, an important, comprehensive resource on Australian legislation will be available to the Court.

Inter-library loans

Over 700 inter-library loans were processed by the library during the year.

The library joined the Libraries Australia Document Delivery (LADD) scheme during the year.

Unreported judgments 2010–11

The Unreported Judgments project resumed during the year and will continue to ensure that all of the judgments of the Court are available, eventually online.

Library systems and electronic services

Catalogue upgrades

In November 2010 the library implemented a book images service. The aim of this service is to add value to catalogue searches through the availability of metadata in the form of tables of contents and book summaries. The Court's licensed

Millennium software was upgraded successfully in December 2010.

The library also implemented a WebPac Pro Refresher service providing for improved accessibility of the library catalogue through intuitive search functionality and relevance ranking.

Digitisation of the Legal Research Officers' papers

The library has a special collection of over 1 300 papers written by the Legal Research Officers to support the work of the Court. Digitisation of these papers commenced in May 2010 and was completed at the end of July 2010. The files are hosted on a digital repository platform and are discoverable via an unrestricted catalogue search (available to Court staff only) with a direct link to the scanned research paper in a pdf format. This collection is now fully digital and will continue to grow as new papers are added to the repository and the catalogue search.

Electronic collections via eResources portal

In February 2011 the library implemented an eResources Search portal enabling easy access and discovery of the library's electronic holdings for Court staff.

The ability to allow seamless discovery of online collections via subscribed databases and Google Scholar search is also part of this resource.

Library web publications

Traditionally, the library makes two of its publications publicly available: the High Court Bulletin with its full archive which is published on the AustLII and BarNet websites, and

the current year's new books notification service which is published on the library section of the Court's web site. As of 2011, the *Bulletin* is available in both PDF and RTF formats on the Court's web site. RSS feeds are published for both of these publications enabling the legal profession and wider public to subscribe to these services.

Activities of the Court Librarian and senior staff

The Court Librarian, Ms Petal Kinder, was appointed President of the International Association of Law Libraries (IALL) at the 29th Annual Course of Law Librarianship in The Hague in September 2010. The appointment is for a term of three years. In this capacity she attended the IALL Board Strategic Planning meeting in London in April 2011.

Ms Petal Kinder was co-convenor of the joint conference hosted by the Australian Association of Law Librarians (ALLA) and the New Zealand Association of Law Librarians (NZLLA) held at the Law Faculty, University of Melbourne, in September 2010. Ms Rosemary Nicholson, Deputy Court Librarian, attended the conference.

Mrs Renata Dyer, Manager, Systems and Electronic Services presented a paper at the annual conference of the Australasian Innovative Users Group in Perth in November 2010.

The Court Librarian and Ms Margaret Hutchison, Manager, Technical Services and Collection Development attended the 7th Australian Institute of Judicial Administration (AIJA) Court Librarians' Conference in April 2011 in Melbourne. Ms Kinder facilitated sessions on budgets and dealing with major publishers and consortia. Ms Hutchison facilitated a session on handling authorities for courts.



Corporate services

Corporate Services comprises the financial, human resources, information technology, security and building operations for the Court.

Finance Committee

The Court has a Finance Committee which:

- reviews and, where appropriate, makes recommendations to the Court on Court budgets
- monitors and reports to the Court on expenditure against budgets
- reviews and adopts annual financial statements prior to their signing by the Chief Executive and Principal Registrar
- reviews and advises where necessary on processes for identifying and managing financial business risks, including appropriate risk management, audit and fraud control frameworks
- considers building strategies and projects.

The Finance Committee is chaired by Chief Justice French AC and includes Justice Hayne AC, Justice Kiefel AC and the Chief Executive and Principal Registrar. It met regularly during the year.

Internal audit

The Court's internal audits are performed by a contracted auditor. During 2010–11 the internal auditor completed reviews of:

- financial management information system implementation
- business continuity planning
- financial controls
- IT general controls.

Risk management

During 2010–11 the Court completed:

- security risk assessments
- an art collection management plan
- a workforce assessment plan
- a review of venue and safety information and procedures for visits by school groups.

In February 2011 the Court tested its business continuity plan.

Fraud control

During 2010–11 the Court continued to implement mitigation strategies identified in the Fraud Risk Assessment and Fraud Control Plan adopted in July 2009. There were no reported allegations of fraud during 2010–11.

Financial management

The Court's estimates for 2010–11 (inclusive of a deficit) were approved by the Attorney-General under s 36(1) of the *High Court of Australia Act 1979* (Cth).

Justices' remuneration and allowances are paid out of special appropriations. These are administered by the Attorney-General's Department and do not form part of the Court's financial statements in Part Seven.

In the May 2011 Commonwealth Budget the Government announced additional ongoing operating funding of \$6.1m over four years.

Financial results

In 2010–11 the Court received an operating appropriation of \$13.017m and incurred an operating deficit, excluding unfunded depreciation expenses, of \$0.412m.

In 2010–11 the Court received an equity injection of \$8.731m including \$4.330m funding to rectify safety and structural issues with the forecourt and precinct.

The audited financial results for 2010–11 are in Part Seven.

Financial management information system

In July 2010 the Court began using a new financial management system (FMIS) with general ledger, bank reconciliation, accounts payable, accounts receivable and asset modules. This was implemented in less than ten weeks while continuing to meet operating and reporting requirements.

During 2010–11 the Court also implemented a budgeting module to improve the development and monitoring of internal budget allocations. In May 2011 the Court began planning to implement a travel module to improve travel expense approval, expense payments and acquittal processes.

Consultants

During 2010–11 the Court entered into 23 consultancy contracts with a total value of \$282 801 (including GST).

Contracts with a total value of \$10 000 or more (including GST) were:

Name	Description	Contract Price
Penleigh Boyd	architectural services to rectify structural and safety issues	\$71 750
WorkLogic	code of conduct review	\$36 420
Centre for Public Management	health and safety review	\$35 975
AFP	development of security management plan	\$26 000
Wise Workplace	code of conduct review	\$21 950
Benmax	assessment and report on air conditioning issues	\$13 700
Psarn Security	cyber security threat analysis	\$12 800
Intravision	cabling audit report	\$10 580
Australian Valuation Office	asset valuation report	\$10 000
Total		\$239 175

Contract management

During 2010–11 the Court entered into a new travel management services contract using the whole of Government travel services panel contract. In April 2011 the Court's outsourced payroll services contractor advised the Court that it would not provide the contracted services from 1 July 2011. The Court has entered into an agreement with another contractor to provide outsourced payroll services from 1 July 2011.

Human resource management

Terms and conditions of employment

High Court staff are employed under the *High Court of Australia Act 1979* (Cth). Section 26(4) of the Act provides for the terms and conditions of Court staff to be determined by the Court. These terms and conditions are generally similar to those applying in the Australian Public Service. No High Court staff member received performance pay during 2010–11.

Staffing overview

Tables giving an overview of the numbers of employees in full time, part time and casual employment and the composition by gender and salary classification are at [Annexure B](#).

Occupational health and safety

The Court has a comprehensive occupational health and safety policy that meets the requirements of the *Occupational Health and Safety (Commonwealth Employment) Act 1991* (Cth). The policy outlines the mechanisms required for a healthy and safe working environment with an emphasis on procedures for resolving health and safety issues.

During 2010–11 the Occupational Health and Safety Committee (OH&S Committee) met three times. This Committee provides an opportunity for employees to raise any issues they have about personal and workplace safety. Designated Workplace Representatives are encouraged to consult within their areas prior to and after OH&S Committee meetings.

Information about the Court's health and safety arrangements, OH&S Committee minutes and a register of OH&S issues can be accessed by employees from the Court's intranet.

During 2010–11 the Court provided employees with the opportunity to receive influenza vaccinations. The Court also sponsored 21 employees in the Global Corporate Challenge Programme aimed at promoting healthy levels of physical activity.

The Court maintained temporary fencing during 2011–11 in the Court precinct for

areas that were assessed as a high safety risk. Funding to address these safety risks was announced in the May 2010 Commonwealth Budget.

Other initiatives undertaken during 2010–11 to ensure the health, safety and welfare at work of employees and contractors included:

- a health and safety review
- personal development lunch time seminars
- encouragement for staff to use services provided by the Court's employee assistance provider
- defibrillator training
- the reporting of ongoing road safety concerns to the National Capital Authority.

During 2010–11 the following OH&S incidents occurred:

- one that required the Court to provide information to Comcare under s 68 of the *Occupational Health and Safety Act 1991* (Cth)
- ten minor incidents
- five new workers compensation claims
- three new safety issues that were raised by staff through the OH&S Committee.

As at 30 June 2011 ongoing issues included:

- one continuing workers compensation claim that relates to an injury prior to 1 July 2010
- one continuing workers compensation claim for an injury reported in 2010–11
- three safety issues notified to the OH&S Committee which were unresolved

Information technology

Information Technology (IT) Committee

The IT Committee is chaired by Justice Hayne AC and includes Chief Justice French AC and the Chief Executive and Principal Registrar. It met regularly during the year.

Initiatives

The Court's IT Services section delivered several significant initiatives during 2010–11.

Enterprise backup system

In November 2010 a consolidated enterprise backup system based on CommVault software was implemented. This has allowed the retirement of several disparate backup technologies and greatly simplified the administration and maintenance of the Court's data backup regime. Improved arrangements for the secure, off-site storage of backups were also implemented.

Internet site redevelopment

A new internet site for the High Court of Australia www.hcourt.gov.au was launched in December 2010. The Court's website had for some time been hosted externally by the Australasian Legal Information Institute (AustLII). The new website runs on the Court's own web server allowing greater control not only for matters of day to day maintenance of the site, but also in terms of further developing the site. The fresh look and feel of the new site is designed to enhance usability, making it easier to find information. It has also been designed to comply with modern web standards including, importantly, W3C guidelines for accessibility.

Electronic document and records management

In January 2011 a major upgrade to the Court's version of the records management software TRIM was implemented. This involved a replacement of server hardware and deployment of TRIM as a full electronic document and records management system.

Infrastructure upgrades

Other key upgrades during 2010–11 included replacement of the Court's primary file and print server in addition to replacement of all network switching equipment in interstate offices.

Data centre relocation

During 2010–11 the Court began planning to relocate its data centre in its Canberra building. This will address existing climate control issues and provide greater flexibility in locating staff within the building.

Courtroom technology replacement

A major project to replace progressively all of the audio visual technology supporting the three Canberra courtrooms has been initiated. The project will also include reviewing and making any necessary improvements to newer courtroom facilities in Melbourne and Sydney. Some initial work has been undertaken in relation to moving to IP (Internet Protocol) based video conferencing which provides improved video quality and reliability but at a significantly lower cost than the Court's existing ISDN (Integrated Services Digital Network) links. The Court has also commenced planning for the replacement of an outdated system used for the internal distribution of vision from the three courtrooms. The replacement will be based on Internet Protocol Television (IPTV) and is expected to improve

significantly the manner in which vision from the courtrooms is distributed throughout the Canberra building and interstate.

Office 2010

Planning has commenced for an update to the desktop standard operating environment including the migration from Microsoft Office 2002 to Office 2010. An initial step has been to establish appropriate software licensing for Office, utilising the Australian Government's Volume Sourcing Arrangement.

Building operations

Conservation Management Plan

During 2010–11 the Court invited public comment on a draft Conservation Management Plan. The Court received five responses.

The Court took into account received comments and provided the final plan to the Department of Sustainability, Environment, Water, Population and Communities in May 2011.

The Department wrote to the Court in June 2011 to advise that the Conservation Management Plan appeared consistent with the *Environmental Protection, Biodiversity and Conservation Act 1999* (Cth), subject to some minor suggested amendments.

Rectification of safety and structural issues

In the May 2010 Commonwealth Budget, the Court received \$4.5m in capital funding to address significant occupational health and safety and structural issues in the High Court building forecourt, surrounding precinct and cascade waterfall.

The projects completed during 2010–11 were:

- stabilisation of soil embankments under the forecourt and cascade waterfall
- repair of paving adjacent to the north-east corner of the building
- repair and upgrade of the amphitheatre and prototype building area to the west of the forecourt.

The Court was unable to find an Australian tile manufacturer to produce paving tiles to match the existing heritage paving tiles. After an extensive search the Court found a small Italian tile factory with the ability to manufacture paving tiles consistent with the existing tiles. The new tiles were ordered and delivered in 2010–11, enabling repairs to commence.

Rectification projects in progress as at 30 June 2011 include:

- repair and refurbishment of the cascade waterfall (including installation of rainwater tanks)
- rectification of the Court forecourt's interface with the National Portrait Gallery, which had been left unfinished when the National Portrait Gallery was constructed.

The Court has submitted works approval requests with the National Capital Authority to rectify the general western forecourt area.

Removal of asbestos containing material

A non-destructive asbestos survey conducted in 2009 included a recommendation to remove asbestos-containing air conditioning reheat units. Air quality testing confirmed that there was no immediate safety concern.

During 2010–11 the Court removed the identified units from four levels of the Court building. It is anticipated that units on the last two levels will be removed in 2011–12.

Contractors also identified asbestos material when repairing and upgrading the amphitheatre and prototype building areas of the Court's forecourt. A licensed asbestos removalist removed this material consistent with the *Code of Practice for the Safe Removal of Asbestos*.

During 2010–11 the Court also replaced all asbestos-containing external fire doors.

The Court's Asbestos-Containing Material Register has been updated to record these activities.

Building security

During 2010–11 the Court engaged with the Attorney-General and the Australian Federal Police on strategies to improve Court security. Those efforts were continuing as at 30 June 2011.

High Court art collection

During 2010–11 the Court engaged a consultant to undertake a condition audit of the Court's art collection and to provide advice on preventative treatment. This advice was used to take immediate remedial action and to prepare a preventative maintenance schedule.

During 2010–11 the Court lent a painting by Euan McLeod to the Tweed River Art Gallery for a touring exhibition.

Based on advice from an art conservation consultant, the Court restored the coats of arms on both the northern and southern glass walls of the Court building.

Other building projects

Other building projects undertaken in 2010–11 included:

- upgrading the Canberra registry counter
- installing new archival storage facilities
- auditing and improving the documentation for the original building plans
- replacing existing security cameras
- resealing windows on the western wall of the Court building
- repainting Courtrooms 2 and 3.

Public education and visitor programs

As mentioned in Part Four, the Court has in place a number of public education and visitor programs. Initiatives during 2010–11 comprised:

- developing the Court's approach to civics education and the Australian curriculum
- approving the development of a range of on-line educational resources in partnership with education professionals (for example, a new activity book for primary school students is accessible on the Court website)
- welcoming student artists and others to interpret the architectural features of the building in drawings
- introducing visitor feedback forms for school visits and distributing a range of marketing materials to bus tour companies and schools
- participating in the National Capital Civics Education Group
- hosting and participating in an assessment workshop for ACT college legal and political studies teachers

- hosting a Court guided tour and lunch for the Australasian Court Educators Group
- staffing a stall at a 'Keys to Canberra' market for new ACT primary school educators.

The Court's administration continues to participate in the National Capital Educational Tourism Project and to respond to requests for educational material.

The Court's administration works collaboratively with institutions in the Parliamentary Zone to pursue common interests in civics education. During 2010–11 the Court collaborated on initiatives with the National Archives of Australia (Constitution Day 2010), the National Gallery of Australia (National Heritage Week 2011), and the Museum of Australian Democracy (rule of law theme). Staff also attended bi-monthly meetings of the National Capital Civics Education Group. The latter comprises middle-level managers from cultural institutions and attractions in the Parliamentary Zone who have an interest in civics education and meet to share ideas and information and collaborate on projects as appropriate.

The Court encourages visitors to appreciate the values of the precinct through its educational tours, and by hosting diverse public events. As noted above, the heritage values of the precinct were celebrated during Australian Heritage Week 14–20 April 2011. Program funding of \$7 538.79 was provided by the Department of Sustainable Environment, Water, Population and Communities on a competitive application basis. The Court also hosted exhibitions and concerts in the spectacular public hall during 2010–11 as follows:

- a Flora and the Law exhibition developed in partnership with the CSIRO and Australian National Botanical Gardens for Floriade 2010 (13 September–11 October 2010)
- an AusAID funded exhibition on Women and War (14 October–5 November 2010)
- a Canberra Institute of Technology photography exhibition for graduating and other students (1–9 December 2010)
- an exhibition of drawings of the Court by Ms Karina Edwards, an artist and Court Guide Supervisor (4–29 April 2011)
- an Embassy of Ecuador exhibition of photographs of the Galapagos by Fernando Espinosa Chauvin (3–20 May 2011).

The Court also hosted a series of free public Sunday concerts, including performances by:

- Springtide (10 October 2010)
- String Theory – an ANU quartet (17 October 2010)
- singers from the Fiji Methodist Church Choir (21 November 2010)
- Len Mahemoff and Shirley Politzer OAM, on the History of Jewish Music in Europe (10 April 2011)
- Dirk Zeylmans trio (17 April 2011).

Amazing Space, an ACT Chapter of the Australian Institute of Architects and Canberra International Musical Festival event, was held on 13 May 2011.