



## PART SIX ADMINISTRATION

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*The Constitution wall mural on the northern wall of the public hall designed by Jan Senbergs reflects the history, function and aspirations of the Constitution and the High Court.*  
Image Spectrum Graphics



## Overview

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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 section 17 (administration of the Court), section 19 (functions and powers of the Chief Executive and Principal Registrar) and section 26 (officers and employees).

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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 V deals with Court finances and accounts.

### Chief Executive and Principal Registrar

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Section 18 of the Act provides that there shall be a 'Chief Executive and Principal Registrar of the High Court, who shall be appointed by the Governor-General upon the nomination of the Court'. 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 such other functions as are conferred on him or her by this Act or are assigned to him or her by the Court' (section 19(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' (section 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 (section 19(7)).

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 (section 20(1)).

## 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 (section 26(1) and (3)). The Court determines their terms and conditions of employment, including remuneration and allowances (section 26(4)). Employees of the High Court are not covered by the *Public Service Act* 1999 (Cth).

## 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 shall cause to be kept'.

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. Results of the Auditor-General's audit of the Court's 2009–10 financial statements, which can be found at Part VII of this report, were reported to the Attorney-General on 3 September 2010. The report was unqualified and there were no significant issues arising from the audit.

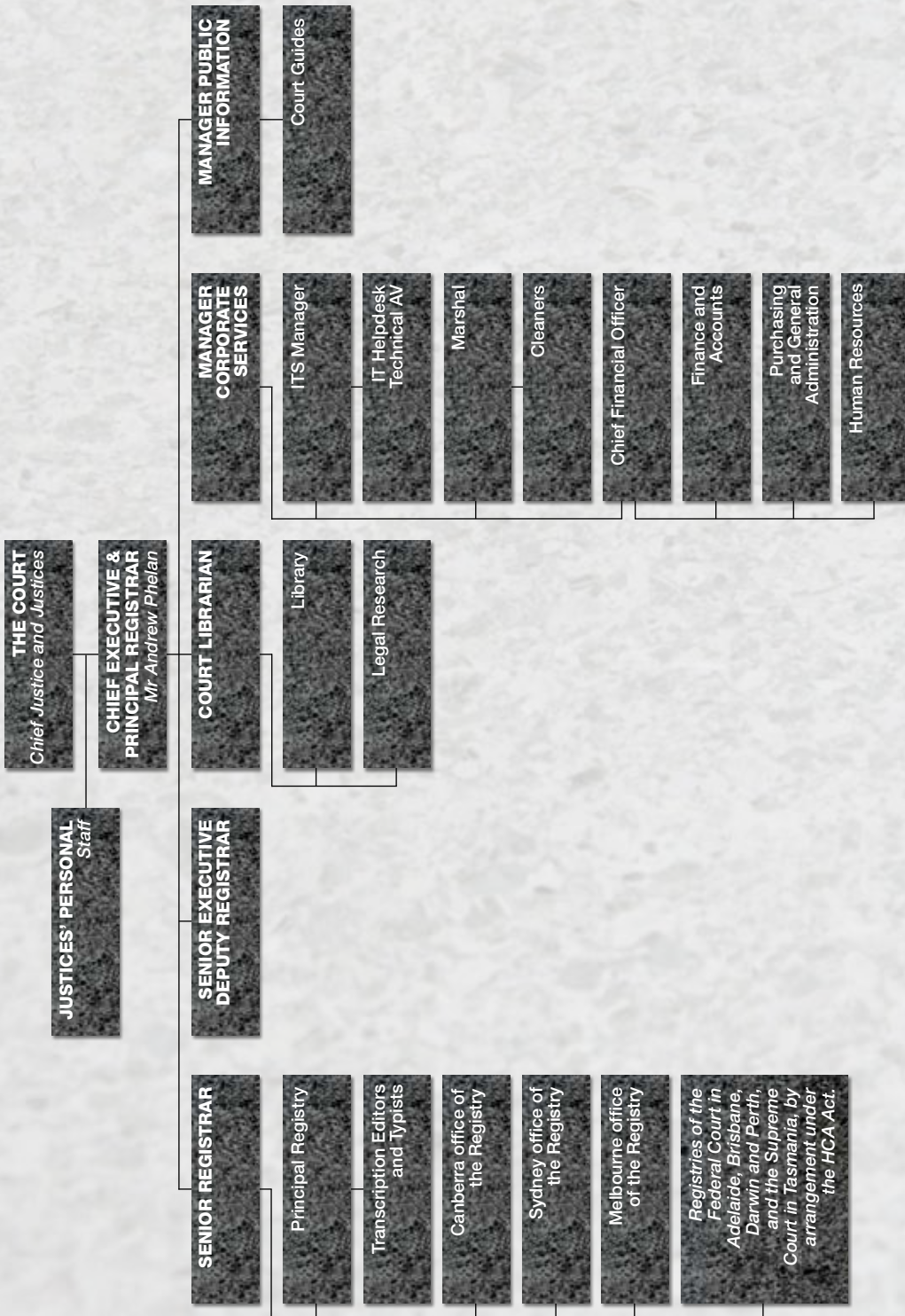
During 2009–10 the Auditor General did not conduct any performance audits involving the Court.

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 section 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 2008–09 Annual Report was submitted to the Attorney-General on 27 November 2009 and it was tabled out of session on 11 December 2009.



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

# High Court of Australia Organisational Chart as at 30 June 2010



## Registry

The Registry provides administrative services and coordinates the case-flow management for the judicial activities 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 and the filing of applications for constitutional writs in the Court's original jurisdiction and the filing of applications for leave or special leave to appeal and notices of appeal in the Court's appellate jurisdiction.

The Principal Registry of the Court is 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 and 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](http://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 website at <http://www.austlii.edu.au/au/other/hca/transcripts/> 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 Court's website within a few days of the hearing. Transcripts dating back to 1994 are available on that site.

The Court reporting service produced a total of 358 individual transcripts with a total of 6 950 pages during 2009–10. This represents a slight increase in the number of transcripts produced by the Court reporting service during the 2008–09 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 website at <http://www.austlii.edu.au/au/cases/cth/HCA/> on the day they are delivered by the Court and can be viewed and downloaded, worldwide, without cost. The Court also publishes dispositions in applications for leave or special leave to appeal determined on the papers. The dispositions are available on the AustLII website at <http://www.austlii.edu.au/au/cases/cth/HCASL/>. The Court published 311 special leave dispositions in 2009–10.

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 and Principal Registrar in Canberra. The Registry provides an information service to practitioners advising them of their entitlement to practise in federal courts, the procedure for having their name entered on the register and, if required, providing them with certificates of good standing to enable them to seek admission in other jurisdictions. The names of 3 417 new practitioners were added to the register in 2009–10, which is a significant increase from the 2 104 names added in 2008–09.

## Judicial workload

### Cases filed

The table below compares the number of cases filed in each Registry and the categories of cases filed during 2008–09 and 2009–10.

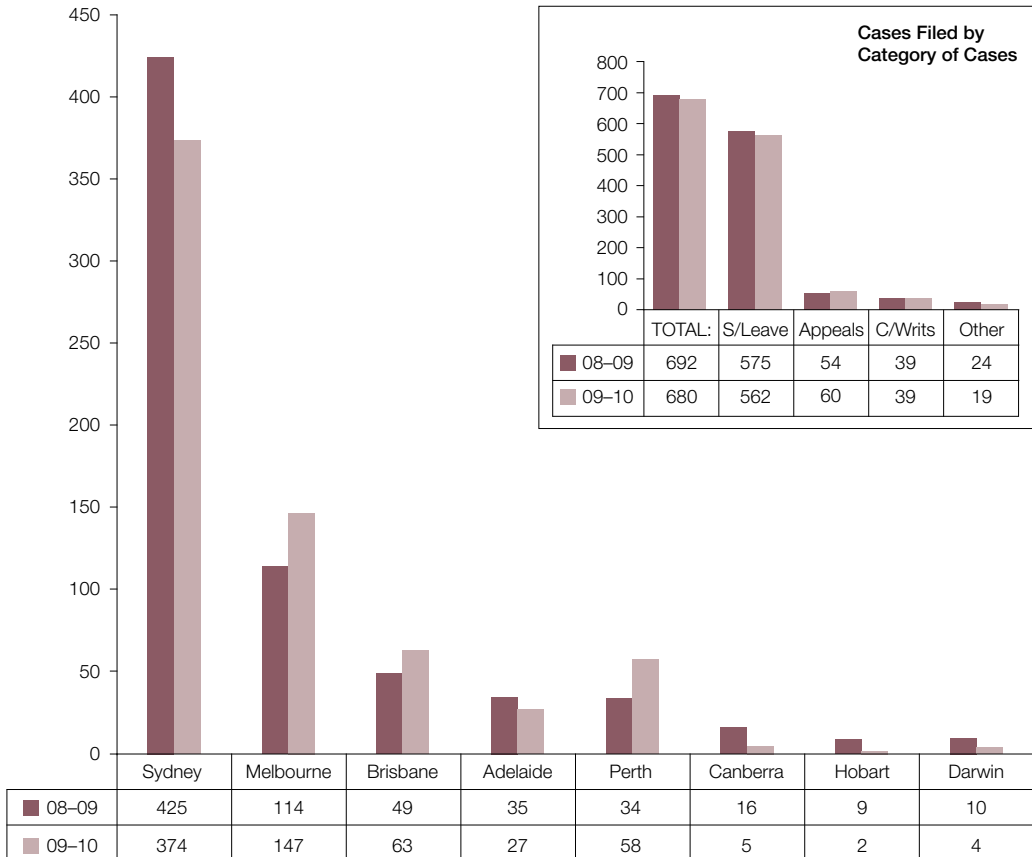
The number of cases filed has decreased slightly, with a total of 680 cases filed in 2009–10 compared with 692 in 2008–09.

The proportion of special leave applications filed by self-represented litigants during 2009–10 was 51 per cent.

In 2009–10, 55 per cent of the cases were filed in the Sydney office of the Registry.

The Melbourne office of the Registry, which

### Cases Filed by Registry



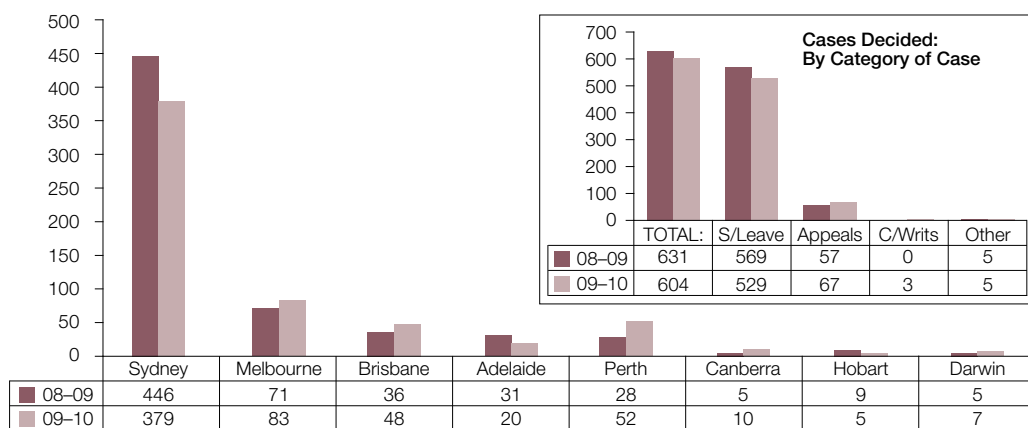
Key to abbreviations in inset graph: 'S/Leave' is special leave, 'C/writs' is constitutional writs

processed cases filed in Melbourne, Adelaide and Hobart, accounted for 26 per cent of total filings in 2009–10. The Registry in Canberra processed cases filed in Canberra, Brisbane, Darwin and Perth, accounting for 19 per cent of all filings.

### Cases decided

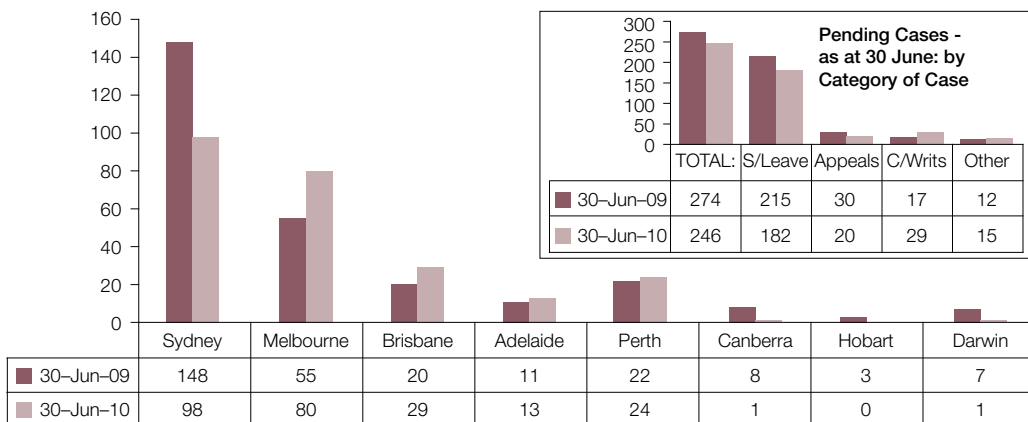
The following table compares the number of cases and categories of cases decided by the Court during 2008–09 and 2009–10:

#### Cases decided: by registry



Key to abbreviations in inset graph: 'S/Leave' is special leave, 'C/writs' is constitutional writs.

#### Pending cases as at 30 June: by registry



Key to abbreviations in inset graph: 'S/Leave' is special leave, 'C/writs' is constitutional writs.

to section 40 of the *Judiciary Act* 1903 (Cth), cases stated, and references under section 18 of the *Judiciary Act*. Cases governed by these procedures include cases arising under the Constitution or involving its interpretation.

During the reporting year 58 cases were commenced in the original jurisdiction of the Court, compared with 56 in 2008–09. These cases 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 section 44 of the *Judiciary Act*. In 2009–10, the Full Court delivered judgment in five 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. No election petitions were filed during the reporting year.

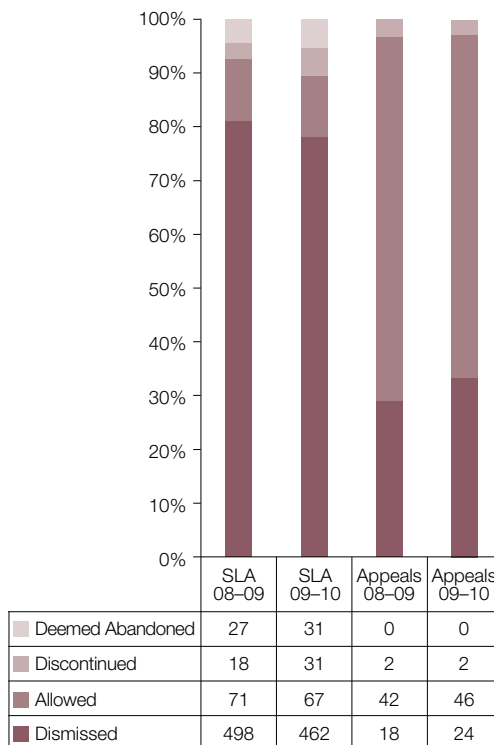
### Appellate cases finalised

The table below compares how appellate cases were finalised during 2008–09 and 2009–10.

The number of appeals allowed during the reporting year includes two appeals allowed by consent and the number of appeals dismissed includes one appeal dismissed by consent. These three appeals are not included in the total number of appeals recorded earlier in this report as decided by the Court during 2009–10.

There were seven applications for special leave referred to the Full Court to be argued as if on appeal in 2009–10. Four of these matters have now been heard. The determination figures have been adjusted to reflect those final outcomes. Any appeals that were allowed *instanter* immediately have been recorded in the period that the decision was recorded by the Full Court.

### Means of determination: by applications and appeals

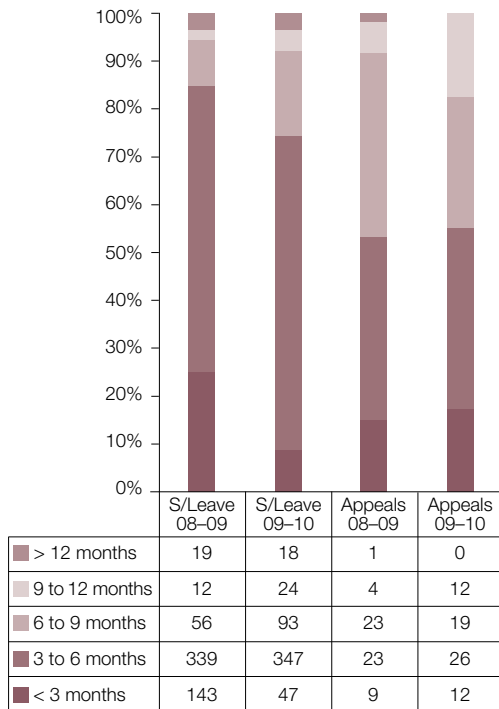


The High Court Rules 2004 provide that the Court may determine leave and special leave applications on the papers without an oral hearing. In those cases, the applications are not listed for hearing but for pronouncement of orders and publications of reasons only. Fifty-nine per cent of the applications decided in 2009–10 were finalised without an oral hearing, compared with 66 per cent in 2008–09.

### 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. This assists case-flow management. The following table compares the periods of time taken for cases filed in the appellate jurisdiction of the Court during 2008–09 and 2009–10 to be determined.

## Time for determination: by applications and appeals



Ninety-two per cent of the applications for leave or special leave to appeal and 83 per cent of the appeals decided by the Court during the reporting year were completed within nine months of filing. The figures for 2008–09 were 95 per cent and 92 per cent respectively.

## 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 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 2009–10 the Court made the following Rules of Court:

- Legislative Instrument F2009L03341 on 25 August 2009 – Annual sittings of the High Court
- Select Legislative Instrument No 315 of 2009 on 4 November 2009 – Amendment to Schedule 2 (Costs).

## 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 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.

Regulation 9 of the High Court of Australia (Fees) Regulations 2004 provides 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, are exempt from payment of the filing fees and hearing fees associated with the proceedings in the High Court.

A person liable to pay a filing or 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 no refusals to waive a fee in the reporting period.

During the reporting year 677 cases attracting a filing fee and/or hearing fees were filed in the Court. Of these, 178, or 26 per cent, of cases were fully exempt from payment of

fees. The Registrar waived payment of two-thirds of the fee in 182, or approximately 27 per cent, of cases. The filing fees and hearing fees foregone in these 360 cases amounted to \$379 643. This is an increase from \$323 320 in the previous reporting year. The composition of this total is shown in the following table.

### Record of non-payment of fees 2009–10

Reasons for non-payment	Regulation	No.	Amount
Legal Aid (exemption)	9(1)(a)	9	\$7 621
Holder of a concession card (exemption)	9(1)(b)(i)	98	\$139 541
Prison inmate or person in lawful detention (exemption)	9(1)(b)(ii)	70	\$50 046
Child under the age of 18 years (exemption)	9(1)(b)(iii)	1	\$1 364
Youth Allowance or Austudy payment recipient (exemption)	9(1)(b)(iv)	0	0
ABSTUDY recipient (exemption)	9(1)(b)(v)	0	0
Financial hardship (waiver of two-thirds fee)	10	182	\$181 071
<b>TOTAL</b>		<b>360</b>	<b>\$379 643</b>



The ceremonial forecourt and cascade waterfall leading the main entrance of the Court, before maintenance work during the year.

## 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 they 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 has undertaken 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 currently 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 49 hearings.

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

## Collection Development and Organisation

### Binding of Bills and Explanatory Memoranda project 2009–10

This project involves the binding of loose Australian bills and explanatory memoranda into bound volumes for each Parliamentary session. This is being carried out to prevent loss of material and to facilitate easy retrieval. Thirty-nine volumes were bound and received for the 34th session of Parliament (1985–1987). Forty-nine volumes were bound and received for the 35th

Parliament (1987–1989). Fifty-eight volumes were bound and received for the 36th Parliament (1990–1992). In addition, work continued on collating bills from the early 1900s which were bound by years. Fourteen volumes of bills covering the period 1904–1917 were bound and received. Work will continue concurrently on binding old bills and explanatory memoranda some of which are very fragile and more recent bills and explanatory memoranda.

### 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	No. of vols
Level 9	41 992
Level 8	60 198
Bar Library	17 037
All Canberra Chambers	18 856
Level 7	9 633
<b>Total</b>	<b>147 716</b>
<b>Acquisitions</b>	
Books purchased	373
New online subscriptions	2

### Inter-library loans

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

### Unreported judgments 2009–10

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

### Library systems and electronic services

#### Millennium

A successful upgrade of the Millennium software took place in June 2010. The library also installed a Millennium add-on, WebPac Pro, and has purchased a WebPac Pro Refresher service scheduled for completion later this year. The Refresher service was sourced to assist with redesigning the library catalogue (OPAC) to provide intuitive search functionality, relevance ranking and improved accessibility of the OPAC. In early 2010 the library arranged an additional Millennium port in order to enable secure and controlled access to this section of the Library Collection and to enable seamless entry via the Court Intranet.

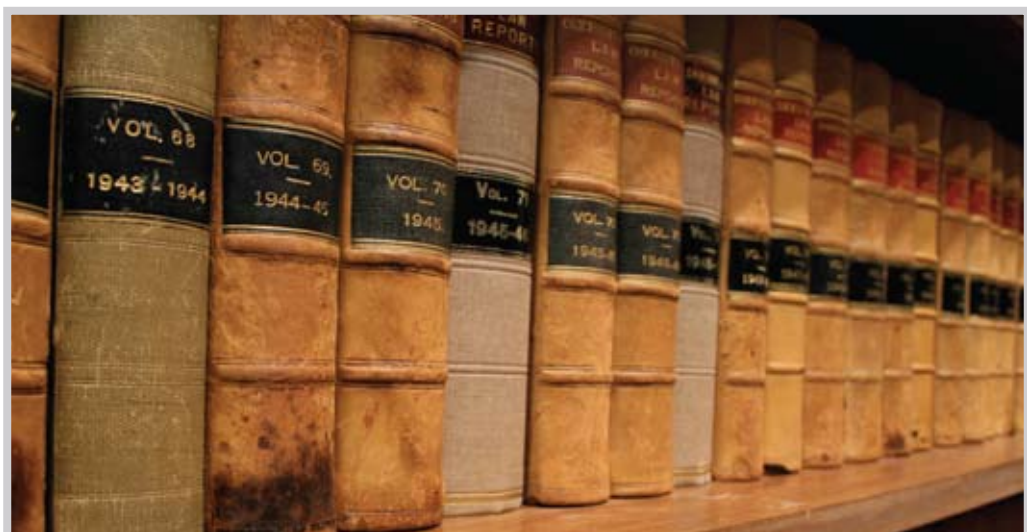


Image: Spectrum Graphics

## Digitisation of the Legal Research Officers' papers

The Library has a special collection of over 1300 papers written by the Legal Research Officers to support the work of the Court. It is intended to make these papers internally available via the catalogue search in a digital format. The digital repository was set up in April 2010 and metadata exported from the catalogue in order to host the scanned files. Digitisation commenced in May 2010 with completion expected at the end of July 2010.

## Enriching the catalogue with electronic holdings

The Library continues to add links to holdings listed in the catalogue which are subscribed to and available online in full text through various publishers. New records are created for those online journals which are not held in the print collection of the Library.

## Activities of the Court Librarian

Ms Kinder continues to be an active member of the Australian Law Librarians' Association (ALLA) National Executive. In October, in her capacity as member of the Board of Directors for the International Association of Law Libraries (IALL) and Director of Communications, attended the 28th Annual Course of Law Librarianship held in Istanbul, Turkey.

## Corporate Services

Corporate Services comprises the finance, 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 the Chief Justice and includes Justice Hayne AC, Justice Kiefel and the Chief Executive and Principal Registrar.

## Internal audit

The Court's internal audits are performed by a contract internal auditor. During 2008–09 the internal auditor conducted audits and reviews of financial processes, payroll and leave administration, information technology general controls, fraud control, and administration of the Register of Practitioners under section 55C of the *Judiciary Act* 1903 (Cth).

## Risk management

During 2009–10 the Court continued to develop a comprehensive set of risk assessments and plans.

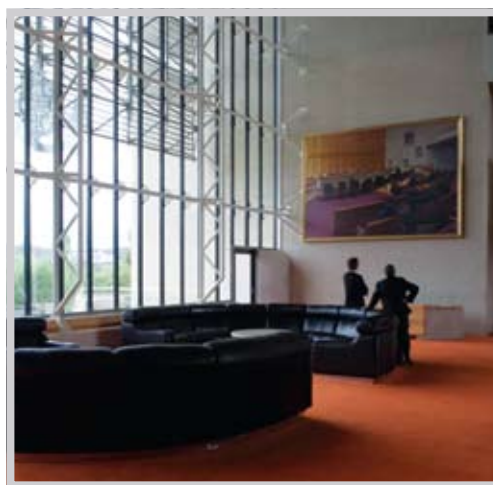


Image shows visitors on Level 3 examining a painting by Robert Hannaford commemorating the 2003 Centenary of the Court. The painting contrasts with a painting on the wall opposite, of the 1903 Banco Court sitting.

## Fraud control

In July 2009 the Court updated its Fraud Risk Assessment and Fraud Control Plan modelled on the Commonwealth Fraud Control Guidelines 2002.

During the year one incident of alleged fraud was identified and referred to the Australian Federal Police for further investigation.

## Financial management

The table below details the budgeted resources for 2009–10 and financial resources applied to the Court’s outputs and outcomes.

Portfolio Budget Statement 2009-10	Actual Results
Departmental appropriations: \$16.477m	Actual appropriations: \$16.477m
Revenue from other sources: \$1.211m	Actual revenue from other sources: \$1.559m
Program expenses: \$17.688m	Actual program expenses: \$18.663m
Departmental equity injection: \$1.332m	Actual equity injection: \$1.332m
Administered revenue*: \$0.920m	Actual administered revenue: \$1.043m

\* Administered revenue includes Court fees and charges collected and remitted to the Official Public Account.



A painting of the first sitting of the High Court in the Banco Court, Melbourne on 6 October 1903, by WA photorealist Marcus Bielby, hangs in the foyer on Level 3, outside Court 3.

Justices’ remuneration and allowances are paid out of Special Appropriations. These appropriations are administered by the Attorney-General’s Department and do not form part of the Court’s Financial Statements in Part VII of this report.

## Financial results

Financial reports for the year 2009–10 are in Part VII.

During 2009–10, income including revenue from government amounted to \$18.089m and expenses were \$18.663m, resulting in a deficit of \$0.574m. The Court’s estimates for 2009–10 (inclusive of a deficit) were approved by the Attorney-General under s36(1) of the *High Court of Australia Act 1979* (Cth).

## Consultants

During the year, eighteen consultancy contracts, with a total value of \$444 439 (including GST) were entered into by the Court. Contracts with a total value of \$10 000 or more (including GST) were:

Name	Description	Contract Price \$
Australian Valuation Office	Valuation of High Court Building	\$15 400
Art and Archival P/L	Development of a management plan for High Court art collection	\$21 010
Steensen Varming P/L	Preparation of a report on the efficiency and effectiveness of the High Court building air conditioning system.	\$38 610
Interiors Australia P/L	Provision of architectural and project management services to refurbish the Melbourne office of the Registry	\$47 590
GHD P/L	Provision of engineering and project management services to rectify the cascade waterfall and to install water storage to enable the use of non-potable water.	\$101 514
Penleigh Boyd and Associates P/L	Development of a master plan addressing issues contained in the precinct audit and management plan.	\$54 560
<b>Total</b>		<b>\$278 684</b>

## 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 2009–10.

### Staffing overview

At Annexure B of this report are tables giving an overview of the numbers of men and women in full-time and part-time employment in the Court's administration, and the composition of employees by salary classification.

### Occupational health and safety

The Court has a comprehensive occupational health and safety (OH&S) 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 OH&S issue resolution procedures.

During 2009–10 the OH&S Committee met four 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 2009–10 the Court provided employees with the opportunity to receive H1N1 and influenza vaccinations. To encourage a reasonable level of physical activity the Court sponsored 21 employees in the Global Corporate Challenge Program.

During 2009–10 the Court updated its Asbestos-Containing Material Register. A consultancy report identified that four issues needed to be resolved as soon as practicable.

The report also recommended that a range of other materials be tagged to clearly indicate the risk of a hazardous material. Of the four issues, three were resolved during 2009–10.

The fourth issue relates to the presence of asbestos-containing mill board in air conditioning air reheat units. The Court engaged a contractor to conduct air quality testing in all identified areas. The tests found no evidence of airborne asbestos fibres. The Court sought advice from an air-conditioning consultant who advised that the reheat units do not need to be replaced. In June 2010 the Court commenced seeking quotes from qualified contractors to safely remove the sections of duct containing the air reheat units.

The Court maintained temporary fencing for all of 2009–10 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 2009–10 to ensure the health, safety and welfare at work of employees and contractors include:

- the National Safety Council conducted an independent OH&S audit of the Court building and work practices
- health and safety representative training was provided for two staff
- defibrillator training with St John Ambulance Australia was provided for 22 staff. Four contractors also completed the training.

During 2009–10 there were:

- no accidents or dangerous occurrences that required the Court to provide information to Comcare under section 68 of the *Occupational Health and Safety Act 1991* (Cth)
- three minor incidents
- one new workers compensation claim
- two continuing workers compensation claims that relate to incidents prior to July 2009
- 17 new safety issues that were raised by staff through the OH&S Committee
- 21 safety issues notified to the OH&S Committee which were resolved.

## Information technology

### The Information Technology (IT) Committee

The IT Committee is chaired by Justice Hayne AC and includes the Chief Justice and Chief Executive and Principal Registrar.

#### Initiatives

During 2009–10 the IT section undertook the following initiatives:

- replaced all desktop and laptop computers
- upgraded the wide area network links to all sites
- migrated email and calendar functions from Novell Groupwise to Lotus Notes
- upgraded video conferencing equipment at all sites
- engaged a consultant to redesign the Court's internet site.

During 2009–10 the Court began planning to replace courtroom technology equipment. This will be a major project and is expected to take up to two years to complete.

A strategic plan to improve the Court's records management practices was developed in 2009–10. The plan included an assessment of the Court's current records management processes against the Check-up Tool prepared by the National Archives of Australia.

## Building operations

### Heritage strategy and conservation management plan

During 2008–09 the Court engaged a consultant to prepare a Heritage Strategy and a Conservation Management Plan for the High Court building and its surrounds, consistent with the requirements of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth). During 2009–10 work continued on the Heritage Strategy and Conservation Management Plan with input from a number of organisations.

In June 2009 the Court provided drafts of the Heritage Strategy and Conservation Management Plan to the Department of Environment, Heritage, Water and the Arts for comment.

In 2010–11 the Court will seek comment from interested stakeholders before providing a copy of the Conservation Management Plan to the Minister for the Environment.

### **Rectification of safety and structural issues**

In June 2009 a consultant provided the Court with a detailed management plan that identified a range of significant issues concerning public safety, building integrity and design and use with the High Court building forecourt and precinct. There were also a large number of minor issues covering landscape elements, drainage, forecourt paving, night lighting, railings and outdoor furniture. A detailed, costed report was provided in September 2009.

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. Work commenced immediately and will continue through 2010–11.

To guide these works the Court is preparing a master plan to ensure that works are consistent with the building's heritage values and the Court's precinct is integrated with its surroundings better.

An engineering consultant was engaged to provide advice on rectifying elements of the cascade waterfall. To enable the cascade waterfall to be operated with non-potable water, the Court will install water tanks to store captured rainwater.

### **Environmental performance**

During 2009–10 the Court engaged a consultant to assess the current condition, efficiency and effectiveness of the Court building's heating, ventilation and air conditioning (HVAC) system.

The consultant's report found that, although the equipment was in reasonable condition, the Court should commence planning to replace the air handling units. The report included recommendations to consider different design options that were not available when the building was constructed which would reduce the Court's energy usage and related CO<sub>2</sub> and other greenhouse gas emissions.

Design work will commence in 2010–11 to address the report recommendations, which are intended to be implemented over a number of years from available Court funds.

### **Building security**

During 2009–10 a personal security risk review and a building security structural review were completed. Both of these reviews provided recommendations to improve the physical security of the High Court building and other Chambers and Registries. Recommendations have been incorporated into the project to rectify structural safety and structural issues in the High Court building forecourt and precinct. The Australian Federal Police commenced a review of the Court's security in 2009–10.

During 2009–10 the High Court building access control and security system was upgraded. The access control system is consistent with the system recently upgraded in all Commonwealth Law Court buildings.

### **Other building projects**

Other building projects undertaken in 2009–10 included:

- refurbishment of the Melbourne office of the Registry
- installation of new archival storage facilities
- planning to rectify water leaks from the glass wall on western side of the High Court building
- building a new secure mail room
- repainting Courtroom One.



Repainting work in Court 1 in June 2010.  
Image: Andrew Phelan