



Parliamentary Budget Office - Election Policy Costing

NSW Parliament • Parliament House, Macquarie Street Sydney NSW 2000

Referred By: Australian Labor Party
Date Referred: 21/02/2019

Proposal No: B374
Date Published: 18/03/2019

Proposal Title: Addressing domestic, family, and sexual violence package – specialist courts

Cluster: Justice

General Government Sector Impacts

	2018-19 \$'000	2019-20 \$'000	2020-21 \$'000	2021-22 \$'000	4 year Total \$'000
Expenses (ex. depreciation)	-	437	458	655	1,550
Depreciation	-	-	-	-	-
Less: Offsets	-	-	-	-	-
Revenue	-	-	-	-	-
Net Operating Balance:	-	(437)	(458)	(655)	(1,550)

Capital Expenditure	-	2,983	2,983	2,983	8,950
Capital Offsets	-	-	-	-	-
Net Capital Expenditure:	-	2,983	2,983	2,983	8,950

Net Lending/(Borrowing):	-	(3,420)	(3,442)	(3,638)	(10,500)
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Total State Sector Impacts

Net Lending/(Borrowing):	-	(3,420)	(3,442)	(3,638)	(10,500)
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Notes and costing assumptions

The policy proposes to establish three specialist sexual assault and domestic violence courts - one in a Sydney metropolitan location, one in the Illawarra (i.e. Wollongong) and one in Newcastle. The specialist courts would hear only sexual assault and domestic violence cases (including Apprehended Domestic Violence Orders) currently heard in District and Local courts.

The policy is ongoing. The total cost is estimated to be \$10.5 million over the forward estimates with an additional cost of \$0.8 million in 2022-23. The costing is based on information provided by the Department of Justice (DoJ).

Key assumptions:

- Existing court facilities would be used; however the policy specifies a fixed amount of \$8.95 million in total would be provided between 2019-20 and 2021-22, split in equal amounts, for any capital costs. The policy states that any capital costs incurred above this amount would be met by existing resources.
- DoJ have advised that capital costs would be incurred for planning, design, tender costs and provision of additional witness rooms, safe rooms, case conferencing rooms, interview rooms and family rooms.
- Domestic violence and sexual assault matters would be distributed to specific courtrooms.
- A number of magistrates and judges would be allocated from an existing pool, to hear domestic violence and sexual assault matters only, for three year rotational periods.
- The policy proposes a policy development and project implementation unit would be established upon formation of government, to be met within existing resources.

Notes and costing assumptions continued:

- An expert committee would advise on the best operating model for each specialist court to hear cases. This would also be met within existing resources.
- Judiciary and staff would receive additional debriefing, counselling and support at a total cost of \$993,000 over the forward estimates to meet the Department of Justice's (DoJ) obligations under Work, Health and Safety legislation. An additional cost in 2022-23 is estimated at \$548,000.
- Existing staff at each site would be redeployed to these specialist courts and undertake required training. This is estimated to cost about \$451,000 in total over the forward estimates. There would be further costs in future years when staff are rotated. The additional cost in 2022-23 is estimated at \$153,000.

The policy assumes the Sydney Metropolitan Court would start from 1 January 2020; Wollongong Court from 1 July 2021 and Newcastle Court from 1 July 2022.

As the Newcastle Court would not begin operations until 1 July 2022, only the capital component of its costs would have a budget impact in the forward years.

General assumptions:

- For the proposed Sexual Assault Specialist Court, seven judges would be located at Sydney, one judge at Newcastle and two judges at Wollongong.
- For the proposed Domestic Violence Specialist Court, one magistrate would be located at each location.
- DoJ has assumed, in their information provided for the costing, that the NSW Government would be able to gain the support of the Chief Judge of the District Court and the Chief Magistrate of the Local Court in order to implement specialist court lists for the respective courts.
- Standard on-costs, such as payroll tax and superannuation, have been applied to all staff related costs including training.
- These costs have also been indexed by 2.5% each year over the forward estimates consistent with Government wages policy and inflation.
- Depreciation expenses are not included since the capital expenditure would relate to the alteration of existing facilities.