

1 September 2022

Her Honour Judge Julie Wager  
Chief Judge  
District Court of Western Australia  
500 Hay Street  
PERTH WA 6000

Email only: [chief.judge.wager@justice.wa.gov.au](mailto:chief.judge.wager@justice.wa.gov.au)

Dear Chief Judge

### **MEETING WITH CHIEF JUDGE OF THE DISTRICT COURT**

I refer to your meeting in June 2022 with the Law Society Executive. Thank you for your continued support and engagement with the Law Society.

In the meeting, you requested the Law Society's feedback on:

- (a) COVID-19 initiatives implemented by the District Court; and
- (b) circumstances in which a fresh psychological, psychiatric, or neuropsychological report is not required which would otherwise delay sentencing.

The Law Society has sought input from its Courts Committee, Criminal Law Committee and members via Friday Facts, and the feedback is set out below.

### **Feedback on COVID-19 initiatives implemented by the District Court**

There are no difficulties with the COVID initiatives in the District Court and these are supported as follows:

- the retention of conducting case management and directions hearings remotely. This results in efficiencies for practitioners, and cost benefits to clients.
- making case conferences available, so that matters listed for trial are more actively case managed. This is similar to what occurred earlier in 2020 at the start of the pandemic.
- The Law Society supports continuing the arrangement whereby the accused on bail reports to the defence lawyer for sentence mentions and then is not required to physically appear. The sentence mentions are largely administrative as they involve ensuring the indictment is filed, ensuring reports are received and then listing a matter. If defence counsel and the accused could appear together remotely at sentence mentions this would result in efficiencies, particularly for country practitioners and those based some distance away from the Courthouse.

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## **Feedback on Psychological, psychiatric or neuropsychological reports**

The Society supports an arrangement whereby the lawyer for the accused must request all psychological, psychiatric or neuropsychological reports at the point of committal. This would result in significant efficiencies in the justice system as psychological reports should be ready or nearly ready by the time of the sentence mention, and matters would more easily be able to be listed for sentencing.

## **Other matters**

We have also received feedback in relation to the recruitment of new registrars. The Society requests consideration be given to recruiting or creating registrar roles for practitioners who have an extensive background in criminal practice to facilitate new initiatives to manage the criminal work of the court.

Please let me know if the Law Society could provide further assistance to you in your consideration of this matter. If you have any queries please contact Mary Woodford, General Manager Advocacy and Professional Development on 9324 8646 or [mwoodford@lawsocietywa.asn.au](mailto:mwoodford@lawsocietywa.asn.au)

Yours sincerely



Rebecca Lee  
**President**