New South Wales
Law Reform Commission

Annual Report 2012-2013

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New South Wales
Law Reform Commission

2012-13

Annual report

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Table of contents

Table of contents 3
The year in review 4
NSW Law Reform Commission: profile 5
Performance for 2012-13 6
Completed references 8
People with cognitive and mental health impairments in the criminal justice system 8
Sentencing 11
Security for costs and associated orders 12
Jury directions 13
Priorities for 2013-14 15
References 15
Other issues 17
Implementation and Government response 18
People 19
Commissioners 19
Staff 20
Internships 21

The year in review

This has been a year of substantial achievement for the NSW Law Reform Commission. We have produced three reports, *Jury directions, Security for costs and related orders*, and *People with cognitive and mental health impairment in the criminal justice system: Criminal responsibility*. A final report, *Sentencing* was substantially completed in the year under review and transmitted in July 2013.

With the completion of the mental health and cognitive impairment reference we have now finished all of our long-term references, and moved to a process where we will complete all reports in a more manageable timeframe, generally 6 – 18 months.

We have been improving the way in which we engage with stakeholders and the community. In the last year, we conducted 36 meetings, including a regional visit to Dubbo. We launched a new website with a cleaner more user friendly interface and process for navigation. We also launched a regular email alert service, and commenced tweeting. We aim to make it easier for people to keep up to date with our activities and to participate in law reform.

This year, Professor Hilary Astor retired after serving as our full-time Commissioner for 3 years, and previously as a part-time Commissioner. I pay tribute to the work of Professor Astor, who was a close and valued colleague during her time with us. She led our work on penalty notices, people with mental health in the criminal justice system, security for costs, being responsible for 4 major reports on these references and led our contribution to the joint project with the ALRC on family violence. She also contributed to almost all of our other references. Professor Astor brought intellectual rigour to our work coupled with a concern to achieve practical solutions for vulnerable members of our community. Her leadership on some of our most complex references resulted in reports that provide significant contributions towards law reform.

As I look forward to 2013-14, we remain a very busy law reform body. We currently have 4 significant references underway: criminal appeals, parole, early guilty pleas, and statutory dispute resolution. We are well into preliminary scoping and consultation for each of these references. I look forward to working with our stakeholders to produce recommendations for reforms in these complex and important areas.

The Hon James Wood AO QC

NSW Law Reform Commission: profile

Roles and responsibilities

The NSW Law Reform Commission is an independent statutory body constituted under the *Law Reform Commission Act 1967* (NSW). It provides expert law reform advice to Government through the Attorney General on matters referred to it by the Attorney General.

Services and activities

Our principal service is the provision of policy advice on law reform matters. We undertake work on references provided by the Attorney General.

In undertaking this work, we:

- research the law, and the academic and other commentary on it;
- conduct or commission empirical research where necessary; and
- consult with stakeholders and the community, and draw on experts in the field.

The outcomes of our projects are contained in formal reports to the Attorney General, which are tabled in Parliament and considered by Government.

Commissioners and staff

As at 30 June 2013, the Commission comprised a Chairperson, the Hon James Wood AO QC and a number of part-time Commissioners. A profile of Commissioners during 2012-13 is included below under “People”.

The role of Full-time Commissioner is currently vacant, Prof Hilary Astor having retired from the Commission in April 2013.

A small team of highly-skilled staff supports the work of the Commission. A staff list is included below under “People”.

Performance for 2012-13

The NSW Law Reform Commission provides law reform advice. In doing so, we contribute to a range of Government priorities including the following goals under *NSW 2021: a plan to make NSW number one* as follows:

	16: prevent and reduce the level of crime	17: prevent and reduce the level of re-offending	18: increase community confidence in the justice system	11: keep people healthy and out of hospital	4: increase the competitiveness of doing business in NSW
People with cognitive and mental health impairments in the criminal justice system					
Sentencing					
Jury directions					
Security for costs					
Criminal appeals					
Early appropriate guilty pleas					
Parole					
Statutory dispute resolution provisions					

Measuring performance in terms of quantity, quality and timeliness has been a challenge for law reform commissions and similar bodies. The performance of the Commission is currently measured against a range of performance indicators set out below.

	Actual			12-13		13-14
Measure	**09-10**	**10-11**	**11-12**	**Target**	**Actual**	**Target**
Number of consultation papers and reports published	12	14	14	10	10	10
Number of consultation events/meetings held	53	73	37	40	36	40
Percentage of projects conforming to project planning standards	-	100%	100%	100%	100%	100%
Percentage of projects meeting timeliness goals	-	71%	100%	80%	75%	75%
Law Reform Commission mentions in court decisions	16	17	23	15	15	15
Number of legislative amendments based on LRC reports	3	1	0	4	4	4
Newsalert email subscribers and Twitter followers				-	220	500

Completed references

The NSW Law Reform Commission completed three references in 2012-13.

People with cognitive and mental health impairments in the criminal justice system

Commissioners: Prof Hilary Astor (Lead Commissioner), the Hon Gregory James QC, the Hon Harold Sperling QC, the Hon James Wood AO QC, Prof David Weisbrot AC.

Expert Advisory Panel: Prof Eileen Baldry, Dr Jonathan Phillips, Mr Jim Simpson, Prof Ian Webster.

Reference received: 17 September 2007; expanded 7 July 2008.

Consultation papers: May 2010, December 2010.

First report: transmitted 27 June 2012, tabled 22 August 2012.

Second report: transmitted 7 May 2013, tabled 7 June 2013.

The terms of reference provided for a general review of the criminal law and procedure as it applies to people with cognitive and mental health impairments. In particular, we were directed to have particular regard to:

- s 32 and 33 of the *Mental Health (Forensic Provisions) Act 1990* (NSW);
- fitness to be tried;
- the defence of "mental illness";
- the consequences of being dealt with via the above mechanisms on the operation of Part 10 of the *Crimes (Forensic Procedures) Act 2000* (NSW); and
- sentencing.

Issues to do with cognitive and mental health impairments are among the most difficult concerns for law and policy makers to address. As a progressive, civilised society, we seek to provide adequate care and support services for those who are most vulnerable. People with mental illness and cognitive impairments unquestionably fall into this category.

The purpose of this reference was to examine criminal law and practice governing what happens to people with cognitive or mental health impairments. The law recognises that a defendant's mental state may affect the nature of the criminal justice response that would ordinarily attach to his or her actions. In this review we assessed the effectiveness of the operation of the criminal justice system, both in relation to the needs of people with cognitive and mental health impairments and the community. We did so against the background of the current legislative and administrative regime as well as the service context within which the law operates.

Significant achievements in 2012-13 include:

- tabling of the first report for this review, Report 135, *People with cognitive and mental health impairments in the criminal justice system: Diversion*;
- completing our consultation process for our second report including a further 7 roundtables and consultation meetings as well as the release of a further 2 question papers; and
- transmitting and tabling Report 138 *People with cognitive and mental health impairments in the criminal justice system: criminal responsibility and consequences*.

Report 135: People with cognitive and mental health impairments in the criminal justice system: Diversion

This report is the first of two reports about people with cognitive and mental health impairments in the criminal justice system.

It provides a comprehensive look at opportunities to enhance diversion at all stages of the criminal justice system for people with cognitive and mental health impairments. This approach reflects the strong and consistent views of stakeholders. It is also consistent with the Government's priorities under the *NSW 2021* plan, particularly to prevent and reduce reoffending and to keep people healthy and out of hospital.

There is strong evidence that people with cognitive and mental health impairments are over-represented throughout the criminal justice system. While most people with a cognitive or mental health impairment do not commit offences, some, especially those who face additional challenges such as family violence, misuse of drugs and alcohol and unstable housing, are at high risk of cycling in and out of the criminal justice system. This is costly for the criminal justice system, the broader services system and the community.

Diversion can assist by minimising contact with the criminal justice system and/or referring defendants to treatment or services that aim to rehabilitate the defendant and reduce reoffending. There may also be potential cost savings associated with diversion, for example reduction in costs of incarceration or of hospital readmissions.

We recommended a flexible and responsive approach, in particular:

- expanding the Statewide Community and Court Liaison Service or other services that provide for identification, assessment and advice and making assessment services available in relation to defendants with cognitive impairments;
- expanding the CREDIT program which identifies the requirements of people with complex needs involved in the criminal justice system, links them to services that address their offending, case manages their progress and reports to court;.
- providing legislative authority to police to divert people with cognitive and mental health impairments who have committed less serious offences and support to undertake this task;

- strengthening the legislative options available to courts under s 32 of the *Mental Health (Forensic Provisions) Act 1990* (NSW), including giving a clear power for increased court oversight of diversionary programs, and to ensure that individuals remain connected with the programs they are referred to;

- extending s 32 and s 33 of the *Mental Health (Forensic Provisions) Act 1990* (NSW) to the higher courts; and

- establishing the Court Referral for Integrated Service Provision list, a specialist list to provide intensive judicial supervision and service provision to address needs and reduce reoffending of people with impairments at risk of imprisonment.

This report also canvassed current definitions of cognitive and mental health impairment. Taken as a whole the law lacks a consistent and clear approach to defining cognitive and mental health impairment and this gives rise to unnecessary confusion and complexity. Further, many legal definitions reflect understandings of behavioural science that are no longer current. Taking into account these challenges and the views of stakeholders and experts we recommended two separate definitions of cognitive impairment and of mental health impairment. The primary purpose of these definitions was inclusion in s 32 of the *Mental Health (Forensic Provisions) Act 1990* (NSW). We also recommended the use of these definitions in the context of pre-court diversion. We had previously recommended the use of these definitions in a new *Bail Act*.

Report 138: People with cognitive and mental health impairments in the criminal justice system: Criminal responsibility and consequences

Our report on the criminal responsibility of people with cognitive and mental health impairments in the criminal justice system made 59 recommendations.

The report dealt with people who are found “not guilty by reason of mental illness”, and who are unfit to be tried because they cannot understand proceedings due to a mental illness or a cognitive impairment. It recommended:

- adopting a new verdict of “not criminally responsible by reason of mental health or cognitive impairment”, based on an updated version of the test for people currently found “not guilty by reason of mental illness”; and

- adopting a statutory test for fitness to be tried, based on the current common law test but in a simpler and clearer form.

These two groups of people currently generally become “forensic patients”. They are subject to detention, and conditions regarding their detention or release are decided by the Mental Health Review Tribunal. The report recommended:

- simplifying the way forensic patients are managed, and making the treatment of people found “not criminally responsible” and “unfit to be tried” the same;

- extending the requirement for the court to set a limiting term for all forensic patients (not just those found unfit), while at the same time allowing the Supreme Court to order an extension of the term in limited circumstances;

- extending the forensic patient regime to people dealt with in the Local and Children's Courts; and
- Updating the language of cognitive impairment and mental illness in the law.

The report also recommended the forming a Forensic Working Group of senior officers from key government agencies to deal with major deficiencies in the criminal justice and forensic systems regarding people with cognitive impairments.

Sentencing

Commissioners: The Hon James Wood AO QC (lead Commissioner), Mr Tim Game SC, The Hon Justice Peter Johnson, Her Honour Magistrate Jane Mottley,

[Prof Hilary Astor participated as a Commissioner in relation to the interim report, Report 134; Justice Johnson did not participate in that report.]

Reference received: 21 September 2011.

Question Papers: April 2012, June 2012, July 2012.

Interim report: Standard Minimum Non-parole Periods, transmitted 24 May 2012, tabled 22 August 2012.

Final report: Sentencing, transmitted 28 July 2013.

We received terms of reference from the Attorney General on 21 September 2011 asking us to review the *Crimes (Sentencing Procedure) Act 1999 (NSW)* (CSPA) having regard to:

- current sentencing principles including those contained in the common law;
- the need to ensure that sentencing courts are provided with adequate options and discretions;
- opportunities to simplify the law, while providing a framework that ensures transparency and consistency;
- the operation of the standard minimum non-parole scheme; and
- any other related matter.

The Attorney General requested that we consult closely with the NSW Sentencing Council during the course of the review. Sentencing Council staff have provided assistance with research and writing. We have also been fortunate to receive the assistance of two solicitors from the Office of the Director of Public Prosecutions and one solicitor from Legal Aid NSW who were seconded to us for this reference.

Report 134: Interim report on standard minimum non-parole periods

Following the High Court's decision in *Muldrock v The Queen* [2011] HCA 39, the Attorney General requested an urgent report on Standard Minimum Non-Parole Periods. A consultation roundtable was held on 30 March 2012 and 11 submissions were received in response to a staff paper that was circulated to a limited number of stakeholders in April 2012. We provided an interim report on

Standard Minimum Non-parole Periods to the Attorney General on 24 May 2012, and it was tabled on 23 August 2012.

Report 139: Sentencing

We delivered the final sentencing report to government on 28 July 2013. It will be made public once tabled.

Security for costs and associated orders

> **Commissioners:** Prof Hilary Astor (Lead Commissioner), the Hon James Wood AO QC, His Honour Judge Peter Johnstone.
>
> **Reference received:** 8 December 2009.
>
> **Consultation Paper:** May 2011.
>
> **Report:** transmitted 11 December 2012, tabled 26 March 2013

This reference arose out of a growing awareness of two particular challenges:

- At the time we received the reference, the courts in NSW did not have power to order costs against litigation funders, which had resulted in successful defendants being out of pocket for their legal costs; and
- Those bringing public interest proceedings may not have the resources to mount and maintain a court case.

The terms of reference asked us to inquire into and report on whether the law and practice relating to security for costs and to associated orders, such as protective costs orders and public interest orders, strike an appropriate balance between protecting a plaintiff's right to pursue a legitimate claim regardless of means and ensuring that a defendant is not unduly exposed to the costs of defending that litigation.

Report 137: Security for costs and associated cost orders

Public interest litigation plays an important role in developing legal principles that affect broad sections of the community. However the costs of litigation may be sufficient to bankrupt individuals and community groups. On the other hand defendants in such cases have serious concerns that they have to defend themselves against potentially unmeritorious claims which can cause them significant costs that they will not be able to recover.

Our recommendations were directed towards balancing the competing interests in cases involving public interest litigation.

We recommended giving courts a broad power to make orders for security for costs and to make clear the factors that the courts will weigh in the balance when they are making such orders. We recommended clarifying that orders for security for costs may be made in the increasing number of cases where litigation funders support the litigation.

We also recommended new provisions to clarify the law about making security for costs orders in public interest cases, in line with provisions that apply in the Land and Environment Court.

Jury directions

Commissioners: The Hon James Wood AO QC (lead Commissioner), Prof Hilary Astor, Mr Tim Game SC, Prof Jane Goodman-Delahunty.

Expert advisors: Prof Jill Hunter, Her Honour Judge Gaye Murrell, His Honour Judge Peter Berman, Justice Graham Barr, Prof David Tait.

Reference received: 16 February 2007.

Consultation paper: December 2008.

Report: transmitted 30 November 2012, tabled 26 March 2013.

This reference concerned the instructions that a judge gives to a jury in a criminal trial. It arose in the context of a growing concern in Australia and overseas about the problems associated with jury directions. The Victorian and Queensland Law Reform Commissions have undertaken similar projects. These inquiries were prompted, in part, by the Standing Committee of Attorneys General (as it then was) consideration of “the feasibility of a review of jury directions and warnings, including areas for improved consistency”.

The reference required us to consider:

- the increasing number and complexity of the directions, warnings and comments required to be given by a judge to a jury;
- the timing, manner and methodology adopted by judges in summing up to juries (including the use of model or pattern instructions);
- the ability of jurors to comprehend and apply the instructions given to them by a judge;
- whether other assistance should be provided to jurors to supplement the oral summing up; and
- any other related matter.

Report 136: Jury directions

Trial by judge and jury is a central feature of our criminal justice system. While the approximately 500 jury trials each year are only a small proportion of the criminal trials in NSW, they generally involve serious criminal charges that carry potentially lengthy sentences of imprisonment.

Jury directions are the instructions that judges give to juries on the evidence and the relevant law, to assist them in reaching their verdict. The directions are often long, complex and framed in legal terminology. Their complexity can lead to inadvertent errors by trial judges and provide grounds for unnecessary appeals against conviction.

Our report made recommendations to help jurors understand the directions that judges give in criminal trials.

Our recommendations included:

- presenting information in a form that is easier to absorb and retain (for example, by using diagrams, by more effectively using computers and

presentation software, and by providing a "road map" for the jury at the outset);

- developing and improving directions to help jurors assess evidence in areas requiring special knowledge, such as DNA evidence and the procedure for presenting it to the jury (including a standard DVD presentation that explains its use); and

- reviewing the adequacy of the "beyond reasonable doubt" test.

We also recommended the further investigation of procedural changes and of the use of pre-trial case management to encourage the early identification of issues that a jury must consider and to facilitate jury decision-making, without affecting the fairness of the trial.

Our recommendations aimed to ensure that jury directions help jurors to follow the evidence, to understand the issues in the trial, and to apply the directions to the evidence and issues. They were also directed towards reducing the complexity and duration of jury trials.

Priorities for 2013-14

References

As at 30 June 2013, the Commission had five references including sentencing. Sentencing was transmitted in late July 2013.

Currently, we have four references that are ongoing. These form our priorities for 2013-14.

Criminal appeals

This review asks us to consider current avenues of appeals in all criminal matters, with a view to simplifying and streamlining appeal processes, and consolidating criminal appeal provisions into a single Act.

We will be seeking to recommend reforms that balance finality and efficiency on the one hand, with fairness on the other.

An efficient appeals system requires that the rules governing appeals contribute to the timely resolution of criminal matters at a reasonable cost to the parties and the state. Finality is an important aspect. The defendant, the victim and the public legitimately expect that criminal proceedings will come to an end at some point (although subject to safeguards for the later reopening and review for cases of miscarriage of justice).

Fairness is important in ensuring the integrity of the criminal justice system. Fairness requires that adequate appeal rights are available for both the defendant and the prosecution to correct errors of fact and law. It also requires that due regard be had to principles of good process such as double jeopardy, which has traditionally limited the scope of prosecution appeals but has been re-examined in recent times. Efficiency and fairness are sometimes in conflict, but not always. Undue delay in resolving matters to finality can compromise fairness.

We issued a Question Paper seeking submissions on preliminary issues in July 2013. We aim to develop recommendations by the end of 2013.

Early guilty pleas

Our terms of reference require us to consider reforms aimed at encouraging early pleas of guilty in all criminal matters dealt with in NSW.

Specifically, we are to identify opportunities for legislative and operational reforms to encourage appropriate early pleas of guilty in all criminal proceedings.

In undertaking this review, we have been asked to have regard to:

- the organisational capacities and arrangements for the courts, police, prosecution and defence;
- the work of the Trial Efficiency Working Group;

- developments in Australia and overseas; and
- any related matters that the Commission considers appropriate.

We received ten preliminary submissions in response to the terms of reference. Criminal procedures and practices from arrest through to trial are currently being reviewed and we are undertaking preliminary consultations aimed at developing an options paper for public release and discussion.

Parole

Our inquiry aims to improve the system of parole in NSW. We have been asked to review the mechanisms and processes for considering and determining parole, having regard to:

- the desirability of providing for an offender's reintegration into the community following a sentence of imprisonment with adequate support and supervision;
- the need to provide for a process of fair, robust and independent decision-making, including consideration of the respective roles of the courts, State Parole Authority, Serious Offenders Review Council and the Commissioner for Corrective Services;
- the needs and interests of the community, victims and offenders; and
- any other related matter.

We released a Scoping paper for comment and conducted a round of preliminary consultations with key stakeholders in July 2013. We are currently working towards issuing a series of question papers on key aspects of parole law. The question papers will closely examine both the parole decision making process and the management of offenders on parole. We also intend to publish a question paper focusing on the parole system for juvenile offenders in NSW.

Statutory dispute resolution

This project aims at improving legislative provisions dealing with alternative dispute resolution.

Specifically, we are to review the statutory provisions that provide for mediation and other forms of alternative dispute resolution with a view to updating those provisions and, where appropriate, recommending a consistent model or models for dispute resolution in statutory contexts, including court ordered mediation and alternative dispute resolution.

In undertaking this review, we have been asked to have regard to:

- the desirability of just, quick and cheap resolution of disputes through the use of mediation and other forms of dispute resolution in appropriate contexts;
- issues about the use of referral powers (including timing of referrals), confidentiality, status of agreements reached, and proper protections

required for the parties, mediators, and others involved in dispute resolution;

- the proper role for legislation, contract and other legal frameworks in establishing frameworks for dispute resolution; and
- any related matters we consider appropriate.

We will not be reviewing dispute resolution under the *Commercial Arbitration Act 2010* (NSW) or the *Industrial Relations Act 1996* (NSW).

Other issues

Consultation and community engagement

In a number of key references, the consultation activity of the Commission increased significantly. References such as the one on people with mental health and cognitive impairments in the criminal justice system involved extensive community consultation. In the sentencing reference we also used round table discussions extensively. We will continue to strengthen our efforts in this area to build relationships with stakeholders.

We continue to learn from the experiences in all our references, and to integrate this experience into our processes.

In 2012-13 we redeveloped our website, and began experimenting with social media through a twitter presence, and the development of a periodic email newsletter. While our following is small it is consistently growing. Following us on twitter or signing up to our newsletter provides the best ways of keeping abreast of development at the Commission.

In 2013-14, we will continue developing our engagement strategy, including extending face-to-face community engagement, and using technology and social media to broaden our engagement base. We will also focus on developing an interactive web presence to broaden opportunities for engagement with the community.

Relationship with the Sentencing Council

In 2012-13, the secretariats of the NSW Law Reform Commission and the Sentencing Council joined into a single administrative unit under a memorandum of understanding. Both statutory bodies require similar secretariat support to undertake projects and propose law reforms (with the Sentencing Council specialising in sentencing law and providing a specialist advisory function through is expert members.) Joining in this way has strengthened the work of both by enabling access to joint operational policies and by enabling more flexible use of resources. Over 2013-14 we will consolidate this process to the benefit of the Commission and the Council, and their staff. There continues to be active and exciting opportunities for law reform, including in the sentencing arena.

Implementation and Government response

During 2012-13, four Acts were passed responding to Law Reform Commission reports:

- *Crimes Amendment (Cheating at Gambling) Act 2012*;
- *Bail Amendment (Enforcement Conditions) Act 2012*;
- *Local Court Amendment (Company Title Dispute) Act 2013*; and
- *Bail Act 2013.*

The government's response to our *Bail* report represents major reform in this area. The response supported many aspects of the Commission's report, and outlines a simple, easy to apply framework for bail decision-making that is consistent with the intent of our report.

The Government also tabled Report 135: *People with cognitive and mental health impairments in the criminal justice system: Diversion* and indicated that it had formed a committee to prepare a whole of government response.

Implementation action or responses are outstanding to the following recent reports:

- Report 132: *Penalty notices* (some aspects were implemented as a result of consultations during its preparation);
- Report 129: *Complicity;*
- Aspects of the privacy reports: Report 127: *Protecting privacy in New South Wales,* Report 126: *Access to personal information,* Report 123: *Privacy principles* and Report 120: *Invasion of privacy*
- Report 124: *Uniform succession laws: Administration of estates of deceased persons* (all other aspects of succession law having been legislated);
- Report 121: *Emergency medical care and the restricted right to practise*; and
- Report 119: *Young people and consent to health care.*

People

Commissioners

Chairperson

The Hon James Wood AO QC (appointed January 2006)

Mr Wood commenced his term as Chairperson in January 2006, having previously been a full-time Commissioner with the NSW Law Reform Commission, 1982-1984. He was Chief Judge at Common Law, 1998-2005, having been appointed a Supreme Court Judge in 1984. He was Commissioner of the Royal Commission into New South Wales Police Service, 1994-1997 and Commissioner of the Special Commission of Inquiry into Child Protection Services in NSW, 2007-2008. He has previously been the Inspector, Police Integrity Commission, 2005-2006 and is currently the Chairperson, Sentencing Council of NSW.

Full-time Commissioner

Emeritus Professor Hilary Astor (appointed March 2010, retired April 2013)

Professor Astor commenced as full-time Commissioner in March 2010. She was previously a part-time Commissioner from 1999-2006. Professor Astor joined the Faculty of Law at the University of Sydney in 1986 and most recently held the position of Professor of Dispute Resolution. She was Pro Dean of the Faculty from 1999-2001. Her areas of research interest are dispute resolution, especially mediation, and family law. She was the inaugural Chairperson of the National Alternative Dispute Resolution Advisory Council and a member of the Council of the Australasian Institute of Judicial Administration from 2006-2011.

Part-time Commissioners

Mr Timothy Game SC (appointed July 2009)

Professor Jane Goodman-Delahunty (May 2002 - 31 December 2012)

The Hon Greg James QC (January 1999 - 30 March 2013)

The Hon Justice Peter Johnson (appointed 7 December 2011)

His Honour Judge Peter Johnstone (2 December 2009 - 31 December 2012)

Deputy Chief Magistrate Jane Mottley (appointed 14 September 2011)

The Hon Harold Sperling QC (appointed January 2005)

Professor David Weisbrot (appointed 1 July 2011)

Staff

Commission staff as at 30 June 2013

Paul McKnight	Executive Director
Stephanie Button	Policy and Research Officer (Sentencing Council)*
Emma Hoiberg	Law Reform Project Officer
Robyn Johansson	Legal Officer/Acting Executive Officer (Sentencing Council)*
Ani Luzung	Legal Officer
Sallie McLean	Law Reform Project Officer
Maree Marsden	Executive Assistant
Joseph Waugh PSM	Senior Law Reform Officer
Anna Williams	Librarian

**Sentencing Council staff have been working as an integral part of the Law Reform Commission team for the sentencing reference and other references.*

Staff movements during the year

We record our thanks to Marthese Bezzina, Robyn Gilbert, Jenny Davis, and Suzanna Mishhawi, who left the Commission's staff during the year, and to Julia McLean, Steven Thomson and Siobhan Mullany who worked on secondment at the Commission during the year.

Internships

Student interns greatly assist our work. They work principally as a means of furthering their education, through university placements, and through our internship programs during the summer and winter vacations.

Student interns contribute directly to references and have made significant contributions to our research and writing, including to our publications.

The following students had placements in 2012-13:

Name	University	Period	Reference
James Cho	UNSW	summer	Sentencing
Jennifer Kwong	UNSW	summer	Sentencing
Rebekah Lam	Sydney	summer	Sentencing; MHCI
Nicholas Mabbitt	UNSW	summer	Sentencing
Ananya Nandakumar	UNSW	summer	Sentencing
Hamilton Zhao	UNSW	summer	Sentencing
Lucy Bradshaw	Sydney	winter	Early guilty pleas
Sam Goldsmith	Sydney	winter	Criminal appeals
Aden Knaap	Sydney	winter	Parole
Amanda Reed	Monash	winter	Sentencing Council

Law Reform
Commission
Justice & Attorney General

NSW Law Reform Commission
Level 13 Swire House
10 Spring Street
Sydney NSW 2000 Australia

GPO Box 5199
Sydney NSW 2001 Australia
DX 1227 Sydney

Phone: 02 8061 9270
Fax: 02 8061 9376
Email: nsw_lrc@agd.nsw.gov.au
Internet: www.lawreform.lawlink.nsw.gov.au

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