
discussed because I think that they are the only questions requiring discussion on this topic. A number of the reforms to which I have referred in the civil area could also be made here; court-appointed experts and the rule allowing judges to dispense with the rules of evidence are obvious examples. No doubt there are others. But each of the four I have mentioned appears to raise a question of imbalance; at the very least they require serious consideration. The aim must be, as I have said, to find the appropriate balance. No doubt many defence lawyers would say that we have it now. I doubt that there are many non-lawyers who would agree.

4. Conclusion

It is understandable that criminal lawyers are even more adversarial than civil lawyers. There is usually no other

solution to the dispute than conviction or acquittal. But that does not mean that the criminal justice system must remain as adversarial as it is; to the point where an accused may, without fear of adverse comment, refuse to answer questions or explain incriminating marks or explain his presence at the scene of the crime and may conceal his defence, if any, until all of the prosecution evidence has been given. And, as I have already pointed out, there is no possible justification for the civil justice system remaining as adversarial as it has been.

My own Commission, which has embarked on changing all that, has been recently abolished. In some other States, and recently in the federal area, there appear to be bodies capable of pursuing this task in the civil area. But I can see no sign of criminal justice reform. Unless both are pursued, courts, lawyers and government will fail to fulfil the legitimate expectations of the community we serve. □

Litigation Reform: The New South Wales Experience - His Honour Judge A F Garling, District Court of New South Wales

On 1 February 1994 the District Court of New South Wales in its Sydney Civil Jurisdiction had a median delay between filing of the Praecipe for Trial and disposition by a Judge of 50.8 months. On 1 February 1997 the District Court in its Sydney Civil Jurisdiction will have no backlog. All cases which were commenced prior to 1 January 1996 and in which a Praecipe for Trial has been filed will have either been heard or they are not ready for hearing despite the Court's efforts. Those cases not ready to proceed should number no more than 100 cases. Many of these are infant cases in which the plaintiff's injuries have not stabilised.

The Court has a case management system for all cases commenced on or after 1 January 1996 which offers a hearing date within a 12 month period of the filing of the Statement of Claim. The Court still has some backlog in some country areas and in Sydney West. Steps are being taken to quickly dispose of that backlog. The Chief Judge has already invited those regional courts with long cases to transfer them to Sydney for immediate hearing. Additional sittings have been allocated to the country next year. Audits are being carried out in Sydney West and country areas to find out how many cases are still in the list and this will allow the Court to allocate additional sittings. The Chief Judge has already allocated sittings in January 1997 to some of the larger centres which have a backlog. These steps should ensure that any backlog outside Sydney will quickly be eliminated.

Prior to 1992 the Court lists were in an unacceptable state. It was taking many years for cases to come on for hearing. The profession had developed a way of preparing cases which reflected the long delays within the Court system.

It was not only the District Court but also the Supreme Court and other courts where there were long delays. The profession, not unnaturally, developed a negative attitude towards the preparation of cases. In the District Court a Praecipe for Trial would be filed at an early stage and nothing further would be done to prepare the case for hearing. Eventually, a call-over would be held, perhaps many call-overs would be held over a period of time. It was not uncommon to go to a call-over only to be told that no hearing dates were available or to be allocated a hearing date a year or more in advance. It was not uncommon, having had a hearing date allocated well in advance, to then be "not reached" and to have a further hearing date allocated many, many months after the not reached hearing date. It is a matter of record that numerous cases were neglected and many were allowed to be stood over generally. They fell into a hole and nothing further was done.

I well recall in those desperate times the birth of the arbitration system. The profession really had to do something to get cases heard and the Law Society of New South Wales, along with Ted O'Grady and others, worked extremely hard in developing the arbitration system and then bringing in the Philadelphia arbitration system. The District Court co-operated with the Law Society and the Attorney-General's Department and there was brought into place a system which allowed, in some cases, the speedy disposal of a case. Unfortunately, where a re-hearing was requested, the case then went back to take its normal place in the list and it often would not receive a hearing date for some years after the arbitration hearing. There was also set up in the District Court a type of specialist managed list in which certain cases were managed

by Judges in that list. In addition to that, a number of Associate Judges were appointed and, whilst those steps helped, there was no dramatic turnaround in the backlog.

The real change, in my view, started with the introduction of the Motor Accidents List in 1992. The Chief Judge, James Staunton, created a list for the hearing of *Motor Accidents Act* cases filed after a certain date. Three Acting Judges were appointed and the Chief Judge then selected three Judges to sit exclusively in that list and to control their own list. The creation of that list gave the Court an opportunity for a change of philosophy. In the past there had been a very negative attitude to the preparation of cases and allocation of hearing dates as there were few dates available. The creation of this list immediately provided hearing dates for a certain class of cases. In addition to that, the Court started to manage its list and the Judges took an active part in case management. A different philosophy started to emerge. Cases came on for call-over and were immediately offered a hearing date. In fact, during the first six months period it was difficult to find cases which were ready for hearing. It took some time for the Judges to convince the profession that they needed to change, that they needed to immediately prepare their cases for hearing, that they would be given an early hearing date and that their cases would be reached. The system was quite successful. Its importance was that it allowed the Court to develop a positive attitude to the early disposal of cases. It was also an important period because it allowed the Judges to experiment in case management and to develop the most satisfactory way to manage cases in the District Court.

In the middle of 1994 Chief Judge Staunton introduced a system to further eliminate the backlog. It was known as the GIO Tail Project. It was a list in which old motor accident cases were given an early date. Other personal injury cases were still subject to long delays. On 1 August 1994 the District Court began to hear old motor accident personal injury cases. The project involved the disposal of about 4,000 personal injury cases. The Defendant was the Government Insurance Office of New South Wales or the New South Wales Insurance Ministerial Corporation as it became known. It should be remembered that this project involved some of the most difficult cases in the Court. A number of these cases were cases which had fallen to the bottom of the pile because they were so difficult. The majority had been in the Court system for seven years or more. The oldest involved an accident 30 years ago and the majority were accidents which occurred between seven and eight years ago. Many involved accidents which occurred 10, 15 or 20 years ago. Some involved traffic law which no longer exists and which had not existed for many years. Again, three Acting Judges were appointed and that

allowed three experienced Judges to be made available to hear these cases. In the end 4,204 cases were included in this project. 4,021 were disposed of within about one year of the project commencing.

Case management had become very important. There was, at the time, a lot of debate as to whether Judges of the Court should involve themselves in case management, but it soon became apparent to those running the various lists that the only successful method of disposal of cases was by case management and the most successful method of disposal of cases was by Judges managing the list. I am not suggesting that the other officers of the Court were not doing an excellent job in allocating hearing dates, but the fact was that they did not have the power to be able to persuade the various parties that they had to get their cases ready for hearing.

Case management developed along very simple lines. The system used was basically to allocate a hearing date and to advise the parties that they had to be ready for hearing on that date. We did not make long or involved orders or bring the case back before the Court a number of times before the hearing. The case was simply allocated a hearing date. If the case was to be adjourned then the solicitor had to convince the Court that he or she should not personally pay any costs relating to the adjournment. The

first call-over was before an Assistant Registrar, parties were offered a hearing date before an arbitrator or before a Judge. If the case was not ready to take a hearing date it was referred to the List Judge. A deliberate decision was made not to give the Assistant Registrar power to adjourn cases. That meant that a date for hearing could be taken or the parties would have to go before the List Judge. The Assistant Registrar had no other choice. When the matter then went before the List Judge the Court's policy was very simple: the parties were offered a range of hearing dates, if they were not ready without very good reason, then the case was stood over to show cause why it should not be struck out for want of prosecution, cases were not adjourned unless there was a legitimate reason - they were stood over only to be ready to take a hearing date on risk of being struck out. This was an important part of case management as a habit had developed in which the parties began to prepare their cases for hearing after a call-over. The Court was told that, by consent, cases were to be adjourned and when they came back they were still not ready and adjourned again. This had to be stopped.

When this system of case management commenced we still found that when the parties came before the List Judge they were not ready. The next step was to have the Assistant Registrar list the case before the List Judge to strike out for want of prosecution. Many members of the profession did

“ A different philosophy started to emerge ... It took some time for the Judges to convince the profession that they needed to change ... ”

not realise that it was a serious matter and so a printed form was handed to the parties' legal representatives which made it quite clear.

Case management by Judges is an area which needs a lot of thought. Where you are managing a large number of cases you cannot afford to stand cases over to another date. You have to limit the number of appearances before the Court. If I can give a simple example: if 5,000 cases come before a List Judge who grants each one an adjournment, then 10,000 cases will come before that Judge and if the Judge gives more than one adjournment it becomes worse and, in fact, impossible. If a case is listed before a List Judge it must be for a serious reason and if it has to be listed a second time it must be to strike out the case if it is not ready.

We also used a "not ready" list for cases in which injuries had not stabilised. The cases in that list are reviewed by the Court on a regular basis.

The attitude of the profession towards the hearing of cases had to be changed. They had, through no fault of theirs, got into a negative attitude and that had to be changed into a positive attitude. There were a large number of cases to be heard, the Court had only limited resources and it became important that as many cases as possible be heard on the day they were listed for hearing. The Court had to prove to the profession that it was capable of hearing these cases and of quickly disposing of them.

Judges' time spent sitting in Court hearing cases became the most important asset we had and a system was developed to protect that valuable time.

An attempt was made to shorten the length of cases. Various orders were made at the time a case was set down for hearing and those orders were aimed to guard against waste of Judges' sitting time.

The first order was for the preparation of a chronology which had to be read by the plaintiff before the plaintiff gave evidence. The plaintiff could then simply say under oath in the witness box that the facts contained in the chronology were correct and the plaintiff, of course, could be cross-examined on those matters.

The real purpose behind the ordering of the preparation of a chronology was to save Judges' time. It soon became obvious that there were other benefits. We had found that Judges were sitting in Court furiously taking notes as a plaintiff was led through his or her past history. Counsel who were leading the plaintiff through that history had all those facts written out in front of them. They were not controversial, they were usually a matter of history and there was no reason why the Judge should have to sit there and take notes when the simplest way of dealing with it was to hand the plaintiff the chronology and then to have it tendered as an exhibit in the case. This saved a lot of Judges' time and saved Judges from having to take down all that history. It is interesting to watch the way that the chronologies have developed. Most of them are full, informative and helpful. Some are virtually useless but, generally, it is an area in which the profession

have reacted in a very positive manner. I recall hearing one case, a most complex case, in which the chronology extended over 40 or 50 pages and in which Senior Counsel for the plaintiff spent only about 15 minutes with his client in evidence in chief before sitting down and allowing her to be cross-examined. He had, of course, ensured that counsel for the defendant had the chronology prior to the day of hearing. The result was that a very complicated plaintiff's case really became relatively simple.

Parties were directed to draw up schedules of medical reports and to attach the original and a copy of their reports to those schedules. This was usually done, although too often a copy is not available for the Judge. The purpose of the schedule was to save time so as reports did not have to be read onto the record.

The most significant change was that all cases which were not allocated to a Judge to start at 10.00 am were placed before the List Judge at 9.30 am, counsel were required to appear instructed by their solicitors and to fill in a reserve matters hearing status sheet which requires the parties to agree or to attempt to agree, at least mathematically, the out-of-pocket expenses, loss of income claimed together with other monetary claims. Medical reports and other documents to be tendered had to be attached to enable both parties to be clearly aware of what the other party intended to tender. The parties were required to actively discuss the shortening of the case. In other words, to try and agree between them as to what the real issues were and were encouraged to actively discuss settlement.

The first aim was to bring barristers and solicitors together to enable them to immediately start discussing the case. The Court made available the subpoenaed documents and allowed both parties to have access to them. Any application for an adjournment had to be made to the List Judge before the case was allocated to a Judge for hearing.

It was very important that we had Judges sitting in Court for as long as possible. Too often in the past Judges were asked to wait in chambers while settlement was discussed, while subpoenaed documents were inspected or while one party or the other formulated their case and then, when all that was done and the case finally started, the Judge had to sit there whilst counsel inspected medical reports, often a large number of medical reports, to see whether they had been served and, when there was some argument, solicitors had to go through files, often bulky files, trying to find letters serving medical reports. When other documents were tendered the same sort of thing occurred. There was no necessity for this, it could be done before the matter got to a Judge. The form required the parties to consider each other's reports and to note on the form any to which they took objection. That matter could then be dealt with at an early stage.

At the reserve matters call-over counsel were able to provide accurate estimates of the length of a case and if it could not be provided immediately, after discussions with the other party and after the narrowing of issues, an accurate

estimate could be provided. Discussions could be held as to the number of doctors to be called and as to other witnesses who may be necessary. In the past too much Judges' time had been wasted. This new system saved that time and, just as importantly, it brought the legal profession together to discuss their cases.

One of the other advantages of the system was that settlement was fully discussed. A number of cases were settled before they were allocated to a Judge but, just as importantly, the serious part of the settlement negotiations was carried out before allocation to a Judge. Sometimes settlement was not complete until the case was allocated to a Judge but, once a Judge was nominated to hear the case, cases often settled quite quickly because the preliminary work had been done. The fact was that the system worked. A large number of cases were disposed of.

When Justice Blanch was appointed Chief Judge of the Court he immediately took steps to alleviate the Court's civil backlog. It was a daunting task. At the beginning of 1996 there were 11,726 cases in the Sydney civil list. During 1995 the Chief Judge had decided that all efforts were to be made to dispose of that backlog. It was agreed that a set number of Judges would be allocated each week to the Sydney civil list which would allow certainty in the allocation of cases for hearing. When the Court made their attack on the Motor Accidents List and the GIO Tail three Judges had been allocated and those three Judges were always available to do that work. The task now facing the Court was a much larger one. It was at first decided that at least seven Judges would be allocated each week. The Chief Judge, however, has been able to increase that number and we now on a regular basis have more than ten Judges hearing civil cases in Sydney each week.

Since the beginning of 1996 one Judge has been allocated to hear industrial deafness cases both in Sydney and in the country and at the present time two Judges are now hearing those cases. One Judge is allocated whenever it is necessary to spend a whole week hearing victims compensation appeals and each Thursday a Judge hears the *Motor Accidents Act* motions and on Friday another Judge hears the Court motions. In addition to that, the Court has also been able to carry on and keep up to date with its tribunal work. The result, as I said earlier, is that by the end of this year there will be no backlog in the Sydney civil list. In effect, within a period of three years, a very large backlog has been disposed of but I believe it is important that we look to see how that was done.

I believe that the most important reason for the success was the change in philosophy. That is, the change from a totally negative philosophy to a positive philosophy. We have been fortunate in having two Chief Judges were were prepared

to encourage the Court to change and were prepared to make Judges available to allow that philosophy to be put into place. The government made available Acting Judges, it was fully supported by Claude Wotton, the Chief Executive Officer of the Court, and by a number of the Court staff and it was achieved with Judges who were prepared to work hard, to work long hours and, indeed, to change their own philosophy. It is important to recognise the part played by the Judges. The system demanded that Judges not only work long hours, but they spent long hours in Court. It has, over that period, been rare to find a Judge finishing before 4.00 pm, that is, the

Judges are in Court hearing cases all day, every day. Judgments often have to be done at night or at the weekends. During 1996 and up to 18 October the Judges have themselves disposed of 3,600 cases. These cases were actually listed before Judges for hearing. There is a lot of pressure on Judges at the moment, and I believe that steps will have to be taken to ease that pressure. This is not something I need to discuss in this paper but it is important.

The arbitration system has played a vital part in the elimination of the backlog. The system has been accepted by the profession. Solicitors and barristers have generously given of their time to ensure the success of the system and it was a very important factor in the elimination of the backlog. About 80% of cases referred to arbitration do not come back into the Court system. Part of the system the Court developed was very important in supporting the arbitration system. It was decided that, where a party requested a re-hearing of an arbitration, they would be immediately allocated a date for hearing and allocated a date within three months of the request for the re-hearing. That meant that arbitrations were attractive. Parties knew that, even if their case was not finalised at arbitration, it would very soon thereafter be before a Judge of the Court. It also meant that parties could not use the arbitration system for a "dry run" to gauge the strength or weakness of their case as the parties were not given the opportunity to prepare a case for hearing after an arbitration. The arbitration hearing became a serious hearing and I believe that the statistics show that the number of requests for re-hearing fell. It is important that the Judges of the Court hear the same case that the arbitrator heard.

The management of cases by the Court has been very important in the elimination of the backlog. Whilst the management generally is minimal it is important. The Court had to convince the profession to accept early hearing dates and to prepare cases for hearing. The profession have not completely changed their attitude towards the early listing of cases. A number of members of the profession are unable to quickly prepare a case for hearing. The old ways are often so ingrained that it is difficult to change, but slowly people are changing. More and more cases are ready to take an arbitration

***“ ... by the end
of this year there
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or hearing date when they first come before the Court. In my opinion the Court must now always manage cases to some limited extent. The provision of a set number of Judges each week was very important. The Chief Judge has worked miracles in providing those Judges. It is very important to any system that, when cases are allocated a hearing date, the number of Judges available to hear cases is known. In the past it was often the Sydney civil list which suffered when Judges had to be sent elsewhere and so it was difficult to know whether there would be one or ten Judges available. With certainty of Judges you can have certainty of listing and so be confident that most cases will be reached.

The profession have played an extremely important part in the elimination of the backlog. I accept that it is inconvenient to have to come to Court at 9.30 in the morning before your case has been listed before a Judge. I accept that it is inconvenient to leave the comfort of chambers for the uncomfortable surroundings of the John Maddison Tower, but it is vital to the system. If we do not have barristers and solicitors at Court to discuss settlement, to narrow the issues and to allow the Judges more time in Court then the system, in my view, will return to where it was some years ago. It is not uncommon for barristers and solicitors to work together all morning and even up to 4.00 pm before they finally settle a case. Barristers generally have to be complimented on the way they have presented their cases to the Court. Generally, they do not waste time, they narrow the issues and cases do not take as long to hear.

I should stress that the Court has not altered the way in which cases have been traditionally heard. All the Court has tried to do is to reduce the time spent in Court yet, at the same time, allowing the important issues to be fully litigated. There has been no dramatic change in the way in which cases are heard.

The listing system was changed as we had certainty of numbers of Judges. In the past, if a case was listed for three days, for example, then three spaces on consecutive days were ruled out of the diary. If it settled or was adjourned, three blank spaces appeared in the diary. A system was developed whereby each case or group of cases to be heard together were classified as one unit and a set number of units, depending on the number of Judges sitting, were listed each day. A set number of units were set aside for priority cases.

A number of cases have not been reached on the first occasion they were listed this year and that is regrettable, however that number is still under 10% of cases listed for hearing before Judges. I believe that that is an acceptable number. We would like to have all cases reached on the first

occasion but it is not possible if we are to keep the Judges fully occupied hearing cases. We have had a number of cases not ready to proceed after a hearing date has been allocated. Applications for an adjournment are made at such a time that the hearing which has to be vacated cannot be re-allocated and so extra cases have to be listed to cover these cases and so, from time to time, there will be cases which are not reached. However, we offer those cases the earliest possible date for another hearing and it is extremely rare to see a case not reached on the second occasion.

The system has also been changed to allow the List Judge input in the allocation of cases in the reserve hearing list. Basically, cases are allocated by the List Clerk but the List Judge and List Clerk are in constant contact during the day. A phone has been installed in the List Judge's Court and it has proved invaluable.

A change in policy relating to the listing of jury actions also took place. Jury cases were, in the past, put in the reserve list. That was altered to list jury cases first. It was easier to find available Judges and those cases often settle once they get a start and, in fact, that has happened. These cases used to clog the list but that no longer happens and there is no backlog of the

jury cases.

There are a number of areas in which we need to take action if we are to continue to quickly hear cases and to ensure that we never again have a substantial backlog. Firstly, we have to guard against any future backlog building up. A backlog will build up if the Court is not constantly vigilant. It can build up quickly and it can get out of control. We need sufficient numbers of Judges available to hear cases.

Secondly, we need more co-operation in some areas. In the Motor Accidents List a recent problem has started to cause delays. Some insurers refuse to consent to extended jurisdiction. It is not uncommon for a case to be set down for four or five days or more and then a short time before it is to be heard it has to be adjourned to allow the plaintiff to apply to the Supreme Court for permission to transfer his or her case to that Court. There is one motor accidents insurer who I have noticed does it on a regular basis. It causes a great problem in our list. We have set aside valuable time for a case to be heard, the case is taken out of the list and it cannot be replaced. I have to ask what reason the motor accident insurer would have for not consenting to unlimited jurisdiction? The case has a hearing date, it is prepared and the Court is ready to hear it. The Court on a daily basis hears cases which exceed the jurisdiction of the Court. By not consenting to extended jurisdiction the Court's time is wasted, there is the cost of an application to the Supreme Court, the

***“ A backlog will
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vigilant. ”***

extra costs in transferring it to the Supreme Court, the extra costs involved in running a case before the Supreme Court and the extra cost to the Supreme Court itself and one has to ask why. I have asked and ask again: Should an insurer be allowed to waste the motorists' moneys in this way? The costs of refusal to consent to extended jurisdiction have to be passed on to the motorists of this State. It is a constant source of problems in our Court. I should add that this refusal to consent to extended jurisdiction is not confined to motor accident insurers. Other insurers at times do not consent. I should also say that many insurers do consent and readily consent to extend the jurisdiction. It is a problem which I believe can be simply remedied by giving the Judges of this Court power in the appropriate case to extend the jurisdiction.

Thirdly, solicitors in particular have to be prepared not to start a case until it is ready to proceed to a hearing. Once they start a case then they must quickly have it ready for hearing as the case will be disposed of by the Court within a period of 12 months. Too often cases are not ready to proceed when they are commenced and I personally believe that the Court will have to have a system whereby cases which are not ready are struck out. If we do not have such a system I fear that we may develop a backlog of cases not ready to proceed. There really needs to be a change of attitude and a change in the way in which cases are prepared but I have confidence that, providing the Court insists on the speedy preparation of cases, the profession will respond.

It is important that we look at what has happened over the last three years, that we take forward with us the most important aspects of case management which we have found have worked. It is important that we maintain a positive attitude. It is, in my view, important that we constantly look to ways to improve our system. There are several areas I believe we can look at straightaway:-

1. We should carefully consider the calling of doctors to give evidence. Generally speaking, doctors provide very helpful reports. It is unusual to see a doctor who has considered his or her opinion change that opinion under cross-examination. Often doctors are called because they have been given an inaccurate history and it is, of course, important that the correct history be put to them. Too often, even though it is obvious that a doctor has been given an incorrect history, steps are not taken to put before the doctor an accurate history to allow the doctor to give an opinion in relation to that accurate history and to avoid having to call the doctor to give evidence in Court.
2. Quite often experts are called to give evidence, even though they do not add to the plaintiff's or defendant's case and I believe careful thought has to be given by the Courts to allowing the cost of the calling of doctors and experts who are not going to advance the plaintiff's or defendant's cases.
3. One of the major problems the Judges have is the requirement for often lengthy judgments which, in the end, are not necessary. It is, of course, important that a party to an action knows the reasons the Judge has arrived at his or her decision, however judgments, and often very lengthy judgments, often have to be prepared when, in the end, the parties would be more than content with simply knowing the result and very brief reasons as to why the Judge arrived at that decision. I believe that careful thought has to be given to this area and that, where possible, some relief has to be provided to Judges and this would result in a great saving of Court time.
4. Judges, and certainly Judges of the District Court, need help if they are to work long and constant hours. The Judges in civil cases rarely, if ever, get a transcript. They have to prepare their judgments from their own notes taken in Court. It really is ludicrous to think that the finest shorthand writers are employed to take down an accurate transcript of evidence in Court and yet a Judge is expected to take down the same evidence and to prepare his or her judgment from those notes. True it is, a Judge can, after a number of weeks, obtain a transcript, but by that time the Judge has heard many cases and it is very difficult to wait for a transcript before doing the judgment and it is also unfair to the parties to ask them to wait. Judges are given help but if we are to modernise our Court system and to keep hearing cases at the rate we are hearing them now, we need help. If we do not get that help then I believe that the Court will lose Judges who simply are not prepared to keep working at the pace required of them without assistance.
5. We have to consider whether further steps should be taken to shorten the hearing of cases. I know that it has been discussed in the past as to whether the evidence-in-chief of witnesses should not be put in statement form in all cases. I must say I have never supported that suggestion in the past, but I am certainly more prepared to consider it now as I know are other Judges as it may shorten the length of cases and also give the Judge some assistance by having a typewritten document in front of the Judge when the Judge comes to consider his or her decision.

The District Court of New South Wales has shown that, at least in its jurisdiction, providing you have a positive attitude towards the elimination of a backlog and particularly towards providing hearing dates, you can eliminate even a very large backlog.

The Court now has to work very hard at keeping a positive attitude and of ensuring that never again do we have a backlog. We have to ensure that at least 90% of cases commenced in the Court's civil jurisdiction are concluded within 12 months. We are now in a position where we can control our future. □