

PSA BULLETIN – COURT REPORTERS BRANCH



March 2014

***ALERT* - “USER PAYS” for contractors in the Supreme Court civil jurisdiction - YOUR court reporting service!**

Say **NO** to:

- ❖ Outsourcing to contractors to replace the Attorney General’s Department’s court reporting service
- ❖ Fewer transcripts
- ❖ Lengthy delays for transcripts
- ❖ Inferior quality transcripts
- ❖ Escalating costs
- ❖ A service which is simply NOT “just, quick and cheap”

the Attorney General contracting out the court reporting service provided by the Reporting Services Branch.

BEWARE of what happened in Queensland!
See the following articles:

<http://www.sunshinecoastdaily.com.au/news/warning-patel-case-highlights-court-transcript-wea/2050544/>

<http://www.couriermail.com.au/news/queensland/justice-fears-as-courts-outsource-row-festers/story-e6freoof-1226451266291>

What can you do to retain your current prompt, efficient and high quality service?

Express your views in writing to:

Phil Selth, CEO NSW Bar Association: executivedirector@nswbar.asn.au

Greg Smith, Attorney General: office@smith.minister.nsw.gov.au

Paul Lynch, Shadow Attorney General: electorateoffice.liverpool@parliament.nsw.gov.au

The Hon TF Bathurst, Chief Justice of NSW: victoria_bradshaw@courts.nsw.gov.au

Michael Tidball, CEO Law Society of NSW: lawsociety@lawsociety.com.au

Article in The Australian Newspaper 14 February 2014

Judge attacks plans to outsource reporting – *The Australian*

by NICOLA BERKOVIC

A NSW Supreme Court judge has taken the extraordinary step of writing to the state opposition, warning that plans to outsource court reporting services could compromise the quality and efficiency of the court.

Supreme Court judge Michael Pembroke wrote to opposition legal affairs spokesman Paul Lynch on December 20 to express his concerns about plans to outsource court reporting services for the Supreme Court's civil procedures.

"I am quite sure that, if implemented, the outsourcing of Court Reporting Services and/or the introduction of electronic monitoring will result in a decline in the quality and efficiency of the court," he wrote.

Justice Pembroke said existing court reporters were experienced and could edit seamlessly and clarify court records on their own initiative. He said inexperienced court reporters could not do so.

Justice Pembroke said existing court reporters also ensured the accuracy of transcription by asking litigants for clarification if they were not speaking clearly or too many people were speaking at once, and provided immediate access to transcripts during proceedings so objections to evidence and cross-examination could be resolved.

Mr Lynch demanded that Attorney-General Greg Smith give the matter immediate attention. "The quality of justice in the Supreme Court should not be sacrificed on the altar of Treasury cost-cutting," he said. Mr Lynch said he had written to Mr Smith a month ago about the issue and was yet to receive a substantive response. It is understood that court reporting services will remain unchanged for criminal matters and that the plan to outsource services applies only to civil matters.

A spokeswoman for Mr Smith said private companies had provided some transcription services since 2005, and that daily transcripts in the District Court's civil jurisdiction had been outsourced since 2011 under a "user pays" model introduced by the former Labor government.

She said contractors complied with quality and timeliness standards and were commonly used in the Federal Court and other jurisdictions.

"The feedback from clients about their service has been very positive and the department is considering an expansion of this process in the civil jurisdiction only," she said. She said court users and staff would be consulted before any decision was made.

The NSW Public Service Association's James Shaw said there were about 263 court reporters in NSW. He said the union had been concerned for some time that court reporting services were being run down, and that individuals who left were not being replaced. Mr Shaw said he was concerned about members' job security and about a decline in the quality of court reporting services. He said if services were outsourced parties would probably have to pay for transcripts, which would make accessing justice more expensive. He said judges often wanted a daily service and contractors could not deliver that.