



National Transcription Service

Tribunals Unit

DISCOVERY SYNOPSIS

PEOPLE, PROCESS & TECHNOLOGY



Ensuring simple,
connected processes



MINISTRY OF
JUSTICE
Talbot & Ture

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1.0 PURPOSE

The National Transcription Service (NTS) recently instituted a discovery process to assess the viability of transferring some, or all, of the transcription services currently provided to the Tribunals Unit (TU). Presently these services are provided partly by NTS, partly by TU staff and partly by external providers.

The purpose of the discovery approach was to ensure that the NTS and Special Jurisdictions (SJs) (in this particular case TU) had a complete and detailed understanding of the factors supporting or inhibiting this proposal so a considered recommendation can be made.

2.0 BACKGROUND

The TU provides administrative and registry support services to a range of tribunals. It also provides other specialist services including committee servicing. The TU delivers a range of goods or services across two output classes and has service delivery arrangements with the District Court Unit for case and hearings management for the Disputes Tribunals (DT) and Tenancy Tribunals (TT) throughout the country.

The TU is responsible for the provision of administrative support to tribunals and authorities that perform a judicial function (adjudicative tribunals) and to authorities that perform a licensing function (administrative authorities). Adjudicative tribunals generally have some or all of the following characteristics.

- They are empowered to make binding orders (rather than recommendations);
- They are bodies that form part of the overall justice/legal system of New Zealand;
- They may have the power to hold individuals in contempt;
- Their role is to resolve disputes between individuals or individuals and the State.

Administrative authorities are charged with overseeing an administrative function in response to Parliamentary direction as contained in statute. The most common function of these authorities is that of licensing members of various occupational groups. The role, in itself, is not adjudicative, although some administrative authorities also perform an adjudicative role in relation to, for example, disciplinary measures. In this respect these authorities then become adjudicative tribunals.

The TU was established in September 2002 following a review of the structural and organisational requirements of the Special Jurisdictions Group and specifically the then Tribunals Division.

The Tribunals Unit are based in Wellington (Customhouse Quay) and in Auckland (three separate locations – 99 Albert St, 120 Albert St and Level 10 Auckland District Court). At the end of 2013, the judicial officers and staff located at 120 Albert St and the Auckland District Court will relocate to Chorus House.

3.0 CURRENT STATE

The first step in establishing a current state involved the NTS Integration Manager meeting with Maria Galvin, TU Business Services Manager, Wellington and Allan Cobham, TU Support Services Manager Wellington, to discuss what would be involved with an integration of their transcription requirements into NTS and any possible impact or outcomes arising from that integration.

Further meetings were also had in Auckland with Linda Cooley, Acting Jurisdiction Manager Weathertight Homes Tribunal (WHT), Jan Pilkington, Jurisdiction Manager, Legal Complaints Review Office (LCRO) and Lucyanne Keenan, Jurisdiction Manager, Motor Vehicle Disputes Tribunal (MVDT) and Lawyers and Conveyancers Disciplinary Tribunal (LCDT).

After discussion the decision was made to move forward from the discovery phase and a document should be compiled based on the data received and what any changes would mean to both the TU and the NTS. This approach should cover:

- (a) Technology (fit with current NTS technology & long term end point)
- (b) People (impact and implications)
- (c) Processes (fit with current NTS model)

There are currently 29 tribunals and authorities, for whom the TU is responsible and these include the following:

- Abortion Supervisory Committee (ASC)
- Accident Compensation Appeals (ACA)
- Accident Compensation (District Court Appeals)(ACDCA)
- Alcohol Regulatory and Licencing Authority (ARLA)
- Birdlings Flat Land Titles Commissioner
- Copyright Tribunal (CT)
- Criminal Justice Assistance Reimbursement Scheme (CJARS)
- Customs Appeal Authority (CAA)
- Disputes Tribunal (DT)
- Human Rights Review Tribunal (HRRT)
- Immigration Advisors Complaints and Disciplinary Tribunal (IACDT)
- Immigration and Protection Tribunal (IPT)
- International Education Appeal Authority (IEAA)
- Land Valuation Tribunals (LVT)
- Lawyers and Conveyancers Disciplinary Tribunal (LCDT)
- Legal Aid Tribunal (LAT)
- Legal Complaints Review Office (LCRO)
- Licensing Authority of Second-hand Dealers and Pawnbrokers (SHDPB)
- Motor Vehicle Disputes Tribunal (MVDT)
- Private Security Personnel Licensing Authority (PSPLA)
- Review Authority (RA - Legal Aid)
- Real Estate Agents Disciplinary Tribunal (READT)
- Social Security Appeal Authority (SSAA)
- Student Allowance Appeal Authority (SAAA)
- Taxation Review Authority (TRA)
- Tenancy Tribunal (TT)
- Trans-Tasman Occupations Tribunal (TTOT)
- Victims Special Claims Tribunal (VSCT)
- Weathertight Homes Tribunal (WHT)

(See Appendix 3 for all transcription requirements)

The TU is managed from Wellington with offices in Auckland and provides operational, administrative, legal and research support to the above 29 Tribunals, Authorities and Committees. Over 400 judicial officers deal with in excess of 45,000 cases per annum across all jurisdictions.

The vast majority have their overarching legislation or establishment documentation administered by a government agency other than the Ministry of Justice (MoJ). This means that the gateway to the TU system is largely through these other government agencies and, accordingly, the monitoring and management of these fundamental relationships is essential to the smooth running of the TU.

DISPUTES TRIBUNAL (DT)

The DT is located within each District Court premises and deals with claims between parties in respect of amounts up to \$15,000 (or, by consent of both parties, \$20,000).

The DT hears complaints as authorised by the Disputes Tribunals Act 1988.

The DT is presided over by a Principal Disputes Referee, who must hold a Bachelor of Laws from a university in New Zealand or a qualification that the appointing minister considers is equivalent to such a Bachelor of Laws degree.

A DT Referee is not necessarily required to be legally qualified, but most referees are. A referee must be deemed capable, by reason of that person's personal attributes, knowledge and experience, of performing the functions of a referee.

Hearings of the DT are held in private and generally attended only by the parties involved. Parties to DT proceedings may be represented with the approval of the referee, but parties may not be represented by lawyers.

The DT is a division of the District Court (DC), which means that any orders made can be enforced as if they were an order of the DC - other than that they have their own act and rules and operate independently of DC. If an appeal from a DT order is filed it is an appeal to the DC as the appeal court and all appeals must be transcribed.

As DT is administered by the DC Civil Jurisdiction, no exact numbers can be obtained for DT Appeals lodged because they are entered into the MoJ Case Management System (CMS) as a Civil Appeal and they do not differentiate whether these are DT or a Civil Appeal. NTS presently transcribe all appeals emanating from the Civil jurisdiction if requested by a Judge.

From an NTS perspective, a TSMR410 List of Non-Contemporaneous jobs report for the period January-October 2012 period was run and four (4) DT hearings were identified. These were jobs logged directly from the respective Civil jurisdiction through the NTS Transcription Service Manager (TSM) system.

The process currently used by some Civil jurisdictions is to request a transcript from NTS through TSM, historically, because Civil utilise the NTS TSM system for all transcription requests and have operated on this assumption with DT appeals. This request process will be discontinued and all requests for transcription of DT appeals must follow the process set out in the TU recording protocols; which is they must go through the Wellington TU, Allan Cobham and Maria Galvin, for determination, and if a transcript is deemed to be required, they will enter the job into TSM.

Court Reporter Team Leaders and Senior Court Reporters will be advised as to this process change and the process will be to check if the requestor is either Allan Cobham or Maria Galvin, and if not, they are to advise the registry that the request must go through these nominated people.

Maria Galvin, Business Services Manager, Wellington TU will be responsible for advising all Civil registry staff responsible for DT appeals that requests for transcription for these must go through Wellington TU in the first instance.

Again, because of no records being kept, the number of DT appeals requested directly from TU are unknown but will form a proportion of the 50 transcripts per annum 'guesstimation' given by TU Wellington.

TENANCY TRIBUNAL (TT)

Access to the Tenancy Tribunal is via the Ministry of Business Innovation and Employment (MBIE). The TT is located within each District Court premises and provides landlords and tenants of residential properties, and specified people under the Unit Titles Act with:

- A free mediation service (provided by MBIE); and (if that fails)
- A quick and inexpensive adjudication service (administered by the Ministry of Justice)

The TT can hear any tenancy or Unit Title dispute specified in The Residential Tenancies Act or Unit Titles Act, but with a maximum of \$50,000.

The TT conducts proceedings with minimal formality and technicality. It decides disputes according to the general principles of relevant law and the merits and justice of the case, but is not bound by strict legalities.

The TT is established under section 67 of the Residential Tenancies Act 1986.

TT hearings are heard by Tenancy Adjudicators. Adjudicators are impartial and independent judicial officers. Most are lawyers and are appointed by the Governor-General on the recommendation of the Ministers of Justice and Housing.

The TT is presided over by a Principal Tenancy Adjudicator who must hold a practising certificate as a barrister or solicitor or as both a barrister and solicitor of the High Court of New Zealand; or an equivalent qualification issued or recognised by the appropriate authority in any Commonwealth country, or in any common law country or state.

For transcription purposes, only TT Appeals are transcribed and these are usually for a re-hearing because either more evidence has come to light, or a party did not receive notification of the original hearings. A Judge presides at these appeals. There is also a provision within the Residential Tenancies Act 1986 for a party to request a copy of a transcript of the proceeding.

TT is also administered through the Civil Jurisdiction at each court, but case management is not managed through CMS unless a TT is appealed. The appeal is then entered into TSM.

A request was made to Rex Maidment, Principal Tenancy Adjudicator, as to how many appeals his office had received notice of and this number was 55.

As a result of a request from NTS enquiring as to how many TT appeals had been lodged in CMS from January 2012 until October 2012, a CMS report was run and this identified 157 TT appeals had been lodged.

From an NTS perspective, a TSMR410 List of Non-Contemporaneous jobs for the period January-October 2012 was also run and 213 TT 'appeals' were transcribed by NTS. This leaves an anomaly based on the CMS report (157 appeals lodged) of 56 hearings. I have been unable to identify whether these 56 hearings were legitimate appeals, requests from parties for a transcript, or other reasons ie an adjudicator wanting a transcript for their own needs.

The Principal Tenancy Adjudicator figure of 55 perhaps indicates that Civil registry staff may not be notifying the TU of the number of appeals lodged.

These figures have no direct impact on the integration of TU transcription requirements into NTS as all this work is currently undertaken by NTS, albeit, under the 'tribunals' umbrella.

Fees:

Under the Residential Tenancies (fees) Regulations 1998 states:

5: Fees for transcribing and copying of proceedings

(1) The fee for transcribing an audio tape of any proceedings of the TT is \$25.55 for each hour or part of an hour of the hearing of those proceedings.

Civil fee recoveries do not go into a unique account, nor do they have any special code indicating so. Unfortunately NTS did not receive enough records to enable a proper due diligence to be undertaken. NTS could not isolate the filing fees from the transcription charges. TU do not keep full records and in FMIS the invoices are scattered amongst different cost centres and some of the copies had almost no information other than the amount.

WEATHERTIGHT HOMES TRIBUNAL

The purpose of the WHT is to provide speedy, cost-effective and independent adjudication for leaky home claims brought under the Weathertight Homes Resolution Services (WHRS) Act 2006.

The tribunal was set up in 2007 after Government recognised the difficulties with resolving leaky home claims under the previous WHRS Act 2002. The 2006 Act provided for enhanced services, including setting up the tribunal and giving it greater powers to resolve disputes faster.

The Chair and Members of the tribunal act as adjudicators of leaky home disputes, and they are supported by MoJ staff who provide registration, case management and other administrative services.

Affected homeowners first apply to the Ministry of Business Innovation and Employment (MBIE) to have their claim assessed for eligibility under the 2006 Act. MBIE provides the assessment, negotiation and mediation services for leaky home claims. If an owner's claim is found eligible and the repairs required are assessed at over \$20,000 (or the repairs already made cost over \$20,000) the claimant may then apply to the tribunal for adjudication. Claims for \$20,000 or less follow a more streamlined process with the department. But if a settlement is not reached this way the claimant may apply to the tribunal for adjudication.

The outcome of the adjudication is a legally binding decision from the tribunal as to who is responsible for the leaks, who should pay, and how much. (Note that this is the extent of the tribunal's powers - the tribunal cannot fix the home).

The legal requirements for recording/audio storage for WHT hearings are not listed in the WHRS Act 2006.

Some WHT hearings are called "Witness Summons". This is when a party to a claim has not taken part in the original hearing and the adjudicator and counsel require them to answer questions. Or WHT may summons a person who is not a party to the claim but may have some valuable information.

The duration of Witness Summons hearings are from 1 hour to a half day.

All WHT transcription requirements are outsourced and records provided indicate that from February 2012 until April 2013 there were 31 transcripts requested. Twelve of these were for Witness Summons. There was a total hearing time (audio) of 53 days for the year, with a turnaround time, on average, of 9 days.

ACC APPEAL AUTHORITY

The Accident Compensation Appeal Authority hears appeals against ACC review decisions under the repealed Accident Compensation Act 1982. This is a separate authority to the ACC Appeals (DC Registry) that hear all ACC appeals against decisions made under the (current) Accident Compensation Act 2001.

Transcription requirements tend to be only requests when the matter goes before a higher court and occasional requests from the chair to assist with the writing of a decision.

Two transcripts were requested during 2012, both of one day duration, and both were transcribed contemporaneously by an outsource agency.

COPYRIGHT TRIBUNAL

The Copyright Tribunal is an independent body which hears disputes about licensing schemes and applications about file sharing infringements.

Licensing scheme dispute applications can be about:

- The reasonableness of an existing licensing scheme in a dispute between the operator of such a scheme and a person claiming that they require a licence under the scheme
- The terms of an existing licensing scheme
- A proposed licensing scheme that is not yet in operation

File sharing infringement applications can be about:

A rights owner can make a claim against an internet account holder who the rights owner alleges has infringed copyright via file sharing.

Sections 122A to U of the Copyright Act 1994 outline the process.

The Copyright Act 1994 and Copyright (Infringing File Sharing) Regulations 2011 are administered by the Ministry of Economic Development.

If a Licensing Scheme hearing is to be held, these requests would be for contemporaneous transcription as the hearings can take up to 6 weeks. This is one of the few occasions when TU will request contemporaneous support for a hearing and the understanding should be that the hearing be held in an FTR NTS-enabled courtroom. TU will discuss with NTS prior to any hearing occurring.

As the File sharing infringement applications are a new claim, TU advises they are unsure of what, if any, transcription requirements there are, but at this stage it would be only if there is an appeal to a higher court.

No transcription was required during the 2012 year.

CUSTOMS APPEAL AUTHORITY

The Customs Appeal Authority sits as a judicial authority for hearing and deciding such appeals as are authorised by the Customs and Excise Act 1996 or any other Act against assessment, decisions, rulings, determinations and directions of the Comptroller of Customs.

A transcript is required if an appeal is lodged in Higher Court. No transcription was required during the 2012 year.

HUMAN RIGHTS REVIEW TRIBUNAL

The Human Rights Review Tribunal is a statutory body established to deal with certain cases that are brought under the Human Rights Act 1993, the Privacy Act 1993, and the Health and Disability Commissioner Act 1994.

These cases may involve issues relating to privacy of personal information, health care provider standards and discrimination (on the basis of ethnicity, sexual orientation, gender, political opinion, employment status or disability). The tribunal has a monetary limit of \$200,000.

The last request for transcription from this tribunal was in June 2011 for a 4 day hearing transcribed contemporaneously by an outsource agency.

IMMIGRATION PROTECTION TRIBUNAL

The Immigration and Protection Tribunal is an independent body established under the Immigration Act 2009 to hear appeals and applications regarding:

- residence class visas
- deportation (including appeals on the facts and humanitarian grounds)
- claims to be recognised as a refugee or as a protected person.

The Immigration Act 2009 was passed on 29 October 2009 with the purpose of improving New Zealand's immigration system. Part of this improvement was to streamline the immigration appeal process by creating a single, 'one-stop-shop' tribunal to consider all grounds for appeal together. As a result, the Immigration and Protection Tribunal (IPT) was established. IPT is an administrative review tribunal.

This tribunal is based in Auckland and Wellington. There are 4 Judicial Support staff employed for transcription purposes with the majority of their work being the production of Judicial decisions. There have been over 3000 lodged with the IPT since its inception and over 80% of these are determined on the papers only; this is a process where a brief(s) is/are compiled and/or a file prepared for the Judge's consideration and from which the Judicial Officer will issue a decision.

There have been 14 Judicial Reviews High Court Appeals lodged within the last 12 months. Of these the High Court ordered that transcripts were to be produced in 4 matters. These were all transcribed by NTS on request from the IPT.

LAND VALUATION TRIBUNAL

The Land Valuation Tribunal deals with objections relating to the valuation of a property by a district council or its valuation agent, usually Quotable Value. It is case managed by the civil jurisdiction and entered into CMS.

The tribunal also hears matters relating to a valuation when land is taken under the Public Works Act 1981.

If an objection to a land valuation cannot be resolved, then the tribunal will arrange a hearing where both parties can put forward their case. 99.9% of these hearings do not go to a formal hearing and are resolved between the parties.

Any owner, occupier, body corporate, or agent can lodge an objection with the tribunal within 20 working days of notification of the decision under review.

The tribunal Chairperson is always a District Court Judge and he/she is assisted by two tribunal members, one of whom will be a registered valuer.

It is an expectation that LVT hearings are transcribed contemporaneously because of the complexity of these hearings. There are approximately only 1-2 per annum but there were no hearings in the 2012 year.

LAWYERS AND CONVEYANCERS DISCIPLINARY TRIBUNAL

The Tribunal's purpose is to hear and determine disciplinary charges against members of the legal and conveyancing professions referred to it by a Standards Committee of the NZ Law Society or NZ Society of Conveyancers, or the Legal Complaints Review Office. It also receives applications regarding suspension, striking off, revocation of orders and restoration of practitioners to the roll or register.

The Tribunal was established in March 2006 when Parliament passed the Lawyers and Conveyancers Act. This Act replaced the Law Practitioners Act 1982.

The purpose of the Act is threefold. It was set up to:

- protect the clients of lawyers and conveyancers and ensure that quality, consistent and effective decisions are made in dealing with alleged breaches of service
- to promote and maintain public confidence in these professions
- to recognise their status, especially that of the conveyancing* profession.

The New Zealand Lawyers and Conveyancers Disciplinary Tribunal (the Tribunal) was established as part of this new regulatory system.

*Conveyancing - is the transfer of ownership of property or business from one person to another. This profession is now governed by the NZ Society of Conveyancers.

With three main parts to its structure, the Act creates comprehensive complaints and disciplinary process for lawyers, conveyancers, employees, firms, and their clients.

The three parts are:

- Part 1: the establishment of the Standards Committees of the NZ Law Society and the NZ Society of Conveyancers.
- Part 2: the establishment of the Legal Complaints Review Officer.
- Part 3: the establishment of the NZ Lawyers and Conveyancers Disciplinary Tribunal.

All evidence given in a Disciplinary Tribunal must be given by affidavit unless the tribunal directs otherwise and all witnesses must be available for cross-examination if required by the tribunal.

A transcript is required if an appeal is lodged in Higher Court. There were 6 requests for transcripts in 2012.

LICENSING AUTHORITY OF SECOND-HAND DEALERS AND PAWNBROKERS

The Licensing Authority of Second-hand Dealers and Pawnbrokers grants licences and certificates to second-hand dealers and pawnbrokers. It also hears Police objections to the grant of such licences and certificates, and Police complaints against licensed second-hand dealers, pawnbrokers and certificate holders.

The legislation is Second-Hand Dealers and Pawnbrokers Act 2004.

The authority consists of one member, appointed for a term of three years. Up to two Deputy Licensing Authorities may be appointed from time to time.

A transcript is required if an appeal is lodged in Higher Court.

ALCOHOL REGULATORY AND LICENCING AUTHORITY (ARLA)

The principal functions of the Alcohol Regulatory and Licencing Authority, previously known as the Liquor Licensing Authority are:

- to determine application for, and variation of, on-, off- and club licences, and the renewal of those licences, as may be referred to it by District Licensing Agencies;
- to determine applications for manager's certificates and the renewal of those certificates as may be referred to it by District Licensing Agencies;
- to determine appeals from decisions of District Licensing Agencies;
- to determine enforcement applications filed by the Police or District Licensing Agency Inspectors.

The legislation is the Sale of Liquor Act 1989

ARLA consists of 3 or 4 persons, of whom one is a District Court Judge and is appointed as the chairperson of the Authority. Two members constitute a quorum at any meeting of the Authority.

A transcript is required if an appeal is lodged in Higher Court.

MOTOR VEHICLE DISPUTES TRIBUNAL

The Motor Vehicle Disputes Tribunal enquires into and determines applications made by purchasers of vehicles against motor vehicle traders.

The tribunal has authority to order a vehicle to be returned to the trader and for the purchaser to receive a refund of the purchase price paid for the vehicle or an award of the purchaser's costs of carrying out repairs to the vehicle. The tribunal may also order the transfer to the trader of the purchaser's obligations under any financing arrangement made at the time the vehicle was purchased.

The tribunal sits where required at cities and towns throughout New Zealand.

The legislation is the Motor Vehicle Sales Act 2003.

One adjudicator covers applications from New Plymouth/Taupo and above, with three appointed assessors.

The other adjudicator covers applications from Hawke's Bay southwards and the South Island, with two appointed assessors.

The adjudicator appoints one of their assessors to assist them with the technical aspects of the application hearing. The adjudicator makes the decision alone.

A transcript is required if an appeal is lodged in Higher Court.

PRIVATE SECURITY PERSONNEL LICENSING AUTHORITY

The Private Security Personnel Licensing Authority is the independent authority that assesses applications and issues licences and certificates for people working in the private security and investigations industry in New Zealand.

The Licensing Authority was established under the Private Security Personnel and Private Investigators Act 2010, which came into force on 1 April 2011.

The Act introduces a new approach to certification and licensing, along with new provisions in relation to improved regulation, compliance, and training.

The Private Security Personnel Licensing Authority replaces the Private Investigators and Security Guards Registrar, which was disestablished on 31 October 2011.

Any applications made prior to 1 April 2011, and awaiting a decision, will continue to be determined by the Registrar. After 31 October 2011 any applications or proceedings still to be completed will be transferred to the Licensing Authority.

TAXATION REVIEW AUTHORITY

The Taxation Review Authority is a statutory body appointed to hear and make judgement on cases where someone objects to their tax assessment or a decision by the Inland Revenue Commissioner.

The Authority can hear disputes regarding any amount of tax. It can also hear cases where the legal issues affect unrelated disputes between Inland Revenue and other taxpayers.

The Authority currently consists of a District Court Judge and receives administrative support from the Tribunals Unit, Wellington office.

The Taxation Review Authority is enacted by the Taxation Review Authorities Act 1994. Additional Taxation Review Authorities may also be created as required under this Act.

The relevant legislation is Taxation Review Authorities Act 1994 and Taxation Review Authorities Regulations 1998.

These are one-member Authorities, who may be District Court Judges or barristers and solicitors of the High Court of not less than seven years practice. The current Authority consists of a District Court Judge.

Judge Sinclair is the Taxation Review Authority appointee.

SOCIAL SECURITY APPEAL AUTHORITY

The Social Security Appeal Authority hears appeals made by beneficiaries about their benefits. In particular, it considers appeals against:

- Decisions made by the Chief Executive of the Ministry of Social Development that have been confirmed or varied by a Benefits Review Committee
- Decisions made by the Secretary for War Pensions in respect of veterans' pensions and related matters.

Appeals to the Authority are by way of a rehearing. The Authority examines all the evidence available and makes its decision about the case before it.

The applying party will lodge a Draft Case Stated and the other party can lodge submissions in opposition. The applying party will have final right of reply before the Authority Chair person states the case to be filed (by the SSAA Case Manager) in the High Court.

The legislation is the Social Security Act 1964 and the War Pensions Act 1954.

The Chairperson and Deputy Chairperson are Barristers and Solicitors of at least 7 years standing, who normally sit with two appointed lay members. The Chairperson of the Authority is supported by a Deputy Chairperson and two lay members.

The Tribunal normally sits in Auckland and Wellington on alternative months.

Periodically a hearing is held in Christchurch. The Tribunal's schedule of hearings is available on request from the Authority's secretariat.

No records of transcription requests appear.

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OFFICIAL INFORMATION ACT

TRANS-TASMAN OCCUPATIONS TRIBUNAL

The Tribunal is established pursuant to the Trans-Tasman Mutual Recognition Act 1997 to allow an individual who is registered in Australia for an occupation to be entitled to be registered in New Zealand for the equivalent occupation.

Applications are first heard by local registration authorities. If an applicant questions a registration authority's decision, they can apply to the Tribunal. You can apply to have a registration authority decision reviewed at any time – there is no time limit.

Applications may be made to the Tribunal for a review of a decision of a local registration authority to:

- impose conditions on registration; or
- postpone the grant of registration; or
- refuse to grant registration.

3.1 LEGAL REQUIREMENTS FOR TRANSCRIPTION

3.1.1 DISPUTES TRIBUNAL

The legal requirements for transcription of DT hearings are covered below in a Summary of Crown Law Opinion 2012 which states:

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5 9(2)(h)

3.1.2 TENANCY TRIBUNAL

The legal requirements for transcription of Tenancy Tribunal are covered below:

The legal requirements for audio storage of Tenancy Tribunal hearings are under s 6 of the Residential Tenancies Rules 2010 but there are no legal requirements for transcription.

Keeping and transmission of documents

- (1) Documents held in an office of the Tribunal or by the Registrar may be kept in any manner that the chief executive of the department or the chief executive of the Ministry of Justice thinks fit, including by means of a device or facility—
- (a) that records or stores information electronically; and
 - (b) that permits the information so recorded or stored to be readily inspected or reproduced in usable form; and
 - (c) that permits the information to be accessed by electronic means

Also pursuant to s 140 of the Residential Tenancies Act 1998 clause 5 states:

Fees for transcribing and copying of proceedings

- (1) The fee for transcribing an audio tape of any proceedings of the Tribunal is \$25.55 for each hour or part of an hour of the hearing of those proceedings.
 - (2) The fee for copying an audio tape of any proceedings of the Tribunal is \$10.22 for each hour or part of an hour of the hearing of those proceedings.
 - (3) The Registrar may charge for the cost of a cassette, if the person requesting the transcript does not supply a cassette.
- Regulation 5(1): amended, on 20 June 2011, by regulation 7(1) of the Residential Tenancies (Fees) Amendment Regulations 2011 (SR 2011/125).
- Regulation 5(2): amended, on 20 June 2011, by regulation 7(2) of the Residential Tenancies (Fees) Amendment Regulations 2011 (SR 2011/125).

3.1.3 LAWYERS AND CONVEYANCERS DISCIPLINARY TRIBUNAL

The legal requirements for transcription of the above tribunal are as follows.

Section 36 'Record of Proceedings' of the 2008 Act states:

- (1) A record of the proceedings of the Disciplinary Tribunal must be taken at every hearing and stored by the Tribunals Unit on behalf of the Tribunal at the conclusion of the hearing.
- (2) The following people are entitled at all reasonable times to inspect the record or a transcript of it and may receive a copy of the transcript on request:
 - (a) a person who is entitled to be heard on an appeal against an order or decision of the Disciplinary Tribunal;
 - (b) the New Zealand Law Society, if the proceeding relates to—
 - (i) a current or former lawyer, a current or former incorporated law firm, or a current or former employee of a lawyer or incorporated law firm; or
 - (ii) an appeal against a decision of the New Zealand Law Society declining or refusing to issue a practising certificate;
 - (c) the New Zealand Society of Conveyancers, if the proceeding relates to—

- (i) a current or former conveyancing practitioner, a current or former incorporated conveyancing firm, or a current or former employee of a conveyancing practitioner or incorporated conveyancing firm; or
 - (ii) an appeal against a decision of the New Zealand Society of Conveyancers declining or refusing to issue a practising certificate:
 - (d) any court hearing an appeal against a decision of the Disciplinary Tribunal.
- (3) The chairperson may, subject to conditions the chairperson thinks fit, permit a person to—
- (a) inspect the record or a transcript of it;
 - (b) receive a copy of the transcript.

The above three Tribunals were the only Tribunals where legal requirements for audio storage and/or transcription of hearings were provided.

4.0 PEOPLE AND PROCESSES

4.1 PEOPLE

Three roles directly support judicial officers in the Tribunals Unit.

- Judicial Personal Assistant (JPA) (5 positions)
- Judicial Support Officer (JSO) (4 positions)
- Support Officer Word Processing (SOWP) (3 positions)

These roles provide support directly to the head of bench and / or judicial officers. They produce decisions and other correspondence on behalf of the judicial officers. They may also carry out other administrative duties such as reception, opening mail, filing, banking, petty cash, accounts payable and if required, transcription of hearings.

After discussion with various members of the TU management team with regard to any possible impact on SOs should NTS undertake future transcription for all TU hearings. They stated they were quite confident that the impact on the SO role would be minimal, with the larger impact being on the outsource providers.

TU will need to determine and manage the implications of the removal of transcription as part of the duties of SOs.

Judicial Support

The TU Judicial Support (the roles noted above) perform a range of tasks, and provide confidential, accurate and timely word processing services (copy and dictaphone) to the Judiciary, Tribunal Chairpersons and members. Word Processing is their core function and constitutes 95% of the role. This includes:

- Production of decisions
- Transcription of hearing tapes/recordings
- Developing and maintaining templates
- Training of other staff on computer packages and style and format
- Formatting of work already created
- Production of annual reports for printing

Other duties involve:

- Updating Judges loose-leaf and statutes and other filing
- Reception

- Financial tasks including accounts payable, banking and petty cash
- Travel arrangements

There are currently twelve Judicial Support roles. Two JPA's are based in Wellington, two in Auckland and one remotely in Rotorua. There are 4 JSO positions based in various locations in Auckland and three SOWP roles based in Wellington. These roles report variously to the Manager of Support Services (Auckland and Wellington) or a Jurisdiction Manager (IPT Auckland only). All Judicial Support roles undertake transcription on an ad hoc basis, but as stated in 'Current State', they do not keep records of transcription of hearings, have no set templates for transcription and estimate that hearing transcription would form approximately 2-5% of their role.

Case Manager (Tribunals)

The Case Manager (CM) (Tribunals) are responsible for:

- Providing expert services in case management to ensure efficient and timely scheduling and progression of cases through the tribunals
- Day-to-day support for members of the Judiciary. Day to day contact with parties (customers) in relation to their specific case
- Contributing, as part of the whole tribunals team, to ensure a high standard of service for judges, members of the legal profession and other agencies and stakeholders across multiple specialised civil jurisdictions
- Providing services to support the hearing of cases, including identifying and providing for special requirements such as interpreters, setting up and controlling hearing venues, ensuring necessary equipment is available, ensuring appropriate security arrangements are in place, managing of exhibits and ensuring timely updating of case management records

The CM function which will have the largest impact on any integration of transcription requirements is that shown below.

- Operates digital audio evidence recording systems, maintains accurate logs and ensures case records are updated during the hearing.

CMs are based in the Wellington and Auckland TU's only. Each CM is attached to a particular unit, but can be required to provide services to the smaller tribunals who hold hearings infrequently.

There are eighteen CMs in Wellington TU, eight at IPT Auckland and twelve at Auckland TU.

Jurisdiction Managers

The Jurisdiction Manager (JM) is responsible for a specific tribunal (jurisdiction) or a range of these. A JM may have Registrar powers, depending on the particular jurisdiction.

There are 9 JM's four in Wellington, three Auckland Tribunals and 2 at IPT Auckland.

The Jurisdiction Manager is responsible for the internal and external relationships, business monitoring and reporting and has line responsibility for Case Managers and Judicial Support (Auckland IPT only)

4.2 GENERAL COURT PROCESSES

- (a) DT are case managed and administered by the Civil Jurisdiction and have case numbers in the format CIV-Year-Region-Case Number. For example, a Christchurch DT hearing will be in the format: CIV-2012-009-000001.
- (b) All other Tribunals are identified by their abbreviation eg HRRT is the identifier for Human Rights Review Tribunal. The abbreviation is followed by the case number and year eg HRRT 37/12. Tenancy Tribunal are identified with TT 46/12 (Tenancy Tribunal/case number/year. Sometimes TT after the year to determine type of case eg. TT 46/12UT (meaning 'unit title claim')

- (c) TU adjudicators travel unaccompanied and are sometimes assisted at the court being visited by local staff but Disputes referees sit alone and are responsible for the recording equipment and the lognotes.
- (d) Visiting Judges are housed in Visiting Judges' chambers nationally, if available. Referees and Adjudicators are housed in spare Judge's chambers, if available, or a spare office.
- (e) TU Case Managers (CMs) are experienced in the use of Mobile Evidence Recording Kits (MERKs) and all have used FTR.

4.3 SCHEDULING PROCESSES

TU schedule and support their hearings with their own staff, except with some off-site hearings.

After hearings have been completed, the audio/lognotes for these are stored and any requests for transcription of those hearings are done, in the majority of cases, retrospectively. In the case of some of the longer hearings where a request has been made in advance for a transcript to be provided, TU will advise NTS at least 10 days in advance. These hearings will be transcribed non-contemporaneously with an SLA of 15 days not including weekends or public holidays.

Requests for transcription cover a wide area and some of those are:

- Hearings that are appealed and the Judge will request the hearing be transcribed.
- Parties to a hearing feel they were disadvantaged in some way and wish to review the evidence.
- Long hearings will often be requested to be transcribed due to the large volumes of evidence being presented. These may be requested for contemporaneous support.

(a) The length of a TU hearing can vary greatly, but on average they are:

- a. DT: 2-3 hours
- b. TT: 2-3 hours
- c. HRRT: Hearings tend to be longer with anything from 2 days to 6 weeks (NTS would be advised about these prior).
- d. IPT: 1-1.5 days on average
- e. Other tribunals anywhere between 2 hours to 2 days.

(b) All tribunals hearings are recorded and stored.

(c) Wellington TU have two dedicated Hearing Rooms - HR01 and HR02 which have FTR 2.2 recording equipment installed and HR03 which utilises Phillips kits for any recording undertaken in this hearing room.

(d) In Auckland WHT has two hearing rooms (one is multi-purpose). IPT has three dedicated hearing rooms. There are no dedicated hearing rooms in the Auckland District Court, where many of the Tribunals Unit hearings are heard. Access to a hearing room at AKDC can be problematic and on occasion it is necessary to use a room without FTR. When this occurs MERK will be used.

(e) Christchurch has a dedicated hearing room at their Orchard Road premises and use Phillips kits for recording there. An attempt is being made to retrieve the PC with FTR 2.2 on it which was originally in Hearing Room 06 at the Christchurch District Court, which is now red stickered and transferring the licence to the Orchard Road PC to enable FTR audio/lognotes to be recorded there.

- (f) On occasions where a hearing is heard offsite or at another court location, the CM will contact the courthouse nearest to where the Tribunal/Authority has requested the hearing to be held. They consult with the Court Manager, or scheduler responsible for the allocation of courtrooms. They advise them of the date of the hearing and enquire regarding availability. If a courtroom is available, confirmation will be given, but often the court cannot give a definitive date and therefore an off-site (non-court) location is then chosen.

The nature of transcription (non-contemporaneous) does not dictate the location requested but preference should be given to a 'contemporaneous' location, although proximity for the parties and courtroom availability are more important considerations with scheduling.

4.4 HEARING PROCESSES

Courtroom set-up

CMs are responsible for all court taking duties, although they often have to undertake administrative duties for the bench, ie, photocopying, distribution of data to counsel/parties, swearing in of witnesses etc which may require them leaving their PC and therefore unable to enter lognotes at the *exact* time. CMs are also responsible for the set-up of all recording equipment in the courtroom, ie, MERK, FTR. They are also responsible for lognote annotations.

- (a) CMs advise that when they support a Tribunal/Authority at a hearing, they arrive at the allocated courtroom/venue at least one hour before the hearing commences.
- (b) It should be noted that all CMs now belong to the FTR Global User Group which enables them to access the "T" Drive at any court they are sitting in.
- (c) Prior to hearing commencement all CMs follow a similar procedure.

8.00 a.m. - Orientation

8.15 a.m. - Set-up circuit kit (ie, Phillips or MERK)

9.00 a.m. - Audio check undertaken

9.10 a.m. - Courtroom preparation, ie, water etc.

9.20 a.m. - Tribunal/Authority materials available and any last minute directions.

9.30 a.m. - Court opens

A major impact in the integration process will be in the area of audio retrieval from MERK equipment, particularly in a remote location, but also in non-FTR courtrooms. A Technology Process workstream document is being prepared and will present all scenarios regarding the use of MERK kits both on Ministry premises and off-site.

Variation -IPT

Case Managers at IPT provide a different range of services for hearings. Case Managers are not present during Refugee and Protection hearings, nor are they present during deportation hearings held at IPT. For these hearings, FTR is enabled and remains recording through the day, log notes are not entered. Judicial Officers manage the hearings without direct assistance from a Case Manager.

4.5 AUDIO & LOGNOTE PRACTICES

When log notes were introduced to the Ministry, they were viewed by the Judiciary as a replacement for the 'Crown Book'. Whilst the Crown Book was kept mainly for Criminal/Civil proceedings, for consistency

standards, these requirements now form part of the NTS standards across all jurisdictions and all TU staff will be trained in NTS lognote protocols.

All 29 tribunals within the TU record their hearings on either Phillips Recorders, FTR and Mobile Evidence Recording Kits (MERKs). Audio and lognotes are either downloaded to the relevant CMs PC and with FTR and MERK audio and lognotes, these are burned to CD and forwarded by the court taker to the relevant CM who stores these. In the case of an appeal being made and a transcript being required, the CM forwards the audio and lognotes to the transcriber and/or outsource provider.

- (a) Hearing audio is monitored by all CMs.
- (b) All CMs compile log notes whilst in court. These are lognotes done on either FTR or a MERK. Manual lognotes are recorded when using Phillips/Olympus Recording equipment, but only if a CM or staff are present.
- (c) The majority of CMs have used a MERK and all are familiar with FTR and are experienced using log notes. Recordings made on a Phillips or Olympus recorder have manual lognotes made by the CM which note the speaker and time as shown on the recorder.
- (d) CM's transfer the audio/lognotes to the TU 'T' or 'T' drive retrospectively to enable it to be transcribed, or they will provide a CD or email the audio once the request for transcription has been made and approved.
- (e) Tribunals have a minimum time of 4 weeks for audio storage but most recordings are kept indefinitely or until an audit is completed. In regard to DT the guidelines are 90 days but courts are asked to move the recordings to CD/USB and these are kept as long as they are required. TT audio is stored on the local 'T' Drive and archived off by the NTS TFM system, monthly, for storage.

5.0 TRANSCRIPTION PROCESSES

5.1 GENERAL TRANSCRIPTION PROCESS

TU do not keep records of transcription requirements undertaken by their staff but a 'rough guesstimate' given by the Wellington TU indicates an average of 50 transcripts per annum emanating from *all* the listed tribunals below, not including TT or DT whose transcription requirements are presently undertaken by NTS but inclusive of outsourced transcription requests.

As the discovery process was unable to determine the actual numbers/amount of transcription presently undertaken by TU, if NTS was to undertake transcription for TU in the future, they would need to track transcription requests and at a later date apply an FTE.

The core function of the TU Judicial Support roles is 90-95% word processing. No actual figure could be gleaned on what percentage was actually transcription work of the type that NTS would transcribe as records are not kept for this type of transcription but an estimate would be 2-5%. Judicial Support roles are similar role to Judge's PA's within DC and only undertake TU hearing transcription when they are not required for other judicial work. It is all transcribed on an ad hoc basis.

- (a) Judicial Support roles currently undertake most non-contemporaneous transcription requirements for the TU. Some non-contemporaneous transcription has been carried out by NTS on a case by case basis over the past 12 + months. If contemporaneous transcription is required for Wellington TU, they out-source this work to two CAT operators resident in Wellington. There is no 'standard template'.
- (b) Non-contemporaneous transcription is undertaken when a request for transcription has been approved and the CM either transfers the audio/lognotes from the drive where they were recorded or

copies them to a drive accessible to the SO or PA Judicial Support or provides a CD. If the recording was made in a non-FTR courtroom/venue, the audio/lognotes are copied to a USB stick and this is then provided to the Judicial Support responsible for transcription.

- (c) WHT also have their transcription out-sourced, and this is undertaken by _____ an ex Court Reporter in Auckland. (See *Outsourced transcription 2012 below*)
- (d) There are currently twelve permanent Judicial Support roles in total. Five are based in Wellington, two in Auckland, one in Rotorua and four at IPT Auckland.
- (e) Judicial Support file and save the completed transcript for future reference.
- (f) Judicial Support email the transcript to the requestor.
- (g) NTS will be undertaking non-contemporaneous transcription only (15 day turnaround).
- (h) NTS recognise there will be instances when circumstances dictate that contemporaneous transcription may be required.

Non-contemporaneous transcription makes up 95% of TU transcription, with the other 5% being contemporaneous. The majority of non-contemporaneous transcription emanates from DT.

Outsourced transcription in 2012 was utilised for:

Weathertight Homes Tribunal (WHT)

36 days - non-contemporaneous with an average turnaround time of 12 days for long hearings, but does not include turnaround times for Witness Summons hearings which were generally turned over within 1-2 days as these are very short hearings.

Lawyers and Conveyancers Disciplinary Tribunal (LCDT)

14 days (contemporaneous)

Human Rights Review Tribunal (HRRT)

5 days (contemporaneous)

Accident Compensation Appeals (ACA)

2 days (contemporaneous)

To view tribunals transcription requirements for *all* tribunals see *Appendix 3*

5.2 GENERAL TRANSCRIPTION REQUESTS

At a meeting with TU Business Services Manager, Maria Galvin, to discuss the process by which NTS Court Reporters might complete TU transcription the decision was made that the simplest and most efficient process would be as follows:

- All requests for a transcription as a result of an order from a Higher Court, will be actioned by the Jurisdiction Manager and entered into TSM.
- All other requests for a transcript of a hearing emanating from *all* tribunals (except Tenancy Tribunal) will be directed through the TU Business Services Manager, and/or TU Wellington Support Services Manager for their determination as to whether a transcript is required or not.

- Subsequently, all TSM requests for a transcript will come from either of those parties and should requests come from any other requestor, the default court Team Leader will notify the requestor that these requests must be sent through the correct channel.
- Communications will be sent pre-integration to all TU business units and Court Reporter Team Leaders advising them of this process.
- Upon receipt of the TSM request, NTS will transcribe verbatim into a prepared template.
- Within the transcript, when a witness is 'sworn' the words 'Promises to tell the Truth' rather than Sworn or Affirmed.

5.3 TRANSCRIPTION QUALITY AND AMENDMENTS

Checking of a transcript is mostly undertaken by TU staff, except in the TT where the majority of adjudicators often undertake checking of their own transcripts.

5.4 STANDARDS AND TEMPLATES

Presently Judicial Support and outsource providers do not use any specific template for TU transcription but have designed and use their own individual templates.

A template will be developed for TU transcription. This will take the form of the current NTS Notes of Evidence template to maintain consistency and allow for CRs to use embedded macros to speed the transcription process. This template will be subject to TU approval.

6.0 REQUIREMENT VARIATIONS TO CURRENT NTS APPROACH

6.1 MISCELLANEOUS

- (a) Log note training for all CMs to conform to NTS standards.
- (b) All Case Manager's will need Groupwise Messenger Client application added to their PC to allow for direct contact, if required, with court reporters.
- (c) TU use the standard oath/affirmation for the swearing in of parties, except in the TT where the Residential Tenancies Act and the corresponding Rules require a 'Promise' and not 'sworn' or 'affirmed'. The DT does not have any form of 'oath' or 'affirmation' at all.
- (d) The standardisation of the TU Notes of Evidence template. (To be undertaken by NTS and approved by Tribunals management.)
- (e) Formatting guidelines introduced as per the NTS Style Guide. This style guide brings together all existing NTS standards into a single reference document. The standards in the document are sourced from the NTS standards, the MoJ style guide, and various government agencies, eg, Ministry of Health.
- (f) Training in all aspects of TSM/TFM.

The TU Business Services Manager, and Wellington Support Services Manager for the TU will be the only people within TU who will have access to TSM. Any requests for transcription, from any tribunal, except TT, must go through them for determination and entry into TSM or declined. Another scenario to this has been put forward for discussion also. (*See also 9.1 TSM Access*)

- (g) All audio for a tribunal hearing is to be transcribed.
- (h) TU case identifier numbers. The NTS TSM/TFM system will not recognise the current case management numbering system used by the TU (DT is excluded as they use CMS case numbers and these CMS identifiers must be used in all instances, not DT numbers). For example the case identifier

for HRRT 37/09 (Human Rights Review Tribunal: file no 37: 09 = 2009) would be entered into TSM as HRRT-37-09.

- (i) A module will be developed by NTS for use by Disputes referees whereby certain standards should be put in place during a hearing to enable identification of the speaker should a transcript be required. This would take the form of 'verbal' responses by the referee. For example, when a party speaks the referee should identify the party by addressing them as 'Yes, Mr Smith?'. NTS understands the difficulty for referees to keep accurate lognotes, if any lognotes at all, but verbal ID would help immensely with transcription.

On speaking with the Civil jurisdiction manager in Christchurch her expectation for the transcription of DT appeals is that if the speaker is not identified then 'unidentified' is very acceptable because a referee does not have time to complete lognotes whilst overseeing a DT hearing.

- (j) NTS will develop one generic template which will feature a drop-down box listing all 29 tribunals plus a 'free text' option for inserting the name of the Referee/Judge/Adjudicator. The design and approval of these will be subject to TU management approval.
- (k) NTS requirements are for formatting guidelines to be in place for all transcription as per the NTS Style Guide.

7.0 RECOMMENDED APPROACH TO INTEGRATE

7.1 OBJECTIVES

This is essentially linking all 29 tribunals transcription requirements with the NTS in order to allow Court transcription support to be managed and provided by the NTS. This includes facilitating the technical connection, ensuring roles and responsibilities for requesting and supplying transcription support are clear, arranging the necessary training, and ensuring the change operates as smoothly as possible.

MINIMISING AND MANAGING IMPACT ON STAFF

Reviewing and outlining any possible changes that will impact on staff, possibly causing a change in their job description or responsibilities, and to ensure TU employees have successful co-existent relationships with NTS employees and to ensure 'buy-in' to the changes. TU will assume responsibility for the determination and management of any implications of the removal of transcription as part of the duties of their staff.

MINIMISING IMPACT ON PROCESSES AND ASSOCIATED RELATIONSHIPS

The potential for TU staff, in particular CM's, to have to implement changes and any impact that may have on their working relationship with their Judges/Referees/Adjudicators.

INTRODUCTION OF NATIONAL STANDARDS AND QUALITY REQUIREMENTS

NTS would, in consultation with the TU, seek to have standardised templates and formatting guidelines introduced and Service Level Agreements implemented.

Discussion will also need to be had with regard to the on-going transcription of TT. NTS presently undertake all transcription for the TT for appeals only and the anomaly outlined in 3.0 Current State – Tenancy Tribunal (TT) needs to be addressed with adjudicators with regard to the reason why a transcript is required and this must be clarified in the comments field and identified by the CMS number allocated to a TT hearing when it is appealed. This is to ensure there is no misuse of NTS resource.

IMPLEMENTATION OF TSM/TFM AND NTS SUPPORT & OPERATIONAL ACTIVITY

This would involve the raising and managing of change controls for both TSM and GroupWise messenger and enabling this access. Implementing new processes, in particular around file structure, transcription requests and scheduling requirements.

BRIEFING OF REGIONAL MANAGERS

Regional managers will be briefed as to the timing of integration so they are able to gain a sense of impact on staff and operations. It is also an opportunity to ensure expectations (TU and NTS) are aligned.

A review of the differences and the potential implications of NTS's ability to integrate the TU transcription into the NTS in the future are reviewed below.

The variances identified are, in most cases, of a minor nature and can be simply rectified within the current NTS model. Variances that are of a procedural nature would require the agreement of the TU to change a number of those procedures to better fit the NTS model.

TRAINING REQUIREMENTS

A major element of the integration of TU transcription requirements into the NTS will be the training of all staff responsible for any aspect of transcription. These are:

- TU Business Service Manager, Wellington
 - Support Services Manager, TU, Wellington
 - Case Manager's, all Tribunal Units
 - Jurisdiction Manager's, Auckland and Wellington
 - NTS Court Reporters (CRs)
- (a) All CMs are to undertake NTS Court Taker Module training which encompasses all aspects of GroupWise Messenger, FTR, including lognote and courtroom set-up requirements.
- (b) Only the TU Business Service Manager, Support Services Manager, Wellington, and any other TU nominated person(s) are to undertake TSM training as they will ultimately be responsible for the approval of all requests from within TU for transcription and will therefore, upon approval, enter the request into TSM.
- (c) CRs would require training for TU template use and formatting guidelines and the idiosyncrasies of TU transcription.
- All training will be carried out by the NTS Training Team at a venue(s) to be decided.

PRINTERS

All courtrooms that are used for hearings should be identified and printer numbers obtained to enable NTS to add these to the NTS Print Solution which is accessible to all NTS Court Reporters.

7.2 SERVICE LEVEL AGREEMENTS (RESPONSIVENESS SERVICE STANDARDS)

The NTS expectation for a Service Level Agreement (SLA) is a 15 working day turnaround, not including weekends or public holidays, and for urgent hearings, a 'preferred date' option is open to negotiation on a case by case basis. These are subject to NTS Management and TU Management team approval.

7.3 RESPONSIBILITIES

NTS Integration Manager

- (a) To be the main point of contact between the Regional Managers and key TU staff at all sites.
- (b) Responsible for taking a lead role in the integration of the TU transcription requirements into the NTS.
- (c) Responsible for the change management activity with the impacted staff.
- (d) Responsible for conducting initial briefings and forming close working relationships.

- (e) To communicate/update the appropriate staff with any issues or risks associated with each TU that may have an impact on any future operations of that unit.

NTS Business Advisor

- (a) Responsibility for a comprehensive evaluation of options and definition of requirements for the technology aspects.
- (b) Responsibility for the support and development of transcription business processes and the business systems that support these including the TSM/TFM system.
- (c) In conjunction with the Integration Manager, develop detailed user guides for the parties involved which will form the basis of training materials and delivery
- (d) Facilitate the evolution of the systems and processes to ensure close alignment between them and business needs.
- (e) Ensure the standardisation and implementation of processes, templates, formats and business systems across the TU.
- (f) Review and update training material on TSM in line with NTS/TU processes
- (g) Coordinate onsite TSM/FTR training for each site in consultation with the Integration Manager.
- (h) Identify a Training Needs Guide and execute the onsite training for each site in consultation with the Integration Manager.

Business Performance Analyst

- (a) The provision and management of performance monitoring systems and the implementation.
- (b) Inclusion of TU as part of the national quality assurance framework.
- (c) Coordinate with the units on business unit reporting.

NTS Regional Operations Managers

- (a) Assist in the establishment of reporting processes.
- (b) Work collaboratively to ensure a consistent approach that is wholly aligned to operational and business directions of the NTS.
- (c) Scheduling for TU activity.

8.0 TECHNOLOGY REQUIREMENTS

This section outlines the technology approach the National Transcription Service (NTS) will be required to undertake to enable the transcription requirements of the TU.

8.1 NETWORKING AND CONNECTION OF TU COURTROOMS

Ensuring TU facilities can be accessed by the NTS network is a key facet of the integration process. NTS-enabled courtrooms allow for:

- Long-term storage and archival of audio and lognotes
- Immediate access to audio recorded within the last 30 days
- Simple retrieval of audio recorded within the last six months
- Manual retrieval (through NTS staff) of audio older than six months

- Elimination of CD burning at the end of hearing days

In order to connect a courtroom to NTS, the following criteria must be met:

- The courtroom must have FTR 2.2 installed and operational.
- The site must have an operational Transcription File Manager (TFM) server available. TFM servers allow for the transfer of audio and lognote data from a local site to the wider NTS network for transcription purposes.

TU locations that share file and print servers with the local District Court (listed below) automatically have access to a TFM server. Locations that operate from a separate server will need to be provided with TFM functionality.

- (a) FTR version 2.2 is in use in Auckland (Courtroom 8.1) and is mapped to the Auckland DC server.
- (b) Wellington TU (Hearing Room 01 and Hearing Room 02) are both FTR 2.2 enabled and they are linked to the WNNTS server.
- (c) FTR 2.2 is also available at the WHT and the LCRO both based in the AA Building in Auckland. Their server is JUSTAKWHT.
- (d) All TU evidential hearings commence between 9.30 and 10.00 a.m. and conclude for the day at 4.30 pm.
- (e) TU MERKs will need to be included in the NTS MERK solution.

8.2 TECHNOLOGY APPROACH

TU FILE AND PRINT SERVERS

Location	Server	TFM Server installed?
Wellington	\\COURTS\JUSTWNNTS.CENTRAL.COURTS	Yes (at Wellington NTS)
Auckland TU	\\COURTS\AUCK_DC_10.NORTHERN.COURTS	Yes (at Auckland DC)
Auckland WHT	\\COURTS\JUSTAKWHT.NORTHERN.COURTS	No

TU COURTS ON SHARED SERVERS

The two hearing rooms at Wellington TU (HR 01 and HR 02) is shared with the Wellington NTS so it should just be a matter of arranging a normal courtroom enablement through a Statement of Work (SOW).

Auckland TU utilises courtrooms at Auckland District Court and book these through the ASDP. The most utilised courtroom is AKDC CR 8.1.

TU COURTS ON SEPARATE SERVERS

WHT operates their own server. This will require TFM to be attached to their Open Enterprise Server 2 (OES2) server and this will need to be in place before this courtroom can be NTS-enabled.

The OES2 project run by the MoJ allows for local file and print servers to also run as TFM servers from the same box. This eliminates the need for a separate TFM server purchase.

MOBILE EVIDENCE RECORDING KITS (MERKS)

TU case management staff are experienced at using MERK units and there are three MERK units in both Wellington and Auckland TUs although some of these are presently on loan to courts that have been shut down for earthquake repairs and also some Christchurch courts are still utilising MERK units on loan. It is proposed that each MERK unit is upgraded to the NTS MERK solution, a configuration change which enables MERKs to be used in the same way as an NTS courtroom – audio and lognotes are archived by, and can be transported by, TFM. This solution has been successfully rolled out to both Coronial Services and the Environment Court who regularly use MERKs.

The MERK solution provides greatest benefit when used in a MoJ networked courtroom, due to the speed and reliability of the network. However, it can also be used in offsite locations, either by utilising VPN services and a mobile connection, or in offline mode where the audio is later burned to CD or uploaded to the Ministry network when connected back to the WAN. In the latter scenario, the MERK laptops will need to be checked for CD burning capability. This will eliminate the need for manual movement of audio by CSOs.

A list of TU MERK units is provided in Appendix 2. Further information and clarification will need to be provided by TU staff regarding unit numbers, components, and laptops.

It is proposed that as a TU court is integrated with NTS, the MERK solution is rolled out to that court's MERK simultaneously.

PHILLIPS CONFERENCING KITS

Phillips Conferencing Kits are a light-weight all in one portable recording solution. They are designed to be used in situations where a hearing is not taking place in a courtroom or hearing room that has a permanent recording system such as FTR or the hearing is offsite.

These are widely used throughout the District Court Civil jurisdiction for the recording and downloading of audio from TT and DT.

At the end of each day the recorded files are copied to the Ministry network for transcription. This will also ensure that the proceedings are backed up on the server.

9.0 TRANSCRIPTION SERVICE MANAGER (TSM)

9.1 TSM ACCESS

Transcription Service Manager (TSM) is the workflow management system used by NTS and registry staff to request, process and record transcription requests. Court staff raise requests within TSM which are then automatically transferred to NTS Court Reporters for transcription.

As part of the integration process, the decision was made by the TU Business Services Manager, that access to TSM should only be given to herself and the Support Services Manager for Wellington TU, and they will enter requests after determination of whether or not a transcript is required.

They will also have the ability to load archived audio through TSM, should it be needed at a later date. There will be no need to burn audio to CD from the primary TU courtrooms.

Another option, which was discussed by the NTS Management Team to the above scenario, is to give TSM access to all CMs and Managers, and the job would go to Allan and Maria for approval or decline. This was seen as another option in case both Allan and Maria were unavailable at some point and nobody else within TU had access to TSM to make a request.

The process would be as follows:

- CM or Manager creates a new non-contemporaneous job in the NTS' TSM system
- CM or Manager, when progressed to TSM 'Supporting Document' option chooses 'To Follow' for 'Case File'
- The job is then created in TSM with a job status as "Outstanding".
- The requestor opens the job and clicks on the "Email button"
- Requestor sends the email generated in TSM to Maria and Allan.
- Maria and Allan receive the email; clicks the included link and opens the job in TSM.
- Maria or Allan determine the necessity of the request and either **approve by clicking "Support Received"** on the TSM job, or **decline by clicking "Cancel"**.
- If the job is cancelled, no further action is required.
- If the transcription request is approved the job status will change to "Received", and the job is available to be self-allocated at the default unit (or be re-assigned to another transcription unit) of NTS.

Discussion will need to be had to discuss as to which scenario will be elected here. Full training on TSM will be provided to TU staff. A list of TU staff to be given TSM access is provided in Appendix 1.

The names 'Adjudicator' and 'Referee' are to be added to the TSM 'Judicial officer' dropdown list and when TSM requests are made, the name of the adjudicator/referee must be entered into the comments field of TSM so it be added to the intituling on the front page of the transcript.

9.2 TSM PROCESS

TSM was developed by the NTS to enable NTS to share work as a national transcription team. It is used to create and edit jobs (requests for transcription work), allocate and schedule NTS Court Reporters, manage transcription 'turn' activity, record when jobs are completed, notify when a completed transcript is available, and it organises and tracks transcription work.

9.3 GROUPWISE MESSENGER

GroupWise Messenger (GWM) is an instant messaging programme utilised by NTS Court Reporters to communicate with one another and with registry staff. GWM will be provided to TU CMs.

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As GWM is a PC-based programme, PC numbers will need to be provided to NTS Business Advisor if further installations are required.

10.0 NEXT STEP

Approval in principle is sought so that a more definitive Implementation Plan can be developed with TU and approved by TU management and used as the basis of moving forward with the integration of TU transcription requirements to the National Transcription Service.

11.0 RECOMMENDATIONS

The following recommendations are made:

- | | |
|--|---------------|
| a) That NTS provide for the transcription requirements of the Tribunals Unit; | <u>YES/NO</u> |
| b) That a satisfactory responsiveness service standard is agreed between the NTS and the Tribunals Unit; | <u>YES/NO</u> |
| c) That the Tribunals Unit determines and manages the implications of the removal of transcription as part of the duties of the Judicial Support roles; | <u>YES/NO</u> |

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APPENDIX 1: TU STAFF FOR TSM ACCESS

Name	User ID	Unit	Role
		Wellington	Business Services Mgr
		Wellington	Support Services Mgr
		Wellington	Operations Manager
		Wellington	Jurisdiction Manager
		Wellington	Jurisdiction Manager
		Wellington	Jurisdiction Manager
		Wellington	Jurisdiction Manager
		Auckland IPT	Jurisdiction Manager
		Auckland IPT	Operations Manager
		Auckland	Jurisdiction Manager
		Auckland	Jurisdiction Manager
		Auckland	Jurisdiction Manager
		Auckland	Operations Manager

Note that post-integration, TSM access can be requested by visiting <https://intranet/change> and filling out the form entitled TSM New/Change User.

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APPENDIX 2: TU MERK UNITS

Unit	Asset	Base Location	Laptop	Notes
MERK001	SS29819	TRB Auckland	MoJ127067	On loan Christchurch HC
MERK006	SS29812	TRB Wellington	LT29733	NTS-enabled. On loan to Oamaru DC
MERK015	SS29888	TRB Wellington	LT30325	On loan Christchurch CSU
MERK016	SS29890	TRB Auckland	MoJ127068	On site
MERK023	SS29895	TRB Auckland	MoJ118010	On loan MLC Hastings
MERK034	SS29819	TRB Wellington	N/A	On site

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APPENDIX 3: TU TRANSCRIPTION REQUIREMENTS

TRIBUNAL NAME	Transcript required?	Contemporaneous transcript required?	What for?
1. Abortion Supervisory Committee (ASC)	No	No	No requirement for transcripts
2. Accident Compensation Appeals (ACA)	Yes	No	If requested / ordered due to appeal in Higher Court
3. Accident Compensation [District Court Appeals] (ACADC)	Yes	No	If requested / ordered due to appeal in Higher Court One Judge requests extracts as required.
4. Birdlings Flat Land Titles Commissioner	No	No	No work currently in this jurisdiction
5. Copyright Tribunal (CRT)	Yes	Yes if a 4 week + hearing	If requested / ordered due to appeal in Higher Court Contemp if Chair requests normally in the case of a long hearing.
6. Criminal Justice Assistance Reimbursement Scheme (CIARS)	No	No	No requirement for transcripts, done on papers
7. Customs Appeal Authority (CAA)	Yes	No	If requested / ordered due to appeal in Higher Court
8. Disputes Tribunal (DT)	Yes	No	If requested / ordered due to appeal in District Court Occasional requests from referees to have transcript but in most cases they will listen to the recording
9. Human Rights Review Tribunal (HRRRT)	Yes	Yes if a 4 week + hearing	If requested / ordered due to appeal in Higher Court Contemp if Chair requests normally in the case of a long hearing.
10. Immigration Advisors Complaints and Disciplinary Tribunal (IACDT)	Yes	No	If requested / ordered due to appeal in Higher Court however these cases are mainly dealt with on the papers and there has only been one hearing since

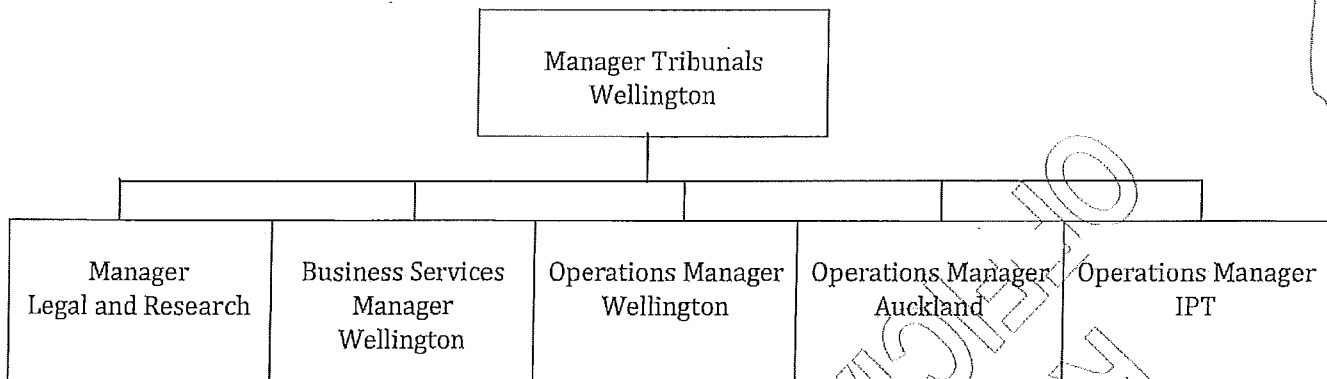
				commencement.
11. International Education Appeal Authority (IEAA)	No	No	No requirement for transcripts, done on papers	
12. Immigration and Protection Tribunal (IPT)	Yes	No	If requested / ordered due to appeal in Higher Court	
13. Land Valuation Tribunals (LVT)	Yes	Yes	These are dealt with in District Courts so not sure what happens	
14. Lawyers and Conveyancers Disciplinary Tribunal (LCDT)	Yes	Yes if over 2 days	If requested / ordered due to appeal in Higher Court Contemp if Chair requests normally in the case of a long hearing.	
15. Legal Aid Tribunal (LAT)	No	No	No requirement for transcripts, done on papers	
16. Legal Complaints Review Officer (LCRO)	Yes	No	if requested / ordered due to appeal in Higher Court	
17. Licensing Authority of Secondhand Dealers and Pawnbrokers (SHDPB)	Yes	No	If requested / ordered due to appeal in Higher Court	
18. Liquor Licensing Authority (LLA)	Yes	No	If requested / ordered due to appeal in Higher Court	
19. Motor Vehicle Disputes Tribunal (MVDT)	Yes	No	If requested / ordered due to appeal in Higher Court	
20. Private Security Personnel Licensing Authority (PSPLA)	Yes	No	If requested / ordered due to appeal in Higher Court	
21. Real Estate Agents' Disciplinary Tribunal (READT)	Yes	Not sure current Chair may request but none have occurred at this since commencement.	If requested / ordered due to appeal in Higher Court Contemp if Chair requests normally in the case of a long hearing.	
22. Review Authority (RA - Legal Aid)	No	No	No requirement for transcripts, done on papers	
23. Social Security Appeal Authority (SSAA)	Yes	No	If requested / ordered due to appeal in Higher Court	

24. Student Allowance Appeal Authority (SAAA) No No No requirement for transcripts, done on papers
25. Taxation Review Authority (TRA) Yes Yes previous chair requested if hearing was going to go over 2 days If requested / ordered due to appeal in Higher Court Contemp if Chair requests normally in the case of a long hearing.
26. Tenancy Tribunal (TT) Yes No These are dealt with in District Courts so not sure what happens
27. Trans-Tasman Occupations Tribunal (TTOT) Yes No If requested / ordered due to appeal in Higher Court
28. Victims' Special Claims Tribunal (VSC) No No No requirement for transcripts, done on papers, unless extenuating circumstances – this test has not been met yet.
29. Weathertight Homes Tribunal (WHT) Yes Yes If requested / ordered due to appeal in Higher Court Some adjudicators request extracts as required. Contemp if Adjudicator requests normally in the case of a long hearing.

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APPENDIX 4 - TU MANAGEMENT STRUCTURE

TRIBUNALS UNIT MANAGEMENT STRUCTURE



Tribunals Unit Office Locations:

Office Location	Contact Details
Auckland	Manager Support Services Level 10, District Court Building 65 Albert Street Auckland 1142 Private Bag 92020/DX CP10024 Phone: (09) 916 9806 Fax: (09) 916 9806
Wellington	Manager Support Services Level 1 & 2, AMP Building, 86 -90 Customhouse Quay Wellington 6146 Private Bag 32001 / DX SX 11159 Phone: (04) 462 6686 Fax: (04) 462 6686
Weathertight Homes Tribunal - Auckland	Operations Manager Level 8, AA Centre 99 Albert Street Auckland 1141 CX 10072 Phone: (09) 356 5664 Fax: (09) 356 5664
Immigration and Protection Tribunal	Operations Manager Level 22 BDO Tower 120 Albert Street Auckland 1142 Phone: 027 495 3545 Cell: 027 495 3545

OFFICIAL INFORMATION ACT
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**CORONIAL SERVICES UNIT DISCOVERY
PEOPLE AND PROCESSES STREAM**

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1.0 CURRENT 'AS IS' STATE

1.1 INTRODUCTION

The NTS team instituted a discovery process to assess the viability of transferring some, or all, of the transcription services currently provided by Adept, an out-sourcing agency based in Christchurch, through to the NTS.

The legal requirements for transcription of Coronial hearings state 'All case inquests heard under the Coroners Act 1988 are transcribed contemporaneously due to the legislative requirements of the Act.'

All inquests heard under the Coroners Act 2006 are transcribed on a two to seven day turnaround as per the expectation of the Chief Coroner. There is no current legislative requirement for transcription, just for *the recording*. An expectation of the Chief Coroner is that special fixtures be transcribed contemporaneously. A special fixture is:

- Where the inquest is particularly large and/or complex and requires significant resources and planning.
- Usually has one or more of the following factors involved (determined on a case by case basis):
 - Police Prosecutions or the Crown are representing the Police
 - Several counsel are involved
 - Other investigating authorities are involved (e.g. CAA, DOL, IPCA, DHC etc)
 - Hearing likely to be several days in length
 - Extensive disclosure/sharing of information is instructed
 - Requirements for evidence at a distance to be given
 - Special arrangements required for witnesses (e.g. interpreters, custody arrangements etc).
 - Significant media interest

Transcription of pre-inquest hearings, findings, letters, minutes etc is also required due to the lack of available secretarial support in the CSU.

Other legislation regarding transcription of evidence is included in the Evidence Act 2006 which states:

The Evidence Regulations have now been introduced and are set out in full in the Evidence Act 2006 tab, Garrow and Turkington's Criminal Law, Volume 2. Section 135 of the Evidence Act 2006 now allows for the provision of transcripts to juries and is now commonplace, especially in longer trials. The normal practice is for the transcript to be made available at the close of proceedings on each day so there is the opportunity for counsel to check it overnight. Checking is usually done by all counsel and the Judge, with the assistance of the stenographer, before Court the following day and the transcript is then made available to the jury.

This is not an expectation for Coronial hearings at present, and practice notes are in the process of being produced which will clarify all evidence transcription requirements.

The purpose of the discovery approach is to ensure that the NTS and Special Jurisdictions (in this particular case, the Coronial Services Unit) has a complete and detailed understanding of the factors supporting or inhibiting this proposal so that a considered recommendation can be made.

Adept described their Coronial Services work as falling into two categories:

- 85% "court" (evidence)
- 15% "non-court" (letters, memos, rulings)

The "court" transcription requests are both contemporaneous and non-contemporaneous:

- 90% non-contemporaneous
- 10% contemporaneous

Coronial Services hearings take place both on Ministry premises and offsite, consisting of:

- 80% on Ministry premises
- 20% offsite at various units, including hotels, fire stations and community halls

A large majority of the Ministry premises used have Lanier (tape recording) facilities in place, as opposed to standalone or networked FTR. Coronial Services have indicated that all audio recordings should now be digital rather than analogue (tape), so in reality the Lanier facilities do not appear to be utilised. Recordings presently done on tape are sent to Adept where they are changed to a digital format using their own equipment. These average one hearing per month received by Adept.

1.2 CORONIAL SERVICES CO-ORDINATORS

Part of the initial discovery work for Coronial Services involved an extensive survey sent to all Coronial Services Coordinators (CSCs). Each CSC works with one Coroner, travelling on circuit with them, although there is a degree of floating. The CSCs perform a range of tasks, including:

- Administration support
- Case management and file maintenance
- Stakeholder liaison (police, pathologists, doctors, funeral directors, families)
- Hearing management and registry duties
- Planning, facilitation and recording of family meetings

Of the 16 CSCs nationally, 12 returned completed surveys. The survey questions covered court processes, technology requirements, current transcription support provided, and transcription standards in use.

2.0 GENERAL PROCESSES CURRENT STATE

2.1 INTRODUCTION

The first step in establishing a current state for general processes was the collation of responses received from 12 CSCs. Differences between CSU 'as is' processes and NTS 'as is' processes are identified with the word (*variance*).

The variances are then listed in numerical order and solutions provided for each (see section 3.0 - Review of Variances (Minor & Major) and *Appendix 5.1.3 – Variances & Solutions – General Court Process Variances*)

2.1.1 GENERAL COURT PROCESSES

- (a) Case numbers are in the format CSU-Year-Region-Case Number. For example, a Christchurch Coronial case number will be in the format CSU-2010-CCH-000123. The case numbers differ from those presently used by Court Reporters in that the region is identified by an abbreviation of the unit, e.g., CCH-Christchurch, Palmerston North PNO, Hamilton-HAM, Hastings-HAS, Rotorua-ROT, Auckland-AUK, Whangarei-WHG, Wellington-WGN, Dunedin-DUN. The six figure case number is shown in CMS but CSUs tend to eliminate the zero placeholder, i.e., 123 as opposed to 000123.

(*Variance*)

(*Refer Training Requirements*)

- (b) All CSCs have access to CMS and utilise it for all case details, but do not use it for transcription support requests. It should be noted that no jurisdiction uses the CMS Court Reporter request system since the advent of TSM. Even prior to TSM, this function was utilised by very few jurisdictions.

- (c) CSCs all travel with their Coroner when out of region fixtures are heard. If a CSC cannot travel, a CSC at the visited court is used, or a floating CSC is available for sick, annual, bereavement, or emergency leave. The floating CSC is present from Christchurch.

- (d) Visiting Coroners are housed in any spare judicial chambers or offices. Alternatively, specified Coroners' offices are available in some regions. Contact with Coroners should, in all cases, be through their CSC.

- (e) The majority of CSCs have all used Mobile Evidence Recording Kits (MERKs) and FTR, apart from three who are recent employees and have yet to take court. A situation arises with some CSCs in that the number of hearings where MERKs and FTR are used has, in some instances, caused time-lags where the operator becomes unfamiliar with the equipment, or, does not have the manual *MERK For Dummies*, and in this situation they turn immediately to Adept for assistance. These time-lags occur because of the time between hearings, in some instances there can be three months where a hearing is not held. These situations would have a significant impact on NTS whereby we are unable to offer the type of support to CSCs that they currently receive, nor do we have the necessary experience with the use of the MERK units.

The Christchurch CSU stated that Adept support is required when lightweight MERKs are being used for the first time. In these cases, *S 9(2)(a)* from Adept would travel to the site where support is required. Other support offered by Adept includes providing assistance or feedback on courtroom's set-up, assessing which microphones are needed, and connecting a MERK kit to the Ministry network in order to avoid the use of T3G cards.

(Variance)
(Refer training requirements)

2.1.2 SCHEDULING PROCESSES

- (a) Notice of Coronial hearings ranged from three weeks to three months with the average being 1.5 months.
- (b) The schedules for daily, weekly, monthly or yearly Coroner's hearings varies considerably from unit to unit. The central region have a schedule set up which is updated as and when hearing dates are confirmed. The southern region also have a calendar recording all unconfirmed and confirmed hearings. There is also a national schedule. *(Refer training requirements)*
- (c) Coroners preside over an average of five evidential hearings per month.
- (d) Whether a matter is to be contemporaneously transcribed is decided by the Coroner in line with the needs of the case, e.g. whether the case has Crown or counsel involvement, the number of witnesses, whether the matter is high profile or there is media interest, or the wishes of the family of the deceased. Contemporaneous transcription is the exception, rather than the rule, and represents approximately 10% of Coronial Services transcription requests.

Transcription requests are made on the Adept Booking Sheet found on the MoJ intranet and must be signed by the Regional Manager before being sent to Adept. There are five transcription choices available on this sheet:

- Contemporaneous
- Urgent (same day)
- 24 hour turnaround
- Two day turnaround
- Three days with a seven day ceiling turnaround

Of the above, the first category is for contemporaneous transcription, and the rest are for non-contemporaneous transcription.

Appendix 5.1.5 shows the workflow process for contemporaneous transcription.

- (e) The length of a Coronial hearing on average is one (1) day.
- (f) Courtrooms are allocated once there is a confirmed date based on the availability of all parties. The location can be selected based on the vicinity of the incident or the family group. Localities close to the incident are often chosen because of the number of witnesses to be called from a particular area. For example, following recent climbing deaths on Mount Cook, an inquest was held in a hotel conference room in Twizel as the majority of witnesses were from the Mount Cook area, i.e., guides, expert witnesses.

(g) Courtrooms are booked by the CSCs through the relevant Court Managers. The CSC will contact the courthouse nearest to where the Coroner has requested the hearing to be held. They speak with the manager or scheduler responsible for the allocation of courtrooms. They advise them of the date of the inquest and enquire regarding availability. If a courtroom is available, confirmation will be given, but more often the court gives tentative dates only in case they need the courtroom for their own purposes. This is difficult for a CSC from an organisational perspective.
(Variance)

(h) It should be possible for Courtroom bookings to be confirmed at least 21 days prior to the hearing as the witness summons requires 21 days' notice, although most CSCs book an average of two months prior to a hearing. NTS could take from this that they will have definite confirmations of any transcription requests where evidence is being called 21 days in advance of the hearings, or more

(i) A query was raised regarding whether or not the courtroom number was put on the summons, which would make for a definite confirmation. An email was sent to all CSCs and all responded that they do put the courtroom number on the summons.

It should be noted that not all witnesses are necessarily summonsed. Police, professionals, doctors, Health Board staff and even some lay persons are not summonsed. Only if a witness is reluctant, or difficult, or if travel expenses will be required, are they summonsed. Some Coroners summons everyone, but the general practice is as above.

(j) The nature of transcription (contemporaneous or non-contemporaneous) does not dictate the location requested.

(k) FTR courtrooms are not specifically requested for contemporaneous fixtures. Coronial staff are happy to get whatever court space they can on the dates requested and with the portability of MERKS, this has become the norm. In the majority of cases, whether or not a court has FTR does not matter as CSCs take and use the MERK regardless. This is because CSCs are confident with the set-up of the MERK and its ability to transmit the audio to Adept *(Variance)*

(l) Short notice locations changes are a rare occurrence and do not affect Adept because of the portability of MERKS.

(Variance)
(Refer training requirements)

(m) Adept advised that they receive notice of Coronial hearings "quite often after the fact".

(Variance & Risk)
(Refer training requirements)

2.1.3 HEARING PROCESSES

(a) For locations (e.g., courtrooms) most used for Coronial hearings, plus offsite locations, see document prepared by Chelsea Harrison (refer Coronial Services Unit Discovery Technology Stream document.)

(b) All CSCs advised that they travel with their Coroner to hearings and arrive at the allocated courtroom at least one hour before the hearing commences.

(c) Prior to hearing commencement all CSCs follow a similar procedure. They set up the courtroom equipment, do a sound check, advise Adept that sound check has been

completed and request they check sound quality. They also undertake general housekeeping duties i.e., providing water, glasses, tissues etc.

(See Appendix 5.1.5 Courtroom Set-up)

(Variance)

(Refer training requirements)

- (d) CSCs are responsible for all court taking duties although there has been the odd occurrence where a District Court Court Taker has helped out, or where an Adept staff member has been utilised to annotate log notes. This has been due to the nature of particular inquests and the large amount of exhibits which are presented. The CSC cannot annotate and number exhibits as they are produced, at the same time. Exhibits need to be handled physically when numbering them, hence the inability to annotate and the numbering is usually undertaken in front of the court takers desk.
- (e) In the District Court environment, all exhibits are dealt with and handled by the Court Attendant, in conjunction with the Court Taker. This scenario is a large bone of contention within the CSC ranks and was mentioned by nearly all CSCs either verbally or in writing.

2.1.4 AUDIO AND LOG NOTE (ANNOTATION) PROCESSES

- (a) Hearing audio is monitored by all CSCs. Additionally, Adept regularly monitor contemporaneous hearings. The CSC does this to ensure that recording is in fact occurring, while Adept ensure that archiving is occurring and they are receiving the audio.
- (b) All CSCs take log notes (annotations) in court. These are annotations done on FTR/MERK. Olympus and cassette. Sitting sheets are done in Word or handwritten.
- (c) All CSCs who have used a MERK or FTR are experienced using log notes, with the exception of some CSCs who are newly employed within CSU. The Hastings CSC advised that he is averse to using FTR and typing log notes. . Adept said that annotations are "often inadequate and a particular problem for them but nothing has been done to rectify this."
(Variance)
(Refer training requirements)
- (d) CSCs do not physically back-up any audio, e.g., by burning to disk. Once the MERK recorder shows that the disk drive is full, audio is deleted from it. CSCs rely on the physical laptop storing all audio. *(Variance)*
- (e) Audio difficulties, e.g., difficulty hearing a witness, is dealt with by advising the CSC by email or instant messenger. In most cases the CSC will then advise the Coroner, otherwise the CSC deals directly with the witness.

2.1.5 TRANSCRIPTION PROCESSES

- (a) No transcription work is undertaken by CSCs.
- (b) CSU Administration Support Officers (ASOs) are responsible for any transcription work which is less than 15 minutes in duration and recorded on an Olympus dictaphone. They are also responsible for any very urgent Coronial transcription requests, mostly letters, reports and memos. There is no sign-off process for non-contemporaneous requests to Adept (i.e. less than 15 minutes) and no formal request process other than to send the audio by e-mail (or written notes).
(Variance & Risk)
- (c) Some Coroners type their own findings, whilst the majority dictate these and subsequently have these transcribed by Administration Support staff or Adept.
- (d) There is a requirement under the 1998 Coroners Act whereby evidence must be signed and this is still necessary, but under the 2006 Act, this is no longer required. 'Signed' in the 1998 Coroners Act instance is where a witness gives evidence, that evidence is transcribed and the witness is then required to read and sign each page of that evidence (similar to Criminal depositions) *(Variance)*
(Refer training requirements)
- (e) If a Visiting Coroner leaves a unit before signing his/her transcripts, these are sent to the Coroner's CSC, but this scenario is a rare occurrence as CSCs will usually travel with their Coroner.
- (f) The average page count for contemporaneous transcription 100-180 pages. Note that Adept use 1.25 line spacing.
- (g) Adept does not print to the courtroom. In contemporaneous hearings, five minute turns are emailed to the CSC who is then responsible for printing these and handing them to the Coroner. Significant research will need to be done by NTS to ensure that any printers that could be used by CSCs for CSU transcription are listed on the NTS printer list and can feasibly be printed to. The present list shows only FTR courtrooms, but would need to cover significantly more for CSU purposes because of the mobility of the MERK and its use in non-FTR courts.
(Variance)
- (h) The number of printed copies is at the Coroner's discretion.
- (i) Pre-inquest hearings (chambers hearings and conferences) are recorded on MERKs and Olympus dictaphones, and non-contemporaneous transcription of these hearings is required. CSCs are the Court Takers for these hearings, but also case manage the files and therefore actively participate in the hearing. Therefore they are not always able to record who is speaking. The incidence of pre-inquest hearing 'dialogue' being transcribed is becoming increasingly utilised, because:
 - i. With a full enquiry file the Coroners now have the discretion to complete the findings as a hearing on papers in chambers, and a number of Coroners are meeting with the family prior to that. That gives the Coroner an opportunity to enter into discussion, instead of going to inquest. This situation applies mostly to suicides and some traffic deaths. Compulsory enquiries, (where required under certain enactments, like death in custody or the Mental Health Act) are always inquests.

- ii. Meeting with family and counsel to identify the scope of the inquest and to work through procedural issues prior to inquest. Usually one meeting but has been as many as 10 meetings.
- iii. A direction from the Chief Coroner is that these are all to be transcribed because they are a matter for the record and copies are forwarded to counsel. The family actively participate and can question, therefore they are entitled to a transcript of evidence.
(Variance)

2.1.6 TRANSCRIPTION REQUESTS

- (a) Work that is transcribed contemporaneously is in most cases only inquests, including all backlist inquests (i.e., prior to 1 July 2007 when the Act changed).
- (b) Work that is transcribed non-contemporaneously includes letters, memos, reports, and chambers decisions (pre-inquest hearings). Non-contemporaneous is now the default position for inquests after 1 July 2007, and is decided at the Coroner's discretion.
- (c) Requests for contemporaneous transcription from Adept are sent approximately one month prior to the hearing, or as soon as date of hearing is confirmed, using a booking form. This booking form can be found in *Appendix 5.1.4*.
- (d) Contact with the CSC in court is by email or AMSN Messenger.
- (e) Non-contemporaneous requests from Adept are, in most cases, requested after the hearing. Anything evidential or lengthy must go through an approval process by the Regional Manager, but short non-contemporaneous requests can be requested by the CSC or ASO. The booking form has provision for sign-off by the Regional Manager for contemporaneous requests.
- (f) Non-contemporaneous turnaround times are normally three to seven days and this is reflected on the Adept booking form. This booking form can be found in *Appendix 5.1.4*.
- (g) On average, two to three non-contemporaneous requests, per Coroner, are made each month (15 coroners = 45 requests monthly). It was noted that some Coroners request significantly more transcription work than others. CSCs advise that any letters, memos or reports that are transcribed by Adept would be because of staff shortages, or heavy workload, specifically in Dunedin.
- (h) Separate emails are sent for each transcription request from Adept.
- (i) File preparation consists mainly of witness and exhibit lists but some CSCs will include a glossary of words if a hearing has particularly difficult technical or medical terms.
(Variance)
- (j) Coronial case files are not available to transcribers.

2.1.7 TRANSCRIPTION QUALITY AND AMENDMENTS

- (a) Transcripts are reviewed firstly by the CSC before passing on to the Coroner.
- (b) Adept carry out all quality control measures. (Refer to the workflow process in *Appendix 5.1.5*.)

- (c) There are rarely amendments in any transcript type other than findings. If an amendment is required during contemporaneous transcription the CSC advises Adept who then amend and re-send. Amendments to findings are often done by the office administrator and/or the Coroners themselves.
- (d) Master transcripts are only sent to outside agencies at the discretion of the Coroner and these are sent as PDF files.

2.1.8 STANDARDS AND TEMPLATES

- (a) Each Coroner requires different templates for various types of transcription and these are all based on personal preference. Adept hold all the standard templates and a request has been made to obtain copies of these.
(Variance)
- (b) No formatting guidelines for the CSU are held by Adept. They have only Environment Court formatting guidelines which are out of date.
(Variance)
- (c) Definitions of non-contemporaneous request types (as per Adept definitions). (A detailed explanation of non-contemporaneous requests is shown in *Appendix 5.1.2.*)
 - i. Letters: These are standard template letters sent by Coroner' to parties involved in an inquest. They advise of date, venue etc. and are defined as non-court work.
 - ii. Memos: These can also be called 'file notes' and Coroner Bain in particular requests a large number of these. They are defined as non-court work.
 - iii. COR7s: These are 'Certificates of Findings' and are required for all inquiries (inquest and chambers hearings on the papers). Where the Coroner chooses not to have a separate written finding document, the written findings are dictated and included as part of the COR7 template. Hearings done 'on papers' mean there is no requirement for a public inquest hearing or dispute as to the cause and circumstances of the death. With an inquest hearing the Coroner may also choose to incorporate their finding as a section of the COR7 form. These are defined as non-court work.
 - iv. Conferences: Some Coroners refer to conferences when in fact these are a combination of pre-inquest or pre-chambers findings meetings. They are defined as non-court work.
 - v. Evidential Hearings: These are inquest hearings (Coroners do not use the term 'evidential hearings'). These are held in a courtroom, if available, or a venue approved by the Coroner. They are all contemporaneous with 90% of them requiring a 24 hour turnaround. They are defined as court work.

2.1.9 PEOPLE IMPLICATIONS

As processes are defined, potentially affected staff within the Coronial Services Unit need to be identified.

CORONIAL SERVICES CO-ORDINATORS (CSCS)

The highest impact will be in this role because CSCs are responsible for all hearing management and registry duties and that is where most change will occur.

PRESENT RESPONSIBILITY

Scheduling of hearings. This is presently done by sending a booking form to Adept.

IMPACT OF INTEGRATION

The Adept booking form fields that are relevant for NTS transcription are: venue, Coroner, Registrar, case file number, name of deceased, date of death, place of death, cause of death, hearing duration, dates, start and end times. Transcription details fields are: e-mail recipient, contact information. There is a further field called 'Urgency', and this includes contemporaneous, urgent (same day), 24 hour, two days, and three days with a seven day ceiling. There is also a comments field for comments on matters such as media interest, or risks and issues of concern for the hearing.

This booking form information would now be entered into TSM and, apart from the initial learning phase of TSM, there would be little impact on time, nor a need for any further information to be provided by the CSC. All the above fields are covered in TSM. The only TSM field they would be unfamiliar with would be the 'audio details' field which could easily be trained.

PRESENT RESPONSIBILITY

Courtroom set-up. CSCs are responsible for the set-up of all recording equipment in the courtroom, i.e., MERK, FTR, Olympus, or Lanier recordings. (Refer to *Appendix 5.1.5 - Process Workflow Courtroom Set-up*).

IMPACT OF INTEGRATION

Based on the above, a major impact will be in the area of set-up of MERK equipment, particularly in a remote location, but also in non-FTR courtrooms. At present, if required due to set-up difficulties, Adept staff are available at a moment's notice to travel to the venue, liaise and arrange set-up of equipment (e.g., placement of microphones, checking audio is archiving correctly and sound checks, plus the physical/mental support of an 'expert'). NTS does not have the resourcing to provide this degree of customer service and support, which has been mentioned extensively by CSCs in the discovery process for CSU, and undoubtedly will also be the same for other Special Jurisdictions utilising Adept's services.

PRESENT RESPONSIBILITY

Lognote annotations. All CSCs are responsible for this area and they do not appear to appreciate the importance of accurate and standardised log notes as there is little training given in this field. [redacted] acts as a mentor and trainer to new staff, but longer serving staff have their own way of doing annotations and [redacted] does not have the mandate to undertake training across the whole unit. It is very noticeable that the staff trained by [redacted] keep excellent lognotes whilst others do not.

IMPACT OF INTEGRATION

As part of NTS training requirements, all CSCs would be trained in lognote protocols, but we can expect there to be considerable opposition to changing the way lognotes have been kept before. There may also be opposition to the fact that lognotes must be done in all instances. This is a change management aspect to be addressed prior to, and during, training. We have witnessed the same with the integration of Phase 1 courts with the same reasons, e.g. "Don't have the time," "Not like District Court, don't have a Court Attendant," "Coroner too demanding and does not give me time to do them accurately."

PRESENT RESPONSIBILITY

Non-contemporaneous requests. It seems that a significant number of CSCs and ASOs do not send a booking form when making non-contemporaneous transcription requests. They upload the audio to the Adept server and then send an email detailing their transcription requirements.

IMPACT OF INTEGRATION

It will be a requirement that all non-contemporaneous requests are entered into TSM. This will have an impact on CSC time but the amount of non-contemporaneous requests that are generated would mean this is of limited impact, though the perception of 'extra work' would need to be addressed.

PRESENT RESPONSIBILITY

General CSC duties. These duties consist of the co-ordination of all matters referred to the Coroner including scheduling, court taking, circuit support, assembling all inquiry information and reports and ensuring files are complete and accurate.

IMPACT OF INTEGRATION

Because of NTS reporting procedures, this will enable the CSC's to have access to statistics related to their duties and should be helpful in the long term.

2.1.10 TRAINING REQUIREMENTS

A major element of the integration of Coronial Services Unit transcription requirements into the National Transcription Service will be the training of all staff responsible for any aspect of transcription. These are:

- Coronial Services Regional Managers
- Coronial Services Coordinators (CSCs)
- Administration Support Officers (ASOs)
- Court Reporters

- (a) All CSCs to undertake NTS Court Taker Module training which encompasses all aspects of TSM, GroupWise Messenger, FTR, including lognote (annotations) and courtroom set-up requirements.
- (b) ASOs and Regional Managers to undertake TSM training only, as their main use of TSM would be requests for non-contemporaneous transcription. For the Regional Managers, it would be FYI purposes only.
- (c) MERK update training for all CSCs. A Subject Matter Expert (SME) would need to be identified for this task.
- (d) Court Reporters would require training for CSU template use and formatting guidelines.

All training will be carried out by the NTS Training Team at a venue(s) to be decided should integration ultimately go ahead.

2.1.11 MISCELLANEOUS

- (a) FTR version 4.2 is used on MERKS (Christchurch, unsure of other units).
- (b) FTR version 5.3 is used by Adept for transcription purposes.
- (c) Adept have a fluent Maori transcriber (casual) who is called in when Adept are transcribing anything with Te Reo being spoken.
- (d) Court Reporters need CMS access to CSU jurisdiction. This can be enabled through a CMS change control.

3.0 REVIEW OF VARIANCES

3.1 POTENTIAL IMPLICATIONS

A review of the differences (variations) and the potential implications of those variances on the National Transcription Service's ability to pick up the transcription work for the Coronial Services Unit in the future are reviewed below.

The variances identified are of, in most cases, a minor nature and could be simply rectified within the current NTS model.

Variances identified that are of a procedural nature, would require the agreement of the Coronial Services Unit to change a number of those procedures to better fit the NTS model.

3.2 MINOR VARIANCES

- (a) Change control required for CMS access for all Court Reporters to the CSU database for reference purposes.
- (b) Sound check time frame (i.e., minimum of 30 minutes prior to hearing) to be implemented. As per NTS training standards.
- (c) Log note training for all CSCs to conform with NTS standards.

- (d) MERK update training provided by ICT.
- (e) No audio back-up done by CSU would be rectified when TSM/TFM access is provided but only for particular courtroom types i.e. FTR enabled.
- (f) Clarification on transcription requirements for 'non-court' work, i.e., letters, memos, reports, and conferences. This is to be done in consultation with the Chief Coroner.
- (g) File preparation, in some cases, would need to be more intensive for NTS standards than is presently provided to Adept.
- (h) Courtroom printers regularly used by CSU to be added to NTS i-print list.

3.3 MAJOR VARIANCES

- (a) Lack of courtrooms being provided by District Courts for Coronial hearings and the impact on NTS of this. The possibility of all District Courts having a nominated CSU courtroom made available for all requests and prioritised bookings. This situation would need to be addressed possibly at District Court Management Team Level (DCMT) and some work would be required to identify courtroom utilisation throughout the country. NTS Data Analysis could provide this information.
- (b) Impact of short notice location changes not being advised because of MERK portability which had no impact on Adept transcription but may have a major impact on NTS. Because of the folder set-up within NTS any short notice changes would need to be identified and advised to NTS to enable the audio folder to accurately show where the audio is stored. This is further covered in the technology stream.
- (c) Impact of non-notification of hearings requiring contemporaneous transcription. Also, non-contemporaneous hearings suddenly being changed to contemporaneous hearings on the day and the impact of this on NTS resourcing. This change can and does occur when information is presented to the Court that the Coroner was unaware of and that can change the pathway of the hearing, particularly where the Coroner then asks counsel for submissions, and evidence is then required as soon as possible. The CSC would need to contact the NTS scheduler, in the first instance, and as soon as possible, to enable the NTS scheduler to access resource availability. If resources are available they will be assigned to the hearing, but if resource is not available, the hearing will be transcribed as a 'best endeavours' hearing, i.e. as resource becomes available they will be assigned to the trial.
- (d) The standardisation of all Coronial Services Unit templates. These will be designed and implemented in consultation with the Chief Coroner and preferably a selected experienced CSC and/or a Regional Manager or the National Manager.
- (e) Formatting guidelines introduced as per the NTS Style Guide. This style guide brings together all existing National Transcription Service standards into a single reference document. The standards in the document are sourced from the NTS standards, the Ministry of Justice style guide, and various government agencies e.g. Ministry of Health.
- (f) Service levels to be applied to all transcript types. These are known as Responsiveness Service Standards on the NTS intranet and they outline the response time from NTS for delivery of evidence to the Judge. E.g. Jury trials recorded on the FTR audio digital recording system, have a service standard of "transcript of evidence

completed within a maximum of 30 minutes". These standards will be decided in consultation with the Chief Coroner and elected others.

- (g) Training in all aspects of TSM. TSM (Transcription Service Manager) was developed by the NTS to enable NTS to share work as a national transcription team. It is used to create and edit jobs (requests for transcription work), allocate and schedule NTS Court Reporters, manage transcription 'turn' activity, record when jobs are completed, notify when a completed transcript is available, organises and tracks transcription work and stores the original draft of a completed transcript.

4.0 RECOMMENDED APPROACH TO INTEGRATE

4.1 PROPOSED APPROACH

Based on the elements outlined above, the range of approaches and supporting methodologies required to complete the work stream are described as follows:

4.1.1 OBJECTIVES

This is essentially linking the CSU transcription requirements with the NTS in order to allow Court transcription support to be managed and provided by the NTS. This includes facilitating the technical connection, ensuring roles and responsibilities for requesting and supplying transcription support are clear, arranging the necessary training, and ensuring the change operates as smoothly as possible.

MINIMISING AND MANAGING IMPACT ON STAFF

Reviewing and outlining any possible changes that will impact on staff, possibly causing a change in their job description or responsibilities, and to ensure CSU employees have successful co-existent relationships with NTS employees and to ensure 'buy-in' to the changes.

MINIMISING IMPACT ON COURT PROCESSES AND ASSOCIATED RELATIONSHIPS

The potential for CSU staff, in particular Coronial Service Co-ordinators and Administration Support Officers, to have to implement changes and any impact that may have on their working relationship with their Coroner(s).

INTRODUCTION OF NATIONAL STANDARDS AND QUALITY REQUIREMENTS

NTS would, in consultation with the CSU, seek to have standardised templates and formatting guidelines introduced and Service Level Agreements implemented.

IMPLEMENTATION OF TSM/TFM AND NTS SUPPORT & OPERATIONAL ACTIVITY

This would involve the raising and managing of change controls for both TSM and GroupWise messenger and enabling this access. Implementing new processes. In particular this would be file structure, transcription requests, scheduling requirements.

TRAINING

'Just in time' training in the use of the new processes would be implemented approximately two weeks prior to using the new skills and will cover FTR operations, lognote (annotation) requirements, TSM, folder access, and more.

BUSINESS CONTINUITY PLAN

NTS would take responsibility for developing Business Continuity Plan requirements once a Court is integrated (an 'integrated' court is one which is operating TSM successfully).

BRIEFING OF REGIONAL MANAGERS

Regional managers will be briefed as to the timing of integration so they are able to gain a sense of impact on staff and operations. It is also an opportunity to ensure expectations (CSU and NTS) are aligned.

4.1.2 RESPONSIBILITIES

NTS BUSINESS ADVISOR

- (a) Responsibility for a comprehensive evaluation of options and definition of requirements for the technology aspects.
- (b) Responsibility for the support and development of transcription business processes and the business systems that support these including the TSM/TFM system.
- (c) Facilitate the evolution of the systems and processes to ensure close alignment between them and business needs.
- (d) Ensure the standardization and implementation of processes, templates, formats and business systems across the Coronial Services Unit.

NATIONAL TRAINING ADVISOR AND TRAINERS

- (a) Review and update training material on TSM in line with NTS/CSU processes
- (b) Coordinate just in time onsite TSM/FTR training for each site.
- (c) Execute the onsite training for each site.
- (d) Provide site reviews advising of attendance to the training and feedback on the effectiveness of such.

BUSINESS PERFORMANCE ANALYST

- (a) The provision and management of performance monitoring systems and the implementation.
- (b) Inclusion of Coronial Services Unit as part of the national quality assurance framework.
- (c) Coordinate with the units on business unit reporting.

NTS REGIONAL OPERATIONS MANAGERS

- (a) Assist in the establishment of reporting processes.
- (b) Work collaboratively to ensure a consistent approach that is wholly aligned to operational and business directions of the NTS.

NTS INTEGRATION MANAGERS

- (a) To be the main point of contact between the Regional Managers and key CSU staff at all sites.
- (b) Responsible for taking a lead role in the integration of the CSU transcription requirements into the NTS.
- (c) Responsible for the change management activity with the impacted staff.
- (d) Responsible for conducting initial briefings and forming close working relationships.
- (e) To communicate/update the appropriate staff with any issues or risks associated with each CSU unit that may have an impact on any future operations of that unit.

4.1.3 CSU FIT WITH CURRENT NTS MODEL

The purpose of the discovery approach was to assess the viability of transferring some, or all, of the transcription services currently provided by Adept to the Coronial Services Unit, through to the NTS and to ensure that the NTS and the Coronial Services Unit had a complete and detailed understanding of the factors supporting or inhibiting this proposal so a considered recommendation could be made.

The first step in establishing a current state involved the emailing of a questionnaire to all Coronial Services Coordinators (CSCs) and Administration Support Officers (ASOs) and the collation of responses received. Responses were received from 14 CSCs and 8 ASOs.

A report was then compiled which showed the variances between the CSU and the current NTS model and this was presented to a meeting of the NTS Management Team in March 2010.

As outlined in Section 3.0 Review of Variance, the variances were listed on a minor and major basis.

After discussion the decision was made to move forward from the discovery phase and a document would be compiled based on the data received and what any changes would mean to both the CSU and the NTS. This approach should cover:

- (a) Technology (fit with current NTS technology & long term end point)
- (b) People (impact and implications)
- (c) Processes (fit with current NTS model, compromises to be made)

4.2 PEOPLE

CORONIAL SERVICES CO-ORDINATORS

As processes were defined, potentially effected staff within the CSU have been identified. The greatest impact will be for the role of Coronial Services Co-ordinators as they are primarily responsible for the technology and scheduling aspects as these directly relate to NTS transcription requirements.

SCHEDULING

Where previously the CSCs created a booking form which was sent to Adept this function would now be done by the use of the NTS TSM/TFM system.

COURTROOM SET-UP

An area of impact has been identified with the present courtroom set-up and NTS requirements. This will be particularly apparent with the set-up of MERK equipment in a remote location and also in non-FTR courtrooms where contemporaneous transcription is required. The present system in place between the CSCs and Adept is shown in the Adept flowchart in *Appendix 5.1.5*.

The NTS would require a more standardised approach particularly in relation to sound check timeframes, printer tests, and GroupWise Messenger usage for identification of NTS transcription staff, and this is shown in the CSU-NTS flowchart in *Appendix 5.1.5*.

Another identified area of impact here will be with annotations. There would be an expectation that NTS log note (annotations) standards are followed and adhered to.

NON-CONTEMPORANEOUS REQUESTS

Data collection identified that some CSCs and all ASOs, do not send an Adept booking form when requesting non-contemporaneous transcription. The impact here will be that all CSU staff will be required to enter all non-contemporaneous requests into TSM. At present most staff download any Olympus transcription requests directly into the Adept server and then send an email notifying them that audio is there. In one case the Coroner does not use Olympus but simply handwrites any findings/letters etc, and these are scanned and sent directly to Adept. This hand-written system would not be acceptable to NTS and the Coroner would need to use Olympus recording equipment to enable transcription to be done (this relates to Coroner Evans in Wellington). There is presently an ad hoc system in place whereby most ASOs transcribe any audio recording under 15 minutes in duration themselves, but some send everything to Adept for transcription.

There would seem to be a minimal impact on both CSCs' and ASOs' responsibilities, simply because the amount of both contemporaneous and non-contemporaneous requests are negligible in the larger scheme of the NTS.

4.3 PROCESSES

GENERAL COURT PROCESSES

Court Reporters would need access to the Coronial Services jurisdiction in CMS. This can be done by CMS Change Control for all Court Reporters nationally. Court Reporters currently have access to the Criminal, Civil and Family jurisdictions in CMS.

SCHEDULING PROCESSES

Notice of Coronial hearings (i.e., confirmed dates) range from three weeks to three months with the average being 1.5 months. These would be notified via TSM.

The NTS model would prefer that all hearings, whether contemporaneous or non-contemporaneous, are recorded in FTR format, i.e., either courtroom-enabled FTR or MERKS. It would be preferable for CSCs to explore FTR courtroom availability when setting down hearing dates, and if not available, a non-FTR enabled courtroom should be utilised which has access to the MoJ network, thereby allowing audio to be linked with the NTS servers.

NTS would ask that CSCs advise NTS as soon as a hearing is confirmed. CSCs advised in the questionnaire that when a summons is issued the courtroom number is listed (except for small courts with only one or two courtrooms). As witness summons require 21 days' notice, it would be assumed that in this scenario NTS would be advised at the same time the summons is issued (if a summons is issued).

HEARING PROCESSES

COURTROOMS

Co-ordinators would be expected to do courtroom set-up at least one hour prior to the hearing commencing, to enable sounds checks to be completed.

NTS would need to ensure that all courtroom printers used by CSU staff are linked to the NTS Print Solution. Co-ordinators would proceed as follows:

- (a) Set up and start recording equipment.
- (b) Enter intituling on log notes as per NTS standards, including Court Taker's name.
- (c) Sound check to be done for all microphones in the courtroom, and each microphone identified, i.e., Judge's mic, witness mic, etc.
- (d) Open TSM and identify who lead Court Reporter is for the hearing.
- (e) Advise Lead Court Reporter via GroupWise Messenger and ensure the sound check is available.
- (f) When advice received from Lead that sound check is acceptable, ask for a printer check to ensure printer is linked and working correctly.
- (g) Accurate log notes to be kept during hearing.

PRE-INQUEST HEARINGS

These are held 'in chambers' and can be recorded on either a MERK or more commonly on Olympus dictaphone. Accurate log notes would need to be kept to ensure transcription by NTS is accurate.

A problem has been identified in this area whereby co-ordinators also participate, as Case Manager, in these hearings and find it difficult to keep accurate log notes and follow the hearing. Unless accurate log notes are kept, i.e., identifying speakers, hearings are extremely difficult for NTS Court Reporters to transcribe. Some dialogue would need to be had with CSU regarding this situation and possible workarounds found. In some situations, the ASO could be annotator for hearings where there are multiple counsel who all need to be identified. There should be

little difficulty where there is only one counsel, or none. Co-ordinators stated this was not difficult in the latter scenario.

TRANSCRIPTION PROCESSES

Templates will need to be developed for Coronial transcription. These should be:

- (a) Notes of Evidence templates (x2: 1998 Act & 2006 Act)
- (b) Findings templates (x2: Provisional & Final)
- (c) Rulings
- (d) COR7 template (Certificate of Findings – held in chambers)

If NTS was to undertake transcription of letters/reports/conferences, templates would need to be developed for these also. It would be preferable from an NTS perspective that these remain 'in-house' as the NTS's core work is, or should be, only the transcription of evidence.

Consultation would need to occur with the CSU regarding templates and sign-off for these would need to be through Chief Coroner MacLean.

These would then need to be loaded onto the NTS templates shared drive.

PRINTERS

All courtrooms that have used for hearings should be identified and printer numbers obtained to enable NTS to add these to the NTS i-print Solution which is accessible to all NTS Court Reporters.

SERVICE LEVEL AGREEMENTS (RESPONSIVENESS SERVICE STANDARDS)

Agreements will need to be executed for both contemporaneous and non-contemporaneous service level agreements, both FTR and Olympus transcription.

5.0 APPENDICES

APPENDIX 5.1.1 CORONIAL SERVICES CO-ORDINATORS

Co-ordinator	Location	Coroner	Survey
57(2)(g)	Whangarei	Coroner Brandt Shortland	Y
	Auckland	Coroner Morag McDowell	Y
	Auckland	Coroner Murray Jamieson	N
	Auckland	Coroner Katharine Greig	Y
	Hamilton	Coroner Gordon Matenga	N
	Hamilton	Coroner Peter Ryan	Y
	Rotorua	Coroner Wallace Bain	Y
	Hastings	Coroner Christopher Devonport	Y
	Palmerston North	Coroner Carla na Nagara	N
	Palmerston North	Coroner Tim Scott	Y
	Wellington	Coroner Ian Smith	Y
	Wellington	Coroner Garry Evans	N
	Christchurch	Coroner Richard McElrea	Y
	Christchurch	Coroner Sue Johnson	N
	Christchurch	Floating	Y
	Dunedin	Coroner David Crerar	Y

Note: Chief Coroner MacLean has a Judicial Support Officer, Jackie Andrews.

APPENDIX 5.1.2 DEFINITION OF TYPES OF PROCEEDINGS

Proceeding Type /Term	Definition
Inquest hearing (contemporaneous)	These are hearings held in a courtroom, if available, or a venue approved by the Coroner. They are all contemporaneous with 90% of them requiring a 24 hour turnaround. An inquest is a judicial hearing convened by a Coroner and can be more informal than some court hearings. It is an inquisitorial process to discover what happened rather than to apportion blame.
COR7'S (non-contemporaneous)	These are 'Certificate of Findings' and are required for all inquiries (Inquest and Chambers Hearings <i>on papers</i> .) Where the Coroner chooses not to have a separate written finding document, the written findings are dictated and included as part of the COR7 template.
Term 'On Papers'	Hearings done ' <i>on papers</i> ' mean there is no requirement for a public inquest hearing or dispute as to the cause and circumstances of the death. These are held in Chambers.
Letters (Non-contemporaneous)	These are standard template/normal letters sent by Coroner's to parties involved in an inquest advising of date, venue etc.
Memos (Non-contemporaneous)	These can also be called 'file notes'.
File Notes (Non-contemporaneous)	These can also be called 'Memos'
Conferences	Some Coroners refer to 'Conferences' when in fact they are a combination of a pre-inquest or pre-chambers findings meetings.
Findings (Non-contemporaneous)	At the end of an inquest, after hearing all the evidence, a Coroner may give either final findings into the death or may give interim findings. In the latter case the final findings are provided in writing at a later date.

APPENDIX 5.1.3 – VARIANCES & SOLUTIONS

As part of the discovery process the definition of variances (differences) between the 'as is' Coronial Services Unit present state and the current NTS 'as is' model should be identified and a review of these differences, and the potential implications of those differences on the National Transcription Service's ability to pick this work up, should be undertaken. The numbers in brackets (i.e. (2.1.1a)) indicate the variance identified in (2.0 General Processes Current State)

GENERAL COURT PROCESSES VARIANCES

- (a) **Variance:** (2.1.1a) CSU case numbers.

Solution: NTS transcribers will require access to CSU case numbers in CMS through a change control. Training required in use of six number format for TSM.

- (b) **Variance:** (2.1.1e) Majority of CSCs have used MERKS and FTR, apart from three who are recent employees and have yet to take court.

Solution: All CSCs will require up-date training in all aspects of MERK operations. Whilst they have used MERKS, the time lapses between hearings are significant and information gained is quickly lost.

- (c) **Variance:** (2.1.2g) Courtrooms are booked by the CSCs through the relevant Court Managers.

Solution: NTS preference would be for FTR courtrooms to be used, where possible, for ease of transcription. What is the possibility of all District Courts having a nominated CSU courtroom (FTR-enabled) and priority given to the CSU for the use of this courtroom?

- (d) **Variance:** (2.1.2 (k)) FTR courtrooms are not specifically requested for contemporaneous fixtures (on-site). MERK portability has made this 'the norm' even when on-site FTR is available.

Solution: See solution to Variance (2.1.2g) above.

- (e) **Variance:** (2.1.2l) Short notice location changes are a rare occurrence and do not affect Adept because of portability of MERK kits.

Solution: If future technology allows audio to be sent direct to a court server, notice not being given of a location change would have a serious effect on transcription, i.e., transcribers may not be able to access log notes and audio.

- (f) **Variance:** (2.2.2m) Adept advised that they receive notice of Coronial hearings "quite often after the fact", i.e., the hearing has already commenced and they have not been notified that transcription is required.

Solution: This would have a serious impact on NTS ability to transcribe.

- (g) **Variance:** (2.1.3c) Prior to commencement of court etc, in particular sound checks.

Solution: NTS would require sound checks to be done at least 30 minutes before the commencement of a hearing.

- (h) **Variance (2.1.4c)** All CSCs who have used a MERK are experienced at using log notes. Hamilton and Hastings CSCs are the only CSCs who do not have this experience, and Hastings in particular is averse to using FTR.

Solution: Although everyone has used log notes, their log notes are not of a standard expected by NTS and more training would be required. The Hastings scenario would need to be dealt with prior to commencement of training.

- (i) **Variance: (2.1.4d)** CSCs do not back-up any audio.

Solution: If all CSU transcription work is undertaken by NTS this would not be an issue as TFM backs up all audio, but in their present state it is a major problem and does not conform with MoJ standards for the storing of all court recordings.

- (j) **Variance (2.1.5b)** CSU Office Administrators are responsible for any transcription work less than 15 minutes in duration, which mostly consists of letters, reports, and memos. There is no sign-off process for non-contemporaneous requests to Adept and no formal request process other than to send the audio by mail.

Solution: NTS are responsible for the transcription of evidence-based work only and are not a typing pool. The concern here is that all non-court work would come to NTS for transcription as has been happening with Adept, who are a secretarial agency and charge a fee each time this work is requested. Who monitors the 15 minute rule?

- (k) **Variance (2.1.5d)** Signing of evidence under 1998 Coroner's Act.

Solution: CSCs would need to indicate on the log notes if the hearing is being heard under the 2006 Act, where signing of findings/hearings is not required, but if under Coroner 1998 Act, signing is required. Possibly a template for each of the above Acts to aid transcription.

- (l) **Variance (2.1.5g)** Printing to courtroom.

Solution: All courtrooms where hearings have been heard previously would need to be added to the printer list.

- (m) **Variance: (2.1.5i)** Recording of pre-inquest hearings.

Solution: There is a large demand for transcription of all pre-inquest hearings and NTS would require log notes to identify the speaker in all cases.

- (n) **Variance (2.1.6f)** File preparation.

Solution: NTS would require file preparation to be more intensive than is being done presently.

- (o) **Variance (2.1.8a)** Different templates for different Coroners.

Solution: NTS would need to have standardized templates in place. It is an unreal expectation for Coroners to expect this system to continue should NTS undertake CSU transcription.

(p) **Variance** (2.1.8b) No formatting guidelines.

Solution: NTS requirements are for formatting guidelines to be in place for all transcription as per the NTS Style Guide.

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

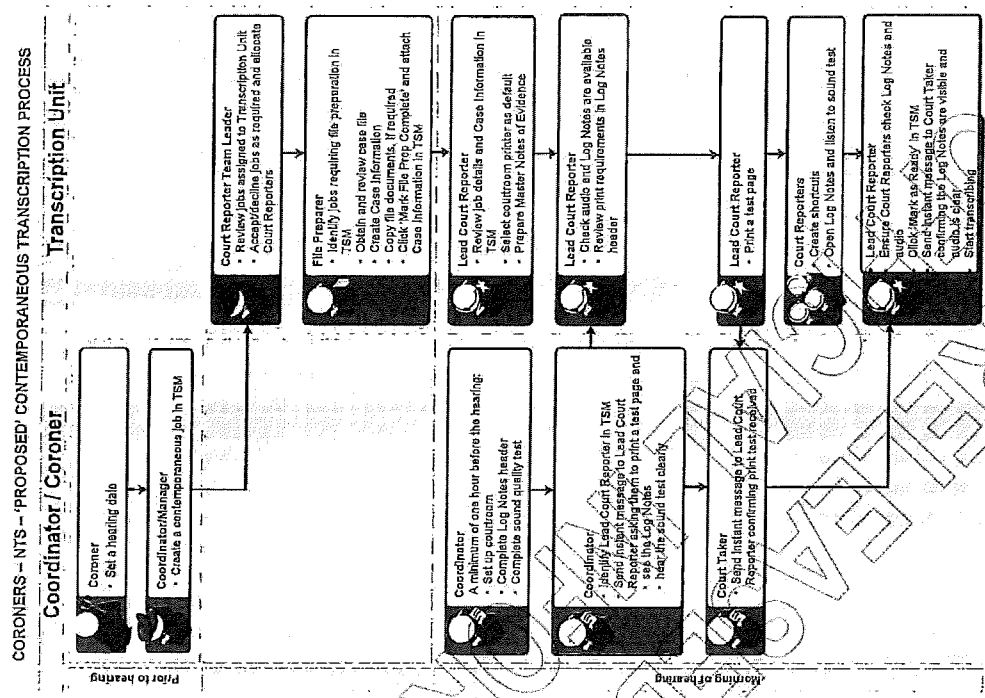
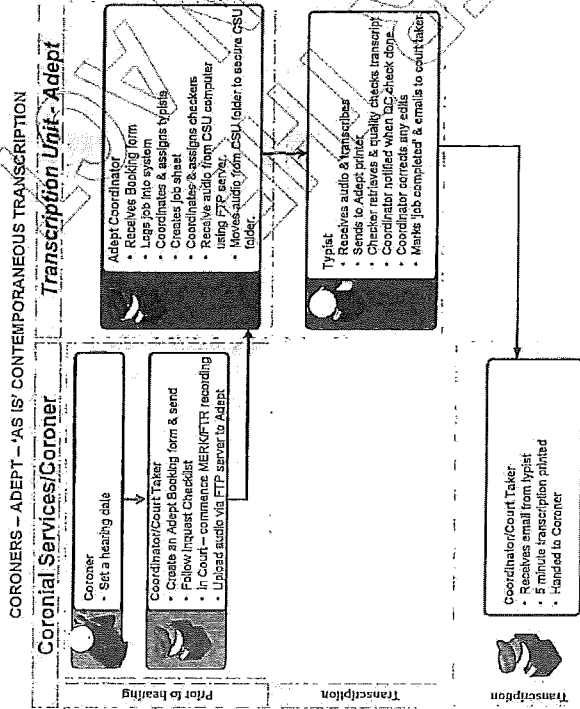
APPENDIX 5.1.4 – ADEPT BOOKING FORM

VENUE INFORMATION			
Hearing Venue			
Coroner			
Registrar			
Case File Number			
Name of deceased			
Date of death			
Place of death			
Cause of death			
Hearing duration	Dates	Start	End

TRANSCRIPTION DETAILS	
CSU RC Chargeback	RC Number:
E-mail recipient	
Contact Information	
Emergency Contact (Person to contact when the hearing manager is in court and direct contact is required).	
Document template	
URGENCY	
Contemporaneous	
Court will wait for return of last 30 minutes of transcription	
Urgent (same day)	
24 Hour	
2 days	
3 days with a 7 day ceiling	

EQUIPMENT HIRE DETAILS	
Required by date:	
Shipping Details	

Is there any media interest/ any risks or issues of concern for the hearing?
Coronial Services Manager Approval: _____ Date: _____



Maori Land Court Responsiveness Service Standards (SLAs)

Types of Transcription	Yes/No	Service Level Agreement *Indicates 'on receipt of the audio'
All Minutes emanating from National Panui from all courthouses/MERK's (Minutes)	Yes	*5 days
Applications filed with the Chief Judge (Specials)	Yes	*5 days
Applications filed with the Māori Appellate Court (Appeals)	Yes	*20 days
Oral Judgments (Judicial Decisions) where judgment is transcribed directly into the application)	Yes	*5 days
Oral Judgments (Judicial Decisions) where judgment is transcribed into JDS for entry into the Judicial Database	No	PA to transcribe
Court directed meetings of owners	No	MLC responsibility
Court directed meetings of owners where Judge requires a minute outlining the outcome and the hearing is held in an FTR courtroom or MERK. (Minute only, not transcription of entire hearing)	Yes	*5 days
Olympus Recordings. Only minutes dictated by a Judge and transcribed directly into the application	Yes	*5 days Audio must be converted to .wav file before downloading to enable transcription to be undertaken on FTR
Olympus Recordings. Minute dictated by a Judge and required to be transcribed into JDS	No	PA to transcribe
Reserved Decisions	No	PA to transcribe
Teleconferences	No	PA/other to transcribe

N.B. That where there are considerable portions of Te reo being spoken this may impact the turnaround time, requiring NTS to negotiate an alternative timeframe for completing the transcript.

N.B. That the provision of audio of 'poor quality' ie non-FTR, non 4-channel audio, may also impact the turnaround time. Extremely poor audio may not be able to be transcribed.

All 'yes' types of transcription will require individual TSM requests to be made.

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Responsiveness Service Standards for Special Jurisdictions Transcription							
REF	TRANSCRIPT PRODUCED (PROPOSED)	FROM TYPE OF HEARING (PROPOSED)	SERVICE STANDARD	URGENT JUDICIAL REQUEST *	TRANSCRIPT WAISTBAND		
1	Environment Court Notes of Evidence	Environment Court fixture	Between 2 and 5 working days after submission of request	No later than 1 working day after submission of request	NOTES OF EVIDENCE TAKEN BEFORE THE ENVIRONMENT COURT		
2	CSU Notes of Evidence (1988 Act)	CSU fixture (1988 Act)	Transcription of evidence completed within a maximum of 30 minutes	N/A	NOTES OF EVIDENCE TAKEN BEFORE CORONER XXX		
3	CSU Notes of Evidence (2006 Act)	CSU fixture (2006 Act)	No later than 5 working days after submission of request	No later than 2 working days after submission of request	NOTES OF EVIDENCE TAKEN BEFORE CORONER XXX		
4	CSU Notes of Evidence (2006 Act Special Fixture)	CSU fixture (2006 Act)	Transcription of evidence completed within a maximum of 30 minutes	N/A	NOTES OF EVIDENCE TAKEN BEFORE CORONER XXX		
5	Legal Discussion (Environment Court only)	Environment Court fixture	No later than 5 working days after submission of request	No later than 1 working day after submission of request	LEGAL DISCUSSION BEFORE THE ENVIRONMENT COURT		
6	Minutes	Any	No later than 5 working days after submission of request	No later than 1 working hour after submission of request*	MINUTE OF JUDGE/CORONER XXX		
7	Rulings	Any	No later than 3 working days after submission of request	No later than 1 working hour after submission of request*	RULING X OF JUDGE/CORONER XXX		
8	Directions	Any	No later than 3 working days after submission of request	No later than 2 working days after submission of request	DIRECTIONS OF JUDGE/CORONER XXX		

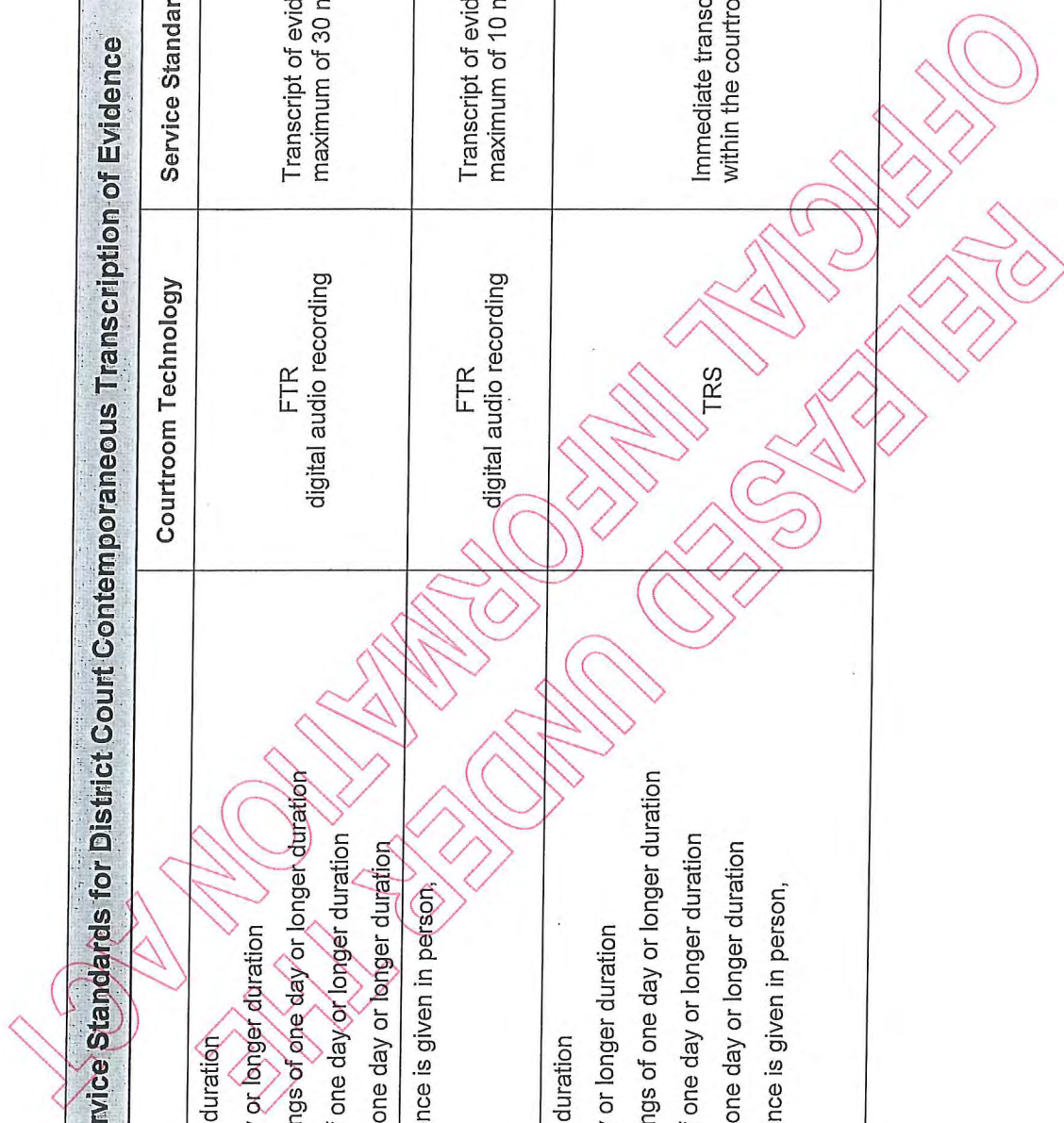
* A turnaround time of 1 hour will only apply where (a) the recording is via FTR and (b) the recording was made within the last 30 days and (c) the duration of audio to be transcribed is less than 30 minutes.

REF	TRANSCRIPT PRODUCED (PROPOSED)	FROM TYPE OF HEARING (PROPOSED)	SERVICE STANDARD	URGENT JUDICIAL REQUEST *	TRANSCRIPT WAISTBAND
9	Oral Judgments (Environment Court only)	Environment Court fixture	No later than 3 working days after submission of request	No later than 1 working hour after submission of request*	ORAL JUDGMENT OF JUDGE XXX
10	Findings (CSU only)	CSU fixture	No later than 3 working days after submission of request	No later than 1 working day after submission of request	FINDINGS OF CORONER XXX
11	Pre-inquest Hearings (CSU only)	CSU pre-inquest hearing	No later than 5 working days after submission of request	No later than 1 working day after submission of request	PRE-INQUEST HEARING BEFORE CORONER XXX
12	Employment Court Notes of Evidence	Employment Court fixture	Second concurrent fixture, transcription of evidence completed within a maximum of 30 minutes.	N/A	NOTES OF EVIDENCE TAKEN BEFORE JUDGE XXX
13	Employment Court Notes of Evidence	Employment Court fixture	Additional requests within the same week, no later than 5 working days	N/A	NOTES OF EVIDENCE TAKEN BEFORE JUDGE XXX

* A turnaround time of 1 hour will only apply where (a) the recording is via FTR and (b) the recording was made within the last 30 days and (c) the duration of audio to be transcribed is less than 30 minutes.

Responsiveness Service Standards for District Court Contemporaneous Transcription of Evidence

Hearing	Courtroom Technology	Service Standard
Jury trials, regardless of duration Civil hearings of one day or longer duration Criminal Summary hearings of one day or longer duration Family Court hearings of one day or longer duration Youth Court hearings of one day or longer duration	FTR digital audio recording	Transcript of evidence completed within a maximum of 30 minutes
Depositions where evidence is given in person, regardless of duration Taking of evidence	FTR digital audio recording	Transcript of evidence completed within a maximum of 10 minutes
Jury trials, regardless of duration Civil hearings of one day or longer duration Criminal Summary hearings of one day or longer duration Family Court hearings of one day or longer duration Youth Court hearings of one day or longer duration Depositions where evidence is given in person, regardless of duration Taking of evidence	TRS	Immediate transcript of evidence completed within the courtroom



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Responsiveness Service Standards for District Court Non-contemporaneous Transcription

REF	TRANSCRIPT PRODUCED (PROPOSED)	FROM TYPE OF HEARING (PROPOSED)	SERVICE STANDARD	URGENT JUDICIAL REQUEST *	TRANSCRIPT WAISTBAND
1	Bail Application Notes	Bail application	no later than 8 working hours after submission of the request	N/A	Notes of Judge XXX on Bail Application
2	Oral Judgment**	Any	no later than 3 working days after submission of request	no later than 1 working hour after submission of the request ***	Oral Judgment of Judge XXX or Judgment of Judge XXX
3	Directions	Any	no later than 3 working days after submission of request	no later than 2 working days after submission of the request	Directions of Judge XXX
4	Summing Up	Jury trial	no later than 2 working days after submission of request	no later than 8 working hours after submission of the request	Summing up of Judge XXX
5	Sentencing Notes	Sentencing	no later than 3 working days after submission of request	no later than 1 working hour after submission of the request ***	Notes of Judge XXX on Sentencing
6	Custodial Sentencing Notes	Sentencing	no later than 2 working days after submission of request	no later than 1 working hour after submission of the request ***	Notes of Judge XXX on Sentencing
7	Sentencing Indication	Status hearing	no later than 3 working days after submission of request	no later than 1 working hour after submission of the request ***	Notes of Judge XXX on Sentencing Indication
8	Opening Addresses	Any	no later than 3 working days after submission of request	no later than 2 working days after submission of the request	Opening Address of XXX
9	Closing Addresses	Any	no later than 3 working days after submission of request	no later than 2 working days after submission of the request	Closing Address of XXX

REF	TRANSCRIPT PRODUCED (PROPOSED)	FROM TYPE OF HEARING (PROPOSED)	SERVICE STANDARD	URGENT JUDICIAL REQUEST *	TRANSCRIPT WAISTBAND
10	Notes of Evidence ****	Any	no later than 5 working days after submission of request	N/A	Notes of Evidence Taken Before XXX
11	Legal Discussion	Any	no later than 3 working days after submission of request	no later than 1 working hour after submission of the request ***	Legal Discussion Before Judge XXX
12	Jury Direction (response to Jury Question)	Jury trial	no later than 3 working days after submission of request	no later than 1 working hour after submission of the request ***	Jury Questions Before Judge XXX
13	Rulings/Minutes/Bench Notes	Any	no later than 3 working days after submission of request	no later than 1 working hour after submission of the request ***	Ruling of Judge XXX Minute of Judge XXX Bench Note (No X) of Judge XXX

Notes:

* For hearings where transcripts are required either earlier or later than the agreed SLA due date, e.g. District Court or High Court cases that are subject to an appeal to a High Court or Court of Appeal (respectively), the **TRANSCRIPT REQUIRED BY DATE/TIME** should be specified by the court registry. Please note working hours are between the hours of 8.00am-1.00pm and 2.00pm-5.00pm. Working days are days other than statutory holidays (including Regional Anniversary days) and weekends.

** Reserved judgments are done by JAs and PAs and not by NTS with a waistband of Judgment of Judge XXX.

*** **A turn around time of 1 hour will only apply where a) the recording is via FTR and b) the recording was made within the last 30 days and c) the duration of audio to be transcribed is less than 30 minutes.**

**** Although Notes of Evidence are done contemporaneously, they are included in this list, in case they have not been transcribed contemporaneously for whatever reason.

Responsiveness Service Standards for High Court Contemporaneous Transcription of Evidence via FTR

HEARING		SERVICE STANDARD	TRANSCRIPT WAISTBAND
Jury trials and hearings where evidence is given	Transcript of evidence completed and printed back into the courtroom within a maximum of 30 minutes	Notes of Evidence Taken Before the Hon. Justice X	
Rulings/Minutes/Bench Notes/Directions/Response to jury questions made during the course of a trial	Transcript completed and emailed to the Judges' Associate within a maximum of 30 minutes	Ruling of XXX J Minutes of XXX J Bench Note (No X) of XXX J Directions of XXX J	

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Responsiveness Service Standards for High Court Non-contemporaneous Transcription via FTR

REF	TRANSCRIPT PRODUCED	FROM TYPE OF HEARING	SERVICE STANDARD*	URGENT JUDICIAL REQUEST *	TRANSCRIPT WAISTBAND
1	Bail Decision	Bail application	no later than 8 working hours	no later than 1 working hour after submission of the request **	Bail Decision of XXX J
2	Oral Judgment	Any	no later than 3 working days	no later than 1 working hour after submission of the request **	Oral Judgment of XXX J or Judgment of XXX J
3	Summing Up	Jury trial	no later than 5 working days	no later than 1 working hour after submission of the request **	Summing up of XXX J
4	Sentencing Notes	Sentencing	no later than 8 working hours	no later than 1 working hour after submission of the request **	Sentence of XXX J
5	Opening Addresses	Any	no later than 5 working days after request	no later than 1 working hour after submission of the request **	Opening Address of XXX J
6	Closing Addresses	Any	no later than 5 working days after request	no later than 1 working hour after submission of the request **	Closing Address of XXX J
7	Legal Discussion	Any	no later than 5 working days after request	no later than 1 working hour after submission of the request **	Legal Discussion Before XXX J
8	Rulings/Minutes/Bench Notes/Directions made before or after a trial	Any	no later than 3 working days	no later than 1 working hour after submission of the request **	Ruling of XXX J Minutes of XXX J Bench Note (No X) of XXX J

Notes:

• Rulings/Minutes/Bench notes Directions and responses to jury questions dictated during trial will be typed contemporaneously.

* For Service Standards working hours are between the hours of 8.00am and 5.00pm. Working days are days other than statutory holidays (including Regional Anniversary days) and weekends.

** A turn around time of one hour is only possible if what is to be transcribed is less than 30 minutes of audio recording and the recording was made in the last 30 days. For audio recordings outside those parameters the Court Reporters will complete as soon as possible and the Judge's Associate will be advised of the estimated delivery time.

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