

2019

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

**UPDATE TO THE LEGISLATIVE ASSEMBLY ON THE PROGRESS OF THE COURTS
CONSTRUCTION PROJECT, OCTOBER 2019**

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Update to the Legislative Assembly on the progress of Courts Construction Project and to address the recommendation from the Standing Committee on Justice and Community Safety *Annual and Financial Reports 2017-18*.

Project Overview

The Law Courts Project will provide the Australian Capital Territory with modern court facilities that meet the current and future needs of the justice system.

The project is being delivered in two main stages. Stage 1 included a new four-story building fronting Vernon Circle, refurbishment and reconfiguration works in the existing Magistrates Court building and a new entrance foyer linking the two existing buildings. Stage 2 completes the project with the refurbishment of the existing Supreme Court building and staging areas. Stage 1 delivered six courtrooms (including five jury courtrooms) and Stage 2 will deliver the remaining two non-jury courtrooms (one of which will be used for the Supreme Court Drug and Alcohol Sentencing List), along with mediation suites, family violence conferencing facilities and accommodation for several justice support services.

Stage 2 of the project is being delivered in three separate parts. Stage 2A.1 will deliver part of the new custodial facilities to enable relocation of custodial operations from the basement of the Magistrates Court; Stage 2A.2 will deliver completion of all internal and external works to the old Supreme Court building; and Stage 2B will convert the existing custodial area into a central registry filing area and end-of-journey facilities.

Project Status Update

Stage 1 facilities have been in use since 15 October 2018. Stage 2A.1 is complete with ACT Corrective Services commencing operations from its new area on 22 July 2019. The latest program from Juris forecasts completion of the remainder of Stage 2 to be achieved in early 2020. However, there remains a material risk that full completion of Stage 2 may not occur in line with this program. The Territory project team continues to work with Juris to minimise the impact of any potential delays to court operations.

Construction is ongoing and pre-commissioning of some services in the old Supreme Court building commenced. The progress of the remaining works is being tracked continually to ensure that project and operational planning is aligned with the expected completion date.

Financial Consequence of the Delay

Under the Public Private Partnership (PPP) contract arrangements, Juris Partnership assumes full risk for the time it takes to complete the works. Accordingly, the contractor is not entitled to any additional payments due to completion being later than the dates set out in the contract.

Payments to Juris Partnership did not commence until completion of Stage 1 was achieved and, as the end date of the contract is fixed, the 25-year operational phase of the PPP contract is truncated to the same extent as the delay to completion. This results in a saving to the Territory compared to the payments that would have been made had the project been completed on time. These savings are greater than the project management and other Territory costs incurred as a direct result of the prolonged period of construction. The monthly service payment increases with the completion of each Stage to the full payment at the completion of Stage 2.

Operational Consequence of the Delay

The Courts have been kept fully apprised of the delay and have taken this into account when listing matters in 2019-20. During the construction phase for the new facilities the Supreme Court has retained use of the same number of Supreme Court courtrooms as were available prior to commencement of the project. The main operational impact of the Stage 2 delay is that completion of this stage will provide two additional non-jury courtrooms including facilities for the Supreme Court Drug and Alcohol Sentencing List.

The Supreme Court is investigating alternative arrangements for the Drug and Alcohol Sentencing List in the event that the new facilities are not available by the date required.