



Archives ACT

Finding Aid

Courts Functional History

Introduction

From its founding in 1913 until 1989, the Commonwealth Government administered the Australian Capital Territory (ACT). In 1989 ACT self-government came into effect. The archives that were created by the Commonwealth Government administration of the ACT, being Commonwealth records, were within the domain of the National Archives. Subsequent to ACT self-government, the ownership of some of these archives was transferred from the National Archives to the ACT Government.

ACT Law Courts & Tribunals

The ACT Law Courts & Tribunals consists of three agencies, namely the Supreme Court, the Magistrates Court and the Coroner's Court. In addition, there is the ACT Civil and Administrative Tribunal. The jurisdictions for each of these Courts and the Tribunal are outlined below.

ACT Supreme Court

The ACT Supreme Court is a superior court of record, and is the senior court of original jurisdiction in the Australian Capital Territory. Established as a superior court of record by the *Seat of Government Supreme Court Act 1933*, it commenced on 1 January 1934. The principal reason behind the establishment of a Supreme Court was to relieve the High Court of its original jurisdiction in respect of the Australian Capital Territory and to provide an intermediate court of appeal between the High Court and the Court of Petty Sessions (est. 1930).

Justice Lionel Oscar Lukin was appointed a Judge of the Supreme Court on 25 January 1934 and remained the sole Judge of the Court until November 1943. Justice Lukin was also a Judge of the Federal Court of Bankruptcy at the time and therefore did not sit full time on the Territory Supreme Court.

The first sitting of the Court was held at Acton House Courthouse on 12 February 1934. The first two matters heard by Justice Lukin involved actions for the restitution of conjugal rights. Lukin J. made the "usual order" that the wife return to her husband within 21 days. The first eleven cases heard were all concerned with matrimonial disputes.

The first recorded appeal to the Court from the Court of Petty Sessions was heard by Lukin J. on 29 August 1934 and involved allegations of illegal gambling activities.

The Supreme Court has unlimited civil and criminal jurisdictions, and exercises an appellate and supervisory jurisdiction in respect of the ACT Magistrates Court and the ACT Civil and Administrative Tribunal. Appeals from the Supreme Court lie to the ACT Court of Appeal.

For more information go to: <http://www.courts.act.gov.au/supreme/>

ACT Magistrates Court

The ACT Magistrates Court has jurisdiction to deal with criminal charges laid against persons who are **over** the age of 18 years and hear and determine civil matters up to the value of \$50,000.

For more information go to: <http://www.courts.act.gov.au/magistrates/>

ACT Coroner's Court

The Coroner's Court was established by the *Coroners Act 1956* and continues in existence under the *Coroners Act 1997* (<http://www.legislation.act.gov.au/a/1997-57/default.asp>). The role of the Coroner's Court is to conduct inquests into deaths and inquiries into fires and disasters.

For more information go to:

<http://www.courts.act.gov.au/magistrates/CoronersCourt/coroner.html>

ACT Children's Court

The Magistrates Court is known as the Children's Court when it is exercising jurisdiction under the *Children and Young People Act 2008* (<http://www.legislation.act.gov.au/a/2008-19/default.asp>). The Children's Court has jurisdiction to hear criminal cases against children (people under 12 years of age) and young people (people 12 years and above who have not turned 18 years of age) and applications and other proceedings under the *Children and Young People Act 2008* in relation to children and young people.

For more information go to: <http://www.courts.act.gov.au/magistrates/crt-childrens.html>

ACT Civil and Administrative Tribunal (ACAT)

The ACAT provides a forum for the determination of a wide range of civil disputes, requests for review of administrative decisions and professional and occupational disciplinary matters. The ACAT commenced on 2 February 2009. It took over the work of a number of existing tribunals and boards including:

- the Administrative Appeals Tribunal
- the Small Claims Court
- the Discrimination Tribunal
- the Guardianship and Management of Property Tribunal
- the Mental Health Tribunal
- the Residential Tenancies Tribunal
- the Liquor Licensing Board
- the Health Professions Tribunal
- the Legal Practitioners Disciplinary Tribunal
- ACT Court of Appeal Case Records

These bodies no longer operate. Orders they made are taken to be orders of the ACAT. The records of the former tribunals are held by the ACAT.

ACAT also assumed responsibility for disciplinary proceedings relating to builders, electricians, plumbers and other licensed construction occupations, motor vehicle dealers, tobacco sellers, finance brokers, surveyors and architects and for the resolution of unit titles disputes and all civil disputes involving amounts under \$10,000.

For more information go to: <http://www.acat.act.gov.au/>

Commonwealth Records Series

Commonwealth Record Series (CRS) are used as a descriptive control method to provide information as to who created a record, when it was created and link it to other records dealing with the same function. This provides contextual information to the record.

CRS is used to track the Commonwealth Government agency responsible for the records creation and the individual items within the series which is searchable on the National Archives of Australia's database here:

http://www.naa.gov.au/The_Collection/recordsearch.html

Record series group records resulting from the same filing process or having similar content. For example series A7424 relates coronial fire files.

Commonwealth Agencies are the bodies responsible for performing administrative functions creating records in the process. A CA (Commonwealth Agency) number is used to identify individual agencies. For example CA 1360, [Australian Capital Territory] Courts Office Branch - Magistrates Court

Individual records are identified by the number or symbol allocated to them when they were created. For example the Coronial `SK` Fire files, single number series with `SK` prefix and year suffix.

For more information go to: <http://www.naa.gov.au/about-us/publications/fact-sheets/fs06.aspx> & <http://naa12.naa.gov.au/manual/index.htm>

The following table is a list of series identified as relating to ACT Courts, some which has been transferred to the custody of the ACT Government. The full series descriptions that follow the table have been extracted from the National Archives of Australia RecordSearch.

The location of these files can be identified using the National Archives of Australia RecordSearch: http://www.naa.gov.au/The_Collection/recordsearch.html

Series number	Title	Accumulation date range	Contents date range
A925	Ordinary Summons and Default Summons, OS Series -	1 Jan 1930 - 31 Dec 1958	1 Jan 1930 - 31 Dec 1958
A926	Criminal Charge case files, "CC" single number series with year suffix	1 Jan 1959 - 31 Dec 1970	1 Jan 1959 - 31 Dec 1970
A927	Workmen's Compensation Files [ACT], 'WC' annual single number series with year suffix	1 Jan 1936 -	
A928	Civil Summons files, CS series	1 Jan 1954 -	1 Jan 1954 -
A929	Australian Register of Judgements files, ARJ series	1 Jan 1931 -	1 Jan 1931 -
A930	Supreme Court case files, annual single number series with 'MC' [Matrimonial Causes] prefix	1 Jan 1934 - 31 Jan 1976	1 Jan 1934 - 31 Jan 1976
A931	Supreme Court case files, 'SC' series general	12 Jun 1934 -	12 Jun 1934 -
A932	Supreme Court case files, 'SCC' series (criminal)	1 Jan 1941 -	1 Jan 1942 -
A933	Supreme Court Appeals SCA Series	1 Jan 1937 - 31 Dec 1952	
A934	Supreme Court Cases MSC & DP Series	1 Jan 1936 - 31 Dec 1956	
A935	Correspondence Files, Unregistered, relating to General BD & M Registration Matters	1 Jan 1929 - 31 Dec 1953	
A936	Supreme Court Cases MOF Series (Maintenance Orders)	1 Jan 1948 - 31 Dec 1948	
A937	Correspondence Files, SNG Single Number Series (Papua & New Guinea Matters)	1 Jan 1942 - 31 Dec 1944	
A941	Registration Files, Births, First Series	1 Jan 1930 - 31 Dec 1941	
A942	Registration Files, Births, Second Series	1 Jan 1941 - 31 Dec 1944	
A943	Registration Files, Births, Third Series -	1 Jan 1944 - 31 Dec 1956	
A944	Hospital Birth Lists	1 Jan 1955 - 31 Dec 1957	
A945	Registration Files, Marriages, First Series -	1 Jan 1930 - 31 Dec 1944	
A946	Registration Files, Marriages, Second Series	1 Jan 1941 - 31 Dec 1956	

Series number	Title	Accumulation date range	Contents date range
A947	Registration Files, Deaths	1 Jan 1930 - 31 Dec 1954	
A948	Correspondence Files, C Series (BDM Enquiries and Applications)	1 Jan 1930 - 31 Dec 1954	
A951	Court of Petty Sessions Application files, 'APP' annual single number series with year suffix	1 Jan 1935 -	
A952	Applications for entry of name in the Register of Justices of the Peace of the ACT, 'JP' single number series	1 Jan 1937 -	1 Jan 1937 -
A953	Application for Special Permits and Booth Licences SP Series	1 Jan 1956 - 31 Dec 1960	
A956	Notices of Demand, NOD Series	1 Jan 1939 - 31 Dec 1955	
A957	Applications for Naturalisation Certificates, NC Series	1 Jan 1949 - 31 Dec 1953	
A959	Bench Books	1 Jan 1930 - 31 Dec 1957	
A960	General Pick Up Books	1 Jan 1948 - 31 Dec 1955	
A962	Court Minutes, Matrimonial	1 Jan 1935 - 31 Dec 1950	
A963	Court Minutes, General	1 Jan 1935 - 31 Dec 1946	
A965	Duplicate Register of Births, First Series (typescript)	1 Jan 1930 - 31 Dec 1941	
A966	Duplicate Registers of Births, Second Series	1 Jan 1941 - 31 Dec 1944	
A967	Duplicate Registers of Births, Third Series	1 Jan 1944 - 31 Dec 1951	
A968	Duplicate Registers of Deaths	1 Jan 1930 - 31 Dec 1949	
A971	Applications for Registration of Organisation, OA Series	1 Jan 1951 - 31 Dec 1951	
A972	Duplicate Registers of Births (Single Number Series) Manuscript	1 Jan 1930 - 31 Dec 1949	
A975	Correspondence Files, Annual Single Number Series	1 Jan 1929 - 31 Dec 1938	
A1778	ACT Supreme Court Probate Jurisdiction files, single number series	1 Jan 1930 - 31 Dec 1969	
A1779	Transcripts of Evidence (chronological set)	1 Jan 1960 -	1 Jan 1960 -

Series number	Title	Accumulation date range	Contents date range
A1930	Licensing Court Book ["Liquor Bench Book"]	1 Jan 1930 - 31 Dec 1959	1 Jan 1940 - 31 Dec 1957
A2920	Criminal Charge case files, 'CC' annual single number series with year suffix (first system)	1 Nov 1930 - 31 Dec 1958	1 Nov 1930 - 31 Dec 1958
A2921	Criminal Charge case files annual single number series with 'CC' prefix (second system)	1 Jan 1971 -	1 Jan 1971 -
A2929	ACT Supreme Court Probate Jurisdiction files, annual single number series with year suffix	1 Jan 1970 -	
A5354	Bench sheets culled from CRS A2920 Criminal Charge case files, CC annual single number series with year suffix (first system).	1 Oct 1981 -	1 Nov 1930 - 31 Dec 1958
A5355	Bench sheets culled from CRS A926 Criminal Charge case files, CC single number series with year suffix	1 Dec 1980 -	1 Jan 1959 - 31 Dec 1970
A5356	Bench sheets culled from CRS A2921 Criminal Charge case files, annual single number series with CC prefix (second system)	1 Jan 1978 -	1 Jan 1971 -
A7421	Coronial `SK` Dead files, single number series with `SK` Prefix and year suffix	1 Jan 1960 - 31 Dec 1977	1 Jan 1960 - 31 Dec 1977
A7422	Coronial `CD` files, single number series with `CD` [Coronial Dead] prefix and year suffix	1 Jan 1978 -	
A7423	Cross reference diary to Coronial fire and death files	1 Jan 1960 -	1 Jan 1960 -
A7424	Coronial `SK` Fire files, single number series with `SK` prefix and year suffix	1 Jan 1960 -	1 Jan 1960 -
AA1976/400	Court of Petty Sessions files, SC series	1 Jan 1930 - 31 Dec 1930	
AA1976/401	Court of Petty Sessions Default Summons files, DS series	1 Jan 1950 - 31 Dec 1950	
AA1976/402	Court of Petty Sessions Bail/bond files, single number series	1 Jan 1959 - 31 Dec 1959	
AA1976/403	Folders containing miscellaneous Police Court papers	1 Jan 1930 - 31 Dec 1945	

SERIES A7421

Series number
A7421

Date registered
1 Dec 1987

Title

Coronial `SK` Dead files, single number series with `SK` Prefix and year suffix

Accumulation dates

1 Jan 1960 - 31 Dec 1977

Contents dates

1 Jan 1960 - 31 Dec 1977

System of arrangement and control

Single number with `SK` prefix and year suffix

Range of control symbols

SK1/60 - SK3674/77

Ownership other than Commonwealth

Predominant form

PAPER FILES AND DOCUMENTS

Agency / person recording

1 Jan 1960 - 29 Jul 1964 CA 572, [Australian Capital Territory] Courts and Titles Office

1 Jan 1964 - 31 Dec 1970 CA 823, [Australian Capital Territory] Courts and Registration Offices

1 Jan 1970 - 31 Dec 1977 CA 1360, [Australian Capital Territory] Courts Office Branch - Magistrates Court

Agency / person controlling

1 Jan 1960 - CA 5, Attorney-General's Department, Central Office

Series notes for series A7421

This series contains buff coloured files marked with "SK" number on the top right of the cover and are marked with the words "Coronial Death Inquiry". The name of the deceased is also written on the file cover.

The "SK" file contains the Coroner's Report and statement. Inside the "SK" file is a second file the cover of which is marked with the "CD" number, "Inquest Brief", the name of the deceased, and coroner's name. Documents included in the "CD" file are Coroner's Report, authorisation for burial, admission to mortuary, file creation request, autopsy report, papers relating to inquest and evidence relating to the coroner's inquest which includes photographs (in colour from 1978).

Quantity in agency custody

50.0m held by CA 1360, (A.C.T.) Courts Office Branch (as at November 1987)

SERIES A7424

Series number
A7424

Date registered
1 Dec 1987

Title

Coronial `SK` Fire files, single number series with `SK` prefix and year suffix

Accumulation dates
1 Jan 1960 -

Contents dates
1 Jan 1960 -

System of arrangement and control
single number with `SK` prefix and year suffix

Range of control symbols
SK152/1960-SK2850/1974; SK1/1976-SK173/1976; SK1/1977-SK190/1977; SK5856-SK3587; SK1/1987-SK139/1987 (as at 23.9.87)

Ownership other than Commonwealth

Predominant form
PAPER FILES AND DOCUMENTS

Agency / person recording

- 1 Jan 1960 - 29 Jul 1964 CA 572, [Australian Capital Territory] Courts and Titles Office
- 1 Jan 1964 - 31 Dec 1970 CA 823, [Australian Capital Territory] Courts and Registration Offices
- 1 Jan 1970 - CA 1360, [Australian Capital Territory] Courts Office Branch - Magistrates Court

Agency / person controlling

- 1 Jan 1960 - CA 5, Attorney-General's Department, Central Office

Series notes for series A7424

These files combine an outer file, with an `SK` prefix, which contains the coroner's ordinance and a request for file and the inner file, which is identified by a `CF` [Coronial Fire] prefix. The inner coronial file contains such material as the file report (police), coroner's ordinance (report), statement of findings and a copy of the letter requesting the file. Files are registered for each case but only made up if the matter goes to inquest, hence there are gaps in the range of file numbers. The file covers are buff in colour with the `SK` number marked on the top right corner. It is also identified by the words `Coronial` and `Fire` on the cover, the name of the person involved and the coroner's name. The series is controlled by an `SK` prefix and a single number with a year modifier.

The numerical control, which started at 152/1960 continued through to 2850/1974. The 1975 files do not seem to be extant and the section of records controlled by SK 2856 - SK 3587 have no year modifier, but are presumed to cover the period from 1978-1986.

SERIES A7422

Series number

A7422

Date registered

1 Dec 1987

Title

Coronial `CD` files, single number series with `CD` [Coronial Dead] prefix and year suffix

Accumulation dates

1 Jan 1978 -

Contents dates

1 Jan 1978 -

System of arrangement and control

Single number with `CD` prefix and year suffix

Range of control symbols

CD1/78 - [CD 127/87 as at 16.9.87]

Ownership other than Commonwealth

Predominant form

PAPER FILES AND DOCUMENTS

Agency / person recording

1 Jan 1978 -

CA 1360, [Australian Capital Territory] Courts Office Branch
- Magistrates Court

Agency / person controlling

1 Jan 1978 -

CA 1360, [Australian Capital Territory] Courts Office Branch

Series notes for series A7422

This series contains files relating to coroner's inquests into deaths. The file covers are marked with "Inquest Brief", the name of the deceased and the coroner's name. The control number is marked on the top right hand corner of the file cover with an identifying "CD" prefix. Documents which are included in these files are the file creation request, the coroner's report, authorisation for burial, admission to the mortuary, autopsy report, papers relating to inquest and coronial inquest evidence which includes photographs (in colour from 1978).

This series is subsequent to the Coronial "SK" dead files and replaces it. The files are the same as the inner "CD" files from the Coronial "SK" dead files.

Quantity in agency custody

20.0m held by CA 1360, (A.C.T.) Courts Office Branch (as at 25.8.87)

SERIES A7423

Series number
A7423

Date registered
1 Dec 1987

Title

Cross reference diary to Coronial fire and death files

Accumulation dates
1 Jan 1960 -

Contents dates
1 Jan 1960 -

System of arrangement and control

Items : chronological
. . Entries : alphabetical and annual single
number

Range of control symbols

Items : 1960 - ?
. Entries : 60/1 - [1987/139 as at 23.9.87]

Ownership other than Commonwealth

Predominant form

PAPER FILES AND DOCUMENTS

Agency / person recording

1 Jan 1960 - 29 Jul 1964 CA 572, [Australian Capital Territory] Courts and Titles
Office

1 Jan 1964 - 31 Dec 1970 CA 823, [Australian Capital Territory] Courts and
Registration Offices

1 Jan 1970 - CA 1360, [Australian Capital Territory] Courts Office Branch

Agency / person controlling

1 Jan 1960 - CA 5, Attorney-General's Department, Central Office

Series notes for series A7423

These diaries contain entries broken into chronological order. The first part of the diary is an alphabetical index of names with addresses and "SK" file numbers. The cross-reference "CF" and "CD" numbers are written in red on the right of the entry.

The second part of the diary is listed by "SK" number, date, type (fire or death), name of the deceased and the coroner's decision. This cross reference diary controls the "SK" death files; "SK" fire files; and "CD" files.

Quantity in agency custody

0.50m held by CA 1360, (A.C.T.) Courts Office Branch (as at September 1987)

**ADOPTION FILES
SERIES A940**

Series number A940	Date registered 1 Jan 1800
Title Adoption Cases, AD Series	
Accumulation dates 1 Jan 1955 - 31 Dec 1960	Contents dates
System of arrangement and control Subject to further research	Range of control symbols
Ownership other than Commonwealth	Predominant form PAPER FILES AND DOCUMENTS
Agency / person recording 1 Jan 1955 - 31 Dec 1960	CA 572, [Australian Capital Territory] Courts and Titles Office
Agency / person controlling	CA 1360, [Australian Capital Territory] Courts Office Branch

SERIES A951

Series number A951	Date registered 5 May 1988
Title Court of Petty Sessions Application files, 'APP' annual single number series with year suffix	
Accumulation dates 1 Jan 1935 -	Contents dates
System of arrangement and control annual single number with APP prefix and year suffix	Range of control symbols APP 4/1935- 247/74 as at 6.3.1974
Ownership other than Commonwealth	Predominant form PAPER FILES AND DOCUMENTS
Agency / person recording 1 Jan 1935 - 29 Jul 1964	CA 572, [Australian Capital Territory] Courts and Titles Office
1 Jan 1964 - 31 Mar 1970	CA 823, [Australian Capital Territory] Courts and Registration Offices
1 Mar 1970 -	CA 1360, [Australian Capital Territory] Courts Office Branch
Agency / person controlling	CA 1360, [Australian Capital Territory] Courts Office Branch

Series notes for series A951

This series consists of files relating to application cases heard in the Court of Petty Sessions, Canberra. Each file contains correspondence, forms and legal documents which vary according to the nature of the application.

Examples of the types of application cases included in this series are as follows: restoration of drivers licence, maintenance, variation of maintenance order, approval of second-hand dealers licence, collectors licence, auctioneers licence, appeal against determination of the Commissioner for Commonwealth Employees Compensation, registration as a conscientious objector, consent to marry, condemnation of a firearm, warrant of possession of a dwelling, fair rent, ejection order, stay of proceedings, committal of an individual to an institution. Applications for adoption orders are included in pre-1955 files.

Each file cover records the following details: registration number, name of the applicant, nature of the application, date of hearing and other action taken.

As part of this transferral, this series was withdrawn from Archives' custody in March 1995.

Quantity in agency custody

Approx. 4.00m. held by CA 1360, Courts Office Branch as at 6.3.1974;

Agency notes for agency CA 572

Notification of the creation of the position of Registrar (Titles and Courts), Third Division, Canberra was gazetted on 29 January 1931.

It seems, however, that a temporary position existed from 1 May 1930 when the Deputy Registrar of Titles and Registrar of the Valuation Court was transferred from the Federal Capital Commission to the Attorney-General's Department.

The following Statutory appointments ensued:

(7 Aug.)1930, District Registrar of High Courts (Gazette 1930,p.1670)
(22 Nov.)1930,Clerk of Court of Petty Sessions (Gazette 1930,p. 2372)
(14 May)1931, Registrar of Licensing Court (Gazette 1931, p.807)
(Vice J. O'Callaghan, appointed 22 May 1930)
(3 Dec.)1931, Registrar of Companies (Gazette 1931, p.1945)
(8 Mar.)1933, Registrar of Titles (Gazette 1931, p.377)
(Vice C.S. Daley, appointed 25 July 1929)
(1 Jan.)1934, Registrar of Supreme Court (Gazette 1934, p.40)
(29Jan.)1934, Registrar of Securities (Gazette 1934, p.127)
(14 Feb.)1934, Registrar of Firms (Gazette 1934, p.356)
(8 Jan.)1942, Registrar of Probates (Gazette 1942, p.215)
(Vice J.M. Mills of Crown Solicitor's Office)(4 Mar.) 1943, Registrar of Land Court (Gazette 1943, p.613)
(28 Feb.)1944, Deputy Principal Registrar of (Gazette 1944, p.577) Births, Deaths and Marriages (Vice officer of Bureau of Census & Statistics)
(22 Mar.)1945, Registrar of Co-operative (Gazette 1945, p.802) Societies
(22 May)1946, Principal Registrar of Births, (Gazette 1946, p.1408) Deaths and Marriages (Vice JGB. Castieau, Attorney-General's Department, appointed 20 Dec. 1944, under Ordinance No. 8 of 1944)
(19 May)1949, Deputy Industrial Registrar (Gazette 1949, p.1306) (Note: prior to 1949, Mr Keane was Secretary to the Industrial Board of the ACT.)

The Courts and Titles Office was renamed the 'Courts and Registration Offices' on 29 July 1964.The Office's records consist of summons, cases and judgements in the Court of Petty Sessions, applications for naturalization, adoption and exemption from service, applications for permits and licences in the Licensing Court, registers of firms and companies, cases in the Supreme Court, probate records and records of the Registry of Births, Deaths and Marriages and the Industrial Registry.

References:

Commonwealth Gazette, 29 Jan. 1931, p.91.2.

Commonwealth Gazette, No.34, 1 May 1930, p.895.3.

For a history of the Court of Petty Sessions, Canberra see Bennett, J.M. Canberra's First Court A Fortieth Anniversary Canberra and District Historical Society Journal, Part 4, Dec. 1970, P.5-14.

Historical agency address by1953-c 956: Commonwealth Offices, West Block, Barton ACT by1957- 1964: Alinga Street, Canberra ACT

Agency notes for agency CA 823

The Courts and Titles Office was renamed the Courts Registration Offices on 29 July 1964. Anthony William Wynne was appointed Registrar and Clerk of the Court in December 1964 (1). In 1970 this agency was split into the Courts Offices Branch (CA1360) and the Registration Offices Branch (CA 1361). The agency's records consist of files of the Supreme Court, Court of Petty Sessions and Registry of Companies, Firms, Securities, Business Names and Co-Operative Societies.

Agency notes for agency CA 1360

From its founding in 1913 til 1989, the Commonwealth Government administered the Australian Capital Territory (ACT). In 1989 ACT self-government came into effect. As a consequence, some archives that were created by the Commonwealth Government administration of the ACT and thus in the custody of the National Archives, were transferred to the ownership of the ACT Government.

As a consequence of the change in ownership, records, which may have been attributed to this agency would now be in the custody of the ACT Government.

Agency notes for agency CA 1361

There are no agency notes for CA 1361 available.