
6A COURT ADMINISTRATION ATTACHMENT

Definitions for the descriptors and indicators in this attachment are in Section 6A.4. Unsourced information has been obtained from Commonwealth, State and Territory Governments.

6A.1 Jurisdictions' comments

Commonwealth Government comments

“ On behalf of all working group members the Commonwealth would like to thank the late Steve Somlyay for his contribution towards national performance monitoring.

Federal Court

The Federal Court of Australia was established in February 1977. The Court is comprised of 48 judges and sits in all capital cities and elsewhere from time to time. The Court is a superior court of record and a court of law and equity.

A number of factors impact upon the cost of service delivery. These are:

- (i) commercial disputes being heard are increasingly complex; and
- (ii) the Court's capital city locations exposes it to high accommodation costs.

The Court is active in its efforts to ensure efficiency, effectiveness and equity in practice and procedure. In this regard the judges have introduced a time goal for disposition of cases — 98% of cases should be disposed of within 18 months of commencement. Of the cases completed in 1996-97, 86% were finalised within 18 months of commencement and 77% were finalised in less than 12 months. The court is also implementing the individual docket system which involves judges being allocated cases when they are commenced and managing the case to conclusion. The system facilitates active judicial case management which can reduce the costs of justice

Family Court of Australia

The Family Court of Australia, established in January 1976, is a very large superior court of record and sits at first instance in all States except WA. Its appellate jurisdiction covers the whole country. It deals with a huge caseload and its distinguishing feature is the high proportion of disputes which are settled through counselling, conciliation and mediation provided by Court staff. The Court has a sophisticated Caseflow Management System which began in 1985 and its procedures were simplified in 1996 to take account of the fact that 95% of applications filed will be settled without the need for a final judicial determination. Simplification succeed in minimising the cost and complexity for litigants.

The features of the current procedures are minimum documentation required to file an application; matters assigned to a litigation track or pathway according to their nature; time standards for each track; litigation tools such as affidavits, subpoenas and discovery are not permitted until a trial date is set; a set period of 14 weeks between the pre-hearing conference and trial; an overlisting ratio applied to allow for cases settling in the 14 weeks; procedures ensure compliance with directions before a hearing commences; a coordinating Judge and specialised listing staff in each Registry manage case assignments.”

New South Wales Government comments

“ NSW remains committed to the review process as part of its suite of benchmarking exercises across a range of services. While there is clearly some way to go, the cooperative development between jurisdictions of this collection is a model for identifying national best practice.

Considerable efforts were made across all NSW court levels to reduce both backlog and delay during the reporting period, with special emphasis on the civil jurisdiction of the higher courts. The overall results reflect these efforts and are encouraging. When combined with the savings achieved in the provision of corporate and registry functions in 1996–97, the result is a better service for the clients of the court.

A number of general observations can be made in respect of this report:

- the resurgence in demand for court services as reflected in the new lodgements category, particularly in the NSW Local (Magistrates’) Courts have had a significant overall impact on cost efficiencies;
- backlog reduction programs which focus on the oldest pending cases may lead to a short-term deterioration in timeliness indicators as those cases with the longest elapsed time are finalised and brought to account;
- the development and application of a more sophisticated cost allocation model has resulted in some anomalous results in the efficiency time series data which should be treated with caution; and
- the strategic direction under development for the 1999 Report will provide an enhanced level of comparability into the future, and more relevant information for both the managers and consumers of court services.

The priorities for NSW during the 1997–98 include:

- examining interstate practices and processes to identify opportunities for better efficiency and higher service standards;
- completing the civil backlog reduction and case transfer programs;
- addressing delays in the criminal caseload of the higher courts;
- broadening the scope of the collection to include measures of quality;
- implementing the redesign and re-engineering opportunities identified by the workplace quality teams during 1997; and
- implementing the major information technology program commenced in 1996–97.

Victoria Government comments



Specific comments regarding the performance of the Victorian Courts reported in the 1998 Report are:

- The Victorian Court system continues to deliver its services to the public, across the combined criminal and civil jurisdictions, in the most cost effective manner of all states and territories; and
- The finalisation of criminal and civil lodgements across the Courts continues at a satisfactory level. The Civil Initiative program in the County Court has led to an increase in the category of cases taking longer than 18 months to finalise. This is an expected short term outcome as older cases have been re-activated.

Initiatives undertaken in 1996–97 to improve the efficiency and effectiveness of the court system include:

- The Supreme and County Courts have further developed their caseflow management processes for civil proceedings;
- The extension of County Court early arraignment protocols to circuit courts has produced a 32 per cent reduction in elapsed times for the disposition of criminal matters;
- Local and Wide Area networks have been installed to allow electronic linking of the courts;
- Development of a case management computer system for the Children's Court commenced in May 1997. The system is due to be implemented in the Family Division in April 1998 and the Criminal Division in January 1999;
- Magistrates' Court civil judgements are now provided electronically to commercial information retailers. The results of criminal trials and appeals are provided electronically to the Office of Public Prosecutions;
- Lodgement of civil complaints via the Electronic Document Interchange service increased by 38 per cent during 1996–97 and now constitutes 30 per cent of all civil lodgements; and.
- A pilot program for video conferencing has been successfully completed and the system will be progressively extended across the court system during 1998.



Queensland Government comments

“ The survey continues to provide useful information on basic performance indicators such as efficiency and timeliness. The expanded range of indicators has presented some problems for consistency of measurement with unavoidable gaps in data. Queensland’s performance generally remains of a high standard with timeliness in all 3 criminal courts recording best practice. The continued efficiency of the courts is pleasing, particularly the higher courts. Some discrepancies in 1996–97 performance are outlined below.

Magistrates Courts The wide population dispersion and the need to make courts services accessible to rural and remote areas push up accommodation, staffing and operational costs in Magistrates Courts. 126 court locations and 86 permanently staffed registries are significant cost areas. This year costs were augmented by the commencement of the two-year project to expand the computerised information system. When completed this will have a significant impact on the efficiency of the courts and move them closer to electronic integration with other elements of the justice system.

Proportion of lodgements at court level The high proportion of lodgements in the Supreme and District Courts has highlighted the need to achieve some cost-effective savings. A review is under way to identify those criminal District Courts matters which could be dealt with in the Magistrates’ Courts.

Adjournments by the Courts Queensland’s use of rolling lists maximises the courts availability but the Report identifies as adjournments all matters which do not immediately proceed to trial.

Coroners’ Courts The comparative disposal rate in Coroners’ Courts has identified minor dysfunction in case management procedures between the agencies involved, which are being corrected.

The improvements achieved by the courts administration in 1996–97 include:

- a significant capital works program involving nine courthouses;
- the appointment of an additional three judges and two magistrates;
- a new Jury Act;
- a revised Criminal Code;
- preparation for expansion of the courts videoconferencing network;
- integration of alternative dispute resolution services into the courts system;
- expansion of the electronic ticketing court;
- wider use of mediation and case appraisal in the Supreme Court;
- improved training of courts staff in client service, domestic violence protocols, mediation, cultural awareness and technical aspects of the court;
- productivity increase of 8.4 per cent by the State Reporting Bureau; and
- an upgrade and extension of computerised information systems.

Western Australia Government comments

“ The WA Government has adopted an Output Based Management (OBM) approach to resource management. OBM is an integrated approach to planning, budgeting and performance management.

OBM is based on the purchaser/provider principle and requires outputs to be measured in terms of quantity, quality, timeliness and cost. For 1997–98 and future years this jurisdiction will be required to report to Government across four outputs. The following three outputs, Judicial and Judicial Support, Case Processing, and Enforcement of Criminal and Civil Court Orders, relate specifically to the information forming part of the Commonwealth/State Service Provision Exercise.

In line with its State statutory reporting requirements, this jurisdiction is looking for an emphasis in the future to “one grab” data collection methodologies which minimise duplication, and:

- meet statutory reporting requirements;
- are valuable for comparative purposes not only across (states), but also within jurisdictions;
- contribute to strategic and business planning; and
- relate to the nationally agreed specifications.

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South Australia Government comments

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The efficiency data show that at the aggregate level total expenditure on court administration in SA during 1996–97 was similar to the previous year. However, at the jurisdictional level it can be seen that the cost per lodgment changed, in some instances significantly.

There was a considerable reduction in the number of lodgments in the civil jurisdiction of the Supreme Court during 1996–97. There were two main causes of this. First, the South Australian Housing Trust ceased to lodge possession applications with the Court. This resulted in a reduction of about 600 lodgements. Second, magistrate criminal appeals were transferred from the civil jurisdiction of the Supreme Court to the criminal jurisdiction (there were approximately 300 such appeals during 1996–97).

The Magistrates Court criminal jurisdiction experienced a large increase in lodgements, resulting from higher levels of policing activities relating to minor traffic offences. The volume of minor traffic lodgements for 1996–97 was 29 per cent higher than in the previous year.

Another important factor was the implementation of the Expiation of Offences Act on the 3 February 1997. Pursuant to this Act, a person issued with an expiation notice may pay the fine at the Magistrates Court, seek time to pay the fine, or apply to convert the fine to community service work. This initiative has increased lodgments and it has also had a significant impact on workloads.

The District Court has seen an increase in civil lodgments, primarily due to the fact that criminal injuries matters have been incorporated into the collection for the first time.

Variations in the data from previous years can also be attributed to changes in expenditure. For example, as part of the accrual reporting requirements accurate asset information was collected in respect of land, buildings, computing, and office equipment/furniture for the first time during 1996–97. Also, during 1996–97 approximately \$2.4 million was spent on the re-engineering of the Courts Computer Systems and network replacement projects.

A major priority for the Authority during 1997–98 is the Court Process Review Project. The project involves a system wide overview of processes across all jurisdictions. Its objectives are to reduce delays, improve service delivery, and to improve the quality of case management systems.

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Tasmania Government comments

General comments

“ Tasmanian jurisdiction comprises the Supreme Court and Magistrates Court. There is no intermediate court in Tasmania. The Supreme Court handles in its civil jurisdiction all matters that would be handled in other jurisdictions by the Supreme Court, District Court and Magistrates Court matters above \$5000. The jurisdiction of the Magistrates' Court will be increased to \$20 000 on 30 March 1998. This will substantially affect the cost weighting per case for the 1998–99 data collection as the majority of small matters will transfer to the Magistrates' Court.

The small population and diverse nature of the population in Tasmania does not enable economies of scale. The Supreme Court has registries in three centres and the Magistrates' Court maintains registries and has resident Magistrates in four centres.

Systems

Both Courts have few information systems. Queensland have provided their civil information system that will enable the collection and maintenance of proper information systems for data collection in 1998–99. The lack of timeliness data in this year's collection is regretted.

Supreme court

The introduction of the new Supreme Court Rules encompasses case management from an early stage which will enable the establishment of proper timeliness information systems and standards in the civil jurisdiction.

Magistrates' court

The introduction of the Magistrates' Court Civil Division with proper systems support will enable the collection of accurate data for the 1998/99 data collection. Systems have been established within the criminal jurisdiction for data maintenance. This system, however, needs further enhancements.

Although the timeliness data is insufficient for the purpose of this report, the Tasmanian Government is committed to this benchmarking exercise and the development and refinement of the data collection.

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Australian Capital Territory Government comments

““ *General Comments*

There are a number of inherent features in respect of the Territory which should be noted when inter-jurisdictional comparisons are made with the ACT's judicial system. The population size of the ACT means that there is a real likelihood that some economies of scale are foregone in providing a full range of judicial services in the Territory. Another significant difference between the Territory's judicial system and that of other jurisdictions is the two-tiered court system in the ACT as opposed to a three-tiered system in most states. Appropriate comparisons need to be made.

Both Courts continue to promote case management techniques in all civil jurisdictions. For the past 12 months in line with government policy there has been a heavy focus on client services and staff training aimed at improving the delivery of overall services and meeting the needs of court users.

ACT Supreme Court

The ACT Supreme Court's own time standards for completion of civil lodgements (100 per cent in two years) may appear to be generous when compared to other jurisdictions. However, when the Court's actual performance for finalisation of such cases is considered its time standards have proved to be realistic and the Court has performed favourably when compared to superior courts in other jurisdictions (see Table 6.6).

ACT Magistrates' Court

The ACT Magistrates Court has an extensive criminal and civil jurisdiction and deals with many serious and complex matters, normally dealt with by an intermediate court in other jurisdictions; hence a percentage of cases take longer to dispose of than in other Magistrates Courts.

Whilst the unit cost per case in both civil and criminal jurisdictions is relatively high when compared to Magistrates Courts it compares extremely favourably when costs per case incurred in intermediate courts are taken into account and averaged across both ACT jurisdictions. Additionally, the Court's unit costs do not appear so high if minor traffic matters are removed. Factors adding to the increased unit cost per case include the addition of workers compensation cases, substantial costs, including rental charges, associated with a new purpose constructed court complex and the exclusion of certain classes of cases dealt with by the Court.

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Northern Territory Government comments

“ The costs of courts administration in the NT are affected by diseconomies of scale and the disbursement of population over the NT's 1.3 million square kilometres. Because of the need to provide reasonable access to the community there are five court registries serving the main population areas and the courts sit in 28 separate locations around the Territory. In addition to the significant travel costs, almost 10 per cent of available sitting time is lost in travel.

There are a number of other factors which contribute to higher costs in the NT. More than half of all trials involve Aboriginals and Torres Strait Islanders and for a variety of reasons these proceedings are usually lengthier and costlier. Supreme Court civil and criminal trials are held in Alice Springs and Darwin and both centres have basic law libraries to support the judiciary. There are, again, no economies of scale as the same libraries could be used to support many more judges and magistrates while smaller libraries could not provide the basic support that is needed.

The bar chart which indicates the NT recovers about 6 per cent of civil court expenditure in fees is not an indication that fees charged in the NT are significantly lower than elsewhere. In the NT Local Court fees are about 75 per cent of the national average and Supreme Court fees about 40 per cent of the national average of the Supreme Court and District Court fees. The lower recovery rate further emphasises the diseconomies of scale suffered by the NT. It is proposed in the next financial year to increase fees so that they are comparable with other states and territories.

The financial figures would indicate that there has been a significant drop in expenditure. However, this reflects that in previous years a notional economic rent was set for court buildings in the NT. This year the figures are based on depreciation of deprival values which overall decreases our notional expenditure by almost \$3 million.

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6A.2 All jurisdictions' data

6A.2.1 Descriptors

Table 6A.1: Lodgements, 1993–94 to 1996–97 (no.)

<i>Indicators</i>	<i>Yr</i>	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Cwlth</i>	<i>Total</i>
<i>Criminal</i>											
Supreme Court	1996–97	895	643	1 447	523	647	na	218	344	—	4 717
	1995–96	895	394	1 355	488	582	398	157	356	—	4 625
	1994–95	885	389	1 363	660	520	390	153	292	—	4 652
	1993–94	1 000	800	1 300	400	500	400	200	100	—	4 700
District/County Court	1996–97	10 060	3 952	8 293	2 387	1 819	—	—	—	—	26 511
	1995–96	10 618	3 828	7 148	2 179	1 826	—	—	—	—	25 599
	1994–95	10 224	3 896	7 247	2 048	1 894	—	—	—	—	25 309
	1993–94	10 600	4 300	5 700	2 300	2 300	—	—	—	—	25 200
Magistrate's Court (total)	1996–97	434 990	491 904	245 554	121 590	150 967	37 318	10 594	19 454	—	1 512 371
	1995–96	392 658	487 976	247 815	147 153	118 647	18 754	12 854	18 725	—	1 444 582
	1994–95	370 017	479 840	236 161	133 772	125 012	17 251	9 193	19 183	—	1 390 429
	1993–94	400 000	522 500	219 100	181 600	142 700	25 900	8 000	15 700	—	1 515 500
Magistrate's Court (primary) ^a	1996–97	181 828	94 835	164 533	64 488	64 162	13 790	10 594	10 137	—	604 367
	1995–96	166 510	101 015	170 208	91 851	64 547	18 754	12 854	11 616	—	637 355
	1994–95	155 970	89 834	175 677	80 641	67 563	17 251	9 193	12 573	—	608 702
	1993–94	na	na	na	na	na	na	na	na	—	na

(cont.)

Table 6A.1: Lodgements, 1993–94 to 1996–97 (no.) (cont.)

<i>Indicators</i>	<i>Yr</i>	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Cwlth</i>	<i>Total</i>
<i>Civil</i>											
Supreme/Federal Court (excl probate)	1996–97	10 443	4 505	4 243	2 864	1 643	na	1 354	417	17 266	42 735
	1995–96	9 980	4 982	4 235	2 125	2 900	3 470	1 067	305	23 815	52 879
	1994–95	10 231	5 154	3 395	1 948	2 655	3 458	1 011	318	20 165	48 335
	1993–94	14 100	6 500	6 500	1 700	2 700	3 800	1 200	300	—	36 800
District/County Court (incl workers comp.)	1996–97	10 866	9 178	6 748	5 805	2 808	—	—	—	—	35 405
	1995–96	14 218	11 841	6 622	4 365	1 586	—	—	—	—	38 632
	1994–95	16 402	10 496	5 732	4 766	1 599	—	—	—	—	38 995
	1993–94	13 400	12 700	6 200	9 400	2 600	—	—	—	—	44 300
Magistrate's Court	1996–97	279 164	208 134	114 320	58 697	43 770	na	11 157	7 416	—	722 658
	1995–96	243 437	186 888	91 759	55 290	49 419	12 483	12 408	7 634	—	659 318
	1994–95	228 486	187 633	83 353	55 870	44 821	14 715	12 811	7 042	—	634 731
	1993–94	211 200	191 700	76 400	50 500	46 200	19 900	12 600	15 400	—	623 900
Family Courts	1996–97	—	—	—	14 291	—	—	—	—	120 004	134 295
	1995–96	—	—	—	12 557	—	—	—	—	112 697	125 254
	1994–95	—	—	—	11 183	—	—	—	—	102 519	113 702
	1993–94	—	—	—	na	—	—	—	—	na	na
<i>Primary civil</i>											
Supreme Court	1996–97	7 741	1 872	2 954	2 282	410	na	724	348	16 620	32 951
District/County Court	1996–97	10 866	7 576	4 825	5 292	1 129	—	—	—	—	29 688
Magistrate's Court	1996–97	31 744	16 793	18 880	9 194	5 872	na	2 248	571	—	85 302
Family Courts	1996–97	—	—	—	8 890	—	—	—	—	72 001	80 891

(cont.)

Table 6A.1: Lodgements, 1993–94 to 1996–97 (no.) (cont.)

<i>Indicators</i>	<i>Yr</i>	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Cwlth</i>	<i>Total</i>
<i>Coronial</i>											
Magistrate's Court	1996–97	14 954	3 856	4 042	2 189	6 325	na	722	292	—	32 380
Deaths reported	1996–97	6 871	3 847	2 978	2 184	3 211	na	271	292	—	19 654
Fires reported	1996–97	8 083	9	1 064	5	3 114	na	451	na	—	12 726
Total deaths	1996	45 141	32 726	22 281	11 027	11 606	3 872	1 300	758	—	128 719
<i>Probate</i>											
Supreme Court	1996–97	21 131	15 231	3 319	4 672	4 566	na	444	97	—	49 460

na not available.

— These courts did not exist or did not operate in this jurisdiction.

a In the ACT the motor vehicle registry rather than the Magistrates' Court enforced unpaid infringement notices. Infringements did not become court lodgements until the defendant elected to have the matter heard by a Magistrate.

Sources: ABS Cat. No. 3302.0; State and Territory Governments unpublished

Table 6A.2: Hearings, 1996–97 (no.)

<i>Indicators</i>	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Cwth</i>	<i>Total</i>
<i>Criminal</i>										
Magistrates' Court	50 620	118 492	29 781	na	2 266	1 294	3 216	1 607	—	207 276
District/County Court	829	3 591	814	484	618	—	—	—	—	6 336
Supreme Court	556	359	87	115	408	na	33	53	—	1 611
All Courts	52 005	122 442	30 682	599	3 292	1 294	3 249	1 660	—	215 223
<i>Civil</i>										
Magistrates' Court	3 242	19 255	17 119	na	1 731	na	1 029	826	—	43 202
District/County Court	4 681	3 553	465	146	190	—	—	—	—	9 035
Supreme/Federal Court	1 752	425	158	41	188	na	239	9	na	2 812
Supreme, District/County & Magistrates' Courts	9 675	23 233	17 742	187	2 109	na	1 268	835	na	55 049
Family Court	—	—	—	420	—	—	—	—	1 615	2 035
All Courts	9 675	23 233	17 742	607	2 109	na	1 268	835	1 615	57 084
<i>Criminal and civil</i>										
Magistrates' Court	53 862	137 747	46 900	0	3 997	1 294	4 245	2 433	na	250 478
District/County Court	5 510	7 144	1 279	630	808	na	na	0	na	15 371
Supreme/Federal Court	2 308	784	245	156	596	na	272	62	na	4 423
All Courts	61 680	145 675	48 424	1 206	5 401	1 294	4 517	2 495	1 615	272 307

na not available.

— These courts did not exist or did not operate in this jurisdiction.

Table 6A.3: Proportion of lodgements which were minor^a for criminal and civil courts, 1996–97 (per cent)

	NSW	Vic	Qld	WA	SA	Tas	ACT ^b	NT	Cwth	Total
<i>Criminal</i>										
Magistrates' Court	58	81	33	47	57	63	0	48	—	60
<i>Civil</i>										
Magistrates' Court	89	92	83	84	87	na	79	92	—	88
District/County Court	0	6	28	9	60	—	—	—	—	13
Supreme ^c /Federal Court	26	58	30	20	75	na	47	17	4	23
All Courts	83	88	79	75	85	na	75	88	4	81
Family Court	—	—	—	38	—	—	—	—	40	40

na not available

— These courts did not exist or did not operate in this jurisdiction.

- a Minor lodgements include minor traffic lodgments and other infringement notices enforced through electronic courts and like processes in criminal, undefended general civil lodgements and applications of an administrative nature such as winding up applications, Criminal Injury Compensation Applications, Australian Registered Judgements, intervention orders (excluding the prosecution of a breach of an order), residential tenancy disputes, joint applications for divorce and applications for debt recovery.
- b In the ACT the motor vehicle registry rather than the Magistrates' Court enforced unpaid infringement notices. Infringements did not become court lodgements until the defendant elected to have the matter heard by a Magistrate.
- c Excluded probate.

Table 6A.4: Expenditure less in-house revenue^a, 1994–95 to 1996–97 (\$'000 in 1996–97 dollars)

<i>Indicators</i>	<i>Yr</i>	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Cwth</i>	<i>Total</i>
<i>Criminal</i> Magistrates' Court	1996–97	68 386	34 462	41 890	26 721	15 588	5 681	2 730	3 495	—	198 952
	1995–96	88 486	36 393	40 974	18 953	14 393	3 767	2 521	4 649	—	210 137
	1994–95	93 509	36 145	39 560	19 061	13 903	3 797	2 591	4 543	—	213 110
District/County Court	1996–97	31 725	19 989	18 323	8 705	9 152	—	—	—	—	87 894
	1995–96	38 767	19 114	15 828	8 335	8 844	—	—	—	—	90 888
	1994–95	39 948	19 111	17 550	8 459	8 313	—	—	—	—	93 382
Supreme Court	1996–97	8 721	6 814	6 237	4 192	5 664	2 380	1 731	4 217	—	39 956
	1995–96	6 707	7 126	5 888	5 021	5 601	2 652	1 788	6 408	—	41 191
	1994–95	9 301	6 189	6 535	4 748	5 107	2 629	1 503	6 243	—	42 254
All Courts	1996–97	108 832	61 265	66 450	39 618	30 404	8 061	4 461	7 712	—	326 802
	1995–96	133 960	62 633	62 690	32 309	28 839	6 419	4 309	11 057	—	342 215
	1994–95	142 758	61 445	63 645	32 268	27 324	6 426	4 095	10 786	—	348 746
<i>Civil</i> Magistrates' Court	1996–97	42 462	19 172	11 376	6 419	7 431	1 289	2 536	1 909	—	92 595
	1995–96	22 440	12 625	10 075	12 103	8 108	1 579	2 409	4 222	—	73 561
	1994–95	23 740	12 394	9 243	12 619	7 607	1 574	2 496	4 137	—	73 809
District/County Court	1996–97	19 070	11 141	6 208	7 058	7 100	—	—	—	—	50 578
	1995–96	9 774	9 583	7 864	5 654	6 398	—	—	—	—	39 272
	1994–95	8 953	9 549	9 302	5 663	6 523	—	—	—	—	39 991
Supreme/Federal Court (excl. probate)	1996–97	35 621	14 353	9 446	12 362	7 633	2 710	3 035	2 163	46 595	133 918
	1995–96	32 010	12 735	9 418	10 911	7 471	1 576	3 059	3 838	43 280	124 297
	1994–95	33 472	11 038	10 693	9 996	7 235	1 601	2 826	4 261	42 041	123 163
Family Court	1996–97	—	—	—	9 919	—	—	—	—	100 216	110 135
	1995–96	—	—	—	9 515	—	—	—	—	102 395	111 910
	1994–95	—	—	—	8 911	—	—	—	—	93 015	101 926

(cont.)

Table 6A.4: Expenditure less in-house revenue^a, 1994–95 to 1996–97 (\$'000 in 1996–97 dollars) (cont.)

<i>Indicators</i>	<i>Yr</i>	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Cwth</i>	<i>Total</i>
Supreme, District/County and Magistrates' Court (excl. probate)	1996–97	97 153	44 666	27 030	25 840	22 165	3 999	5 571	4 072	46 595	277 090
	1995–96	64 224	34 943	27 357	28 668	21 976	3 155	5 468	8 060	43 280	237 131
	1994–95	66 166	32 981	29 238	28 278	21 365	3 174	5 322	8 398	42 041	236 963
<i>Coronial</i>											
Magistrates' Court	1996–97	4 062	3 383	3 112	1 529	1 405	248	644	992	—	15 375
<i>Probate</i>											
Supreme Court	1996–97	494	490	73	146	358	96	15	68	0	1 740
<i>Criminal and civil</i>											
Magistrates' Court (excl. coronial)	1996–97	110 848	53 634	53 266	33 140	23 019	6 970	5 267	5 404	—	291 547
	1995–96	110 925	49 018	51 049	31 057	22 501	5 346	4 930	8 871	—	283 698
	1994–95	117 250	48 539	48 803	31 680	21 511	5 371	5 087	8 679	—	286 919
District/County Court	1996–97	50 795	31 130	24 531	15 764	16 252	—	—	—	—	138 472
	1995–96	48 541	28 696	23 692	13 989	15 242	—	—	—	—	130 160
	1994–95	48 901	28 660	26 852	14 123	14 837	—	—	—	—	133 373
Supreme/Federal Court (excl. probate)	1996–97	44 342	21 167	15 683	16 554	13 297	5 090	4 765	6 380	46 595	173 874
	1995–96	38 717	19 861	15 306	15 931	13 072	4 228	4 846	10 246	43 280	165 488
	1994–95	42 773	17 227	17 228	14 743	12 342	4 230	4 329	10 504	42 041	165 417
All Courts (excl. coronial, probate)	1996–97	205 985	105 931	93 480	75 377	52 569	12 060	10 032	11 784	146 811	714 028
	1995–96	198 184	97 575	90 047	70 491	50 815	9 574	9 777	19 117	145 675	691 256
	1994–95	208 924	94 426	92 883	69 457	48 689	9 600	9 416	19 184	135 056	687 635

na not available.

a In-house revenue included revenue earned by in-house providers of library, court reporting and civil bailiff services providing services to external purchasers.

— These courts did not exist or did not operate in this jurisdiction.

Table 6A.5: Accommodation expenditure, 1996–97 (\$'000)

<i>Indicators</i>	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Cwth</i>	<i>Total</i>
<i>Criminal</i>										
Magistrates' Court	6 975	5 168	6 084	3 931	1 527	544	643	501	—	25 372
District/County Court	1 649	1 867	1 391	222	1 536	—	—	—	—	6 665
Supreme Court	1 151	622	620	275	1 195	187	389	648	—	5 088
All Courts	9 775	7 657	8 095	4 428	4 258	732	1 032	1 149	—	37 125
<i>Civil</i>										
Magistrates' Court	5 044	2 420	1 568	983	933	80	736	269	—	12 033
District/County Court	1 294	930	519	517	1 129	—	—	—	—	4 389
Supreme/Federal Court	5 237	1 462	1 179	1 100	627	187	780	348	8 660	19 581
SDM Courts	11 575	4 812	3 266	2 599	2 689	267	1 516	617	8 660	36 002
Family Court	—	—	—	2 300	—	—	—	—	21 889	24 189
All Courts	11 575	4 812	3 266	4 900	2 689	267	1 516	617	30 549	60 191
<i>Coronial</i>										
Magistrates' Court	287	526	445	195	144	28	145	41	—	1 812

na not available.

— These courts did not exist or did not operate in this jurisdiction.

6A.2.2 Effectiveness

Table 6A.6: Civil court fees as a proportion of total expenditure, 1994–95 to 1996–97 (per cent)

<i>Indicators</i>	<i>Yr</i>	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Cwlth</i>	<i>Avg</i>
Magistrates' Court	1996–97	84	62	104	56	39	36	24	14	—	72
	1995–96	71	94	97	27	33	39	24	6	—	61
	1994–95	64	83	98	27	33	45	23	6	—	57
District/County Court	1996–97	48	37	29	31	7	—	—	—	—	35
	1995–96	69	46	33	32	7	—	—	—	—	41
	1994–95	35	37	22	36	7	—	—	—	—	28
Supreme/Federal Court	1996–97	31	35	21	7	10	13	22	5	22	23
	1995–96	52	34	19	7	9	32	0	2	23	28
	1994–95	49	36	13	8	11	36	0	3	24	28
Family Court	1996–97	—	—	—	20	—	—	—	—	15	15
	1995–96	—	—	—	14	—	—	—	—	9	10
	1994–95	—	—	—	14	—	—	—	—	10	10
All Courts	1996–97	58	47	58	26	18	20	23	9	22	42
	1995–96	61	59	52	21	17	35	11	4	23	40
	1994–95	53	54	43	22	18	41	11	4	24	37

na not available.

— These courts did not exist or did not operate in this jurisdiction.

Table 6A.7: Court fees per lodgement, 1996–97 (\$)

<i>Indicators</i>	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Cwth</i>	<i>Avg</i>
<i>Civil</i>										
Magistrates' Court	126	63	85	82	59	na	52	36	—	92
District/County Court	804	515	265	363	176	—	—	—	—	504
Supreme/Federal Court	977	1 149	753	273	441	na	486	233	605	740
Family Court	—	—	—	112	—	—	—	—	123	121
All Courts	180	102	117	114	79	na	101	47	183	141
Supreme Court (Probate)	423	181	244	141	475	na	482	155	na	318

— These courts did not exist or did not operate in this jurisdiction.

Table 6A.8: Non-appeal matters finalised, 1996–97

<i>Indicators</i>	<i>Units</i>	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Cwth</i>	<i>Avg</i>
<i>Criminal</i>											
Magistrates' Court	No.	113 460	124 808	245 245	124 895	152 241	18 473	14 367	13 136	—	806 625
<6 months	%	94	93	95	94	92	88	69	86	—	93
6–12 months	%	5	6	2	4	4	9	22	8	—	4
12–18 months	%	1	1	1	1	1	2	5	2	—	1
>18 months	%	0	0	3	0	3	1	4	4	—	2
District/County Court	No.	3 216	1 659	7 828	2 238	1 524	—	—	—	—	16 465
<6 months	%	43	60	86	67	66	—	—	—	—	70
6–12 months	%	28	23	11	18	26	—	—	—	—	18
12–18 months	%	15	7	3	11	5	—	—	—	—	7
>18 months	%	13	10	0	4	3	—	—	—	—	4
Supreme Court	No.	81	86	819	248	774	na	155	243	—	2 406
<6 months	%	7	42	83	58	50	na	66	53	—	62
6–12 months	%	21	34	13	30	31	na	10	31	—	23
12–18 months	%	25	12	4	8	9	na	19	11	—	9
>18 months	%	47	13	0	4	10	na	5	5	—	6

(cont.)

Table 6A.8: Non-appeal matters finalised, 1996–97 (cont.)

<i>Indicators</i>	<i>Units</i>		<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Cwlth</i>	<i>Avg</i>
<i>Civil</i>												
Magistrates' Court	No.	5 706	43 337	2 594	22 972	0	6 171	2 074	—	173 346		
<6 months	%	88	77	77	67	na	82	66	—	81		
6–12 months	%	11	13	15	13	na	8	21	—	11		
12–18 months	%	1	4	5	19	na	5	3	—	5		
>18 months	%	0	6	4	1	na	5	10	—	3		
District/County Court	No.	1 381	920	1 216	2 529	—	—	—	—	1 475		
<6 months	%	33	28	49	32	—	—	—	—	24		
6–12 months	%	14	18	14	34	—	—	—	—	21		
12–18 months	%	7	16	35	14	—	—	—	—	18		
>18 months	%	46	38	3	20	—	—	—	—	37		
Supreme/Federal Court	No.	2 721	1 165	2 520	263	0	1 064	186	4 431	17 219		
<6 months	%	83	48	51	29	na	28	45	63	56		
6–12 months	%	11	12	7	24	na	15	14	13	12		
12–18 months	%	2	6	8	15	na	12	11	9	8		
>18 months	%	4	34	33	32	na	45	30	14	25		
Family Court	No.	—	—	0	—	—	—	—	0	0		
<6 months	%	—	—	na	—	—	—	—	na	na		
6–12 months	%	—	—	na	—	—	—	—	na	na		
12–18 months	%	—	—	na	—	—	—	—	na	na		
>18 months	%	—	—	na	—	—	—	—	na	na		
<i>Coronial</i>												
Magistrates' Court	No.	3 796	3 476	1 520	3 112	0	73	4	—	26 930		
<6 months	%	80	69	77	94	na	63	0	—	88		
6–12 months	%	13	22	18	4	na	18	0	—	8		
12–18 months	%	4	5	4	1	na	4	0	—	2		
>18 months	%	4	4	1	1	na	15	100	—	2		

na not available.

— These courts did not exist or did not operate in this jurisdiction.

Table 6A.9: Non-appeal criminal matters finalised according to benchmark, 1994–95 to 1996–97 (per cent)

<i>Indicators</i>	<i>Yr</i>	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Cwth</i>	<i>Avg</i>
Magistrates' Court Benchmark: <3 months	1996–97	81	74	91	84	74	71	51	72	—	81
	1995–96	83	75	95	88	75	na	71	82	—	85
	1994–95	83	74	95	86	78	na	56	73	—	84
District/County Court Benchmark: <6 months	1996–97	43	60	86	67	66	—	—	—	—	70
	1995–96	50	56	82	66	66	—	—	—	—	70
	1994–95	51	62	75	58	67	—	—	—	—	64
Supreme Court Benchmark: <12 months	1996–97	28	76	96	88	80	na	76	84	—	85
	1995–96	17	93	94	96	91	100	74	89	—	92
	1994–95	34	93	94	95	85	100	89	74	—	91
All Courts Benchmark: <6 months	1996–97	93	93	94	93	92	88	69	86	—	92
	1995–96	94	93	98	96	89	100	87	88	—	94
	1994–95	93	92	97	94	90	98	77	84	—	94

na not available.

— These courts did not exist or did not operate in this jurisdiction.

Table 6A.10: Defended non-appeal civil matters finalised according to benchmark, 1994–95 to 1996–97 (per cent)

<i>Indicators</i>	<i>Yr</i>	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Cwth</i>	<i>Avg</i>
Magistrates' Court Benchmark: <6 months	1996–97	62	84	51	na	78	na	39	76	—	65
	1995–96	54	81	82	67	79	na	88	80	—	75
	1994–95	51	83	81	61	71	na	74	79	—	72
District/County Court Benchmark: <12 months	1996–97	36	na	na	90	63	—	—	—	—	44
	1995–96	42	54	46	11	67	—	—	—	—	23
	1994–95	36	78	51	14	56	—	—	—	—	28
Supreme/Federal Court Benchmark: <12 months	1996–97	60	97	na	na	30	na	15	26	77	68
	1995–96	63	28	48	19	76	10	8	100	78	62
	1994–95	61	28	43	12	56	20	14	100	80	54
Family Court Benchmark: <12 months	1996–97	—	—	—	na	—	—	—	—	60	60
	1995–96	—	—	—	na	—	—	—	—	52	52
	1994–95	—	—	—	na	—	—	—	—	56	56
All Courts Benchmark: <6 months	1996–97	31	82	51	59	69	na	29	70	63	44
	1995–96	39	40	79	57	69	6	64	82	65	60
	1994–95	38	62	78	50	59	11	57	79	67	59
All Courts Benchmark: <12 months	1996–97	55	98	72	90	86	na	50	80	77	66
	1995–96	62	59	90	78	85	10	73	88	78	76
	1994–95	59	78	89	72	76	20	74	92	80	76

na not available.

— These courts did not exist or did not operate in this jurisdiction.

Table 6A.11: Appeal matters finalised, Supreme/Federal courts, 1996–97

<i>Indicators</i>	<i>Yr</i>	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Cwlth</i>	<i>Total</i>
Criminal	No.	811	284	633	206	246	0	4	22	—	2 206
<6 months	%	35	56	95	58	91	na	100	64	—	64
6–12 months	%	46	35	4	31	9	na	0	18	—	27
12–18 months	%	13	7	0	9	1	na	0	14	—	7
>18 months	%	6	2	0	2	0	na	0	5	—	3
Civil	No.	977	241	267	146	169	0	28	131	607	2 566
<6 months	%	31	39	41	36	40	na	57	78	31	37
6–12 months	%	21	20	41	47	46	na	36	22	31	29
12–18 months	%	11	27	15	14	9	na	4	0	16	13
>18 months	%	37	15	4	3	4	na	4	0	21	21

na not available.

— These courts did not exist or did not operate in this jurisdiction.

Table 6A.12: Committal matters finalised, Magistrates' Courts, criminal, 1996–97

<i>Indicators</i>	<i>Yr</i>	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Cwlth</i>	<i>Av.</i>
Magistrates' Court	No.	4 035	1 291	6 238	2 436	986	28	171	316	—	15 501
<3 months	%	59	27	62	61	67	7	49	31	—	58
3–6 months	%	23	33	29	20	29	54	23	30	—	27
6–12 months	%	14	22	7	16	3	29	27	25	—	12
>12 months	%	4	17	2	3	1	11	1	13	—	4

— These courts did not exist or did not operate in this jurisdiction.

Table 6A.13: Adjournments^a on first day of sitting of court as a proportion of total hearings, 1996–97 (per cent)

Indicators	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Cwth	Avg
Requested by parties										
<i>Criminal</i>										
District/County Court	na	28.7	60.6	7.4	12.9	—	—	—	—	47.4
Supreme Court	12.8	8.4	0.0	25.2	0.0	na	na	na	—	12.5
<i>Civil</i>										
District/County Court	na	51.3	59.8	13.0	25.3	—	—	—	—	24.0
Supreme/Federal Court	3.4	14.6	16.5	na	na	na	9.2	44.4	na	6.2
Family Court	—	—	—	0.1	—	—	—	—	na	0.0
Requested by court										
<i>Criminal</i>										
District/County Court	na	2.5	30.2	13.2	5.5	—	—	—	—	17.6
Supreme Court	0.4	7.0	0.0	0.0	14.7	na	na	28.3	—	6.3
<i>Civil</i>										
District/County Court	na	8.4	13.3	0.7	19.5	—	—	—	—	4.4
Supreme/Federal Court	3.8	4.5	5.1	0.0	2.1	na	3.3	11.1	na	3.8
Family Court	—	—	—	0.0	—	—	—	—	na	0.0

na not available.

— These courts did not exist or did not operate in this jurisdiction.

a Hearings can be adjourned more than once, so adjournment rates can be greater than 100 per cent.

Table 6A.14: Court locations, population and proportion of population outside capital city, 1996–97

<i>Indicators</i>	<i>Units</i>	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Cwth</i>	<i>Total</i>
Population, projection	Million	6.3	4.6	3.4	1.8	1.5	0.5	0.3	0.2	18.5	18.5
Proportion of population living outside capital city	%	38.3	28.5	54.5	27.2	26.5	58.8	0.1	54.5	36.9	36.9
<i>Magistrates' Court locations</i>											
Criminal	No.	160	51	126	127	22	na	1	7	—	494
Civil	No.	160	51	126	38	22	na	1	7	—	405

na not available.

— These courts did not exist or did not operate in this jurisdiction.

Sources: ABS Cat. No. 3302.0; State and Territory Governments unpublished.

6A.2.3 Efficiency

Table 6A.15: Expenditure less in-house revenue^a per lodgement, 1994–95 to 1996–97, (in 1996–97 dollars)

<i>Indicators</i>	<i>Yr</i>	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Cwlth</i>	<i>Avg</i>
<i>Criminal</i>											
Magistrates Court	1996–97	157	70	171	220	103	152	258	180	—	132
	1995–96	225	75	165	129	121	201	196	248	—	145
	1994–95	253	75	168	142	111	220	282	237	—	153
District/County Court	1996–97	3 154	5 058	2 209	3 647	5 031	—	—	—	—	3 315
	1995–96	3 651	4 993	2 214	3 825	4 843	—	—	—	—	3 550
	1994–95	3 907	4 905	2 422	4 131	4 389	—	—	—	—	3 690
		9 744	10 597	4 310	8 015	8 755	na	7 939	12 259	—	8 471
Supreme Court	1995–96	7 494	18 086	4 345	10 288	9 625	6 663	11 386	18 000	—	8 906
	1994–95	10 509	15 909	4 794	7 193	9 822	6 742	9 824	21 380	—	9 083
	1996–97	244	123	260	318	198	216	413	390	—	212
All Courts	1995–96	331	127	245	216	238	335	331	579	—	232
	1994–95	375	127	260	236	214	364	438	554	—	246
		152	92	100	109	170	na	227	257	—	128
<i>Civil</i>											
Magistrates Court	1996–97	152	92	100	109	170	na	227	257	—	128
	1995–96	92	68	110	219	164	127	194	553	—	112
	1994–95	104	66	111	226	170	107	195	587	—	116
District/County Court	1996–97	1 755	1 214	920	1 216	2 529	—	—	—	—	1 429
	1995–96	687	809	1 188	1 295	4 034	—	—	—	—	1 017
	1994–95	546	910	1 623	1 188	4 080	—	—	—	—	1 026
Supreme/Federal Court (excl Probate)	1996–97	3 411	3 186	2 226	4 316	4 646	na	2 241	5 187	2 699	3 134
	1995–96	3 207	2 556	2 224	5 134	2 576	454	2 867	12 582	1 817	2 351
	1994–95	3 272	2 142	3 150	5 131	2 725	463	2 795	13 400	2 085	2 548

(cont.)

Table 6A.15: Expenditure less in-house revenue^a per lodgement, 1994–95 to 1996–97,
(in 1996–97 dollars) (cont.)

<i>Indicators</i>	<i>Yr</i>	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Cwth</i>	<i>Avg</i>
Family Court	1996–97	—	—	—	694	—	—	—	—	835	810
	1995–96	—	—	—	758	—	—	—	—	909	893
	1994–95	—	—	—	797	—	—	—	—	907	896
All Courts (excl Family Court, Probate)	1996–97	323	201	216	384	460	na	445	520	2 699	346
	1995–96	240	172	267	464	408	198	406	1 015	1 817	316
	1994–95	259	162	316	452	435	175	385	1 141	2 085	328
<i>Criminal and civil</i> Magistrates' Court Excl coronial	1996–97	155	77	148	184	118	187	242	201	—	130
	1995–96	174	73	150	153	134	171	195	337	—	135
	1994–95	196	73	153	167	127	168	231	331	—	142
District/County Court	1996–97	2 427	2 371	1 631	1 924	3 513	—	—	—	—	2 236
	1995–96	1 954	1 831	1 721	2 138	4 467	—	—	—	—	2 026
	1994–95	1 837	1 991	2 069	2 073	4 248	—	—	—	—	2 074
Supreme/Federal Court (excl probate)	1996–97	3 911	4 112	2 756	4 888	5 807	na	3 031	8 384	2 699	3 664
	1995–96	3 560	3 694	2 738	6 097	3 754	1 093	3 959	15 500	1 817	2 878
	1994–95	3 848	3 108	3 621	5 653	3 887	1 099	3 719	17 220	2 085	3 122
<i>Coronial</i> Magistrate's Court	1996–97	272	877	770	698	222	na	891	3 397	—	475

na not available.

^a In-house revenue included earned by in-house providers of library, court reporting and civil bailiff services providing services to external purchasers.

— These courts did not exist or did not operate in this jurisdiction.

Table 6A.16: Expenditure less in house revenue^a per primary lodgement, 1996–97 (\$)

<i>Indicators</i>	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Cwlth</i>	<i>Avg</i>
<i>Criminal</i>										
Magistrates Court	376	363	255	414	243	412	258	345	—	132
District/County Court	3 154	5 058	2 209	3 647	5 629	—	—	—	—	3 315
Supreme Court	9 744	15 109	4 310	8 015	8 755	na	7 939	12 259	—	8 471
All Courts	565	617	381	588	458	585	413	736	—	514
<i>Civil</i>										
Magistrates Court	1 338	1 142	603	698	1 266	na	1 128	3 343	—	128
District/County Court	1 755	1 471	1 287	1 334	6 289	—	—	—	—	1 475
Supreme/Federal Court	4 602	7 667	3 198	5 417	18 617	na	4 192	6 216	2 804	4 064
Family Court	—	—	—	1 116	—	—	—	—	1 392	1 362
All Courts	1 939	1 721	1 017	1 550	3 039	na	1 880	4 505	2 804	1 885
<i>Criminal and civil</i>										
Magistrates Court	519	480	290	450	329	505	410	505	—	423
District/County Court	2 427	2 700	1 870	2 053	5 899	—	—	—	—	2 472
Supreme Court	5 135	9 112	3 564	5 902	12 580	na	5 059	9 220	2 804	4 640

na not available.

a In-house revenue included earned by in-house providers of library, court reporting and civil bailiff services providing services to external purchasers. — These courts did not exist or did not operate in this jurisdiction.

Table 6A.17: Total expenditure per lodgement, 1996–97 (\$)

<i>Indicators</i>	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Cwlth</i>	<i>Avg</i>
<i>Criminal</i>										
Magistrates' Court	163	70	171	220	104	152	259	182	—	133
District/County Court	3 198	5 058	2 240	3 647	5 168	—	—	—	—	3 351
Supreme Court	9 971	10 793	4 341	8 015	9 458	na	7 952	12 401	—	8 658
<i>Civil</i>										
Magistrates' Court	154	92	100	110	177	na	246	261	—	130
District/County Court	1 827	1 214	934	1 258	2 599	—	—	—	—	1 466
Supreme/Federal Court	3 564	3 204	2 247	4 385	4 961	na	2 259	5 249	2 699	3 194
Family Court	—	—	—	694	—	—	—	—	835	820
<i>Criminal and civil</i>										
Magistrates' Court	159	77	149	184	120	189	252	204	—	132
District/County Court	2 486	2 371	1 654	1 954	3 609	—	—	—	—	2 273
Supreme Court	4 113	4 247	2 792	4 988	6 388	na	3 049	8 482	2 699	3 737
<i>Coronial</i>										
Magistrates' Court	273	877	774	704	225	na	891	3 397	—	477

na not available.

— These courts did not exist or did not operate in this jurisdiction.

6A.3 Single jurisdiction data

6A.3.1 New South Wales

Table 6A.18: Plaintiff's perceptions across dispute resolution procedures, NSW District Court Sydney Registry, 1996 (per cent)^a

	<i>Procedural fairness judgements</i>	<i>Satisfaction with outcome</i>
Trial	62	50
Arbitration	72	54
Pre-trial conf	98	85
Mediation	76	65

a Dispute resolution procedures were:

Trial — the hearing and authoritative adjudication of a claim by a judge or sometimes a jury.

Arbitration — an adversarial process relying on a third party, the arbitrator, to decide the outcome of a claim.

Pre-trial conference — a meeting held at the court before a trial or before an arbitration hearing the aim of which is to settle the claim, or at least to define and narrow the issues in dispute with the assistance of a third party.

Mediation — a voluntary process in which a mediator independent of the disputants, facilitates the negotiation by disputants of their own solution to their dispute by assisting them to isolate the issues in the dispute, to develop options for their resolution, and to reach an agreement which accommodates the interests and needs of all disputants.

Source: Delaney and Wright 1997, pp. 21–23

6A.4 Definitions and explanatory notes

6A.4.1 Changes to the court administration database

The court administration data collection has been significantly augmented since its establishment in late 1994 and the first data collection for 1993–94. Data for the 1993–94 period have not been reported because enhancements to the collection have reduced comparability. These enhancements are detailed below.

Table 6A.19: Changes to the court administration database

<i>Indicator</i>	<i>Explanation/definition</i>
Asset valuation	The 1996–97 collection reports the deprival value of court assets on an accrual basis for all jurisdictions. The accrual accounting valuation adopted is the current (inflation adjusted) value of depreciation for all court land and buildings. In a number of jurisdictions this value is significantly less than the imputed rent reported as accommodation expenditure in previous years.
Cost apportionment	The court administration collection incorporated a multistage apportionment process to divide common expenditures between the criminal and civil jurisdictions in 1996–97. The apportionment process identified separate, nationally consisted, cost drivers for each activity centre and associated expenditures. In a number of jurisdictions strong shifts in expenditure between the criminal and civil have resulted.
Contracted services	The costs of library and court reporting services, which may be contracted to private providers in some jurisdictions continue to be reported at net cost to government in this collection. In addition, the 1996-97 collection reports the cost of bailiff services (such as the enforcement of civil court orders) at net cost to government. Data are provided inclusive and exclusive of the revenue from these contracted services.
Family Court of WA	In 1996–97 reports separately, for the first time, the performance of the Family Court of WA. In 1994–95 and 1995–96 the performance of the Family Court of WA was aggregated into the Family Court of Australia (which operates as the Court of Appeal for the Family Court of WA). The Family Court figures provided in this report therefore differ from those in the 1997 Report.

6A.4.2 Definitions of indicators

Table 6A.20: Definitions of effectiveness indicators

<i>Indicator</i>	<i>Explanation/definition</i>
Timeliness	<p>Criminal matters: The percentage of total cases completed that were completed within 6, 6 to 12, 12 to 18 and greater than 18 months of lodgement. Cases are sorted according to the time taken to finalise after cases are lodged.</p> <p>Civil matters: The percentage of total cases completed that were completed within 6, 6 to 12, 12 to 18 and greater than 18 months of lodgement. Cases are sorted according to the time taken to finalise after cases are lodged.</p> <p>Defended civil matters: The percentage of defended cases completed that were completed within 6, 6 to 12, 12 to 18 and greater than 18 months of lodgement. Cases are sorted according to the time taken to finalise the defended cases after initial lodgement.</p> <p>Civil trial cases: The percentage of cases finalised through the initiation of a trial that were completed within 6, 6 to 12, 12 to 18 and greater than 18 months of lodgement. Cases are sorted according to the time taken to finalise the cases after initial lodgement.</p>
Adjournment rate	<p>The adjournment rate reports the ratio between the number of court requested adjournments to the court hearings or trials initiated.</p> <p>Hearings can be adjourned more than once, so adjournment rates can be greater than 100 per cent.</p>
Estimated average total court fees	<p>Total court income from fees charged in the civil jurisdiction divided by the number of civil lodgements handled by the court. Fees includes filing, sitting, hearing and deposition fees. Transcript fees have been excluded.</p>

Table 6A.21: Definitions of efficiency indicators

<i>Indicator</i>	<i>Explanation/definition</i>
Average expenditure per case	
Average expenditure per primary criminal case	The total costs of the administration services, divided by the total number of primary criminal matters handled. Included in total costs are salaries, sheriff expenses, juror costs, net court reporting costs, accommodation costs, net cost of library services, information technology, departmental overheads and court operating expenses.
Average expenditure per civil case	The total costs of the administration services provided to civil matters divided by the total number of civil files handled. Included in total costs are salaries, sheriff expenses, juror costs, accommodation costs, library services, information technology, departmental overheads and court operating expenses.
—excluding revenue for in house services	These indicators exclude revenue for jurisdictions providing library, court reporting and civil bailiff services in house.

6A.4.3 Definitions of descriptors

Table 6A.22: Lodgements

<i>Variable</i>	<i>Definition</i>
Criminal matters	Includes matters handled by originating courts (eg committals) youth courts, courts of appeal and courts that hear minor traffic matters.
Civil matters	Includes small claims and residential tenancies, as well as matters dealt with by the appeal court jurisdiction.
Minor criminal matters	Includes minor traffic lodgments and other infringement notices enforced through electronic courts and like processes.
Minor civil matters	Includes undefended general civil lodgements and applications of an administrative nature such as winding up applications, Criminal Injury Compensation Applications, Australian Registered Judgements, intervention orders (excluding the prosecution of a breach of an order), residential tenancy disputes, joint applications for divorce and applications for debt recovery.
Primary criminal lodgements	Are those criminal lodgements which are not minor.
Primary civil lodgements	Includes defended matters, appeals from tribunals, Justices Appeals, Full Court Appeals, Magistrates' Appeals, assessment of damages requiring interlocutory applications defended or not, injunctions and declarations.
Probate applications	Includes applications for grants of probate where there is a will, grants of letters of administration and reseals.
Coronial lodgements	Deaths and fires reported to the coroner in each jurisdiction including all reported deaths and fires regardless of whether the coroner holds an inquest or inquiry. Coronial jurisdictions can extend to manners of death of a person who is killed; is found drowned; dies a sudden death the cause of which is unknown; dies under suspicious or unusual circumstances; dies during or following the administration of an operation of a medical, surgical, dental, diagnostic or like nature; dies: in a prison, remand centre or lock up; dies under circumstances that in the opinion of the Attorney General, requires that the cause of death be more clearly ascertained.
Excluded lodgements	Extraordinary Drivers Licenses applications, any application on a pending dispute, applications for bail, directions or judgement, secondary processes, for example applications for default judgements, interlocutory matters, investigation/examination summonses, firearms appeals, escort agents licensing appeals, pastoral lands appeals, Local Government Tribunals, Police Promotions Appeals, applications appealing the decisions of workers compensation review officers.
Excluded courts and tribunals	Excluded from this collection are matters dealt with by guardianship boards; environment, resources and development courts; and administrative appeals tribunals.

Table 6A.23: Court hearings

<i>Variable</i>	<i>Definition</i>
Trials held	Includes the number of lodgements which proceed to trials, includes just one trial for each lodgement. Excludes hearings which constitute pre-trial conferences, arraignment and mention hearings, status conferences, mediation and counselling sessions.
Inquests and inquiries held	Inquests and inquiries are court hearings to determine the cause and circumstances of deaths reported to the coroner. Includes all coronial inquests and inquiries in full court hearings.
Court requested adjournments	Adjournments requested by the court include matters initiated but adjourned for greater than one working days duration such as those resulting from the unexpected unavailability of a judge, court room or other case related court resource. Includes matters adjourned as not reached, but excludes matters adjourned as part heard.
Party requested adjournments	Matters adjourned on first day of hearing for greater than one days duration on application by either the prosecution/plaintiff or the defendant for reasons such as: <ul style="list-style-type: none"> • witness not available; • accused doesn't turn up; • an application for more time is granted; or • pleading on the day.

Table 6A.24: Geographic descriptors

<i>Variable</i>	<i>Definition</i>
Court locations	Court locations includes permanent court locations providing registry services on at least a part time basis. Each location occupies a single street address. Excludes temporary courts established from time to time to hear individual cases or where registry services are not provided. Locations providing both criminal and civil registry services have been counted for each jurisdiction.

Table 6A.25: Expenditure

<i>Variable</i>	<i>Definition</i>
Judicial and judicial support salaries	<p>Includes all salary expenditure and payments in the nature of salary paid to employees of court administration. Including base salary, the employer contributed component of superannuation, workers compensation (full cost inclusive of any levies, bills and legal fees), higher duty allowances overtime, actual and accruing terminal and long service leave, Fringe Benefits Tax and untaxed fringe benefits, and payroll tax.</p> <p>Judicial officers includes Judges, Magistrates, Masters, Judicial Registrars and other judicial officers where they primarily fulfil a judicial function.</p> <p>Judicial support staff includes judicial secretaries, tipstaff and associates.</p>
Probate registry	Includes salary expenditure (the Probate Registrar and probate clerks) and non-salary expenditure directly attributable to probate registries.
Court reporting	Court reporting includes the salary expenditure on in-house court reporters, non-salary expenditure of in-house court reporting agencies and contract fees paid to court reporting agencies, <i>less</i> any revenue recovered from transcript fees by the in-house court reporting agency.
Accommodation	<p>Depreciation, actual rent or imputed rent on court owned or occupied land and buildings.</p> <p>Imputed rent where used, is calculated using the current market lease value of the floor area of all properties occupied by the court. Imputed rent equals the square metres multiplied by the market price per square metre of similar grade office space in a similar location.</p> <p>As well as expenditure on electricity, gas, water, telecommunications (telephone, fax, telex), cleaning, gardening and maintenance.</p>
Information Technology	<p>Non-salary and salary expenditure on information technology.</p> <p>Excludes capital expenditure on IT infrastructure; includes licensing costs, computer leasing costs, consumables such as data lines, paper, disks, IT training, access fees (for example catalogue search and Internet access), maintenance charges for software and hardware.</p>
Library	<p>Non-salary and salary expenditure on court operated libraries. Non-salary expenditure includes book purchases, journal subscriptions, fees for interlibrary loans, copyright charges, news clippings service fees, and photocopying.</p> <p>Expenditure also includes current IT costs and courts administration contributions towards the running costs of non-government operated libraries. Any costs recovered through borrowing and photocopy fees by court operated libraries have been subtracted from expenditure.</p>

(cont.)

Table 6A.25: Expenditure (cont.)

<i>Variable</i>	<i>Definition</i>
Sheriff and bailiff	Includes expenditure on court orderlies, court security, jury management and witness payment administration. For the civil jurisdiction includes expenditure (by the court or on behalf of the court) on bailiffs to enforce court orders. In the coronial jurisdiction includes expenditure on police officers permanently attached to the coroner for the purpose of assisting in coronial investigations. Excludes witness payments, fines enforcement (criminal jurisdiction) and prisoner security.
Other	Includes expenditure on consultants, expert witnesses, mediators, interpreters, court security and the sheriffs department, motor vehicles, court registries, first line support staff and overheads where incurred by the court administration agency.
Umbrella department	Includes expenditure incurred by the umbrella department. The umbrella department refers to the Ministry or Department of Justice or Attorney General's. Includes expenditure on accounting, human resources functions, training, media liaison, research policy, property management and administration.
Real Expenditure	Actual expenditure adjusted for changes in prices. Adjustments are made using the GDP(E) price deflator, and expressed in terms of final year prices.

