

12A COURT ADMINISTRATION

Definitions for the descriptors and indicators in this attachment are in Section 12A.3. Unsourced information has been obtained from Commonwealth, State and Territory Governments.

12A.1 Jurisdiction comments

Commonwealth Government comments

“ **Family Court** A distinguishing feature of the Family Court of Australia is the high proportion of disputes which are dealt with through counselling, conciliation and mediation. The use of alternative dispute resolution has been developed and refined over the 20 years of the Court's existence. The Court's Caseload Management System is highly refined and the alternative dispute resolution processes are integrated within it. In January 1996 the Court adopted a simplification of its procedures which is based on the assumption that about 95 per cent of applications filed will not require a final judicial determination after a contested hearing. Simplified procedures allow the filing of only minimum documentation initially and litigation tools such as discovery, subpoenas and affidavits are not permitted until it is clear that the matter is actually going to trial. There is a set period of 14 weeks between the pre-hearing conference which sets the trial date, and the trial itself. Matters are not set down until a trial date is available. The system employs an overlisting ratio to allow for settlements and withdrawals which occur in that 14 week period.

Federal Court The Federal Court of Australia was established in February 1977. The court is comprised of 46 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.

Of difficulty for a Federal court exercising mainly civil jurisdiction is the complexity of achieving meaningful comparisons with the State courts. Comparisons with Magistrates' Courts, for example, are distorted by the sheer volume of relatively straight forward matters dealt with in those courts. Criminal jurisdictions pose a different but equivalent constraint for deriving benchmarks. That said, the true value of this data collection is that it enables apparent differences to be identified, the reasons for those differences to be explored and where appropriate, the opportunity to improve upon our practices and to realise best practice.

The Court is active in its efforts to ensure efficiency, effectiveness and equity in practice and procedure. In this regard the judges are introducing a time goal for disposition of cases. The goal is that 98 per cent of cases should be disposed of within 18 months of commencement. Of the cases completed in 1995-96, 83.5 per cent were finalised within 18 months of commencement. 76.3 per cent were finalised of in less than 12 months.

The Court has also recently agreed to adopt the individual docket system. This involves judges being allocated cases when they are commenced and the same judge managing the case allocated to him or her from its beginning to its conclusion. The system envisages and facilitates active judicial case management which can act to reduce the costs of access to justice. It is expected the new system will be in place by 1 July 1997.”

New South Wales Government comments

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A number of factors are unique to NSW which impact on the delivery of services by the courts, including:

- Sydney's status as the national commercial centre is reflected in the large number of civil disputes dealt with in NSW courts. Long and complex commercial disputes, often involving voluminous evidence and multiple parties, present special challenges in terms of resource management;
- Sydney's role as both the major population centre and as the primary arrival point for international visitors also influences the volume of both civil and criminal cases before the courts; and
- the extensive network of local Court houses which have been maintained as an essential part of delivering accessible justice to regional areas.

During the reporting period, the NSW Government reintegrated courts administration into the Attorney General's Department, opening up greater possibilities for better co-ordination across the non-court dispute resolution services provided in the areas of anti-discrimination, victims' compensation, administrative review and legal policy development. Court administrators have now committed to a comprehensive program of continuous customer service improvements and process redesign.

Legislation currently before the State Parliament will fundamentally change and streamline the existing processes for fine enforcement and jury management, leading to a more efficient systems in both areas.

During this reporting period there were a number of significant events in respect of the management of the courts, namely:

- the Supreme Courts 1994 *Differential Case Management* system was extensively reviewed, changes becoming effective from 1 January, 1996;
 - the District Court published its *1995 Strategic Plan*, the first publicly available statement from an independent judiciary to the community of how the authority entrusted to the Court would be exercised and how it will account for the carrying out of its functions. The Plan included comprehensive time standards for all parts of court's jurisdictions; and
 - the *Criminal Procedures (Indictable Offences) Act 1995* was introduced which effectively has given jurisdiction to the Local Court to deal with all criminal matters which have a maximum penalty of ten years or less.
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Victoria Government comments

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Victoria welcomes the inclusion of the Federal and Family Courts of Australia into the Report and supports widening the scope of the Review to include a broader range of Tribunals in the future. The following specific comments are provided to assist interpretation of the major results applicable for Victoria.

- Victoria has maintained its favourable and high standard cost effectiveness outcome across the combined civil and criminal jurisdictions.
- The overall cost of dealing with civil matters is the lowest of all the states and territories
- The timeliness of the Courts in finalising cases in Victoria is generally of a high standard.

Victoria has commenced a number of significant reform measures during 1995–96 that will increase access to justice and improve the cost effectiveness of the Courts System:

- Caseload management in the Courts has improved through the active management of cases by Judges. The County Court commenced a reform program in July 1995 that has already reduced the time to trial for civil cases from 22 months to 9 months. The Supreme Court appointed a Litigation Support Group in November 1996 to manage civil cases.
 - New Video Conferencing and Remote Video Recording technology has been installed in the County and Magistrates' Courts. A Business Process Re-engineering project was begun at the Children's Court that will see the development of generic computer systems for Courts.
 - The program of improving court facilities and access to justice has been enhanced with the opening of the Ringwood Court complex in May 1996. Construction of new Court/Police facilities at Sunshine and Ballarat will commence during 1996–97. A feasibility study for the construction of a new Children's court has been completed.
 - The Courts are integral part of a major business re-engineering initiative, Project Pathfinder, across the criminal justice system. The Project will enhance the delivery of criminal justice services by streamlining administrative processes, improving the quality and timeliness of information, minimising costs and focusing on customer needs.
 - In recognition of the substantial business and financial interests located in Melbourne the Supreme Court has established a high technology court to improve the management of complex commercial and criminal trials.
 - A client satisfaction survey in the Magistrates' Court demonstrated that the Court had achieved a high degree of client satisfaction in terms of overall service quality, timeliness and helpfulness of Court staff.
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Queensland Government comments

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The study continues to provide useful information. The following comments relate to problem areas and practices peculiar to Queensland, and perceived weaknesses in the performance indicators:

Accommodation

With 126 court locations and 86 permanently staffed registries across three jurisdictions, this remains one of the largest single items of expenditure. Two methods of assessing the costs of government-owned properties were used; lease value equivalent in 1994–95, and with the advent of accrual accounting in 1995–96 a depreciation cost based on deprival value in that year. The latter is considered a more accurate methodology. Until there is consistent measurement nationally, this item will tend to distort the efficiency figures.

Registries

The wide population dispersion and the need to make courts services accessible to rural and remote areas push up staffing costs in registries. The upgrading and extension of the courts' computerised information systems in all jurisdictions should improve service delivery and impact positively on staffing costs.

Split between judicial support and registry staffing

Judges in Queensland do not have tipstaves or the personal use of bailiffs (who are listed under the sheriff's office). This reduces judicial support costs below the national average and subsumes these within registry staffing costs.

Court Reporting

Indicators in this category are still too broad to give an accurate measure of efficiency, and there is inadequate emphasis on the quality and timeliness of the service provided.

Jurisdictional mix in Queensland

Higher courts hear certain offences that in other jurisdictions would be held in Magistrates' Courts. Serious drug offences for instance, are heard in the Supreme Court and less serious drug offences in the Magistrates Courts with few going to the District Court. A large volume of minor property matters are dealt with in the District Court.

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Western Australia Government comments

“ WA makes up 32.8 per cent (2,525,000 square km) of the total area of Australia and yet has a population of less than 2 million people. The establishment and maintenance of courts in country regions and the provision of court circuits for all jurisdictions therefore comes at a higher cost than would be expected of geographically smaller, more densely populated states. For that reason simply comparing data without considering the many variables (including lodgements) provides for incorrect assumptions to be made on the individual performances of states.

With respect to performance, it is anticipated that even though Western Australia has performed well in the current exercise, new initiatives, practices and reforms will ensure continued improvement in efficiency and effectiveness. Included among the initiatives, practices and reforms referred to, (some of which have arisen as a consequence of a Business Process Re-engineering exercise) are:

- criminal and civil case management systems;
- mediation (currently in place in the Supreme and District Courts and soon to be introduced into the Magistrates' Courts);
- proposed introduction of a Magistrates' Courts Act;
- proposed Enforcement of Judgements Act (which will vastly streamline civil enforcement procedures);
- a five year information technology plan designed to integrate all justice agency systems;
- the introduction of customer service standards and surveys, including a comprehensive range of brochures directed towards court users;
- child minding facilities for court clients i.e. defendants, witnesses, jurors etc;
- a new system to recover unpaid fines and infringement notices; and
- development of "data warehousing" to enhance the analysis of all electronic data gathered through normal court processes, which will be used to produce relevant statistics on sentencing trends, recidivism, customer profiles etc.

Although a number of these initiatives and reforms are still in the process of being implemented, very positive signs are emerging from those already in place. For example, the mediation of civil matters by Registrars in the Supreme Court (part of civil case management) has in the last 18 months saved more than 300 judge days in court. The relatively new fines enforcement legislation has increased the rate of recovery of fines from 40 per cent to 81 per cent whilst dropping the rate of imprisonment for fine defaulters to under 1 per cent and the introduction of status conferences in criminal trials in the District Court (part of criminal case management) has assisted in reducing by 30 per cent the number of trials listed for hearing.”

South Australia Government comments

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A preliminary analysis of the efficiency data for SA indicated that while overall expenditure has remained constant there have been some significant changes affecting the figures relating to various jurisdictions. There are substantial variations in the number of lodgements in both the criminal and civil jurisdictions. The variations in inputs and outputs have produced significantly different costs in most jurisdictions.

Unit costs have increased in the criminal and civil jurisdictions of the District Court and the criminal jurisdiction of the Magistrates Court over the past 2 years. Over the same period there has been a reduction in unit costs in criminal and civil jurisdictions of the Supreme Court and the civil jurisdiction of the Magistrates Court. Some of the explanations for cost variations would apply equally to all states and territories. However, there are others that adversely affect only SA or a minority of jurisdictions.

For example, the decision to include the net cost of transcripts has had a negative impact on SA's results. The cost previously was excluded because in some states transcript in civil matters is provided by the private sector at no cost to the government. The new approach disadvantages states that continue to provide transcripts, particularly where government agencies appearing before the courts are not required to pay for transcript. In 1995/96 the impact on overall cost was approximately \$1.4 million.

During 1995–96 approximately \$1.5 million was expended on the task of re-engineering the Courts Computer Systems. As the expenditure was not on capital items the full cost has been included. Similar situations must inevitably occur in all jurisdiction over time and the benchmarking methodology may need some modification to facilitate the amortisation of such costs.

Finally, some further work may need to be carried out to ensure that as far as possible, the same range of services are benchmarked in all jurisdictions. Areas that spring to mind are court security and some aspects of fine enforcement but there are probably others. Turning to the effectiveness data it would appear that differences in the way that courts operate, differences in jurisdictional limits and different approaches to data collection make it difficult to draw any conclusions or make any valid comparisons. Problems with the data collection include:

- different bases used for measuring time taken to get to trial in civil cases;
- timeliness based on all defended matters in some jurisdictions and only matters that went to trial in others;
- actual figures in some states and estimated figures in others.

The matters referred to above underline the view expressed by the Working Party that interstate comparisons are not productive at this stage as they could lead to wrong conclusions.

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Tasmanian Government comments

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Tasmania has a small but diverse population with major centres in the South, North and North West of the State. The Supreme Court and Magistrates' Court have courts and registries in each major centre which reflects upon the total cost of the court operation.

The study indicates anomalies in practice and the methodology of data collection. In respect of the timeliness data, the Supreme Court measured delay from lodgement to disposal, but excluded default judgement matters including debt recovery. Other states measured from certificate of readiness or included minor matters disposed of administratively. The performance indicators therefore do not reflect timeliness based upon constraint data.

Both the courts have low level information systems, particularly computer support. Reliable data was difficult to achieve and it is regretted that no timeliness data was available from the Magistrates' Court will overcome the problems encountered this year.

Initiatives

Supreme Court: Case management from certificate of readiness to trial and assisted dispute resolution including mediation has reduced the delay from certificate and readiness to finalisation from 22 months in 1992 to 3 months in 1996. In 1997 the Supreme Court will introduce case management in its civil division from the filing of the defence in all but personal injury cases to ensure timeliness from an early stage.

Magistrates' Court: The introduction of the docket system of individual magistrate calendaring has virtually eliminated delay in the civil/criminal jurisdiction and eliminated forum shopping. Status conferences are being trialed and early indicators show a higher percentage of pleas of guilty identified at an early stage.

Initiatives that will impact on data results 1996/97

Supreme Court: The introduction of the Magistrates' Court Civil Division will increase the jurisdiction of the Court from \$5000 to \$20 000 which will decrease the number of minor matters in the Supreme Court and increase the average cost per case considerably.

Magistrates' Court: The introduction of the infringement registration legislation in 1997 will significantly reduce the number of minor traffic matters coming before the court which in turn will impact on the average cost per case.

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Australian Capital Territory Government comments

Supreme Court of ACT

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There are 2 matters relating to equity which should be specifically mentioned:

1. *Waiver of court fees.* During the 1995–96, \$29 000 in Court fees were waived in respect of civil cases. This amount is significant as it represents approximately 5 per cent of the total fees collected by the Court.
2. *Jury fees.* The ACT has high jury fees relative to most other jurisdictions. This tends to inflate the cost of criminal matters especially in lengthy trials.

The Court's timeliness figures are based on the time from lodgment to finalisation as requested in the Data Collection Manual. An examination of the aggregated statistics would suggest that some jurisdictions have worked on the time from certificate of readiness to finalisation. A consistent approach is required if there is to be any useful comparison. The Court's case management procedures do not generally operate until a certificate of readiness is filed. This may be the case with most other jurisdictions. That may be a better measurement of effectiveness.

During 1995–96 the Court conducted a lengthy criminal trial which involved the appointment of an Acting Judge for the duration of the trial. Given the relatively low number of criminal cases conducted in the Court, that case has a tendency to inflate the Court's figures for criminal matters during 1995–96.

Magistrates' Court of ACT

The ACT Magistrates' Court has an extensive Criminal and Civil jurisdiction and deals with many matters which are normally dealt with in District/County courts in other jurisdictions.

The Court no longer processes minor traffic matters which are dealt with by an on the spot fine system with licence or vehicle registration suspension in default of payment. Defended matters can be referred to the Court upon application. A similar system operates for minor drug offences involving marijuana and low level drink driving offences.

The Court heavily promotes case-management techniques and pre-trial conferences are compulsory in all civil cases. About 75 per cent of matters are settled without the need for a court appearance. Whilst this has a resource implication for registry staff there are significant savings in judicial time.

A new Magistrates' Court and Tribunals building has been located adjacent to the Supreme Court. This co-location will provide opportunities as part of the Government's three year plan, to streamline and integrate the administrative structures of the two Territory courts, thus resulting in savings by avoiding duplication of services and through increased efficiencies.

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Northern Territory Government comments

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NT have reservations about the quality of the data that we and other jurisdictions have been able to provide. Accounting methods for “defendants at lodgements” were not precisely defined and civil lodgements do not necessarily reflect the workload of the courts and certainly do not reflect the workload for the years under consideration. There is not consistency between all jurisdictions in the calculation of notional rent of depreciation of real property. These areas, together with a number of others, mean that, unless properly interpreted, the figures do not provide accurate comparisons and in some instances can be quite misleading.

The costs in the NT are affected by diseconomies of small scale and the dispersion of the population over 1.3 million square km. To provide reasonable access to the community, there are five court registries servicing the main population areas and the courts sit in 26 separate locations around the NT. 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. There were nine murder trials in 1994–95 and eleven in 1995–96. The number of murder trials per annum should have been closer to 2 or 3. Such trials are by their nature 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. The same libraries could be used to support many more judges and magistrates, while smaller libraries would not provide the basic support that is needed. This is reflected in the fact that the percentage contribution of library costs to total court costs is nearly twice the national average.

Over 30 per cent of the cost attributable to the Supreme Court is the notional economic rent of the Darwin Supreme Court building which was completed five years ago and was designed to accommodate the needs of the court well into the twenty first century. Some working areas of the building are currently not in use, but the notional costs included in the figure for court administration are based on a market rent for the whole building.

If the above considerations were factored into the NT’s court costs, they would be seen to be comparable with the average for other jurisdictions.

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12A.2 All jurisdictions data

12A.2.1 Descriptors

Table 12A.1: Criminal court cases, 1994–95 to 1995–96 (number)

		<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>Federal</i>	<i>Family</i>	<i>Total</i>
Supreme Court	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
District/County Court	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
Magistrates' Court	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
Minor traffic	1995–96	226 148	386 961	77 607	55 302	54 100	0	0	7 109	—	—	807 227
	1994–95	214 047	390 006	60 484	53 131	57 449	0	0	6 610	—	—	781 727
Primary	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

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

Table 12A.2: Civil court cases, 1994–95 to 1995–96 (number)

		<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>Federal</i>	<i>Family</i>	<i>Total</i>
Supreme Court	1995–96	9 980	4 982	4 235	2 125	2 900	3 470	1 067	305	23 815	125 254	178 133
	1994–95	10 231	5 154	3 395	1 948	2 655	3 458	1 011	318	20 165	113 702	162 037
District/County Court	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
Magistrates' Court	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

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

Table 12A.3: Court administration expenditure, criminal, 1994–95 to 1995–96 (\$million)

		<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>Federal</i>	<i>Family</i>	<i>Total</i>
Supreme Court	1995–96	7.4	7.1	5.9	4.9	5.8	2.6	1.8	6.3	—	—	41.7
	1994–95	9.7	6.0	6.3	4.5	5.1	2.5	1.4	6.0	—	—	41.6
District/County Court	1995–96	39.0	18.9	15.9	8.2	9.0	—	—	—	—	—	91.0
	1994–95	39.2	18.3	17.1	8.1	8.3	—	—	—	—	—	90.9
Magistrates' Court	1995–96	89.3	35.8	40.4	18.7	14.2	3.7	2.5	4.6	—	—	209.1
	1994–95	91.8	34.5	37.8	18.3	13.3	3.6	2.5	4.3	—	—	206.2

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

Table 12A.4: Court administration expenditure, civil, 1994–95 to 1995–96 (\$million)

		<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>Federal</i>	<i>Family</i>	<i>Total</i>
Supreme Court	1995–96	31.5	12.5	9.3	10.7	7.3	1.6	3.0	3.8	42.6	100.2	222.5
	1994–95	32.0	10.5	10.2	9.5	6.9	1.5	2.7	4.1	40.1	97.3	214.9
District/County Court	1995–96	9.6	9.4	7.7	5.6	6.3	—	—	—	—	—	38.6
	1994–95	8.5	9.1	8.9	5.4	6.2	—	—	—	—	—	38.2
Magistrates' Court	1995–96	22.1	12.4	9.9	11.9	8.0	1.6	2.4	4.2	—	—	72.3
	1994–95	22.7	11.8	8.8	12.0	7.3	1.5	2.4	3.9	—	—	70.5

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

12A.2.2 Effectiveness

Table 12A.5: Timeliness—proportion of criminal cases finalised within six months or less, 1995–96 (per cent)

	<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>Federal</i>	<i>Family</i>	<i>Average</i>
<i>Supreme Court</i>											
Appeal cases	34	81	91	36	91	58	73	78	—	—	64
Non-appeal cases	2	59	82	63	67	100	45	60	—	—	68
<i>District/County Court</i>											
Appeal cases	71	95	91	na	na	—	—	—	—	—	80
Non-appeal cases	50	56	82	66	66	—	—	—	—	—	70
<i>Magistrates' Court</i>											
Non-appeal cases	95	94	98	96	89	na	87	93	—	—	95
Committal cases	82	65	91	89	94	na	61	na	—	—	86

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

na Not available

Table 12A.6: Timeliness—proportion of civil cases finalised within twelve months or less, 1995–96 (per cent)

	<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>Federal</i>	<i>Family</i>	<i>Average</i>
<i>Supreme Court</i>											
Appeal cases	34	79	90	69	93	100	100	100	64	98	58
Non-appeal cases	63	28	48	19	76	10	8	100	78	52	59
<i>District/County Court</i>											
Appeal cases	—	—	—	—	—	—	—	—	—	—	—
Non-appeal cases	42	54	46	11	67	—	—	—	—	—	48
<i>Magistrates' Court</i>											
Non-appeal cases	77	96	93	90	92	na	99	86	—	—	89
Committal cases	—	—	—	—	—	—	—	—	—	—	—

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

na Not available

Table 12A.7: Average total civil court fees per case, 1994–95 to 1995–96 (\$)

		<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>Federal</i>	<i>Family</i>	<i>Average</i>
Supreme Court	1995–96	1 636	849	408	416	335	147	0	354	415	84	254
	1994–95	1 550	743	389	467	401	167	0	478	481	87	267
District/County Court	1995–96	473	363	391	437	397	—	—	—	—	—	418
	1994–95	189	318	346	440	422	—	—	—	—	—	287
Magistrates' Court	1995–96	65	62	104	59	55	na	46	38	—	—	67
	1994–95	65	53	104	58	55	na	43	38	—	—	63

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

na Not available

12A.2.3 Efficiency

Table 12A.8: Major areas of criminal court administration expenditure per case, 1995–96 (\$)

	<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>Federal</i>	<i>Family</i>	<i>Average</i>
Supreme Court											
Judicial salaries	3 057	7 223	1 517	2 898	2 337	2 510	3 707	2 764	—	—	2 806
Judicial support salaries	1 066	2 530	142	1 144	1 079	832	592	1 590	—	—	934
Court reporting	668	94	337	931	803	412	745	817	—	—	559
Accommodation	426	1 277	294	902	1 612	128	1 701	7 295	—	—	1 205
IT	249	89	61	276	475	18	153	216	—	—	186
Library	256	490	170	473	317	136	1 115	801	—	—	342
Other	1 842	3 350	1 590	3 005	3 282	2 412	2 904	4 188	—	—	2 466
<i>Total expenditure by court admin</i>	<i>7 564</i>	<i>15 053</i>	<i>4 110</i>	<i>9 630</i>	<i>9 905</i>	<i>6 447</i>	<i>10 917</i>	<i>17 671</i>	—	—	<i>8 498</i>
Umbrella department	651	2 944	221	488	67	106	280	31	—	—	523
<i>Total expenditure</i>	<i>8 216</i>	<i>17 997</i>	<i>4 331</i>	<i>10 118</i>	<i>9 972</i>	<i>6 553</i>	<i>11 197</i>	<i>17 702</i>	—	—	<i>9 021</i>
District/County Court											
Judicial salaries	1 056	1 795	668	1 268	1 242	—	—	—	—	—	1 089
Judicial support salaries	293	571	85	418	284	—	—	—	—	—	287
Court reporting	292	0	269	470	475	—	—	—	—	—	270
Accommodation	134	413	160	187	889	—	—	—	—	—	242
IT	100	58	22	61	204	—	—	—	—	—	76
Library	48	56	30	58	47	—	—	—	—	—	45
Other	1 478	922	870	1 166	1 737	—	—	—	—	—	1 217
<i>Total expenditure by court admin</i>	<i>3 401</i>	<i>3 816</i>	<i>2 104</i>	<i>3 629</i>	<i>4 879</i>	—	—	—	—	—	<i>3 226</i>
Umbrella department	276	1 116	118	133	32	—	—	—	—	—	328
<i>Total expenditure</i>	<i>3 677</i>	<i>4 932</i>	<i>2 222</i>	<i>3 762</i>	<i>4 911</i>	—	—	—	—	—	<i>3 554</i>

(cont.)

Table 12A.8: Major areas of criminal court administration expenditure per case, 1995–96 (\$) (cont.)

	<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>Federal</i>	<i>Family</i>	<i>Average</i>
Magistrates' Court¹											
Judicial salaries	45	22	26	32	33	57	45	53	—	—	32
Judicial support salaries	2	0	2	14	3	27	14	3	—	—	3
Court reporting	20	0	9	3	10	0	13	16	—	—	9
Accommodation	16	9	20	22	4	12	23	57	—	—	15
IT	7	1	4	2	9	3	7	20	—	—	4
Library	1	1	2	1	1	2	0	3	—	—	1
Other	118	27	87	42	59	86	68	93	—	—	68
<i>Total expenditure by court admin</i>	<i>210</i>	<i>60</i>	<i>150</i>	<i>117</i>	<i>119</i>	<i>187</i>	<i>170</i>	<i>244</i>	—	—	<i>132</i>
Umbrella department	18	14	12	11	0	10	23	0	—	—	13
<i>Total expenditure</i>	<i>227</i>	<i>73</i>	<i>163</i>	<i>127</i>	<i>120</i>	<i>198</i>	<i>193</i>	<i>245</i>	—	—	<i>145</i>

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

1 Excludes minor traffic lodgements.

Table 12A.9: Major areas of civil court administration expenditure per case, 1995–96 (\$)

	<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>Federal</i>	<i>Family</i>	<i>Average</i>
Supreme Court											
Judicial salaries	1 096	1 144	707	2 205	916	192	750	2 151	263	118	281
Judicial support salaries	382	401	130	613	325	64	174	1 236	144	45	104
Court reporting	229	15	88	171	131	26	218	200	43	14	37
Accommodation	153	202	181	483	54	10	652	5 820	336	198	223
IT	90	14	38	99	284	1	45	252	75	25	40
Library	92	78	46	163	149	10	329	934	93	10	36
Other	878	531	859	1 134	671	135	567	1 754	679	349	454
<i>Total expenditure by court admin</i>	<i>2 921</i>	<i>2 385</i>	<i>2 050</i>	<i>4 868</i>	<i>2 529</i>	<i>439</i>	<i>2 736</i>	<i>12 348</i>	<i>1 633</i>	<i>758</i>	<i>1 175</i>
Umbrella department	234	129	137	182	4	8	83	26	154	43	74
<i>Total expenditure</i>	<i>3 154</i>	<i>2 514</i>	<i>2 187</i>	<i>5 049</i>	<i>2 533</i>	<i>447</i>	<i>2 819</i>	<i>12 374</i>	<i>1 787</i>	<i>800</i>	<i>1 249</i>

(cont.)

Table 12A.9: Major areas of civil court administration expenditure per case, 1995–96 (\$) (cont.)

	<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>Federal</i>	<i>Family</i>	<i>Average</i>
District/County Court											
Judicial salaries	197	356	480	560	1 106	—	—	—	—	—	373
Judicial support salaries	55	113	78	139	218	—	—	—	—	—	93
Court reporting	47	0	75	83	368	—	—	—	—	—	55
Accommodation	117	82	113	62	927	—	—	—	—	—	133
IT	19	12	16	58	339	—	—	—	—	—	34
Library	9	11	21	22	82	—	—	—	—	—	16
Other	181	183	300	305	918	—	—	—	—	—	246
<i>Total expenditure by court admin</i>	<i>624</i>	<i>756</i>	<i>1 084</i>	<i>1 230</i>	<i>3 958</i>	—	—	—	—	—	<i>949</i>
Umbrella department	52	40	84	44	9	—	—	—	—	—	51
<i>Total expenditure</i>	<i>676</i>	<i>796</i>	<i>1 168</i>	<i>1 274</i>	<i>3 967</i>	—	—	—	—	—	<i>1 000</i>
Magistrates' Court											
Judicial salaries	18	12	25	28	27	13	31	130	—	—	20
Judicial support salaries	1	0	2	10	2	10	8	7	—	—	2
Court reporting	7	0	5	1	6	0	6	13	—	—	4
Accommodation	7	10	12	55	21	18	34	138	—	—	16
IT	3	1	0	4	19	1	6	21	—	—	4
Library	0	1	1	3	4	1	0	7	—	—	1
Other	48	30	55	102	81	66	85	227	—	—	54
<i>Total expenditure by court admin</i>	<i>83</i>	<i>54</i>	<i>101</i>	<i>203</i>	<i>161</i>	<i>109</i>	<i>170</i>	<i>543</i>	—	—	<i>101</i>
Umbrella department	7	12	7	12	0	16	21	1	—	—	9
<i>Total expenditure</i>	<i>91</i>	<i>66</i>	<i>108</i>	<i>215</i>	<i>161</i>	<i>124</i>	<i>191</i>	<i>544</i>	—	—	<i>110</i>

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

Table 12A.10: Court administration expenditure per criminal case at 1995–96 prices, 1993–94 to 1995–96 (\$)

		<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>Federal</i>	<i>Family</i>	<i>Average</i>
All courts	1995–96	762	587	348	337	433	330	326	909	—	—	512
	1994–95	866	643	342	382	393	358	431	824	—	—	545
	1993–94 ¹	528	424	412	327	215	396	510	583	—	—	411
Supreme court	1995–96	8 216	1 7997	4 331	10 118	9 972	6 553	11 197	17 702	—	—	9 021
	1994–95	11 297	15 875	4 778	7 062	10 140	6 619	9 645	20 990	—	—	9 202
District/Supreme Court	1995–96	3 677	4 932	2 222	3 762	4 911	—	—	—	—	—	3 554
	1994–95	3 942	4 842	2 422	4 055	4 490	—	—	—	—	—	3 695
Magistrates' Court ²	1995–96	227	73	163	127	120	198	193	245	—	—	145
	1994–95	255	74	165	141	110	216	277	233	—	—	153
Magistrates Court primary ³	1995–96	536	354	237	204	220	198	193	394	—	—	328
	1994–95	605	395	221	234	203	216	277	356	—	—	348

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

1 1993–94 data are sourced from SCRCSSP 1995. Care should be exercised when making comparisons with the current collection due to some amended counting rules.

2 Includes minor traffic matters.

3 Excludes minor traffic matters.

Table 12A.11: Court administration expenditure per criminal case (excluding accommodation) at 1995–96 prices, 1994–95 to 1995–96 (\$)

		<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>Federal</i>	<i>Family</i>	<i>Average</i>
Supreme court	1995–96	7 790	16 721	4 038	9 216	8 360	6 425	9 497	10 407	—	—	7 816
	1994–95	10 820	14 947	3 892	6 393	8 285	6 474	7 837	12 879	—	—	7 890
District/County Court	1995–96	3 543	4 519	2 062	3 574	4 022	—	—	—	—	—	3 312
	1994–95	3 778	4 494	1 967	3 842	3 567	—	—	—	—	—	3 359
Magistrates' Court primary ¹	1995–96	497	311	208	169	212	186	170	303	—	—	295
	1994–95	558	343	180	191	195	203	247	277	—	—	308

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

1 Excludes minor traffic matters.

Table 12A.12: Court administration expenditure per civil case at 1995–96 prices, 1993–94 to 1995–96 (\$)

		<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>Federal</i>	<i>Family</i>	<i>Average</i>
All courts	1995–96	236	169	262	456	401	195	399	998	—	—	262
	1994–95	255	159	310	444	427	171	378	1 120	—	—	273
	1993–94 ¹	282	220	296	521	488	149	340	567	—	—	269
Supreme Court	1995–96	3 154	2 514	2 187	5 049	2 533	447	2 819	12 374	1 787	800	1 249
	1994–95	3 212	2 103	3 092	5 038	2 675	454	2 744	13 156	2 047	880	1 364
District/Country Court	1995–96	676	796	1 168	1 274	3 967	—	—	—	—	—	1 000
	1994–95	536	893	1 593	1 167	4 005	—	—	—	—	—	1 007
Magistrates' Court	1995–96	91	66	108	215	161	124	191	544	—	—	110
	1994–95	102	65	109	222	167	105	191	577	—	—	114

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

1 1993–94 data are sourced from SCRCSSP 1995. Care should be exercised when making comparisons with the current collection due to some amended counting rules.

Table 12A.13: Court administration expenditure per civil case (excluding accommodation) at 1995–96 prices, 1994–95 to 1995–96 (\$)

		<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>Federal</i>	<i>Family</i>	<i>Average</i>
Supreme Court	1995—96	3 002	2 312	2 006	4 566	2 479	437	2 167	6 554	1 452	602	1 026
	1994—95	3 047	1 963	2 404	4 526	2 606	444	2 211	7 034	1 655	655	1 105
District/County Court	1995—96	559	714	1 054	1 212	3 040	—	—	—	—	—	867
	1994—95	510	814	1 211	1 107	3 065	—	—	—	—	—	873
Magistrates' Court	1995—96	84	56	96	161	140	107	157	406	—	—	94
	1994—95	94	54	91	165	142	90	160	438	—	—	97

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

Table 12A.14: Court administration expenditure per case, criminal and civil cases combined, at 1995–96 prices, 1994–95 to 1995–96 (\$)

		<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>Federal</i>	<i>Family</i>	<i>Average</i>
All courts ¹	1995—96	446	311	316	384	418	268	363	945	—	—	382
	1994—95	497	312	331	408	407	263	399	932	—	—	403
Supreme Court	1995—96	3 571	3 649	2 707	5 996	3 777	1 075	3 894	15 244	—	—	3 603
	1994—95	3 856	3 069	3 575	5 550	3 898	1 079	3 651	16 906	—	—	3 731
District/County Court	1995—96	1 959	1 806	1 715	2 102	4 472	—	—	—	—	—	2 018
	1994—95	1 844	1 962	2 056	2 035	4 268	—	—	—	—	—	2 065
Magistrates' Court primary ¹	1995—96	272	167	192	208	195	168	192	454	—	—	217
	1994—95	306	172	185	229	188	165	227	435	—	—	229

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

1 Excludes minor traffic matters.

Table 12A.15: Cost per case, criminal and civil cases combined (excluding accommodation), at 1995–96 prices, 1994–95 to 1995–96 (\$)

		<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>Federal</i>	<i>Family</i>	<i>Average</i>
Supreme Court	1995–96	3 396	3 368	2 498	5 435	3 462	1 053	3 107	8 629	—	—	3 231
	1994–95	3 666	2 874	2 830	4 999	3 536	1 055	2 951	9 832	—	—	3 287
District/County Court	1995–96	1 835	1 643	1 577	1 998	3 565	—	—	—	—	—	1 842
	1994–95	1 765	1 810	1 633	1 929	3 337	—	—	—	—	—	1 851
Magistrates' Court Primary ¹	1995–96	252	146	169	166	181	154	164	344	—	—	193
	1994–95	282	148	151	180	174	151	196	335	—	—	200

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

1 Excludes minor traffic matters.

12A.3 Definitions

Table 12A.16 Definitions of effectiveness indicators

<i>Indicator</i>	<i>Explanation/definition</i>
Timeliness	<p>Criminal matters: The percentage of cases completed throughout 1994–95 and 1995–96 that were completed within 6 months of lodgement. Cases are sorted according to the time taken to reach a verdict after cases are lodged.</p> <p>Civil matters: The percentage of cases completed throughout 1994–95 and 1995–96 that were completed within 12 months of lodgement. Cases are sorted according to the time taken to reach a decision after the parties involved notify the court that they are ready to proceed to trial.</p>
Estimated average total court fees	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.

Table 12A.17 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 accommodation costs	These indicators exclude accommodation costs from the total expenditure of the court administration agency.

Table 12A.18 Definitions of variables

<i>Variable</i>	<i>Definition</i>
<i>Lodgements (cases)</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. Excluded from this definition are matters dealt with by guardianship boards, environmental, resources and development courts, administrative appeals tribunals, probate offices and Coroner's Courts.
Primary matters	Primary matters are defined as total criminal lodgments <i>less</i> minor traffic lodgments.
<i>Expenditure</i>	
Judicial and judicial support salaries	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. Judicial officers includes Judges, Magistrates, Masters, Judicial Registrars and other judicial officers where they primarily fulfil a judicial function. Judicial support staff includes judicial secretaries, tipstaff and associates.
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	Depreciation, actual rent or imputed rent on court owned or occupied land and buildings. 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. As well as expenditure on electricity, gas, water, telecommunications (telephone, fax, telex), cleaning, gardening and maintenance.
Information Technology	Non-salary and salary expenditure on information technology. 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.

(cont.)

Table 12A.18 Definitions of variables (cont.)

<i>Variable</i>	<i>Definition</i>
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>
Other	<p>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.</p>
Umbrella department	<p>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.</p>
