
7 Court administration

Court administration agencies throughout Australia provide a range of services integral to the effective performance of the judicial system. This chapter covers the performance of court administration for State and Territory supreme, district/county and magistrates' courts, coroner's courts and probate registries, along with the Federal Court of Australia, the Family Court of Australia and the Family Court of Western Australia. Section 7.1 outlines the coverage of services.

The focus of this Report is on the administration of the courts, not the outcomes of the legal process. Given the multiple jurisdictions, the chapter's presentation is selective. A framework of performance indicators is outlined in section 7.2, and data are discussed in section 7.4.

Indicators in the areas of geographic accessibility of courts have been refined in this report. Data have also been improved by better apportionment of costs across court levels. Section 7.3 contains further information about changes to reporting. Full reporting of data is included in attachment 7A.

7.1 Profile of court administration services

The primary functions of court administration agencies are to:

- manage court facilities and staff, including buildings, court security and ancillary services such as registry, libraries and transcription services;
- provide case management services, including client information, scheduling and case flow management; and
- enforce court orders through the Sheriff's Department or a similar mechanism.

Some aspects of the allocation of responsibility between court administration and other elements of the system (including the judiciary) vary across the State, Territory and Commonwealth legal systems. The performance indicators presented here need to be interpreted in this context.

Structure of courts

There is a hierarchy of courts at both the State and Territory level and the Commonwealth level. All courts handle a number of matters that appear in the court system for the first time (an originating jurisdiction). Higher courts hear disputes of greater seriousness than those in the lower courts, and they also operate as courts of judicial review or appeal (figure 7.1).

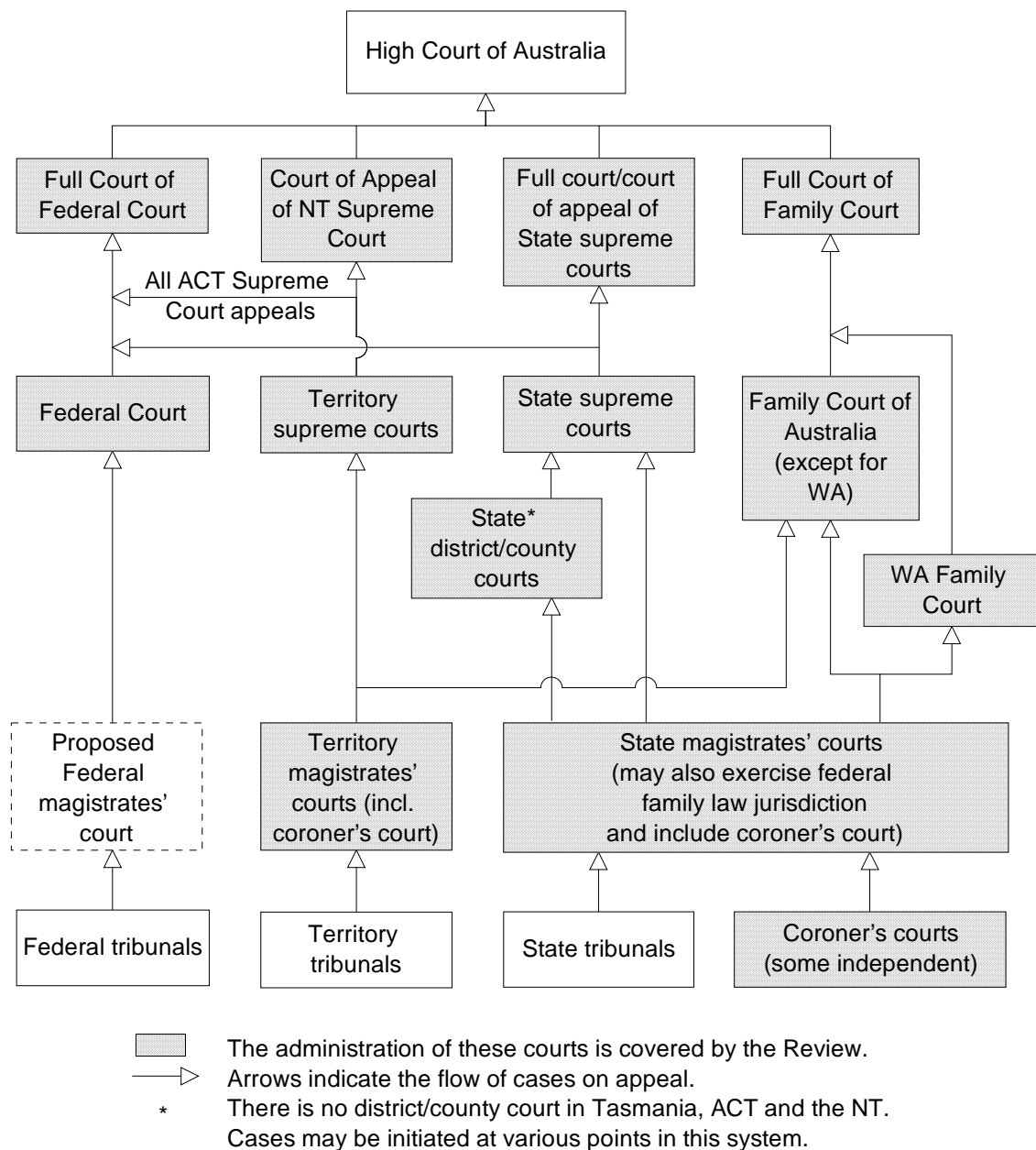
The structure of courts differs between States and Territories. Tasmania and the Territories do not have district/county courts, and only Western Australia has a Family Court (that is, the Family Court of Australia has jurisdiction in all other States and Territories). There are also differences in allocation of cases to different courts within a jurisdiction. These factors should be taken into account when comparing performance between States and Territories for specific court jurisdictions' indicators.

Most courts operate in both the civil and criminal jurisdictions. The essential difference between these jurisdictions is the source of the lodgment and the parties in dispute. Criminal matters are brought to the court by a government prosecuting agency, which is generally the Director of Public Prosecutions but can also be the Attorney General, the police, local councils and traffic camera branches. Civil matters are lodged by individuals or organisations (the plaintiff) against another party (the defendant) who responds to the file. Further, coroner's courts, (which generally operate under the auspices of State and Territory magistrates' courts), inquire into the cause of sudden and unexpected deaths and into suspicious fires; their findings can be the source of criminal prosecutions.

Administrative structures

Most courts operate in both the criminal and civil jurisdictions and use the same court infrastructure for both case types. However, because separate information systems and case flow management practices have been established for each of the civil and criminal jurisdictions, the Steering Committee has sought to distinguish between them where possible.

Figure 7.2 Major relationships between courts in Australia



Lodgments

Approximately 2.7 million matters were lodged with courts in 1997-98 (table 7A.1). The largest numbers of lodgments are processed by magistrates' courts in their criminal jurisdictions, with over 1.7 million cases initiated in these courts in

1997-98. District/county courts accounted for only 27 400 lodgments and the supreme courts processed a further 5100.

In the civil jurisdiction there were a total of 773 500 lodgments in 1997-98. The largest civil court in Australia is the NSW Magistrates' Court (receiving over 260 900 lodgments), followed by the Magistrates' Court in Victoria (receiving 185 600 lodgments).

Probate lodgments encompass applications for the appointment of an executor or administrator to the estate of a deceased person. The two most common applications are where the executor nominated by a will applies to have the will proved and where the deceased died intestate (or without a will), and a person entitled to administer the estate applies for letters of administration. There were 50 800 probate applications in 1997-98. NSW had the largest number of probate applications (20 600 applications), followed by Victoria (14 700) (table 7.1).

Table 7.2 Court lodgments, 1997-98 ('000)

	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT^a</i>	<i>NT</i>	<i>Cwlth</i>	<i>Total</i>
<i>Criminal</i>										
Magistrates' court	432.9	539.6	313.5	246.0	189.2	30.7	9.0	19.3	..	1780.0
District/county court	10.5	4.4	8.4	2.6	1.5	..	..	..	..	27.4
Supreme court	0.9	0.7	1.4	0.4	0.6	0.6	0.2	0.3	..	5.1
All courts	444.3	544.7	323.3	249.0	191.2	31.3	9.2	19.5	..	1812.5
<i>Civil</i>										
Magistrates' court	260.9	185.6	110.1	61.7	51.2	11.2	11.5	6.5	..	698.7
District/county court	14.0	10.3	7.6	5.9	2.5	..	..	..	..	40.3
Supreme court	8.9	5.1	4.7	2.2	1.7	3.0	1.3	0.6	7.0	34.6
All courts	283.9	201.0	122.4	69.8	55.4	14.1	12.8	7.2	7.0	773.5
Family court	..	..	..	14.3	..	..	..	..	121.6	135.9
<i>Coronial</i>										
Magistrates' court	11.3	4.0	4.2	2.2	6.1	0.6	0.7	0.2	..	29.3
<i>Probate</i>										
Supreme court	20.6	14.7	3.6	4.7	4.8	1.9	0.5	0.1	..	50.8

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

Source: table 7A.1.

The majority of matters initiated in the lower courts were criminal cases, while civil cases outnumbered criminal prosecutions in the superior courts. Victoria had the highest proportion of criminal matters in their magistrates' courts (99.1 per cent), followed by SA (98.9 per cent). Tasmania had the highest proportion of civil cases

in its Supreme Court (20.9 per cent), followed by the ACT (10.3 per cent) (table 7.3).

Table 7.4 Proportion of court lodgments by court level, 1997-98 (per cent)^a

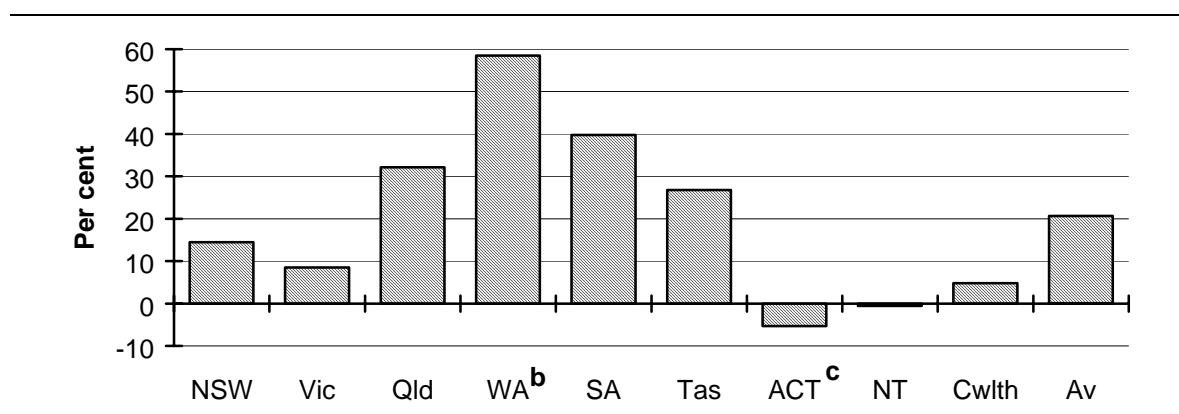
	NSW	Vic	Qld	WA	SA	Tas	ACT ^b	NT	Cwlth	Total
<i>Criminal</i>										
Magistrates' court	97.4	99.1	97.0	98.8	98.9	98.1	97.8	98.6	..	98.2
District/county court	2.4	0.8	2.6	1.1	0.8	..	..	..	..	1.5
Supreme court	0.2	0.1	0.4	0.2	0.3	1.9	2.2	1.4	..	0.3
All courts	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	..	100.0
<i>Civil</i>										
Magistrates' court	91.9	92.3	90.0	88.4	92.4	79.1	89.7	91.2	..	90.3
District/county court	4.9	5.1	6.2	8.5	4.5	..	..	..	..	5.2
Supreme court	3.1	2.6	3.9	3.1	3.1	20.9	10.3	8.8	..	4.5
All courts	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	..	100.0

^a Included minor lodgments. ^b In the ACT the motor vehicle registry rather than the Magistrates' Court enforced unpaid infringement notices. Infringements did not become court lodgments until the defendant elected to have the matter heard by a Magistrate. .. Not applicable.

Source: table 7A.1.

There has been an increase of 21 per cent in the number of lodgments received by courts throughout Australia since 1994-95. The largest increase occurred in WA (58 per cent between 1994-95 and 1997-98, partly reflecting WA's inclusion of fines enforcement lodgments for the first time in 1997-98) while lodgments in the ACT decreased by 5 per cent (figure 7.3).

Figure 7.4 Change in the total number of court lodgments, 1994-95 to 1997-98^a



^a Excluded probate. ^b Included fines enforcement lodgments for the first time in 1997-98. ^c The motor vehicle registry rather than the Magistrates' Court enforced unpaid infringement notices. Infringements did not become court lodgments until the defendant elected to have the matter heard by a Magistrate.

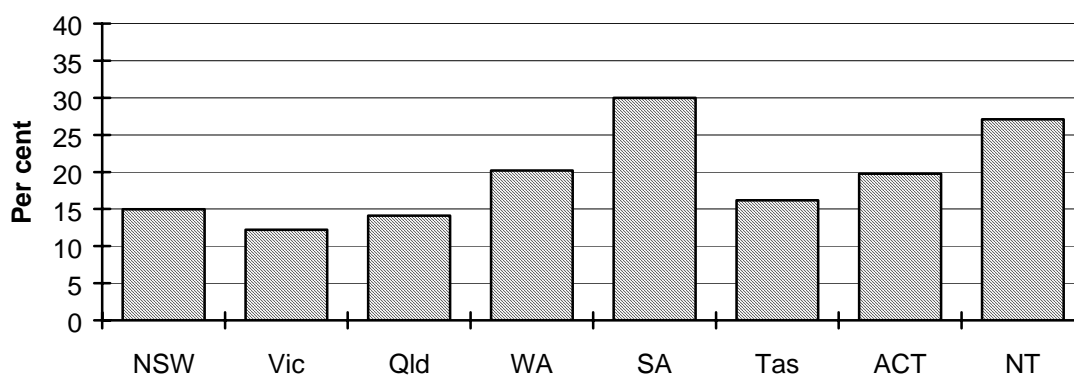
Data source: table 7A.1.

Coroner's courts investigate the cause and circumstances of reportable deaths. The definition of a reportable death differs across States and Territories but generally

includes deaths for which the cause is violent, suspicious or unknown. The Coroner in some States and Territories has the power to commit for trial, while in others they are prohibited from making any finding of criminal or civil liability.

The total number of deaths reported to a Coroner across Australia was 20 766 in 1997-98. The highest number of reported deaths was in the NSW (6905), followed by Victoria (4004) (table 7A.1). Reporting rates varied as a result of different reporting requirements — for example, deaths in institutions such as nursing homes for persons suffering intellectual impairment of any kind must be reported in SA. The number of deaths reported to the Coroner as a proportion of total deaths in 1997-98 ranged from 30 per cent in SA to 12 per cent in Victoria (figure 7.5).

Figure 7.6 Deaths reported to Coroner as a proportion of total deaths, 1997-98



Data source: table 7A.1.

The total number of fires reported to a coroner across Australia was 8542 in 1997-98. The highest number of reported fires was in NSW (4394), followed by SA (2617) (table 7A.1). Reporting requirements also varied for fires: for example, all fires were reported to the Coroner in SA, and they may be reported and investigated in Victoria at the Coroner's discretion, but they were excluded from the Coroner's jurisdiction in the NT.

A significant proportion of court cases are largely routine or minor. These matters are generally less costly to finalise because they do not require full court hearings. These include:

- civil lodgments which are finalised by registrars — for example, probate applications, winding up applications, and joint applications for divorce;
- civil lodgments settled as undefended; and

- criminal lodgments processed by electronic courts (for example, traffic infringements).

Minor civil lodgments were particularly common in the magistrates' court. Across Australia 90 per cent of lodgments in the magistrates' court were minor in 1997-98. The proportion ranged from 99 per cent (Tasmania) to 71 per cent (the ACT). Across Australia in the criminal jurisdiction, 66 per cent of magistrates' court lodgments were minor. Victoria had the highest proportion (83 per cent) and NT had the lowest (50 per cent).

Nationally, 5 per cent of lodgments in the district/county courts were minor in 1997-98. This proportion ranged from 48 per cent in SA to 2 per cent in Queensland. Minor matters accounted for a significant proportion (25 per cent) of the national total of civil lodgments among supreme/federal courts. Across jurisdictions, the proportion ranged from 70 per cent in Victoria to zero in WA. Six per cent of lodgments with the Federal Court were minor (table 7.5).

Table 7.6 Proportion of lodgments for criminal and civil courts that were minor, 1997-98 (per cent) ^a

	<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	56	83	54	63	68	60	0 ^b	50	..	66
<i>Civil</i>										
Magistrates' court	88	95	81	96	92	99	71	98	..	90
District/county court	0 ^c	6	2	5	48	..	..	..	..	5
Supreme ^d /federal court	29	70	1	0	8	47	39	14	6	25
Family court	..	..	..	37	..	..	..	..	39	39

^a Minor lodgments included minor traffic lodgments and other infringement notices enforced through electronic courts, undefended general civil lodgments 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 lodgments until the defendant elected to have the matter heard by a Magistrate. ^c Minor lodgments were not provided for in the NSW case flow management system. ^d Excluded probate. .. Not applicable.

Source: table 7A.3.

Hearings

Hearings, particularly full court hearings and trials, are the primary cost driver for court administrations. Hearings encompass court trials in the criminal and civil jurisdictions, as well as inquests and inquiries in the coronial jurisdiction. Hearings

do not include conferences, mediation and arbitration sessions, or hearings to process secondary applications associated with the primary case. Each lodgment is subject to only one hearing, although it may be adjourned at various times. The Report treats committals and appeals as separate lodgments. Nationally, approximately 543 000 court hearings (391 000 criminal and 152 000 civil) were listed in 1997-98. The majority of these occurred in the lower courts (table 7A.2).

Most jurisdictions attempt to encourage pre-trial settlement of civil disputes through mediation and arbitration to minimise the cost to the court and parties, and to ensure that only cases that require judicial determination proceed to a full hearing. Similarly, a guilty plea by the defendant generally reduces hearing length and cost in the criminal jurisdiction.

Finalisations

A finalised defendant is a defendant who has had all charges formally completed so they are no longer a matter for the courts. The method of finalisation describes how a criminal charge leaves a particular court level (ABS 1998a).

In the supreme courts, more defendants were finalised by adjudication (87.8 per cent) than by non-adjudicated means (12.2 per cent). This was also the case in the district/county courts, where 86.3 per cent were finalised by adjudication and 13.7 per cent were finalised by non-adjudicated means. Nationally, a guilty plea was the most common method of finalising adjudications in the supreme courts (66.1 per cent) and the district/county courts (65.3 per cent). This ranged from 80.6 per cent in Queensland to 35.2 per cent in SA in their respective supreme courts. Nationally, 'withdrawn' was the most common means of non-adjudicated finalisations in the supreme courts (8.7 per cent) and the district/county courts (10.8 per cent). This ranged from 18.2 per cent in the SA District Court to 2.6 per cent in the NSW Supreme Court (table 7.7).

Table 7.4 Defendants finalised, by method of finalisation, 1996-97 (per cent)

	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust
District/county court									
Adjudicated									
Acquitted	12.9	11.5	5.7	9.1	8.2	..	..	..	8.9
Proven guilty									
Guilty verdict	10.3	11.9	2.8	14.9	9.7	..	..	..	8.1
Guilty plea	61.3	67.1	69.2	64.3	57.4	..	..	..	65.3
Proven guilty n.f.d. ^a	—	—	10.1	—	—	..	..	..	4.1
Total	71.6	79.0	82.0	79.1	67.1	..	..	..	77.4
Total	84.6	90.5	87.7	88.3	75.3	..	..	..	86.3
Non-adjudicated									
Bench warrant issued	5.4	1.8	na	3.8	5.5	..	..	..	2.6
Withdrawn	9.3	7.6	12.3	7.2	18.2	..	..	..	10.8
Other finalisation ^b	0.7	0.1	—	0.7	1.0	..	..	..	0.4
Total	15.4	9.5	12.3 ^c	11.7	24.7	..	..	..	13.7
Total	100	100	100 ^c	100	100	..	..	..	100
Supreme court									
Adjudicated									
Acquitted	15.4	17.6	3.0	8.1	19.7	5.6	7.3	8.0	7.0
Proven guilty									
Guilty verdict	30.8	41.2	6.2	26.7	27.0	12.7	14.0	10.6	14.7
Guilty plea	51.3	36.8	80.6	56.4	35.2	67.0	60.0	64.2	66.1
Total	82.1	77.9	86.8	83.1	62.3	79.6	74.0	74.8	80.8
Total	97.4	95.6	89.8	91.2	82.0	85.2	81.3	82.7	87.8
Non-adjudicated									
Bench warrant issued	—	1.5	na	3.4	4.1	3.1	2.7	9.7	2.6
Withdrawn	2.6	2.9	10.1	5.1	13.1	10.5	10.0	6.6	8.7
Other finalisation ^b	—	—	0.1	0.3	0.8	1.2	6.0	0.9	0.9
Total	2.6	4.4	10.2 ^c	8.8	18.0	14.8	18.7	17.3	12.2
Total	100	100	100 ^c	100	100	100	100	100	100

^a Where the distinction between guilty verdict and guilty plea is unavailable, data are classified to proven guilty not further defined (n.f.d). ^b Includes defendants who were withdrawn by the prosecution, transferred to another court level or finalised by another nonadjudicated method. ^c These totals exclude Queensland defendants finalised by a bench warrant being issued. .. Not applicable. na Not available. — zero or rounded to zero.

Source: (ABS 1998a).

Expenditure

Total recurrent expenditure by State, Territory and Commonwealth court authorities (excluding the High Court) was \$752 million in 1997-98. Nationally, court administration expenditure in the criminal jurisdiction (\$355.6 million) was higher than in the civil jurisdiction (\$282.8 million) (table 7.5).

Table 7.5 Court administration expenditure less in-house revenue 1997-98 (\$ million)^a

	<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>All criminal courts</i>	130.8	62.2	72.3	38.9	29.6	6.7	5.7	9.5	..	355.6
Family court	..	..	..	9.0	..	..	..	..	102.5	111.6
All civil courts ^b	89.3	44.0	32.8	25.6	24.3	3.3	6.5	5.1	51.9	282.8
Coroners' court ^c	4.4	3.0	3.6	1.4	1.6	0.2	0.7	1.1	..	16.0
Probate registries	1.0	0.5	0.1	na ^d	0.4	0.1	0.0	0.1	0.0	2.1

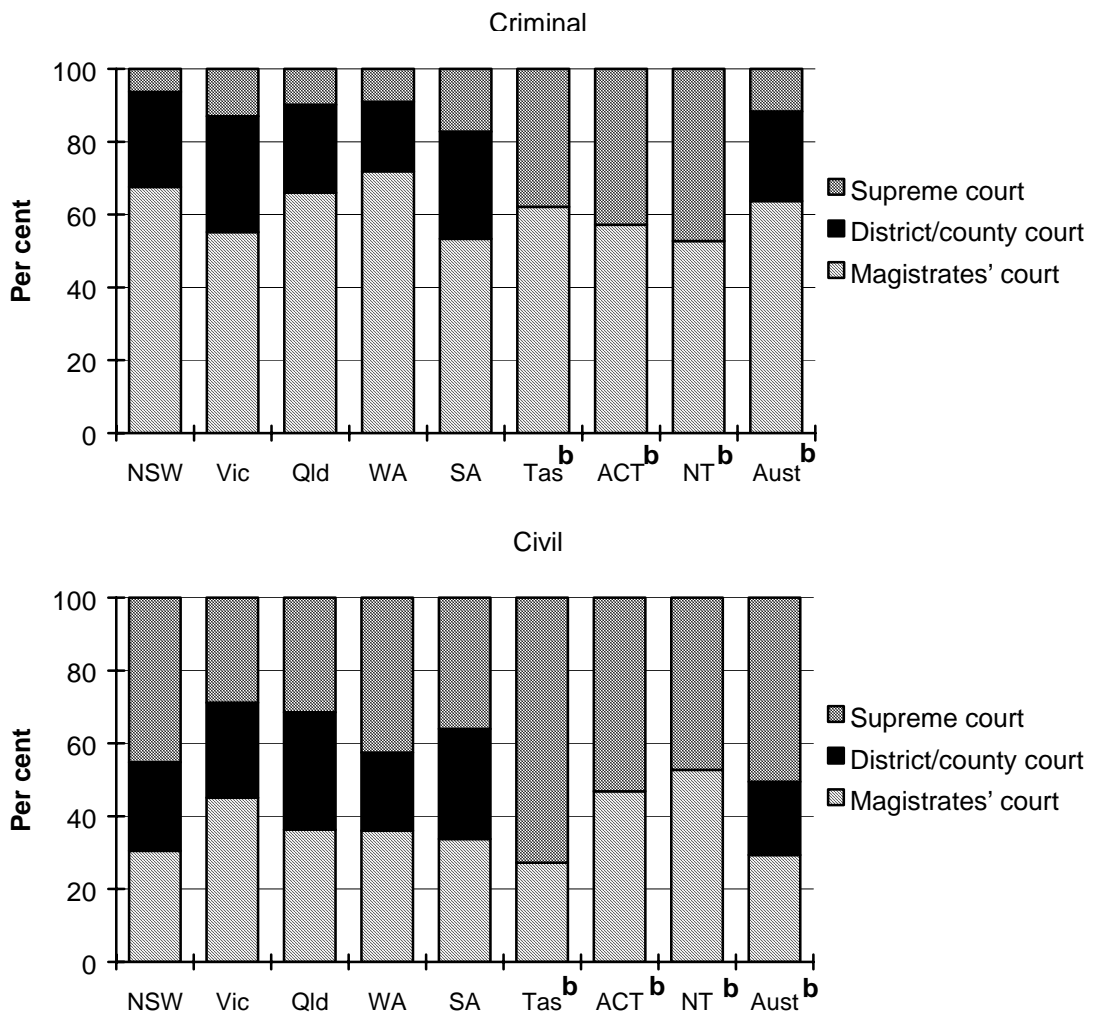
^a In-house revenue included earned by in-house providers of library court reporting and civil bailiff services providing services to external purchasers. ^b Included the Family Court of WA and the Family Court of Australia. ^c Excluded the cost of conducting autopsies. ^d Included in civil court expenditure. .. Not applicable. **na** Not available.

Source: table 7A.4.

The magistrates' courts (in States and Territories having all three court levels) represented 64 per cent of total criminal expenditure nationally in 1997-98, followed by the district/county courts (25 per cent) then the supreme courts (12 per cent). Across jurisdictions WA had the highest magistrates' court share (72 per cent) while the NT had the lowest (53 per cent); Victoria had the highest district court share (32 per cent) while WA had the lowest (19 per cent); the NT had the highest supreme court share (47 per cent) and NSW had the lowest (6 per cent).

Expenditure in the civil jurisdictions was more equally distributed among the court levels in 1997-98. Nationally, the supreme court represented 51 per cent of expenditure, followed by the magistrates' courts (29 per cent) and the district/county courts (20 per cent). Across jurisdictions, the share of the supreme courts ranged from 73 per cent in Tasmania to 29 per cent in Victoria; the share of the magistrates' courts varied from 53 per cent in the NT to 27 per cent in Tasmania; and the share of the district/county courts ranged from 32 per cent in Queensland to 21 per cent in WA (figure 7.7).

Figure 7.8 Proportion of expenditure less in house revenue by court level, 1997-98^a

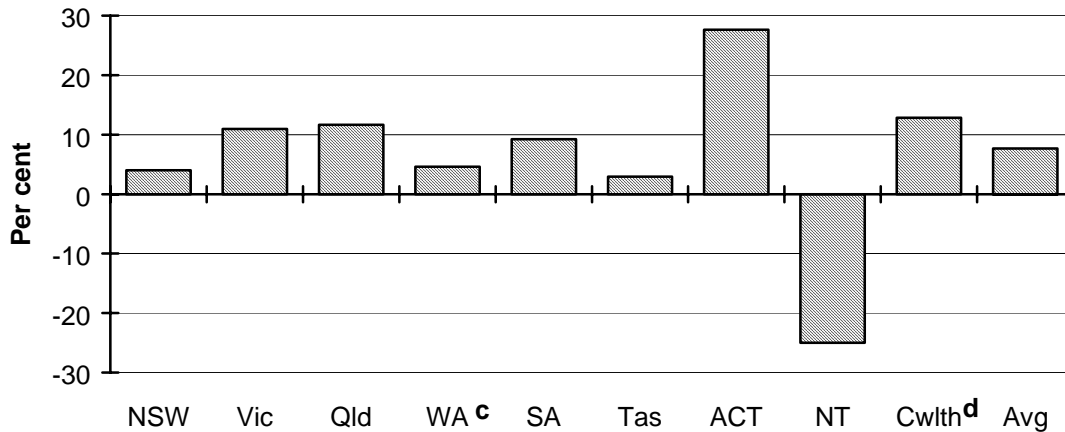


^a In-house revenue included earned by in-house providers of library court reporting and civil bailiff services providing services to external purchasers. ^b There is no district/county court in these States/Territories.

Data source: table 7A.4.

Expenditure on court administration increased by 8 per cent (in real terms) between 1994-95 and 1997-98. The trend in expenditure varied across the States and Territories. The NT exhibited a substantial (albeit artificial) real reduction in reported expenditure — down 25 per cent largely as a result of changes in the valuation method of court properties. The ACT increased its expenditure by 28 per cent, during this period a purpose built magistrates' court complex was established and a change in accounting practices to accrual accounting took place (figure 7.9).

Figure 7.10 **Change in real court administration expenditure less in house revenue, 1994-95 to 1997-98^{a, b}**



^a In-house revenue included earned by in-house providers of library court reporting and civil bailiff services providing services to external purchasers. ^b Excluded coronial and probate expenditure. ^c Included the WA Family Court. ^d Included the Federal Family Court.

Data source: table 7A.4.

7.2 Framework of performance indicators

Box 7.1 Objectives for court administration

Court objectives have been reported as the following:

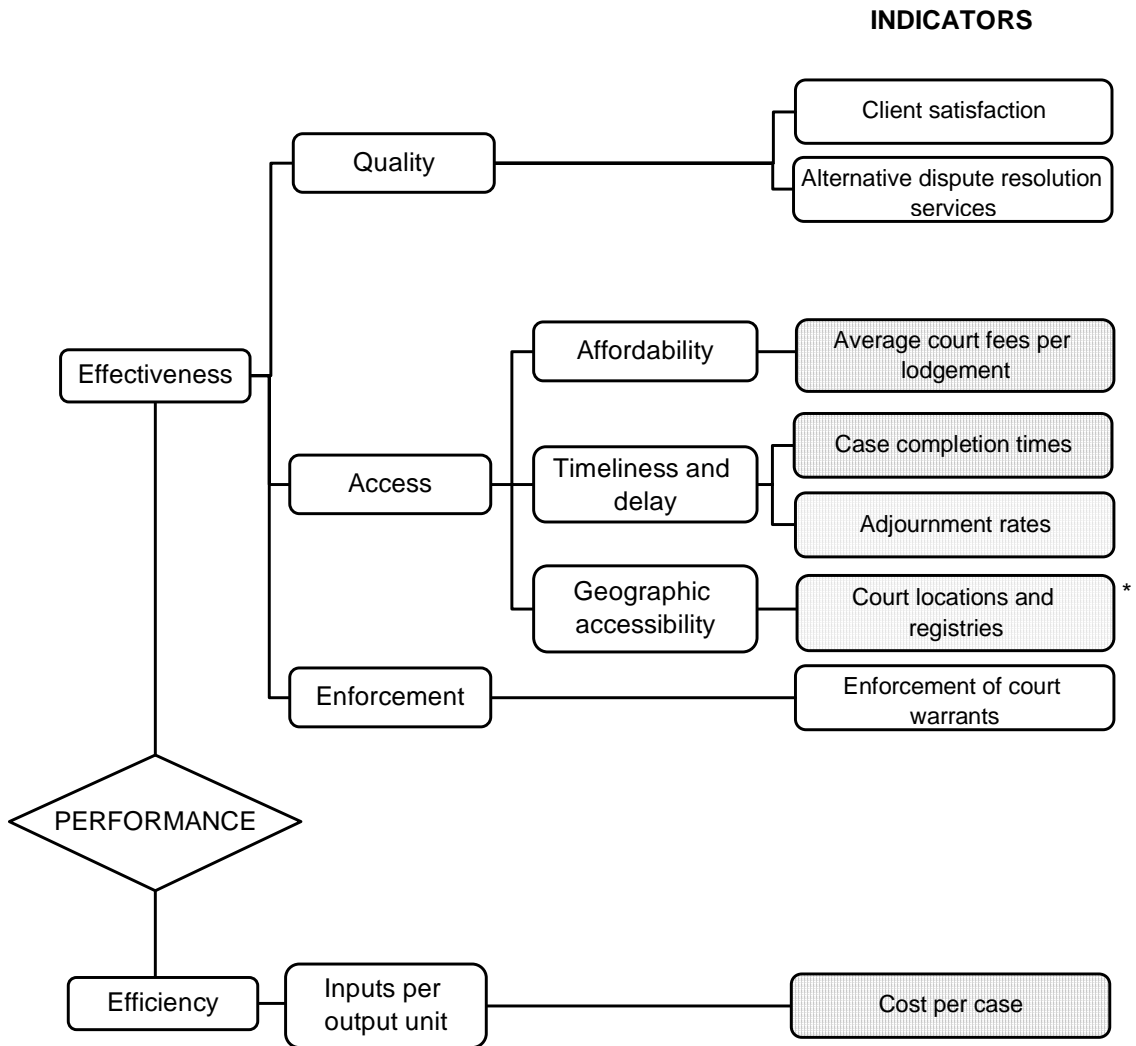
- to be open and accessible;
- to process matters in an expeditious and timely manner;
- to provide due process and equal protection before the law; and
- to be independent yet publicly accountable for performance.

Source: Commission on Trial Court Performance Standards (1989)

The framework of indicators for court administration has changed with the addition of new quality indicators for parts of the court system (figure 7.11). A description of all indicators is provided in attachment 7A.

The development of new indicators has also progressed in the area of timeliness. Outcomes for particular components of the court system (such as the dispute resolution services), are also being considered.

Figure 7.12 Performance indicators for court administration



Key to indicators

- Provided on a comparable basis for this Report
- Incomplete or not strictly comparable
- Yet to be developed or not collected for this Report
- * New indicator

7.3 Future directions

Using new and refined indicators

Opportunities to develop new and refined indicators for court administration include the following:

- the representation of Aboriginal and Torres Strait Islander people before the courts and the outcomes of their trials (to be reported in the context of the 'Justice preface');
- the availability of court services (such as interpreters and the provision of court forms in languages other than English) to people from diverse cultural and linguistic backgrounds;
- the performance of the court's diversionary strategies for settling disputes through mediation and conciliation; and
- the performance of the sheriff and bailiff offices in enforcing court orders and warrants.

Widening the collection scope

Tribunals represent an important specialist component of the delivery of dispute resolution services by the justice system. The data collection already covers small claims, credit and residential tenancies tribunals that operate as part of the magistrates' courts in some States and Territories. Specialist tribunals also operate in most States and Territories in the following areas, and therefore could be covered in Reports. They include:

- industrial relations;
- administrative appeals;
- equal opportunity and discrimination;
- environment, resource and development; and
- building reviews.

Measuring client satisfaction

The feasibility of developing a client satisfaction survey for the users of court administration services is being investigated. Results of the survey are planned to appear in the 2000 Report.

7.4 Key performance indicator results

Effectiveness indicators

Affordability

Court filing fees largely relate to civil cases. They are only part of the costs faced by litigants — legal fees being more significant — but they can be considerable. In 1997-98 court fees per lodgment in the superior courts were generally higher than in the magistrates' courts and the district/county courts. The Commonwealth had the highest level of fees per lodgment in the Federal Court (\$1151). NSW had the highest fees among the district/county courts (\$760) and the magistrates' courts (\$109). Probate fees were highest in the ACT (\$490) (table 7.6).

Table 7.6 Court fees per lodgment, 1997-98 (\$)

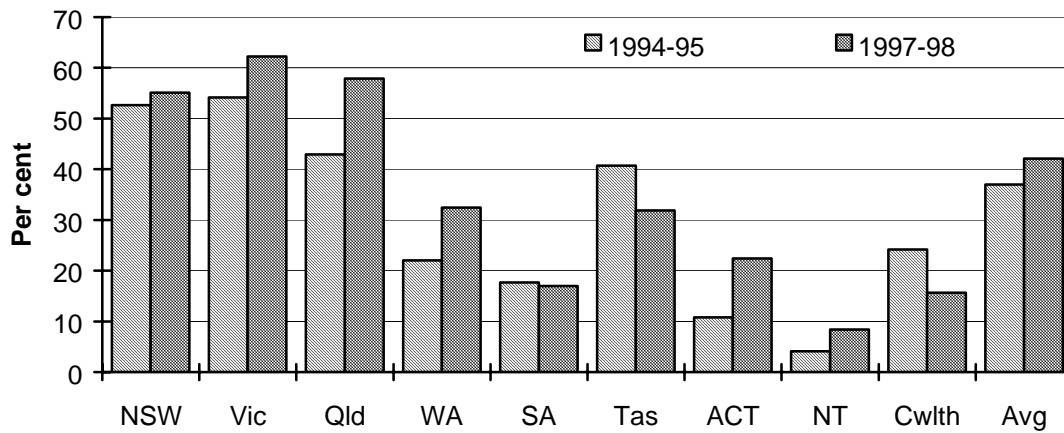
	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Cwlt h</i>	<i>Aust</i>
<i>Civil</i>										
Magistrates' court	109	77	121	57	54	48	49	101	..	92
District/county court	760	504	255	569	205	..	..	..	..	539
Supreme/federal court	1 009	1 116	612	660	389	114	456	55	1 151	832
Family court	..	..	..	122	..	..	..	..	120	120
All courts	169	124	148	119	71	61	93	97	176	144
<i>Probate</i>										
Supreme court	462	205	0	157	445	107	490	0	..	311

.. Not applicable.

Source: table 7A.7.

The level of cost recovery through court fees for the civil jurisdiction remained fairly stable on average, with civil court fees representing 42 per cent of total expenditure in 1997-98 compared to 37 per cent in 1994-95. The proportion increased across all States and Territories except SA, Tasmania and the Commonwealth (figure 7.13).

Figure 7.14 Civil court fees as a proportion of total civil expenditure^a



^a Included family courts.

Data source: table 7A.6

Timeliness

Timeliness is the duration between the lodgment of a matter with the court and its finalisation. Generally, lower courts complete a greater proportion of their workload in a shorter period of time, given the less complex nature of the matters heard.

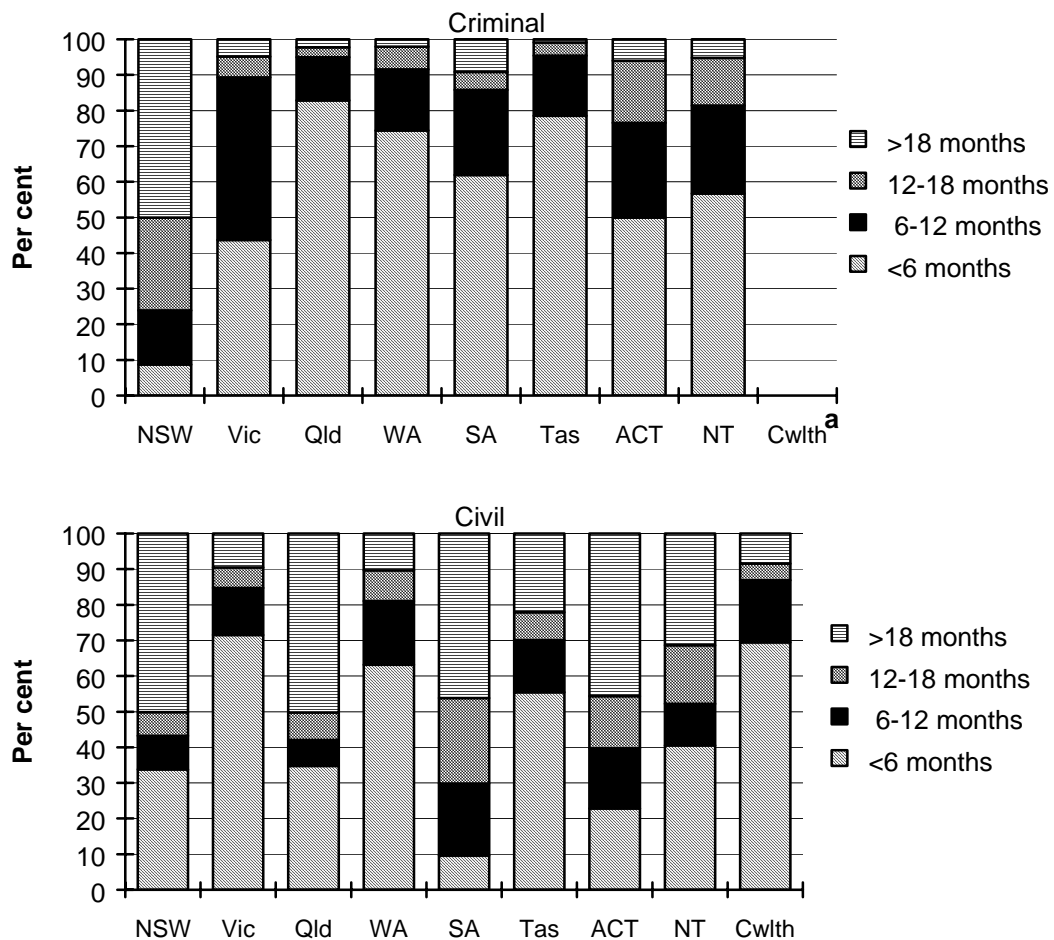
The criminal jurisdiction of the magistrates' courts in all States and Territories finalised at least 96 per cent of cases within six months in 1997-98. This ranged from 98 per cent of cases finalised within six months in Victoria to 70 per cent in the ACT. The civil jurisdiction of the magistrates' courts in all States and Territories finalised at least 88 per cent of cases within six months in 1997-98. This ranged from 98 per cent of cases finalised within six months in Victoria to 80 per cent in the ACT. Case finalisation times were longer in the civil jurisdiction, reflecting the different case flow management practices and the priority given to criminal matters.

District/county courts in all States and Territories finalised 68 per cent of criminal cases within six months. This ranged from 83 per cent of cases finalised within six months in Queensland to 40 per cent in NSW. District/county courts in all States and Territories finalised 18 per cent of civil cases within six months. This ranged from 38 per cent of cases finalised within six months in SA to 8 per cent in NSW.

Across Australia, on average, at least 85 per cent of coronial cases were finalised within six months in 1997-98. SA had the largest proportion of coronial matters finalised within six months (97 per cent) and the NT had the lowest (34 per cent).

On average, supreme courts in all States and Territories finalised 69 per cent of criminal cases within six months. This ranged from 83 per cent of cases finalised within six months in Queensland to 9 per cent in NSW. Supreme courts in all States and Territories and the Commonwealth finalised 50 per cent of civil cases within six months, on average. This proportion ranged from 71 per cent in Victoria to 10 per cent in SA (table 7.7, figure 7.15).

Figure 7.16 **Proportion of non-appeal matters finalised, supreme/federal court, 1997-98**



^a Did not operate in this jurisdiction.

Data source: table 7A.8.

Table 7.7 Non-appeal matters finalised, 1997-98 (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>Cwlt h</i>	<i>Avg</i>
<i>Criminal</i>										
Magistrates' court										
<6 months	97	98	97	92	94	88	70	87	..	96
6-12 months	2	1	1	6	4	11	20	8	..	3
12-18 months	0	0	1	1	1	1	5	2	..	1
>18 months	0	0	1	1	1	0	5	3	..	1
District/county court										
<6 months	40	70	83	67	67	..	..	..	..	68
6-12 months	33	20	11	17	23	..	..	..	..	19
12-18 months	13	7	4	13	5	..	..	..	..	8
>18 months	14	3	2	4	4	..	..	..	..	5
Supreme court										
<6 months	9	44	83	74	62	79	50	57	..	69
6-12 months	15	46	12	17	24	17	27	25	..	19
12-18 months	26	6	3	6	5	4	17	13	..	7
>18 months	50	5	2	2	9	1	6	5	..	5
<i>Coronial</i>										
Magistrates' court										
<6 months	95	81	65	76	97	67	87	34	..	85
6-12 months	3	12	19	20	3	19	8	25	..	9
12-18 months	1	3	10	3	0	5	2	22	..	3
>18 months	1	4	6	2	0	8	3	19	..	3
<i>Civil</i>										
Magistrates' court										
<6 months	87	98	83	na	83	na	80	82	..	88
6-12 months	9	1	10	na	10	na	11	8	..	7
12-18 months	2	0	3	na	4	na	4	3	..	2
>18 months	2	0	4	na	3	na	5	7	..	2
District/county court										
<6 months	8	19	25	30	38	..	..	..	..	18
6-12 months	31	22	15	19	24	..	..	..	..	24
12-18 months	17	37	15	12	14	..	..	..	..	20
>18 months	45	23	46	40	24	..	..	..	..	37
Supreme/federal court										
<6 months	34	71	35	63	10	55	23	41	69	50
6-12 months	9	13	7	18	20	15	17	12	17	13
12-18 months	7	6	8	9	24	8	15	16	5	7
>18 months	50	10	50	10	46	22	46	31	8	30

na Not available. .. Not applicable.

Source: table 7A.8.

Appeals from lower courts are predominantly heard by the district courts and supreme courts of the States and Territories. The full bench of the Federal Court also hears appeals from a single Federal Court Justice. Criminal appeals are generally shorter than civil ones. On average, 60 per cent of criminal appeals and 44 per cent of civil appeals were finalised within six months. The Queensland Supreme Court finalised 90 per cent of criminal appeals in less than six months while the NSW Supreme Court finalised 33 per cent. The NT Supreme Court finalised 82 per cent of civil appeals in less than six months while the Tasmanian Supreme Court finalised 22 per cent (table 7.8).

Table 7.8 Appeal matters finalised, supreme/federal courts, 1997-98 (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>Cwlth</i>	<i>Ava</i>
<i>Criminal</i>										
<6 months	33	57	90	53	84	69	66	36	..	60
6-12 months	45	29	7	40	14	18	34	52	..	28
12-18 months	14	6	2	7	2	7	0	12	..	7
>18 months	9	8	1	0	0	5	0	0	..	5
<i>Civil</i>										
<6 months	39	60	36	46	38	22	61	82	37	44
6-12 months	24	21	41	34	42	40	37	16	11	23
12-18 months	13	14	16	10	5	27	2	2	7	10
>18 months	25	5	7	11	15	11	0	0	44	23

.. Not applicable.

Source: table 7A.11.

Committals are the first stage of hearing indictable (serious) offences in the criminal court system. A Magistrate in a committal hearing assesses the sufficiency of evidence presented against the defendant and decides whether to commit the matter for trial in a superior court. Defendants are often held in custody pending a committal hearing and trial if ordered. The timely conduct of the committal hearing, on the court's receipt of the charge sheet, is therefore important for timely adjudication of the charges against the defendant.

On average, 59 per cent of committal hearings are finalised within three months of the receipt of charges by the court and a further 26 per cent are finalised in the subsequent three months. Performance varied considerably across the States and Territories: for example, while NSW finalised 65 per cent of committals within three months, Victoria finalised 29 per cent. The NT had the largest proportion of cases finalised in more than 12 months (11 per cent), although matters finalised

under three months in the NT improved from 31 per cent in 1996-97 to 34 per cent in 1997-98 (table 7.9).

Table 7.9 **Committal (criminal) matters finalised, magistrates' courts, 1997-98 (per cent)**

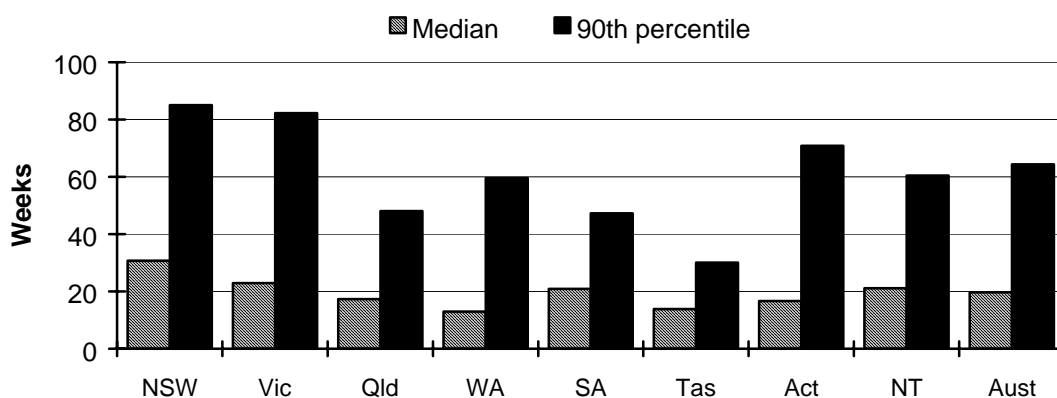
	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Cwlth	Avg
<3 months	65	29	63	62	59	na	42	34	..	59
3-6 months	21	34	29	19	35	na	25	31	..	26
6-12 months	9	29	6	18	5	na	27	25	..	11
>12 months	5	8	1	1	1	na	7	11	..	3

na Not available .. Not applicable.

Source: table 7A.12

The median period between initiation and finalisation (point at which half the cases had been finalised) was 19.7 weeks in Australia in 1996-97 for district/county and supreme courts. This ranged from 30.7 weeks in NSW to 13.0 weeks in WA. Ninety per cent of cases were finalised within 64.4 weeks in Australia in 1996-97. This proportion ranged from 85.0 weeks in NSW to 30.1 weeks in Tasmania (figure 7.9).

Figure 7.9 **Defendants finalised, duration from initiation to finalisation, district/county and supreme courts 1996-97**



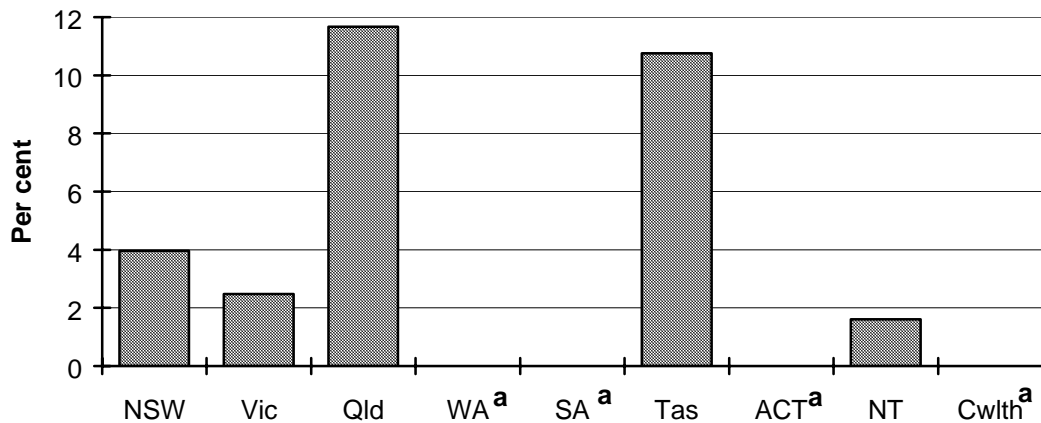
Data source: table 7A.13.

Adjournments on the first day of hearing

The varying timeliness of courts partly reflects the number of adjournments. Adjournments at the request of the parties are generally considered to be outside the control of the court, and they may occur when the parties are not ready or a witness is not available. Adjournments may also occur at the request of the court in instances such as overlisting (where court administrators expect a proportion of their case load on any particular day to not proceed and therefore list some standby matters so as to maximise the use of court proceedings).

Court requested adjournments, as a proportion of total civil hearings initiated, in the supreme/federal courts varied from approximately 12 per cent in Queensland to approximately 2 per cent in the NT (figure 7.10).

Figure 7.10 **Court requested adjournments on the first day of hearing as a proportion of total civil hearings, supreme/federal court, 1997-98**



^a Not available.

Data source: table 7A.14.

Geographic accessibility

Providing rural communities with access to judicial services can be a significant cost for court administration agencies. The services provided to improve the accessibility of courts to rural and remote communities include:

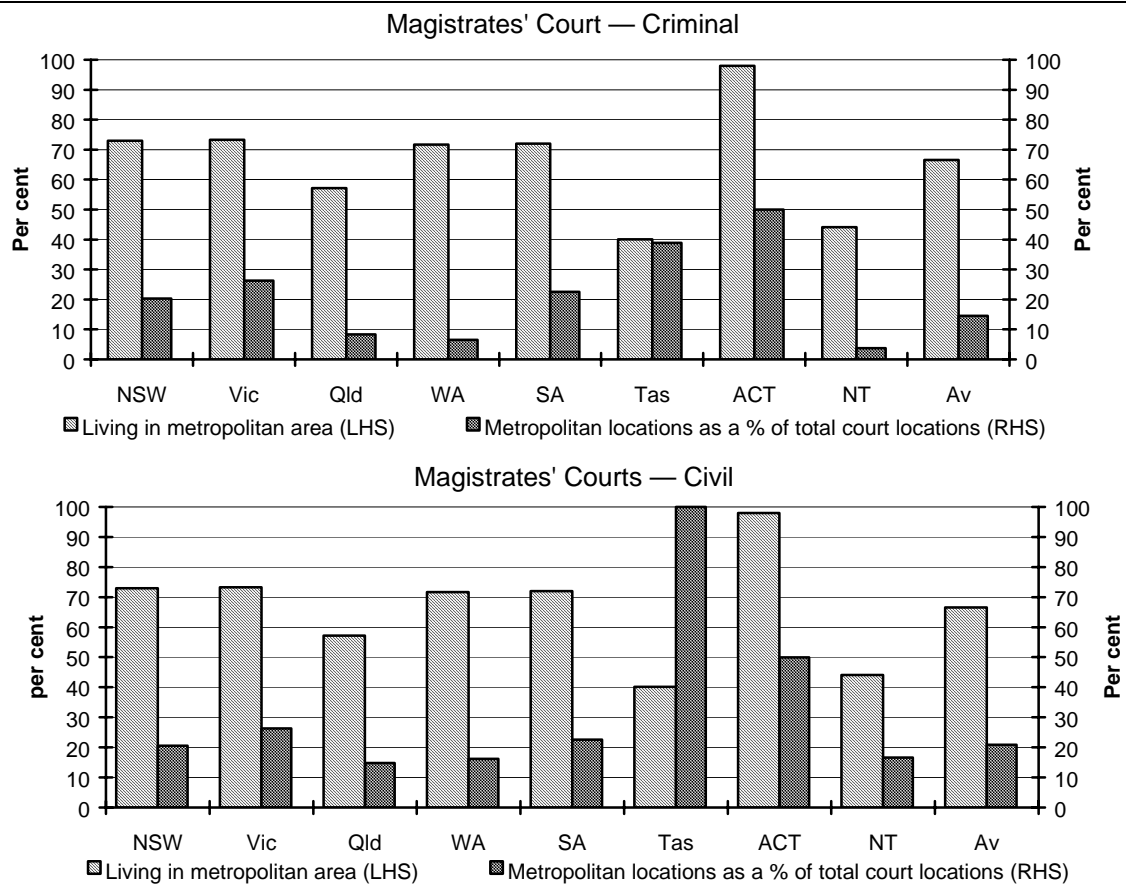
- judicial circuits where Magistrates and Judges tour rural court houses to hear cases;
- the location of magistrates' courts in police stations, whereby police officers and Justices of the Peace staff the courts (when Magistrates are not available);
- occasional caravan courts by superior courts in remote areas; and
- video conferencing facilities to link capital city court houses to witnesses in remote locations.

One indicator of the accessibility of court services is the relationship between the proportion of magistrates' court locations in either metropolitan or nonmetropolitan areas and the proportion of the population residing in either metropolitan or nonmetropolitan areas of the State or Territory. Except for the ACT and Tasmanian criminal jurisdictions, all States and Territories had a larger proportion of their court locations in metropolitan areas in 1997-98.

Generally, States and Territories with relatively high proportions of their population in metropolitan areas also had a higher proportion of court locations in metropolitan areas in 1997-98. In the criminal jurisdiction, NSW and Victoria had 73 per cent of their populations in a metropolitan area and 20 per cent and 26 per cent of court locations in a metropolitan area respectively. The NT has one of the smallest proportions of population in a metropolitan area (44 per cent) and also the lowest share of court locations in a metropolitan area (4 per cent). The ACT had the highest percentage of the population in a metropolitan area (98 per cent) and 50 per cent of locations outside a metropolitan area (because one of its two locations was at Jervis Bay).

The pattern is similar in the civil jurisdiction, with a slightly higher proportion of locations in metropolitan areas. NSW and Victoria had 73 per cent of their populations in a metropolitan area and 21 per cent and 26 per cent of court locations in a metropolitan area respectively. Queensland had the third lowest proportion of population in a metropolitan area (57 per cent) and the lowest share of court locations in a metropolitan area (15 per cent). The exceptions were Tasmania — which had 40 per cent of its population in a metropolitan area yet heard civil cases in its magistrates' courts in only metropolitan areas — and the ACT — which had 98 per cent of its population in a metropolitan area and the second highest proportion of locations in a nonmetropolitan area (50 per cent) (figure 7.11).

Figure 7.11 Court locations and populations in metropolitan areas, 1997-98^{a, b}



a Court locations included permanent, temporary and registries without hearings. **b** Metropolitan areas included State and Territory capital city statistical divisions and other metropolitan areas (which were urban centres of 100 000 or more). Nonmetropolitan areas included remote areas (which were defined in terms of low population density and long distances to large population centres) and rural areas (which included the remainder of nonmetropolitan statistical local areas).

Data source: table 7A.15.

Efficiency indicators

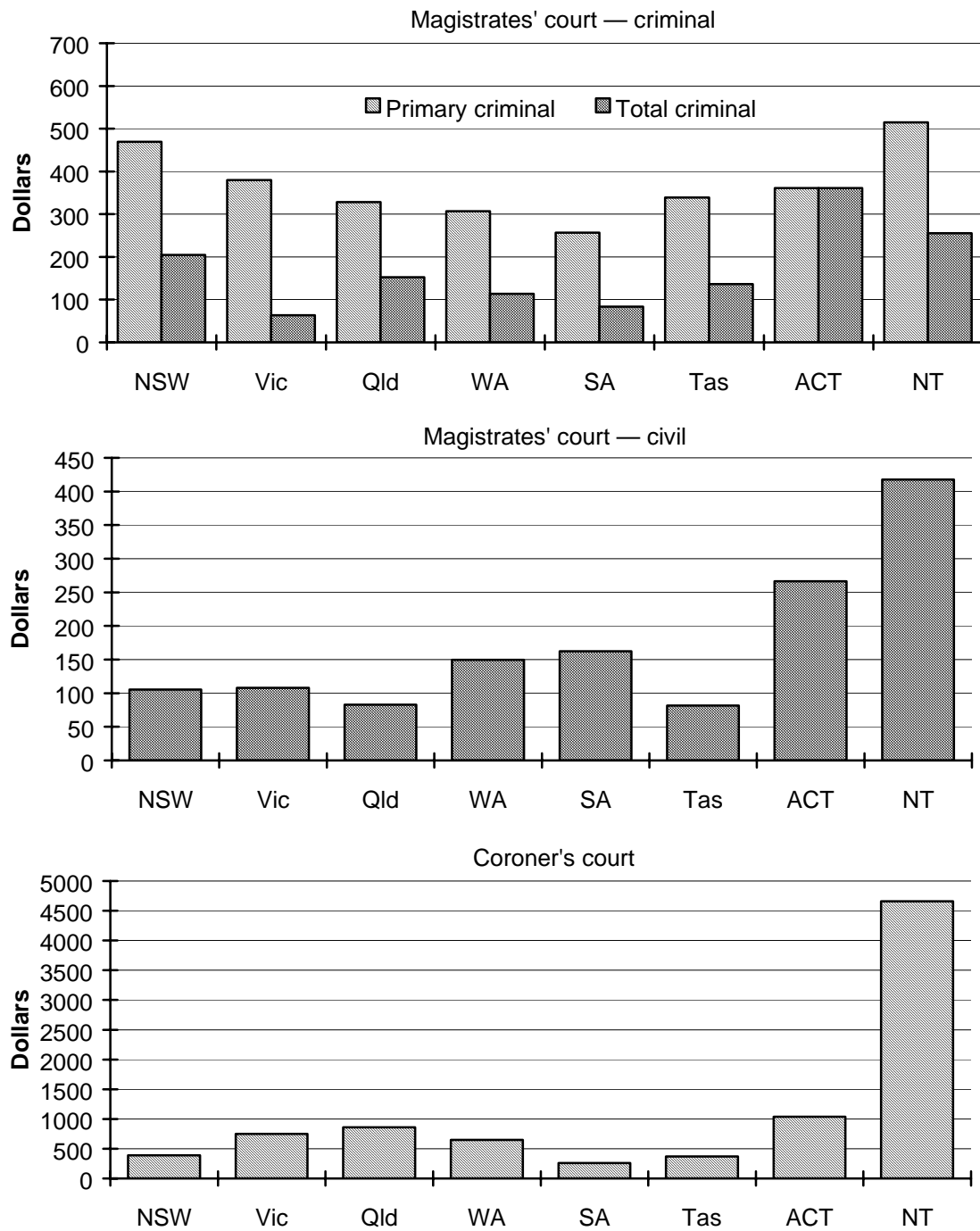
Some differences in indicator results for jurisdictions may reflect different counting and reporting rules for generating financial data. Differences may also reflect the treatment of various expenditure items (for example, superannuation).

Expenditure per lodgment (including accommodation costs) for each court jurisdiction varied considerably both among States and Territories and over time.

Expenditure per lodgment for magistrates' courts (criminal) was highest in the ACT with (\$361) and lowest in Victoria (\$64) in 1997-98. Unit costs in the civil jurisdiction were highest in the NT (\$418) and lowest in Tasmania (\$82). Expenditure per primary criminal lodgment (that is, excluding minor traffic matters)

was highest in the NT (\$515) and lowest in SA (\$257). The coroner's court cost per reported death and fire was highest in NT (\$4660) and lowest in SA (\$260) (figure 7.12).

Figure 7.12 Expenditure less in house revenue per lodgment, lower courts, 1997-98^a

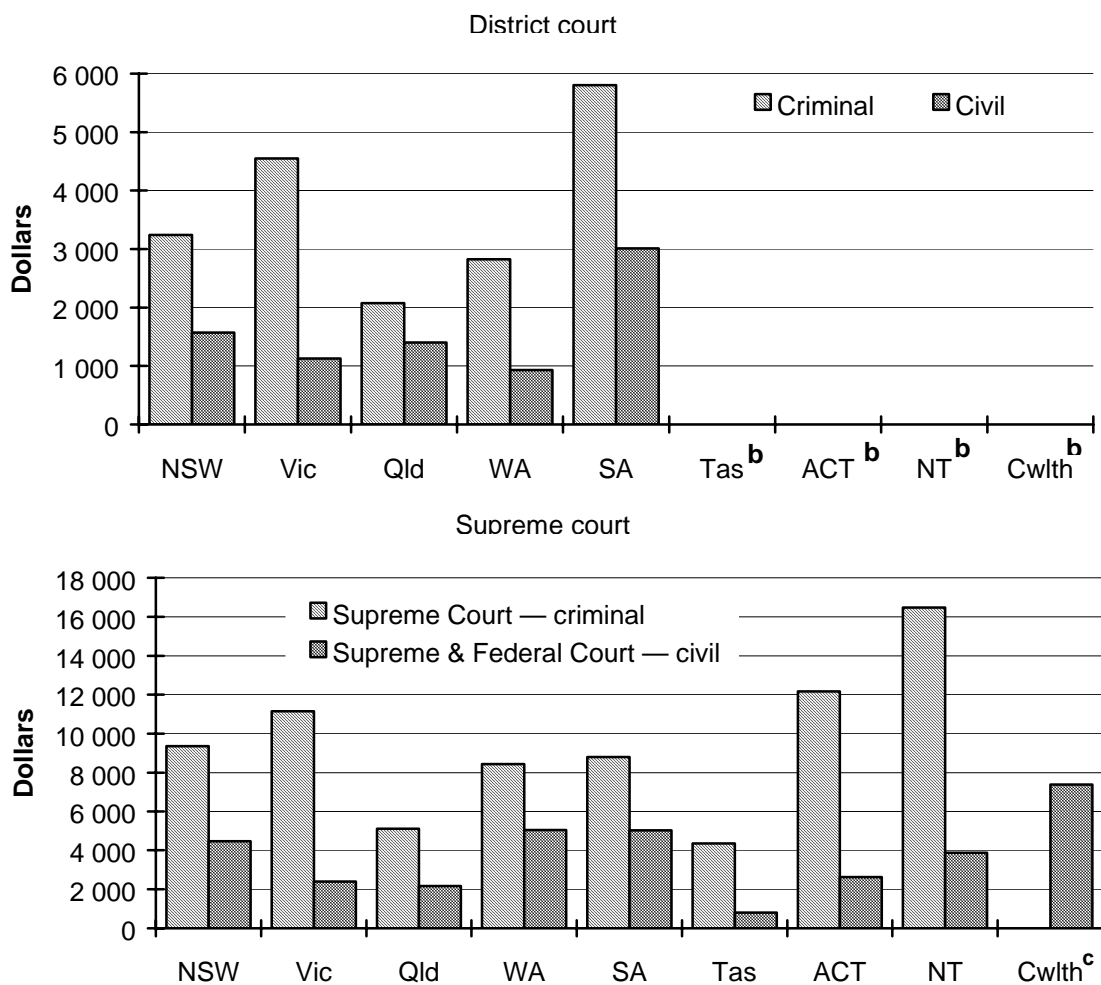


^a In-house revenue included earned by in-house providers of library court reporting and civil bailiff services providing services to external purchasers.

Data sources: table 7A.16 and table 7A.17.

District/county court unit costs were highest in SA for both the criminal (\$5805) and civil (\$3010) jurisdictions. Queensland had the lowest unit costs for criminal cases (\$2077) and WA had the lowest costs for civil cases (\$931). The NT had the highest criminal supreme court costs per lodgment (\$16 467) while Tasmania had the lowest (\$4353). The Commonwealth had the highest civil costs per lodgment in the Federal Court (\$7393) while Tasmania had the lowest costs in its Supreme Court (\$806) (figure 7.13).

Figure 7.13 Expenditure less in house revenue per lodgment, superior courts, 1997-98^a



^a In-house revenue included earned by in-house providers of library court reporting and civil bailiff services providing services to external purchasers. ^b District/county court did not exist or operate in Tasmania, ACT, NT or the Commonwealth. ^c Supreme court criminal did not operate in the Commonwealth jurisdiction.

Data source: table 7A.16.

Expenditure per lodgment amongst family courts was \$632 for the Family Court of WA and \$843 for the Family Court of Australia. Expenditure per lodgment for the family courts compared favourably to that of the other superior courts (table 7A.16).

Nationally, expenditure per lodgment in the criminal jurisdiction decreased by 21 per cent in (real terms) between 1994-95 and 1997-98, and unit costs in the civil jurisdiction increased by 10 per cent. There were significant changes to the unit costs of individual courts: for example, expenditure per criminal case fell in the Tasmanian Supreme Courts, the WA District Court and the Tasmanian Magistrates' Court, while expenditure per civil case increased in the NSW District Court and the Federal Court. A change in jurisdiction has resulted in a change in cost structure for the Federal Court following the transfer of a large number of low cost, short matters in bankruptcy to the Insolvency Trustee Service of Australia. However, the Federal Court has also been given new jurisdiction for other areas of complex law, which will lead to greater equalisation of that cost structure (table 7.10).

Table 7.10 Change in expenditure less in-house revenue per lodgment 1994-95 to 1997-98 (in 1997-98 dollars, per cent)^a

	<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	-20	-17	-10	-21	-26	-39	26	6	..	-18
District/county court	-18	-9	-15	-33	31	..	..	..	..	-15
Supreme court	-12	-31	5	16	-11	-36	22	-24	..	-11
All courts	-22	-11	-15	-35	-29	-42	39	-15	..	-21
<i>Civil</i>										
Magistrates' court	0	61	-4	-35	-6	-25	35	-30	..	2
District/county court	184	22	-15	-23	-27	..	..	..	..	37
Supreme/federal	35	11	-32	-3	82	72	-7	-72	250	59
All courts	20	33	-16	-20	-1	32	31	-38	250	10
Family court	..	..	..	-22	..	..	..	..	-8	-10
<i>Criminal and civil</i>										
Magistrates' court	-15	3	-8	-28	-21	-28	33	-11	..	-12
District/county court	24	7	-15	-27	-4	..	..	..	..	3
Supreme court	27	12	-22	-1	54	26	4	-55	254	48

^a In-house revenue included earned by in-house providers of library court reporting and civil bailiff services providing services to external purchasers. .. Not applicable.

Source: table 7A.16.

7.5 Jurisdictions' comments

This section provides comments from each jurisdiction on the services covered in this chapter. Appendix A contains detailed statistics and short profiles on each State and Territory, which may assist in interpreting the performance indicators presented in this chapter. The information covers aspects such as age profile; geographic distribution of the population; income levels; education levels; tenure of dwellings; and cultural heritage (such as aboriginality and ethnicity).

New South Wales Government comments

“ NSW continues to promote a professional court administration, with a strong commitment to client service delivery. There have been a number of initiatives undertaken to improve court efficiency and the delivery of services to the community:

- continuation of the acting judges delay reduction program in the civil jurisdiction of both the Supreme Court and the District Court.
- the transfer of civil cases involving motor accident claims and other matters where the amount claimed does not exceed \$750 000 from the Supreme Court to the District Court. This transfer of functions is designed to release resources in the Supreme Court to process more complex and time-consuming cases. However, it is expected that the transfer of cases with a shorter median processing time will affect the timeliness data for the Supreme Court.
- the transfer of fine enforcement functions from the Local Courts to the State Debt Recovery Office will release resources to deal with increased demand on court services.

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

- the net increase in expenditure for both the Supreme Court and District Court is to a large part due to the acting judges programs and associated costs.
- the timeliness in the Supreme Court and District Court, as expected, show little improvement in the civil jurisdiction. This is due largely to the acting judges programs targeting old pending matters and complex matters.
- the geographic data emphasises the extent to which NSW is committed to the provision of court services to rural and remote areas. The nature of the demographic spread means that the provision of such services across the State carries a cost.

New initiatives to take effect next year include:

- Australia's first drug court, based on an American system which is reported to have achieved significant reductions in drug use, crime and recidivism.
 - new court facilities consistent with new population growth centres.
 - a continuing effort in the criminal courts to address delays, aided by additional resources from Government.
- ”

Victorian Government comments

“

Victoria is continuously seeking to improve the performance of the Courts and the justice system. During 1997-98 an extensive program of administrative, service delivery and legislative reforms were implemented. Major achievements include:

- Legislation has been enacted to streamline procedures in the Residential Tenancies list of the Victorian Civil and Administrative Tribunal and to allow the provision of default judgements.
- The video conferencing network has been extended to 30 courtrooms in the Melbourne County and Magistrates' Courts and nine regional centres. The Network provides improved access to the Courts and has significantly reduced costs for parties to criminal and civil proceedings and expert witnesses.
- The Victorian Government Reporting Service won a 1998 Australian Quality Award for Business Excellence.
- The Courts Capital Infrastructure Program has been extended with construction commenced on new court complexes at Ballarat, Sunshine and Wodonga. In addition a major refurbishment of the Supreme Court library was completed in 1998.
- The Magistrates' Court has implemented a number of new initiatives which provide assistance to Magistrates in the handling of matters before the Court. These include the Juvenile Justice Court Liaison Service and the Disability Co-ordinator. Additionally, the Forensic Mental Health Court Liaison Service was extended to the Broadmeadows Court.
- The Pre-Trial Diversion Scheme was piloted at the Broadmeadows Magistrates' Court and has been extended to the Mildura Magistrates' Court. The Scheme aims to divert minor offenders from the trial process.
- A review of the jury system was undertaken to ensure that juries are more representative of the community and to establish more efficient administrative procedures. Legislation will be introduced into Parliament in Autumn 1999 session.

Specific comments regarding the performance of the Courts as outlined in this Report are:

- The finalisation of criminal matters during 1997-98 has improved significantly in each Court jurisdiction. The finalisation of civil matters continues at a high standard.
- The Victorian Court system continues to deliver the most cost effective services in the combined criminal and civil jurisdictions.

”

Queensland Government comments

“ The survey reveals that court services throughout Queensland in 1997-98 maintained high standards of efficiency and effectiveness, with the timeliness of the higher criminal courts again achieving best practice.

An anomaly in the Report relating to adjournments is accounted for by Queensland's use of rolling lists which maximises courts availability but identifies as adjournments matters which did not proceed immediately to trial.

Significant improvements achieved during the year included:

- appointment of two additional judges;
- appointment of two acting District Court judges for varying periods;
- a capital works program involving nine courthouses;
- commencement of stage two of the upgrade and extension of the computerised information system;
- expansion of the number of Dispute Resolution Centres;
- commencement of pilot programs for courts using indigenous Justices of the Peace in remote communities;
- release of a report *Interpreters in the Courts*, following a comprehensive study of language services in the courts;
- productivity increase of 2.5 per cent by the State Reporting Bureau.

In 1998-99 Queensland courts adopt a model of accrual output budgeting known as *Managing for Outcomes*, an integrated approach to planning, budgeting and performance management which has been tailored to the States priorities and conditions. This has been augmented by continued efforts to improve services to clients and stakeholders.

”

Western Australian Government comments

“

1997-98 has seen court administration develop and refine effectiveness and efficiency indicators within the Governments resource management framework, termed output based management (OBM). OBM is based on the purchaser provider principle.

The development of effectiveness and efficiency indicators for both of the major outputs of case processing, and, enforcement of orders, has provided valuable information into the relative effectiveness and efficiency of the various jurisdictions within Western Australia.

One major initiative arising from the output based management approach is the development of a customer satisfaction survey. Results emanating from the survey will in the future have a significant bearing on resource allocation and service delivery. It is intended that shortfalls in service delivery and areas for improvement be gleaned from the survey results and considered by both an “independent” customer service council, and the jurisdiction itself. Issues with merit will then be incorporated into the jurisdiction’s strategic and business planning processes.

Notwithstanding the customer satisfaction survey, the division had previously commenced a raft of new initiatives including:

- An agreed capital works building program to build or upgrade court facilities at Fremantle, Busselton, South Hedland and Rockingham.
- Commissioning four state of the art, electronic criminal trial courts for use by the District Court.
- The development of a generic court computing system capable of implementation across all jurisdictions. Due to early interest in the system from outside of Western Australia, commercialisation of the system is being explored.
- Implementation of video conferencing technology into the Kalgoorlie regional court, and approval to proceed with implementation into three further regional courts. The video conferencing initiative is supported by new legislation relating to remand appearances by video becoming compulsory where facilities exist.
- Establishment of specialist courts including domestic violence court, drugs court, traffic court and extended hours courts.

The determination of future strategies to address areas of improvement will naturally include initiatives developed in other states and overseas. In that respect the benchmarking exercise will continue to provide an insight into comparative jurisdictions.

”

South Australian Government comments

“ When viewing the total expenditure on court administration in South Australia at the aggregate level, the efficiency data show that the cost in 1997-98 was similar to the previous year. However, at the jurisdictional level it can be seen that the cost per lodgement changed.

Changes in the number of lodgments remains a significant factor affecting the variances in the cost per lodgement, especially in the lower jurisdictions. In the Magistrates Court, there has been some increase in lodgments. In the civil jurisdiction of the Magistrates Court, the increase in lodgments can be attributed primarily to a major Authority implementing a new debt recovery structure to recover through the Courts amounts outstanding that, in the past, would have been written off.

In the criminal jurisdiction of the Magistrates Court, the increase in lodgments can be largely attributed to the following four factors:

1. The introduction of the Expiation of Offences legislation has facilitated the “prosecution” of minor matters, and the process of following up on unpaid expiation notices is much simpler. Local Government agencies in particular are registering a far greater number of unpaid expiation notices with the court for enforcement;
2. During the first three months of the 1997-98, year old prosecutions were still being cleared through the court system at the same time as the new expiation enforcement process was being used. It is estimated that this “doubling up” probably involved some 10 000 matters;
3. Prosecutions were initiated for failing to vote at the State election. This one off event resulted in about 5000 matters being lodged with the court; and
4. The introduction of improved speed detection devices has resulted in more speeding offences being detected. This has a roll-on effect in terms of lodgments.

Variations in cost in the civil jurisdiction have arisen due to major redevelopment of the courts IT system in this area.

A major priority for the Authority during 1998-99 will be implementing the recommendations of the Court Process Review Project in the civil jurisdiction. Expenditure on IT will also increase as the Courts Administration Authority’s systems are made year 2000 compliant.

”

“ Tasmanian Government comments

Tasmanian jurisdiction comprises the Supreme Court and Magistrates Court. There is no intermediate court in Tasmania.

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.

The survey continues to provide benchmarking standards for use in performance monitoring within the courts. The courts are committed to the review process, but would like development of that process to include qualitative data, particularly in terms of differentiation between types of cases. Currently the Supreme Court of Tasmania in its civil jurisdiction deals with a range of cases that would be dealt with in all three jurisdictions in other courts. This makes a true comparison difficult.

In 1998 the Magistrates Court Civil Division increased the jurisdiction of the Magistrates Court from \$5 000 to \$20 000. The new Rules, based upon the South Australian Rules, introduce case management from an early stage and compulsory conciliation. It is expected that 50 per cent of the lodgments in the Supreme Court will transfer to the Magistrates Court. This will significantly increase the unit cost of Supreme Court cases without affecting the real work load of the Supreme Court.

”

Australian Capital Territory Government comments

“ The report recognises that the structural differences between a two-tiered court system and a three-tiered court system must be taken into account when comparing performance between States and Territories for specific court jurisdictions’ indicators. The ACT has a two-tiered court system. In many cases the most appropriate comparison for both the Magistrates’ Court and the Supreme Court is with the intermediate courts in other jurisdictions or with the average across the jurisdiction figures. A clear example of this is the delay in the finalisation of civil cases in the ACT Supreme Court. A large proportion of the Supreme Court’s civil caseload is in the area of personal injuries. These cases, by their very nature, take longer than many other types of cases to finally determine. In some other jurisdictions intermediate courts deal with such cases.

Whilst the unit cost per case in both civil and criminal jurisdictions in the ACT Magistrates’ Court is relatively high when compared to other 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.

The Report notes that there has been an increase of 28 per cent in expenditure on court administration from 1994-95 to 1997-98. During this period a purpose built Magistrates’ Court complex was established and a change in accounting practices to accrual accounting took place as well as the incorporation of a superannuation factor in expenditure. Apart from these factors, in real terms, there has been no increase in the operating expenditure of the courts.

The Territory courts continue to embrace case management practices and technology to improve efficiency in the administration of justice through the courts. ”

Northern Territory Government comments

“ In common with the ACT, the court system of the NT is two-tiered in nature, as opposed to all States (with the exception of Tasmania) which have three-tiered structures. This factor is relevant when interjurisdictional comparisons are made, such as the disproportionately high number of civil matters heard in the NT Supreme Court which would normally have been dealt with by an intermediate court. To correct this imbalance, the jurisdiction of the Local and Small Claims Courts has recently been increased to \$100 000 and \$10 000 respectively.

The small population and diverse nature of the populace of the NT, combined with the Territory's huge 1.3 million square kilometre area, is not conducive to economies of scale. Higher costs in the NT result from a need to provide reasonable access to justice in remote communities; there are five court registries serving the main population areas and courts sit in 28 separate locations. Costs are further exacerbated by the fact that trials involving persons of Aboriginal and Torres Strait Islander descent (24.4 per cent) are usually lengthier owing to such things as language difficulties and the remoteness of aboriginal communities.

The high unit costs in the NT's civil jurisdiction will be largely defrayed in the forthcoming reporting year, observing that court fees were increased in the last quarter of the reporting year by 100 per cent, thereby rendering them comparable with other states and the ACT.

An important initiative undertaken to improve the efficiency of the court system is the commencement of a study into the report of Professor Stephen Parker of the Faculty of Law, Griffith University, commissioned by the Australian Institute of Judicial Administration Inc: "Courts and the Public". The study will identify the extent the NT is meeting Professor Parker's recommendations, the applicability and desirability of those recommendations, and consideration as to whether or not they ought to be implemented.

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