
9 Court administration

This chapter covers the performance of court administration for State and Territory supreme, district/county and magistrates' courts, coroners' courts, probate registries, the Federal Court of Australia, the Family Court of Australia and the Family Court of Western Australia. The focus of this Report is on the administration of the courts, not the outcomes of the legal process.

A profile of court administration is presented in section 9.1 and policy developments are summarised in section 9.2. A framework of performance indicators is outlined in section 9.3 and data are discussed in section 9.4. There have been no major changes to the framework or scope of this year's data collection, but data quality continually improves. Future directions for performance reporting are discussed in section 9.5. Jurisdictions' comments are provided in section 9.6 and the chapter concludes with definitions (section 9.7).

Supporting tables for chapter 9 are provided on the CD-ROM enclosed with the Report. The files are provided in Microsoft Excel 97 format as `\Publications\Reports\2001\Attach9A.xls` and in Adobe PDF format as `\Publications\Reports\2001\Attach9A.pdf`.

Supporting tables are identified in references throughout this chapter by an 'A' suffix (for example, table 9A.3 is table 3 in the electronic files). They may be subject to revision. The most up-to-date versions of these files can be found on the Commission's Review web page (www.pc.gov.au/service/gsp/2001/). Users without Internet access can contact the Secretariat to obtain up-to-date versions of these tables (see details inside of the front cover of the Report).

9.1 Profile of court administration services

Service overview

Court administration agencies throughout Australia provide a range of services integral to the effective performance of the judicial system. The primary functions of court administration agencies are to:

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- 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.

Roles and responsibilities

Court structures

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. They also develop the law and operate as courts of judicial review or appeal (figure 9.1).

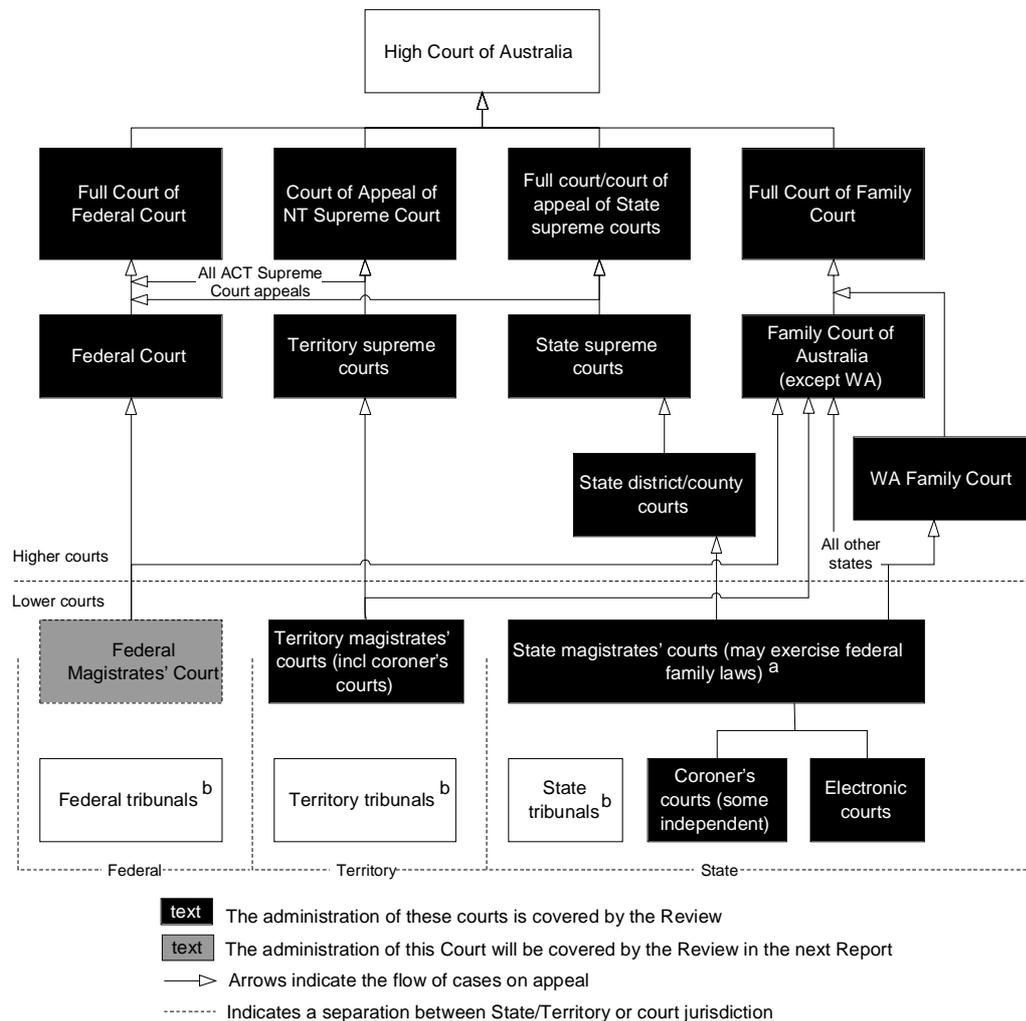
The structure of courts differs across States and Territories. Tasmania and the Territories do not have district/county courts (two-tier systems), and only WA has a Family Court (that is, the Family Court of Australia has jurisdiction in all other States and Territories).

There are also differences in the jurisdictions of courts across States and Territories. In general, magistrates' courts have jurisdiction over summary criminal matters, traffic infringements and committal proceedings. District/county courts have jurisdiction over indictable criminal matters and appeals from magistrates' courts. Generally, supreme courts have jurisdiction over serious criminal matters.

Differences in court jurisdictions can mean that the allocation of cases to courts varies across States and Territories. As a result, the seriousness and complexity of cases heard in each jurisdiction's equivalent court often varies. These factors should be taken into account when comparing performances across States and Territories for specific court jurisdictions' indicators. Differences in the allocation of cases to courts are shown in table 9A.21. The allocation of responsibility between court administration and other elements of the system (including the judiciary) also varies across the State, Territory and Commonwealth legal systems.

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.

Figure 9.1 Major relationships between courts in Australia



^a Appeals from lower courts in NSW go directly to the Court of Appeal in the NSW Supreme Court. ^b Appeals from Federal, State and Territory tribunals may go to any higher court in their jurisdiction.

Civil matters are lodged by individuals or organisations (the plaintiff or applicant) against another party (the defendant or respondent) who responds to the file. Further, coroners' 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 use the same court infrastructure (such as court buildings and facilities) for civil and criminal case types. 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.

Expenditure

Total expenditure less in-house revenue by Commonwealth, State and Territory court authorities (excluding the High Court) was approximately \$850 million in 1999-2000. Nationally, court administration expenditure less in-house revenue in the civil jurisdiction (\$330 million) was higher than in the criminal jurisdiction (\$380 million). Nationally, court administration expenditure less in-house revenue for family courts was around \$120 million, while coroners' courts and probate registries accounted for around \$20 million and \$3 million respectively (table 9.1).

Table 9.1 **Court administration expenditure less in-house revenue, 1999-2000 (\$ million)^{a, b, c}**

	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas^d</i>	<i>ACT</i>	<i>NT</i>	<i>Cwlth</i>	<i>Total</i>
All civil courts ^e	95.9	49.2	32.7	38.0	23.4	3.3	6.7	9.6	68.9	327.8
All criminal courts	134.4	64.8	74.3	43.3	36.0	7.8	6.6	10.7	..	377.9
Family courts	..	..	..	10.4	..	..	..	..	113.0	123.3
Coronial										
Magistrates' courts ^f	4.1	3.8	1.9	5.1	3.2	0.5	1.0	0.7	..	20.3
Probate										
Supreme courts ^g	1.1	0.5	0.1	0.3	0.4	0.1	–	–	..	2.5
Total	235.5	118.4	108.9	97.2	63.0	11.7	14.3	21.0	181.8	851.8

^a In-house revenue includes revenue earned by in-house providers of library, court reporting and civil bailiff services to external purchasers. ^b District/county courts do not operate in Tasmania, the ACT or the NT. The Commonwealth does not operate magistrates', district/county or supreme courts. ^c Payroll tax was excluded from reported expenditure (SCRCSSP 1999). ^d Five per cent of the total operating costs of the magistrates' court was attributable to other work by that court, such as antidiscrimination tribunal work. This has been excluded from 1999-2000 data. ^e Excludes family courts. ^f Excludes the cost of conducting autopsies in all jurisdictions except WA. ^g Payroll tax was not estimated for probate registries. .. Not applicable. – Nil or rounded to zero.

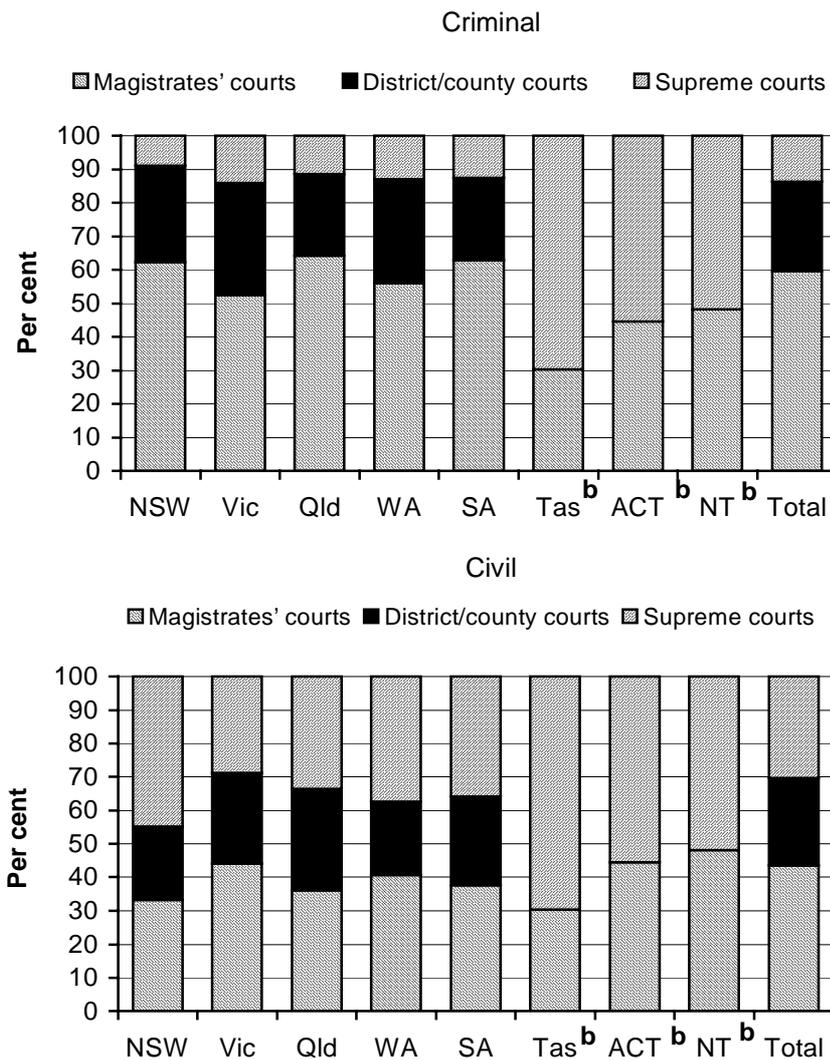
Source: table 9A.6.

The proportion of criminal and civil court administration expenditure less in-house revenue shared between magistrates', district county and supreme courts varied across States and Territories. For example, the proportions of court administration expenditure less in-house revenue in the supreme courts of Tasmania and the ACT (under the two-tier court system) were larger than the proportions of supreme courts in other jurisdictions (under the three-tier court system).

Nationally, magistrates' courts accounted for 60 per cent of total expenditure less in-house revenue in the criminal jurisdiction in 1999-2000, followed by district/county courts (27 per cent), then supreme courts (14 per cent). Across States

and Territories, Queensland had the highest magistrates' court share (64 per cent) while Tasmania had the lowest (30 per cent); Victoria had the highest district/county court share (33 per cent) while Queensland had the lowest (24 per cent); Tasmania had the highest supreme court share (70 per cent) and NSW had the lowest (9 per cent) (figure 9.2).

Figure 9.2 **Proportion of court administration expenditure less in-house revenue, by court level, 1999-2000^a**



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

Source: table 9A.6.

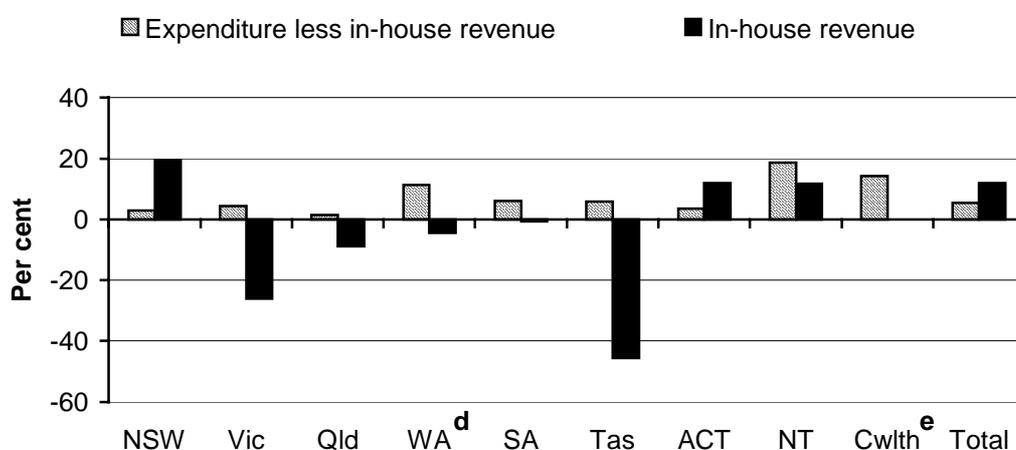
Nationally, magistrates' courts accounted for 44 per cent of civil expenditure less in-house revenue in 1999-2000, followed by supreme courts (30 per cent) and district/county courts (26 per cent). Across jurisdictions, the share of magistrates' courts varied from 30 per cent in Tasmania to 48 per cent in the NT; supreme courts

ranged from 70 per cent in Tasmania to 29 per cent in Victoria; and district/county courts ranged from 30 per cent in Queensland to 22 per cent in WA (figure 9.2).

Real expenditure less in-house revenue on court administration increased on average by 5 per cent a year (in real terms) between 1997-98 and 1999-2000. The trend in expenditure varied across the States and Territories. Queensland exhibited an increase in average annual expenditure less in-house revenue of slightly over 1 per cent a year, while the increase in the NT's average annual expenditure less in-house revenue was 19 per cent a year (figure 9.3).

In-house revenue from library, court reporting and civil bailiff services increased by 11 per cent per year (in real terms) between 1997-98 and 1999-2000. The reduction in revenue was greatest in Tasmania (46 per cent per year), while revenue increased on average by 20 per cent per year in NSW. The Federal Court and Family Court of Australia did not collect any revenue from library, court reporting or civil bailiff services in 1997-98 or 1999-2000 (figure 9.3).

Figure 9.3 **Average annual change in expenditure less in-house revenue, and in-house revenue, 1997-98 to 1999-2000 (real dollars)^{a, b, c}**



^a In-house revenue includes revenue earned by in-house providers of library, court reporting and civil bailiff services to external purchasers. ^b Excludes coronial and probate expenditure. ^c Includes payroll tax payments for NSW, Victoria, Queensland, SA, Tasmania and the NT for all years to maintain comparability over time. ^d Includes the WA Family Court. ^e Includes the Federal Court and Family Court of Australia.

Source: table 9A.6.

Size and scope of court activity

The numbers of lodgments, hearings and finalisations are reported as measures of court activity. Lodgments are matters initiated in the court system. A significant

proportion of these matters, particularly in the lower courts, are largely routine or minor and are less costly to finalise because they do not require full court hearings. Minor lodgments include:

- civil lodgments before registrars — for example, probate applications, winding up applications, and joint applications for divorce;
- undefended civil lodgments;
- criminal lodgments processed by magistrates' courts (for example, defended minor traffic matters); and
- criminal lodgments processed by electronic courts in some jurisdictions (for example, traffic infringements).

Other lodgments include primary, workers' compensation, probate and coronial lodgments. The Report treats committals and appeals as separate lodgments. Probate lodgments are heard in supreme courts and 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 (without a will) and a person entitled to administer the estate applies for letters of administration.

Coronial lodgments are heard in coroners' courts and 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 hearing, while in others they are prohibited from making any finding of criminal or civil liability.

Each lodgment may be subject to only one hearing, although it may be adjourned at various times. Hearings, particularly full court hearings and trials, are the primary cost driver for court administrations. Hearings encompass court trials, appeals and rehearings heard before a judicial officer for adjudication or determination. Hearings do not include conferences, mediation and arbitration sessions, or hearings to process secondary case applications. 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 represent the completion of matters in the court system. Each lodgment can only be finalised once. Finalisations are an important measure of activity because they indicate where the majority of court administration costs are committed to court matters. Matters may be finalised either by adjudication, transfer

or other non-adjudicated method (such as withdrawal of a matter by the prosecution, issue of a bench warrant or settlement of an out-of-court matter).

Finalisations data are not strictly comparable with lodgments data in the reported year because some lodgments may be pending (unfinalised). Changes in court jurisdictions during the reported year will also affect the comparability of lodgments and finalisations data.

Lodgments

Approximately 2.5 million matters were lodged with courts in 1999-2000. The largest numbers of lodgments were processed by magistrates' courts in their criminal jurisdictions, with approximately 800 000 cases initiated in these courts in 1999-2000 (excluding electronic courts). District/county courts accounted for only 26 200 lodgments in criminal matters and supreme/federal courts processed a further 5200 lodgments. Across jurisdictions, the largest number of criminal matters were lodged in NSW magistrates' courts which received almost 287 500 lodgments. (In NSW magistrates' courts are known as Local Courts.) Electronic courts received 830 000 lodgements, with the Victorian Penalty Enforcement and Registration of Infringement Notice (PERIN) Court receiving 522 000 lodgements (table 9A.1).

In the civil jurisdiction, there were a total of 718 000 lodgments in 1999-2000 (excluding the family courts). Across jurisdictions, the largest number of civil matters were lodged in NSW Local Courts (which received 233 000 lodgments), followed by the Victorian Magistrates' Court (which received 191 000 lodgments). There were also 123 000 lodgments in the Family Court of Australia and 15 100 lodgments in the Family Court of WA (table 9A.1).

Nationally, 22 900 coronial matters were lodged in 1999-2000. Across jurisdictions, the largest number of coronial matters were lodged in NSW (7100), while 300 coronial matters were lodged in the NT. There were 49 900 probate applications in 1999-2000, with the highest in NSW (20 300 applications), followed by Victoria (14 700) (table 9A.1). The majority of matters initiated in the magistrates' and district/county courts were criminal cases. Civil matters predominated in the supreme/federal courts. Tasmania had the highest proportion of criminal matters in their magistrates' courts (99 per cent). The NT had the highest proportion of civil cases in its magistrates' courts (92 per cent), followed by Victoria (94 per cent) (table 9.2).

Table 9.2 Proportion of court lodgments, by court level, 1999-2000^a

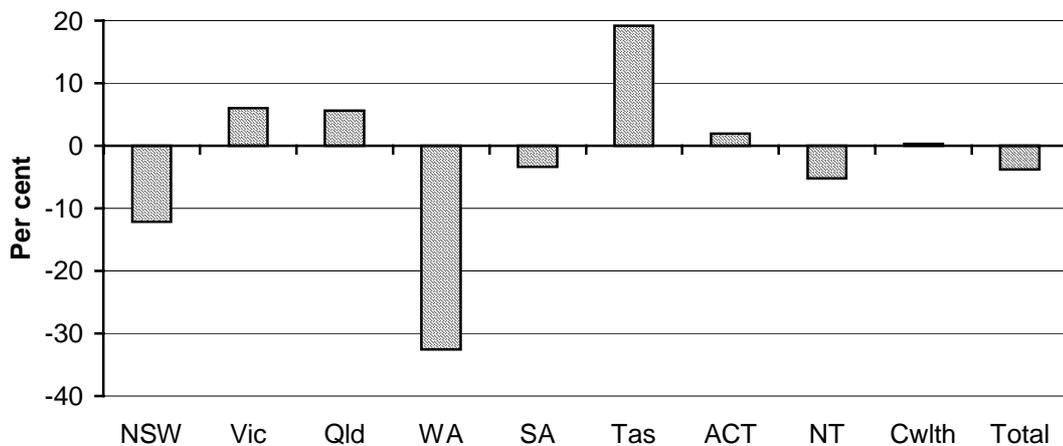
		Unit	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Cwlth ^b	Total
Criminal												
Magistrates' courts ^c	%		96.4	95.7	95.0	94.8	98.1	98.6	97.8	98.2	..	96.2
District/county courts	%		3.2	3.7	4.3	4.5	1.4	..	..	..	..	3.2
Supreme/federal courts	%		0.3	0.6	0.7	0.8	0.5	1.4	2.2	1.8	100.0	0.6
All courts ^d	'000		298	111	194	66	78	50	11	19	-	828
Civil												
Magistrates' courts	%		90.6	94.1	88.9	88.0	90.0	84.9	89.5	91.5	..	90.1
District/county courts	%		5.7	3.7	6.3	7.5	6.9	..	..	..	..	5.2
Supreme/federal courts	%		3.7	2.1	4.8	4.5	3.1	15.1	10.5	8.5	100.0	4.7
All courts	'000		257	203	109	66	44	15	11	5	6	718

^a Totals may not sum to 100 per cent as a result of rounding. ^b Twenty-nine criminal matters were lodged with the Federal Court. ^c Includes minor lodgments. ^d Excludes matters lodged in electronic courts... Not applicable.

Source: table 9A.1.

There has been an average annual decrease of 4 per cent in the number of lodgments received by courts throughout Australia since 1997-98. The largest average increase occurred in Tasmania (19 per cent a year). While lodgments in WA decreased on average by 33 per cent a year, this decrease was mainly a result of the exclusion of a large number of minor traffic lodgments since 1998-99, which have since been heard in the WA Fines Enforcement Registry (figure 9.4).

Figure 9.4 Average annual change of court lodgments, 1997-98 to 1999-2000^a

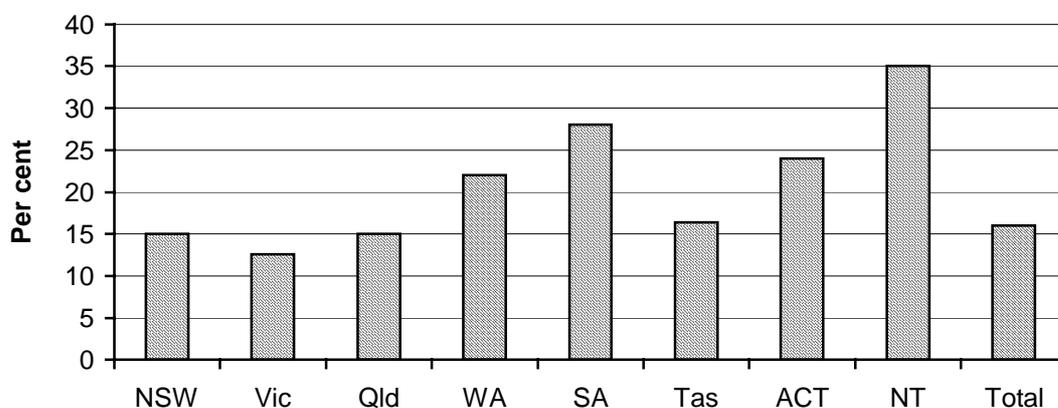


^a Excludes probate.

Source: table 9A.1.

The total number of deaths reported to a coroner was approximately 20 900 across Australia in 1999-2000. The highest number of reported deaths was in NSW (6700), followed by Victoria (approximately 4000) (table 9A.1). Reporting rates varied as a result of different reporting requirements — for example, deaths in institutions such as nursing homes of 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 across Australia in 1999-2000 was 16 per cent. This proportion ranged from 35 per cent in the NT to 13 per cent in Victoria (figure 9.5).

Figure 9.5 Deaths reported to a coroner as a proportion of total deaths, 1999-2000^a



^a Calculated as deaths reported to the Coroner as a proportion of the total number of deaths in 1998.

Source: table 9A.1.

The total number of fires reported to a coroner was approximately 2070 for NSW, Victoria, Queensland and the ACT in 1999-2000. The highest number of reported fires was in Queensland (approximately 1300), followed by NSW (approximately 420) (table 9A.1). Reporting requirements also varied for fires: for example, fires may be reported and investigated in Victoria and SA at the coroners' discretion, but they are excluded from the coroners' jurisdiction in WA and the NT.

Minor lodgments were particularly common in magistrates' courts in 1999-2000. Across Australia 24 per cent of criminal lodgments in magistrates' courts were minor. Across jurisdictions, Tasmania had the highest proportion (62 per cent) and WA the ACT and the NT had the lowest (0 per cent). In the civil jurisdiction, 52 per cent of lodgments in magistrates' courts across Australia were minor. Across jurisdictions, the proportion ranged from 91 per cent (SA) to 6 per cent (NSW) (table 9.3).

Nationally, 24 per cent of lodgments in district/county courts were minor in 1999-2000. This proportion ranged from 66 per cent in WA to 0 per cent in NSW and Victoria. Minor matters accounted for 33 per cent of the national total of civil lodgments among supreme/federal courts. Across jurisdictions, the proportion ranged from 70 per cent in Queensland to 0 per cent in the Federal Court (table 9.3).

Table 9.3 Proportion of court lodgments that were minor, 1999-2000 (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>Total</i>
Criminal										
Magistrates' courts ^b	34.7	28.7	7.7	–	16.3	62.4	–	–	..	23.6
Civil										
Magistrates' courts	5.7	74.4	85.5	76.6	91.2	76.5	52.9	79.8	..	52.3
District/county courts	–	–	53.0	66.3	64.6	..	..	..	..	24.0
Supreme ^c /federal courts	28.3	58.4	70.3	31.4	13.0	18.0	38.3	30.9	–	32.8
Family courts	..	..	..	36.5	..	..	..	..	39.4	39.1

^a Minor lodgments include minor traffic lodgments and other infringement notices (including appeals from electronic courts and fines enforcement registries), and undefended general civil lodgments and applications of an administrative nature (such as winding up applications, Criminal Injury Compensation applications, Australian Registered Judgments, intervention orders [excluding the prosecution of a breach of an order], residential tenancy disputes, joint applications for divorce and applications for debt recovery). ^b Excludes minor traffic lodgments and other infringement notices processed in electronic courts and fines enforcement registries. ^c Excludes probate. **na** Not available. **..** Not applicable.

Source: table 9A.1.

Hearings

Approximately 1.1 million court hearings (684 400 criminal, 355 400 civil, 86 700 family court and 1100 coronial) were listed in 1999-2000, of which the majority occurred in the magistrates' courts in their criminal jurisdiction (659 300). District/county courts accounted for only 21 200 hearings in their criminal jurisdiction and supreme courts listed a further 3900 hearings. The largest number of civil hearings was also listed in magistrates' courts (289 300). Supreme courts accounted for 34 000 hearings, while district/county courts listed a further 32 200 hearings (table 9A.2).

Finalisations

Approximately 1.6 million matters were reported finalised with courts in 1999-2000. Care needs to be taken when comparing finalisation and lodgment data as not all lodgments that were subsequently settled out of court were reported to court administrators. The largest numbers of finalisations were disposed of by

magistrates' courts in their criminal jurisdictions, with 759 000 cases completed in these courts in 1999-2000. District/county courts accounted for 27 400 finalisations of criminal matters, and the supreme courts disposed of a further 4700 finalisations. The number of finalisations recorded for electronic courts (criminal matters) was 309 500, although this figure does not include NSW and Victoria (table 9A.3).

The civil jurisdiction had a total of 412 000 finalisations in 1999-2000. The largest number of civil cases were finalised in the Victorian Magistrates' Court (which finalised 151 500 civil matters), followed by the NSW Local Court (which finalised 82 200 civil matters). There were also 275 matters finalised in the Family Court of Australia (table 9A.3).

Finalisations data for criminal matters are also presented by method of finalisation from the Australian Bureau of Statistics Higher Criminal Courts collection (ABS 2000) for the reference period 1998-99 (table 9A.4). Differences in the data collection methods and reference periods should be considered when comparing these data with other finalisations data for criminal matters presented in the chapter.

The method of finalisation describes how a charge leaves a particular court level (ABS 2000). In the supreme courts, more defendants in criminal matters were finalised by adjudication (86 per cent). This was also the case in the district/county courts, where 85 per cent were finalised by adjudication. Nationally, a guilty plea was the most common method of finalising adjudications in the supreme courts (66 per cent). This ranged from 80 per cent in Queensland to 23 per cent in SA. Nationally, 'withdrawn' was the most common means of non-adjudicated finalisations in the supreme courts (10 per cent). Across jurisdictions, the 'withdrawn' proportion ranged from 14 per cent in the ACT Supreme Court to 1 per cent in the Victorian Supreme Court (table 9A.4).

9.2 Policy developments in court administration services

Specialist courts

A major policy issue for the court administration sector is to improve the courts' responsiveness to the special needs of some clients. A number of courts and tribunals have been established or operate under the auspices of general courts (magistrates' courts in most cases) to meet this need.

Specialist courts have been developed in the areas of land and environment, industrial relations, workers' compensation and youth. SA operates a Family

Violence Court under the auspices of the Adelaide Magistrates' Court to deal with criminal matters arising from domestic violence incidents and all applications for domestic violence restraining orders. A similar court has been operating at Elizabeth (SA). The ACT also operates a Family Violence Court under the auspices of their Magistrates' Court. WA is currently piloting a Family Violence Court at the Joondalup court complex under the auspices of the WA Magistrates' Court to deal with criminal and restraining order matters.

New South Wales operates a specialist Drug Court at the Parramatta Court Complex. This court refers non-violent drug dependent offenders to a 12-month program, where they are closely supervised by the Drug Court and must comply with an individualised treatment plan. Victoria offers a Court Referral and Evaluation for Drug Intervention and Treatment Program in its Magistrates' Court. The program, initiated early in the arrest process, aims to reduce the likelihood of offenders reoffending and diverts offenders from prison. Similar trial drug court programs commenced at three Queensland magistrates' courts in June 2000. WA are conducting a two-year pilot for drug courts and diversionary programs within the Perth Children's Court, the Perth Court of Petty Sessions and the Perth District Court. SA also operates a Drug Court and a Mental Impairment Court under the auspices of their Magistrates' Court. The aim of the Mental Impairment Court is to provide a more appropriate court setting for mentally impaired people. Its continued funding is subject to review in 2000-01.

Most jurisdictions operate either separate electronic courts under the auspices of magistrates' courts to process traffic infringement notices and expiated offences — for example, Victoria operates the PERIN Court under the auspices of the Victorian Magistrates' Court, or lodge matters are lodged electronically in their magistrates' courts. These items have been reported as a subset of matters in the magistrates' courts in this Report (see section 9.1).

Indigenous access

An important objective of the justice sector is to improve justice outcomes for Indigenous Australians. One area being addressed in the court administration sector is improved access to the court system for Indigenous people. A variety of existing programs help Indigenous people use the court system.

Queensland operates three remote community magistrates' courts constituted by Indigenous Australian Justices of the Peace. The courts hear remand applications and simple offences, and provide faster access to justice for remote communities between visits to remote communities by Circuit Magistrates. The project will be extended to other communities over the next year. The concept of communication

facilitators is being developed in Queensland to help judges, magistrates and barristers communicate with defendants and witnesses who use Aboriginal English as a first language. This process has included the publication of a handbook on 'Aboriginal English in the Courts'. Further, the Family Court of Australia employs Indigenous family consultants based in Darwin, Alice Springs and Cairns.

The Aboriginal Court initiated last year at the Port Adelaide Magistrates' Court has continued to operate each fortnight throughout the year. The aim of this Court is to create a more culturally sensitive court setting for Aboriginal people. Operation of this Court will be extended to the Murray Bridge and Port Augusta Magistrates' Courts in 2001. The Aboriginal Court is supported by a small number of Aboriginal Justice Officers who provide a range of courts related services to Aboriginal people.

Western Australia provided five Aboriginal Fines Liaison Officers in Perth and selected regional areas in 1995 to assist Aboriginal customers who were unacquainted with, intimidated by or experienced difficulty with the court system. Officers are now provided at Warburton, Broome, Roeburne and Kununurra courts. The Officer's roles at Warburton and Broome include the authority to supervise offenders undertaking community based orders.

An Aboriginal justice plan is being developed in Victoria, and will outline a range of reforms to enhance and develop partnerships and links between justice agencies and the Aboriginal community. The aims are to address the ongoing issue of Indigenous over representation in the criminal justice system and to improve Aboriginal access to justice related services.

Technological access

A common objective of the court administration sector is to improve accessibility to court services. South Australia operates a 'final notice of claim' pre lodgment system, which encourages litigants to resolve civil disputes without resorting to formal court processes. South Australia courts also provide information on court listings through Internet. Victoria operates an electronic document interchange in its Magistrates' Court for the lodgment of civil matters. This system accounts for approximately 34 per cent of all civil lodgments in the Victorian Magistrates' Court. Western Australia has also implemented an electronic lodgment system at the Perth Magistrates' Court.

Courts in a number of jurisdictions have adopted video conferencing systems. These have been used for functions such as the video remand of prisoners, the presentation of evidence by vulnerable witnesses and witnesses in remote areas, and to assist with the use of interpreters. Recent developments in video conferencing systems across jurisdictions include:

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- the involvement of the Perth District Court in the world's first co-mediation pilot with the Singapore Subordinate Courts using video conferencing. WA first installed video conferencing facilities in 1995, and recently extended the system to the Busselton, Rockingham and Fremantle courts. The network will be expanded to the Perth Children's Court and the WA Family Court in 2001;
 - the establishment of a fully integrated audiovisual system in all Melbourne courts and 11 regional courts in Victoria, incorporating recording, video conferencing, closed circuit television playback and witness amplification. This system also provides access for the Victorian Civil and Administrative Tribunal;
 - Queensland operates video conferencing facilities in three higher courts, in one magistrates' court in Brisbane and in the Caboolture Magistrates' Court, and closed circuit television facilities between courts and vulnerable witness rooms;
 - Tasmania has video conferencing facilities available linking all major courts to the State prison, the juvenile correctional facility and the remand centre;
 - a video conferencing link to the Belconnen Remand Centre in the ACT (with capabilities to link to any court in Australia or any other video facility) and the introduction of agreed model legislation to enable the ACT to participate in an Australia-wide network; and
 - a video conferencing system (Bushlink) has continued to link Adelaide courts with remote and regional areas in SA and a video conferencing system has been introduced in the Magistrates' Court in Elizabeth (SA) linking the court with remand institutions to avoid transporting detained defendants to court for relatively simple matters.

Western Australia introduced four digital courtrooms in 1999. Features of these courtrooms include: high resolution screens to display video and computer generated images; a local area network to provide access to the Internet, for the judiciary and counsel court databases and multimedia applications; and electronic transcripts, exhibits and evidence. The ACT is also developing a fully electronic courtroom with the assistance of the University of Canberra and the William and Mary University in Virginia, USA.

9.3 Framework of performance indicators

The framework of performance indicators is based on a number of common objectives for court administration services across Australia (box 9.1). The emphasis placed on each objective varies across jurisdictions.

Box 9.1 Objectives for court administration

Objectives for court administration are:

- 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 (Commission on Trial Court Performance Standards, 1989).

In addition, all governments aim to provide court administration services in an efficient manner.

The performance indicators framework for court administration services is under review, and changes may be included in next year's Report (figure 9.6). Definitions and counting rules were further refined this year as part of an ongoing process to achieve jurisdictional comparability of data presented in this chapter. Consequently, only comparable time series data have been reported in this chapter where it has not been possible to re-calculate historical data. Other processes to improve the comparability of existing data and the completeness of the performance indicators framework are discussed in section 9.5.

9.4 Key performance indicator results

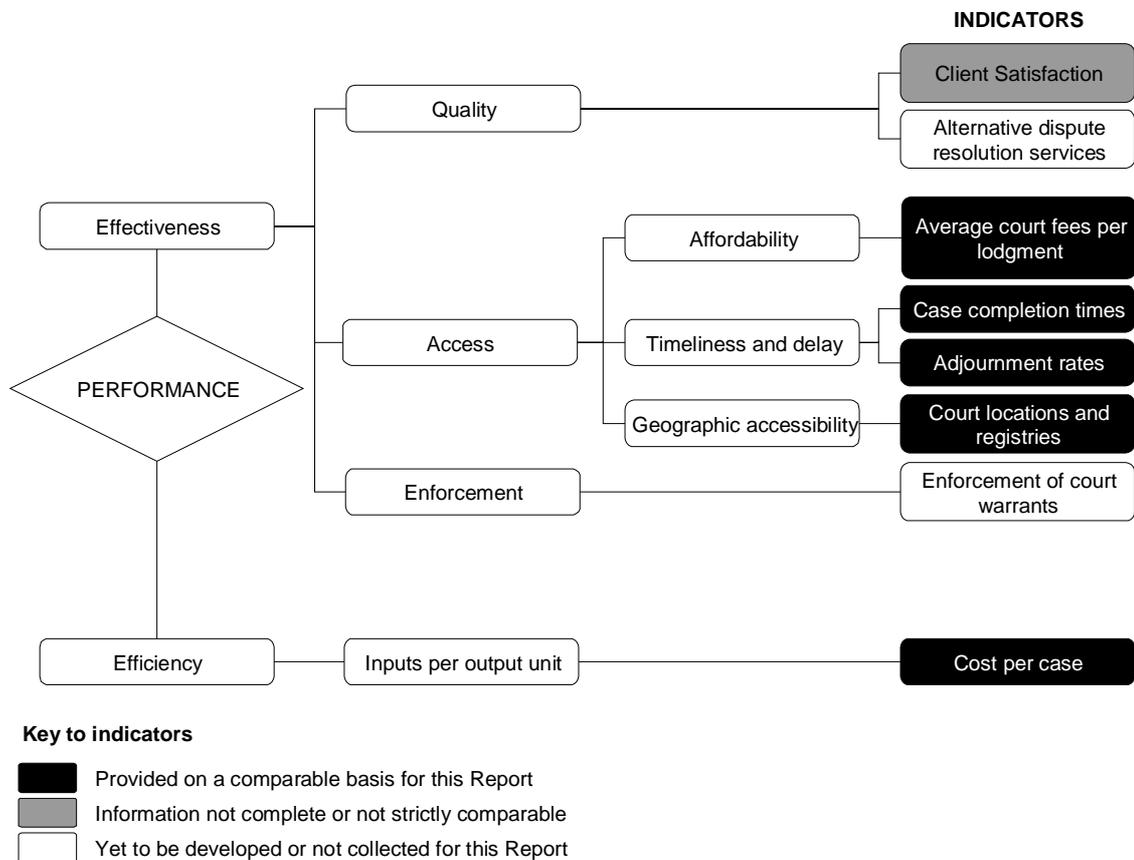
Different delivery contexts, locations and client types may affect the effectiveness and efficiency of court administration services. There are also differences in the allocation of cases to different courts within a jurisdiction (table 9A.21). These factors should be taken into account when comparing performance across States and Territories for specific court jurisdictions' indicators. Appendix A contains detailed statistics and short profiles on each State and Territory, which may help in interpreting the performance indicators presented in this chapter.

Effectiveness indicators

Quality

This Report does not contain comparable data on the quality of court administration services. However, a survey of client satisfaction with court administration services is being refined and will be conducted in early 2001 (section 9.5). The survey will provide comparable information on client satisfaction with court administration staff, court facilities, availability of court information and court processes in the 2002 Report.

Figure 9.6 Performance indicators for court administration



Recently, data about the views of court users regarding court administration services (such as court staff, facilities and information) were generated by a number of surveys by different courts in individual jurisdictions. Although the results are not comparable, the surveys collected data on client views about similar aspects of court administration and provide an insight into client views of court administration services.

Results from recent surveys conducted in the Family Court of Australia, NSW lower courts and WA Magistrates', District and Supreme Courts are reported in table 9A.7.

Affordability

Court filing fees largely relate to civil cases. They are only part of the costs faced by litigants — legal fees are more significant — but they can be considerable. Different States and Territories also provide additional support and services to clients which do not carry a cost to the parties. Comparisons should take into account that courts do not operate on a full cost recovery basis as additional services may be provided to the client where the cost is borne by the court.

In 1999-2000, average court fees collected per lodgment in higher courts were generally larger than in intermediate and lower courts. NSW had the highest level of average fees collected per lodgment (\$1459). NSW had the highest among the district/county courts (\$728). The NT had the highest level of average fees collected per lodgment among magistrates' courts (\$205). Average probate fees collected per lodgment were highest in NSW (\$519) (table 9.4).

Table 9.4 Average court fees collected per lodgment, 1999-2000 (dollars)

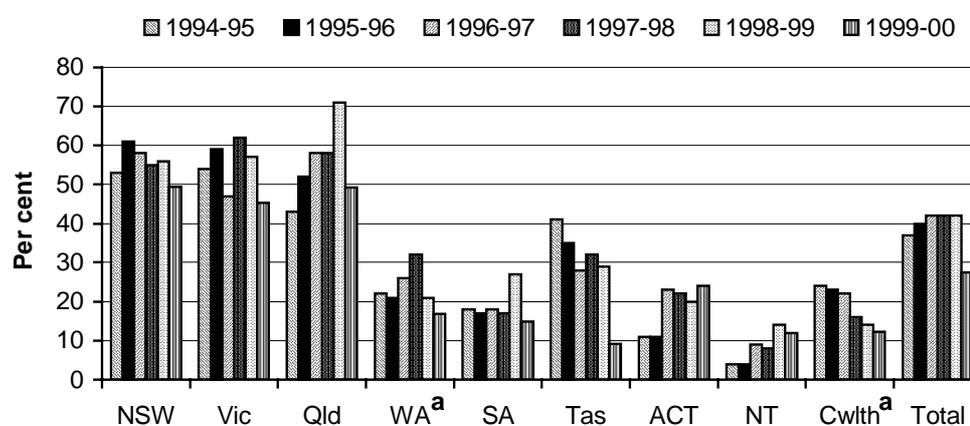
	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Cwlth	Total
Civil										
Magistrates' courts	105	68	125	60	60	5	83	205	..	88
District/county courts	728	580	245	380	194	..	..	..	..	518
Supreme/federal courts	1459	1284	524	304	500	110	648	445	1123	953
All courts										
Family courts	..	..	..	123	..	..	..	..	125	125
Probate										
Supreme courts	519	213	-	151	475	110	432	305	..	342

na Not available. .. Not applicable.

Source: table 9A.9.

The level of cost recovery through court fees for the civil jurisdiction decreased on average between 1994-95 and 1999-2000, with civil court fees collected representing 27 per cent of total expenditure in 1999-2000 compared to 37 per cent in 1994-95. The proportion decreased from 1994-95 to 1999-2000 in all jurisdictions except Queensland, the ACT and the NT. The proportion decreased between 1997-98 and 1999-2000 in all jurisdictions except the ACT and the NT (figure 9.7).

Figure 9.7 Civil court fees collected as a proportion of total civil expenditure, all courts



^a Includes family courts.

Source: table 9A.8.

Timeliness

Timeliness is currently measured by the time taken between the lodgment of a matter with the court and its finalisation. However, this measure is affected by delays caused by parties other than those related to the workload of the court. Generally, lower courts complete a greater proportion of their workload in a shorter period of time, because of the less complex nature of the matters heard. Matters heard in electronic courts are excluded from timeliness data.

The criminal jurisdiction of magistrates' courts in all States and Territories finalised 92 per cent of cases within six months in 1999-2000. This ranged from 95 per cent of cases finalised within six months in Tasmania to 77 per cent in the ACT. The civil jurisdiction of magistrates' courts in all States and Territories finalised 85 per cent of cases within six months in 1999-2000. This ranged from 95 per cent of cases finalised within six months in Victoria to 52 per cent in SA. Longer case completion times in the civil jurisdiction reflected different case flow management practices and the priority given to criminal matters (table 9.5).

District/county courts finalised 63 per cent of criminal cases within six months. This ranged from 75 per cent of cases finalised within six months in SA to 41 per cent in NSW. District/county courts finalised 23 per cent of civil cases within six months. This ranged from 36 per cent of cases finalised within six months in SA to 17 per cent in NSW (table 9.5).

Across Australia, 82 per cent of coronial cases were finalised within six months in 1999-2000. South Australia had the largest proportion of coronial matters finalised within six months (97 per cent) and the NT the lowest (43 per cent) (table 9.5).

On average, supreme courts in all States and Territories finalised 85 per cent of criminal cases within 12 months. This ranged from 97 per cent of cases finalised within twelve months in Tasmania to 29 per cent in NSW. Supreme/federal courts in the Commonwealth and all States and Territories finalised 67 per cent of civil cases within 12 months. This proportion ranged from 83 per cent in the Supreme Court of Victoria to 47 per cent in the NT (table 9.5).

Committals are the first stage of hearing indictable (serious) matters 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. Therefore, the timely conduct of the committal hearing, on the court's receipt of the charge sheet is important for timely adjudication of the charges against the defendant.

Table 9.5 Non-appeal matters finalised, 1999-2000 (per cent)^a

	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Cwlth	Total
<i>Criminal</i>										
Supreme courts										
<6 months	7	27	66	83	68	80	39	61	..	64
6-12 months	22	46	21	12	11	17	32	24	..	21
12-18 months	22	12	7	3	10	2	20	9	..	8
>18 months	49	15	5	2	11	1	8	6	..	7
District/county courts										
<6 months	41	60	74	62	75	..	..	..	..	63
6-12 months	28	23	18	14	17	..	..	..	..	20
12-18 months	14	10	4	14	5	..	..	..	..	9
>18 months	18	8	3	10	2	..	..	..	..	8
Magistrates' courts										
<6 months	94	90	93	94	92	95	77	82	..	92
6-12 months	5	8	4	4	6	4	14	8	..	5
12-18 months	1	1	1	1	1	1	4	3	..	1
>18 months	-	1	2	1	1	1	6	7	..	1
<i>Coronial</i>										
Magistrates' courts										
<6 months	88	72	76	78	97	58	89	43	..	82
6-12 months	8	17	17	15	2	25	7	5	..	12
12-18 months	4	5	4	3	-	10	2	2	..	4
>18 months	-	5	2	4	-	7	2	51	..	3
<i>Civil</i>										
Supreme/federal courts										
<6 months	43	75	61	66	71	37	26	38	65	55
6-12 months	8	8	7	15	6	15	23	9	17	12
12-18 months	7	12	6	7	9	11	16	9	8	8
>18 months	41	5	26	12	15	38	35	44	9	25
District/county courts										
<6 months	17	23	30	25	36	..	..	..	..	23
6-12 months	39	19	13	18	22	..	..	..	..	25
12-18 months	25	41	16	12	16	..	..	..	..	24
>18 months	19	17	41	45	26	..	..	..	..	28
Magistrates' courts										
<6 months	86	95	83	88	52	90	62	72	..	85
6-12 months	9	4	12	7	41	10	27	13	..	12
12-18 months	2	1	3	3	3	1	5	5	..	2
>18 months	2	-	2	3	4	-	6	10	..	2

^a Totals may not sum to 100 per cent as a result of rounding. **na** Not available. **..** Not applicable.

Source: table 9A.10.

Overall in 1999-2000, 49 per cent of committal hearings were finalised within three months of the receipt of charges by the court and a further 33 per cent were

finalised in the subsequent three months. Performance varied considerably across the States and Territories: for example, while Queensland and SA finalised 56 per cent of committals within three months, WA finalised 33 per cent. The NT had the largest proportion of cases finalised in more than 12 months (9 per cent) (table 9.6).

Table 9.6 Committal (criminal) matters finalised, magistrates' courts, 1999-2000 (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>Total</i>
<3 months	46.6	35.9	56.3	33.1	55.9	na	43.0	43.4	..	49.0
3–6 months	27.2	35.9	33.2	44.1	36.2	na	34.2	29.4	..	33.4
>6–12 months	18.1	24.3	9.1	16.3	7.7	na	17.5	18.3	..	13.8
>12 months	8.1	4.0	1.4	6.4	–	na	5.3	9.0	..	3.8

^a Totals may not sum to 100 per cent as a result of rounding. **na** Not available. **..** Not applicable. **–** Zero or close to zero.

Source: 9A.13.

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 Justice of the Federal Court. Criminal appeals are generally shorter than civil ones. Approximately 85 per cent of criminal appeals and 79 per cent of civil appeals were finalised within 12 months. The Queensland Supreme Court finalised 99 per cent of criminal appeals in less than 12 months while the NSW Supreme Court finalised 74 per cent. The SA and the ACT Supreme Courts finalised 97 per cent of civil appeals in less than 12 months while the NSW Supreme Court finalised 57 per cent (table 9.7).

Table 9.7 Appeal matters finalised, supreme/federal courts, 1999-2000 (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>Total</i>
Criminal										
<6 months	29.1	59.9	80.0	49.7	87.7	77.3	71.4	50.0	..	52.1
6–12 months	45.2	30.6	19.1	36.3	5.7	13.6	11.4	37.5	..	32.8
12–18 months	18.4	4.9	1.0	10.4	2.5	4.5	11.4	12.5	..	10.3
>18 months	7.3	4.6	–	3.6	4.1	4.5	5.7	–	..	4.8
Civil										
<6 months	22.6	50.0	54.0	53.0	94.1	56.0	69.4	79.9	55.9	56.2
6–12 months	34.2	19.1	32.1	28.4	2.8	32.0	27.8	14.4	27.6	23.2
12–18 months	18.4	14.1	11.9	10.9	1.2	8.0	2.8	3.4	7.1	9.9
>18 months	24.8	16.9	1.9	7.7	2.0	4.0	–	2.3	9.3	10.7

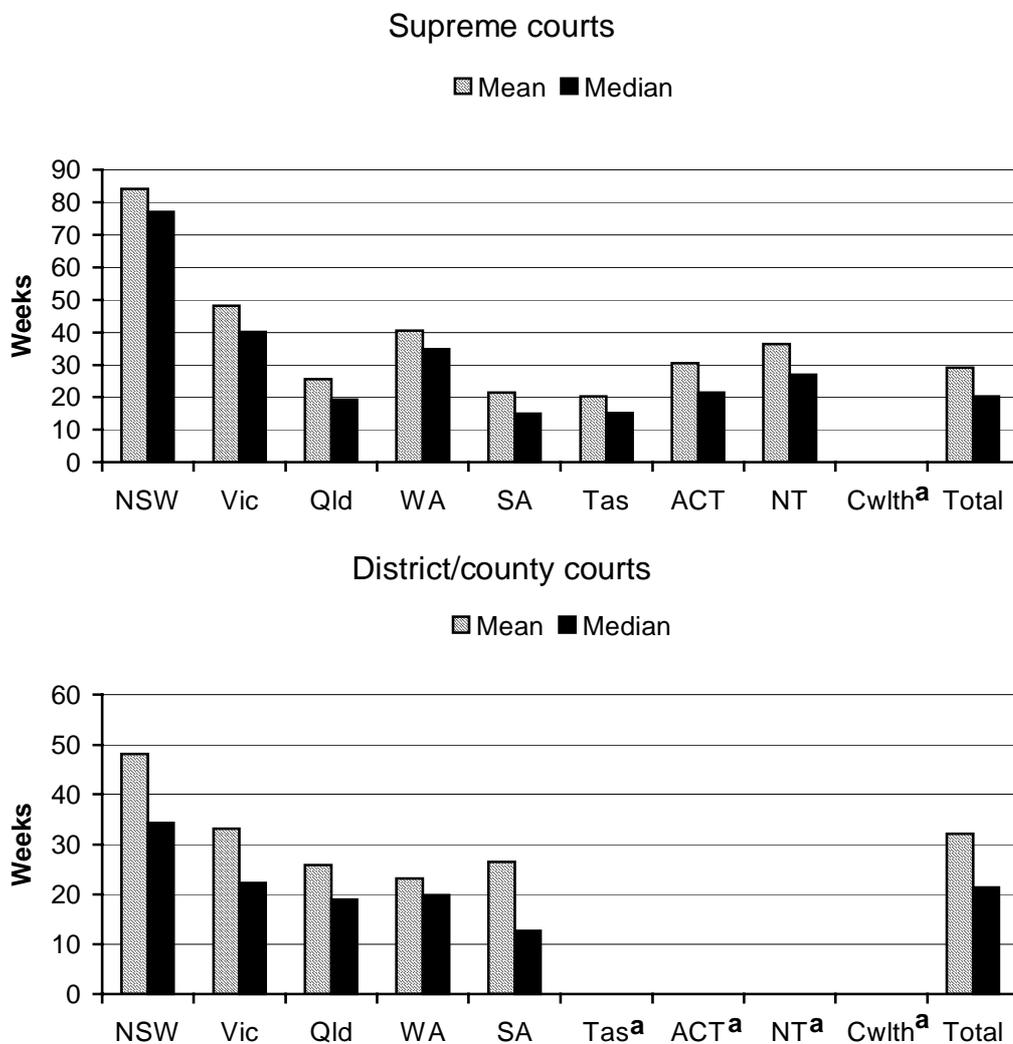
^a Totals may not sum to 100 per cent as a result of rounding. **na** Not available. **..** Not applicable. **–** Zero or close to zero.

Source: 9A.12.

The mean period (average period) between lodgment and finalisation was 29 weeks in Australia in 1998-99 for supreme courts. This ranged from 84 weeks in NSW to 20 weeks in Tasmania. The mean period for district/county courts was 32 weeks. This ranged from 48 weeks in NSW to 23 weeks in WA (figure 9.9).

The median period (point at which half the cases had been finalised) between lodgment and finalisation was 20 weeks in Australia in 1998-99 for supreme courts. This proportion ranged from 77 weeks in NSW to 15 weeks in SA. The median period of cases was 21 weeks in Australia for district/county courts. This ranged from 34 weeks in NSW to 13 weeks in SA (figure 9.8).

Figure 9.8 **Criminal matters duration, district/county and supreme courts, 1998-99**

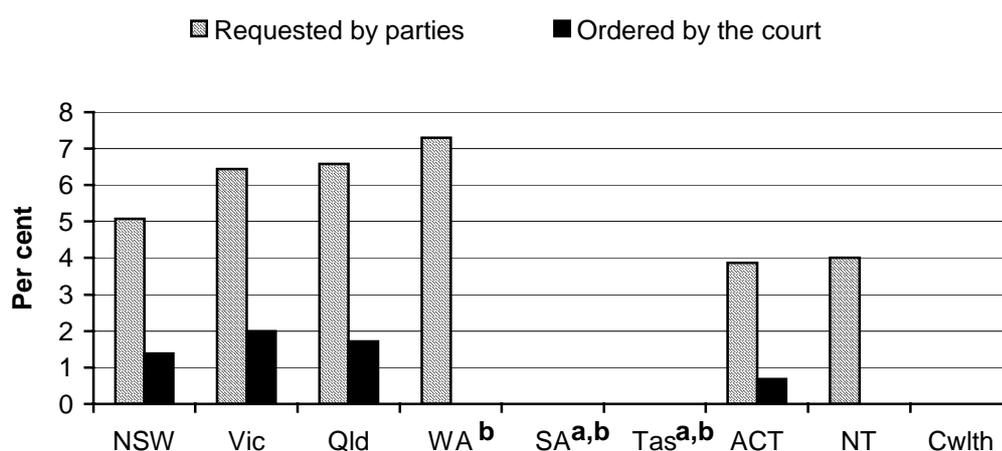


^a Did not operate in this jurisdiction.

Source: table 9A.14.

The number of adjournments partly reflects the varying timeliness of courts. 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 be ordered by the court in instances such as overlisting (where court administrators expect a proportion of their case load not to proceed on any particular day and therefore list some standby matters so as to maximise the use of court proceedings). Court ordered adjournments can be used to approximate adjournments as a result of the unavailability of judicial time. In 1999-2000, court ordered adjournments as a proportion of total civil hearings initiated in the supreme/federal courts varied from around 2 per cent in Victoria and Queensland to 0 per cent in the Commonwealth and the NT. Adjournments requested by the parties as a proportion of total civil hearings initiated in the supreme/federal courts varied from around 7 per cent in Queensland and WA to 0 per cent in the Federal Court (figure 9.9).

Figure 9.9 **Adjournments on the first day of hearing as a proportion of total civil hearings, supreme/federal courts, 1999-2000**



^a Data for party requested adjournments not available. ^b Data for court ordered adjournments not available.

Source: table 9A.15.

Geographic accessibility

Providing rural communities with access to judicial services can involve significant costs 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 courthouses 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);

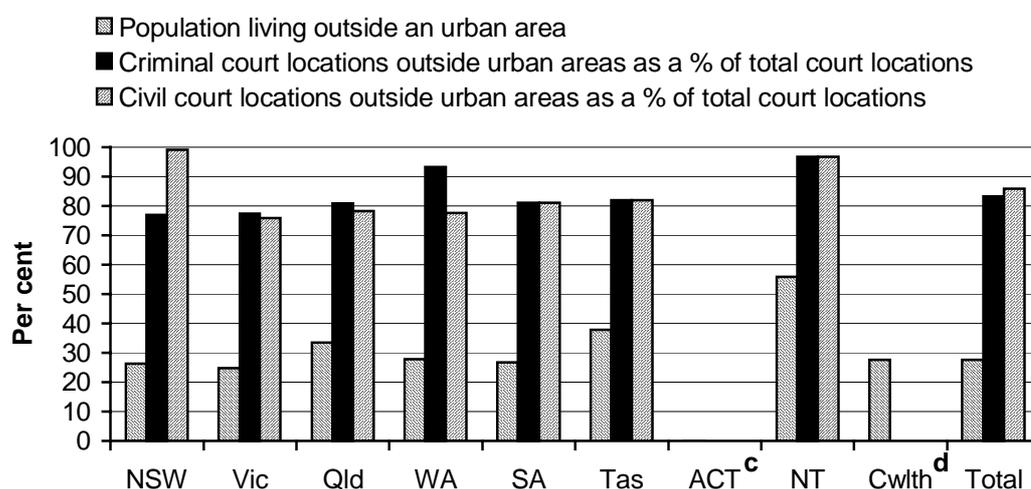
- occasional caravan courts by superior courts in remote areas; and
- video conferencing facilities to link capital city courthouses to witnesses in remote locations.

One indicator of the accessibility of court services is the relationship between the proportion of magistrates' court locations in either urban or non-urban areas and the proportion of the population residing in either urban or non-urban areas of the State or Territory. Except for the ACT, all States and Territories had a greater proportion of their court locations in both the criminal and civil jurisdictions in non-urban areas in 1999-2000 (figure 9.10).

Generally in 1999-2000, States and Territories with relatively high proportions of their population in non-urban areas also had a higher proportion of court locations in non-urban areas. In the criminal jurisdiction, the NT had 97 per cent of their court locations outside an urban area. The ACT had the smallest proportion of court locations in a non-urban area (0 per cent) (figure 9.10).

In the civil jurisdiction, the NT also had the highest proportion of court locations in non-urban areas (97 per cent), while the ACT had the lowest share of court locations in a non-urban area (0 per cent) (figure 9.10).

Figure 9.10 **Locations and populations in non-urban areas, magistrates' courts, 1999-2000^{a, b}**



^a Court locations include permanent locations, temporary locations and registries without hearings. ^b Urban areas include State and Territory capital city statistical divisions and other urban areas (with populations of 100 000 or more). Non-urban areas include remote areas (defined in terms of low population density and long distances to large population centres) and rural areas (includes the remainder of non-urban statistical local areas). ^c All courts and population lived within the defined urban region. ^d Did not operate in this jurisdiction.

Source: table 9A.16.

Efficiency indicators

Expenditure less in-house revenue per lodgment (including accommodation costs) for each court jurisdiction varied considerably among States and Territories and over time. Expenditure data excludes payroll tax for NSW, Victoria, Queensland, SA, Tasmania and the NT, except where otherwise stated, to improve comparability of efficiency indicators with the remaining jurisdictions that are exempt from payroll tax.

In 1999-2000, expenditure less in-house revenue per lodgment for magistrates' courts (total criminal, including electronic lodgments in NSW, Victoria, Queensland and SA) was \$138 nationally, and was highest in WA (\$386) and lowest in Victoria (\$54). Expenditure less in-house revenue per primary criminal lodgment (that is, excluding minor traffic matters) for magistrates' courts was highest in Victoria (\$452) and lowest in Tasmania (\$246). Expenditure less in-house revenue per lodgment in the civil jurisdiction of the magistrates' courts was highest in the NT (\$963) and lowest in Tasmania (\$79). The coroners' court expenditure per reported death and fire was highest in WA (\$2193) and lowest in Queensland (\$405) (figure 9.11), although the former also includes the cost of autopsy and forensic services.

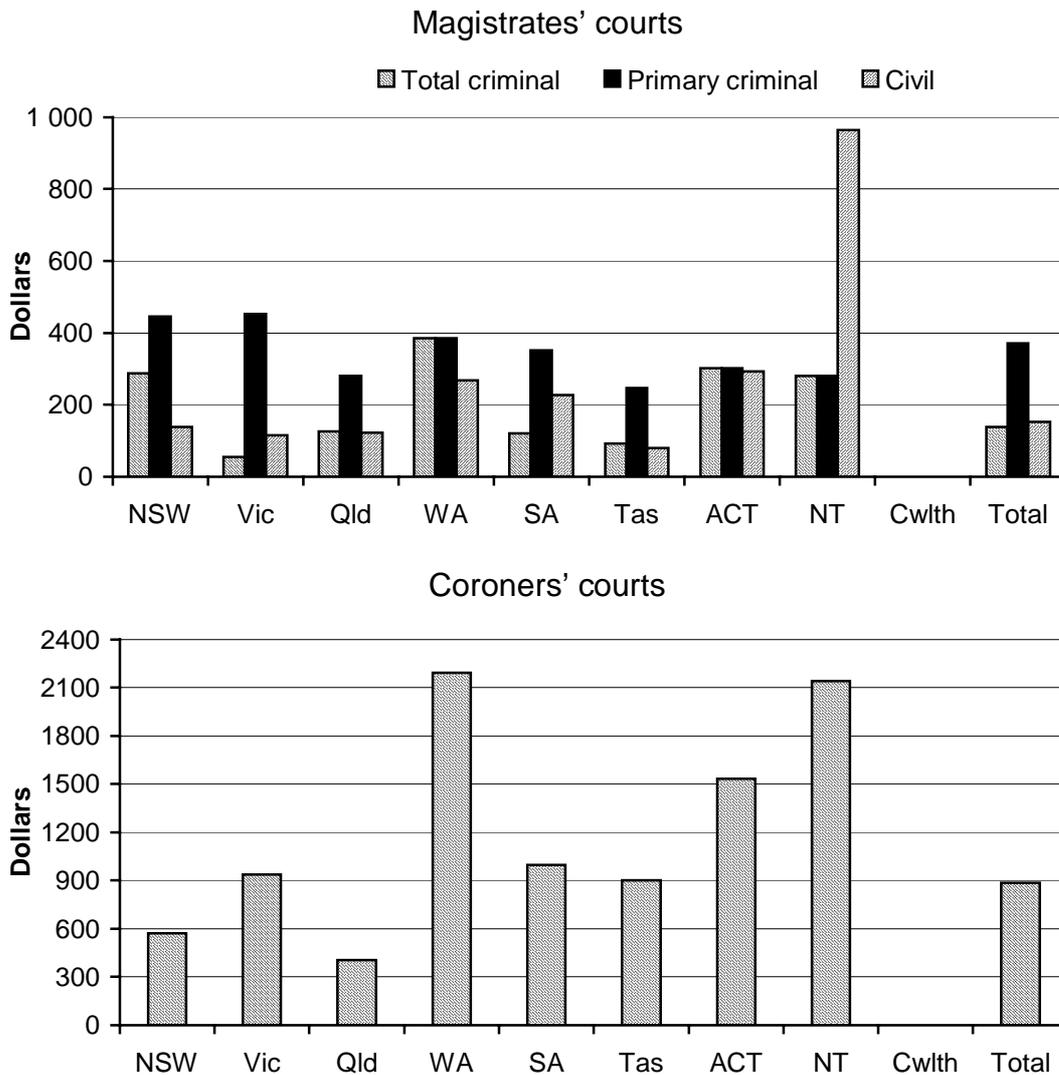
District/county court expenditure less in-house revenue per lodgment was highest in SA for the criminal jurisdiction (\$8149) and civil jurisdiction (\$2074). Queensland had the lowest expenditure less in-house revenue for criminal lodgments (\$2154) and civil lodgments (\$1440) in district/county courts. The NT had the highest criminal supreme court expenditure less in-house revenue per lodgment (\$16 314) while Tasmania had the lowest (\$4421). The NT also had the highest civil expenditure less in-house revenue per lodgment (\$11 110) while Tasmania had the lowest expenditure less in-house revenue per lodgment in its supreme court (\$990) (figure 9.12).

Expenditure less in-house revenue per lodgment was \$686 for the Family Court of WA and \$918 for the Family Court of Australia. Expenditure less in-house revenue per lodgment for the family courts compared favourably to that of the other superior courts (table 9A.17).

Nationally, average annual real expenditure less in-house revenue (accounting for differences in inflation) per lodgment increased in the criminal jurisdiction of magistrates', district/county and supreme courts (5, 10 and 10 per cent respectively) between 1997-98 and 1999-2000. Across all criminal courts, this rate ranged from an increase of 83 per cent in the WA Magistrates' Court to a decrease of 17 per cent in the Tasmanian Magistrates' Court. Large changes to the rate of growth of expenditure per lodgment also reflect changes to the application of counting rules

— for example, the increase in WA reflects the inclusion of electronic lodgments in the 1997-98 estimates of unit costs and their exclusion from the 1999-2000 estimates of unit costs.

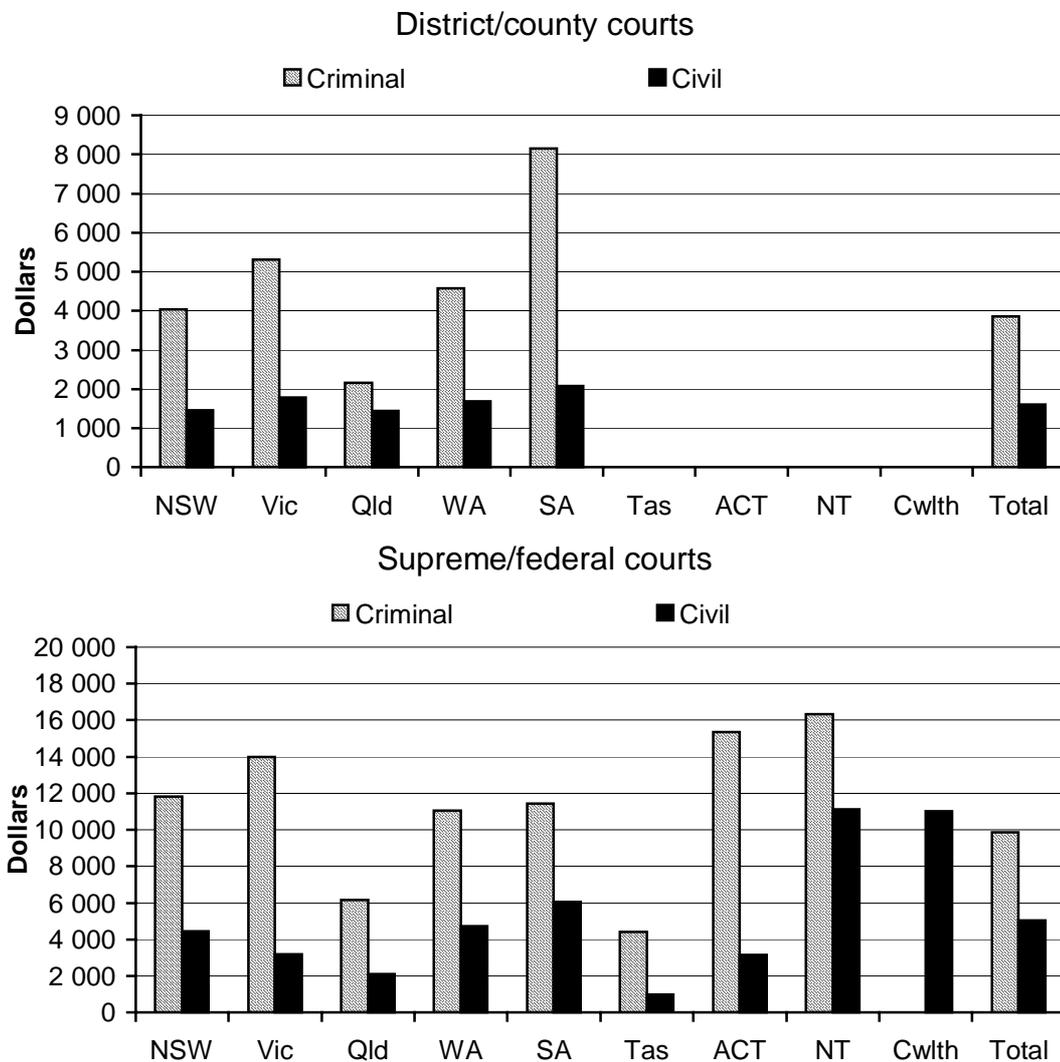
Figure 9.11 Expenditure less in-house revenue per lodgment, lower courts, 1999-2000^{a, b, c, d}



^a In-house revenue includes revenue earned by in-house providers of library court reporting and civil bailiff services to external purchasers. ^b Excludes payroll tax for NSW, Victoria, Queensland, SA, Tasmania and the NT. ^c Commonwealth did not operate in these jurisdictions. ^d Total criminal includes electronic lodgments in NSW, Victoria, Queensland and SA.

Sources: table 9A.17 and table 9A.18.

Figure 9.12 Expenditure less in-house revenue per lodgment, superior courts, 1999-2000^{a, b, c, d}



^a In-house revenue includes revenue earned by in-house providers of library court reporting and civil bailiff services to external purchasers. ^b Excludes payroll tax for NSW, Victoria, Queensland, SA, Tasmania and the NT. ^c District/county courts do not exist in Tasmania, the ACT, the NT or the Commonwealth. ^d Commonwealth's Federal Court did not operate in the criminal jurisdiction.

Source: table 9A.17.

Nationally, average annual expenditure (including payroll tax for taxable jurisdictions) less in-house revenue per civil lodgment also increased in magistrates', district/county and supreme/federal courts (13, 5 and 11 per cent respectively) between 1997-98 and 1999-2000. Across all courts, this increase was highest in the NT Supreme Court (70 per cent), while average annual expenditure less in-house revenue per civil lodgment decreased by 16 per cent in the SA District Court (table 9.8).

Table 9.8 Average annual change in real expenditure less in-house revenue per lodgment, 1997-98 to 1999-2000 (per cent)^{a, b, c}

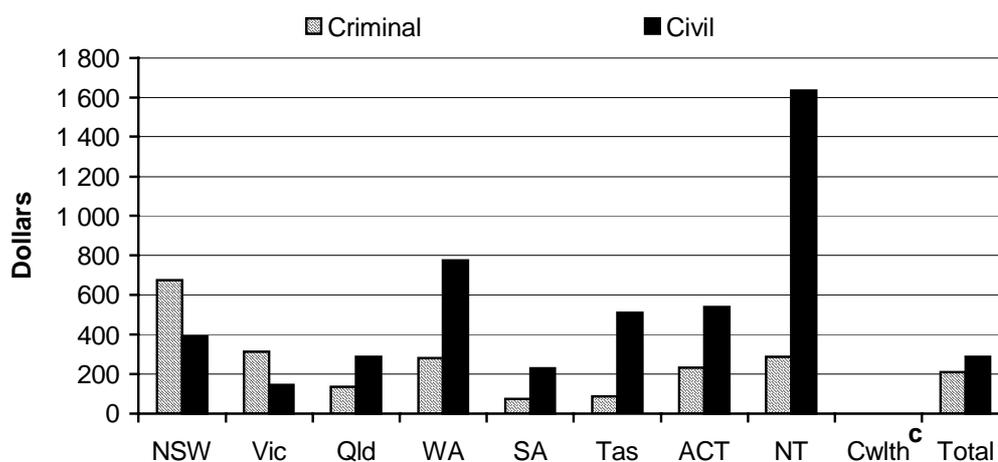
	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Cwlth	Total
Criminal										
Magistrates' courts	19.6	-6.8	-8.6	82.5	21.5	-16.6	-9.3	5.5	..	4.9
District/county courts	12.0	8.7	2.2	26.2	19.9	..	..	..	..	10.3
Supreme courts	12.9	12.0	9.9	13.4	15.4	0.7	11.2	-0.2	..	9.5
Civil										
Magistrates' courts	15.7	3.1	6.9	32.4	19.2	-0.5	1.1	52.6	..	13.4
District/county courts	-3.1	20.1	1.8	33.5	-15.9	..	..	..	..	5.3
Supreme/federal courts	0.4	15.5	-1.4	-3.9	11.4	11.5	8.6	70.3	21.0	10.5
Family courts	..	..	..	2.5	..	..	..	..	2.7	2.6

^a In-house revenue includes revenue earned by in-house providers of library court reporting and civil bailiff services to external purchasers. ^b Includes payroll tax payments for NSW, Victoria, Queensland, SA, Tasmania and the NT for all years to maintain comparability over time. ^c The formula for calculating average annual rates of growth is summarised in table 9.9. **na** Not available. **..** Not applicable.

Source: 9A.17.

Expenditure less in-house revenue per finalisation (including accommodation costs) for each court jurisdiction also varied considerably among States and Territories. In 1999-2000, expenditure less in-house revenue per finalisation for magistrates' courts (criminal) was highest in NSW (\$673) and lowest in SA (\$73). Expenditure less in-house revenue per finalisation in the civil jurisdiction of magistrates' courts was highest in the NT (\$1634) and lowest in Victoria (\$144) (figure 9.13).

Figure 9.13 Expenditure less in-house revenue per finalisation, magistrates' courts, 1999-2000^{a, b}

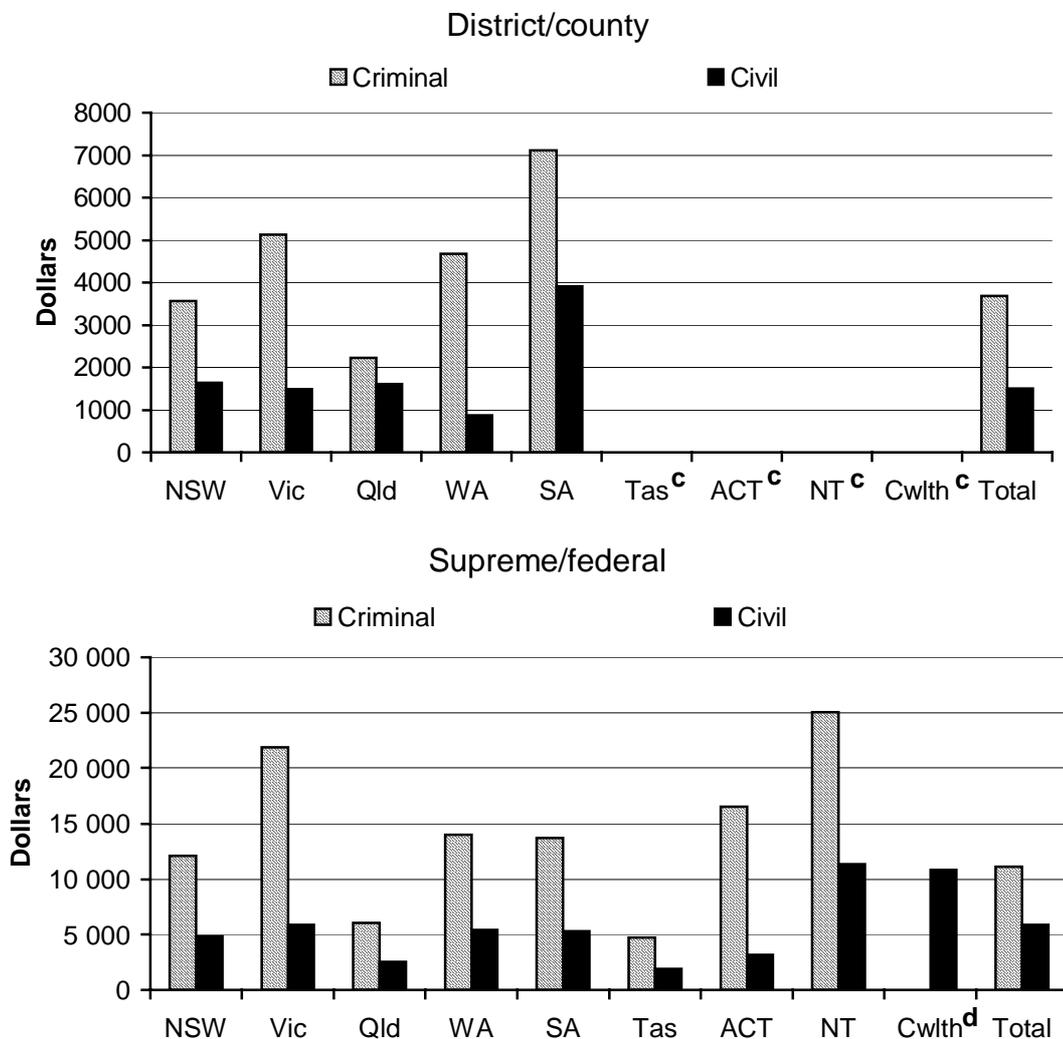


^a In-house revenue includes revenue earned by in-house providers of library court reporting and civil bailiff services to external purchasers. ^b Excludes payroll tax for NSW, Victoria, Queensland, SA, Tasmania and the NT. ^c Did not operate in this jurisdiction.

Source: table 9A.19.

District/county court expenditure less in-house revenue per finalisation was highest in SA for the criminal and civil jurisdictions (\$7121 and \$3913 respectively). Queensland had the lowest expenditure less in-house revenue for criminal cases (\$2227) and WA had the lowest expenditure less in-house revenue for civil cases (\$871). The NT had the highest supreme court expenditure less in-house revenue per finalisation (\$25 064) for the criminal jurisdiction while Tasmania had the lowest (\$4738). The NT had the highest civil expenditure less in-house revenue per finalisation for supreme/federal courts (\$11 338) while Tasmania had the lowest (\$1910) (figure 9.14).

Figure 9.14 Expenditure less in-house revenue per finalisation, superior courts, 1999-2000^{a, b}



^a In-house revenue includes revenue earned by in-house providers of library court reporting and civil bailiff services to external purchasers. ^b Excludes payroll tax for NSW, Victoria, Queensland, SA, Tasmania and the NT. ^c District/county courts do not exist in Tasmania, the ACT, the NT or the Commonwealth. ^d Federal Court did not operate in the criminal jurisdiction.

Source: table 9A.19.

9.5 Future directions in performance reporting

Developing indicators and data

Differences in court jurisdictions and the allocation of cases between courts across States and Territories affect the comparability of efficiency and effectiveness data. The ABS and the Court Administration Working Group are developing a set of 'case weights' for criminal courts to improve the comparability of court administration data. The weights, estimated from the average length of criminal cases for a range of matters, are intended to reflect the seriousness of criminal matters faced by courts. Applying the weights to measures of efficiency and effectiveness can improve the comparability of court administration data. It is expected that results from this research will be available for criminal court administration data in the 2002 Report and will be extended to civil court administration data in future Reports.

Other opportunities to improve indicators for court administration, include:

- the use of finalisations as the primary court administration activity measure;
- reporting the number of adjournments per hearing;
- the efficiency and effectiveness of alternative dispute resolution strategies, such as mediation and conciliation for settling disputes; and
- the performance of the sheriff and bailiff offices in enforcing court orders and warrants.

The development of some of these indicators represent long term goals. The complexity of development, the availability of data, and the priorities of the court administration sector and the Steering Committee may affect progress with each indicator. Some indicators may take several years to develop.

Specialist courts covered by the existing scope of the Report include family courts, coroners' courts and electronic infringement processing courts. Other specialist courts included in the data collection but not separately reported include drug courts and children's courts.

Contextual data are reported separately for electronic courts to improve the comparability of court administration activities. Reporting could be expanded in future Reports to cover drug courts and children's courts.

Measuring client satisfaction

A survey of client satisfaction with court administration services will be piloted on a small sample of court clients across jurisdictions, excluding Queensland and WA, in early 2001. Western Australia will conduct its own survey in 2001. The surveys tested client responses to questions about satisfaction with court administration staff, court facilities, availability of court information and court processes.

Responses and information from the pilot surveys are being used to develop and improve the survey questionnaire and method. The survey will be conducted on a full sample of clients in mid-2001. The results from this survey will provide data on client satisfaction for the 2002 Report.

Widening the collection scope

The federal magistrates' service operated for the first time in 2000. The service hears less complex federal family law and civil matters. Data for the federal magistrates' service will be included in the scope of the 2002 Report.

Specialist courts, tribunals and boards represent an important component of the justice system's dispute resolution service. 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.

Most States and Territories operate specialist courts, tribunals and boards in the following areas, and could be covered in future Reports. They include:

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

This direction represents a longer term goal. The focus is on improving the quality of information about services within the existing scope.

9.6 Jurisdictions' comments

This section provides comments from each jurisdiction on the services covered in this chapter and attachment 9A on the CD-ROM. Appendix A contains short profiles on each State and Territory, which may assist in interpreting the performance indicators presented in this chapter. In addition, detailed statistics covering various 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) are found in Appendix A.

New South Wales Government comments

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Delivering the earliest, most effective and efficient resolution of criminal matters and civil disputes is an important goal of the NSW Government. The development of a number of projects has seen progress made on a number of fronts this year, such as:

- the development of time standards by the Supreme Court for completion of criminal trials, and civil and criminal appeals – time standards for civil matters will allow the court to enforce compliance to the timetable, and impose realistic cost sanctions to expedite hearings, shorten adjournment periods and deliver hearing date certainty;
- the success of the *Centralised Committal Project* in Sydney has led to its expansion to Sydney West and the number the new committals reduced by 21 per cent. New initiatives such as involving legal representation at an earlier stage have enabled the District Court to take a far more active approach to the management of trials; and
- the trialing and introduction of a model to assist the integration of Local and District Court registries and provide a single point of access for clients.

Some of the key initiatives for Courts next year include:

- further development of computerised management information systems to monitor and ensure compliance to time standards of civil cases within the Supreme Court;
- a review of criminal listing processes in order to reduce waiting time and improve hearing date certainty in the District Court; and
- implementation of quality management initiatives in response to feedback received in the District Court’s registry user survey.

The following comments are made in respect of this Report:

- the Supreme Court and its Registry continue to promote the use of court-annexed mediation, as well as providing external facilities for mediation and early neutral evaluation; and
- the transfer of civil matters from the Supreme Court to the newly extended jurisdiction of the District Court increased markedly the number and complexity of new actions being registered, with no real disparity in the disposal rate. Additional judicial resources were specifically allocated to manage this increase.

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Victorian Government comments

“ The Victorian Courts aim to deliver quality and timely courts services within a best practice framework. During 1999-2000 Victoria has introduced a range of reforms and initiatives to enhance the delivery of court services. A number of the major achievements were:

- In June 2000 the Government approved the construction of a new County Court Complex. The new Complex which will have 46 courtrooms will be completed by May 2002. In addition, new court facilities have been approved for Mildura and Warrnambool.
- The Supreme, County and Magistrates' Courts are undertaking a review of performance measures in order to provide a more comprehensive suite of measures that reflect the performance of the Court.
- The CREDIT (*Court Referral and Evaluation for Drug Intervention and Treatment*) Program undertaken in the Magistrates Court is being extended to 8 Courts in Melbourne during 2000-01. This Program aims to provide early treatment plans, thereby reducing the recidivism rates and diverting offenders from the corrections system.
- In July 1999 a number of reforms relating to criminal appeals, from the Magistrates' Court to the County Court, were introduced to provide a fairer and more efficient appeal system. These reforms have resulted in a 26% reduction in the number of appeals lodged with the County Court during 1999/2000.
- The Supreme Court has installed a “Cyber Court Book” for assisting in the conduct of large trials. The “Cyber Court Book” provides an integrated electronic solution to the management of the court record, provision and viewing of transcript and the presentation of evidence by participants in a trial.
- In September 1999, the County Court introduced judicially managed case conferences and direction hearings for the criminal trial process under the *Crimes (Criminal Trial) Act 1999*. The cases conferences are proving to be effective in bringing about a more timely resolution of cases. In addition, although a limited number of cases have been through the *Crimes (Criminal Trials) Act* process, indications are that in trials relating to sexual offences the procedures are assisting in the efficient disposition of trials. Finally, preliminary analysis of the cases has identified a significant reduction in the number of adjournments at trials.
- The Supreme Court will be implementing a range of reforms that will significantly improve the administration of Probate. These reforms will simplify the procedures associated with processing an application for probate. The time for a grant of probate is expected to fall from 5 days to 2 days from the time of lodgment.”

Queensland Government comments

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Queensland courts' performance in 1999-2000 was satisfactory with pressures on disposal rates in all courts. The cost-effectiveness of the courts remains a significant achievement.

Changes within the Queensland courts system in the year under review, include:

- increasing the number of female Supreme Court judges from four to six, and the number of female Magistrates from 10 to 12;
- piloting the operation of the computerised criminal case management and financial management system in the courts known as the Queensland Wide Interlinked Courts system (QWIC). The full Statewide deployment of the system will be completed by November 2000;
- commencement of a call centre as part of a central office for the collection and enforcement of State monetary penalties. The project (State Penalties Enforcement Registry – SPER) commences operations with a four months amnesty which starts on 27 November 2000;
- start of a drug diversion court operating in three Magistrates Courts in South East Queensland;
- planning for the redevelopment of the Brisbane Central Magistrates Courts complex;
- preparation for the construction or refurbishment of five suburban and regional courthouses. A further new courthouse will be built in a remote Aboriginal community, bringing to four the number constructed in remote areas in the past three years; and
- expansion of Magistrates Courts constituted by Aboriginal and Torres Strait Islander Justices of the Peace (Magistrates Court) in remote communities to three, with training being conducted in three other communities.

The implementation of the QWIC system in 2000-2001 is expected to further improve the efficiency and level of service delivery in Magistrates courts.

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Western Australian Government comments

“ The Court Services Division of the Ministry of Justice in Western Australia has continued to refine its performance measures and data collection processes during the year. A key focus has been to develop collection methods that enables data to be used for several key measurement tools, including budgeting; salary increase justification; benchmarking, both nationally and at a local level and for strategic and business planning.

Other significant achievements during 1999-2000 include:

- achieved a national first and radically improved customer service by introducing an electronic lodgement facility for general summonses in the Local Court - the first phase of a new integrated courts management system deployed to all metropolitan local courts and tribunals;
- Western Australia's first specialised Family Violence Court began on a pilot basis and work on the introduction of a pilot Drug Court progressed. Both will operate in the Perth metropolitan region initially;
- two new justice complexes providing facilities for court, community corrections and related operations in an integrated centre commenced construction at Fremantle and Rockingham; and
- the use of technology to improve access and reduce costs by the extension of video-conferencing facilities to courts located at Bunbury, Geraldton and South Hedland.

An important part of future efforts will be to improve timeliness, particularly as the clearing of significant backlogs in most jurisdictions continues to be challenge in Western Australia.

The delay in the District Court criminal jurisdiction during the year was between 13 and 16 months and the challenge here is to reduce these to bring them under the standard of 12 months. To assist in this regard consideration has recently been given to the appointment of an additional judge.

The Supreme Court target for listing of civil cases was extended from 6 to 11 months after entry because of the number of long and complex matters that had recently been heard in the court. Further delays may be caused in the 2000-01 year due to a number of other complex cases already listed for hearing, with containment at the present level being the focus.

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South Australian Government comments

“ The Courts Administration Authority implemented a number of initiatives during the year which improved the efficiency and effectiveness of services provided.

The new Fines Enforcement System became fully operational in March 2000. It provides for significant improvement in the management of fines within the State and includes a range of innovative payment options to assist clients. The implementation of the system was accompanied by a comprehensive public awareness campaign. The increase in expenditure in the Magistrates Court Criminal jurisdiction during 1999-2000 is associated with the establishment cost of the new system. The full year effect of the anticipated increase in recovery rate of fines will not be fully realised until 2000-2001.

Another successful initiative was the introduction of the on-line Pre Lodgement System for minor civil claims within the Magistrates Court. Thousands of final notices have been issued since its introduction and an early evaluation of the success of the scheme indicates that the majority of claims were resolved without further recourse to the Court.

Other initiatives include the establishment of a pilot Drug Court within the Adelaide Magistrates Court and the opening of the redeveloped Youth Court which now enables the Family Conference Team and the Care and the Care and Protection Team to be accommodated within the Youth Court precincts.

During 1999-2000 computing expenditure remained high, linked in part to amortisation costs for the development of the civil case management systems.

Changes in the number of lodgements continue to be a significant factor in any increase or decrease in cost per lodgement. Changes in performance indicators should be interpreted with care as results continue to vary due to statistical or reporting variations associated with the data collection exercise rather than as evidence of change in workload, activity or expenditure.

Planning for next year includes:

- implementation of on-line lodgements in the civil jurisdiction of the Magistrates Court;
- the expansion of the Aboriginal Court Day to a country area; and
- the *Courts Consulting the Community* initiative to obtain feedback from the South Australian community on its perception of the courts.

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Tasmanian Government comments

“ In 1999-2000, the Tasmanian Courts continued to provide an accessible and efficient mechanism for the resolution and adjudication of disputes. The statistics for cost per lodgment, time from disposal to finalisation and number of lodgments present a picture of a well used, efficient court system.

The data collected this financial year is more extensive and accurate than in previous years. In the past some essential data items have been calculated using estimates, occasionally from relatively small sample sizes. This practice has been all but eliminated with only one estimate (based on a 50% sample) being used. Improved registry and case management systems will have a positive impact on the quality of the data collected during the next year.

A significant omission has been identified in respect of the 1998-1999 collection where approximately 35 000 minor criminal lodgments were omitted. Unfortunately, rectification was not possible prior to publication of last year's report. As a consequence, all data sets reliant on, or linked to, the number of lodgments should be treated with caution.

In relation to civil matters, it was anticipated that the 1998 increase in jurisdiction of the Magistrates Court Civil Division would be reflected in an increase in the number of smaller civil matters dealt with in that jurisdiction. This has occurred but only in relation to debt recovery matters. Overall, the number of civil matters lodged has increased with the largest single increase being just over 3 000 matters in the Magistrates Court. Timeliness of disposal is becoming an issue in the Supreme Court, with only 37% of all matters being finalised within six months of lodgment.

In relation to criminal matters, there has been a substantial increase in lodgments in both Courts. In the past five years the number of matters dealt with by the Supreme Court has risen from 390 matters to 717 matters. The Magistrates Court is now dealing with nearly 50 000 matters per annum. Timeliness of disposal remains excellent with 80% of Supreme Court and 95% of Magistrates Court criminal matters being finalised within six months of lodgment.

With low filing fees and amongst the lowest costs per lodgment in Australia the Tasmanian courts are both cost effective and accessible. Increased emphasis is now being placed on case management to further improve the time taken to dispose of matters.

Tasmania supports the development of new and refined performance indicators for court administration, particularly the use of a case weighting system. The differences in jurisdictions exercised by courts make comparisons difficult and occasionally misleading. The development of a case weighting system would be helpful in leveling the playing field. Tasmania also supports the development of indicators for the use of diversionary strategies for dispute resolution.

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Australian Capital Territory Government comments

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The report again recognises that the structural differences between a two-tiered court system, such as exists in the ACT, the Northern Territory and Tasmania and those three-tiered court systems which exist in all other jurisdictions, must continue to be taken into account when comparing performance between various States and Territories. The ACT has a two-tiered court system and in many cases the most appropriate comparison for both the ACT Magistrates Court and the ACT Supreme Court will be with the intermediate courts of other three-tiered jurisdictions or with an average across jurisdictional figures.

A Court Administrator was appointed in September, 1999 to oversee the Administrative Operations of both the Supreme and Magistrates' Courts and ensure that available resources are maximised. Being responsible to the Chief Executive of the Department of Justice and Community Safety for administration and management matters and to the Chief Justice and Chief Magistrate for judicial and operational policy, the Court Administrator assume a pivotal nexus between the Judicial and Executive Arms of Government. The Court Administrator is moving methodically towards a Combined Court Administration which has been achieved with the exception of a combined Courts Budget which is targeted to be in place by 1 July 2001.

A revised Case Management System (CMH) for criminal matters has been introduced. Since its introduction, 53 per cent of matters were finalised at a CMH rather than being dealt with by a Magistrate. 581 hours of Court sitting time were saved resulting in 1,329 persons not being required to attend court as witnesses, with resulting flow-on savings to all stakeholders.

A Family Violence Practice Direction has been promulgated as part of a Family Violence Intervention Program. This is the forerunner of a separate Case Management Hearing system which will come into operation in respect of Family Violence Cases. This system is designed to expedite the process and eliminate unnecessary adjournments.

The Courts' website has been redesigned to cater for an expanded range of users.

The significant costs related to Coronial matters can be attributed to an exceptionally long running inquest which is now finalised.

The Supreme Court's jury function has been enhanced by a purpose-designed package featuring automated panel selection utilising an electronic version of the electoral roll.

A new fine default scheme was introduced in the ACT Magistrates Court to improve enforcement processes and reduce the incidence of non-payment of fines. This has resulted in a 20% increase in the number of people paying their fines either by the due date or after a letter of demand has been issued, without the need for further enforcement action.

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Northern Territory Government comments

“ The NT has since October 1999 implemented data quality control measures and checks to ensure that the statistical information provided is accurate. The process included the creation of a Statistical Data Control Committee and the establishment of links with the Australian Bureau of Statistics and the NT Attorney-General's Department's Criminal Statistics Unit. The result of these measures is that the statistics provided to the commission accurately reflect what has happened in the NT Courts during the reporting period.

As the NT operates with a two tiered system, the figures clearly show that the Magistrates Courts jurisdictions deal with most lodgments and finalisations. This accords with the respective jurisdictions of the Magistrates Courts and Supreme Court.

The NT, because of its geographic size, the number of court locations and its multi-cultural population, cannot take advantage of economies of scale. Strategies are being implemented to increase access to Courts for all Territorians and, where possible, reduce costs.

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9.7 Definitions

Table 9.9 Descriptors

<i>Descriptors</i>	<i>Definition</i>
Accommodation expenditure	<p>Depreciation, actual rent or imputed rent on court owned or occupied land and buildings as well as expenditure on electricity, gas, water, telecommunications, cleaning, gardening and maintenance.</p> <p>Where used, imputed rent is calculated using the market lease value of the floor area of all properties occupied by the court. Imputed rent equals the square metres multiplied by the market price per square metre of similar grade office space in a similar location.</p>
Average annual rate of growth	<p>Calculated using the compound growth rate formula. For efficiency data, formula is applied to financial estimates that have been adjusted for inflation (ie. measured in 'real terms').</p> <p>Growth rate = $100 * \{ (\text{final year estimate}/\text{initial year estimate})^{(1/n)} - 1 \}$ where n is equal to the number of years elapsed between the initial and final year (eg. 1999-2000 – 1997-98 = 2)</p>
Court locations	<p>A single street address of a court. Where a location or facility provides services for both criminal and civil cases, or where superior courts sit in lower court facilities on circuit, these locations are counted separately for each jurisdiction. This category includes: locations that provide registry services on a permanent basis at which a court hearing is listed for determination before a judicial officer; locations where hearings are listed for determination before a judicial officer in a facility which does not provide full time or part time registry services; and all permanent court locations providing full time or part time registry services at which there are no matters listed before a judicial officer.</p>
Court reporting expenditure	<p>Salary expenditure on in-house court reporters, non-salary expenditure of in-house court reporting agencies, and contract fees paid to court reporting agencies less any revenue recovered from transcript fees by the in-house court reporting agency.</p>
Court requested adjournments	<p>Matters initiated but adjourned for more than one working day (such as those resulting from the unexpected unavailability of a judge, court room or other case related court resource). Includes matters adjourned as not reached; excludes matters adjourned as part heard.</p>
Electronic court	<p>Courts with the capacity to produce enforceable orders against defendants (such as fines, license cancellation and incarceration) and to process infringements, on-the-spot fines and summary offences.</p>
Excluded courts and tribunals	<p>Guardianship boards, environment resources and development courts, and administrative appeals tribunals.</p>
Finalisation	<p>The completion of a matter so that it ceases to be an item of work to be dealt with by the court.</p>
Hearings	<p>Any matter listed to be heard before a judicial or quasi-judicial officer, which either progresses towards finalisation or is finalised by determination or adjudication. Excludes hearings that constitute pre-trial conferences, arraignment, mention hearings, status conferences, mediation and counselling.</p>
In-house revenue	<p>Revenue or income received by the court administration branch or division for the provision of court reporting, library or civil bailiff services.</p>

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Table 9.9 (continued)

<i>Descriptor</i>	<i>Definition</i>
Information technology expenditure	Non-salary and salary expenditure on information technology. Excludes capital expenditure on information technology infrastructure; includes licensing costs, computer leasing costs, consumables (such as data lines, paper, disks), training, access fees (for example, catalogue search and Internet access) and maintenance charges for software and hardware.
Inquests and inquiries held	Court hearings to determine the cause and circumstances of deaths reported to the coroner. Includes all coronial inquests and inquiries in full court hearings.
Judicial and judicial support salaries	All salary expenditure and payments in the nature of salary paid to employees of court administration. Includes 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 included 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).
Library expenditure	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. Expenditure also includes current information technology 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 are subtracted from expenditure.
Lodgment	The initiation or commencement of a matter before the court. The date of commencement is counted as the date of registration of a court matter.
Matters	<i>Coronial:</i> Deaths and fires reported to the coroner in each jurisdiction including all reported deaths and fires regardless of whether the coroner held an inquest or inquiry. Coronial jurisdictions could extend to manners of death of a person who was killed; was found drowned; died a sudden death of which the cause is unknown; died under suspicious or unusual circumstances; died during or following the administration of an operation of a medical, surgical, dental, diagnostic or like nature; died in a prison remand centre or lockup; died under circumstances that (in the opinion of the Attorney-General) require that the cause of death be more clearly ascertained. <i>Criminal:</i> Matters brought to the court by a government prosecuting agency, which is generally the Director of Public Prosecutions but could also be the Attorney-General, the police, local councils and traffic camera branches. <i>Civil:</i> Matters brought before the court by individuals or organisations against another party, such as small claims and residential tenancies as well as matters dealt with by the appeal court jurisdiction. Also includes coronial matters.

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Table 9.9 (continued)

<i>Descriptor</i>	<i>Definition</i>
	<p><i>Excluded matters:</i> Extraordinary drivers licence applications; any application on a pending dispute; applications for bail directions or judgment; secondary processes (for example, applications for default judgments); interlocutory matters; investigation/examination summonses; firearms appeals; escort agents' licensing appeals; pastoral lands appeals; local government tribunals; police promotions appeals; applications appealing the decisions of workers' compensation review officers.</p> <p><i>Minor criminal:</i> Minor traffic matters and other infringement matters.</p> <p><i>Minor civil:</i> Undefended general civil matters and applications of an administrative nature such as winding up applications, criminal injury compensation applications, Australian registered judgements, residential tenancy disputes, joint applications for divorce, and applications for debt recovery.</p> <p><i>Primary civil:</i> Defended matters, appeals from tribunals, justices' appeals, full court appeals, magistrates' appeals, assessment of damages requiring interlocutory applications defended or not, injunctions and declarations.</p> <p><i>Primary criminal:</i> Those criminal matters that are not minor.</p> <p><i>Probate:</i> Matters such as applications for the appointment of an executor or administrator to the estate of a deceased person.</p>
Non-urban area	Remote areas (defined in terms of low population density and long distances to large population centres) and rural areas (which include the remainder of non-urban statistical local areas).
Other expenditure	Expenditure on consultants, expert witnesses, mediators, interpreters, motor vehicles, court registries, first line support staff, and overheads where incurred by the court administration agency.
Party requested adjournments	<p>Matters adjourned on first day of hearing for more than one day on application by either the prosecution/plaintiff or the defendant for reasons such as:</p> <ul style="list-style-type: none"> • unavailability of witness; • failure of accused to appear; • granting of application for more time; or • pleading on the day.
Probate registry expenditure	Salary expenditure of the probate registrar and probate clerks and non-salary expenditure directly attributable to probate registries.
Real expenditure	Actual expenditure adjusted for changes in prices using the GDP(E) price deflator and expressed in terms of final year prices.
Sheriff and bailiff expenditure	Expenditure on court orderlies, court security, jury management and witness payment administration. For the civil jurisdiction, includes expenditure (by or on behalf of the court) on bailiffs to enforce court orders. In the coronial jurisdiction, includes expenditure on police officers permanently attached to the coroner for the purpose of assisting in coronial investigations. Excludes witness payments, fines enforcement (criminal jurisdiction) and prisoner security.

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Table 9.9 (continued)

<i>Descriptor</i>	<i>Definition</i>
Umbrella department expenditure	Expenditure incurred by the umbrella department (the Ministry or Department of Justice or Attorney-General). Includes expenditure on accounting, human resources functions, training, media liaison, research, policy, property management and administration.
Urban area	State and Territory capital city statistical divisions and other urban areas (which were urban centres of 100 000 people or more).
Withdrawn	The formal withdrawal of criminal charges by the prosecution (for example, police, Director of Public Prosecutions, Attorney-General).

Table 9.10 Indicators

<i>Indicator</i>	<i>Definition</i>
Adjournment rate	The ratio between the number of court requested adjournments to court hearings or trials initiated. Hearings can be adjourned more than once, so adjournment rates can be greater than 100 per cent.
Adjudicated finalisation	Where a charge is considered complete and ceases to be active in any court, even though that charge has not been adjudicated. For example, a bench warrant was issued or withdrawn by prosecution.
Average expenditure per case — excluding in-house revenue	Average expenditure per criminal or civil case (see below) excluding revenue for jurisdictions from providing library court reporting and civil bailiff services.
Average expenditure per civil case	The total cost of the administrative services provided to civil matters divided by the total number of civil files handled. Total costs include salaries, sheriff expenses, juror costs, accommodation costs, library services, information technology, departmental overheads, and court operating expenses.
Average expenditure per primary criminal case	The total costs of the administrative services divided by the total number of primary criminal matters handled. Total costs include salaries, sheriff expenses, juror costs, net court reporting costs, accommodation costs, net cost of library services, information technology, departmental overheads and court operating expenses.
Cost recovery	The level of court fees divided by the level of court expenditure.
Court fees collected	Total court income from fees charged in the civil jurisdiction. Includes filing, sitting hearing and deposition fees; excludes transcript fees.
Geographic accessibility	The number of metropolitan locations divided by the total number of court locations expressed as a percentage.
Method of finalisation	The process that leads to the completion of a criminal charge within a higher court so it ceases to be an item of work in that court.
Method of initiation	Describes how a criminal charge was introduced to a court level.
Non-adjudicated finalisation	A judgement or decision by the court as to whether or not the defendant is guilty of the charge laid against him or her. For example, the defendant pleaded guilty or was found guilty by the court or was acquitted.

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Table 9.10 (continued)

<i>Indicator</i>	<i>Definition</i>
Timeliness	<p>The percentage of <i>total criminal cases</i> completed that are completed within six months; six to 12 months; 12 to 18 months; and greater than 18 months of lodgment. Cases are sorted according to the time taken to finalise after lodgment.</p> <p>The percentage of <i>total civil cases</i> completed that are completed within six months; six to 12 months; 12 to 18 months; and greater than 18 months of lodgment. Cases are sorted according to the time taken to finalise after lodgment.</p> <p>The percentage of <i>defended civil cases</i> completed that are completed within six months; six to 12 months; 12 to 18 months; and greater than 18 months of lodgment. Cases are sorted according to the time taken to finalise the defended cases after initial lodgment.</p> <p>The percentage of <i>civil trial cases</i> finalised through the initiation of a trial that are completed within six months; six to 12 months; 12 to 18 months; and greater than 18 months of lodgement. Cases are sorted according to the time taken to finalise the cases after initial lodgment.</p>

