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## **Data quality information — Court administration, chapter 7**

### **Data quality information**

Data quality information (DQI) has been prepared for the first time for the 2011 Report on Government Services. DQI provides information against the seven ABS data quality framework dimensions, for a selection of performance indicators in the Court Administration chapter. DQI for additional indicators will be progressively introduced in future reports.

DQI are available for the following performance indicators:

Fees paid by applicants	2
Judicial officers (as expressed per 100 000 population)	5

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## Fees paid by applicants

Data quality information for this indicator has been drafted by the Secretariat in consultation with the Court Administration Working Group and the Courts Practitioner Group, with additional Steering Committee comments.

### Indicator definition and description

<b>Element</b>	Court Administration Equity – Access – Affordability
<b>Indicator</b>	Fees paid by applicants
<b>Measure (computation)</b>	<p>'Fees paid by applicants' is defined as the average court fees paid per lodgment. It is derived by dividing the total court fees collected in a year (numerator) by the total number of lodgments in a year (denominator).</p> <p><u>Numerator</u> is defined as:</p> <ul style="list-style-type: none"><li>• Total court fees collected in a financial year</li></ul> <p><u>Denominator</u> is defined as:</p> <ul style="list-style-type: none"><li>• Total number of lodgments in a financial year</li></ul> <p>Data for the numerator are adjusted using the GDP price deflator (for more detail about the GDP price deflator and how it is applied in the Report, see <a href="#">Statistical Appendix</a>, section A5 Statistical Concepts used in the Report).</p>
<b>Data source/s</b>	Court fees collected and lodgment data are sourced from administrative data collected by Australian, State and Territory court administration authorities and departments.

### Data Quality Framework Dimensions

<b>Institutional environment</b>	<p><u>Numerator</u> – Total court fees collected in a financial year</p> <p>In most jurisdictions, the data are collected and compiled by the court administrations or a court administration authority. In the other jurisdictions, it is collected and compiled by governing departments.</p> <p>The data are requested and submitted in accordance with the authority of the terms of reference of the Review of Government Service Provision.</p> <p><u>Denominator</u> – Total lodgments in a financial year</p> <p>In most jurisdictions, the data are collected and compiled by the court administrations or a court administration authority. In the other jurisdictions, it is collected and compiled by governing departments.</p> <p>The data are requested and submitted in accordance with the authority of the terms of reference of the Review of Government Service Provision.</p>
<b>Relevance</b>	<p>'Fees paid by applicants' is intended to be an indicator of governments' achievement against the objective of keeping services accessible through charging affordable court fees for services provided.</p> <p>However, court fees are only a small component of the broader legal costs incurred by applicants. Given that using the courts is often only practically possible with the assistance of lawyers, this indicator should not be interpreted as an indicator of general accessibility to legal services or processes.</p> <p>Also fee structures and the associated bases for charging differ across jurisdictions, e.g. corporate entities pay more than individuals. Jurisdictions also exempt and waive fees in special circumstances and this affects the amounts of fees paid in the ROGS.</p>

<b>Timeliness</b>	<p><u>Numerator</u> - Total court fees collected in a financial year The reference period for court fees is the 2009-10 financial year. Data are provided in September 2010, for publication in January 2011.</p> <p><u>Denominator</u> - Total lodgments in a financial year The reference period for lodgment data is the 2009-10 financial year. Data are provided in September 2010, for publication in January 2011. Data can be revised retrospectively up to 5 years later.</p>
<b>Accuracy</b>	<p><u>Numerator</u> — Total court fees collected in a financial year In all jurisdictions the identification of total court fees is done using electronic case management and finance systems. The data provided are consistent with ROGS counting rules and the requested data reported are for all court levels in each jurisdiction. The data are sourced from finance and case management systems, which are subject to the normal legislative financial and administrative controls, reconciliation, and validation processes to ensure accuracy. Due to the financial nature of the data it is also independently audited for annual reporting purposes. Preparation of the data for the RoGS by court administration authorities also undergoes checking and verification procedures, including investigation of significant variances with previous years.</p> <p><u>Denominator</u> — Total lodgments in a financial year In all jurisdictions the identification of lodgments is done using electronic case management systems. The data provided are consistent with ROGS counting rules and the requested data reported are for all court levels in each jurisdiction. The data are sourced from case management systems, which are subject to the normal administrative controls, reconciliation, and validation processes to ensure accuracy. Preparation of the data for the RoGS by court administration authorities also undergoes checking and verification procedures, including investigation of significant variances with previous years.</p>
<b>Coherence</b>	<p><u>Numerator</u> — Total court fees collected in a financial year For the last five years, the data have been counted and reported relatively consistently and no significant factors have been identified which have prevented or affected the consistent compilation of time series data. Minor exceptions are as follows.</p> <ul style="list-style-type: none"> <li>• In the Federal Court of Australia, fees associated with bankruptcy matters are now excluded from current ROGS data (they are included in Federal Magistrates Court data). Adjustments have been made to Federal Court data from previous years 2007/08 and 2008/09.</li> <li>• In the 2011 report, WA Magistrates Court is reporting revenue (court fees) collected on behalf of the court by the Fines Enforcement Registry (Electronic Court). This revenue had previously been recorded in the Electronic Court. Additionally consolidated (or administered) revenue of the Electronic Court relating to fines and infringements has been included for the first time. These changes have been made to bring WA in to line with other jurisdictions reporting in this area.</li> </ul> <p>In some jurisdictions there is an alignment with other publications, e.g. annual reports, in relation to court fees collected. In the other jurisdictions there are differences due to the ROGS counting rules.</p> <p><u>Denominator</u> — Total lodgments in a financial year For the last five years, the data have been counted and reported relatively consistently and no significant factors have been identified which have</p>

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prevented or affected the consistent compilation of time series data. Minor exceptions are as follows.

- In the Federal Court lodgments associated with bankruptcy matters are now excluded from current ROGS data. Adjustments have been made to the data from previous years 2007/08 and 2008/09.
- For the 2011 report WA Coroners Court has moved from a manual data collection method to an electronic data collection method, and in the 2010 report the WA Supreme court revised the business counting rules to bring data into line with the jurisdiction practices and procedures.
- In the 2011 report, due to continuing development of a new database, NSW data include actual and estimated data which may not be comparable to previous years.

In most jurisdictions there is an alignment with other publications, e.g. annual reports, in relation to lodgments. In the other jurisdictions there are differences due to the ROGS counting rules.

#### **Accessibility**

Numerator — Total court fees collected in a financial year

Data on court fees are supplied for the RoGS according to the specific RoGS counting rules. Other data on court fees can be accessed through annual reports and court websites within most jurisdictions and in most jurisdictions there is an alignment with other publications, e.g. annual reports, in relation to court fees.

However, some data obtained from these other sources in some jurisdictions may not align with the ROGS due to the specific ROGS counting rules.

Denominator — Total lodgments in a financial year

Data on court lodgments are supplied for the RoGS according to the specific RoGS counting rules. In many cases the RoGS aligns with data published in jurisdictional reports, e.g. annual reports. Some jurisdictions may also publish different data which may not align with RoGS.

#### **Interpretability**

Numerator

- Total court fees collected in a financial year

Denominator

- Total lodgments in a financial year

Contextual information for fees collected and lodgment data are provided in the Court Administration chapter and attachment tables.

#### **Data Gaps/Issues Analysis**

##### **Key data gaps/ issues**

The Steering Committee notes the following key data gaps/issues:

- While 'fees paid by applicants' is an indicator of accessibility to court services, a large proportion of civil matters in the federal courts have fees exempted or waived under certain circumstances. State and territory courts to a lesser extent also exempt and waive some fees. The lodgments for which no fees are paid are included in the total lodgments data which diminishes the reported average fees paid per lodgment. If no-fee lodgments were excluded a better comparison of affordability would be achieved.

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## Judicial officers (as expressed per 100 000 population)

Data quality information for this indicator has been drafted by the Secretariat in consultation with the Court Administration Working Group and the Courts Practitioner Group, with additional Steering Committee comments.

### Indicator definition and description

<b>Element</b>	Court Administration Effectiveness – Access – Geographical access
<b>Indicator</b>	Judicial officers (as expressed per 100 000 population)
<b>Measure (computation)</b>	<p>'Judicial officers' are officers who can make enforceable orders of the court. This can include judges, associate judges, magistrates, coroners and judicial registrars. The number of judicial officers is expressed in full time equivalent units and, where judicial officers have both judicial and non-judicial work, refers to the proportion of time allocated to judicial work. The number of judicial officers is also presented in comparison to the population.</p> <p><u>Numerator</u> is defined as:</p> <ul style="list-style-type: none"><li>• Number of full time equivalent judicial officers</li></ul> <p><u>Denominator</u> is defined as:</p> <ul style="list-style-type: none"><li>• Estimated residential population in jurisdiction as at 31 December</li></ul> <p>Expressed as rate: calculation is <math>100\,000 \times (\text{Numerator} / \text{Denominator})</math></p>
<b>Data source/s</b>	<p><u>Numerator</u> Judicial officers data are sourced from administrative data collected by Australian, State and Territory court administration authorities and departments.</p> <p><u>Denominator</u> ABS (Australian Bureau of Statistics) 2010 and previous years, <i>Australian Demographic Statistics, December 2009</i>, Cat no. 3101.0, Canberra. For more detail about the population data used in the Report see RoGS Statistical Appendix, Attachment Table AA.2)</p>

### Data Quality Framework Dimensions

<b>Institutional environment</b>	<p><u>Numerator</u> — Number of FTE judicial officers</p> <p>In most jurisdictions, the data are collected and compiled by the court administrations or a court administration authority. In the other jurisdictions, it is collected and compiled by governing departments.</p> <p>The data are requested and submitted in accordance with the authority of the terms of reference of the Review of Government Service Provision.</p> <p><u>Denominator</u> — Estimated residential population</p> <p>For information on the institutional environment of the ABS, including the legislative obligations of the ABS, financial and government arrangements, and mechanisms for scrutiny of ABS operations, see <i>ABS Institutional Environment</i>. The calculations associated with the use of ABS data are applied by the Report on Government Services Secretariat.</p>
<b>Relevance</b>	<p>'Judicial officers', as expressed per 100 000 population, is an indicator that represents the availability of resources to provide judicial services.</p> <p><u>Numerator</u> — Number of FTE judicial officers</p> <p><u>Denominator</u> — Estimated residential population</p>

This indicator seeks to reflect the availability of judicial officers to the community, by relating the number of judicial officers to the size of the jurisdictional population. However geographical and other factors such as

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	remoteness of populations and workload, which are not represented in the indicator, need to be considered when comparing results.
<b>Timeliness</b>	<p><u>Numerator</u> — Number of FTE judicial officers</p> <p>The reference period for judicial officers is the 2009-10 financial year. Data are provided in September 2010, for publication in January 2011.</p> <p>Data can be revised retrospectively up to 5 years later.</p>
	<p><u>Denominator</u> — Estimated residential population</p> <p>The reference period for population data is the financial year midpoint (31 December) estimate.</p>
<b>Accuracy</b>	<p><u>Numerator</u> — Number of FTE judicial officers</p> <p>The identification of judicial officer numbers is done using data in payroll and human resource management systems. This is mostly electronic with some manual data counting. This is then adjusted to meet the RoGS data collection rules.</p> <p>The data provided are consistent with RoGS counting rules and the requested data reported are for all court levels in each jurisdiction. In order to meet the needs of the RoGS, costings and resourcing are apportioned across civil and criminal categories. This is mostly done on activity based costing approaches and the use of estimations. This may affect accuracy.</p> <p>The data come from payroll and human resource management systems, which are subject to the normal legislative financial and administrative controls and reconciliation and validation processes to ensure accuracy. Preparation of the data for the RoGS by court administration authorities also undergoes checking and verification procedures, including investigation of significant variances with previous years.</p>
<b>Coherence</b>	<p><u>Numerator</u> — Number of FTE judicial officers</p> <p>For the last five years the data have been counted and reported relatively consistently and no significant factors have been identified which have prevented or affected the consistent compilation of time series data. Minor exceptions to this are as follows.</p> <ul style="list-style-type: none"> <li>• The apportionment of judicial officers between civil and criminal in Victoria is done on estimates;</li> <li>• In the 2011 report WA has changed the basis of apportionment between civil and criminal functions from previous years;</li> <li>• Difficulties in apportionment of judicial officers between the Family Court of Australia and the Federal Magistrates' Court, and an associated change in the approach to this since 2009.</li> </ul> <p>In some jurisdictions there is an alignment with other publications, e.g. annual reports, in relation to judicial officer numbers. In the other jurisdictions there are differences due to the FTE approach and exclusions set out in the ROGS counting rules.</p>
<b>Accessibility</b>	<p><u>Numerator</u> — Number of FTE judicial officers</p> <p>Data on judicial officers are supplied for the RoGS according to the specific RoGS counting rules. Other data on judicial officers can be accessed through annual reports and court websites within most jurisdictions and in some jurisdictions there is an alignment with other publications, e.g. annual reports. However, some data obtained from these other sources in the other jurisdictions may not align with the RoGS due to the specific RoGS counting rules.</p> <p>Also, while courts in most jurisdictions make information available as to who holds a commission as a judge or master and which officers of the court are registrars, the information is not necessarily designed to provide a FTE number that can be matched to the number reported in RoGS.</p>

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**Interpretability** Numerator — Number of FTE judicial officers

Contextual information for judicial officers data are provided in the Court Administration chapter and attachment tables.

**Data Gaps/Issues Analysis**

**Key data gaps/ issues** The Steering Committee notes the following key data gaps/issues:

- Jurisdictions may need to apportion or estimate FTE judicial staff numbers between criminal and civil levels of the magistrates, children’s, district/county and supreme courts. This may affect accuracy and comparability of data.
- Not all jurisdictions calculate judicial officer FTEs in the same way for purposes of RoGS data collection. This may affect comparability of data.