

## **APPENDIX 5**

### **Workload Statistics**

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#### **Introduction**

The statistics in this appendix provide comparative historical information in relation to the work of the Court, in particular, comparative statistics concerning aspects of the Court's jurisdiction.

When considering the statistics it is important to note that matters vary according to the nature and complexity of the legal issues or evidence in dispute.

It should be noted that, in this report, the figures reported may be marginally different from figures reported in previous years. The variations have occurred through refinements or enhancements to the Court's FEDCAMS database which necessitated the checking or verification and possible variation of data previously entered and from random audits of earlier data.

**Table 5.1 – Summary of Workload Statistics**  
Original and Appellate Jurisdiction

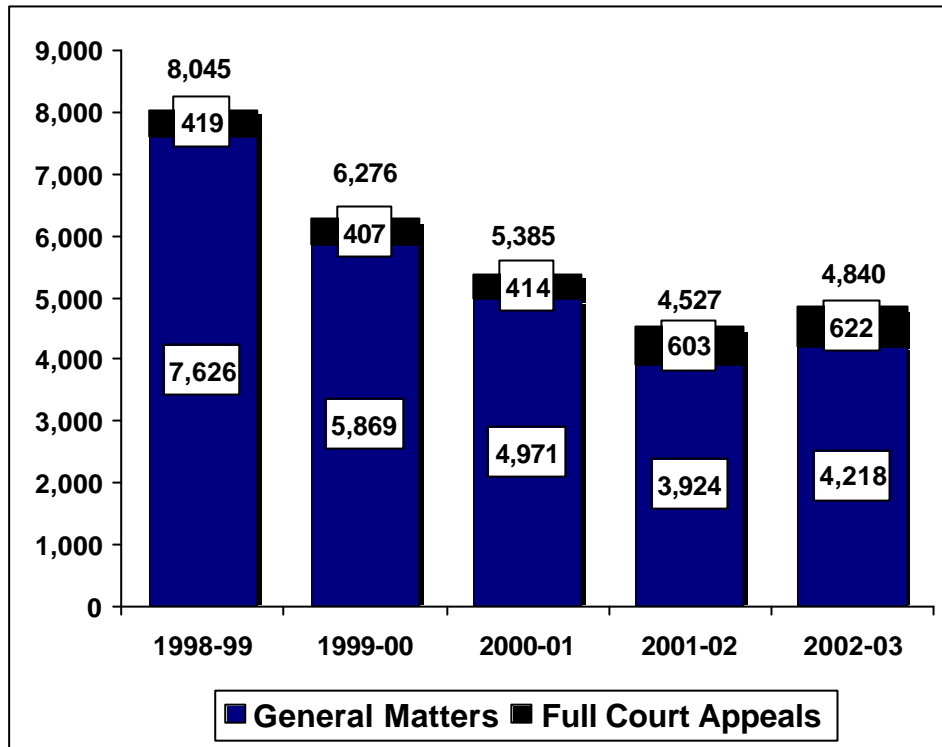
Workload	1998-99	1999-00	2000-01	2001-02	2002-03
<b>(1) Total matters and appeals</b>					
Filed	8,045	6,276	5,385	4,527	4,840
Completed	7,546	6,613	5,272	4,786	5,296
Current	4,831	4,666	4,795	4,463	3,993
<b>(2) Corporations Law matters and appeals only</b>					
Filed	688	9	19	346	461
Completed	835	239	40	243	436
Current	250	46	48	158	191
<b>(3) Bankruptcy matters and appeals only</b>					
Filed	3,556	3,084	1,210	602	527
Completed	3,587	3,163	1,742	755	554
Current	1,199	1,168	590	316	246
<b>(4) Native Title matters and appeals only</b>					
Filed	884	105	131	127	67
Completed	83	173	107	118	60
Current	854	783	808	831	849
<b>(5) Total matters and appeals (excluding Corporations Law, Bankruptcy and Native Title)</b>					
Filed	2,917	3,078	4,025	3,452	3,785
Completed	3,041	3,038	3,383	3,670	4,246
Current	2,528	2,669	3,349	3,158	2,707

**Table 5.2 – Summary of Workload Statistics**  
(excluding Full Court appeals)

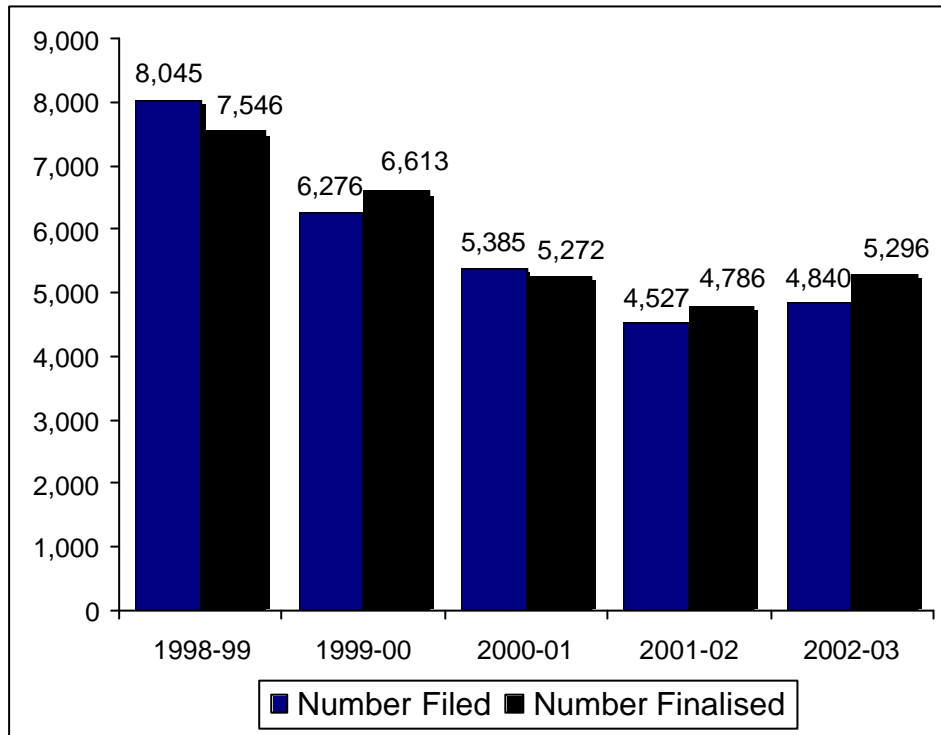
Workload	1998-99	1999-00	2000-01	2001-02	2002-03
<b>(1) Total matters</b>					
Filed	7,626	5,869	4,971	3,924	4,218
Completed	7,118	6,120	4,858	4,266	4,651
Current	4,552	4,445	4,550	4,129	3,662
<b>(2) Corporations Law matters only</b>					
Filed	668	6	14	342	456
Completed	811	228	36	236	429
Current	239	42	41	154	187
<b>(3) Bankruptcy matters only</b>					
Filed	3,522	3,044	1,190	554	482
Completed	3,547	3,121	1,712	715	514
Current	1,181	1,150	579	291	217
<b>(4) Native Title matters only</b>					
Filed	875	99	130	124	64
Completed	78	162	105	117	57
Current	845	779	804	825	844
<b>(5) Total matters (excluding Corporations Law, Bankruptcy and Native Title)</b>					
Filed	2,561	2,720	3,637	2,904	3,216
Completed	2,682	2,609	3,005	3,198	3,651
Current	2,287	2,474	3,126	2,859	2,414

**Table 5.3 – Summary of Workload Statistics**  
Full Court appeals only

Workload	1998-99	1999-00	2000-01	2001-02	2002-03
<b>(1) Total appeals</b>					
Filed	419	407	414	603	622
Completed	428	493	414	520	645
Current	279	221	245	334	331
<b>(2) Corporations Law appeals only</b>					
Filed	20	3	5	4	5
Completed	24	11	4	7	7
Current	11	4	7	4	4
<b>(3) Bankruptcy appeals only</b>					
Filed	34	40	20	48	45
Completed	40	42	30	40	40
Current	18	18	11	25	29
<b>(4) Native Title appeals only</b>					
Filed	9	6	1	3	3
Completed	5	11	2	1	3
Current	9	4	4	6	5
<b>(5) Total appeals (excluding Corporations Law, Bankruptcy and Native Title)</b>					
Filed	356	358	388	548	569
Completed	359	429	378	472	595
Current	241	195	223	299	293

**Figure 5.1****Matters filed 1998-1999 to 2002-2003**

The year 1998-99 includes 794 native title matters transferred from the National Native Title Tribunal on 30 September 1998.

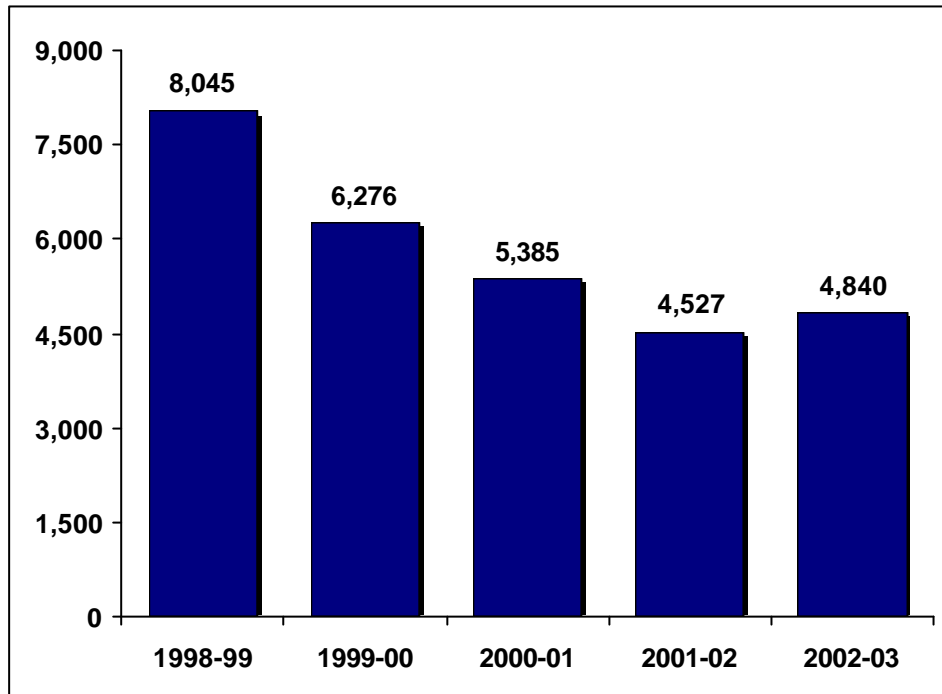
**Figure 5.2****Matters filed and finalised 1998-1999 to 2002-2003**

The number finalised refers to those matters finalised in the relevant financial year regardless of when these matters were originally filed.

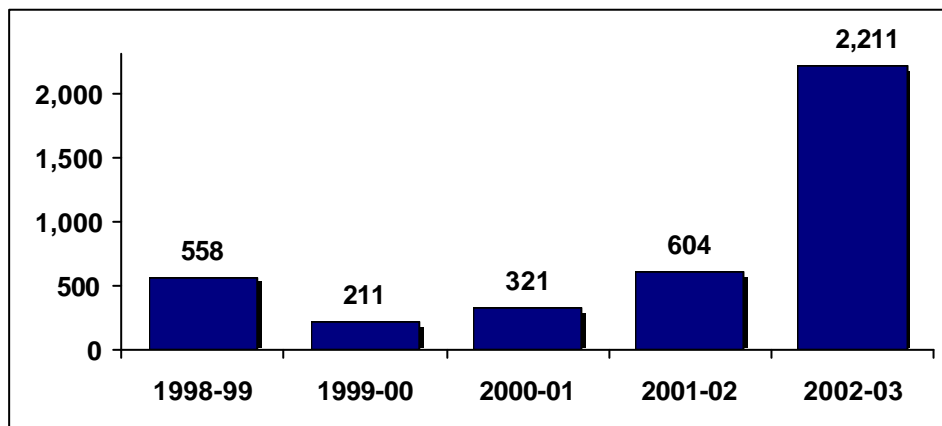
The number filed and the number finalised include creditors' petitions and other bankruptcy applications as shown below:

<b>Year</b>	<b>Filed</b>	<b>Finalised</b>
1998-99	3,522	3,547
1999-00	3,044	3,121
2000-01	1,190	1,712
2001-02	554	715
2002-03	482	514

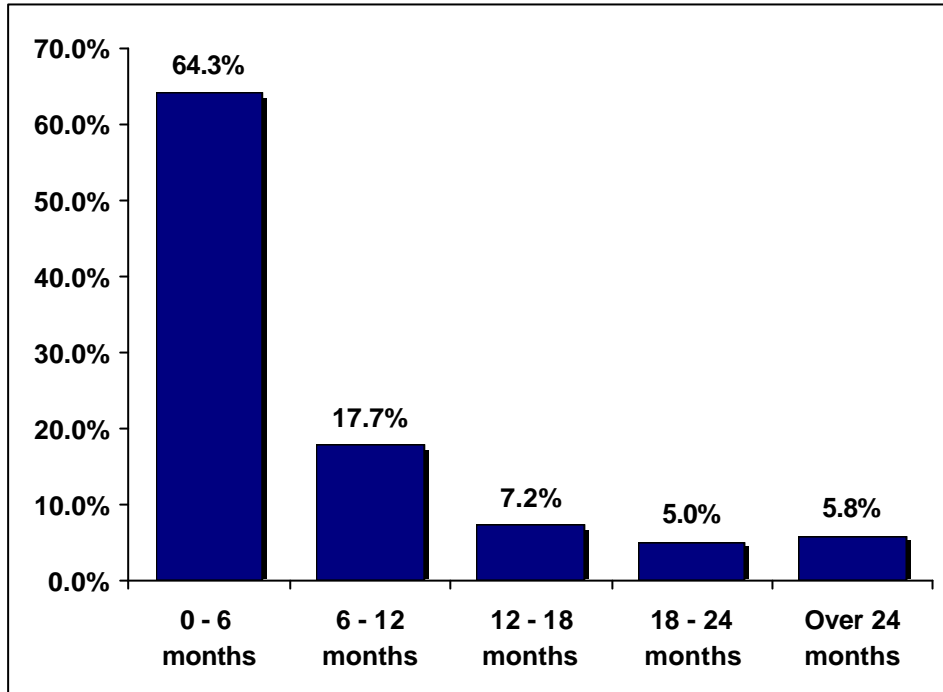
Figure 5.3

**Matters filed from 1998-1999 to 2002-2003**

The total filed in 1998-99 includes 794 native title matters transferred from the National Native Title Tribunal on 30 September 1998.

**Age and number of current matters at 30 June 2003**

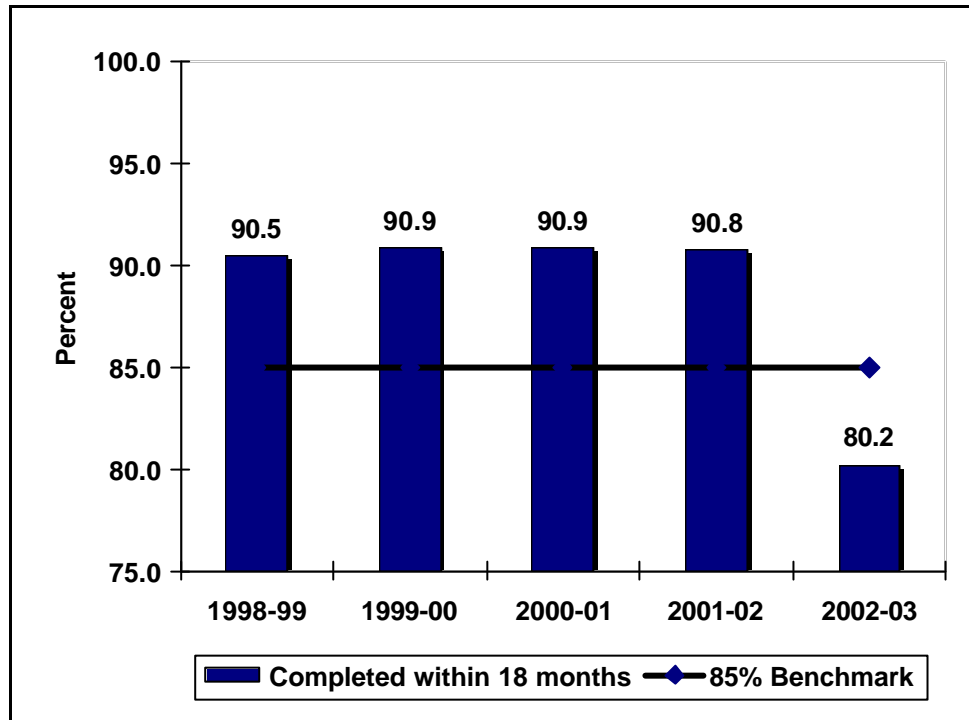
A total of 3,993 matters remain current as at 30 June 2003 including 450 matters transferred from the National Native Title Tribunal. The age of each of these is shown in the graph above. There were 88 applications still current relating to periods before those shown in the graph.

**Figure 5.4****Time span to complete  
Matters completed in the period 1 July 1998 to 30 June 2003**

A total of 28,697 matters were completed during the 5-year period ended 30 June 2003, excluding Native Title matters. The time span, from filing to disposition of each of these matters, is shown in the graph above.

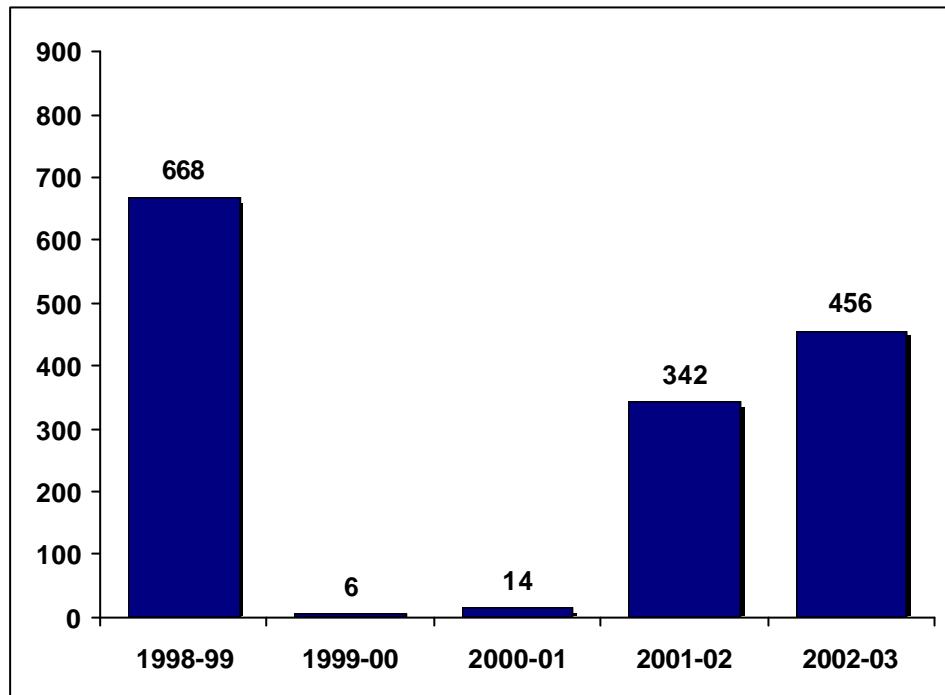
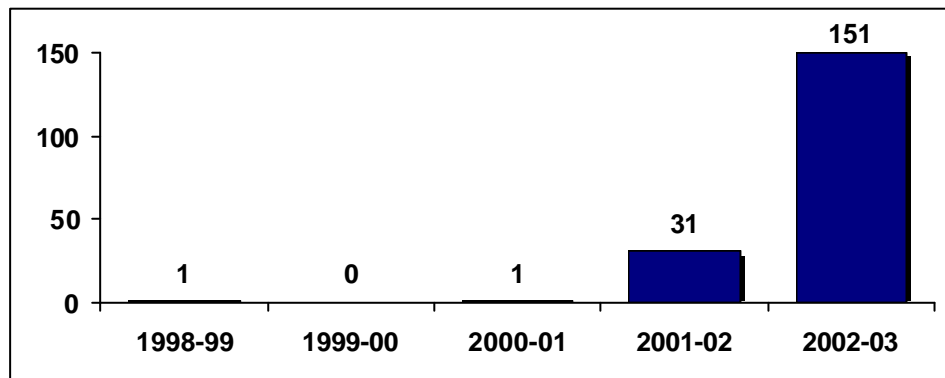
Figure 5.5

**Time span to complete benchmark  
1998-1999 to 2002-2003**

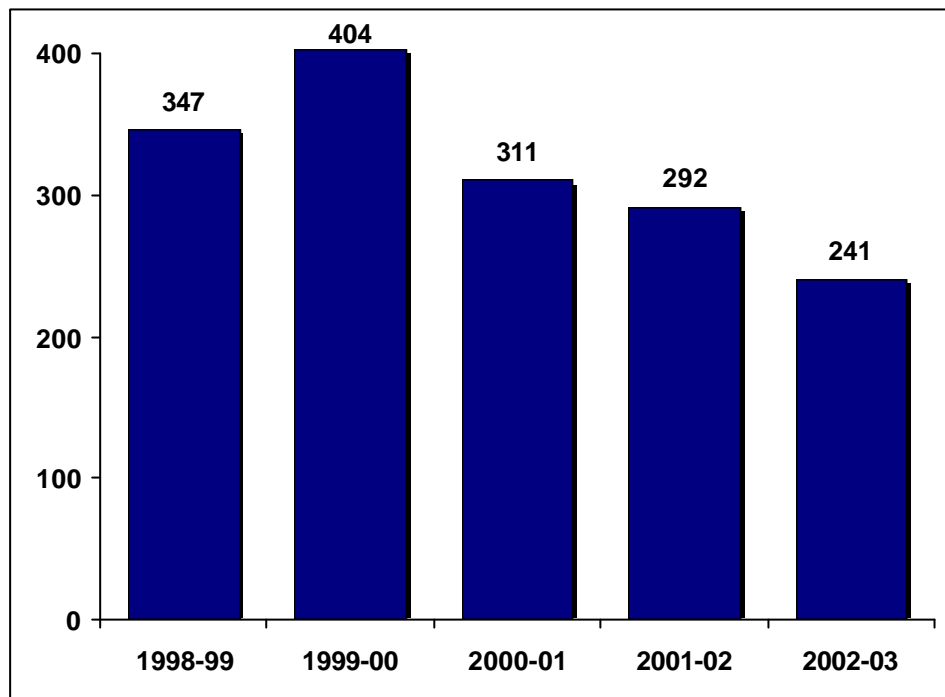
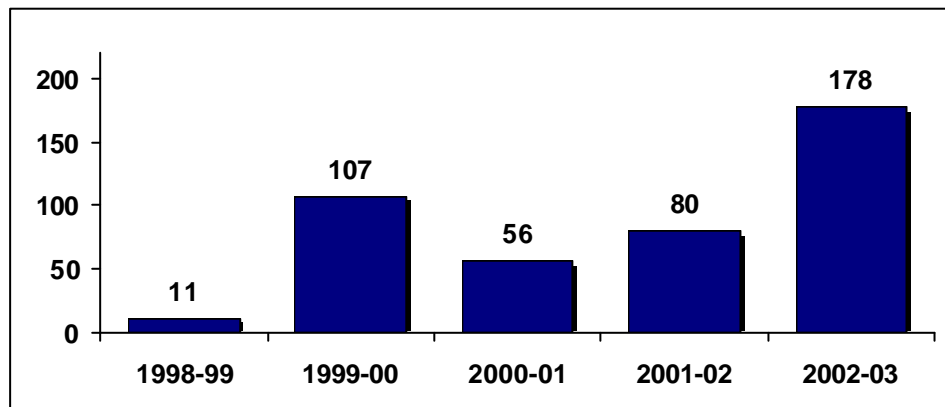


The total number of applications, excluding native title applications, completed for each of the last five years and the time span for completion are shown below:

Year	Number	Percentage Completed	
		under 18 months	over 18 months
1998-99	7,468	90.5	9.5
1999-00	6,451	90.9	9.1
2000-01	5,167	90.9	9.1
2001-02	4,669	90.8	9.2
2002-03	5,089	80.2	19.8

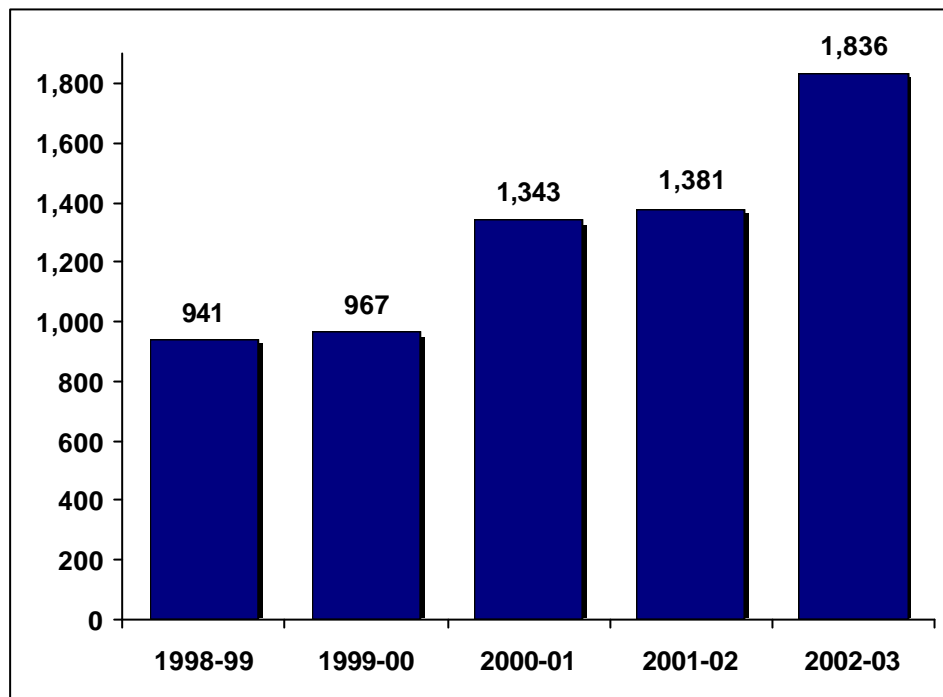
**Figure 5.6****Corporations Law matters filed 1998-1999 to 2002-2003****Age and number of current matters at 30 June 2003**

A total of 187 *Corporations Law* matters remain current at 30 June 2003. The age of each of these is shown in the graph above. There were 3 matters still current relating to periods before those shown in the graph.

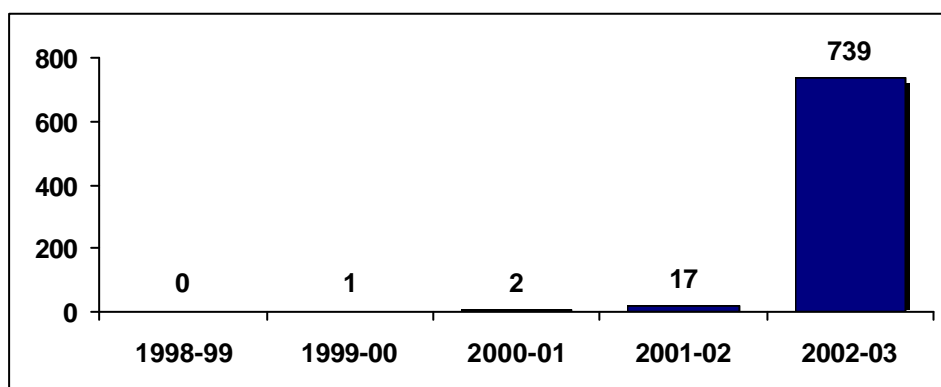
**Figure 5.7*****Trade Practices Act* matters filed 1998-1999 to 2002-2003****Age and number of current matters at 30 June 2003**

A total of 452 *Trade Practices Act* matters remain current as at 30 June 2003. The age each of these is shown in the graph above. There were 20 matters still current relating to periods before those shown in the graph.

Figure 5.8

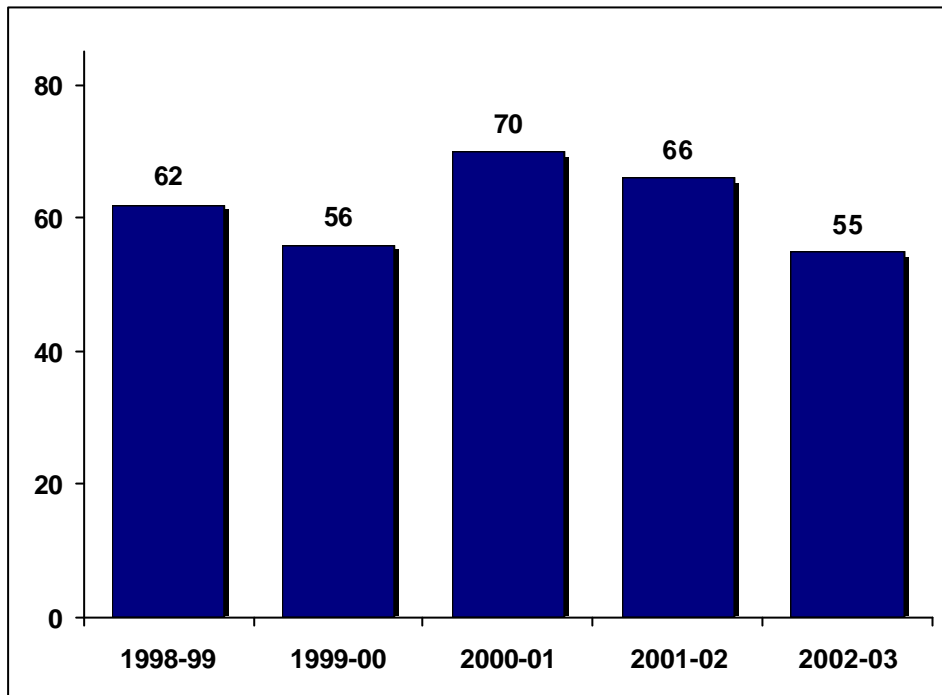
**Migration Act matters filed 1998-1999 to 2002-2003**

Some migration applications are filed under the *Administrative Decisions (Judicial Review) Act* and many are now also filed under the *Judiciary Act*. These are now included in the figures above. In earlier reports these cases were not included. Since the amendments to the *Migration Act* on 2 October 2001 the majority of migration applications are now filed under the provisions of the *Judiciary Act*. To provide an accurate picture of the Court's migration workload these matters are included above.

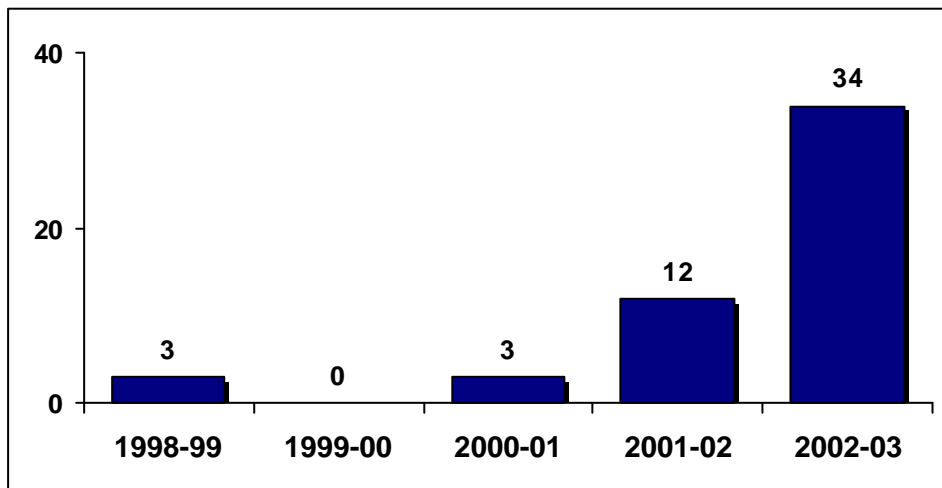
**Age and number of current matters at 30 June 2003**

A total of 760 *Migration Act* matters remain current as at 30 June 2003. The age of each of these is shown in the graph above. There was one matter still current relating to a period before those shown in the graph.

Figure 5.9

*Admiralty Act* matters filed 1998-99 to 2002-03

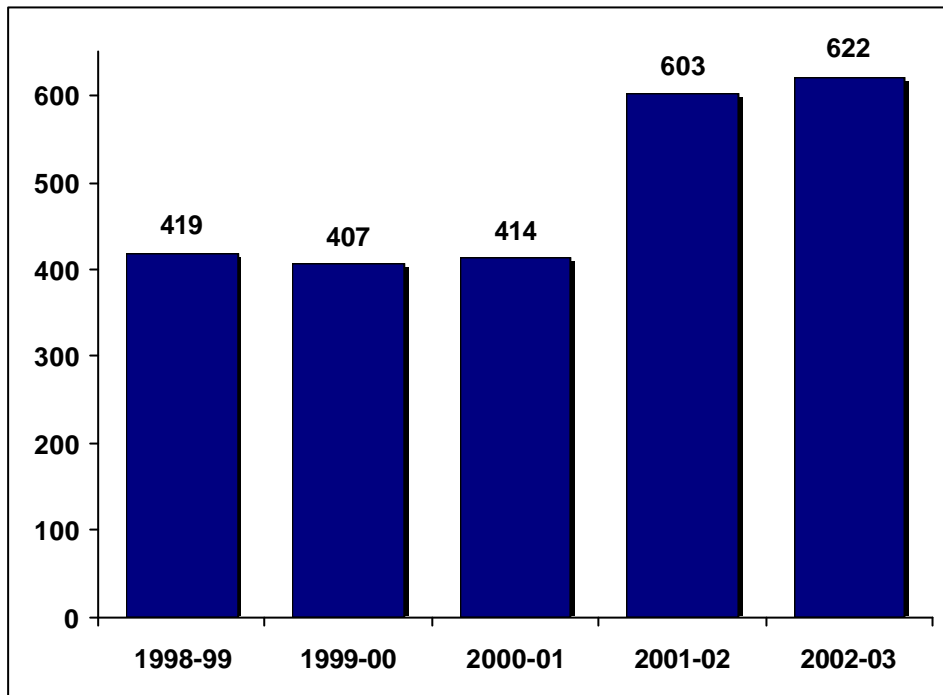
## Age and number current matters at 30 June 2003



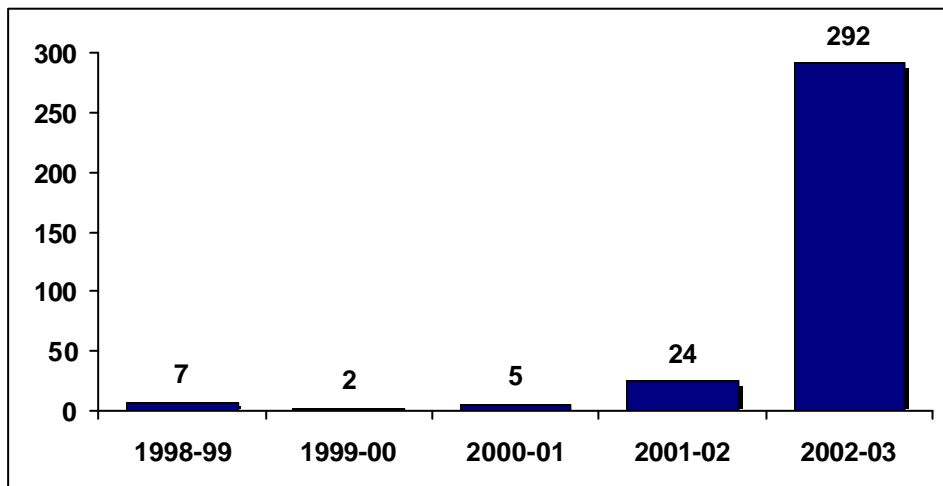
A total of 54 *Admiralty Act* matters remain current as at 30 June 2003. The age of each of these is shown in the graph above. There were 2 matters still current relating to periods before those shown in the graph.

Figure 5.10

## Appeals to the Full Court filed 1998-99 to 2002-03



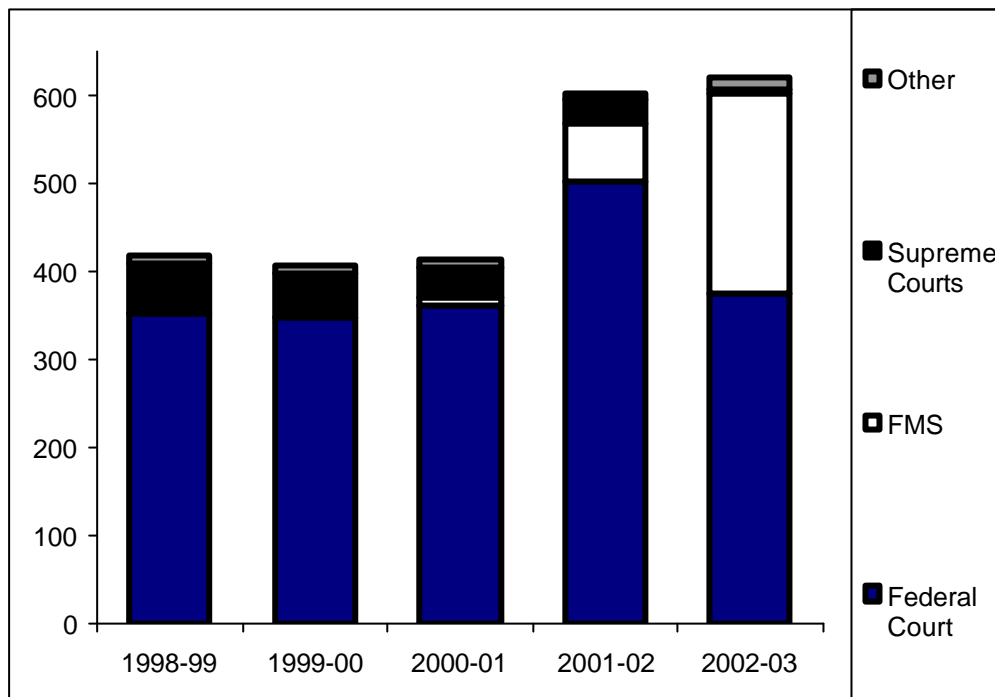
## Age and number of current matters at 30 June 2003



A total of 331 appeals to the Full Court remain current as at 30 June 2003. The age of each of these is shown in the graph above. There was one appeal still current relating to a period before those shown in the graph.

Figure 5.11

## Source of Full Court Appeals filed 1998-99 to 2002-03



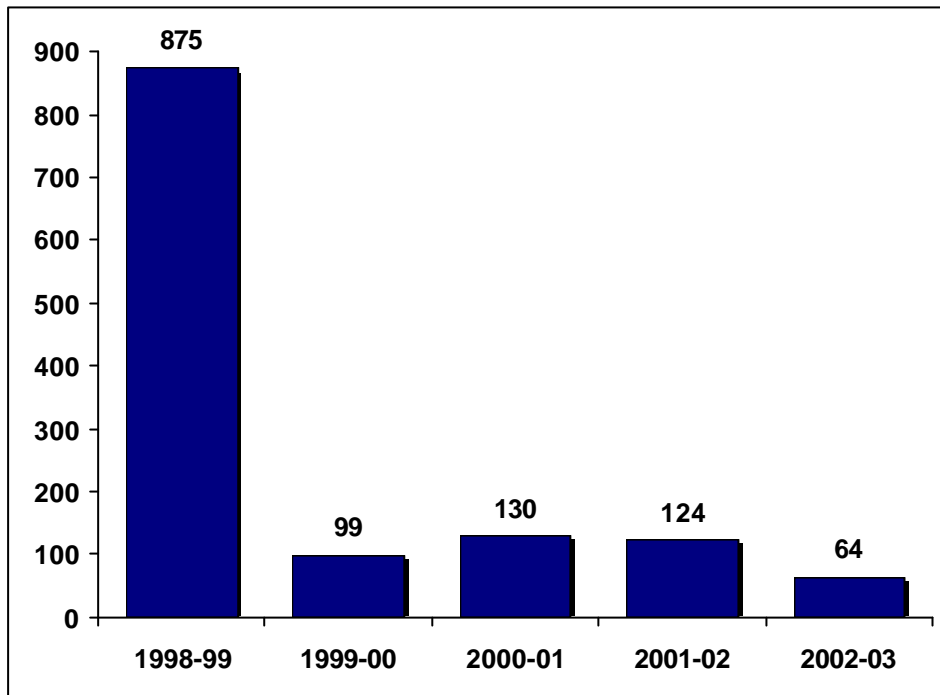
Source	1998-99	1999-00	2000-01	2001-02	2002-03
Federal Court	352 84.0%	347 85.3%	362 87.4%	502 83.3%	375 60.3%
FMS	-	-	8 1.9%	66 10.9%	227 36.5%
Supreme Courts	57 13.6%	50 12.3%	34 8.2%	27 4.5%	6 1.0%
Other Sources	10 2.4%	10 2.5%	10 2.4%	8 1.3%	14 2.3%
Total	419 100.0%	407 100.0%	414 100.0%	603 100.0%	622 100.0%

Notes

The Federal Magistrates Court commenced on 23 June 2000.

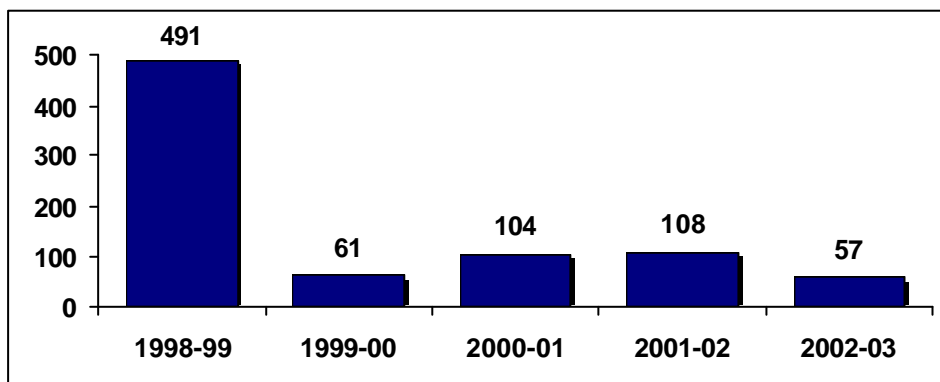
Appeals from Supreme Courts to the Federal Court have declined following the establishment of the ACT Court of Appeal.

**Figure 5.12**  
*Native Title Act matters filed 1998-1999 to 2002-2003*



Included in the figures for 1998-99, there were 794 matters transferred from the National Native Title Tribunal on 30 September 1998. Of these, 450 matters remain current as at 30 June 2003.

**Age and number of current matters at 30 June 2003**



A total of 844 Native Title matters remain current as at 30 June 2003 (not including appeals). The age of each of these is shown in the graph above. There were 23 matters still current relating to periods before those shown in the graph. It is important to note that these figures are the cases which remain open on the Court's data base, FEDCAMs. In 160 cases the individual case is effectively closed because it has been combined or consolidated with one or more cases and the matter is proceeding with a lead case. This means that as at 30 June 2003, there were, in practical terms, 611 active native title claimant applications. More details on the statistics are included in Chapter 3 on page 39.