

Appendix 6

WORKLOAD STATISTICS

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.

It should be noted that, in this report, the figures reported may be marginally different from figures reported in previous reports. During the year as part of the process of implementation of the Individual Docket System, the Court conducted an audit of its pending caseload. The reasons for the audit were to ensure that the Court could account for all its pending caseload, and could ensure that the management of the inventory would be conducted in a way so that cases would not be delayed beyond the 18 months time goal set by the Court. The audit also identified the number and types of cases which would be likely to be allocated at first instance to Judges' Individual Dockets.

The audit disclosed a number of matters which had been settled or disposed and had not been so identified by the parties or the Court and consequently the identification of these matters may have affected marginally the statistics of disposed and pending matters in previous reporting years.

During the 1996-97 year several Acts commenced which affected the way the Court recorded the statistics reported on pages 96 to 116.

The *Bankruptcy Act* was amended by the *Bankruptcy Legislation Amendment Act* which commenced on 16 December 1996. Many of the administrative functions previously performed by the Registrars in Bankruptcy were transferred to Insolvency and Trustee Service, Australia and the office of Registrar in Bankruptcy was abolished. The functions transferred include the acceptance of debtors' petitions and issuing of bankruptcy notices. Prior to 16 December 1996 matters under the *Bankruptcy Act* were recorded in BIOS, a specific bankruptcy database. From 16 December 1996 bankruptcy matters are included in the FEDCAMS database.

The *Industrial Relations Act* was amended by the *Workplace Relations and Other Legislation Amendment Act*, including a change of name to the *Workplace Relations Act*. The jurisdiction of the Industrial Relations Court of Australia was transferred to the Court on 26 May 1997. The effect of this was that matters part-heard in the Industrial Relations Court remained in that Court but 381 other matters were transferred to the Federal Court. New matters under the *Workplace Relations Act* were commenced in the Federal Court from that date.

The *Workplace Relations and Other Legislation Amendment Act* also amended the *Federal Court of Australia Act* by deleting references to the Divisional structure of the Court. For this reporting year matters which would previously have been recorded in the Industrial Division have been recorded in the General Division. For the next reporting year the reference to General Division will be deleted.

Table 6.1**Summary of Workload Statistics**

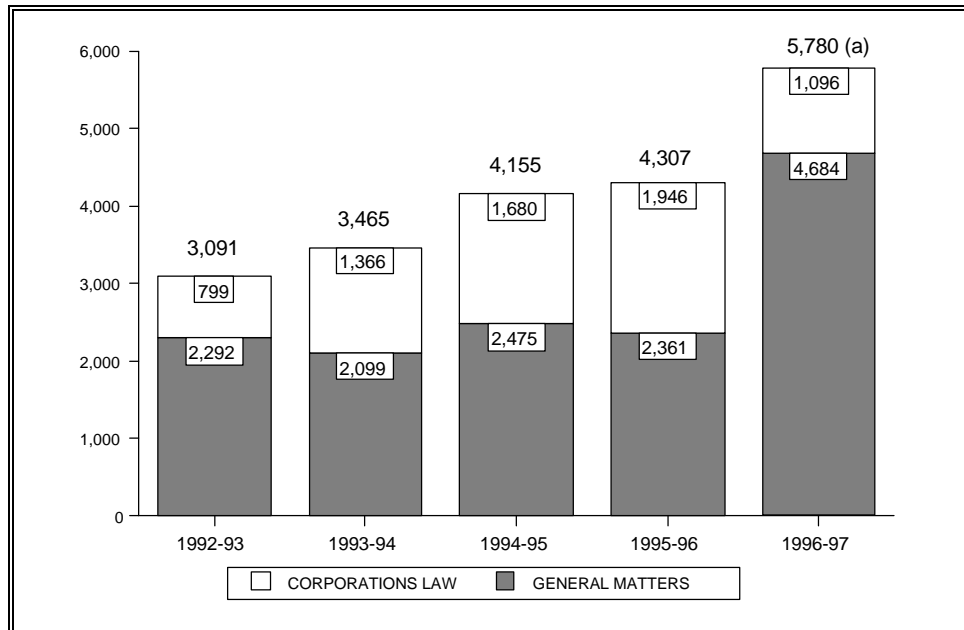
Workload	1991-92	1992-93	1993-94	1994-95	1995-96	1996-97
Total General Division matters - including Corporations Law, and Workplace Relations matters (including Industrial Relations Court transfers) from 26/5/97						
Filed	2,679	3,091	3,465	4,155	4,307	3,855
Completed	2,410	2,585	3,306	3,614	3,879	3,996
Current	2,153	2,659	2,818	3,359	3,787	3,627
Corporations Law matters only						
Filed	711	799	1,366	1,680	1,946	1,096
Completed	510	709	1,178	1,589	1,836	1,420
Current	263	353	541	632	742	439
Total General Division matters (excluding Corporations Law matters)						
Filed	1,968	2,292	2,099	2,475	2,361	2,759
Completed	1,900	1,876	2,128	2,025	2,043	2,576
Current	1,890	2,306	2,277	2,727	3,045	3,188

For comparative purposes the creditors' petitions now filed in the FEDCAMs database since 16 December 1996 have not been included for 1996-97 to enable a true comparison with previous years.

The number of creditors' petitions filed in 1996-97 was 1,925. Creditors' petitions have been included in relevant graphs that follow.

Figure 6.1

**General Division matters filed
1992-93 to 1996-97
(excluding bankruptcy to 15 December 1996)**

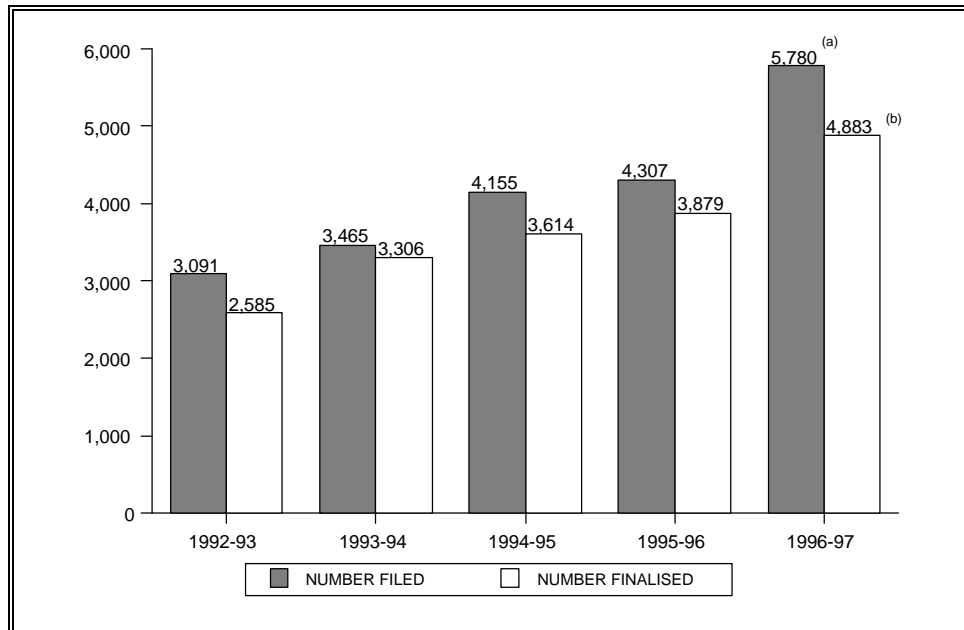


The *Bankruptcy Act* was amended in December 1996 by the *Bankruptcy Legislation Amendment Act*. Following the amendments, creditors' petitions and other applications relating to bankruptcy estates are included in the Court's FEDCAMS database. Previously this information was included in BIOS, a specific bankruptcy database.

Note: (a) For 1996-97, 1,925 creditors' petitions filed since 16 December 1996 have been included as have 381 industrial matters transferred from the Industrial Relations Court of Australia on 26 May 1997.

Figure 6.2

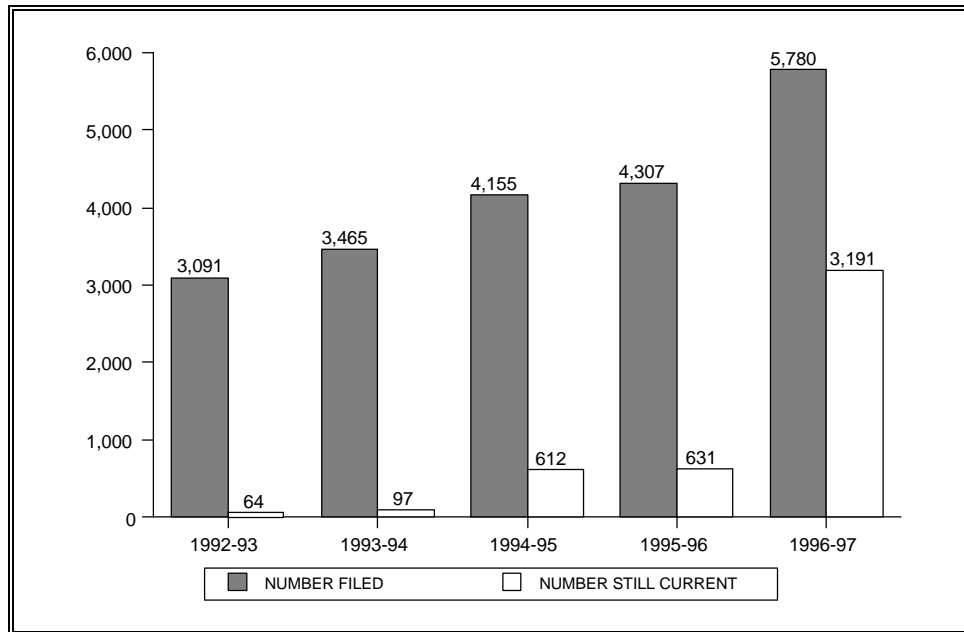
**General Division matters finalised
1992-93 to 1996-97
(excluding bankruptcy)**



- Note: (a) For 1996-97, 1,925 creditors' petitions filed since 16 December 1996 and 381 industrial matters transferred from the Industrial Relations Court of Australia on 26 May 1997 are included in the total of 5,780.
- (b) For 1996-97 the number finalised at 30 June 1997 includes 887 creditors' petitions and 35 industrial matters.

Figure 6.3

**General Division current matters
1992-93 to 1996-97
(excluding bankruptcy to 15 December 1996)**



A total of 4,669 matters remain current as at 30 June 1997. The age of these are shown in the graph above. In addition, there were 74 matters still current relating to periods before those shown on the graph.

Figure 6.4
General Division matters - time span to complete
(excluding bankruptcy)
For matters completed in the period 1 July 1992 to 30 June 1997

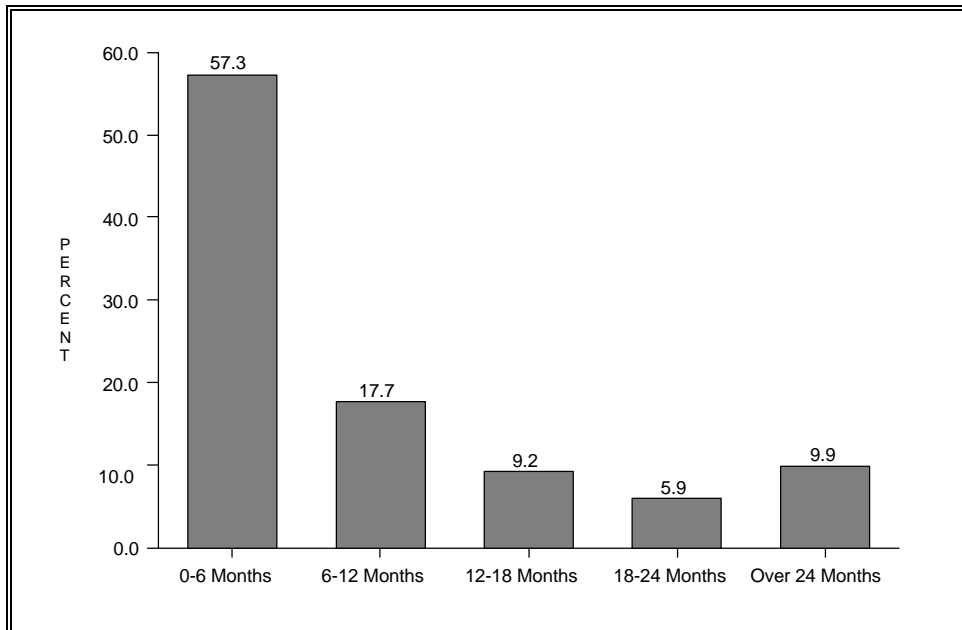
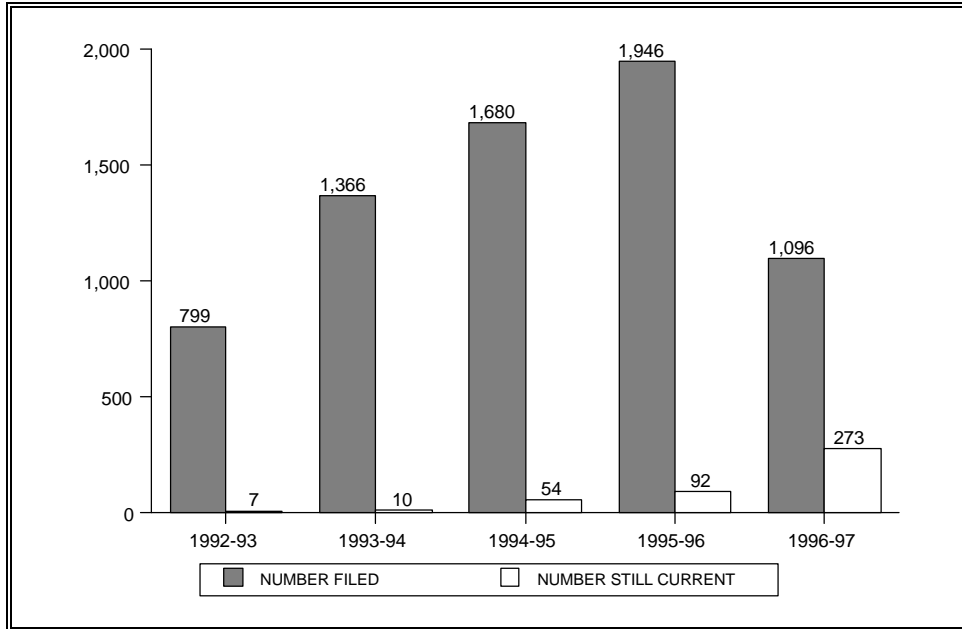


Figure 6.5

**Corporations Law current matters
1992-93 to 1996-97**



This figure shows that at the end of the reporting year 273 matters commenced in 1996-97 were still pending and, by comparison, 7 matters commenced in 1992-93 were still pending at the end of the reporting year. (NB: There are 3 matters pending from 1991-92.)

Table 6.2**Corporations Law current matters - historical**

Age of matters	Matters current as at 30 Jun 93	Matters current as at 30 Jun 94	Matters current as at 30 Jun 95	Matters current as at 30 Jun 96	Matters current as at 30 Jun 97
under 6 months	202	344	394	468	194
6-12 months	65	92	96	129	79
12-18 months	58	42	48	74	44
under 18 months	325	478	538	671	317
1.5 - 2 years	21	23	29	30	57
over 2 years	7	40	65	41	65
over 1.5 years	28	63	94	71	122
Total	353	541	632	742	439

Figure 6.6

**Trade Practices Act 1974 matters
1992-93 to 1996-97**

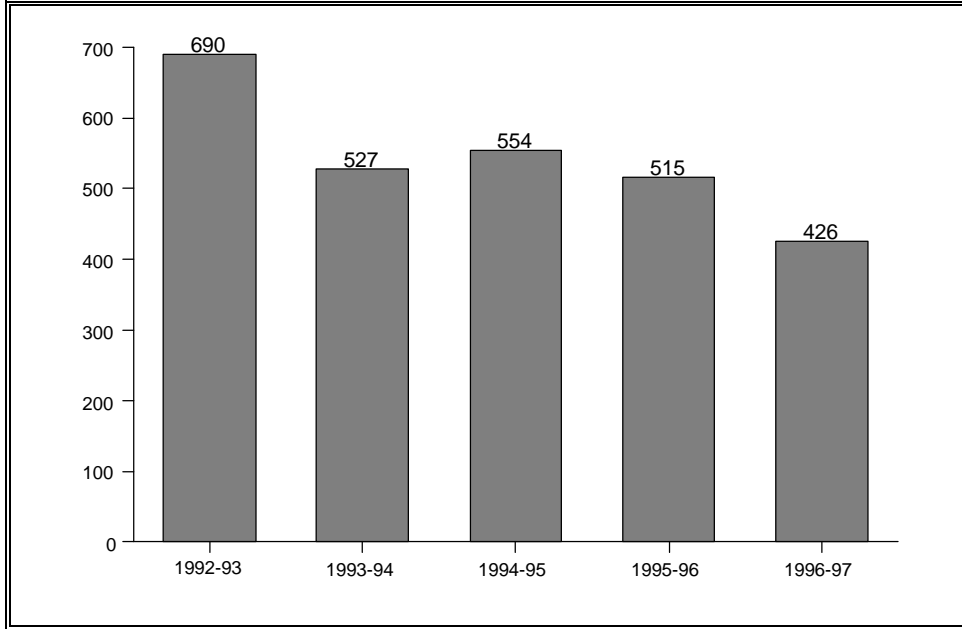


Table 6.3**Trade Practices Act current matters - historical**

Age of matters	Matters current as at 30 Jun 93	Matters current as at 30 Jun 94	Matters current as at 30 Jun 95	Matters current as at 30 Jun 96	Matters current as at 30 Jun 97
under 6 months	249	169	206	180	153
6-12 months	255	180	154	166	142
12-18 months	123	128	87	116	86
under 18 months	627	477	447	462	381
1.5 - 2 years	88	132	98	98	82
over 2 years	126	143	213	186	177
over 1.5 years	214	275	311	284	259
Total	841	752	758	746	640

Figure 6.7

**Administrative Decisions (Judicial Review) Act 1977 matters
1992-93 to 1996-97**

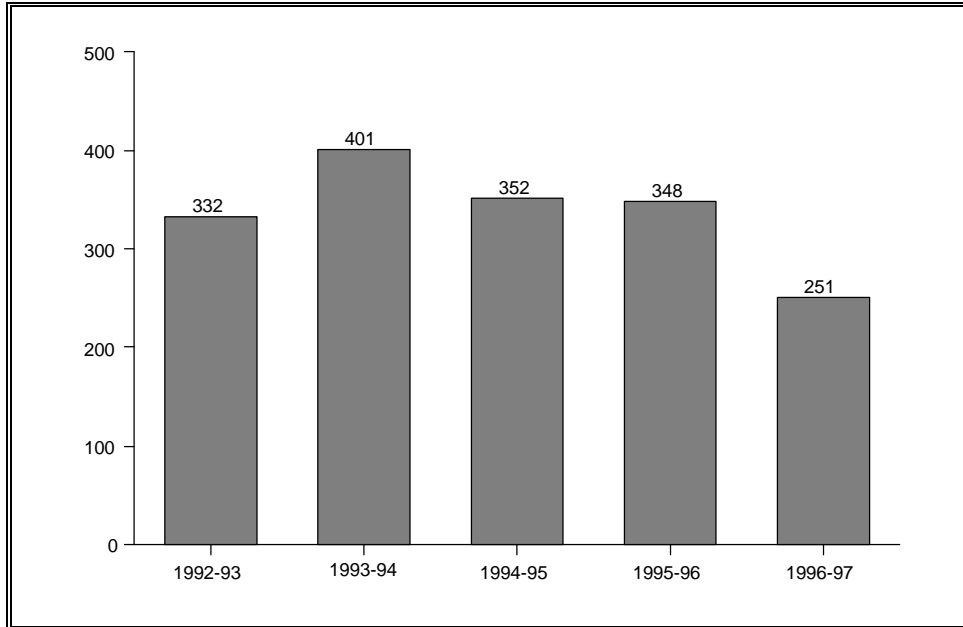


Figure 6.8

**Admiralty Act 1988 matters
1992-93 to 1996-97**

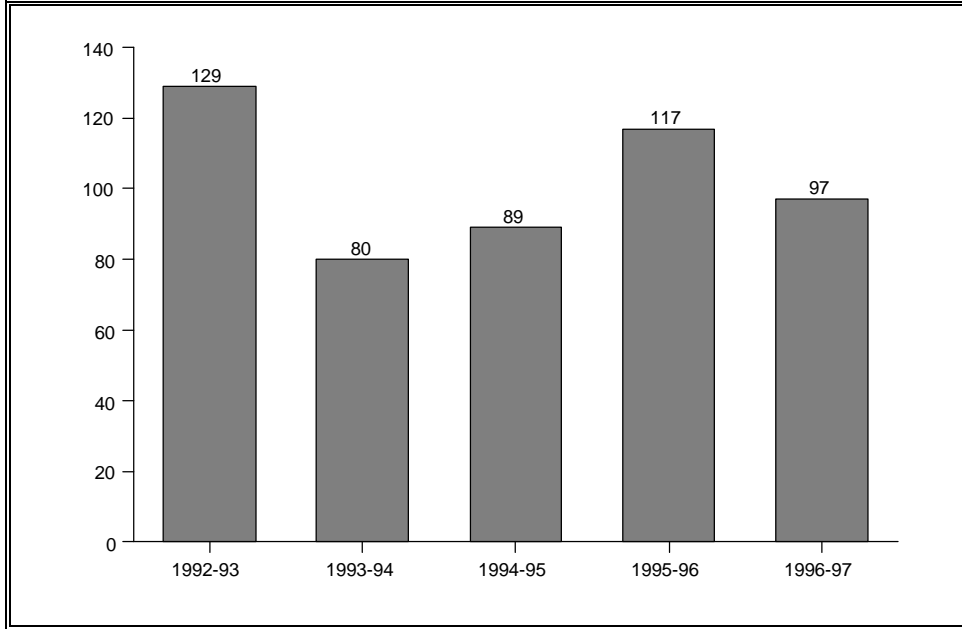


Figure 6.9

**Appeals to the Full Court
General Division
1992-93 to 1996-97**

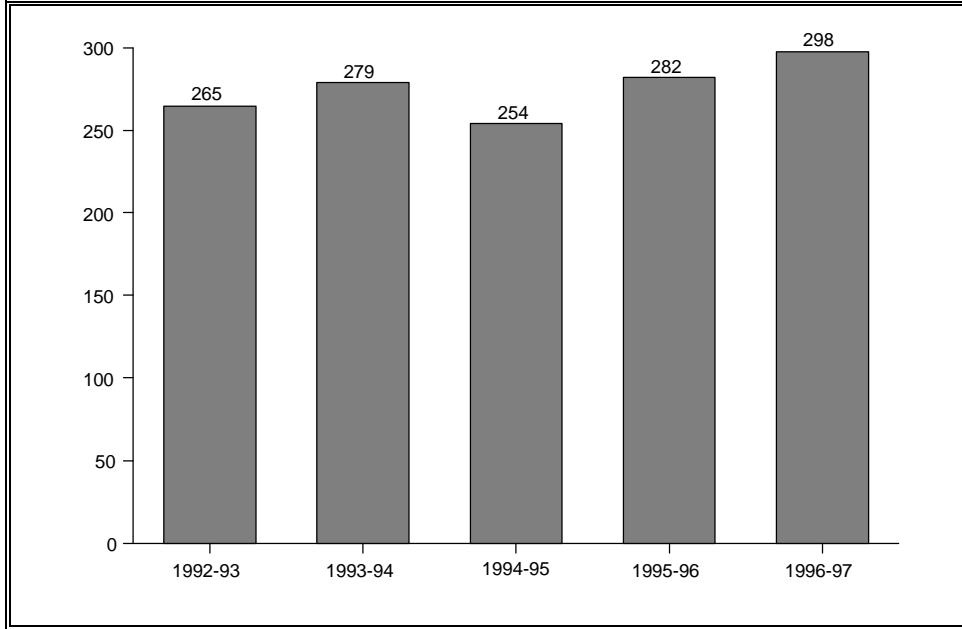


Figure 6.10

**Bankruptcy Act 1966 - creditors' petitions presented
1992-93 to 1996-97**

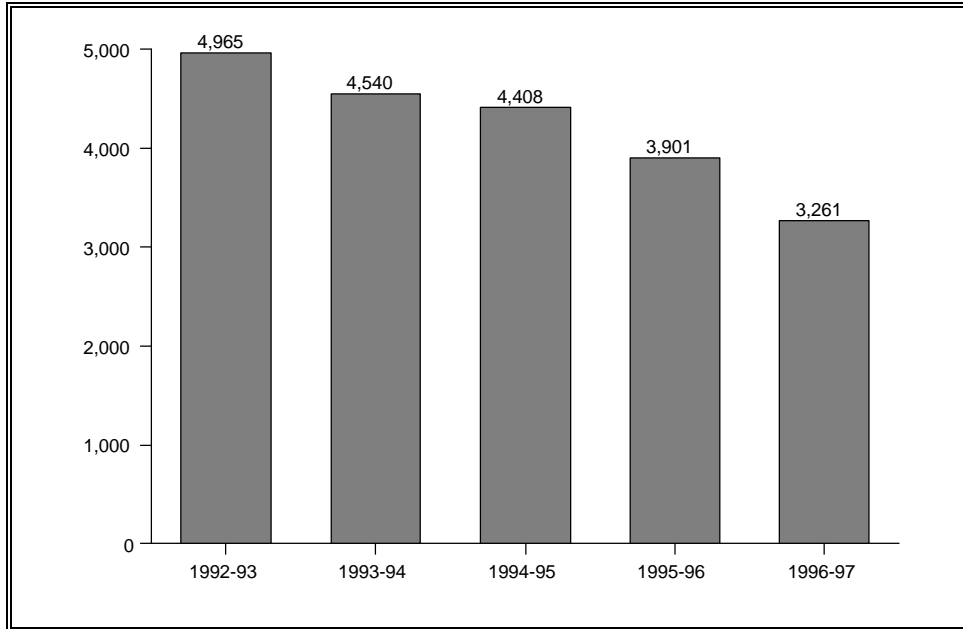
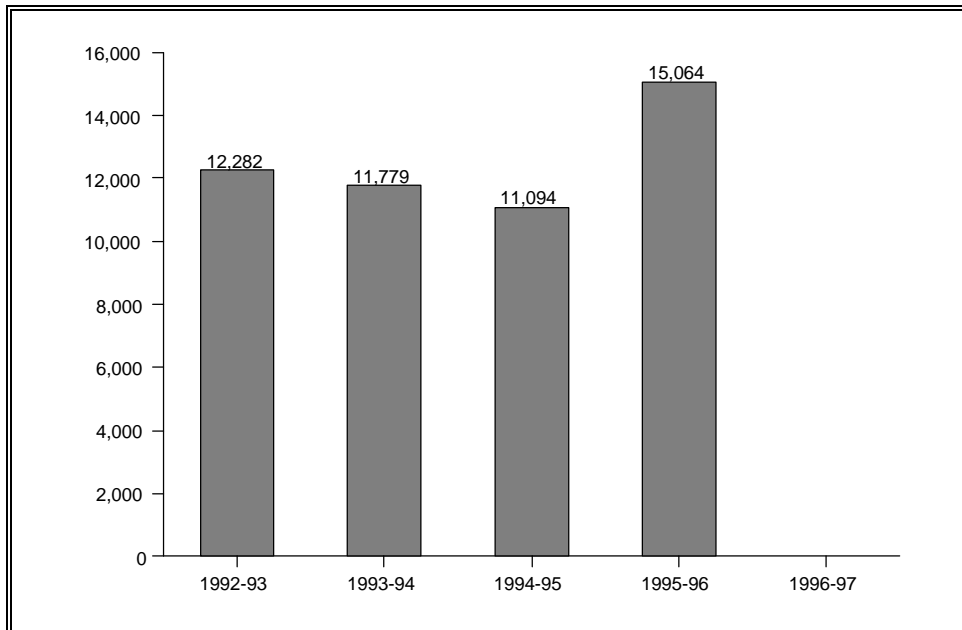


Figure 6.11

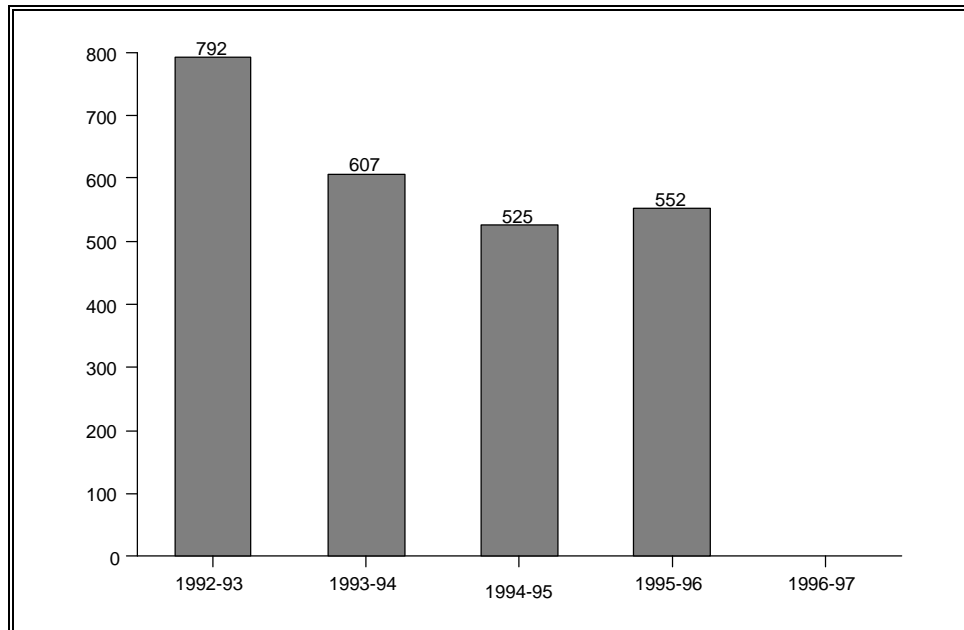
**Bankruptcy Act 1966 - debtors' petitions presented
1992-93 to 1996-97**



On 16 December 1996 the *Bankruptcy Act* was amended by the *Bankruptcy Legislation Amendment Act*. As a result of the amendments, debtors' petitions are required to be filed at Insolvency and Trustee Service, Australia. At the date of transfer 8,874 debtors' petitions had been presented during the period 1 July to 15 December 1996. This is the last time that the Court will be reporting the number of debtors' petitions presented.

Figure 6.12

**Bankruptcy Act 1966 - Part X matters
1992-93 to 1996-97**



On 16 December 1996 the *Bankruptcy Act* was amended by the *Bankruptcy Legislation Amendment Act*. Following the amendments, documents in matters under Part X of the *Bankruptcy Act* are required to be filed at Insolvency and Trustee Service, Australia. At the date of transfer, 214 Part X matters had been presented during the period 1 July to 15 December 1996. This is the last time that the Court will be reporting the number of Part X matters.

Figure 6.13

**Bankruptcy Act 1966 - applications made to the Court
1992-93 to 1996-97
(other than petitions)**

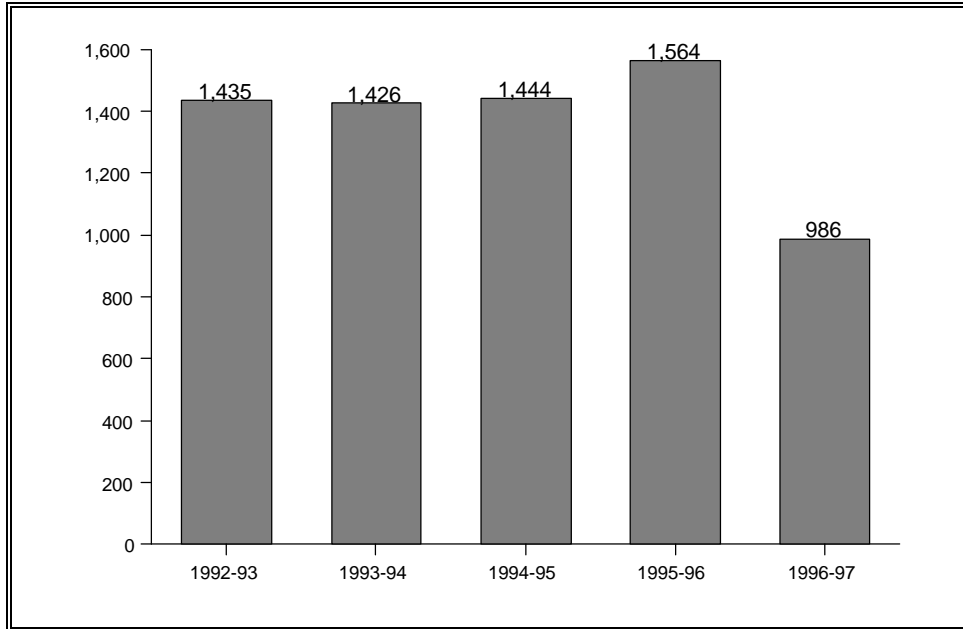
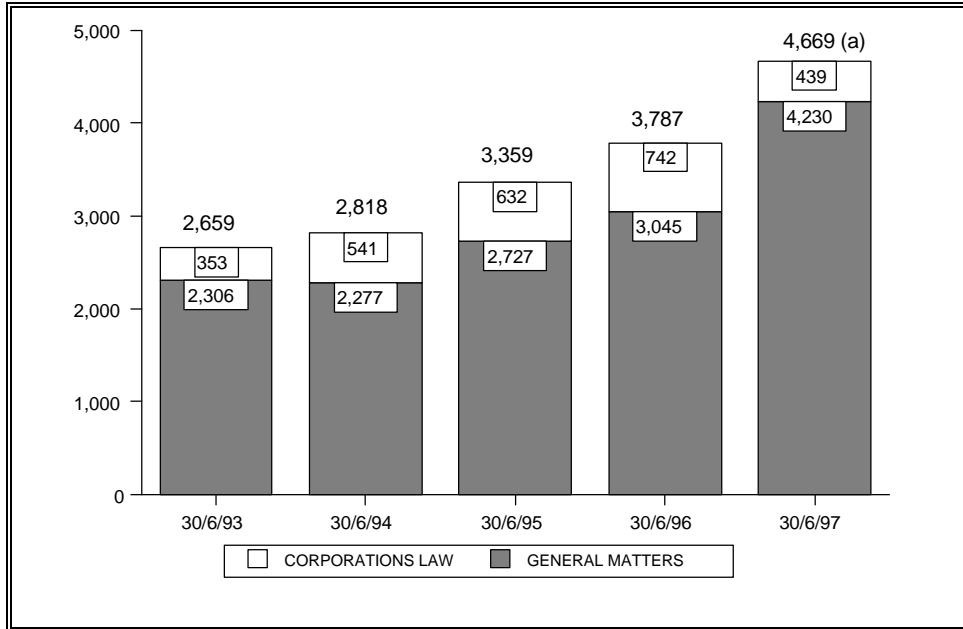


Figure 6.14

**Matters current as at 30 June each year
1992-93 to 1996-97**



Note: (a) For 1996-97, 1,042 creditors' petitions and 346 industrial matters current at 30 June 1997 are included.

Table 6.4**Applications filed under the Administrative Decisions (Judicial Review) Act 1977
from 1992-93 to 1996-97.**

ENACTMENT UNDER WHICH DECISION MADE	1992-93	1993-94	1994-95	1995-96	1996-97
Aboriginal and Torres Strait Islander Commission	1	2	3	5	9
Aboriginal and Torres Strait Islander Heritage Protection	2	8	2	3	3
Aboriginal Councils and Associations	-	1	1	1	2
Aboriginal Land Rights (NT)	2	1	-	1	1
Administrative Appeals Tribunal	2	2	2	7	3
Aged or Disabled Persons	-	-	-	1	-
Air Force	-	-	-	1	-
Air Navigation	2	1	2	1	-
Anti-Dumping Authority	1	-	-	-	-
Appropriation	1	-	-	-	-
Audit	-	-	-	-	2
Australia Council	-	-	1	-	-
Australian Citizenship	-	-	2	4	-
Australian Federal Police	-	1	1	-	-
Australian Heritage Commission	-	1	-	1	1
Australian Meat and Livestock Corporation	1	-	-	-	-
Australian National Railways Commission	1	1	-	-	-
Australian Securities Commission	6	3	6	6	3
ACT Ordinances and Acts	-	-	-	3	1
Banking	-	1	-	-	-
Bankruptcy	1	-	3	3	2
Broadcasting	4	2	2	1	-
Broadcasting Services	-	-	-	4	7
Child Care	-	-	-	1	-
Child Support (Registration and Collection)	-	-	1	-	-
Christmas Island Ordinances and Acts	-	-	-	-	1
Civil Aviation	2	1	-	-	-

ENACTMENT UNDER WHICH DECISION MADE	1992-93	1993-94	1994-95	1995-96	1996-97
Classification (Publications, Films & Computer Games)	-	-	-	-	1
Commonwealth Employees (Redeployment and Retirement)	1	1	-	-	-
Commonwealth Employees' Rehabilitation and Compensation	-	1	-	-	-
Companies (NSW) Code	1	-	-	-	-
Companies Securities (Interpretation and Miscellaneous Provisions)	-	-	1	-	-
Compensation (Commonwealth Government Employees)	1	-	2	-	-
Corporations	4	6	-	5	2
Crimes	4	7	7	5	2
Customs	23	14	5	2	8
Customs Tariff (Anti-Dumping)	1	6	-	-	-
Dairy Produce	-	1	-	-	-
Defence	1	3	1	-	-
Defence Force Discipline	-	1	-	1	-
Defence Force Retirement and Death Benefits	1	-	1	-	-
Defence Service Homes	-	1	-	-	-
Development Allowance Authority	-	-	-	-	1
Director of Public Prosecutions	1	-	-	-	1
Disability Discrimination	-	-	-	-	4
Distillation	1	-	-	-	-
Employment, Education and Training	1	-	4	-	1
Environment Protection (Impact of Proposals)	-	-	1	2	1
Environment Protection (Sea Dumping)	-	-	-	1	-
Excise	1	-	-	-	-
Export Control	2	-	8	-	-
Export Market Development Grants	-	-	-	1	-
Extradition	-	-	-	-	2
Family Law	-	-	-	2	-
Federal Airports Corporation	-	1	1	2	1
Federal Court of Australia	-	-	1	3	2

ENACTMENT UNDER WHICH DECISION MADE	1992-93	1993-94	1994-95	1995-96	1996-97
Fisheries	10	1	-		-
Fisheries Management	-	-	-	3	-
Freedom of Information	1	-	-	-	-
Health Insurance	4	4	3	34	7
Higher Education Funding	-	-	-	1	-
Human Rights and Equal Opportunity Commission	-	-	3	3	5
Income Tax Assessment	8	28	8	8	5
Industrial Research and Development Incentives	-	-	-	2	2
Judiciary	4	3	8	11	6
Jurisdiction of Courts (Cross-Vesting)	-	1	-	-	-
Lands Acquisition	-	1	-	-	-
Life Insurance	-	-	-	-	1
Marine Insurance	1	-	-	-	-
Marriage	-	-	1	-	-
Members of Parliament (Staff)	-	2	-	-	-
Merit Protection (Australian Government Employees)	1	3	2	1	-
Meteorology	-	-	1	-	1
Migration	186	192	132	113	95
Migration Act (Refugee Status)	18	71	89	63	25
Mutual Assistance in Criminal Matters	-	-	-	-	1
National Crime Authority	-	-	-	8	-
National Health	4	5	5	7	4
National Health and Medical Research Council	-	1	-	-	1
National Parks and Wildlife Conservation	2	-	-	-	-
Native Title	-	-	3	1	5
Ombudsman	-	-	1	-	-
Patents	-	-	-	1	-
Petroleum (Submerged Lands)	-	-	1	-	2
Prices Surveillance	-	-	1	1	-
Public Service	8	7	7	5	7
Quarantine	1	-	-	-	-

ENACTMENT UNDER WHICH DECISION MADE	1992-93	1993-94	1994-95	1995-96	1996-97
Racial Discrimination	1	2	2	1	2
Radiocommunications	2	-	-	1	-
Safety, Rehabilitation and Compensation	-	-	-	4	1
Sales Tax Assessment	-	-	1	2	1
Science and Industry Research	1	-	-	-	-
Securities Industries Code	-	-	-	1	-
Sex Discrimination	1	-	4	2	5
Social Security	1	4	3	1	2
States Grants (Schools Assistance)	-	-	1	-	-
Student Assistance	1	1	1	-	-
Superannuation	-	1	2	-	2
Superannuation (Resolution of Complaints)	-	-	-	-	1
Taxation Administration	1	2	2	1	-
Taxation (Unpaid Company Tax) Assessment	1	-	-	1	-
Telecommunications	1	3	-	-	1
Telecommunications (Interception)	-	-	-	1	-
Therapeutic Goods	-	1	2	-	1
Trade Practices	2	2	3	1	2
Veterans' Entitlements	4	3	8	3	2
Workplace Relations	-	-	-	-	2
World Heritage Properties Conservation	-	-	-	-	1
TOTALS	332	401	352	348	251