

Appendix 5

Workload statistics

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The statistics in this appendix provide comparative historical information on the work of the Court, including in certain areas 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 issues in dispute.

It should also be noted that the figures reported in this report may differ from figures reported in previous years. The variations have occurred through refinements or enhancements to the Casetrack database which required the checking or verification and possible variation of data previously entered.

Casetrack records matters in the Court classified according to 16 main categories, described as 'causes of action' (CoAs). The classification of matters in this way causes an under representation of the workload because it does not include filings of supplementary CoAs (cross appeals and cross claims), interlocutory applications or native title joinder of party applications.

In 2007–08 the Court started to count and report on interlocutory applications (including interim applications and notices of motion) in appellate proceedings in order to provide the most accurate picture possible of the Court's appellate workload. From 2008–09 the Court has counted all forms of this additional workload in both its original and appellate jurisdictions.

Table A5.4 provides a breakdown of these matters. At this stage it is not possible to obtain information about finalisations of interlocutory applications (because they are recorded in the Court's case management system as a document filed rather than a specific CoA). Because of this, detailed reporting of these matters has been restricted to the information about appeals in Part 3 and Table A5.4.

The Court began reporting on matters by National Practice Areas (NPAs) in 2015–16. This information can be found in Figure A5.9.1 onwards.

Table A5.1: Summary of workload statistics – original and appellate jurisdictions – filings of major CoAs (including appellate and related actions)

CAUSE OF ACTION	2016–17	2017–18	2018–19	2019–20	2020–21
Total CoAs (including appeals and related actions)					
Filed	5,715	5,925	6,033	4,485	3,227
Finalised	5,629	5,575	5,716	4,898	2,916
Current	3,171	3,521	3,838	3,425	3,736
Corporations (including appeals and related actions)					
Filed	3,224	3,024	2,804	1,812	740
Finalised	3,389	2,995	2,855	2,117	693
Current	913	942	891	586	633
Bankruptcy (including appeals and related actions)					
Filed	353	332	376	385	287
Finalised	327	317	359	375	313
Current	189	204	221	231	205
Native title (including appeals and related actions)					
Filed	71	91	115	57	57
Finalised	95	99	80	97	83
Current	308	300	335	295	269
Total CoAs (including appeals and related actions excluding corporations, bankruptcy and native title)					
Filed	2,067	2,478	2,738	2,231	2,143
Finalised	1,818	2,164	2,422	2,309	1,827
Current	1,761	2,075	2,391	2,313	2,629

Table A5.2: Summary of workload statistics – excluding appeals and related actions – filings of major CoAs (excluding appeals and related actions)

CAUSE OF ACTION	2016–17	2017–18	2018–19	2019–20	2020–21
Total CoAs (excluding appeals and related actions)					
Filed	4,669	4,662	4,618	3,454	2,412
Finalised	4,762	4,434	4,390	3,790	2,262
Current	2,445	2,673	2,901	2,565	2,715
Corporations (excluding appeals and related actions)					
Filed	3,202	2,989	2,768	1,791	705
Finalised	3,364	2,966	2,827	2,076	664
Current	888	911	852	567	608
Bankruptcy (excluding appeals and related actions)					
Filed	289	304	342	343	255
Finalised	274	277	324	339	271
Current	137	164	182	186	170
Native title (excluding appeals and related actions)					
Filed	54	78	112	54	50
Finalised	84	81	70	94	80
Current	294	291	333	293	263
Total CoAs (excluding appeals and related actions and excluding bankruptcy and native title)					
Filed	1,124	1,291	1,396	1,266	1,402
Finalised	1,040	1,110	1,169	1,281	1,247
Current	1,126	1,307	1,534	1,519	1,674

Table A5.3: Summary of workload statistics – appeals and related actions only – filings of appeals and related actions

CAUSE OF ACTION	2016–17	2017–18	2018–19	2019–20	2020–21
Total appeals and related actions					
Filed	1,046	1,263	1,415	1,031	815
Finalised	867	1,141	1,326	1,108	654
Current	726	848	937	860	1,021
Corporations appeals and related actions					
Filed	22	35	36	21	35
Finalised	25	29	28	41	29
Current	25	31	39	19	25
Migration appeals and related actions					
Filed	764	1,021	1,139	749	547
Finalised	583	839	1,091	850	359
Current	462	644	692	591	779
Native title appeals and related actions					
Filed	17	13	3	3	7
Finalised	11	18	10	3	3
Current	14	9	2	2	6
Total appeals and related actions (excluding corporations, migration and native title appeals and related actions)					
Filed	243	194	237	258	226
Finalised	248	255	197	214	263
Current	225	164	204	248	211

Table A5.4: Summary of supplementary workload statistics – filings of supplementary causes of action

CAUSE OF ACTION	2016-17	2017-18	2018-19	2019-20	2020-21
Total CoAs (excluding appeals and related actions)					
Cross appeals (original jurisdiction)	20	17	26	15	23
Cross claims	146	116	148	133	154
Interlocutory applications	1,517	1,628	1,778	1,722	1,749
Native title joinder of party applications	628	405	982	781	346
Appeals and related actions					
Cross appeals	20	17	26	15	23
Interlocutory applications	221	162	166	177	163
Total actions (including appeals and related actions)					
Cross appeals	20	17	26	15	23
Cross claims	146	116	148	133	154
Interlocutory applications	1,738	1,790	1,944	1,899	1,912
Native title joinder of party applications	628	405	982	781	346
Totals	2,532	2,328	3,100	2,828	2,435

Figure A5.1: Matters filed over the last five years

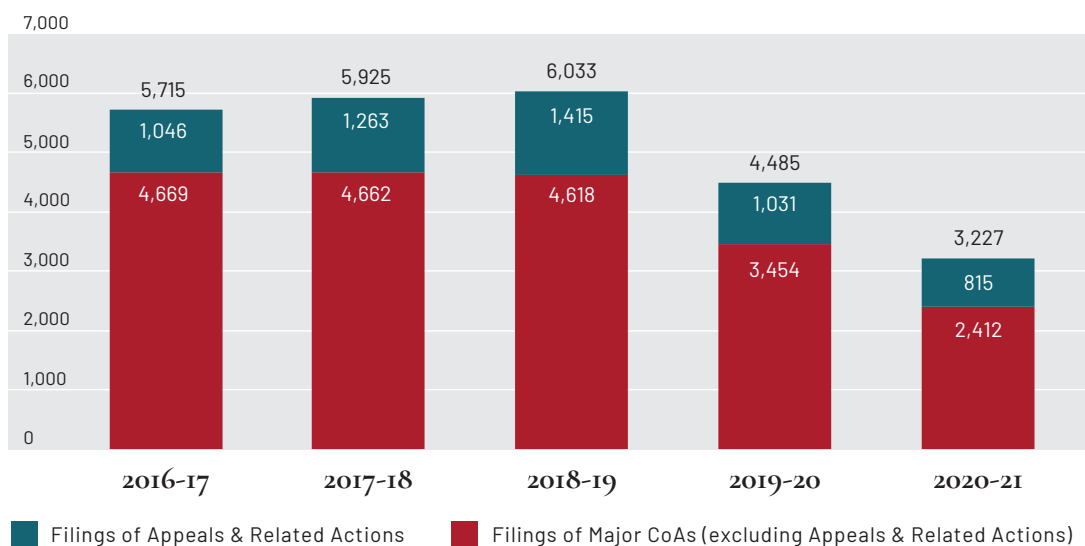
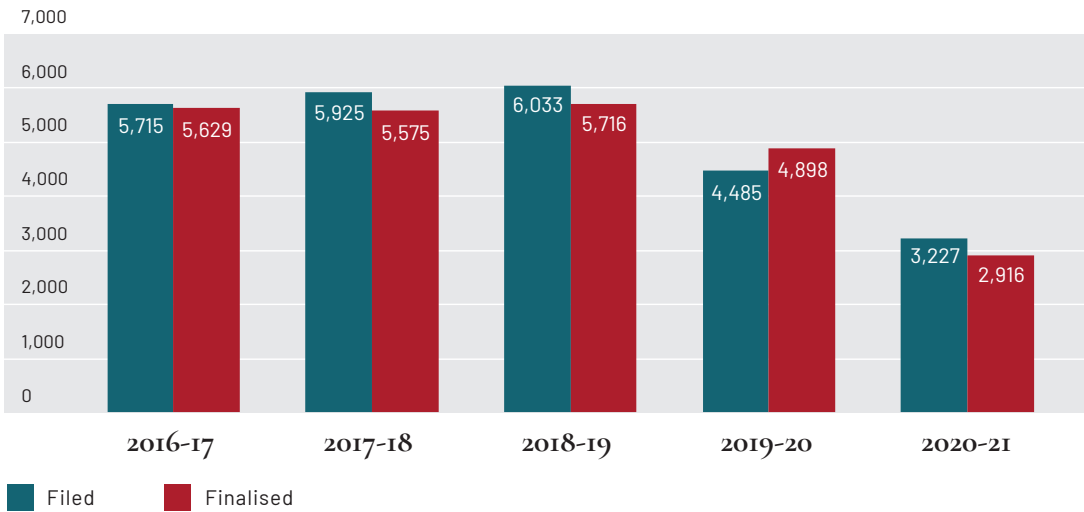
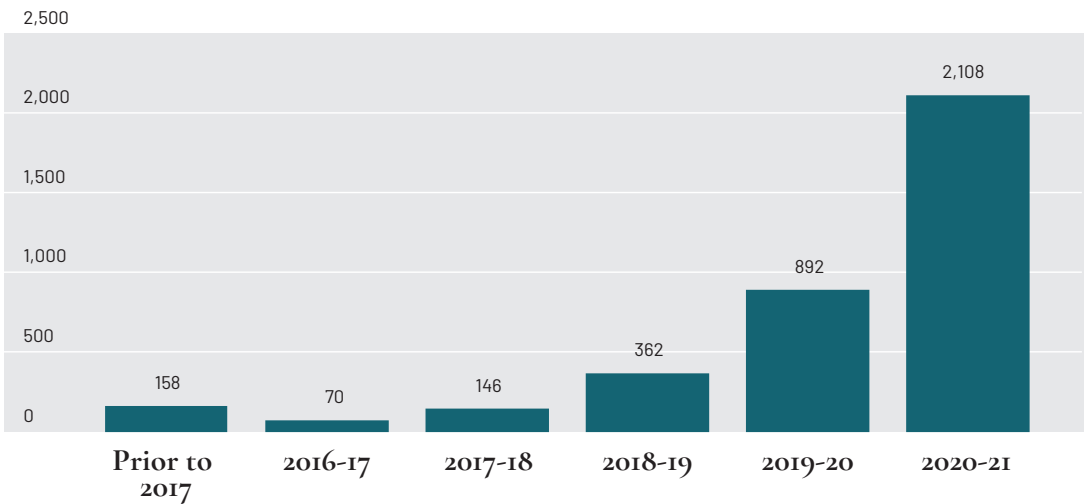


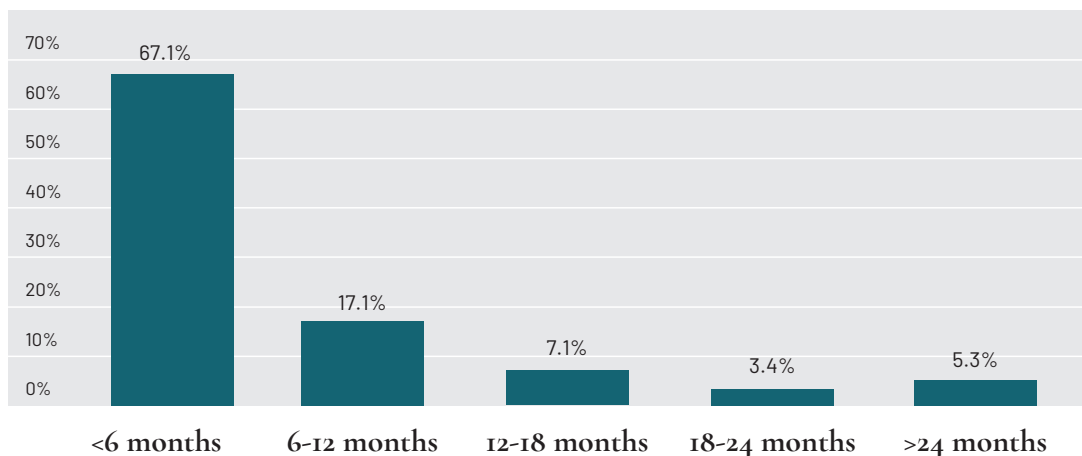
Figure A5.2: Matters filed and finalised over the last five years

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

Figure A5.3: Age and number of current matters at 30 June 2021

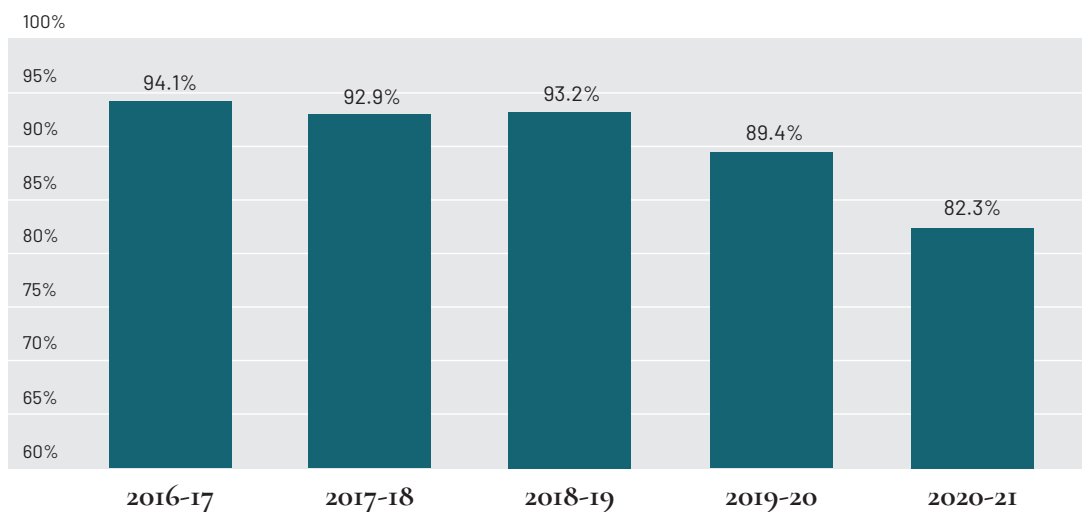
A total of 3,736 matters remain current at 30 June 2021. There were 158 applications still current relating to periods before 2016, of which 93 matters are native title matters (59 per cent).

Figure A5.4: Time span to complete – matters completed (excluding native title) over the last five years



A total of 24,325 matters were completed during the five-year period ending 30 June 2021, excluding native title matters. The time span, from filing to disposition of these matters, is shown in Figure A5.4.

Figure A5.5: Time span to complete against the 85 per cent benchmark (excluding native title) over the last five years



The Court has a benchmark of 85 per cent of cases (excluding native title) being completed within 18 months of commencement. Figure A5.5 sets out the Court’s performance against this time goal over the last five years. The total number of matters (including appeals but excluding native title) completed for each of the last five years and the time spans for completion are shown in Table A5.5.

Table A5.5: Finalisation of major CoAs in accordance with 85 per cent benchmark (including appeals and related actions and excluding native title matters) over the last five years

PERCENTAGE COMPLETED	2016-17	2017-18	2018-19	2019-20	2020-21
Under 18 months	5,219	5,103	5,263	4,296	2,334
Percentage of total	94.1%	92.9%	93.2%	89.4%	82.3%
Over 18 months	326	391	383	508	502
Percentage of total	5.9%	7.1%	6.8%	10.6%	17.7%
Total CoAs	5,545	5,494	5,646	4,804	2,836

Figure A5.6: Bankruptcy Act matters (excluding appeals) filed over the last five years

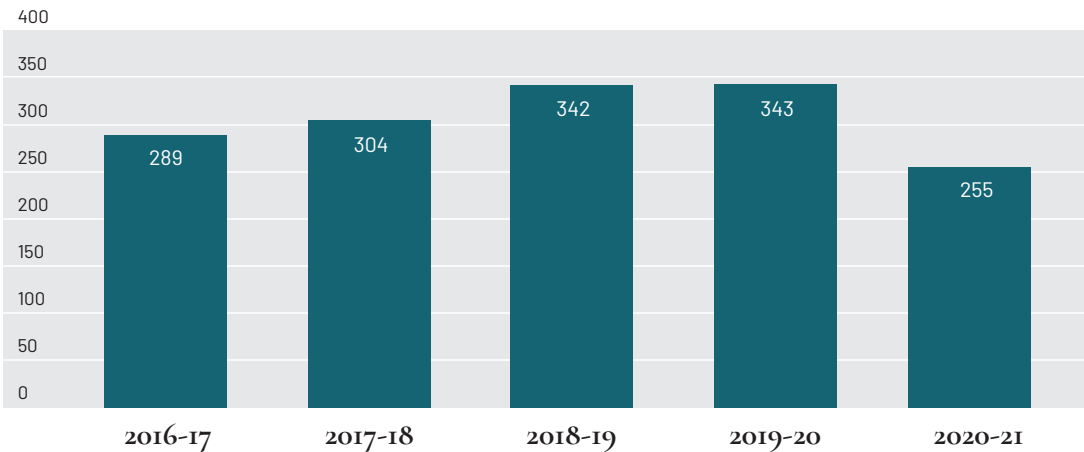


Figure A5.6.1: Current Bankruptcy Act matters (excluding appeals) by year of filing

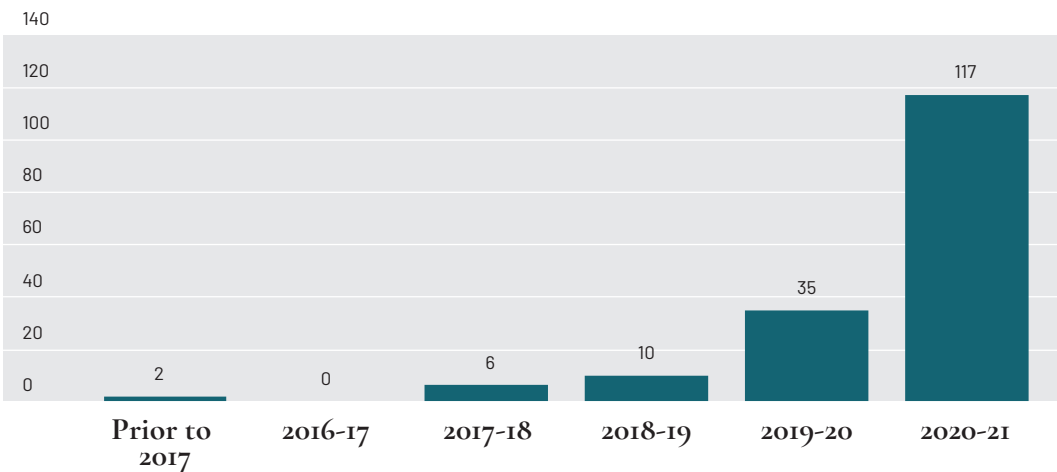


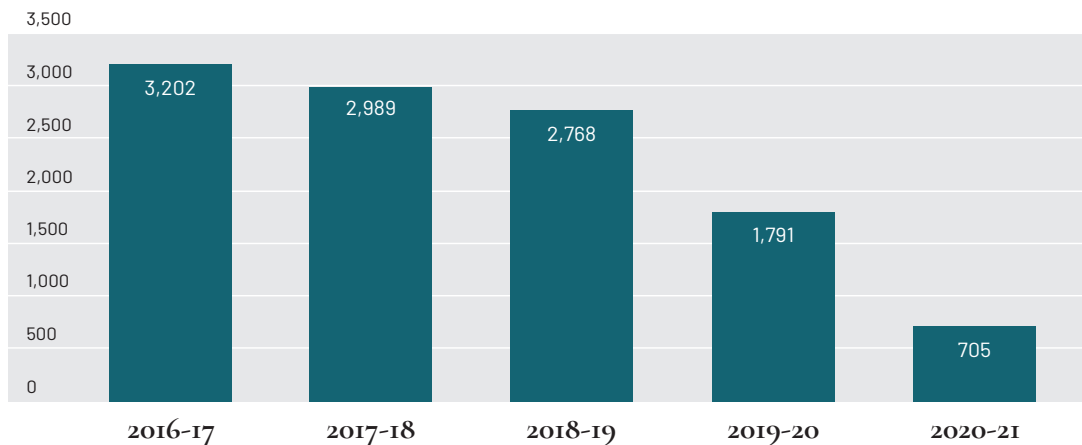
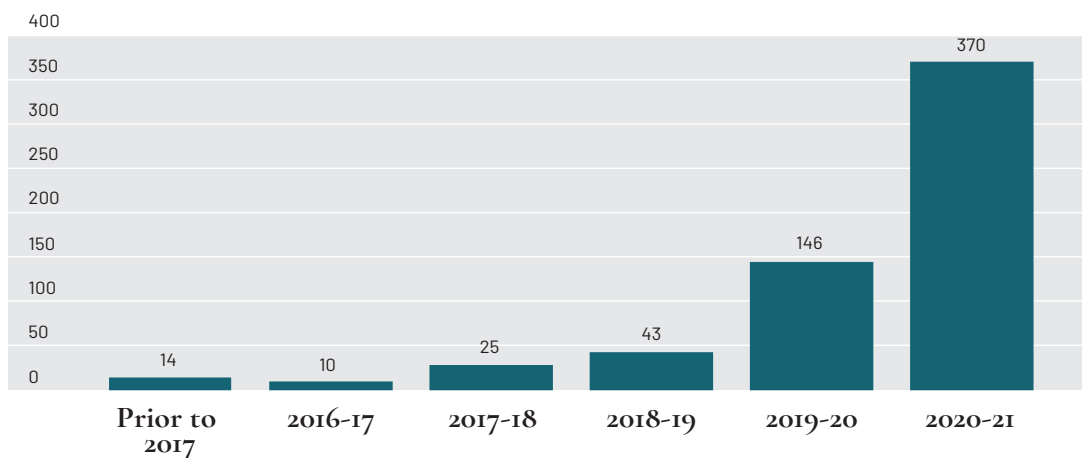
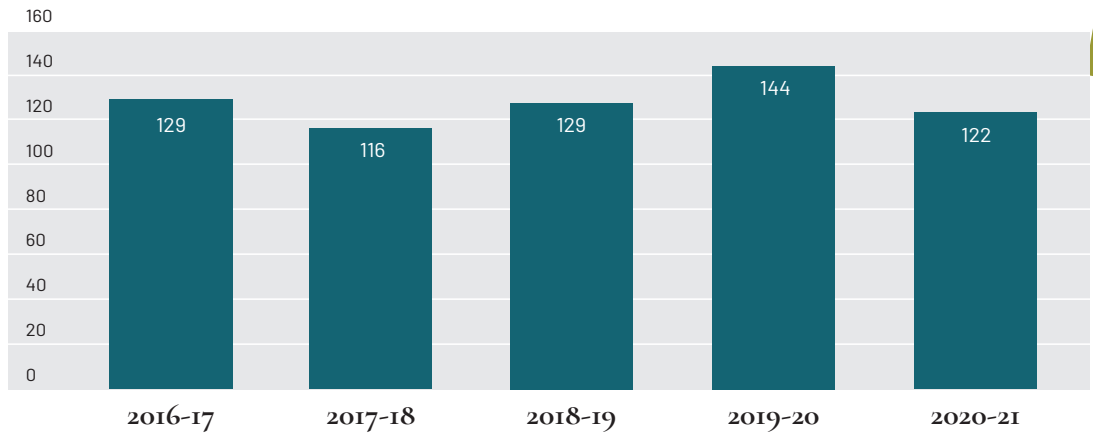
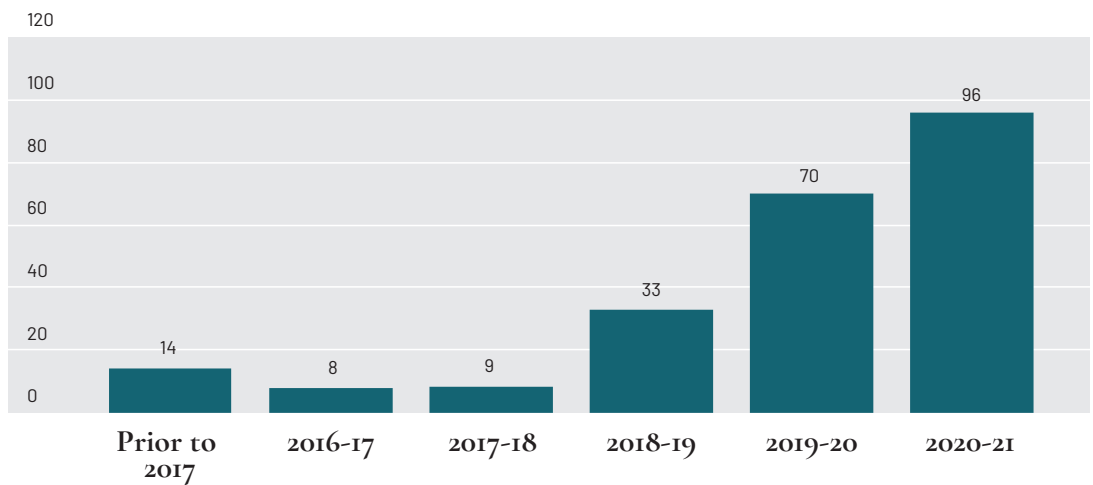
Figure A5.7: Corporation Act matters (excluding appeals) filed over the last five years**Figure A5.7.1:** Current corporation matters (excluding appeals) by year of filing

Figure A5.8: Consumer law matters (excluding competition law and appeals) filed over the last five years**Figure A5.8.1:** Current consumer law matters (excluding competition law and appeals) by year of filing

National Court framework

Figure A5.9.1: All filings, finalisations and pending by Administrative and Constitutional Law and Human Rights National Practice Areas (NPA)

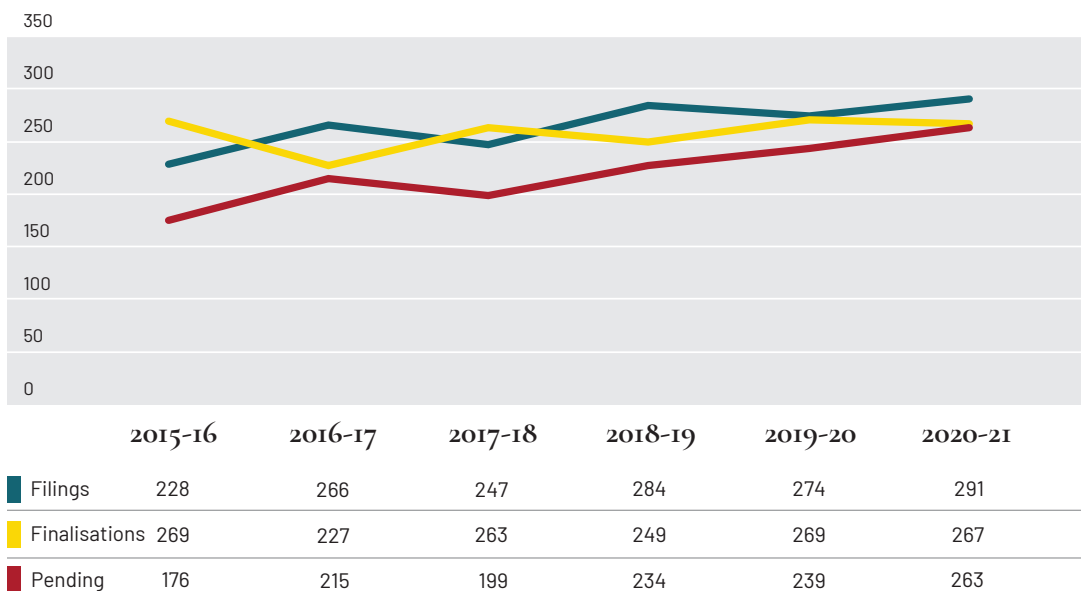


Figure A5.9.2: All filings, finalisation and pending by Admiralty and Maritime NPA

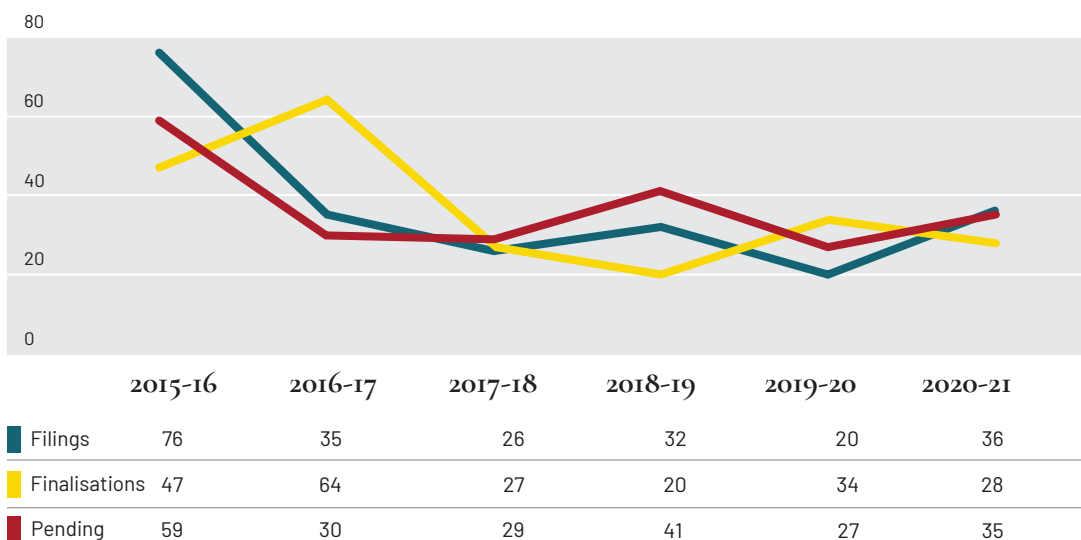


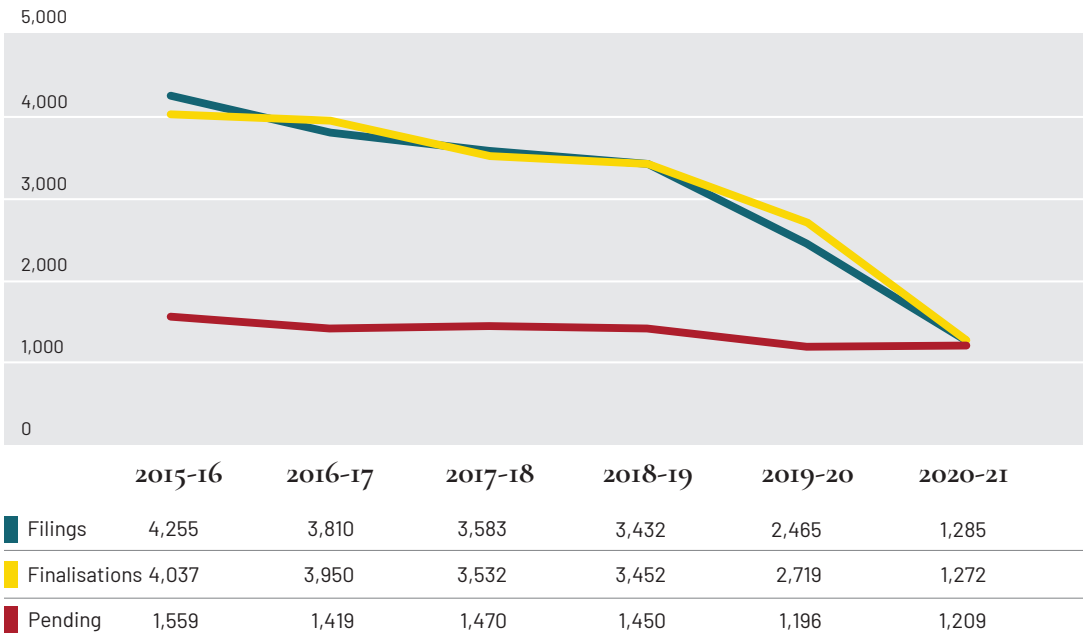
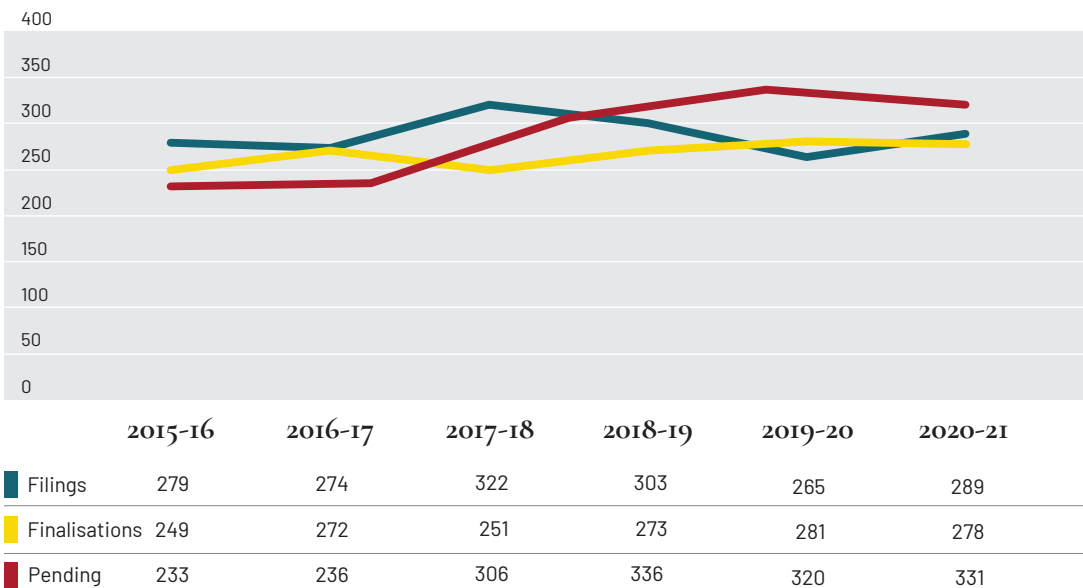
Figure A5.9.3: All filings, finalisation and pending by Commercial and Corporations NPA**Figure A5.9.4: All filings, finalisation and pending by Employment and Industrial Relations NPA**

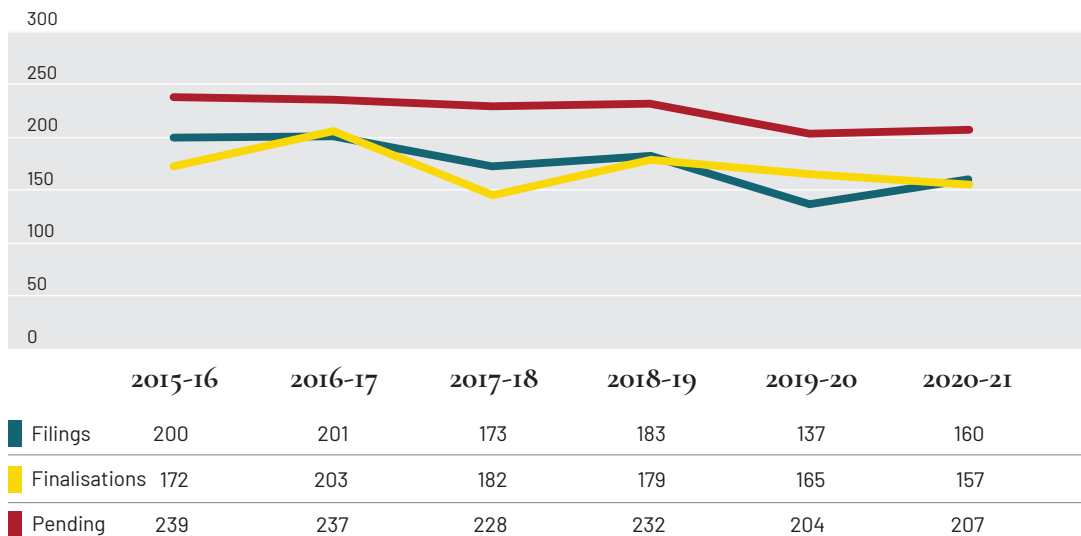
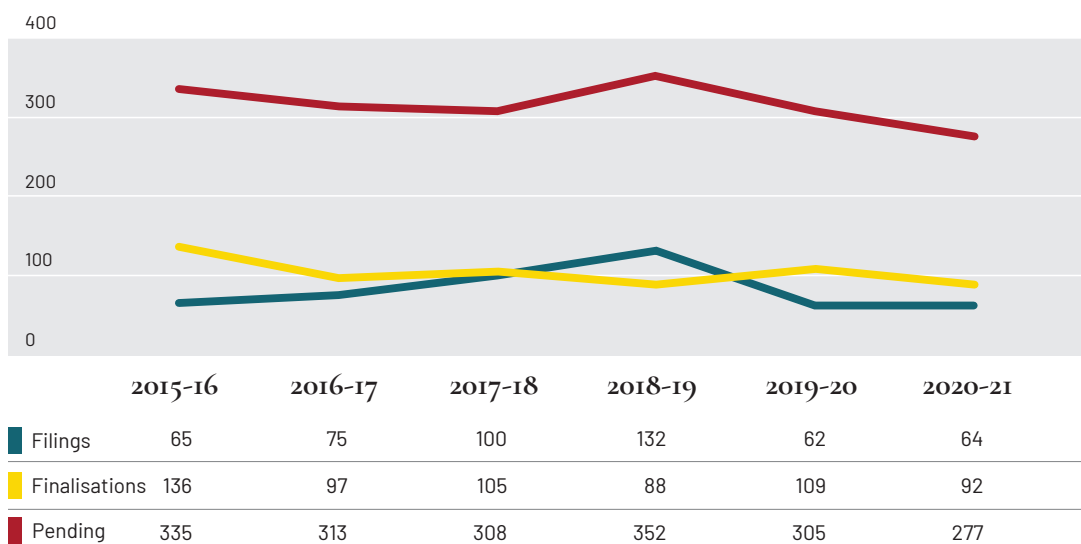
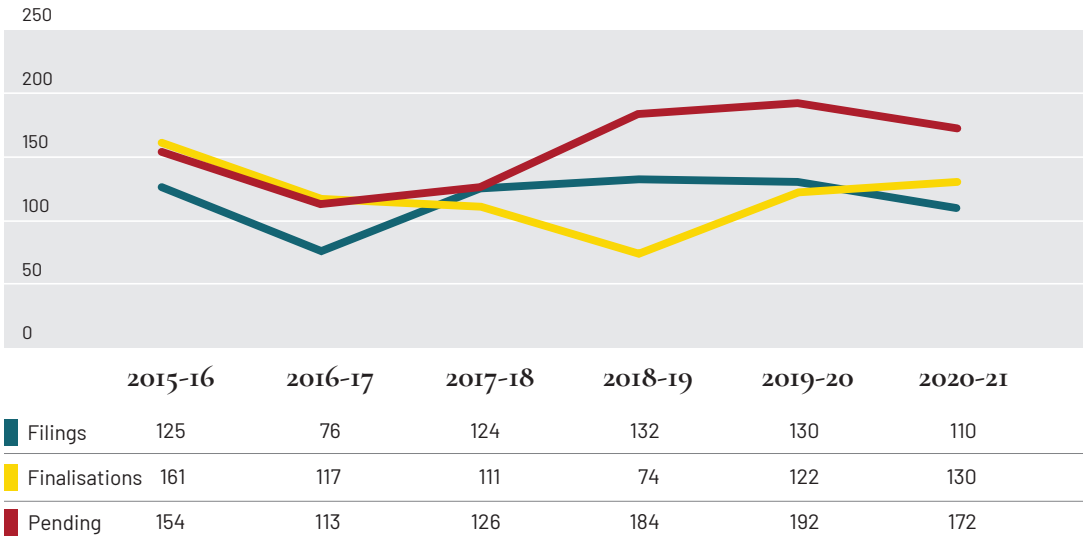
Figure A5.9.5: All filings, finalisation and pending by Intellectual Property NPA**Figure A5.9.6: All filings, finalisation and pending by Native Title NPA**

Figure A5.9.7: All filings, finalisation and pending by Taxation NPA

In 2016-17 the Court introduced two new NPAs: Other Federal Jurisdiction NPA and Federal Crime and Related Proceedings NPA.

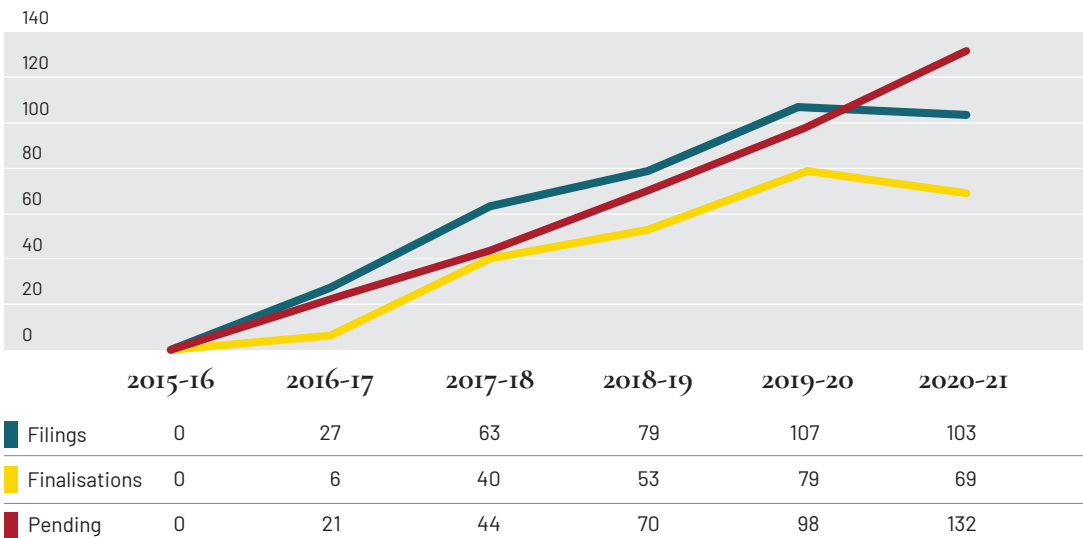
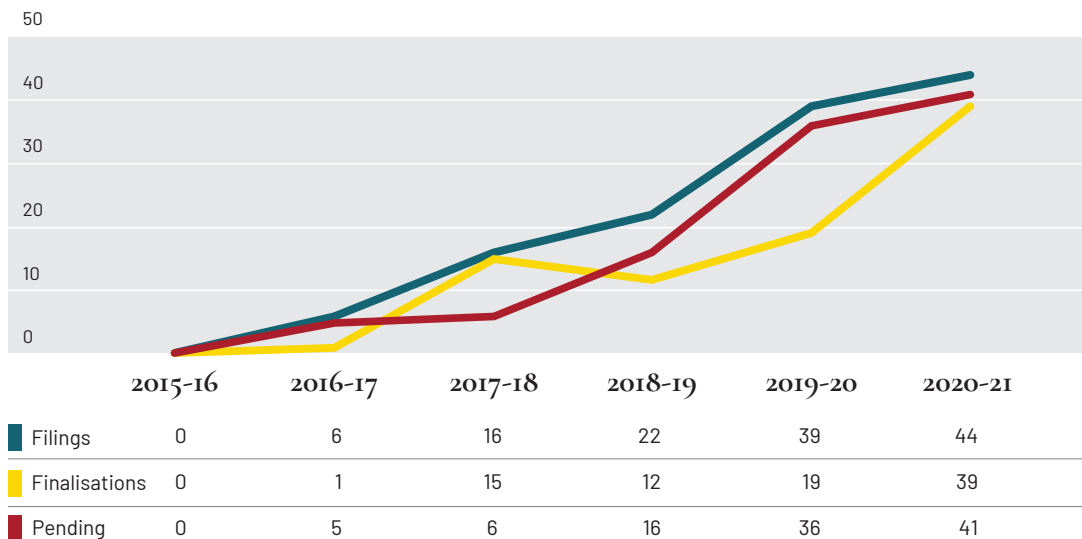
Figure A5.9.8: All filings, finalisations and pending, Other Federal Jurisdiction NPA

Figure A5.9.9: All filings, finalisations and pending, Federal Crime and Related Proceeding NPA**Figure A5.9.10: All filings, finalisation and pending, Migration NPA**