

APPENDIX 5

WORKLOAD STATISTICS

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 necessitated the checking or verification and possible variation of data previously entered.

Casetrack records matters in the Court classified according to sixteen main categories, described as 'causes of action' (CoA). The Court presently reports on filings by major CoA. This is an under representation of the workload as 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 possible picture 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 on page 141 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. All other tables and figures in this Appendix and through the report are based on major CoA.

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Table A5.1 – Summary of Workload Statistics – Original and Appellate Jurisdictions
Filings of Major CoAs (including Appellate and Related Actions)

CAUSE OF ACTION	2009-10	2010-11	2011-12	2012-13	2013-14
Total CoAs (incl. Appeals & Related Actions)					
Filed	3646	4942	5280	5803	5009
Finalised	3517	4596	5774	5537	5611
Current	2845	3191	2697	2963	2361
Corporations (incl. Appeals & Related Actions)					
Filed	1678	2839	3327	3897	2903
Finalised	1400	2530	3762	3511	3405
Current	755	1064	629	1015	513
Bankruptcy (incl. Appeals & Related Actions)					
Filed	188	217	185	216	281
Finalised	169	206	192	214	258
Current	99	110	103	105	128
Native Title (incl. Appeals & Related Actions)					
Filed	36	83	98	61	58
Finalised	67	77	107	82	121
Current	474	480	471	450	387
Total CoAs (incl. Appeals & Related Actions and excl. Corporations, Bankruptcy & Native Title)					
Filed	1744	1803	1670	1629	1767
Finalised	1881	1783	1713	1730	1827
Current	1517	1537	1494	1393	1333

Table A5.2 – Summary of Workload Statistics – Excluding Appeals and Related Actions
Filings of Major CoAs

CAUSE OF ACTION	2009-10	2010-11	2011-12	2012-13	2013-14
Total CoAs (excl. Appeals & Related Actions)					
Filed	2951	4304	4664	5169	4281
Finalised	2769	3992	5102	4905	4912
Current	2537	2849	2411	2675	2044
Corporations (excl. Appeals & Related Actions)					
Filed	1642	2798	3284	3849	2875
Finalised	1371	2489	3710	3471	3363
Current	729	1038	612	990	502
Bankruptcy (excl. Appeals & Related Actions)					
Filed	127	144	131	174	219
Finalised	128	133	131	165	198
Current	60	71	71	80	101
Native Title (excl. Appeals & Related Actions)					
Filed	33	73	87	50	44
Finalised	62	68	93	75	109
Current	469	474	468	443	378
Total CoAs (excl. Appeals & Related Actions & excl. Corporations, Bankruptcy & Native Title)					
Filed	1149	1289	1162	1096	1143
Finalised	1208	1302	1168	1194	1242
Current	1279	1266	1260	1162	1063

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Table A5.3 – Summary of Workload Statistics – Appeals and Related Actions only
Filings of Appeals and Related Actions

CAUSE OF ACTION	2009-10	2010-11	2011-12	2012-13	2013-14
Total Appeals & Related Actions					
Filed	695	638	616	634	728
Finalised	748	604	672	632	699
Current	308	342	286	288	317
Corporations Appeals & Related Actions					
Filed	36	41	43	48	28
Finalised	29	41	52	40	42
Current	26	26	17	25	11
Migration Appeals & Related Actions					
Filed	376	253	243	278	367
Finalised	420	266	240	255	354
Current	96	83	86	109	122
Native Title Appeals & Related Actions					
Filed	3	10	11	11	14
Finalised	5	9	14	7	12
Current	5	6	3	7	9
Total Appeals & Related Actions (excl. Corporations, Migration & Native Title Appeals & Related Actions)					
Filed	280	334	319	297	319
Finalised	294	288	366	330	291
Current	181	227	180	147	175

Table A5.4 – Summary of supplementary workload statistics

FILINGS OF SUPPLEMENTARY CAUSES OF ACTION	2009-10	2010-11	2011-12	2012-13	2013-14
Total CoAs (excl. Appeals & Related Actions)					
Cross Appeals (original jurisdiction)	6	3	0	0	0
Cross Claims	205	242	186	165	177
Interlocutory Applications	1608	1892	1693	1674	1535
Native Title (NT)					
Joinder of party applications	364	628	405	982	781
Appeals & Related Actions					
Cross Appeals	15	38	11	15	25
Interlocutory Applications	220	247	179	138	137
Total Actions (incl. Appeals & Related Actions)					
Cross Appeals	21	41	11	15	25
Cross Claims	205	242	186	165	177
Interlocutory Applications	1828	2139	1872	1812	1672
NT Joinder of party applications	364	628	405	982	781
Totals	2418	3050	2474	2974	2655

FILINGS OF SUPPLEMENTARY CAUSES OF ACTION	2009-10	2010-11	2011-12	2012-13	2013-14
Total Actions (excl. Appeals & Related Actions)					
Cross Appeals (original jurisdiction)	5	7	1	2	0
Cross Claims	173	169	165	212	130
NT Joinder of party applications	364	628	405	982	781
Appeals & Related Actions					
Cross Appeals	9	26	35	5	24
Total Actions (incl. Appeals & Related Actions)					
Cross Appeals	14	33	36	7	24
Cross Claims	173	169	165	212	130
NT Joinder of party applications	364	628	405	982	781
Totals	551	830	606	1201	935

CURRENT CROSS APPEALS & CROSS CLAIMS AS AT 30 JUNE 2014

Appeals & Related Actions					
Cross Appeals					20
Total Supplementary CoAs (excl. Appeals & Related Actions)					
Cross Appeals (original jurisdiction)					0
Cross Claims					351
Total Supplementary CoAs (incl. Appeals & Related Actions)					
Cross Appeals					20
Cross Claims					351
Totals					371

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

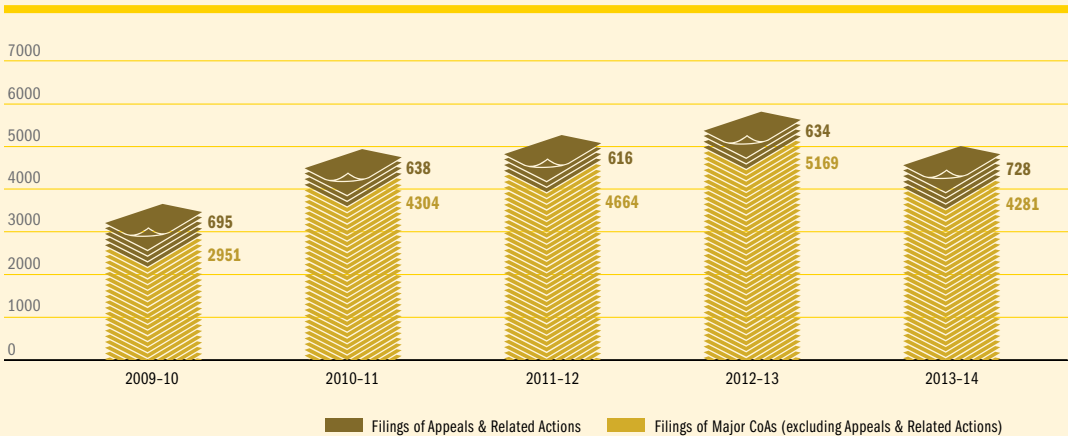
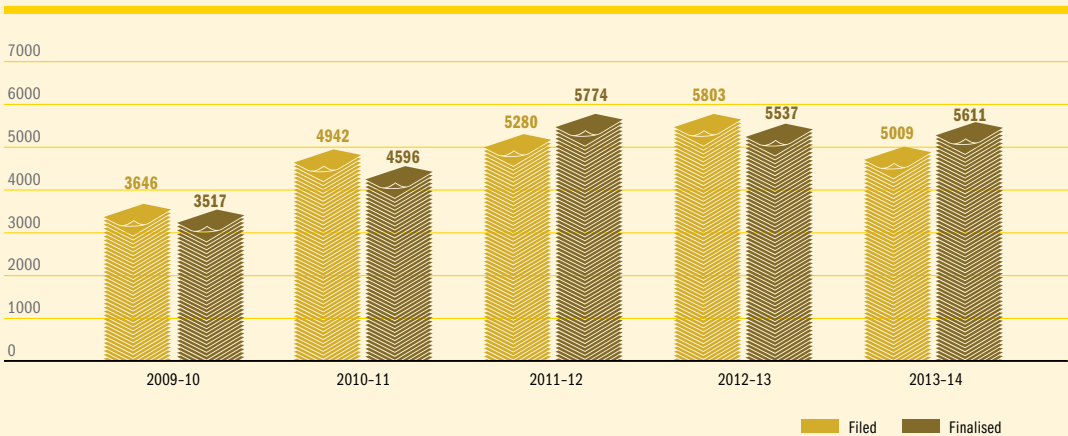
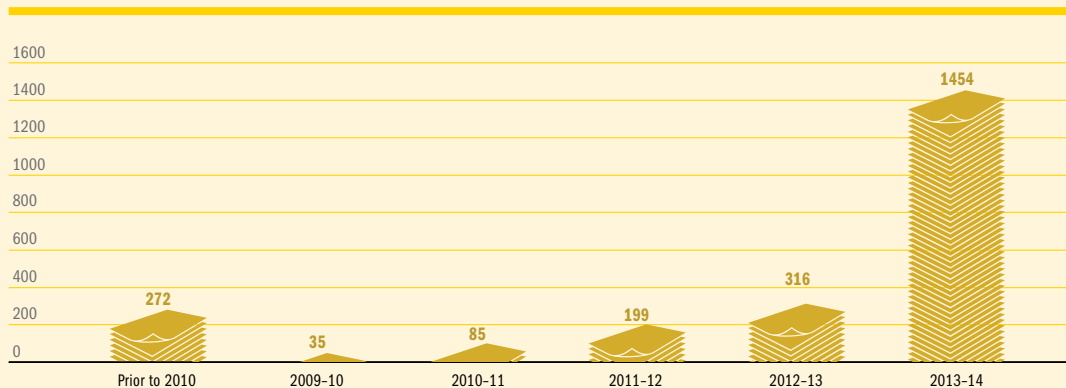


Figure A5.2 – Matters filed and finalised over the last five years



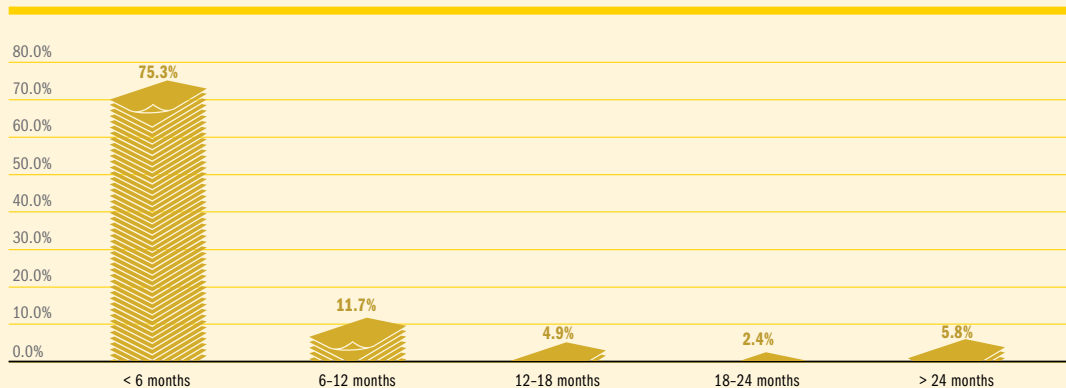
The number finalised refers to those matters finalised in the relevant financial year, regardless of when they were originally filed.

Figure A5.3 – Age and number of current matters at 30 June 2014



A total of 2361 matters remain current at 30 June 2014. There were 272 applications still current relating to periods before those shown in Figure A5.3. Eighty-six per cent of cases prior to 2010 are native title matters.

Figure A5.4 – Time span to complete – Matters completed (excl. native title) over the last five years

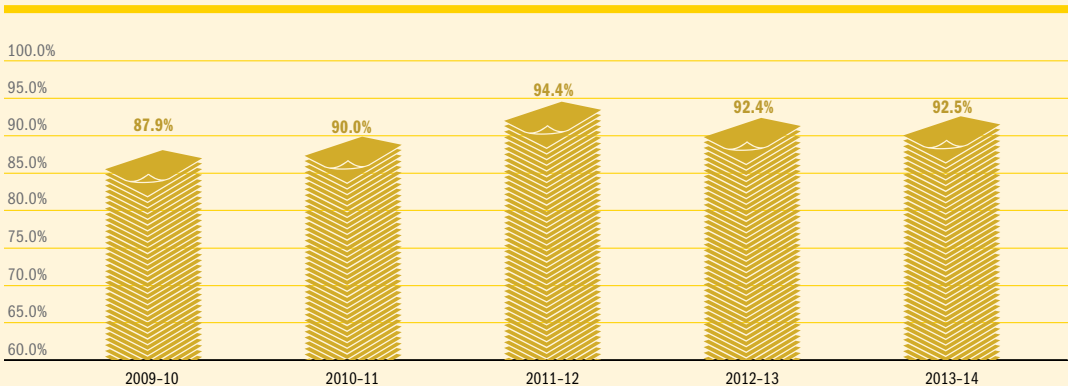


A total of 24 628 matters were completed during the five-year period ending 30 June 2014, excluding native title matters. The time span, from filing to disposition of these matters, is shown in Figure A5.4 above.

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Figure A5.5 – Time span to complete against the benchmark (excl. native title) over the last five years



The Court has a benchmark of eighty-five per cent of cases (excluding native title) being completed within eighteen 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 span for completion are shown below in Table A5.5.

Table A5.5 – Finalisation of major CoAs in accordance with 85% benchmark (incl. appeals and related actions and excluding native title matters)

PERCENTAGE COMPLETED	2009-10	2010-11	2011-12	2012-13	2013-14
Under 18 months	3038	4077	5365	5049	5087
% of Total	87.9%	90.0%	94.4%	92.4%	92.5%
Over 18 months	417	451	316	413	415
% of Total	12.1%	10.0%	5.6%	7.6%	7.5%
Total CoAs	3455	4528	5681	5462	5502

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

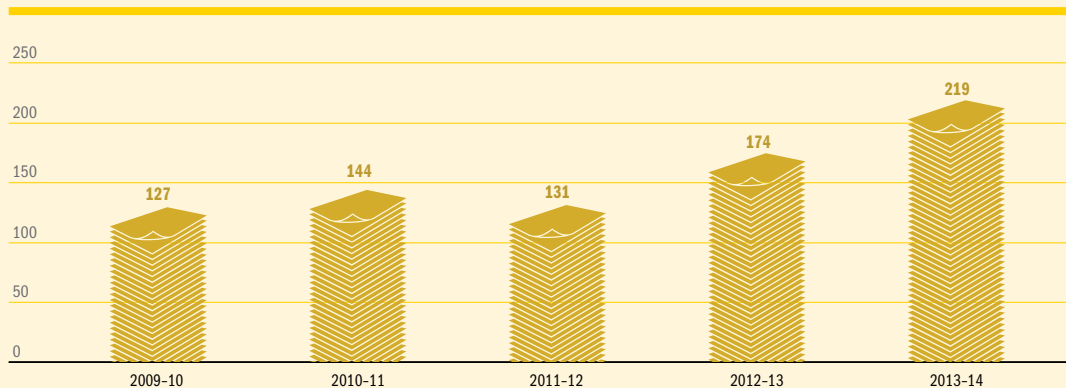
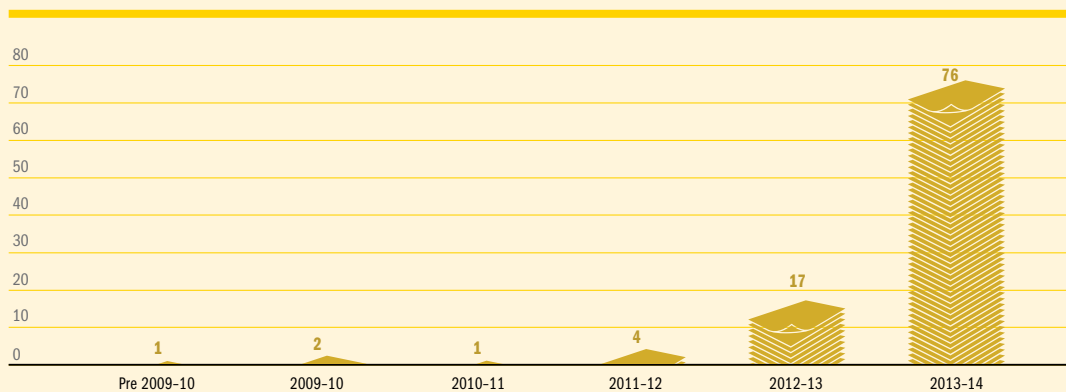


Figure A5.6.1 – Current Bankruptcy Act matters (excl. appeals) by year of filing



A total of 101 Bankruptcy Act matters remain current as at 30 June 2014.

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Figure A5.7 – Corporations Act matters (excl. appeals) filed over the last five years

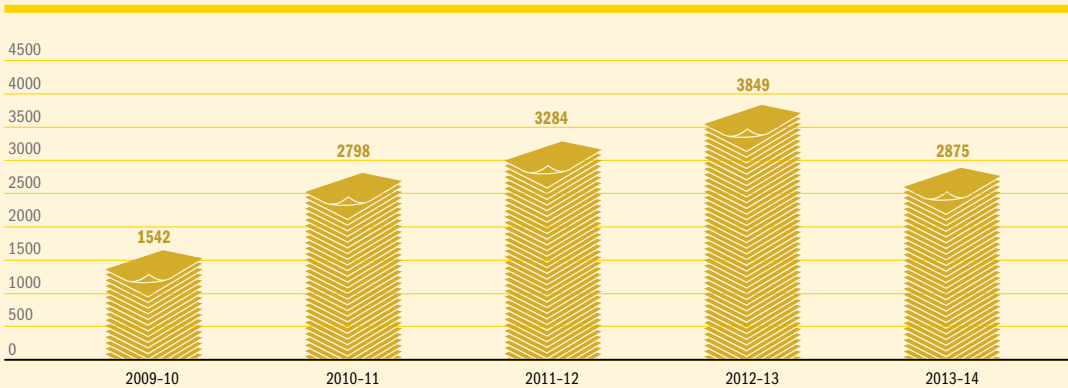
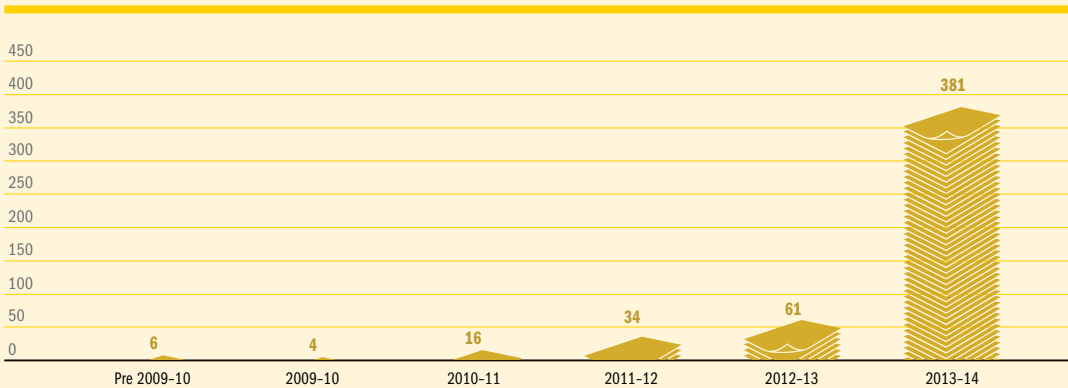


Figure A5.7.1 – Current Corporations Act matters (excl. appeals) by year of filing



A total of 502 Corporations Act matters remain current as at 30 June 2014.

Figure A5.8 – Consumer Law matters (excl. Competition Law and appeals) filed over the last five years

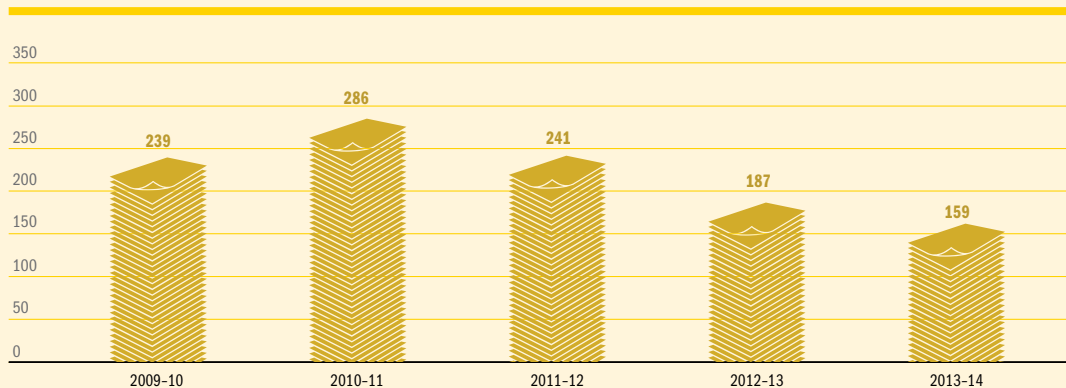
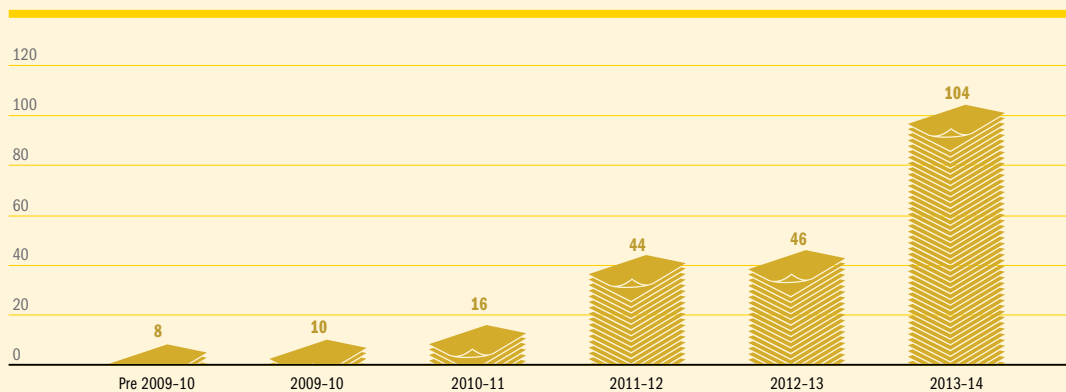


Figure A5.8.1 – Current Consumer Law matters (excl. Competition Law and appeals) by year of filing

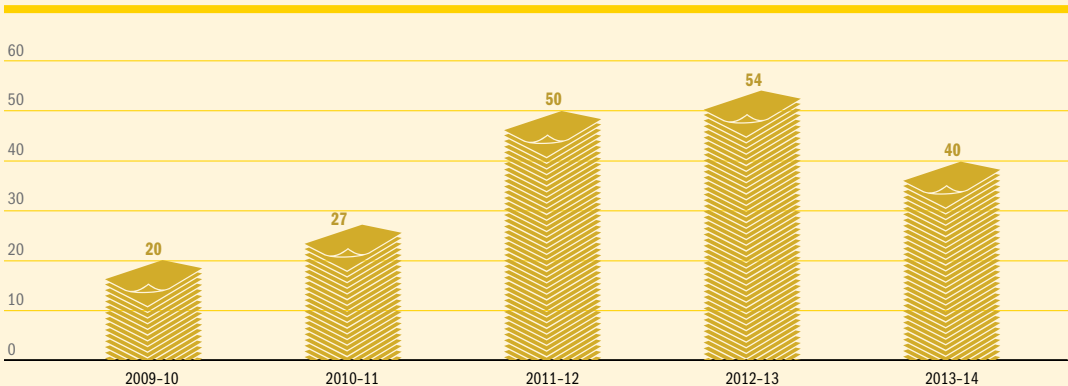


A total of 228 Consumer Law matters remain current as at 30 June 2014.

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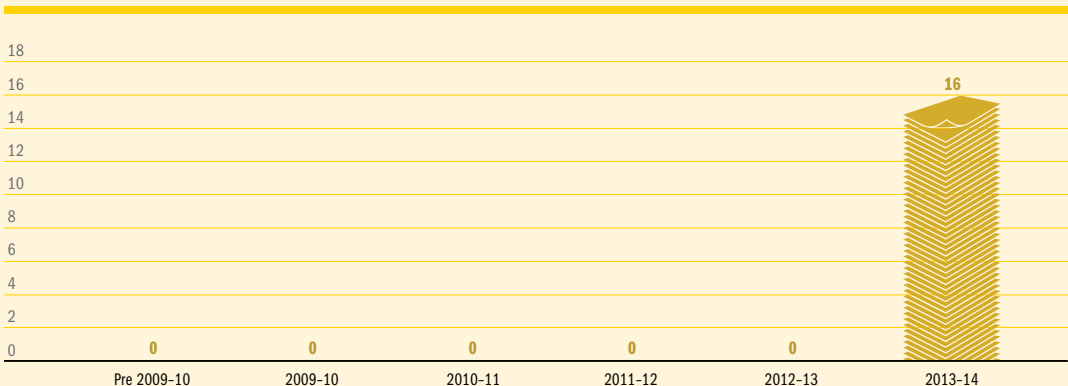
Figure A5.9 – Migration Act matters (excl. appeals) filed over the last five years



These figures include migration applications filed under the Judiciary Act, Administrative Decisions (Judicial Review) Act and Migration Act.

Since 1 December 2005, when the Migration Litigation Reform Act commenced, almost all first instance migration cases have been filed in the Federal Circuit Court.

Figure A5.9.1 – Current Migration Act matters (excl. appeals) by year of filing



A total of 16 Migration Act matters remain current as at 30 June 2014.

Figure A5.10 – Admiralty Act matters (excl. appeals) filed over the last five years

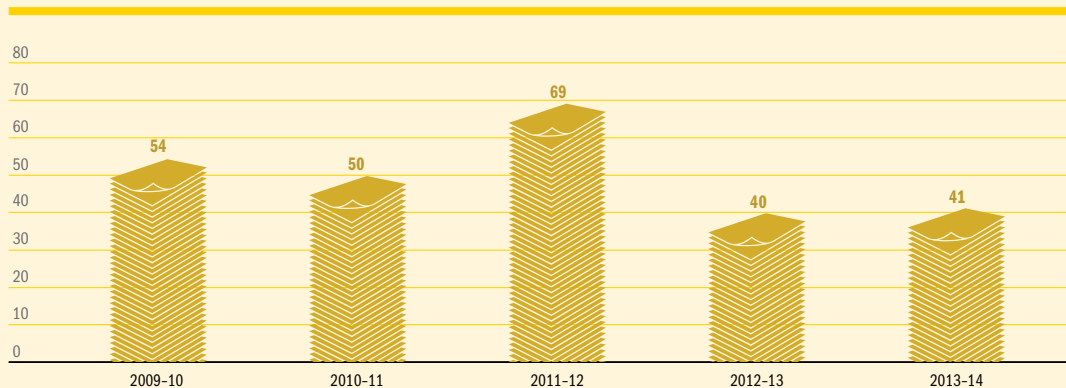
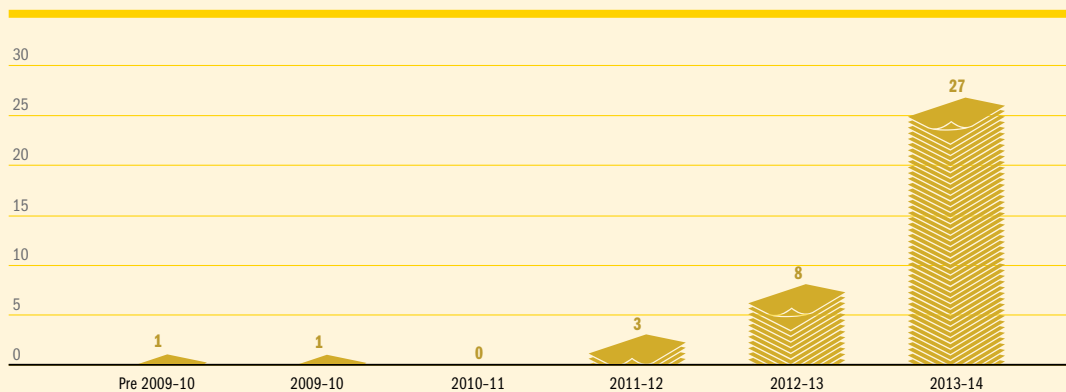


Figure A5.10.1 – Current Admiralty Act matters (excl. appeals) by year of filing



A total of 40 Admiralty Act matters remain current as at 30 June 2014.

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Figure A5.11 – Native Title Act matters (excl. appeals) filed over the last five years

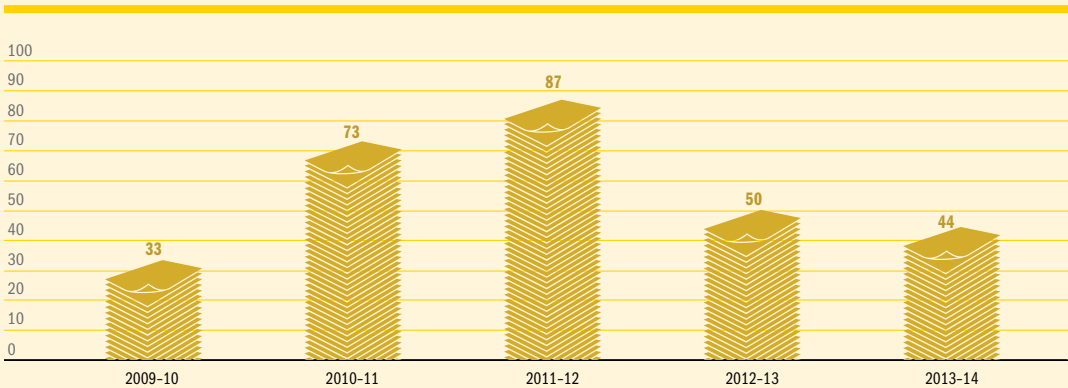
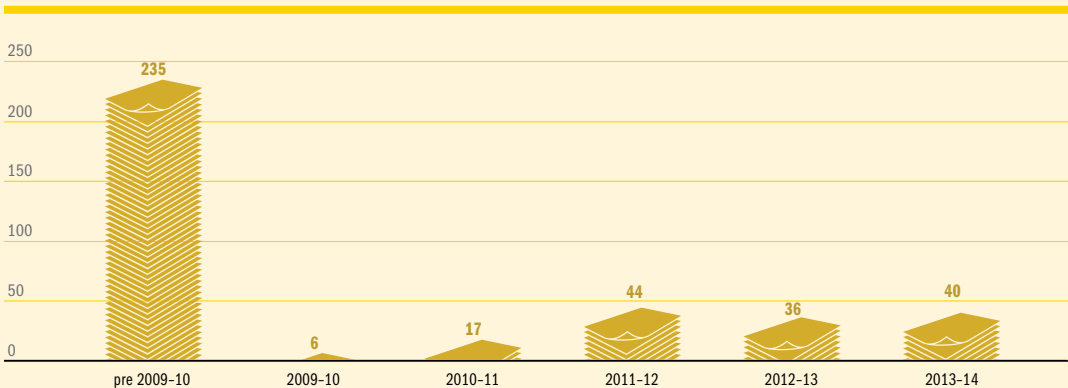


Figure A5.11.1 – Current Native Title Act matters (excl.appeals) by year of filing



A total of 378 Native Title matters remain current as at 30 June 2014.

Figure A5.12 – Workplace Relations/Fair Work matters (excl. appeals) filed over the last five years

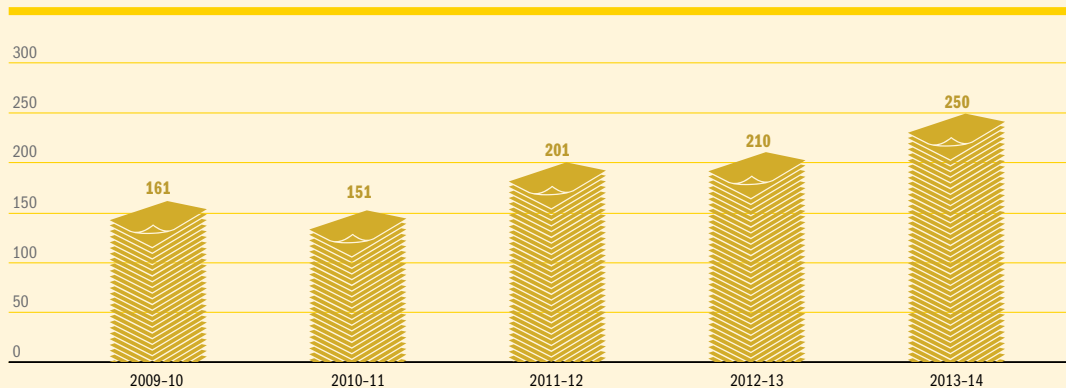
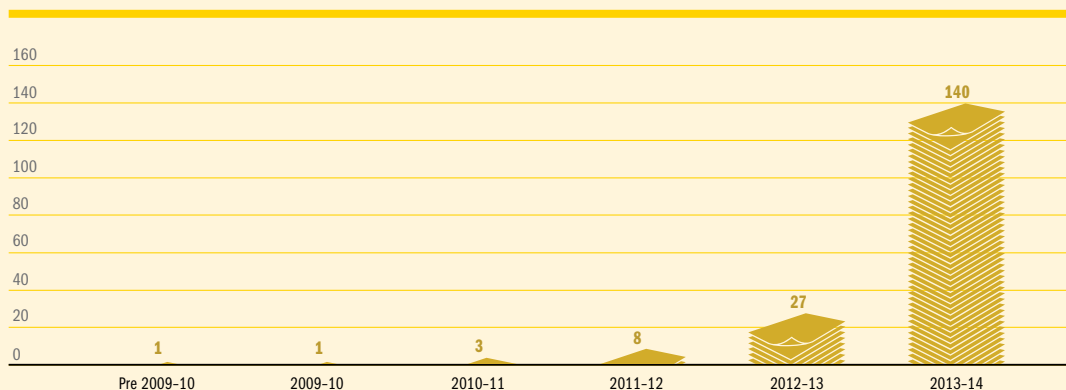


Figure A5.12.1 – Current Workplace Relations/Fair Work matters (excl. appeals) by year of filing



A total of 180 Workplace Relations/Fair Work cases remain current as at 30 June 2014.

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Figure A5.13 – Taxation matters (excl. appeals) filed over the last five years

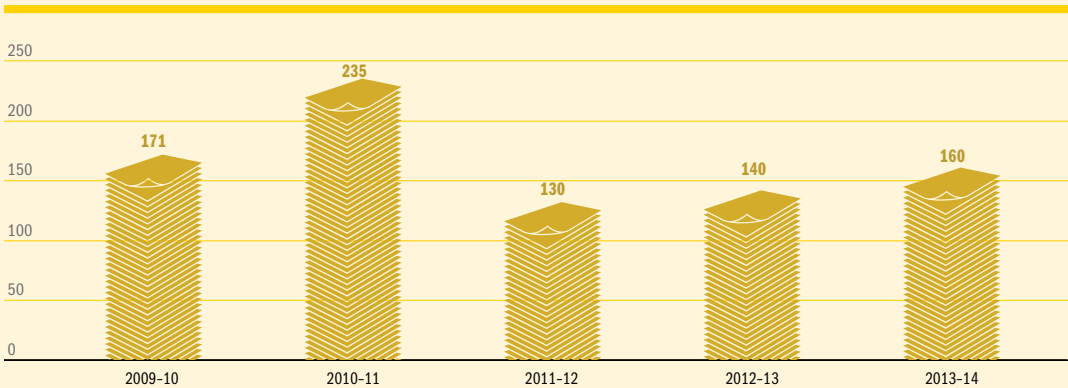
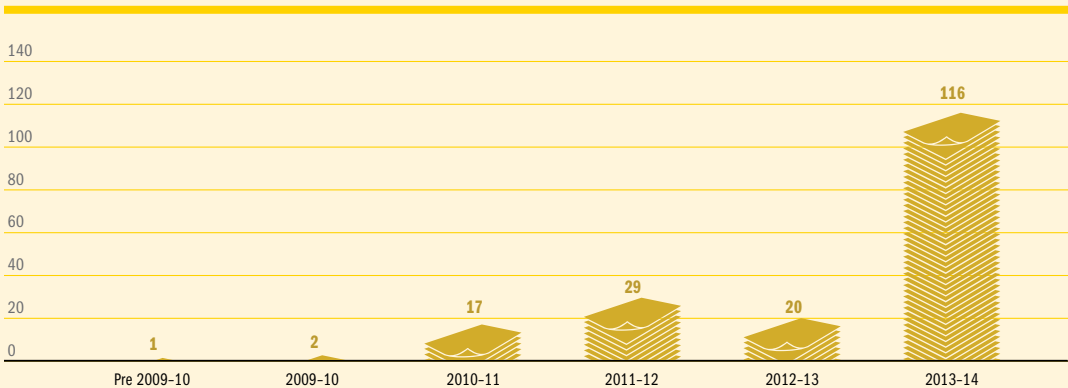


Figure A5.13.1 – Current Taxation matters (excl. appeals) by year of filing



A total of 185 Taxation cases remain current as at 30 June 2014.

Figure A5.14 – Intellectual Property Matters (excl. appeals) filed over the last five years

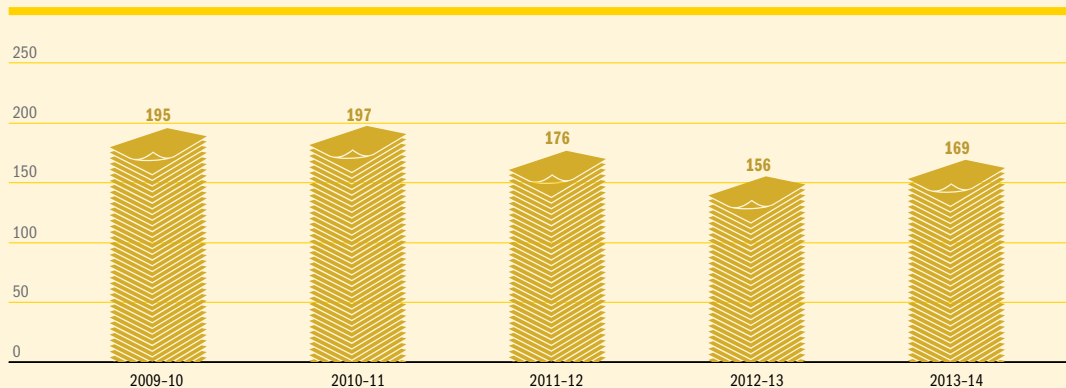
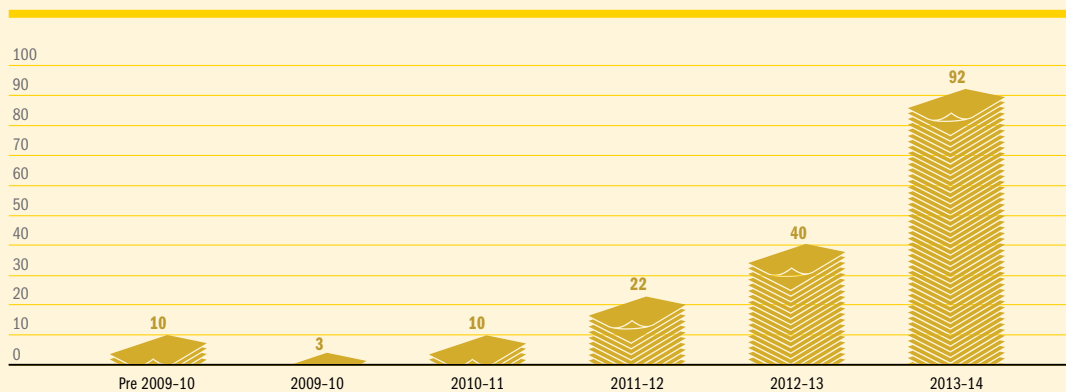


Figure A5.14.1 – Current Intellectual Property matters (excl. appeals) by year of filing



A total of 177 Intellectual Property cases remain current as at 30 June 2014.

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Figure A5.15 – Appeals and Related Actions filed over the last five years

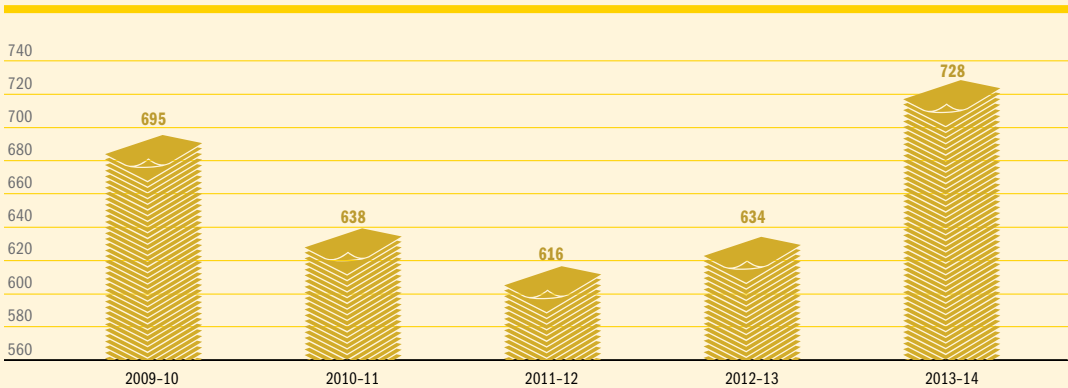
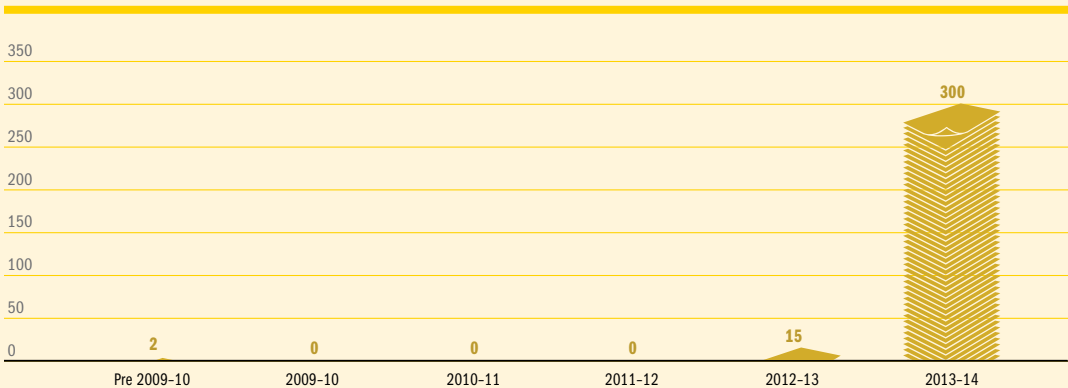


Figure A5.15.1 – Current Appeals and Related Actions by date filed



A total of 317 Appeals and Related Actions remain current as at 30 June 2014.

Figure A5.16 – Source of Appeals and Related Actions over the last five years

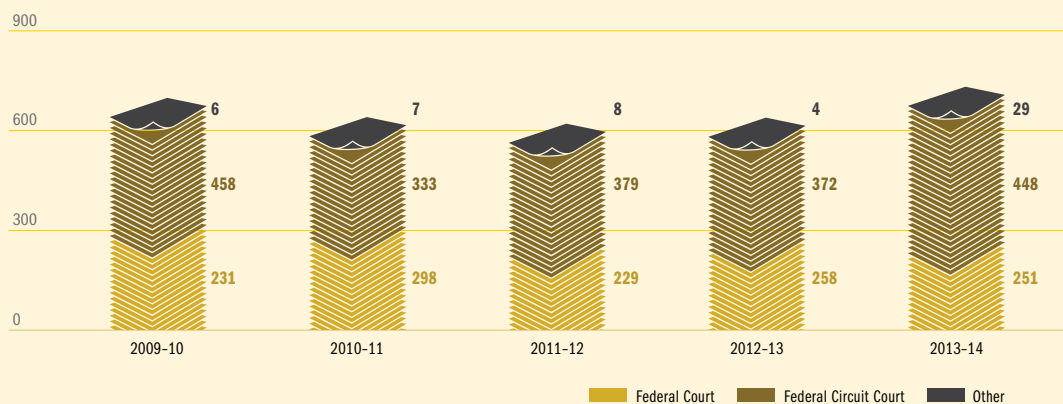


Table A5.6 – Appeals and Related Actions (excl. interlocutory applications)

SOURCE	2009-10		2010-11		2011-12		2012-13		2013-14	
Federal Court	231	33.2%	298	46.7%	229	37.2%	258	40.7%	251	34.5%
Federal Circuit Court	458	65.9%	333	52.2%	379	61.5%	372	58.7%	448	61.5%
Other	6	0.9%	7	1.1%	8	1.3%	4	0.6%	29	4.0%
Total by Period	695		638		616		634		728	