

APPENDIX 6

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 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 6.4 on page 129 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 6.4. All other tables and figures in this Appendix and through the Report are based on major CoA.

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**Table 6.1 – Summary of Workload Statistics – Original and Appellate Jurisdictions
Filings of Major CoAs (including Appellate and Related Actions)**

CAUSE OF ACTION	2007-08	2008-09	2009-10	2010-11	2011-12
Total CoAs (inc. Appeals & Related Actions)					
Filed	4428	3862	3646	4942	5277
Finalised	4730	4122	3525	4625	5798
Current	2946	2686	2807	3124	2603
Corporations (inc. Appeals & Related Actions)					
Filed	1695	1674	1678	2839	3327
Finalised	1679	1739	1399	2526	3780
Current	537	472	751	1064	611
Bankruptcy (inc. Appeals & Related Actions)					
Filed	247	208	188	217	185
Finalised	263	235	169	203	189
Current	105	78	97	111	107
Native Title (inc. Appeals & Related Actions)					
Filed	33	42	36	83	98
Finalised	72	92	67	83	107
Current	554	504	473	473	464
Total CoAs (inc. Appeals & Related Actions & excluding Corporations, Bankruptcy & Native Title)					
Filed	2453	1938	1744	1803	1667
Finalised	2716	2056	1890	1813	1722
Current	1750	1632	1486	1476	1421

**Table 6.2 – Summary of Workload Statistics – Excluding Appeals and related actions
Filings of Major CoAs (excluding Appeals and Related Actions)**

CAUSE OF ACTION	2007-08	2008-09	2009-10	2010-11	2011-12
Total CoAs (excl. Appeals & Related Actions)					
Filed	3074	2988	2951	4304	4663
Finalised	3250	3198	2776	4019	5113
Current	2537	2327	2502	2787	2337
Corporations (excl. Appeals & Related Actions)					
Filed	1678	1636	1642	2798	3283
Finalised	1659	1711	1370	2484	3724
Current	528	453	725	1039	598
Bankruptcy (excl. Appeals & Related Actions)					
Filed	201	148	127	144	131
Finalised	205	171	128	129	126
Current	84	61	60	75	80
Native Title (excl. Appeals & Related Actions)					
Filed	27	37	33	73	87
Finalised	62	87	62	74	93
Current	548	498	469	468	462
Total CoAs (excl. Appeals & Related Actions & excluding Corporations, Bankruptcy & Native Title)					
Filed	1168	1167	1149	1289	1162
Finalised	1324	1229	1216	1332	1170
Current	1377	1315	1248	1205	1197

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Table 6.3 – Summary of Workload Statistics – Appeals and Related Actions only
Filings of Appeals and Related Actions

CAUSE OF ACTION	2007-08	2008-09	2009-10	2010-11	2011-12
Total Appeals & Related Actions					
Filed	1354	874	695	638	614
Finalised	1480	924	749	606	685
Current	409	359	305	337	266
Corporations Appeals & Related Actions					
Filed	17	38	36	41	44
Finalised	20	28	29	42	56
Current	9	19	26	25	13
Migration Appeals & Related Actions					
Filed	997	515	376	253	245
Finalised	1099	615	420	266	240
Current	240	140	96	83	88
Native Title Appeals & Related Actions					
Filed	6	5	3	10	11
Finalised	10	5	5	9	14
Current	6	6	4	5	2
Total Appeals & Related Actions (ex. Corporations, Migration & Native Title Appeals & Related Actions)					
Filed	334	316	280	334	314
Finalised	351	276	295	289	375
Current	154	194	179	224	163

Table 6.4 – Summary of supplementary workload statistics
Filings of supplementary causes of action

	2007-08	2008-09	2009-10	2010-11	2011-12
Total Actions (excluding Appeals & Related Actions)					
Cross Appeals (original jurisdiction)	2	5	6	3	0
Cross Claims	177	190	205	242	186
Interlocutory Applications	1545	1553	1570	1825	1643
Native Title (NT) Joinder of party applications	135	482	364	628	405
Appeals & Related Actions					
Cross Appeals	18	21	15	38	11
Interlocutory Applications	212	230	216	230	172
Total Actions (including Appeals & Related Actions)					
Cross Appeals	20	26	21	41	11
Cross Claims	177	190	205	242	186
Interlocutory Applications	1757	1783	1786	2055	1815
NT Joinder of party applications	135	482	364	628	405
Totals	2089	2481	2376	2966	2417

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Finalisations of supplementary causes of action

	2007-08	2008-09	2009-10	2010-11	2011-12
Total Actions (excluding Appeals & Related Actions)					
Cross Appeals (original jurisdiction)	8	1	5	7	1
Cross Claims	217	173	173	166	162
NT Joinder of party applications	135	482	364	628	405
Appeals & Related Actions					
Cross Appeals	20	23	9	26	34
Total Actions (including Appeals & Related Actions)					
Cross Appeals	28	24	14	33	35
Cross Claims	217	173	173	166	162
NT Joinder of party applications	135	482	364	628	405
Totals	380	679	551	827	602

Current Cross Appeals & Cross Claims as at 30 June 2012

Appeals & Related Actions	
Cross Appeals	9
Total Supplementary CoAs (excluding Appeals & Related Actions)	
Cross Appeals (original jurisdiction)	3
Cross Claims	359
Total Supplementary CoAs (including Appeals & Related Actions)	
Cross Appeals	12
Cross Claims	359
Totals	371

Figure 6.1 – Matters filed over the last five years

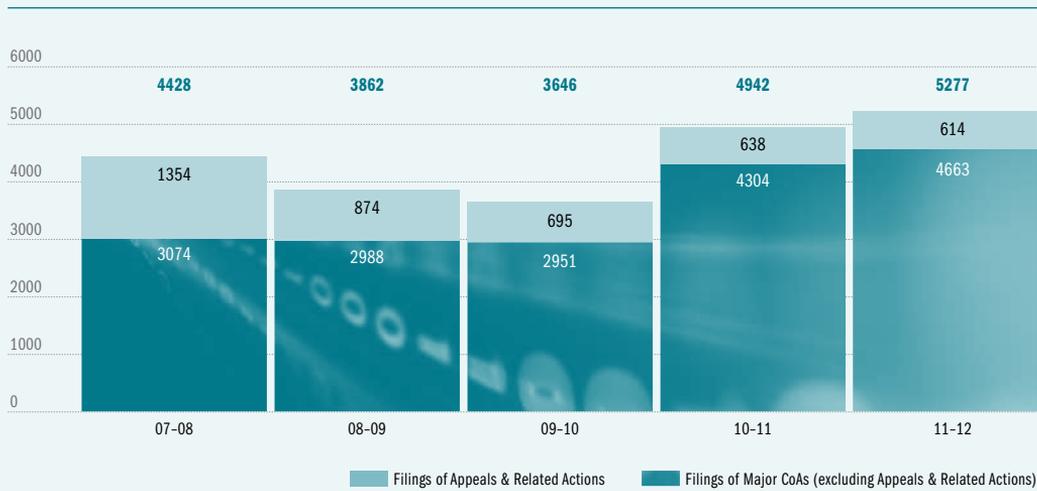
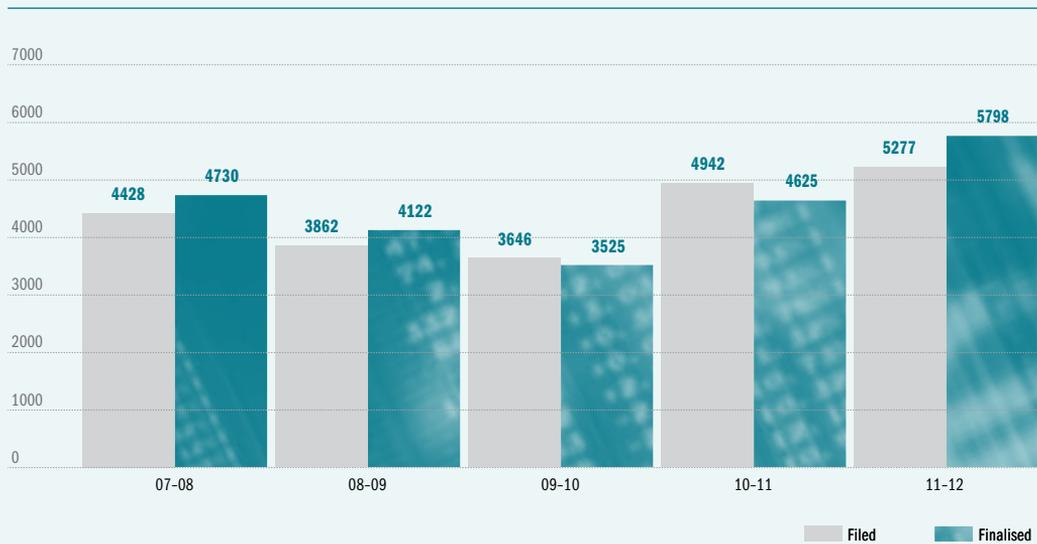


Figure 6.2 – Matters filed and finalised over the last five years

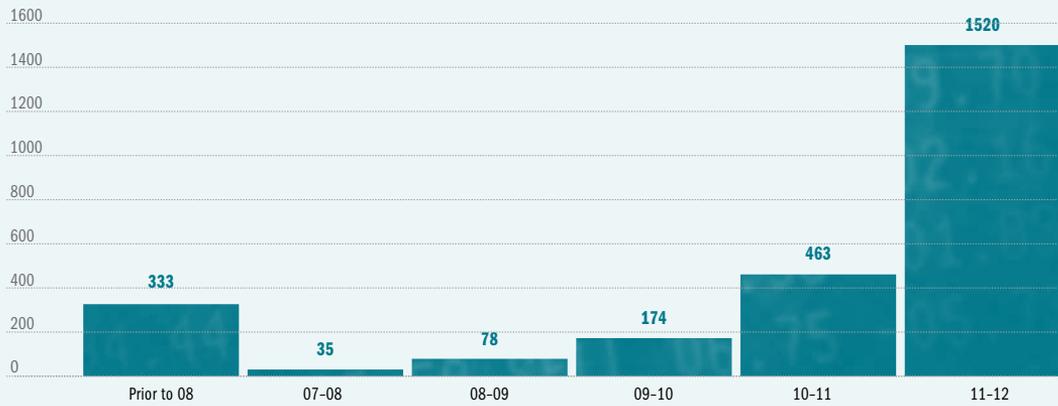


The number finalised refers to those matters finalised in the relevant financial year, regardless of when they were originally filed.

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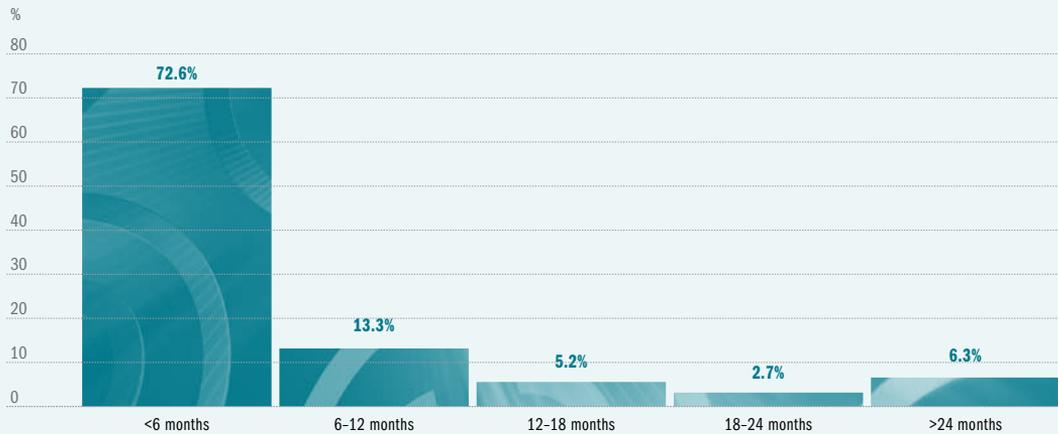
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Figure 6.3 – Age and number of current matters at 30 June 2012



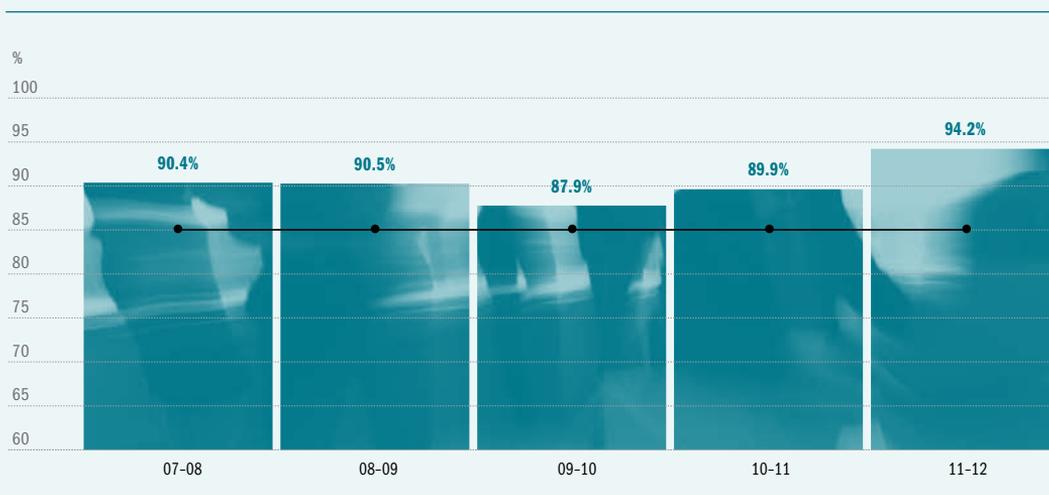
A total of 2603 matters remain current at 30 June 2012. There were 333 applications still current relating to periods before those shown in the graph. Over ninety-two per cent of cases prior to 2008 are native title matters.

Figure 6.4 – Time span to complete – Matters completed (excl. native title) over the last five years



A total of 27 568 matters were completed during the five year period ending 30 June 2012, excluding native title matters. The time span, from filing to disposition of these matters, is shown in Figure 6.4.

Figure 6.5 – Time span to complete against the 85% 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. The above chart 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 in Table 6.5.

Table 6.5 – Finalisation of major CoAs in accordance with 85% benchmark (including appeals and related actions and excluding native title matters) over the last five years

PERCENTAGE COMPLETED	2007-08	2008-09	2009-10	2010-11	2011-12
Under 18 months	4222	3650	3044	4093	5376
% of Total	90.4%	90.5%	87.9%	89.9%	94.2%
Over 18 months	446	385	419	458	329
% of Total	9.6%	9.5%	12.1%	10.1%	5.8%
Total CoAs	4668	4035	3463	4551	5705

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Figure 6.6 – Bankruptcy Act matters (excl. appeals) filed over the last five years

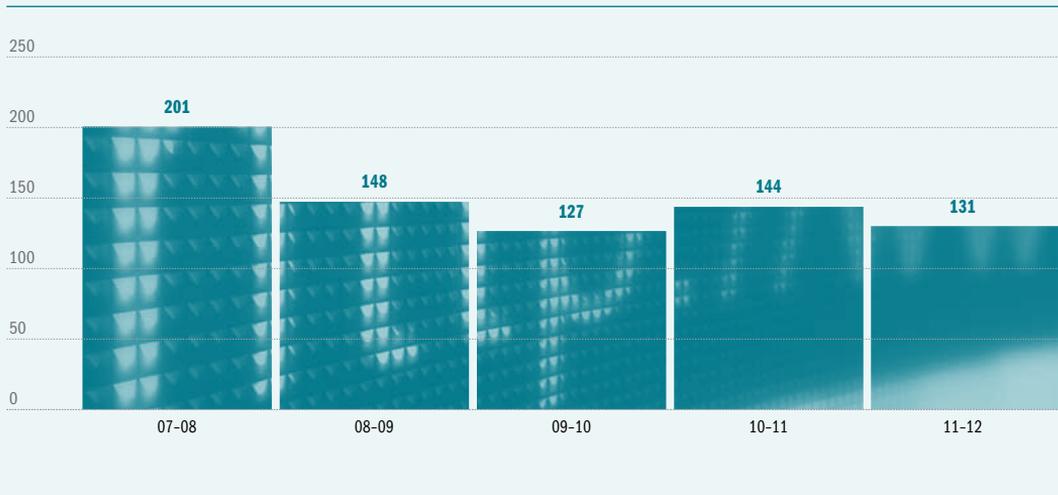
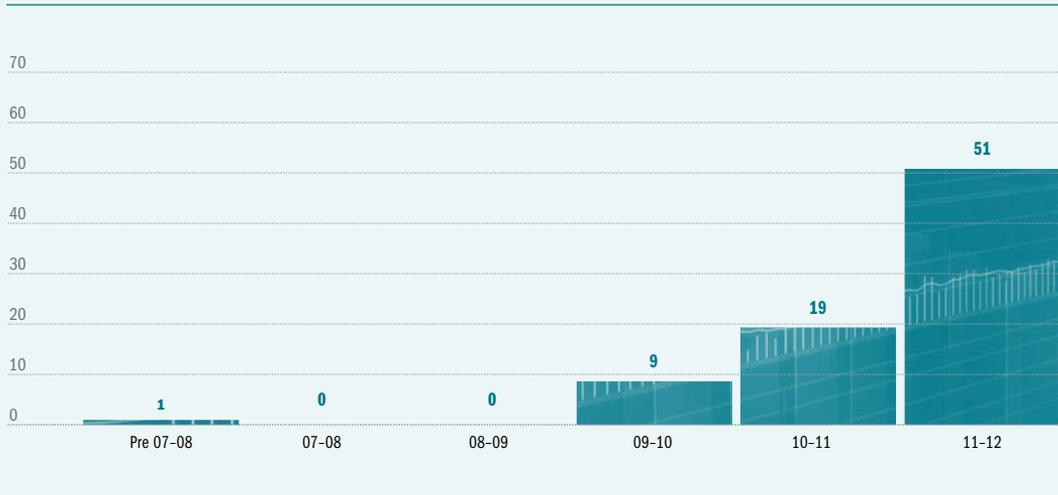


Figure 6.6.1 – Current Bankruptcy matters (excl. appeals) by year of filing



A total of 80 Bankruptcy Act matters remain current as at 30 June 2012.

Figure 6.7 – Corporations Act matters (excl. appeals) filed over the last five years

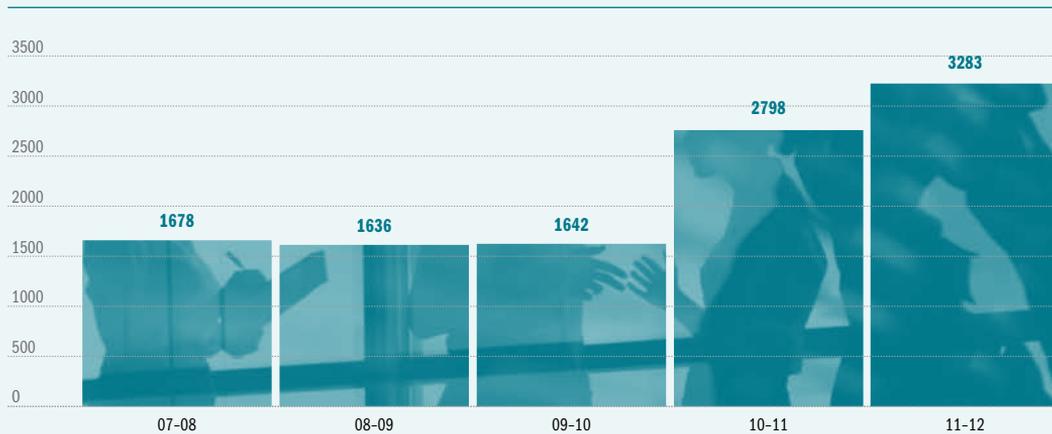
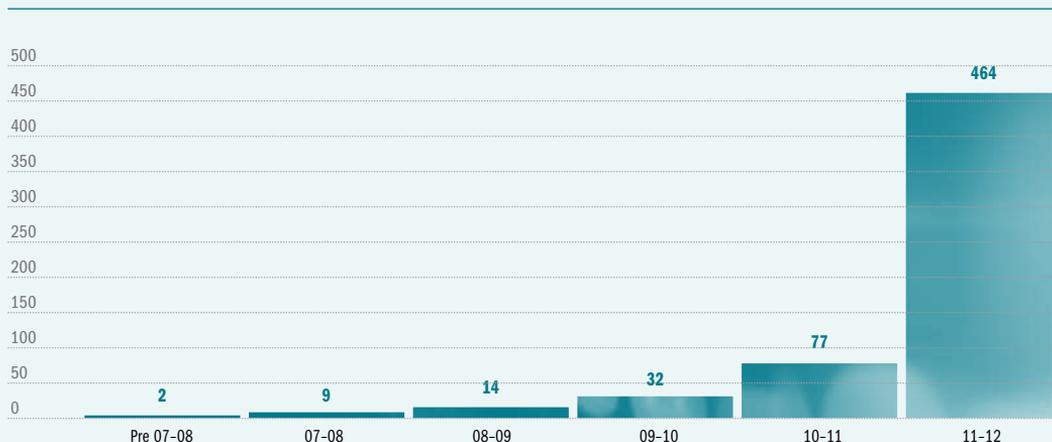


Figure 6.7.1 – Current Corporations Act matters (excl. appeals) by year of filing



A total of 598 Corporations Act matters remain current as at 30 June 2012.

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Figure 6.8 – Consumer Law matters (excl. competition law and appeals) filed over the last five years

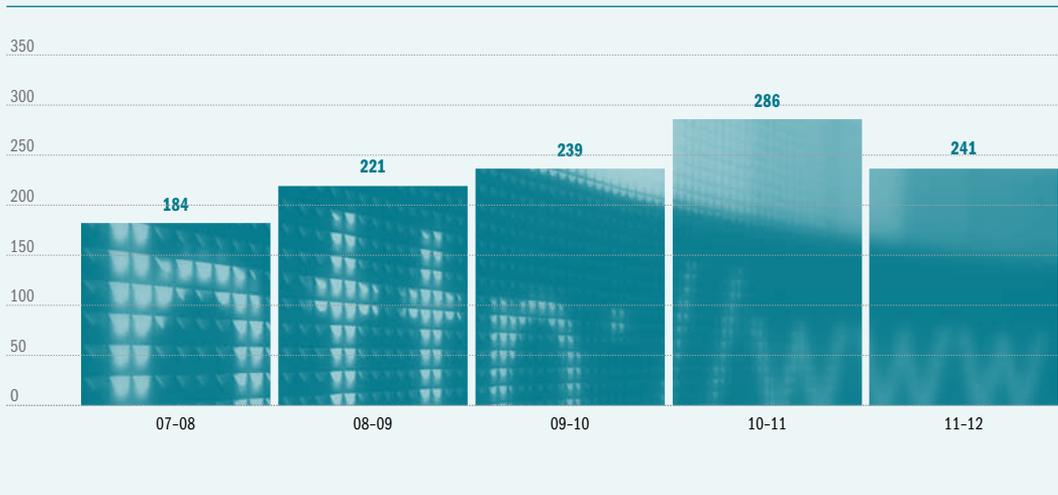
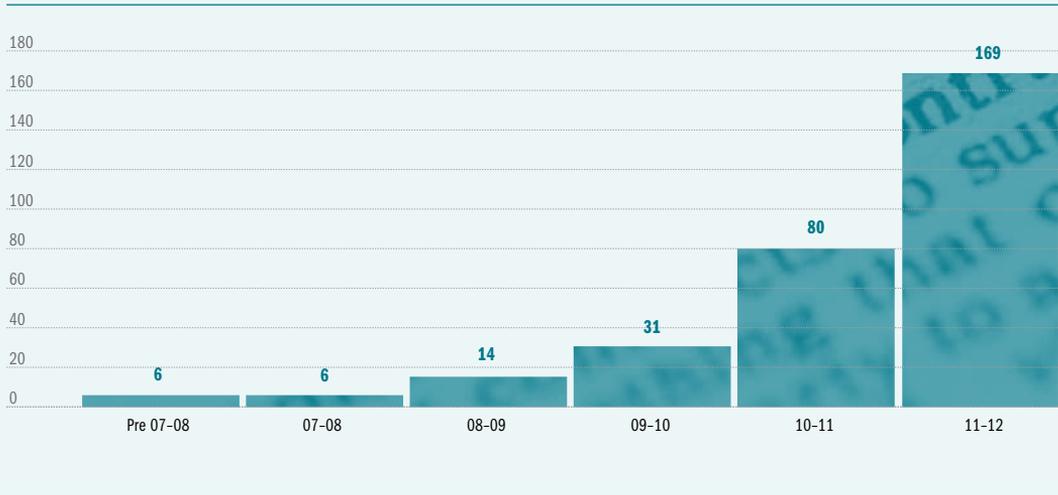
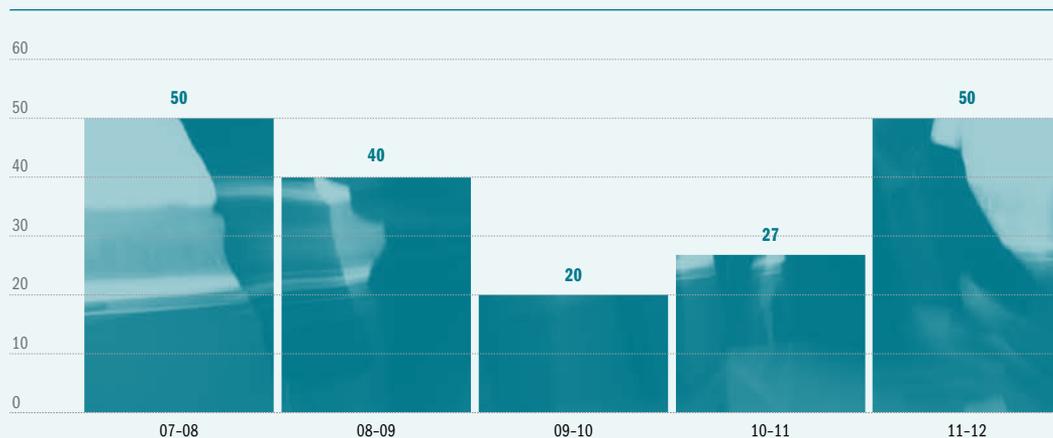


Figure 6.8.1 – Current Consumer Law matters (excl. competition law and appeals) by year of filing



A total of 306 Consumer Law matters remain current as at 30 June 2012.

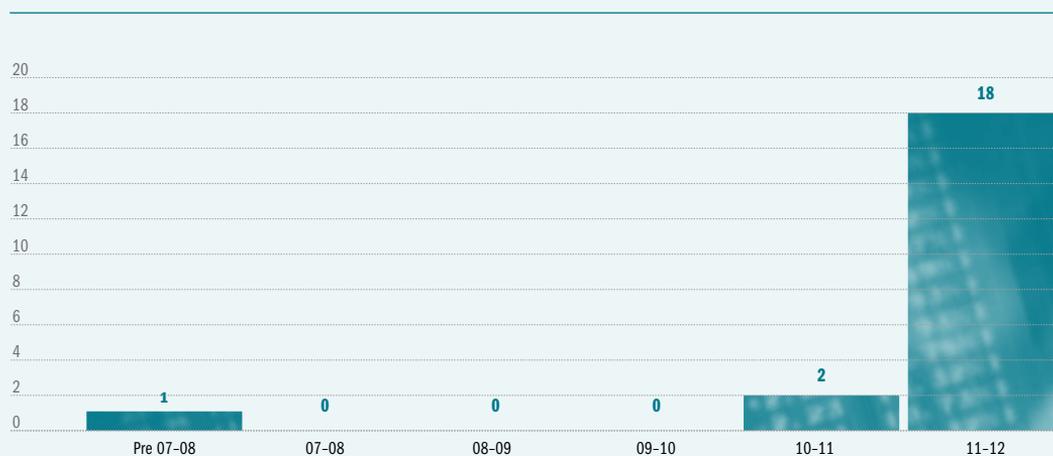
Figure 6.9 – Migration Act matters (excl. appeals) filed over the last five years



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 Magistrates Court.

Figure 6.9.1 – Current Migration Act matters (excl. appeals) by year of filing



A total of 21 Migration Act matters remain current as at 30 June 2012.

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Figure 6.10 – Admiralty Act matters (excl. appeals) filed over the last five years

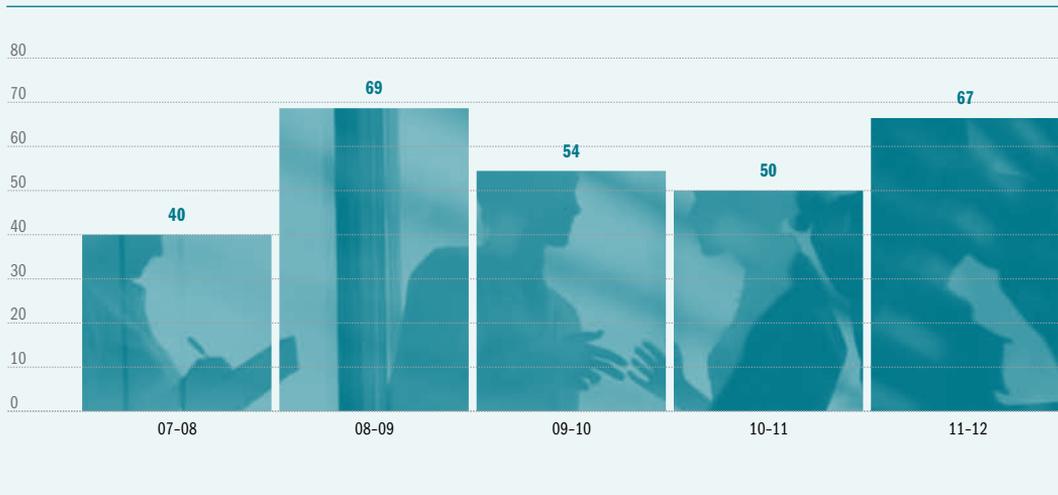
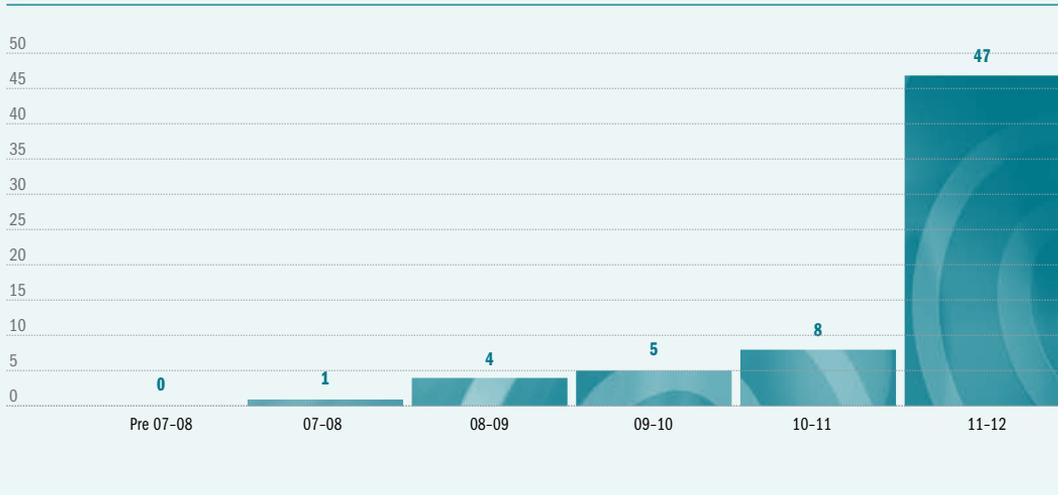


Figure 6.10.1 – Current Admiralty matters (excl. appeals) by year of filing



A total of 65 Admiralty Act matters remain current as at 30 June 2012.

Figure 6.11 – Native Title Act matters (excl. appeals) filed over the last five years

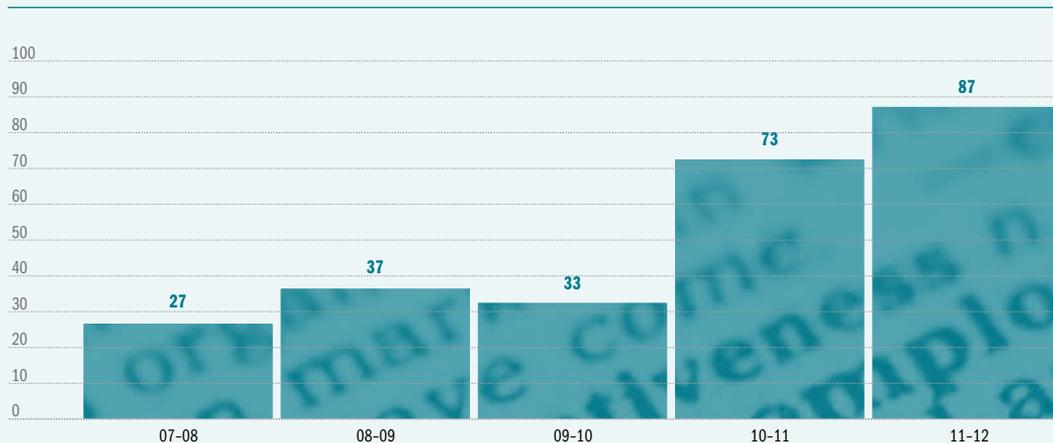
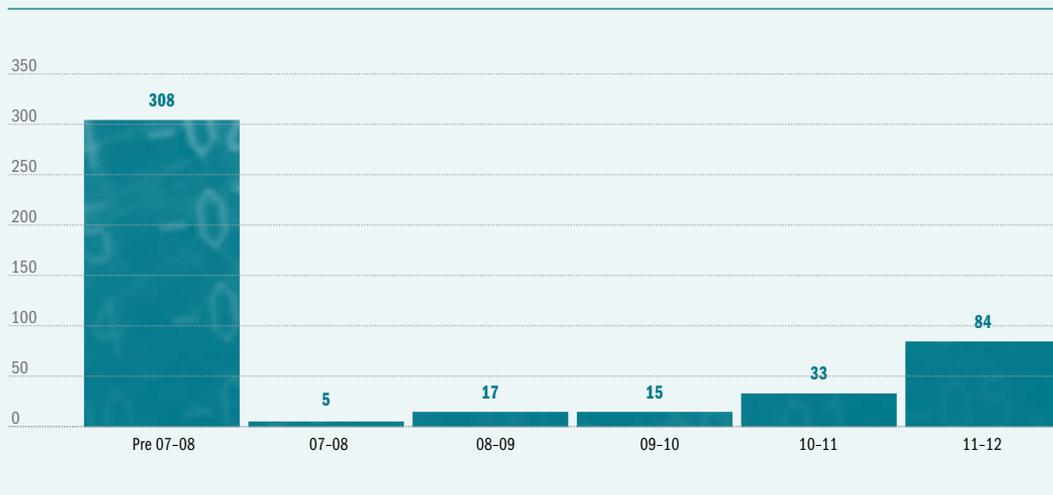


Figure 6.11.1 – Current Native Title matters (excl. appeals) by year of filing



A total of 462 Native Title matters remain current as at 30 June 2012.

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Figure 6.12 – Workplace Relations/Fair Work matters (excl. appeals) filed over the last five years

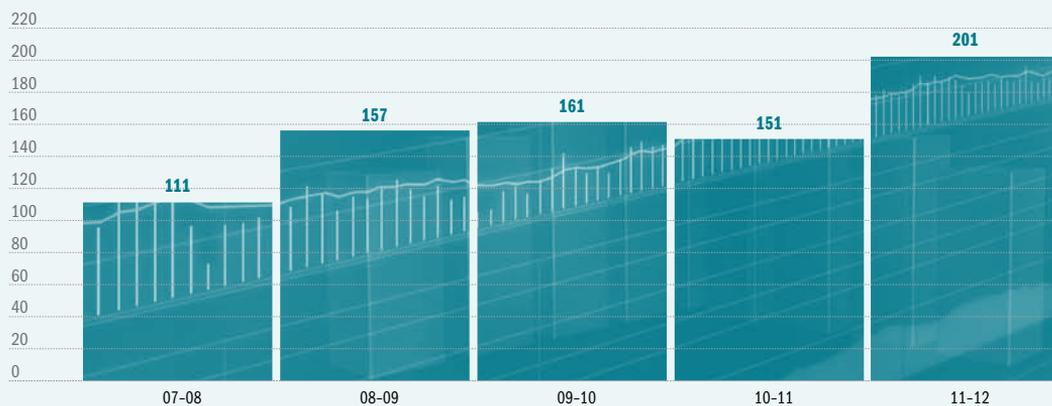
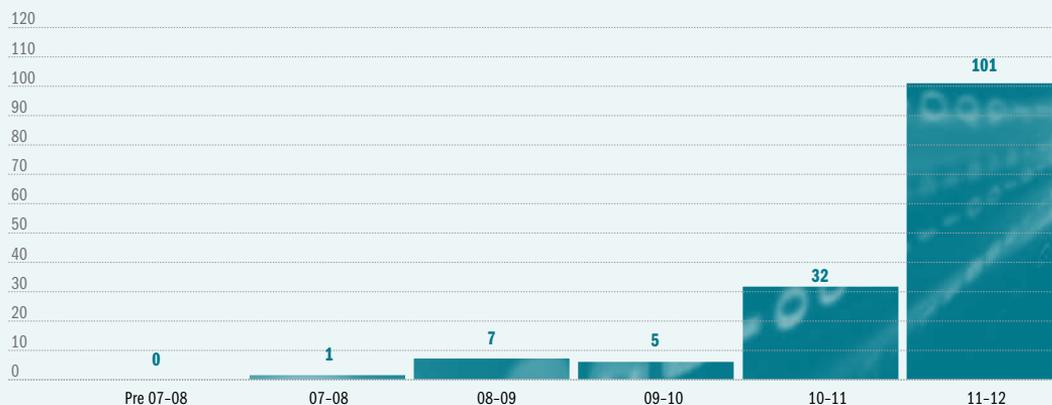


Figure 6.12.1 – Current Workplace Relations/Fair Work matters (excl. appeals) by year of filing



A total of 146 Workplace Relations/Fair Work cases remain current as at 30 June 2012.

Figure 6.13 – Taxation matters (excl. appeals) filed over the last five years

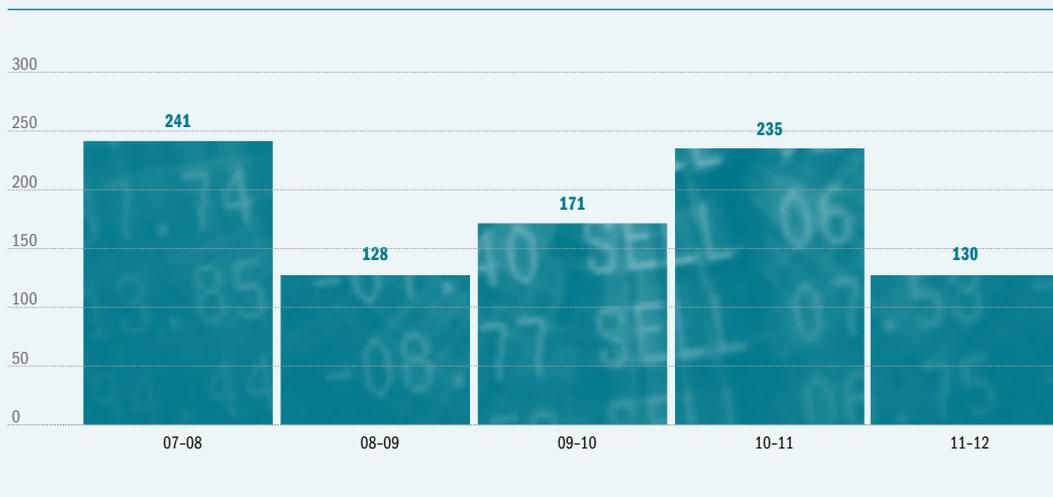
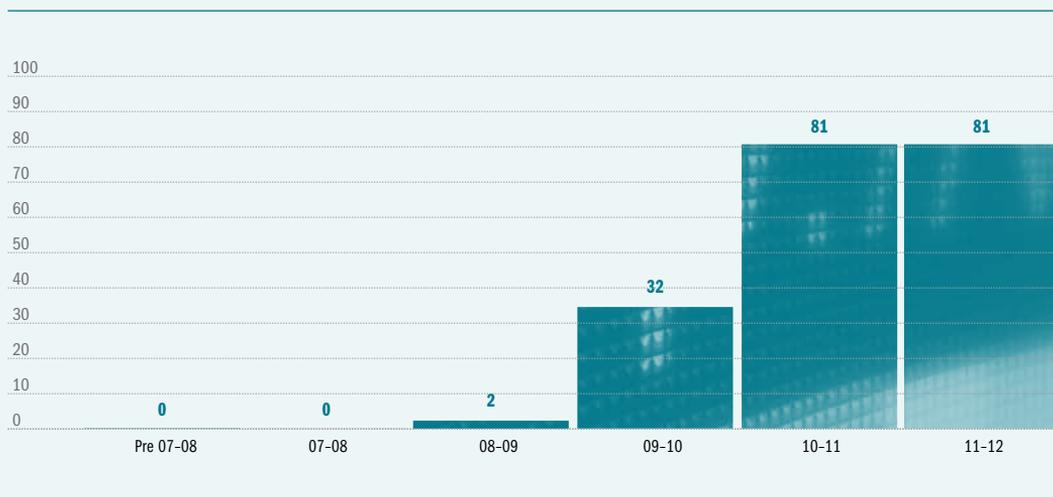


Figure 6.13.1 – Current Taxation matters (excl. appeals) by year of filing



A total of 196 taxation cases remain current as at 30 June 2012.

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Figure 6.14 – Intellectual Property Matters (excl. appeals) filed over the last five years

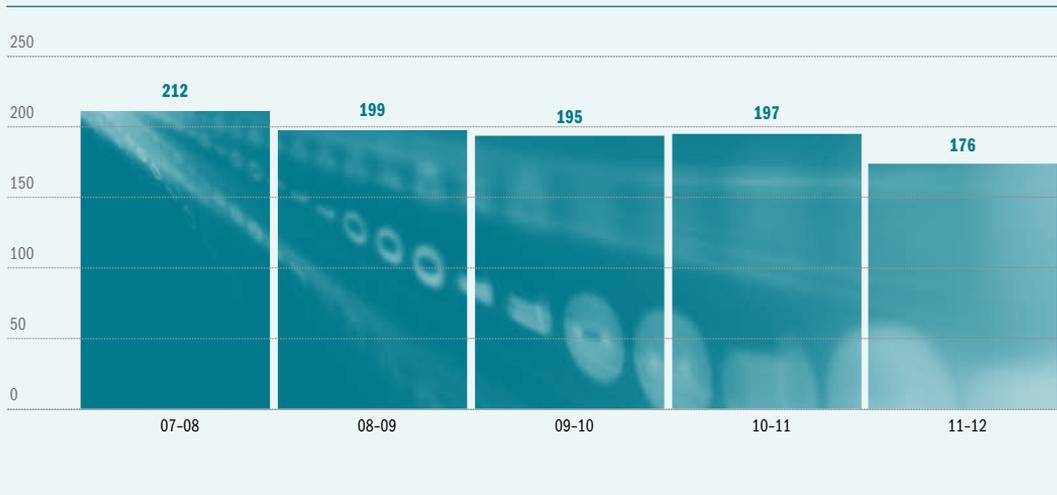
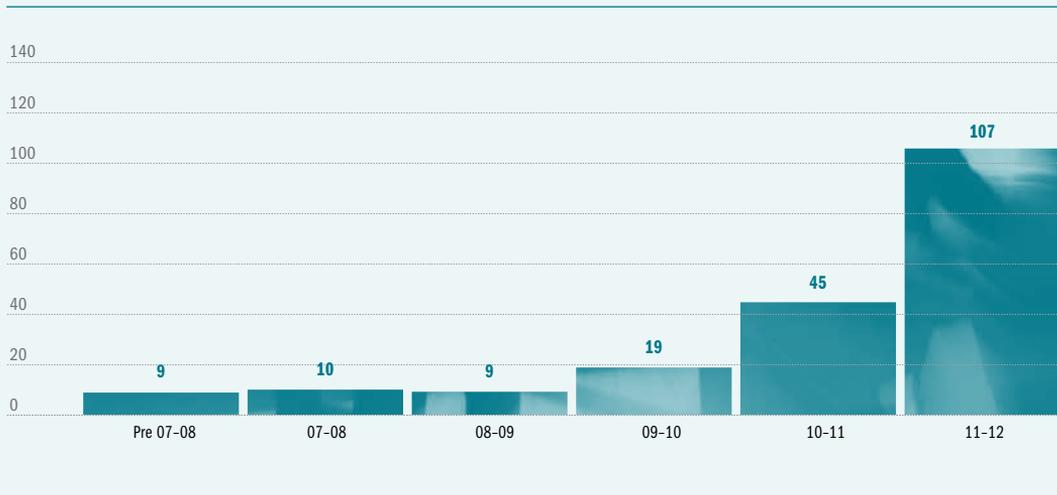


Figure 6.14.1 – Current Intellectual Property matters (excl. appeals) by year of filing



A total of 199 intellectual property cases remain current as at 30 June 2012.

Figure 6.15 – Appeals and Related Actions filed over the last five years

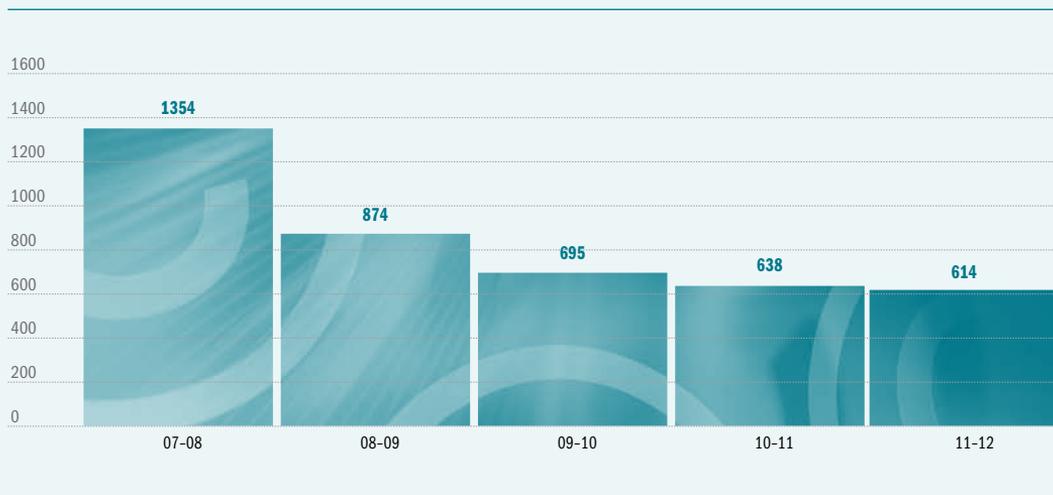
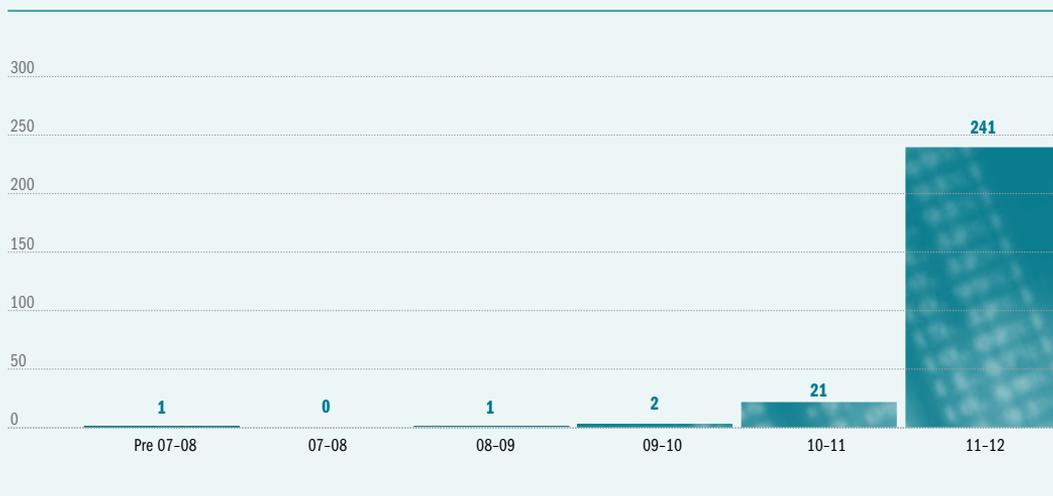


Figure 6.15.1 – Current Appeals and Related Actions by date filed



A total of 266 Appeals and Related Actions remain current as at 30 June 2012.

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Figure 6.16 – Source of Appeals and Related Actions over the last five years

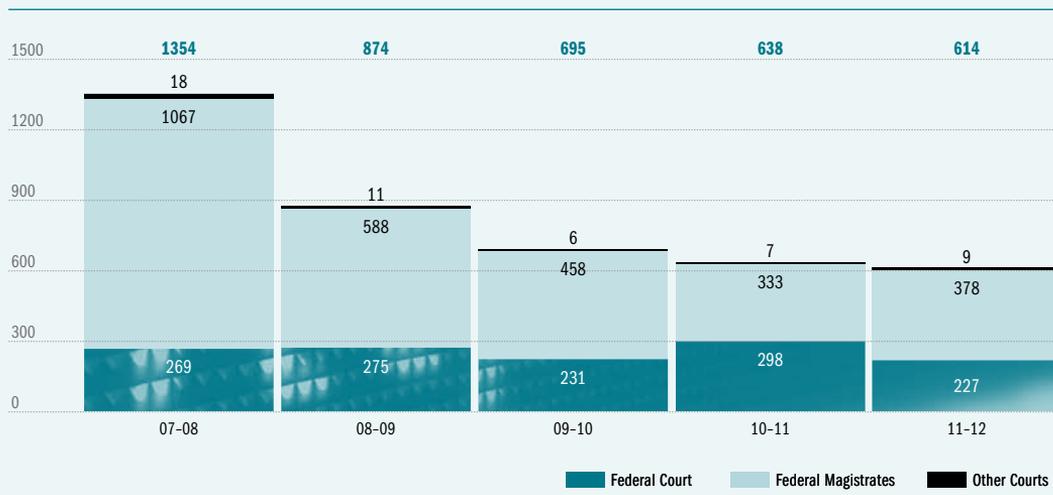


Table 6.6 – Appeals and Related Actions

SOURCE	2007-08		2008-09		2009-10		2010-11		2011-12	
Federal Court	269	19.9%	275	31.5%	231	33.2%	298	46.7%	227	37.0%
Federal Magistrates Court	1067	78.8%	588	67.3%	458	65.9%	333	52.2%	378	61.6%
Other Courts	18	1.3%	11	1.3%	6	0.9%	7	1.1%	9	1.5%
Total by Period	1354		874		695		638		614	