

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 eleven 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 COA's (cross appeals and cross claims), interlocutory applications (initiated by the filing of a notice of motion) or Native Title joinder of party applications. In 2007–08 the Court started to count and report on 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 6.4 on page 118 provides a breakdown of these matters. At this stage it is not possible to obtain information about finalisations of notices of motion (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 Chapter 3 and Table 6.4. All other tables and figures in this Appendix and through the Report are based on major COA.

**Table 6.1 – Summary of Workload Statistics –
Original and Appellate Jurisdiction**

Filings of Major COAs (including Appeals and Related Actions)					
Cause of Action	2005–06	2006–07	2007–08	2008–09	2009–10
Total COAs					
Filed	6157	4925	4428	3862	3642
Finalised	6237	5225	4735	4124	3519
Current	3520	3220	2913	2651	2774
Corporations					
Filed	2909	1926	1695	1673	1676
Finalised	2716	2086	1680	1744	1392
Current	678	518	533	462	746
Bankruptcy					
Filed	390	282	247	208	187
Finalised	412	343	264	235	159
Current	181	120	103	76	104
Native Title					
Filed	67	66	33	42	36
Finalised	81	93	73	91	70
Current	614	587	547	498	464
Total COAs (excluding Corporations, Bankruptcy & Native Title)					
Filed	2791	2651	2453	1936	1743
Finalised	3028	2703	2718	2054	1898
Current	2047	1995	1730	1615	1460

Table 6.2 – Summary of Workload Statistics – Excluding Appeals and related actions

Cause of Action	2005–06	2006–07	2007–08	2008–09	2009–10
Total COAs (ex. Appeals & Related Actions)					
Filed	4826	3543	3074	2988	2949
Finalised	4871	3842	3255	3197	2758
Current	2992	2693	2512	2303	2494
Corporations (ex. Appeals & Related Actions)					
Filed	2897	1903	1678	1636	1642
Finalised	2709	2064	1660	1716	1362
Current	667	506	524	444	724
Bankruptcy (ex. Appeals & Related Actions)					
Filed	332	223	201	148	127
Finalised	355	289	206	171	115
Current	153	87	82	59	71
Native Title (ex. Appeals & Related Actions)					
Filed	60	50	27	37	33
Finalised	78	80	63	86	65
Current	607	577	541	492	460
Total COAs (excl. Appeals & Related Actions & excluding Corporations, Bankruptcy & Native Title)					
Filed	1537	1367	1168	1161	1147
Finalised	1729	1409	1326	1224	1216
Current	1565	1523	1365	1308	1239

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

Cause of Action	2005–06	2006–07	2007–08	2008–09	2009–10
Total Appeals & Related Actions					
Filed	1331	1382	1354	874	693
Finalised	1366	1383	1480	927	761
Current	528	527	401	348	280
Corporations Appeals & Related Actions					
Filed	12	23	17	37	34
Finalised	7	22	20	28	30
Current	11	12	9	18	22
Migration Appeals & Related Actions					
Filed	1028	1050	997	515	376
Finalised	1009	1079	1099	616	423
Current	370	341	239	138	91
Native Title Appeals & Related Actions					
Filed	7	16	6	5	3
Finalised	3	13	10	5	5
Current	7	10	6	6	4
Total Appeals & Related Actions – (excl. Corporations, Migration & Native Title Appeals & Related Actions)					
Filed	284	293	334	320	280
Finalised	347	269	351	278	303
Current	140	164	147	186	163

Table 6.4 – Summary of supplementary workload statistics

Filings of supplementary causes of action					
	2005–06	2006–07	2007–08	2008–09	2009–10
Total actions (excluding Appeals & Related Actions)					
Cross Appeals (original jurisdiction)	3	11	2	5	6
Cross Claims	216	198	177	190	205
Notices of Motion	1,674	1,809	1,592	1,605	1,592
Native Title (NT) Joinder of party applications	377	89	135	482	364
Appeals & Related Actions					
Cross Appeals	22	15	18	21	15
Notices of Motion	165	145	156	175	152
Total actions (including Appeals & Related Actions)					
Cross Appeals	25	26	20	26	21
Cross Claims	216	198	177	190	205
Notices of Motion	1,839	1,954	1,748	1,780	1,744
NT Joinder of party applications	377	89	135	482	364
Totals	2,457	2,267	2,080	2,478	2,334

Finalisations of supplementary causes of action					
	2005–06	2006–07	2007–08	2008–09	2009–10
Total Actions (excluding Appeals & Related Actions)					
Cross Appeals (original jurisdiction)	0	5	8	1	5
Cross Claims	106	208	215	165	159
NT Joinder of party applications	377	89	135	482	364
Appeals & Related Actions					
Cross Appeals	18	16	20	23	9
Total actions (including Appeals & Related Actions)					
Cross Appeals	18	21	28	24	14
Cross Claims	107	208	215	165	159
NT Joinder of party applications	377	89	135	482	364
Totals	502	318	378	671	537

Current Cross Appeals & Cross Claims as at 30 June 2010	
Appeals & Related Actions	
Cross Appeals	20
Total Supplementary COAs (excluding Appeals & Related Actions)	
Cross Appeals (original jurisdiction)	8
Cross Claims	290
Total Supplementary COAs (including Appeals & Related Actions)	
Cross Appeals	28
Cross Claims	290
Totals	318

Note: Table 6.4 has been refined and now includes notices of motion for interim applications in bankruptcy in the Court's original jurisdiction. These statistics were not counted in the 2008–09 Annual Report and, therefore, the notices of motion figures in the original jurisdiction are higher than reported last year.

Figure 6.1 – Matters filed 2005–06 to 2009–10

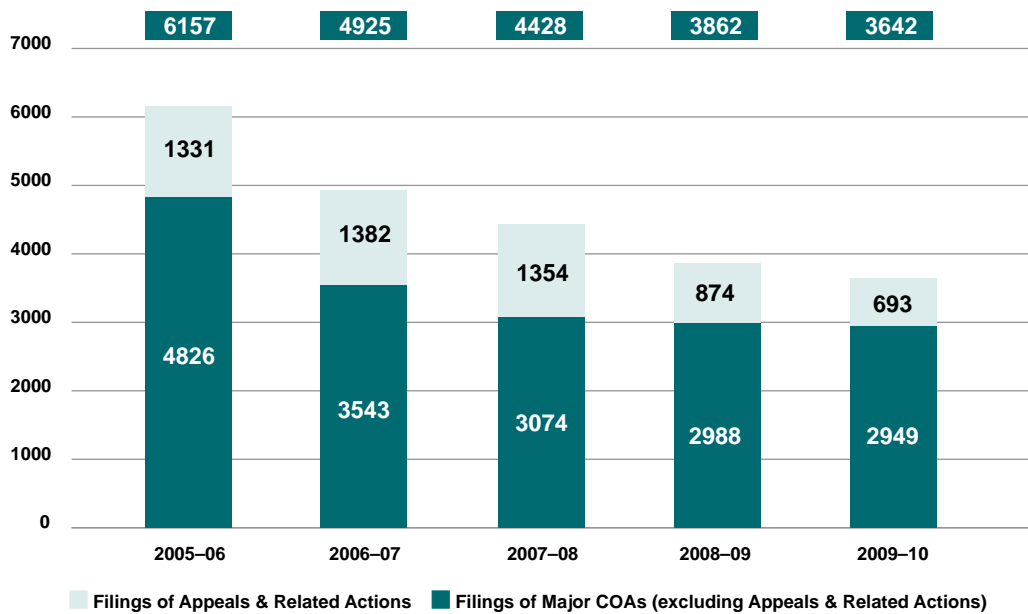
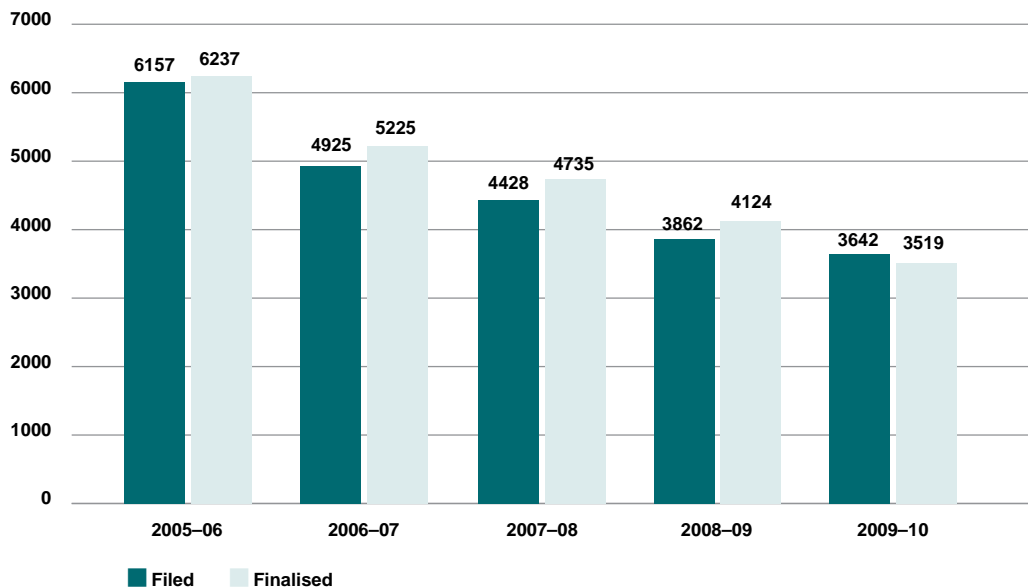
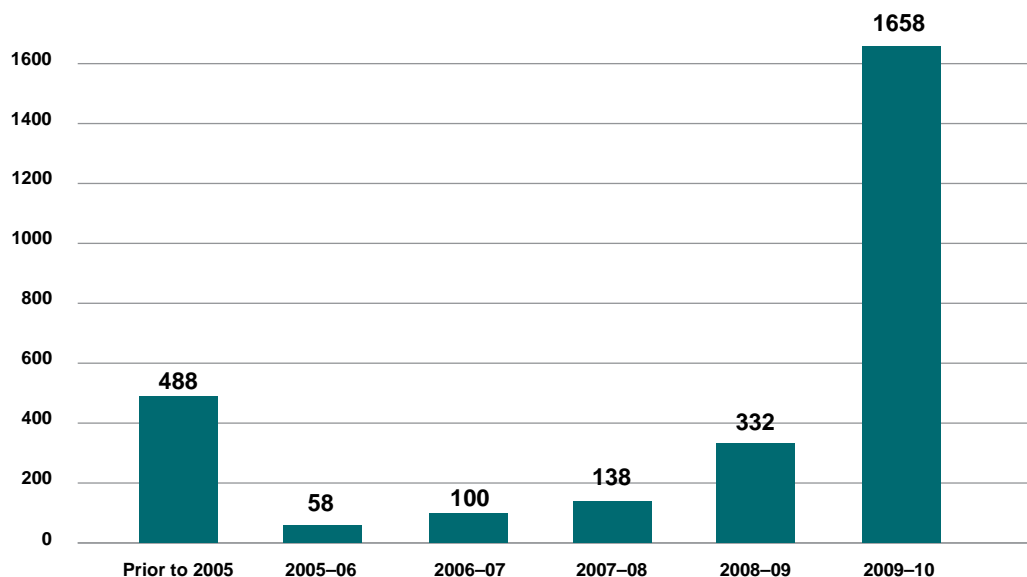


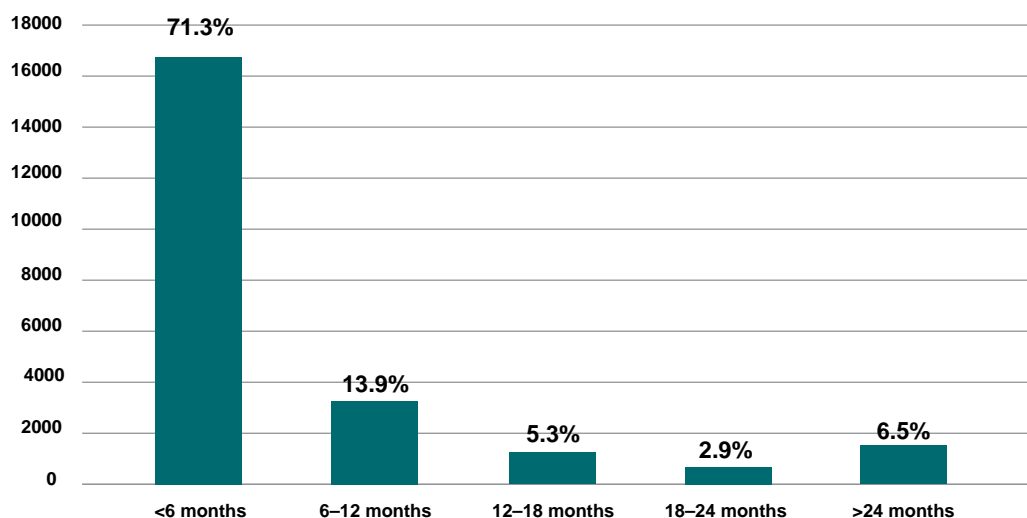
Figure 6.2 - Matters filed and finalised 2005–06 to 2009–10



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

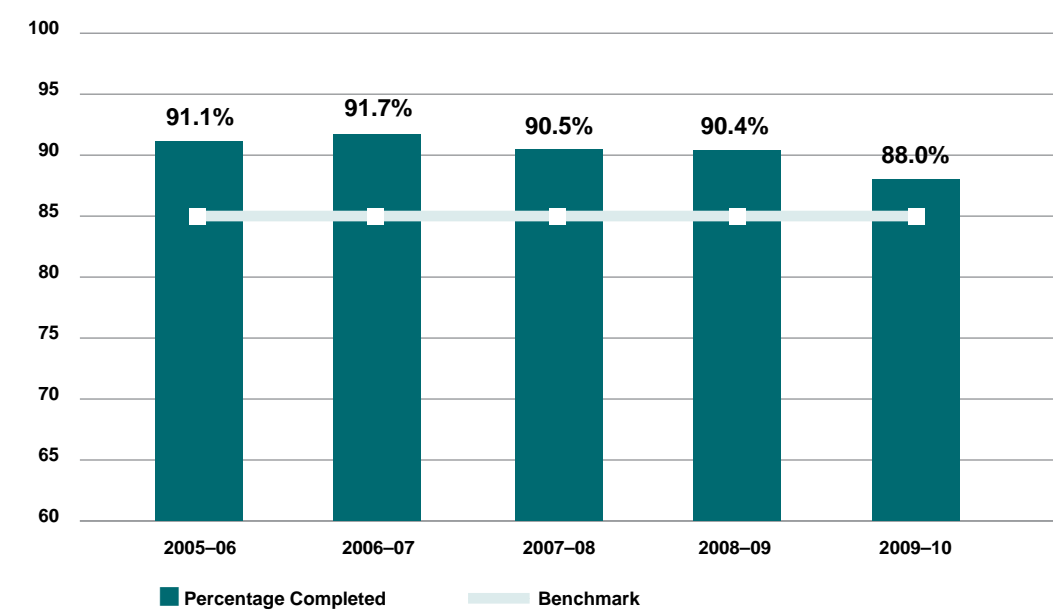
Figure 6.3 - Age and number of current matters at 30 June 2010

A total of 2,774 matters remain current at 30 June 2010. There were 488 applications still current relating to periods before those shown in the graph. Over 73% of cases prior to 2005 are native title matters.

Figure 6.4 - Time span to complete - Matters completed (excl. native title) in the period 1 July 2005 to 30 June 2010

A total of 23,468 matters were completed during the five year period ending 30 June 2010, excluding native title matters. The time span, from filing to disposition of these matters, is shown in the graph above.

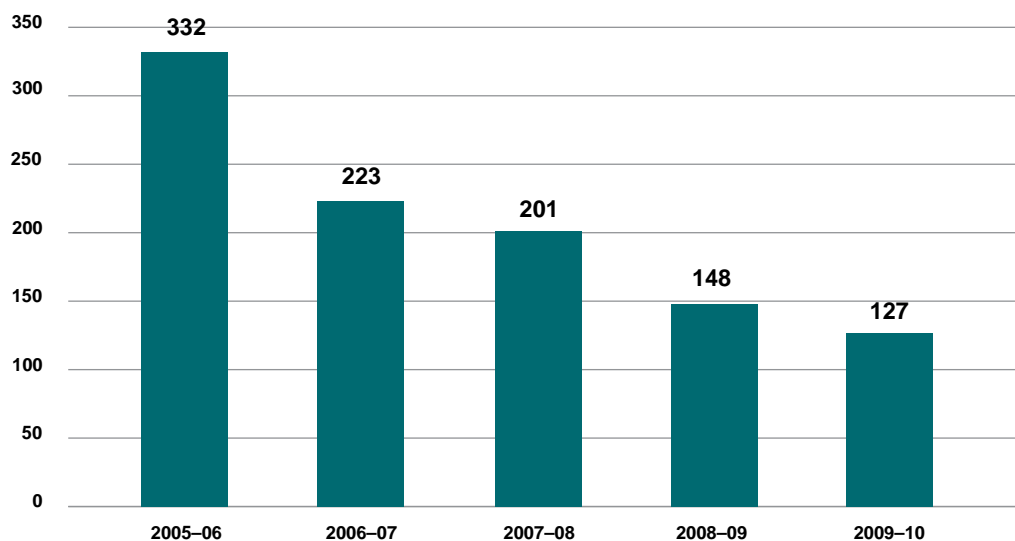
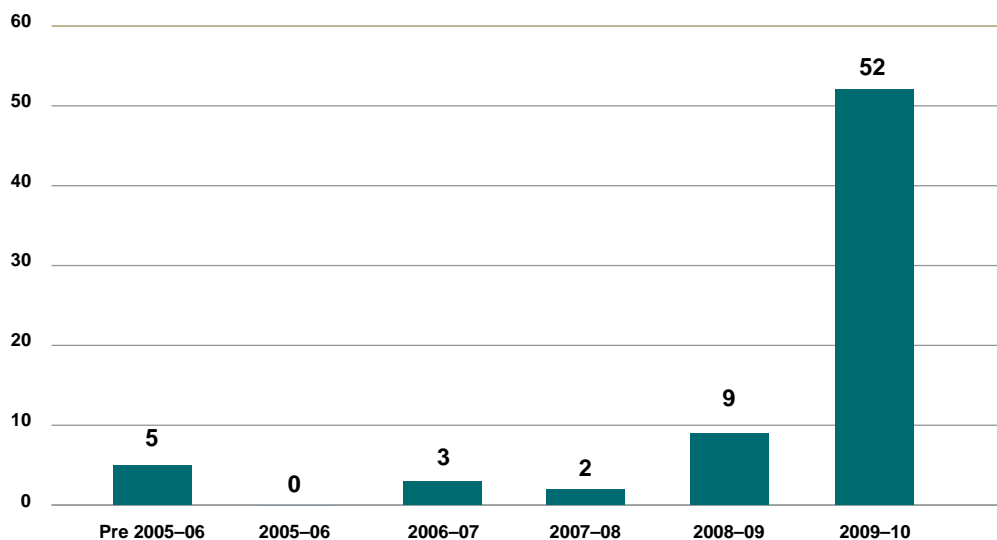
Figure 6.5 - Time span to complete benchmark (excl. native title) 2005–06 to 2009–10



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.

Table 6.5 - Finalisation of major COAs in accordance with 85% benchmark (incl. appeals and related actions and excluding native title matters)

Percentage completed		2005–06	2006–07	2007–08	2008–09	2009–10
Under 18 months		5612	4717	4226	3651	3041
	% of Total	91.1%	91.7%	90.5%	90.4%	88.0%
Over 18 months		547	428	446	387	413
	% of Total	8.9%	8.3%	9.5%	9.6%	12.0%
Total COAs		6159	5145	4672	4038	3454

Figure 6.6 - Bankruptcy Act matters (excl. appeals) filed 2005–06 to 2009–10**Figure 6.6.1 - Current Bankruptcy matters (excl. appeals) by year of filing**

A total of 71 Bankruptcy Act matters remain current as at 30 June 2010.

Figure 6.7 - Corporations Act matters (excl. appeals) filed 2005–06 to 2009–10

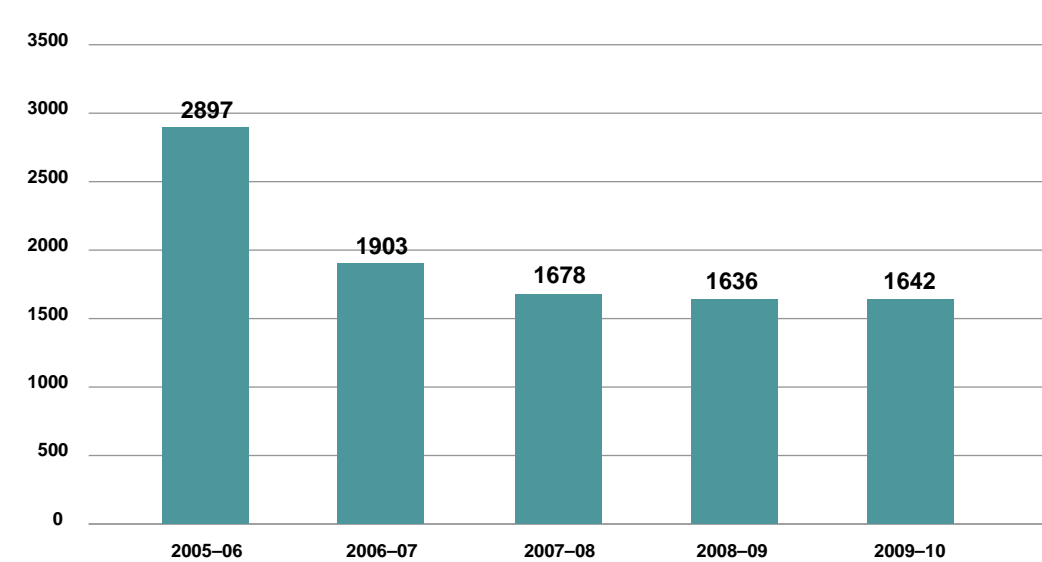
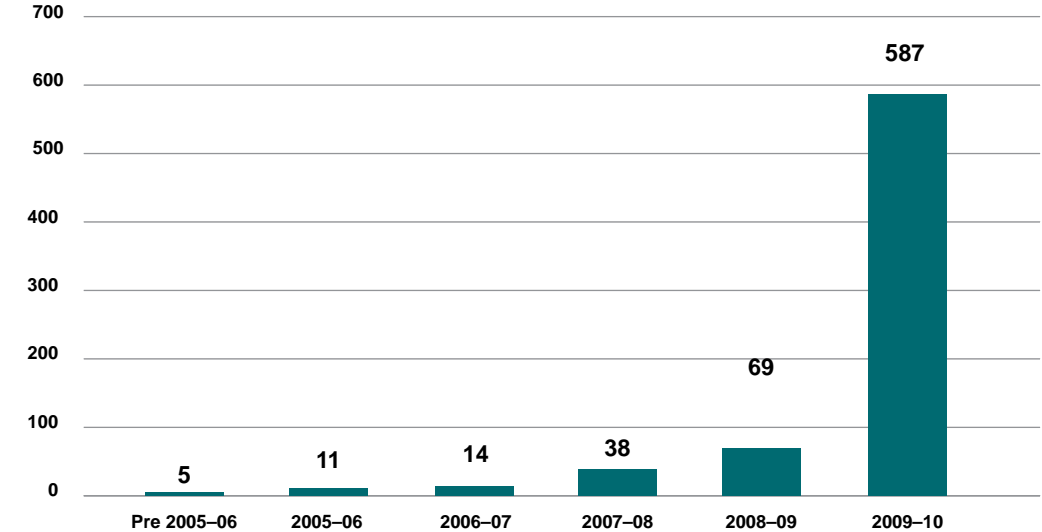


Figure 6.7.1 - Current Corporations Act matters (excl. appeals) by year of filing



A total of 724 Corporations Act matters remain current as at 30 June 2010.

Figure 6.8 - Trade Practices Act matters (excl. competition law and appeals) filed 2005-06 to 2009-10

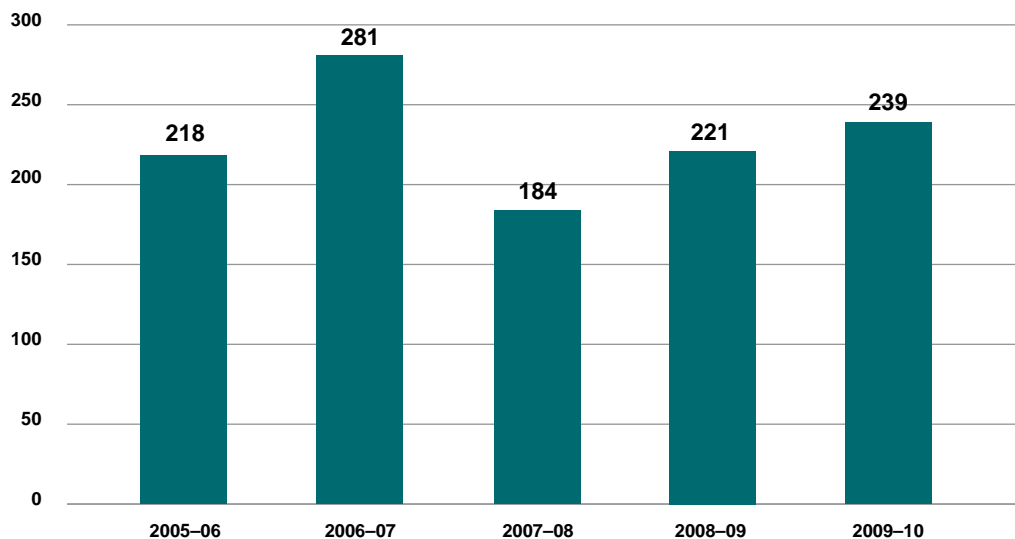
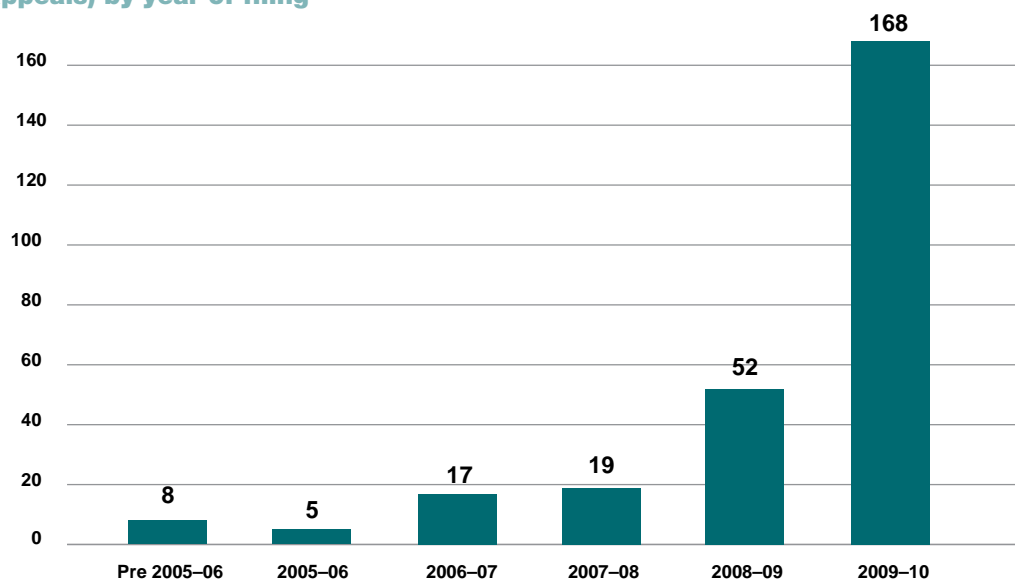
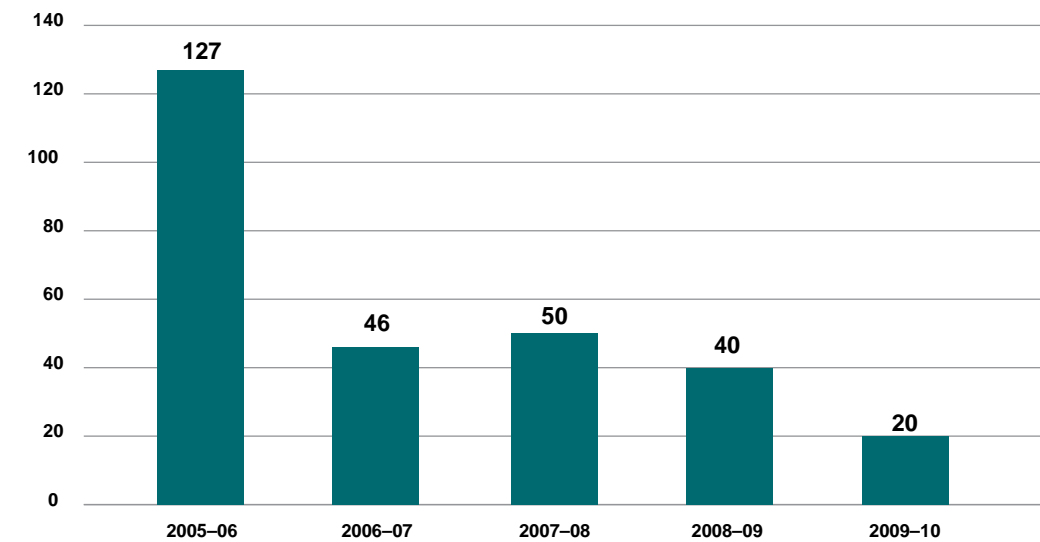


Figure 6.8.1 - Current Trade Practices Act matters (excl. competition law and appeals) by year of filing



A total of 269 non-competition law Trade Practices Act matters remain current as at 30 June 2010.

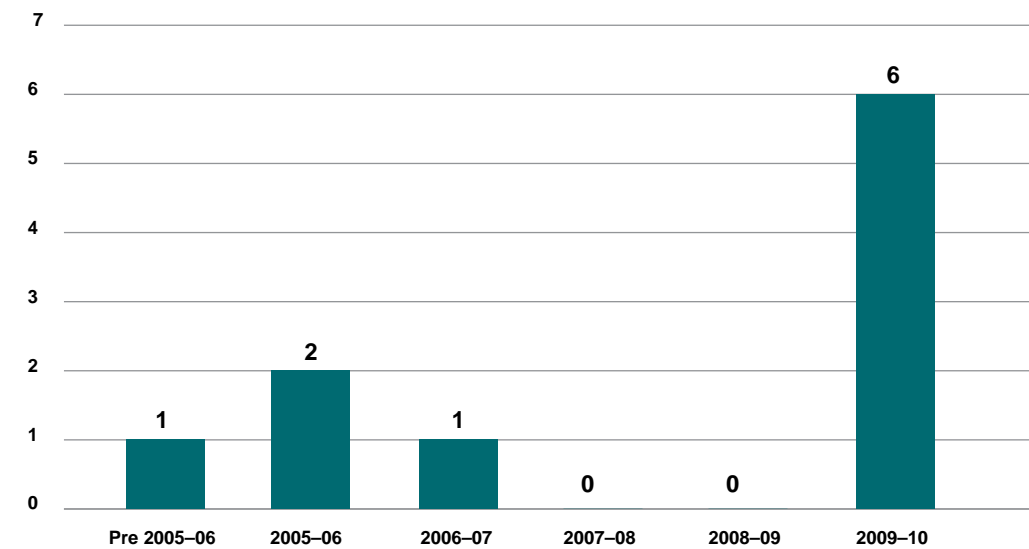
Figure 6.9 - Migration Act matters (excl. appeals) filed 2005–06 to 2009–10



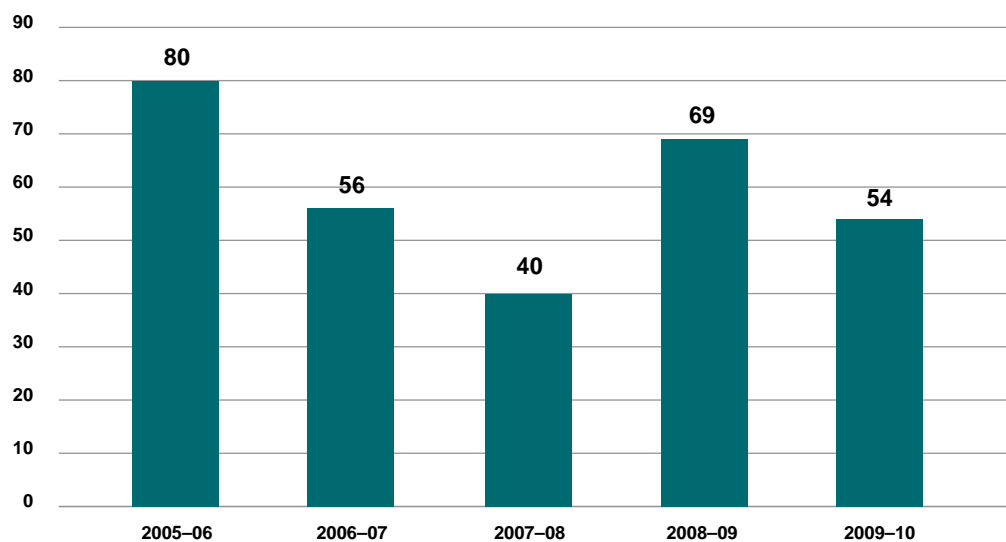
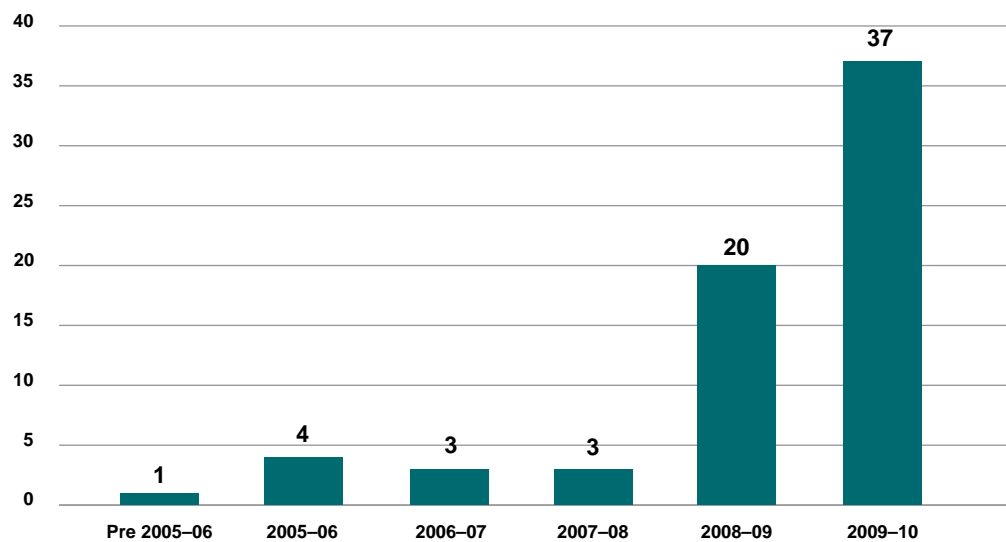
These figures include migration applications filed under the Judiciary Act, Administrative Decisions (Judicial Review) Act and Migration Act.

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 10 Migration Act matters remain current as at 30 June 2010.

Figure 6.10 - Admiralty Act matters (excl. appeals) filed 2005-06 to 2009-10**Figure 6.10.1 - Current Admiralty matters (excl. appeals) by year of filing**

A total of 68 Admiralty Act matters remain current as at 30 June 2010.

Figure 6.11 - Native Title Act matters (excl. appeals) filed 2005–06 to 2009–10

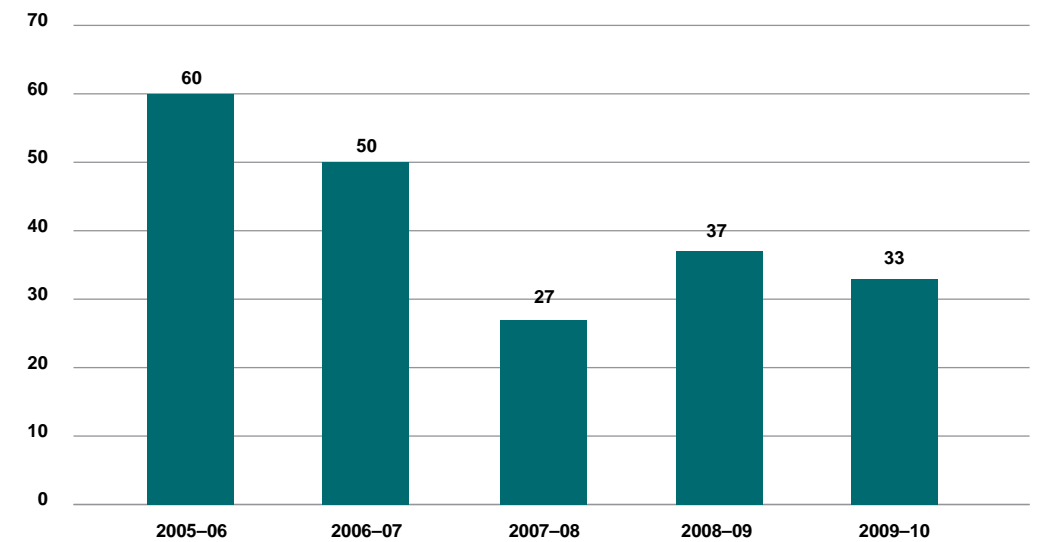
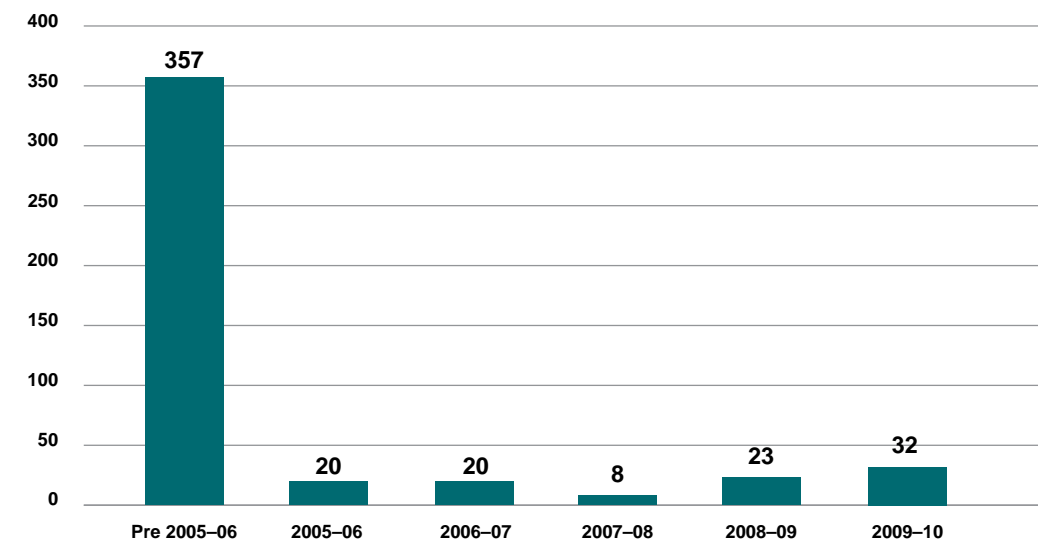


Figure 6.11.1 – Current Native Title matters (excl. appeals) by year of filing



A total of 460 Native Title matters remain current as at 30 June 2010.

Figure 6.12 - Workplace Relations/Fair Work matters (excl. appeals) filed 2005-06 to 2009-10

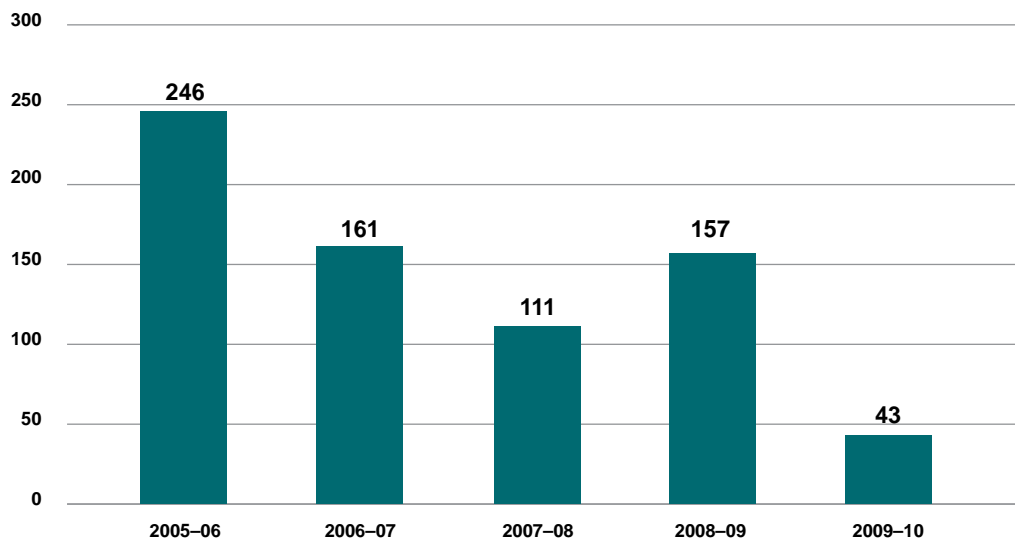
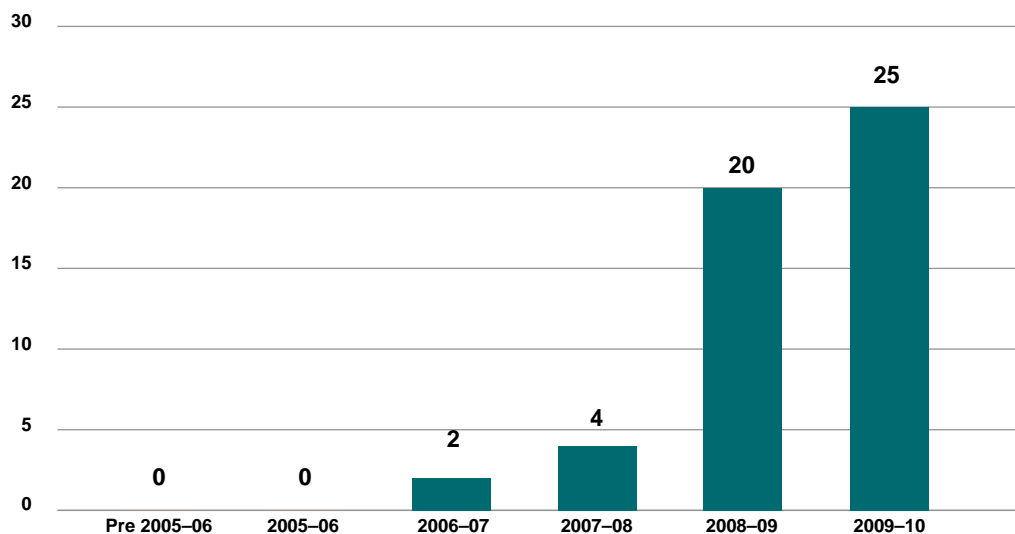


Figure 6.12.1 Current Workplace Relations/Fair Work matters (excl. appeals) by year of filing



A total of 51 Workplace Relations/Fair Work cases remain current as at 30 June 2010.

Figure 6.13 Taxation matters (excl. appeals) filed 2005–06 to 2009–10

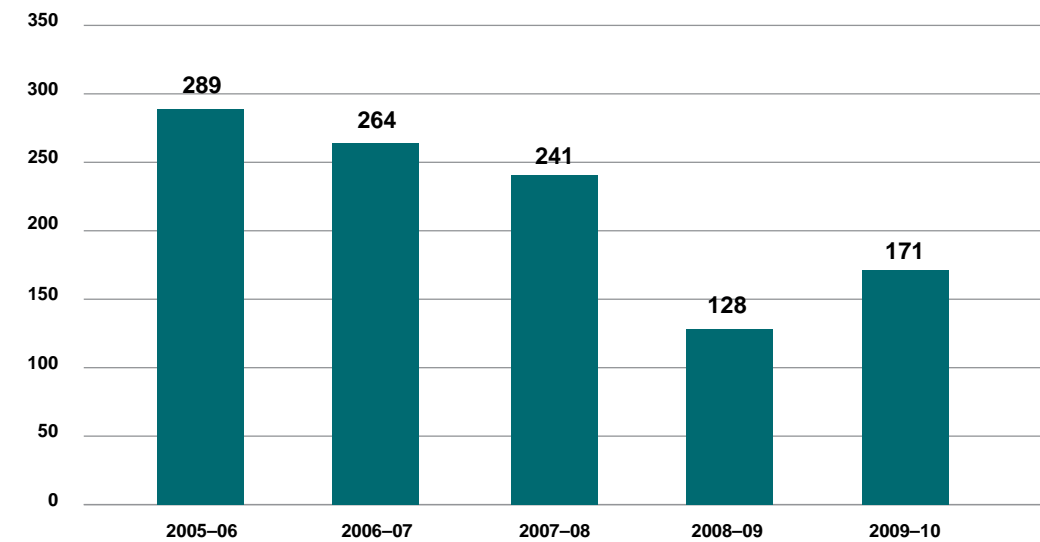
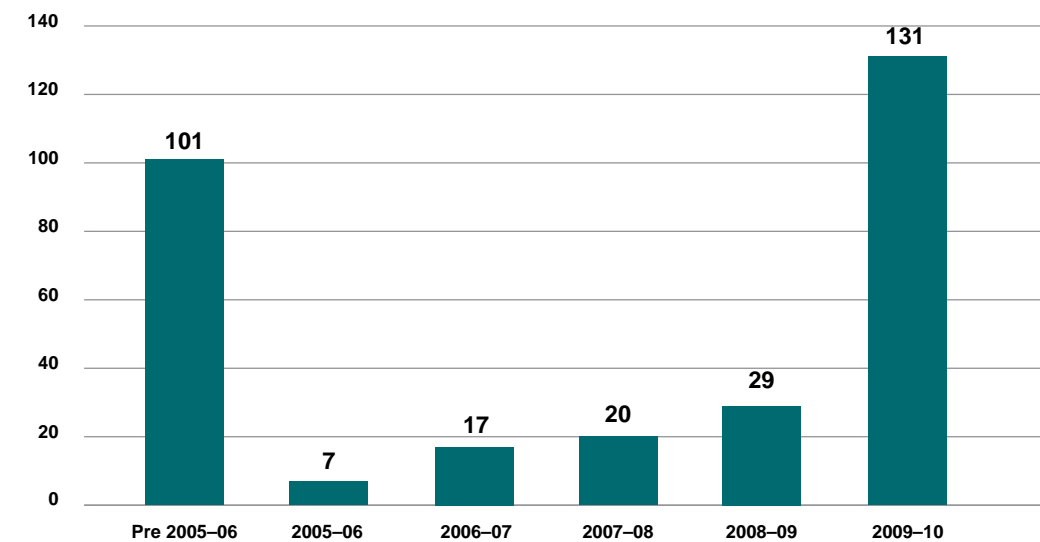


Figure 6.13.1 Current taxation matters (excl. appeals) by year of filing



A total of 305 taxation cases remain current as at 30 June 2010.

Figure 6.14 - Intellectual Property Matters (excl. appeals) filed 2005–06 to 2009–10

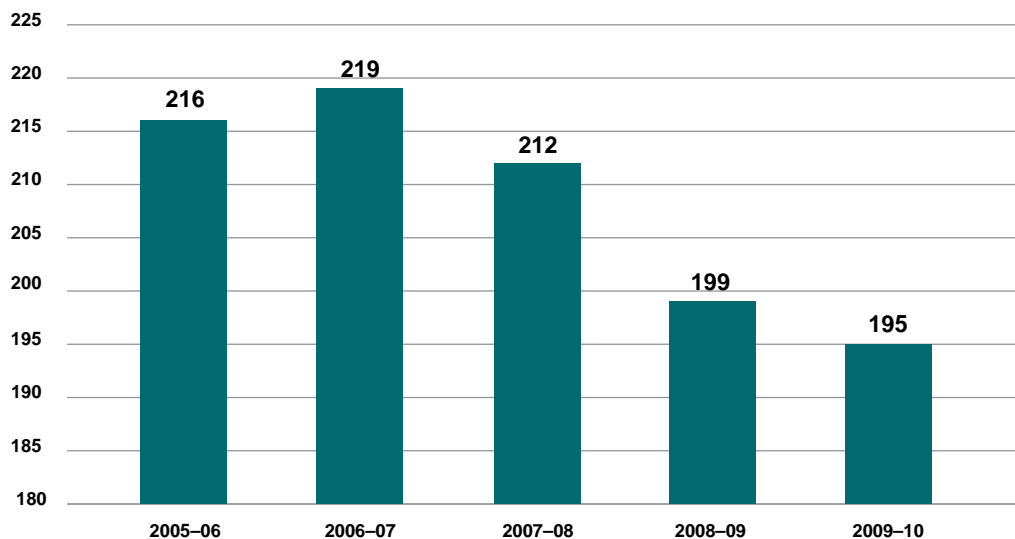
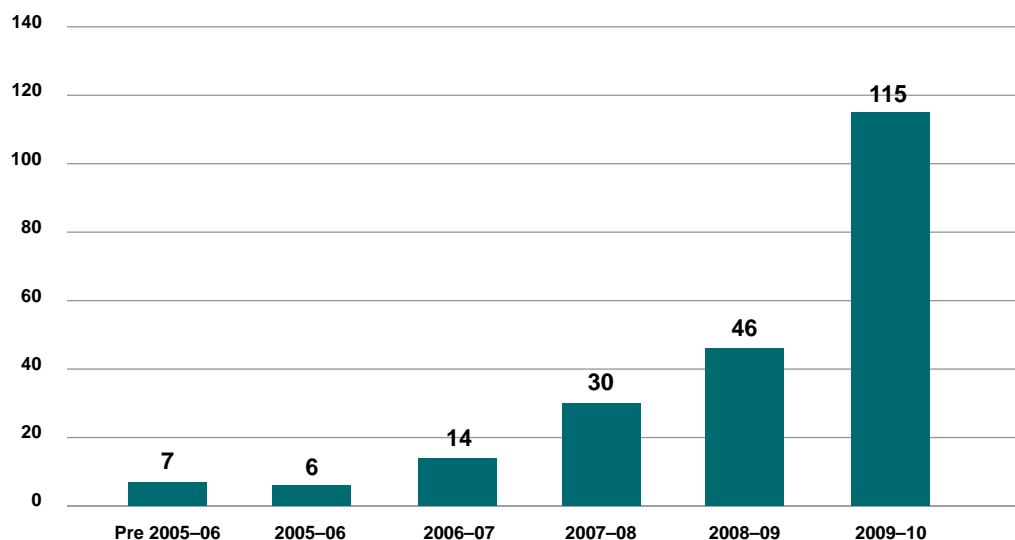


Figure 6.14.1 - Current Intellectual Property matters (excl. appeals) by year of filing



A total of 218 intellectual property cases remain current as at 30 June 2010.

Figure 6.15 - Appeals and Related Actions filed 2005–06 to 2009–10

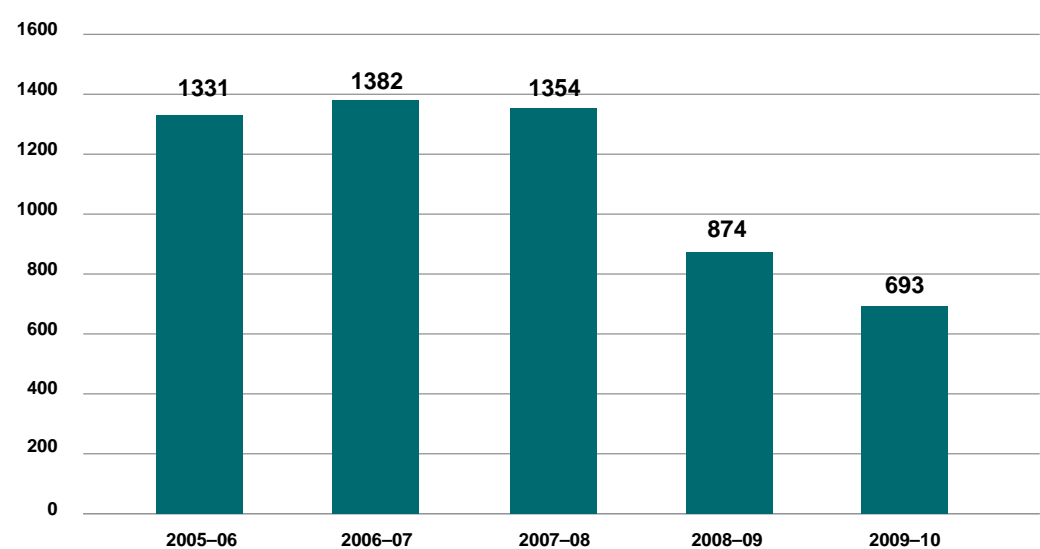
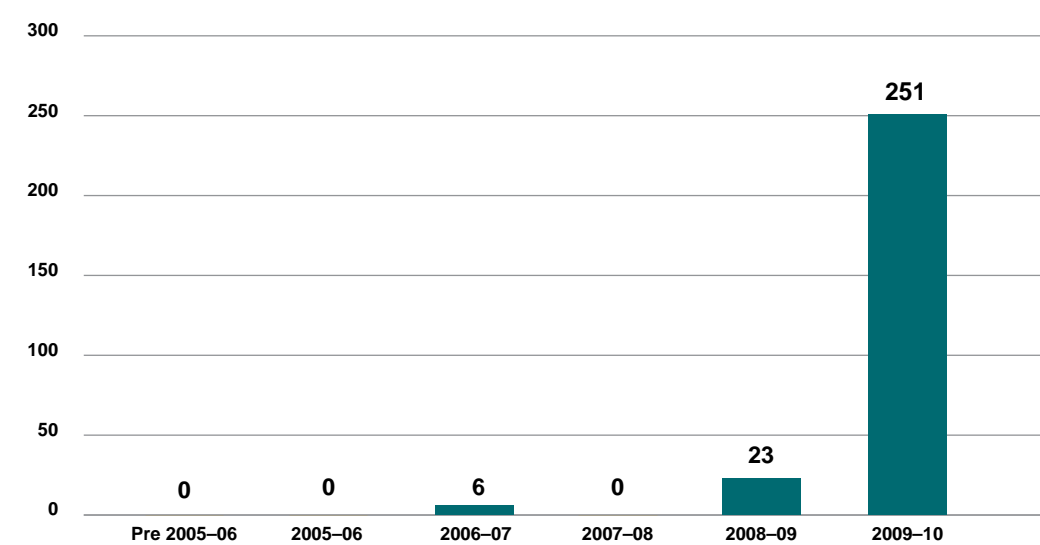
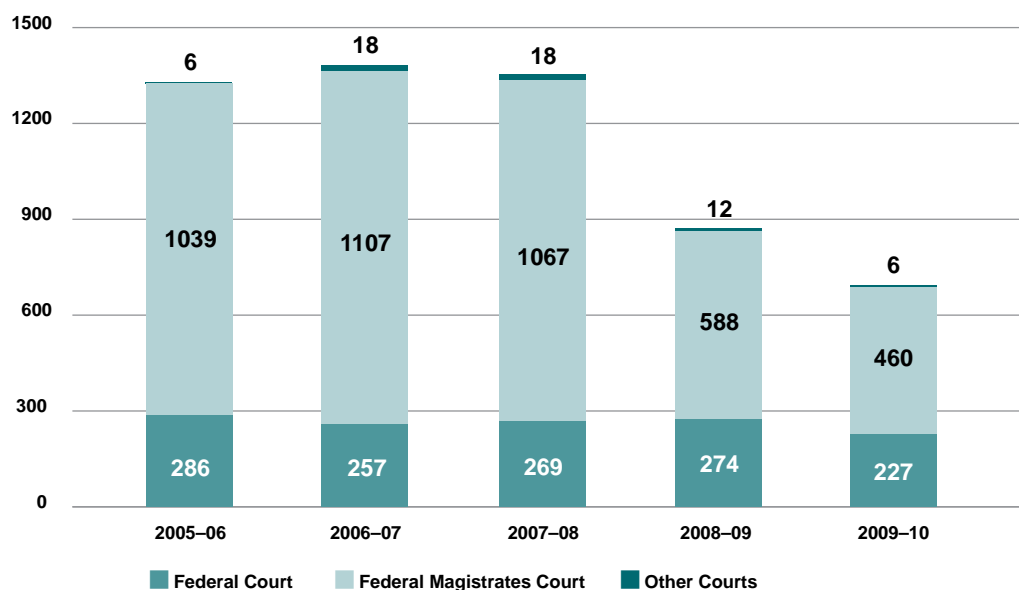


Figure 6.15.1 - Current Appeals and Related Actions by date filed



A total of 280 Appeals and Related Actions remain current as at 30 June 2010.

Figure 6.16 - Source of Appeals and Related Actions 2005–06 to 2009–10**Table 6.6 – Appeals and Related Actions**

Source	2005–06		2006–07		2007–08		2008–09		2009–10	
Federal Court	286	21.5%	257	18.6%	269	19.9%	274	31.4%	227	32.8%
Federal Magistrates Court	1039	78.1%	1107	80.1%	1067	78.8%	588	67.3%	460	66.4%
Other Courts	6	0.5%	18	1.3%	18	1.3%	12	1.4%	6	0.9%
Total by Period	1331		1382		1354		874		693	