
Report on Government Services 2022

PART C, SECTION 7: RELEASED ON 28 JANUARY 2022

7 Courts

Impact of COVID-19 on data for the Courts section

COVID-19 may affect data in this Report in a number of ways. This includes in respect of actual performance (that is, the impact of COVID-19 on service delivery during 2020 and 2021 which is reflected in the data results), and the collection and processing of data (that is, the ability of data providers to undertake data collection and process results for inclusion in the Report).

For the Courts section, there has been some impact on the data that is attributable to COVID-19 but this has not affected either the comparability or completeness of any indicators. Social distancing restrictions and other COVID-safe protocols implemented during 2020 and 2021 impacted on the number of cases that were able to be lodged and finalised, which resulted in reduced civil court revenue in almost all states and territories in 2020-21. These impacts may potentially flow through to indicators which utilise lodgment, finalisation or financial data, such as clearance rates, backlog, on-time case processing, judicial officers per finalisation and cost per finalisation, and may vary across jurisdictions and court levels.

Some specific footnoting identifies some additional technical matters in the data tables which may be applicable to individual jurisdictions.

The focus of this section is the court administration functions of Australian and State and Territory courts.

Data are reported for the Federal Court, the Family Court of Australia and the Federal Circuit Court, the criminal and civil jurisdictions of the supreme courts (including probate registries), district/county courts, magistrates' courts (including children's courts), coroners' courts and the Family Court of WA.

The **Indicator Results** tab uses data from the data tables to provide information on the performance for each indicator in the **Indicator Framework**. The same data in the data tables are also available in CSV format.

Context

Objectives for courts

Courts aim to safeguard and maintain the rule of law and ensure equal justice for all. Court services support the courts and aim to encourage public confidence and trust in the courts by enabling them to:

- be open and accessible
- be affordable
- process matters in a high quality, expeditious and timely manner.

Governments aim for court services to meet these objectives in an equitable and efficient manner.

Service overview

The primary support functions of court administration services are to:

- manage court facilities and staff, including buildings, security and ancillary services such as registries, libraries and transcription services
- provide case management services, including client information, scheduling and case flow management
- enforce court orders through the sheriff's department or a similar mechanism.

Court support services are reported for the State and Territory supreme, district/county and magistrates' (including children's) courts, coroners' courts and probate registries, and for the Federal Court of Australia, the Family Court of Australia, the Family Court of WA and the Federal Circuit Court of Australia.

The High Court of Australia, tribunals and specialist jurisdiction courts (for example, Indigenous courts, circle sentencing courts, drug courts and electronic infringement and enforcement systems) are excluded.

Roles and responsibilities

State and Territory court levels

There is a hierarchy of courts within each State and Territory (see figure 7.1). Supreme courts hear disputes of greater seriousness than those heard in the other courts. Supreme courts also develop the law and operate as courts of judicial review or appeal. For the majority of states and territories, the hierarchy of courts is as outlined below (although Tasmania, the ACT and the NT do not have a district/county court):

- supreme courts (includes probate)
- district/county courts
- magistrates' courts (includes children's and coroners' courts).

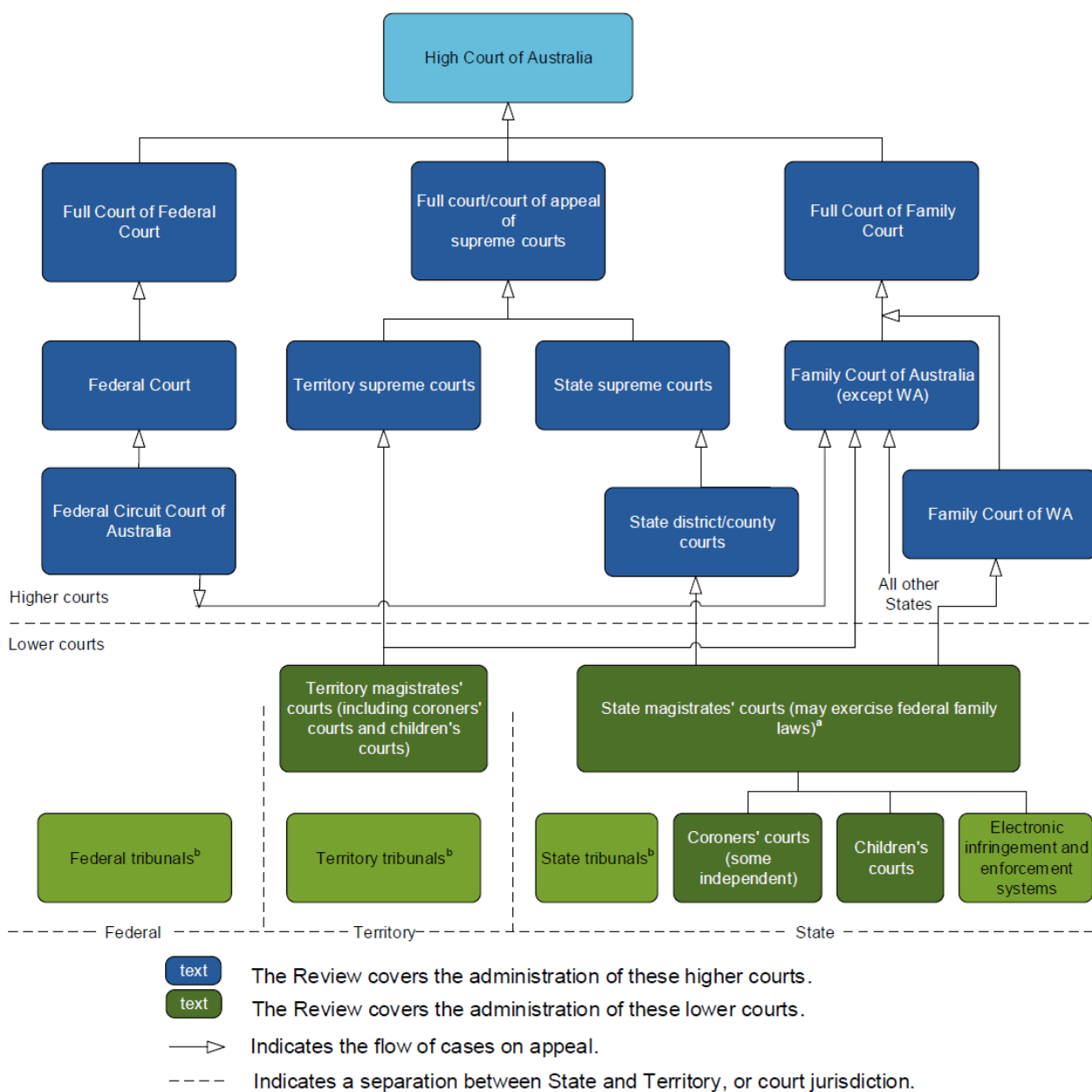
Differences in State and Territory court levels mean that the allocation of cases to courts and seriousness of cases heard varies across states and territories (further information about court levels is contained in the Courts interpretative material).

Australian court levels

Australian courts hear and determine civil matters arising under laws made by the Australian Government. The hierarchy of Australian courts (see figure 7.1) is as follows:

- the High Court of Australia
- the Federal Court of Australia and the Family Court of Australia
- the Federal Circuit Court of Australia.

Detailed information about the Federal Court of Australia, the Family Court and the Federal Circuit Court is available in the [Courts interpretative material](#).

Figure 7.1 Major relationships of courts in Australia ^{a,b}

a In some jurisdictions, appeals from lower courts or district/county courts may go directly to the full court or court of appeal at the supreme/federal level; appeals from the Federal Circuit Court can also be heard by a single judge exercising the Federal/Family Courts' appellate jurisdiction. **b** Appeals from federal, State and Territory tribunals may go to any higher court in their jurisdiction.

Funding

Nationally in 2020-21, total recurrent expenditure (excluding payroll tax) by Australian, State and Territory courts in this Report was approximately \$2.18 billion (table 7.3). Expenditure in some states and territories is apportioned (estimated) between the criminal and civil jurisdictions of courts so caution should be used when comparing criminal and civil expenditure across states and territories.

Select year(s):

2020-21

Table 7.3 Courts' recurrent expenditure, 2020-21 dollars (a)
by criminal and civil jurisdictions, by jurisdiction

			All civil courts (excl. family; Federal Circuit and coroners' courts)	All criminal courts	Coroners'	Supreme (probate only)	All criminal and civil courts (incl. family; Federal Circuit courts)
NSW	2020-21	\$'000	189,909	304,703	7,971	1,638	504,219
Vic	2020-21	\$'000	228,089	279,527	22,152	1,041	530,808
Qld	2020-21	\$'000	73,546	193,612	12,136	321	279,615
WA	2020-21	\$'000	84,351	163,478	7,368	1,398	288,110
SA	2020-21	\$'000	37,125	81,859	4,745	869	124,598
Tas	2020-21	\$'000	8,550	20,714	1,622	259	31,144
ACT	2020-21	\$'000	23,738	34,635	3,150	32	61,555
NT	2020-21	\$'000	11,446	26,884	1,223	35	39,589
Aust cts	2020-21	\$'000	96,411	..	..	..	320,353
Aust	2020-21	\$'000	753,163	1,105,413	60,367	5,593	2,179,992

Source: tables 7A.11 & 7A.12

.. Not applicable.

(a) Payroll tax is excluded.

Data tables are referenced above by a '7A' prefix and all data (footnotes and data sources) are available for download from the supporting material below (both in Excel and CSV format).



Total recurrent expenditure less court income (excluding payroll tax) for the Australian, State and Territory courts in this Report was almost \$1.83 billion in 2020-21 (tables 7A.14–15). Court income is derived from court fees, library revenue, court reporting revenue, sheriff and bailiff revenue, probate

revenue, mediation revenue, rental income and any other sources of revenue (excluding fines). The civil jurisdiction of courts accounts for the vast majority of income received (table 7A.13).

Cost recovery and fee relief in the civil courts

Court fees are mainly collected in civil courts and in some jurisdictions are set by government rather than court administrators. The level of cost recovery from the collection of civil court fees varies across court levels and states and territories. Nationally, just over one fifth of costs in 2020-21 were recovered through court fees in the Supreme/Federal courts, 29 per cent in the District courts and 17 per cent in the Magistrates' courts (table 7A.16). Cost recovery tends to be low in the children's courts — in these courts many applications do not attract a fee.

Most courts in Australia are able to waive or reduce court fees to ameliorate the impact on vulnerable or financially disadvantaged parties (fee relief). Table 7.4 shows that the proportions of total payable civil court fees which were waived or reduced were highest in the Northern Territory Magistrates' court (51.8 per cent) followed by the Family Court of Western Australia (26.3 per cent).

Table 7.4 Proportion of total payable civil court fees which were waived or reduced, 2020-21
by jurisdiction, by court level (a)

		NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust cts
Supreme (excl. probate)/Federal	%	1.2	1.3	na	10.6	9.2	2.0	0.3	3.2	19.8
District/county	%	0.3	0.6	na	12.7	2.0	..	..	..	..
Magistrates' (only)	%	0.1	na	na	6.2	1.7	na	20.7	51.8	..
Family	%	..	..	..	26.3	..	..	..	..	18.6
Federal Circuit	%	..	..	..	..	..	..	..	..	20.6

Source: table 7A.18

na Not available... Not applicable.

(a) Queensland has no provision for waiving fees and is currently unable to provide data on fee reductions.

Data tables are referenced above by a '7A' prefix and all data (footnotes and data sources) are available for download from the supporting material below (both in Excel and CSV format).



Fee exemptions are also available in some courts — this is usually where legislation exists to exempt particular categories of fees from being payable. Fee exemptions are more common in the Federal courts than State and Territory courts (table 7A.19).

During 2020-21, approximately \$38.1 million of civil court fees were either waived, reduced or exempted and therefore not recovered by courts (table 7A.19).

Size and scope

Staffing

Descriptive information on the numbers of judicial officers and full time equivalent staff can be found in tables 7A.28–30.

Lodgments

Lodgments are matters initiated in the court system and provide the basis for court workload as well as reflecting community demand for court services (see tables 7A.1–2 for further information).

State and territory courts

Nationally, there were 708 973 criminal lodgments registered in the supreme, district/county, magistrates' and children's courts in 2020-21 (table 7A.1) compared with 341 625 civil lodgments (table 7A.2). There was a decrease in lodgments (criminal and civil) from 2019-20 across all states and territories except the NT. An additional 77 947 probate matters were lodged in the supreme courts (table 7A.2). Lodgments were higher in the criminal courts than civil courts across all states and territories (figure 7.2). In the coroners' courts, there were 26 176 deaths and 172 fires reported, with numbers varying across jurisdictions as a result of different reporting requirements (table 7A.2). There were an additional 16 743 lodgments in the Family Court of WA.

Most criminal and civil matters in Australia in 2020-21 were lodged in magistrates' courts (see figure 7.2). The number of lodgments per 100 000 people can assist in understanding the comparative workload of a court in relation to the population of the State or Territory (see tables 7A.3 (criminal) and 7A.4 (civil) for data by State and Territory).

Select year:

2020-21

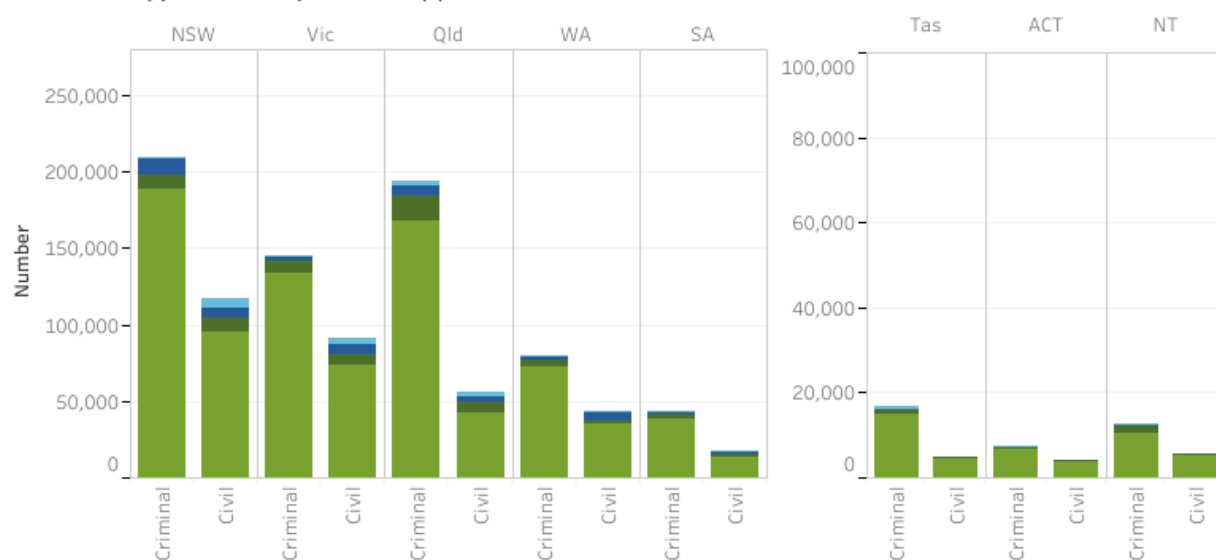
Supreme/Federal

District/county

Children's

Magistrates' (only)

Figure 7.2 Court lodgments, Criminal & Civil jurisdictions, 2020-21
by jurisdiction, by court level (a)



Source: tables 7A.1 & 7A.2

(a) Excludes probate, family, coroners' and federal circuit courts.

Data tables are referenced above by a '7A' prefix and all data (footnotes and data sources) are available for download from the supporting material below (both in Excel and CSV format).

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Australian Government courts

In 2020-21 there were 3227 lodgments in the Federal Court of Australia, 22 723 lodgments in the Family Court of Australia and 97 280 lodgments in the Federal Circuit Court (table 7A.2).

Finalisations

Finalisations represent the completion of matters in the court system so that they cease to be an item of work for the court. Each lodgment can be finalised only once. Matters may be finalised by adjudication, transfer, or another non-adjudicated method (such as withdrawal of a matter by the prosecution or settlement by the parties involved)¹.

Most cases that are finalised in the criminal and civil courts do not proceed to trial. Generally, cases that proceed to trial are more time-consuming and resource-intensive. In the criminal courts the proportions of all finalised non-appeal cases that were finalised following the commencement of a trial in 2020-21 varied from two to 63 per cent in the supreme courts and from five to 20 per cent in the district courts. Proportions in the magistrates' courts varied from one to 16 per cent (State and Territory court authorities and departments, unpublished).

State and territory courts

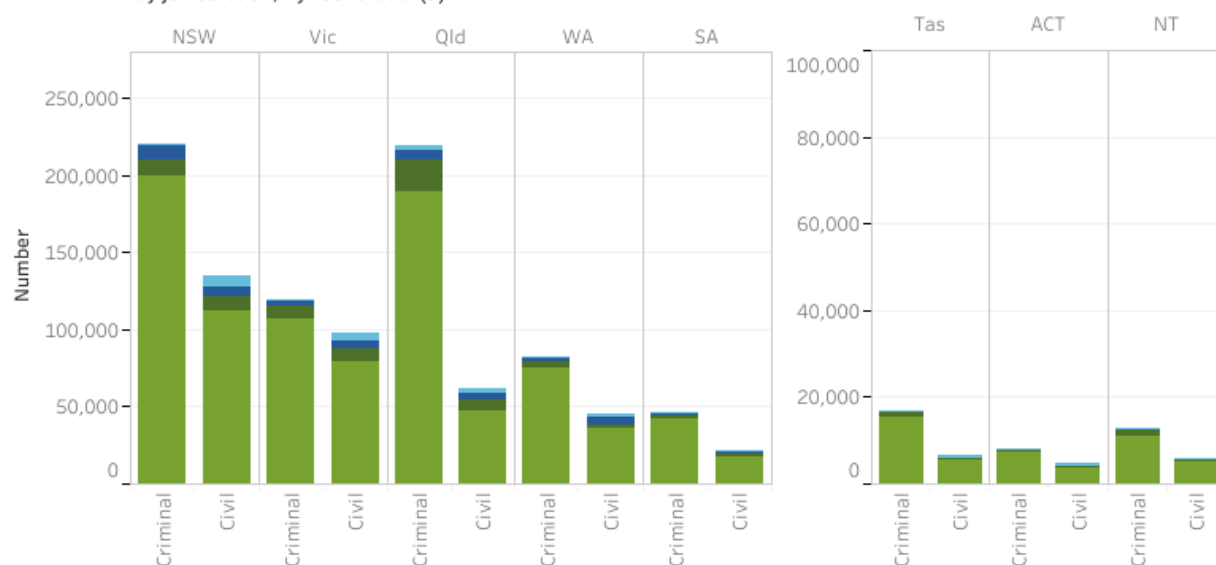
In 2020-21, there were 724 565 criminal finalisations in the supreme, district/county, magistrates' and children's courts and 377 479 civil finalisations in these courts (tables 7A.5–6). Most jurisdictions experienced a reduction in civil finalisations in 2020-21. The pattern of finalisations across states and territories (figure 7.3) is similar to that of lodgments, but lodgments will not equal

finalisations in any given year because not all matters lodged in one year will be finalised in the same year. There were an additional 24 995 cases finalised in the coroners' courts and 16 948 cases finalised in the WA Family Court (table 7A.6). The number of finalisations per 100 000 people is available in tables 7A.7–8.

Select year:
2020-21

Supreme/Federal
District/county
Children's
Magistrates' (only)

Figure 7.3 Court finalisations, Criminal & Civil jurisdictions, 2020-21
by jurisdiction, by court level (a)



Source: tables 7A.5 & 7A.6

(a) Excludes probate, family, coroners' and federal circuit courts.

Data tables are referenced above by a '7A' prefix and all data (footnotes and data sources) are available for download from the supporting material below (both in Excel and CSV format).

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Australian Government courts

In 2020-21 there were 2916 cases finalised in the Federal Court of Australia, 21 954 cases finalised in the Family Court of Australia and 92 415 cases finalised in the Federal Circuit Court (table 7A.6).

Lodgments and finalisations in criminal courts – Aboriginal and Torres Strait Islander people

The proportions of all criminal non-appeal matters lodged and finalised in the Supreme, District, Magistrates' and Children's courts involving Aboriginal and Torres Strait Islander defendants, show that Aboriginal and Torres Strait Islander people are overrepresented in the criminal courts relative to their representation in the community (table 7.5). Indigenous status is based on self-identification by the individual who comes into contact with police, with this information transferred from police systems to the courts when the defendant's matter is lodged in the courts. Data for criminal courts are presented for six jurisdictions (NSW (data are available for the Supreme Court only), Queensland, WA, SA, the ACT and the NT). For other jurisdictions data on Indigenous status is either not available or not currently considered to be of sufficient quality for publication.

Table 7.5 Proportion of non-appeal criminal court lodgments and finalisations involving Aboriginal and Torres Strait Islander people defendants, 2020-21 (a), (b)
by jurisdiction, by court level

			NSW	Vic	Qld	WA	SA	Tas	ACT	NT
Criminal lodgments	Supreme	%	11.5	na	9.4	19.6	32.8	na	18.8	68.2
	District/county	%	na	na	20.3	29.8	16.0	..	..	..
	Magistrates' (total)	%	na	na	22.9	31.2	21.7	na	8.5	80.9
	Magistrates' (only)	%	na	na	20.6	29.5	20.6	na	8.0	79.2
	Children's	%	na	na	46.3	57.0	39.1	na	19.3	92.0
	All criminal courts	%	na	na	22.7	31.1	21.5	na	8.9	80.4
Criminal finalisations	Supreme	%	4.8	na	7.9	29.9	34.0	na	16.3	62.9
	District/county	%	na	na	20.1	31.0	14.8	..	..	..
	Magistrates' (total)	%	na	na	23.0	30.9	21.5	na	8.6	78.6
	Magistrates' (only)	%	na	na	20.3	29.2	20.1	na	7.9	77.1
	Children's	%	na	na	48.3	58.2	43.4	na	22.0	89.9
	All criminal courts	%	na	na	22.7	30.9	21.4	na	8.8	78.1
Aboriginal and Torres Strait Islander population		%	3.5	1.0	4.7	4.1	2.6	5.6	2.0	31.6

Source: table 7A.9

na Not available. .. Not applicable.

(a) NSW Supreme Court data may reflect an undercount due to Indigenous status not being available for all defendants. (b) Aboriginal and Torres Strait Islander population at 31 December of the relevant financial year (derived as the average of two June estimates and projections) as a proportion of the total estimated resident population at 31 December of the relevant financial year. Data are based on the 2016 Census.

Data tables are referenced above by a '7A' prefix and all data (footnotes and data sources) are available for download from the supporting material below (both in Excel and CSV format).



Finalisations in civil courts – applications for domestic and family violence protection orders

Domestic and family violence matters² are generally dealt with at the magistrates' court level. Applications for protection orders are civil matters in the court while offences relating to domestic and family violence (including breaches of violence orders and protection orders) are dealt with in criminal courts. Protection orders are the most broadly used justice response mechanism for addressing the safety of women and children exposed to domestic and family violence (Taylor et al. 2015).

In 2020-21, across all magistrates' courts approximately 41 per cent of all finalised civil cases involved applications for domestic and family violence-related protection orders (excludes interim orders and applications for extension, revocation or variation) (table 7.6). Proportions varied across states and territories and were higher in every jurisdiction compared with 2019-20.

The Family Court of Australia and the Federal Circuit Court do not issue family violence protection orders. Rather, the Family Court must consider and take action on Notices of child abuse, family violence or risk of family violence when considering final order cases. From 31 October 2020, the Family Law Amendment (Notice of Child Abuse, Family Violence or Risk) Rules 2020 made it compulsory to file a Notice with every initiating application seeking parenting orders. This increased the volume of Notices filed. From 1 November 2020 to 30 June 2021, data from the Notices filed with applications for final orders in the Family Court of Australia indicated that 61 per cent of parties alleged that they had experienced family violence (Family Court of Australia Annual Report 2020-21).

Table 7.6 Finalised civil cases in the Magistrates' court involving a finalised application for a domestic or family violence related protection order, 2020-21 (a), (b)
by jurisdiction

		NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust
All civil cases finalised	'000	112.1	79.3	47.7	35.7	17.6	5.6	3.9	5.3	307.2
All finalised applications involving a domestic or family violence related protection order	'000	40.0	33.8	30.9	10.4	3.9	0.9	0.6	4.6	125.2
Percentage of all civil cases finalised	%	35.7	42.7	64.8	29.2	22.5	16.6	16.1	85.8	40.8

Source: table 7A.10


(a) Includes originating applications only. (b) In Tasmania, police can issue Police Family Violence Orders (PFVOs) which are more numerous than court-issued orders. PFVOs are excluded from this table.


Data tables are referenced above by a '7A' prefix and all data (footnotes and data sources) are available for download from the supporting material below (both in Excel and CSV format).



1. For the purposes of this Report, civil non-appeal lodgments that have had no court action in the past 12 months are counted (deemed) as finalised. The rationale for this is to focus on those matters that are active and part of a workload that the courts can progress. A case which is deemed finalised is considered closed — in the event that it becomes active again in the court after 12 months it is not counted again in this Report.
2. While 'domestic' and 'family' violence are distinct concepts, the former referring to violence against an intimate partner and the latter referring to broader family and kinship relationships, the terms are often used interchangeably and their definitions generally incorporate both domestic and family-related violence.

References

ABS (Australian Bureau of Statistics) 2021, *Criminal courts, Australia, 2019-20*, <https://www.abs.gov.au/statistics/people/crime-and-justice/criminal-courts-australia>  (accessed 12 October 2021).

Family Court of Australia annual report 2020-21, <https://www.fccoa.gov.au/family-court-of-australia-2020-21-annual-report>  (accessed 20 October 2021).

Taylor, A., Ibrahim, N., Wakefield, S. and Finn, K. 2015, *Domestic and family violence protection orders in Australia: An investigation of information sharing and enforcement*, State of knowledge paper Issue 16, Australia's National Research Organisation for Women's Safety, Sydney.

Indicator framework

The performance indicator framework provides information on equity, efficiency and effectiveness, and distinguishes the outputs and outcomes of courts. The framework of performance indicators for courts is based on common objectives for courts. The emphasis placed on each objective may vary across states and territories and court levels.

The performance indicator framework shows which data are complete and comparable in this Report. For data that are not considered directly comparable, text includes relevant caveats and supporting commentary. [Section 1](#) discusses data comparability, data completeness and information on data quality from a Report-wide perspective. In addition to the contextual information for this service area (see Context tab and supporting interpretative material), the Report's statistical context ([Section 2](#)) contains data that may assist in interpreting the performance indicators presented in this section.

Improvements to performance reporting for courts are ongoing and will include identifying data sources to fill gaps in reporting for performance indicators and measures, and improving the comparability and completeness of data.

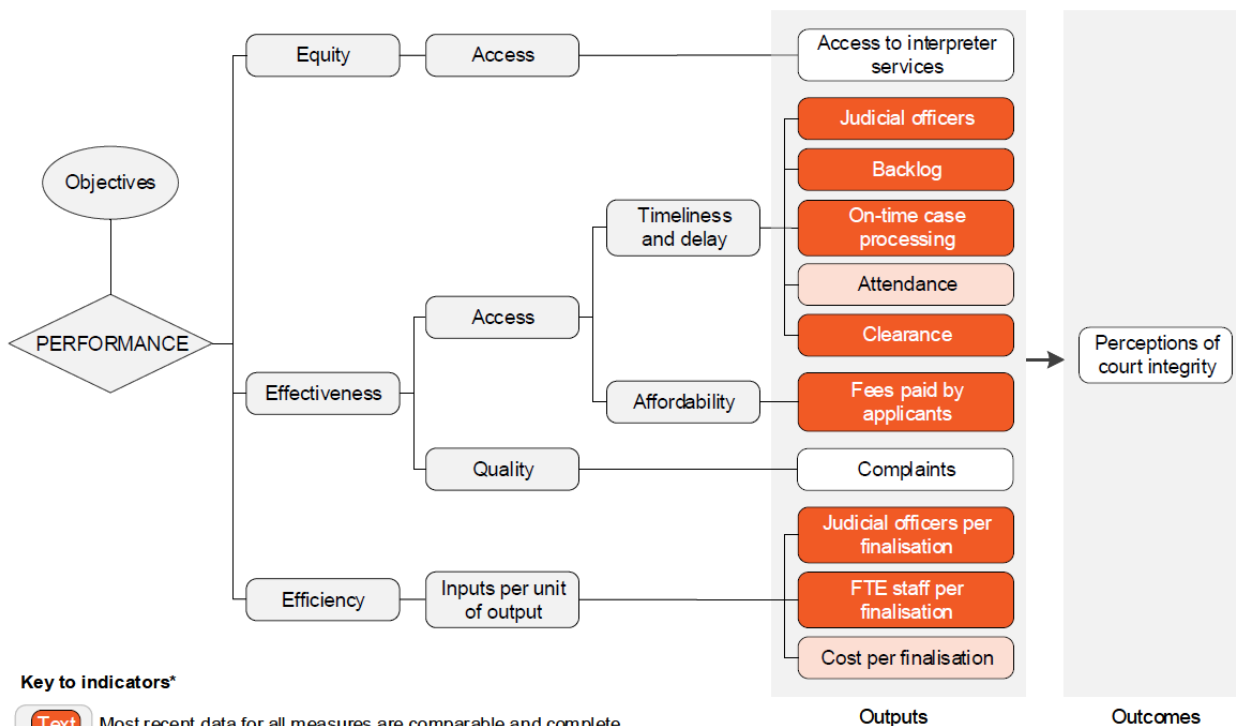
The Steering Committee recognises that this courts data collection (unlike some other data collections) does not have an intermediary data collector or validator akin to the Australian Institute of Health and Welfare or the Australian Bureau of Statistics. The reporting process in this section is one of continual improvement and refinement, with the long-term aim of developing a national data collection that covers court processes across the Australian, State and Territory jurisdictions in a timely and comparable way.

Outputs

Outputs are the actual services delivered (while outcomes are the impact of these services on the status of an individual or group) (see section 1). Output information is also critical for equitable, efficient and effective management of government services.

Outcomes

Outcomes are the impact of services on the status of an individual or group (see section 1).



Key to indicators*

- Text Most recent data for all measures are comparable and complete
- Text Most recent data for at least one measure are comparable and complete
- Text Most recent data for all measures are either not comparable and/or not complete
- Text No data reported and/or no measures yet developed

* A description of the comparability and completeness of each measure is provided in indicator interpretation boxes within the section

Indicator results

An overview of the Courts performance indicator results are presented. Different delivery contexts, locations, caseloads, case mixes and government policies can affect the equity, effectiveness and efficiency of court services. The allocation of cases to different courts also differs across states and territories and Australian courts.

The courts data collection is based on national counting rules, so data presented in this section may differ from data published by individual jurisdictions in their annual reports. There also can be differences from the data reported in the ABS Criminal Courts publication (ABS 2021) — the ABS publication provides information about judicial decisions relating to finalised and adjudicated defendants.

Information to assist the interpretation of these data can be found in the Courts supporting interpretative material and data tables. Data tables are identified by a '7A' prefix (for example, table 7A.1).

All data are available for download as an excel spreadsheet and as a CSV dataset — refer to [Download supporting material](#). Specific data used in figures can be downloaded by clicking in the figure area, navigating to the bottom of the visualisation to the grey toolbar, clicking on the 'Download' icon and selecting 'Data' from the menu. Selecting 'PDF' or 'Powerpoint' from the 'Download' menu will download a static view of the performance indicator results.

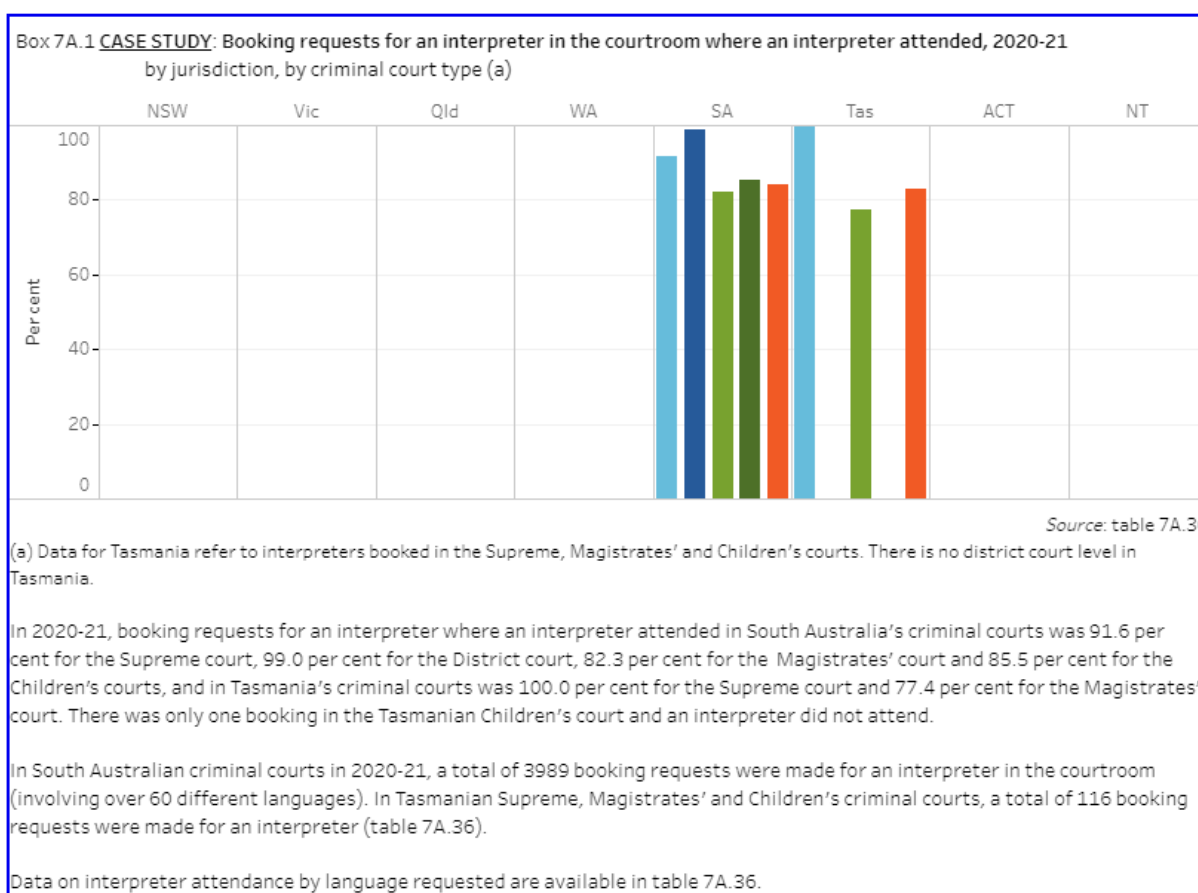
Access to interpreter services is an indicator of governments' objective to provide court services in an equitable manner.

Measure: The proportion of booking requests made for an interpreter in the courtroom where an interpreter attended.

Guidance: High or increasing percentages of booking requests where an interpreter attended are desirable.

Data are not yet available for reporting against this indicator.

A case study example in box 7A.1 shows available pilot data for South Australian and Tasmanian criminal courts — this case study is presented to provide insights into the potential value of this measure when more courts become able to report.



Judicial officers is an indicator of governments' achievement against the objective of providing services that enable courts to be open, accessible and affordable.

Measure: The number of full time equivalent (FTE) judicial officers divided by the relevant resident population, multiplied by 100,000.

Guidance: A high or increasing proportion of judicial officers in the population indicates potentially greater access to the judicial system.

- Data are comparable (subject to caveats) across jurisdictions and over time.
- Data are complete (subject to caveats) for the current reporting period.

Select year (applies to tables 7.7a and 7.7b):

2020-21

Select Criminal and/or Civil matters (applies to table 7.7b):

- Civil
- Criminal
- Criminal and civil

Table 7.7a Estimated resident population at 31 December ('000)

	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust
2020-21	8,173	6,662	5,195	2,670	1,771	542	431	247	25,694

Source: table 7A.28

Table 7.7b Number of FTE judicial officers per 100 000 people, 2020-21
by jurisdiction, by court level

			NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust cts	Aust
Supreme/Federal	Civil	rate	0.6	0.8	0.3	0.6	0.4	0.5	0.5	1.7	0.2	0.7
	Criminal and civil	rate	0.7	0.9	0.5	0.9	0.8	1.5	1.4	3.7	0.2	1.0
District/county	Civil	rate	0.2	0.4	0.1	0.2	0.4	..	..	..	..	0.2
	Criminal and civil	rate	0.9	1.2	0.7	1.2	1.2	..	..	..	..	0.9
Magistrates' (only)	Civil	rate	0.3	0.7	0.3	0.6	0.4	0.4	0.3	2.4	..	0.5
	Criminal and civil	rate	1.4	2.1	1.7	1.9	2.0	2.1	1.7	6.3	..	1.8
Children's	Civil	rate	0.2	0.2	0.1	0.1	0.2	0.1	0.1	0.2	..	0.1
	Criminal and civil	rate	0.3	0.3	0.2	0.3	0.3	0.3	0.2	0.7	..	0.3
Family	Civil	rate	..	..	..	0.6	..	..	..	..	0.1	0.2
Federal Circuit	Civil	rate	..	..	..	..	..	..	..	..	0.2	0.2
Coroners'	Civil	rate	0.1	0.2	0.2	0.2	0.2	0.6	-	0.6	..	0.1
All criminal and civil courts	Criminal and civil	rate	3.4	4.6	3.3	4.9	4.5	4.4	3.4	11.2	0.6	4.6

Source: table 7A.28

.. Not applicable. - Nil or rounded to zero.

Nationally in 2020-21, there were 4.6 FTE judicial officers in the criminal and civil courts per 100 000 people in the population.

Backlog is an indicator of governments' achievement against the objective of processing matters in an expeditious and timely manner.

Measure: The age of a court's active pending caseload at 30 June, against nominated time benchmarks. It is defined as the number of cases in the nominated age category as a percentage of the total pending caseload.

The following national benchmarks have been set. For the Federal Circuit Court, magistrates' and children's courts:

- no more than 10 per cent of lodgments pending completion are to be more than 6 months old
- no lodgments pending completion are to be more than 12 months old.

For Supreme courts, the Federal Court, district/county, family and coroners' courts and all appeals:

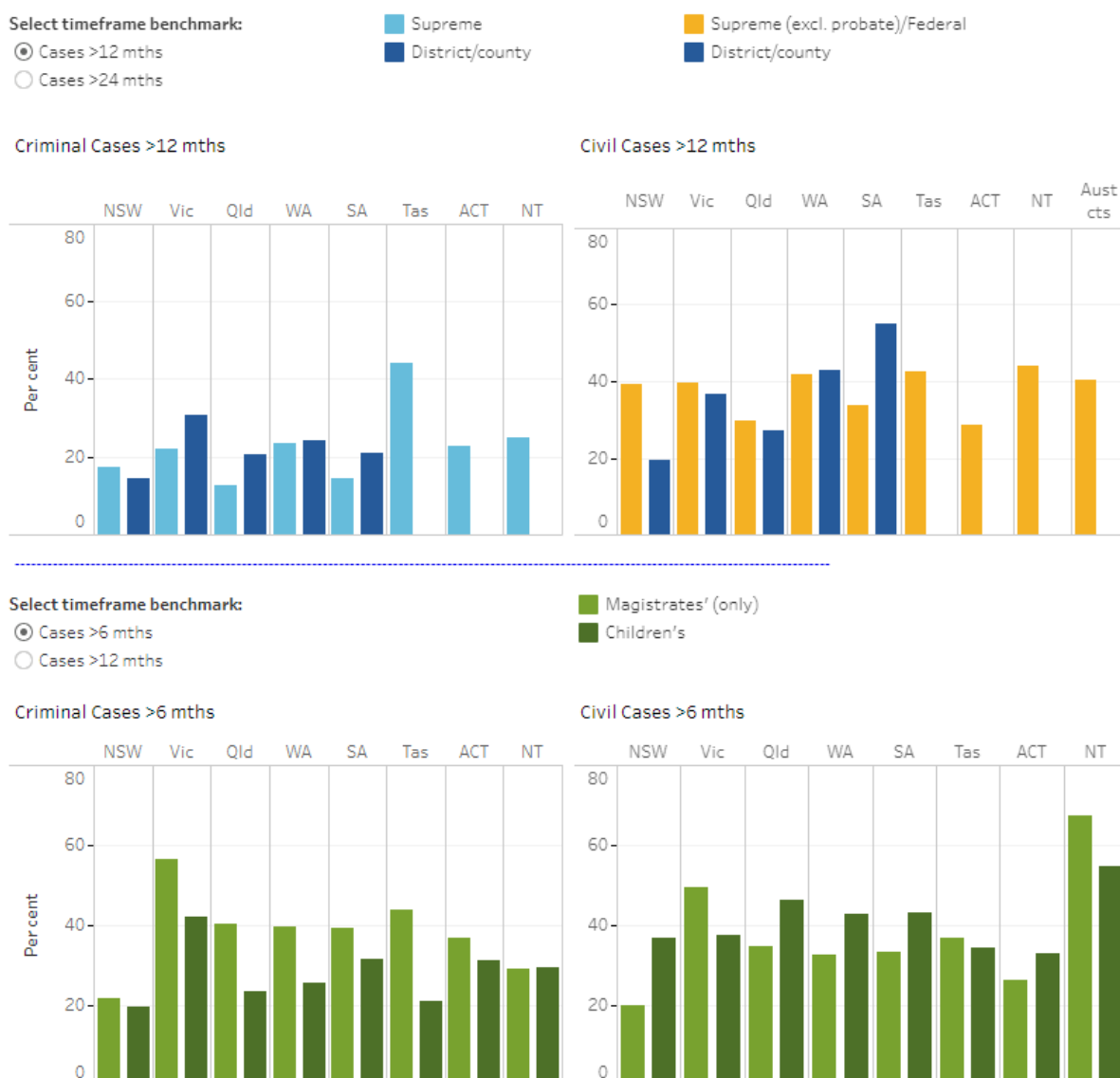
- no more than 10 per cent of lodgments pending completion are to be more than 12 months old
- no lodgments pending completion are to be more than 24 months old.

Guidance: Performance relative to the benchmarks indicates effective management of caseloads and timeliness of court services.

■ Data are comparable (subject to caveats) across jurisdictions and over time.

■ Data are complete (subject to caveats) for the current reporting period.

Figure 7.4 Backlog in the courts — criminal and civil, by jurisdiction, at 30 June 2021



Source: tables 7A.20-21.
Aust cts refers to Federal Court of Australia.

At 30 June 2021, the backlog in civil courts for the Supreme, District and Children's courts was generally higher than criminal courts across most states and territories. Detailed data on the backlog for criminal and civil matters (including appeal and non-appeal disaggregations and historical data) for all court levels are available in tables 7A.20-21.

On-time case processing is an indicator of governments' achievement against the objective of processing matters in an expeditious and timely manner.

Measure: The age of cases which have been finalised in the financial year, against nominated time categories. It is defined as the number of finalised cases at each court level which were finalised in less than or equal to 6, 12 or 24 months (dependent on court level), as a proportion of the total cases finalised during the financial year.

Guidance: Higher proportions of cases finalised in these time categories indicates effective management of caseloads and timeliness of court services.

- Data are comparable (subject to caveats) across jurisdictions and over time.
- Data are complete (subject to caveats) for the current reporting period.

Figure 7.5 On-time case processing, criminal and civil, by jurisdiction, 2020-21



Source: tables 7A.22-23
Aust cts refers to Federal Court of Australia.

Figure 7.5 shows the proportion of finalised cases in the Supreme/Federal and District courts (all matters) which were finalised in less than or equal to 12 or 24 months, and the percentage of finalised cases in the Magistrates' and Children's courts which were finalised in less than or equal to 6 or 12 months.

Data for on-time case processing for criminal and civil matters for all court levels are available in tables 7A.22-23.

Attendance is an indicator of governments' achievement against the objective of processing matters in an expeditious and timely manner.

Measure: The average number of attendances recorded (no matter when the attendance occurred) for those cases that were finalised during the year.

Guidance: Fewer attendances may suggest a more effective process. However, this should be balanced against the likelihood that the number of attendances will increase if rehabilitation or diversionary programs are used, or if intensive case management is used.

■ Data are not comparable across jurisdictions, but are comparable (subject to caveats) within jurisdictions over time.

■ Data are incomplete for the current reporting period. All required 2020-21 data were not available for the NSW Supreme court and were not provided by the Victorian Supreme court.

Select year (applies to tables 7.8a and 7.8b):

2020-21

Table 7.8a Attendance — criminal, 2020-21
Average attendances per finalisation, by jurisdiction

		NSW	Vic	Qld	WA	SA	Tas	ACT	NT
Supreme	no.	na	na	3.4	3.9	4.1	13.5	10.6	8.0
District/county	no.	3.2	7.0	5.0	5.6	4.9	..	..	..
Magistrates' (only)	no.	2.9	3.5	4.7	3.1	4.3	5.0	4.4	4.6
Children's	no.	5.0	4.6	5.8	6.1	4.7	5.2	6.7	9.7

Source: table 7A.24
na Not available. .. Not applicable.

Table 7.8b Attendance — civil (number) 2020-21
Average attendances per finalisation, by jurisdiction

		NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust cts
Supreme (excl. probate)/Federal	no.	na	na	1.0	1.5	4.2	2.0	3.6	4.9	3.7
District/county	no.	1.6	0.7	0.3	0.9	3.8	..	..	..	..
Magistrates' (only)	no.	1.6	1.7	1.6	1.0	1.6	1.9	2.2	1.4	..
Children's	no.	5.4	5.4	4.0	4.5	5.2	4.0	6.9	4.3	..
Family	no.	..	..	..	2.0	..	..	..	..	1.9
Federal Circuit	no.	..	..	..	..	..	..	..	..	1.9
Coroners'	no.	4.5	2.3	2.7	1.4	2.0	3.5	5.0	1.0	..

Source: table 7A.24
na Not available. .. Not applicable.

Attendance data can be difficult to collect. Due to system limitations, some jurisdictions supply data on listed hearings rather than actual attendances in court (table 7A.24).

Clearance is an indicator of governments' achievement against the objective of processing matters in an expeditious and timely manner.

Measure: The number of finalisations in the reporting period divided by the number of lodgments in the same period, multiplied by 100.

Guidance: Higher or increasing proportions of cases cleared indicates effective management of caseloads. However, the clearance indicator can be affected by external factors. Refer to the supporting interpretative material below. The following can assist in interpretation of this indicator:

- a figure of 100 per cent indicates that, during the reporting period, the court finalised as many cases as were lodged, and the pending caseload should be similar to the pending caseload 12 months earlier
- a figure greater than 100 per cent indicates that, during the reporting period, the court finalised more cases than were lodged, and the pending caseload should have decreased
- a figure less than 100 per cent indicates that, during the reporting period, the court finalised fewer cases than were lodged, and the pending caseload should have increased.

■ Data are comparable (subject to caveats) across jurisdictions and over time.

■ Data are complete (subject to caveats) for the current reporting period.

Select year:

Select Criminal and/or Civil matters:

Civil

Criminal

Criminal and civil

Table 7.9 Clearance indicator (appeal and non-appeal), 2020-21
by jurisdiction

			NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust cts	Aust
Supreme (excl. probate)/Federal	Civil	%	103.3	99.8	89.7	118.1	109.7	134.4	110.7	125.6	90.4	101.2
	Criminal and civil	%	102.4	98.3	94.1	117.2	104.3	112.3	104.5	98.9	90.4	100.0
District/county	Civil	%	106.8	98.9	118.9	100.6	121.4	..	..	..	..	106.0
	Criminal and civil	%	99.5	92.9	110.6	98.3	94.9	..	..	..	..	100.1
Magistrates' (only)	Civil	%	117.8	108.3	111.0	102.7	126.2	117.9	104.4	103.3	..	112.3
	Criminal and civil	%	110.0	90.1	112.6	103.4	112.7	106.5	105.0	102.8	..	105.2
Children's	Civil	%	97.0	100.7	105.0	113.4	103.4	117.2	125.3	87.0	..	101.6
	Criminal and civil	%	98.9	104.0	115.0	105.3	105.4	99.9	106.8	86.8	..	105.8
Family	Civil	%	..	..	..	101.2	..	..	..	..	96.6	98.6
Federal Circuit	Civil	%	..	..	..	..	..	..	..	..	95.0	95.0
Coroners'	Civil	%	99.5	93.4	102.3	67.8	102.7	98.1	71.8	102.1	..	94.9
All criminal and civil courts	Criminal and civil	%	108.5	91.4	112.1	102.4	110.8	106.1	104.1	100.9	95.2	103.6

Source: tables 7A.26 & 7A.27

.. Not applicable.

Disaggregation of these data by appeal/non-appeal is in tables 7A.25-27.

Fees paid by applicants is an indicator of governments' achievement against the objective of enabling courts to be open, accessible and affordable.

Measure: The average civil court fees paid per lodgment. It is derived by dividing the total civil court fees collected (filing, sitting, hearing and deposition fees) by the number of civil lodgments in a year.

Guidance: Providing court service quality is held constant, lower court fees help keep courts accessible.

■ Data are comparable (subject to caveats) across jurisdictions and over time.

■ Data are complete (subject to caveats) for the current reporting period.

Select year:

2020-21

Table 7.10 Real average civil court fees paid per lodgment, 2020-21
by jurisdiction, 2020-21 dollars

		NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust cts	Aust
Supreme (excl. probate)/Federal	\$	4,808	2,682	1,999	3,407	3,010	1,361	4,013	2,022	4,455	3,582
District/county	\$	2,198	1,599	814	1,429	1,163	..	..	..	..	1,558
Magistrates' (total)	\$	171	135	84	148	137	80	156	4	..	138
Magistrates' (only)	\$	189	150	96	156	153	85	164	4	..	152
Children's	\$	-	-	-	1	2	-	-	5	..	-
Family	\$	..	..	..	428	..	..	..	..	233	316
Federal Circuit	\$	..	..	..	..	..	..	..	..	645	645
Supreme (probate only)	\$	1,699	425	721	383	1,706	1,021	1,672	1,198	..	1,048

Source: table 7A.17

.. Not applicable. - Nil or rounded to zero.

In 2020-21, average civil court fees paid per lodgment were greater in supreme courts than in district/county and magistrates' courts. The average fees collected by the Australian, State and Territory courts vary for many reasons and caution should be used in making direct comparisons.

Complaints is an indicator of governments' objective to provide court services in a high quality manner.

Measure: The number of complaints recorded by courts relating to administrative staff, services, policy or facilities per 100 000 people in the population, expressed in index form comparing trends within a jurisdiction over time.

Guidance: A low or decreasing trend in complaints per 100 000 people in the population (index score) is desirable.

Data are not yet available for reporting against this indicator.

Judicial officers per finalisation is an indicator of governments' achievement against the objective of providing court services in an efficient manner.

Measure: Dividing the number of full time equivalent judicial officers within each court level for the financial year by the total number of finalisations for the same period, and multiplying by 1000.

Guidance: All else being equal, a lower or decreasing number of judicial officers per finalisation suggests greater efficiency. However efficiency data should be interpreted with caution as data could also reflect under-resourcing. Refer to the supporting interpretative material below.

- Data are comparable (subject to caveats) across jurisdictions and over time.
- Data are complete (subject to caveats) for the current reporting period.

Select year:
2020-21

Select Criminal/Civil matter(s):
 Civil
 Criminal
 Criminal and civil

Table 7.11 Judicial officers per 1000 finalisations, 2020-21
by jurisdiction

			NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust cts	Aust
Supreme/Federal	Civil	rate	6.7	11.3	5.0	8.9	9.2	4.1	3.6	11.7	16.4	9.0
	Criminal and civil	rate	7.9	13.1	4.9	10.6	13.5	6.6	6.5	11.0	16.4	9.6
District/county	Civil	rate	2.2	4.8	1.6	1.1	4.6	..	..	..	..	2.6
	Criminal and civil	rate	4.8	9.0	3.2	4.0	7.7	..	..	..	..	5.2
Magistrates' (only)	Civil	rate	0.2	0.6	0.3	0.4	0.4	0.4	0.4	1.1	..	0.4
	Criminal and civil	rate	0.4	0.7	0.4	0.5	0.6	0.5	0.7	1.0	..	0.5
Children's	Civil	rate	1.5	1.5	0.4	1.3	1.9	0.9	2.2	1.6	..	1.3
	Criminal and civil	rate	1.4	1.0	0.4	1.0	1.0	1.0	1.6	0.9	..	0.9
Family	Civil	rate	..	..	..	0.9	..	..	..	..	1.5	1.2
Federal Circuit	Civil	rate	..	..	..	..	..	..	..	..	0.7	0.7
Coroners'	Civil	rate	0.9	1.6	1.5	2.4	1.0	3.9	0.6	5.2	..	1.5
All criminal and civil courts	Criminal and civil	rate	0.8	1.4	0.6	0.9	1.1	1.0	1.1	1.4	1.2	0.9

Source: table 7A.29
.. Not applicable.

Nationally in 2020-21, in the criminal and civil courts there were 0.9 FTE judicial officers per 1000 finalisations.

FTE staff per finalisation is an indicator of governments' achievement against the objective of providing court services in an efficient manner.

Measure: Dividing the total number of FTE staff employed by courts for the financial year by the total number of finalisations for the same period, and multiplying by 1000.

Guidance: All else being equal, a lower or decreasing number of full time equivalent staff per finalisation suggests greater efficiency. However efficiency data should be interpreted with caution as data could also reflect under-resourcing. Refer to the supporting interpretative material below.

- Data are comparable across jurisdictions and over time.
- Data are complete (subject to caveats) for the current reporting period.

Select year(s):

(Multiple values) ▼

Table 7.12 Full time equivalent staff per 1000 finalisations
by jurisdiction, by year

			NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust cts	Aust
All criminal courts	2020-21	rate	5.9	8.2	3.5	5.2	8.3	5.3	11.0	7.1	..	5.7
	2019-20	rate	7.0	6.9	4.2	4.7	9.5	5.2	12.0	7.6	..	6.1
	2012-13	rate	7.0	4.4	3.7	5.8	6.5	4.5	9.4	4.2	..	5.2
All civil courts (excl. family; Federal Circuit and coroners' courts)	2020-21	rate	6.0	8.7	5.2	7.3	8.2	6.5	13.3	7.1	99.5	7.7
	2019-20	rate	5.4	8.0	5.1	6.1	6.9	6.1	13.4	8.6	60.9	7.0
	2012-13	rate	6.2	5.0	4.8	4.3	5.7	4.0	11.1	6.5	46.5	6.0
Family	2020-21	rate	..	..	..	8.1	..	..	..	..	10.3	9.4
	2019-20	rate	..	..	..	9.0	..	..	..	..	9.2	9.1
	2012-13	rate	..	..	..	9.4	..	..	..	..	18.8	14.6
Federal Circuit	2020-21	rate	..	..	..	..	..	..	..	..	6.7	6.7
	2019-20	rate	..	..	..	..	..	..	..	..	6.6	6.6
	2012-13	rate	..	..	..	..	..	..	..	..	5.0	5.0
Coroners'	2020-21	rate	5.9	17.5	12.3	16.9	9.9	11.1	34.4	24.5	..	12.5
	2019-20	rate	4.7	16.0	12.3	12.8	10.4	11.6	14.2	21.0	..	11.2
	2012-13	rate	7.3	15.3	14.2	13.8	12.0	5.1	3.5	12.7	..	11.6
All criminal and civil courts	2020-21	rate	5.9	8.7	4.0	6.4	8.3	5.8	12.3	7.3	9.7	6.6
	2019-20	rate	6.3	7.6	4.6	5.8	8.6	5.7	12.6	8.1	9.4	6.6
	2012-13	rate	6.6	4.8	4.2	5.6	6.4	4.3	9.4	5.0	9.6	5.8

Source: table 7A.30

.. Not applicable. np Not published.

Nationally in 2020-21, in the criminal and civil courts there were 6.6 FTE staff per 1000 finalisations.

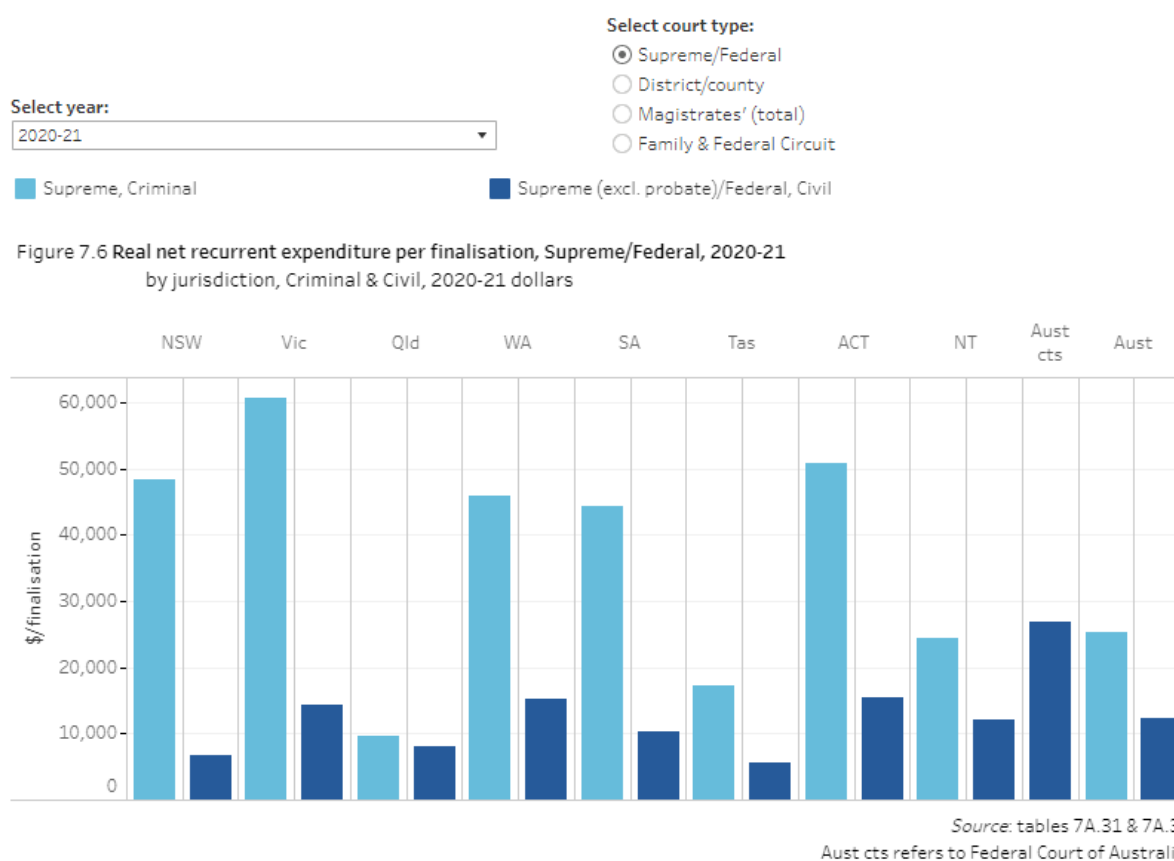
Cost per finalisation is an indicator of governments' achievement against the objective of providing court services in an efficient manner.

Measure: Dividing the total recurrent expenditure (gross and net – excluding payroll tax) within each court for the financial year by the total number of finalisations for the same period. This indicator is not a measure of the actual cost per case.

Guidance: All else being equal, lower expenditure per finalisation suggests greater efficiency. However efficiency data should be interpreted with caution as data could also reflect under-resourcing. Refer to the supporting interpretative material below.

■ Data are not comparable across jurisdictions, but are comparable (subject to caveats) within jurisdictions over time.

■ Data are complete (subject to caveats) for the current reporting period.



Nationally in 2020-21, the net costs per finalisation for:

- supreme courts were \$25 247 in the criminal courts and \$12 416 in the civil courts
- district/county courts criminal jurisdiction (\$14 683) was four times that in the civil jurisdiction (\$3467)
- magistrates' and children's courts, civil finalisation was lower than in the criminal jurisdiction (\$728 compared with \$860) (tables 7A.31-32).

Nationally in 2020-21, the gross cost per finalisation in the criminal jurisdiction of:

- supreme courts (\$25 482) was greater than the civil jurisdiction (\$16 339)
- district/county courts (\$14 875) was greater than the civil jurisdiction (\$5052)
- magistrates' and children's courts (\$890) was slightly higher than in the civil jurisdiction (\$866) (tables 7A.34-35).

Nationally in 2020-21, net expenditure per reported death and fire in coroners' courts (excluding costs associated with autopsy, forensic science, pathology tests and body conveyancing fees) was approximately \$2390 (table 7A.32).

Perceptions of court integrity is an indicator of governments' objective to encourage public confidence and trust in the courts.

Measure: The proportion of the community who believe that courts in Australia treat people fairly, equally and respectfully.

Guidance: High or increasing proportions of perceived court integrity are desirable.

Data are not yet available for reporting against this indicator.

[Refer to the interpretative material for detailed indicator interpretation, definitions and caveats. www.pc.gov.au/rogs](http://www.pc.gov.au/rogs)

Data tables are referenced above by a '7A' prefix and all data (footnotes and data sources) are available for download from the supporting material below (both in Excel and CSV format).

Download supporting material

[7 Courts interpretative material \(PDF - 334 Kb\)](#)

[7 Courts interpretative material \(Word - 137 Kb\)](#)

[7 Courts data tables \(XLSX - 606 Kb\)](#)

[7 Courts dataset \(CSV - 1818 Kb\)](#)

See the interpretative material and corresponding table number in the data tables for detailed definitions, caveats, footnotes and data source(s).

Note: An errata was released for section 7 Courts above.

Errata

Pending case load data have been revised for the Victorian Coroner's court for 2020-21 and 2019-20. These changes impact the backlog indicator in table 7A.21 as below:

- number of pending cases >12 months and >24 months
- percentage of pending cases >12 months and >24 months