

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
FEDERAL COURT OF AUSTRALIA

Question No. 34

Senator Brandis asked the following question at the hearing on 19 October 2009:

Provide statistics that best demonstrate the judicial workload in the Federal Court in the offices of Brisbane, Sydney, Melbourne, Adelaide and Perth, over the past five years.

The answer to the honourable senator's question is as follows:

The Federal Court maintains statistics concerning judicial workload across the Court (See Tables 1 and 2 below). The core information concerns cases commenced (filings), finalisations (including settlements and trials) and cases pending (current matters). When these basic statistics are compared on a registry basis, and on an average per judge per registry basis, conclusions or assumptions may be made about comparative workload in different places.

Consideration is also given to case mix in each registry at particular times, and the mix varies over the years. The sudden increase in filings and finalisations in most Registries in 2005/6 was attributable to an increase in Corporations filings (mostly winding up applications) which were low in their judicial workload impact. At the present time, there are a large number of native title cases to be managed by the judges resident in Perth, Adelaide and Brisbane (see Table 3 below).

The information in Table 2 is also shown in linear graphs below at page 3.

Table 1: FEDERAL COURT ALLOCATION OF JUDICIAL RESOURCES BY REGISTRY

	NSW	VIC	QLD	SA	WA	NT	ACT	TAS
2004/05	18	13	4	4	4	0	0	0
2005/06	18	13	5	4	4	0	0	0
2006/07	18	13	5	4	4	0	0	0
2007/08	17	13	5	4	4	1	0	0
2008/09	17	13	5	4	4	1	0	0
As at 10 August 2009	17	13	6	4	4	0	0	0

Table 2: FEDERAL COURT FILINGS, FINALISATIONS AND CURRENT MATTERS BY REGISTRY AVERAGED ACCORDING TO JUDICIAL RESOURCES ¹

Filings								
	NSW	VIC	QLD	SA	WA	NT²	ACT²	TAS²
2004/05	110	112	90	72	78	18	41	39
2005/06	158	133	133	85	110	37	37	58
2006/07	137	99	93	66	81	25	47	39
2007/08	135	89	83	43	68	19	46	56
2008/09	100	86	82 (69) ³	59	68	23	53	49

Finalisations								
	NSW	VIC	QLD	SA	WA	NT	ACT	TAS
2004/05	112	107	88	83	76	18	40	33
2005/06	154	145	134	84	111	45	45	53
2006/07	143	105	103	80	89	25	33	48
2007/08	141	101	81	46	81	32	53	54
2008/09	114	85	87 (73) ³	56	76	37	52	51

Current								
	NSW	VIC	QLD	SA	WA	NT	ACT	TAS
2004/05	75	80	97	48	100	207	30	25
2005/06	79	68	76	48	98	199	22	30
2006/07	73	63	66	34	91	199	36	21
2007/08	72	51	68	32	77	186	30	24
2008/09	59	52	64 (53) ³	35	69	172	30	21

Table 3: CURRENT NATIVE TITLE MATTERS BY REGISTRY

	NSW	VIC	QLD	SA	WA	NT	ACT	TAS
2004/05	67	22	185	21	132	198	1	0
2005/06	75	20	170	21	131	189	1	0
2006/07	66	16	164	22	123	185	1	0
2007/08	63	15	153	22	117	170	1	0
2008/09	57	16	143	20	100	155	1	0

¹ The figures in this Table include the Court's native title workload. As can be seen in Table 3, the majority of the native title matters are filed in Queensland, Western Australia and the Northern Territory. As from 10 August 2009 (following the transfer of Justice Reeves from Darwin to Brisbane) management of the native title workload in the Northern Territory is undertaken by the judges resident in South Australia.

² Filings, finalisations and current matters in Tasmania, Northern Territory and the ACT (where there are no resident judges) are totals and not an average per judge. For example, the figure of 53 in the current matters table for Queensland is the average number of current matters for the 6 judges in Queensland.

³ The Queensland figures for 2008-09 are calculated on 5 resident judges. From 10 August 2009 there are 6 resident judges in Queensland as Reeves J has relocated from Darwin. Using the 2008/09 figures as an example, the averages based on 6 resident judges are shown in brackets next to the figure for 5 resident judges.

GRAPHICAL REPRESENTATION OF INFORMATION IN TABLE 2

