



HIGH COURT OF AUSTRALIA



**ANNUAL REPORT
2000-01**

High Court of Australia
Canberra ACT

7 December 2001

Dear Attorney,

In accordance with Section 47 of the *High Court of Australia Act 1979*, I submit on behalf of the Court and with its approval a report relating to the administration of the affairs of the High Court of Australia under Section 17 of the Act for the year ended 30 June 2001, together with financial statements in respect of the year in the form approved by the Minister for Finance.

Sub-section 47(3) of the Act requires you to cause a copy of this report to be laid before each House of Parliament within 15 sitting days of that House after its receipt by you.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'C.M. DOOGAN', with a large, stylized flourish at the end.

(C.M. DOOGAN)
Chief Executive and Principal Registrar
of the High Court of Australia

The Honourable D. Williams, AM, QC, MP
Attorney-General
Parliament House
Canberra ACT 2600

CONTENTS

	Page
PART I - PREAMBLE	
Aids to Access	4
PART II - INTRODUCTION	
Chief Justice Gleeson	5
Justice Gaudron	5
Justice McHugh	6
Justice Gummow	6
Justice Kirby	6
Justice Hayne	7
Justice Callinan	7
PART III - THE YEAR IN REVIEW	
Changes in Proceedings	8
Self Represented Litigants	8
The Court and the Public	8
Developments in Information Technology	8
Links and Visits	8
PART IV - BACKGROUND INFORMATION	
Establishment	9
Functions and Powers	9
Sittings of the Court	9
Seat of the Court	11
Appointment of Justices of the High Court	12
Composition of the Court	12
Former Chief Justices and Justices of the Court	13
PART V - ADMINISTRATION	
General	14
External Scrutiny	14
Ecologically Sustainable Development	14
Organizational Chart	15
Registry:	
Functions	16
Registry Goals	16
Registry Workload	16
Registry Services	17
Rules of Court	18
Caseflow Management	18
Judicial Workload of the Court	19
Cost of Litigation	19

	Page
Library and Research Branch:	
Functions	21
Corporate Goals	21
Reference and Research	21
Collection Development and Organization	21
Moys Classification Seminars	22
ALLG Pacific Twinning Scheme	22
Marshal's Branch:	
Functions	23
Marshal's Branch Goals	23
Financial Management	23
Human Resource Management	25
Information Technology	26
Court Reporting Service	26
Building Operations	27
PART VI - FINANCIAL STATEMENTS 2000-01	
Independent Audit Report	28
Financial Statements of the High Court	30
PART VII - ANNEXURES	
Annexure A: <i>Freedom of Information Act 1982 -</i> Supplementary Material	56
Annexure B: Tables of Judicial Workload	59
Annexure C: Costs of Litigation Information	82
Annexure D: Staffing Overview	89

PART I – PREAMBLE

This is the twenty-second report prepared as required by the *High Court of Australia Act 1979*. It is divided into seven parts, as follows:

Part I is the Preamble.

Part II introduces the members of the High Court of Australia.

Part III contains a review of significant events in the Court's administration during 2000-01.

Part IV provides background information on the High Court.

Part V contains a report on the administration of the Court's affairs.

Part VI contains the Court's Financial Statements for the year ended 30 June 2001, together with the Auditor-General's report thereon.

Part VII contains a number of Annexures, including tables of judicial activity and professional costs, fees and charges.

Aids to Access

Contact Officer

In the first instance, inquiries or comments concerning this report may be directed to:

The Marshal
High Court of Australia
PO Box E435
Kingston ACT 2604

Telephone: (02) 6270 6983
Facsimile: (02) 6270 6868
E-mail: lhoward@hcourt.gov.au

Freedom of Information (FOI)

The information required by Section 8 of the *Freedom of Information Act 1982*, together with FOI contact officer details, is contained in Annexure A to Part VII of this report.

Electronic Publication

This report will be published, in Portable Document Format, on the High Court's Internet site at <http://www.hcourt.gov.au>. The report may be down-loaded from this site free of charge.

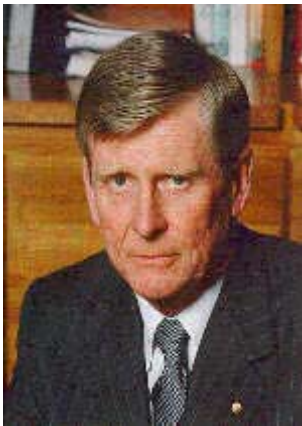
PART II - INTRODUCTION

The High Court of Australia is the nation's highest court. It is established by the Constitution for the resolution of constitutional disputes. It is also the nation's final court of appeal.

The Court sits in Canberra and, if there is sufficient business, it sits for one week each year in Brisbane, Adelaide, Perth and Hobart.

There are seven Justices of the Court. Ordinarily, constitutional cases are heard by all seven Justices. Appeals are heard usually by five or seven Justices. Before an appeal is heard, the Court must have granted leave or special leave to appeal. Special leave applications are usually heard by two or three Justices. Special leave applications are heard in Sydney and Melbourne and by video-link from Canberra to other capital cities. Chamber applications are heard by a single Justice, usually in the capital city in which he or she resides or by video-link from Canberra.

As at 30 June 2001, the seven Justices of the High Court were:



Chief Justice Gleeson

Anthony Murray Gleeson was appointed Chief Justice of the High Court of Australia in May 1998. At the time of his appointment he was Chief Justice of the Supreme Court of New South Wales, having been appointed to that office in November 1988.

He graduated in Arts and Law from the University of Sydney and was admitted to the New South Wales Bar in 1963. He was appointed Queen's Counsel in 1974. He was President of the New South Wales Bar Association during the period 1984-1985. He was Lieutenant Governor of New South Wales from 1989 to 1998, and was appointed a Companion in the General Division of the Order of Australia in 1992.



Justice Gaudron

Mary Genevieve Gaudron was appointed to the Court in February 1987. At the time of her appointment she was Solicitor-General for New South Wales. She graduated from the University of Sydney as a Bachelor of Arts in 1962 and as a Bachelor of Laws in 1965. She was admitted to the New South Wales Bar in 1968. In 1981 she became a Queen's Counsel.

From 1974 to 1980 she was a Deputy President of the Australian Conciliation and Arbitration Commission. In 1979 she was appointed first chairman of the Legal Services Commission of New South Wales.



Justice McHugh

Michael Hudson McHugh was appointed to the Court in February 1989. At the time of his appointment he was a judge of the New South Wales Court of Appeal, having been appointed to that office in October 1984.

He was admitted to the New South Wales Bar in 1961 and was appointed a Queen's Counsel in 1973. He was President of the New South Wales Bar Association during the period 1981 to 1983 and President of the Australian Bar Association during the period 1983 to 1984. He was appointed a Companion in the General Division of the Order of Australia in 1989.



Justice Gummow

William Montague Charles Gummow was appointed to the Court in April 1995. At the time he was a judge of the Federal Court of Australia. He had held that office since 1986.

He graduated from the University of Sydney as Bachelor of Arts and Master of Laws. After ten years in practice as a solicitor, he was called to the New South Wales Bar in 1976. For thirty years he lectured, part-time, at the University of Sydney. He was appointed a Companion in the General Division of the Order of Australia in 1997.



Justice Kirby

Michael Donald Kirby was appointed to the Court in February 1996. At the time of his appointment he was President of the New South Wales Court of Appeal, having been appointed to that office in September 1984.

He was admitted to the New South Wales Bar in 1967, and appointed a Deputy President of the Australian Conciliation and Arbitration Commission in 1975. He served as first Chairman of the Australian Law Reform Commission from 1975 to 1984. In 1983 he became a judge of the Federal Court of Australia, serving on that Court until 1984.

Justice Kirby has held numerous national and international positions including on the board of the CSIRO, as President of the Court of Appeal of Solomon Islands, as UN Special Representative in Cambodia and as President of the International Commission of Jurists. He is a Companion in the

General Division of the Order of Australia and a Companion of the Order of St. Michael and St. George.



Justice Hayne

Kenneth Madison Hayne was appointed to the Court in September 1997. At the time of his appointment he was a judge of the Court of Appeal of Victoria having been appointed one of the foundation judges of that Court in 1995. He graduated in Arts and Law from the University of Melbourne and as a Bachelor of Civil Law from the University of Oxford. Elected Rhodes Scholar for Victoria in 1969, he joined the Victorian Bar in 1971 and was appointed Queen's Counsel for Victoria in 1984. He was appointed a judge of the Supreme Court of Victoria in 1992. He practised in State and Federal courts principally in commercial, constitutional and general civil matters.



Justice Callinan

Ian David Francis Callinan was appointed to the Court in February 1998. At the time of his appointment he was a practising barrister. After spending five years as a solicitor he was admitted to the Queensland Bar in 1965 and was appointed a Queen's Counsel in 1978. He was President of the Australian Bar Association in 1984-85. Justice Callinan is a playwright and author, a former Chairman of Trustees of the Queensland Art Gallery, a former Honorary Chairman of the Brisbane Community Arts Centre and was formerly a director of a number of public companies as well as the Australian Broadcasting Corporation.

PART III - THE YEAR IN REVIEW

Changes in Proceedings

The tables of judicial workload annexed to this report disclose a minor decrease in the number of matters filed in comparison to the matters filed in 1999-00.

The number of civil special leave applications filed decreased by 6%. This contrasts with the 30% increase in the prior reporting year. The number of criminal special leave applications remained the same. Overall the number of applications for Constitutional Writs filed reduced by 10% however the number of the applications for Constitutional Writs filed during 2000-01 involving immigration matters remained high, making up 78 % of the total filed.

The significance of these slight decreases is diminished by the overall rapid increase in workload in recent years. This is illustrated by graphs contained in the Report of the Australian Law Reform Commission, *The Judicial Power of the Commonwealth*, ALRC92, published in October 2001. Figure 3.1 at p 116 of the Report shows that between 1996-97 and 1999-00, the number of matters filed in the High Court's original jurisdiction more than doubled. Likewise, figure 18.1, appearing on p 329 of the Report, shows that between 1991-92 and 1999-00, the number of applications for special leave to appeal in civil matters more than doubled.

Self Represented Litigants

The number of self represented litigants appearing before the Court remained high during the past year. The proportion of self represented litigants in applications for special leave increased from approximately one quarter to one third for applications filed during the year. In the case of proceedings heard before a single Justice during the year the figure increased to 19%.

For the first time the tables in the report show a breakdown between legally represented and self represented litigants in relation to elapsed time for matters finalised by the Full Court.

The Court and the Public

Continued efforts by the Court to obtain funding for the employment of a Public Information Officer have so far been in vain. The Court is committed to establishing such a position, which would promote understanding in the Australian community of the Court's role, and respond appropriately from time to time to comment and criticism of the Court.

Developments in Information Technology

Last year's annual report made mention of a delay, caused by workload pressures, in two important enhancements to the Court's information technology systems. Regrettably, the situation has changed little in 2000-01. However, the Court does expect significant progress during the forthcoming year in an enhancement of the case management system which will eventually allow legal practitioners and members of the public to obtain, via the Internet, a wide range of information about proceedings before the Court.

Links and Visits

During the year under review the Court has maintained its links with courts, judges and legal organisations in the region and around the world. The Court welcomed a number of international visitors, including several delegations of senior judges and court administrators from China, two judicial delegations from Indonesia, and one from Vietnam.

PART IV – BACKGROUND INFORMATION

Establishment

In 1901 the High Court of Australia was established by Section 71 of the Constitution and, to the extent that legislative provision was necessary, was given the power to administer its own affairs by the *High Court of Australia Act 1979* (“the Act”), which was proclaimed on 21 April 1980. The responsible Minister for the Court’s Administration is the Federal Attorney-General.

Section 71 of the Constitution provides:

“The judicial power of the Commonwealth shall be vested in a Federal Supreme Court, to be called the High Court of Australia, and in such other federal courts as the Parliament creates, and in such other courts as it invests with federal jurisdiction”.

Functions and Powers

The Constitution confers both an appellate and an original jurisdiction upon the High Court. Appeals from the Supreme Courts of the States and Territories, from the Federal Court of Australia and from the Family Court of Australia are heard pursuant to special leave being granted. The Family Court has power to grant special leave to appeal to the High Court but this is rarely exercised. Under the Australian Constitution, the High Court is also the final arbiter upon constitutional questions. Such questions may come on appeal from a lower court or may be initiated by an application to the High Court itself.

Sittings of the Court

The Court conducts its sittings in Canberra and such other places as are determined by Rule of Court made by the Justices in the preceding year. Approximately two-thirds of all sitting days are scheduled in Canberra. In addition, applications for special leave to appeal to the Court are heard regularly in Sydney and Melbourne, and the Court continues the practice, established on its inauguration, of sitting in Brisbane, Adelaide, Perth and Hobart once each year if warranted by the amount of business. When sitting in Sydney, Melbourne, Brisbane and Perth, the Court utilizes facilities in the Commonwealth Law Courts buildings. In Adelaide and Hobart, facilities are provided with the kind cooperation and assistance of the South Australian and Tasmanian Supreme Courts respectively.

The 2000 and 2001 sittings are shown below:

2000

CANBERRA	..	31 January	-	10 February
CANBERRA	..	29 February	-	9 March
CANBERRA	..	21 March	-	23 March
CANBERRA	..	4 April	-	13 April
CANBERRA	..	9 May	-	12 May
CANBERRA	..	23 May	-	25 May
CANBERRA	..	13 June	-	15 June
BRISBANE	..	19 June	-	22 June
CANBERRA	..	1 August	-	3 August
ADELAIDE	..	7 August	-	10 August

CANBERRA	..	29 August	-	7 September
CANBERRA	..	3 October	-	11 October
PERTH	..	23 October	-	27 October
CANBERRA	..	14 November	-	23 November
CANBERRA	..	5 December	-	14 December

Sittings to hear applications for special leave to appeal were held at the places and on the days listed below:

SYDNEY	..	11 February		
MELBOURNE	..	11 February		
SYDNEY	..	10 March		
CANBERRA	..	10 March	(by video-link from Brisbane)	
SYDNEY	..	17 March		
SYDNEY	..	24 March	(by video-link from Adelaide and Darwin)	
SYDNEY	..	14 April		
CANBERRA	..	14 April	(by video-link from Perth)	
SYDNEY	..	18 April		
CANBERRA	..	12 May	(by video-link from Adelaide and Hobart)	
SYDNEY	..	26 May		
MELBOURNE	..	26 May		
SYDNEY	..	30 May		
SYDNEY	..	16 June		
CANBERRA	..	16 June	(by video-link from Perth)	
SYDNEY	..	27 June		
SYDNEY	..	4 August		
CANBERRA	..	4 August	(by video-link from Darwin and Perth)	
SYDNEY	..	15 August		
SYDNEY	..	8 September		
MELBOURNE	..	8 September		
SYDNEY	..	12 September		
SYDNEY	..	13 October		
SYDNEY	..	17 October		
SYDNEY	..	24 November		
CANBERRA	..	24 November	(by video-link from Brisbane and Darwin)	
MELBOURNE	..	28 November		
SYDNEY	..	15 December		
MELBOURNE	..	15 December		

2001

CANBERRA	..	5 February	-	15 February
CANBERRA	..	6 March	-	16 March
CANBERRA	..	27 March	-	30 March
HOBART	..	2 April	-	5 April
CANBERRA	..	1 May	-	3 May
CANBERRA	..	22 May	-	31 May
CANBERRA	..	19 June	-	21 June
BRISBANE	..	25 June	-	27 June

CANBERRA	..	7 August	-	9 August
ADELAIDE	..	13 August	-	17 August
CANBERRA	..	4 September	-	13 September
CANBERRA	..	2 October	-	11 October
PERTH	..	22 October	-	26 October
CANBERRA	..	13 November	-	22 November
CANBERRA	..	4 December	-	13 December

Sittings to hear applications for special leave to appeal were, or will be, held at the places and on the days listed below:

SYDNEY	..	16 February
MELBOURNE	..	16 February
SYDNEY	..	20 February
SYDNEY	..	6 April
SYDNEY	..	10 April
SYDNEY	..	4 May
CANBERRA	..	4 May (by video-link from Brisbane)
SYDNEY	..	1 June
CANBERRA	..	1 June (by video-link from Adelaide)
SYDNEY	..	5 June
SYDNEY	..	22 June
MELBOURNE	..	22 June
SYDNEY	..	10 August
MELBOURNE	..	10 August
SYDNEY	..	21 August
SYDNEY	..	14 September
CANBERRA	..	14 September (by video-link from Perth and Darwin)
SYDNEY	..	18 September
SYDNEY	..	12 October
CANBERRA	..	12 October (by video link from Brisbane)
SYDNEY	..	16 October
SYDNEY	..	20 November
SYDNEY	..	23 November
SYDNEY	..	14 December

Seat of the High Court

Section 14 of the Act provides that the seat of the High Court shall be at the seat of Government in the Australian Capital Territory.

The High Court building in Canberra is located on 3.4 hectares of land fronting the shores of Lake Burley Griffin, within the Parliamentary Triangle. It is one of Australia's National Buildings and a major tourist attraction. It was designed by the architectural firm of Edwards Madigan Torzillo and Briggs Pty Ltd, the winners of a national architectural competition held in 1972 and 1973. The builder was PDC Constructions (ACT) Pty Ltd. Total construction cost was \$46.5 million. The building was opened on 26 May 1980 by Her Majesty Queen Elizabeth II.

Forty metres tall, it consists of three courtrooms, Justices' Chambers, the Court's principal Registry, library facilities, an administrative wing and a large public hall. The total floor area is approximately 18,500 square metres.

Appointment of Justices of the High Court

Under Section 72 of the Constitution, Justices of the High Court:

- are appointed by the Governor-General in Council;
- cannot be removed except by the Governor-General in Council, on an address from both Houses of the Parliament in the same session, praying for such removal on the ground of proved misbehaviour or incapacity;
- receive such remuneration as the Parliament may fix; but the remuneration shall not be diminished during their continuance in office; and
- must retire on attaining the age of seventy years.

Part II of the *High Court of Australia Act 1979* contains further provisions concerning the Court and the Justices including the following:

- the Court is a superior court of record and consists of the Chief Justice and six other Justices appointed by the Governor-General by commission;
- the Attorney-General shall, before an appointment is made to a vacant office, consult with the Attorneys-General of the States in relation to the appointment;
- a person shall not be appointed as a Justice unless:
 - he or she is or has been a Judge of a court created by the Parliament or of a court of a State or Territory; or
 - he or she has been enrolled as a barrister or solicitor, or as a legal practitioner, of the High Court or of a Supreme Court of a State or Territory for not less than 5 years;
- a Justice is not capable of accepting or holding any other office of profit within Australia;
- the Chief Justice and the other Justices shall receive salary and other allowances at such respective rates as are fixed from time to time by the Parliament;
- the salary and annual allowance of a Justice accrue from day to day and are payable monthly;
- the Chief Justice and the other Justices shall receive such allowances in respect of travelling expenses as are provided by the Parliament.

Composition of the Court

The Justices of the High Court for the period to which this report relates, and their dates of swearing in, are:

	<u><i>Date of Swearing In</i></u>
Chief Justice Gleeson	22 May 1998
Justice Gaudron	6 February 1987
Justice McHugh	14 February 1989
Justice Gummow	21 April 1995
Justice Kirby	6 February 1996
Justice Hayne	22 September 1997
Justice Callinan	3 February 1998

Former Chief Justices and Justices of the Court

Apart from the current members of the Court, there have been ten Chief Justices and thirty-two Justices since the Court was established in 1903. The name, and years of service, of each former Chief Justice and Justice are listed below.

Chief Justices

Sir Samuel Griffith	1903-1919
Sir Adrian Knox	1919-1930
Sir Isaac Isaacs	1930-1931
Sir Frank Gavan Duffy	1931-1935
Sir John Latham	1935-1952
Sir Owen Dixon	1952-1964
Sir Garfield Barwick	1964-1981
Sir Harry Gibbs	1981-1987
Sir Anthony Mason	1987-1995
Sir Gerard Brennan	1995-1998

Justices

Sir Edmund Barton	1903-1920
Richard Edward O'Connor	1903-1912
Sir Isaac Isaacs	1906-1930
Henry Bournes Higgins	1906-1929
Sir Frank Gavan Duffy	1913-1931
Sir Charles Powers	1913-1929
Albert Bathurst Piddington	1913-1913
Sir George Rich	1913-1950
Sir Hayden Starke	1920-1950
Sir Owen Dixon	1929-1952
Herbert Vere Evatt	1930-1940
Sir Edward McTiernan	1930-1976
Sir Dudley Williams	1940-1958
Sir William Webb	1946-1958
Sir Wilfred Fullagar	1950-1961
Sir Frank Kitto	1950-1970
Sir Alan Taylor	1952-1969
Sir Douglas Menzies	1958-1974
Sir Victor Windeyer	1958-1972
Sir William Owen	1961-1972
Sir Cyril Walsh	1969-1973
Sir Harry Gibbs	1970-1981
Sir Ninian Stephen	1972-1982
Sir Anthony Mason	1972-1987
Sir Kenneth Jacobs	1974-1979
Lionel Keith Murphy	1975-1986
Sir Keith Aickin	1976-1982
Sir Ronald Wilson	1979-1989
Sir Gerard Brennan	1981-1995
Sir William Deane	1982-1995
Sir Daryl Dawson	1982-1997
John Leslie Toohey	1987-1998

PART V - ADMINISTRATION

General

Section 17 of the Act makes provision for the High Court to administer its own affairs subject to and in accordance with the Act. Section 46 of the Act provides for the Justices (or a majority of them) to exercise the powers of the High Court and allows the Court to delegate to one or more of the Justices any or all of the powers of the Court set out in the Act.

The administrative functions of the Court are in general discharged by the Chief Executive and Principal Registrar who is appointed by the Governor-General, upon the nomination of the Court, under Section 18 of the Act. The occupant of this position holds office for a period not exceeding 5 years (but is eligible for re-appointment) and has the function of acting on behalf of and assisting the Justices in the administration of the affairs of the Court.

The Court's administration is divided into three Branches, titled the Registry Branch, the Library and Research Branch, and the Marshal's Branch. Figure 1 overleaf shows the Court's organizational structure and gives the names of the senior executives of the Court.

External Scrutiny

1999-2000 Annual Report

The Court's 1999-2000 annual report was submitted to the Attorney-General on 12 September 2000 and tabled in Parliament on 27 October 2000. The report was among 22 annual reports of government departments and statutory authorities later referred to the Senate Legal and Constitutional Legislation Committee for examination. The Committee, in its report tabled in March 2001:

- noted the particular concerns of the High Court in relation to unrepresented litigants;
- acknowledged the significant increase in the number of matters filed in the High Court, particularly applications for special leave; and
- noted the High Court's maintenance of international links through visits by a number of international visitors during the year.

Auditor-General's Report

Results of the Auditor-General's audit of the Court's 1999-2000 financial statements were reported in Auditor-General's Audit Report No. 23 of 2000-01, which was submitted to Parliament on 15 December 2000. The results of the audit of the High Court's financial statements were satisfactory and an unqualified audit report was issued.

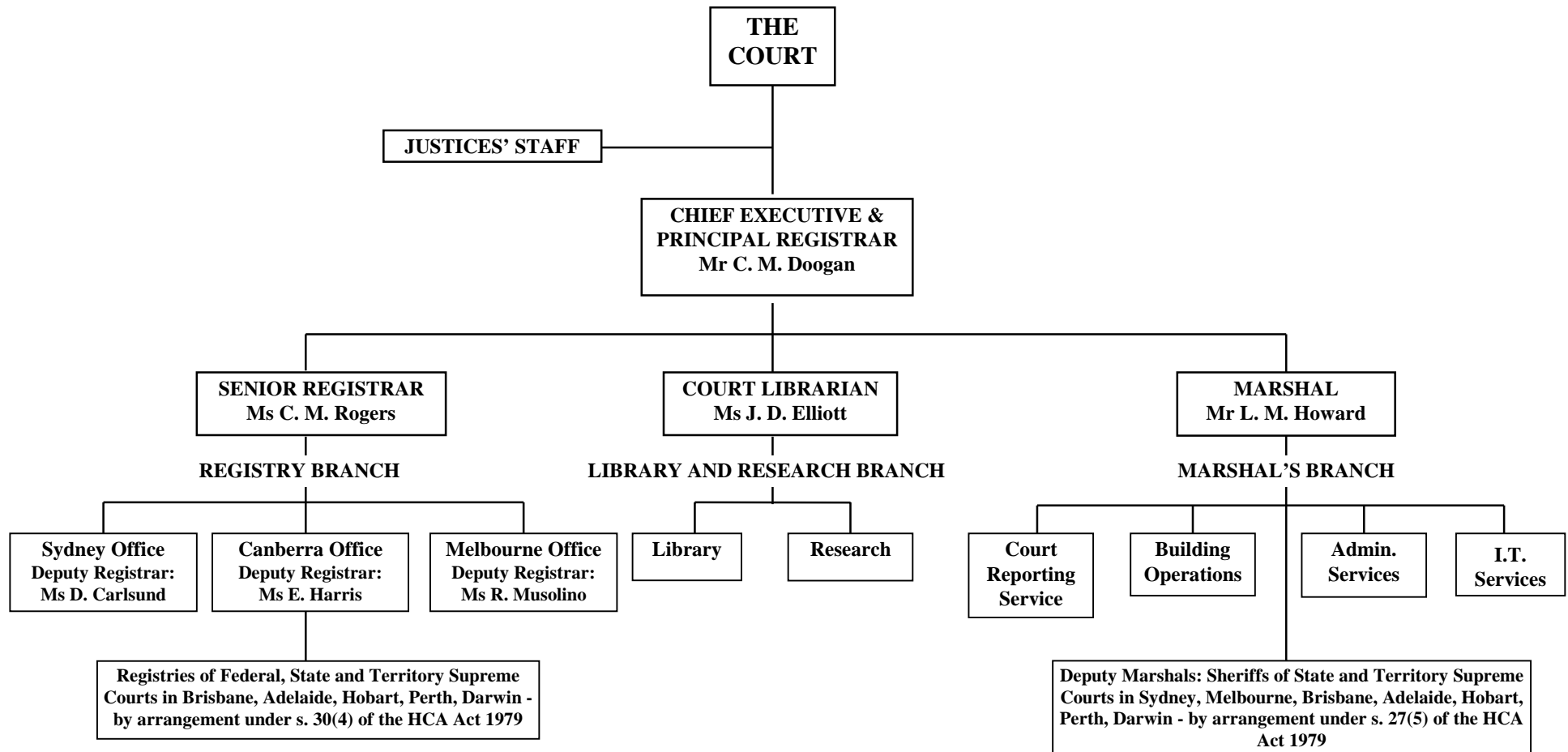
Ecologically Sustainable Development

The decision-making processes of the High Court Administration take account of both short- and long-term economic, environmental, social and equitable considerations, and accord with the principles of ecologically sustainable development as defined by section 3A of the *Environment Protection and Biodiversity Conservation Act 1999*.

To the best of the Court's knowledge, no action or decision during the year by the Administration adversely impacted on the environment in any measurable way.

Figure 1

HIGH COURT OF AUSTRALIA ORGANIZATIONAL CHART



REGISTRY

Functions

The Registry provides administrative services for the judicial activities of the Court. Under the direction of the Principal Registrar, the Registry in Canberra coordinates the case flow management of the judicial workload of the Court.

The Senior Registrar and Deputy Registrars provide information and assistance to practitioners and self represented persons on the jurisdiction, practice and procedure of the Court as contained in the Constitution, the *Judiciary Act 1903* and the High Court Rules. They supervise the issue of writs of summons and the filing of applications for Constitutional Writs in the original jurisdiction and the filing of applications for leave or special leave to appeal and notices of appeal in the appellate jurisdiction of the Court.

The Registry of the Court is situated in Canberra. Offices of the Registry are also located in Sydney, Melbourne, Brisbane, Adelaide, Perth, Hobart and Darwin. Sydney, Melbourne and Canberra Registries are staffed by officers of the Court. Registry functions in Adelaide, Hobart and Darwin are performed by officers of the Supreme Court of the respective States or Territory under ministerial arrangements. Registry functions in Brisbane and Perth are performed by officers of the Federal Court of Australia by arrangement between the Chief Justices of the respective Courts.

Registry Goals

The goals of the Registry are to:

- provide and maintain registry services to the Court, the profession and the public;
- develop and maintain a case flow management program to facilitate the disposition of matters by the Court;
- provide the Chief Justice and Justices with all necessary information relating to matters which are instituted or filed in the Court;
- provide information to the profession and the public about the practice of the Court; and
- carry out all its tasks at the highest attainable levels of professional competence and efficiency.

Registry Workload

A comparison of the number of matters filed in each Registry during 1999-00 and 2000-01 is provided in Table 1. (Reference is made throughout this section to numbered tables located in Annexure B to Part VII of this report.)

Forty three percent of the matters filed during the year were filed in the Sydney office of the Registry. Sixteen special leave hearing days were held in Sydney during 2000-01 and 38% of the single Justice hearings were conducted in Sydney.

The Melbourne office of the Registry, which processed matters filed in Melbourne, Adelaide and Hobart, accounted for 27% of total filings in 2000-01. Five special leave hearing days were held in Melbourne together with 18% of the single Justice hearings.

The Registry in Canberra processed matters filed in Canberra, Brisbane, Darwin and Perth (accounting for 30% of all filings). The Canberra Registry supervised eleven sittings of the Full Court in Canberra, circuit sittings in Hobart, Adelaide, Perth and Brisbane and video-link hearings from Adelaide, Brisbane, and Perth. The Registry in Canberra supervised 44% of the single Justice hearings.

Registry Services

The Registry in Canberra and the offices of the Registry in Sydney and Melbourne provide a variety of services to the profession, the public and other institutions. Registry staff respond to counter, telephone and written inquiries concerning the status and disposition of cases.

The Registry Service Charter describes the function of the Registry and the standards of service that can be expected from the Registry staff. The Service Charter also provides a system for the resolution of complaints regarding the provision of Registry services. In accordance with the Service Charter the Chief Executive and Principal Registrar dealt, when necessary, with complaints received during the reporting year. The Service Charter is available at the Registry in each capital city and on the Court's site on the Internet.

The Court has its own court reporting service and is therefore able to provide a fast and efficient service for parties and other interested persons who may wish to purchase copies of transcripts of cases heard by the Court. In addition, transcript of cases heard can be accessed from the Court's site on the Internet, the address of which is <http://www.hcourt.gov.au>. Paper copies of transcripts of recent cases are kept in the Canberra, Sydney and Melbourne offices, and transcripts of past cases may be ordered through those offices. The cost of transcripts is provided in the High Court of Australia (Fees) Regulations.

When the Court delivers judgments, copies are immediately available from the Canberra, Sydney and Melbourne offices and are provided to the parties and the media free of charge. Additional copies can be purchased, at the fee prescribed in the Regulations, by the parties and the public in the Canberra, Sydney and Melbourne offices of the Registry. This service is also provided if the Court delivers judgment when sitting in other cities. The Court's home page on the Internet also provides access to judgments on the day they are delivered by the Court.

All legal practitioners in Australia who wish to practise in federal courts or State or Territory courts exercising federal jurisdiction are required to have their names entered in the Register of Practitioners maintained by the Principal Registrar in Canberra. The Registry provides an information service to practitioners advising them of their entitlement to practise in federal courts, the procedure for having their name entered on the register and, if required, providing them with certificates of good standing to enable them to seek admission in other jurisdictions. The names of 1654 new practitioners were added to the register in 2000-01, an increase of just under 4% over the previous year.

The demand for registry services, such as the purchase of judgments and transcripts, remained at a high level during 2000-01, as did inquiries concerning the registration of practitioners on the Register of Practitioners and the status of matters pending before the Court. Registry staff received both oral and written commendations for the courteous and efficient way in which these services were provided.

Rules of Court

The Justices have the responsibility for making Rules of Court which prescribe the annual sittings of the Court, regulate all matters of practice and procedure in the Court and prescribe the various forms to be used for proceedings of the Court. The Justices also consider the recommendations of the Federal Costs Advisory Committee in respect of the fees to be recovered by practitioners practising in the High Court for the work done by them in relation to proceedings in the Court. A Rule adopting the recommendations of the Committee is introduced when such recommendations are accepted. This year's increase included an uplift of 9.5% to take into account the effect on legal costs arising from the introduction of the Goods and Services Tax.

The High Court Rules which govern the practice and procedure of the Court are kept under review by the Rules Committee with the assistance of the Registry. The Court consults with interested persons and organizations when any significant changes are contemplated to the Rules.

Rules of Court are made and promulgated as Commonwealth Statutory Rules. Copies of the Rules are distributed to all legal publishers, law societies and bar associations immediately a Rule is made, and copies are available in all offices of the Registry, and on the Internet, for the information of the profession and the public.

The Court made the following Rules of Court in 2000-01:

- Statutory Rule No 274 of 2000 – Amendment to Second Schedule (Costs); and
- Statutory Rule No S490 of 2000 – Annual Sittings of the High Court.

The Court did not issue any Practice Directions during 2000-01.

Caseflow Management

Orders 69A and 70 of the High Court Rules impose time standards for the filing of applications for special leave to appeal and appeals. The Rules were introduced to give more control over caseflow management by providing time standards for the various stages in the preparation of special leave applications and appeals.

Applications for special leave to appeal and appeals constitute only part of the High Court's workload. Many cases involve other procedures such as applications under s 75(v) of the Constitution against officers of the Commonwealth, removals under s40 of the *Judiciary Act 1903*, cases stated, references under s18 of the *Judiciary Act 1903*, and electoral petitions. Cases governed by these procedures include cases arising under the Constitution or involving its interpretation. Table 2 provides a breakdown of the categories of matters filed during 1999-00 and 2000-01.

The conduct of the case by the parties, the need to give priority to those cases which require urgent disposition, and the resources available in the Registry, may all affect the time between the filing and hearing of matters. In addition, a special leave application or an appeal may be filed and no further steps taken pending a grant of legal aid or the pronouncement of judgment by a lower court in a related case.

The period between filing and the time when a matter is ready for hearing influences, but does not necessarily determine, the time at which matters are heard. The listing of matters for hearing is influenced by the volume of cases filed and the need to accord priority to those matters requiring urgent resolution. Furthermore, the parties may agree that a matter should be heard at the next annual sitting of the Court in the State or Territory in which the matter originated or may agree that a special leave application be heard by video-link when there are sufficient matters to justify a video-link hearing.

Tables 23 to 28B provide a comparison, for each category of matter during the 1999-00 and 2000-01 reporting periods, of the elapsed period between the date of filing of matters to the date they were ready for hearing, the elapsed time between matters being ready for hearing and the date of hearing, and the elapsed time between the date of hearing and the date of decision. These tables also show a breakdown of cases between those where the applicant/appellant was legally represented and those where the applicant/appellant was self represented. The total elapsed time from the date of filing to the date of decision is provided in the final column of each table.

Judicial Workload of the Court

Tables 7 and 8 provide details of the total matters heard by the Court during 1999-00 and 2000-01, together with a breakdown of the categories of those matters. Tables 13 and 14 provide details of the total number of decisions of the Court delivered during 1999-00 and 2000-01 together with a breakdown of the categories of those decisions by type of matter.

Tables 3 to 6 provide a comparison by Registry and by court appealed from of all appellate matters filed during 1999-00 and 2000-01. Tables 9 to 12 provide a breakdown by Registry and court appealed from of all appellate matters heard during 1999-00 and the reporting period. The results of appellate matters decided during 1999-00 and 2000-01 are recorded in Tables 16, 18, 20 and 22.

The Court sits as the Court of Disputed Returns to try petitions disputing the validity of elections or returns of persons to the House of Representatives or the Senate. There were no election petitions filed during 2000-01.

A comparison of the number of matters heard by a single Justice during 1999-00 and the reporting year is recorded in Table 29. A breakdown of the categories of matters heard by a single Justice during 2000-01 is provided in Table 30. Nineteen percent of applications heard by a single Justice during the reporting period involved self represented persons.

Cost of Litigation

Court Fees and Charges

Fees and charges in the High Court form an integral part of litigation costs and, since 1 April 1992, have been set by the High Court of Australia (Fees) Regulations on the initiative of the Attorney-General. Fees payable for filing, issuing or sealing a document in an office of the Registry of the High Court, or for obtaining a document or service, are set out in Schedule 1 of the Regulations. The schedule of fees payable as at 30 June 2001 is included in Annexure C to Part VII of this report.

Waiver of fees

The person liable to pay a filing or hearing fee may apply to a Registrar to have the fee waived, upon grounds specified in the Regulations. The grounds include financial hardship, grant of legal aid and entitlements as a social security law concession cardholder or Veterans' Affairs cardholder. A refusal by a Registrar to waive a fee may be reviewed by the Administrative Appeals Tribunal. There were no refusals to waive a fee in the reporting period.

Between 1 July 2000 and 30 June 2001 a total of 675 matters attracting a filing fee and/or hearing fees were filed in the Court. Of these, 311 matters, or 46%, were exempt from payment of fees, resulting in a total of \$313,218 being forgone for the payment of filing and hearing fees. The composition of this total is shown in Annexure C to Part VII of this report.

Professional Costs

The allowable professional costs of, and incidental to, the steps in proceedings in the High Court are contained in the Second Schedule to the High Court Rules and are approved by the Court on the recommendation of the Federal Costs Advisory Committee. The Schedule in operation during 2000-01 is included in Annexure C to Part VII of this report.

The Court has limited access to information about the actual costs involved in litigation. The information that it has is confined to costs which have been taxed and allowed on a party and party basis by taxing officers pursuant to an order of the Court. However, costs orders do not necessarily reflect the total cost to the litigant and are not made in all cases. Bills of costs are not lodged for taxation in all matters that come before the Court, as the parties may agree on the costs to be paid by the unsuccessful party. In some cases there are statutory provisions to the effect that costs should not be ordered; costs are not usually awarded in criminal cases, and in constitutional cases costs are sometimes the subject of agreement between governments.

Taxation of costs

Bills of costs presented for taxation typically include filing and hearing fees, barristers' fees, travelling and accommodation expenses incurred by barristers and their instructing solicitors and solicitors' charges for work done in connection with proceedings in the Court.

There is a considerable spread of fees charged. Not all fees and charges are subsequently allowed on taxation. By way of illustration, during the reporting period a bill of costs in a Sydney appeal (including the related application for special leave to appeal) was presented for taxation seeking an amount of \$151,974.30. Of this amount, \$87,653.40 was allowed on taxation. In Melbourne, a bill relating to an unsuccessful electoral petition was claimed at \$35,726.84. This amount was reduced to \$34,164.00 on taxation.

LIBRARY AND RESEARCH BRANCH

Functions

The functions of the Library and Research Branch are to :

- assemble and maintain collections to assist the Court in its work;
- provide a reference and research service of a high standard to the Justices of the Court;
- provide library facilities to legal practitioners appearing before the Court;
- keep itself informed and to maintain contact with other libraries and information sources which can supplement the reference and research material in the Library's own collection; and
- devise and implement retrieval systems which will improve the reference and research service.

Corporate Goals

The corporate goals of the Library and Research Branch are to:

- acquire and efficiently organise library material in accordance with the requirements of the Court; and
- provide high quality and timely reference and research services to the Justices.

Reference and Research

High Court Unreported Judgments

The Library has commenced a long term project to copy and bind the Court's unreported judgments from 1903. Since December 2000, judgments from 1965 to date have been copied.

Interlibrary Loans

After using Australian Library and Information Association vouchers for over twenty years to facilitate interlibrary loans, in May the Library ceased accepting vouchers in favour of payment by cheque for all interlibrary loans. This change was implemented to minimise the accounting effort for the Goods and Services Tax.

Collection Development and Organisation

Budget

The Library experienced a 15% increase in expenditure on reference materials in 2000-2001. This was at least partly due to exchange rate fluctuations and occurred despite a 20% reduction in the number of books ordered, and cancellation of material worth \$10,000. Moreover, Library funding was not provided for when the Court was required to move to accrual budgeting; unless the situation is rectified it is feared that the Library collection will suffer irreparable damage. The problem is a systemic one and is not met by further reduction in the number of books ordered and cancellation of serials.

New Library System

The Library is intending to upgrade the library system in order to have more functionality, particularly in generating acquisitions reports. Since February, staff have had several demonstrations of new systems, and are in the process of formulating a Request for Proposal.

Moys Classification Seminars

In July, October and May the Court Librarian and Cataloguing Librarian presented four seminars on the Moys Classification for law librarians in Canberra, Melbourne and Adelaide.

ALLG Pacific Twinning Scheme

Five offers were received from law firms, and a publisher, for the donation of surplus books for the Australian Law Librarians Group Pacific Twinning Scheme. These were distributed to twin law libraries in Fiji, Kiribati and Vanuatu.

MARSHAL'S BRANCH

Functions

The Marshal's Branch provides financial, personnel and corporate management services to the Court. It also provides court reporting services and is responsible for the operation, security and maintenance of the High Court building and its precincts.

In addition to corporate management responsibilities, the Marshal is responsible under Section 27 of the *High Court of Australia Act 1979* for:

- the service and execution of all writs, summonses, orders, warrants, precepts, process and commands of the Court that are directed to him; and
- taking, receiving and detaining all persons who are committed to his custody by the Court, and for discharging all such persons when directed by the Court or otherwise required by law.

A Deputy Marshal may, subject to any direction of the Marshal, exercise any power or perform any function of the Marshal.

Marshal's Branch Goals

The goals of the Marshal's Branch are to:

- provide high-quality and responsive financial, human resource, technical and general administrative services to the Court;
- manage and maintain a national building;
- ensure the safety and well-being of persons employed in or visiting premises under the control of the High Court; and
- provide, in a timely and economic manner, an accurate transcript of the proceedings of the High Court to the Justices, legal practitioners, litigants and other interested parties.

Financial Management

Financial Services

In another very busy year for the Court's finance staff, efforts centred around the implementation of systems to comply with the requirements of the government's new taxation system which took effect from 1 July 2000. Because of much hard work in the early months of 2000, procedures were in place and system modifications completed by June, which resulted in a smooth introduction of the new tax system for the Court. With the assistance of advice from the Australian Taxation Office and the Department of Finance and Administration, full compliance with the requirements of the new taxation regime was achieved immediately, and the impact on resources minimised.

Resources

The table below details the 2000-01 financial and staffing resources applied to the Court's "outputs" and "outcomes", together with the budgeted resources for 2001-02. The Court has a single output, "High Court Business", contributing toward the overall outcome which is "interpreting and upholding the Australian Constitution and performing the functions of the ultimate appellate Court in Australia". The bulk of financial resources are applied towards a capital use charge paid annually to the Department of Finance and Administration.

	2000-01 Budget \$'000	2000-01 Actual \$'000	2001-02 Budget \$'000
Administered Items			
Court fees and charges collected	795	716	865
LESS: fees and charges remitted to Official Public Account	795	716	865
Net contribution or cost to outcome	-	-	-
High Court Output			
Output 1.1 – High Court Business:			
- Justices' remuneration and allowances*	1 887	2 000	1 887
- High Court administration	24 962	24 962	24 277
Revenue from Government appropriations	26 849	26 962	26 164
Revenue from other sources:			
- High Court administration	610	736	266
Total price of output	27 459	27 698	26 430
TOTAL PRICE OF OUTCOME (output and administered items)	27 459	27 698	26 430
Staff years (in full-time equivalent positions)	78.0	78.3	81.5

* Justices' remuneration and allowances are paid out of Special Appropriations. These appropriations are administered by the Attorney-General's Department and thus do not form part of the Court's financial statements in Part VI of this report.

Audit of Accounts and Procedures

The Court maintains procedures for both the internal and external scrutiny of accounts and administrative procedures. An Internal Auditor, reporting directly to the Chief Executive and Principal Registrar, systematically reviews compliance with the Court's approved operating procedures, the efficiency of administrative systems and the adequacy of accounting controls throughout the year in accordance with an agreed program. In addition, the Internal Auditor provides specialist advice on financial management matters, as required, to the Chief Executive and Principal Registrar.

In accordance with subsection 47(2) of the *High Court of Australia Act 1979* the Auditor-General annually conducts an independent audit of the Court's financial statements in order to express an opinion on them to the Attorney-General. The Auditor-General's report on the Court's 2000-01 financial statements can be found at Part VI of this report.

Consultants

During the year, expenditure totalling \$10,809 was incurred in relation to consultancy contracts. Of this amount, \$5,075 was paid to Systems Union Pty Ltd for modifications to the Court's financial management system. An additional \$2,748 was paid to Safework Solutions Pty Ltd for risk management consulting, and \$2,066 was paid to Wizard Computing for modifications to the Court's case management system.

Advertising and Market Research

During the year, \$7,900 was paid to Canberra Tourism and Events Corporation, and \$1,818 to the National Capital Attractions Association, for tourism-related advertising. No other funds were paid to market research organizations, polling organizations, media advertising organizations or direct mail organizations during the period.

Human Resource Management

Terms and Conditions of Employment

Staff of the High Court are employed under the *High Court of Australia Act 1979*. Subsection 26(4) of the Act provides for the terms and conditions of Court staff to be determined by the Court itself. These terms and conditions are generally similar to those applying in the Australian Public Service.

The Court's sixth Certified Agreement, under s170LK of the *Workplace Relations Act 1996*, was certified by the Australian Industrial Relations Commission on 14 July 2000. This Agreement contains pay increases totalling 7% over two years. Senior executive staff of the Court continue to be covered by Australian Workplace Agreements. No High Court staff member received performance pay during the year under review.

Workplace Diversity

Performance against the standards contained in the Court's Workplace Diversity Program 1998-2001 continued at a satisfactory level. The percentage of women in the Court's administration increased slightly to 66%, and the proportion of women at the senior management levels continued to rise, and is now at 73%. The percentage of staff from a non-English speaking background fell slightly to 19% while those with disabilities increased to 2%.

Staffing Overview

At Annexure D to Part VII of this report are tables giving an overview of the numbers of men and women in full-time and part-time employment in the Court's administration, and the composition of staff by salary classification.

Industrial Democracy

The Court is committed to the principles and practices of Industrial Democracy which results in participative management practices throughout all areas of the Court. A Joint Consultative Committee serves as the formal mechanism for consultation on a broad range of industrial democracy issues. For several years now the Committee has formed the basis of the negotiation team to work with management in developing Certified Agreements.

Occupational Health and Safety (OH&S)

The Court has developed a comprehensive OH&S policy that meets the requirements of the *Occupational Health and Safety (Commonwealth Employment) Act 1991*. The policy outlines the mechanisms required for a healthy and safe working environment.

There were no accidents or dangerous occurrences requiring notice under Section 68, and no investigations into OH&S accidents were required during the year. No directions or notices were

given to the Court under Sections 30, 36, 45 and 47 of the *Occupational Health and Safety (Commonwealth Employment) Act 1991* during the year.

Information Technology

A number of developments occurred during the year in the information technology area, as follows:

- re-design of the Court's Internet site to meet the Government Online standards. The re-design work has drawn on the Web Accessibility Initiative (WAI) of the World Wide Web Consortium (W3C);
- implementation of a new remote network connection protocol and an EAL4-rated firewall to allow mobile computer users to connect to the Court's network in a more secure mode;
- installation of a new desktop management application for comprehensive, centralized desktop computer management;
- technical investigations were continued on implementing a better searching facility on the Court's Internet site and on the possibilities for broadcasting Court sittings over the Internet;
- technical investigations were conducted on implementing a secure intranet for the Court; and
- upgrade of network switching hardware which has increased network traffic speed by as much as 10 times that previously achieved.

Court Reporting Service

Operation

The goal of the Court Reporting Service (CRS) is to provide, in a timely and efficient manner, an accurate transcript of the proceedings of the High Court to the Justices. Copies are available for sale to legal practitioners, litigants and other interested parties. The transcript is usually available for distribution in paper form within two hours of the Court rising each sitting day, and within 48 hours from the Court's Internet site. As at 30 June 2001, more than 3,800 transcripts, dating back to July 1994, were available on that site.

The High Court's transcript is a verbatim record of its proceedings and includes the full text of citations referred to by counsel during the hearings.

Staffing

The CRS comprises two full-time reporters (for staff supervision, training and transcription verification), up to nine sessional court reporting officers (for word processing and transcription monitoring duties) and the part-time services of a technical officer (for equipment maintenance duties).

Developments

In June 2001 a committee was established with the aim of developing and implementing a comprehensive upgrade of the Court's audio/video systems. Whilst some aspects of these systems have been modernised over the past 5 years, the infrastructure is essentially that which was installed when the High Court building was opened in 1980. As a result, finding both spare parts and staff with the necessary skills to maintain the old equipment is becoming increasingly difficult. The project to be overseen by the committee will introduce the latest technology, thereby increasing the efficiency of the court reporting services, reducing costs, and anticipating future developments in the Court's judicial operations. With the assistance of consultants in the relevant fields, during the coming year the committee will assess best practice in delivering the

required services and develop a program for lifting the Court's technologies to that level within the subsequent 2 years.

Court reporting staff have had another very busy year. A total of 506 individual transcripts, containing 11,915 pages, were produced – slightly more pages than were produced in 1999-2000.

Building Operations

Facilities Management

During the year, comprehensive inspections of the High Court building's air-conditioning system were conducted by a firm of engineers. These inspections revealed a number of areas where improvements could be made to the air distribution systems to increase energy efficiency and improve the internal environment. As a result, a three-year work program was commenced in July 2000 to carry out these improvements.

The above investigation also revealed that the building's air-conditioning chillers, which are more than 20 years old, were approaching the end of their useful life. In the forthcoming year, work will commence on replacement of these chillers with modern equipment, which will further increase the building's energy efficiency.

Public Information Services

The number of visitors to the building during the year totalled 95,642, a decrease of 16.8% over the previous year. In addition, 5 cultural exhibitions and 22 other functions were held in the building in accordance with the Court's guidelines on use of the building. The cultural exhibitions comprised displays sponsored by the Embassy of the People's Republic of China, the University of Canberra and the Canberra Institute of Technology.

PART VI - FINANCIAL STATEMENTS 2000-01

INDEPENDENT AUDIT REPORT

To the Attorney-General

Scope

I have audited the financial statements of the High Court of Australia for the year ended 30 June 2001. The financial statements comprise:

- Report by the Acting Chief Executive and Principal Registrar of the High Court of Australia;
- Statements of Financial Performance, Financial Position and Cash Flows;
- Schedules of Commitments and Contingencies;
- Schedules of Administered Revenues and Expenses, Assets and Liabilities, Cash Flows, Commitments and Contingencies; and
- Notes to and forming part of the Financial Statements.

The Chief Executive and Principal Registrar of the High Court of Australia is responsible for the preparation and presentation of the financial statements and the information they contain. I have conducted an independent audit of the financial statements in order to express an opinion on them to you.

The audit has been conducted in accordance with Australian National Audit Office Auditing Standards, which incorporate the Australian Auditing Standards, to provide reasonable assurance as to whether the financial statements are free of material misstatement. Audit procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial statements, and the evaluation of accounting policies and significant accounting estimates. These procedures have been undertaken to form an opinion as to whether, in all material respects, the financial statements are presented fairly in accordance with Australian Accounting Standards, other mandatory professional reporting requirements and statutory requirements in Australia so as to present a view of the entity which is consistent with my understanding of its financial position, the results of its operations and its cash flows.

The audit opinion expressed in this report has been formed on the above basis.

Audit Opinion

In my opinion,

- the financial statements have been prepared in accordance with Schedule 1 of the Commonwealth Authorities and Companies (Financial Statements 2000-2001) Orders; and
- the financial statements give a true and fair view, in accordance with applicable Accounting Standards, other mandatory professional reporting requirements and Schedule 1 of the Commonwealth Authorities and Companies (Financial Statements 2000-2001) Orders, of the financial position of the High Court of Australia as at 30 June 2001 and the results of its operations and its cash flows for the year then ended.

Australian National Audit Office



Puspa Dash
Senior Director

Delegate of the Auditor-General

Canberra
15 August 2001

HIGH COURT OF AUSTRALIA

Report by the Chief Executive & Principal Registrar of the High Court of Australia on the Financial Statements for the year ended 30 June 2001.

The accompanying financial statements of the High Court of Australia for the year ended 30 June 2001 have been prepared as required by Section 47 (1) of the *High Court of Australia Act 1979* and include:

- Statement of Financial Performance;
- Statement of Financial Position;
- Statement of Cash Flows;
- Schedule of Commitments;
- Schedule of Contingencies; and
- Notes to and forming part of the Financial Statements.

In my opinion, the attached financial statements give a true and fair view of the matters required by Schedule 1 of the *Commonwealth Authorities and Companies (Financial Statements 2000-2001) Orders* for the year ended 30 June 2001.



C. Rogers
Acting Chief Executive and
Principal Registrar

15 August 2001

HIGH COURT OF AUSTRALIA
STATEMENT OF FINANCIAL PERFORMANCE
FOR THE YEAR ENDED 30 JUNE 2001

	Notes	2001	2000
		\$	\$
Revenues from ordinary activities			
Revenues from Government	4A	24,962,000	24,722,000
Sales of goods and services	4B	132,616	101,482
Proceeds from sale of assets	8	170	409
Interest on deposit		603,554	546,405
<i>Total revenues from ordinary activities</i>		25,698,340	25,370,296
Expenses from ordinary activities			
Employees	5	4,329,300	3,957,624
Suppliers	6	3,696,850	3,513,258
Depreciation and amortisation	7	1,800,245	1,788,682
Loss on sale of assets	8	10,073	2,775
Write-down of assets	9	5,264	78,559
<i>Total expenses from ordinary activities</i>		9,841,732	9,340,898
Net Operating Surplus/(Deficit) from ordinary activities		15,856,608	16,029,398
Net Surplus/(Deficit)		15,856,608	16,029,398
Net surplus attributable to the Commonwealth		15,856,608	16,029,398
Net credit (debit) to asset revaluation reserve		22,913,089	-
Total revenues, expenses and valuation adjustments recognised directly in equity		22,913,089	-
Total changes in equity other than those resulting from transactions with owners as owners		38,769,697	16,029,398

The above statement should be read in conjunction with the accompanying notes.

HIGH COURT OF AUSTRALIA
STATEMENT OF FINANCIAL POSITION AS AT 30 JUNE 2001

	Notes	2001	2000
		\$	\$
ASSETS			
Financial Assets			
Cash	11	1,841,621	1,177,910
Receivables	12	135,476	99,999
Other	13E	792	483
<i>Total financial assets</i>		<u>1,977,889</u>	<u>1,278,392</u>
Non-financial Assets			
Land and buildings	13A	145,587,586	121,500,000
Plant and equipment	13B	2,298,821	2,637,802
Inventories		2,581	1,540
Intangibles	13C	106,848	146,807
Library Holdings	13D	6,562,519	7,520,933
Other	13E	382,806	133,002
<i>Total non-financial assets</i>		<u>154,941,161</u>	<u>131,940,084</u>
Total assets		<u>156,919,050</u>	<u>133,218,476</u>
LIABILITIES			
Interest Bearing Liabilities			
Leases	14	231,212	-
<i>Total interest bearing liabilities</i>		<u>231,212</u>	<u>-</u>
Provisions			
Employees	15	1,060,411	1,006,624
		<u>1,060,411</u>	<u>1,006,624</u>
Payables			
Suppliers	16	349,415	490,447
Unearned Revenue		14,250	24,340
<i>Total provisions and payables</i>		<u>1,424,076</u>	<u>1,521,411</u>
Total Liabilities		<u>1,655,288</u>	<u>1,521,411</u>
EQUITY			
Parent Entity Interest			
Capital	17	53,426,540	52,836,540
Asset revaluation reserve	17	102,115,418	79,202,329
Accumulated deficits	17	(278,196)	(341,804)
<i>Total parent entity interest</i>		<u>155,263,762</u>	<u>131,697,065</u>
Total equity		<u>155,263,762</u>	<u>131,697,065</u>
Current liabilities		947,619	1,002,784
Non-current liabilities		707,669	518,627
Current assets		2,363,276	1,412,934
Non-current assets		154,555,774	131,805,542

The above statement should be read in conjunction with the accompanying notes.

HIGH COURT OF AUSTRALIA
STATEMENT OF CASH FLOWS FOR THE YEAR ENDED 30 JUNE 2001

	Notes	2001	2000
		\$	\$
OPERATING ACTIVITIES			
Cash received			
Appropriations		24,962,000	24,722,000
Sales of goods and services		87,671	77,829
Interest		610,508	481,243
Total cash received		25,660,179	25,281,072
Cash used			
Employees		(4,275,515)	(3,821,758)
Suppliers		(3,865,399)	(3,275,204)
Total cash used		(8,140,914)	(7,096,962)
Net cash from operating activities	18	17,519,265	18,184,110
INVESTING ACTIVITIES			
Cash received			
Proceeds from sales of plant and equipment		170	409
Cash used			
Purchase of plant and equipment		(1,652,724)	(1,247,564)
Net cash used in investing activities		(1,652,554)	(1,247,155)
FINANCING ACTIVITIES			
Cash received			
Equity Appropriation		590,000	-
Cash used			
Capital use paid		(15,793,000)	(15,793,000)
Net cash used in financing activities		(15,203,000)	(15,793,000)
Net increase in cash held		663,711	1,143,955
Cash at the beginning of the reporting period		1,177,910	33,955
Cash at the end of the reporting period	11	1,841,621	1,177,910

The above statement should be read in conjunction with the accompanying notes.

HIGH COURT OF AUSTRALIA
SCHEDULE OF COMMITMENTS AS AT 30 JUNE 2001

	Notes	2001	2000
		\$	\$
BY TYPE			
CAPITAL COMMITMENTS			
ADP software		2,970	10,500
ADP equipment		23,152	6,285
Infrastructure, Plant and Equipment		113,475	-
Total capital commitments		139,597	16,785
OTHER COMMITMENTS			
Operating leases		556,800	660,270
Finance leases	14	283,146	-
Other commitments		14,403	33,636
Total other commitments		854,349	693,906
Total commitments		993,946	710,691
COMMITMENTS RECEIVABLE			
GST receivable		(90,359)	(64,608)
Net commitments		903,587	646,083
BY MATURITY			
All net commitments			
One year or less		508,283	351,280
From one to five years		395,304	294,803
Over five years		-	-
Net commitments		903,587	646,083
Operating lease commitments			
One year or less		322,350	305,472
From one to five years		234,450	294,774
Over five years		-	-
Net operating lease commitments		556,800	600,246

Operating leases included are effectively non-cancellable and comprise:

- agreements for the provision of motor vehicles to officers;
- lease of computer equipment; and
- lease of office equipment.

The above schedule should be read in conjunction with the accompanying notes.

HIGH COURT OF AUSTRALIA
SCHEDULE OF CONTINGENCIES AS AT 30 JUNE 2001

As at 30 June 2001 there are no contingencies which create uncertainty as to possible gain or loss for the High Court of Australia.

HIGH COURT OF AUSTRALIA
SCHEDULE OF ADMINISTERED REVENUES AND EXPENSES
FOR THE YEAR ENDED 30 JUNE 2001

	Notes	2001	2000
		\$	\$
Revenues from ordinary activities			
Taxation			
Fees and charges	25	716,241	859,676
Total taxation		716,241	859,676
Total revenues from ordinary activities		716,241	859,676
Cash transferred to the Official Public Account		(716,241)	(859,676)
Net increase (decrease) in administered net assets		-	-

HIGH COURT OF AUSTRALIA
SCHEDULE OF ADMINISTERED ASSETS AND LIABILITIES
AS AT 30 JUNE 2001

There were no administered assets or liabilities as at 30 June 2001.

The above schedule should be read in conjunction with the accompanying notes.

**HIGH COURT OF AUSTRALIA
ADMINISTERED CASH FLOWS
FOR THE YEAR ENDED 30 JUNE 2001**

	Notes	2001	2000
		\$	\$
OPERATING ACTIVITIES			
Cash received - Fees	25	716,241	859,676
Cash used - Cash to the Official Public Account		(716,241)	(859,676)
Net cash from operating activities		-	-
<i>Net increase in cash held</i>		-	-
Cash at the beginning of the reporting period		-	-
<i>Cash at the end of the reporting period</i>		-	-

**HIGH COURT OF AUSTRALIA
SCHEDULE OF ADMINISTERED COMMITMENTS
AS AT 30 JUNE 2001**

There were no administered commitments as at 30 June 2001.

**HIGH COURT OF AUSTRALIA
SCHEDULE OF ADMINISTERED CONTINGENCIES
AS AT 30 JUNE 2001**

There were no administered contingencies as at 30 June 2001.

The above schedules should be read in conjunction with the accompanying notes.

HIGH COURT OF AUSTRALIA

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2001

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

1.1 Basis of Accounting

The financial statements are required by Section 47(1) of the *High Court of Australia Act 1979* and are a general purpose financial report.

The financial statements of the High Court of Australia (the Court) have been prepared in accordance with:

- Australian Accounting Standards and Accounting Interpretations issued by the Accounting Standards Boards, other authoritative pronouncements of the Boards and the consensus views of the Urgent Issues Group; and
- having regard to Statements of Accounting Concepts, the Explanatory Notes to Schedule 1 issued by the Department of Finance and Administration, and Guidance Notes issued by that Department.

The financial statements have been prepared on an accrual basis and are in accordance with historical cost convention, except for certain assets which, as noted, are at valuation. Except where stated, no allowance is made for the effect of changing prices on the results or on the financial position.

1.2 Administered Items

The Court administers the collection of Court fees and charges on behalf of the Commonwealth. The level of these fees and charges is set by the Executive Government, pursuant to the *High Court of Australia (Fees) Regulations 1991*. The revenues from these fees and charges are not available to be used by the Court for its own purposes and are remitted to the Commonwealth's Official Public Account. Transactions and balances relating to these fees are reported as Administered Items.

1.3 Reporting by Outcomes

A comparison of Budget and Actual figures by outcome specified in Appropriation Act No.1 is presented in Note 2, "Reporting by Segments and Outcomes". Any intra-government costs included in the figure "Net cost to Budget outcome" are eliminated in calculating the actual budget outcome for the Government overall.

1.4 Taxation

The Court is exempt from all forms of taxation except fringe benefits tax and the goods and services tax.

1.5 Appropriations

From 1 July 1999, the Commonwealth Budget has been prepared under an accruals framework. Under this framework, Parliament appropriates moneys to the Court as revenue appropriations.

Revenues from government are revenues of the core operating activities of the Court. Appropriations for outputs are recognised as revenue to the extent that they have been received into the Court's bank account or are entitled to be received by the Court at year end.

1.6 Other Revenue

Revenue from the sale of goods is recognised upon the delivery of goods to customers.

Interest revenue is recognised on a proportional basis taking into account the interest rates applicable to the financial assets.

Revenue from the disposal of non-current assets is recognised when control of the asset has passed to the buyer.

1.7 Employee Entitlements

The liability for employee entitlements includes provision for annual leave and long service leave. No provision has been made for sick leave as all sick leave is non-vesting and average sick leave taken in future years by employees is estimated to be less than the annual entitlement for sick leave.

The liability for annual leave reflects the value of total annual leave entitlements of all employees at 30 June 2001 and is recognised at its nominal value.

The non-current portion of the liability for long service leave is recognised and measured at the present value of the estimated future cash flows to be made in respect of all employees at 30 June 2001. In determining the present value of the liability, attrition rates and pay increases through promotion and inflation have been taken into account.

1.8 Leases

A distinction is made between finance leases which effectively transfer from the lessor to the lessee substantially all the risks and benefits incidental to ownership of leased non-current assets and operating leases under which the lessor effectively retains substantially all such risks and benefits.

Where a non-current asset is acquired by means of a finance lease, the asset is capitalised at the present value of minimum lease payments at the inception of the lease and a liability recognised for the same amount. Leased assets are amortised over the period of the lease. Lease payments are allocated between the principal component and the interest expense.

Operating lease payments are expensed on a basis which is representative of the pattern of benefits derived from the leased assets.

1.9 Cash

Cash includes notes and coins held and deposits held at call with a bank.

1.10 Financial Instruments

Accounting policies in relation to financial instruments are disclosed in Note 24.

1.11 Non-Current Assets

Asset recognition threshold

The Court's policy is to capitalise all building improvements whose purchase price exceeds \$10,000 and all other non-current assets whose purchase price exceeds \$2,000.

Intangibles

Internally developed and externally acquired computer software for internal use are initially recognised and capitalised at the cost of development or acquisition. These costs of development or acquisition are amortised over the useful life of the asset.

Revaluations

Land, buildings, infrastructure, plant and equipment are revalued progressively in accordance with the 'deprival' method of valuation in successive 3-year cycles, so that no asset has a value greater than three years old.

In accordance with the deprival methodology, land is measured at its current market buying price. Property other than land, plant and equipment are measured at their depreciated replacement cost. Where assets are held which would not be replaced or are surplus to requirements, measurement is at net realisable value. At 30 June 2001, the High Court and the economic entity had no assets in this situation.

The table below shows the date of last valuation for each class of asset.

<u>Asset Class</u>	<u>Date of last Valuation</u>
Land	June 2001
Buildings	June 2001
Plant and Equipment	June 2001
Library holdings	June 2001
Artworks	June 2001

Recoverable amount test

The carrying amount of each item of non-current property, plant and equipment assets is reviewed to determine whether it is in excess of the asset's recoverable amount. If an excess exists as at the reporting date, the item is written down to recoverable amount immediately. This financial year there were no assets that failed the recoverable amount test.

Depreciation and amortisation

Depreciation/amortisation rates (useful lives) and methods are reviewed at each balance date and necessary adjustments are recognised in the current, or current and future reporting periods, as appropriate. Residual values are re-estimated for a change in prices only when assets are revalued.

The aggregate amount of depreciation allocated for each class of asset during the reporting period is disclosed in Note 7.

Depreciation/amortisation is calculated on the straight-line method according to the estimated useful lives of depreciable assets.

Depreciation/amortisation rates applying to each class of depreciable assets are as follows:

	2000-01	1999-00
Land	Nil	Nil
Art, prints and artefacts	Nil	Nil
Library Collection – heritage items	Nil	Nil
Library Collection – non-heritage items	0.5%	0.5%
Building	1%	1%
Plant and Equipment	10%	10%
ADP equipment	20%	20%
Intangibles	20%	20%

1.12 Foreign currency transactions

Transactions denominated in a foreign currency are converted at the rate of exchange prevailing at the date of the transaction.

1.13 Comparative figures

Comparative figures have been adjusted to conform with changes in presentation in the financial statements where required.

1.14 Capital Usage Charge

A capital usage charge of 12% is imposed by the Commonwealth on the net assets of the Court. The charge is adjusted to take account of asset gifts and revaluation increments during the financial year.

2. REPORTING BY SEGMENTS AND OUTCOMES

The Court operates solely in Australia and is structured to meet one outcome:

To interpret and uphold the Australian Constitution and to perform the functions of the ultimate appellate court in Australia.

Reporting by Outcomes for 2000-2001

	Outcome 1	
	<u>Budget</u>	<u>Actual</u>
	\$	\$
Net cost of entity outputs	9,149,000	9,105,392
Net cost to budget outcome	9,149,000	9,105,392
Outcome specific assets	133,383,000	156,919,050

3. ECONOMIC DEPENDENCY

The Court is dependent on appropriations from the Parliament of the Commonwealth for its continued existence and ability to carry out its normal activities.

4. OPERATING REVENUES

4A - Revenues from Government

The Court received the following appropriation during the year out of the Consolidated Revenue Fund.

	2001	2000
	\$	\$
Annual Appropriation Act No.1	24,962,000	24,722,000
TOTAL	24,962,000	24,722,000

4B - Sales of Goods and Services

The item "Sales of goods and services" in the Statement of Financial Performance consists of the following:

	2001	2000
	\$	\$
Food service operator's license fee	20,906	40,360
Subscriptions to Court transcripts and judgments	29,700	15,450
Room hire	64,170	39,900
Other revenue	17,840	5,772
TOTAL	132,616	101,482

5. EMPLOYEES EXPENSES

This item in the Statement of Financial Performance consists of:

	2001	2000
	\$	\$
Salaries, wages & allowances	3,799,042	3,395,685
Employer's superannuation contribution	483,053	457,442
Provision for long service leave	19,173	45,831
Provision for recreation leave	28,032	58,666
TOTAL	4,329,300	3,957,624

The salaries and allowances paid to the Chief Justice and other Justices of the Court are provided from special appropriations under the control of the Attorney-General's Department. These payments are not included in the financial statements of the Court.

The Court is an approved authority for the purposes of the *Superannuation Act 1976* of the Commonwealth, which requires permanent officers and, on election, eligible employees, to contribute to either the Commonwealth Superannuation Scheme or the Public Sector Superannuation Scheme. Benefits payable on retirement, disability, or death under these schemes consist of either a pension or a lump sum or a combination of both. The Court is required to make an employer contribution to the Commonwealth on a regular basis for each contributor. The employer contribution is calculated as a percentage of contributors' salaries, estimated by the Commonwealth to be sufficient to meet the Court's share of benefits liability under the schemes. Throughout the 2000-01 financial year, contributions were fixed at a rate of 18.2% for the Commonwealth Superannuation Scheme and 11.4% for the Public Sector Superannuation Scheme. An additional 3% is contributed for employer productivity benefits.

6. SUPPLIERS EXPENSES

Included in Operating Expenses are the following Suppliers Expenses:

	2001	2000
	\$	\$
Supply of goods and services	3,322,700	3,201,270
Operating lease rentals	355,982	311,988
Finance lease - interest	18,168	-
TOTAL	3,696,850	3,513,258

7. DEPRECIATION AND AMORTISATION

The aggregate amounts of depreciation or amortisation allocated during the reporting period, either expensed or as part of the carrying amount of other assets, for each class of depreciable asset, are as follows:

	2001	2000
	\$	\$
Building and building improvements	1,599,202	1,580,088
Plant and equipment	103,903	111,098
Library holdings	36,000	35,179
Intangibles	61,140	62,317
TOTAL	1,800,245	1,788,682

8. ASSET DISPOSALS

Asset disposals were as follows:

	2001		2000	
	Sale Price	Gain/(Loss)	Sale Price	Gain/(Loss)
	\$	\$	\$	\$
ADP equipment	170	170	405	405
Office equipment	-	(10,073)	4	(2,771)
TOTAL	170	(9,903)	409	(2,366)

9. WRITE-DOWN OF ASSETS

	2001	2000
	\$	\$
Non-financial assets:		
Building improvements - revaluation decrement	397,325	-
Plant & Equipment – revaluation decrement	18,945	-
Building Improvements – change in assets threshold	-	4,506
Plant & Equipment – change in asset threshold	-	107,552
Intangibles - change in asset threshold	-	5,729
Plant & equipment - write-off	5,264	(39,228)
TOTAL	421,534	78,559

10. RESOURCES PROVIDED FREE OF CHARGE

The High Court building in Canberra, completed in 1980 at a cost of \$46.5 million, was transferred free of charge to the control of the Court. The current value of the building, the land on which it is situated, and building improvements made since April 1980 are shown in the Statement of Financial Position.

The Federal Court of Australia and State Supreme Courts provide the Court with hearing rooms and chambers in various States as required, primarily while the Court is on circuit. In addition, the National Capital Authority provides ground maintenance services to the Court in Canberra. The value of this assistance is not shown in the accounts.

11. CASH

The amount in the Statement of Financial Position is represented by:

	2001	2000
	\$	\$
Funds on deposit in the General Account held with the Reserve Bank of Australia	1,829,071	1,165,460
Cash on hand in the form of permanent advances	12,550	12,450
TOTAL	1,841,621	1,177,910

12. RECEIVABLES

The item "Receivables" in the Statement of Financial Position represents:

	2001	2000
	\$	\$
Interest receivable on the General Account	61,045	67,999
Trade debtors	27,229	24,330
GST receivable	47,202	7,670
TOTAL	135,476	99,999

No provision is required for doubtful debts.

Trade Debtors which are overdue are aged as follows:

	2001	2000
	\$	\$
Not Overdue	5,167	20,581
Overdue by:		
- less than 30 days	736	531
- 30 to 60 days	-	1,425
- 60 to 90 days	2,856	313
- more than 90 days	18,470	1,480
TOTAL	27,229	24,330

13. PROPERTY, PLANT AND EQUIPMENT

The figures shown in the Statement of Financial Position represent the written-down value of property, plant, and equipment as at 30 June 2001 as follows:

	2001	2000
	\$	\$
13A: Land		
Land at June 2001 valuation	<u>5,500,000</u>	4,500,000
Total Land	<u>5,500,000</u>	<u>4,500,000</u>
Buildings		
Buildings at June 2001 valuation	180,000,000	150,000,000
Accumulated depreciation	(40,000,000)	(33,000,000)
Work in Progress	87,586	-
Total buildings	<u>140,087,586</u>	<u>117,000,000</u>
Total Land and Buildings	<u>145,587,586</u>	<u>121,500,000</u>
13B: Plant and Equipment		
Plant and equipment at 2001 valuation	3,398,396	4,313,088
Accumulated depreciation	(1,099,575)	(1,675,286)
Total Plant and Equipment	<u>2,298,821</u>	<u>2,637,802</u>
13C: Intangibles		
Intangibles at cost	452,742	436,226
Accumulated depreciation	(345,894)	(289,419)
Total Intangibles	<u>106,848</u>	<u>146,807</u>
13D: Library Holdings		
Library at June 2001 valuation	8,001,378	5,845,646
Accumulated depreciation	(1,438,859)	(57,410)
Sub-total (a)	<u>6,562,519</u>	<u>5,788,236</u>
Acquisitions at cost	-	1,741,292
Depreciation on acquisitions	-	(8,595)
Sub-total (b)	<u>-</u>	<u>1,732,697</u>
Total Library Holdings	<u>6,562,519</u>	<u>7,520,933</u>

13E. OTHER ASSETS

The amounts shown as "Other" in the Statement of Financial Position represent the following:

	2001	2000
	\$	\$
Financial Assets - Library vouchers	792	483
Non-Financial Assets - Prepaid expenses	<u>382,806</u>	133,002
Total Other Assets	<u>383,598</u>	<u>133,485</u>

13F. Summary of balances of assets at valuation as at 30 June 2001

	Land	Buildings	Total Land & Buildings	Total Plant & Equipment	Library	Total Plant & Equipment and Library Holdings	Intangibles	Total
	\$	\$	\$	\$	\$	\$	\$	\$
As at 30 June 2001								
Gross value	5,500,000	180,000,000	185,500,000	2,873,443	7,896,145	10,769,588	-	196,269,588
Accumulated depreciation/ amortisation	n/a	(40,000,000)	(40,000,000)	(1,076,749)	(1,438,859)	(2,515,608)	-	(42,515,608)
Net book value	5,500,000	140,000,000	145,500,000	1,796,694	6,457,286	8,253,980	-	153,753,980
As at 30 June 2000								
Gross value	4,500,000	150,000,000	154,500,000	-	5,845,646	5,845,646	-	160,345,646
Accumulated depreciation/ amortisation	n/a	(33,000,000)	(33,000,000)	-	(57,410)	(57,410)	-	(33,057,410)
Net book value	4,500,000	117,000,000	121,500,000	-	5,788,236	5,788,236	-	127,288,236

13G. 2000-01 Movements summary for all assets irrespective of valuation basis

	Land	Buildings	Total Land & Buildings	Plant & Equipment	Library Holdings	Total Plant & Equipment and Library Holdings	Intangibles	Total
	\$	\$	\$	\$	\$	\$	\$	\$
Gross value as at 1 July 2000	4,500,000	150,000,000	154,500,000	4,313,088	7,586,938	11,900,026	436,226	166,836,252
Revaluation	1,000,000	30,000,000	31,000,000	(1,321,824)	(592,804)	(1,914,628)	-	29,085,372
Additions	-	-	-	536,379	1,007,244	1,543,623	21,516	1,565,139
Disposals	-	-	-	(55,179)	-	(55,179)	(5,000)	(60,179)
Write-offs	-	-	-	(74,068)	-	(74,068)	-	(74,068)
Gross value as at 30 June 2001	5,500,000	180,000,000	185,500,000	3,398,396	8,001,378	11,399,774	457,742	197,352,516
Accumulated depreciation/ amortisation as at 1 July 2000	-	33,000,000	33,000,000	1,675,286	66,005	1,741,291	289,419	35,030,710
Depreciation/amortisation charge for the year	-	1,500,000	1,500,000	203,105	36,000	236,105	61,140	1,800,245
Depreciation/amortisation adjustment for revaluation	-	5,500,000	5,500,000	(664,571)	1,336,854	672,283	-	6,172,283
Adjustment for disposals	-	-	-	(45,441)	-	(45,441)	(4,665)	(50,106)
Write-offs	-	-	-	(68,804)	-	(68,804)	-	(68,804)
Accumulated depreciation/ Amortisation as at 30 June 2001	-	40,000,000	40,000,000	1,099,575	1,438,859	2,538,434	345,894	42,884,328
Net book value as at 30 June 2001	5,500,000	140,000,000	145,500,000	2,298,821	6,562,519	8,861,340	106,848	154,468,188
Net book value as at 1 July 2000	4,500,000	117,000,000	121,500,000	2,637,802	7,520,933	10,158,735	146,807	131,805,542

14. LEASES

	2001	2000
Finance Lease Commitments:	\$	\$
Not later than one year	82,760	-
Later than one year and not later than five years	82,760	-
Later than five years	117,626	-
Minimum lease payments	283,146	-
Deduct: future finance charges	51,934	-
Lease Liability	231,212	-

Lease Liability is represented by:

Current	67,580	-
Non-current	163,632	-
	231,212	-

Finance leases exist in relation to certain office equipment assets. The leases are non-cancellable and for fixed terms averaging four years with 5% residual. The High Court guarantees the residual of all assets leased. There are no contingent rentals.

15. LIABILITIES TO EMPLOYEES

The item "Employees" shown in the Statement of Financial Position is comprised of:

	2001	2000
	\$	\$
Salaries and wages	100,143	93,663
Superannuation	9,013	8,912
Annual leave	373,821	345,789
Long service leave	577,434	558,260
TOTAL	1,060,411	1,006,624

16. LIABILITIES TO SUPPLIERS

The item "Suppliers" shown in the Statement of Financial Position is comprised of:

	2001	2000
	\$	\$
Trade creditors and accruals	347,949	477,017
Operating lease rentals	890	13,430
Finance lease interest	576	-
TOTAL	349,415	490,447

17. EQUITY

Item	Capital		Accumulated Results		Asset Revaluation Reserve		Total Reserves		TOTAL EQUITY	
	2001 \$'000	2000 \$'000	2001 \$'000	2000 \$'000	2001 \$'000	2000 \$'000	2001 \$'000	2000 \$'000	2001 \$'000	2000 \$'000
Balance 1 July 2000	52,837	52,837	(342)	(578)	79,202	79,202	79,202		131,697	131,461
Operating result			15,857	16,029					15,857	16,029
Net revaluation increases/(decreases)					22,913		22,913		22,913	-
Equity Appropriation : Capital	590								590	-
Capital Use Charge			(15,793)	(15,793)					(15,793)	(15,793)
Balance 30 June 2001	53,427	52,837	(278)	(342)	102,115	79,202	102,115	79,202	155,264	131,697

18. CASH FLOW RECONCILIATION

Reconciliation of operating surplus to net cash provided by operating activities:

	2001	2000
	\$	\$
Operating surplus/(deficit)	15,856,608	16,029,398
Depreciation of property, plant and equipment	1,739,105	1,726,369
Amortisation of intangible assets	61,140	62,317
Loss on sale of property, plant and equipment	9,903	2,366
Net write-down of property, plant and equipment	5,264	78,555
Changes in assets and liabilities:		
Increase/(decrease) in employees provisions	53,786	135,866
Increase/(decrease) in trade creditors	81,255	322,429
(Increase)/decrease in prepayments	(249,804)	(83,864)
(Increase)/decrease in inventories	(1,350)	(910)
(Increase)/decrease in receivables	(36,642)	(88,416)
Net cash provided by operating activities	17,519,265	18,184,110

19. REMUNERATION OF AUDITORS

The Australian National Audit Office provides external auditing services to the Court. For the audit of the financial statements for the year ended 30 June 2001, the audit fee was \$22,000 (1999-00: \$22,000).

No other services were provided by the Australian National Audit Office during the reporting period.

20. PUBLIC MONEY IN THE CUSTODY OF THE COURT

Suitors' Funds:

These are funds paid into the Court under an order of the Court or a Justice of the Court.

	2001	2000
	\$	\$
Balance as at 1 July 2000	29,455	7,000
Amount received	-	25,000
Amount deducted/paid out	(25,030)	(2,545)
Balance as at 30 June 2001	4,425	29,455

Interest Bearing Deposits:

This account represents a payment which was made by an appellant as security for costs.

	2001	2000
	\$	\$
Balance as at 1 July 2000	-	23,425
Interest received during the year	-	200
Amount paid out	-	(23,625)
Balance as at 30 June 2001	-	-

21. REMUNERATION OF OFFICERS

	2001	2000
	\$	\$
Income received or due and receivable by officers:	792,661	582,605

The number of officers who received or were due to receive total remuneration of \$100,000 or more are shown below in the relevant income band.

Income Band	2001 Number	2000 Number
\$110,001 - \$120,000	-	2
\$120,001 - \$130,000	2	-
\$130,001 - \$140,000	1	1
\$150,001 - \$160,000	1	-
\$250,001 - \$260,000	1	1
	<hr/> 5	<hr/> 4

22. ADMINISTRATION OF THE COURT

The Court is administered by the Justices, who are assisted by the Chief Executive and Principal Registrar of the Court.

Chief Justice

The Honourable Murray Gleeson, AC

Justices

The Honourable Mary Gaudron

The Honourable Michael McHugh, AC

The Honourable William Gummow, AC

The Honourable Michael Kirby, AC, CMG

The Honourable Kenneth Hayne

The Honourable Ian Callinan

Chief Executive and Principal Registrar

C.M. Doogan

Under Section 10 of the *High Court of Australia Act 1979* a Justice is not capable of accepting or holding any other office of profit within Australia. No related party transactions have occurred during the 2000-01 financial year.

23. AFTER BALANCE DATE EVENTS

No events have occurred after balance date that affect the financial statements.

24. FINANCIAL INSTRUMENTS

a) Terms, conditions and accounting policies

Financial Instruments	Notes	Accounting Policies and Methods	Nature of Underlying Instrument
<i>(i) Financial Assets</i>			
Cash at bank	11	Cash is recognised at the nominal amount and interest is credited to revenue as it accrues.	Interest is calculated on a daily balance and credited monthly.
Trade debtors	12	Receivables are recognised at the nominal amounts due.	Credit terms are net 30 days.
GST receivable	12	Receivables are recognised at the nominal amounts due.	Credit terms are 14 days following the lodgement of the Business Activity Statement.
Library vouchers	13E	Library vouchers are carried at their face value.	Library vouchers are exchanged as payment for inter-library loan services. They can be converted to cash if required.
<i>(ii) Financial Liabilities</i>			
Finance lease liabilities	14	Liabilities are recognised at the present value of the minimum lease payments at the beginning of the lease. The discount rates used are estimates of the interest rates implicit in the leases.	At reporting date, the High Court had finance leases with terms of 4 years. The interest rate implicit in the leases averaged 11%. The lease assets secure the lease liabilities.
Trade creditors and accruals	16	Creditors and accruals are recognised at their nominal amounts, being the amounts at which the liabilities will be settled. Liabilities are recognised to the extent that the goods or services have been received.	Settlement is usually made net 30 days.

(b) Interest Rate Risk

Financial Instrument	Notes	Floating Interest Rate		Fixed Interest Rate								Non-Interest Bearing		Total		Weighted Average Effective Interest Rate	
				1 year or less		1 to 2 years		2 to 5 years		> 5 years						00-01	99-00
		00-01	99-00	00-01	99-00	00-01	99-00	00-01	99-00	00-01	99-00	00-01	99-00	00-01	99-00	%	%
		\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000
Financial Assets																	
Cash at bank	11	1,829	1,166	-	-	-	-	-	-	-	-	-	-	1,829	1,166	4.40	4.96
Cash on hand	11	-	-	-	-	-	-	-	-	-	-	-	13	12	13	12	n/a
Trade debtors	12	-	-	-	-	-	-	-	-	-	-	-	27	24	27	24	n/a
Interest Receivable	12	61	68	-	-	-	-	-	-	-	-	-	-	61	68	4.40	4.96
GST receivable	12	-	-	-	-	-	-	-	-	-	-	-	47	8	47	8	n/a
Library vouchers	13E	-	-	-	-	-	-	-	-	-	-	-	1	-	1	-	n/a
Total Financial Assets		1,890	1,234	-	-	-	-	-	-	-	-	-	88	44	1,978	1,278	
Financial Liabilities																	
Finance leases	14	231	-	-	-	-	-	-	-	-	-	-	-	231	-	5.00	n/a
Trade Creditors and Accruals	16	-	-	-	-	-	-	-	-	-	-	-	351	490	351	490	n/a
Total Financial Liabilities		231	-	-	-	-	-	-	-	-	-	-	351	490	582	490	

(c) Net fair values of Financial Assets and Liabilities

	Notes	Total carrying amount		Aggregate net fair value	
		2000-01	1999-00	2000-01	1999-00
Financial Assets					
		\$	\$	\$	\$
Cash at bank	11	1,829,071	1,165,460	1,829,071	1,165,460
Cash on hand	11	12,550	12,450	12,550	12,450
Trade debtors	12	27,229	24,330	27,229	24,330
Interest receivable	12	61,045	67,999	61,045	67,999
GST receivable	12	47,202	7,670	47,202	7,670
Library vouchers	13E	792	483	792	483
Total Financial Assets		1,977,889	1,278,392	1,977,889	1,278,392
Financial Liabilities					
Finance leases	14	231,212	-	231,212	-
Trade creditors & accruals	16	350,580	490,447	350,580	490,447
Total Financial Liabilities		581,792	490,447	581,792	490,447

(d) Credit Risk Exposures

The Court's maximum exposure to credit risk at reporting date in relation to each class of recognised financial asset is the carrying amount of those assets as indicated in the Statement of Financial Position.

The Court has no significant exposures to any concentrations of credit risk.

25. FEES AND CHARGES		
The item "Fees and charges" in the Statement of Administered Revenues and Expenses consists of the following:		
	2001	2000
	\$	\$
Filing and hearing fees	589,525	720,303
Sales of judgements and transcripts	24,690	47,469
Practitioners certificates	38,846	34,390
Taxing of costs	40,055	41,760
Other	23,125	15,754
TOTAL	716,241	859,676

PART VII - ANNEXURE A

FREEDOM OF INFORMATION ACT 1982 - SUPPLEMENTARY MATERIAL

Parts IV and V of this Report provide information about the establishment, functions, objectives and organization of the High Court and its administration. Other information required by Section 8 of the *Freedom of Information Act 1982* follows.

Categories of Documents

The High Court Registry maintains the following categories of documents:

- documents relating to appeals and applications lodged or matters heard by the Court, including application and appeal books, some exhibits, transcripts and copies of judgments;
- registers and indexes in bound volumes and card systems;
- the Register of Practitioners;
- statistical information;
- internal working documents and correspondence.

The following categories of documents are open to public access in accordance with an enactment other than the *Freedom of Information Act* where that access is subject to a fee or other charge: documents filed or lodged at the High Court Registry (Order 58, rules 8(2) and 9(1) of the High Court Rules).

The following categories of documents are available for purchase by the public in accordance with arrangements referred to below:

- transcripts of proceedings before the Court;
- reasons for judgment;
- photocopies of Court documents which are available for search (Order 58, rule 8(2)).

Apart from library materials, the Library maintains administrative records concerning the availability, acquisition, maintenance and disposal of library materials.

The Marshal's Branch maintains the following categories of documents:

- accounts, records, contracts and other documents arising from the Court's exercise of its power under Section 17 of the Act;
- personnel records and associated correspondence;
- internal working documents and correspondence.

FOI Procedures and Initial Contact Points

FOI contact officers will assist applicants to identify the particular documents they seek. The availability of some Court documents will be affected by Section 5 of the *Freedom of Information Act* which states that the Act does not apply to any request for access to a document of the Court unless the document relates to matters of an administrative nature. However, Order 58, rules 8(2) and 9(1) of the High Court Rules allow access to documents filed or lodged in the High Court Registry, Canberra, or offices of the Registry in State capitals upon payment of a prescribed fee.

If a request is to be refused on grounds appearing in Sections 15(2) or 24(1) of the *Freedom of Information Act* (insufficient information or unreasonable diversion of resources), applicants will be notified and given an opportunity for consultation. The only officers authorized to deny access to documents are the Chief Executive and Principal Registrar and the Marshal of the High Court of Australia. If an applicant resides some distance from any point at which access is normally provided, consideration will be given to alternative arrangements with a view to reducing inconvenience to the applicant.

Enquiries concerning access to documents or other matters relating to freedom of information should be directed to the following officer:

Marshal
High Court of Australia
Parkes Place
Parkes ACT 2600

OR:

PO Box E435
Kingston ACT 2604

Telephone (02) 6270 6983 or facsimile (02) 6270 6868.

Business hours are from 8:30am to 5:00pm.

Facilities for Access

Facilities for examining documents and obtaining copies are available at the addresses shown below. Information about the facilities available to assist people with disabilities to obtain access to documents can be obtained from the following officers:

Registry matters - Senior Registrar:
telephone (02) 6270 6862 or facsimile (02) 6273 3025

Marshal's Branch matters - Marshal:
telephone (02) 6270 6983 or facsimile (02) 6270 6868

If necessary, special arrangements can be made with the above officers to overcome any difficulties in physical access.

Publications produced for the High Court are usually available through Australian Government Bookshops. They may be inspected at the High Court building. Brochures on the High Court are available free of charge from Attendants at the High Court building. Documents open to public inspection subject to a fee or other charge are available at the following offices:

- Registry of the High Court, Parkes Place, Parkes, ACT 2600.
- Office of the High Court Registry, 19th Floor, Law Courts Building, Queens Square, Sydney NSW 2000.

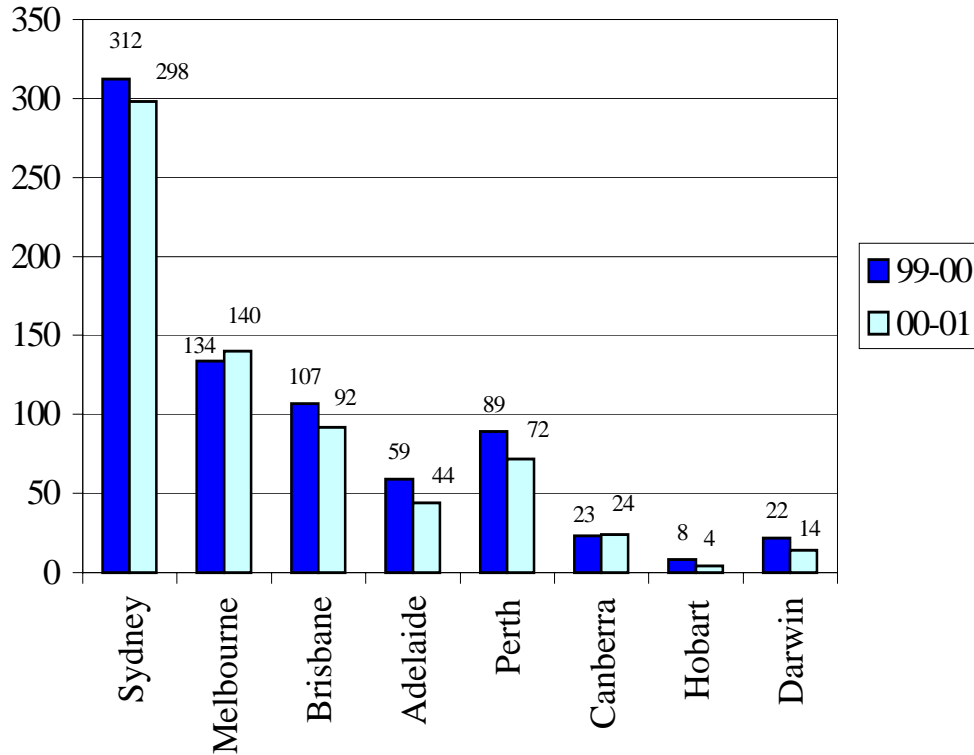
- Office of the Registry, Level 17, Commonwealth Law Courts Building, 305 William Street, Melbourne Vic 3000.
- Office of the Registry, Level 6, Commonwealth Law Courts Building, 119 North Quay, Brisbane Qld 4000.
- Office of the Registry, Supreme Court, 301 King William Street, Adelaide SA 5000.
- Office of the Registry, Level 6, Commonwealth Law Courts Building, Victoria Avenue, Perth WA 6000.
- Office of the Registry, Supreme Court, Salamanca Place, Hobart Tas 7000.
- Office of the Registry, Supreme Court, Mitchell Street, Darwin NT 0800.

PART VII - ANNEXURE B

TABLES OF JUDICIAL WORKLOAD

1. Total matters filed in all jurisdictions
2. Categories of matters filed in all jurisdictions
3. Civil special leave applications filed
4. Criminal special leave applications filed
5. Civil appeals filed
6. Criminal appeals filed
7. Total matters heard in all jurisdictions
8. Categories of matters heard in all jurisdictions
9. Civil special leave applications heard
10. Criminal special leave applications heard
11. Civil appeals heard
12. Criminal appeals heard
13. Total decisions related to matters filed in all jurisdictions
14. Categories of decisions related to matters filed in all jurisdictions
15. Civil special leave applications decided
16. Results of civil special leave applications decided
- 16A. Results of civil special leave applications decided showing lower courts
17. Criminal special leave applications decided
18. Results of criminal special leave applications decided
- 18A. Results of criminal special leave applications decided showing lower courts
19. Civil appeals decided
20. Results of civil appeals decided
- 20A. Results of civil appeals decided showing lower courts
21. Criminal appeals decided
22. Results of criminal appeals decided
- 22A. Results of criminal appeals decided showing lower courts
23. Elapsed time for civil special leave applications finalised – All matters
- 23A. Elapsed time for civil special leave applications finalised – Legally Represented
- 23B. Elapsed time for civil special leave applications finalised – Self Represented
24. Elapsed time for civil appeals finalised – All matters
- 24A. Elapsed time for civil appeals finalised – Legally Represented
- 24B. Elapsed time for civil appeals finalised – Self Represented
25. Elapsed time for criminal special leave applications finalised – All matters
- 25A. Elapsed time for criminal special leave applications finalised – Legally Represented
- 25B. Elapsed time for criminal special leave applications finalised – Self Represented
26. Elapsed time for criminal appeals finalised – All matters
- 26A. Elapsed time for criminal appeals finalised – Legally Represented
- 26B. Elapsed time for criminal appeals finalised – Self Represented
27. Elapsed time for constitutional matters and electoral petitions finalised – All matters
- 27A. Elapsed time for constitutional matters and electoral petitions finalised – Legally Represented
- 27B. Elapsed time for constitutional matters and electoral petitions finalised – Self Represented
28. Elapsed time for Constitutional Writs finalised – All matters
- 28A. Elapsed time for Constitutional Writs finalised – Legally Represented
- 28B. Elapsed time for Constitutional Writs finalised – Self Represented
29. Matters heard before a single Justice
30. Categories of matters heard before a single Justice

1. TOTAL MATTERS FILED IN ALL JURISDICTIONS



2. CATEGORIES OF MATTERS FILED IN ALL JURISDICTIONS

<u>Category:</u>	1999-00	2000-01
Special Leave Applications (Civil)	394	370
Special Leave Applications (Criminal)	125	125
Appeals (Civil)	50	56
Appeals (Criminal)	15	11
Writ of Summons ^[1]	47	14
Applications for Removal of Cause ^[2]	26	18
Constitutional Writs ^[3]	90	81
Electoral Act ^[4]	0	0
Other ^[5]	7	13
TOTAL	754	688

- [1] Of the 47 writs of summons issued in 1999-00, 2 were remitted to another Court during the same year. None of the 14 writs of summons issued in 2000-01 was discontinued or remitted during the reporting period. Matters are remitted pursuant to Section 44 of the *Judiciary Act 1903* (Cth).
- [2] Applications made in accordance with Section 40 of the *Judiciary Act 1903* (Cth).
- [3] Applications for Constitutional Writs made within the original jurisdiction of the Court conferred by Section 75(v) of the Constitution. (Previously referred to as Order Nisi and Applications Referred to Full Court.) Applications are governed by Order 55 of the High Court Rules and include applications directed to be made by Notice of Motion to a Justice in Court or to a Full Court in accordance with Order 55 Rule 2.
- [4] Election Petitions filed pursuant to Section 353(1) of the *Commonwealth Electoral Act 1918* with the Court sitting as the Court of Disputed Returns.
- [5] Including causes removed pursuant to S40 of the *Judiciary Act 1903* (Cth) and ex parte applications for leave to issue proceedings where a Justice has directed, pursuant to Order 58 rule 4 of the High Court Rules, that the Registrar refuse to issue the proceedings without the leave of a Justice first had and obtained by the party seeking to issue it.

3. CIVIL SPECIAL LEAVE APPLICATIONS FILED

	Court Appealed From									
	Federal Court		Family Court		Supreme Court		High Court		TOTAL	
Registry:	99-00	00-01	99-00	00-01	99-00	00-01	99-00	00-01	99-00	00-01
Sydney	74 ^[1]	73	10	8	94	105 ^[2]	10	5	188	191
Melbourne	28	35	12	5	25	24	1	1	66	65
Brisbane	10	16	0	3	25	25	0	1	35	45
Adelaide	2	4	0	0	24	15	1	0	27	19
Perth	19	6	1	1	33	21	0	0	53	28
Canberra	10	10	1	0	0	0	0	3	11	13
Hobart	1	1	0	0	5	2	0	0	6	3
Darwin	5	1	1	0	2	5	0	0	8	6
TOTAL	149	146	25	17	208	197	12	10	394	370

[1] Includes 1 application from the Industrial Relations Court

[2] Includes 1 application from the Industrial Relations Commission of New South Wales

4. CRIMINAL SPECIAL LEAVE APPLICATIONS FILED

	Court Appealed From							
	Federal Court		Supreme Court		High Court		TOTAL	
	99-00	00-01	99-00	00-01	99-00	00-01	99-00	00-01
Registry:								
Sydney	-	-	39	50	-	-	39	50
Melbourne	-	-	25	18	-	-	25	18
Brisbane	-	-	27	20	-	1 ^[1]	27	21
Adelaide	-	-	8	13	-	-	8	13
Perth	-	-	20	21	-	-	20	21
Canberra	4	0	-	-	-	-	4	0
Hobart	-	-	1	0	-	-	1	0
Darwin	-	-	1	2	-	-	1	2
TOTAL	4	0	121	124	-	1	125	125

[1] Application for leave to appeal from interlocutory decision in Criminal Application for Special Leave.

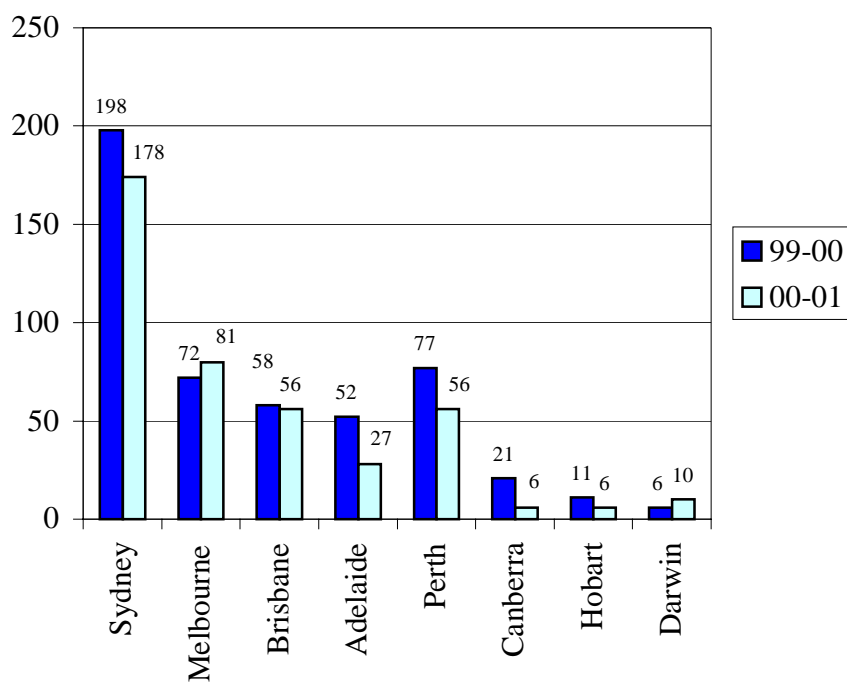
5. CIVIL APPEALS FILED

	Court Appealed From									
	Federal Court		Family Court		Supreme Court		High Court		TOTAL	
	99-00	00-01	99-00	00-01	99-00	00-01	99-00	00-01	99-00	00-01
Registry:										
Sydney	12	6	0	1	8	11	0	0	20	18
Melbourne	6	3	0	0	3	6	1	2	10	11
Brisbane	1	0	0	0	4	5	0	0	5	5
Adelaide	0	2	0	0	4	3	0	0	4	5
Perth	2	7	1	0	4	6	0	0	7	13
Canberra	2	0	1	0	0	0	0	1	3	1
Hobart	0	0	0	0	1	0	0	0	1	0
Darwin	0	2	0	1	0	0	0	0	0	3
TOTAL	23	20	2	2	24	31	1	3	50	56

6. CRIMINAL APPEALS FILED

Registry:	Court Appealed From					
	Federal Court		Supreme Court		TOTAL	
	99-00	00-01	99-00	00-01	99-00	00-01
Sydney	-	-	7	7	7	7
Melbourne	-	-	2	0	2	0
Brisbane	-	-	1	2	1	2
Adelaide	-	-	3	0	3	0
Perth	-	-	2	1	2	1
Canberra	0	1	-	-	0	1
Hobart	-	-	0	0	0	0
Darwin	-	-	0	0	0	0
TOTAL	0	1	15	10	15	11

7. TOTAL FULL COURT MATTERS HEARD IN ALL JURISDICTIONS



8. CATEGORIES OF FULL COURT MATTERS HEARD IN ALL JURISDICTIONS

Category:	1999-00	00-01
Special Leave Applications (Civil)	297	242
Special Leave Applications (Criminal)	114	87
Appeals (Civil)	47	56
Appeals (Criminal)	20	15
Constitutional & Other Full Court Matters ^[1]	6	0
Applications for Removal of Cause ^[2]	4	5
Constitutional Writs ^[3]	6	15
Electoral Act ^[4]	1	0
TOTAL	495	420

[1] Including matters proceeding to hearing by way of a Case Stated or Questions Reserved for the consideration of the Full Court pursuant to Section 18 of the *Judiciary Act 1903* (Cth) and causes removed in accordance with Section 40 of the *Judiciary Act 1903* (Cth).

[2] Applications made in accordance with Section 40 of the *Judiciary Act 1903* (Cth).

[3] Applications for Constitutional Writs made within the original jurisdiction of the Court conferred by Section 75(v) of the Constitution. (Previously referred to as Order Nisi and Applications Referred to Full Court.) Applications are governed by Order 55 of the High Court Rules and include applications directed to be made by Notice of Motion to a Justice in Court or to a Full Court in accordance with Order 55 Rule 2.

[4] Election Petitions filed pursuant to Section 353(1) of the *Commonwealth Electoral Act 1918* with the Court sitting as the Court of Disputed Returns.

9. CIVIL SPECIAL LEAVE APPLICATIONS HEARD

Court Appealed From

Registry:	Federal Court		Family Court		Supreme Court		High Court		TOTAL	
	99-00	00-01	99-00	00-01	99-00	00-01	99-00	00-01	99-00	00-01
Sydney	57	35	4	9	73	60^[1]	6	0	140	104
Melbourne	20	22	1	6	17	11	1	1	39	40
Brisbane	8	11	1	2	19	19	0	1	28	33
Adelaide	2	1	1	1	17	14	2	1	22	17
Perth	6	14	1	1	34	17	0	0	41	32
Canberra	11	5	2	0	0	0	0	0	13	5
Hobart	3	2	2	0	4	3	0	0	9	5
Darwin	2	3	0	1	3	2	0	0	5	6
TOTAL	109	93	12	20	167	126	9	3	297	242

[1] Includes 1 application from the Industrial Relations Commission of New South Wales

10. CRIMINAL SPECIAL LEAVE APPLICATIONS HEARD

	Court Appealed From							
	Federal Court		Supreme Court		High Court		TOTAL	
	99-00	00-01	99-00	00-01	99-00	00-01	99-00	00-01
Registry:								
Sydney	-	-	24	39	-	-	24	39
Melbourne	-	-	22	18	-	-	22	18
Brisbane	-	-	25	14	-	1 ^[1]	25	15
Adelaide	-	-	15	5	-	-	15	5
Perth	-	-	22	9	-	-	22	9
Canberra	3	1	-	0	-	-	3	1
Hobart	-	-	2	0	-	-	2	0
Darwin	-	-	1	0	-	-	1	0
TOTAL	3	1	111	85	-	1	114	87

[1] Application for leave to appeal from interlocutory decision in Criminal Application for Special Leave.

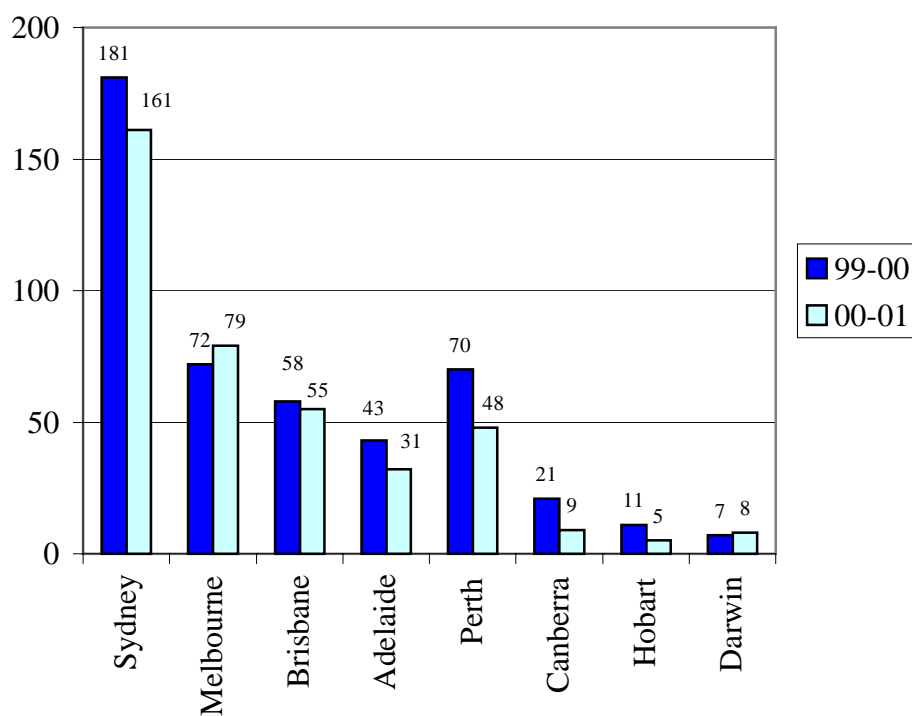
11. CIVIL APPEALS HEARD

	Court Appealed From									
	Federal Court		Family Court		Supreme Court		High Court		TOTAL	
	99-00	00-01	99-00	00-01	99-00	00-01	99-00	00-01	99-00	00-01
Registry:										
Sydney	12	8	1	1	6	10	0	0	19	19
Melbourne	6	5	0	0	4	7	0	1	10	13
Brisbane	1	0	0	0	3	4	0	0	4	4
Adelaide	0	0	0	0	4	3	0	1	4	4
Perth	1	8	1	0	4	4	0	0	6	12
Canberra	3	0	1	0	0	0	0	0	4	0
Hobart	0	0	0	0	0	1	0	0	0	1
Darwin	0	2	0	1	0	0	0	0	0	3
TOTAL	23	23	3	2	21	29	0	2	47	56

12. CRIMINAL APPEALS HEARD

Registry:	Court Appealed From					
	Federal Court		Supreme Court		TOTAL	
	99-00	00-01	99-00	00-01	99-00	00-01
Sydney	-	-	8	11	8	11
Melbourne	-	-	1	1	1	1
Brisbane	-	-	1	2	1	2
Adelaide	-	-	6	0	6	0
Perth	-	-	4	1	4	1
Canberra	0	0	-	-	0	0
Hobart	-	-	0	0	0	0
Darwin	-	-	0	0	0	0
TOTAL	0	0	20	15	20	15

13. TOTAL FULL COURT DECISIONS RELATED TO MATTERS FILED IN ALL JURISDICTIONS



14. CATEGORIES OF FULL COURT DECISIONS RELATED TO MATTERS FILED IN ALL JURISDICTIONS

Category:	1999-00	2000-01
Special Leave Applications (Civil)	275	230
Special Leave Applications (Criminal)	112	83
Appeals (Civil)	41	52
Appeals (Criminal)	21	10
Constitutional & Other Full Court Matters ^[1]	5	0
Applications for Removal of Cause ^[2]	3	5
Constitutional Writs ^[3]	5	16
Electoral Act ^[4]	1	0
TOTAL	463	396

[1] Including matters proceeding to hearing by way of a Case Stated or Questions Reserved for the consideration of the Full Court pursuant to Section 18 of the *Judiciary Act 1903* (Cth) and causes removed in accordance with Section 40 of the *Judiciary Act 1903* (Cth).

[2] Applications made in accordance with Section 40 of the *Judiciary Act 1903* (Cth).

[3] Applications for Constitutional Writs made within the original jurisdiction of the Court conferred by Section 75(v) of the Constitution. (Previously referred to as Order Nisi and Applications Referred to Full Court.) Applications are governed by Order 55 of the High Court Rules and include applications directed to be made by Notice of Motion to a Justice in Court or to a Full Court in accordance with Order 55 Rule 2.

[4] Election Petitions filed pursuant to Section 353(1) of the *Commonwealth Electoral Act 1918* with the Court sitting as the Court of Disputed Returns.

15. CIVIL SPECIAL LEAVE APPLICATIONS DECIDED

Court Appealed From

	Federal Court		Family Court		Supreme Court		High Court		TOTAL	
Registry:	99- 00- 00 01	99- 00- 00 01	99- 00- 00 01	99- 00- 00 01	99- 00- 00 01	99- 00- 00 01	99- 00- 00 01	99- 00- 00 01	99- 00- 00 01	
Sydney	51	31	4	8	66	57^[1]	6	0	127	96
Melbourne	16	20	1	8	17	11	1	1	35	40
Brisbane	7	11	1	2	19	19	0	1	27	33
Adelaide	2	2	1	1	15	13	2	1	20	17
Perth	6	14	1	1	33	13	0	0	40	28
Canberra	10	5	2	0	0	0	0	0	12	5
Hobart	3	2	2	0	4	3	0	0	9	5
Darwin	2	3	0	1	3	2	0	0	5	6
TOTAL	97	88	12	21	157	118	9	3	275	230

[1] Includes 1 application from the Industrial Relations Commission of New South Wales

16. RESULTS OF CIVIL SPECIAL LEAVE APPLICATIONS DECIDED

	1999-00			2000-01		
	Special Leave Granted	Special Leave Refused	Total	Special Leave Granted	Special Leave Refused	Total
Registry:						
Sydney	21	106	127	18	78 ^[1]	96
Melbourne	8	27	35	9	31	40
Brisbane	5	22	27	10	23	33
Adelaide	4	16	20	5	12	17
Perth	10	30	40	15	13	28
Canberra	3	9	12	0	5	5
Hobart	1	8	9	0	5	5
Darwin	0	5	5	3	3	6
TOTAL	52	223	275	60	170	230

[1] Includes 1 application from the Industrial Relations Commission of New South Wales

16A. RESULTS OF 2000-01 CIVIL SPECIAL LEAVE APPLICATIONS DECIDED (SHOWING LOWER COURTS)

	Federal Court		Family Court		Supreme Court		High Court		TOTAL	
Registry:	Special Leave Granted	Special Leave Refused	Special Leave Granted	Special Leave Refused	Special Leave Granted	Special Leave Refused	Leave Granted	Leave Refused	Special Leave Granted	Special Leave Refused
Sydney	5	26	2	6	11	46 ^[1]	0	0	18	78
Melbourne	5	15	0	8	4	7	0	1	9	31
Brisbane	6	5	0	2	4	15	0	1	10	23
Adelaide	2	0	0	1	3	10	0	1	5	12
Perth	11	3	0	1	4	9	0	0	15	13
Canberra	0	5	0	0	0	0	0	0	0	5
Hobart	0	2	0	0	0	3	0	0	0	5
Darwin	2	1	1	0	0	2	0	0	3	3
TOTAL	31	57	3	18	26	92	0	3	60	170

[1] Includes 1 application from the Industrial Relations Commission of New South Wales

17. CRIMINAL SPECIAL LEAVE APPLICATIONS DECIDED

	Federal Court		Supreme Court		High Court		TOTAL	
	99-00	00-01	99-00	00-01	99-00	00-01	99-00	00-01
Registry:								
Sydney	-	-	24	33	-	-	24	33
Melbourne	-	-	24	18	-	-	24	18
Brisbane	-	-	25	14	-	1 ^[1]	25	15
Adelaide	-	-	12	7	-	-	12	7
Perth	-	-	20	9	-	-	20	9
Canberra	4	1	-	0	-	-	4	1
Hobart	-	-	2	-	-	-	2	0
Darwin	-	-	1	-	-	-	1	0
TOTAL	4	1	108	81	-	1	112	83

[1] Application for leave to appeal from interlocutory decision in Criminal Application for Special Leave.

18. RESULTS OF CRIMINAL SPECIAL LEAVE APPLICATIONS DECIDED

	1999-00			2000-01		
	Special Leave Granted	Special Leave Refused	Total	Special Leave Granted	Special Leave Refused	Total
Registry:						
Sydney	6	18	24	6	27	33
Melbourne	2	22	24	0	18	18
Brisbane	1	24	25	2	13	15
Adelaide	1	10	11	0	7	7
Perth	3	17	20	1	8	9
Canberra	1	4	5	1	0	1
Hobart	0	2	2	0	0	0
Darwin	0	1	1	0	0	0
TOTAL	14	98	112	10	73	83

**18A. RESULTS OF 2000-01 CRIMINAL SPECIAL LEAVE APPLICATIONS
DECIDED (SHOWING LOWER COURTS)**

<u>Registry:</u>	Federal Court		Supreme Court		High Court		TOTAL	
	Special Leave Granted	Special Leave Refused	Special Leave Granted	Special Leave Refused	Leave Granted	Leave Refused	Special Leave Granted	Special Leave Refused
Sydney	-	-	6	27	-	-	6	27
Melbourne	-	-	0	18	-	-	0	18
Brisbane	-	-	2	12	-	1 ^[1]	2	13
Adelaide	-	-	0	7	-	-	0	7
Perth	-	-	0	9	-	-	0	9
Canberra	1	0	-	-	-	-	1	0
Hobart	-	-	0	0	-	-	0	0
Darwin	-	-	0	0	-	-	0	0
TOTAL	1	0	8	73	-	1	9	74

[1] Application for leave to appeal from interlocutory decision in Criminal Application for Special Leave.

19. CIVIL APPEALS DECIDED

<u>Registry:</u>	Federal Court		Family Court		Supreme Court		High Court		TOTAL	
	99- 00	00- 01	99- 00	00- 01	99- 00	00- 01	99- 00	99- 01	99- 00	00- 01
Sydney	9	10	1	1	6	7	0	0	16	18
Melbourne	8	5	0	0	3	6	0	1	11	12
Brisbane	3	0	0	0	1	5	0	0	4	5
Adelaide	1	0	0	0	2	4	0	1	3	5
Perth	2	3	0	1	1	4	0	0	3	8
Canberra	4	2	0	1	0	0	0	0	4	3
Hobart	0	0	0	0	0	0	0	0	0	0
Darwin	0	0	0	1	0	0	0	0	0	1
TOTAL	27	20	1	4	13	26	0	2	41	52

20. RESULTS OF CIVIL APPEALS DECIDED

	1999-00			2000-01		
	Appeals Allowed	Appeals Dismissed	Total	Appeals Allowed	Appeals Dismissed	Total
Registry:						
Sydney	12	4	16	10	8	18
Melbourne	8	3	11	5	7	12
Brisbane	2	2	4	3	2	5
Adelaide	3	0	3	2	3	5
Perth	1	2	3	5	3	8
Canberra	3	1	4	2	1	3
Hobart	0	0	0	0	0	0
Darwin	0	0	0	1	0	1
TOTAL	29	12	41	28	24	52

20A. RESULTS OF 2000-01 CIVIL APPEALS DECIDED (SHOWING LOWER COURTS)

<u>Registry:</u>	Federal Court		Family Court		Supreme Court		High Court		TOTAL	
	Appeals Allowed	Appeals Dismissed	Appeals Allowed	Appeals Dismissed	Appeals Allowed	Appeals Dismissed	Appeals Allowed	Appeals Dismissed	Appeals Allowed	Appeals Dismissed
Sydney	5	5	0	1	5	2	0	0	10	8
Melbourne	4	1	0	0	1	5	0	1	5	7
Brisbane	0	0	0	0	3	2	0	0	3	2
Adelaide	0	0	0	0	2	2	0	1	2	3
Perth	2	1	0	1	3	1	0	0	5	3
Canberra	1	1	1	0	0	0	0	0	2	1
Hobart	0	0	0	0	0	0	0	0	0	0
Darwin	0	0	1	0	0	0	0	0	1	0
TOTAL	12	8	2	2	14	12	0	2	28	24

21. CRIMINAL APPEALS DECIDED

Registry:	Federal Court		Supreme Court		TOTAL	
	99-00	00-01	99-00	00-01	99-00	00-01
Sydney	-	-	7	7	7	7
Melbourne	-	-	1	2	1	2
Brisbane	-	-	2	0	2	0
Adelaide	-	-	6	0	6	0
Perth	-	-	4	1	4	1
Canberra	0	0	-	-	0	0
Hobart	-	-	0	0	0	0
Darwin	-	-	1	0	1	0
TOTAL	0	0	21	10	21	10

22. RESULTS OF CRIMINAL APPEALS DECIDED

	1999-01			2000-01		
	Appeals Allowed	Appeals Dismissed	Total	Appeals Allowed	Appeals Dismissed	Total
Registry:						
Sydney	4	3	7	7	0	7
Melbourne	0	1	1	0	2	2
Brisbane	2	0	2	0	0	0
Adelaide	4	2	6	0	0	0
Perth	4	0	4	1	0	1
Canberra	0	0	0	0	0	0
Hobart	0	0	0	0	0	0
Darwin	0	1	1	0	0	0
TOTAL	14	7	21	8	2	10

22A. RESULTS OF 2000-01 CRIMINAL APPEALS DECIDED (SHOWING LOWER COURTS)

Registry:	Federal Court		Supreme Court		TOTAL	
	Appeal Allowed	Appeal Dismissed	Appeal Allowed	Appeal Dismissed	Appeal Allowed	Appeal Dismissed
Sydney	-	-	7	0	7	0
Melbourne	-	-	0	2	0	2
Brisbane	-	-	0	0	0	0
Adelaide	-	-	0	0	0	0
Perth	-	-	1	0	1	0
Canberra	0	0	-	-	0	0
Hobart	-	-	0	0	0	0
Darwin	-	-	0	0	0	0
TOTAL	0	0	8	2	8	2

**23. ELAPSED TIME FOR CIVIL SPECIAL LEAVE APPLICATIONS
FINALISED - ALL**

Days	Filing to Ready for Hearing		Ready for Hearing to Hearing		Hearing to Decision		Total Elapsed Time									
	99-00	%	00-01	%	99-00	%	00-01	%	99-00	%	00-01	%				
90 or less	32	12	14	6	181	66	149	65	275	100	227	98	18	6	5	2
91 to 180	110	40	117	51	68	25	58	25	0	0	1	1	45	16	27	12
181 to 270	87	32	61	27	18	6	15	7	0	0	0	0	95	35	97	42
271 to 365	28	10	24	10	6	2	4	2	0	0	2	1	63	23	62	27
over 365	18	6	14	6	2	1	4	1	0	0	0	0	54	20	39	17
TOTAL	275	100	230	100	275	100	230	100	275	100	230	100	275	100	230	100

**23A. ELAPSED TIME FOR CIVIL SPECIAL LEAVE APPLICATIONS FINALISED -
LEGALLY REPRESENTED**

Days	Filing to Ready for Hearing		Ready for Hearing to Hearing		Hearing to Decision		Total Elapsed Time									
	99-00	%	00-01	%	99-00	%	00-01	%	99-00	%	00-01	%				
90 or less	26	13	11	6	138	68	115	67	202	100	169	98	18	9	5	3
91 to 180	87	43	93	54	51	25	43	25	0	0	1	1	37	18	24	14
181 to 270	68	34	46	27	9	4	11	6	0	0	0	0	75	37	76	44
271 to 365	15	7	19	11	3	2	2	1	0	0	2	1	42	21	47	27
Over 365	6	3	3	2	1	1	1	1	0	0	0	0	30	15	20	12
TOTAL	202	100	172	100	202	100	172	100	202	100	172	100	202	100	172	100

**23B. ELAPSED TIME FOR CIVIL SPECIAL LEAVE APPLICATIONS
FINALISED - SELF REPRESENTED**

Days	Filing to Ready for Hearing		Ready for Hearing to Hearing		Hearing to Decision		Total Elapsed Time									
	99-00	%	00-01	%	99-00	%	00-01	%	99-00	%	00-01	%				
90 or less	6	8	3	5	43	59	34	59	73	100	58	100	0	0	0	0
91 to 180	23	32	24	41	17	23	15	26	0	0	0	0	8	11	3	5
181 to 270	19	26	15	26	9	12	4	7	0	0	0	0	20	27	21	36
271 to 365	13	18	5	9	3	4	2	3	0	0	0	0	21	29	15	26
over 365	12	16	11	19	1	2	3	5	0	0	0	0	24	33	19	33
TOTAL	73	100	58	100	73	100	58	100	73	100	58	100	73	100	58	100

24. ELAPSED TIME FOR CIVIL APPEALS FINALISED - ALL

Days	Filing to Ready for Hearing		Ready for Hearing to Hearing		Hearing to Decision		Total Elapsed Time									
	99-00	%	00-01	%	99-00	%	00-01	%	99-00	%	00-01	%				
90 or less	5	12	7	14	39	96	50	96	12	29	9	17	0	0	0	0
91 to 180	24	59	34	65	1	2	1	2	21	51	29	56	2	5	1	2
181 to 270	9	22	9	17	1	2	1	2	8	20	14	27	9	22	12	23
271 to 365	3	7	1	2	0	0	0	0	0	0	0	0	20	49	21	40
Over 365	0	0	1	2	0	0	0	0	0	0	0	0	10	24	18	35
TOTAL	41	100	52	100	41	100	52	100	41	100	52	100	41	100	52	100

24A. ELAPSED TIME FOR CIVIL APPEALS FINALISED - LEGALLY REPRESENTED

Days	Filing to Ready for Hearing		Ready for Hearing to Hearing		Hearing to Decision		Total Elapsed Time									
	99-00	%	00-01	%	99-00	%	00-01	%	99-00	%	00-01	%				
90 or less	5	13	7	14	38	95	48	98	12	30	7	14	0	0	0	0
91 to 180	23	58	32	65	1	3	0	0	20	50	28	57	2	5	1	2
181 to 270	9	22	9	19	1	2	1	2	8	20	14	29	8	20	11	22
271 to 365	3	7	1	2	0	0	0	0	0	0	0	0	20	50	20	41
Over 365	0	0	0	0	0	0	0	0	0	0	0	0	10	25	17	35
TOTAL	40	100	49	100	40	100	49	100	40	100	49	100	40	100	49	100

24B. ELAPSED TIME FOR CIVIL APPEALS FINALISED - SELF REPRESENTED

Days	Filing to Ready for Hearing		Ready for Hearing to Hearing		Hearing to Decision		Total Elapsed Time									
	99-00	%	00-01	%	99-00	%	00-01	%	99-00	%	00-01	%				
90 or less	0	0	0	0	1	100	2	67	0	0	2	67	0	0	0	0
91 to 180	1	100	2	67	0	0	1	33	1	100	1	33	0	0	1	34
181 to 270	0	0	0	0	0	0	0	0	0	0	0	0	1	100	1	33
271 to 365	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	33
Over 365	0	0	1	33	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	1	100	3	100	1	100	3	100	1	100	3	100	100	100	3	100

**25. ELAPSED TIME FOR CRIMINAL SPECIAL LEAVE APPLICATIONS
FINALISED - ALL**

Days	Filing to Ready for Hearing		Ready for Hearing to Hearing		Hearing to Decision		Total Elapsed Time									
	99-00	%	00-01	%	99-00	%	00-01	%	99-00	%	00-01	%				
90 or less	5	4	4	5	73	65	50	60	111	99	78	94	4	3	0	0
91 to 180	37	33	37	45	14	12	24	29	1	1	1	1	13	12	8	10
181 to 270	32	29	30	36	10	9	8	10	0	0	4	5	28	25	30	36
271 to 365	19	17	6	7	13	12	1	1	0	0	0	0	29	26	29	35
over 365	19	17	6	7	2	2	0	0	0	0	0	0	38	34	16	19
TOTAL	112	100	83	100	112	100	83	100	112	100	83	100	112	100	83	100

**25A. ELAPSED TIME FOR CRIMINAL SPECIAL LEAVE APPLICATIONS
FINALISED - LEGALLY REPRESENTED**

Days	Filing to Ready for Hearing		Ready for Hearing to Hearing		Hearing to Decision		Total Elapsed Time									
	99-00	%	00-01	%	99-00	%	00-01	%	99-00	%	00-01	%				
90 or less	4	4	3	4	59	64	42	60	91	99	65	93	3	3	0	0
91 to 180	30	33	33	47	11	12	22	31	1	1	1	1	12	13	7	10
181 to 270	24	26	26	37	8	9	6	9	0	0	4	6	21	23	27	38
271 to 365	16	17	5	8	12	13	0	0	0	0	0	0	22	24	25	36
over 365	18	20	3	4	2	2	0	0	0	0	0	0	34	37	11	16
TOTAL	92	100	70	100	92	100	70	100	92	100	70	100	92	100	70	100

**25B. ELAPSED TIME FOR CRIMINAL SPECIAL LEAVE APPLICATIONS
FINALISED - SELF REPRESENTED**

Days	Filing to Ready for Hearing		Ready for Hearing to Hearing		Hearing to Decision		Total Elapsed Time									
	99-00	%	00-01	%	99-00	%	00-01	%	99-00	%	00-01	%				
90 or less	1	5	1	8	14	70	8	62	20	100	12	92	1	5	1	8
91 to 180	7	35	4	31	3	15	3	23	0	0	1	8	1	5	3	23
181 to 270	8	40	4	31	2	10	1	8	0	0	0	0	7	35	4	31
271 to 365	3	15	1	7	1	5	1	7	0	0	0	0	7	35	5	38
over 365	1	5	3	23	0	0	0	0	0	0	0	0	4	20	0	0
TOTAL	20	100	13	100	20	100	13	100	20	100	13	100	20	100	13	100

26. ELAPSED TIME FOR CRIMINAL APPEALS FINALISED - ALL

Days	Filing to Ready for Hearing				Ready for Hearing to Hearing				Hearing to Decision				Total Elapsed Time			
	99-00	%	00-01	%	99-00	%	00-01	%	99-00	%	00-01	%	99-00	%	00-01	%
90 or less	4	19	1	10	17	81	10	100	9	43	3	30	4	19	0	0
91 to 180	12	57	7	70	3	14	0	0	7	33	5	50	4	19	1	10
181 to 270	1	5	2	20	0	0	0	0	5	24	1	10	7	33	1	10
271 to 365	4	19	0	0	1	5	0	0	0	0	1	10	6	29	5	50
over 365	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3	30
TOTAL	21	100	10	100	21	100	10	100	21	100	10	100	21	100	10	100

26A. ELAPSED TIME FOR CRIMINAL APPEALS FINALISED - LEGALLY REPRESENTED

As for Table 26

26B. ELAPSED TIME FOR CRIMINAL APPEALS FINALISED - SELF REPRESENTED

No self represented litigants in this category

27. ELAPSED TIME FOR CONSTITUTIONAL MATTERS^[1] AND ELECTORAL PETITIONS FINALISED - ALL

Days	Filing to Ready for Hearing				Ready for Hearing to Hearing				Hearing to Decision				Total Elapsed Time			
	99-00	%	00-01	%	99-00	%	00-01	%	99-00	%	00-01	%	99-00	%	00-01	%
90 or less	3	50	0	-	5	83	0	-	3	50	0	-	0	0	0	-
91 to 180	0	0	0	-	1	17	0	-	1	17	0	-	2	33	0	-
181 to 270	1	16	0	-	0	0	0	-	2	33	0	-	1	17	0	-
271 to 365	1	17	0	-	0	0	0	-	0	0	0	-	0	0	0	-
over 365	1	17	0	-	0	0	0	-	0	0	0	-	3	50	0	-
TOTAL	6	100	0	-	6	100	0	-	6	100	0	-	6	100	0	-

27A. ELAPSED TIME FOR CONSTITUTIONAL MATTERS^[1] AND ELECTORAL PETITIONS FINALISED - LEGALLY REPRESENTED

As for Table 27

27B. ELAPSED TIME FOR CONSTITUTIONAL MATTERS^[1] AND ELECTORAL PETITIONS FINALISED - SELF REPRESENTED

No self represented litigants in this category

[1] Full Court matters proceeding to hearing by way of a Case Stated or Questions Reserved for the consideration of the Court pursuant to Section 18 of the *Judiciary Act 1903* (Cth) and causes removed in accordance with Section 40 of the *Judiciary Act 1903* (Cth).

28. ELAPSED TIME FOR CONSTITUTIONAL WRITS FINALISED^[1] - ALL

Days	Filing to Ready for Hearing		Ready for Hearing to Hearing		Hearing to Decision		Total Elapsed Time									
	99-00	%	00-01	%	99-00	%	00-01	%	99-00	%	00-01	%				
90 or less	0	0	7	44	5	100	16	100	2	40	7	44	0	0	1	6
91 to 180	2	40	7	44	0	0	0	0	2	40	4	25	0	0	5	31
181 to 270	2	40	0	0	0	0	0	0	1	20	5	31	2	40	3	19
271 to 365	1	20	1	6	0	0	0	0	0	0	0	0	1	20	4	25
over 365	0	0	1	6	0	0	0	0	0	0	0	0	2	40	3	19
TOTAL	5	100	16	100	5	100	16	100	5	100	16	100	5	100	16	100

28A. ELAPSED TIME FOR CONSTITUTIONAL WRITS FINALISED^[1] - LEGALLY REPRESENTED

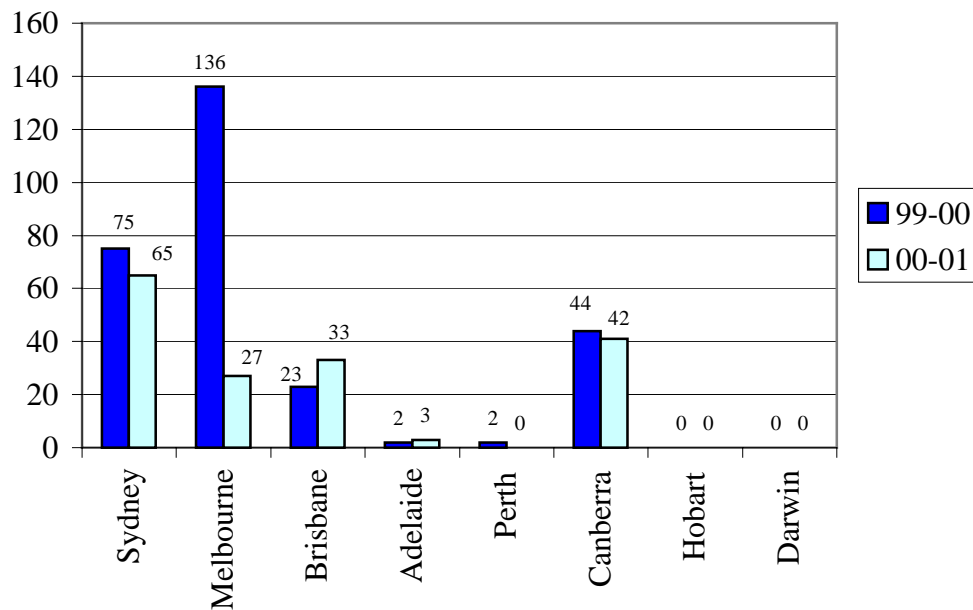
Days	Filing to Ready for Hearing		Ready for Hearing to Hearing		Hearing to Decision		Total Elapsed Time									
	99-00	%	00-01	%	99-00	%	00-01	%	99-00	%	00-01	%				
90 or less	0	0	7	46	5	100	15	100	2	40	6	40	0	0	1	7
91 to 180	2	40	6	40	0	0	0	0	2	40	4	27	0	0	4	27
181 to 270	2	40	0	0	0	0	0	0	1	20	5	33	2	40	3	20
271 to 365	1	20	1	7	0	0	0	0	0	0	0	0	1	20	4	27
over 365	0	0	1	7	0	0	0	0	0	0	0	0	2	40	3	19
TOTAL	5	100	15	100	5	100	15	100	5	100	15	100	5	100	15	100

28B. ELAPSED TIME FOR CONSTITUTIONAL WRITS FINALISED^[1] - SELF REPRESENTED

Days	Filing to Ready for Hearing		Ready for Hearing to Hearing		Hearing to Decision		Total Elapsed Time	
	99-00	%	00-01	%	99-00	%	00-01	%
90 or less	0	0	0	0	0	0	1	100
91 to 180	0	0	1	100	0	0	0	0
181 to 270	0	0	0	0	0	0	0	0
271 to 365	0	0	0	0	0	0	0	0
over 365	0	0	0	0	0	0	0	0
TOTAL	0	0	1	100	0	0	1	100

[1] Applications for Constitutional Writs made within the original jurisdiction of the Court conferred by Section 75(v) of the Constitution. (Previously referred to as Order Nisi and Applications Referred to Full Court.) Applications are governed by Order 55 of the High Court Rules and include applications directed to be made by Notice of Motion to a Justice in Court or to a Full Court in accordance with Order 55 Rule 2.

29. MATTERS HEARD BEFORE A SINGLE JUSTICE



30. CATEGORIES OF MATTERS HEARD BEFORE A SINGLE JUSTICE

Category:	1999-00	2000-01
Directions hearing	60	73
Application for Constitutional Writs	173	47
Interlocutory injunction/stay/bail application	13	25
Application for leave to issue process	2	9
Application to vacate/expedite hearing date	9	11
Trial of election petition	10	0
Solicitor ceasing to act	0	0
Other	15	5
TOTAL	282	170

PART VII - ANNEXURE C

COSTS OF LITIGATION INFORMATION

This Annexure comprises the following information in relation to costs of litigation in the High Court of Australia:

- High Court of Australia (Fees) Regulations - Schedule 1: Fees for filing, issuing or sealing a document or obtaining a service - as at 30 June 2001.
- High Court of Australia (Fees) Regulations - Schedule 2: Scale of Professional Costs.
- High Court of Australia (Fees) Regulations - Record of fees waived.

HIGH COURT OF AUSTRALIA (FEES) REGULATIONS

SCHEDULE 1 - FEES FOR FILING, ISSUING OR SEALING A DOCUMENT OR OBTAINING A SERVICE AS AT 30 JUNE 2001

Regulation 4

PART 1		
Document or service mentioned in subregulation 4(1)		
Column 1 Item No.	Column 2 Document or service	Column 3 Fee
		\$
1	Application under rule 1 of Order 55 of the High Court Rules	1,052.00
2	Writ of summons or petition	1,052.00
3	Civil leave or special leave application	1,052.00
4	Criminal special leave application	66.00
5	Application initiating a proceeding (including removals under section 40 of the Act, but not including an application referred to in another item of this Schedule)	1,052.00
5A	Application for summons for directions	263.00
6	Civil notice of appeal	1,052.00
6A	Criminal notice of appeal	387.00
7	Certificate of the Registrar other than a certificate of taxation	38.00
8	Taxing a bill of costs for every \$100.00, or part of \$100.00	8.00
PART 2		
Document or service mentioned in subregulation 4(2)		
9	Searching or inspecting a document mentioned in subrule 8(2) of Order 58 of the High Court Rules: For each hour or part of an hour	12.00
10	Making a photocopy or office copy of any document: For each page	3.00
11	Copy of reasons for judgment: (a) for each copy issued to a person not a party to the proceeding; and (b) for each copy in excess of one copy issued to a party to the proceeding: and (c) in respect of each copy issued: (i) for each page in excess of 10 pages; or (ii) maximum per copy	3.00 3.00 1.00 26.00
12	Annual subscription for copies of reasons for judgments (including the cost of postage)	453.00
13	Copy of transcript of proceedings prepared by the Court Reporting Service: For each page	7.00

[**Note:** Subregulation 4(1A) provides for a fee payable by a corporation in respect of items 1,2,3,5,5A and 6 to be twice the fee specified in column 3 of the item.]

HIGH COURT OF AUSTRALIA (FEES) REGULATIONS

SCHEDULE 2 - SCALE OF PROFESSIONAL COSTS

Item	5 Oct. 00 to 16 Sep. 01 \$
INSTRUCTIONS	
1	To sue or defend, or to make or oppose an application for special leave to appeal, or to appeal, or to oppose an appeal or to cross appeal, or for any other originating proceedings 184.40
2	To make or oppose any interlocutory application 81.80
3	For a special case, case stated or reservation of question of law for the consideration of a Full Court, or for a statement of claim or a petition 184.40
4	For any pleading (other than a statement of claim) 143.20
5	To amend any pleading 49.40
6	For a statement of facts or an agreed statement of facts in a matter 143.20
7	For interrogatories, answers to interrogatories, special affidavits or an affidavit (not being a formal affidavit) 110.50
8	For Counsel to advise 78.90
9	For a document not otherwise provided for 31.20
10	For a brief for Counsel on a hearing or application in Court or in Chambers or brief notes for solicitor..... 102.50
	NOTE: Instructions are not to be allowed where the work intended to be included therein is charged for and allowed in detail. Instead of the above costs for instructions, such larger sum may be claimed as is reasonable in all the circumstances of the case, and is allowed on taxation at the discretion of the Taxing Officer.
WRITS	
11	Writ of Summons for the commencement of an action or other writ not specifically provided for 85.30
12	Concurrent Writ of Summons 30.60
13	Writ of Subpoena 44.60
14	If any of the above writs exceeds 3 folios, for each extra folio 6.20
	NOTE: These costs include all endorsements, and copies (for the officers sealing them) and attendances to issue or seal, but not the Court fees.
SUMMONSES AND MOTIONS	
15	Any Chamber Summons or motion, including preparation, copies and attendance to issue, including attendance to fix return date 52.40
	- if more than 3 folios, for each extra folio 6.20
APPEARANCES AND NOTICES	
16	Preparing and entering an appearance including duplicate memorandum and Notice of Appearance for service 86.20
17	Any necessary or proper notice or memorandum not otherwise provided for, or any demand .. 28.80
	- if more than 3 folios, for each extra folio 6.20
	NOTE: This provision shall not apply to short notices or memoranda endorsed on other documents but the words or folios therein may be allowed as part of the documents so endorsed.
DRAWING	
18	Drawing any pleading or affidavit not exceeding 5 folios 81.80
	- or, per folio 11.50
19	Drawing any other document where no other provision is made - per folio 11.30

**5 Oct. 00
to 16 Sep. 01**

	ENGROSSING	\$
20	Marking each exhibit to an affidavit.....	2.00
21	Engrossing any document - per folio	4.20
	COPIES	
22	Of any document including carbon, photographic or machine made copy - per page	2.00
	Except that where the allowance for 10 or more pages is claimed, in respect of any document, the sum allowed for such copies shall be at the discretion of the Taxing Officer.	
	PERUSAL AND EXAMINATION	
23	Perusal of any document including special letter, telegram, telex or similar document	30.50
	- or, per folio	4.20
	Except that where an allowance for 30 or more folios is claimed, in respect of any document, the sum allowed for perusal shall be at the discretion of the Taxing Officer.	
24	Where it is not necessary to peruse a document, such as, checking a proof print of, or examining an application or appeal book	
	- per quarter hour	
	- solicitor	30.60
	- clerk	10.00
	CORRESPONDENCE	
25	Short letter including a formal acknowledgment, making appointments, forwarding documents without comment	14.50
26	Ordinary letter (including letters between principal and agent)	24.70
27	Circular letter (after the first) each	8.20
28	Special letter or letter containing opinion and including letters of substance between principal and agent	40.80
	Or	
	Such sum as the Taxing Officer thinks reasonable in the circumstances.	
29	Telegram, facsimile copy, telex or other document by similar transmitting process including attendance to dispatch (where necessary)	40.80
	Or	
	Such sum as the Taxing Officer thinks reasonable in the circumstances.	
30	Receiving and filing any incoming special letter, facsimile, telegram or telex	2.00
	NOTE: Postage and transmission fees may be claimed as a disbursement properly incurred.	
	SERVICE	
31	Personal service of any process or proceeding where necessary	50.80
	Or	
	Such sum may be allowed as is reasonable having regard to time occupied, distance travelled and other relevant circumstances.	
32	When, in consequence of the distance of the party to be served, it is proper to effect service through an agent, instead of the allowance for service for:	
	(a) Correspondence	45.20
	(b) Agent's charges	86.30
	and such disbursements as may reasonably be incurred.	
33	Service of any document at the office of the address for service either by delivery or by post ..	17.40
	ATTENDANCES	
34	An attendance which requires the attendance of a solicitor	
	- per quarter hour	48.90
35	An attendance which is capable of being made by a clerk	30.50
	- or, per quarter hour	8.00

**5 Oct. 00
to 16 Sep. 01**
\$

36	Making an appointment or similar attendance by telephone	14.50
37	An attendance on counsel:	
	- with brief or other papers	31.10
	- to appoint a conference or consultation	13.60
38	A conference or consultation with counsel	81.80
	- or, per half hour	61.70
39	On a summons or other application in Chambers	46.10
	- or, per half hour.....	81.80
40	In Court or in Chambers instructing counsel on any hearing or application:	
	- if a solicitor attends, per hour	196.70
	or	
	- if a clerk attends, per hour	81.90
41	On an application or appearance before a Registrar or a Taxing Officer	102.50
	- or, per hour	122.80
	NOTE: Instead of the above costs for attendances, such larger sum may be claimed as is reasonable in all the circumstances of the case, and is allowed on taxation at the discretion of the Taxing Officer.	
42	To hear judgment	53.60
43	When in the opinion of the Taxing Officer it is necessary for two solicitors, or a solicitor and a clerk to attend on a hearing, such additional allowance as the Taxing Officer thinks reasonable shall be made not exceeding per day	411.10
44	Where the Taxing Officer is satisfied that a solicitor's principal place of practice is in a place other than that in which the Court is sitting, and it is necessary for the solicitor to leave that place to attend in Court or in Chambers at the hearing of an appeal, application, or cause, an allowance (in addition to reasonable travelling expenses) may be made for each day that the solicitor is necessarily absent from the principal place of practice of such amount that the Taxing Officer thinks reasonable having regard to such other charges as the solicitor may be entitled to make in the matter.	
	- not exceeding per day	918.40
45	An attendance for which no other provision is made	40.80
	PREPARATION OF APPEAL AND APPLICATION BOOKS	
46	Preparation of appeal and application books including collating all necessary material, all necessary attendances and general oversight of their preparation in cases where the Registrar is satisfied it has been done efficiently.	
	Per hour - solicitor	132.90
	- clerk	44.30
47	Where appeal or application books are prepared in a solicitor's office, the Taxing Officer may in his or her discretion allow such sum as the Taxing Officer thinks just and reasonable having regard to work and labour properly performed and charged for material used. In exercising his or her discretion the Taxing Officer shall have regard to commercial rates for copying and binding and is not obliged to apply the photographic or machine made copy costs otherwise allowable in this scale.	

GENERAL CARE AND CONDUCT

- 48 The Taxing Officer may, where the case or circumstances warrant it, allow an amount to be claimed under this item, in addition to any item which appears in this scale, for general care and conduct. In exercising his or her discretion the Taxing Officer may have regard to any matters which the Taxing Officer considers relevant including:
- (a) the complexity of the matter and the difficulty and novelty of the questions raised or any of them;
 - (b) the importance of the matter to the party and the amount involved;
 - (c) the skill, labour, specialised knowledge and responsibility involved therein on the part of the solicitor;
 - (d) the number and importance of the documents prepared or perused without regard to length;
 - (e) the time expended by the solicitor;
 - (f) research and consideration of questions of law and fact.

WITNESSES EXPENSES

- 49 Witnesses called because of their professional, scientific or other special skill or knowledge
- per day 748.00
- 50 Witnesses called, other than those covered in item 49 - per day 78.90
- 51 Witnesses remunerated in their occupation by wages, salary or fees, the amount lost by attendance at Court.
- 52 Where the witness resides more than 50 kilometres from the Court, such sum as the Taxing Officer thinks reasonable for the actual cost of conveyance, together with a reasonable amount for sustenance or maintenance.
- 53 The Taxing Officer may also allow such amount as he or she thinks reasonable and properly incurred and paid to witnesses for qualifying to give skilled evidence.
- 54 Notwithstanding anything in the scale, the Taxing Officer may allow to an expert witness a special fee for attendance at Court not covered by the foregoing paragraphs of this item when the witness is acting as an expert in assisting counsel or a solicitor for a period during the trial or hearing. The scale in this item does not affect the existing practice of allowing qualifying fees to witnesses.

DISBURSEMENTS

- 55 All Court fees, counsel's fees and other fees and payments, to the extent to which they have been properly and reasonably incurred and paid, shall be allowed.
- 56 The remuneration allowed to a solicitor shall be governed by the foregoing scale but in special cases the Taxing Officer may in his or her discretion allow such additional charges or disbursements as the Taxing Officer considers reasonable.

HIGH COURT OF AUSTRALIA (FEES) REGULATIONS

WAIVER OF FEES DURING 2000-01

Exemption category	Sources of Exemption	No.	Amount
Legal Aid	Reg.4(4)(a)/4A(2)(b)/5(2)(b)	35	\$35,736
Social security law concession cardholder or Veterans' Affairs cardholder	Reg.4(4)(b)(i)&(ii)/ 4A(2)(c)(i)&(ii)/5(2)(c)(i)&(ii)	108	\$148,793
Prison inmate/person in lawful detention	Reg.4(4)(b)(iii)/4A(2)(c)(iii)/ 5(2)(c)(iii)	109	\$51,827
Child under the age of 18 years	Reg.4(4)(b)(iv)/4A(2)(c)(iv)/ 5(2)(c)(iv)	0	Nil
Youth Allowance or Austudy payment recipient	Reg.4(4)(b)(v)/4A(2)(c)(v)/ 5(2)(c)(v)	2	\$1,118
ABSTUDY recipient	Reg.4(4)(b)(vi)/4A(2)(c)(vi)/ 5(2)(c)(vi)	0	Nil
Financial hardship	Reg.4(4)(c)/4A(2)(d)/5(2)(d)	57	\$75,744
TOTAL		311	\$313,218

PART VII - ANNEXURE D

STAFFING OVERVIEW

This Annexure comprises two tables which provide a profile of the Court administration's staffing as at 30 June 2001. The first table shows the number of men and women in full-time and part-time employment with the Court, and the second table shows the composition of staff by salary classification. Both tables exclude staff employed on a casual or sessional basis.

1. Staff Profile by Employment Category and Sex

Employment Category and Sex	Office of the Chief Executive, & Marshal's Branch	Registry Branch	Library Branch	Chambers	Total
<u>Full-time Staff</u>					
<u>Permanent</u>					
Men	10	1	1	1	13
Women	6	10	8	8	32
Total	16	11	9	9	45
<u>Temporary</u>					
Men	0	1	1	7	9
Women	0	0	0	6	6
Total	0	1	1	13	15
<u>All Full-time Staff</u>					
Men	10	2	2	8	22
Women	6	10	8	14	38
Total	16	12	10	22	60
<u>Part-time Staff</u>					
<u>Permanent</u>					
Men	3	0	0	0	3
Women	5	1	4	0	10
Total	8	1	4	0	13
<u>Temporary</u>					
Men	0	0	0	0	0
Women	0	0	0	0	0
Total	0	0	0	0	0
<u>All Part-time Staff</u>					
Men	3	0	0	0	3
Women	5	1	4	0	10
Total	8	1	4	0	13
<u>All Staff</u>					
Men	13	2	2	8	25
Women	11	11	12	14	48
Total	24	13	14	22	73

2. Composition of Staff by Salary Classification

Classification and Salary	Office of the Chief Executive, and Marshal's Branch		Registry Branch		Library Branch		Chambers		Total	
	M	F	M	F	M	F	M	F	M	F
Holder of Public Office	1								1	
Senior Executive above \$80,000	1			2		1			1	3
High Court Executive Levels 1 – 2 \$60,188 - \$84,159		2	1	2		1			1	5
High Court Officer Levels 5 – 6 \$42,844 - \$53,156	2	3			1	2	7	14	10	19
High Court Officer Levels 1 – 4 \$26,738 - \$41,707	9	6	1	7	1	8	1		12	21
Total	13	11	2	11	2	12	8	14	25	48