



Government of **Western Australia**
Department of **Justice**

**Report on Civil Cases in the
Magistrates Court
of Western Australia
2012/13 to 2016/17**

Table of Contents

Civil Applications Lodged	1
Consumer Trader Claim Applications Lodged	2
Extraordinary Driver's Licence Applications Lodged	3
General Applications Lodged	4
General Procedure Claim Applications Lodged	5
Minor Cases Claim Applications Lodged	6
Residential Tenancy Applications Lodged	7
Restraining Order Applications Lodged	8
Civil Applications Finalised	9
Civil Finalisations by Trial	10
Civil Documents Lodged	11
Appendix One--Definitions	12

About this Report

The Department has committed to regularly publishing a wide range of statistics relating to the operation of its various business areas.

The purpose of this report is to provide information about the work carried out by the Magistrates Court of Western Australia. A number of different statistics have been included that illustrate different aspects of the civil court process. Care must be taken in interpreting these statistics. It is NOT possible to compare one indicator with another as the methods of counting are not aligned.

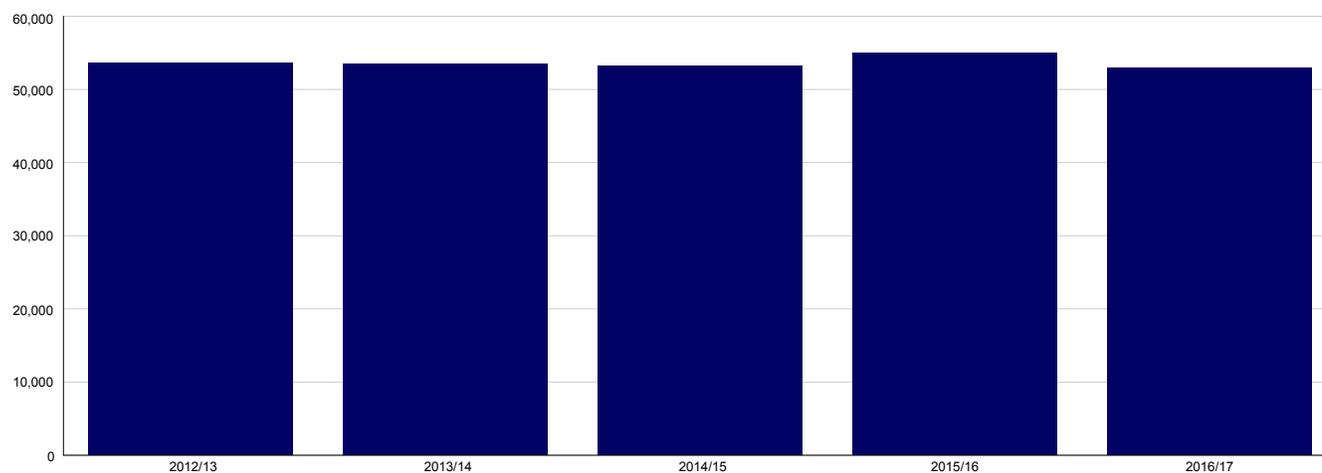
Separate counting rules that best illustrate the work of the court is utilised for each statistic. Please read the counting rules on each page to help interpret the data.

Requests for additional data:

The Department regularly receives requests from media outlets for customised statistics. All requests for customised figures are considered on a case by case basis. The Department will generally supply such information only where the:

- information is stored in a way that it is easily retrievable; and
- amount of work required to compile and supply customised information is reasonable.

Civil Applications Lodged



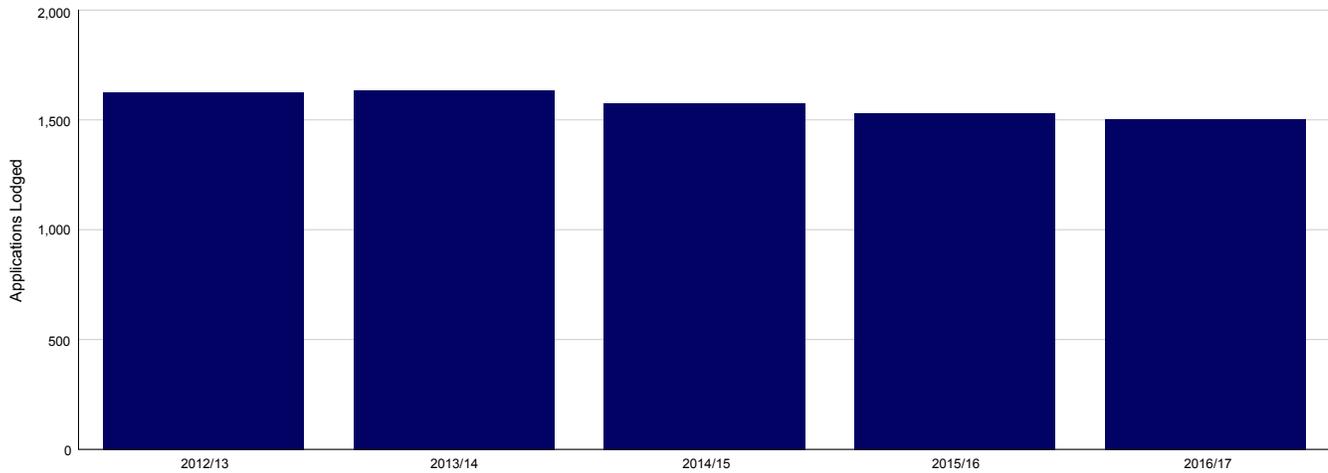
Civil Applications Lodged

Matter Type	2012/13	2013/14	2014/15	2015/16	2016/17	% Change 1 Year	% Change 5 Years
Application for cancellation of enforcement warrant		44	3	10		n/a	n/a
Application for decision on whether information in seized record is privileged		2				n/a	n/a
Auctioneer's Licence	328	227	64	79	67	-15.2%	-79.6%
Consumer/Trader Claim	1,629	1,637	1,577	1,533	1,507	-1.7%	-7.5%
Criminal Profits Confiscation Act	99	65	67	66	83	25.8%	-16.2%
Disposal of Uncollected Goods	16	30	25	31	33	6.5%	106.2%
Extraordinary Driver's Licence	3,436	2,976	2,642	2,532	2,140	-15.5%	-37.7%
General Application	248	232	233	205	202	-1.5%	-18.5%
General Procedure Claim	15,663	15,799	14,828	14,677	13,379	-8.8%	-14.6%
Minor Cases Procedure Claim	5,725	5,654	6,078	4,991	4,768	-4.5%	-16.7%
Prohibited Behaviour Order	88	72	1	32	20	-37.5%	-77.3%
Recovery Of Possession Of Land	45	36	33	31	28	-9.7%	-37.8%
Registration Of Orders	538	566	539	515	404	-21.6%	-24.9%
Residential Tenancies	13,035	12,869	13,801	16,026	16,481	2.8%	26.4%
Restraining Of Goods/Property Order	3	2	8	1	1	n/a	n/a
Restraining Order	12,846	13,342	13,482	14,437	13,938	-3.5%	8.5%
Restraint Of Debtors Action	2	4	8	1	1	n/a	n/a
Revocation of Disqualification Notice	11	8	2	1	6	n/a	n/a
Set Aside Licence Suspension		5	8		8	n/a	n/a
Trans-Tasman Act Judgements				1	2	n/a	n/a
Under Age Marriage	2	3		1	2	n/a	n/a
Total	53,714	53,573	53,399	55,170	53,070	-3.8%	-1.2%

Counting Rules:

- These are the number of civil applications lodged in the Magistrates Court of Western Australia, by case type.
- The unit of measure is the number of new cases commenced in the court during the reporting period.
- If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

Consumer Trader Claim Applications Lodged



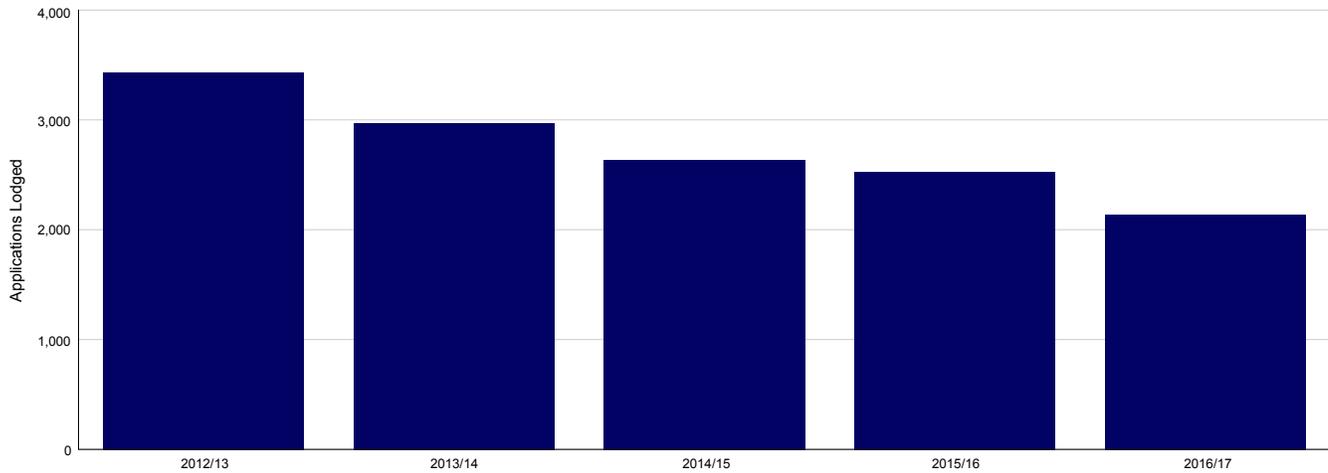
Consumer Trader Claim Applications Lodged

Remedy Type	2012/13	2013/14	2014/15	2015/16	2016/17	% Change 1 Year	% Change 5 Years
01. Sale of Goods & Services	2				1	n/a	n/a
04. Breach of Contract				2		n/a	n/a
The Payment of an Amount of Money	1,402	1,376	1,331	1,291	1,283	-0.6%	-8.5%
The Performance of Work	60	51	50	59	43	-27.1%	-28.3%
The Providing of Services	72	94	93	89	83	-6.7%	15.3%
The Relief from Payment of an Amount of Money	32	45	33	29	22	-24.1%	-31.2%
The Replacement of Goods	33	40	32	40	36	-10.0%	9.1%
The Return of Goods	28	31	38	23	39	69.6%	39.3%
Total	1,629	1,637	1,577	1,533	1,507	-1.7%	-7.5%

Counting Rules:

- (a) These are the number of consumer/trader applications lodged in the Magistrates Court of Western Australia, by remedy type.
- (b) The unit of measure is the number of new cases commenced in the court during the reporting period.
- (c) If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

Extraordinary Driver's Licence Applications Lodged



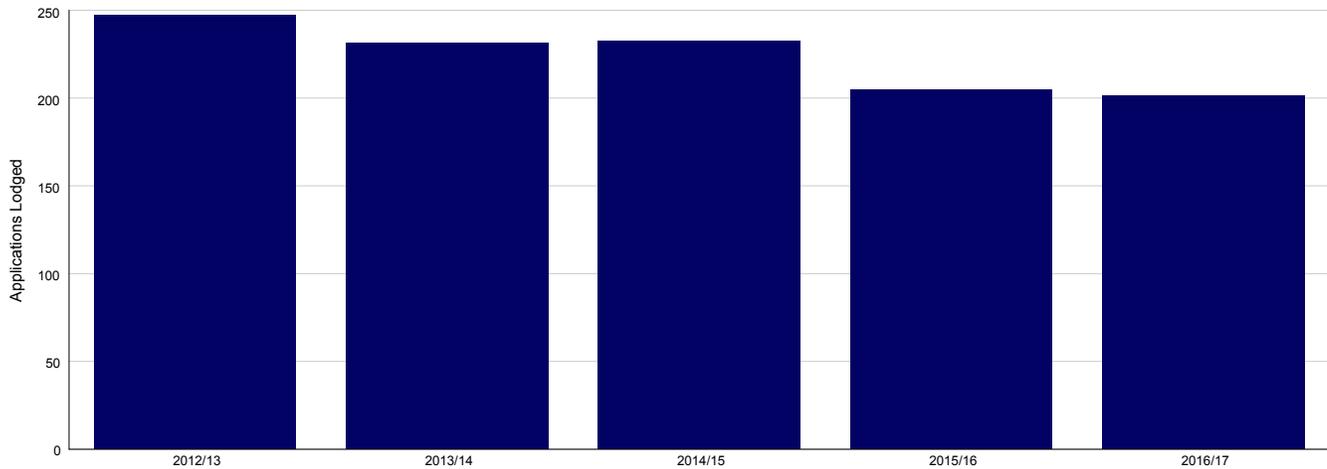
Extraordinary Driver's Licence Applications Lodged

Initiating Document Type	2012/13	2013/14	2014/15	2015/16	2016/17	% Change 1 Year	% Change 5 Years
Application to Vary an Extraordinary Driver's Licence	1					n/a	n/a
Extraordinary Driver's Licence Application Form 5	3,435	2,974	2,641	2,531	2,140	-15.4%	-37.7%
Inactive Notice				1		n/a	n/a
Order		2	1			n/a	n/a
Total	3,436	2,976	2,642	2,532	2,140	-15.5%	-37.7%

Counting Rules:

- These are the number of extraordinary driver's licence applications lodged in the Magistrates Court of Western Australia, by initiating document type.
- The unit of measure is the number of new cases commenced in the court during the reporting period.
- If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

General Applications Lodged



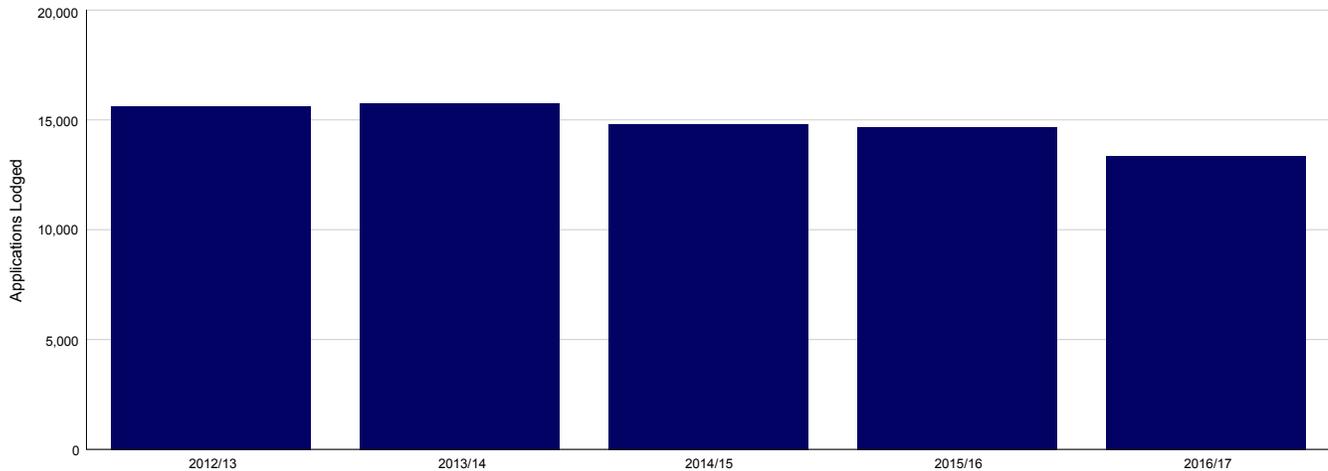
General Applications Lodged

Remedy Type	2012/13	2013/14	2014/15	2015/16	2016/17	% Change 1 Year	% Change 5 Years
Animal Welfare Act	8	21	2	3	9	n/a	n/a
Applications under the Mandatory Testing (Infectious Diseases) Act 2014			1	3	2	n/a	n/a
Building Act 2011	11	12	13	8	3	n/a	n/a
Corporations Act	2					n/a	n/a
Criminal & Found Property Disposal Act	5	7	5	8	3	n/a	n/a
Criminal Investigation Act			1			n/a	n/a
Dividing Fence	188	176	178	170	179	5.3%	-4.8%
Dog Act 1976					1	n/a	n/a
Local Govt (Misc Provisions) Act	2		1	2		n/a	n/a
National Consumer Credit Protection Act 2009 (Commonwealth)	32	16	32	11	5	n/a	n/a
Total	248	232	233	205	202	-1.5%	-18.5%

Counting Rules:

- (a) These are the number of general applications lodged in the Magistrates Court of Western Australia, by remedy type.
- (b) The unit of measure is the number of new cases commenced in the court during the reporting period.
- (c) If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

General Procedure Claim Applications Lodged



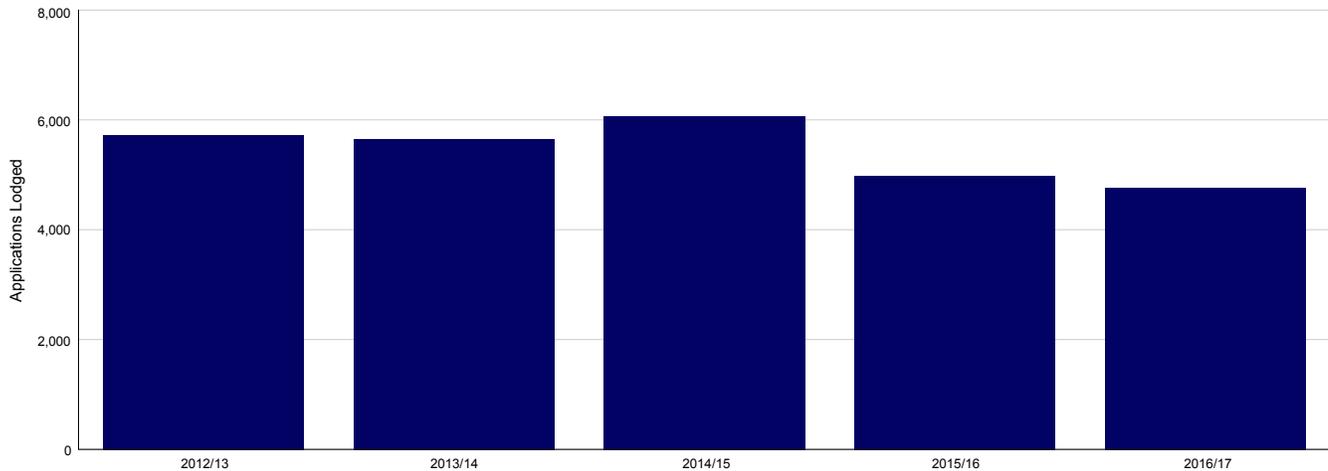
General Procedure Claim Applications Lodged

Remedy Type	2012/13	2013/14	2014/15	2015/16	2016/17	% Change 1 Year	% Change 5 Years
01. Sale of Goods & Services	3,226	2,940	2,663	2,349	2,201	-6.3%	-31.8%
02. Council Rates	6,505	6,513	6,484	6,241	4,627	-25.9%	-28.9%
03. Motor Vehicle Accident	630	1,065	1,470	2,012	2,257	12.2%	258.3%
04. Breach of Contract	3,212	3,145	2,235	2,108	2,198	4.3%	-31.6%
05. Tax/Water Rates	577	435	368	274	311	13.5%	-46.1%
06. Strata Plan Fees	244	278	204	303	338	11.6%	38.5%
07. Consumer Credit/Loan	617	674	758	688	958	39.2%	55.3%
08. Damages not Motor Vehicle	181	142	172	152	125	-17.8%	-30.9%
09. Personal Injury	166	240	173	101	80	-20.8%	-51.8%
10. Dishonoured Cheque	10	9	5	7	4	n/a	n/a
11. Return of Goods	24	26	30	34	22	-35.3%	-8.3%
12. Outstanding Rent and Costs	184	269	176	178	131	-26.4%	-28.8%
13. Workers Compensation	85	61	82	227	123	-45.8%	44.7%
Local Govt (Misc Provisions) Act				1		n/a	n/a
National Consumer Credit Protection Act 2009 (Commonwealth)			1			n/a	n/a
Remitted from other Jurisdiction	2	2	7	1	3	n/a	n/a
The Payment of an Amount of Money					1	n/a	n/a
The Performance of Work				1		n/a	n/a
Total	15,663	15,799	14,828	14,677	13,379	-8.8%	-14.6%

Counting Rules:

- (a) These are the number of general procedure claim applications lodged in the Magistrates Court of Western Australia, by remedy type.
- (b) The unit of measure is the number of new cases commenced in the court during the reporting period.
- (c) If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

Minor Cases Claim Applications Lodged



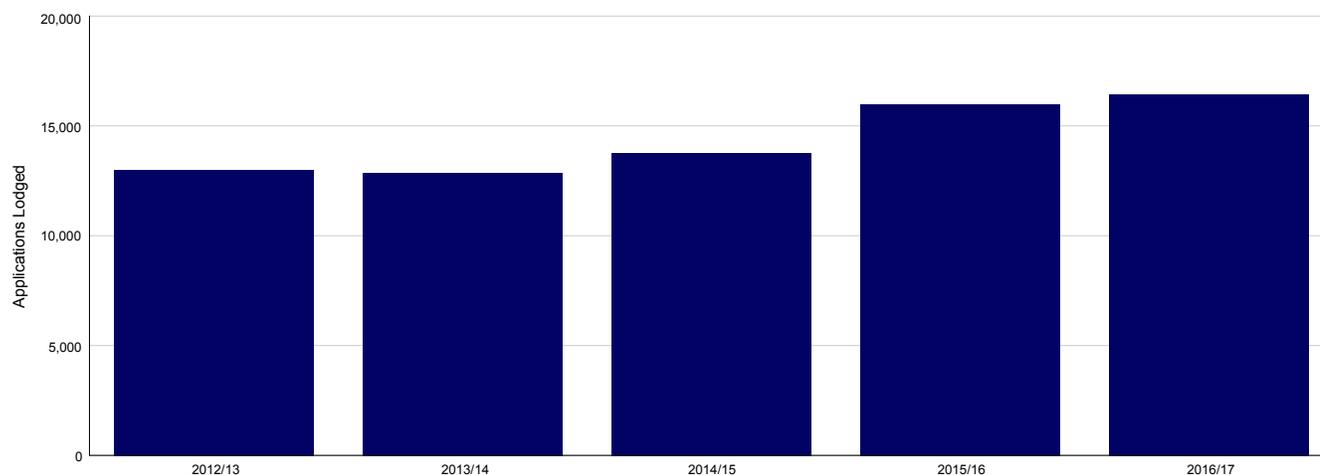
Minor Cases Procedure Claims Lodged

Remedy Type	2012/13	2013/14	2014/15	2015/16	2016/17	% Change 1 Year	% Change 5 Years
01. Sale of Goods & Services	1,956	2,090	2,003	2,013	1,813	-9.9%	-7.3%
02. Council Rates	576	577	612	546	413	-24.4%	-28.3%
03. Motor Vehicle Accident	237	290	226	205	202	-1.5%	-14.8%
04. Breach of Contract	883	1,008	847	882	886	0.5%	0.3%
05. Tax/Water Rates	1,285	1,094	1,776	744	887	19.2%	-31.0%
06. Strata Plan Fees	19	16	25	29	32	10.3%	68.4%
07. Consumer Credit/Loan	162	63	112	82	80	-2.4%	-50.6%
08. Damages not Motor Vehicle	168	140	150	152	151	-0.7%	-10.1%
09. Personal Injury	19	26	33	37	16	-56.8%	-15.8%
10. Dishonoured Cheque	16	10	9	7	10	n/a	n/a
11. Return of Goods	107	94	71	122	77	-36.9%	-28.0%
12. Outstanding Rent and Costs	294	238	206	168	198	17.9%	-32.7%
13. Workers Compensation	1	5	5	2	2	n/a	n/a
Remitted from other Jurisdiction			1			n/a	n/a
The Payment of an Amount of Money	2	3	1	2	1	n/a	n/a
The Providing of Services			1			n/a	n/a
Total	5,725	5,654	6,078	4,991	4,768	-4.5%	-16.7%

Counting Rules:

- These are the number of minor case procedure claim applications lodged in the Magistrates Court of Western Australia, by remedy type.
- The unit of measure is the number of new cases commenced in the court during the reporting period.
- If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

Residential Tenancy Applications Lodged



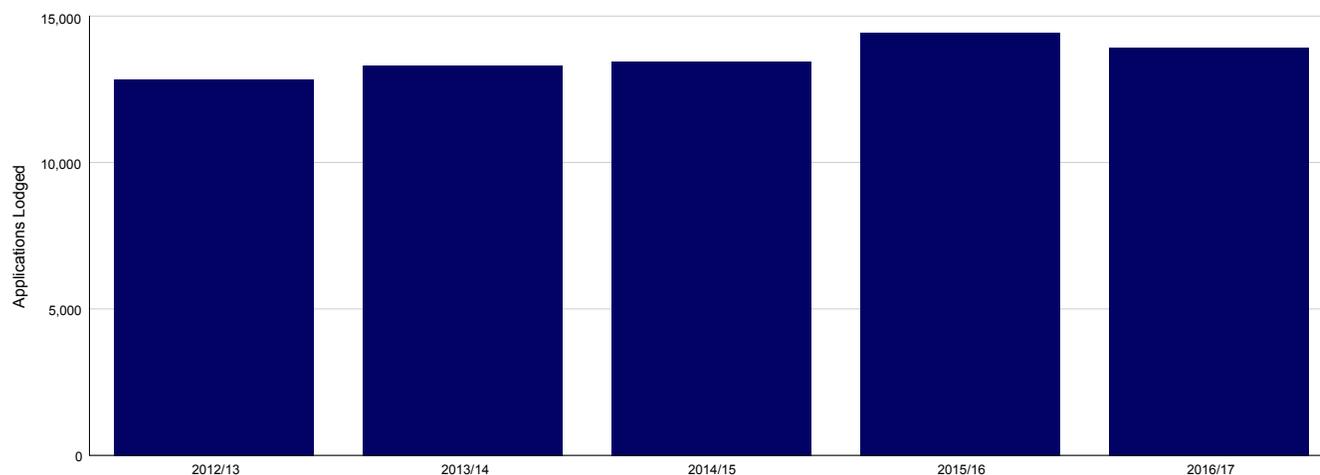
Residential Tenancy Applications Lodged

Initiating Document Type	2012/13	2013/14	2014/15	2015/16	2016/17	% Change 1 Year	% Change 5 Years
Application for Appeal/Review		1				n/a	n/a
Form 1A - Application for Leave to Lodge a Document					1	n/a	n/a
Inactive Notice					1	n/a	n/a
Residential Tenancies Order for Disposal of Security Bond - Form 10				2	1	n/a	n/a
Residential Tenancy Form 11 Proceeds of Sale of Abandoned Goods	1		1		1	n/a	n/a
Residential Tenancy Form 12 General Application	7,827	7,785	8,350	9,948	9,876	-0.7%	26.2%
Residential Tenancy Form 6 Bond Disposal Application	5,207	5,083	5,450	6,076	6,601	8.6%	26.8%
Total	13,035	12,869	13,801	16,026	16,481	2.8%	26.4%

Counting Rules:

- These are the number of residential tenancy applications lodged in the Magistrates Court of Western Australia, by initiating document type.
- The unit of measure is the number of new cases commenced in the court during the reporting period.
- If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

Restraining Order Applications Lodged



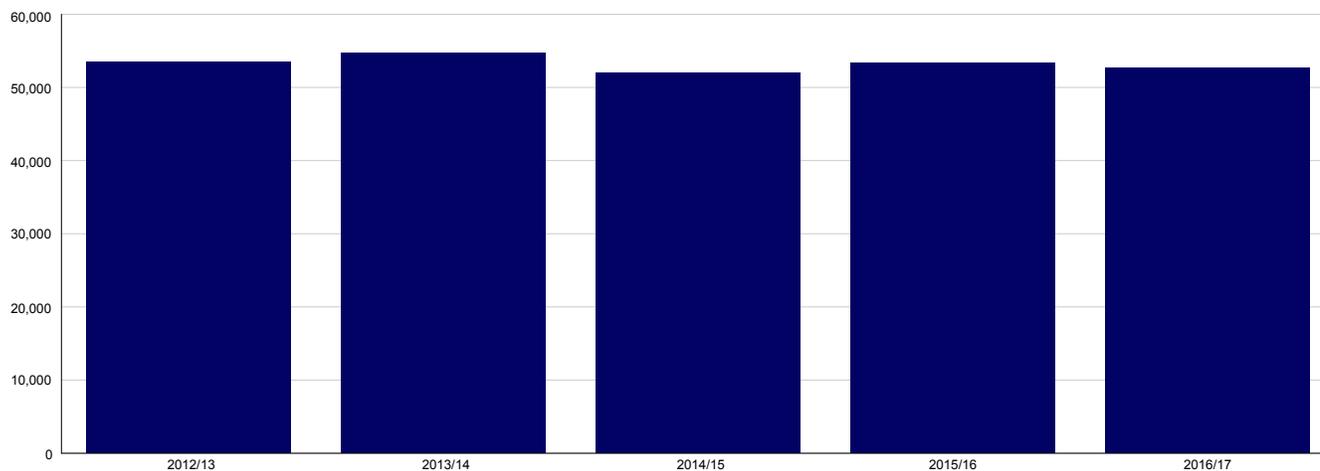
Restraining Order Applications Lodged

Remedy Type	2012/13	2013/14	2014/15	2015/16	2016/17	% Change 1 Year	% Change 5 Years
Interstate/Foreign Restraining Order Registration	32	21	33	51	59	15.7%	84.4%
Misconduct Restraining Order	779	654	661	771	836	8.4%	7.3%
Prostitution Restraining Order		2				n/a	n/a
Telephone Violence Restraining Order	2	2	1	6	1	n/a	n/a
Violence Restraining Order	12,033	12,663	12,787	13,609	13,042	-4.2%	8.4%
Total	12,846	13,342	13,482	14,437	13,938	-3.5%	8.5%

Counting Rules:

- These are the number of restraining order applications lodged in the Magistrates Court of Western Australia, by remedy type.
- The unit of measure is the number of new cases commenced in the court during the reporting period.
- If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

Civil Applications Finalised



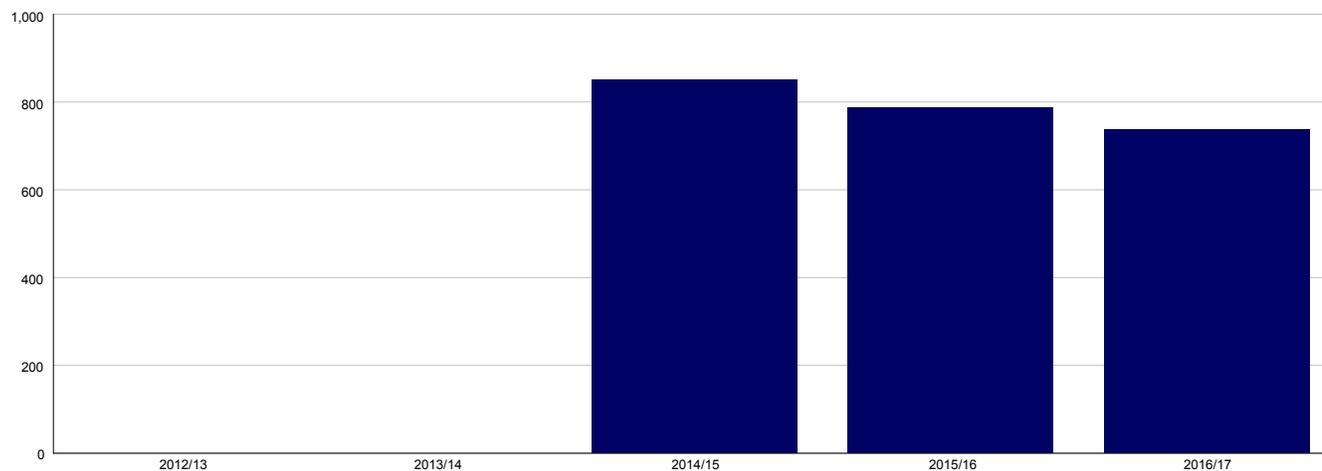
Civil Cases Finalised

Matter Type	2012/13	2013/14	2014/15	2015/16	2016/17	% Change 1 Year	% Change 5 Years
Appeals and Reviews	1					n/a	n/a
Application for cancellation of enforcement warrant		31	15	10		n/a	n/a
Auctioneer's Licence	41	342	157	79	61	-22.8%	48.8%
Consumer/Trader Claim	1,518	1,728	1,573	1,682	1,572	-6.5%	3.6%
Criminal Profits Confiscation Act	98	94	72	47	46	-2.1%	-53.1%
Disposal of Uncollected Goods	19	30	23	22	27	22.7%	42.1%
Extraordinary Driver's Licence	3,022	3,001	2,607	2,354	2,144	-8.9%	-29.1%
General Application	217	255	233	247	188	-23.9%	-13.4%
General Procedure Claim	15,851	15,456	15,238	14,644	15,163	3.5%	-4.3%
General Summons/Plaint	1				1	n/a	n/a
Minor Cases Procedure Claim	6,322	5,478	5,903	5,560	5,085	-8.5%	-19.6%
Prohibited Behaviour Order	27	63	45	20	24	20.0%	-11.1%
Recovery Of Possession Of Land	26	58	31	41	24	-41.5%	-7.7%
Registration Of Orders	550	564	550	519	410	-21.0%	-25.5%
Residential Tenancies	13,268	14,408	12,356	14,327	15,123	5.6%	14.0%
Restraining Of Goods/Property Order	2	2	6	2	1	n/a	n/a
Restraining Order	12,629	13,307	13,291	13,940	12,929	-7.3%	2.4%
Restraint Of Debtors Action	2	2	11	1	1	n/a	n/a
Revocation of Disqualification Notice	8	7	6		6	n/a	n/a
Set Aside Licence Suspension		1	10		8	n/a	n/a
Under Age Marriage	2	1	1	1	2	n/a	n/a
Total	53,604	54,828	52,128	53,496	52,815	-1.3%	-1.5%

Counting Rules:

- These are the number of civil cases finalised in the Magistrates Court of Western Australia, by case type.
- The unit of measure is the number of cases finalised in the court during the reporting period.
- If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

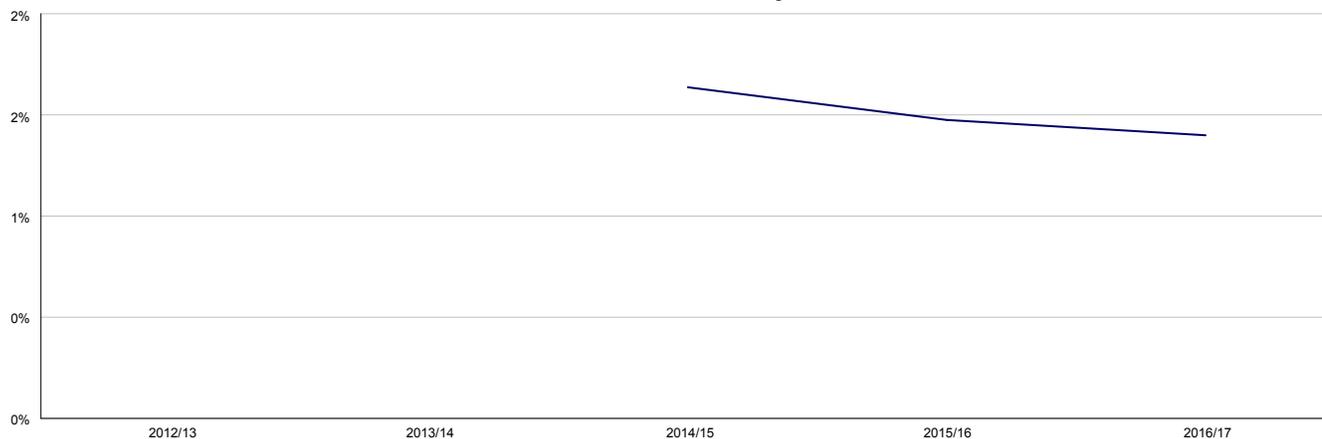
Civil Finalisations by Trial



Civil Trial Finalisations

	2012/13	2013/14	2014/15	2015/16	2016/17	% Change 1 Year	% Change 5 Years
Finalised Without Trial			51,275	52,707	52,076	-1.2%	n/a
Finalised by Trial			853	789	739	-6.3%	n/a
Total			52,128	53,496	52,815	-1.3%	n/a
Per cent finalised by trial			1.6%	1.5%	1.4%	-5.1%	n/a

% Civil Finalisations by Trial



Counting Rules:

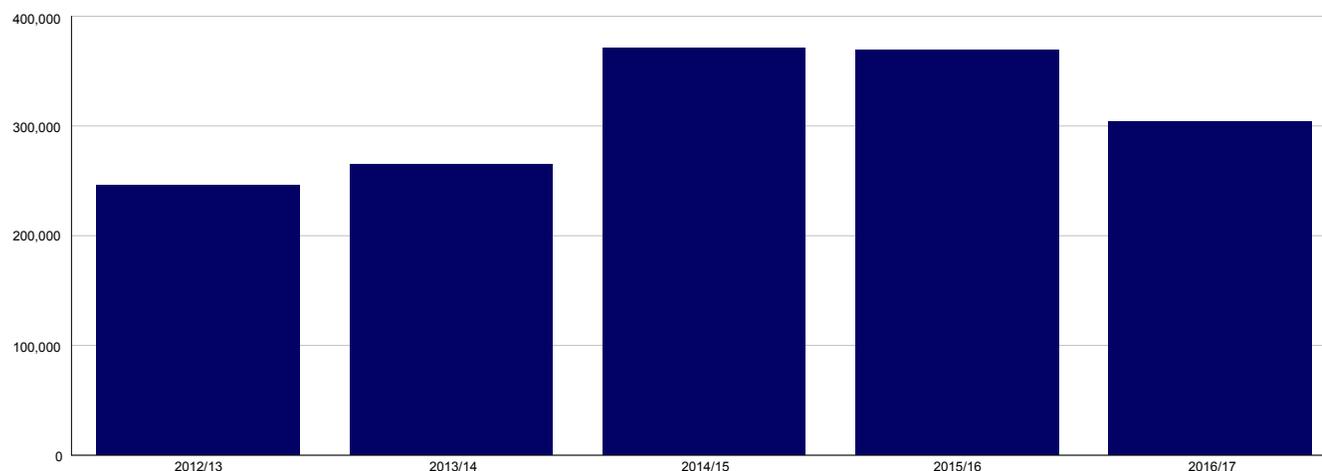
(a) These are the number of civil cases which were finalised in the Magistrates Court of Western Australia, broken down by whether a trial proceeded or not for the matter.

(b) When parties to a civil dispute are not able to resolve their case by alternative dispute resolution or other means, the case will progress to a trial where the evidence and law are heard and considered in court by a judicial officer and a decision is made to resolve the case.

(c) Trial related figures are presented from 2014/15 onwards, due to improvements in the Court's civil case management system and the capture of related trial information, and is not comparable to trial information prior to this time.

(d) If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

Civil Documents Lodged



Civil Documents Lodged

Matter Type	2012/13	2013/14	2014/15	2015/16	2016/17	% Change 1 Year	% Change 5 Years
Application for Extradition		7		2		n/a	n/a
Application for cancellation of enforcement warrant		112	72	29		n/a	n/a
Application for decision on whether information in seized record is privileged		5	1			n/a	n/a
Application to Breach Surety		4	12	2	7	n/a	n/a
Auctioneer's Licence	415	555	505	488	429	-12.1%	3.4%
Consumer/Trader Claim	7,299	8,246	12,538	12,347	9,473	-23.3%	29.8%
Criminal			2			n/a	n/a
Criminal Profits Confiscation Act	644	665	606	534	703	31.6%	9.2%
Disposal of Uncollected Goods	63	125	109	159	169	6.3%	168.3%
Extraordinary Driver's Licence	5,854	6,215	5,835	5,828	4,963	-14.8%	-15.2%
General Application	1,416	1,327	2,134	2,109	1,473	-30.2%	4.0%
General Procedure Claim	79,664	78,548	145,617	137,753	94,300	-31.5%	18.4%
General Summons/Plaint	54	74	86	46	26	-43.5%	-51.9%
Minor Cases Procedure Claim	33,262	32,216	59,407	55,508	38,657	-30.4%	16.2%
Prohibited Behaviour Order	191	362	40	148	119	-19.6%	-37.7%
Recovery Of Possession Of Land	329	232	383	364	219	-39.8%	-33.4%
Registration Of Orders	4,337	4,479	4,116	4,184	3,382	-19.2%	-22.0%
Residential Tenancies	36,807	41,285	47,567	56,813	60,944	7.3%	65.6%
Restraining Of Goods/Property Order	8	7	26	12	7	n/a	n/a
Restraining Order	76,214	91,279	93,109	94,023	90,172	-4.1%	18.3%
Restraint Of Debtors Action	5	14	25	2	6	n/a	n/a
Revocation of Disqualification Notice	16	9	6	1	8	n/a	n/a
Set Aside Licence Suspension		11	15		15	n/a	n/a
Small Debt Summons/Plaint	8					n/a	n/a
Trans-Tasman Act Judgements				1	8	n/a	n/a
Under Age Marriage	7	4	1	4	3	n/a	n/a
Total	246,593	265,781	372,212	370,357	305,083	-17.6%	23.7%

Counting Rules:

(a) These are the number of civil documents lodged in the Magistrates Court of Western Australia, broken down by matter type.

(b) If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

Appendix One--Definitions

The following are definitions of case types that are used within the Magistrates Court.

Case Types

Matters lodged within the Magistrates Court are classified by case type. The following definitions specify the differences between the case types used.

Appeals and Reviews

Applications seeking the review of a decision of a Justice of the Peace or a registrar.

Auctioneer's Licence

Application seeking a license to facilitate an auction under the *Auction Sales Act 1973*.

Consumer/Trader Claim

Application under the *Magistrates Court (Civil Proceedings) Act 2004* seeking a remedy in a dispute between a consumer and a trader.

Criminal Profits Confiscation Act

Applications made by the State under the *Criminal Property Confiscation Act 2000*, ordering confiscation in certain circumstances of property acquired as a result of criminal activity and property used for criminal activity.

Disposal of Uncollected Goods

Applications made under the *Disposal of Uncollected Goods Act 1970* seeking the removal of goods left on premises.

Extraordinary Driver's Licence

Application under the *Road Traffic Act 1974* seeking permission to hold an Extraordinary Driver's Licence when a driver has been disqualified from holding or obtaining a driver's licence. A successful application allows someone who has been disqualified from driving to drive in certain circumstances.

General Application

An application under the *Magistrates Court (Civil Proceedings) Act 2004* that is of a non-specific nature.

General Procedure Claim

Application under the *Magistrates Court (Civil Proceedings) Act 2004* seeking a remedy in a dispute where the monetary value of the remedy sought is less than \$75,000.

Minor Cases Procedure Claim

Application under the *Magistrates Court (Civil Proceedings) Act 2004* seeking a remedy in a dispute where the monetary value of the remedy sought is less than \$10,000.

Prohibited Behaviour Order

An application by the State under the *Prohibited Behaviour Orders Act 2010* seeking the prohibition of recurrent criminal activity which is made following certain criminal convictions. When a prohibited behaviour order is made it specifies certain restrictions on a person that aim to prevent that person from engaging in future anti-social offending.

Recovery Of Possession Of Land

An application under the *Magistrates Court (Civil Proceedings) Act 2004* seeking to recover possession of real property (land).

Registration Of Orders

Applications seeking the registration of orders made by other jurisdictions (either interstate or other jurisdictions in Western Australia) within the Magistrates Court of Western Australian jurisdiction.

Residential Tenancies

A general application under the *Residential Tenancies Act 1987* seeking the intervention of the Court in disputes between tenants and landlords or between co-tenants.

Restraining Of Goods/Property Order

Applications made under the *Restraint of Debtors Act 1984* seeking an order from the court that will restrain the transfer or removal from the state of property until a debt is paid.

Restraining Order

An application under the *Restraining Orders Act 1997* seeking an order restraining the person who is bound from from either: committing an act of abuse, breaching the peace, causing fear, damaging property or intimidating another person. Orders can also be made under the *Prostitution Act 2000* restraining a person from being in or near a specified place or engaging in specified behaviours.

Restraint Of Debtors Action

Applications made under the *Restraint of Debtors Act 1984* seeking an order from the court that will restrain a debtor from leaving the State until a debt is paid.

Revocation of Disqualification Notice

An application under the *Road Traffic Act 1974* seeking to revoke a disqualification from holding or obtaining a driver's licence issued by a police officer within ten days of the commission of an offence.

Under Age Marriage

An application seeking the permission of the Court to allow a marriage between two applicants, where one is under 18 years of age.