



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

**Report on Civil Cases in the
Magistrates Court
of Western Australia
2013/14 to 2017/18**

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.

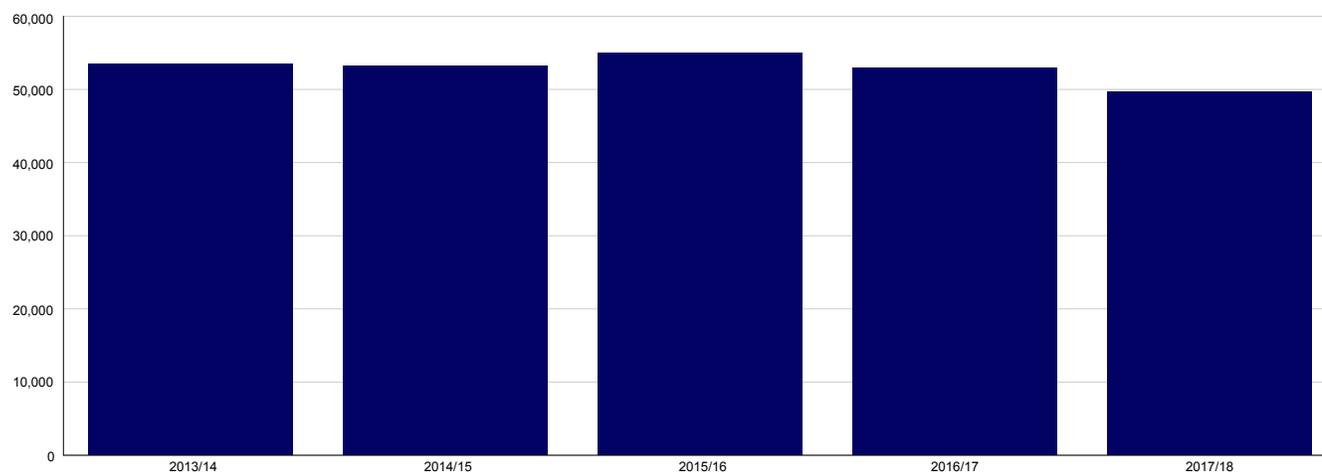
Separate counting rules that best illustrate the work of the court is utilised for each statistic. Please read the counting rules on each page to help interpret the data.

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



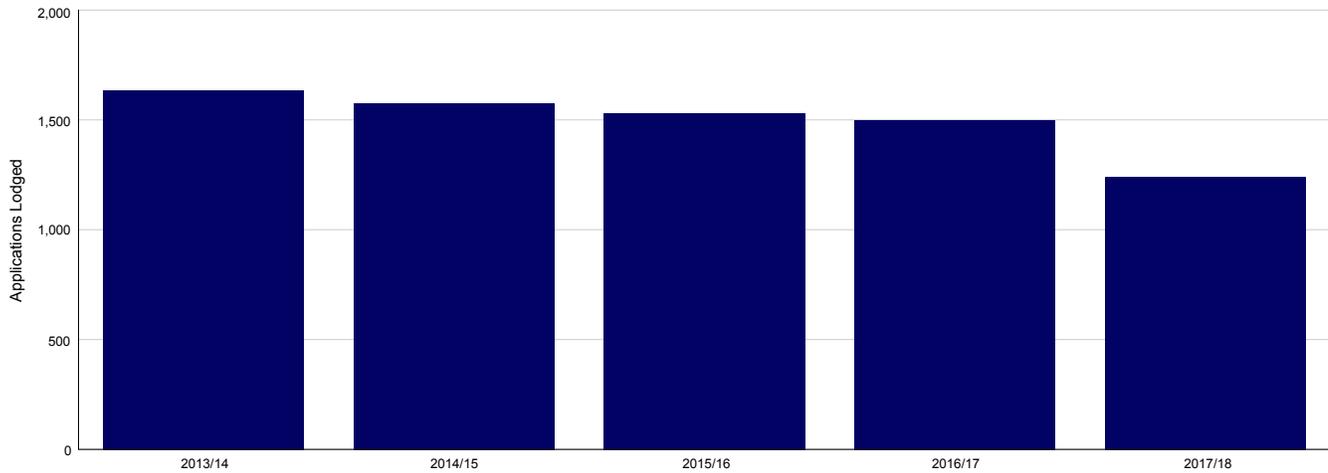
Civil Applications Lodged

Matter Type	2013/14	2014/15	2015/16	2016/17	2017/18	% Change 1 Year	% Change 5 Years
Application for cancellation of enforcement warrant	44	3	10		3	n/a	n/a
Application for decision on whether information in seized record is privileged	2					n/a	n/a
Auctioneer's Licence	227	63	79	67	102	52.2%	-55.1%
Consumer/Trader Claim	1,637	1,577	1,531	1,502	1,242	-17.3%	-24.1%
Criminal Profits Confiscation Act	65	67	66	83	49	-41.0%	-24.6%
Disposal of Uncollected Goods	30	25	31	33	22	-33.3%	-26.7%
Extraordinary Driver's Licence	2,976	2,642	2,532	2,140	2,172	1.5%	-27.0%
General Application	232	233	205	202	160	-20.8%	-31.0%
General Procedure Claim	15,799	14,828	14,677	13,378	12,716	-4.9%	-19.5%
Minor Cases Procedure Claim	5,654	6,078	4,990	4,770	3,531	-26.0%	-37.5%
Prohibited Behaviour Order	72	1	32	20	4	n/a	n/a
Recovery Of Possession Of Land	36	33	31	28	29	3.6%	-19.4%
Registration Of Orders	566	539	515	403	376	-6.7%	-33.6%
Residential Tenancies	12,869	13,801	16,022	16,479	14,927	-9.4%	16.0%
Restraining Of Goods/Property Order	2	8	1	1	1	n/a	n/a
Restraining Order	13,342	13,482	14,437	13,937	14,436	3.6%	8.2%
Restraint Of Debtors Action	4	8	1	1	1	n/a	n/a
Revocation of Disqualification Notice	8	2	1	6	4	n/a	n/a
Set Aside Licence Suspension	5	8		8		n/a	n/a
Trans-Tasman Act Judgements			1	2	1	n/a	n/a
Under Age Marriage	3		1	2	1	n/a	n/a
Total	53,573	53,398	55,163	53,062	49,777	-6.2%	-7.1%

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



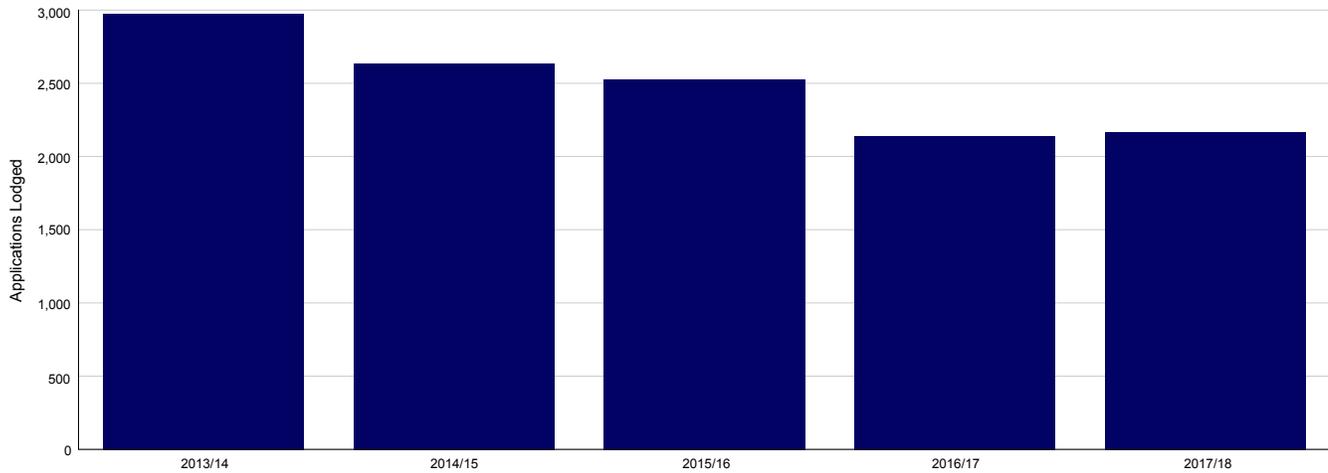
Consumer Trader Claim Applications Lodged

Remedy Type	2013/14	2014/15	2015/16	2016/17	2017/18	% Change 1 Year	% Change 5 Years
01. Sale of Goods & Services				1		n/a	n/a
04. Breach of Contract			2		2	n/a	n/a
The Payment of an Amount of Money	1,376	1,331	1,289	1,278	1,086	-15.0%	-21.1%
The Performance of Work	51	50	59	43	32	-25.6%	-37.3%
The Providing of Services	94	93	89	83	64	-22.9%	-31.9%
The Relief from Payment of an Amount of Money	45	33	29	22	11	-50.0%	-75.6%
The Replacement of Goods	40	32	40	36	20	-44.4%	-50.0%
The Return of Goods	31	38	23	39	27	-30.8%	-12.9%
Total	1,637	1,577	1,531	1,502	1,242	-17.3%	-24.1%

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



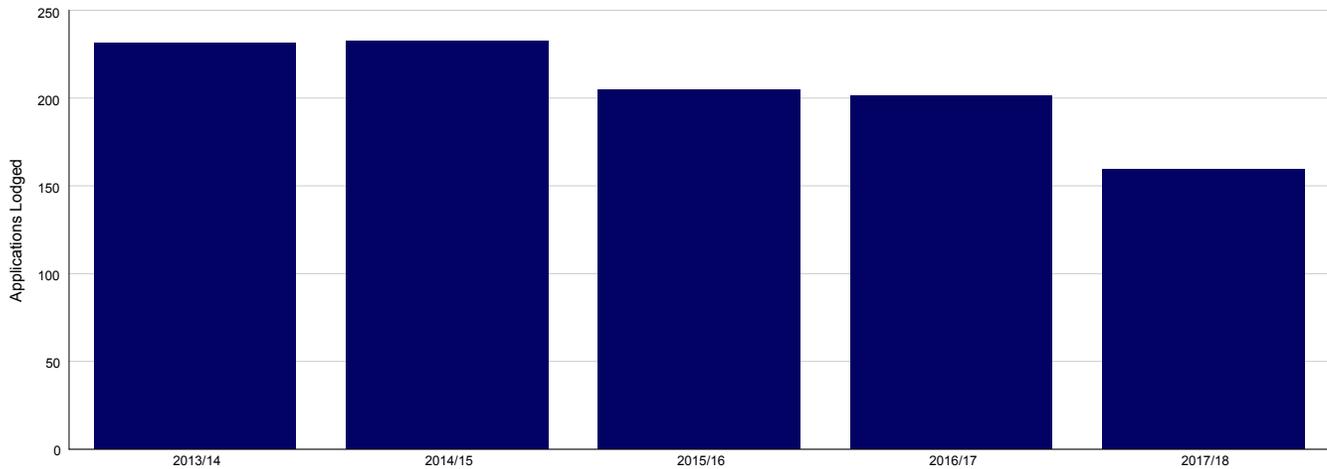
Extraordinary Driver's Licence Applications Lodged

Initiating Document Type	2013/14	2014/15	2015/16	2016/17	2017/18	% Change 1 Year	% Change 5 Years
Extraordinary Driver's Licence Application Form 5	2,974	2,641	2,531	2,140	2,172	1.5%	-27.0%
Inactive Notice			1			n/a	n/a
Order	2	1				n/a	n/a
Total	2,976	2,642	2,532	2,140	2,172	1.5%	-27.0%

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



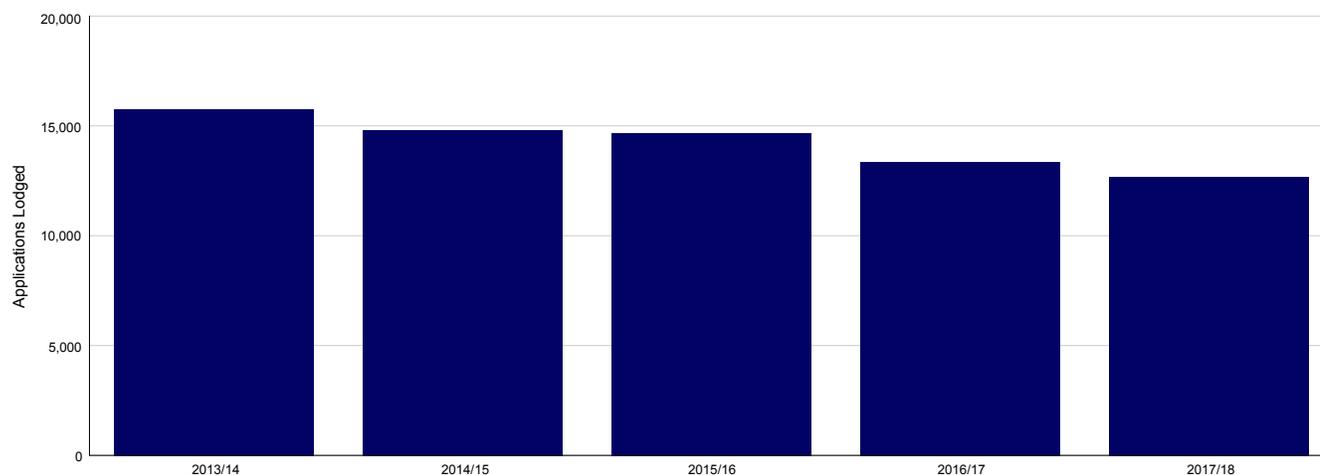
General Applications Lodged

Remedy Type	2013/14	2014/15	2015/16	2016/17	2017/18	% Change 1 Year	% Change 5 Years
11. Return of Goods					1	n/a	n/a
Animal Welfare Act	21	2	3	9	9	n/a	n/a
Applications under the Mandatory Testing (Infectious Diseases) Act 2014		1	3	2		n/a	n/a
Building Act 2011	12	13	8	3	3	n/a	n/a
Corporations Act					1	n/a	n/a
Criminal & Found Property Disposal Act	7	5	8	3	7	n/a	n/a
Criminal Investigation Act		1				n/a	n/a
Dividing Fence	176	178	170	179	126	-29.6%	-28.4%
Dog Act 1976				1		n/a	n/a
Local Govt (Misc Provisions) Act		1	2		4	n/a	n/a
National Consumer Credit Protection Act 2009 (Commonwealth)	16	32	11	5	9	n/a	n/a
Total	232	233	205	202	160	-20.8%	-31.0%

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



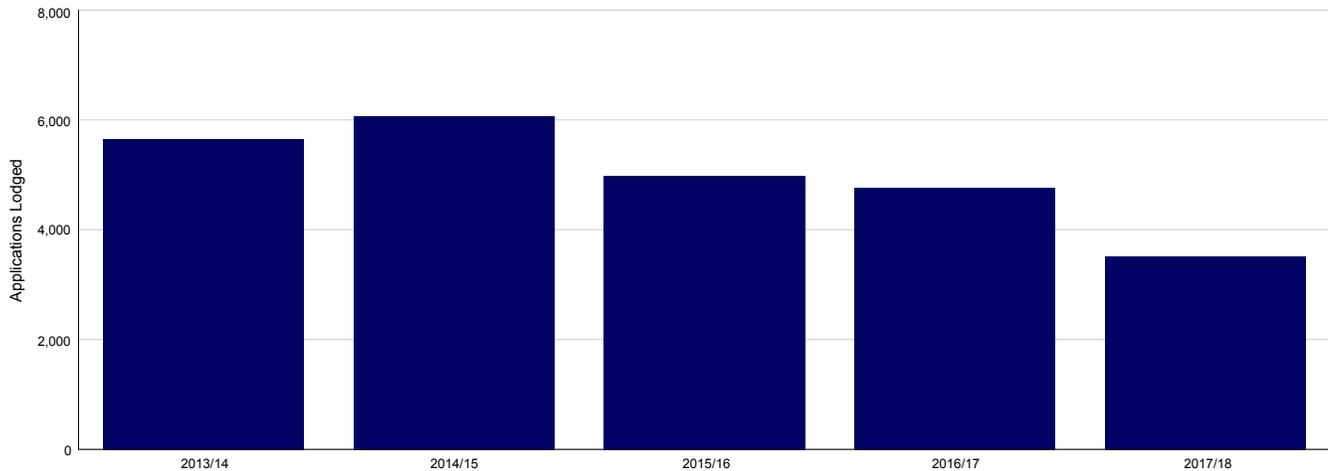
General Procedure Claim Applications Lodged

Remedy Type	2013/14	2014/15	2015/16	2016/17	2017/18	% Change 1 Year	% Change 5 Years
01. Sale of Goods & Services	2,940	2,663	2,349	2,201	1,873	-14.9%	-36.3%
02. Council Rates	6,513	6,484	6,241	4,627	4,100	-11.4%	-37.0%
03. Motor Vehicle Accident	1,065	1,470	2,012	2,257	2,063	-8.6%	93.7%
04. Breach of Contract	3,145	2,235	2,108	2,198	2,434	10.7%	-22.6%
05. Tax/Water Rates	435	368	274	311	305	-1.9%	-29.9%
06. Strata Plan Fees	278	204	303	338	371	9.8%	33.5%
07. Consumer Credit/Loan	674	758	688	957	1,080	12.9%	60.2%
08. Damages not Motor Vehicle	142	172	152	125	135	8.0%	-4.9%
09. Personal Injury	240	173	101	80	115	43.8%	-52.1%
10. Dishonoured Cheque	9	5	7	4	1	n/a	n/a
11. Return of Goods	26	30	34	22	15	-31.8%	-42.3%
12. Outstanding Rent and Costs	269	176	178	131	142	8.4%	-47.2%
13. Workers Compensation	61	82	227	123	78	-36.6%	27.9%
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	7	1	3	3	n/a	n/a
The Payment of an Amount of Money				1	1	n/a	n/a
The Performance of Work			1			n/a	n/a
Total	15,799	14,828	14,677	13,378	12,716	-4.9%	-19.5%

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



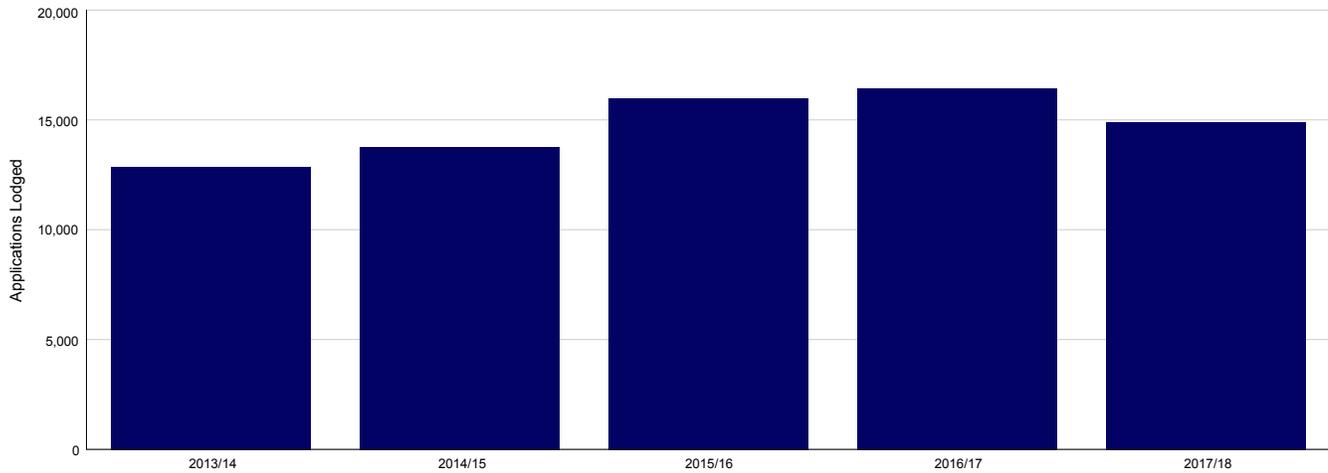
Minor Cases Procedure Claims Lodged

Remedy Type	2013/14	2014/15	2015/16	2016/17	2017/18	% Change 1 Year	% Change 5 Years
01. Sale of Goods & Services	2,090	2,003	2,012	1,814	1,539	-15.2%	-26.4%
02. Council Rates	577	612	546	413	405	-1.9%	-29.8%
03. Motor Vehicle Accident	290	226	205	202	145	-28.2%	-50.0%
04. Breach of Contract	1,008	847	882	887	838	-5.5%	-16.9%
05. Tax/Water Rates	1,094	1,776	744	887	24	-97.3%	-97.8%
06. Strata Plan Fees	16	25	29	32	23	-28.1%	43.8%
07. Consumer Credit/Loan	63	112	82	80	130	62.5%	106.3%
08. Damages not Motor Vehicle	140	150	152	151	125	-17.2%	-10.7%
09. Personal Injury	26	33	37	16	20	25.0%	-23.1%
10. Dishonoured Cheque	10	9	7	10	6	n/a	n/a
11. Return of Goods	94	71	122	77	78	1.3%	-17.0%
12. Outstanding Rent and Costs	238	206	168	198	186	-6.1%	-21.8%
13. Workers Compensation	5	5	2	2	8	n/a	n/a
Remitted from other Jurisdiction		1				n/a	n/a
The Payment of an Amount of Money	3	1	2	1	1	n/a	n/a
The Providing of Services		1			2	n/a	n/a
The Return of Goods					1	n/a	n/a
Total	5,654	6,078	4,990	4,770	3,531	-26.0%	-37.5%

Counting Rules:

- (a) These are the number of minor case 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.

Residential Tenancy Applications Lodged



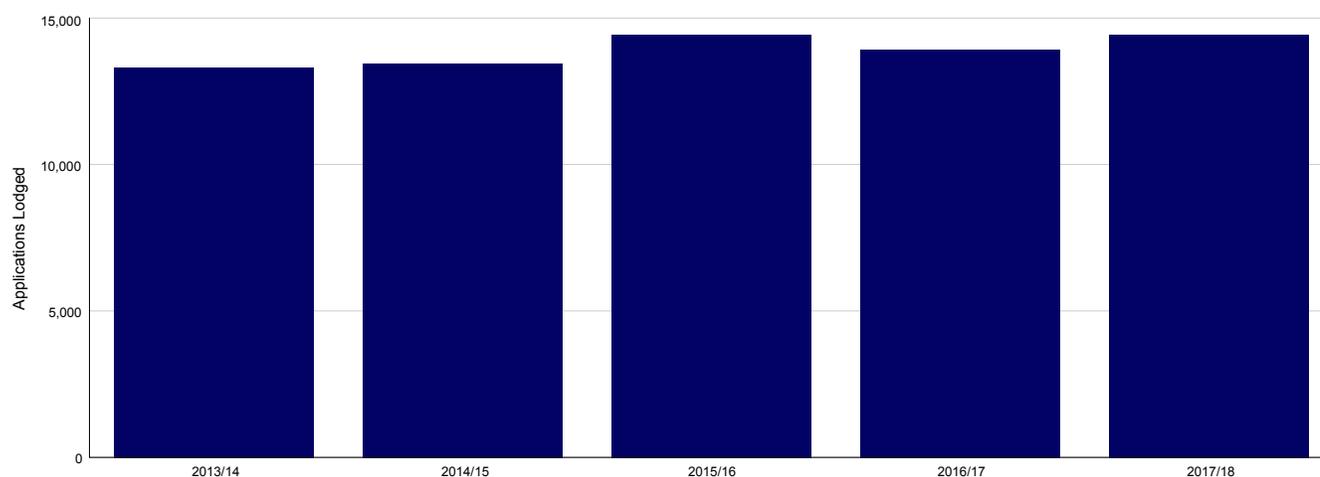
Residential Tenancy Applications Lodged

Initiating Document Type	2013/14	2014/15	2015/16	2016/17	2017/18	% 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		n/a	n/a
Residential Tenancy Form 12 General Application	7,785	8,350	9,945	9,874	8,829	-10.6%	13.4%
Residential Tenancy Form 6 Bond Disposal Application	5,083	5,450	6,075	6,601	6,098	-7.6%	20.0%
Total	12,869	13,801	16,022	16,479	14,927	-9.4%	16.0%

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



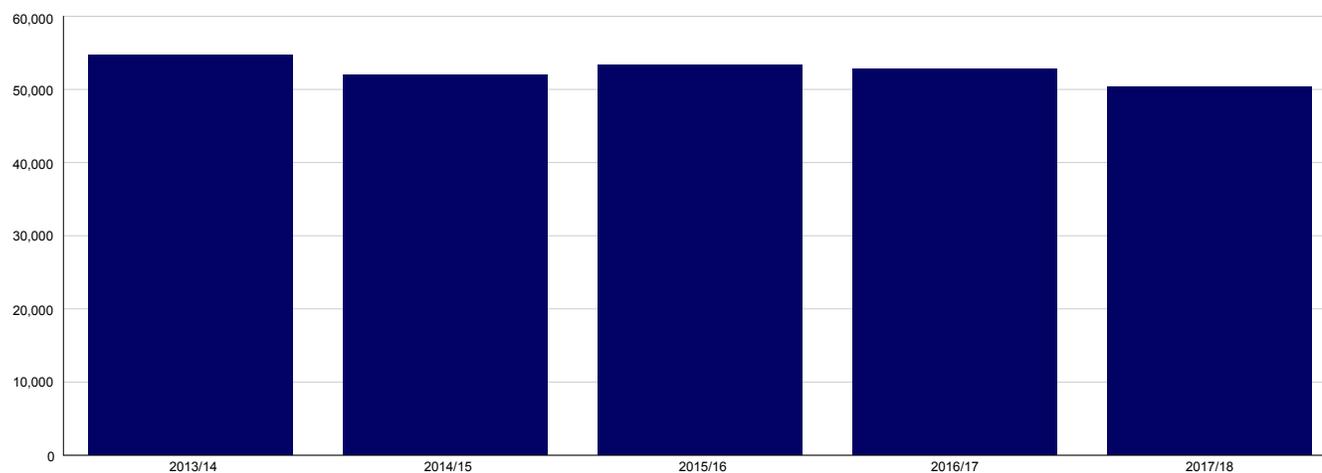
Restraining Order Applications Lodged

Remedy Type	2013/14	2014/15	2015/16	2016/17	2017/18	% Change 1 Year	% Change 5 Years
Family Violence Restraining Order					10,148	n/a	n/a
Interstate/Foreign Restraining Order Registration	21	33	51	59	38	-35.6%	81.0%
Misconduct Restraining Order	654	661	771	836	709	-15.2%	8.4%
Prostitution Restraining Order	2					n/a	n/a
Telephone Family Violence Restraining Order					8	n/a	n/a
Telephone Violence Restraining Order	2	1	6	1	2	n/a	n/a
Violence Restraining Order	12,663	12,787	13,609	13,041	3,530	-72.9%	-72.1%
Weapons Act					1	n/a	n/a
Total	13,342	13,482	14,437	13,937	14,436	3.6%	8.2%

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



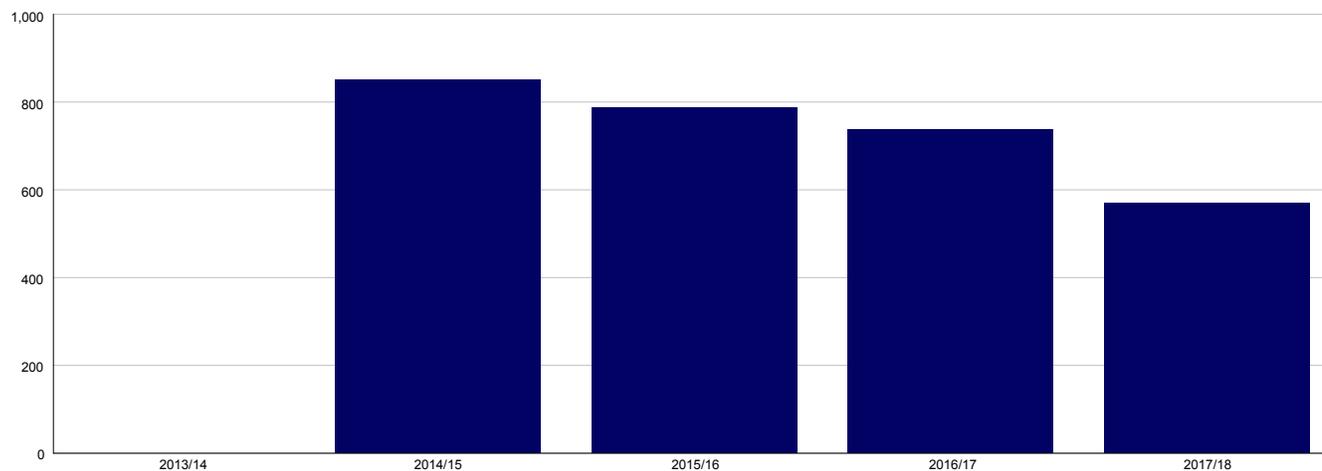
Civil Cases Finalised

Matter Type	2013/14	2014/15	2015/16	2016/17	2017/18	% Change 1 Year	% Change 5 Years
Application for cancellation of enforcement warrant	31	15	10		2	n/a	n/a
Auctioneer's Licence	339	154	77	62	93	50.0%	-72.6%
Consumer/Trader Claim	1,728	1,573	1,682	1,573	1,387	-11.8%	-19.7%
Criminal Profits Confiscation Act	94	72	47	46	40	-13.0%	-57.4%
Disposal of Uncollected Goods	30	23	22	27	18	-33.3%	-40.0%
Extraordinary Driver's Licence	3,001	2,607	2,354	2,144	1,978	-7.7%	-34.1%
General Application	255	233	247	191	170	-11.0%	-33.3%
General Procedure Claim	15,456	15,238	14,648	15,239	13,690	-10.2%	-11.4%
General Summons/Plaint				1		n/a	n/a
Minor Cases Procedure Claim	5,478	5,902	5,559	5,091	4,387	-13.8%	-19.9%
Prohibited Behaviour Order	63	45	20	24	7	n/a	n/a
Recovery Of Possession Of Land	58	31	41	24	31	29.2%	-46.6%
Registration Of Orders	564	550	519	408	377	-7.6%	-33.2%
Residential Tenancies	14,406	12,356	14,323	15,118	14,034	-7.2%	-2.6%
Restraining Of Goods/Property Order	2	6	2	1		n/a	n/a
Restraining Order	13,307	13,291	13,940	12,925	14,230	10.1%	6.9%
Restraint Of Debtors Action	2	11	1	1	1	n/a	n/a
Revocation of Disqualification Notice	7	6		6	2	n/a	n/a
Set Aside Licence Suspension	1	10		8		n/a	n/a
Under Age Marriage	1	1	1	2	1	n/a	n/a
Total	54,823	52,124	53,493	52,891	50,448	-4.6%	-8.0%

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.

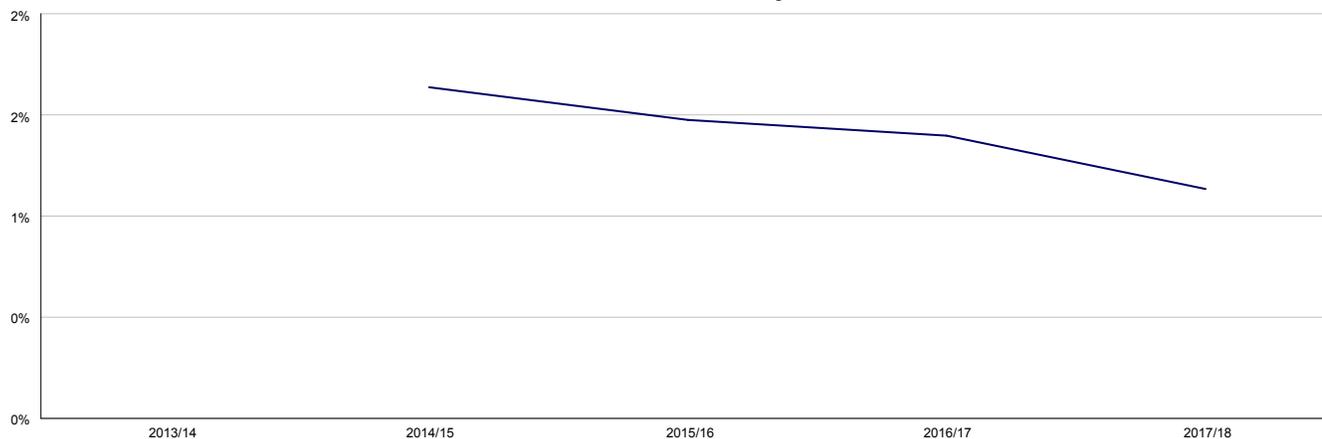
Civil Finalisations by Trial



Civil Trial Finalisations

	2013/14	2014/15	2015/16	2016/17	2017/18	% Change 1 Year	% Change 5 Years
Finalised Without Trial		51,271	52,704	52,152	49,876	-4.4%	n/a
Finalised by Trial		853	789	739	572	-22.6%	n/a
Total		52,124	53,493	52,891	50,448	-4.6%	n/a
Per cent finalised by trial		1.6%	1.5%	1.4%	1.1%	-18.8%	n/a

% Civil Finalisations by Trial



Counting Rules:

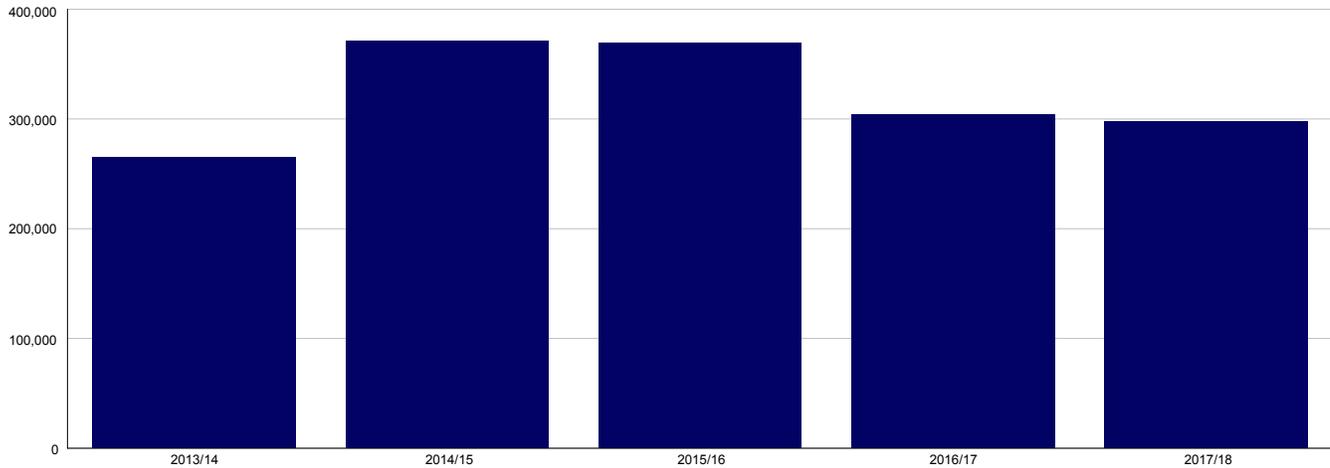
(a) These are the number of civil cases which were finalised in the Magistrates Court of Western Australia, broken down by whether a trial proceeded or not for the matter.

(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	2013/14	2014/15	2015/16	2016/17	2017/18	% Change 1 Year	% Change 5 Years
Application for Extradition	7		2		2	n/a	n/a
Application for cancellation of enforcement warrant	112	72	29		9	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	1	n/a	n/a
Auctioneer's Licence	554	505	488	429	422	-1.6%	-23.8%
Consumer/Trader Claim	8,246	12,538	12,347	9,473	8,779	-7.3%	6.5%
Criminal		2				n/a	n/a
Criminal Profits Confiscation Act	665	606	534	703	675	-4.0%	1.5%
Disposal of Uncollected Goods	125	109	159	169	126	-25.4%	0.8%
Extraordinary Driver's Licence	6,215	5,835	5,828	4,964	5,309	7.0%	-14.6%
General Application	1,327	2,134	2,109	1,474	1,306	-11.4%	-1.6%
General Procedure Claim	78,548	145,618	137,753	94,309	90,143	-4.4%	14.8%
General Summons/Plaint	74	86	46	26	20	-23.1%	-73.0%
Minor Cases Procedure Claim	32,216	59,407	55,508	38,657	34,574	-10.6%	7.3%
Prohibited Behaviour Order	362	40	148	119	32	-73.1%	-91.2%
Recovery Of Possession Of Land	232	383	364	219	235	7.3%	1.3%
Registration Of Orders	4,479	4,116	4,184	3,383	3,169	-6.3%	-29.2%
Residential Tenancies	41,285	47,567	56,813	60,950	56,415	-7.4%	36.6%
Restraining Of Goods/Property Order	7	26	12	7	13	n/a	n/a
Restraining Order	91,279	93,111	94,025	90,203	96,886	7.4%	6.1%
Restraint Of Debtors Action	14	25	2	6	5	n/a	n/a
Revocation of Disqualification Notice	9	6	1	8	5	n/a	n/a
Set Aside Licence Suspension	11	15		15		n/a	n/a
Small Debt Summons/Plaint					100	n/a	n/a
Trans-Tasman Act Judgements			1	8	11	n/a	n/a
Under Age Marriage	4	1	4	3	3	n/a	n/a
Total	265,780	372,215	370,359	305,132	298,240	-2.3%	12.2%

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.