



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

**Report on Civil Cases in the
Magistrates Court
of Western Australia
2014/15 to 2018/19**

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.

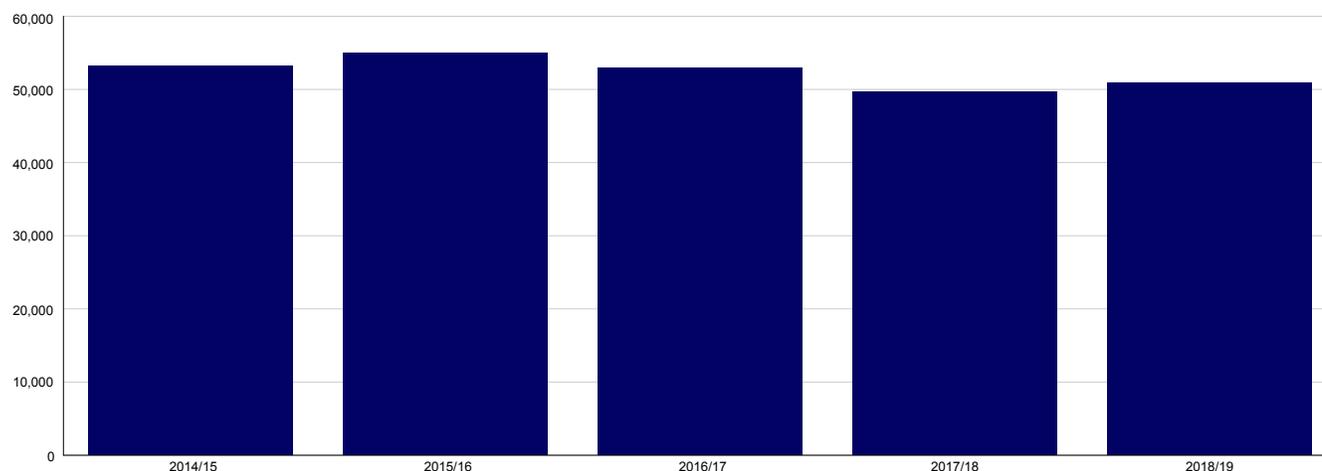
This version of the report was produced on 5 May 2020. Any variances between figures in this report and other publications may be due to differences in the date the report was produced, and the Department's commitment to the continual maintenance and improvement of data capture and storage.

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



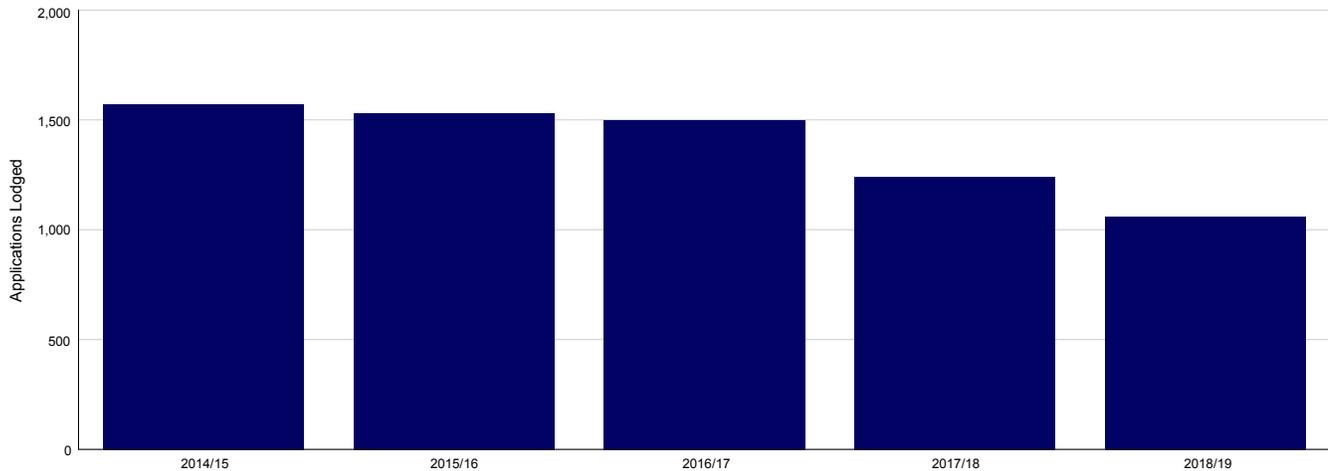
Civil Applications Lodged

Matter Type	2014/15	2015/16	2016/17	2017/18	2018/19	% Change 1 Year	% Change 5 Years
Prohibited Behaviour Order	1	32	20	4	4	n/a	n/a
Restraint Of Debtors Action	8	1	1	1		n/a	n/a
Recovery Of Possession Of Land	33	31	28	29	36	24.1%	9.1%
Registration Of Orders	539	515	403	377	324	-14.1%	-39.9%
Application to Reduce Fee					12	n/a	n/a
Auctioneer's Licence	63	79	67	102	88	-13.7%	39.7%
Revocation of Disqualification Notice	2	1	6	4	5	n/a	n/a
Set Aside Licence Suspension	8		8			n/a	n/a
Application for cancellation of enforcement warrant	3	10		3	1	n/a	n/a
General Procedure Claim	14,819	14,668	13,374	12,716	14,148	11.3%	-4.5%
Trans-Tasman Act Judgements		1	2	1	1	n/a	n/a
Extraordinary Driver's Licence	2,642	2,532	2,140	2,172	2,068	-4.8%	-21.7%
Minor Cases Procedure Claim	6,077	4,986	4,766	3,531	3,197	-9.5%	-47.4%
Restraining Of Goods/Property Order	8	1	1	1		n/a	n/a
Restraining Order	13,482	14,437	13,937	14,436	15,747	9.1%	16.8%
Consumer/Trader Claim	1,575	1,533	1,502	1,242	1,062	-14.5%	-32.6%
Criminal Property Confiscation Act	67	66	83	49	86	75.5%	28.4%
Disposal of Uncollected Goods	25	31	33	22	26	18.2%	4.0%
General Application	233	205	202	160	154	-3.8%	-33.9%
Residential Tenancies	13,801	16,022	16,479	14,927	14,027	-6.0%	1.6%
Under Age Marriage		1	2	1		n/a	n/a
Total	53,386	55,152	53,054	49,778	50,986	2.4%	-4.5%

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



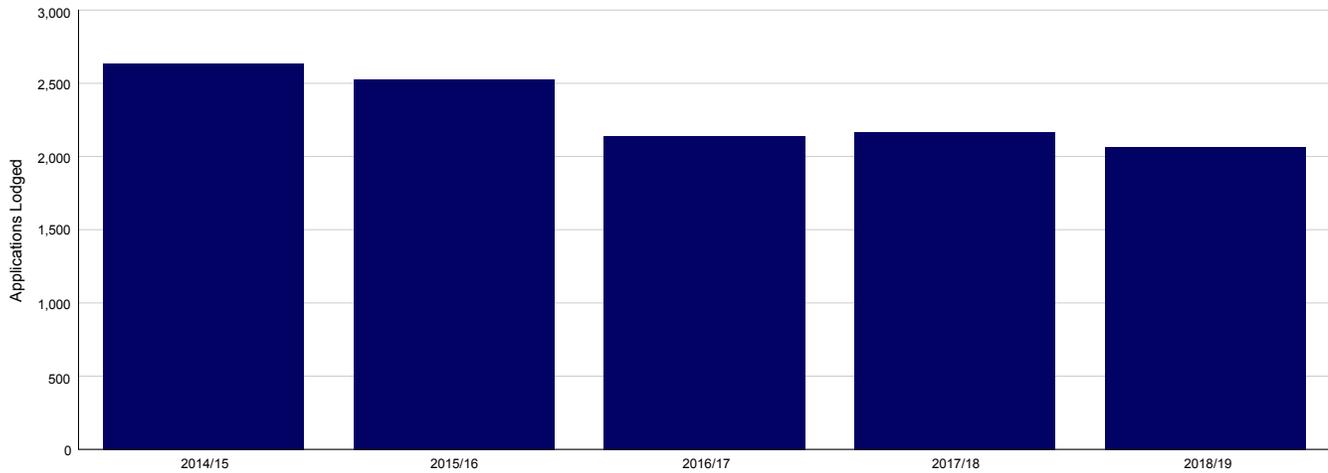
Consumer Trader Claim Applications Lodged

Remedy Type	2014/15	2015/16	2016/17	2017/18	2018/19	% 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	1,329	1,290	1,278	1,086	918	-15.5%	-30.9%
The Performance of Work	50	59	43	32	31	-3.1%	-38.0%
The Providing of Services	93	90	83	64	44	-31.2%	-52.7%
The Relief from Payment of an Amount of Money	33	29	22	11	21	90.9%	-36.4%
The Replacement of Goods	32	40	36	20	23	15.0%	-28.1%
The Return of Goods	38	23	39	27	25	-7.4%	-34.2%
Total	1,575	1,533	1,502	1,242	1,062	-14.5%	-32.6%

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



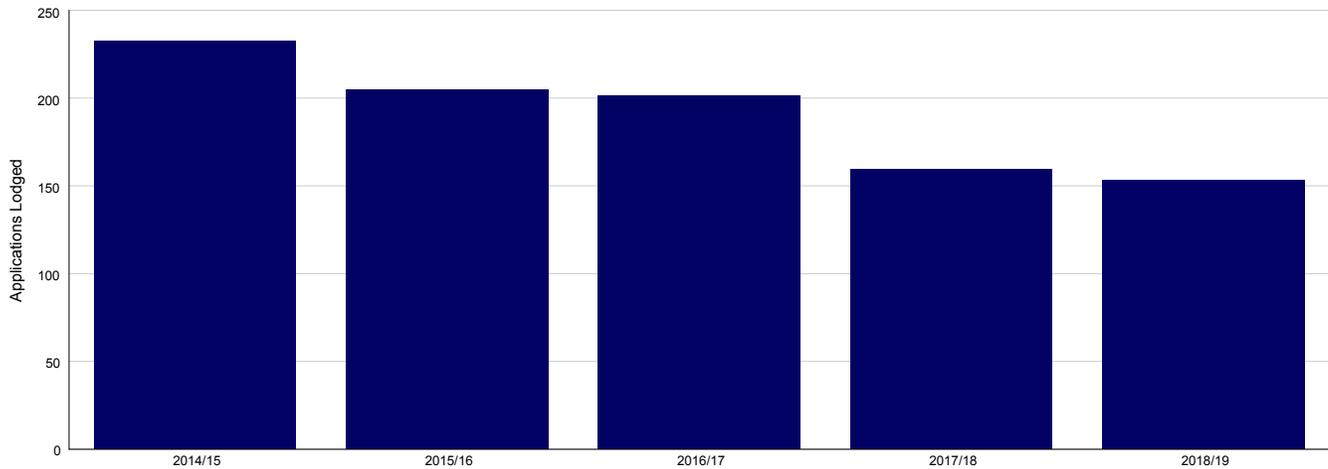
Extraordinary Driver's Licence Applications Lodged

Initiating Document Type	2014/15	2015/16	2016/17	2017/18	2018/19	% Change 1 Year	% Change 5 Years
Extraordinary Driver's Licence Application Form 5	2,641	2,531	2,140	2,172	2,068	-4.8%	-21.7%
Inactive Notice		1				n/a	n/a
Order	1					n/a	n/a
Total	2,642	2,532	2,140	2,172	2,068	-4.8%	-21.7%

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



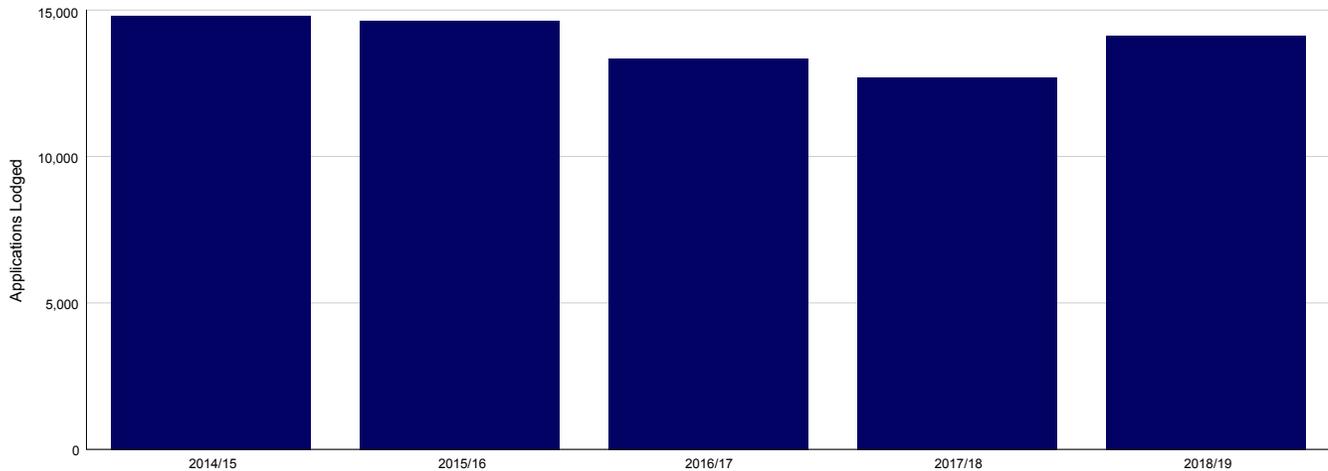
General Applications Lodged

Remedy Type	2014/15	2015/16	2016/17	2017/18	2018/19	% Change 1 Year	% Change 5 Years
11. Return of Goods				1		n/a	n/a
Animal Welfare Act	2	3	9	9	3	n/a	n/a
Applications under the Mandatory Testing (Infectious Diseases) Act 2014	1	3	2		3	n/a	n/a
Building Act 2011	13	8	3	3	4	n/a	n/a
Corporations Act				1		n/a	n/a
Criminal & Found Property Disposal Act	5	8	3	7	7	n/a	n/a
Criminal Investigation Act	1				1	n/a	n/a
Dividing Fence	178	170	179	126	113	-10.3%	-36.5%
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)	32	11	5	9	22	n/a	-31.2%
The Return of Goods					1	n/a	n/a
Total	233	205	202	160	154	-3.8%	-33.9%

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



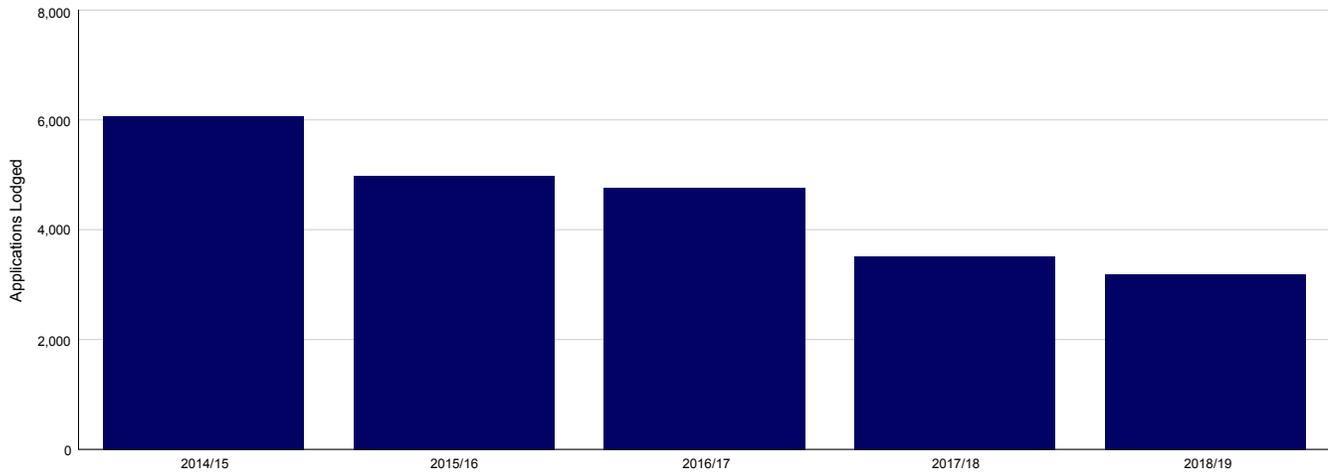
General Procedure Claim Applications Lodged

Remedy Type	2014/15	2015/16	2016/17	2017/18	2018/19	% Change 1 Year	% Change 5 Years
Local Govt (Misc Provisions) Act		1				n/a	n/a
The Payment of an Amount of Money			1	1		n/a	n/a
13. Workers Compensation	82	227	123	78	25	-67.9%	-69.5%
01. Sale of Goods & Services	2,660	2,344	2,199	1,873	1,339	-28.5%	-49.7%
03. Motor Vehicle Accident	1,469	2,011	2,257	2,063	2,412	16.9%	64.2%
09. Personal Injury	173	101	80	115	146	27.0%	-15.6%
The Performance of Work		1				n/a	n/a
04. Breach of Contract	2,235	2,104	2,197	2,434	2,855	17.3%	27.7%
08. Damages not Motor Vehicle	172	152	124	135	112	-17.0%	-34.9%
10. Dishonoured Cheque	5	7	4	1	3	n/a	n/a
National Consumer Credit Protection Act 2009 (Commonwealth)	1					n/a	n/a
05. Tax/Water Rates	368	274	311	305	178	-41.6%	-51.6%
Remitted from other Jurisdiction	7	1	3	3	4	n/a	n/a
02. Council Rates	6,483	6,241	4,627	4,100	5,205	27.0%	-19.7%
11. Return of Goods	30	34	22	15	26	73.3%	-13.3%
12. Outstanding Rent and Costs	175	178	131	142	152	7.0%	-13.1%
06. Strata Plan Fees	204	303	338	371	387	4.3%	89.7%
07. Consumer Credit/Loan	755	689	957	1,080	1,304	20.7%	72.7%
Total	14,819	14,668	13,374	12,716	14,148	11.3%	-4.5%

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



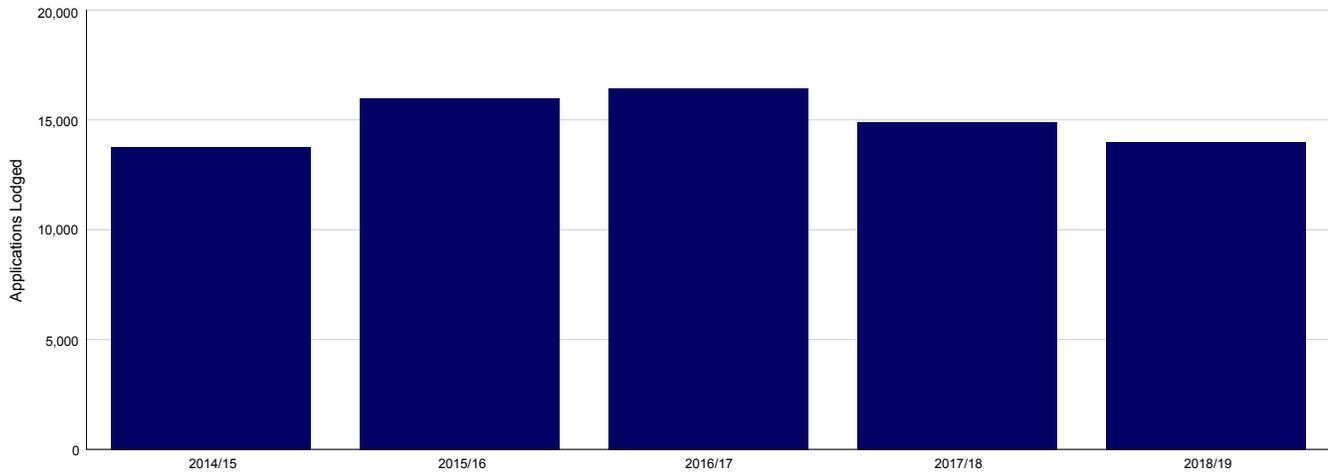
Minor Cases Procedure Claims Lodged

Remedy Type	2014/15	2015/16	2016/17	2017/18	2018/19	% Change 1 Year	% Change 5 Years
01. Sale of Goods & Services	2,002	2,010	1,812	1,539	1,352	-12.2%	-32.5%
02. Council Rates	612	546	413	406	497	22.4%	-18.8%
03. Motor Vehicle Accident	226	205	202	145	152	4.8%	-32.7%
04. Breach of Contract	847	881	885	838	666	-20.5%	-21.4%
05. Tax/Water Rates	1,776	744	887	24	34	41.7%	-98.1%
06. Strata Plan Fees	25	29	32	23	25	8.7%	0.0%
07. Consumer Credit/Loan	112	82	80	130	108	-16.9%	-3.6%
08. Damages not Motor Vehicle	150	152	151	125	122	-2.4%	-18.7%
09. Personal Injury	33	37	16	20	10	n/a	n/a
10. Dishonoured Cheque	9	7	10	6	3	n/a	n/a
11. Return of Goods	71	122	77	78	79	1.3%	11.3%
12. Outstanding Rent and Costs	206	167	198	185	145	-21.6%	-29.6%
13. Workers Compensation	5	2	2	8	4	n/a	n/a
Remitted from other Jurisdiction	1					n/a	n/a
The Payment of an Amount of Money	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	6,077	4,986	4,766	3,531	3,197	-9.5%	-47.4%

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



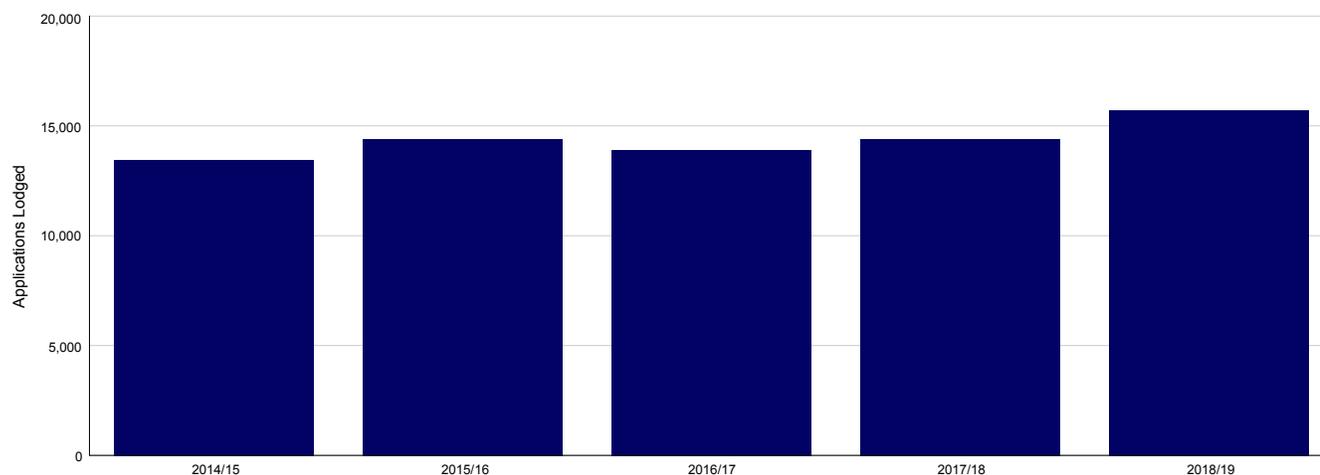
Residential Tenancy Applications Lodged

Initiating Document Type	2014/15	2015/16	2016/17	2017/18	2018/19	% Change 1 Year	% Change 5 Years
Inactive Notice			1			n/a	n/a
Residential Tenancies Order for Disposal of Security Bond - Form 10		2	1			n/a	n/a
Form 11 - Proceeds of Sale of Abandoned Goods (Residential Tenancies Act)	1		1		1	n/a	n/a
Form 1A - Application for Leave to Lodge a Document (Non Originating)			1			n/a	n/a
Form 25 - General Order					1	n/a	n/a
Residential Tenancy Form 12 General Application	8,350	9,945	9,874	8,829	8,497	-3.8%	1.8%
Form 57 - Notice of Discontinuance of Case					1	n/a	n/a
Residential Tenancy Form 6 Bond Disposal Application	5,450	6,075	6,601	6,098	5,527	-9.4%	1.4%
Total	13,801	16,022	16,479	14,927	14,027	-6.0%	1.6%

Counting Rules:

- (a) These are the number of residential tenancy applications lodged in the Magistrates Court of Western Australia, by initiating document 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.

Restraining Order Applications Lodged



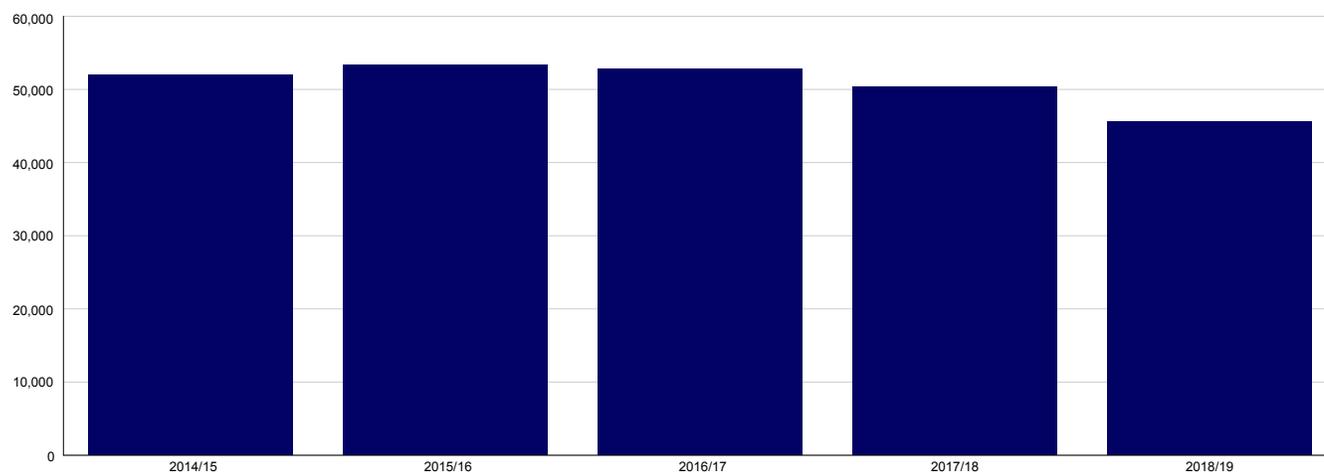
Restraining Order Applications Lodged

Remedy Type	2014/15	2015/16	2016/17	2017/18	2018/19	% Change 1 Year	% Change 5 Years
Family Violence Restraining Order				10,148	11,439	12.7%	n/a
Telephone Violence Restraining Order	1	6	1	2		n/a	n/a
Weapons Act				1		n/a	n/a
Misconduct Restraining Order	661	771	836	709	692	-2.4%	4.7%
Telephone Family Violence Restraining Order				8		n/a	n/a
Violence Restraining Order	12,787	13,609	13,041	3,530	3,599	2.0%	-71.9%
Interstate/Foreign Restraining Order Registration	33	51	59	38	17	-55.3%	-48.5%
Total	13,482	14,437	13,937	14,436	15,747	9.1%	16.8%

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



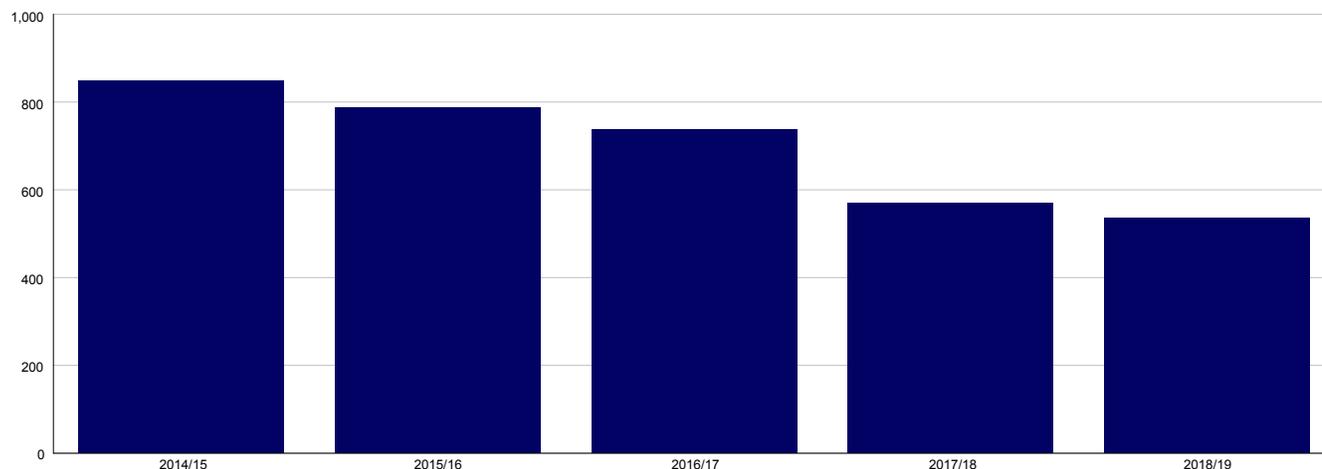
Civil Cases Finalised

Matter Type	2014/15	2015/16	2016/17	2017/18	2018/19	% Change 1 Year	% Change 5 Years
Application for cancellation of enforcement warrant	15	10		2	1	n/a	n/a
Application to Reduce Fee					3	n/a	n/a
Auctioneer's Licence	154	77	62	99	71	-28.3%	-53.9%
Consumer/Trader Claim	1,572	1,683	1,571	1,387	1,021	-26.4%	-35.1%
Criminal Property Confiscation Act	72	47	46	40	41	2.5%	-43.1%
Disposal of Uncollected Goods	23	22	28	18	18	0.0%	-21.7%
Extraordinary Driver's Licence	2,607	2,354	2,144	1,978	1,926	-2.6%	-26.1%
General Application	233	247	191	174	148	-14.9%	-36.5%
General Procedure Claim	15,235	14,646	15,260	13,682	10,558	-22.8%	-30.7%
General Summons/Plaint			1			n/a	n/a
Minor Cases Procedure Claim	5,901	5,559	5,093	4,383	2,783	-36.5%	-52.8%
Prohibited Behaviour Order	45	20	24	7	4	n/a	n/a
Recovery Of Possession Of Land	31	41	24	31	28	-9.7%	-9.7%
Registration Of Orders	550	519	408	377	321	-14.9%	-41.6%
Residential Tenancies	12,356	14,323	15,117	14,034	13,549	-3.5%	9.7%
Restraining Of Goods/Property Order	6	2	1			n/a	n/a
Restraining Order	13,291	13,940	12,925	14,228	15,301	7.5%	15.1%
Restraint Of Debtors Action	11	1	1	1		n/a	n/a
Revocation of Disqualification Notice	6		6	2	4	n/a	n/a
Set Aside Licence Suspension	10		8			n/a	n/a
Under Age Marriage	1	1	2	1		n/a	n/a
Total	52,119	53,492	52,912	50,444	45,777	-9.3%	-12.2%

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.

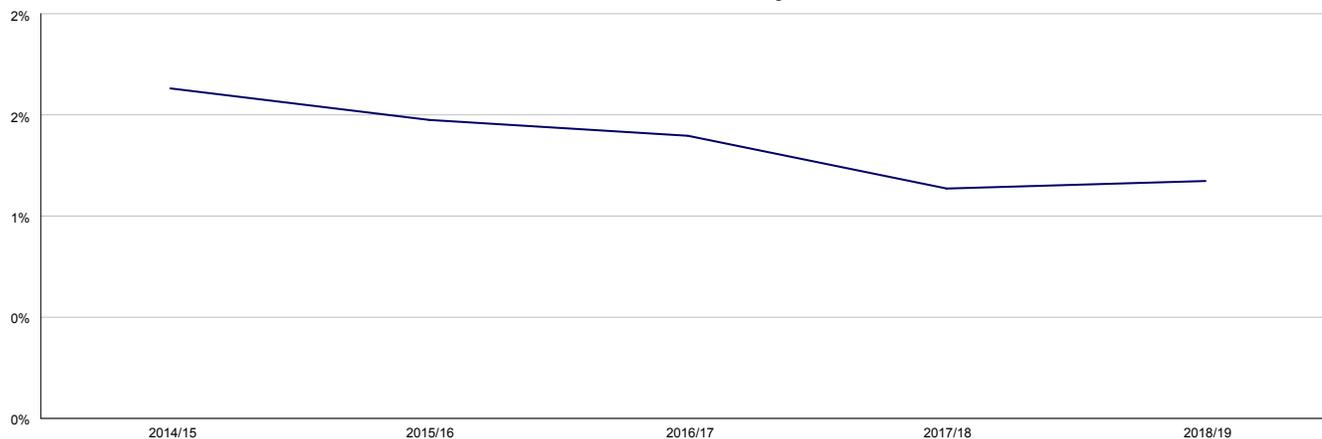
Civil Finalisations by Trial



Civil Trial Finalisations

	2014/15	2015/16	2016/17	2017/18	2018/19	% Change 1 Year	% Change 5 Years
Finalised by Trial	850	789	739	573	537	-6.3%	-36.8%
Finalised Without Trial	51,269	52,703	52,173	49,871	45,240	-9.3%	-11.8%
Total	52,119	53,492	52,912	50,444	45,777	-9.3%	-12.2%
Per cent finalised by trial	1.6%	1.5%	1.4%	1.1%	1.2%	3.3%	-28.1%

% Civil Finalisations by Trial



Counting Rules:

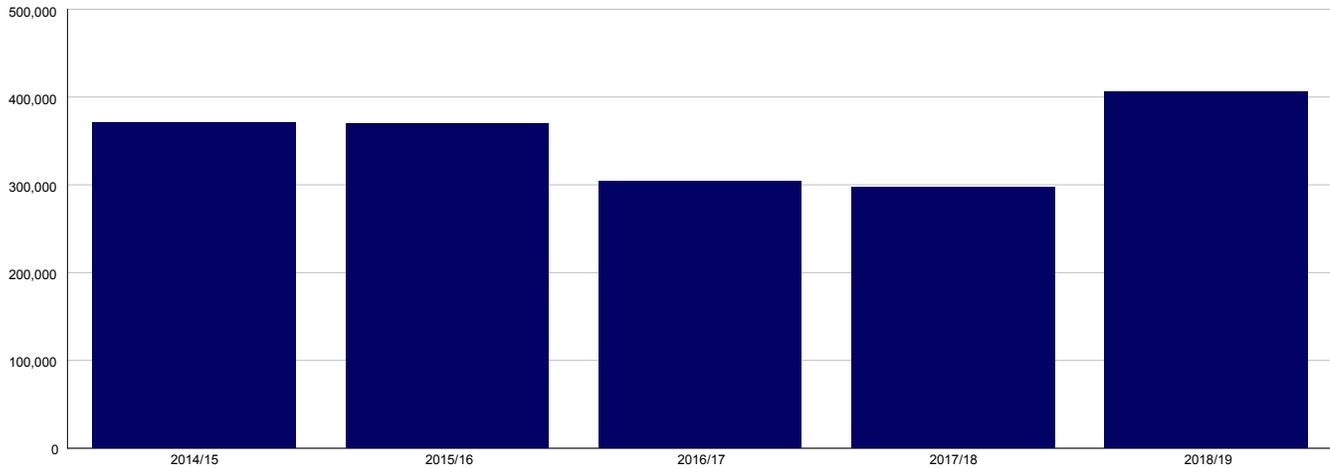
(a) These are the number of civil cases which were finalised in the Magistrates Court of Western Australia, broken down by whether a trial proceeded or not for the matter.

(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	2014/15	2015/16	2016/17	2017/18	2018/19	% Change 1 Year	% Change 5 Years
Application to Breach Surety	12	2	7	1	2	n/a	n/a
Application to Reduce Fee					18	n/a	n/a
Auctioneer's Licence	505	488	429	422	292	-30.8%	-42.2%
Revocation of Disqualification Notice	6	1	8	5	10	n/a	n/a
Set Aside Licence Suspension	15		15			n/a	n/a
Recovery Of Possession Of Land	383	364	219	235	301	28.1%	-21.4%
Registration Of Orders	4,116	4,184	3,384	3,169	3,002	-5.3%	-27.1%
Application for decision on whether information in seized record is privileged	1					n/a	n/a
Consumer/Trader Claim	12,537	12,348	9,476	8,781	11,826	34.7%	-5.7%
Criminal Property Confiscation Act	606	534	706	685	765	11.7%	26.2%
Disposal of Uncollected Goods	109	159	169	126	164	30.2%	50.5%
General Application	2,134	2,109	1,474	1,306	1,209	-7.4%	-43.3%
Residential Tenancies	47,568	56,817	60,951	56,421	56,642	0.4%	19.1%
Under Age Marriage	1	4	3	3		n/a	n/a
Extraordinary Driver's Licence	5,835	5,828	4,964	5,309	5,500	3.6%	-5.7%
Minor Cases Procedure Claim	59,407	55,509	38,670	34,580	57,213	65.5%	-3.7%
Restraining Of Goods/Property Order	26	12	7	13		n/a	n/a
Restraining Order	93,109	94,025	90,208	96,910	109,232	12.7%	17.3%
General Summons/Plaint	86	46	26	20	9	n/a	n/a
Prohibited Behaviour Order	40	148	119	32	16	-50.0%	-60.0%
Restraint Of Debtors Action	25	2	6	5		n/a	n/a
Application for cancellation of enforcement warrant	72	29		9	3	n/a	n/a
Application for Extradition		2		2		n/a	n/a
Criminal	2					n/a	n/a
General Procedure Claim	145,618	137,758	94,316	90,153	160,798	78.4%	10.4%
Small Debt Summons/Plaint				100		n/a	n/a
Trans-Tasman Act Judgements		2	8	11	12	9.1%	n/a
Total	372,213	370,371	305,165	298,298	407,014	36.4%	9.3%

Counting Rules:

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