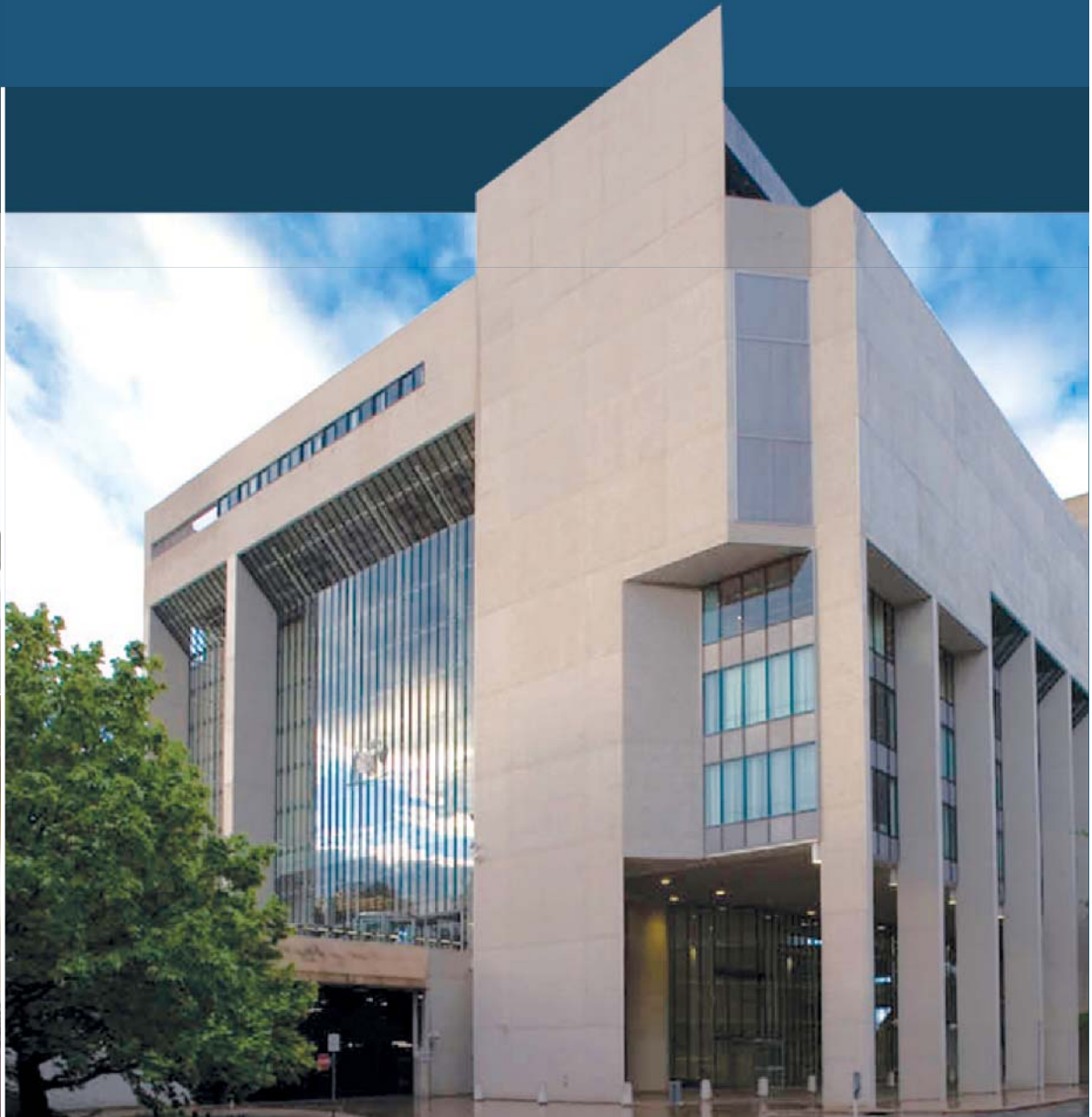




High Court of Australia

Annual Report 2006–07





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High Court of Australia

Canberra ACT 2600

19 December 2007

Dear Attorney

In accordance with section 47 of the *High Court of Australia Act 1979* (Cth), 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 2007, together with financial statements in respect of the year in the form approved by the Minister for Finance.

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



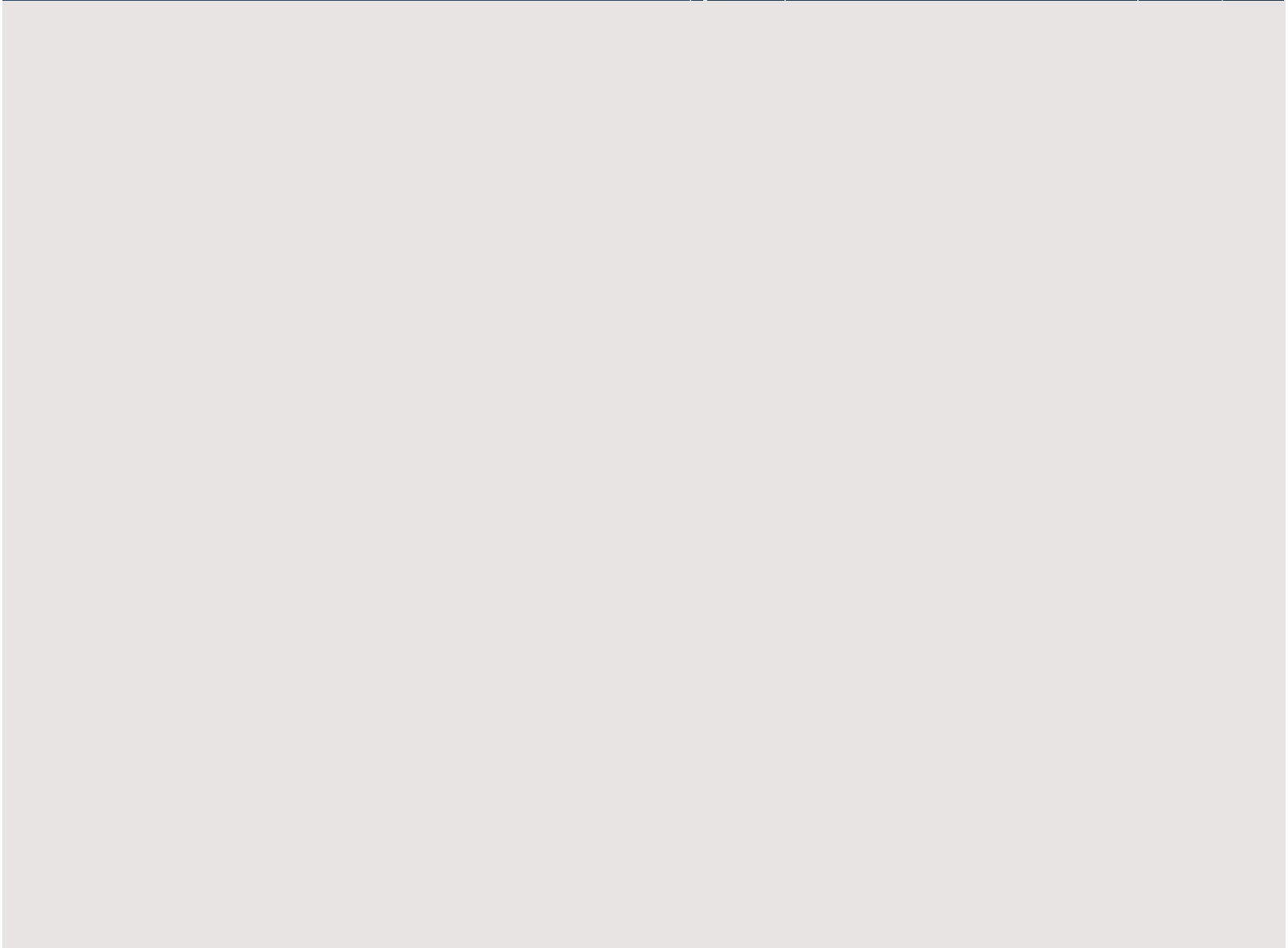
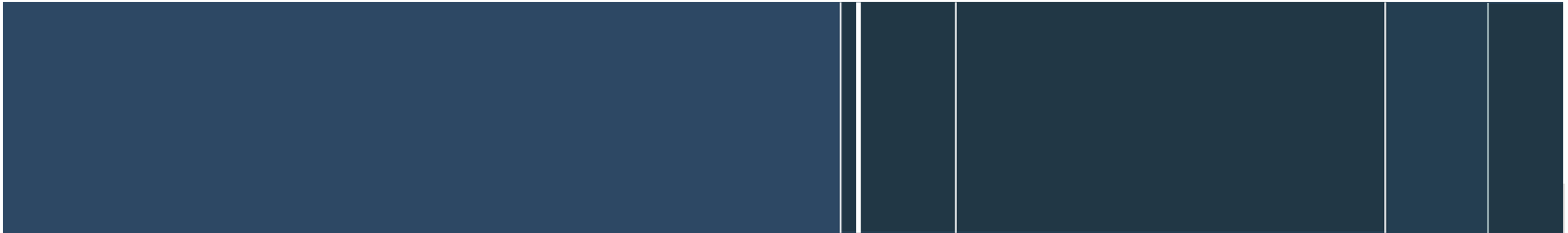
Andrew Phelan
Chief Executive & Principal Registrar
of the High Court of Australia

The Honourable Robert McClelland MP
Attorney-General
Parliament House
Canberra ACT 2600

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High Court of Australia

Part I Preamble

Part I – Preamble

This is the 28th report prepared as required by the *High Court of Australia Act 1979 (Cth)*.

Contact Officer

Inquiries or comments concerning this report may be directed to:

The Public Information Officer
High Court of Australia
PO Box 6309
Kingston ACT 2604

Telephone: (02) 6270 6998

Fax: (02) 6270 6909

Email: fhamilton@hcourt.gov.au

Freedom of Information

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

Electronic Publication

This report is published as a PDF on the High Court's website, www.hcourt.gov.au. It may be downloaded from the site free of charge.



High Court of Australia

Part II Introduction

Chief Justice Gleeson	X
Justice Gummow	X
Justice Kirby	X
Justice Hayne	X
Justice Callinan	XX
Justice Heydon	XX

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 usually heard by either 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 and 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 they reside or by video-link from Canberra.

At 30 June 2006, the seven Justices of the High Court were:



Chief Justice Murray 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 NSW Bar in 1963. He was appointed a Queen’s Counsel in 1974. He was president of the NSW Bar Association in 1984-85 and was Lieutenant Governor of NSW from 1989 to 1998. Chief Justice Gleeson was appointed a Companion in the General Division of the Order of Australia in 1992.



Justice William 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 a Bachelor of Arts and Master of Laws. After 10 years in practice as a solicitor, he was admitted to the New South Wales Bar in 1976. He was appointed a Queen's Counsel in 1986. For 30 years he lectured part-time at the University of Sydney. He is the author and editor of several texts on equity and trusts. Justice Gummow was appointed a Companion in the General Division of the Order of Australia in 1997.



Justice Michael Kirby

Michael Donald Kirby was appointed to the Court in February 1996. He had been President of the New South Wales Court of Appeal from September 1984. He graduated from the University of Sydney as a Bachelor of Arts and Economics and a Master of Laws. He was admitted to the NSW Bar in 1967. He was appointed a Deputy President of the Australian Conciliation and Arbitration Commission in 1975. He served as the first chairman of the Australian Law Reform Commission from 1975 to 1984 and was a judge of the Federal Court of Australia in 1983-84.

Justice Kirby has held numerous national and international posts, including on the board of 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 has published several books, including *The Judges* (1984), *Through the World's Eye* (2000) and *Judicial Activism* (Hamlyn Lectures, 2004). Justice Kirby was appointed a Companion in the General Division of the Order of Australia in 1991 and a Companion of the Order of St Michael and St George in 1983.



Justice Kenneth Hayne

Kenneth Madison Hayne was appointed to the Court in September 1997. At the time of his appointment he was a judge of the Victorian Court of Appeal, having been appointed one of the foundation judges of that Court in 1995. He graduated in arts and law from the University of Melbourne. He was Victoria's Rhodes Scholar in 1969 and graduated as a Bachelor of Civil Law from Oxford University.

He joined the Victorian Bar in 1971, and was appointed a Queen's Counsel in 1984. He practised in State and federal courts principally in commercial, constitutional and general civil matters. He was appointed a judge of the Victorian Supreme Court in 1992. Justice Hayne was appointed a Companion in the General Division of the Order of Australia in 2002.



Justice Ian Callinan

Ian David Francis Callinan was appointed to the Court in February 1998. At the time of his appointment he was a practising barrister. He graduated a Bachelor of Laws from the University of Queensland. 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 novelist. He has served as chairman of trustees of the Queensland Art Gallery, chairman of the Brisbane Community Arts Centre and director of several public companies as well as the Australian Broadcasting Corporation. Justice Callinan was appointed a Companion in the General Division of the Order of Australia in 2003.

** Justice Callinan retired on 30 August 2007 and was replaced by Justice Susan Kiefel who was sworn in on 3 September 2007.*



Justice Dyson Heydon

John Dyson Heydon was appointed to the Court in February 2003, after having been a judge of the New South Wales Court of Appeal since 2000. He graduated in arts from the University of Sydney, and, as the Rhodes Scholar for NSW in 1964, graduated as Master of Arts and Bachelor of Civil Law from Oxford University.

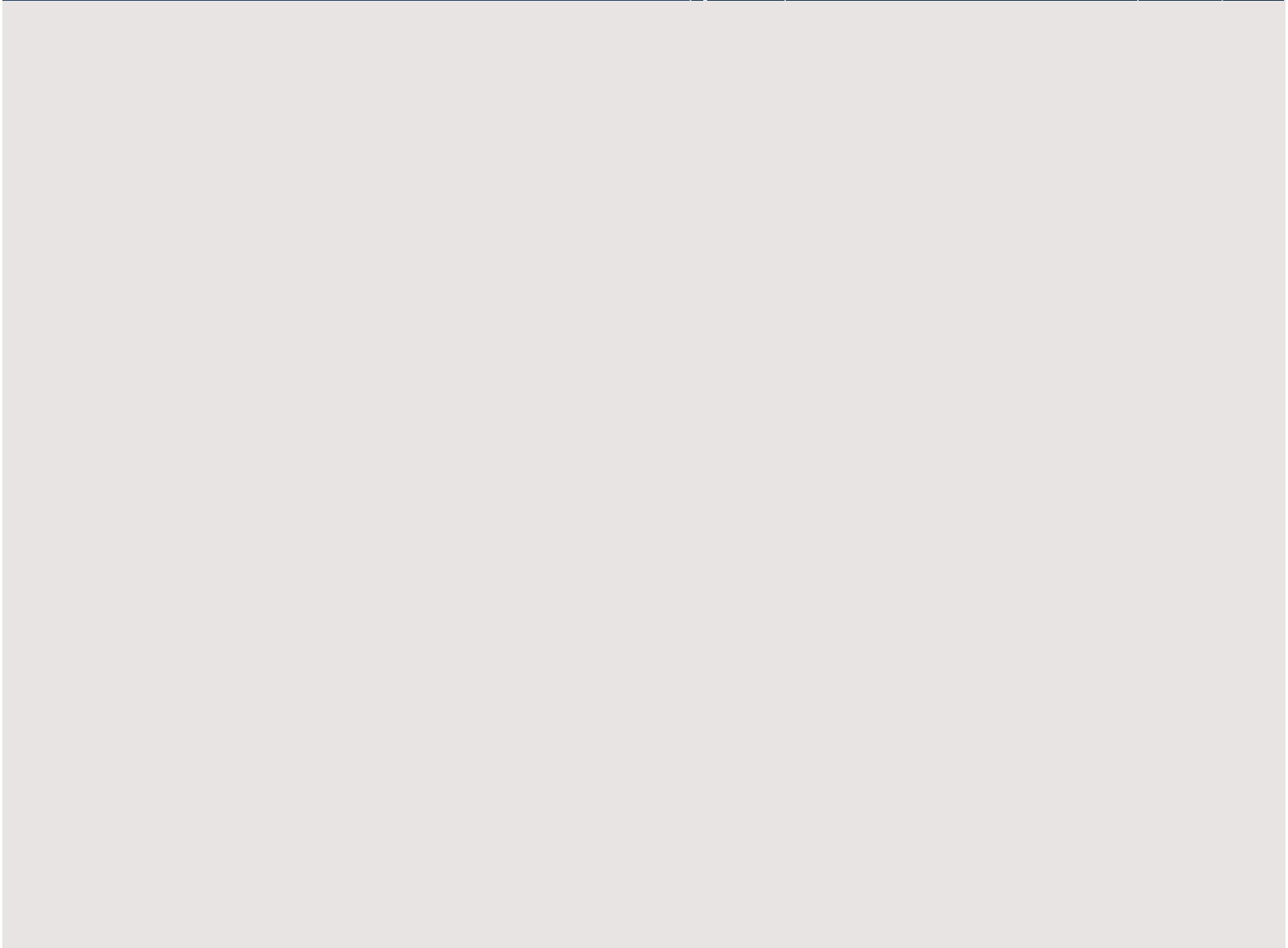
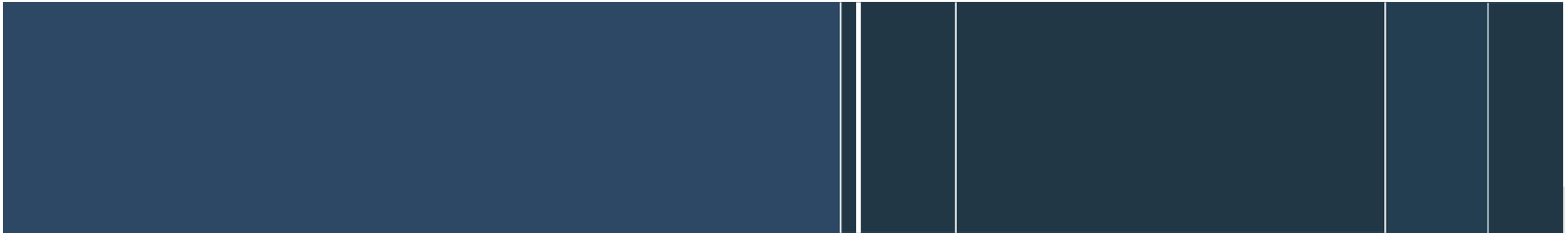
He was admitted to the NSW Bar in 1973 and was appointed a Queen's Counsel in 1987. At age 34, he was elected dean of the University of Sydney Law School for 1978-79. He practised at the Bar from 1979 until his appointment to the Court of Appeal. He has published a number of legal texts, including his first book, *The Restraint of Trade Doctrine*, in 1971. Justice Heydon was appointed a Companion in the General Division of the Order of Australia in 2004.



Justice Susan Crennan

Susan Maree Crennan was appointed to the Court in November 2005. At the time of her appointment she was a judge of the Federal Court of Australia, having been appointed to that office in February 2004.

Justice Crennan was admitted to the Victorian Bar in 1979 and the New South Wales Bar in 1980. She was appointed a Queen's Counsel for Victoria in 1989 and for New South Wales in 1990. Justice Crennan was President of the Australian Bar Association in 1994-95, Chairman of the Victorian Bar Council in 1993-94, and the Commissioner for Human Rights in 1992.





High Court of Australia

Part III The Year In Review

Judicial Workload	X
Applications for Special Leave	X
Visit to Canada	X
Retirement of Chief Executive & Principal Registrar	X
Links and Visits	X

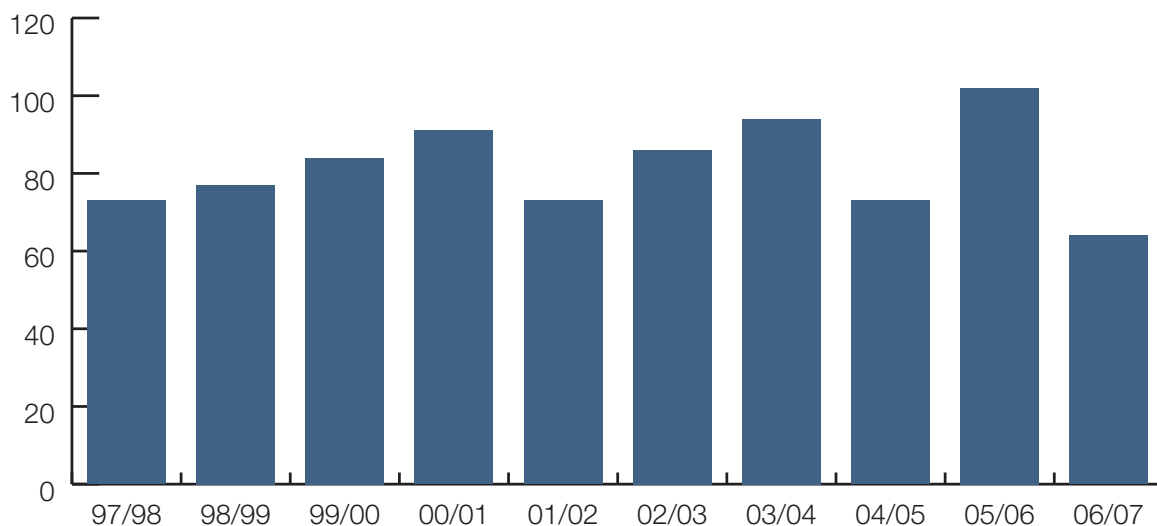
Part III – The Year In Review

Judicial Workload

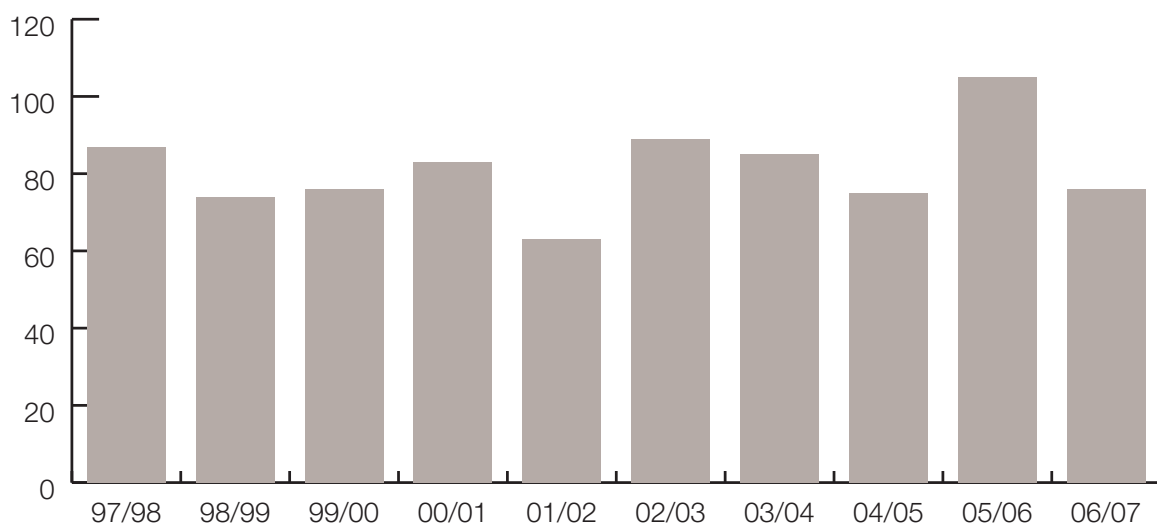
The tables of judicial workload annexed to the report record the number of matters filed, heard and determined during the reporting year.

As shown in the following graphs, the numbers of Full Court hearings and decisions in 2006-07 were consistent with averages for both over the past 10 years. Variations in the numbers and durations of hearings each year will reflect differences in the numbers of parties and complexity of the issues to be determined in each matter. That judicial workloads have remained generally stable is indicated by the fact that the Court has not needed to vary the numbers of sitting days each year.

Full Court Hearings (other than special leave applications)



Full Court Decisions (other than special leave applications)



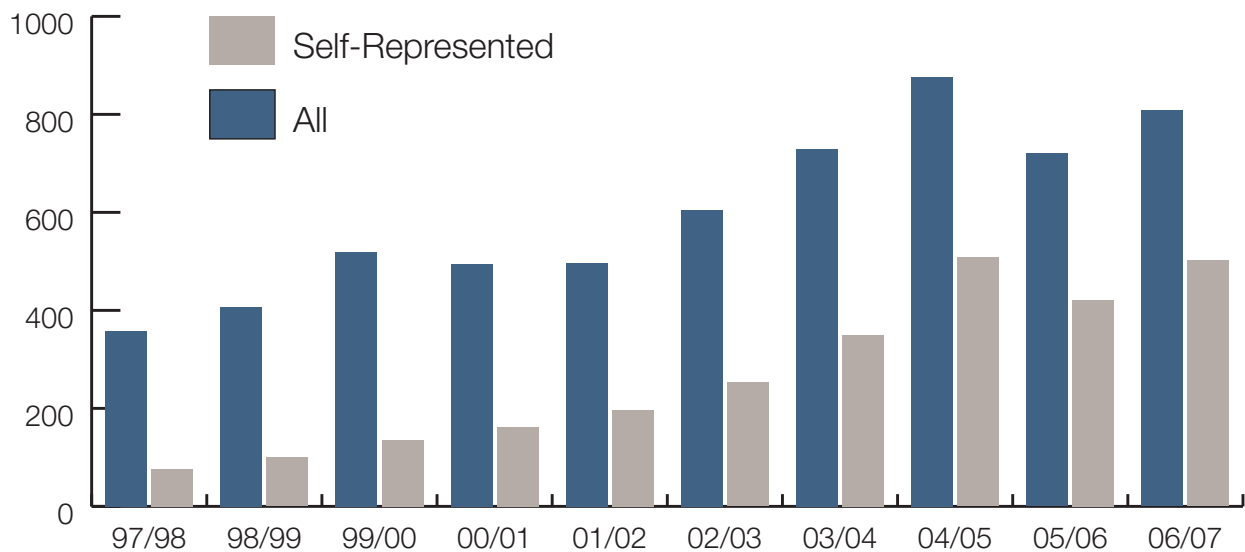
Of the matters decided by the Full Court in 2006-07, the decision was given in 83 per cent of civil appeals within six months of the hearing of argument; for criminal appeals the rate was 100 per cent. Comparable figures for 2005-06 were 86 per cent and 95 per cent respectively.

Applications for Special Leave

The number of applications for special leave to appeal filed in 2006-07 increased over the number in 2005-06, but remained lower than for the peak year of 2004-05. Of significance, 70 per cent of the civil special leave applications filed in 2006-07 were filed by self-represented litigants, an increase from 63 per cent in 2005-06.

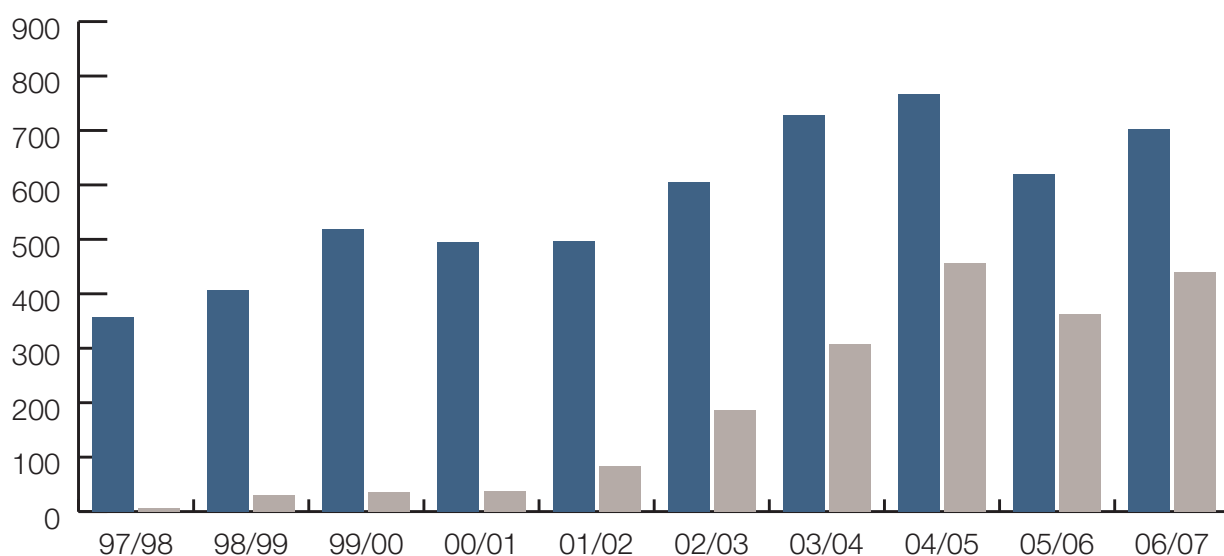
The following table demonstrates the numbers of special leave applications filed in the past 10 years, showing also the increase in the proportion of applications filed by self-represented litigants.

Applications for Special Leave Filed 1997-98 to 2006-07



The number of civil special leave applications involving immigration matters rose from 363 (or 58 per cent) in 2005-06 to 439 (or 62 per cent) during 2006-07. Ninety-five per cent of the immigration applications filed in 2006-07 were filed by self-represented litigants. The following table illustrates the increase in immigration matters as a proportion of civil special leave applications filed in the past 10 years.

Civil Applications Filed 1997–98 to 2006–07



The *High Court Rules 2004* (which commenced on 1 January 2005), among other things, introduced changes to the procedures governing applications for special leave to appeal. More than 50 per cent of applications for special leave determined during the year were determined on the papers.

It should be noted that more than 10 per cent of parties who have lost appeals in courts below file special leave applications (perhaps for the purpose of preserving their appeal rights) but subsequently do not pursue them.

Visit to Canada

In March 2007, at the invitation of the Supreme Court of Canada, Chief Justice Murray Gleeson and Justices William Gummow and Kenneth Hayne attended a colloquium organised by the Supreme Court of Canada in Ottawa. The Chief Justice of New Zealand and two other members of the Supreme Court of New Zealand also participated.

The colloquium took the form of discussions over two days between the Canadian, Australian and New Zealand judges on a range of subjects of doctrinal complexity and of current practical importance in the jurisprudence of all three countries.



*Front row (left to right): Chief Justice of Australia Murray Gleeson, Chief Justice of Canada Beverley McLachlin and Chief Justice of New Zealand Dame Sian Elias.
Back row (left to right), Justices John McGrath (New Zealand), Michel Bastarache (Canada), William Gummow, Louise Charron (Canada), Kenneth Hayne, William Binnie (Canada) and Andrew Tipping (New Zealand).*

The topics covered were: comparative developments in administrative law; economic loss in tort; tort rules in private international law; equitable proprietary remedies; recovery of exemplary and profit-based damages in contract; and current developments in intellectual property law.

The Australian High Commissioner, His Excellency Mr William Fisher, and Mrs Kerry Fisher assisted with the Australian participation and hosted a dinner at their residence in honour of the members of the three Courts.

The Courts hope to continue meeting at three-yearly intervals and for future meetings to follow the same pattern as that in Canada. If funding is available, it is proposed that second colloquium be organised by the High Court of Australia and be held in Canberra in the second half of 2010.

Retirement of Chief Executive & Principal Registrar



Mr Christopher Doogan AM has retired after 13 years as the CE&PR of the High Court. He was in his third five-year term following his appointment as the inaugural CE&PR in 1994. The position combined the previous functions of Clerk of the Court with those of the Registrar. Mr Doogan (pictured) served under Chief Justices Sir Anthony Mason, Sir Gerard Brennan and Murray Gleeson.

He was admitted as a barrister of the Supreme Court of New South Wales in 1984 and as a barrister and solicitor of the Supreme Court of the ACT in 1985.

Mr Doogan was succeeded by Mr Andrew Phelan who took up the position on 20 July 2007. Mr Phelan came to the Court from the Australian Crime Commission where he had occupied a position of Executive Director, following a period on the executive of the Family Court of Australia. He was admitted as a solicitor of the Supreme Court of New South Wales in 1978.

Links and Visits

During 2006-07, the Court maintained its many links with courts, judges and legal organisations in the region and around the world. The Court welcomed a number of international visitors, including delegations of judges, senior lawyers and court administrators from the Bahamas, China, Indonesia, Ireland, Kenya, the Netherlands, New Zealand, South Korea, Thailand, the United Kingdom and the United States; diplomats from Ecuador, Peru, South Korea, Spain, Trinidad and Tobago and the United Kingdom; parliamentarians and parliamentary and government officials from Brunei, China, East Timor, Fiji, India, Indonesia, Malaysia, Papua New Guinea, Solomon Islands, Thailand, the United States and Vietnam; and law students from the United States.

The number of visitors to the building during the year totalled 81,500, a decrease of five per cent from the previous year. Seven cultural exhibitions and seven other functions were held in the building in accordance with the Court's guidelines on public use of the building. The cultural exhibitions comprised displays sponsored by the Embassy of Japan, the High Commission of Malta, the Embassy of the People's Republic of China, the Embassy of the Czech Republic, Canberra Institute of Technology, the High Commission of Bangladesh and the South Australian Museum.



High Court of Australia

Part IV Background Information

Establishment	X
Functions and Powers	X
Sittings of the Court	X
Seat of the Court	X
Appointment of Justices of the High Court	X
Composition of the Court	X
Chief Justices and Justices of the Court	X

Part IV – Background Information

Establishment

In 1901 the High Court of Australia was established by section 71 of the Constitution. 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.

To the extent that legislative provision was necessary, the Court was given the power to administer its own affairs by the *High Court of Australia Act 1979 (Cth)*, which was proclaimed on 21 April 1980. The minister responsible for the Court's administration is the Commonwealth Attorney-General.

Functions and Powers

The Constitution confers both appellate and original jurisdiction upon the High Court. Appeals from the Supreme Courts of the States and Territories, the Federal Court of Australia and 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 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. Appeals may also, exceptionally, be brought to the High Court from the Supreme Court of the Republic of Nauru.

Sittings of the Court

The Court conducts its sittings in Canberra and such other places as are determined by a 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, Adelaide and Perth, the Court uses Commonwealth Law Courts buildings. In Hobart, facilities are provided with the kind cooperation and assistance of the Tasmanian Supreme Court. The 2006 and 2007 sittings are shown below:

2006

CANBERRA	30 January – 9 February
CANBERRA	29 February – 9 March
HOBART	21 March – 23 March
CANBERRA	4 April – 13 April
CANBERRA	4 May – 18 May
CANBERRA	13 June – 15 June
BRISBANE	19 June – 22 June
CANBERRA	20 July (judgments only)
CANBERRA	1 August – 3 August
ADELAIDE	7 August – 10 August
CANBERRA	29 August – 7 September
CANBERRA	26 September – 5 October
PERTH	23 October – 26 October
CANBERRA	7 November – 16 November
CANBERRA	5 December – 15 December

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

SYDNEY	3 February
CANBERRA	10 February (by video-link to Adelaide)
SYDNEY	10 February
CANBERRA	10 March (by video-link to Brisbane)
SYDNEY	10 March
CANBERRA	19 May (by video-link to Perth)
SYDNEY	19 May
MELBOURNE	2 June (by video-link to Adelaide)
SYDNEY	16 June
MELBOURNE	16 June
BRISBANE	22 June (two panels)
CANBERRA	4 August (by video-link to Perth, Melbourne, Adelaide)
SYDNEY	4 August
CANBERRA	1 September (by video-link to Perth)
SYDNEY	1 September
SYDNEY	29 September
MELBOURNE	29 September
PERTH	26 October (two panels)
SYDNEY	10 November
MELBOURNE	10 November
CANBERRA	8 December (by video-link to Brisbane)
SYDNEY	8 December

2007

CANBERRA	29 January – 8 February
CANBERRA	20 February – 1 March
CANBERRA	1 March – 10 March
CANBERRA	21 March – 22 March
CANBERRA	17 April – 20 April
CANBERRA	26 April – 27 April
CANBERRA	17 May – 26 May
CANBERRA	12 June – 14 June
BRISBANE	18 June – 20 June
CANBERRA	31 July – 2 August
ADELAIDE	6 August – 8 August
CANBERRA	28 August – 6 September
CANBERRA	25 September – 4 October
PERTH	22 October – 24 October
CANBERRA	6 November – 15 November
CANBERRA	December – 13 December

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

CANBERRA	9 February (by video-link to Darwin, Melbourne and Perth)
SYDNEY	9 February
CANBERRA	2 March (by video-link to Adelaide, Brisbane and Darwin)
SYDNEY	2 March
SYDNEY	24 April
MELBOURNE	24 April (by video-link to Brisbane)

CANBERRA	25 May (by video-link to Melbourne and Adelaide)
SYDNEY	25 May
CANBERRA	15 June (by video-link to Perth)
SYDNEY	15 June
BRISBANE	21 June (two panels)
SYDNEY	3 August
MELBOURNE	3 August
ADELAIDE	8 August – 9 August (two panels)
CANBERRA	31 August (by video-link to Brisbane and Perth)
SYDNEY	31 August
SYDNEY	5 October
MELBOURNE	5 October
PERTH	24 October (two panels)
CANBERRA	16 November (by video-link to Adelaide and Brisbane)
SYDNEY	16 November
SYDNEY	14 December
MELBOURNE	14 December

Seat of the High Court

Section 14 of the *High Court of Australia Act 1979* (Cth) 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

architectural firm Edwards Madigan Torzillo and Briggs Pty Ltd, the winners of a national architectural design competition held in 1972 and 1973. The builder was PDC Constructions (ACT) Pty Ltd. Construction costs totalled \$46.5 million. The building was opened by Her Majesty Queen Elizabeth II on 26 May 1980.

Forty metres tall, it consists of three courtrooms, judges' chambers, the Court's Principal Registry, library, administrative wing and large public hall. Total floor area, including car parks and patios, is approximately 29,400 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 House of Parliament in the same session, praying for such removal on the grounds 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 70 years.

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



- 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 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 five years;
- A Justice is not capable of accepting or holding any other office of profit within Australia; and

- The Chief Justice and the other Justices shall receive salary and other allowances at such rates as are fixed from time to time by Parliament.

Composition of the Court

The Justices of the High Court for the period covered by this report, and the dates they were sworn in, are as follows:

Chief Justice Gleeson	22 May 1998
Justice Gummow	21 April 1995
Justice Kirby	6 February 1996
Justice Hayne	22 September 1997
Justice Callinan	3 February 1998
Justice Heydon	11 February 2003
Justice Crennan	8 November 2005

Chief Justices and Justices of the Court

Including the current members of the Court, there have been 11 Chief Justices and 40 Justices since the Court was established in 1903. Six Chief Justices had already been Justices, and four Chief Justices, in addition to the first, Sir Samuel Griffith, were appointed from outside the Court.

Three members of the Court – Sir Isaac Isaacs, Sir Ninian Stephen and Sir William Deane – resigned from the Court to become Governor-General.

The name and years of service of each Chief Justice and Justice are listed below.

Chief Justices

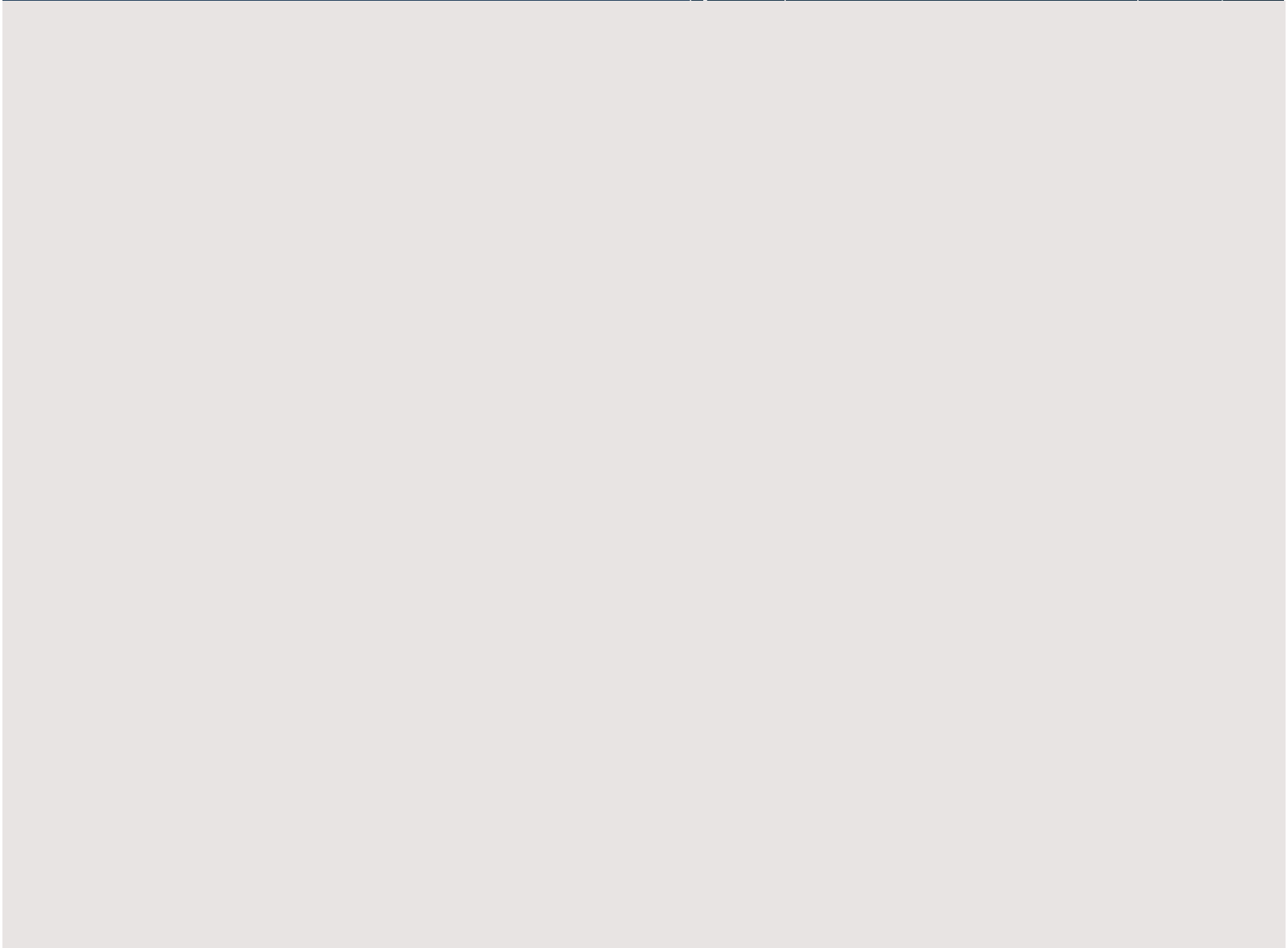
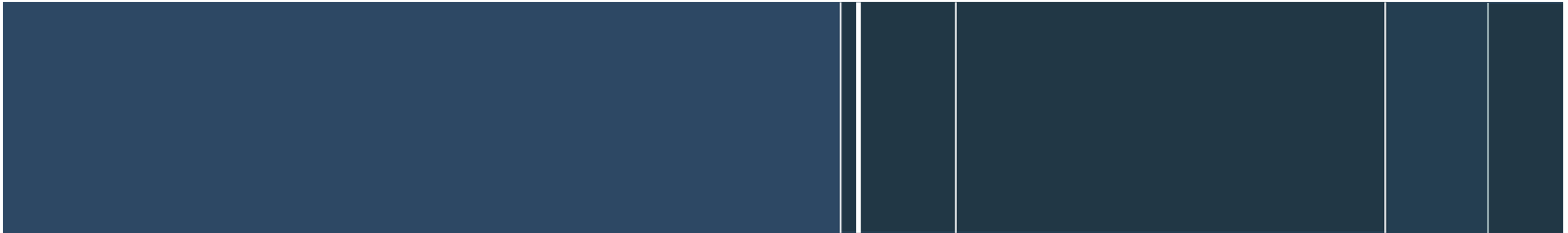
Sir Samuel Walker Griffith	1903-1919
Sir Adrian Knox	1919-1930
Sir Isaac Alfred Isaacs	1930-1931
Sir Frank Gavan Duffy	1931-1935
Sir John Greig Latham	1935-1952
Sir Owen Dixon	1952-1964
Sir Garfield Edward John Barwick	1964-1981
Sir Harry Talbot Gibbs	1981-1987
Sir Anthony Frank Mason	1987-1995
Sir (Francis) Gerard Brennan	1995-1998
(Anthony) Murray Gleeson	1998-

Justices

Sir Edmund Barton	1903-1920
Richard Edward O'Connor	1903-1912
Sir Isaac Alfred 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 Edward Rich	1913-1950
Sir Hayden Erskine Starke	1920-1950
Sir Owen Dixon	1929-1952
Herbert Vere Evatt	1930-1940
Sir Edward Aloysius McTiernan	1930-1976
Sir Dudley Williams	1940-1958
Sir William Flood Webb	1946-1958
Sir Wilfred Kelsham Fullagar	1950-1961
Sir Frank Walters Kitto	1950-1970
Sir Alan Russell Taylor	1952-1969
Sir Douglas Ian Menzies	1958-1974
Sir (William John) Victor Windeyer	1958-1972
Sir William Francis Langer Owen	1961-1972
Sir Cyril Ambrose Walsh	1969-1973

Sir Harry Talbot Gibbs	1970-1981	John Leslie Toohey	1987-1998
Sir Ninian Martin Stephen	1972-1982	Mary Genevieve Gaudron	1987-2003
Sir Anthony Frank Mason	1972-1987	Michael Hudson McHugh	1989-2005
Sir Kenneth Sydney Jacobs	1974-1979	William Montague Charles Gummow	1995-
Lionel Keith Murphy	1975-1986	Michael Donald Kirby	1996-
Sir Keith Arthur Aicken	1976-1982	Kenneth Madison Hayne	1997-
Sir Ronald Darling Wilson	1979-1989	Ian David Francis Callinan	1998-
Sir (Francis) Gerard Brennan	1981-1995	(John) Dyson Heydon	2003-
Sir William Patrick Deane	1982-1995	Susan Maree Crennan	2005-
Sir Daryl Michael Dawson	1982-1997		







High Court of Australia

Part V Administration

General	X
External Scrutiny	X
Ecologically Sustainable Development	X
Fraud Control	X
Organisational Chart	X
Registry	X
Library and Research	X
Corporate Services	X

Part V– Administration

General

Section 17 of the *High Court of Australia Act 1979* (Cth) 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 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 & 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 up to five years (but is eligible for reappointment) 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: the Registry, Library and Corporate Services. Figure 1 overleaf shows the Court's organisational structure and gives the names of the senior executives of the Court.



External Scrutiny

2005-06 Annual Report

The Court's 2005-06 Annual Report was submitted to the Attorney-General on 25 November 2006 and tabled in Parliament on 7 December 2006.

Auditor-General's Report

Results of the Auditor-General's audit of the Court's 2005-06 Financial Statements were reported in Auditor-General's Audit Report No. 15 of 2006-07, and tabled in Parliament on 19 December 2006. The results of the audit of the High Court's Financial Statements were satisfactory, with no significant agency or administrative issues arising from the audit.

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* (Cth).

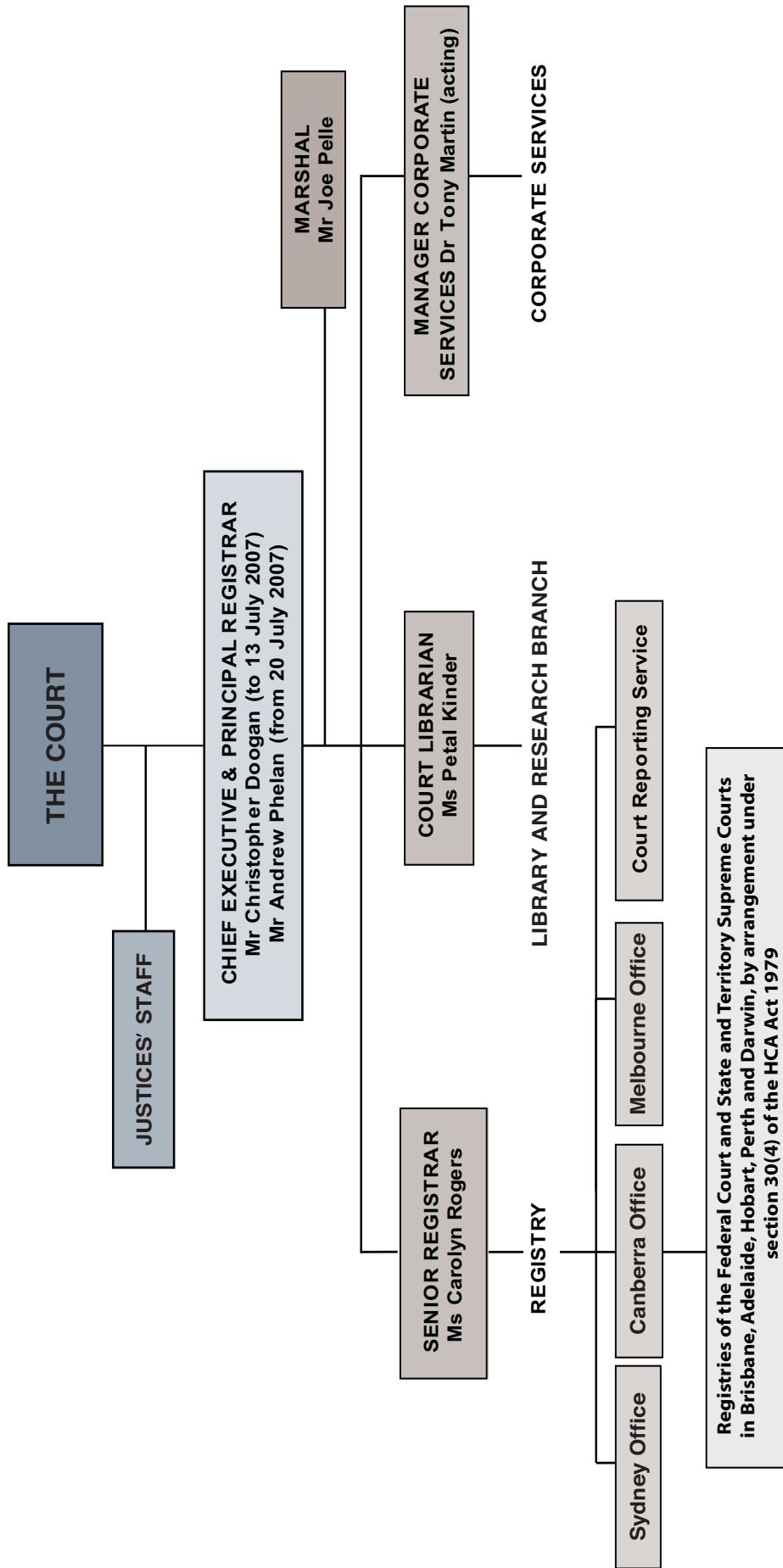
To the best of the Court's knowledge, no administrative action or decision during the year adversely impacted on the environment in any measurable way.

Fraud Control

The High Court of Australia is not subject to the *Financial Management and Accountability Act 1997* (Cth) or the *Commonwealth Authorities and Companies Act 1997* (Cth). Consequently it is not subject to the requirements of the Commonwealth Fraud Control Guidelines. However, in recognition that the Commonwealth Guidelines represent best practice in the public sector, the Court has voluntarily adopted a fraud control policy in accordance with those Guidelines, including the definition of fraud in Guideline No. 2.

To ensure the independence of the position the Court has contracted an external entity to provide internal audit services. An internal audit plan was developed and the plan is currently being progressed.

Figure 1 HIGH COURT OF AUSTRALIA ORGANISATIONAL CHART AS AT 30 JUNE 2007



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 (Cth) and the *High Court Rules* 2004. 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. The Canberra, Sydney and Melbourne Registries are staffed by officers of the Court. Registry functions in Hobart are performed by officers of the Supreme Court of Tasmania under ministerial arrangements. Registry functions in Brisbane, Adelaide and Perth are performed by officers of the Federal Court of Australia by arrangement between the Chief Justices of the respective Courts. From 1 July 2007, the Registry functions previously performed by officers of the Supreme Court of the Northern Territory in Darwin will be performed by officers of the Federal Court.

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 & 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 website, www.hcourt.gov.au.

The Court has its own Court reporting service which provides an accurate transcript of the proceedings of the High Court for the use of the Justices. 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. The transcript is also made available, in paper form and electronically on the AustLII website at www.austlii.edu.au, to legal practitioners, litigants and other interested persons. The transcript is usually available within two hours of the Court rising each sitting day in Canberra. Transcripts of special leave applications and matters heard on circuit are available in paper form and on the website within a few days of the hearing. Transcripts dating back to 1994 are available on that site.

The cost of transcripts is provided in the *High Court of Australia (Fees) Regulations 2004*.

A total of 697 individual transcripts, containing 9,124 pages, were produced during 2006-07. This rate is more in line with the number of transcripts and pages produced before an increase noted in the 2005-06 reporting year.

When the Court delivers judgments, copies are immediately available from the Canberra, Sydney and Melbourne offices, and are provided to the parties and media free-of-charge. Additional copies can be purchased, at the fee prescribed in the *High Court of Australia (Fees) Regulations 2004*, 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 judgments when sitting in other cities. The Court's website also provides free 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 1,788 new practitioners were added to the register in 2006-07, which is 105 fewer than the number of practitioners added to the register in 2005-06.

Registry Workload

A comparison of the number of matters filed in each Registry during 2005-06 and 2006-07 is provided in Table 1. (Reference is made throughout this section to numbered tables located in Annexure B to Part VII of this report.)

Sixty-four per cent of the matters filed during the year were filed in the Sydney office of the Registry. Ten special leave hearing days were held in Sydney during 2006-07 and 37 per cent 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 22 per cent of total filings in 2006-07. Three special leave hearing days were held in Melbourne and the Melbourne Registry supervised 52 per cent of the single-Justice hearings, which is more than double the number in the previous year.

The Registry in Canberra processed matters filed in Canberra, Brisbane, Darwin and Perth (accounting for 14 per cent of all filings). The Registry in Canberra supervised 13 sittings of the Full Court in Canberra, circuit sittings in Adelaide, Perth and Brisbane and video-link hearings of special leave applications from Adelaide, Brisbane, Darwin, Melbourne and Perth. The Registry in Canberra supervised 11 per cent of the single-Justice hearings.

Judicial Workload of the Court

Tables 3 and 4 provide details of the total matters heard by the Full Court during 2005-06 and 2006-07, together with a breakdown of the categories of those



matters. Tables 5 and 6 provide details of the total number of Full Court decisions delivered during 2005-06 and 2006-07 together with a breakdown of those decisions by type of matter.

Tables 9 to 13 provide a comparison by Registry and by court appealed from of all **civil special leave applications** filed, heard and decided during 2005-06 and 2006-07. Tables 17 to 21 provide a comparison by Registry and by court appealed from of all **criminal special leave applications** filed, heard and decided during 2005-06 and 2006-07. Tables 25 to 29 provide a comparison by Registry and by court appealed from of all **civil appeals** filed, heard and decided during 2005-06 and 2006-07. Tables 33 to 37 provide a comparison by Registry and by court appealed from of all **criminal appeals** filed, heard and decided during 2005-06 and 2006-07.

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. These matters are usually determined by a single Justice. No election petitions were filed during the reporting year.

A comparison of the number of matters heard by a single Justice during 2005-06 and the reporting year is recorded in Table 7. A breakdown of the categories of matters heard by a single Justice during 2006-07 is provided in Table 8. Thirty-eight per cent of applications heard by a single Justice during the reporting period involved self-represented persons.

Once again, considerable assistance was provided to the Court throughout the year by counsel acting on a pro bono basis, particularly in relation to special leave applications involving immigration matters.

Case-flow Management

The provisions of Chapter 4 of the *High Court Rules 2004* impose time standards for the filing of applications for special leave to appeal and appeals. These provisions assist case-flow 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. Other cases involve procedures such as applications under section 75(v) of the Constitution against officers of the Commonwealth, removals from other courts into the High Court under section 40 of the *Judiciary Act 1903* (Cth), cases stated, references under section 18 of the *Judiciary Act*, and election 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 2005-06 and 2006-07.

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 *High Court Rules* now provide that the Court may determine special leave applications on the papers without an oral hearing. In those cases, the applications are not listed for hearing but for pronouncement of orders and publications of reasons only. More than half of the special leave applications decided in 2006-07 were finalised without an oral hearing.



Tables 14 to 16 provide a comparison of the elapsed period between the date of filing of **civil special leave applications** to the date they were ready for hearing, the elapsed time between applications being ready for hearing and the date of hearing, and the elapsed time between the date of hearing and the date of decision. In particular, Table 15 shows that for 2006-07, in respect of civil special leave applications in which the parties had legal representation, 84 per cent were heard within three months of the parties having completed the steps necessary for applications to be ready. Tables 22 to 24 provide a comparison of the elapsed period between the date of filing of **criminal special leave applications** to the date they were ready for hearing, the elapsed time between applications being ready for hearing and the date of hearing, and the elapsed time between the date of hearing and the date of decision. In particular, Table 23 shows that for 2006-07 87 per cent of criminal special leave applications in which the parties had legal representation were heard within three months of their being ready for hearing.

Tables 30 to 32 provide a comparison of the elapsed period between the date of filing of **civil appeals** to the date they were ready for hearing, the elapsed time between appeals being ready for hearing and the date of hearing, and the elapsed time between the date of hearing and the date of decision. Tables 38 to 40 provide a comparison of the elapsed period between the date of filing of **criminal appeals** to the date they were ready for hearing, the elapsed time between appeals 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.

Tables 16A to 16C are included to show **civil special leave applications by self-represented litigants** decided under the changed procedures. Table 16A shows civil special leave applications by self-represented litigants determined on the papers; Table 16B shows applications where the respondent was called upon to answer and the Court subsequently determined the applications on the papers; and Table 16C shows applications where the respondent was called upon to answer and the Court subsequently directed that the applications be listed for hearing. Tables 16A to 16C show the elapsed period between the date of filing of **civil special leave applications by self-represented litigants** to the date they were ready for consideration on the papers in the first instance, the elapsed time between applications being ready for consideration and the date of determination, and the elapsed time between the date of determination and the date of decision. The total elapsed time from the date of filing to the date of decision is provided in the final column of each table.

Tables 24A to 24C are included to show **criminal special leave applications by self-represented litigants** decided under the changed procedures. Table 24A shows criminal special leave applications by self-represented litigants determined on the papers; Table 24B shows applications

where the respondent was called upon to answer and the Court subsequently determined the applications on the papers; and Table 24C shows applications where the respondent was called upon to answer and the Court subsequently directed that the applications be listed for hearing. Tables 24A to 24C show the elapsed period between the date of filing of **criminal special leave applications by self-represented litigants** to the date they were ready for consideration on the papers in the first instance, the elapsed time between applications being ready for consideration and the date of determination, and the elapsed time between the date of determination and the date of decision. The total elapsed time from the date of filing to the date of decision is provided in the final column of each table.

Rules of Court

The Justices have 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 *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 organisations when any significant changes are contemplated to the Rules.

Rules of Court are made and promulgated as legislative instruments. 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 2006-07:

- **Select Legislative Instrument 2006 No. 218** – *High Court Amendment Rules 2006* (No. 2)
- **Legislative Instrument F2007L03726** – Annual sittings of the High Court

The following Practice Directions were issued by the Court during 2006-07:

- **Practice Direction No. 1 of 2006** – Application Books for Applications for leave or Special Leave to Appeal
- **Practice Direction No. 2 of 2006** – Rescission of Practice Direction No. 1 of 2004
- **Practice Direction No. 3 of 2006** – Amendment of Practice Direction No. 1 of 2000

Cost of Litigation

Court Fees and Charges

Fees and charges in the High Court form an integral part of litigation costs and are 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 prescribed in Schedule 1 of the Regulations. The schedule of fees payable as at 30 June 2007 is included in Annexure C to Part VII of this report.

Exemption from Payment of Fees/ Waiver of Fees

Regulation 9 of the *High Court of Australia (Fees) Regulations* provides that persons in receipt of legal aid, persons who hold a concession card issued by Centrelink or the Department of Veterans' Affairs, inmates of prisons, children under the age of 18, persons in receipt of youth allowance or an Austudy payment, and persons in receipt of benefits under the ABSTUDY scheme, are exempt from payment of the filing fees and hearing fees associated with the proceedings in the High Court.

A person liable to pay a filing or hearing fee may apply to the Registrar to have the two-thirds of the fee waived upon ground that payment of the fee would cause financial hardship to that person. 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.

During the reporting year 936 matters attracting a filing fee and/or hearing fees were filed in the Court. Of these, 178, or 19 per cent, of matters were fully exempt from payment of fees. The Registrar waived payment of two-thirds of the fee in 301, or approximately 32 per cent, of matters. The filing fees and hearing fees foregone in these 479 matters amounted to \$417,678. This is a reduction from \$431,759 in the previous reporting year. 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* 2004. The Schedule in operation as at 30 June 2007 is included in Annexure C to Part VII of this report. The *High Court Rules* provide for an estimate of costs as an alternative to the taxation of bills of costs. Such an estimate is made in the absence of the parties and, if the parties do not object in accordance with the Rules, a Certificate of Taxation is issued for the amount of the estimate. As a result the need for bills of costs to be taxed with the attendance of the parties has been substantially reduced.

LIBRARY AND RESEARCH

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.

Library Materials

The Court requires access to the highest quality legal resources to decide cases of constitutional and special federal significance and appeals by special leave from Federal, State and Territory courts. The research requirements of the Court depend upon an optimal paper-based collection.

Reference and Research

Retrospective Copying of High Court Unreported Judgments

The binding of the unreported judgments from 1920 to 1940 has been completed. Checking of judgments from 1941 to 1948 has also been completed and checking of later years is now proceeding.

Legal Research Officer

During the past 12 months the Legal Research Officer has undertaken research and analysis on a variety of legal issues at the direction of the Justices. The Legal Research Officer has also been responsible for producing the High Court Bulletin, which provides information to the public about cases currently before the Court, and the Overseas Decisions Bulletin, which provides information to the Justices about relevant decisions from overseas jurisdictions.

Collection Development and Organisation

As the highest appellate court in the country the High Court is seen as the repository of the most comprehensive collection of law reports. The Library maintains a collection of law reports from common law countries, the United Kingdom, Ireland, United States of America, Canada, Hong Kong, India, Malaysia, South Africa and some African jurisdictions at both national and state levels. The historical collection of the Court includes some 19th-century United States reports and a microfiche collection of *Nineteenth-century legal treatises* series. A substantial collection of international law reports is also held in the collection.

2006-2007

**Volumes accessioned for Levels
9, 8 and Bar Library**

Law Reports	904
Legislation	383
Journals	338

Conferences

The Court Librarian in her capacity as board member of the International Association of Law Libraries (IALL) and director of the Communications Committee attended the IALL 25th Annual Course on International Law Librarianship in St Petersburg and Moscow in August. The Court Librarian, Deputy Court Librarian and Collection Management Librarian attended sessions at the Australian Law Librarians' Group (ALLG) Symposium held in Melbourne in September. In November, the Court Librarian, Deputy Court Librarian and Legal Research Officer attended The Australian National University Centre for International and Public Law's (CIPL) public law weekend, "A Working Constitution?", and the Gilbert & Tobin Centre of Public Law's Constitutional Law Conference held in Sydney in February. The Innovative Director's Symposium, held in Melbourne, was attended by the Court Librarian in March. The Collection Management Librarian attended the Canadian Association of Law Libraries' 45th Annual Conference in Ottawa in Canada, and the Annual Innovative Users Group Conference in San Jose in California in May.



CORPORATE SERVICES Financial Management

Corporate Services comprises the finance, human resources and information technology areas of the Court.

The table below details the 2006-07 financial and staffing resources applied to the Court's outputs and outcomes, together with the budgeted resources for 2007-08. During the financial year the Court contracted an experienced CPA to assist with the development of the Financial Statements.

	(1) Budget 2006-07 \$'000	(2) Actual Expenses 2006-07 \$'000	(3) Variation (2) - (1) \$'000	(4) Budget 2006-07 \$'000
Administered Items				
Court fees and charges collected	920	1,080	160	920
LESS: fees and charges remitted to Official Public Account	920	1,080	160	920
Net contribution or cost to outcome	-	-	-	-
High Court Output				
Output 1.1: High Court Business:				
- Justices' remuneration and allowances*	2,826	2,817	(9)	2,819
- High Court administration	13,759	13,759	0	13,836
Revenue from government appropriations	16,585	16,576	(9)	16,655
Revenue from other sources:				
- High Court administration	256	349	93	256
Total price of output	16,841	16,925	84	16,911
TOTAL PRICE OF OUTCOME				
Staff years (in full-time equivalent positions)	93.0	90.0	(3.0)	90.0

* 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.

Consultants

During the year, 10 consultancy contracts, with a total value of \$390,260, were entered into by the Court. Contracts with a total value of \$10,000 or more (including GST) were:

Name	Description	\$
Integrated Media Pty Ltd	Technology project management services	52,455
Ernst & Young	Fraud control plan 2006-08	11,330

Audit of Accounts and Procedures

As detailed in section 47(2) of the *High Court Act 1979* (Cth), the High Court is required to submit the Court's Financial Statements to the Auditor-General. The Auditor-General conducts an independent audit in order to express an opinion on the Court's Financial Statements to the Attorney-General. The audit was completed in August 2007 and the Auditor-General's certificate on the Court's 2006-07 Financial Statements can be found in Part VI of this report.

The external audit is supported by the Court's internal risk management which includes an internal auditor. The internal auditor reports directly to the Chief Executive & Principal Registrar and with his agreement develops a yearly internal audit program. Internal audit is a key component of the Court's governance framework, and provides assurance to the Court the systems and processes are appropriate and are followed. A new internal auditor was contracted during the year.

Human Resource Management

Terms and Conditions of Employment

Staff of the High Court are employed under the *High Court of Australia Act 1979* (Cth). Section 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 Collective Agreement 2006-2009 commenced on 1 November 2006.

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

The Court recognises and encourages the contribution that people with diverse backgrounds, experience and skills can make to the workplace. The Court's aim is to ensure that this diversity is used in effective decision-making and delivery of services.

Staffing Overview

At Annexure D 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.

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* (Cth). The policy outlines the mechanisms required for a healthy and safe working environment with an emphasis on OH&S issue resolution procedures. There were no accidents during the financial year.

Information Technology (IT)

During the year significant IT resources were directed to office refurbishments. In addition, the IT section undertook the following initiatives:

- upgraded the Sydney Registry with the implementation of new communications equipment and new uninterruptible power supplies;
- improved Internet filtering through the upgrade of the Internet content filter and other technology changes;
- continued improvement in the Court's wide-area network links; and
- ongoing IT training for users to improve efficiency and effectiveness.

Court Technology

Courtroom technology demonstrated 100 per cent availability during the financial year and there were no unplanned outages or incidents.

Marshal

The Marshal is responsible under section 27 of the *High Court of Australia Act 1979* (Cth) for:

- the service and execution of all writs, summonses, orders, warrants, precepts, process and commands as directed by the Court; 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.

The Marshal is also responsible for the management of the operation, security and maintenance of the High Court building and its precincts.

Building Operations

National Heritage List

The federal Minister for the Environment and Water Resources, the Hon. Malcolm Turnbull, has included the High Court Building in the National Heritage List under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth). The High Court Building will be maintained in accordance with the Act.

Water Leaks in Trafficable Roofs

The High Court building has experienced water leaks from several balconies and the building's roof garden for many years. These leaks are caused by the breakdown of the original waterproof membrane installed during the construction of the building. The Court has been working with consulting architects, Hoadley Budge Ophert & Edwards Madigan Torzillo Briggs Pty Ltd, since 2004 to reach a permanent solution to rectify these water leaks.

The Court obtained funding for this work during 2006-07. Tenders are anticipated to be called for the work in early 2008.

Refurbishment of Level Three

Level three, which accommodates the Registry of the Court, was refurbished during 2006-07. The original layout of this floor was not practical as the needs of the Registry had changed since the building opened in 1980.



High Court of Australia

Part VI Financial Statements

Independent Audit Report	X
Financial Statements of the High Court	X



INDEPENDENT AUDITOR'S REPORT

To the Attorney-General

Matters relating to the Electronic Presentation of the Audited Financial Statements

This auditor's report relates to the financial statements published on the website of the High Court of Australia for the year ended 30 June 2007. The Chief Executive & Principal Registrar of the High Court of Australia is responsible for the integrity of the web site.

The auditor's report refers only to the primary statements, schedules and notes named below. It does not provide an opinion on any other information which may have been hyperlinked to/from the audited financial statements.

If the users of this report are concerned with the inherent risks arising from electronic data communications they are advised to refer to the hard copy of the audited financial statements in the High Court of Australia's annual report.

Scope

I have audited the accompanying financial statements of the High Court of Australia, which comprise: a Report by the Chief Executive & Principal Registrar of the High Court of Australia and the Court's Manager, Corporate Services; income statement; balance sheet; cash flow statement; statement of changes in equity; schedule of commitments, contingencies and administered items; notes to and forming part of the financial statement.

The Responsibility of the Chief Executive and Principal Registrar of the High Court of Australia for the Financial Statements

The Chief Executive and Principal Registrar of the High Court of Australia is responsible for the preparation and fair presentation of the financial statements in the form required by the Minister for Finance and the Australian Accounting Standards (including the Australian Accounting Interpretations). This responsibility includes establishing and maintaining internal controls relevant to the preparation and fair presentation of the financial statements that are free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

Auditor's Responsibility

My responsibility is to express an opinion on the financial statements based on my audit. My audit has been conducted in accordance with the Australian National Audit Office

Auditing Standards, which incorporate the Australian Auditing Standards. These auditing standards require that I comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the High Court of Australia's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the High Court of Australia's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the Chief Executive and Principal Registrar of the High Court of Australia, as well as evaluating the overall presentation of the financial statements.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Independence

In conducting the audit, I have followed the independence requirements of the Australian National Audit Office, which incorporate the ethical requirements of the Australian accounting profession.

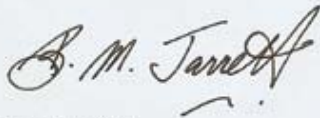
Auditor's Opinion

In my opinion, the financial statements of the High Court of Australia:

- (a) are based on proper accounts and records;
- (b) are in agreement with the accounts and records;
- (c) have been prepared in accordance with the form of financial statements approved by the Finance Minister under the *High Court of Australia Act 1979*, and the Australian Accounting Standards (including the Australian Accounting Interpretations); and
- (d) give a true and fair view of the High Court of Australia's financial position as at 30 June 2007 and of its financial performance and its cash flows for the year then ended.

In my opinion, the receipts, expenditure and investment of moneys, and the acquisition and disposal of assets during the year ended 30 June 2007, have been made in accordance with the *High Court of Australia Act 1979*.

Australian National Audit Office



Brandon Jarrett
Executive Director

Delegate of the Auditor-General

Canberra
6 September 2007

HIGH COURT OF AUSTRALIA

Report by the Chief Executive & Principal Registrar of the High Court of Australia and the Court's Manager, Corporate Services on the Financial Statements for the year ended 30 June 2007.

The accompanying Financial Statements of the High Court of Australia for the year ended 30 June 2007 have been prepared as required by section 47(1) of the *High Court of Australia Act 1979* (Cth) and include:

- Income Statement;
- Balance Sheet;
- Cash Flow Statement
- Statement of Changes in Equity
- Schedule of Commitments;
- Schedule of Contingencies;
- Schedule of Administered Items; and
- Notes to and forming part of the Financial Statements.

In our opinion, the attached Financial Statements for the year ended 30 June 2007 are based on properly maintained financial records and give a true and fair view of the matters required by the Finance Minister's Orders made in accordance with the *Commonwealth Authorities and Companies Act 1997* (Cth).

In our opinion, at the date of this statement, there are reasonable grounds to believe that the Court will be able to pay its debts as and when they become due and payable.



Andrew Phelan
Chief Executive & Principal Registrar
4 September 2007



Anthony Martin
Manager, Corporate Services
4 September 2007

HIGH COURT OF AUSTRALIA INCOME STATEMENT

for the period ended 30 June 2007

	Notes	2007	2006
		\$	\$
INCOME			
Revenue			
Revenue from Government	3A	13,759,000	13,799,000
Sale of goods and rendering of services	3B	93,099	112,404
Interest	3C	214,847	190,287
Other revenue	3D	40,795	5,794
Total revenue		14,107,741	14,107,485
Total Income		14,107,741	14,107,485
EXPENSES			
Employee benefits	4A	6,897,926	6,544,759
Suppliers	4B	4,870,972	5,136,838
Depreciation and amortisation	4C	2,277,072	2,209,809
Write-down and impairment of assets	4D	71,410	479
Losses from disposal of assets	4E	98	1,275
Total Expenses		14,117,478	13,893,160
Surplus (Deficit)		(9,737)	214,325

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

HIGH COURT OF AUSTRALIA
BALANCE SHEET
as at 30 June 2007

	Notes	2007 \$	2006 \$
ASSETS			
Financial Assets			
Cash and cash equivalents	5A	2,078,543	1,911,688
Trade and other receivables	5B	118,150	149,227
Total financial assets		2,196,693	2,060,915
Non-Financial Assets			
Land and buildings	6A	170,317,813	159,274,570
Infrastructure, plant and equipment	6B	2,151,823	3,176,033
Heritage and cultural assets	6C	1,937,804	1,613,426
Library holdings	6D	14,501,867	13,232,729
Intangibles	6F	87,781	161,895
Inventories	6H	1,506	3,285
Other non-financial assets	6I	732,516	248,253
Total non-financial assets		189,731,110	177,710,191
Total Assets		191,927,803	179,771,106
LIABILITIES			
Payables			
Suppliers	7A	38,692	257,629
Other payables	7B	363,238	239,101
Total payables		401,930	496,730
Provisions			
Employee provisions	8	1,888,209	1,744,460
Total provisions		1,888,209	1,744,460
Total Liabilities		2,290,139	2,241,190
NET ASSETS		189,637,664	177,529,916
EQUITY			
Contributed equity		53,985,540	53,985,540
Reserves		134,541,126	122,423,641
Retained surplus		1,110,998	1,120,735
Total Equity		189,637,664	177,529,916
Current Assets		2,930,716	2,312,453
Non-Current Assets		188,997,087	177,458,653
Current Liabilities		2,105,656	2,037,546
Non-Current Liabilities		184,483	203,644

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

HIGH COURT OF AUSTRALIA
CASH FLOW STATEMENT
for the period ended 30 June 2007

	Notes	2007	2006
		\$	\$
OPERATING ACTIVITIES			
Cash received			
Goods and services		78,884	98,736
Appropriations		13,759,000	13,799,000
Interest		212,751	186,923
Net GST received		595,535	669,170
Other		40,795	5,794
Total cash received		14,686,965	14,759,623
Cash used			
Employees		(6,754,177)	(6,324,214)
Suppliers		(5,996,432)	(5,749,113)
Total cash used		(12,750,609)	(12,073,327)
Net cash from or (used by) operating activities	9	1,936,356	2,686,296
INVESTING ACTIVITIES			
Cash received			
Proceeds from sales of property, plant and equipment		27	-
Total cash received		27	-
Cash used			
Purchase of property, plant and equipment		(1,769,528)	(2,652,797)
Total cash used		(1,769,528)	(2,652,797)
Net cash from or (used by) investing activities		(1,769,501)	(2,652,797)
FINANCING ACTIVITIES			
Cash received			
Appropriations – contributed equity		-	160,000
Total cash received		-	160,000
Net cash from or (used by) financing activities		-	160,000
Net increase or (decrease) in cash held		166,855	193,499
Cash at the beginning of the reporting period		1,911,688	1,718,189
Cash at the end of the reporting period	5A	2,078,543	1,911,688

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

HIGH COURT OF AUSTRALIA
STATEMENT OF CHANGES IN EQUITY
as at 30 June 2007

	Retained Earnings		Asset Revaluation Reserves		Contributed Equity/Capital		Total Equity	
	2007	2006	2007	2006	2007	2006	2007	2006
Opening balance								
Balance carried forward from previous period		\$ 1,546,223		\$ 121,783,828		\$ 53,825,540		\$ 177,529,916
Adjustment for errors ¹		(639,813)		639,813		-		-
Adjustment for changes in accounting policies		-		-		-		-
Adjusted opening balance	1,120,735	906,410	122,423,641	122,423,641	53,985,540	53,825,540	177,529,916	177,155,591
Income and expense								
Income and expenses recognised Directly in Equity	-	-	12,117,485	-	-	-	12,117,485	-
Sub-total income and expenses recognised Directly in Equity	(9,737)	214,325	12,117,485	-	-	-	12,117,485	-
Surplus (Deficit) for the period	(9,737)	214,325	-	-	-	-	(9,737)	214,325
Total income and expenses	(9,737)	214,325	12,117,485	-	-	-	12,107,748	214,325
Transactions with owners								
Contributions by Owners								
Appropriation (equity injection)	-	-	-	-	-	160,000	-	160,000
Sub-total transactions with owners	-	-	-	-	-	160,000	-	160,000
Closing balance at 30 June	1,110,998	1,120,735	134,541,126	122,423,641	53,985,540	53,985,540	189,637,664	177,529,916

1. An adjustment to both retained earnings and asset revaluation reserves has been made to the prior year comparative balances. This adjustment is explained further at Note 1.16.

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

HIGH COURT OF AUSTRALIA SCHEDULE OF COMMITMENTS

as at 30 June 2007

	2007	2006
BY TYPE	\$	\$
Commitments Receivable		
GST recoverable on commitments	(969,888)	(1,043,128)
Total Commitments Receivable	(969,888)	(1,043,128)
Capital commitments		
Infrastructure, plant and equipment	431,518	98,471
Total capital commitments	431,518	98,471
Other commitments		
Operating leases ¹	10,216,877	11,232,031
Other commitments	20,370	143,904
Total other commitments	10,237,247	11,375,935
Net commitments by type	9,698,877	10,431,278
BY MATURITY		
Commitments Receivable		
GST recoverable on commitments	(969,888)	(1,043,128)
Total Commitments Receivable	(969,888)	(1,043,128)
Capital commitments		
One year or less	431,518	98,471
From one to five years	-	-
More than five years	-	-
Total capital commitments	431,518	98,471
Operating lease commitments		
One year or less	939,931	1,049,017
From one to five years	3,020,286	3,183,639
More than five years	6,256,660	6,999,375
Total operating lease commitments	10,216,877	11,232,031
Other Commitments		
One year or less	20,370	143,904
From one to five years	-	-
More than five years	-	-
Total other commitments	20,370	143,904
Net Commitments by maturity	9,698,877	10,431,278

NB: commitments are GST-inclusive where relevant.

1. Operating leases include are effectively non-cancellable and comprise:

Nature and general description of lease arrangement

Leases for office accommodation

The majority of these commitments are leases for accommodation within Commonwealth Law Courts buildings, which are owned by the Commonwealth of Australia. Lease payments are subject to annual increase in accordance with upwards movements in the Consumer Price Index. The projected rentals to be paid have been reliably measured by the providers of property management services for the Court, United Group Services Ltd.

Agreement for the provision of motor vehicles to senior executive officers

The Court leases motor vehicles under the terms of a contract with various operative dates.

HIGH COURT OF AUSTRALIA SCHEDULE OF CONTINGENCIES

as at 30 June 2007

	Guarantees		Indemnities		Claims for damages or costs		TOTAL	
	2007	2006	2007	2006	2007	2006	2007	2006
Contingent Assets	\$	\$	\$	\$	\$	\$	\$	\$
Balance from previous period	-	-	-	-	-	-	-	-
New	-	-	-	-	-	-	-	-
Remeasurement	-	-	-	-	-	-	-	-
Assets crystallised	-	-	-	-	-	-	-	-
Expired	-	-	-	-	-	-	-	-
Total Contingent Assets	-	-	-	-	-	-	-	-

	Guarantees		Indemnities		Claims for damages or costs		TOTAL	
	2007	2006	2007	2006	2007	2006	2007	2006
Contingent Liabilities	\$	\$	\$	\$	\$	\$	\$	\$
Balance from previous period	-	-	-	-	-	-	-	-
New	-	-	-	-	-	-	-	-
Remeasurement	-	-	-	-	-	-	-	-
Liabilities crystallised	-	-	-	-	-	-	-	-
Obligations expired	-	-	-	-	-	-	-	-
Total Contingent Liabilities	-	-	-	-	-	-	-	-
Net Contingent Assets (Liabilities)							-	-

Details of each class of contingent liabilities and assets, including those not included above because they cannot be quantified, are disclosed in Note 10: Contingent Liabilities and Contingent Assets.

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

HIGH COURT OF AUSTRALIA SCHEDULE OF ADMINISTERED ITEMS

	Notes	2007	2006
		\$	\$
Income administered on behalf of Government			
<i>for the year ended 30 June 2007</i>			
Revenue			
Sale of goods and rendering of services	18	1,079,595	990,406
Total income administered on behalf of Government		1,079,595	990,406
Assets administered on behalf of Government			
<i>as at 30 June 2007</i>			
Financial Assets			
Cash and cash equivalents	19	-	-
Total assets administered on behalf of Government		-	-
Administered Cash Flows			
<i>for the period ended 30 June 2007</i>			
OPERATING ACTIVITIES			
Cash received			
Other taxes, fines and fees		1,079,595	990,406
Total cash received		1,079,595	990,406
Net cash from or (used by) Operating Activities		1,079,595	990,406
Net increase (Decrease) in cash held		1,079,595	990,406
Cash to the Official Public Account for:			
– Other		(1,079,595)	(990,406)
Cash at the end of the reporting period		-	-

This schedule should be read in conjunction with the accompanying notes.

HIGH COURT OF AUSTRALIA

Notes to and Forming Part of the Financial Statements

- Note 1: Summary of Significant Accounting Policies
- Note 2: Events after the Balance Sheet Date
- Note 3: Income
- Note 4: Expenses
- Note 5: Financial Assets
- Note 6: Non-Financial Assets
- Note 7: Payables
- Note 8: Employee Provisions
- Note 9: Cash Flow Reconciliation
- Note 10: Contingent Liabilities and Assets
- Note 11: Executive Remuneration
- Note 12: Remuneration of Auditors
- Note 13: Average Staffing Levels
- Note 14: Public Money in the Custody of the Court
- Note 15: Financial Instruments
- Note 16: Administration of the Court
- Note 17: Resources Provided Free of Charge
- Note 18: Income Administered on Behalf of Government
- Note 19: Assets Administered on Behalf of Government
- Note 20: Administered Reconciliation Table
- Note 21: Administered Contingent Liabilities and Assets
- Note 22: Appropriations
- Note 23: Reporting of Outcomes

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

1.1: Basis of Preparation of the Financial Report

The Financial Statements and notes are required by section 47(1) of the *High Court of Australia Act 1979* (Cth) and are a General Purpose Financial Report.

Under section 47(1) the Financial Statements are required to be in such a form as the Minister for Finance approves. On that basis the Financial Statements of the High Court of Australia (the Court) have been prepared in accordance with:

- Finance Minister's Orders (or FMOs) for reporting periods ending on or after 1 July 2006; and
- Australian Accounting Standards and Interpretations issued by the Australian Accounting Standards Board (AASB) that apply for the reporting period.

The Financial Report has been prepared on an accrual basis and is in accordance with historical cost convention, except for certain assets at fair value. Except where stated, no allowance is made for the effect of changing prices on the results or the financial position.

The Financial Report is presented in Australian dollars and values are rounded to the nearest dollar unless otherwise specified.

Unless an alternative treatment is specifically required by an Accounting Standard or the FMOs, assets and liabilities are recognised in the Balance Sheet when and only when it is probable that future economic benefits will flow to the entity and the amounts of the assets or liabilities can be reliably measured. However, assets and liabilities arising under agreements equally proportionately unperformed are not recognised unless required by an Accounting Standard. Liabilities and assets that are unrealised are reported in the Schedule of Commitments and the Schedule of Contingencies (other than unquantifiable contingencies, which are reported at Note 10).

Unless alternative treatment is specifically required by an accounting standard, revenues and expenses are recognised in the Income Statement when and only when the flow, consumption or loss of economic benefits have occurred and can be reliably measured.

Administered revenues, expenses, assets and liabilities and cash flows reported in the Schedule of Administered Items and related notes are accounted for on the same basis and using the same policies as for departmental items.

1.2: Significant Accounting Judgments and Estimates

In the process of applying the accounting policies listed in this note, the Court has made the following judgments that have the most significant impact on the amounts recorded in the Financial Statements:

- The fair value of land and buildings has been taken to be the depreciated replacement cost of similar properties as determined by an independent valuer. In some instances, the Court buildings are purpose-built and may in fact realise more or less in the market.

No accounting assumptions or estimates have been identified that have a significant risk of causing a material adjustment to carrying amounts of assets and liabilities within the next accounting period.

1.3: Statement of Compliance

Australian Accounting Standards require a statement of compliance with International Financial Reporting Standards (IFRSs) to be made where the Financial Report complies with these standards. Some Australian equivalents to IFRSs and other Australian Accounting Standards contain requirements specific to not-for-profit entities that are inconsistent with IFRS requirements. The Court is a not-for-profit entity and has applied these requirements, so while this Financial Report complies with Australian Accounting Standards including Australian Equivalents to International Financial Reporting Standards it cannot make this statement.

Adoption of new Australian Accounting Standard requirements

No accounting standard has been adopted earlier than the effective date in the current period.

Other effective requirement changes

The following amendments, revised standards or interpretations have become effective but have had no financial impact or do not apply to the operations of the Court.

Amendments:

- 2005-1 Amendments to Australian Accounting Standards [AASBs 1, 101, 124]
- 2005-4 Amendments to Australian Accounting Standards [AASBs 139, 132, 1, 1023, 1038]
- 2005-5 Amendments to Australian Accounting Standards [AASBs 1, 139]
- 2005-6 Amendments to Australian Accounting Standards [AASB 6]
- 2005-9 Amendments to Australian Accounting Standards [AASBs 4, 1023, 139, 132]
- 2006-1 Amendments to Australian Accounting Standards [AASB 121]
- 2006-3 Amendments to Australian Accounting Standards [AASB 1045]

Interpretations:

- UIG 4 Determining whether an Arrangement contains a Lease
- UIG 5 Rights to Interests arising from Decommissioning, Restoration and Environmental Rehabilitation Funds
- UIG 7 Applying the Restatement Approach under AASB 129 Financial Reporting in Hyperinflationary Economies
- UIG 8 Scope of AASB 2
- UIG 9 Reassessment of Embedded Derivatives.

UIG 4 and UIG 9 might have impacts in future periods, subject to existing contracts being renegotiated.

Future Australian Accounting Standard requirements

The following new standards, amendments to standards or interpretations have been issued by the AASB but are effective for future reporting periods. It is estimated that the impact of adopting these pronouncements when effective will have no material financial impact on future reporting periods.

Financial instrument disclosure

AASB 7 *Financial Instruments: Disclosures* is effective for reporting periods beginning on or after 1 January 2007 (the 2007-08 financial year) and amends the disclosure requirements for financial instruments. In general AASB 7 requires greater disclosure than that presently. Associated with the introduction of AASB 7 a number of accounting standards were amended to reference the new standard or remove the present disclosure requirements through 2005-10 Amendments to Australian Accounting Standards [AASB 132, AASB 101, AASB 114, AASB 117, AASB 133, AASB 139, AASB 1, AASB 4, AASB 1023 & AASB 1038]. These changes have no financial impact but will affect the disclosure presented in future Financial Reports.

Other

The following standards and interpretations have been issued but are not applicable to the operations of the Court.

- AASB 1049 Reporting of General Government Sectors by Governments
- UIG 10 Interim Financial Reporting and Impairment

1.4: Revenue

Resources Provided Free of Charge

Resources received free of charge are recognised as gains when and only when a fair value can be reliably determined and the services would have been purchased if they had not been donated. Use of those resources is recognised as an expense.

Resources received free of charge are recorded as either revenue or gains depending on their nature. Further details of Resources Provided Free of Charge are detailed at Note 17.

Other Types of Revenue

Revenue from the sale of goods is recognised when:

- The risks and rewards of ownership have been transferred to the buyer;
- The seller retains no managerial involvement nor effective control over the goods;

- The revenue and transaction costs incurred can be reliably measured; and
- It is probable that the economic benefits associated with the transaction will flow to the entity.

Revenue from rendering of services is recognised by reference to the stage of completion of contracts at the reporting date. The revenue is recognised when:

- The amount of revenue, stage of completion and transaction costs incurred can be reliably measured; and
- The probable economic benefits with the transaction will flow to the entity.

Receivables for goods and services, which have 30-day terms, are recognised at the nominal amounts due less any provision for bad and doubtful debts. Collectability of debts is reviewed at balance date. Provisions are made when collectability of the debt is no longer probable.

Interest revenue is recognised using the effective interest method as set out in AASB 139 *Financial Instruments: Recognition and Measurement*.

Revenue from Government

Amounts appropriated for Departmental outputs appropriations for the year (adjusted for any formal additions and reductions) are recognised as revenue, except for certain amounts that relate to activities that are reciprocal in nature, in which case revenue is recognised only when it has been earned.

Appropriations receivable are recognised at their nominal amounts.

1.5: Gains

Other Resources Provided Free of Charge

Resources received free of charge are recognised as gains when and only when a fair value can be reliably determined and the services would have been purchased if they had not been donated. Use of those resources is recognised as an expense.

Contributions of assets at no cost of acquisition or for nominal consideration are recognised as gains at their fair value when the asset qualifies for recognition, unless received from another Government Authority or Authority as a consequence of a restructuring of administrative arrangements (Refer to Note 1.15).

Resources received free of charge are recorded as either revenue or gains depending on their nature, i.e. whether they have been generated in the course of the ordinary activities of the entity.

Sale of Assets

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

1.6: Transactions with the Government as Owner

Equity injections

Amounts appropriated which are designated as “equity injections” for a year (less any formal reductions) are recognised directly in Contributed Equity in that year.

1.7: Employee Benefits

Liabilities for services rendered by employees are recognised at the reporting date to the extent that they have not been settled.

Liabilities for “short-term employee benefits” (as defined in AASB 119) and termination benefits due within twelve months of balance date are measured at their nominal amounts.

The nominal amount is calculated with regard to the rates expected to be paid on settlement of the liability.

All other employee benefit liabilities are measured at the present value of the estimated future cash outflows to be made in respect of services provided by employees up to the reporting date.

Leave

The liability for employee benefits 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 the average sick leave taken in future years by employees of the Court is estimated to be less than the annual entitlement for sick leave.

The leave liabilities are calculated on the basis of employees’ remuneration, including the Court’s employer superannuation contribution rates to the extent that the leave is likely to be taken during service rather than paid out on termination.

The liability for long service leave has been determined by reference to the Department of Finance and Administration short-hand method as revised in June 2007. The estimate of the present value of the liability takes into account attrition rates and pay increases through promotion and inflation.

Separation and Redundancy

Provision is made for separation and redundancy benefit payments. The High Court recognises a provision for termination when it has developed a detailed formal plan for the terminations and has informed those employees affected that it will carry out the terminations.

Superannuation

Staff of the High Court are members of the Commonwealth Superannuation Scheme (CSS), the Public Sector Superannuation Scheme (PSS), the PSS accumulation plan (PSSap) or the Australian Government Employees Superannuation Trust (AGEST).

The CSS and PSS are defined benefit schemes for the Australian Government. The PSSap is a defined contribution scheme. AGEST is a non-profit superannuation fund which is neither a defined benefit nor a defined contribution scheme.

The liability for defined benefits is recognised in the Financial Statements of the Australian Government and is settled by the Australian Government in due course.

The Court makes employer contributions to the Australian Government at rates determined by an actuary to be sufficient to meet the cost to the Government of the superannuation entitlements of the Court's employees. Throughout the 2006-07 financial year contributions were fixed at the following rates:

- 25.2 per cent for the Commonwealth Superannuation Scheme;
- 11.2 per cent for the Public Sector Superannuation Scheme; and
- 5.4 per cent for the PSS accumulation plan.

Since 1 July 2005, new employees have been eligible to join the PSSap scheme.

The liability for superannuation recognised as at 30 June represents outstanding contributions for the final fortnight of the year.

1.8: Leases

A distinction is made between finance leases and operating leases. Finance leases effectively transfer from the lessor to the lessee substantially all the risks and rewards incidental to ownership of leased non-current assets. An operating lease is a lease that is not a finance lease. In operating leases, 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 either the fair value of the lease property or, if lower, the present value of minimum lease payments at the inception of the contract and a liability is recognised at the same time and for the same amount.

The discount rate used is the interest rate implicit in the lease. 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 straight line basis which is representative of the pattern of benefits derived from the leased assets.

1.9: Borrowing Costs

All borrowing costs are expensed as incurred.

1.10: Cash

Cash means notes and coins held and any deposits held at call with a bank or financial institution. Cash is recognised at its nominal amount.

1.11: Financial Risk Management

The Court's activities expose it to normal commercial financial risk. As a result of the nature of the High Court's business and internal and Australian Government policies, dealing with the management of financial risk, the High Court's exposure to market, credit, liquidity and cash flow and fair value interest rate risk is considered to be low.

1.12: Impairment of Financial Assets

Financial assets are assessed for impairment at each balance date.

Financial Assets held at Cost

If there is objective evidence that an impairment loss has been incurred on an unquoted equity instrument that is not carried at fair value because it cannot be reliably measured, or a derivative asset that is linked to and must be settled by delivery of such an unquoted equity instrument, the amount of the impairment loss is the difference between the carrying amount of the asset and the present value of the estimated future cash flows discounted at the current market rate for similar assets.

1.13: Supplier and Other Payables

Supplier and other payables are recognised at amortised cost. Liabilities are recognised to the extent that the goods or services have been received (and irrespective of having been invoiced).

1.14: Contingent Liabilities and Contingent Assets

Contingent Liabilities and Contingent Assets are not recognised in the Balance Sheet but are reported in the relevant schedules and notes. They may arise from uncertainty as to the existence of a liability or asset, or represent an existing liability or asset in respect of which settlement is not probable or the amount cannot be reliably measured. Contingent assets are reported when settlement is probable, and contingent liabilities are recognised when settlement is greater than remote.

1.15: Acquisition of Assets

Assets are recorded at cost on acquisition except as stated below. The cost of acquisition includes the fair value of assets transferred in exchange and liabilities undertaken. Financial assets are initially measured at their fair value plus transaction costs where appropriate.

Assets acquired at no cost, or for nominal consideration, are initially recognised as assets and revenues at their fair value at the date of acquisition, unless acquired as a

consequence of restructuring of administrative arrangements. In the latter case, assets are initially recognised as contributions by owners at the amounts at which they were recognised in the transferor authority's accounts immediately prior to the restructuring.

1.16: Property, Plant and Equipment

Asset Recognition Threshold

Purchases of property, plant and equipment are recognised initially at cost in the Balance Sheet, except for purchases costing less than \$3,000 (or building improvements less than \$10,000), which are expensed in the year of acquisition (other than where they form part of a group of similar items which are significant in total).

Revaluations

Fair values for each class of asset are determined as shown below:

Asset class	Fair value measured at:
Land	Highest and best use with recognition of the restrictive zoning within the Parliamentary Triangle and the inability of the asset to be disposed of due to legislation or government policy.
Buildings	Depreciated replacement cost recognising that the High Court Building is a special-purpose heritage building.
Plant and equipment	Market selling price.
Heritage and cultural assets	Market selling price.
Library holdings	Market selling price.

Following initial recognition at cost, plant and equipment are carried at fair value less accumulated depreciation and accumulated impairment losses and buildings are carried at replacement cost less accumulated depreciation and accumulated impairment losses. Valuations are conducted with sufficient frequency to ensure that the carrying amounts of assets do not differ materially from the assets' fair values as at the reporting date. The regularity of independent valuations depends upon the volatility of movements in market values for the relevant assets.

Revaluation adjustments are made on a class basis. Any revaluation increment is credited to equity under the heading of asset revaluation reserve except to the extent that it reverses a previous revaluation decrement of the same asset class that was previously recognised through surplus and deficit. Revaluation decrements for a class of assets are recognised directly through surplus and deficit except to the extent that they reverse a previous revaluation increment for that class.

Analysis of previously recognised revaluation adjustments identified that an error was made in the treatment of a revaluation decrement relating to Library holdings in the 2003-04 financial year. The revaluation decrement had been incorrectly offset against balances from separate asset classes. This error had the effect of an understatement

1.17: Intangibles

The Court's intangibles comprise internally developed software and purchased software for internal use. These assets are carried at cost.

Software is amortised on a straight-line basis over its anticipated useful life. The useful life of the Court's software is three years (2005-06: three years).

All software assets were assessed for indications of impairment as at 30 June 2007.

1.18: Inventories

Inventories held for distribution are measured at the lower of cost and current replacement cost.

Costs incurred in bringing each item of inventory to its present location and condition are assigned as follows:

- raw materials and stores – purchase cost on a first-in-first-out basis; and
- finished goods and work in progress – cost of direct materials and labour plus attributable costs that are capable of being allocated on a reasonable basis.

1.19: Taxation

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

Revenues, expenses and assets are recognised net of GST:

- except where the amount of GST incurred is not recoverable from the Australian Taxation Office; and
- except for receivables and payables.

1.20: Reporting of Administered Activities

Administered revenues, expenses, assets, liabilities and cash flows are disclosed in the Schedule of Administered Items and related Notes.

Administered items are accounted for on the same basis and using the same policies as for Departmental items, including the application of Australian Accounting Standards.

Administered Cash Transfers to and from the Official Public Account

Revenue collected by the Court for use by the Government rather than the Court is Administered Revenue. Collections are transferred to the Official Public Account (OPA) maintained by the Department of Finance and Administration. Conversely, cash is drawn from the OPA to make payments under Parliamentary appropriation on behalf of Government. These transfers to and from the OPA are adjustments to the administered cash held by the Court on behalf of the Government and reported as

such in the Statement of Cash Flows in the Schedule of Administered Items and in the Administered Reconciliation Table in Note 20. Thus the Schedule of Administered Items largely reflects the Government's transactions, through the Court, with parties outside the Government.

Revenue

All administered revenues are revenues relating to the course of ordinary activities performed by the Court on behalf of the Australian Government.

NOTE 2: EVENTS AFTER THE BALANCE SHEET DATE

No events have occurred after balance date that affect the Financial Statements.

NOTE 3: INCOME

3A: Revenue from Government

	2007	2006
	\$	\$
Appropriation:		
Departmental outputs	13,759,000	13,799,000
<i>Total revenue from government</i>	13,759,000	13,799,000

3B: Sale of Goods and Rendering of Services

	2007	2006
	\$	\$
Provision of goods – external entities	27,242	36,847
<i>Total sale of goods</i>	27,242	36,847
Rendering of services - external entities	65,857	75,557
<i>Total rendering of services</i>	65,857	75,557
<i>Total sale of goods and rendering of services</i>	93,099	112,404

3C: Interest

	2007	2006
	\$	\$
Deposits	214,847	190,287
<i>Total interest</i>	214,847	190,287

3D: Other Revenue

	2007	2006
	\$	\$
Sale of commemorative items	69	393
Sale of minor items at tender	1,326	-
Other minor items	39,400	5,401
Total other revenue	40,795	5,794

NOTE 4: EXPENSES**4A: Employee Benefits**

	2007	2006
	\$	\$
Wages and salaries	5,774,235	5,305,542
Superannuation	840,010	896,087
Leave and other entitlements	89,256	343,130
Separation and redundancies	194,425	-
Total employee benefits	6,897,926	6,544,759

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.

4B: Suppliers

	2007	2006
	\$	\$
Provision of goods – external entities	293,244	515,836
Rendering of services – external entities	4,254,864	4,287,337
Operating lease rentals:		
Minimum lease payments	252,617	281,077
Workers compensation premiums	70,247	52,588
Total supplier expenses	4,870,972	5,136,838

4C: Depreciation and Amortisation

	2007	2006
	\$	\$
Depreciation:		
Buildings	1,563,247	1,563,709
Infrastructure, plant and equipment	533,271	473,502
Library holdings	70,440	63,240
Total depreciation	2,166,958	2,100,451
Amortisation:		
Intangibles – computer software	110,114	109,358
Total amortisation	110,114	109,358
Total depreciation and amortisation	2,277,072	2,209,809

4D: Write-down and Impairment of Assets

	2007	2006
	\$	\$
Impairment of non-financial assets		
– software	-	479
– infrastructure, plant and equipment	100	-
Impairment of financial assets		
– trade and other receivables	29	-
Revaluation decrements – non-financial assets		
– infrastructure, plant and equipment	71,281	-
Total write-down and impairment of assets	71,410	479

4E: Losses from Asset Sales

	2007	2006
	\$	\$
Infrastructure, plant and equipment:		
Proceeds from disposal	(27)	-
Net book value of assets disposed	125	1,275
Total losses from asset sales	98	1,275

NOTE 5: FINANCIAL ASSETS**5A: Cash and Cash Equivalents**

	2007	2006
	\$	\$
Cash on hand or on deposit	2,078,543	1,911,688
Total cash and cash equivalents	2,078,543	1,911,688

5B: Trade and Other Receivables

	2007	2006
	\$	\$
Goods and services	55,481	29,080
GST receivable from the Australian Taxation Office	47,836	107,410
Interest receivable	14,833	12,737
Total trade and other receivables (gross)	118,150	149,227

Receivables are aged as follows:

Not overdue	103,521	127,901
Overdue by:		
– Less than 30 days	10,880	6,462
– 31 to 60 days	450	11,909
– 61 to 90 days	1,642	1,755
– More than 90 days	1,657	1,200
Total receivables (gross)	118,150	149,227

All receivables are current assets.

NOTE 6: NON-FINANCIAL ASSETS**6A: Land and Buildings**

	2007	2006
	\$	\$
Freehold land (at fair value)	8,300,000	7,500,000
Buildings on freehold land:		
– work in progress	156,278	92,010
– fair value	235,190,000	210,495,993
– accumulated depreciation	(73,328,465)	(58,813,433)
Total buildings on freehold land	162,017,813	151,774,570
Total land and buildings (non-current)	170,317,813	159,274,570

6B: Infrastructure, Plant and Equipment

	2007	2006
	\$	\$
Plant and equipment:		
– work in progress	108,056	44,150
– fair value	2,646,437	3,811,454
– accumulated depreciation	(602,670)	(679,570)
Total infrastructure, plant and equipment (non-current)	2,151,823	3,176,033

6C: Heritage and Cultural Assets

	2007	2006
	\$	\$
Heritage and cultural:		
– artworks – fair value	1,826,992	1,502,614
– rare books – fair value	110,812	110,812
Total heritage and cultural assets (non-current)	1,937,804	1,613,426

6D: Library Holdings

	2007	2006
	\$	\$
– fair value	14,638,222	13,298,644
– accumulated depreciation	(136,355)	(65,915)
Total library holdings (non-current)	14,501,867	13,232,729

All revaluations are conducted in accordance with the revaluation policy stated at Note 1. In 2006-07, an independent valuer conducted the revaluation.

Revaluation decrement of \$808,397 for infrastructure, plant and equipment (2006: nil) and increments of \$800,000 for land, \$11,742,222 for buildings on freehold land (2006: nil), \$312,378 for heritage and cultural assets (2006: nil) were credited to the asset revaluation reserve by asset class and included in the equity section of the balance sheet; a decrement of \$71,281 was expensed (2006: nil expensed).

No indicators of impairment were found for infrastructure, plant and equipment.

6E: Analysis of Property, Plant and Equipment

TABLE A – Reconciliation of the opening and closing balances of property, plant and equipment (2006-07)

	Land	Buildings	Total Land and Buildings	Other Infrastructure, Plant and Equipment	Heritage and Cultural	Library Holdings	Total
As at 1 July 2006	\$	\$	\$	\$	\$	\$	\$
Gross book value	7,500,000	210,588,003	218,088,003	3,855,604	1,613,426	13,298,644	236,855,676
Accumulated depreciation/amortisation and impairment	-	(58,813,433)	(58,813,433)	(679,570)	-	(65,915)	(59,558,919)
Net book value 1 July 2006	7,500,000	151,774,570	159,274,570	3,176,033	1,613,426	13,232,729	177,296,758
Additions:							
by purchase	-	64,268	64,268	317,682	12,000	1,339,578	1,733,528
Depreciation/amortisation expense	-	(1,563,247)	(1,563,247)	(523,149)	-	(70,440)	(2,156,836)
Impairments recognised in the operating result	-	-	-	(6,277)	-	-	(6,277)
Revaluations and impairments through equity	800,000	11,742,222	12,542,222	(808,397)	312,378	-	12,046,204
Disposals:							
From disposal of entities or operations (including restructuring)	-	-	-	(4,070)	-	-	(4,070)
Net book value 30 June 2007	8,300,000	162,017,813	170,317,813	2,151,823	1,937,804	14,501,867	188,909,306
Net book value as of 30 June 2007 represented by:							
Gross book value	8,300,000	235,346,278	243,646,278	2,754,493	1,937,804	14,638,222	262,976,797
Accumulated depreciation/amortisation and impairment	-	(73,328,465)	(73,328,465)	(602,670)	-	(136,355)	(74,067,491)
	8,300,000	162,017,813	170,317,813	2,151,823	1,937,804	14,501,867	188,909,306

TABLE B – Reconciliation of the opening and closing balances of property, plant and equipment (2005-06)

	Land	Buildings	Total Land and Buildings	Other Infrastructure, Plant and Equipment	Heritage and Cultural	Library Holdings	Total
As at 1 July 2006	\$	\$	\$	\$	\$	\$	\$
Gross book value	7,500,000	210,218,613	217,718,613	3,012,766	1,549,489	11,942,521	234,223,390
Accumulated depreciation/amortisation and impairment	-	(57,249,723)	(57,249,723)	(212,593)	-	(2,675)	(57,464,992)
Net book value 1 July 2005	7,500,000	152,968,889	160,468,889	2,800,173	1,549,489	11,939,846	176,758,397
Additions:							
by purchase	-	369,390	369,390	1,247,140	63,936	1,356,123	3,036,590
Revaluations and impairments through equity	-	-	-	-	-	-	-
Depreciation/amortisation expense	-	(1,563,709)	(1,563,709)	(466,977)	-	(63,240)	(2,093,926)
Impairments recognised in the operating result	-	-	-	-	-	-	-
Other movements*	-	-	-	(396,503)	-	-	(396,503)
Disposals:							
From disposal of entities or operations (including restructuring)	-	-	-	-	-	-	-
Other disposals	-	-	-	(7,800)	-	-	(7,800)
Net book value 30 June 2006	7,500,000	151,774,570	159,274,570	3,176,033	1,613,426	13,232,729	
Net book value as of 30 June 2006 represented by:							
Gross book value	7,500,000	210,588,003	218,088,003	3,855,604	1,613,426	13,298,644	236,855,676
Accumulated depreciation/amortisation and impairment	-	(58,813,433)	(58,813,433)	(679,570)	-	(65,915)	(59,558,919)
	7,500,000	151,774,570	159,274,570	3,176,033	1,613,426	13,232,729	177,296,758

* Courtroom technology assets purchased by the High Court and transferred to the Federal Court.

6F: Intangibles

	2007	2006
	\$	\$
Computer software at cost:		
– Internally developed – work in progress	11,160	11,160
– Internally developed – in use	112,950	112,950
– Purchased – in use	491,557	455,556
Total computer software	615,667	579,666
– accumulated amortisation	(527,886)	(417,770)
Total intangibles (non-current)	87,781	161,895

6G: Intangibles**Table A: Reconciliation of the opening and closing balances of intangibles (2006-07)**

Item	Computer software
As at 1 July 2006	\$
Gross book value	579,667
Accumulated depreciation/amortisation and impairment	(417,772)
Net book value 1 July 2006	161,895
Additions:	
by purchase or internally developed	36,000
Depreciation/amortisation expense	(110,114)
Impairments recognised in the operating result	-
Disposals:	
from disposal of entities or operations (including restructuring)	-
other disposals	-
Net book value 30 June 2007	87,781
Net book value as of 30 June 2007 represented by:	
Gross book value	615,667
Accumulated depreciation/amortisation and impairment	(527,886)
	87,781

Table B: Reconciliation of the opening and closing balances of intangibles (2005-06)

Item	Computer software
As at 1 July 2005	\$
Gross book value	767,621
Accumulated amortisation and impairment	(508,600)
Net book value 1 July 2005	259,021
Additions:	
by purchase or internally developed	12,710
Amortisation	90,828
Impairments recognised in the operating result	(68,344)
Disposals:	
from disposal of entities or operations (including restructuring)	-
other disposals	(132,320)
Net book value 30 June 2006	161,894
Net book value as of 30 June 2006 represented by:	
Gross book value	579,667
Accumulated depreciation/amortisation and impairment	(417,772)
	161,895

6H: Inventories

	2007	2006
	\$	\$
Inventories held for distribution	1,506	3,285
Total inventories	1,506	3,285

All inventories are current assets.

6I: Other Non-Financial Assets

	2007	2006
	\$	\$
Prepaid property rentals	63,676	66,650
Other prepayments	668,840	181,603
Total other non-financial assets	732,516	248,253

All other non-financial assets are current assets. No indicators of impairment were found for other non-financial assets.

NOTE 7: PAYABLES**7A: Suppliers**

	2007	2006
	\$	\$
Trade creditors	38,692	257,629
Total supplier payables	38,692	257,629

All suppliers are current liabilities. Settlement is usually made net 30 days.

7B: Other Payables

	2007	2006
	\$	\$
Accrued expenses	348,179	223,216
Prepayments received/unearned income	15,059	15,886
Total other payables	363,238	239,101

All other payables are current liabilities.

NOTE 8: EMPLOYEE PROVISIONS

	2007	2006
	\$	\$
Salaries and wages	101,367	97,796
Leave	1,782,818	1,642,504
Superannuation	4,024	4,160
Total employee provisions	1,888,209	1,744,460

Employee provisions are represented by:

Current	1,703,726	1,540,816
Non-current	184,483	203,644
Total employee provisions	1,888,209	1,744,460

NOTE 9: CASH-FLOW RECONCILIATION

Reconciliation of cash and cash equivalents as per Balance Sheet to Cash-Flow Statement	2007	2006
	\$	\$

Report cash and cash equivalents as per:

Cash Flow Statement	2,078,543	1,911,688
Balance Sheet	2,078,543	1,911,688
Difference	-	-

Reconciliation of operating result to net cash from operating activities:

Operating result	(9,737)	214,325
Depreciation /amortisation	2,277,072	2,209,809
Net write down of non-financial assets	71,382	479
Loss on disposal of assets	98	1,275
(Increase) / decrease in net receivables	31,077	(76,071)
(Increase) / decrease in inventories	1,779	(1,308)
(Increase) / decrease in prepayments	(484,263)	74,671
Increase in employee provisions	143,749	220,544
Increase / (decrease) in supplier payables	(93,974)	42,187
Increase / (decrease) in other payables	(827)	385
Net cash from / (used by) operating activities	1,936,356	2,686,296

NOTE 10: CONTINGENT LIABILITIES AND ASSETS

Quantifiable Contingencies

As at 30 June 2007, the Court had no quantifiable contingencies.

Unquantifiable Contingencies

As at 30 June 2007, the Court had no unquantifiable contingencies.

NOTE 11: EXECUTIVE REMUNERATION

The number of officers who received or were due to receive total remuneration of \$130,000 or more:

	2007	2006
\$130 000 to \$144 999	1	1
\$160 000 to \$174 999	1	-
\$175 000 to \$189 999	1	2
\$190 000 to \$204 999	1	-
\$340 000 to \$354 999	1	1
\$445 000 to \$459,999*	1	-
Total	6	4
The aggregate amount of total remuneration of executives shown above.	\$1,488,913	\$850,694
The aggregate amount of separation and redundancy/termination benefit payments during the year to executives shown above.	\$194,425	Nil

* Higher payments than normal reflect retirement benefits paid in the year.

NOTE 12: REMUNERATION OF AUDITORS

Financial statement audit services are provided to the Court by the Auditor-General.

	2007	2006
	\$	\$
The fair value of the services provided was:	35,900	33,207
	<u>35,900</u>	<u>33,207</u>

No other services were provided by the Auditor-General.

NOTE 13: AVERAGE STAFFING LEVELS

	2007	2006
The average staffing levels for the Court during the year were:	90	93

NOTE 14: 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.

	2007	2006
	\$	\$
Balance as at 1 July	6,295	49,434
Amount received	20,000	5,000
Amount deducted/paid out	(2,500)	(48,139)
Balance as at 30 June	<u>23,795</u>	<u>6,295</u>

NOTE 15: FINANCIAL INSTRUMENTS

15A: Interest Rate Risk

Financial Instrument	Note	Floating Interest Rate						Fixed Interest Rate Maturing In						Non-Interest Bearing		Total		Weighted Average Effective Interest Rate		
		2007		2006		2007		2006		2007		2006		2007		2006		2007		
		\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	%	%			
Financial Assets																				
Cash and cash equivalents	5A	2,075,193	1,908,338	-	-	-	-	-	-	-	-	3,350	3,350	2,078,543	1,911,688			5.65	5.15	
Receivables for goods and services	5B	-	-	-	-	-	-	-	-	-	-	55,481	29,080	55,481	29,080			-	-	
Interest receivable	5B	14,833	12,737	-	-	-	-	-	-	-	-	-	-	14,833	12,737			5.65	5.15	
GST receivable	5B	-	-	-	-	-	-	-	-	-	-	47,836	107,410	47,836	107,410					
Total		2,090,026	1,921,075	-	-	-	-	-	-	-	-	106,667	139,839	2,196,692	2,060,914					
Total Assets														191,927,803	179,771,106					
Financial Liabilities																				
Trade creditors and accruals	7A/ 7B	-	-	-	-	-	-	-	-	-	-	386,871	480,845	386,871	480,845			-	-	
Total		-	-	-	-	-	-	-	-	-	-	386,871	480,845	386,871	480,845					
Total Liabilities														2,290,139	2,241,190					

15B: Fair Values of Financial Assets and Liabilities

	Note	2007		2006	
		Total Carrying Amount	Aggregate Fair Value	Total Carrying Amount	Aggregate Fair Value
Departmental Financial Assets		\$	\$	\$	\$
Cash at bank and on hand	5A	2,078,543	2,078,543	1,911,688	1,911,688
Receivables for goods and services (net)	5B	55,481	55,481	29,080	29,080
Interest receivable	5B	14,833	14,833	12,737	12,737
GST receivable	5B	47,836	47,836	107,410	107,410
Total Financial Assets (Recognised)		2,196,692	2,196,692	2,060,915	2,060,915
Financial Liabilities (Recognised)					
Trade creditors and accruals	7A/ 7B	386,871	386,871	480,845	480,845
Total Financial Liabilities (Recognised)		386,871	386,871	480,845	480,845

15C: Credit Risk Exposures

The Court's maximum exposures to credit risk at reporting date in relation to each class of recognised financial assets is the carrying amount of those assets as indicated in the Balance Sheet.

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

NOTE 16: ADMINISTRATION OF THE COURT

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

Chief Justice:

The Honourable Murray Gleeson, AC

Justices:

The Honourable William Gummow, AC
The Honourable Michael Kirby, AC, CMG
The Honourable Kenneth Hayne, AC
The Honourable Ian Callinan, AC
The Honourable Dyson Heydon, AC
The Honourable Susan Crennan

Chief Executive & Principal Registrar:

Christopher Doogan, AM (resigned July 2007)

Andrew Phelan (appointed July 2007)

Under section 10 of the *High Court of Australia Act 1979 (Cth)*, a Justice is not capable of accepting or holding any other office of profit within Australia. No related party transactions have occurred during the 2006-07 financial year.

NOTE 17: RESOURCES PROVIDED FREE OF CHARGE

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.

NOTES TO THE SCHEDULE OF ADMINISTERED ITEMS

NOTE 18: INCOME ADMINISTERED ON BEHALF OF GOVERNMENT

	2007	2006
	\$	\$
<u>Revenue</u>		
Non-taxation revenue		
Filing and hearing fees	1,012,323	906,282
Sale of judgments and transcripts	8,035	10,790
Practitioners' certificates	42,431	43,835
Taxing of costs	1,970	12,237
Other	14,836	17,262
Total revenue	1,079,595	990,406

NOTE 19: ASSETS ADMINISTERED ON BEHALF OF GOVERNMENT

	2007	2006
	\$	\$
Financial assets	-	-
Total financial assets	-	-

NOTE 20: ADMINISTERED RECONCILIATION TABLE

	2007	2006
	\$	\$
<i>Opening administered assets less administered liabilities as at 1 July</i>	-	-
Plus: Administered revenues	1,079,595	990,406
Less: transfers to Official Public Account	(1,079,595)	(990,406)
<i>Closing administered assets less administered liabilities as at 30 June</i>	-	-

NOTE 21: ADMINISTERED CONTINGENT LIABILITIES AND ASSETS

As at 30 June 2007, there are no contingencies which create uncertainty as to possible gain or loss for the High Court of Australia.

NOTE 22: APPROPRIATIONS

TABLE A: Acquittal of Authority to Draw Cash from the Consolidated Revenue Fund for Ordinary Annual Services Appropriations and Borrowings

Particulars	Departmental Outputs		Total
	2007	2006	
	\$	\$	
Balance carried from previous period	-	-	-
Appropriation Act:			
Appropriation Act (No.1)	13,759,000	13,799,000	13,799,000
Appropriation Act (No.3)	-	-	-
Total appropriation available for payments	13,759,000	13,799,000	13,799,000
Cash payments made during the year (GST inclusive)	13,759,000	13,799,000	13,799,000
Appropriations credited to Special Accounts (excluding GST)	-	-	-
Balance of the Court to Draw Cash from the Consolidated Revenue Fund for Ordinary Annual Services Appropriations	-	-	-
Represented by			
Cash at bank and on hand	-	-	-
Departmental appropriations receivable	-	-	-
Undrawn, unexpired administered appropriations	-	-	-
Total	-	-	-

NOTE 23: REPORTING OF OUTCOMES

23A: Outcomes of the Court

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

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

23B: Net Cost of Outcome Delivery

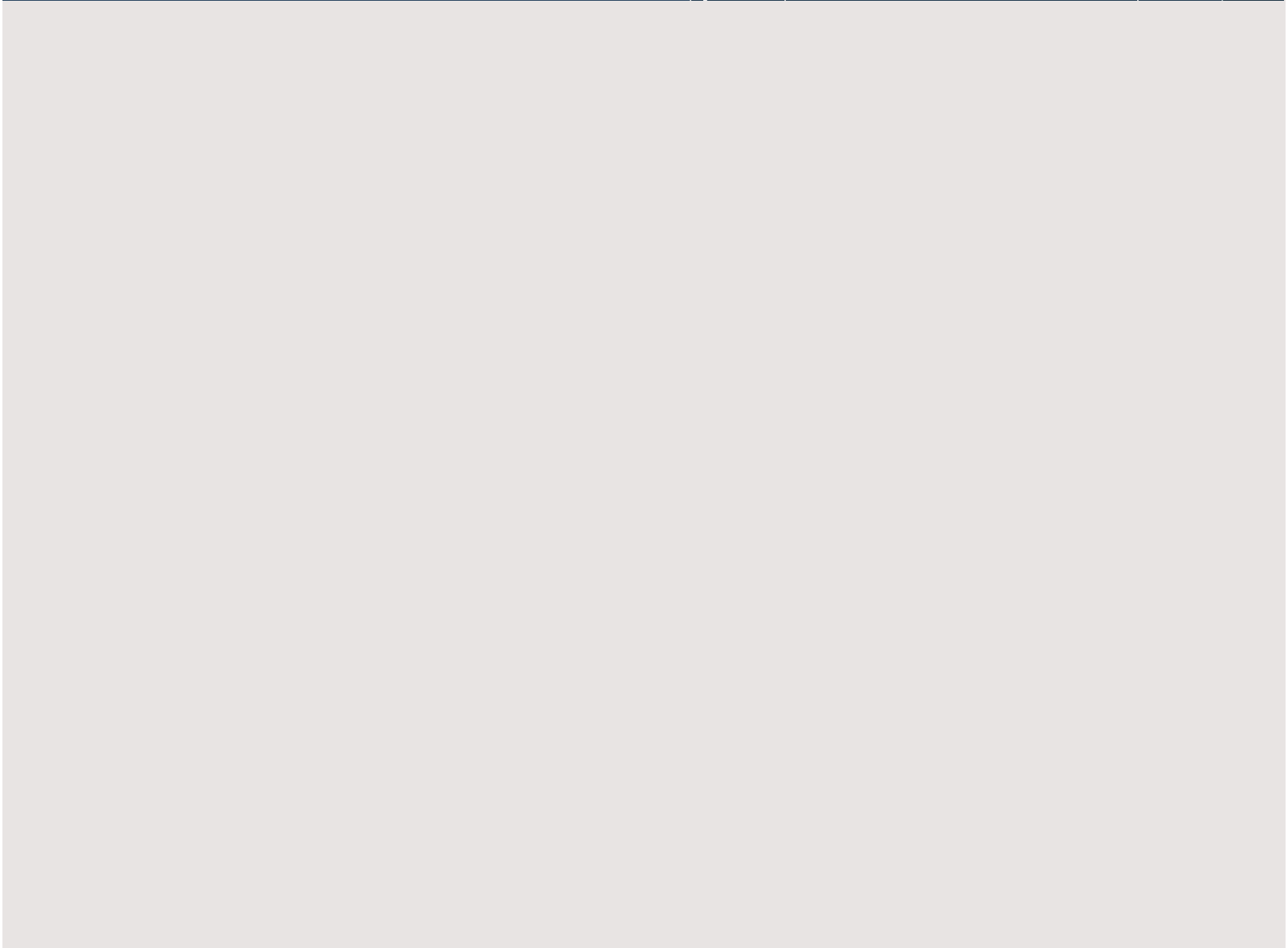
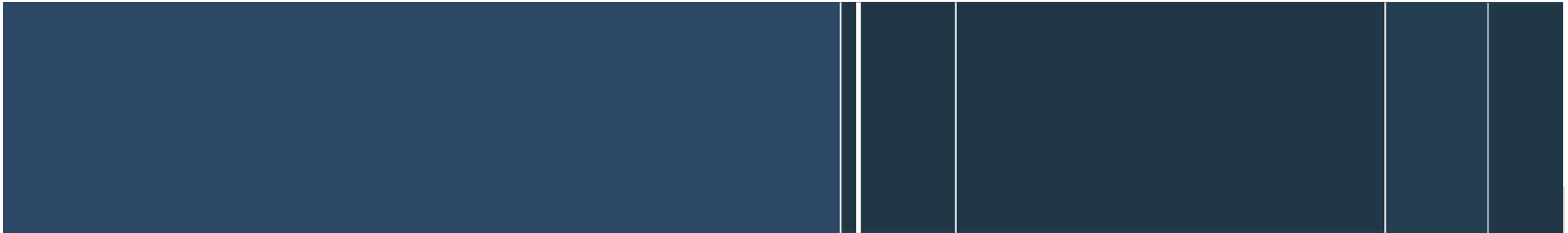
	Outcome 1		Total	
	2007 \$	2006 \$	2007 \$	2006 \$
Expenses				
Departmental	14,117,478	13,893,160	14,117,478	13,893,160
Total expenses	14,117,478	13,893,160	14,117,478	13,893,160
Costs recovered from provision of goods and services to the non government sector				
Administered	1,079,595	990,406	1,079,595	990,406
Departmental	93,099	112,404	93,099	112,404
Total costs recovered	1,172,694	1,102,810	1,172,694	1,102,810
Other external revenues				
Departmental				
Interest	214,847	190,287	214,847	190,287
Other	40,795	5,794	40,795	5,794
Total Departmental	255,642	196,081	255,642	196,081
Total other external revenues	255,642	196,081	255,642	196,081
Net cost/(contribution) of outcome	12,689,142	12,594,269	12,689,142	12,594,269

23C: Major Classes of Departmental Revenues and Expenses by Output Groups and Outputs

	Outcome 1 Output 1	
	2007 \$	2006 \$
Departmental expenses		
Employees	6,897,926	6,544,759
Suppliers	4,870,972	5,136,838
Depreciation and Amortisation	2,277,072	2,209,809
Write-down of Assets	71,410	479
Net Loss from Disposal of Assets	98	1,275
Total departmental expenses	14,117,478	13,893,160
Funded by:		
Revenues from Government	13,759,000	13,799,000
Sale of Goods and Services	93,099	112,404
Interest	214,847	190,287
Other Revenue	40,795	5,794
Total departmental revenues	14,107,741	14,107,485

23D: Administered Revenues and Expenses by Outcomes

	Outcome 1		Total	
	2007	2006	2007	2006
	\$	\$	\$	\$
Administered Income				
Fees and charges	1,079,595	990,406	1,079,595	990,406
Total administered income	1,079,595	990,406	1,079,595	990,406





High Court of Australia

Part VII Annexures

Annexure A: <i>Freedom of Information Act</i> 1982 (Cth)	X
Annexure A: – Supplementary Material	X
Annexure B: Tables of Judicial Workload	X
Annexure C: Costs of Litigation Information	X
Annexure D: Staffing Overview	X

Part VII – Annexure A

Freedom of Information Act 1982 (Cth) – Supplementary Material

Parts IV and V of this Report provide information about the establishment, functions, organisation and operation of the High Court and its administration. Other information required by section 8 of the *Freedom of Information Act* 1982 (Cth) follows.

Categories of Documents

Listed below are the categories of documents that are maintained in the possession of the High Court and which are open to public access (outside the provisions of the *Freedom of Information Act*), whether free of charge on request or by payment of a fee or other charge.

Case-related documents

Certain documents related to legal matters and filed or lodged at the High Court Registry are open to public access in accordance with Rule 4.07.4 of the *High Court Rules*. Access to these documents is subject to a fee or other charge.

The following categories of documents are available for purchase by the public:

- transcripts of proceedings before the Court;
- reasons for judgment; and

- photocopies of Court documents which are available for search under Rule 4.07.4 of the *High Court Rules*.

Library documents

The following documents are available free-of-charge from the High Court Library:

- High Court Bulletin, listing cases reserved, cases removed under section 40 of the *Judiciary Act* 1903 (Cth), and results of applications for special leave; and
- monthly list of library acquisitions.

In addition, paper copies of the library holdings list are available for purchase.

Other documents

The following documents are available from the High Court free-of-charge:

- High Court sitting calendar;
- High Court business lists;
- High Court daily sitting lists;
- fees for filing, issuing or sealing a document or obtaining a service, pursuant to Schedule 1 of the *High Court of Australia (Fees) Regulations*;
- Scale of Professional Costs, pursuant to Schedule 2 of the *High Court of Australia (Fees) Regulations*;
- selected case summaries;
- brochure on the functions, powers, history and operation of the High Court, and features of the High Court Building in Canberra;
- brochure on courtroom practice in the High Court; and
- the High Court Registry Service Charter.

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 is affected by section 5 of the *Freedom of Information Act* which provides that access is not available to a Court document under that Act unless the document relates to matters of an administrative nature.

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

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

Public Information Officer
High Court of Australia
Parkes Place
Canberra ACT 2600
Telephone: (02) 6270 6998
Fax: (02) 6270 6909
Email: fhamilton@hcourt.gov.au

OR

PO Box 6309
Kingston ACT 2604



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

Fax: (02) 6273 3025

Email: crogers@hcourt.gov.au

All other matters - Marshal

Telephone: (02) 6270 6853

Fax: (02) 6270 6346

Email: jpelle@hcourt.gov.au

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

Inspection of public documents may be arranged at the following locations:

- 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 High Court 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,
Level 5, Commonwealth Law Courts
Building
3 Angas 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 of Tasmania
Salamanca Place
Hobart TAS 7000.
- Office of the Registry
Level 3, Federal Court of Australia
State Square
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. Total Full Court matters heard in all jurisdictions
4. Categories of Full Court matters heard in all jurisdictions
5. Total Full Court decisions related to matters filed in all jurisdictions
6. Categories of Full Court decisions related to matters filed in all jurisdictions
7. Matters heard before a single Justice
8. Categories of matters heard before a single Justice

CIVIL SPECIAL LEAVE APPLICATIONS

9. Civil special leave applications filed
10. Civil special leave applications heard
11. Civil special leave applications decided
12. Results of civil special leave applications decided
13. Results of civil special leave applications decided showing lower courts
14. Elapsed time for civil special leave applications finalised – All matters
15. Elapsed time for civil special leave applications finalised – Legally represented
16. Elapsed time for civil special leave applications finalised – Self-represented litigants
- 16A. Elapsed time for civil special leave applications finalised – Self-represented litigants (finalised on the papers pursuant to Rule 41.10.5)
- 16B. Elapsed time for civil special leave applications finalised – Self-represented litigants finalised on the papers pursuant to Rule 41.11.1)
- 16C. Elapsed time for civil special leave applications finalised – Self-represented litigants (finalised by hearing pursuant to Rule 41.11.2)

CRIMINAL SPECIAL LEAVE APPLICATIONS

17. Criminal special leave applications filed
18. Criminal special leave applications heard
19. Criminal special leave applications decided
20. Results of criminal special leave applications decided
21. Results of criminal special leave applications decided showing lower courts
22. Elapsed time for criminal special leave applications finalised – All matters
23. Elapsed time for criminal special leave applications finalised – Legally represented
24. Elapsed time for criminal special leave applications finalised – Self-represented litigants
- 24A. Elapsed time for criminal special leave applications finalised – Self-represented litigants (finalised on the papers pursuant to Rule 41.10.5)

- 24B. Elapsed time for criminal special leave applications finalised – Self-represented litigants (finalised on the papers pursuant to Rule 41.11.1)
- 24C. Elapsed time for criminal special leave applications finalised – Self-represented litigants (finalised by hearing pursuant to Rule 41.11.2)

CIVIL APPEALS

- 25. Civil appeals filed
- 26. Civil appeals heard
- 27. Civil appeals decided
- 28. Results of civil appeals decided
- 29. Results of civil appeals decided showing lower courts
- 30. Elapsed time for civil appeals finalised – All matters
- 31. Elapsed time for civil appeals finalised – Legally represented
- 32. Elapsed time for civil appeals finalised – Self-represented litigants

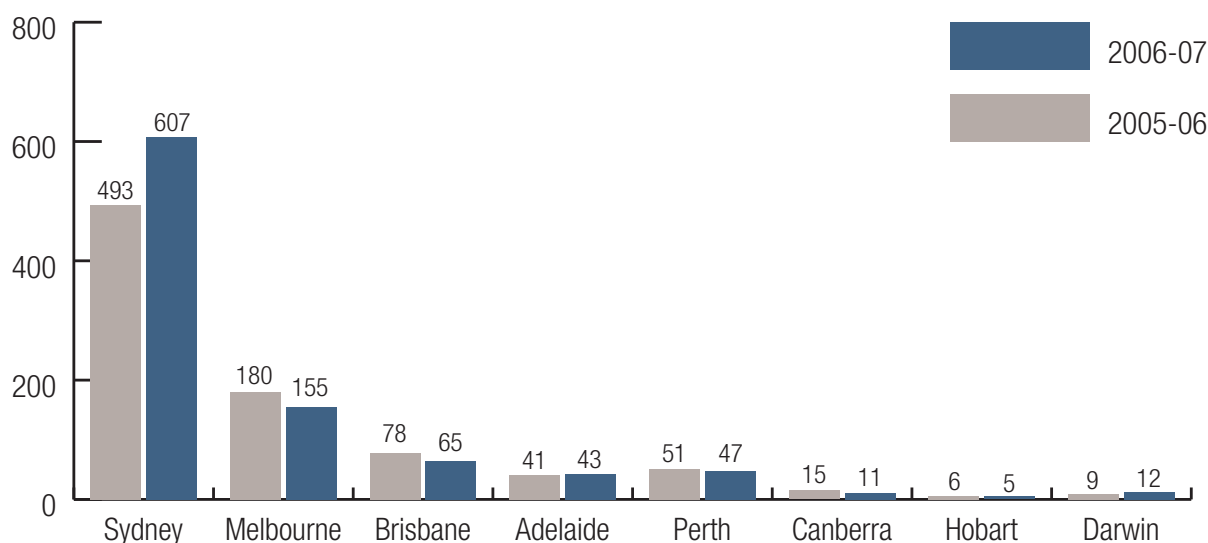
CRIMINAL APPEALS

- 33. Criminal appeals filed
- 34. Criminal appeals heard
- 35. Criminal appeals decided
- 36. Results of criminal appeals decided
- 37. Results of criminal appeals decided showing lower courts
- 38. Elapsed time for criminal appeals finalised – All matters
- 39. Elapsed time for criminal appeals finalised – Legally represented
- 40. Elapsed time for criminal appeals finalised – Self-represented litigants

ORIGINAL JURISDICTION MATTERS

- 41. Elapsed time for Full Court original jurisdiction matters finalised – All matters
- 42. Elapsed time for Full Court original jurisdiction matters finalised – Legally represented
- 43. Elapsed time for Full Court original jurisdiction matters finalised – Self-represented litigants

1. TOTAL MATTERS FILED IN ALL JURISDICTIONS



2. CATEGORIES OF MATTERS FILED IN ALL JURISDICTIONS

Category	2005-06	2006-07
Special Leave Applications (Civil)	620	703
Special Leave Applications (Criminal)	100	106
Appeals (Civil)	56	48
Appeals (Criminal)	10	21
Writ of Summons	20	6
Applications for Removal of Cause ^[1]	5	5
Constitutional Writs ^[2]	50	47
Electoral Act ^[3]	0	0
Other ^[4]	12	9
TOTAL	873	945

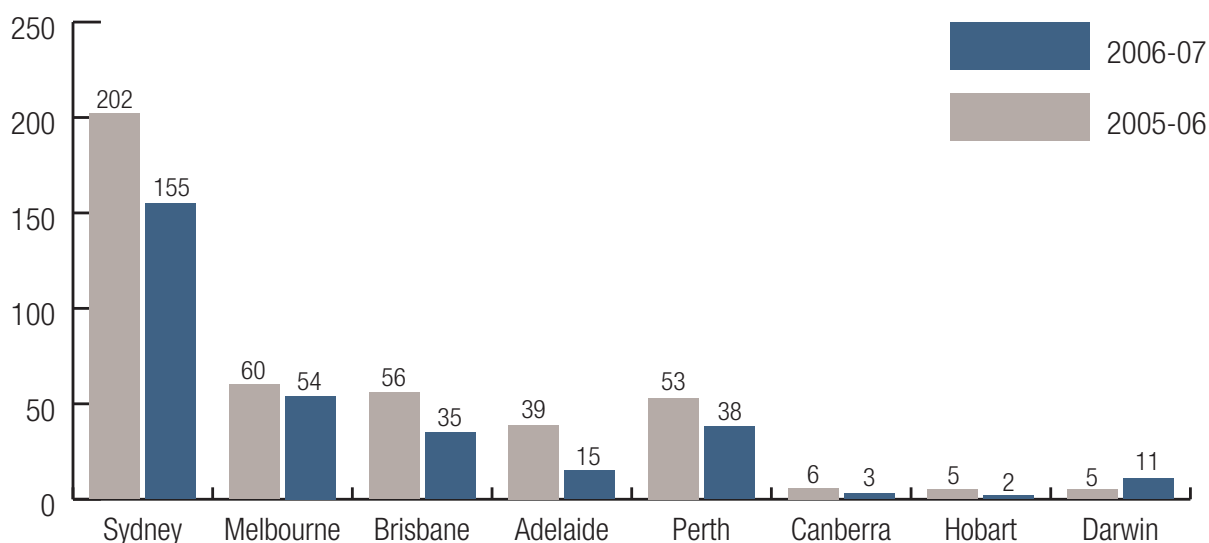
^[1] Applications made in accordance with section 40 of the *Judiciary Act* 1903 (Cth).

^[2] Applications for constitutional writs made within the original jurisdiction of the Court conferred by section 75(v) of the Constitution.

^[3] Election petitions filed pursuant to section 353(1) of the *Commonwealth Electoral Act* 1918 (Cth) with the Court sitting as the Court of Disputed Returns.

^[4] Including causes removed pursuant to section 40 of the *Judiciary Act* 1903 (Cth) and ex parte applications for leave to issue proceedings where a Justice has directed, pursuant to Rule 6.07 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. TOTAL FULL COURT MATTERS HEARD IN ALL JURISDICTIONS



4. CATEGORIES OF FULL COURT MATTERS HEARD IN ALL JURISDICTIONS

Category	2005-06	2006-07
Special Leave Applications (Civil)	243	177
Special Leave Applications (Criminal)	81	72
Appeals (Civil)	72	43
Appeals (Criminal)	16	14
Writ of Summons	0	1
Constitutional and Other Full Court Matters ^[1]	12	1
Applications for Removal of Cause ^[2]	1	1
Constitutional Writs ^[3]	1	4
Electoral Act ^[4]	0	0
TOTAL	426	313

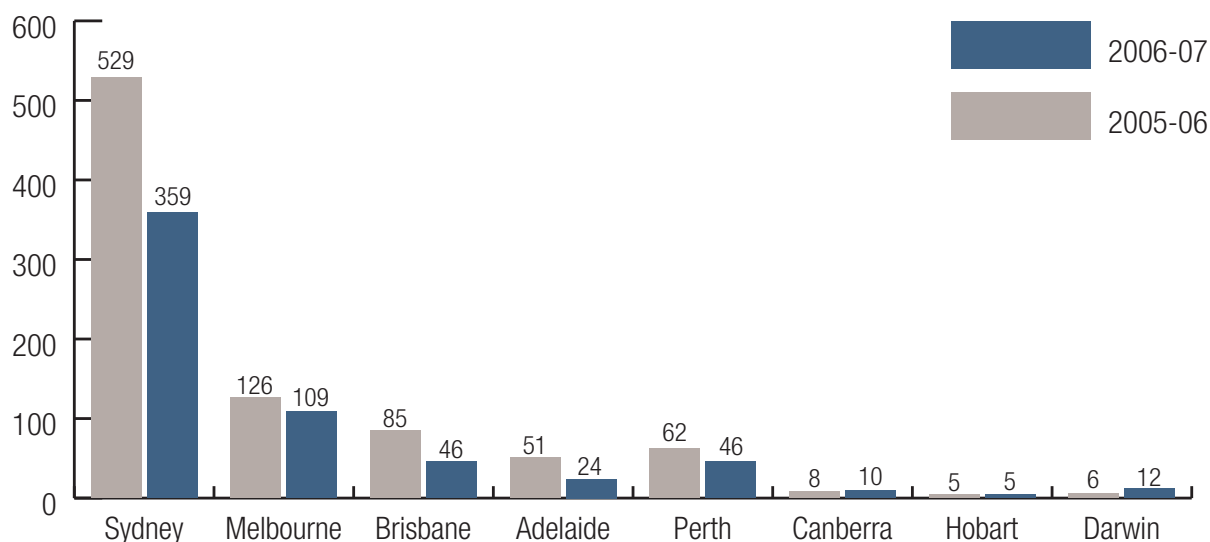
^[1] Including matters proceeding to hearing by way of a case stated or questions reserved for the consideration of the Full Court pursuant to section 18 of the *Judiciary Act* 1903 (Cth) and causes removed in accordance with section 40 of the *Judiciary Act* 1903 (Cth).

^[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.

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

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



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

Category	2005-06	2006-07
Special Leave Applications (Civil)	677	455
Special Leave Applications (Criminal)	90	80
Appeals (Civil)	79	53
Appeals (Criminal)	19	7
Constitutional and Other Full Court Matters ^[1]	4	12
Applications for Removal of Cause ^[2]	1	2
Constitutional Writs ^[3]	2	2
Electoral Act ^[4]	0	0
TOTAL	872	611

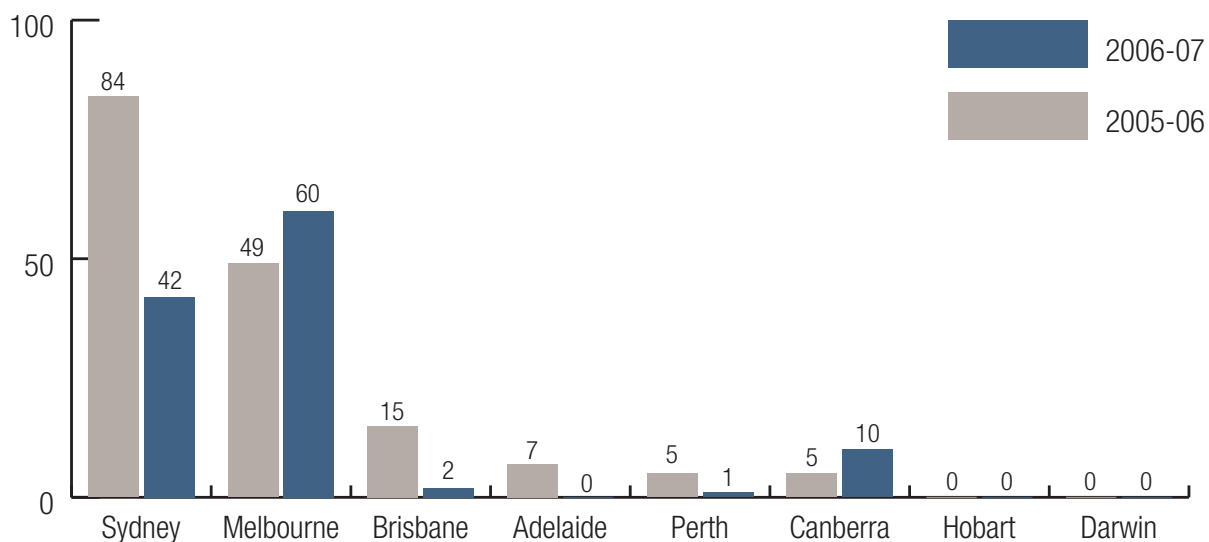
^[1] Including matters proceeding to hearing by way of a case stated or questions reserved for the consideration of the Full Court pursuant to section 18 of the Judiciary Act 1903 (Cth) and causes removed in accordance with section 40 of the Judiciary Act 1903 (Cth).

^[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.

^[4] Election petitions filed pursuant to section 353(1) of the Commonwealth Electoral Act 1918 (Cth) with the Court sitting as the Court of Disputed Returns.

7. MATTERS HEARD BEFORE A SINGLE JUSTICE



8. CATEGORIES OF MATTERS HEARD BEFORE A SINGLE JUSTICE

Category	2005-06	2006-07
Directions hearing	69	39
Order nisi application	29	28
Interlocutory injunction/stay/bail application	7	8
Application for leave to issue process	11	2
Application to vacate/expedite hearing date	17	6
Trial of election petition	0	0
Solicitor ceasing to act	1	0
Reinstatement	13	27
Other	18	5
TOTAL	165	115

9. CIVIL SPECIAL LEAVE APPLICATIONS FILED

Court Appealed From										
Registry	Federal Court		Family Court		Supreme Court		High Court		TOTAL	
	05-06	06-07	05-06	06-07	05-06	06-07	05-06	06-07	05-06	06-07
Sydney	316	415	10	6	82 ^[1]	87^[2]	1	1	409	510
Melbourne	80	58	4	5	20	27	0	0	104	90
Brisbane	16	8	0	1	24	34	0	0	40	43
Adelaide	11	5	0	1	11	16	1	1	23	23
Perth	12	4	0	0	19	20	0	0	31	24
Canberra	4	3	0	1	4	1	0	0	8	5
Hobart	0	0	0	0	4	3	0	0	4	3
Darwin	1	3	0	0	0	2	0	0	1	5
TOTAL	440	496	14	14	164	190	2	2	620	703

^[1] Includes two applications from the Industrial Relations Commission of New South Wales.

^[2] Includes three applications from the Industrial Relations Commission of New South Wales.

10. CIVIL SPECIAL LEAVE APPLICATIONS HEARD

Court Appealed From										
Registry	Federal Court		Family Court		Supreme Court		High Court		TOTAL	
	05-06	06-07	05-06	06-07	05-06	06-07	05-06	06-07	05-06	06-07
Sydney	43	38	0	4	88 ^[1]	59^[2]	0	0	131	101
Melbourne	14	14	0	0	17	10	0	2	31	26
Brisbane	7	3	0	0	11	18	0	1	18	22
Adelaide	15	0	0	0	12	6	0	0	27	6
Perth	11	3	0	0	18	13	0	0	29	16
Canberra	1	0	0	0	1	1	0	0	2	1
Hobart	0	0	0	0	3	1	0	0	3	1
Darwin	1	1	0	0	1	3	0	0	2	4
TOTAL	92	59	0	4	151	111	0	3	243	177

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

^[2] Includes four applications from the Industrial Relations Commission of New South Wales.

11. CIVIL SPECIAL LEAVE APPLICATIONS DECIDED

Registry	Court Appealed From									
	Federal Court		Family Court		Supreme Court		High Court		TOTAL	
	05-06	06-07	05-06	06-07	05-06	06-07	05-06	06-07	05-06	06-07
Sydney	339	214	6	9	112 ^[1]	72 ^[2]	0	1	457	296
Melbourne	56	57	4	3	33	17	1	3	94	80
Brisbane	23	8	0	0	18	20	0	2	41	30
Adelaide	23	2	0	0	14	10	1	0	38	12
Perth	14	5	0	0	23	17	0	0	37	22
Canberra	3	3	0	1	1	2	0	0	4	6
Hobart	1	0	0	0	3	3	0	0	4	3
Darwin	1	1	0	0	1	5	0	0	2	6
TOTAL	460	290	10	13	205	146	2	6	677	455

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

^[2] Includes four applications from the Industrial Relations Commission of New South Wales.

12. RESULTS OF CIVIL SPECIAL LEAVE APPLICATIONS DECIDED

Registry	2005-06			2006-07		
	Special Leave Granted	Special Leave Refused	Total	Special Leave Granted	Special Leave Refused	TOTAL
Sydney	34	423	457	34 ^[1]	262	296
Melbourne	6	88	94	9	71	80
Brisbane	2	39	41	4	26	30
Adelaide	2	36	38	1	11	12
Perth	4	33	37	3	19	22
Canberra	0	4	4	1	5	6
Hobart	2	2	4	0	3	3
Darwin	0	2	2	4	2	6
TOTAL	50	627	677	56	399	455

^[1] Includes three applications referred for hearing by the Full Court to be argued as if on appeal.

13. RESULTS OF 2005-06 CIVIL SPECIAL LEAVE APPLICATIONS DECIDED (SHOWING LOWER COURTS)

Registry	Court Appealed From														
	Federal Court			Family Court			Supreme Court			High Court			TOTAL		
	Special Leave Granted	Special Leave Refused	Special Leave	Special Leave Granted	Special Leave Refused	Special Leave	Special Leave Granted	Special Leave Refused	Special Leave	Special Leave Granted	Special Leave Refused	Special Leave	Special Leave Granted	Special Leave Refused	
Sydney	20 ^[1]	194	1	4	17 ^[2]	59 ^[3]	0	1	38	258					
Melbourne	3	54	0	3	6	11	0	3	9	71					
Brisbane	1	7	0	0	3	17	0	2	4	26					
Adelaide	0	2	0	0	1	9	0	0	1	12					
Perth	1	4	0	0	2	15	0	0	3	19					
Canberra	0	3	0	1	1	1	0	0	1	5					
Hobart	0	0	0	0	0	3	0	0	0	3					
Darwin	1	0	0	0	3	2	0	0	4	2					
TOTAL	26	264	1	8	33	117	0	6	60	395					

^[1] Includes two applications referred for hearing by the Full Court to be argued as if on appeal

^[2] Includes two applications referred for hearing by the Full Court to be argued as if on appeal.

^[3] Includes four applications from the Industrial Relations Commission of New South Wales.

14. ELAPSED TIME FOR CIVIL SPECIAL LEAVE APPLICATIONS FINALISED – ALL MATTERS^[1]

	Filing to Ready for Hearing		Ready for Hearing to Hearing		Hearing to Decision		Total Elapsed Time									
	05-06	06-07	05-06	06-07	05-06	06-07	05-06	06-07								
Months																
to 3	443	65	344	76	217	32	160	35	668	98	448	99	27	4	20	4
3 to 6	144	21	82	18	323	48	68	15	6	1	2	0	385	57	160	35
6 to 9	60	9	16	3	87	13	164	36	3	1	1	0	136	20	187	41
9 to 12	11	2	7	2	37	5	51	11	0	0	0	0	78	11	58	13
over 12	19	3	6	1	13	2	12	3	0	0	4	1	51	8	30	7
TOTAL	677	100	455	100	677	100	455	100	677	100	455	100	677	100	455	100

^[1] In addition, four applications were referred to the Full Court to be argued as if on appeal. These applications involved an additional hearing and took an average of six months from filing to decision.

15. ELAPSED TIME FOR CIVIL SPECIAL LEAVE APPLICATIONS FINALISED – LEGALLY REPRESENTED^[1]

	Filing to Ready for Hearing		Ready for Hearing to Hearing		Hearing to Decision		Total Elapsed Time									
	05-06	06-07	05-06	06-07	05-06	06-07	05-06	06-07								
Months																
to 3	67	29	85	45	198	86	159	84	221	96	183	97	23	10	20	11
3 to 6	129	56	82	44	28	12	24	13	5	2	2	1	126	54	116	62
6 to 9	28	12	11	5	3	1	5	3	3	1	1	1	50	22	29	15
9 to 12	4	2	5	3	0	0	0	0	2	1	0	0	20	9	10	5
over 12	3	1	5	3	2	1	0	0	0	0	2	1	12	5	13	7
TOTAL	231	100	188	100	231	100	188	100	231	100	188	100	231	100	188	100

^[1] In addition, four applications were referred to the Full Court to be argued as if on appeal. These applications involved an additional hearing and took an average of six months from filing to decision.

16. ELAPSED TIME FOR CIVIL SPECIAL LEAVE APPLICATIONS FINALISED – SELF-REPRESENTED LITIGANTS

Months	Filing to Ready for Hearing		Ready for Hearing to Hearing		Hearing to Decision		Total Elapsed Time									
	05-06	%	06-07	%	05-06	%	06-07	%	05-06	%	06-07	%				
to 3	377	85	259	97	21	5	2	1	445	99	265	99	4	1	0	0
3 to 6	14	3	0	0	296	66	44	16	0	0	0	0	260	58	44	16
6 to 9	32	7	5	2	85	19	158	59	1	1	0	0	84	19	158	59
9 to 12	7	1	2	1	35	8	51	19	0	0	0	0	59	13	48	18
over 12	16	4	1	0	9	2	12	5	0	0	2	1	39	9	17	7
TOTAL	446	100	267	100	446	100	267	100	446	100	267	100	446	100	267	100

16A. ELAPSED TIME FOR CIVIL SPECIAL LEAVE APPLICATIONS FINALISED – SELF-REPRESENTED LITIGANTS (WHERE FINALISED ON THE PAPERS PURSUANT TO RULE 41.10.5)

Months	Filing to Ready for Consideration		Ready for Consideration to Disposition		Total Elapsed Time							
	05-06	%	06-07	%	05-06	%	06-07	%				
to 3	332	88	257	100	12	3	0	0	4	1	0	0
3 to 6	41	11	0	0	292	77	44	17	260	69	44	17
6 to 9	4	1	0	0	65	17	157	61	76	20	157	61
9 to 12	0	0	0	0	7	2	48	19	33	9	48	19
over 12	0	0	0	0	1	1	8	3	4	1	8	3
TOTAL	377	100	257	100	377	100	257	100	377	100	257	100

**16B. ELAPSED TIME FOR CIVIL SPECIAL LEAVE APPLICATIONS FINALISED – SELF-REPRESENTED LITIGANTS
(WHERE, AFTER DIRECTION TO SERVE WRITTEN CASE PURSUANT TO RULE 41.10.6, FINALISED ON THE PAPERS
PURSUANT TO RULE 41.11.1)**

Months	Filing to Ready for Consideration		Ready for Consideration to Disposition		Total Elapsed Time							
	05-06	%	06-07	%	05-06	%	06-07	%				
to 3	0	0	0	0	4	80	5	83	0	0		
3 to 6	0	0	0	0	1	20	1	17	0	0		
6 to 9	3	60	1	17	0	0	0	0	0	0		
9 to 12	1	20	2	33	0	0	0	0	3	60		
over 12	1	20	3	50	0	0	0	0	2	40		
TOTAL	5	100	6	100	5	100	6	100	5	100	6	100

**16C. ELAPSED TIME FOR CIVIL SPECIAL LEAVE APPLICATIONS FINALISED – SELF-REPRESENTED LITIGANT (WHERE,
AFTER DIRECTION TO SERVE WRITTEN CASE PURSUANT TO RULE 41.10.6, FINALISED BY A HEARING PURSUANT
TO RULE 41.11.2)**

Months	Filing to Ready for Consideration		Ready for Consideration to Disposition		Hearing to Decision		Total Elapsed Time									
	05-06	%	06-07	%	05-06	%	06-07	%	05-06	%	06-07	%				
to 3	0	0	0	0	7	78	0	0	8	89	4	100	0	0		
3 to 6	1	11	3	75	2	22	3	75	0	0	0	0	0	0		
6 to 9	7	78	1	25	0	0	1	25	1	11	0	0	3	33		
9 to 12	0	0	0	0	0	0	0	0	0	0	0	0	4	45		
over 12	1	11	0	0	0	0	0	0	0	0	0	0	2	22		
TOTAL	9	100	4	100	9	100	4	100	9	100	4	100	9	100	4	100

Criminal Special Leave Applications

17. CRIMINAL SPECIAL LEAVE APPLICATIONS FILED (SHOWING LOWER COURTS)

Supreme Court	05-06	06-07
NSW	23	32
VIC	29	22
QLD	17	17
SA	8	11
WA	13	16
ACT	2	2
TAS	0	2
NT	8	4
TOTAL	100	106

18. CRIMINAL SPECIAL LEAVE APPLICATIONS HEARD (SHOWING LOWER COURTS)

Supreme Court	05-06	06-07
NSW	20	17
VIC	18	15
QLD	19	9
SA	7	7
WA	14	18
ACT	0	1
TAS	0	1
NT	3	4
TOTAL	81	72

19. CRIMINAL SPECIAL LEAVE APPLICATIONS DECIDED (SHOWING LOWER COURTS)

Supreme Court	05-06	06-07
NSW	20	19
VIC	18	17
QLD	22	10
SA	9	8
WA	17	19
ACT	1	1
TAS	0	1
NT	3	5
TOTAL	90	80

20. RESULTS OF CRIMINAL SPECIAL LEAVE APPLICATIONS DECIDED

Registry	2005-06			2006-07		
	Special Leave Granted	Special Leave Refused	Total	Special Leave Granted	Special Leave Refused	TOTAL
Sydney	2	18	20	9 ^[2]	10	19
Melbourne	0	18	18 ^[1]	6	11	17
Brisbane	5	17	22	2	8	10
Adelaide	0	9	9	3	5	8
Perth	1	16	17	2	17	19
Canberra	0	1	1	1 ^[3]	0	1
Hobart	0	0	0	0	1	1
Darwin	0	3	3	1	4	5
TOTAL	8	82	90	24	56	80

^[1] In addition, three applications filed in Melbourne were referred for hearing by the Full Court to be argued as if on appeal.

^[2] Includes two applications in Sydney referred to the Full Court to be argued as if on appeal.

^[3] Includes one application in Canberra referred to the Full Court to be argued as if on appeal.

21. RESULTS OF 2006-07 CRIMINAL SPECIAL LEAVE APPLICATIONS DECIDED (SHOWING LOWER COURTS)

Supreme Court	Special Leave Granted	Special Leave Refused	TOTAL
NSW	9	10	19 ^[1]
VIC	6	11	17
QLD	2	8	10
SA	3	5	8
WA	2	17	19
ACT	1	0	1 ^[2]
TAS	0	1	1
NT	1	4	5
TOTAL	24	56	80

^[1] In addition, two applications in Sydney were referred to the Full Court to be argued as if on appeal.

^[2] In addition, one application in Canberra was referred to the Full Court to be argued as if on appeal.

22. ELAPSED TIME FOR CRIMINAL SPECIAL LEAVE APPLICATIONS FINALISED – ALL MATTERS ^[1]

	Filing to Ready for Hearing		Ready for Hearing to Hearing		Hearing to Decision		Total Elapsed Time	
	05-06	%	06-07	%	05-06	%	06-07	%
Months								
to 3	28	31	34	43	72	80	63	78
3 to 6	39	44	37	46	11	12	6	8
6 to 9	16	18	4	5	6	7	8	10
9 to 12	3	3	1	1	1	1	2	3
over 12	4	4	4	5	0	0	1	1
TOTAL	90	100	80	100	90	100	80	100

^[1] In addition, three applications were referred to the Full Court to be argued as if on appeal. These applications involved an additional Full Court hearing and took an average of 10 months from filing to final decision.

23. ELAPSED TIME FOR CRIMINAL SPECIAL LEAVE APPLICATIONS FINALISED – LEGALLY REPRESENTED ^[1]

	Filing to Ready for Hearing		Ready for Hearing to Hearing		Hearing to Decision		Total Elapsed Time	
	05-06	%	06-07	%	05-06	%	06-07	%
Months								
to 3	19	26	27	38	69	94	62	87
3 to 6	37	50	37	52	3	4	6	9
6 to 9	14	18	4	6	1	1	2	3
9 to 12	2	3	1	1	1	1	1	1
over 12	2	3	2	3	0	0	0	0
TOTAL	74	100	71	100	74	100	71	100

^[1] In addition, three applications were referred to the Full Court to be argued as if on appeal. These applications involved an additional Full Court hearing and took an average of 10 months from filing to final decision.

24. ELAPSED TIME FOR CRIMINAL SPECIAL LEAVE APPLICATIONS FINALISED – SELF-REPRESENTED LITIGANTS

Months	Filing to Ready for Hearing		Ready for Hearing to Hearing		Hearing to Decision		Total Elapsed Time	
	05-06	06-07	05-06	06-07	05-06	06-07	05-06	06-07
to 3	9	7	4	1	16	9	1	6
3 to 6	2	0	8	0	0	0	7	44
6 to 9	2	0	4	6	0	0	2	12
9 to 12	1	0	0	1	0	0	1	6
over 12	2	2	0	1	0	0	5	32
TOTAL	16	9	16	9	16	9	16	100

24A. ELAPSED TIME FOR CRIMINAL SPECIAL LEAVE APPLICATIONS FINALISED – SELF-REPRESENTED LITIGANTS
(WHERE FINALISED ON THE PAPERS PURSUANT TO RULE 41.10.5)

Months	Filing to Ready for Consideration		Ready for Consideration to Disposition		Total Elapsed Time	
	05-06	06-07	05-06	06-07	05-06	06-07
to 3	9	6	1	0	1	0
3 to 6	0	0	7	0	7	0
6 to 9	0	0	1	4	1	4
9 to 12	0	0	0	1	0	1
over 12	0	0	0	1	0	1
TOTAL	9	6	9	6	9	6

**24B. ELAPSED TIME FOR CRIMINAL SPECIAL LEAVE APPLICATIONS FINALISED – SELF-REPRESENTED LITIGANTS
(WHERE, AFTER DIRECTION TO SERVE WRITTEN CASE PURSUANT TO RULE 41.10.6, FINALISED ON THE PAPERS
PURSUANT TO RULE 41.11.1)**

	Filing to Ready for Consideration		Ready for Consideration to Disposition		Total Elapsed Time	
	05-06	06-07	05-06	06-07	05-06	06-07
Months						
to 3	0	0	0	0	0	0
3 to 6	0	0	0	0	0	0
6 to 9	0	0	0	2	0	0
9 to 12	0	0	0	0	0	0
over 12	0	2	0	0	0	2
TOTAL	0	2	0	2	0	2
	100	100	100	100	100	100

**24C. ELAPSED TIME FOR CRIMINAL SPECIAL LEAVE APPLICATIONS FINALISED – SELF-REPRESENTED LITIGANTS
(WHERE, AFTER DIRECTION TO SERVE WRITTEN CASE PURSUANT TO RULE 41.10.6, FINALISED BY A HEARING
PURSUANT TO RULE 41.11.2)**

	Filing to Ready for Consideration		Ready for Consideration to Disposition		Disposition to Decision		Total Elapsed Time	
	05-06	06-07	05-06	06-07	05-06	06-07	05-06	06-07
Months								
to 3	0	0	2	0	2	1	0	0
3 to 6	0	1	0	1	0	0	0	0
6 to 9	1	0	0	0	0	0	1	0
9 to 12	1	0	0	0	0	0	1	1
over 12	0	0	0	0	0	0	0	0
TOTAL	2	1	2	1	2	1	2	1
	100	100	100	100	100	100	100	100

Civil Appeals

25. CIVIL APPEALS FILED

Registry	Court Appealed From									
	Federal Court		Family Court		Supreme Court		High Court		TOTAL	
	05-06	06-07	05-06	06-07	05-06	06-07	05-06	06-07	05-06	06-07
Sydney	9	13	0	1	22	16	0	0	31	30
Melbourne	2	3	0	0	3	7	0	0	5	10
Brisbane	2	0	0	0	8	2	0	0	10	2
Adelaide	1	0	0	0	2	1	0	0	3	1
Perth	0	1	0	0	4	1	0	0	4	2
Canberra	1	0	0	0	0	1	0	0	1	1
Hobart	0	0	0	0	2	0	0	0	2	0
Darwin	0	0	0	0	0	2	0	0	0	2
TOTAL	15	17	0	1	41	30	0	0	56	48

26. CIVIL APPEALS HEARD

Registry	Court Appealed From									
	Federal Court		Family Court		Supreme Court		High Court		TOTAL	
	05-06	06-07	05-06	06-07	05-06	06-07	05-06	06-07	05-06	06-07
Sydney	12	14	0	1	30	14	0	0	42	29
Melbourne	3	4	0	0	4	1	0	0	7	5
Brisbane	2	0	0	0	8	2	0	0	10	2
Adelaide	0	2	0	0	3	0	0	0	3	2
Perth	1	1	0	0	6	1	0	0	7	2
Canberra	1	0	0	0	0	1	0	0	1	1
Hobart	0	0	0	0	2	0	0	0	2	0
Darwin	0	0	0	0	0	2	0	0	0	2
TOTAL	19	21	0	1	53	21	0	0	72	43

27. CIVIL APPEALS DECIDED

Registry	Court Appealed From									
	Federal Court		Family Court		Supreme Court		High Court		TOTAL	
	05-06	06-07	05-06	06-07	05-06	06-07	05-06	06-07	05-06	06-07
Sydney	9	14	0	1	34	20	0	0	43	35
Melbourne	1	4	0	0	9	4	0	1	10	9
Brisbane	1	2	0	0	12	0	0	0	13	2
Adelaide	0	2	0	0	3	0	0	0	3	2
Perth	1	1	0	0	5	2	0	0	6	3
Canberra	1	0	0	0	1	1	0	0	2	1
Hobart	0	0	0	0	1	1	0	0	1	1
Darwin	1	0	0	0	0	0	0	0	1	0
TOTAL	14	23	0	1	65	28	0	1	79	53

28. RESULTS OF CIVIL APPEALS DECIDED

Registry	2005-06			2006-07		
	Appeals Allowed	Appeals Dismissed	Total	Appeals Allowed	Appeals Dismissed	Total
Sydney	21	22	43	22	13	35
Melbourne	4	6	10	4	5	9
Brisbane	10	3	13	1	1	2
Adelaide	2	1	3	1	1	2
Perth	3	3	6	2	1	3
Canberra	1	1	2	0	1	1
Hobart	1	0	1	1	0	1
Darwin	1	0	1	0	0	0
TOTAL	43 ^[2]	36 ^[1]	79	31 ^[3]	22 ^[4]	53

^[1] Includes two appeals in which special leave was rescinded.

^[2] Includes one appeal which was allowed by consent.

^[3] Includes two appeals allowed by consent.

^[4] Includes one notice of appeal struck out as incompetent and one appeal in which special leave was revoked.

29. RESULTS OF 2006-07 CIVIL APPEALS DECIDED (SHOWING LOWER COURTS)

Registry	Court Appealed From											
	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	6	8	1	0	15	5	0	0	22	13		
Melbourne	1	3	0	0	3	1	0	1	4	5		
Brisbane	1	1	0	0	0	0	0	0	1	1		
Adelaide	1	1	0	0	0	0	0	0	1	1		
Perth	1	0	0	0	1	1	0	0	2	1		
Canberra	0	0	0	0	0	1	0	0	0	1		
Hobart	0	0	0	0	1	0	0	0	1	0		
Darwin	0	0	0	0	0	0	0	0	0	0		
TOTAL	10	13	1	0	20	8	0	1	31 ^[1]	22 ^[2]		

[1] Includes two appeals allowed by consent.

[2] Includes one notice of appeal struck out as incompetent and one appeal in which special leave was revoked.

30. ELAPSED TIME FOR CIVIL APPEALS FINALISED – ALL MATTERS

Months	Filing to Ready for Hearing		Ready for Hearing to Hearing		Hearing to Decision		Total Elapsed Time							
	05-06	%	06-07	%	05-06	%	06-07	%						
to 3	44	56	33	62	59	75	16	20	7	13	1	1	2	4
3 to 6	31	39	18	34	20	25	52	66	37	70	10	13	9	17
6 to 9	3	4	1	2	0	0	10	13	9	17	23	29	19	36
9 to 12	0	0	0	0	0	0	1	1	0	0	39	49	18	34
over 12	1	1	1	2	0	0	0	0	0	0	6	8	5	9
TOTAL	79	100	53	100	79	100	79	100	53	100	79	100	53	100

31. ELAPSED TIME FOR CIVIL APPEALS FINALISED – LEGALLY REPRESENTED

As for Table 30.

32. ELAPSED TIME FOR CIVIL APPEALS FINALISED – SELF-REPRESENTED LITIGANTS

No self-represented litigants in this category.

Criminal Appeals

33. CRIMINAL APPEALS FILED (SHOWING LOWER COURTS)

Supreme Court	05-06	06-07
NSW	2	7
VIC	0	6
QLD	6	2
SA	1	3
WA	1	2
ACT	0	0
TAS	0	0
NT	0	1
TOTAL	10	21

34. CRIMINAL APPEALS HEARD (SHOWING LOWER COURTS)

Supreme Court	05-06	06-07
NSW	5	4
VIC	1	5
QLD	7	2
SA	1	0
WA	2	2
ACT	0	0
TAS	0	0
NT	0	1
TOTAL	16	14

35. CRIMINAL APPEALS DECIDED (SHOWING LOWER COURTS)

Supreme Court	05-06	06-07
NSW	6	2
VIC	1	1
QLD	9	2
SA	1	0
WA	2	1
ACT	0	0
TAS	0	0
NT	0	1
TOTAL	19	7

36. RESULTS OF CRIMINAL APPEALS DECIDED

Registry	2005-06			2006-07		
	Appeals Allowed	Appeals Dismissed	TOTAL	Appeals Allowed	Appeals Dismissed	TOTAL
Sydney	3	3	6	1	1	2
Melbourne	1	0	1	1	0	1
Brisbane	4	5	9	0	2	2
Adelaide	0	1	1	0	0	0
Perth	1	1	2	0	1	1
Canberra	0	0	0	0	0	0
Hobart	0	0	0	0	0	0
Darwin	0	0	0	0	1	1
TOTAL	9	10	19	2	5	7

37. RESULTS OF 2006-07 CRIMINAL APPEALS DECIDED (SHOWING LOWER COURTS)

SUPREME COURT	Appeals Allowed	Appeals Dismissed	TOTAL
NSW	1	1	2
VIC	1	0	1
QLD	0	2	2
SA	0	0	0
WA	0	1	1
ACT	0	0	0
TAS	0	0	0
NT	0	1	1
TOTAL	2	5	7

38. ELAPSED TIME FOR CRIMINAL APPEALS FINALISED – ALL MATTERS

Months	Filing to Ready for Hearing		Ready to Hearing to Hearing		Hearing to Decision		Total Elapsed Time					
	05-06	%	06-07	%	05-06	%	06-07	%				
to 3	8	42	6	86	19	100	7	37	0	0	1	14
3 to 6	10	53	1	14	0	0	11	58	3	16	2	29
6 to 9	1	5	0	0	0	0	1	5	0	0	4	57
9 to 12	0	0	0	0	0	0	0	0	0	0	0	0
over 12	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	19	100	7	100	19	100	7	100	19	100	7	100

39. ELAPSED TIME FOR CRIMINAL APPEALS FINALISED – LEGALLY REPRESENTED

As for Table 38.

40. ELAPSED TIME FOR CRIMINAL APPEALS FINALISED – SELF-REPRESENTED LITIGANTS

No self-represented litigants in this category.

Original Jurisdiction Matters

41. ELAPSED TIME FOR FULL COURT ORIGINAL JURISDICTION MATTERS FINALISED – ALL MATTERS

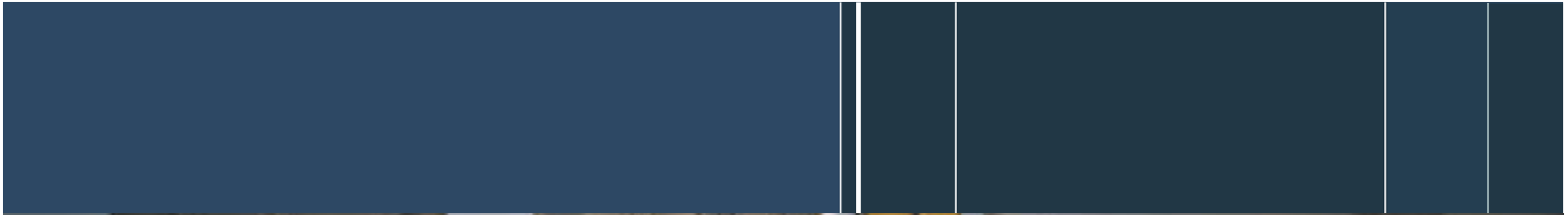
Months	Filing to Ready for Hearing		Ready for Hearing to Hearing		Hearing to Decision		Total Elapsed Time									
	05-06	%	06-07	%	05-06	%	06-07	%								
to 3	2	33	6	38	6	100	14	88	4	66	2	13	1	17	1	6
3 to 6	1	17	5	31	0	0	1	6	1	17	4	25	1	17	0	0
6 to 9	2	33	2	12	0	0	1	6	1	17	9	56	1	17	1	6
9 to 12	1	17	3	19	0	0	0	0	0	0	0	0	2	32	8	50
over 12	0	0	0	0	0	0	0	0	0	0	1	6	1	17	6	38
TOTAL	6	100	16	100	6	100	16	100	6	100	16	100	6	100	16	100

42. ELAPSED TIME FOR FULL COURT ORIGINAL JURISDICTION MATTERS FINALISED – LEGALLY REPRESENTED

As for Table 41.

43. ELAPSED TIME FOR FULL COURT ORIGINAL JURISDICTION MATTERS FINALISED – SELF-REPRESENTED LITIGANTS

No self-represented litigants in this category.



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 2004:

- Schedule 1: Fees for filing, issuing or sealing a document or obtaining a document or service, as at 30 June 2007
- Record of non-payment of fees 2006-07

High Court Rules 2004:

- Schedule 2: Scale of professional costs

HIGH COURT OF AUSTRALIA (FEES) REGULATIONS 2004

SCHEDULE 1 – FEES

(regulations 6 and 7)

Part 1 – Filing fees and fees for other services

Item	Document or service	Fee	
101	Application for an order to show cause in relation to a writ of certiorari, a writ of mandamus, a writ of habeas corpus or an order for production, a writ of prohibition or an information of quo warranto or like relief	(a) for a corporation	\$2,422
		(b) in any other case	\$1,211
102	Writ of summons or petition	(a) for a corporation	\$2,422
		(b) in any other case	\$1,211
103	Civil leave or civil special leave application	(a) for a corporation	\$2,422
		(b) in any other case	\$1,211
104	Criminal special leave application	\$76	
105	Application initiating a proceeding (including removals under section 40 of the <i>Judiciary Act</i> 1903 (Cth), but not including an application referred to in another item of this Schedule)	(a) for a corporation	\$2,422
		(b) in any other case	\$1,211
106	Civil notice of appeal	(a) for a corporation	\$2,422
		(b) in any other case	\$1,211
107	Criminal notice of appeal	\$445	
108	Certificate of the Registrar other than a certificate of taxation	\$43	
109	Taxing a bill of costs for every \$100, or part of \$100	\$9	

Part 2 – Fees for obtaining a document or service

Item	Document or service	Fee
201	Searching or inspecting a document mentioned in rule 4.07.4 of the <i>High Court Rules 2004</i> – for each hour or part of an hour	\$15
202	Making a photocopy or office copy of any document – for each page	\$3
203	Copy of reasons for judgment:	
	(a) for each copy issued to a person not a party to the proceedings; and	\$3
	(b) for each copy in excess of one copy issued to a party to the proceeding; and	\$3
	(c) in respect of each copy issued:	
	(i) for each page in excess of 10 pages; or	\$1
	(ii) maximum per copy	\$30
204	Annual subscription for copies of reasons for judgments	\$521
205	Copy of transcript of proceedings prepared by the Court Reporting Service – for each page	\$8

Part 3 – Hearing fees

Item	Hearing	Fee	
301	For the hearing before the Full Court of a notice of appeal in relation to a criminal proceeding	\$746	
302	For the hearing before the Full Court of:	(a) for a corporation	\$3,633
	(a) a notice of appeal in relation to a civil proceeding; or	(b) in any other case	\$1,817
	(b) a petition; or		
	(c) a writ of summons		
303	For the hearing before a single Justice of:	(a) for a corporation	\$606
	(a) an application for an order to show cause in relation to a writ of certiorari, a writ of mandamus, a writ of habeas corpus, or an order for production, a writ of prohibition or an information of quo warranto or like relief; or	(b) in any other case	\$303
	(b) a petition; or		
	(c) a writ of summons; or		
	(d) a summons (other than a summons for directions or a summons mentioned in rule 25.03.1 of the High Court Rules 2004;		
	for each half-day or part of a half-day		
304	For the hearing of a proceeding before the Full Court (other than an application for leave or special leave to appeal, or a criminal appeal, or an application for removal under section 40 of the <i>Judiciary Act</i> 1903 (Cth) – for each day or part of a day (including the first day of the hearing), in addition to any fee payable under item 302	(a) for a corporation	\$1,817
		(b) in any other case	\$908

High Court of Australia (Fees) Regulations 2006 (amended by SLI No. 110 of 2007)

Record of Non-Payment of Fees 2006-07

Exemption Category	Sources of Exemption	No.	Amount
Legal Aid (exemption)	9(1)(a)	25	\$16,035
Holder of a concession card (exemption)	9(1)(b)(i)	72	\$90,085
Prison inmate or person in lawful detention (exemption)	9(1)(b)(ii)	78	\$39,252
Child under the age of 18 years (exemption)	9(1)(b)(iii)	3	\$3,831
Youth Allowance or Austudy payment recipient (exemption)	9(1)(b)(iv)	0	Nil
ABSTUDY recipient (exemption)	9(1)(b)(v)	0	Nil
Financial hardship (waiver of two-thirds fee)	10	301	\$268,475
TOTAL		479	\$417,678

High Court Rules 2004

Schedule 2 – Scale Of Professional Costs

Item		1/3/2005 to date \$
INSTRUCTIONS		
1	To sue or defend, or to make or oppose an application for special leave to appeal, or to appeal, or oppose an appeal or to cross appeal, or for any other originating proceedings.	217.90
2	To make or oppose any interlocutory proceeding.	96.70
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.	217.90
4	For any pleading (other than a statement of claim).	169.30
5	To amend any pleading.	58.30
6	For a statement of facts or an agreed statement of facts in a matter.	169.30
7	For interrogatories, answers to interrogatories, special affidavits or an affidavit (not being a formal affidavit).	130.60
8	For counsel to advise.	93.20
9	For a document not otherwise provided for.	36.40
10	For a brief for Counsel on a hearing or application in Court or brief notes for solicitor.	121.10
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.	100.70
12	Concurrent writ of summons.	36.20
13	Writ of subpoena.	52.70
14	If any of the above writs exceeds three folios, for each extra folio.	7.30
NOTE: These costs include all endorsements, and copies (for the officers sealing them) and attendances to issue or seal, but not the Court fees.		

Item	1/3/2005 to date \$
SUMMONSES	
15	61.80
Any summons, including preparation, copies and attendance to issue, including attendance to fix return date;	
– if more than three folios, for each extra folio.	7.30
APPEARANCES AND NOTICES	
16	101.90
Preparing and entering an appearance including duplicate memorandum and notice of appearance for service.	
17	34.10
Any necessary or proper notice or memorandum not otherwise provided for, or any demand;	
– if more than three folios, for each extra folio.	7.30
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	96.70
Drawing any pleading or affidavit not exceeding five folios;	
– or per folio.	13.60
19	13.30
Drawing any other document where no other provision is made – per folio.	
ENGROSSING	
20	2.40
Marking each exhibit to an affidavit.	
21	5.00
Engrossing any document – per folio.	
COPIES	
22	2.40
Of any document including carbon, photographic or machine-made copy – per page.	
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.	

1/3/2005
to date
\$

Item

PERUSAL AND EXAMINATION

23	Perusal of any document including special letter, telegram, telex or similar document; – or per folio.	36.00 5.00
	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; – clerk.	36.20 11.80

CORRESPONDENCE

25	Short letter including a formal acknowledgment, making appointments, forwarding documents without comment.	17.20
26	Ordinary letter (including letters between principal and agent).	29.20
27	Circular letter (after the first) each.	9.70
28	Special letter or letter containing opinion and including letters of substance between principal and agent; Or Such sum as the Taxing Officer thinks reasonable in the circumstances.	48.30
29	Telegram, facsimile copy, telex or other document by similar transmitting process including attendance to dispatch (where necessary); Or Such sum as the Taxing Officer thinks reasonable in the circumstances.	48.30
30	Receiving and filing any incoming special letter, facsimile, telegram or telex.	2.40

NOTE: Postage and transmission fees may be claimed as a disbursement properly incurred.

Item	1/3/2005 to date \$	
SERVICE		
31	Personal service of any process or proceeding where necessary; Or Such sum may be allowed as is reasonable having regard to time occupied, distance travelled and other relevant circumstances.	60.10
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; (b) agent's charges; and such disbursements as may reasonably be incurred.	53.50 102.10
33	Service of any document at the office of the address for service either by delivery or by post.	20.60
ATTENDANCES		
34	An attendance which requires the attendance of a solicitor – per quarter hour.	57.70
35	An attendance which is capable of being made by a clerk; – or per quarter hour.	36.00 9.50
36	Making an appointment or similar attendance by telephone.	17.20
37	An attendance on counsel: – with brief or other papers; – to appoint a conference or consultation.	36.70 16.10
38	A conference or consultation with counsel; – or per half hour.	96.70 73.00
39	On a summons – or per half hour	54.40 96.70
40	In Court instructing counsel on any hearing or application: – if a solicitor attends, per hour; – or, if a clerk attends, per hour.	232.40 96.80

1/3/2005
to date
\$

Item

41	On an application or appearance before a Registrar or a Taxing Officer; – or per hour.	121.10 145.10
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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.	63.40
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.	485.80
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 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.	1085.10
45	An attendance for which no other provision is made.	48.30

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;	157.00
	– clerk.	52.40

1/3/2005
to date
\$

Item

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.	883.90
50	Witnesses called, other than those covered in item 49 – per day;	93.20
51	Witnesses remunerated in their occupation by wages, salary or fees, the amount lost by attendance at Court.	

1/3/2005
to date
\$

Item

- 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.
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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 2006. 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	CE & PR	Chambers	Registry	Library	Corporate	Operations	TOTAL
Full-time staff							
<i>Permanent</i>							
Men	1	2	3	0	5	5	16
Women	0	12	9	8	3	0	32
Total	1	14	12	8	8	5	48
<i>Temporary</i>							
Men	0	7	0	0	0	0	7
Women	0	7	0	1	0	0	8
Total	0	14	0	1	0	0	15
<i>All full-time staff</i>							
Men	1	9	3	0	4	5	22
Women	0	19	9	9	4	0	41
Total	1	28	12	9	8	5	63
Part-time staff							
<i>Permanent</i>							
Men	0	0	0	0	0	3	3
Women	1	0	4	2	1	3	11
Total	1	0	4	2	1	6	14
<i>Temporary</i>							
Men	0	0	0	0	0	0	0
Women	0	0	0	1	0	0	1
Total	0	0	0	1	0	0	1
<i>All part-time staff</i>							
Men	0	0	0	0	0	3	3
Women	1	0	4	3	1	3	12
Total	1	0	4	3	1	6	15
All staff							
Men	1	9	3	0	5	8	26
Women	1	19	13	12	4	3	52
TOTAL	2	28	16	12	9	11	78

2. COMPOSITION OF STAFF BY SALARY CLASSIFICATION

Classification and Salary	CE&PR		Chambers		Registry		Library		Corporate		Operations		TOTAL	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Holder of Public Office	1												1	
Senior Executive (above \$120,000)			1			1		1					1	2
High Court Executive Levels 1-2 (\$75,120-\$105,038)			1	1	1	5		1		1	1	1	4	8
High Court Officer Levels 5-6 (\$54,250-\$67,307)			7	17		1		3		2	3		9	24
High Court Officer Levels 1-4 (\$34,170-\$52,811)		1		1	2	6		7		2		7	3	11
TOTAL	1	1	9	20	4	13	12	5	4	8	3	26	52	



