



Data analysis provides insights into Land and Environment Court

New analysis reveals that appeals against local government planning decisions are the most common type of case in the NSW Land and Environment Court, and 61% of applicants are businesses. These types of case are *allowed* (including by agreement) two-thirds of the time (68%). This is in stark contrast to tree disputes, which are generally between neighbours, and are *dismissed* (including by agreement) in 56% of cases.

Conducted by the Law and Justice Foundation of NSW, this study of cases first finalised in the NSW Land and Environment Court between June and December 2016¹ is part of the first ever comprehensive investigation of the quality and utility of NSW's civil court and tribunal administrative data system – JusticeLink – for informing policy and practice. [Data insights in civil justice: NSW Land and Environment Court](#) is the eighth report in the series, which also includes reports on the Local Court, District Court and NCAT, that was commissioned by the NSW Department of Justice in 2016.

The first specialist environmental and planning court in the world, the NSW Land and Environment Court is responsible for interpreting and enforcing planning and environmental law in NSW, dealing with a wide range of civil disputes from appeals against government decisions to mining disputes. The [Land and Environment Court report](#) found that the JusticeLink data could be used to provide reliable information about who uses the court, for what purpose and with what outcomes.

Principal Researcher Catriona Mirrlees-Black said “The use of JusticeLink data to inform policy is in its infancy because the Land and Environment Court only began using JusticeLink in May 2016. This report confirms the value and quality of the data recorded. Regular reporting of this type of analysis supports informed decision-making by potential applicants and respondents, and provides a baseline against which to measure performance further down the track. Our recommendations also identify how data collection can be improved to maximise understanding of the unique business of the Land and Environment Court.”

Foundation Director Geoff Mulherin observed: “There is increasing focus in the justice sector on using evidence to inform policy and practice, and much is to be gained from this valuable NSW Department of Justice data initiative.”

As the first investigation of their kind, the [Data insights in civil justice](#) reports provide seminal recommendations on how to optimise court and tribunal data for policy purposes.

About the Law and Justice Foundation of New South Wales

The [Law and Justice Foundation of New South Wales](#) is an independent, statutory, not-for-profit organisation established in 1967 to advance the fairness and equity of the justice system, and to improve access to justice for socially and economically disadvantaged people. Through our research, the Foundation identifies legal need, and what strategies work to address that legal need, to support the planning and delivery of the most effective legal assistance services.

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¹ 862 civil proceedings recorded as first finalised June-December 2016 were examined. Criminal proceedings for environmental offences were excluded.