



MEDIA RELEASE

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Release of NSW Supreme Court report completes pioneering study of civil justice data

The release of a report on the NSW Supreme Court completes a pioneering study of New South Wales' civil court and tribunal data that provides a comprehensive picture of who is litigating, why and what outcomes they achieve. The Law and Justice Foundation of NSW was commissioned by the Department of Justice NSW in 2015 to conduct the first ever comprehensive investigation of the quality and utility of data on the JusticeLink system for informing policy and practice.

Data insights in civil justice: NSW Supreme Court is the final of nine reports in the series, which encompasses the Local Court, District Court, NSW Civil and Administrative Tribunal (NCAT), and the Land and Environment Court. For each jurisdiction, the Foundation examined whether the data could be used to answer policy questions such as:

- Who is taking action against whom?
- About what matters?
- What are matters worth?
- Are parties represented and by whom?
- How long do matters take?
- How are matters finalised?

The NSW Supreme Court report found that about one in five civil cases involved mortgagees seeking to repossess homes from borrowers, about one in six cases involved *Family provision* claims on deceased estates and *Corporations* list cases were the third most common. The data comes from a 'point-in-time' study of nearly 7,000 civil cases first finalised in the Supreme Court in 2016, split across nine Common Law Division lists and 15 Equity Division lists.

One-third of Supreme Court cases were filed online via the NSW Online Registry, well above the 18% rate for e-filing found in the NSW District Court report. Online filing in the Supreme Court varied dramatically by list – from about 80% in the *Possession of land* list to none in the *Proceeds of crime* list in the Common Law Division. Online filing varied from about 40% of *Corporations* list cases to 4% of *Technology and construction* cases in the Equity Division.

Supreme Court cases took an average of 10 months, with about 20% being closed within two months while 9% took longer than two years and a small number took more than 10 years. Duration varied considerably by list. *Professional negligence* cases and *Technology and construction* cases both took more than 2 years on average. The quickest were *Corporations* list cases, which were resolved in less than 4 months on average.

Limitations of the data restricted the ability to report on key areas of interest, such as how many parties are self-represented and how much Supreme Court matters are worth. The Foundation's research team also reviewed a sample of hard copy and electronic casefiles, working closely with court staff to better understand the information recorded on JusticeLink.

Senior Principal Researcher Dr Christine Coumarelos said: "This research has yielded useful insights into the types of matters that reach the Supreme Court and how long they take. It has also highlighted data quality improvements that will not only help us learn more about how the court operates in the future but ultimately improve efficiency and save costs."

The nine Data insights in civil justice reports strengthen the evidence base for civil justice reform in New South Wales. They also provide valuable recommendations on how to optimise civil court and tribunal data for policy purposes, and identify opportunities to refine data collection and management.

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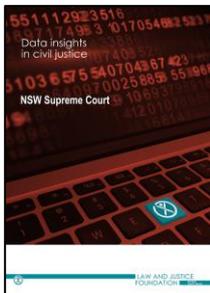


Data insights in civil justice report series

In October 2015, the Foundation was engaged by the Department of Justice NSW to provide the first-ever comprehensive picture of the 'business' of NSW civil courts and tribunals. The Department is seeking to optimise the use of civil court and tribunal administrative data to identify opportunities for reform and to monitor the implementation of an efficient, effective and fair justice system in NSW. This involves investigating the quality and utility of the data as evidence for decision-making and identifying changes required to optimise the data for this purpose.

There are nine reports in the Data insights in civil justice series:

- NSW Supreme Court
- NSW Land and Environment Court
- NSW District Court
- NSW Local Court
- NSW Civil and Administrative Tribunal – Overview (NCAT Part 1)
- NSW Civil and Administrative Tribunal – Consumer and Commercial Division (NCAT Part 2)
- NSW Civil and Administrative Tribunal – Administrative and Equal Opportunity Division & Occupational Division (NCAT Part 3)
- NSW Civil and Administrative Tribunal – Guardianship Division (NCAT Part 4)
- NSW Civil and Administrative Tribunal – Appeal Panel (NCAT Part 5)



About the Law and Justice Foundation of NSW

The Law and Justice Foundation of NSW 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 the community and particularly for disadvantaged people. Through our research, the Foundation identifies legal need, and what strategies work to address those needs, and supports policy development and the planning and delivery of effective legal services.

Download report

[Data insights in civil justice: NSW Supreme Court](#)

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