



STANDING COMMITTEE ON JUSTICE AND COMMUNITY SAFETY

JEREMY HANSON CSC MLA (CHAIR), MARISA PATERSON MLA (DEPUTY CHAIR), JO CLAY MLA

Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21
ANSWER TO QUESTION ON NOTICE

Asked by Ms Elizabeth Lee MLA: To the Attorney-General

In relation to: **Comparative costs of courts**

[Ref: Budget paper D p10 Expenditure]; Report on Government Services 2021 Table 7A pp1-

1. In the latest Report on Government Services, in the ACT, total civil finalisations in Magistrates Courts was 3598; total criminal finalisations in Magistrates Courts including Children's Courts was 6680 and total criminal finalisations in ACT Supreme Courts was 299.

By comparison, in Tasmania, total civil finalisations in Magistrates Courts was 6280; total criminal finalisations in Magistrates Courts including Children's Courts was 11439 and total criminal finalisations in Tasmanian Supreme Courts, 624.

By comparison, in the Northern Territory, total civil finalisations in Magistrates Courts was 4760; total criminal finalisations in Magistrates Courts including Children's Courts was 14979 and total criminal finalisations in NT Supreme Courts, 220.

Criminal lodgements for the ACT were 7545, Tasmania 17316 and NT, 12019.

Recurrent expenditure in 2019-2020 for ACT Criminal and Civil courts, excluding Family Federal Circuit Courts, was \$57.6m. This compares to Tasmania \$29.6m and NT \$39.3m over the same period.

Why is the ACT Court system so much more expensive?

2. Has any comparative review been done to examine cost elements across jurisdictions?
 - i. If so, what was the result? Please provide a copy of any assessment.
 - ii. If not, why not?
3. What are the cost elements that drive that higher figure?

Shane Rattenbury MLA: The answer to the Member's question is as follows:—

1. When comparing the cost and performance of courts across States and Territories, care should be exercised as significant differences exist between the different jurisdictions, including in terms of court structures, jurisdictional scope, relevant law and procedure.



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Moreover, different approaches, reflective of each jurisdiction's circumstances, are likely to be taken to providing court accommodation, technology and services.

While I am unable to comment on the budget provided to and used by Courts in Tasmania and the Northern Territory, a note to the 2019-20 Report on Government Services data tables of Recurrent Court Expenditure records:

Public private partnership (PPP) arrangements currently operate in several states and territories (Victoria, Western Australia, South Australia and the ACT). In order to reflect court accommodation costs more accurately, PPP finance lease expenses have been included in expenditure data from 2018-19 onward. In some cases, this resulted in a substantial increase in reported expenditure in 2018-19 compared with earlier years, particularly for WA and ACT courts.

2. No comparative review has been done to examine cost elements across jurisdictions.

As indicated above, there are significant differences between the different jurisdictions, including in terms of court structures, jurisdictional scope, relevant law and procedure and approaches to providing court accommodation, technology and services.

Having said that, the Reports on Government Services offers some costs-related insights and have particular value as a longitudinal study of the cost and performance of courts in individual jurisdictions over time.

3. See answer to question 1.

Approved for circulation to the Standing Committee on Justice and Community Safety

Signature:

Date:

15/3/21

By the Attorney-General, Mr Shane Rattenbury MLA