



HIGH COURT OF AUSTRALIA

ANNUAL REPORT 2003-04

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High Court of Australia
Canberra ACT 2600

29 October 2004

Dear Attorney,

In accordance with section 47 of the *High Court of Australia Act 1979*, 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 2004, 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,



Christopher M. Doogan
Chief Executive & Principal Registrar
of the High Court of Australia

The Honourable Philip Ruddock MP
Attorney-General
Parliament House
Canberra ACT 2600

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PART I – PREAMBLE

This is the 25th report prepared as required by the *High Court of Australia Act 1979*.

Contact Officer

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Freedom of Information

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

Electronic Publication

This report is published in Portable Document Format (PDF) on the High Court's Internet site, www.hcourt.gov.au. It may be downloaded from the site free of charge.



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 2004, the seven Justices of the High Court were:

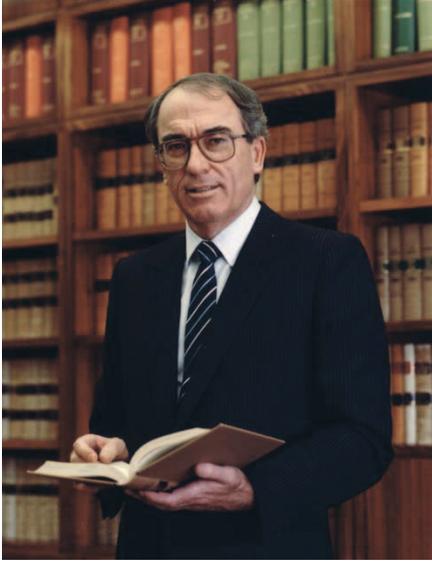
Chief Justice Murray Gleeson



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 1985-85 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 Michael McHugh



Michael Hudson McHugh was appointed to the Court in February 1989. At the time of his appointment he was a judge of the New South Wales Court of Appeal, having been appointed to that office in October 1984.

He was admitted to the NSW Bar in 1961 and was appointed a Queen's Counsel in 1973. He was president of the NSW Bar Association in 1981-83 and president of the Australian Bar Association in 1983-84. He is the co-author of *The Liability of Employers*. Justice McHugh was appointed a Companion in the General Division of the Order of Australia in 1989.

Justice William Gummow



William Charles Montague 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.

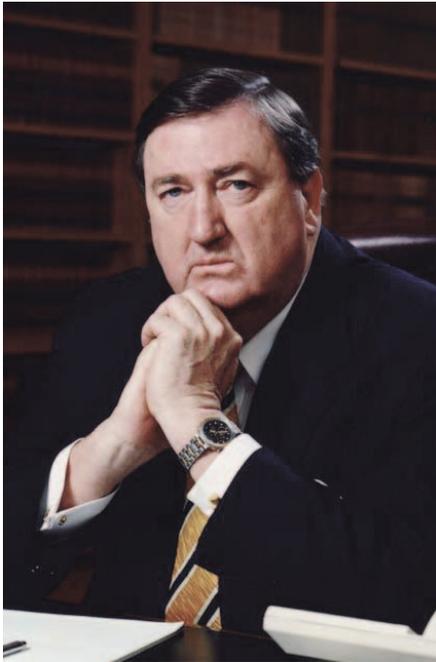
Justice Kenneth Hayne



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 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.



PART III – THE YEAR IN REVIEW

Workload changes

The tables of judicial workload annexed to the report record the number of matters filed, heard and determined during the reporting year, all of which continue to rise. In the past few years the immigration workload has been most obvious in the number of applications for constitutional writs filed in the Court, peaking at more than 2,000 applications in 2002-03. Many of the applications filed in 2002-03 followed decisions of the Court in *Plaintiff S157 v The Commonwealth of Australia*, *Muin v Refugee Review Tribunal & Ors* and *Lie v Refugee Review Tribunal & Ors*. Most of the applications were subsequently remitted to either the Federal Court of Australia or the Federal Magistrates Court during 2002-03.

The number of applications for constitutional writs filed in the High Court during 2003-04 dropped to 221, 93 per cent of which were immigration matters. This number of applications is more in line with the number of immigration applications filed prior to the large influx recorded in 2002-03. However, the number of applications for special leave to appeal involving immigration matters increased from 186 filed during 2002-03 (representing 39 per cent of all civil special leave applications filed) to 307 filed during 2003-04 (representing more than 50 per cent of all civil special leave applications filed). It should also be noted that approximately 80 per cent of the applications for special leave to appeal involving immigration matters filed during 2003-04 were brought by self-represented litigants.

Self-Represented Litigants

The number of self-represented litigants commencing or seeking to commence proceedings in the Court increased again during 2003-04. In particular, 48 per cent of the applications for leave or special leave to appeal and 68 per cent of the applications for constitutional writs filed in the Court during the reporting period were filed by self-represented litigants and 46 per cent of the matters heard by a single Justice involved self-represented litigants. The demand on the Registry staff in assisting the increasing number of self-represented litigants coming before the Court remains very high.

High Court Rules 2004

For more than 50 years the High Court Rules 1952 have prescribed the rules of procedure for proceedings in the High Court of Australia. The Rules have been under review by the Rules Committee of the Court for some years, with the result that the Rules have now been completely revised. The High Court

Rules 2004 will commence on 1 January 2005. The new Rules reflect the significant changes in the work of the Court that have occurred since the making of the former Rules. In particular, they reflect the fact that, apart from some matters in which a writ of mandamus or prohibition or an injunction is sought against an officer of the Commonwealth, and some matters arising under the Constitution or involving its interpretation, most matters arising in the original jurisdiction of the Court are now remitted to another Court for hearing. Many of the provisions made by the former Rules for trial of actions find no application in the day-to-day business of the Court. Numerous changes have been made to the Rules to simplify their drafting and to make them easier to follow and use.

In the appellate jurisdiction of the Court, the new Rules introduce some changes to the procedures governing applications for leave or special leave to appeal. These changes recognise the increase in the Court's workload in relation to applications to commence appeals. In the year ended 30 June 1998, 358 applications for leave or special leave to appeal were filed. By the year ended 30 June 2004, that number had grown to 729. Forty-eight per cent of the applications were made by applicants who were not represented by a legal practitioner.

In all applications for leave or special leave to appeal, both under the new Rules and under the former Rules, the written submissions of the applicant are the principal vehicle for demonstrating that the case is one in which leave should be given. In some cases, the Court is assisted by presentation of short oral argument. In order to deal with the increasing number of applications by self-represented applicants, many of which are unmeritorious and put respondents to needless expense, new procedures are established by which the applications of self-represented applicants are first considered on the papers. If two Justices conclude that the application is without merit it will be dismissed without calling on the respondent to answer. In addition, any application for leave or special leave to appeal, whether the applicant is legally represented or self-represented, may be determined on the papers without oral hearing if two Justices consider it appropriate to do so.

Justice Kenneth Hayne, in his capacity as chairman of the High Court Rules Committee, played a leading role in the development of the new Rules through many drafts.

The final draft of the new Rules was provided to the Law Council of Australia, the Australian Bar Association, and the Special Committee of Solicitors-General with the request that they consider and comment on the draft. Very detailed comments were received and due account taken of the suggestions. The Law Council and the Bar Association have indicated their support for the new Rules and, in particular, their support for the changes to procedures governing applications for leave or special leave to appeal.

Courtroom Technology

During the year a major project was commenced to update technology in High Court courtrooms in both Canberra and Sydney. Court 19A in the Sydney Law Courts Building was the first to be upgraded, with the installation of new sound reinforcement and court reporting facilities, plus integrated video-conferencing equipment, undertaken between December 2003 and February 2004.

In January 2004 a much larger project got underway to modernise and extend technology in the Court's three Canberra courtrooms. This project involves the complete dismantling of outdated audio-visual systems and replacement with state-of-the-art equipment. Also involved are the cabling of broadband communications into each courtroom; refurbishing of all court reporting areas; and design, building and installation of an integrated control system to manage it all. As at 30 June 2004, this project was proceeding well. All courtroom modifications are expected to be completed by the end of July 2004, with court reporting areas completed by the end of the calendar year.

Links and Visits

During 2003-04, 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 Brunei, Canada, China, Fiji, Hong Kong, Indonesia, Japan, New Zealand, Papua New Guinea, Thailand, the United Kingdom, the United States and Vietnam; parliamentarians from Brazil; and law students from the US.

The number of visitors to the building during the year totalled 93,082, a decrease of 2.3 per cent from the previous year. In addition, five cultural exhibitions and 16 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 for the People's Republic of Bangladesh and the Canberra Institute of Technology.

HIGH COURT CENTENARY

History

The Australian Constitution required the establishment of a Federal Supreme Court to be called the High Court of Australia. The *Judiciary Act* establishing the High Court was finally passed in 1903, amid criticism that the Court would have little to do. The Court first sat on October 6, 1903, in the Banco Court at the Supreme Court of Victoria in Melbourne. Its first three judges were Chief Justice Sir Samuel Griffith, a former Premier and former Chief Justice of Queensland; Sir Edmund Barton, the first Prime Minister and leader of the Constitutional Conventions in the 1890s; and Richard O'Connor, a former New South Wales Justice Minister and Solicitor-General and the first Leader of the Government in the Senate. All three men had been prominent in the federation movement.



Justice Richard O'Connor takes the oath of office, watched by Chief Justice Sir Samuel Griffith (centre) and Sir Edmund Barton.

The Court grew to five Justices in 1906, then to seven in 1912. Due to the financial constraints of the Great Depression a vacancy remained unfilled for two years, and in 1933 the Court was formally reduced to six Justices. The Court was restored to seven Justices in 1946. The 44 appointments to the High Court in its first 100 years are listed in Part IV of this Report. Until a constitutional amendment in 1977, appointments to the Court were for life. Now there is a compulsory retirement age of 70.



From left, Chief Justice Sir Adrian Knox, Sir George Rich, Sir Frank Gavan Duffy and Sir Hayden Starke, 1925. Not present are Sir Isaac Isaacs, Justice Henry Higgins and Sir Charles Powers.

When the Court was established, the Privy Council in Britain was the apex of Australia's judicial system, but its role gradually dwindled, with legislation limiting and finally ending appeals from the High Court, and lastly abolishing all appeals from State Supreme Courts in 1986. Since then, the High Court has been the final court of appeal for Australia.

With a steady increase in the Court's workload, the Federal Court of Australia was created in 1976 to take over many of its functions, especially its first-instance work, leaving the High Court to concentrate on its role of interpreting the Constitution and deciding important questions of legal principle. In 1984, the *Judiciary Act* was amended to require special leave to appeal to be sought from the Court in most cases.

The Court hears appeals from State Supreme Courts, the Federal Court and the Family Court of Australia, in civil and criminal cases, and decides constitutional issues, often in proceedings originating in the High Court.

The Court did not acquire a permanent home until 1980. The High Court originally shared Victorian and New South Wales Supreme Court facilities. Separate facilities were provided for the High Court in Sydney in 1923 and also in Melbourne in 1928 and these have now been returned to the Supreme Courts in those cities. The Principal Registry was located in Melbourne until moving to Sydney in 1973. The Court and its Principal Registry transferred to their permanent home in Canberra in May 1980, joining other national institutions in the Parliamentary Zone that extends from Parliament House to the shores of Lake Burley Griffin. The building was opened by Her Majesty Queen Elizabeth II on 26 May 1980.



The High Court's former home in Melbourne, which was later used by the Federal Court of Australia, before being returned to the Victorian Supreme Court.



The current Bench ... (from left) Justice Kenneth Hayne, Justice Michael Kirby, Chief Justice Murray Gleeson, Justice William Gummow, Justice Michael McHugh, Justice Ian Callinan and Justice Dyson Heydon (seated).

Celebrating the Centenary

The focus of the centenary celebrations was the week beginning Monday 6 October. The Court held a ceremonial sitting that day in the Banco Court in the Supreme Court of Victoria to mark the 100th anniversary of the first sitting. Apart from the seven Justices, the Banco Court accommodated 215 people with guests in the jury box, the media box and the dock. A video screen was set up in another courtroom for others to watch proceedings. ABC Television broadcast the event live.



Chief Executive & Principal Registrar Christopher Doogan (left), Chief Justice Murray Gleeson and Mrs Robyn Gleeson greet Prime Minister John Howard and Mrs Janette Howard outside the Victorian Supreme Court watched by assembled media.

Prime Minister John Howard, Victorian Attorney-General Rob Hulls, Law Council of Australia President Bob Gotterson QC and Australian Bar Association President Tony Glynn SC addressed the Court. Chief Justice Murray Gleeson spoke in reply. After the ceremony Victorian Chief Justice John Phillips was the host at a morning tea in the Supreme Court library.

On Friday 3 October Chief Justice Gleeson delivered the Australian Institute of Judicial Administration Oration, entitled “The Centenary of the High Court: Lessons from History”, in the Banco Court.

Another ceremony to mark the centenary when the Court was on circuit in Hobart was held at the Old Supreme Court on Monday 3 November.

The Australian Industrial Relations Commission staged an exhibition to mark the High Court’s centenary and to celebrate links between the two institutions

as nine Justices have served on the national conciliation and arbitration tribunal. Justice Kirby, who served as Deputy President between 1975 and 1983, opened the exhibition on 6 October.



Prime Minister John Howard addresses the seven Justices of the High Court at the ceremonial sitting.



Seated at the bar table, from left, are Law Council of Australia President Bob Gotterson QC, Australian Bar Association President Tony Glynn SC, Victorian Attorney-General Rob Hulls, Commonwealth Attorney-General Daryl Williams QC, Prime Minister John Howard and Commonwealth Solicitor-General David Bennett QC. Federal Justice Minister Chris Ellison is pictured at right.



Chief Justices from Australasia during the ceremonial sitting. Back row, from left, Chief Justice of South Australia John Doyle, Chief Justice of Tasmania William Cox, Chief Justice of Queensland Paul de Jersey, Chief Justice of the Australian Capital Territory Terence Higgins, President of the New South Wales Court of Appeal Keith Mason (representing Chief Justice of NSW James Spigelman), and former Chief Justice of Victoria Sir John Young. Front row, from left, Chief Justice of New Zealand Dame Sian Elias, Chief Justice of the Family Court Alastair Nicholson, Chief Justice of Western Australia David Malcolm, Chief Justice of the Federal Court Michael Black, Chief Justice of Victoria John Phillips and Chief Justice of the Northern Territory Brian Martin.

On 1 October, Justice Callinan opened the National Archives of Australia exhibition of significant moments in the High Court's history to mark the Court's centenary. He told the audience that judges were not barometers of society. They should not try to apply public opinion to their judgments. Rather, they must continue to apply traditional judicial method.

The High Court Centenary Art Prize was run in conjunction with the Australian Bar Association which provided the \$35,000 prize. The winner, 24-year-old Rosella Namok, from Lockhart River in far north Queensland, was chosen from among 10 works of artists invited to compete. Her entry, *Today now ... we all got to go by same laws*, is a giant nine-panel work depicting traditional law overlaid by contemporary law. Ms Namok's entry was the unanimous choice of Chief Justice Gleeson, Bar Association President Tony Glynn SC and National Gallery of Australia Director Dr Brian Kennedy. At the lunch-time function on 1 October to announce the winner, the Chief Justice described Ms Namok's work as "bold, beautiful, confident and contemporary", words he said would also describe the current High Court. The Court also purchased Euan MacLeod's entry, *Journey*, and Robert Brownhall's *Jet Over Canberra 11.15pm*. All three works now hang in the public areas of the Court building. All entries in the competition remained on display for the rest of October.



Chief Justice Murray Gleeson, winning artist Rosella Namok and Australian Bar Association President Tony Glynn SC with Ms Namok's winning entry in the centenary art competition.

The centenary celebrations culminated in a high-level legal conference in Canberra. The opening ceremony on Thursday 9 October was held at the Hyatt Hotel Canberra with an historical film produced by Queensland Bar Association President Glenn Martin SC and speeches by Chief Justice Murray Gleeson (*pictured right*), Attorney-General Philip Ruddock and Governor-General Major-General Michael Jeffery who officially opened the conference. The ceremony was followed by a cocktail reception in the Great Hall of the High Court. During the reception the Federation Guard and the Royal Military College Duntroon Band performed on the building forecourt.



The conference ran over two days, Friday and Saturday 10 and 11 October, at the Hyatt. Conference sessions covered two themes: The Court in Australian Society and The Jurisprudence of the Court. The first theme encompassed the Court's first century, its relationship with government and

the nation, and the break with the United Kingdom. The second theme covered indigenous people, criminal law, federalism, torts, contract and commercial law, judicial review of administrative action, human rights, and equity and restitution.

The papers delivered at the conference have been published by LexisNexis Butterworths and edited by Professor Peter Cane of the Australian National University in a collection entitled *Centenary Essays for the High Court of Australia*.

Participants at the conference included the Chief Justices, or their representatives, of Canada, China, Fiji, Hong Kong, Japan, New Zealand, Northern Ireland, Papua New Guinea, Scotland, South Africa, Thailand, United Kingdom and the United States. The Chief Justices of Australia's States and Territories and the Federal Court and Family Court chaired conference sessions. Guest speakers included British Senior Law Lord and former Lord Chief Justice Lord Bingham of Cornhill, Chief Justice of Canada Beverley McLachlin, Chief Justice of New Zealand Dame Sian Elias, former Chief Justices of Australia Sir Anthony Mason and Sir Gerard Brennan, former High Court Justice Sir Daryl Dawson, Queensland Solicitor-General Pat Keane QC, Federal Court Justice Mark Weinberg, Cape York Land Council adviser Noel Pearson and eminent academics from around Australia and from overseas.



Conference speakers Cape York Land Council adviser Noel Pearson and Canadian Chief Justice Beverley McLachlin.

As part of the conference, the Justices hosted a dinner at the Court on 10 October for visiting Chief Justices and other dignitaries attending the conference.



The Federation Guard and the Royal Military College Duntroon Band performing on the building forecourt during the cocktail reception to open the Centenary Conference.

The Centenary Dinner for all conference participants and representatives from other bodies assisting with centenary celebrations was held at the National Museum of Australia on the following night. Pre-dinner entertainment was provided by the Garrabarra Dance Company, an Aboriginal contemporary and traditional dance troupe, on the museum forecourt, fireworks from a barge on Lake Burley Griffin in front of the museum, and a fly-over by RAAF jets.

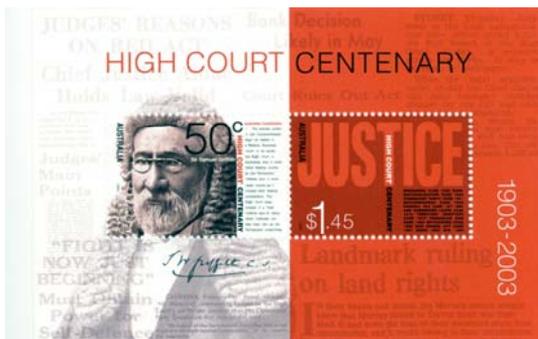


The Garrabarra Dance Company performing during the pre-dinner entertainment for the Centenary Dinner at the National Museum of Australia.

The Thomson Lawbook Co published a limited-edition coffee table-style book on the Court's history, *The High Court of Australia: Celebrating the Centenary 1903-2003*. The book was written by journalism lecturer, lawyer and former Canberra Times journalist and editor Crispin Hull.

Renowned portraitist Robert Hannaford was engaged in early 2003 to paint a High Court appeal hearing to mark the centenary year and to be a companion piece to the painting of the first sitting in 1903 by Marcus Beilby. Mr Hannaford's painting is expected to be completed by the end of the next financial year. He was previously commissioned by the Federal Government to paint the ceremonial sitting marking the Centenary of Federation in the Melbourne Exhibition Building where the Parliament first sat. This painting now hangs in Parliament House adjacent to the Tom Roberts painting of that first sitting in 1901.

Australia Post released two stamps to mark the centenary, with denominations of 50 cents and \$1.45 (*below*).



In the lead-up to the centenary, the Chief Justice undertook interviews with various media to explain the Court's achievements in the past 100 years, the changing nature of cases coming before the Court during that time, and the challenges facing the Court early in its second century.



PART IV – BACKGROUND INFORMATION

Establishment

In 1901 the High Court of Australia was established by section 71 of the Constitution and, to the extent that legislative provision was necessary, was given the power to administer its own affairs by the *High Court of Australia Act 1979*, which was proclaimed on 21 April 1980. The minister responsible for the Court's administration is the Federal Attorney-General.

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.

Functions and Powers

The Constitution confers both an appellate and an 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.

Sittings of the Court

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

The 2003 and 2004 sittings are shown below:

2003

CANBERRA	4 February – 13 February
CANBERRA	4 March – 13 March
SYDNEY	18 March
CANBERRA	1 April – 10 April
CANBERRA	29 April – 8 May
CANBERRA	27 May – 30 May
CANBERRA	17 June – 19 June
BRISBANE	23 June – 24 June
SYDNEY	16 July (judgment only)
CANBERRA	5 August – 7 August
ADELAIDE	11 August – 15 August
CANBERRA	2 September – 11 September
CANBERRA	29 September – 2 October
MELBOURNE	6 October (centenary ceremonial sitting)
CANBERRA	7 October – 9 October
PERTH	20 October – 23 October
HOBART	4 November – 5 November
CANBERRA	7 November – 13 November
CANBERRA	3 December – 11 December

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

SYDNEY	14 February
MELBOURNE	14 February
SYDNEY	14 March
CANBERRA	14 March (by video-link from Hobart and Brisbane)
SYDNEY	11 April
CANBERRA	11 April (by video-link from Adelaide)
SYDNEY	16 April
SYDNEY	9 May
CANBERRA	9 May (by video-link from Perth)
SYDNEY	13 May
SYDNEY	20 June
MELBOURNE	20 June
BRISBANE	25 June
SYDNEY	8 August
CANBERRA	8 August (by video-link from Perth)
ADELAIDE	14 August
ADELAIDE	15 August
CANBERRA	21 August (by video-link from Sydney)
SYDNEY	12 September
CANBERRA	12 September (by video-link from Brisbane and Darwin)
SYDNEY	16 September
SYDNEY	3 October
MELBOURNE	3 October

PERTH	23 October – 24 October
SYDNEY	14 November
CANBERRA	14 November (by video-link from Brisbane)
SYDNEY	18 November
SYDNEY	2 December
SYDNEY	12 December
MELBOURNE	12 December

2004

CANBERRA	2 February – 12 February
CANBERRA	2 March – 11 March
CANBERRA	30 March – 1 April
CANBERRA	20 April – 22 April
CANBERRA	27 April – 29 April
CANBERRA	19 May – 27 May
CANBERRA	15 June – 17 June
BRISBANE	21 June – 22 June
CANBERRA	3 August – 5 August
ADELAIDE	9 August – 11 August
CANBERRA	31 August – 9 September
CANBERRA	28 September – 7 October
PERTH	25 October – 27 October
CANBERRA	9 November – 18 November
CANBERRA	30 November – 9 December

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

SYDNEY	13 February
MELBOURNE	13 February
SYDNEY	17 February
SYDNEY	12 March
CANBERRA	12 March (by video-link from Brisbane)
SYDNEY	16 March
SYDNEY	2 April
CANBERRA	2 April (by video-link from Perth and Brisbane)
SYDNEY	30 April
CANBERRA	30 April (by video-link from Adelaide)
SYDNEY	4 May
SYDNEY	28 May
CANBERRA	28 May (by video-link from Perth)
SYDNEY	1 June
SYDNEY	18 June
MELBOURNE	18 June
BRISBANE	23 June
SYDNEY	6 August
CANBERRA	6 August (by video-link from Perth)
ADELAIDE	12 August
SYDNEY	17 August

SYDNEY	10 September
MELBOURNE	10 September
SYDNEY	14 September
SYDNEY	8 October
CANBERRA	8 October (by video-link from Brisbane)
SYDNEY	12 October
PERTH	28 October
SYDNEY	19 November
CANBERRA	19 November
SYDNEY	23 November
SYDNEY	30 November
SYDNEY	10 December
MELBOURNE	10 December

Seat of the High Court

Section 14 of the *High Court of Australia Act 1979* 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 is approximately 18,500 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 and 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* contains further provisions concerning the Court and the Justices, including the following:

- The Court is a superior court of record and consists of the Chief Justice and six other Justices appointed by the Governor-General by commission;
- 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;
- The Chief Justice and the other Justices shall receive salary and other allowances at such respective rates as are fixed from time to time by Parliament;
- The salary and annual allowance of a Justice accrue from day to day and are payable monthly; and
- The Chief Justice and the other Justices shall receive such allowances in respect of travelling expenses as are provided 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 McHugh	14 February 1989
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

Chief Justices and Justices of the Court

Including the current members of the Court, there have been 11 Chief Justices and 39 Justices since the Court was established in 1903. Six Chief Justices had already been Justices, and five Chief Justices, including 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
Sir Ninian Martin Stephen	1972-1982
Sir Anthony Frank Mason	1972-1987
Sir Kenneth Sydney Jacobs	1974-1979
Lionel Keith Murphy	1975-1986
Sir Keith Arthur Aicken	1976-1982
Sir Ronald Darling Wilson	1979-1989
Sir (Francis) Gerard Brennan	1981-1995
Sir William Patrick Deane	1982-1995
Sir Daryl Michael Dawson	1982-1997
John Leslie Toohey	1987-1998
Mary Genevieve Gaudron	1987-2003
Michael Hudson McHugh	1989-
William Montague Charles Gummow	1995-
Michael Donald Kirby	1996-
Kenneth Madison Hayne	1997-
Ian David Francis Callinan	1998-
(John) Dyson Heydon	2003-



PART V – ADMINISTRATION

General

Section 17 of the *High Court of Australia Act 1979* 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 to 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 Research, and Marshal's Branch. Figure 1 overleaf shows the Court's organisational structure and gives the names of the senior executives of the Court.

External Scrutiny

2002-03 Annual Report

The Court's 2002-03 Annual Report was submitted to the Attorney-General on 10 December 2003 and tabled in Parliament on 22 January 2004.

Auditor-General's Report

Results of the Auditor-General's audit of the Court's 2002-03 financial statements were reported in Auditor-General's Audit Report No. 22 of 2003-04, tabled in Parliament on 9 January 2004. The results of the audit of the High Court's financial statements were satisfactory.

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*.

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* or the *Commonwealth Authorities and Companies Act 1997*. 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 voluntarily adopts the policies and standards contained in those Guidelines, including the definition of fraud in Guideline No. 2.

In accordance with the Commonwealth Guidelines, during 2003-04 the Court engaged Ernst & Young to:

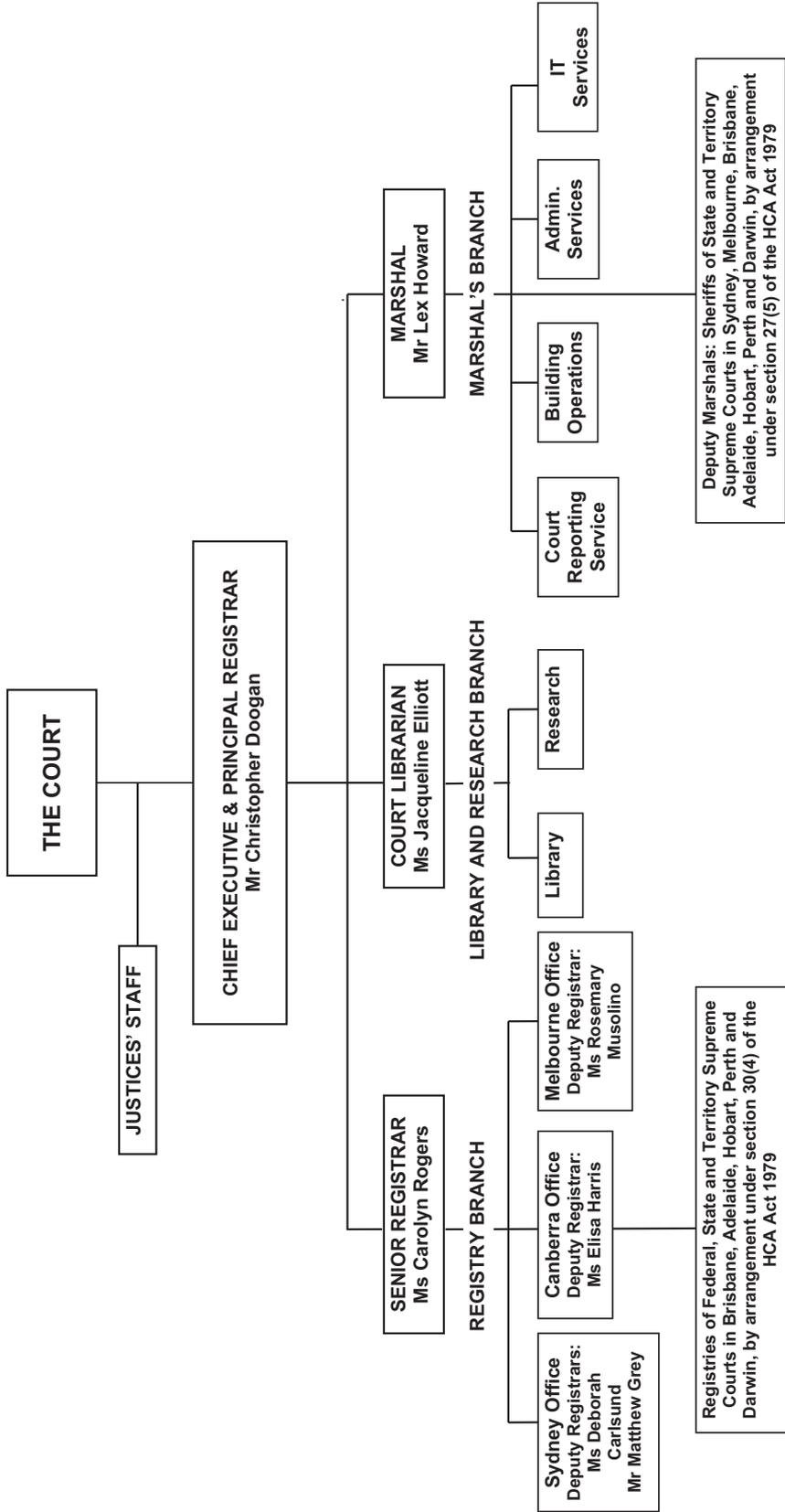
- conduct a comprehensive fraud risk assessment for the Court;
- develop a Fraud Control Plan; and
- conduct a number of fraud awareness sessions for Court staff.

The fraud risk assessment identified no major residual fraud risks. Overall, the Court's internal controls were assessed to have reduced 96 per cent of all inherent fraud risks to a low or negligible rating. No risks were rated as high or extreme.

A Fraud Control Plan for 2004-2006 was developed by Ernst & Young and approved by Court management. By 30 June 2004 the recommendations in the Plan had all been implemented and its objectives substantially completed.

Two separate fraud awareness sessions for staff were held during the year. A total of 35 staff attended these sessions. Such awareness sessions will be continued on an annual basis.

Figure 1
HIGH COURT OF AUSTRALIA ORGANISATIONAL CHART



REGISTRY BRANCH

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* and the High Court Rules. 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 Adelaide, Hobart and Darwin are performed by officers of the Supreme Court of the respective States or the Northern Territory under ministerial arrangements. Registry functions in Brisbane and Perth are performed by officers of the Federal Court of Australia by arrangement between the Chief Justices of the respective Courts.

Registry Goals

The goals of the Registry are to:

- provide and maintain registry services to the Court, the profession and the public;
- develop and maintain a case-flow management program to facilitate the disposition of matters by the Court;
- provide the Chief Justice and Justices with all necessary information relating to matters which are instituted or filed in the Court;
- provide information to the profession and the public about the practice of the Court; and
- carry out all its tasks at the highest attainable levels of professional competence and efficiency.

Registry Workload

A comparison of the number of matters filed in each Registry during 2002-03 and 2003-04 is provided in Table 1. (Reference is made throughout this section to numbered tables located in Annexure B to Part VII of this report.)

Forty-seven per cent of the matters filed during the year were filed in the Sydney office of the Registry. Eighteen special leave hearing days were held in Sydney during 2003-04 and 38 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 31 per cent of total filings in 2003-04. Four special leave hearing days were held in Melbourne and the Melbourne Registry supervised 37 per cent of the single Justice hearings.

The Registry in Canberra processed matters filed in Canberra, Brisbane, Darwin and Perth (accounting for 22 per cent of all filings). The Canberra Registry supervised 11 sittings of the Full Court in Canberra, circuit sittings in Adelaide, Perth, Hobart and Brisbane and video-link hearings from Adelaide, Brisbane and Perth. The Registry in Canberra supervised 25 per cent of the single Justice hearings.

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 and is therefore able to provide a fast efficient service for parties and other interested persons who may wish to purchase copies of transcripts of cases heard by the Court. In addition, transcripts of cases heard can be accessed from the Court's website. Paper copies of transcripts of recent cases are kept in the Canberra, Sydney and Melbourne offices, and transcripts of past cases may be ordered through those offices. The cost of transcripts is provided in the High Court of Australia (Fees) Regulations.

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 Regulations, 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 1,855 new practitioners

were added to the register in 2003-04, which is five per cent fewer than the number of practitioners added to the Register in 2002-03.

The demand for registry services, such as the purchase of judgments and transcripts, remained at a high level during 2003-04, as did inquiries concerning the registration of practitioners on the Register of Practitioners and the status of matters pending before the Court.

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 Justices also consider the recommendations of the Federal Costs Advisory Committee in respect of the fees to be recovered by practitioners practising in the High Court for the work done by them in relation to proceedings in the Court. A Rule adopting the recommendations of the Committee is introduced when such recommendations are accepted.

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. As noted on pages 7-8 of this Report, the Rules of Court have been completely redrafted and the High Court Rules 2004 will take effect on 1 January 2005.

Rules of Court are made and promulgated as Commonwealth Statutory Rules. 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 Rule of Court in 2003-04:
Statutory Rule No S355 of 2003 – Annual Sittings of the High Court.

No Practice Directions were issued by the Court during 2003-04.

Case-flow Management

Orders 69A and 70 of the High Court Rules impose time standards for the filing of applications for special leave to appeal and appeals. The Rules were introduced to give more control over 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. Many cases involve other 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*, cases stated, references under section 18 of the *Judiciary Act*, and electoral 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 2002-03 and 2003-04.

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 parties may agree that a matter should be heard at the next annual sitting of the Court in the State or Territory in which the matter originated or may agree that a special leave application be heard by video-link when there are sufficient matters to justify a video-link hearing.

Tables 23 to 28B provide a comparison, for each category of matter during the 2002-03 and 2003-04 reporting periods, of the elapsed period between the date of filing of matters to the date they were ready for hearing, the elapsed time between matters 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.

Judicial Workload of the Court

Tables 7 and 8 provide details of the total matters heard by the Full Court during 2002-03 and 2003-04, together with a breakdown of the categories of those matters. Tables 13 and 14 provide details of the total number of decisions of the Full Court delivered during 2002-03 and 2003-04 together with a breakdown of the categories of those decisions by type of matter. Tables 3 to 6 provide a comparison by Registry and by court appealed from of all appellate matters filed during 2002-03 and 2003-04. Tables 9 to 12 provide a breakdown by Registry and court appealed from of all appellate matters heard during 2002-03 and the reporting period. The results of appellate matters decided during 2002-03 and 2003-04 are recorded in Tables 16, 18, 20 and 22.

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 2002-03 and the reporting year is recorded in Table 29. A breakdown of the categories of matters heard by a single Justice during 2003-04 is provided in Table 30. Forty-six per cent of applications heard by a single Justice during the reporting period involved self-represented persons. In 2002-03 this figure was seven per cent and in 2001-02 the figure was 31 per cent. (The significant drop in the proportion of self-represented persons appearing before a single Justice during 2002-03 is explained by the large number of immigration matters heard during the year, most of which involved represented parties.)

Considerable assistance was provided to the Court throughout the year by counsel acting on a pro bono basis.

Cost of Litigation

Court Fees and Charges

Fees and charges in the High Court form an integral part of litigation costs and, since 1 April 1992, have been 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 set out in Schedule 1 of the Regulations. The schedule of fees payable as at 30 June 2004 is included in Annexure C to Part VII of this report.

Waiver of Fees

The person liable to pay a filing or hearing fee may apply to a Registrar to have the fee waived upon grounds specified in the Regulations. The grounds include financial hardship, grant of legal aid and entitlements as a social security law concession cardholder or Veterans' Affairs cardholder. 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.

In 2003-04 a total of 1,034 matters attracting a filing fee and/or hearing fees were filed in the Court. Of these, 652 matters, or approximately 63 per cent, were exempt from payment of fees, resulting in a total of \$754,012 being forgone for the payment of filing and hearing fees. 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 and are approved by the Court on the recommendation of the Federal Costs Advisory Committee. The Schedule in operation during 2003-04 is included in Annexure C to Part VII of this report.

The Court has limited access to information about the actual costs involved in litigation. The information that it has is confined to costs which have been taxed and allowed on a party-and-party basis by taxing officers pursuant to an order of the Court. However costs orders do not necessarily reflect the total cost to the litigant and are not made in all cases. Bills of costs are not lodged for taxation in all matters that come before the Court as the parties may agree on the costs to be paid by the unsuccessful party. In some cases there are statutory provisions to the effect that costs should not be ordered, costs are not usually awarded in criminal cases, and in constitutional cases costs are sometimes the subject of agreement between governments.

Taxation of Costs

Bills of costs presented for taxation typically include filing and hearing fees, barristers' fees, travelling and accommodation expenses incurred by barristers and their instructing solicitors, and solicitors' charges for work done in connection with proceedings in the Court.

There is a considerable spread of fees charged. Not all fees and charges are subsequently allowed on taxation. During the reporting period a bill of costs in a matter commenced by writ of summons and referred to the Full Court by way of a case stated was presented for taxation seeking an amount of \$56,106.52. Of this amount, \$50,469.21 was allowed on taxation. In an unsuccessful application for special leave to appeal filed in Brisbane the respondent claimed an amount of \$40,029.54, of which only \$17,437.08 was allowed on taxation.

LIBRARY AND RESEARCH BRANCH

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.

Corporate Goals

The corporate goals of the Library and Research Branch are to:

- acquire and organise efficiently library material in accordance with the requirements of the Court; and
- provide high-quality and timely reference and research services to the Justices.

Reference and Research

Research

The Library collected material reflecting activities of the High Court in its centenary year. This has been a valuable addition to the Library's High Court Collection. In addition, staff researched and copied newspaper clippings on the Court, the first interstate sittings, and the original Justices from 1903 to 1906, which form a useful historical base to the collection.

In October the Library held a successful reunion lunch at the High Court for legal research officers who had worked from 1976 to the current year.

Millennium Library System

As a centenary project, a new home page was designed for the Library (www.hcourt.gov.au/library.html) featuring the Court's centenary logo, portraits of the three original Justices, and a view of the Library's main collection. On the day of the centenary, 6 October 2003, the Library's OPAC (Online Public Access Catalogues) went live on the Internet for outside users. A number of law librarians contacted the Library to admire the home page. They expressed their delight that they could now dial in and see the High Court's holdings for the purposes of checking bibliographical details and for inter-library loans.

The Unreported Judgments database was completed in July. It is for internal use only.

Retrospective Copying of High Court Unreported Judgments

Copying of the unreported judgments continued throughout the year. In June staff continued to work on the judgments at the National Archives after the files were removed from the Court in May. The copying project is nearly complete except for judgments from several State jurisdictions between 1920 and 1930, and Queensland unreported judgments from 1930 to 1950.

Online Subscriptions

In January the Library entered a subscription to the journals database, *HeinOnline*, which has given the Court an excellent research facility and reduced the need for inter-library loans. In April subscriptions to several Thomson titles were changed from CD to online. This affords users easier and more up-to-date access.

Collection Development and Organisation

Stocktake

The biennial stocktake of the classified books took place in December. Seven books were missing from the main collection and none from the Bar Library.

Sydney and Melbourne Libraries

Library staff visited the Melbourne Library in October and the Sydney Library in June. In addition, to improve research resources and free shelving in Canberra, six boxes of duplicate old editions on constitutional and administrative law were sent to the Melbourne Library in February.

Australian Law Librarians' Group (ALLG) Pacific Twinning Scheme

Shipments of Books

The Court Librarian arranged for shipments of law material to the twin libraries at the High Court of Kiribati (in November, April and May), and to the High Court of Fiji (in July, December, March and June). Thanks are due to the Federal Court Librarian who provided funds to assist the ALLG Pacific Twinning Project by paying the freight for most of the shipments.

Pacific Libraries' Scholarship

The Court Librarian was on the selection panel for the Pacific Libraries' Scholarship in July. The librarian from the Human Rights Commission in Fiji was selected to attend the Asia-Pacific Special Health and Law Librarians' Conference in Adelaide in August.

Conferences

The Court Librarian attended the International Association of Law Libraries' 22nd Annual Course on International Law Librarianship in Cape Town in September, and with the Senior Reference Librarian attended the AustLII Law via the Internet conference in Sydney in November. In August the Senior Reference Librarian attended the Court Librarians' meeting and the Asia-Pacific Special Health and Law Librarians' Conference in Adelaide.

Retirement of Mr Rob Brian

In June the Court Librarian represented the High Court at a retirement dinner for Mr Rob Brian, NSW Parliamentary Librarian, at Parliament House in Sydney. Mr Brian was the first librarian of the High Court of Australia, serving from 1967 to 1970.

Staff

Seven Library positions received upgrades in the Staff Review conducted by the Court in April. One staff member was seconded to the Federal Court Library, ACT, for three months from April to July.

MARSHAL'S BRANCH

Functions

The Marshal's Branch provides financial, personnel and corporate management services to the Court. It also provides court reporting services and is responsible for the operation, security and maintenance of the High Court building and its precincts.

In addition to corporate management responsibilities, the Marshal is responsible under section 27 of the *High Court of Australia Act 1979* for:

- the service and execution of all writs, summonses, orders, warrants, precepts, process and commands of the Court that are directed to him; 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.

A Deputy Marshal may, subject to any direction of the Marshal, exercise any power or perform any function of the Marshal.

Marshal's Branch Goals

The goals of the Marshal's Branch are to:

- provide high-quality and responsive financial, human resources, technical and general administrative services to the Court;
- manage and maintain a national building;
- ensure the safety and well-being of persons employed in or visiting premises under the control of the High Court; and
- provide, in a timely and economic manner, an accurate transcript of the proceedings of the High Court to the Justices, legal practitioners, litigants and other interested parties.

Financial Management

Financial Services

Last year it was reported that changes arising from the Department of Finance and Administration's Budget Estimates and Framework Review were placing significant workload pressures on the Court's finance staff. Funding for additional resources was sought in order to comply with new financial reporting requirements. This funding was obtained through the 2003-04 Additional Estimates process and an additional finance staff member has been recruited. Software upgrades to the Court's financial management system are also planned. With these additional resources available, the Court has undertaken to comply with the new reporting requirements from 1 July 2004.

Resources

The table below details the 2003-04 financial and staffing resources applied to the Court's outputs and outcomes, together with the budgeted resources for 2004-05. The

Court has a single output, High Court Business, contributing toward the overall outcome which is “interpreting and upholding the Australian Constitution and performing the functions of the ultimate appellate Court in Australia”.

	(1)	(2)	(3)	(4)
	Budget	Actual	Variation	Budget
	2003-04	2003-04	(2) - (1)	2004-05
	\$'000	\$'000	\$'000	\$'000
Administered items				
Court fees and charges collected	868	965	97	870
LESS: fees and charges remitted to Official Public Account	868	965	97	870
Net contribution or cost to outcome	-	-	-	-
High Court output				
Output 1.1:				
High Court business:				
- Justices’ remuneration and allowances*	2,177	2,309	132	2,053
- High Court administration	12,244	12,244	-	11,731
Revenue from government appropriations	14,421	14,553	132	13,784
Revenue from other sources:				
- High Court administration	269	505	236	256
Total price of output	14,690	15,058	368	14,040
TOTAL PRICE OF OUTCOME	14,690	15,058	368	14,040
Staff years (in full-time equivalent positions)	86.0	88.0	2.0	86.0

* 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.

Audit of Accounts and Procedures

The Court maintains procedures for both internal and external scrutiny of accounts and administrative procedures. An internal auditor, reporting directly to the Chief Executive & Principal Registrar, systematically reviews compliance with the Court’s approved operating procedures, the efficiency of administrative systems and the adequacy of accounting controls throughout the year in accordance with an agreed program. In addition, the internal auditor provides specialist advice on financial management matters, as required, to the Chief Executive & Principal Registrar.

In accordance with section 47(2) of the *High Court of Australia Act 1979*, the Auditor-General annually conducts an independent audit of the Court’s financial statements in order to express an opinion on them to the Attorney-General. The Auditor-General’s certificate on the Court’s 2003-04 financial statements can be found at Part VI of this report.

Consultants

During the year, 22 consultancy contracts, with a total value of \$470,769, 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	IT systems integration design and project management	261,136
Bond University	Design of courtroom video systems	28,788
Yellow Edge Pty Ltd	Review of staff classifications and work-level standards	23,925
Australian Valuation Office	Asset valuation	19,000
Open Integration Pty Ltd	Computer network support	18,967
Acoustic Directions Pty Ltd	Design of courtroom audio systems	17,572
Ernst & Young	Fraud control plan	17,025
Kellaway Pty Ltd	IT threat risk assessment	13,860
Spotless P&F Pty Ltd	Project management for upgrade of air-conditioning system	12,284

Human Resource Management

Terms and Conditions of Employment

Staff of the High Court are employed under the *High Court of Australia Act 1979*. 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 seventh Certified Agreement, under section 170LK of the *Workplace Relations Act 1996*, expired on 30 June 2004. A replacement agreement, to commence on 1 July 2004, was offered to the staff in May 2004. In June 2004 staff voted to reject this agreement. However on a subsequent ballot, which closed on 23 September 2004, staff voted to accept a revised agreement to commence on 1 November 2004 for a period up to 30 June 2006. The agreement includes pay rises of three per cent up to 30 June 2005 and four per cent for the year thereafter.

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.

Throughout the year, the Court continued its efforts in:

- assisting staff in managing their family and work responsibilities, via flexible working hours and leave arrangements; and
- publicising workplace diversity principles in staff information booklets and induction courses.

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.

Industrial Democracy

The Court is committed to the principles and practices of industrial democracy which results in participatory management practices throughout all areas of the Court. A Joint Consultative Committee serves as the formal mechanism for consultation on a broad range of industrial democracy issues. For several years now the Committee has formed the basis of the negotiation team to work with management in developing certified agreements.

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*. 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 or dangerous occurrences requiring notice under section 68, and no investigations into OH&S accidents were required during the year. No directions or notices were given to the Court under sections 30, 36, 45 or 47 of the *Occupational Health and Safety (Commonwealth Employment) Act 1991* during the year.

Information Technology

This year the Court's IT staff focussed their attention on improving IT security, assisting with the courtroom technology project, and generally improving the efficiency and effectiveness of the Court's IT systems. Key network security initiatives were:

- installation of a new network firewall, re-establishing security to Defence Signals Directorate Level 3 standard;
- moving all remote access behind the new firewall, providing a consistent level of data security from any location;
- a comprehensive network intrusion test and report by a specialist contractor; and
- installation and commissioning of a filtering system to block staff access to inappropriate Internet sites.

The results of the intrusion test were satisfactory. The contractor made a number of recommendations for enhancing security, and these are being progressively implemented. A further intrusion test will be undertaken in early 2005 to test the effectiveness of the new measures. The ContentKeeper filtering product will be expanded in due course to filter email traffic as well.

Other major initiatives undertaken during the year were:

- design and oversight of broadband cable installations to the Court's three Canberra courtrooms as part of the courtroom technology project;
- upgrade of several corporate systems to the latest software versions to increase efficiency for users; and
- continuation of the IT training program for staff, with regular in-house courses on systems and software.

Court Reporting Service (CRS)

Operation

The goal of the CRS is to provide, in a timely and efficient manner, an accurate transcript of the proceedings of the High Court to the Justices. Copies are available for sale to legal practitioners, litigants and other interested parties. The transcript is usually available for distribution in paper form within two hours of the Court rising each sitting day, and transcripts from appeal hearings are available each evening on the Court's website. Transcripts of other matters are available on the website within a few days. Transcripts dating back to 1994 are available on that site.

The High Court's transcript is a verbatim record of its proceedings and includes the full text of citations referred to by counsel during hearings.

Staffing

The CRS comprises one full-time and two part-time reporters (for staff supervision, training and transcription verification), up to nine sessional court reporting officers (for word-processing and transcription monitoring duties), and the part-time services of a technical officer (for equipment maintenance duties).

A total of 546 individual transcripts, containing 10,058 pages, were produced during the year. This represented a three per cent increase from the previous year.

Developments

As reported in Part III of this report, a major technology redevelopment project is underway, part of which involves the further modernisation of court reporting systems and major refurbishment of associated accommodation. This project arises directly from a consultant's report in 2003 on integration of all courtroom media.

One of the major aspects of this project is the modernisation of control systems. New software is being developed which will integrate audio and video control systems and deliver these via a single touch-screen in the court reporting monitoring area. It will be possible for one staff member to control all technology simultaneously in three courtrooms.

Both the court reporting monitoring room and the transcript production area will be completely refurbished to provide modern office accommodation for court reporting staff, designed specifically around workflows associated with the new technology.

Building Operations

Facilities Management

As reported last year, a joint submission to Government was prepared, involving all federal courts, to secure funding for enhancement of physical security in and around federal courthouses. In the 2004-05 Federal Budget, a measure was announced involving \$15.3 million over four years to fund a variety of security measures in the federal courts, the Administrative Appeals Tribunal and the National Native Title Tribunal. The cost of this measure is to be fully absorbed within the existing resources of the relevant agencies. As at 30 June 2004, discussions are continuing with the other jurisdictions and the Attorney-General's Department to identify the sources of funding for this measure.

Also reported last year was the installation of two new chillers in the High Court Building. These chillers were successfully commissioned in September 2003.

A program to upgrade the High Court Building's elevators began during the year. Tenders were called in mid-2003 to increase the speed of travel of all elevators by 50 per cent. The successful tenderer was Otis Elevator Company Pty Ltd. As at 30 June 2004, two elevators were nearing completion, with another two due to commence in August 2004. In addition to increasing travel speed, controls will be upgraded to comply with current OH&S standards and (subject to a further tender process) the interior of each elevator is to be refurbished with more durable surfaces. The entire project is expected to cost \$1.3 million and will be completed in mid-2005.

The program of replacing carpet throughout the Court in Canberra continued in 2003-04, with one more floor of the building recarpeted.



PART VI – FINANCIAL STATEMENTS



INDEPENDENT AUDIT REPORT

To the Attorney-General

Scope

The financial statements comprise:

- Report by the Chief Executive and Principal Registrar, and the Finance and Administration Manager;
- Statements of Financial Performance, Financial Position and Cash Flows;
- Schedule of Administered Items;
- Schedules of Commitments and Contingencies; and
- Notes to and forming part of the Financial Statements

of the High Court of Australia for the year ended 30 June 2004.

The Chief Executive and Principal Registrar of the High Court of Australia is responsible for the preparation and true and fair presentation of the financial statements in accordance with the Finance Minister's Orders. This includes responsibility for the maintenance of adequate accounting records and internal controls that are designed to prevent and detect fraud and error, and for the accounting policies and accounting estimates inherent in the financial statements.

Audit approach

I have conducted an independent audit of the financial statements in order to express an opinion on them to you. My audit has been conducted in accordance with the Australian National Audit Office Auditing Standards, which incorporate the Australian Auditing and Assurance Standards, in order to provide reasonable assurance as to whether the financial statements are free of material misstatement. The nature of an audit is influenced by factors such as the use of professional judgement, selective testing, the inherent limitations of internal control, and the availability of persuasive, rather than conclusive, evidence. Therefore, an audit cannot guarantee that all material misstatements have been detected.

While the effectiveness of management's internal controls over financial reporting was considered when determining the nature and extent of audit procedures, the audit was not designed to provide assurance on internal controls.

I performed procedures to assess whether, in all material respects, the financial statements present fairly, in accordance with the Finance Minister's Orders made under the *Commonwealth Authorities and Companies Act 1997*, Accounting Standards and other mandatory financial reporting requirements in Australia, a view which is consistent with my understanding of the High Court's financial position, and of its performance as represented by the statements of financial performance and cash flows.

The audit opinion is formed on the basis of these procedures, which included:

- examining, on a test basis, information to provide evidence supporting the amounts and disclosures in the financial statements; and
- assessing the appropriateness of the accounting policies and disclosures used, and the reasonableness of significant accounting estimates made by the Chief Executive and Principal Registrar.

Independence

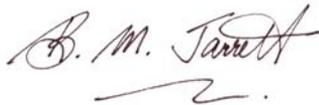
In conducting the audit, I have followed the independence requirements of the Australian National Audit Office, which incorporate Australian professional ethical pronouncements.

Audit Opinion

In my opinion, the financial statements:

- (i) have been prepared in accordance with the Finance Minister's Orders made under the *Commonwealth Authorities and Companies Act 1997* and applicable Accounting Standards; and
- (ii) give a true and fair view, of the matters required by applicable Accounting Standards and other mandatory professional reporting requirements in Australia, and the Finance Minister's Orders, of the financial position of the High Court of Australia as at 30 June 2004, and of its financial performance and cash flows for the year then ended.

Australian National Audit Office



Brandon Jarrett
Executive Director

Delegate of the Auditor-General

Canberra
24 August 2004

HIGH COURT OF AUSTRALIA

Report by the Chief Executive & Principal Registrar of the High Court of Australia and the Manager, Finance & Administration, of the High Court on the Financial Statements for the year ended 30 June 2004.

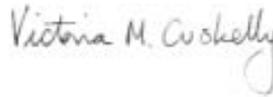
The accompanying financial statements of the High Court of Australia for the year ended 30 June 2004 have been prepared as required by section 47(1) of the *High Court of Australia Act 1979* and include:

- Statement of Financial Performance;
- Statement of Financial Position;
- Statement of Cash Flows;
- Schedule of Commitments;
- Schedule of Contingencies; and
- Notes to and forming part of the Financial Statements.

In our opinion, the attached financial statements for the year ended 30 June 2004 are based on properly maintained financial records and give a true and fair view of the matters required by Finance Minister's orders made under the *Commonwealth Authorities and Companies Act 1997*.



Christopher Doogan
Chief Executive & Principal Registrar
24 August 2004



Victoria Cuskelly
Manager, Finance & Administration
24 August 2004

HIGH COURT OF AUSTRALIA

STATEMENT OF FINANCIAL PERFORMANCE

for the year ended 30 June 2004

	Notes	2004 \$	2003 \$
Revenues from ordinary activities			
Revenues from Government	3A	12,244,000	25,913,000
Sales of goods and services	3B	82,609	75,963
Interest	3C	253,447	269,485
Other	3D	75,967	101,862
Revenue from sale of assets	4D	93,033	5,914
Total revenues from ordinary activities		12,749,056	26,366,224
Expenses from ordinary activities (excluding borrowing costs expense)			
Employees	4A	5,393,798	5,018,185
Suppliers	4B	4,968,980	4,553,763
Depreciation and amortisation	4C	1,865,175	1,679,042
Value of assets sold	4D	81,403	9,702
Write-down of assets	4E	-	7,091
Total expenses from ordinary activities (excluding borrowing costs expense)		12,309,356	11,267,783
Borrowing costs expense	5	5,432	19,327
Net operating surplus from ordinary activities		434,268	15,079,114
Net surplus		434,268	15,079,114
Net credit to asset revaluation reserve	13	18,475,215	-
Total valuation adjustments recognised directly in equity		18,475,215	-
Total changes in equity other than those resulting from transactions with the Australian Government as owner		18,909,483	15,079,114

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

HIGH COURT OF AUSTRALIA STATEMENT OF FINANCIAL POSITION

as at 30 June 2004

	Notes	2004 \$	2003 \$
ASSETS			
Financial assets			
Cash	14B	2,793,679	3,175,284
Receivables	7	197,397	253,087
Total financial assets		2,991,076	3,428,371
Non-financial assets			
Land and buildings	8A	159,691,428	142,700,000
Infrastructure, plant and equipment	8B	5,073,294	3,034,583
Inventories		832	1,582
Intangibles	8C	196,601	181,407
Library holdings	8D	9,639,490	8,509,876
Other	9	572,788	545,582
Total non-financial assets		175,174,433	154,973,030
Total assets		178,165,509	158,401,401
LIABILITIES			
Interest-bearing liabilities			
Leases	10	-	110,606
Total interest-bearing liabilities		-	110,606
Provisions			
Employees	11	1,598,464	1,385,697
Total provisions		1,598,464	1,385,697
Payables			
Suppliers	12	993,358	290,246
Other		15,500	16,148
Total payables		1,008,858	306,394
Total liabilities		2,607,322	1,802,697
NET ASSETS		175,558,187	156,598,704
EQUITY			
Parent entity interest			
Contributed equity	13	53,476,540	53,426,540
Reserves	13	120,590,633	102,115,418
Accumulated surpluses/(deficits)	13	1,491,014	1,056,746
Total parent entity interest		175,558,187	156,598,704
Total equity		175,558,187	156,598,704
Current assets		3,564,697	3,975,535
Non-current assets		174,600,812	154,425,866
Current liabilities		1,782,331	1,053,267
Non-current liabilities		824,991	749,430

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

HIGH COURT OF AUSTRALIA STATEMENT OF CASH FLOWS

for the year ended 30 June 2004

	Notes	2004	2003
		\$	\$
OPERATING ACTIVITIES			
Cash received			
Sales of goods and services		82,078	155,474
Appropriations		12,339,353	25,817,000
Interest		293,376	239,105
Other		75,967	101,862
GST receipts from ATO		494,584	492,560
Total cash received		13,285,358	26,806,001
Cash used			
Employees		(5,181,032)	(4,783,177)
Suppliers		(4,768,364)	(5,064,108)
GST paid to ATO		(10,756)	(14,450)
Total cash used		(9,960,152)	(10,384,264)
Net cash from operating activities	14A	3,325,206	16,421,737
INVESTING ACTIVITIES			
Cash received			
Proceeds from sales of property, plant and equipment		105	2,386
Total cash received		105	2,386
Cash used			
Purchase of property, plant and equipment		(3,646,310)	(2,027,877)
Total cash used		(3,646,310)	(2,027,877)
Net cash used in investing activities		(3,646,205)	(2,025,491)
FINANCING ACTIVITIES			
Cash received			
Appropriation – contributed equity		50,000	-
Total cash received		50,000	-
Cash used			
Finance leases repaid		(110,606)	(66,728)
Capital use charge paid		-	(14,653,000)
Total cash used		(110,606)	(14,719,728)
Net cash used by financing activities		(60,606)	(14,719,728)
Net increase/(decrease) in cash held		(381,605)	(323,482)
Cash at the beginning of the reporting period		3,175,284	3,498,766
Cash at the end of the reporting period	14B	2,793,679	3,175,284

In 2002-03 GST received from the ATO was included in Suppliers. This has been amended in these Statements.

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

HIGH COURT OF AUSTRALIA SCHEDULE OF COMMITMENTS

as at 30 June 2004

	Notes	2004	2003
		\$	\$
BY TYPE			
Capital commitments			
Intangibles ¹		-	33,283
Infrastructure, plant and equipment ²		-	50,890
Infrastructure, plant and equipment ³		940,723	1,265,340
Total capital commitments		940,723	1,349,513
Other commitments			
Operating leases ⁴		1,043,928	707,907
Finance leases	10	-	119,904
Other commitments ⁵		143,600	172,817
Total other commitments		1,187,528	1,000,628
Commitments receivable		(193,477)	(213,649)
Net commitments		1,934,774	2,136,492
BY MATURITY			
Capital commitments			
One year or less		940,723	1,349,513
From one to five years		-	-
More than five years		-	-
Total capital commitments		940,723	1,349,513
Operating lease commitments			
One year or less		448,522	402,479
From one to five years		595,406	305,428
More than five years		-	-
Total operating lease commitments		1,043,928	707,907
Other commitments			
One year or less		143,600	257,189
From one to five years		-	35,532
More than five years		-	-
Total other commitments		143,600	292,721
Commitments receivable		(193,477)	(213,649)
Net commitments		1,934,774	2,136,492

Commitments are GST inclusive where relevant. In 2002-03 commitments "By Maturity" were GST exclusive. This has been adjusted in 2003-04.

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

¹ Outstanding contractual agreement for library database software implementation.

² Outstanding commitments for computer equipment.

³ Outstanding contractual payments for the upgrade of the High Court's lifts and courtroom technology.

⁴ Operating leases included are effectively non-cancellable and comprise:

- agreements for the provision of motor vehicles - senior executives;
- lease of computer equipment; and
- lease of office equipment.

⁵ Outstanding commitments for building maintenance and minor equipment.

HIGH COURT OF AUSTRALIA SCHEDULE OF CONTINGENCIES

as at 30 June 2004

As at 30 June 2004 there are no contingencies which create uncertainty as to possible gain or loss for the High Court of Australia.

HIGH COURT OF AUSTRALIA SCHEDULE OF ADMINISTERED ITEMS

	Notes	2004 \$	2003 \$
REVENUES ADMINISTERED ON BEHALF OF GOVERNMENT			
<i>for the year ended 30 June 2004</i>			
Non-taxation revenue			
Goods and services	22A	964,852	910,660
Total revenues administered on behalf of Government		964,852	910,660
ASSETS ADMINISTERED ON BEHALF OF GOVERNMENT			
<i>for the year ended 30 June 2004</i>			
Financial assets	22C	-	-
Total assets administered on behalf of Government		-	-
LIABILITIES ADMINISTERED ON BEHALF OF GOVERNMENT			
<i>for the year ended 30 June 2004</i>			
Liabilities	22D	-	-
Total liabilities administered on behalf of Government		-	-
ADMINISTERED CASH FLOW			
<i>for the year ended 30 June 2004</i>			
Operating activities			
Cash received			
Other taxes, fines and fees	22E	964,852	910,660
Total cash received		964,852	910,660
Cash used			
Cash to the Official Public Account		964,852	910,660
Total cash used		964,852	910,660
Net cash used in operating activities		(964,852)	(910,660)
Cash at the beginning of the reporting period		-	-
Cash at the end of the reporting period		-	-

The Court administers the collection of Court fees and charges on behalf of the Australian Government. The level of these fees and charges is set by the Executive Government, pursuant to the *High Court of Australia (Fees) Regulations 1991*. The revenues from these fees and charges are not available to be used by the Court for its own purposes and are remitted to the Australian Government's Official Public Account.

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

HIGH COURT OF AUSTRALIA

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

for the year ended 30 June 2004

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

1.1 Basis of Accounting

The financial statements are required by section 47(1) of the *High Court of Australia Act 1979* and are a general-purpose financial report.

The financial statements of the High Court of Australia (the Court) have been prepared in accordance with:

- Australian Accounting Standards and Accounting Interpretations issued by the Australian Accounting Standards Board; and
- Consensus Views of the Urgent Issues Group (UIG).

The statements have been prepared having regard to:

- Statements of Accounting Concepts;
- the Explanatory Notes to Schedule 1 issued by the Department of Finance and Administration; and
- Guidance Notes issued by that Department.

The Court's Statements of Financial Performance and Financial Position have been prepared on an accrual basis and are in accordance with historical cost convention, except for certain assets which, as noted, are at valuation. Except where stated, no allowance is made for the effect of changing prices on the results or on the financial position.

Assets and liabilities are recognised in the Court's Statement of Financial Position when and only when it is probable that future economic benefits will flow and the amounts of the assets or liabilities can be reliably measured. Assets and liabilities arising under agreements equally proportionally unperformed are, however, not recognised unless required by an Accounting Standard. Liabilities and assets that are recognised are reported in the Schedule of Commitments and the Schedule of Contingencies.

Revenues and expenses are recognised in the Court's Statement of Financial Performance when and only when the flow or consumption or loss of economic benefits has occurred and can be reliably measured.

Administered revenues, expenses, assets, 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 the Court's items, except where stated in Note 1.2.

1.2 Changes in Accounting Policy

The accounting policies used in the preparation of these financial statements are consistent with those used in 2002-03, except in respect of:

- measurement of certain employee benefits at nominal amounts (refer to Note 1.5);
- the initial revaluation of land, buildings and certain plant and equipment on a fair value basis (refer to Note 1.9);
- the asset recognition threshold for property, plant and equipment (other than building improvements) was raised from \$2,000 to \$3,000;
- depreciation on computer equipment and intangibles has increased from 20 per cent to 33.33 per cent.

1.3 Revenue

The revenues described in this Note are revenues relating to the core activities of the Court.

Revenue from the sale of goods and services is recognised upon the delivery of goods to customers.

Interest revenue is recognised on a proportional basis taking into account the interest rates applicable to the financial assets.

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

Revenues from Government - output appropriations

The full amount of the appropriation for the Court's output for the year is recognised as revenue.

1.4 Transactions by the Government as Owner

Capital use charge

In accordance with the recommendations of a review of Budget Estimates and Framework, the Government decided that the charge will not operate after 30 June 2003. Therefore, the amount of the charge payable in respect of 2003 is the amount appropriated.

1.5 Employee Benefits

Benefits

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

Liabilities for wages and salaries (including non-monetary benefits), annual leave and sick leave are measured at their nominal amounts. Other employee benefits expected to be settled within 12 months of their reporting date are also measured at their nominal amounts.

In accordance with Australian Accounting Standard AASB 1028 *Employee Benefits*, the nominal amount is calculated with regard to the rates expected to be paid on settlement of the liability. As the Court's certified agreement raises pay rates on 1 July each year, the financial effect of this change is not material.

All other employee benefit liabilities are measured as 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 average sick leave taken in future years by employees 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 work of an actuary as at 30 June 2003. The estimate of the present value of the liability takes into account attrition rates and pay increases through promotion and inflation.

Superannuation

Employees of the Court are members of the Commonwealth Superannuation Scheme or the Public Sector Superannuation Scheme. The liability for their superannuation 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 the Australian Government to be sufficient to meet the cost to the Australian Government of the superannuation entitlements of the Court's employees.

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

1.6 Leases

A distinction is made between finance leases which effectively transfer from the lessor to the lessee substantially all the risks and benefits incidental to ownership of leased non-current assets, and operating leases, under which 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 the present value of minimum lease payments at the inception of the lease and a liability recognised for the same amount. Leased assets are amortised over the period of the lease. Lease payments are allocated between the principal component and the interest expense. During 2003-04 the Court's finance leases ceased and all leases held are operating leases.

Operating lease payments are expensed on a basis which is representative of the pattern of benefits derived from the leased assets.

1.7 Cash

Cash includes notes and coins on hand and deposits held at call with a bank or financial institution.

1.8 Financial Instruments

Accounting policies in relation to financial instruments are disclosed in Note 21.

1.9 Non-Current Assets

Asset-recognition threshold

Purchases of property, plant and equipment are recognised initially at cost in the Statement of Financial Position, 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).

Intangibles

Internally developed and externally acquired computer software for internal use is initially recognised and capitalised at the cost of development or acquisition. These costs of development or acquisition are amortised over the useful life of the asset. All software assets were assessed for impairment as at 30 June 2004 (refer to *Recoverable Amount/Impairment of Non-Current Assets* below). None were found to be impaired.

Revaluations

Land, buildings, infrastructure, plant and equipment are carried at valuation. Revaluations undertaken up to 30 June 2001 were done on a deprival basis; revaluations since that date are at fair value. This change in accounting policy is required by Australian Accounting Standard AASB 1041 *Revaluation of Non-Current Assets*. Valuations undertaken in any year are as at 30 June.

Fair and deprival value for each class are determined as shown below:

Asset class	Fair value measured at:	Deprival 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.	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.
Building	Depreciated replacement cost recognising that the High Court Building is a special-purpose heritage building.	Depreciated replacement cost recognising that the High Court Building is a special-purpose heritage building.
Plant and equipment	Current market buying price.	Depreciated replacement cost.

Under both deprival and fair value, assets that are surplus to requirements are measured at net realisable value. At 30 June 2004 and at 30 June 2003, the High Court held no surplus assets.

The financial effect of this change in policy relates to those assets recognised at fair value for the first time in the current period where the measurement basis for fair value is different from that previously used for deprival value. The financial effect of the change is given by the difference between the fair values obtained for these assets in the current period and the deprival-based values recognised at the end of the previous period.

The financial effect by class is as follows:

Asset class	Increment/(decrement) to asset class	Contra account
Land	\$2,000,000	Asset revaluation reserve
Building	\$16,467,307	Asset revaluation reserve
Plant and equipment	\$7,908	Asset revaluation reserve

The total financial effect was a credit to the asset revaluation reserve of \$18,475,215.

The table below shows the date of last valuation for each class of asset.

Asset class	Date of last valuation	Valuation method
Land	June 2004	Fair value
Buildings	June 2004	Fair value
Plant and equipment	June 2004	Fair value
Artworks	June 2004	Fair value
Library holdings	June 2001	Deprival value

Frequency

Except for the Court's library holdings, the asset classes above were revalued as at 30 June 2004 on a fair-value basis. Library holdings will be revalued at fair value as at 30 June 2005. Assets in each class acquired after the commencement of a revaluation cycle are not captured by the revaluation then in progress.

Conduct

All valuations are conducted by an independent qualified valuer.

Recoverable amount/impairment of non-current assets

From 1 July 2002, Schedule 1 no longer requires the application of the recoverable amount test in AAS 10 *Recoverable Amount of Non-Current Assets* to the assets of authorities when the primary purpose of the asset is not the generation of net cash inflows. No property, plant and equipment assets have been written to recoverable amount per AAS 10. Accordingly, the change in policy has had no financial effect.

The Court is not a cash-generating operation for the purpose of AASB 1041 *Revaluation of Non-Current Assets*. As at 30 June 2004, Court assets measured on the cost or deprival value basis and not subject to the recoverable amount write-down provisions of AAS 10 or AASB 1041 have been assessed as to impairment. No assets measured on this basis were assessed as impaired.

Non-current assets carried at up-to-date fair value at the reporting date are not subject to impairment testing.

Depreciation and amortisation

Depreciable property, plant and equipment assets are written off to their estimated useful lives to the Court using, in all cases, the straight-line method of depreciation. Leasehold improvements are amortised on a straight-line basis over the lesser of the estimated life of the improvements or the expected period of the lease.

Depreciation/amortisation rates (useful lives) and methods are reviewed at each balance date and necessary adjustments are recognised in the current, or current and future reporting periods, as appropriate. Residual values are re-estimated for changes in prices only when assets are revalued.

Depreciation/amortisation rates applying to each class of depreciable assets are as follows:

	2003-04	2002-03
Land	Nil	Nil
Art, prints and artefacts	Nil	Nil
Library collection – heritage items	Nil	Nil
Library collection – non-heritage items	0.5%	0.5%
Building	1%	1%
Plant and equipment	10%	10%
Computer equipment	33.33%	20%
Intangibles	33.33%	20%

The aggregate amount of depreciation allocated for each class of asset during the reporting period is disclosed in Note 4C.

1.10 Taxation

The High Court of Australia is exempt from all forms of taxation except fringe benefits tax 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.

1.11 Foreign Currency Transactions

Transactions denominated in a foreign currency are converted at the rate of exchange prevailing at the date of the transaction.

1.12 Insurance

The Court has insured for risks through the Australian Government's insurable risk managed fund, called Comcover. Workers' compensation is insured through Comcare Australia.

1.13 Reporting of Administered Activities

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

Except where otherwise stated below, administered items are accounted for on the same basis and using the same policies as for Court items, including the application of Accounting Standards, Accounting Interpretations and UIG Consensus Views.

Administered cash transfers to and from the Official Public Account

Revenue collected by the Court for use by the Australian Government rather than the Court is administered revenue. Administered revenues transferred or transferable to the Official Public Account (OPA) are not reported as administered expenses or payables. These transactions or balances are internal to the administered activity.

These transfers of cash are reported as administered (operating) cash flows and in the administered reconciliation table in Note 22.

Revenue

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

1.14 Adoption of Australian Equivalents to International Financial Accounting Standards from 2005-06

The Australian Accounting Standards Board has issued replacement Australian Accounting Standards to apply from 2005-06. The new standards are the Australian Equivalents to International Financial Reporting Standards (IFRSs) which are issued by the International Accounting Standards Board. The new standards cannot be adopted early. The standards being replaced are to be withdrawn with effect from 2005-06 but continue to apply in the meantime.

The purpose of issuing Australian Equivalents to IFRSs is to enable Australian entities reporting under the *Corporations Act 2001* to be able to more readily access overseas capital markets by preparing their financial reports according to accounting standards more widely used overseas.

For-profit entities complying fully with the Australian Equivalents will be able to make an explicit and unreserved statement of compliance with IFRSs as well as Australian Equivalents.

It is expected that the Finance Minister will continue to require compliance with the Accounting Standards issued by the AASB, including the Australian Equivalents to

IFRSs, in his Orders for the Preparation of Authorities' Financial Statements for 2005-06 and beyond.

The Australian Equivalents contain additional provisions which will apply to not-for-profit entities, including the High Court of Australia. Some of these provisions are in conflict with the IFRSs and therefore the Court will only be able to assert compliance with the Australian Equivalents to IFRSs.

Existing AASB standards that have no IFRS equivalent will continue to apply.

Accounting Standard AASB 1047 *Disclosing the Impact of Adopting Australian Equivalents to IFRSs* requires that the financial statements for 2003-04 disclose:

- an explanation of how the transition to the Australian Equivalents is being managed; and
- a narrative explanation of the key differences in accounting policies arising from the transition.

The purpose of this Note is to make these disclosures.

Management of the transition to AASB Equivalents to IFRSs

The Court has taken the following steps in preparation towards the implementation of Australian Equivalents:

1. The Court has developed a comprehensive Plan of Transition to AASB Equivalents to IFRSs. The Court's Chief Finance Officer is formally responsible for the project and reports regularly to the Chief Executive & Principal Registrar on progress against the formal plan approved by the Court.

The plan requires the following key steps to be undertaken and sets deadlines for their achievement:

- identification of all major accounting policy differences between AASB standards and the Australian Equivalents to IFRSs progressively to 30 June 2004;
- identification of systems changes necessary to be able to report under the Australian Equivalents, including those necessary to enable capture of data under both sets of rules for 2004-05, and the testing and implementation of those changes;
- preparation of a transitional balance sheet as at 1 July 2004, under Australian Equivalents, within two months of 30 June 2004;
- preparation of an Australian Equivalent balance sheet at the same time as the 30 June 2005 statements are prepared; and
- meeting reporting deadlines set by Finance for the 2005-06 balance sheet under Australian Equivalent Standards.

2. The plan also addresses the risks to successful achievement of the above objectives and includes strategies to keep implementation on track to meet deadlines.

To date, all major accounting and disclosure differences and system changes have been identified and the system changes are being tested. The changes are expected to be implemented by 31 August 2004.

3. Consultants have been engaged where necessary to assist with each of the above steps.

Major changes in accounting policy

Changes in accounting policies under Australian Equivalents are applied retrospectively, that is, as if the new policy had always applied. This rule means that a balance sheet prepared under the Australian Equivalents must be made as at 1 July 2004, except as permitted in particular circumstances by AASB 1 *First-time Adoption of Australian Equivalents to International Financial Reporting Standards*. This will enable the 2005-06 financial statements to report comparatives under the Australian Equivalents also.

Changes to major accounting policies are discussed in the following paragraphs.

Property, plant and equipment

It is expected that the Finance Minister's Orders will require property, plant and equipment assets carried at valuation in 2003-04 to be measured at up-to-date fair value from 2005-06. This differs from the accounting policies currently in place for these assets which, up to and including 2003-04, include assets at cost (for purchases since the commencement of a cycle) and at deprival value (which will differ from their fair value to the extent that they have been measured at depreciated replacement cost when a relevant market selling price is available).

However, it is important to note that the Finance Minister requires these assets to be measured at up-to-date fair values as at 30 June 2005. Further, the transitional provisions in AASB 1 will mean that the values at which assets are carried as at 30 June 2004 under existing standards will stand in the transitional balance sheet as at 1 July 2004.

Intangible assets

The Court currently recognises internally-developed software assets on the cost basis. The Australian Equivalent on Intangibles does not permit intangibles to be measured at valuation unless there is an active market for the intangible. The Court's internally-developed software is specific to the needs of the Court and is not traded. Accordingly, the Court, on adoption of the Australian Equivalent, will continue to carry these assets at cost.

Impairment of non-current assets

The Court's policy on impairment of non-current assets is at Note 1.9.

Under the new Australian Equivalent Standard, these assets will be subject to assessment for impairment and, if there are indications of impairment, measurement of any impairment (impairment measurement must also be done, irrespective of any indications of impairment, for intangible assets not yet available for use). The impairment test is that the carrying amount of an asset must not exceed the greater of (a) its fair value less costs to sell, and (b) its value in use. "Value in use" is the depreciated replacement cost for assets which would be replaced if the Court were deprived of them.

The most significant changes are that, for the Court's assets, the recoverable amount is only generally to be measured where there is an indication of impairment and that

assets carried at up-to-date fair value may nevertheless be required to be written down if costs to sell are significant.

Employee benefits

The provision for long service leave is measured at the present value of estimated future cash outflows using market yields as at the reporting date on national government bonds.

Under the new Australian Equivalent Standard, the same discount rate will be used unless there is a deep market in high-quality corporate bonds, in which case the market yield on such bonds must be used.

Financial instruments

Financial assets and liabilities are likely to be accounted for as “held at fair value through profit and loss” or available-for-sale where the fair value can be reliably measured (in which case, changes in value are initially taken to equity). Fair values will be published prices where an active market exists or by appraisal.

Cash and receivables are expected to continue to be measured at cost information.

Financial assets, except those classified as “held at fair value through profit and loss”, will be subject to impairment testing.

NOTE 2: ECONOMIC DEPENDENCY

The Court is dependent on appropriations from the Commonwealth Parliament for its ability to carry out its normal activities.

NOTE 3: OPERATING REVENUES

3A: Revenues from Government

The Court received the following appropriation during the year out of the Consolidated Revenue Fund:

	2004	2003
	\$	\$
Appropriation for outputs	12,244,000	25,913,000
Total revenues from government	12,244,000	25,913,000

3B: Sales of Goods and Services

The item “Sales of goods and services” in the Statement of Financial Performance consists of the following:

	2004	2003
	\$	\$
Food service operator’s licence fee	6,791	7,182
Subscriptions to Court transcripts and judgments	29,100	29,700
Room hire	43,416	34,913
Other revenue	3,302	4,168
Total	82,609	75,963
Provision of goods to:		
External entities	32,403	33,868
Total sales of goods	32,403	33,868
Rendering of services to:		
External entities	50,206	42,095
Total rendering of services	50,206	42,095
Cost of sales of goods	11,639	11,237

3C: Interest Revenue

The item “Interest” in the Statement of Financial Performance consists of the following:

	2004	2003
	\$	\$
Deposits	253,447	269,485
Total interest revenue	253,447	269,485

3D: Other

The item “Other” in the Statement of Financial Performance consists of the following:

	2004	2003
	\$	\$
Sale of commemorative items	75,206	-
Sale of minor items at tender	761	2,586
Prepayment not previously recognised	-	99,276
Total other revenues	75,967	101,862

NOTE 4: OPERATING EXPENSES

4A: Employee Expenses

This item in the Statement of Financial Performance consists of:

	2004	2003
	\$	\$
Wages and salaries	4,442,133	4,033,826
Superannuation	756,027	749,356
Leave and other entitlements	142,297	208,343
Total employee benefits expenses	5,340,457	4,991,525
Workers compensation premiums	53,341	26,660
Total employee expenses	5,393,798	5,018,185

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.

The Court is an approved authority for the purposes of the *Superannuation Act 1976* of the Australian Government, which requires permanent officers and, on election, eligible employees to contribute to either the Commonwealth Superannuation Scheme or the Public Sector Superannuation Scheme. Benefits payable on retirement, disability or death under these schemes consist of either a pension or a lump sum or a combination of both. The Court is required to make an employer contribution to the Australian Government on a regular basis for each contributor. The employer contribution is calculated as a percentage of contributors' salaries, estimated by the Australian Government to be sufficient to meet the Court's share of benefits liability under the schemes. Throughout the 2003-04 financial year, contributions were fixed at a rate of 26.1 per cent for the Commonwealth Superannuation Scheme and 11.1 per cent for the Public Sector Superannuation Scheme. An additional three per cent is contributed for employer productivity benefits.

4B: Supplier Expenses

Included in "Expenses from ordinary activities" are the following supplier expenses:

	2004	2003
	\$	\$
Goods from external entities	710,783	412,532
Services from external entities	3,863,424	3,750,269
Operating lease rentals	394,773	390,962
Total supplier expenses	4,968,980	4,553,763

4C: Depreciation and Amortisation

	2004	2003
	\$	\$
Depreciation of property, plant and equipment	1,865,175	1,652,884
Amortisation of leased assets	-	26,158
Total depreciation and amortisation	1,865,175	1,679,042

The aggregate amounts of depreciation or amortisation allocated during the reporting period, either expensed or as part of the carrying amount of other assets, for each class of depreciable asset, are as follows:

	2004	2003
	\$	\$
Building and building improvements	1,606,397	1,444,335
Plant and equipment	142,422	116,785
Library holdings	53,160	47,520
Intangibles	63,196	70,402
Total depreciation and amortisation	1,865,175	1,679,042

4D: Revenue from Sale of Assets

	2004	2003
	\$	\$
Infrastructure, plant and equipment:		
Proceeds from disposal	469	5,914
Disposal of assets under finance leases	92,564	-
	93,033	5,914
Net book value of assets disposed	(81,403)	(9,702)
Net gain/(loss) from disposal of infrastructure, plant and equipment	11,630	(3,788)

4E: Write-Down of Assets

	2004	2003
	\$	\$
Bad and doubtful debts	-	2,035
Intangibles – software write-off	-	5,056
Plant and equipment – write-off	(230,800)	-
Plant and equipment depreciation write-back	230,800	-
Total write-down of assets	-	7,091

NOTE 5: BORROWING COSTS EXPENSE

	2004	2003
	\$	\$
Leases	5,432	19,327
Total borrowing costs expense	5,432	19,327

NOTE 6: RESOURCES PROVIDED FREE OF CHARGE

The High Court building in Canberra, completed in 1980 at a cost of \$46.5 million, was transferred free of charge to the control of the Court. The current value of the building, the land on which it is situated, and building improvements made since April 1980 are shown in the Statement of Financial Position.

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.

NOTE 7: RECEIVABLES

The item "Receivables" in the Statement of Financial Position represents:

	2004	2003
	\$	\$
Goods and services	9,112	7,832
Appropriation receivable	-	96,000
Interest receivable	15,085	55,014
GST receivable	173,200	94,241
Total receivables	197,397	253,087

No provision is required for doubtful debts. All receivables are current assets.

	2004	2003
Receivables are aged as follows:	\$	\$
Not overdue	191,294	249,077
Overdue by:		
- less than 30 days	3,986	2,213
- 30 to 60 days	1,691	671
- 60 to 90 days	196	1,126
- more than 90 days	230	-
Total receivables	197,397	253,087

NOTE 8: NON-FINANCIAL ASSETS

The figures shown in the Statement of Financial Position represent the written-down value of property, plant and equipment as at 30 June 2004 as follows:

	2004	2003
8A: Land and Buildings	\$	\$
Freehold land		
Land at June 2004 valuation	7,500,000	-
Land at June 2001 valuation	-	5,500,000
Total freehold land	7,500,000	5,500,000
Buildings on freehold land		
Buildings at June 2004 valuation	207,900,000	-
Accumulated depreciation	(55,708,572)	-
Buildings at June 2001 valuation	-	180,000,000
Accumulated depreciation	-	(42,800,000)
Total buildings on freehold land	152,191,428	137,200,000
Total land and buildings	159,691,428	142,700,000
	2004	2003
8B: Plant and Equipment	\$	\$
Plant and equipment at 2004 valuation	2,217,452	-
Accumulated depreciation – 2004 valuation	(289,388)	-
Plant and equipment – write-off	(230,800)	-
Accumulated depreciation – write-off	230,800	-
Plant and equipment at 2001 valuation	105,000	2,785,468
Accumulated depreciation – 2001 valuation	(49,035)	(1,229,363)
Plant and equipment at cost	1,725,713	1,243,485
Accumulated depreciation	(186,605)	(216,557)
Lifts and courtroom technology – in progress	1,550,157	451,550
Total plant and equipment	5,073,294	3,034,583
	2004	2003
8C: Intangibles	\$	\$
Intangibles at cost	615,958	540,808
Accumulated depreciation	(430,517)	(367,321)
Webification of Court Reporting Service – in progress	11,160	7,920
Total intangibles	196,601	181,407

8D: Library Holdings	2004	2003
	\$	\$
Library at June 2001 valuation	7,896,145	7,896,145
Accumulated depreciation	(1,558,945)	(1,511,699)
Library at cost	3,318,884	2,136,110
Accumulated depreciation	(16,594)	(10,680)
Total library holdings	9,639,490	8,509,876

All revaluations are independent and are conducted in accordance with the revaluation policy stated at Note 1. In 2003-04 the revaluations were conducted by an independent valuer, the Australian Valuation Office.

	2004	2003
	\$	\$
Movement in asset revaluation reserve		
Increment for land	2,000,000	-
Increment for building	16,467,307	-
Increment for property, plant and equipment	7,908	-
Total	18,475,215	-

8E: Reconciliation of the Opening and Closing Balances of Property, Plant and Equipment and Intangibles

	Land	Buildings	Total land and buildings	Total plant and equipment	Library holdings	Total plant, equipment and library holdings	Intangibles	Total
	\$	\$	\$	\$	\$	\$	\$	\$
As at 1 July 2003								
Gross book value	5,500,000	180,000,000	185,500,000	4,480,503	10,032,255	14,512,758	548,728	200,561,486
Accumulated depreciation/amortisation	-	(42,800,000)	(42,800,000)	(1,445,920)	(1,522,379)	(2,968,299)	(367,321)	(46,135,620)
Net book value	5,500,000	137,200,000	142,700,000	3,034,583	8,509,876	11,544,459	181,407	154,425,866
Net revaluation increment	2,000,000	16,467,307	18,467,307	7,908	-	7,908	-	18,475,215
Additions by purchase	-	-	-	1,286,539	1,182,774	2,469,313	75,150	2,544,463
Depreciation/amortisation expense	-	(1,475,879)	(1,475,879)	(272,940)	(53,160)	(326,100)	(63,196)	(1,865,175)
Disposals	-	-	-	(116,953)	-	(116,953)	-	(116,953)
Depreciation/amortisation	-	-	-	35,550	-	35,550	-	35,550
Write-downs	-	-	-	(230,800)	-	(230,800)	-	(230,800)
Depreciation on write-downs	-	-	-	230,800	-	230,800	-	230,800
Assets under construction	-	-	-	1,098,607	-	1,098,607	3,240	1,101,847
As at 30 June 2004								
Gross book value	7,500,000	196,467,307	203,967,307	6,525,804	11,215,029	17,740,833	627,118	222,335,258
Accumulated depreciation/amortisation	-	(44,275,879)	(44,275,879)	(1,452,510)	(1,575,539)	(3,028,049)	(430,517)	(47,734,445)
Net book value	7,500,000	152,191,428	159,691,428	5,073,294	9,639,490	14,712,784	196,601	174,600,813

8F: Summary of Balances of Assets at Valuation as at 30 June 2004

	Land \$	Buildings \$	Total land and buildings \$	Total plant and equipment \$	Library holdings \$	Total plant, equipment and library holdings \$	Intangibles \$	Total \$
As at 30 June 2004								
Gross value	7,500,000	207,900,000	215,400,000	2,322,452	7,896,145	10,218,597	-	225,618,597
Accumulated depreciation/ amortisation	-	(55,708,572)	(55,708,572)	(338,424)	(1,511,699)	(1,850,123)	-	(57,558,695)
Net book value	7,500,000	152,191,428	159,691,428	1,984,028	6,384,446	8,368,474	-	168,059,902
As at 30 June 2003								
Gross book value	5,500,000	180,000,000	185,500,000	2,785,468	7,896,145	10,681,613	-	196,181,613
Accumulated depreciation/ amortisation	-	(42,800,000)	(42,800,000)	(1,229,363)	(1,511,699)	(2,741,062)	-	(45,541,062)
Net book value	5,500,000	137,200,000	142,700,000	1,556,105	6,384,446	7,940,551	-	150,640,551

8G: Summary of Balances of Assets Held Under Finance Leases as at 30 June 2004

	Land	Buildings	Total land and buildings	Total plant and equipment	Library holdings	Total plant, equipment and library holdings	Intangibles	Total
	\$	\$	\$	\$	\$	\$	\$	\$
As at 30 June 2004								
Gross value	-	-	-	-	-	-	-	-
Accumulated depreciation/ amortisation	-	-	-	-	-	-	-	-
Net book value	-	-	-	-	-	-	-	-
As at 30 June 2003								
Gross book value	-	-	-	275,372	-	275,372	-	275,372
Accumulated depreciation/ amortisation	-	-	-	(67,377)	-	(67,377)	-	(67,377)
Net book value	-	-	-	207,995	-	207,995	-	207,995

8H: Summary of Assets Under Construction as at 30 June 2004

	Land	Buildings	Total land and buildings	Total plant and equipment	Library holdings	Total plant, equipment and library holdings	Intangibles	Total
	\$	\$	\$	\$	\$	\$	\$	\$
As at 30 June 2004								
Gross value	-	-	-	1,550,157	-	1,550,157	11,160	1,561,317
Accumulated depreciation/ amortisation	-	-	-	-	-	-	-	-
Net book value	-	-	-	1,550,157	-	1,550,157	11,160	1,561,317
As at 30 June 2003								
Gross book value	-	-	-	451,550	-	451,550	7,920	459,470
Accumulated depreciation/ amortisation	-	-	-	-	-	-	-	-
Net book value	-	-	-	451,550	-	451,550	7,920	459,470

NOTE 9: OTHER NON-FINANCIAL ASSETS

The amounts shown as “Other” in the Statement of Financial Position represent the following:

	2004	2003
	\$	\$
Prepaid property rentals	490,984	303,872
Other prepayments	81,804	241,710
Total other non-financial assets	572,788	545,582

NOTE 10: LEASES

	2004	2003
	\$	\$
Finance lease commitments payable:		
Within one year	-	84,372
In one to five years	-	35,532
In more than five years	-	-
Minimum lease payments	-	119,904
Deduct: future finance charges	-	(9,298)
Total lease liability	-	110,606
 Lease liability is represented by:		
Current	-	75,718
Non-current	-	34,888
Total lease liability	-	110,606

Finance leases existed in 2002-03 in relation to certain office equipment assets. The leases were non-cancellable and for fixed terms averaging four years with five per cent residual. The High Court guaranteed the residual of all assets leased. There were no contingent rentals. All finance leases ceased in 2003-04.

NOTE 11: EMPLOYEE PROVISIONS

The item “Employees” shown in the Statement of Financial Position is comprised of:

	2004	2003
	\$	\$
Salaries and wages	167,384	127,145
Superannuation	19,380	13,514
Leave	1,411,700	1,245,038
Aggregate employee entitlement liability	1,598,464	1,385,697
Employee provisions are categorised as follows:		
Current	773,472	671,156
Non-current	824,992	714,541
Aggregate employee entitlement liability	1,598,464	1,385,697

NOTE 12: SUPPLIERS PAYABLES

The item “Suppliers” shown in the Statement of Financial Position is comprised of:

	2004	2003
	\$	\$
Trade creditors	993,358	290,246
Total suppliers’ payables	993,358	290,246

All suppliers’ payables are current.

NOTE 13: EQUITY

	Accumulated results		Asset revaluation reserve		Contributed equity		Total equity	
	2004 \$000	2003 \$000	2004 \$000	2003 \$000	2004 \$000	2003 \$000	2004 \$000	2003 \$000
Opening balance 1 July 2003	1,057	631	102,115	102,115	53,427	53,427	156,599	156,173
Operating result	434	15,079	-	-	-	-	434	15,079
Net revaluation increment			18,475	-			18,475	-
Transactions with owner:								
Distributions to owner:								
Returns on capital	-	(14,653)	-	-	-	-	-	(14,653)
Capital use charge								
Contributions by owner:								
Equity injection					50	-	50	-
Closing balance 30 June 2004	1,491	1,057	120,590	102,115	53,477	53,427	175,558	156,599
Less: outside equity interests	-	-	-	-	-	-	-	-
Total equity attributable to the Australian Government	1,491	1,057	120,590	102,115	53,477	53,427	175,558	156,599

NOTE 14: CASH-FLOW RECONCILIATION

14A: Reconciliation of Operating Surplus to Net Cash Provided by Operating Activities:

	2004	2003
	\$	\$
Operating surplus before extraordinary items	434,268	15,079,114
Non-cash items:		
Depreciation of property, plant and equipment	1,801,979	1,608,640
Amortisation of intangible assets	63,196	70,402
Loss on sale of property, plant and equipment	81,298	7,315
Write-down of property, plant and equipment	-	5,056
Changes in assets and liabilities:		
Increase/(decrease) in employees' provisions	212,766	235,006
Increase/(decrease) in suppliers' payables	702,179	(441,076)
(Increase)/decrease in prepayments	(27,206)	(51,251)
(Increase)/decrease in inventories	750	(692)
(Increase)/decrease in receivables	55,976	(90,777)
Net cash from/(used by) operating activities	3,325,206	16,421,737

14B: Reconciliation of Cash

	2004	2003
	\$	\$
Cash balance comprises:		
Cash on hand	2,793,679	3,175,284
Total cash	2,793,679	3,175,284
Balance of cash as at 30 June shown in the Statement of Cash Flows	2,793,679	3,175,284

NOTE 15: REMUNERATION OF AUDITORS

	2004	2003
	\$	\$
Remuneration to the Auditor-General for auditing the financial statements for the reporting period.		
The fair value of services provided was:	29,500	28,500

No other services were provided by the Auditor-General during the reporting period.

NOTE 16: AVERAGE STAFFING LEVELS

	2004	2003
Court average staffing levels during the year were:	88	85

NOTE 17: 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.

	2004	2003
	\$	\$
Balance as at 1 July	48,995	4,895
Amount received	5,000	45,600
Amount deducted/paid out	(5,030)	(1,500)
Balance as at 30 June	48,965	48,995

NOTE 18: REMUNERATION OF OFFICERS

The number of officers who received or were due to receive total remuneration of \$100,000 or more:

Income band	2004	2003
\$130,000 - \$139,999	1	-
\$140,000 - \$149,999	-	1
\$150,000 - \$159,999	-	1
\$160,000 - \$169,999	-	1
\$170,000 - \$179,999	1	-
\$200,000 - \$209,999	1	-
\$290,000 - \$299,999	-	1
\$340,000 - \$349,999	1	-
	4	4
The aggregate amount of total remuneration of officers shown above:	\$856,630	\$767,068

NOTE 19: 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 Michael McHugh, AC
 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

Chief Executive & Principal Registrar:

Christopher Doogan

Under section 10 of the *High Court of Australia Act 1979* a Justice is not capable of accepting or holding any other office of profit within Australia. No related party transactions have occurred during the 2003-04 financial year.

NOTE 20: AFTER BALANCE DATE EVENTS

No events have occurred after balance date which affect the financial statements.

NOTE 21: FINANCIAL INSTRUMENTS

(a) Terms, Conditions and Accounting Policies

Financial instruments	Notes	Accounting policies and methods (including recognition criteria and measurement basis)	Nature of underlying instrument (including significant terms and conditions affecting the amount, timing and certainty of cash flows)
(i) Financial assets		Financial assets are recognised when control over future economic benefits is established and the amount of the benefit can be reliably measured.	
Cash at bank	14B	Cash is recognised at the nominal amount. Interest is credited to revenue as it accrues.	Interest is calculated on a daily balance at the prevailing daily rate for money on call and is paid at month end.

Financial instruments	Notes	Accounting policies and methods (including recognition criteria and measurement basis)	Nature of underlying instrument (including significant terms and conditions affecting the amount, timing and certainty of cash flows)
Receivables	7	Receivables are recognised at the nominal amounts due less any provision for bad and doubtful debts. Provisions are made when collection of the debt is judged to be less rather than more likely.	Credit terms are net 30 days (2003: 30 days).
Appropriation receivable	7	These receivables are recognised at the nominal amounts due.	Balance of departmental appropriations made by the Parliament to the High Court which has not been drawn by the Court at the reporting date.
GST receivable	7	Receivables are recognised at the nominal amounts due.	Credit terms are 14 days following the lodgment of the Business Activity Statement.
(ii) Financial liabilities		Financial liabilities are recognised when a present obligation to another party is entered into and the amount of the liability can be reliably measured.	
Finance lease liabilities	10	Liabilities are recognised at the present value of the minimum lease payments at the beginning of the lease. The discount rates used are estimates of the interest rates implicit in the leases.	At reporting date, the High Court converted all finance leases into operating leases. The interest rate implicit in the leases averaged 11 per cent in 2003. The lease assets secured the lease liabilities.
Trade creditors and accruals	12	Creditors and accruals are recognised at their nominal amounts, being the amounts at which the liabilities will be settled. Liabilities are recognised to the extent that the goods or services have been received (and irrespective of having been invoiced).	Settlement is usually made net 30 days.

(b) Interest Rate Risk

Financial instrument	Notes	Floating interest rate		Fixed interest rate maturing in						Non-interest bearing		Total		Weighted Average Effective Interest Rate		
		03-04 \$000	02-03 \$000	One year or less		One to five years		More than five years		03-04 \$000	02-03 \$000	03-04 \$000	02-03 \$000	03-04 %	02-03 %	
				03-04 \$000	02-03 \$000	03-04 \$000	02-03 \$000	03-04 \$000	02-03 \$000							
Financial assets																
Cash at bank	14B	2,786	3,168	-	-	-	-	-	-	-	-	2,786	3,168	4.65	4.15	
Cash on hand	14B	-	-	-	-	-	-	-	-	7	7	7	7	n/a	n/a	
Receivables	7	-	-	-	-	-	-	-	-	9	8	9	8	n/a	n/a	
Appropriation receivable	7	-	-	-	-	-	-	-	-	-	96	-	96	n/a	n/a	
Interest receivable	7	15	55	-	-	-	-	-	-	-	-	15	55	4.65	4.15	
GST receivable	7	-	-	-	-	-	-	-	-	173	94	173	94	n/a	n/a	
Total financial assets		2,801	3,223	-	-	-	-	-	-	189	205	2,990	3,428			
Financial liabilities																
Finance leases	10	-	-	-	76	-	34	-	-	-	-	-	110	n/a	11.00	
Trade creditors and accruals	12	-	-	-	-	-	-	-	-	993	290	993	290	n/a	n/a	
Total financial liabilities		-	-	-	76	-	34	-	-	993	290	993	400			

(c) Net Fair Values of Financial Assets and Liabilities

	Notes	Total carrying amount		Aggregate net fair value	
		2003-04 \$	2002-03 \$	2003-04 \$	2002-03 \$
Financial assets					
Cash at bank	14B	2,786,329	3,168,134	2,786,329	3,168,134
Cash on hand	14B	7,350	7,150	7,350	7,150
Receivables	7	9,112	103,832	9,112	103,832
Interest receivable	7	15,085	55,014	15,085	55,014
GST receivable	7	173,200	94,241	173,200	94,241
Total financial assets		2,991,076	3,428,371	2,991,076	3,428,371
Financial liabilities					
Finance leases	10	-	110,606	-	110,606
Trade creditors and accruals	12	993,358	290,246	993,358	290,246
Total financial liabilities		993,358	400,852	993,358	400,852

(d) Credit Risk Exposures

The Court’s maximum exposure to credit risk at reporting date in relation to each class of recognised financial asset is the carrying amount of those assets as indicated in the Statement of Financial Position.

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

NOTE 22: ADMINISTERED ITEMS

	2004 \$	2003 \$
22A: Revenues Administered on Behalf of Government		
<i>for the year ended 30 June 2004</i>		
Filing and hearing fees	852,555	777,952
Sales of judgments and transcripts	14,572	25,368
Practitioners’ certificates	41,040	43,573
Taxing of costs	40,323	49,892
Other	16,362	13,875
Total revenues administered on behalf of Government	964,852	910,660

	2004	2003
	\$	\$
22B: Expenses Administered on Behalf of Government		
<i>for the year ended 30 June 2004</i>		
Expenses	-	-
Total expenses administered on behalf of Government	<u>-</u>	<u>-</u>

22C: Assets Administered on Behalf of Government		
<i>for the year ended 30 June 2004</i>		
Assets	-	-
Total assets administered on behalf of Government	<u>-</u>	<u>-</u>

22D: Liabilities Administered on Behalf of Government		
<i>for the year ended 30 June 2004</i>		
Liabilities	-	-
Total liabilities administered on behalf of Government	<u>-</u>	<u>-</u>

22E: Administered Cash Flows		
<i>for the year ended 30 June 2004</i>		
Operating activities		
<i>Cash received</i>		
Other taxes, fines and fees	964,852	910,660
Total cash received	<u>964,852</u>	<u>910,660</u>
<i>Cash used</i>		
Cash to Official Public Account	964,852	910,660
Total cash used	<u>964,852</u>	<u>910,660</u>
Net cash (used in) operating activities	<u>-</u>	<u>-</u>
Investing activities	-	-
Financing activities	-	-
Net increase (decrease) in cash held	-	-
Cash at the beginning of the reporting period	-	-
Cash at the end of the reporting period	<u>-</u>	<u>-</u>

	2004 \$	2003 \$
22F: Administered Reconciliation Table		
<i>Opening administered assets less administered liabilities at 1 July 2003</i>	-	-
Plus: administered revenues	964,852	910,660
Less: transfers to Official Public Account	(964,852)	(910,660)
Closing administered assets less administered liabilities at 30 June 2004	-	-

22G: Administered Commitments

There were no administered commitments for 2003-04 or 2002-03.

22H: Administered Contingencies

There were no administered contingencies for 2003-04 or 2002-03.

NOTE 23: APPROPRIATIONS

Particulars <i>for the year ended 30 June 2004</i>	Departmental outputs		Equity		Total	
	2004 \$000	2003 \$000	2004 \$000	2003 \$000	2004 \$000	2003 \$000
Balance carried forward from previous year	-	-	96	-	96	-
Appropriation Acts 1 and 3	12,224	25,817	-	96	12,224	25,913
Appropriation Acts 2 and 4			50		50	
Available for payment out of CRF	12,224	25,817	146	96	12,390	25,913
Payment made out of CRF	12,224	25,817	146	-	12,390	25,817
Balance carried forward to next year	-	-	-	96	-	96
Represented by:						
Appropriations receivable	-	-	-	96	-	96

This table reports on appropriations made by Parliament out of the Consolidated Revenue Fund (CRF) in respect of the Court. When received by the Court, the payments made are legally the money of the Court and do not represent any balance remaining in the CRF.

NOTE 24: REPORTING OF OUTCOMES

24A: Outcomes of the Court

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

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

24B: Net Cost of Outcome Delivery

	Outcome 1		Total	
	2004 \$	2003 \$	2004 \$	2003 \$
Departmental expenses	12,314,788	11,287,110	12,314,788	11,287,110
Total expenses	12,314,788	11,287,110	12,314,788	11,287,110
Costs recovered from provision of goods and services to the non-government sector				
Departmental	-	-	-	-
Total costs recovered	-	-	-	-
Other external revenues				
Departmental:				
Sales of goods and services	82,609	75,963	82,609	75,963
Interest	253,447	269,485	253,447	269,485
Revenue from sale of assets	93,033	5,914	93,033	5,914
Other	75,967	101,862	75,967	101,862
Total departmental	505,056	453,224	505,056	453,224
Total other external revenues	505,056	453,224	505,056	453,224
Net costs/(contribution) of outcomes	11,809,732	10,833,886	11,809,732	10,833,886

The net costs shown include intra-government costs that would be eliminated in calculating the actual Budget outcome. The capital use charge is not included in any of the net costs/(contribution) of outcomes as it is not an operating expense. Amounts for “Sales of goods and services” and “Gain/(loss) on sale of assets” have been included in the 2002-03 comparatives.

24C: Departmental Revenues and Expenses by Outputs

	<u>Outcome 1</u> <u>Output 1</u>		<u>Total</u>	
	2004 \$	2003 \$	2004 \$	2003 \$
Operating expenses				
Employees	5,393,798	5,018,185	5,393,798	5,018,185
Suppliers	4,968,980	4,553,763	4,968,980	4,553,763
Depreciation and amortisation	1,865,175	1,679,042	1,865,175	1,679,042
Value of assets sold	81,403	9,702	81,403	9,702
Write-down of assets	-	7,091	-	7,091
Borrowing costs expense	5,432	19,327	5,432	19,327
Total operating expenses	12,314,788	11,287,110	12,314,788	11,287,110
Funded by:				
Revenues from Government	12,244,000	25,913,000	12,244,000	25,913,000
Sales of goods and services	82,609	75,963	82,609	75,963
Revenue from sale of assets	93,033	5,914	93,033	5,914
Interest	253,447	269,485	253,447	269,485
Other	75,967	101,862	75,967	101,862
Total operating revenues	12,749,056	26,366,224	12,749,056	26,366,224

The Court's outcome and output is described at Note 24A. The net costs shown include intra-government costs that would be eliminated in calculating the actual Budget outcome. The capital use charge is not included in any of the net costs/(contribution) of outcomes as it is not an operating expense.

	<u>Outcome 1</u> <u>Output 1</u>		<u>Total</u>	
	2004 \$	2003 \$	2004 \$	2003 \$
Operating revenues				
Fees and charges	964,852	910,660	964,852	910,660
Total operating revenues	964,852	910,660	964,852	910,660

No administered expenses were incurred. The Court's outcome and output is described at Note 24A. The net costs shown include intra-government costs that would be eliminated in calculating the actual Budget outcome.



PART VII – ANNEXURE A

FREEDOM OF INFORMATION ACT 1982 - SUPPLEMENTARY MATERIAL

Parts IV and V of this Report provide information about the establishment, functions, objectives and organisation of the High Court and its administration. Other information required by section 8 of the *Freedom of Information Act 1982* 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 Order 58 rule 8(2) 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 Order 58 rule 8(2) 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*, and results of applications for special leave to appeal; and
- monthly list of library acquisitions.

In addition, paper copies of the Library Holdings List are available for purchase from the High Court Library for a fee.

Other documents

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

- 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 under that Act to a document of the Court 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 *Freedom of Information 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 are the Chief Executive & Principal Registrar and the Marshal of the High Court of Australia. If an applicant resides 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:

Marshal

High Court of Australia

Parkes Place

Parkes ACT 2600

Telephone: (02) 6270 6983

Fax: (02) 6270 6868

Email: lhoward@hcourt.gov.au

OR

PO Box 6309

Kingston ACT 2604

Business hours are from 8:30am to 5pm.

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

Marshal's Branch matters -

Marshal
Telephone: (02) 6270 6983
Fax: (02) 6270 6868
Email: lhoward@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 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, Supreme Court, 301 King William 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, Salamanca Place, Hobart TAS 7000.
- Office of the Registry, Supreme Court, Mitchell Street, Darwin NT 0800.



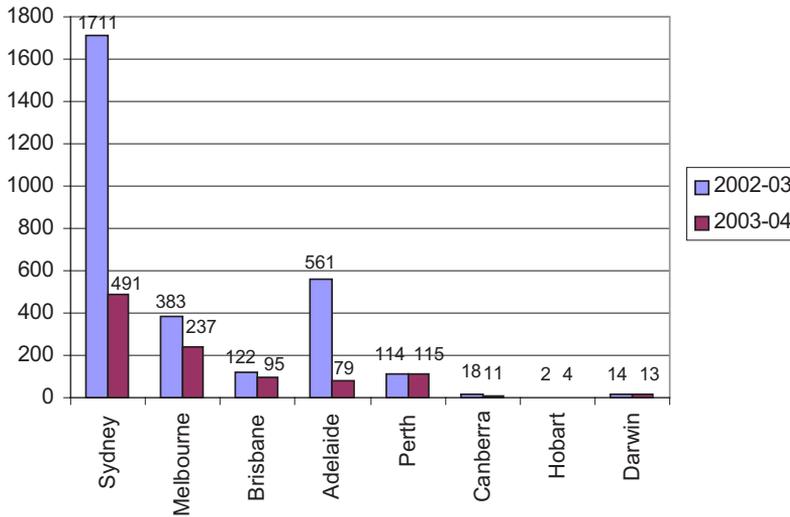
PART VII - ANNEXURE B

TABLES OF JUDICIAL WORKLOAD

1. Total matters filed in all jurisdictions
2. Categories of matters filed in all jurisdictions
3. Civil special leave applications filed
4. Criminal special leave applications filed
5. Civil appeals filed
6. Criminal appeals filed
7. Total Full Court matters heard in all jurisdictions
8. Categories of Full Court matters heard in all jurisdictions
9. Civil special leave applications heard
10. Criminal special leave applications heard
11. Civil appeals heard
12. Criminal appeals heard
13. Total Full Court decisions related to matters filed in all jurisdictions
14. Categories of Full Court decisions related to matters filed in all jurisdictions
15. Civil special leave applications decided
16. Results of civil special leave applications decided
- 16A. Results of civil special leave applications decided showing lower courts
17. Criminal special leave applications decided
18. Results of criminal special leave applications decided
- 18A. Results of criminal special leave applications decided showing lower courts
19. Civil appeals decided
20. Results of civil appeals decided
- 20A. Results of civil appeals decided showing lower courts
21. Criminal appeals decided
22. Results of criminal appeals decided
- 22A. Results of criminal appeals decided showing lower courts
23. Elapsed time for civil special leave applications finalised – All matters
- 23A. Elapsed time for civil special leave applications finalised – Legally Represented
- 23B. Elapsed time for civil special leave applications finalised – Self-represented Litigants
24. Elapsed time for civil appeals finalised – All matters
- 24A. Elapsed time for civil appeals finalised – Legally Represented
- 24B. Elapsed time for civil appeals finalised – Self-represented Litigants

- 25. Elapsed time for criminal special leave applications finalised – All matters
- 25A. Elapsed time for criminal special leave applications finalised – Legally Represented
- 25B. Elapsed time for criminal special leave applications finalised – Self-represented Litigants
- 26. Elapsed time for criminal appeals finalised – All matters
- 26A. Elapsed time for criminal appeals finalised – Legally Represented
- 26B. Elapsed time for criminal appeals finalised – Self-represented Litigants
- 27. Elapsed time for constitutional matters and electoral petitions finalised – All matters
- 27A. Elapsed time for constitutional matters and electoral petitions finalised – Legally Represented
- 27B. Elapsed time for constitutional matters and electoral petitions finalised – Self-represented Litigants
- 28. Elapsed time for Constitutional Writs finalised – All matters
- 28A. Elapsed time for Constitutional Writs finalised – Legally Represented
- 28B. Elapsed time for Constitutional Writs finalised – Self-represented Litigants
- 29. Matters heard before a single Justice
- 30. Categories of matters heard before a single Justice

1. TOTAL MATTERS FILED IN ALL JURISDICTIONS



2. CATEGORIES OF MATTERS FILED IN ALL JURISDICTIONS

Category	2002-03	2003-04
Special Leave Applications (Civil)	478	603
Special Leave Applications (Criminal)	127	126
Appeals (Civil)	54	56
Appeals (Criminal)	10	16
Writ of Summons	93	8
Applications for Removal of Cause ^[1]	12	4
Constitutional Writs ^[2]	2,131	221
Electoral Act ^[3]	0	0
Other ^[4]	17	11
TOTAL	2,922	1,045

[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. Of the 2,131 applications filed in 2002-03, 1,947 were remitted to another Court during the reporting period.

[3] Election petitions filed pursuant to section 353(1) of the *Commonwealth Electoral Act 1918* 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 Order 58 rule 4 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. CIVIL SPECIAL LEAVE APPLICATIONS FILED

Registry	Court Appealed From									
	Federal Court		Family Court		Supreme Court		High Court		TOTAL	
	02-03	03-04	02-03	03-04	02-03	03-04	02-03	03-04	02-03	03-04
Sydney	104	228	1	10	83 ^[1]	99	3	5	191	342
Melbourne	32	40	3	4	39	33	2	2	76	79
Brisbane	11	8	3	2	42	35	4	0	60	45
Adelaide	34	36	2	0	16	18	0	0	52	54
Perth	54	48	1	1	27	18	0	2	82	69
Canberra	3	0	1	0	3	4	0	1	7	5
Hobart	0	1	0	0	1	0	0	0	1	1
Darwin	5	1	0	0	4	7	0	0	9	8
TOTAL	243	362	11	17	215	214	9	10	478	603

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

4. CRIMINAL SPECIAL LEAVE APPLICATIONS FILED

Registry	Court Appealed From					
	Federal Court		Supreme Court		TOTAL	
	02-03	03-04	02-03	03-04	02-03	03-04
Sydney	-	-	46	30	46	30
Melbourne	-	-	18	19	18	19
Brisbane	-	-	32	30	32	30
Adelaide	-	-	14	14	14	14
Perth	-	-	12	27	12	27
Canberra	0	-	1	3	1	3
Hobart	-	-	0	1	0	1
Darwin	-	-	4	2	4	2
TOTAL	0	-	127	126	127	126

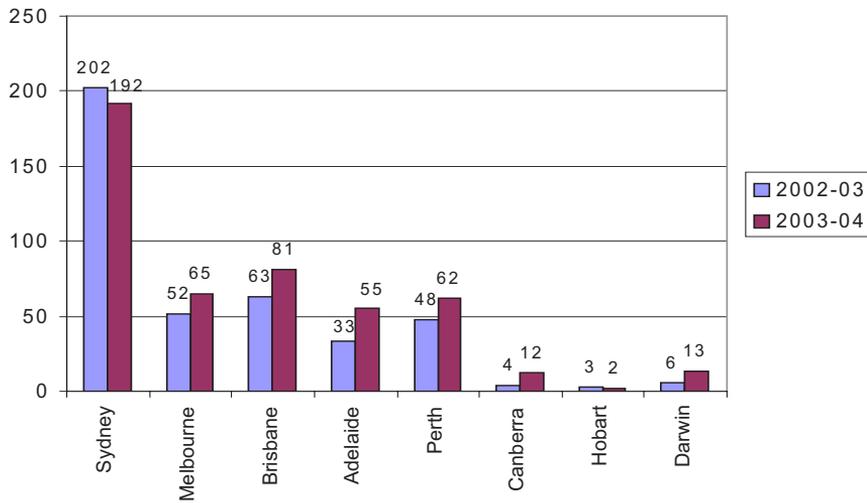
5. CIVIL APPEALS FILED

Registry	Court Appealed From									
	Federal Court		Family Court		Supreme Court		High Court		TOTAL	
	02-03	03-04	02-03	03-04	02-03	03-04	02-03	03-04	02-03	03-04
Sydney	14	6	0	0	22	16	0	0	36	22
Melbourne	1	5	0	0	0	3	0	1	1	9
Brisbane	1	0	0	0	5	13	0	0	6	13
Adelaide	4	2	0	1	0	0	1	0	5	3
Perth	1	3	0	0	3	5	0	0	4	8
Canberra	1	0	0	0	0	0	0	0	1	0
Hobart	0	0	0	0	0	0	0	0	0	0
Darwin	1	1	0	0	0	0	0	0	1	1
TOTAL	23	17	0	1	30	37	1	1	54	56

6. CRIMINAL APPEALS FILED

Registry	Court Appealed From					
	Federal Court		Supreme Court		TOTAL	
	02-03	03-04	02-03	03-04	02-03	03-04
Sydney	-	-	1	5	1	5
Melbourne	-	-	2	3	2	3
Brisbane	-	-	2	0	2	0
Adelaide	-	-	3	2	3	2
Perth	-	-	1	4	1	4
Canberra	0	-	0	0	0	0
Hobart	-	-	1	0	1	0
Darwin	-	-	0	2	0	2
TOTAL	0	-	10	16	10	16

7. TOTAL FULL COURT MATTERS HEARD IN ALL JURISDICTIONS



8. CATEGORIES OF FULL COURT MATTERS HEARD IN ALL JURISDICTIONS

Category	2002-03	2003-04
Special Leave Applications (Civil)	240	291
Special Leave Applications (Criminal)	85	95
Appeals (Civil)	59	59
Appeals (Criminal)	11	17
Constitutional and Other Full Court Matters ^[1]	4	7
Applications for Removal of Cause ^[2]	3	6
Constitutional Writs ^[3]	9	5
Electoral Act ^[4]	0	0
TOTAL	411	480

[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* with the Court sitting as the Court of Disputed Returns.

9. CIVIL SPECIAL LEAVE APPLICATIONS HEARD

Registry	Court Appealed From									
	Federal Court		Family Court		Supreme Court		High Court		TOTAL	
	02-03	03-04	02-03	03-04	02-03	03-04	02-03	03-04	02-03	03-04
Sydney	37	59	2	3	81	61	2	2	122	125
Melbourne	17	18	0	1	17	22	0	0	34	41
Brisbane	9	7	3	2	17	31	0	2	29	42
Adelaide	6	14	0	0	8	14	0	0	14	28
Perth	15	27	1	0	17	15	0	0	33	42
Canberra	1	3	0	1	0	3	1	0	2	7
Hobart	0	0	0	0	1	0	0	0	1	0
Darwin	4	1	0	0	1	5	0	0	5	6
TOTAL	89	129	6	7	142	151	3	4	240	291

10. CRIMINAL SPECIAL LEAVE APPLICATIONS HEARD

Registry	Court Appealed From					
	Federal Court		Supreme Court		TOTAL	
	02-03	03-04	02-03	03-04	02-03	03-04
Sydney	-	-	27	33	27	33
Melbourne	-	-	13	10	13	10
Brisbane	-	-	22	24	22	24
Adelaide	-	-	14	12	14	12
Perth	-	-	6	10	6	10
Canberra	0	-	0	2	0	2
Hobart	-	-	2	1	2	1
Darwin	-	-	1	3	1	3
TOTAL	0	-	85	95	85	95

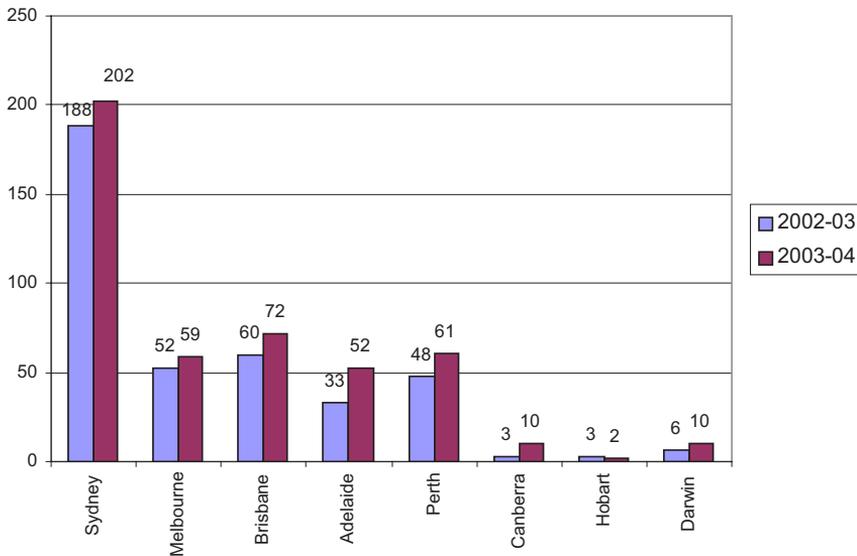
11. CIVIL APPEALS HEARD

Registry	Court Appealed From									
	Federal Court		Family Court		Supreme Court		High Court		TOTAL	
	02-03	03-04	02-03	03-04	02-03	03-04	02-03	03-04	02-03	03-04
Sydney	13	9	0	0	25	18	1	0	39	27
Melbourne	1	4	0	0	1	1	0	1	2	6
Brisbane	1	0	0	0	6	12	0	0	7	12
Adelaide	0	5	0	1	2	0	1	0	3	6
Perth	2	2	0	0	5	4	0	0	7	6
Canberra	1	0	0	0	0	0	0	0	1	0
Hobart	0	0	0	0	0	0	0	0	0	0
Darwin	0	2	0	0	0	0	0	0	0	2
TOTAL	18	22	0	1	39	35	2	1	59	59

12. CRIMINAL APPEALS HEARD

Registry	Court Appealed From					
	Federal Court		Supreme Court		TOTAL	
	02-03	03-04	02-03	03-04	02-03	03-04
Sydney	-	-	5	2	5	2
Melbourne	-	-	1	4	1	4
Brisbane	-	-	2	1	2	1
Adelaide	-	-	2	3	2	3
Perth	-	-	1	4	1	4
Canberra	0	-	0	0	0	0
Hobart	-	-	0	1	0	1
Darwin	-	-	0	2	0	2
TOTAL	0	-	11	17	11	17

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



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

Category	2002-03	2003-04
Special Leave Applications (Civil)	223	288
Special Leave Applications (Criminal)	81	95
Appeals (Civil)	59	58
Appeals (Criminal)	11	13
Constitutional and Other Full Court Matters ^[1]	6	3
Applications for Removal of Cause ^[2]	2	6
Constitutional Writs ^[3]	11	5
Electoral Act ^[4]	0	0
TOTAL	393	468

[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* with the Court sitting as the Court of Disputed Returns.

15. CIVIL SPECIAL LEAVE APPLICATIONS DECIDED

Registry	Court Appealed From									
	Federal Court		Family Court		Supreme Court		High Court		TOTAL	
	02-03	03-04	02-03	03-04	02-03	03-04	02-03	03-04	02-03	03-04
Sydney	34	60	2	3	79	61	2	3	117	127
Melbourne	14	20	0	1	15	18	0	0	29	39
Brisbane	8	7	3	2	16	31	0	0	27	40
Adelaide	5	15	0	0	8	14	0	0	13	29
Perth	13	25	1	0	15	16	0	0	29	41
Canberra	1	3	0	1	0	3	1	0	2	7
Hobart	0	0	0	0	1	0	0	0	1	0
Darwin	4	1	0	0	1	4	0	0	5	5
TOTAL	79	131	6	7	135	147	3	3	223	288 ^[1]

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

16. RESULTS OF CIVIL SPECIAL LEAVE APPLICATIONS DECIDED

Registry	2002-03			2003-04		
	Special Leave Granted	Special Leave Refused	Total	Special Leave Granted	Special Leave Refused	Total
	Sydney	36 ^[1]	81	117	25	102
Melbourne	3 ^[2]	26	29	5	34	39
Brisbane	6	21	27	10	30	40
Adelaide	2	11	13	3 ^[3]	26	29
Perth	5 ^[2]	24	29	10	31	41
Canberra	1	1	2	0	7	7
Hobart	0	1	1	0	0	0
Darwin	1	4	5	1	4	5
TOTAL	54	169	223	54	234	288 ^[4]

[1] Includes one application where the appeal was dismissed instanter.

[2] Includes one application where the appeal was allowed instanter.

[3] Includes one application where the appeal was allowed instanter, by consent.

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

16A. RESULTS OF 2003-04 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	Leave Granted	Leave Refused	Special Leave Granted	Special Leave Refused	
Sydney	9	51	0	3	3	16	45	0	3	0	3	25	102	
Melbourne	3	17	0	1	1	2	16	0	0	0	0	5	34	
Brisbane	0	7	0	2	2	10	21	0	0	0	0	10	30	
Adelaide	3 ^[1]	12	0	0	0	0	14	0	0	0	0	3	26	
Perth	3	22	0	0	0	7	9	0	0	0	0	10	31	
Canberra	0	3	0	1	1	0	3	0	0	0	0	0	7	
Hobart	0	0	0	0	0	0	0	0	0	0	0	0	0	
Darwin	1	0	0	0	0	0	4	0	0	0	0	1	4	
TOTAL	19	112	0	7	7	35	112	0	3	0	3	54	234^[2]	

[1] Includes one application where the appeal was allowed instanter, by consent.

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

17. CRIMINAL SPECIAL LEAVE APPLICATIONS DECIDED

Registry	Court Appealed From					
	Federal Court		Supreme Court		TOTAL	
	02-03	03-04	02-03	03-04	02-03	03-04
Sydney	-	-	27	32	27	32
Melbourne	-	-	11	11	11	11
Brisbane	-	-	20	23	20	23
Adelaide	-	-	15	12	15	12
Perth	-	-	5	11	5	11
Canberra	0	0	0	2	0	2
Hobart	-	-	2	1	2	1
Darwin	-	-	1	3	1	3
TOTAL	0	0	81	95	81	95

18. RESULTS OF CRIMINAL SPECIAL LEAVE APPLICATIONS DECIDED

Registry	2002-03			2003-04		
	Special Leave Granted	Special Leave Refused	Total	Special Leave Granted	Special Leave Refused	Total
Sydney	1	26	27	4	28	32
Melbourne	2	9	11	3	8	11
Brisbane	3 ^[1]	17	20	1	22	23
Adelaide	3	12	15	2	10	12
Perth	1	4	5	4	7	11
Canberra	0	0	0	0	2	2
Hobart	1	1	2	0	1	1
Darwin	0	1	1	2	1	3
TOTAL	11	70	81	16	79	95

[1] Includes one application where the appeal was dismissed instanter.

18A. RESULTS OF 2003-04 CRIMINAL SPECIAL LEAVE APPLICATIONS DECIDED (SHOWING LOWER COURTS)

Registry	Court Appealed From					
	Federal Court		Supreme Court		TOTAL	
	Special Leave Granted	Special Leave Refused	Special Leave Granted	Special Leave Refused	Special Leave Granted	Special Leave Refused
Sydney	-	-	4	28	4	28
Melbourne	-	-	3	8	3	8
Brisbane	-	-	1	22	1	22
Adelaide	-	-	2	10	2	10
Perth	-	-	4	7	4	7
Canberra	0	0	0	2	0	2
Hobart	-	-	0	1	0	1
Darwin	-	-	2	1	2	1
TOTAL	0	0	16	79	16	79

19. CIVIL APPEALS DECIDED

Registry	Court Appealed From									
	Federal Court		Family Court		Supreme Court		High Court		TOTAL	
	02-03	03-04	02-03	03-04	02-03	03-04	02-03	03-04	02-03	03-04
Sydney	10	14	1	0	15	23	1	0	27	37
Melbourne	3	2	0	0	2	1	1	1	6	4
Brisbane	5	1	0	0	5	5	0	0	10	6
Adelaide	0	3	0	1	3	0	1	0	4	4
Perth	6	1	0	0	5	5	0	0	11	6
Canberra	1	0	0	0	0	0	0	0	1	0
Hobart	0	0	0	0	0	0	0	0	0	0
Darwin	0	1	0	0	0	0	0	0	0	1
TOTAL	25	22	1	1	30	34	3	1	59	58

20. RESULTS OF CIVIL APPEALS DECIDED

Registry	2002-03			2003-04		
	Appeals Allowed	Appeals Dismissed	Total	Appeals Allowed	Appeals Dismissed	Total
Sydney	17	10	27	22	15	37
Melbourne	2	4 ^[1]	6	1	3^[3]	4
Brisbane	7	3	10	4	2	6
Adelaide	4	0	4	3	1	4
Perth	9 ^[2]	2	11	5	1	6
Canberra	1	0	1	0	0	0
Hobart	0	0	0	0	0	0
Darwin	0	0	0	0	1	1
TOTAL	40	19	59	35	23	58

[1] Includes one appeal which was struck out as incompetent.

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

[3] Includes two appeals in which the notice of appeal was struck out as incompetent.

20A. RESULTS OF 2003-04 CIVIL APPEALS DECIDED (SHOWING LOWER COURTS)

Registry	Court Appealed From													
	Federal Court			Family Court			Supreme Court			High Court			TOTAL	
	Appeals Allowed	Appeals Dismissed	Appeals Dismissed	Appeals Allowed	Appeals Dismissed	Appeals Dismissed	Appeals Allowed	Appeals Dismissed	Appeals Dismissed	Appeals Allowed	Appeals Dismissed	Appeals Allowed	Appeals Dismissed	
Sydney	8	6	0	0	0	14	9	0	0	0	0	22	15	
Melbourne	0	2 ^[1]	0	0	0	1	0	0	0	1 ^[2]	0	1	3	
Brisbane	1	0	0	0	2	3	2	0	0	0	0	4	2	
Adelaide	2	1	1	0	0	0	0	0	0	0	0	3	1	
Perth	0	0	0	0	1	5	1	0	0	0	0	5	1	
Canberra	0	0	0	0	0	0	0	0	0	0	0	0	0	
Hobart	0	0	0	0	0	0	0	0	0	0	0	0	0	
Darwin	0	1	0	0	0	0	0	0	0	0	0	0	1	
TOTAL	11	10	1	0	0	23	12	0	0	1	0	35	23	

[1] Includes one appeal in which the notice of appeal was struck out as incompetent.

[2] Appeal in which the notice of appeal was struck out as incompetent.

21. CRIMINAL APPEALS DECIDED

Registry	Court Appealed From					
	Federal Court		Supreme Court		TOTAL	
	02-03	03-04	02-03	03-04	02-03	03-04
Sydney	-	-	8	1	8	1
Melbourne	-	-	0	3	0	3
Brisbane	-	-	1	2	1	2
Adelaide	-	-	1	3	1	3
Perth	-	-	1	2	1	2
Canberra	0	0	0	0	0	0
Hobart	-	-	0	1	0	1
Darwin	-	-	0	1	0	1
TOTAL	0	0	11	13	11	13

22. RESULTS OF CRIMINAL APPEALS DECIDED

Registry	2002-03			2003-04		
	Appeals Allowed	Appeals Dismissed	Total	Appeals Allowed	Appeals Dismissed	Total
Sydney	2	6	8	0	1	1
Melbourne	0	0	0	0	3	3
Brisbane	0	1	1	1	1	2
Adelaide	1	0	1	1	2	3
Perth	0	1	1	1	1	2
Canberra	0	0	0	0	0	0
Hobart	0	0	0	0	1	1
Darwin	0	0	0	0	1	1
TOTAL	3	8	11	3	10	13

**22A. RESULTS OF 2003-04 CRIMINAL APPEALS DECIDED
(SHOWING LOWER COURTS)**

Registry	Court Appealed From					
	Federal Court		Supreme Court		TOTAL	
	Appeals Allowed	Appeals Dismissed	Appeals Allowed	Appeals Dismissed	Appeals Allowed	Appeals Dismissed
Sydney	-	-	0	1	0	1
Melbourne	-	-	0	3	0	3
Brisbane	-	-	1	1	1	1
Adelaide	-	-	1	2	1	2
Perth	-	-	1	1	1	1
Canberra	0	0	0	0	0	0
Hobart	-	-	0	1	0	1
Darwin	-	-	0	1	0	1
TOTAL	0	0	3	10	3	10

23. ELAPSED TIME FOR CIVIL SPECIAL LEAVE APPLICATIONS FINALISED – ALL MATTERS

Months	Filing to Ready for Hearing		Ready for Hearing to Hearing		Hearing to Decision		Total Elapsed Time					
	02-03	%	03-04	%	02-03	%	03-04	%				
to 3	9	4	21	7	101	45	220	98	1	1	9	3
3 to 6	103	46	91	32	90	40	1	1	18	8	19	7
6 to 9	72	32	128	44	19	9	0	0	65	29	39	13
9 to 12	24	11	32	11	6	3	2	1	84	38	106	37
over 12	15	7	16	6	7	3	0	0	55	24	115	40
TOTAL	223	100	288	100	223	100	223	100	288	100	288	100

23A. ELAPSED TIME FOR CIVIL SPECIAL LEAVE APPLICATIONS FINALISED – LEGALLY REPRESENTED

Months	Filing to Ready for Hearing		Ready for Hearing to Hearing		Hearing to Decision		Total Elapsed Time					
	02-03	%	03-04	%	02-03	%	03-04	%				
to 3	7	5	17	10	62	44	138	99	1	1	6	3
3 to 6	70	50	49	28	64	46	0	0	2	1	15	9
6 to 9	40	29	83	48	9	7	0	0	0	0	28	16
9 to 12	13	9	15	9	2	1	2	1	0	0	62	36
over 12	10	7	9	5	3	2	0	0	0	0	62	36
TOTAL	140	100	173	100	140	100	140	100	173	100	173	100

23B. 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	
	02-03	03-04	02-03	03-04	02-03	03-04	02-03	03-04
to 3	2	3	39	31	82	99	0	0
3 to 6	33	42	26	49	1	1	5	6
6 to 9	32	45	10	15	0	0	25	30
9 to 12	11	17	4	8	0	0	28	34
over 12	5	7	4	12	0	0	25	30
TOTAL	83	115	83	115	83	100	83	100

24. 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	
	02-03	03-04	02-03	03-04	02-03	03-04	02-03	03-04
to 3	21	24	44	47	11	18	0	0
3 to 6	33	30	11	8	10	17	4	7
6 to 9	4	2	1	3	28	48	5	8
9 to 12	1	0	1	0	6	10	16	27
over 12	0	2	2	0	4	7	34	58
TOTAL	59	58	59	58	59	100	59	100

25. ELAPSED TIME FOR CRIMINAL SPECIAL LEAVE APPLICATIONS FINALISED – ALL MATTERS

Months	Filing to Ready for Hearing		Ready for Hearing to Hearing		Hearing to Decision		Total Elapsed Time	
	02-03	03-04	02-03	03-04	02-03	03-04	02-03	03-04
to 3	3	2	44	42	79	94	0	1
3 to 6	31	19	22	37	1	1	6	3
6 to 9	27	34	7	10	1	0	25	16
9 to 12	14	17	5	5	0	0	25	32
over 12	6	7	3	1	0	0	25	43
TOTAL	81	100	81	95	81	100	81	95

25A. ELAPSED TIME FOR CRIMINAL SPECIAL LEAVE APPLICATIONS FINALISED – LEGALLY REPRESENTED

Months	Filing to Ready for Hearing		Ready for Hearing to Hearing		Hearing to Decision		Total Elapsed Time	
	02-03	03-04	02-03	03-04	02-03	03-04	02-03	03-04
to 3	3	2	37	33	64	75	0	1
3 to 6	25	17	20	28	1	1	6	3
6 to 9	24	36	3	9	1	0	22	13
9 to 12	9	14	5	5	0	0	18	27
over 12	5	8	1	1	0	0	20	32
TOTAL	66	100	66	76	66	76	66	76

25B. 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	
	02-03	%	02-03	%	02-03	%	02-03	%
to 3	0	0	7	47	15	100	0	0
3 to 6	6	40	2	11	0	0	0	0
6 to 9	3	20	4	21	0	0	3	20
9 to 12	5	33	0	0	0	0	7	47
over 12	1	7	2	13	0	0	5	33
TOTAL	15	100	15	100	15	100	15	100

26. ELAPSED TIME FOR CRIMINAL APPEALS FINALISED – ALL MATTERS

Months	Filing to Ready for Hearing		Ready for Hearing to Hearing		Hearing to Decision		Total Elapsed Time	
	02-03	%	02-03	%	02-03	%	02-03	%
to 3	3	27	9	82	3	27	0	0
3 to 6	8	73	2	18	3	27	1	10
6 to 9	0	0	0	0	5	46	2	18
9 to 12	0	0	0	0	0	0	4	36
over 12	0	0	0	0	0	0	4	36
TOTAL	11	100	11	100	11	100	11	100

26A. ELAPSED TIME FOR CRIMINAL APPEALS FINALISED – LEGALLY REPRESENTED

Months	Filing to Ready for Hearing		Ready for Hearing to Hearing		Hearing to Decision		Total Elapsed Time					
	02-03	%	02-03	%	02-03	%	02-03	%				
to 3	2	20	6	46	8	80	10	77	3	23	0	0
3 to 6	8	80	6	46	2	20	2	15	3	30	7	54
6 to 9	0	0	1	8	0	0	5	8	3	23	0	0
9 to 12	0	0	0	0	0	0	0	0	0	0	4	40
over 12	0	0	0	0	0	0	0	0	0	0	4	40
TOTAL	10	100	13	100	10	100	10	100	13	100	10	100

26B. ELAPSED TIME FOR CRIMINAL APPEALS FINALISED – SELF-REPRESENTED LITIGANTS

Months	Filing to Ready for Hearing		Ready for Hearing to Hearing		Hearing to Decision		Total Elapsed Time					
	02-03	%	02-03	%	02-03	%	02-03	%				
to 3	1	100	0	0	1	100	1	100	0	0	1	100
3 to 6	0	0	0	0	0	0	0	0	0	0	0	0
6 to 9	0	0	0	0	0	0	0	0	0	0	0	0
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	1	100	0	0	1	100	1	0	0	0	1	100

27. ELAPSED TIME FOR CONSTITUTIONAL MATTERS^[1] AND ELECTORAL PETITIONS FINALISED – ALL MATTERS

Months	Filing to Ready for Hearing		Ready for Hearing to Hearing		Hearing to Decision		Total Elapsed Time					
	02-03	%	03-04	%	02-03	%	03-04	%				
to 3	0	0	2	67	1	25	3	100	0	0	0	0
3 to 6	3	75	1	33	3	75	0	0	4	100	2	67
6 to 9	0	0	0	0	0	0	0	0	0	0	0	0
9 to 12	0	0	0	0	0	0	0	0	0	0	0	0
over 12	1	25	0	0	0	0	0	0	0	0	0	0
TOTAL	4	100	3	100	4	100	3	100	4	100	3	100

[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).

27A. ELAPSED TIME FOR CONSTITUTIONAL MATTERS^[1] AND ELECTORAL PETITIONS FINALISED – LEGALLY REPRESENTED

As for Table 27.

27B. ELAPSED TIME FOR CONSTITUTIONAL MATTERS^[1] AND ELECTORAL PETITIONS FINALISED – SELF-REPRESENTED LITIGANTS

No self-represented litigants in this category.

28. ELAPSED TIME FOR CONSTITUTIONAL WRITS FINALISED^[1] – ALL MATTERS

Months	Filing to Ready for Hearing		Ready for Hearing to Hearing		Hearing to Decision		Total Elapsed Time			
	02-03	%	02-03	%	02-03	%	02-03	%		
	03-04		03-04		03-04		03-04			
to 3	1	10	0	0	5	46	3	60	0	0
3 to 6	3	27	2	40	2	18	1	20	0	0
6 to 9	2	18	2	40	0	0	1	20	3	27
9 to 12	3	27	1	20	0	0	0	0	3	27
over 12	2	18	0	0	0	0	0	0	5	46
TOTAL	11	100	5	100	11	100	5	100	11	100

[1] Applications made within the original jurisdiction of the Court conferred by section 75(v) of the Constitution.

28A. ELAPSED TIME FOR CONSTITUTIONAL WRITS FINALISED^[1] – LEGALLY REPRESENTED

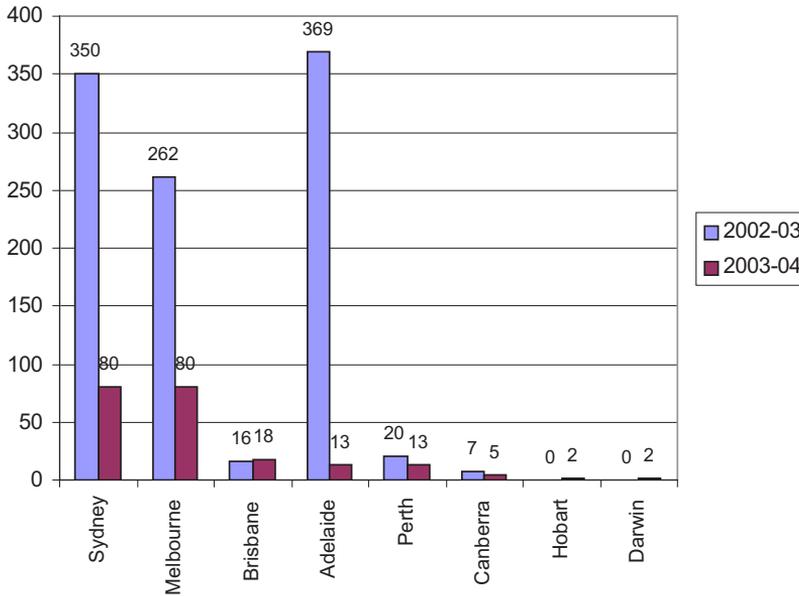
Months	Filing to Ready for Hearing		Ready for Hearing to Hearing		Hearing to Decision		Total Elapsed Time			
	02-03	%	02-03	%	02-03	%	02-03	%		
	03-04		03-04		03-04		03-04			
to 3	1	11	7	78	4	44	3	60	0	0
3 to 6	3	34	2	22	0	0	1	20	0	0
6 to 9	2	22	2	40	0	0	1	20	3	34
9 to 12	2	22	1	20	0	0	0	0	2	22
over 12	1	11	0	0	0	0	0	0	4	44
TOTAL	9	100	5	100	9	100	5	100	9	100

28B. ELAPSED TIME FOR CONSTITUTIONAL WRITS FINALISED^[1] – SELF-REPRESENTED LITIGANTS

Months	Filing to Ready for Hearing		Ready for Hearing to Hearing		Hearing to Decision		Total Elapsed Time	
	02-03	%	02-03	%	02-03	%	02-03	%
to 3	0	0	2	100	1	50	0	0
3 to 6	0	0	0	0	1	50	0	0
6 to 9	0	0	0	0	0	0	0	0
9 to 12	1	50	0	0	0	0	1	50
over 12	1	50	0	0	0	0	1	50
TOTAL	2	100	2	100	2	100	2	100

[1] Applications made within the original jurisdiction of the Court conferred by section 75(v) of the Constitution.

29. MATTERS HEARD BEFORE A SINGLE JUSTICE



30. CATEGORIES OF MATTERS HEARD BEFORE A SINGLE JUSTICE

Category	2002-03	2003-04
Directions hearing ^[1]	829	122
Order nisi application	134	28
Interlocutory injunction/stay/bail application	17	15
Application for leave to issue process	6	9
Application to vacate/expedite hearing date	22	22
Trial of election petition	0	0
Solicitor ceasing to act	0	0
Other	16	17
TOTAL	1,024	213

[1] There were 191 matters called over in Sydney on 6 February 2003 and 111 Melbourne and 362 Adelaide matters called over in Melbourne on 7 February 2003.



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 – Schedule 1: Fees for filing issuing or sealing a document of obtaining a service, as at 30 June 2004;
- High Court of Australia (Fees) Regulations – Schedule 2: Scale of professional costs; and
- High Court of Australia (Fees) Regulations – Record of fees waived.

HIGH COURT OF AUSTRALIA (FEES) REGULATIONS

SCHEDULE 1 - FEES FOR FILING, ISSUING OR SEALING A DOCUMENT OR OBTAINING A SERVICE AS AT 30 JUNE 2004

Regulation 4

PART 1 Document or service mentioned in subregulation 4(1)		
Column 1 Item No.	Column 2 Document or service	Column 3 Fee \$
1	Application under rule 1 of Order 55 of the High Court Rules	1,148.00
2	Writ of summons or petition	1,148.00
3	Civil leave or special leave application	1,148.00
4	Criminal special leave application	72.00
5	Application initiating a proceeding (including removals under section 40 of the <i>Judiciary Act 1903</i> , but not including an application referred to in another item of this Schedule)	1,148.00
5A	Application for summons for directions	287.00
6	Civil notice of appeal	1,148.00
6A	Criminal notice of appeal	422.00
7	Certificate of the Registrar other than a certificate of taxation	41.00
8	Taxing a bill of costs for every \$100, or part of \$100	9.00
PART 2 Document or service mentioned in subregulation 4(2)		
9	Searching or inspecting a document mentioned in subrule 8(2) of Order 58 of the High Court Rules, per hour or part of an hour	13.00
10	Making a photocopy or office copy of any document, per page	3.00
11	Copy of reasons for judgment:	
	(a) for each copy issued to a person not a party to the proceeding; and	3.00
	(b) for each copy in excess of one copy issued to a party to the proceeding; and	3.00
	(c) in respect of each copy issued:	
	(i) for each copy in excess of 10 pages; or	1.00
	(ii) maximum per copy	28.00
12	Annual subscription for copies of reasons for judgments (including postage)	494.00
13	Copy of transcript of proceedings prepared by the Court Reporting Service, per page	8.00

HIGH COURT OF AUSTRALIA (FEES) REGULATIONS

SCHEDULE 2 - SCALE OF PROFESSIONAL COSTS

Item	1/10/2002 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.	197.70
2 To make or oppose any interlocutory proceeding.	87.70
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.	197.70
4 For any pleading (other than a statement of claim).	153.60
5 To amend any pleading.	52.90
6 For a statement of facts or an agreed statement of facts in a matter.	153.60
7 For interrogatories, answers to interrogatories, special affidavits or an affidavit (not being a formal affidavit).	118.50
8 For counsel to advise.	84.60
9 For a document not otherwise provided for.	33.00
10 For a brief for Counsel on a hearing or application in Court or in Chambers or brief notes for solicitor.	109.90
 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.	91.40
12 Concurrent writ of summons.	32.80
13 Writ of subpoena.	47.80
14 If any of the above writs exceeds three folios, for each extra folio.	6.60
 NOTE: These costs include all endorsements, and copies (for the officers sealing them) and attendances to issue or seal, but not the Court fees.	
 SUMMONSES AND MOTIONS	
15 Any Chamber Summons or motion, including preparation, copies and attendance to issue, including attendance to fix return date; – if more than three folios, for each extra folio.	56.10 6.60
 APPEARANCES AND NOTICES	
16 Preparing and entering an appearance including duplicate memorandum and notice of appearance for service.	92.50
17 Any necessary or proper notice or memorandum not otherwise provided for, or any demand; – if more than three folios, for each extra folio.	30.90 6.60
 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.	

Item	1/10/2002 to date \$
DRAWING	
18 Drawing any pleading or affidavit not exceeding five folios; – or per folio.	87.70 12.30
19 Drawing any other document where no other provision is made – per folio.	12.10
ENGROSSING	
20 Marking each exhibit to an affidavit.	2.20
21 Engrossing any document – per folio.	4.50
COPIES	
22 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.	2.20
PERUSAL AND EXAMINATION	
23 Perusal of any document including special letter, telegram, telex or similar document; – or per folio. 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.	32.70 4.50
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.	32.80 10.70
CORRESPONDENCE	
25 Short letter including a formal acknowledgment, making appointments, forwarding documents without comment.	15.60
26 Ordinary letter (including letters between principal and agent).	26.50
27 Circular letter (after the first) each.	8.80
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.	43.80
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.	43.80
30 Receiving and filing any incoming special letter, facsimile, telegram or telex.	2.20
NOTE: Postage and transmission fees may be claimed as a disbursement properly incurred.	
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.	54.50

Item	1/10/2002 to date \$
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.	89.70 92.60
33 Service of any document at the office of the address for service either by delivery or by post.	18.70
ATTENDANCES	
34 An attendance which requires the attendance of a solicitor – per quarter hour.	52.40
35 An attendance which is capable of being made by a clerk; – or per quarter hour.	32.70 8.60
36 Making an appointment or similar attendance by telephone.	15.60
37 An attendance on counsel: – with brief or other papers; – to appoint a conference or consultation.	33.30 14.60
38 A conference or consultation with counsel; – or per half hour.	87.70 66.20
39 On a summons or other application in Chambers; – or per half hour	49.40 87.70
40 In Court or in Chambers instructing counsel on any hearing or application: – if a solicitor attends, per hour; – or, if a clerk attends, per hour.	210.90 87.80
41 On an application or appearance before a Registrar or a Taxing Officer; – or per hour.	109.90 131.70
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.	57.50
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.	440.80
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 or in Chambers 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.	984.70
45 An attendance for which no other provision is made.	43.80
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; – clerk.	142.50 47.50

1/10/2003
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.

50 Witnesses called, other than those covered in item 49 – per day;

51 Witnesses remunerated in their occupation by wages, salary or fees, the amount lost by attendance at Court.

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.

802.10
84.60

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.

WAIVER OF FEES DURING 2003-04

Exemption Category	Sources of Exemption	No.	Amount
Legal Aid	Reg.4(4)(a)/4A(2)(b)/5(2)(b)	23	\$8,055.00
Social security law concession cardholder or Veterans' Affairs cardholder	Reg.4(4)(b)(i)&(ii)/4A(2)(c)(i) & (ii)/5(2)(c)(i) & (ii)	93	\$127,769.00
Prison inmate/person in lawful Detention	Reg.4(4)(b)(iii)/4A(2)(c)(iii)/5(2)(c)(iii)	182	\$156,118.00
Child under the age of 18 years	Reg.4(4)(b)(iv)/4A(2)(c)(iv)/5(2)(c)(iv)	6	\$7,462.00
Youth allowance or Austudy payment recipient	Reg.4(4)(b)(v)/4A(2)(c)(v)/5(2)(c)(v)	1	\$1,148.00
ABSTUDY recipient	Reg.4(4)(b)(vi)/4A(2)(c)(vi)/5(2)(c)(vi)	0	Nil
Financial Hardship	Reg.4(4)(c)/4A(2)(d)/5(2)(d)	347	\$453,460.00
TOTAL		652	\$754,012.00



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 2004. 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	Office of the Chief Executive	Chambers	Registry Branch	Library Branch	Marshal's Branch	Total
Full-time staff						
<i>Permanent</i>						
Men	1	0	4	1	12	18
Women	2	8	9	8	3	30
Total	3	8	13	9	15	48
<i>Temporary</i>						
Men	0	8	0	1	0	9
Women	0	6	0	0	0	6
Total	0	14	0	1	0	15
<i>All full-time staff</i>						
Men	1	8	4	2	12	27
Women	2	14	9	8	3	36
Total	3	22	13	10	15	63
Part-time staff						
<i>Permanent</i>						
Men	0	0	1	0	3	4
Women	0	0	1	4	7	12
Total	0	0	2	4	10	16
<i>Temporary</i>						
Men	0	0	2	0	0	2
Women	0	0	0	0	0	0
Total	0	0	2	0	0	2
<i>All part-time staff</i>						
Men	0	0	3	0	3	6
Women	0	0	1	4	7	12
Total	0	0	4	4	10	18
All staff						
Men	1	8	7	2	15	33
Women	2	14	10	12	10	48
TOTAL	3	22	17	14	25	81

2. COMPOSITION OF STAFF BY SALARY CLASSIFICATION

Classification and Salary	Office of the Chief Executive		Chambers		Registry Branch		Library Branch		Marshal's Branch		Total	
	M	F	M	F	M	F	M	F	M	F	M	F
Holder of Public Office	1										1	
Senior Executive (above \$100,000)						1		1	1		1	2
High Court Executive Levels 1-2 (\$67,172-\$93,923)		1			2	3		1	1	1	3	6
High Court Officer Levels 5-6 (\$48,505-\$60,179)			8	14			1	2	4	3	14	20
High Court Officer Levels 1-4 (\$30,554-\$47,217)		1			5	6	1	8	9	6	13	21
TOTAL	1	2	8	14	7	10	2	12	15	10	32	49