



Government of **Western Australia**  
Department of **Justice**

**Report on Civil Cases in the  
Magistrates Court  
of Western Australia  
2018/19 to 2022/23**

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## About this Report

The Department has committed to regularly publishing a wide range of statistics relating to the operation of its various business areas.

The purpose of this report is to provide information about the work carried out by the Magistrates Court of Western Australia. A number of different statistics have been included that illustrate different aspects of the civil court process. Care must be taken in interpreting these statistics. It is NOT possible to compare one indicator with another as the methods of counting are not aligned.

Separate counting rules that best illustrate the work of the court is utilised for each statistic. Please read the counting rules on each page to help interpret the data.

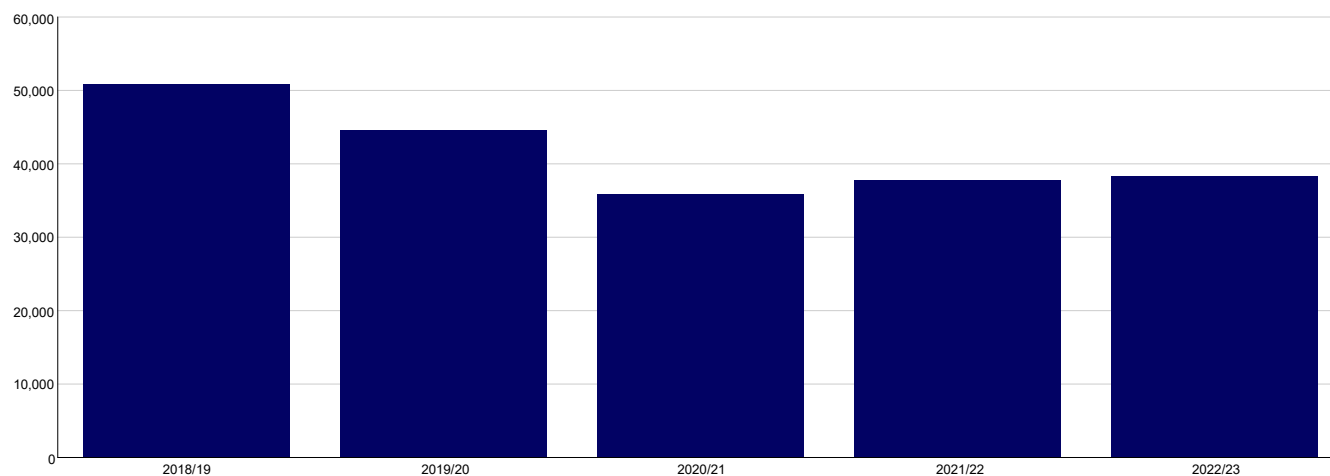
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### Requests for additional data:

The Department regularly receives requests from media outlets for customised statistics. All requests for customised figures are considered on a case by case basis. The Department will generally supply such information only where the:

- information is stored in a way that it is easily retrievable; and
- amount of work required to compile and supply customised information is reasonable.

## Civil Applications Lodged



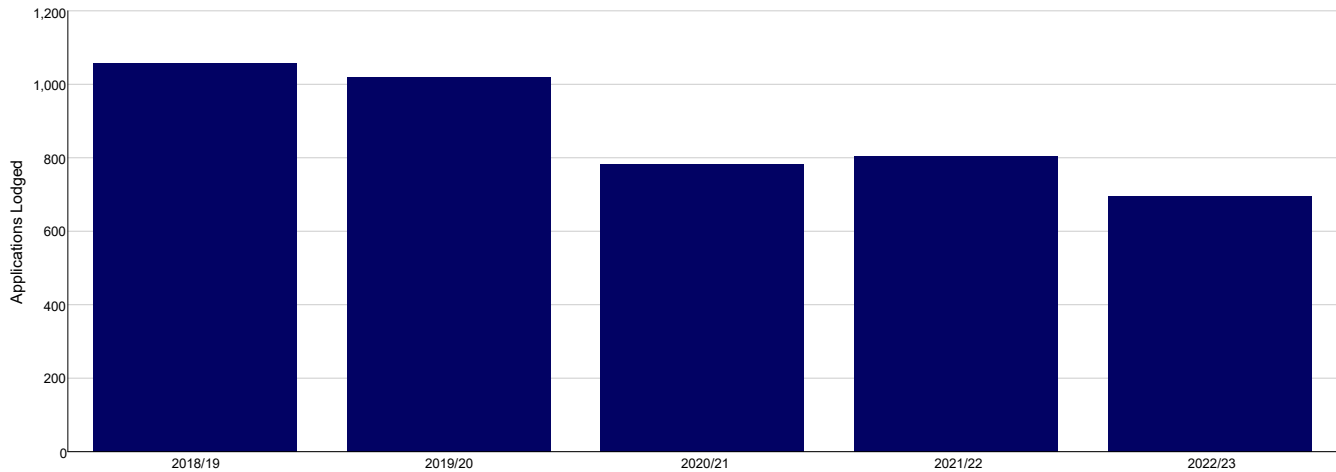
## Civil Applications Lodged

Matter Type	2018/19	2019/20	2020/21	2021/22	2022/23	% Change 1 Year	% Change 5 Years
Application Delay Uncollected Vehicle				2	1	n/a	n/a
Application for cancellation of enforcement warrant	1	3	16	18	9	n/a	n/a
Auctioneer's Licence	88	45	40	39	34	-12.8%	-61.4%
Consumer/Trader Claim	1,059	1,022	784	805	696	-13.5%	-34.3%
Criminal Property Confiscation Act	85	84	63	53	25	-52.8%	-70.6%
Disposal of Uncollected Goods	26	32	23	32	34	6.2%	30.8%
Extraordinary Driver's Licence	2,068	1,822	2,026	1,763	1,630	-7.5%	-21.2%
FER Interpleader Claim					2	n/a	n/a
Freezing Notice		107	61	55	82	49.1%	n/a
General Application	154	154	169	129	151	17.1%	-1.9%
General Procedure Claim	14,143	10,915	7,221	7,760	9,083	17.0%	-35.8%
Minor Cases Procedure Claim	3,191	2,718	1,759	1,796	1,893	5.4%	-40.7%
Miscellaneous Civil		6	3	2	10	n/a	n/a
Prohibited Behaviour Order	4	1		2		n/a	n/a
Recovery Of Possession Of Land	36	30	27	44	49	11.4%	36.1%
Registration Of Orders	329	305	220	222	214	-3.6%	-35.0%
Residential Tenancies	14,020	11,230	7,373	9,055	7,447	-17.8%	-46.9%
Restraining Of Goods/Property Order		1		1		n/a	n/a
Restraining Order	15,744	16,170	16,122	16,051	17,092	6.5%	8.6%
Restraint Of Debtors Action		1	2		1	n/a	n/a
Revocation of Disqualification Notice	5	5	5	3	6	n/a	n/a
Set Aside Licence Suspension		1			1	n/a	n/a
Trans-Tasman Act Judgements	1		1		5	n/a	n/a
<b>Total</b>	<b>50,954</b>	<b>44,652</b>	<b>35,915</b>	<b>37,832</b>	<b>38,465</b>	<b>1.7%</b>	<b>-24.5%</b>

### Counting Rules:

- These are the number of civil applications lodged in the Magistrates Court of Western Australia, by case type.
- The unit of measure is the number of new cases commenced in the court during the reporting period.
- If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

## Consumer Trader Claim Applications Lodged



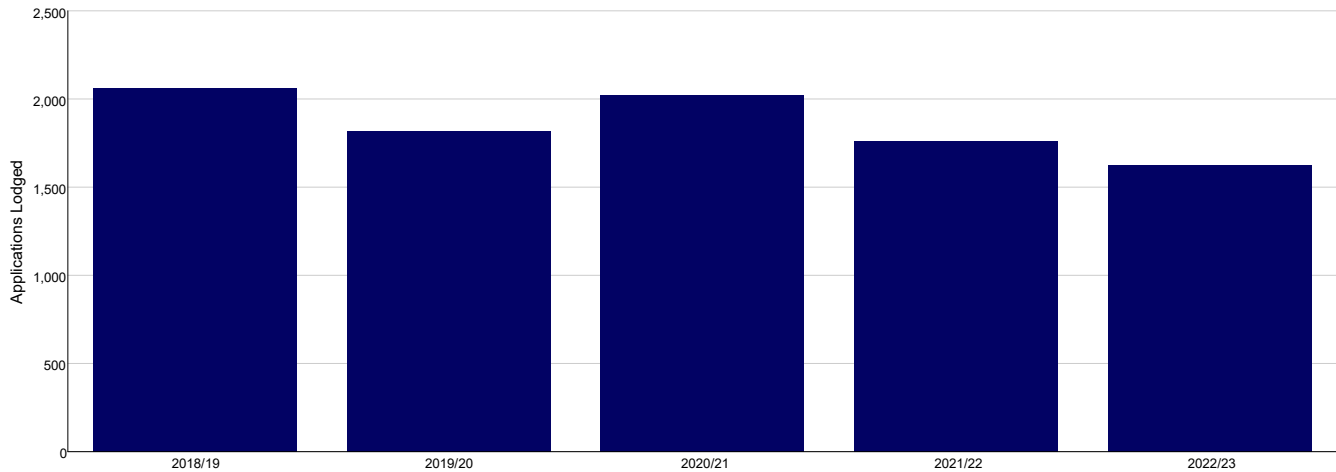
### Consumer Trader Claim Applications Lodged

Remedy Type	2018/19	2019/20	2020/21	2021/22	2022/23	% Change 1 Year	% Change 5 Years
The Payment of an Amount of Money	916	867	682	689	598	-13.2%	-34.7%
The Performance of Work	31	27	17	20	20	0.0%	-35.5%
The Providing of Services	44	48	21	27	37	37.0%	-15.9%
The Relief from Payment of an Amount of Money	20	21	12	16	8	n/a	n/a
The Replacement of Goods	23	25	26	17	14	-17.6%	-39.1%
The Return of Goods	25	34	26	36	19	-47.2%	-24.0%
<b>Total</b>	<b>1,059</b>	<b>1,022</b>	<b>784</b>	<b>805</b>	<b>696</b>	<b>-13.5%</b>	<b>-34.3%</b>

**Counting Rules:**

- (a) These are the number of consumer/trader applications lodged in the Magistrates Court of Western Australia, by remedy type.
- (b) The unit of measure is the number of new cases commenced in the court during the reporting period.
- (c) If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

## Extraordinary Driver's Licence Applications Lodged



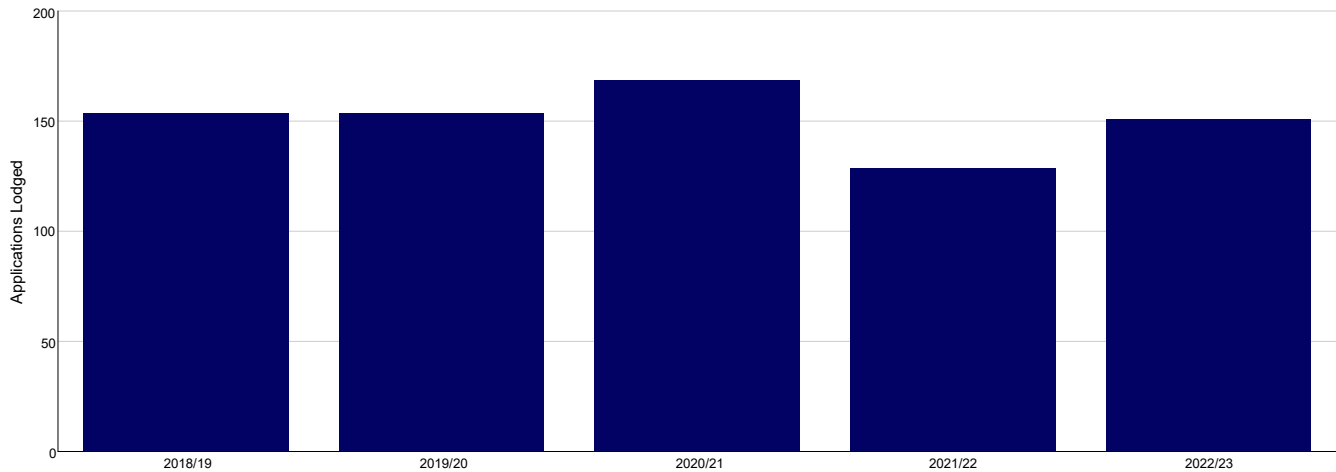
### Extraordinary Driver's Licence Applications Lodged

Initiating Document Type	2018/19	2019/20	2020/21	2021/22	2022/23	% Change 1 Year	% Change 5 Years
Email				1		n/a	n/a
Form 5 - Application for Extraordinary Licence	2,068	1,821	2,026	1,762	1,629	-7.5%	-21.2%
Letter					1	n/a	n/a
Order		1				n/a	n/a
<b>Total</b>	<b>2,068</b>	<b>1,822</b>	<b>2,026</b>	<b>1,763</b>	<b>1,630</b>	<b>-7.5%</b>	<b>-21.2%</b>

#### Counting Rules:

- These are the number of extraordinary driver's licence applications lodged in the Magistrates Court of Western Australia, by initiating document type.
- The unit of measure is the number of new cases commenced in the court during the reporting period.
- If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

## General Applications Lodged



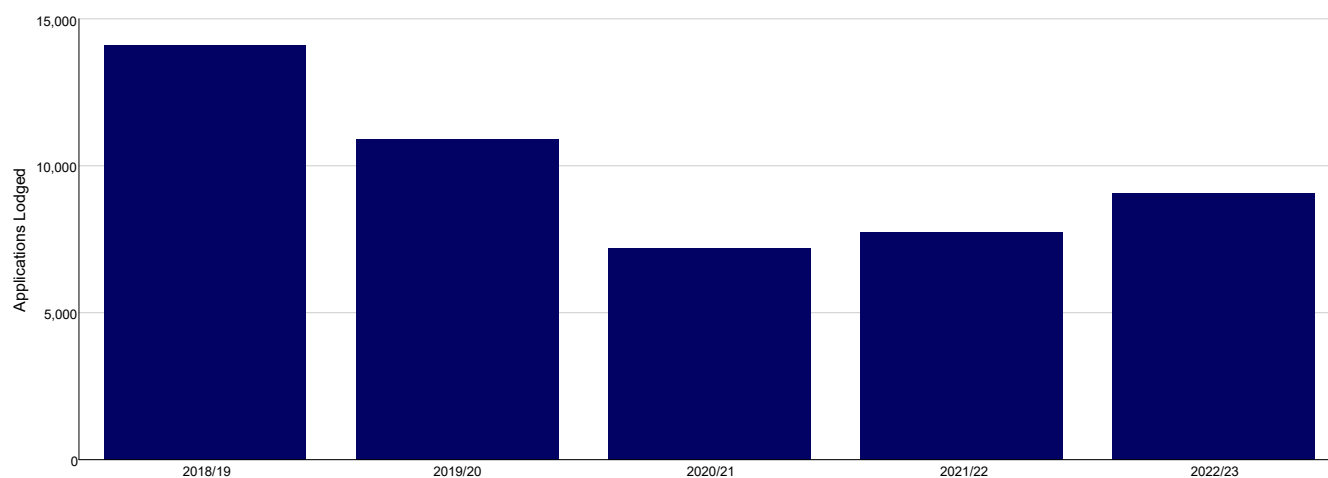
### General Applications Lodged

Remedy Type	2018/19	2019/20	2020/21	2021/22	2022/23	% Change 1 Year	% Change 5 Years
04. Breach of Contract				1		n/a	n/a
17(4) Petroleum and Geothermal Energy Resources Act 1967			1			n/a	n/a
Animal Welfare Act	3	4	4	4	9	n/a	n/a
Applications under the Mandatory Testing (Infectious Diseases) Act 2014	3	4	2	2	1	n/a	n/a
Building Act 2011	4	5	12	11	14	27.3%	n/a
Corporations Act			1			n/a	n/a
Criminal & Found Property Disposal Act	7	2				n/a	n/a
Criminal and Found Property Disposal Act		7	7	4	18	n/a	n/a
Criminal Investigation Act	1					n/a	n/a
Dividing Fence	113	123	132	90	102	13.3%	-9.7%
Local Govt (Misc Provisions) Act		1		7		n/a	n/a
National Consumer Credit Protection Act 2009 (Commonwealth)	22	8	10	9	6	n/a	n/a
Remitted from other Jurisdiction					1	n/a	n/a
The Return of Goods	1					n/a	n/a
Warehousemen's Lien				1		n/a	n/a
<b>Total</b>	<b>154</b>	<b>154</b>	<b>169</b>	<b>129</b>	<b>151</b>	<b>17.1%</b>	<b>-1.9%</b>

#### Counting Rules:

- (a) These are the number of general applications lodged in the Magistrates Court of Western Australia, by remedy type.
- (b) The unit of measure is the number of new cases commenced in the court during the reporting period.
- (c) If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

## General Procedure Claim Applications Lodged



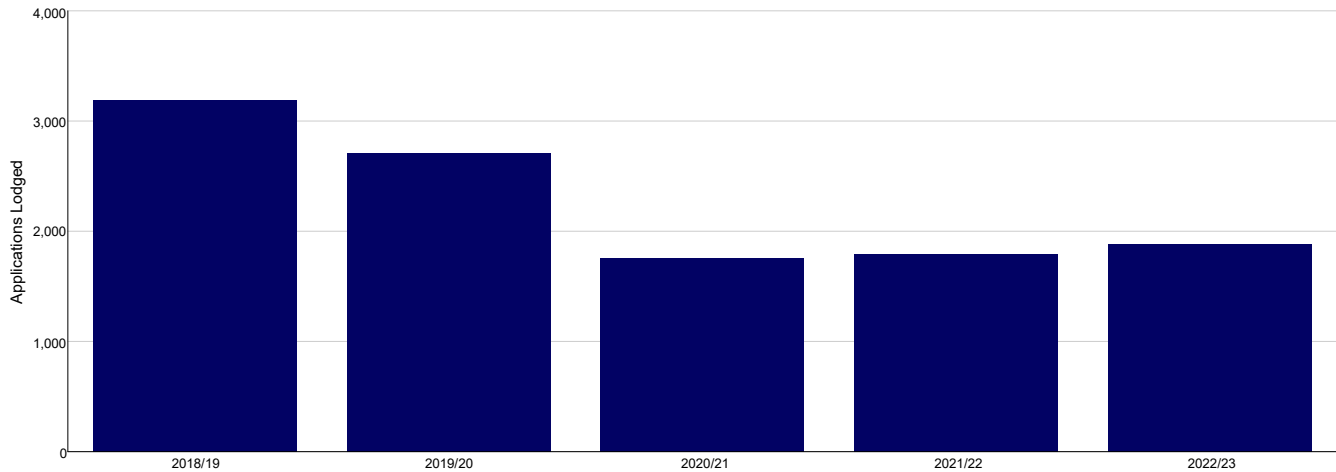
### General Procedure Claim Applications Lodged

Remedy Type	2018/19	2019/20	2020/21	2021/22	2022/23	% Change 1 Year	% Change 5 Years
01. Sale of Goods & Services	1,339	1,224	761	678	684	0.9%	-48.9%
02. Council Rates	5,205	4,138	2,843	2,914	3,503	20.2%	-32.7%
03. Motor Vehicle Accident	2,411	1,760	1,811	2,166	2,668	23.2%	10.7%
04. Breach of Contract	2,853	2,280	831	836	921	10.2%	-67.7%
05. Tax/Water Rates	178	76	46	114	65	-43.0%	-63.5%
06. Strata Plan Fees	387	460	330	242	365	50.8%	-5.7%
07. Consumer Credit/Loan	1,303	562	206	416	384	-7.7%	-70.5%
08. Damages not Motor Vehicle	112	136	83	99	98	-1.0%	-12.5%
09. Personal Injury	145	112	170	119	103	-13.4%	-29.0%
10. Dishonoured Cheque	3	2	1	1		n/a	n/a
11. Return of Goods	26	46	32	38	32	-15.8%	23.1%
12. Outstanding Rent and Costs	152	112	98	97	84	-13.4%	-44.7%
13. Workers Compensation	25	6	9	37	173	367.6%	592.0%
Remitted from other Jurisdiction	4	1		3	3	n/a	n/a
<b>Total</b>	<b>14,143</b>	<b>10,915</b>	<b>7,221</b>	<b>7,760</b>	<b>9,083</b>	<b>17.0%</b>	<b>-35.8%</b>

#### Counting Rules:

- These are the number of general procedure claim applications lodged in the Magistrates Court of Western Australia, by remedy type.
- The unit of measure is the number of new cases commenced in the court during the reporting period.
- If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

## Minor Cases Claim Applications Lodged



## Minor Cases Procedure Claims Lodged

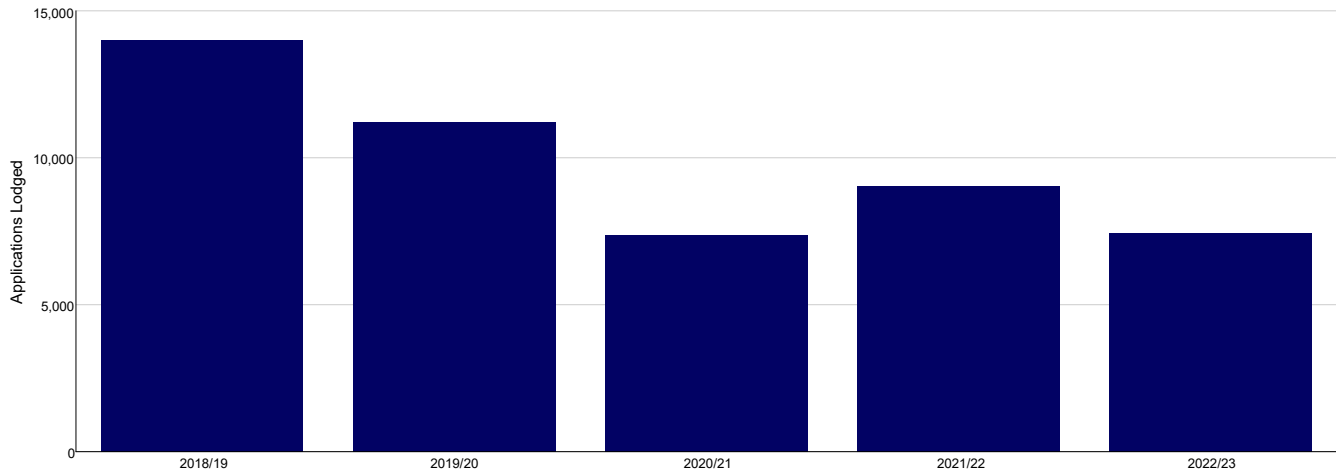
Remedy Type	2018/19	2019/20	2020/21	2021/22	2022/23	% Change 1 Year	% Change 5 Years
01. Sale of Goods & Services	1,348	1,156	750	740	759	2.6%	-43.7%
02. Council Rates	497	449	178	76	57	-25.0%	-88.5%
03. Motor Vehicle Accident	152	126	82	111	154	38.7%	1.3%
04. Breach of Contract	665	546	426	450	476	5.8%	-28.4%
05. Tax/Water Rates	34	35	2	38	15	-60.5%	-55.9%
06. Strata Plan Fees	25	26	23	13	15	15.4%	-40.0%
07. Consumer Credit/Loan	108	81	33	46	60	30.4%	-44.4%
08. Damages not Motor Vehicle	122	122	106	119	132	10.9%	8.2%
09. Personal Injury	10	10	17	18	12	-33.3%	n/a
10. Dishonoured Cheque	3	2	1	2	1	n/a	n/a
11. Return of Goods	79	66	48	67	88	31.3%	11.4%
12. Outstanding Rent and Costs	144	97	89	111	119	7.2%	-17.4%
13. Workers Compensation	4	2	4	2	4	n/a	n/a
Residential Tenancies				1		n/a	n/a
The Payment of an Amount of Money				1	1	n/a	n/a
The Providing of Services				1		n/a	n/a
<b>Total</b>	<b>3,191</b>	<b>2,718</b>	<b>1,759</b>	<b>1,796</b>	<b>1,893</b>	<b>5.4%</b>	<b>-40.7%</b>

### Counting Rules:

- (a) These are the number of minor case procedure claim applications lodged in the Magistrates Court of Western Australia, by remedy type.
- (b) The unit of measure is the number of new cases commenced in the court during the reporting period.
- (c) If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.



## Residential Tenancy Applications Lodged



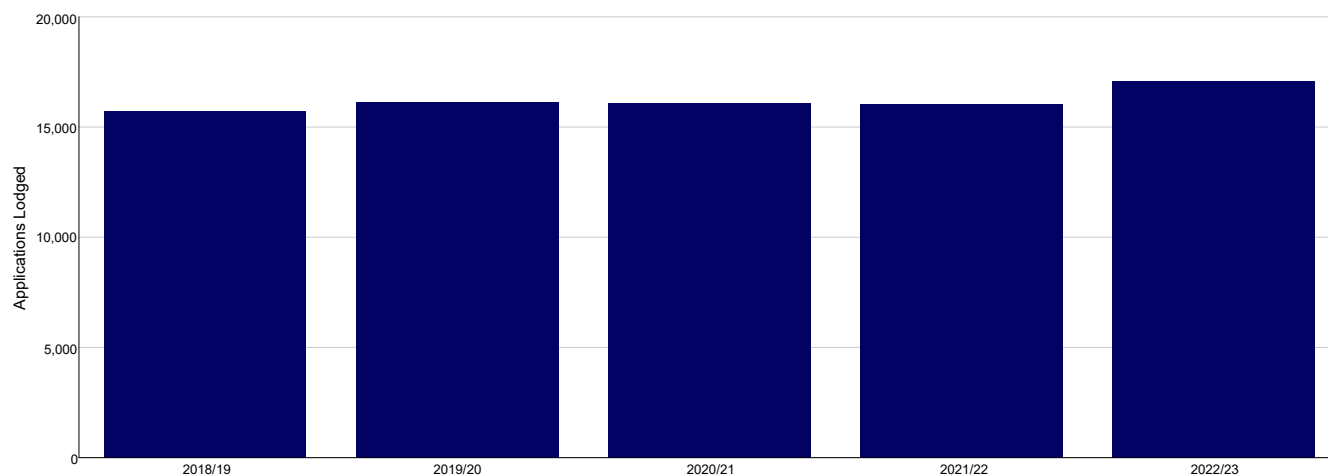
## Residential Tenancy Applications Lodged

Initiating Document Type	2018/19	2019/20	2020/21	2021/22	2022/23	% Change 1 Year	% Change 5 Years
Email				4		n/a	n/a
Form 11 - Proceeds of Sale of Abandoned Goods (Residential Tenancies Act)	1	1	2	2	2	n/a	n/a
Form 25 - General Order	1					n/a	n/a
Form 57 - Notice of Discontinuance of Case	1					n/a	n/a
Letter			7	1	4	n/a	n/a
Residential Tenancy Form 12 General Application	8,490	6,799	4,462	5,561	4,606	-17.2%	-45.7%
Residential Tenancy Form 6 Bond Disposal Application	5,527	4,430	2,902	3,487	2,835	-18.7%	-48.7%
<b>Total</b>	<b>14,020</b>	<b>11,230</b>	<b>7,373</b>	<b>9,055</b>	<b>7,447</b>	<b>-17.8%</b>	<b>-46.9%</b>

### Counting Rules:

- These are the number of residential tenancy applications lodged in the Magistrates Court of Western Australia, by initiating document type.
- The unit of measure is the number of new cases commenced in the court during the reporting period.
- If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

## Restraining Order Applications Lodged



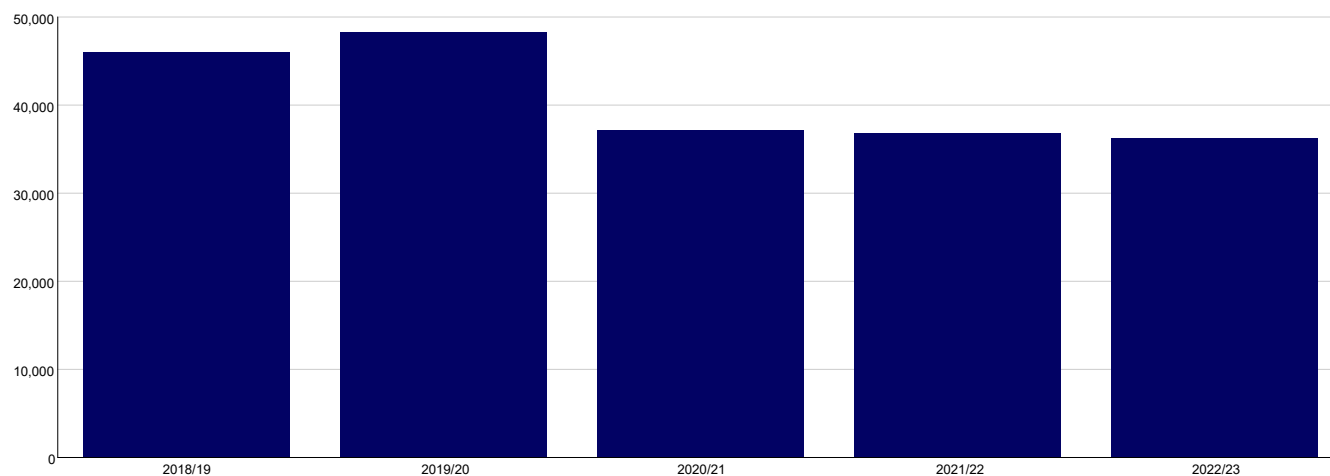
### Restraining Order Applications Lodged

Remedy Type	2018/19	2019/20	2020/21	2021/22	2022/23	% Change 1 Year	% Change 5 Years
Family Violence Restraining Order	11,437	11,458	11,189	10,968	11,704	6.7%	2.3%
Interstate/Foreign Restraining Order Registration	17	19	19	30	22	-26.7%	29.4%
Misconduct Restraining Order	692	799	860	850	964	13.4%	39.3%
Telephone Family Violence Restraining Order		1	2		4	n/a	n/a
Telephone Violence Restraining Order					4	n/a	n/a
Violence Restraining Order	3,598	3,893	4,052	4,203	4,394	4.5%	22.1%
<b>Total</b>	<b>15,744</b>	<b>16,170</b>	<b>16,122</b>	<b>16,051</b>	<b>17,092</b>	<b>6.5%</b>	<b>8.6%</b>

#### Counting Rules:

- These are the number of restraining order applications lodged in the Magistrates Court of Western Australia, by remedy type.
- The unit of measure is the number of new cases commenced in the court during the reporting period.
- If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

## Civil Applications Finalised



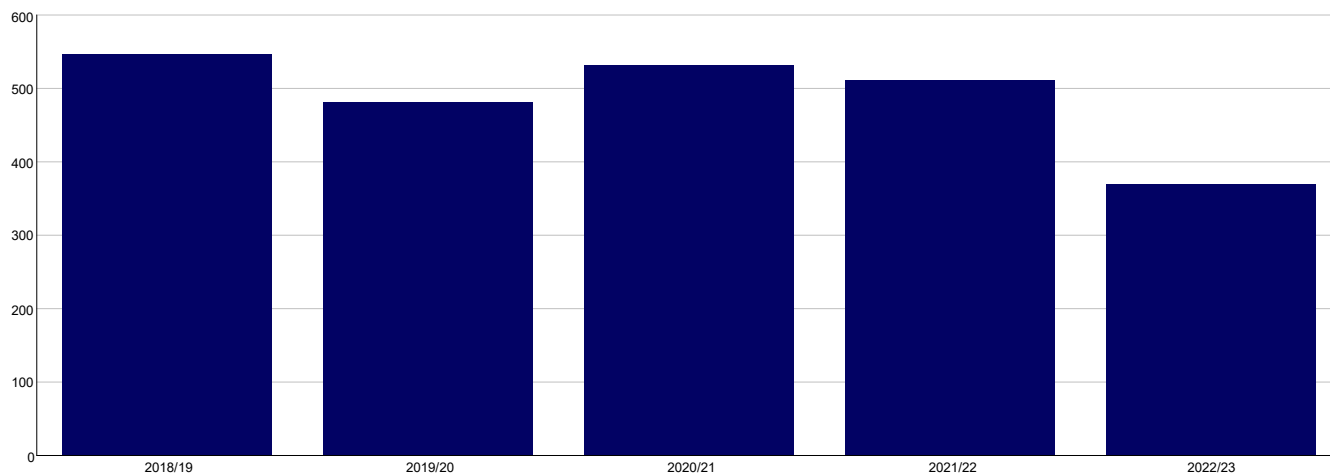
## Civil Cases Finalised

Matter Type	2018/19	2019/20	2020/21	2021/22	2022/23	% Change 1 Year	% Change 5 Years
Application Delay Uncollected Vehicle				2		n/a	n/a
Application for cancellation of enforcement warrant	1	2	14	6	13	n/a	n/a
Auctioneer's Licence	71	27	26	38	30	-21.1%	-57.7%
Consumer/Trader Claim	1,063	1,096	852	794	553	-30.4%	-48.0%
Criminal Property Confiscation Act	40	85	59	56	45	-19.6%	12.5%
Disposal of Uncollected Goods	18	30	25	24	31	29.2%	72.2%
Extraordinary Driver's Licence	1,927	1,652	1,874	1,676	1,514	-9.7%	-21.4%
FER Interpleader Claim					2	n/a	n/a
Freezing Notice			2	1	1	n/a	n/a
General Application	157	170	180	143	154	7.7%	-1.9%
General Procedure Claim	10,764	14,963	9,631	6,980	8,512	21.9%	-20.9%
Minor Cases Procedure Claim	2,822	3,548	2,449	1,768	1,937	9.6%	-31.4%
Miscellaneous Civil		4	3	3	7	n/a	n/a
Prohibited Behaviour Order	4	1	1	1	1	n/a	n/a
Recovery Of Possession Of Land	31	40	26	39	49	25.6%	58.1%
Registration Of Orders	319	276	118	74	80	8.1%	-74.9%
Residential Tenancies	13,557	11,329	6,851	8,960	7,176	-19.9%	-47.1%
Restraining Of Goods/Property Order		1		1		n/a	n/a
Restraining Order	15,306	15,091	15,113	16,337	16,228	-0.7%	6.0%
Restraint Of Debtors Action		1	1			n/a	n/a
Revocation of Disqualification Notice	4	2	3	2	3	n/a	n/a
Set Aside Licence Suspension		1			1	n/a	n/a
Trans-Tasman Act Judgements		1			2	n/a	n/a
<b>Total</b>	<b>46,084</b>	<b>48,320</b>	<b>37,228</b>	<b>36,905</b>	<b>36,339</b>	<b>-1.5%</b>	<b>-21.1%</b>

### Counting Rules:

- These are the number of civil cases finalised in the Magistrates Court of Western Australia, by case type.
- The unit of measure is the number of cases finalised in the court during the reporting period.
- If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

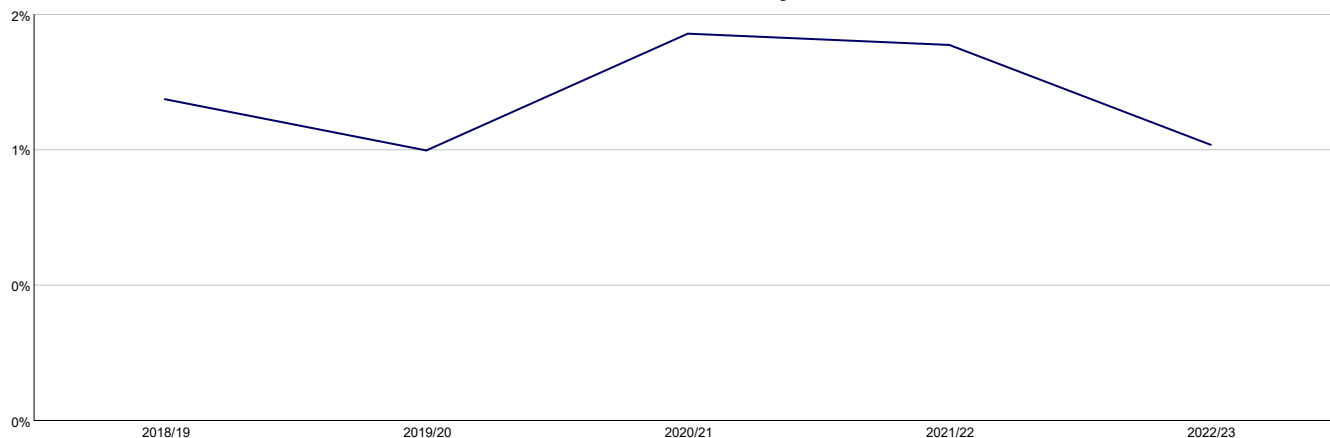
## Civil Finalisations by Trial



## Civil Trial Finalisations

	2018/19	2019/20	2020/21	2021/22	2022/23	% Change 1 Year	% Change 5 Years
Finalised by Trial	547	482	532	512	370	-27.7%	-32.4%
Finalised Without Trial	45,537	47,838	36,696	36,393	35,969	-1.2%	-21.0%
<b>Total</b>	<b>46,084</b>	<b>48,320</b>	<b>37,228</b>	<b>36,905</b>	<b>36,339</b>	<b>-1.5%</b>	<b>-21.1%</b>
Per cent finalised by trial	1.2%	1.0%	1.4%	1.4%	1.0%	-26.6%	-14.2%

## % Civil Finalisations by Trial



### Counting Rules:

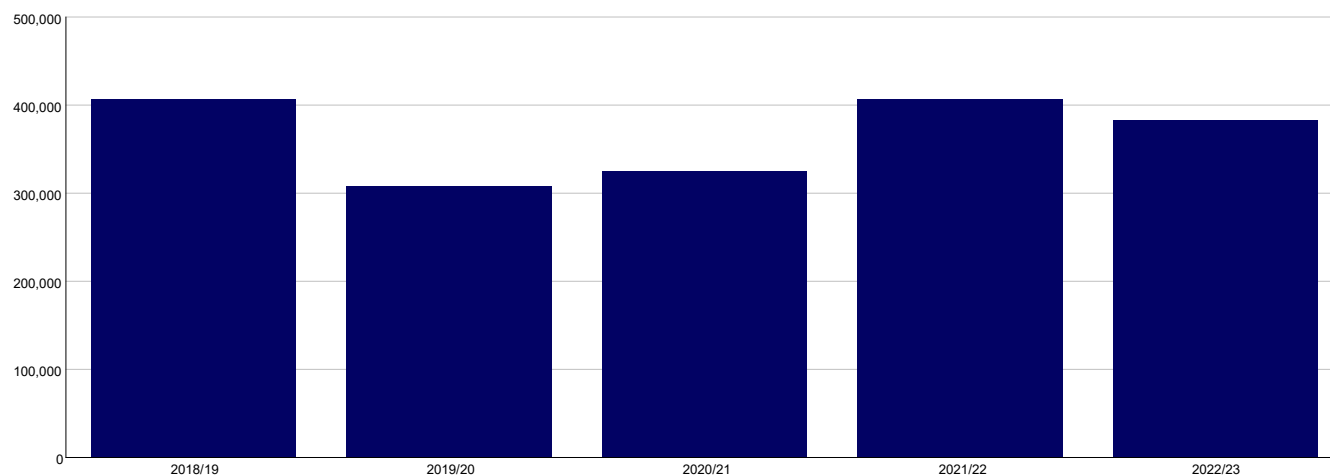
(a) These are the number of civil cases which were finalised in the Magistrates Court of Western Australia, broken down by whether a trial proceeded or not for the matter.

(b) When parties to a civil dispute are not able to resolve their case by alternative dispute resolution or other means, the case will progress to a trial where the evidence and law are heard and considered in court by a judicial officer and a decision is made to resolve the case.

(c) Trial related figures are presented from 2014/15 onwards, due to improvements in the Court's civil case management system and the capture of related trial information, and is not comparable to trial information prior to this time.

(d) If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

## Civil Documents Lodged



## Civil Documents Lodged

Matter Type	2018/19	2019/20	2020/21	2021/22	2022/23	% Change 1 Year	% Change 5 Years
Application Delay Uncollected Vehicle				7	4	n/a	n/a
Application for cancellation of enforcement warrant	3	8	60	75	64	-14.7%	n/a
Application for decision on whether information in seized record is privileged					8	n/a	n/a
Application to Breach Surety	2		1	1		n/a	n/a
Application to Reduce Fee	18	262	909	2,793	2,295	-17.8%	12,650.0%
Auctioneer's Licence	296	210	290	382	305	-20.2%	3.0%
Civil Cause (Writ Of Summons - Proceeding By Pleadings)			3	1		n/a	n/a
Consumer/Trader Claim	11,832	7,705	8,574	10,788	8,376	-22.4%	-29.2%
Criminal Property Confiscation Act	765	994	805	772	404	-47.7%	-47.2%
Disposal of Uncollected Goods	165	216	280	227	281	23.8%	70.3%
EXEMPT			346	772	649	-15.9%	n/a
Extraordinary Driver's Licence	5,500	5,770	8,155	8,820	7,403	-16.1%	34.6%
FER Interpleader Claim					13	n/a	n/a
Freezing Notice		213	216	240	346	44.2%	n/a
General Application	1,210	1,371	1,970	2,545	2,340	-8.1%	93.4%
General Procedure Claim	160,828	90,417	80,635	83,889	74,149	-11.6%	-53.9%
General Summons/Plaint	9	1	6		90	n/a	n/a
Minor Cases Procedure Claim	57,221	27,269	23,751	24,387	23,676	-2.9%	-58.6%
Miscellaneous Civil		12	44	21	37	76.2%	n/a
Prohibited Behaviour Order	16	9	8	21	4	n/a	n/a
Recovery Of Possession Of Land	302	394	474	619	623	0.6%	106.3%
Registration Of Orders	3,011	2,907	2,784	2,929	2,569	-12.3%	-14.7%
Residential Tenancies	56,662	54,735	59,011	95,935	83,199	-13.3%	46.8%
Restraining Of Goods/Property Order		4	4	7	3	n/a	n/a
Restraining Order	109,299	116,511	137,010	171,699	176,714	2.9%	61.7%
Restraint Of Debtors Action		2	6		5	n/a	n/a
Revocation of Disqualification Notice	10	11	19	12	20	66.7%	n/a
Set Aside Licence Suspension		2			3	n/a	n/a
Small Debt Summons/Plaint					4	n/a	n/a
Trans-Tasman Act Judgements	12	17	16	21	14	-33.3%	16.7%
<b>Total</b>	<b>407,161</b>	<b>309,040</b>	<b>325,377</b>	<b>406,963</b>	<b>383,598</b>	<b>-5.7%</b>	<b>-5.8%</b>

Counting Rules:

## Civil Documents Lodged

(a) These are the number of civil documents lodged in the Magistrates Court of Western Australia, broken down by matter type.

(b) If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

## Appendix One--Definitions

The following are definitions of case types that are used within the Magistrates Court.

### Case Types

Matters lodged within the Magistrates Court are classified by case type. The following definitions specify the differences between the case types used.

#### Appeals and Reviews

Applications seeking the review of a decision of a Justice of the Peace or a registrar.

#### Auctioneer's Licence

Application seeking a license to facilitate an auction under the *Auction Sales Act 1973*.

#### Consumer/Trader Claim

Application under the *Magistrates Court (Civil Proceedings) Act 2004* seeking a remedy in a dispute between a consumer and a trader.

#### Criminal Profits Confiscation Act

Applications made by the State under the *Criminal Property Confiscation Act 2000*, ordering confiscation in certain circumstances of property acquired as a result of criminal activity and property used for criminal activity.

#### Disposal of Uncollected Goods

Applications made under the *Disposal of Uncollected Goods Act 1970* seeking the removal of goods left on premises.

#### Extraordinary Driver's Licence

Application under the *Road Traffic Act 1974* seeking permission to hold an Extraordinary Driver's Licence when a driver has been disqualified from holding or obtaining a driver's licence. A successful application allows someone who has been disqualified from driving to drive in certain circumstances.

#### General Application

An application under the *Magistrates Court (Civil Proceedings) Act 2004* that is of a non-specific nature.

#### General Procedure Claim

Application under the *Magistrates Court (Civil Proceedings) Act 2004* seeking a remedy in a dispute where the monetary value of the remedy sought is less than \$75,000.

#### Minor Cases Procedure Claim

Application under the *Magistrates Court (Civil Proceedings) Act 2004* seeking a remedy in a dispute where the monetary value of the remedy sought is less than \$10,000.

#### Prohibited Behaviour Order

An application by the State under the *Prohibited Behaviour Orders Act 2010* seeking the prohibition of recurrent criminal activity which is made following certain criminal convictions. When a prohibited behaviour order is made it specifies certain restrictions on a person that aim to prevent that person from engaging in future anti-social offending.

#### Recovery Of Possession Of Land

An application under the *Magistrates Court (Civil Proceedings) Act 2004* seeking to recover possession of real property (land).

#### Registration Of Orders

Applications seeking the registration of orders made by other jurisdictions (either interstate or other jurisdictions in Western Australia) within the Magistrates Court of Western Australian jurisdiction.

#### Residential Tenancies

A general application under the *Residential Tenancies Act 1987* seeking the intervention of the Court in disputes between tenants and landlords or between co-tenants.

#### Restraining Of Goods/Property Order

Applications made under the *Restraint of Debtors Act 1984* seeking an order from the court that will restrain the transfer or removal from the state of property until a debt is paid.

#### Restraining Order

An application under the *Restraining Orders Act 1997* seeking an order restraining the person who is bound from from either: committing an act of abuse, breaching the peace, causing fear, damaging property or intimidating another person. Orders can also be made under the *Prostitution Act 2000* restraining a person from being in or near a specified place or engaging in specified behaviours.

#### Restraint Of Debtors Action

Applications made under the *Restraint of Debtors Act 1984* seeking an order from the court that will restrain a debtor from leaving the State until a debt is paid.

#### Revocation of Disqualification Notice

An application under the *Road Traffic Act 1974* seeking to revoke a disqualification from holding or obtaining a driver's licence issued by a police officer within ten days of the commission of an offence.

#### Under Age Marriage

An application seeking the permission of the Court to allow a marriage between two applicants, where one is under 18 years of age.