

# Court Hierarchy and Jurisdiction - NSW

## The High Court of Australia

- Original: matters arising under the Constitution, conflicts between states and conflicts between Commonwealth and state/ territory laws.
- Appellate: from state and territory courts of appeal and decisions of federal courts on matters arising in states under federal law.
- **All decisions are final and binding on all lower courts throughout Australia.**

## The Court of Appeal

Hears appeals against decisions made by:

- Single judges in Supreme and District Courts and NSW tribunals.
- Land and Environment Court in civil matters.

## The Court of Criminal Appeal

Hears appeals against decisions made by:

- Supreme or District Court judges in conviction or sentencing decisions.
- Land and Environment Court in criminal matters.

## The Supreme Court

- Criminal: Serious indictable offences, e.g, Murder.
- Civil: Unlimited damages claims; mostly personal injury, defamation and contract.
- Other: Bail applications, Administrative law, may order Coronial inquiry.
- Appellate: Local Court on questions of law.

## The District Court

- Criminal: Indictable criminal offences, e.g, sexual assault.
- Civil: Matters up to \$750,000 damages and all motor accident matters.
- Other: Bail applications.
- Appellate: Local Court appeals (small claims division) and Children's Court.

## The Local Court

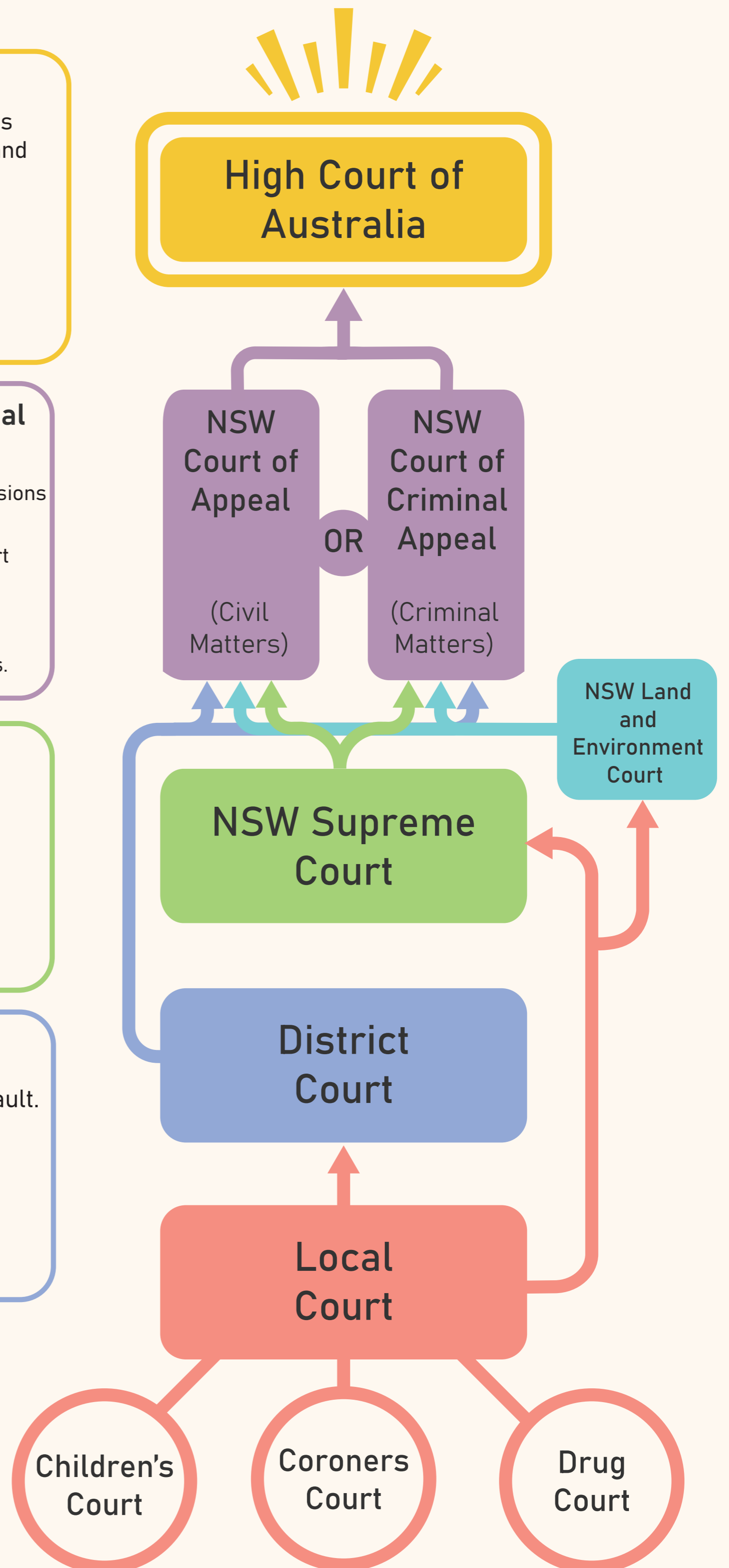
- Criminal: Summary offences eg traffic offences.
- Civil: Matters up to \$100,000 damages (Small Claims: up to \$20,000; General Division \$20,001 - \$100,000).
- Other: Bail and ADVO/ AVO applications, Family law (property settlements and residence orders).
- Appellate: Decisions of arbiters, RMS, local court if accused absent when tried/sentenced.

### Specialist Courts

**The Children's Court** hears most criminal matters where the offender is aged 10-18 at the time of the matter.

**The Coroners Court** investigates unnatural, unexpected, sudden and suspicious deaths, and investigates fires and explosions.

**The Drug Court** hears criminal matters for eligible persons aged 18+, referred by Local or District Courts with dependency on prohibited drugs.



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