

Question on notice no. 5

Portfolio question number: AE19-005

2018-19 Additional estimates

Legal and Constitutional Affairs Committee, Attorney-General's Portfolio

Senator Rachel Siewert: asked the Attorney-General's Department on 19 February 2019—

Senator SIEWERT: Has there been correspondence from the West Australian government since the bill-outside of the committee inquiry process, where we heard really clearly the opinions in Western Australia-has there been further correspondence from the West Australian government about this issue?

Mr Anderson: We're not aware of any further correspondence. It doesn't mean that there hasn't been any, but we're not aware of any.

Senator SIEWERT: Could you take on notice to double-check that for me?

Mr Anderson: We will take that on notice.

Answer —

On 23 August 2018, the Federal Circuit and Family Court of Australia Bill 2018 and the Federal Circuit and Family Court of Australia (Consequential Amendments and Transitional Provisions) Bill 2018 (the FCFC Bills) were introduced to the House of Representatives.

On 28 August 2018, the Attorney General of Western Australia, the Hon John Quigley MLA, responded by letter to two previous letters from the Attorney-General (the first dated 28 May 2018, and the second undated but forwarded by email on 20 July 2018). In his letter Mr Quigley raised the following:

- The appeal pathway for decisions of Western Australian Family Law Magistrates exercising federal family law jurisdiction.
- Dual appointment of judges of the Family Court of Western Australia to the FCFC(Division 1).
- Changes to family law fees in Western Australia.
- The pension received by Family Court of Western Australia judges.

On 6 November 2018, officers of the Attorney-General's Department met via teleconference with officers from the Western Australian Department of Justice. In particular, discussion focussed on the appeal pathway proposed in the FCFC Bills for decisions of Western Australian Family Law Magistrates.

On 21 November 2018, the Attorney-General responded by letter to Mr Quigley's letter of 28 August 2018. The Attorney-General noted Mr Quigley's concerns and the ongoing discussions between the Attorney-General's Department and the Western Australian Department of Justice about the reforms.

On 22 November 2018, Mr Quigley wrote to the Attorney-General notifying him of Mr Quigley's submission to the Senate Legal and Constitutional Affairs Legislation Committee's inquiry into the FCFC Bills.

On 7 December 2018, the Attorney-General wrote to Mr Quigley acknowledging Mr Quigley's submission to the Senate Legal and Constitutional Affairs Legislation Committee's inquiry into the FCFC Bills.

On 19 December 2018, the Attorney-General's Department provided further information to the Western Australian Department of Justice about the reforms and sought further information on the operation of the family court system in Western Australia.

On 11 February 2019, the Western Australian Department of Justice provided further information to the Attorney-General's Department about the operation of the family court system in Western Australia.