

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S PORTFOLIO

Program: Federal Circuit Court of Australia

Question No. AE17/063

Senator Pratt asked the following question at the hearing on 28 February 2017:

1. How many family law matters are currently awaiting trial in each registry of the Federal Circuit Court?
2. What is the average wait time for a trial in the Federal Circuit Court?
3. What is the effect of a lengthy wait time for resolution of a family law matter?
4. What is the effect of a lengthy wait time for a trial on a person experiencing, or who has experienced, family violence?
5. In your opinion, what would be the best way of reducing the wait time for a trial in the Federal Circuit Court?
6. Would you say that the Federal Circuit Court is in a 'resourcing crisis'?

The answer to the honourable Senator's question is as follows:

1. The following table provides the pending final order applications in family law by Registry*:

Pending final order applications (as at 28/3/2017)	
Adelaide	1,907
Brisbane	4,033
Canberra	682
Dandenong	1,099
Darwin	211
Hobart	193
Launceston	156
Melbourne	3,390
Newcastle	1,218
Parramatta	1,770
Sydney	1,791
Wollongong	533
Townsville	363
Cairns	280
Total	17,626

*Approximately 70% of pending matter are resolved without judicial determination.

The information provided by the Federal Circuit Court is the number of final order applications that are pending determination. The Court does not currently have a report that identifies the number of matters actually listed for trial.

2. As at 31 March 2017, the national median time to trial for a final orders application in the family law jurisdiction of the Federal Circuit Court was 15.4 months. However, interim

applications will be heard prior to trial and the overall national median time from lodgement to first defended interim hearing was 3.3 months as at 31 March 2017.

3. and 4. The effect depends upon the circumstances of the matter.

5. This question calls for an expression of opinion and is outside standing orders.

6. Resourcing of the Federal Circuit Court is a matter for Government.