



CHIEF JUSTICE'S CHAMBERS
FEDERAL COURT OF AUSTRALIA
305 WILLIAM STREET
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27 July 2009

Mr Duncan Kerr SC MP
Federal Member for Denison
Parliamentary Secretary for Pacific Island Affairs
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Duncan Kerr

Federal Court – Tasmania District Registry

Thank you for your letter dated 23 July 2009, alerting me to your concerns about the future of the Tasmania District Registry and your intended public comment.

As you would know, every organisation within the public sector is now operating within very tight budget constraints and the Federal Court is no exception. Plainly enough, these constraints are not going to ease in the near future and as a matter of sound financial management the Court is determined to balance its budget by the end of 2009-2010. To achieve this some difficult decisions have had to be made, including staff reductions in every Registry.

The Small Registries Review was undertaken as one of a several measures to deal with our budgetary challenges. An aim of the Review was to identify the most efficient and effective organisational structures for the Court's smaller Registries, but against the imperative of ensuring that the service provided to all the Court's users, in Tasmania and elsewhere, would not be diminished.

It has never been proposed – and will not be proposed – that the Tasmania District Registry should be closed.

The Tasmania District Registry will continue to provide the full range of Court services with the District Registrar for Victoria – a very experienced officer and legal practitioner – having full accountability for the overall management of the Tasmania District Registry in her capacity as the District Registrar for Tasmania. As well, a Registry Manager will be appointed in Hobart and that officer will have day-to-day management and responsibility for the Registry.

The essential work of the Federal Court is the hearing and determination of cases. All cases commenced in the Tasmania District Registry will continue to be dealt with expeditiously by one of the two judges – Justices Marshall and Middleton – whom I have appointed to have direct responsibility for that work. These judges – and Justice

Heerey before them – have provided exemplary service in the hearing and determination of cases and this will not be affected by the recommendations of the Review.

In fact, the disposition rate in Tasmania is exceptionally good. We have about 50 filings a year and the average time from filing to final disposition over the past few years is six to eight months. I doubt whether any court in the country could beat this. I would also draw your attention to the fact that the disposition rate of 95% of all applications finalised within 18 months is even better than our national average. I do not expect these excellent figures to change, except to improve.

Regarding the judge delegated functions performed by Deputy District Registrars, including the District Registrar of Tasmania, I am advised that the analysis undertaken in the review has confirmed that the volume and nature of that work will be able to be undertaken with the same priority and individual attention as any other proceedings filed in this Court. A senior Deputy District Registrar will be dedicated to the Tasmania Registry and will undertake all judge delegated work and mediations at the Tasmania Registry

To change the subject: I too was delighted to speak with you – albeit in less than ideal conditions – about judicial affairs in the Pacific Island countries. I also look forward to a more extended discussion, and I hope soon.

Yours sincerely



M E J BLACK
Chief Justice