

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
FAMILY COURT OF AUSTRALIA/FEDERAL MAGISTRATES COURT OF
AUSTRALIA/FEDERAL COURT OF AUSTRALIA/HIGH COURT OF AUSTRALIA

Question No. 101

Senator Brandis asked the following question at the hearing on 12 February 2013:

In relation to the increase to court filing fees announced in the 2012-13 Budget:

1. What is the estimated overall increase to court fee revenue over the forward estimates, as a result of the Government's increases?
2. What is the estimated revenue increase within each court?
3. What is the actual overall revenue increase to date?
4. What is the actual increase within each court?
5. What consultation was undertaken by the Department with the legal profession in relation to these increases? What feedback did the Department receive?

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

1. The estimated overall increase in court fee revenue over the forward estimates is \$102.4m.
2. The estimated increase in court fee revenue within each court over the forward estimates is:
Family Court - \$4.314m as per page 82 of the 2012-13 Attorney-General's Portfolio Additional Estimates Statements (AG PAES)
Federal Magistrates Court - \$63.268m as per page 113 of the 2012-13 AG PAES
Federal Court - \$33.264m as per page 98 of the 2012-13 AG PAES
High Court - \$1.553m (\$1.6m as per Appendix A to the 2012-13 Mid-year Economic and Fiscal Outlook report).
3. The change in Court fees commenced from 1 January 2013 and as such increases are not identifiable at this point in time.
4. The change in Court fees commenced from 1 January 2013 and as such increases are not identifiable at this point in time.
5. The Government increased court fees as part of the 2012-13 Budget. Budget processes are confidential to Government.

In June 2011, the Department sought submissions from stakeholders, including the Law Council of Australia, National Legal Aid, and the National Association of Community Legal Centres, as part of a review of the operation of 2010 fee changes. The Department received submissions from the Law Council of Australia, National Legal Aid and the National Association of Community Legal Centres.

Information provided and issues raised were considered in development of the new court fee framework. The new fee regulations commenced on 1 January 2013.