

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
FEDERAL MAGISTRATES COURT

Question No. 155

Senator Barnett asked the following question at the hearing on 24 May 2007:

- a) Can you advise what number of judgments were delivered within three months?
- b) Three judgments took more than 18 months to be delivered; please advise:
 - i) the matter
 - ii) the time delay
 - iii) the reason for the delay

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

- a) 2277 judgments out of a total of 2379 judgments were delivered within three months for the period 1 July 2005 to 30 June 2006.
- b) The three matters were:
 - (i) SZEMX v Minister for Immigration; SZEMM v Minister for Immigration & Anor; and Sheaves v AAPT Ltd.
 - (ii) The time delays for these files were 526, 533 and 554 days respectively.
 - (iii) The Court is required to deal with a high volume of matters expeditiously. The majority of judgments are delivered orally, by the federal magistrate, at the time of the hearing or shortly afterwards. However, some judgments necessarily involve more complex considerations, which may not be apparent when the matter is first listed. These judgments are reserved at the hearing and delivered at a later date, normally in writing. At any given time federal magistrates are balancing the finalisation of reserved judgments in a timely way, against the competing demand of hearing an increasing number of new matters, which can on occasion lead to delay.