

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS

FAMILY COURT OF AUSTRALIA

**Question No. 10**

**Senator Brandis asked the following question at the hearing on 25 May 2011:**

**Senator BRANDIS:** ... How many of the judges sit on the appellate and complex trials division, and how many sit in the general division?

**Mr Foster:** There are 25.5 sitting in first instance and 6.5 in the appellate division of the moment.

**Senator BRANDIS:** Had those relativities changed in the last year? And if so, how?

**Mr Foster:** I would have to take that on notice, but yes, there have been a couple of judges who have left the court.

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

The following judicial resources have been available to the Family Court of Australia:

	<b>30 June 2010</b>	<b>25 May 2011</b>
<b>First Instance Judges</b>	<b>26</b>	<b>25.5</b>
<b>Appellate Division (Full Court) Judges</b>		
Chief Justice	1	1
Deputy Chief Justice *	0.5*	0.5*
FCoA Appeal Judges**	6.5**	5**
<b>Total Judges</b>	<b>34</b> <b>+ 1 vacancy</b> <b>Brisbane</b>	<b>32</b> <b>+ 2 vacancies</b> <b>Melbourne &amp; Sydney</b>

\*DCJ Faulks holds a Commission as a Judge of the Appeal Court (50% first instance 50% Appeal)

\*\*These figures exclude Chief Judge Thackray (Family Court of Western Australia) who holds a Commission as a Judge of the Appeal Court of the Family Court of Australia.

As at 25 May 2011 the Appellate Division comprised:

<b>Judges</b>	<b>Period of assignment to the Appeal Division</b>
The Honourable Chief Justice Diana Bryant	5 July 2004 to date
The Honourable Deputy Chief Justice John Faulks	25 June 2004 to date
The Honourable Justice Mary Madeleine Finn	10 August 1993 to date
The Honourable Justice Ian Roy Coleman	31 March 1999 to date
The Honourable Justice Michelle May	6 February 2003 to date
The Honourable Justice Stephen Ernest Thackray (Chief Judge Family Court of Western Australia)	16 November 2006 to date
The Honourable Justice Steven Strickland	14 December 2009 to date
The Honourable Anne Ainslie-Wallace	9 July 2010 to date

Other Judges who have left the Appellate Division since 1 January 2010 are:

<b>Judges</b>	<b>Period of assignment to the Appeal Division</b>
The Honourable Justice Bernard John Warnick	12 December 2002 to 31 March 2010
The Honourable Justice Stephen Richard O'Ryan	7 August 2008 to 15 March 2011
The Honourable Justice Jennifer Margaret Boland	8 July 2004 to 4 February 2011