

Tabled Document 1

By: Mr Richard Foster PSM

Date: 25/5/11

**Family Court of Australia &  
Federal Magistrates Court of Australia  
Combined Policy Advisory Committee Meeting  
("Joint PAC")**

**18 April 2011**  
*Level 8 Conference Room  
Lionel Bowen Building, Sydney*

**MINUTES**

**Welcome and Apologies**

**Family Court of Australia attendees:** CJ Bryant, DCJ Faulks, Strickland J, Watts J, Cronin J, Murphy J, Richard Foster (CEO Family Court of Australia, Acting CEO Federal Magistrates Court), Grahame Harriott (Executive Director, Corporate), Angela Filippello (Principal Registrar, Family Court of Australia), Deborah Fry (Acting Director, Child Dispute Services)

**Federal Magistrates Court of Australia attendees:** CFM Pascoe AO CVO, FM Donald, FM Emmett, FM Riethmuller, FM Burchardt, FM Kelly, Stewart Fenwick (Manager, CFM's chambers)

Apologies: Finn J, Ryan J, FM Baumann, FM Cassidy

Kristen Murray (minutes)

The meeting opened at 11.40 am.

**Item 1.1 National calendaring**

CJ Bryant informed the meeting of the Family Court's decision to adopt a national calendaring model, commencing in the last quarter of 2011. Watts J confirmed that a steering committee had been formed comprising himself, Cronin J, Murphy J, Austin J and Jamie Crew, Registry Manager, Newcastle, to be assisted by Tony Lansdell, to develop a project methodology and plan. The steering committee has already met and has commenced work on developing the model. The meeting noted progress undertaken to date.

**Item 1.2 Transfers between courts**

The meeting discussed the issue of transfers between the Family Court and Federal Magistrates Court. The meeting agreed that the issue is particularly acute in Sydney, where the workload of the FMC is such that there is an extremely limited opportunity to transfer from the Family Court to the Federal Magistrates Court where matters are deemed to be more appropriately heard in that Court. The meeting noted that similar

issues also arise in Melbourne. The meeting discussed the possibility of collovers as a way of managing workload. The meeting ultimately agreed that additional resourcing was ultimately the only way that difficulties surrounding transfers could be resolved. In the interim, both Courts are working cooperatively to manage transfers.

### **1.3 Joint Committees**

The meeting noted the following joint committees:

- Property Management Committee
- Research and Ethics Committee
- Family Violence Committee
- IT Judicial Reference Group
- Library Committee

The meeting agreed that the joint committees were working effectively. The meeting noted that the Family Court's Law Reform Committee also consults with the Federal Magistrates Court on law reform issues when those of mutual concern arise. The meeting discussed the possibility of the Family Court's Access to Justice Committee also operating as a joint committee.

### **1.4 Primary Dispute Resolution – potential savings**

The meeting noted that the Federal Magistrates Court has already achieved significant savings through a reduction in use of Regulation 7 family reports. The meeting further noted there may be opportunities for greater savings in this area.

### **1.5 Budget strategies**

The meeting considered the financial briefing prepared by Grahame Harriott, Executive Director, Corporate, and the reports attached therein. The meeting noted that both Courts are facing significant financial pressures in 2011-12 and into the future if no additional resourcing for the Courts is made available. The meeting took note of the steps the administration of both Courts has taken to identify and retain savings to fund projected deficits and to improve efficiency. The meeting considered a range of further savings strategies discussed at a senior management planning workshop held on 2 March 2011. The meeting discussed possible savings strategies. The meeting gave its imprimatur to the CEO and the Executive Director, Corporate to undertake further work with a view to preparing correspondence to the Attorney-General advising him of the financial position of both courts and the possible ramifications for service delivery if funding supplementation is not forthcoming.

### **1.6 Other business**

There was no other business.

The meeting closed at 1.25 pm.