

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S DEPARTMENT

Program 1.3

Question No. 71

Senator Boyce asked the following question at the hearing on 18 October 2011:

The Family Law Legislation Amendment (Family Violence and Other Measures) Bill 2011 is currently before the parliament. The bill considerably expands the definition of 'family violence' and 'abuse of a child'. The expanded definitions and categories of persons who can engage special court processes will have resource implications for the Family Court and yet no further resourcing has been provided to the Family Court.

1. Are you able to advise me how the Family Law Court will be able to deal with the increased demands placed on it by the expanded definitions contained in the bill when it has been provided with further resourcing?
2. Because of the expanded definitions and categories of persons who can engage special court processes under this bill, would you agree that without further resourcing, there will be increased bottlenecks in having cases heard which will only add to the pressure that families are facing who are going through the family law system.

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

The amendments proposed by the Family Law Legislation Amendment (Family Violence and Other Measures) Bill 2011 are not expected to increase the number of families who need to access the federal courts to resolve family disputes. In 2011-12, the Family Court of Australia's appropriation is \$129.866 million and the appropriation for the Federal Magistrates Court is \$52.025 million. The Family Court of Australia and the Federal Magistrates Court are expected to manage their workload within those resources. The commencement provisions for Schedule 1 of the Bill are designed to allow the courts that exercise jurisdiction under Part VII of the Family Law Act time to review and update their procedures and protocols to reflect the changed requirements necessitated by the Bill.