

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

**Group 2**

**Program 1.3**

**Question No. 157**

**Senator Wright asked the following question at the hearing on 18 November 2013:**

1. The Family Court's annual report for 2012 to 2013 indicates it fell short of certain key performance targets. An example of this, as reported in the Australian newspaper, is that it only delivered 51% of judgments within 3 months of a hearing, although the target is 75%. Further, there is a target that 75% of matters pending conclusion must be less than 12 months old, but the result this year declined to 70%.
  - a) What has the Department identified as the most significant impediments to the Court meeting key performance indicators, where they are not being met?
  - b) To what extent would increased resources and funding improve these key performance results?
2. The government has announced that it will save \$30 million, over the forward estimates, by streamlining family court processes. The only further information the Coalition has provided, in relation to the family court cuts, is a breakdown for each year over the forward estimates.

The Coalition advised the savings will total \$2 million this financial year, \$6 million the following year, \$9 million in 2015-16 and \$13 million in 2016-17.

Where will the \$30 million in savings come from, within the Family Court framework?

  - a) Has the Department provided any further guidance to the Court, about how these savings are to be made?
  - b) What work has the Department performed, including work it has commenced but not completed, in relation to identifying how these savings will be made?
3. Do these cuts apply exclusively to the Family Court, or could the savings also be found within the Federal Circuit Court and other courts?
4. What is the relationship between the \$30 million in required savings, and the efficiency dividend which all federal courts face over the forward estimates? That is, are they separate and cumulative requirements, or can any aspect of the streamlining, for example, be counted towards the Court's efficiency dividend?
5. How does the Department expect that a cut of \$30 million will impact on service delivery and access to justice in the Family Court?

6. How does the Department anticipate that a cut of \$30 million will affect the Court's performance against existing key performance indicators?

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

1a, 1b, & 6. The Family Court of Australia is responsible for its own operation and management, including the achievement of its key performance indicators. It would not be appropriate for the department to respond on behalf of the Family Court.

2a, 2b, 3, 4 & 5. The Government has indicated that it is considering options for delivering the 'Streamlining Family Court processes' election commitment as part of the Budget process.