



THE SENATE

LEGAL AND CONSTITUTIONAL AFFAIRS LEGISLATION COMMITTEE

23 July 2010

Senator the Hon John Hogg
President of the Senate

INQUIRY INTO THE PROVISIONS OF THE ACCESS TO JUSTICE (FAMILY COURT RESTRUCTURE AND OTHER MEASURES) BILL 2010

Background

On 24 June 2010, the Senate referred the provisions of the Access to Justice (Family Court Restructure and Other Measures) Bill 2010 (Bill) to the Senate Legal and Constitutional Affairs Legislation Committee for inquiry and report by 21 September 2010.

The Bill sought to restructure the Family Court of Australia by creating a new division of the court to which federal magistrates exercising family law jurisdiction would be offered new commissions. The restructure was intended to provide a simplified system for family law litigation, and the Bill would have amended a number of Acts, including the *Family Law Act 1975* and the *Federal Magistrates Act 1999*. The Bill would also have amended the *Administrative Appeals Tribunal Act 1975* to permit the tribunal to charge fees at any stage in proceedings.

Conduct of the inquiry

The committee advertised the inquiry in *The Australian* newspaper on 30 June 2010 and 14 July 2010, and invited submissions by 13 August 2010. Details of the inquiry, the Bill and associated documents were placed on the committee's website. The committee also wrote to over 60 organisations and individuals.

The committee did not receive any submissions for this inquiry.

On 19 July 2010, the Governor-General prorogued the 42nd Parliament and dissolved the House of Representatives. Accordingly, the committee has resolved not to continue its inquiry into the provisions of the Bill. This decision is consistent with the approach to inquiries during elections adopted by other Senate committees. If the Bill is reintroduced in the new parliament, the Senate can again refer it to the committee for inquiry.

Senator Trish Crossin
Chair