



Garfield Barwick Commonwealth Law Courts Parramatta

PART 8
APPENDICES



APPENDIX 1: RESOURCE STATEMENT

Table 8.1 Family Court of Australia resource statement, 2008–09

	Actual available appropriation 2008–09 (\$'000)	Payments made 2008–09 (\$'000)	Balance remaining (\$'000)
Ordinary Annual Services^a			
Departmental appropriation			
Prior year departmental appropriation	27 263 ^c	4 876	22 387
Departmental appropriation	127 658 ^d	125 956	1 702 ^g
s. 30 relevant agency receipts	6 850 ^e	6 167	683
s. 31 relevant agency receipts	4 715 ^f	4 715	–
Total	166 486	141 714	24 772
Total ordinary annual services	166 486	141 714	
Total resourcing and payments^b	166 486	141 714	

a Appropriation Bill (No. 1) 2008–09 and Appropriation Bill (No. 3) 2008–09.

b Special Public Money special accounts, Litigants Fund Special Account, Other Trust Monies, and Services for Other Government and Non-Agency Bodies have been excluded from the above table, consistent with the Resource Statement in the 2009–10 Budget.

c Appropriation balance brought forward per Note 18, Table A, Balance brought forward from previous period.

d Departmental Appropriations per Note 18, Table A, Appropriation Act (No. 1 & No. 3) 2008–09.

e Section 30 receipts per Note 18, Table A, Relevant agency receipts (FMA Act, s 30).

f Section 31 receipts per Note 18, Table A, Relevant agency receipts (FMA Act, s 31).

g Includes cash on hand at 30 June 2009.

APPENDIX 2: STAFFING PROFILE

At 30 June 2009, the Family Court had a total workforce of 638 employees (excluding judicial officers, the Chief Executive Officer and casual employees).

Of the Court's employees:

- 200 (31.35 per cent) were male and 438 (68.65 per cent) were female (30 June 2008: 201 male and 436 female)
- 542 (85 per cent) were ongoing employees and 96 (15 per cent) were non-ongoing employees.

The following tables show staffing statistics broken down by location, gender, full-time and part-time status, and ongoing and non-ongoing employment.



National Enquiry Centre staff member

Table 8.2 Staff, by location

Level	ACT	CJ	NSO	NSW	NT	Qld	SA	Tas.	Vic.	Total
APS 1	–	–	–	1	–	–	–	–	–	1
APS 2	1	–	1	29	–	15	10	2	22	80
APS 3	4	1	7	57	4	30	16	6	27	152
APS 4	3	–	20	32	–	20	11	3	19	108
APS 5	2	1	18	23	1	13	4	3	10	75
APS 6	–	3	25	5	–	1	3	–	1	38
EL 1	6	1	33	22	–	13	6	3	17	101
EL 2	2	1	15	23	–	11	8	2	13	75
SES 1	–	–	3	1	–	1	–	–	1	6
SES 2	–	–	2	–	–	–	–	–	–	2
Total	18	7	124	193	5	104	58	19	110	638

APS = Australian Public Service; EL = Executive Level; SES = Senior Executive Service; CJ = Office of Chief Justice, Melbourne; NSO = National Support Office, Canberra

Note: Judicial officers and the Chief Executive Officer, who are holders of public office, are not included in this table. Actual occupancy at 30 June 2009 includes full-time and part-time staff, with the exception of casual employees. All figures in the table are based on actual headcount

Table 8.3 Staff, by gender

Level	Gender	ACT	CJ	NSO	NT	NSW	Qld	SA	Tas.	Vic.	Total
APS 1	Male	-	-	-	-	1	-	-	-	-	1
APS 2	Female	-	-	-	-	17	9	4	1	12	43
	Male	1	-	1	-	12	6	6	1	10	37
APS 3	Female	2	1	6	3	42	23	8	4	20	109
	Male	2	-	1	1	15	7	8	2	7	43
APS 4	Female	1	-	18	-	26	17	8	3	13	86
	Male	2	-	2	-	6	3	3		6	22
APS 5	Female	1	-	10	1	18	13	4	2	8	57
	Male	1	1	8	-	5	-	-	1	2	18
APS 6	Female	-	3	14	-	4	1	2	-	1	25
	Male	-	-	11	-	1	-	1	-	-	13
EL 1	Female	5	-	13	-	18	11	4	3	13	67
	Male	1	1	20	-	4	2	2	-	4	34
EL 2	Female	2	1	5	-	16	4	6	1	12	47
	Male	-	-	10	-	7	7	2	1	1	28
SES 1	Female	-	-	1	-	1	-	-	-	1	3
	Male	-	-	2	-	-	1	-	-	-	3
SES 2	Female	-	-	1	-	-	-	-	-	-	1
	Male	-	-	1	-	-	-	-	-	-	1
Total		18	7	124	5	193	104	58	19	110	638

APS = Australian Public Service; EL = Executive Level; SES = Senior Executive Service; CJ = Office of Chief Justice, Melbourne; NSO = National Support Office, Canberra

Note: Judicial officers and the Chief Executive Officer, who are holders of public office, are not included in this table.

Table 8.4 Staff, by attendance status

Level	Attendance status	ACT	CJ	NSO	NT	NSW	Qld	SA	Tas.	Vic.	Total
APS 1	Part-time	-	-	-	-	1	-	-	-	-	1
APS 2	Full-time	1	-	-	-	22	15	9	1	19	67
	Part-time	-	-	1	-	7	-	1	1	3	13
APS 3	Full-time	4	1	3	2	35	24	14	6	18	107
	Part-time	-	-	4	2	22	6	2	-	9	45

Level	Attendance status	ACT	CJ	NSO	NT	NSW	Qld	SA	Tas.	Vic.	Total
APS 4	Full-time	3	–	17	–	28	19	8	2	16	93
	Part-time	–	–	3	–	4	1	3	1	3	15
APS 5	Full-time	2	1	17	1	20	13	4	3	10	71
	Part-time	–	–	1	–	3	–	–	–	–	4
APS 6	Full-time	–	2	24	–	5	1	3	–	1	36
	Part-time	–	1	1	–	–	–	–	–	–	2
EL 1	Full-time	3	1	33	–	20	7	3	1	12	80
	Part-time	3	–	–	–	2	6	3	2	5	21
EL 2	Full-time	1	1	15	–	17	9	8	2	8	61
	Part-time	1	–	–	–	6	2	–	–	5	14
SES 1	Full-time	–	–	3	–	1	1	–	–	1	6
SES 2	Full-time	–	–	2	–	–	–	–	–	–	2
Total		18	7	124	5	193	104	58	19	110	638

APS = Australian Public Service; EL = Executive Level; SES = Senior Executive Service; CJ = Office of Chief Justice, Melbourne; NSO = National Support Office, Canberra

Note: Judicial officers and the Chief Executive Officer, who are holders of public office, are not included in this table.

Table 8.5 Ongoing staff, by location and classification

Level	ACT	CJ	NSO	NT	NSW	Qld	SA	Tas.	Vic.	Total
APS 1	–	–	–	–	1	–	–	–	–	1
APS 2	1	–	1	–	24	11	8	2	20	67
APS 3	1	1	4	1	45	24	14	5	25	120
APS 4	2	–	14	–	23	15	8	2	15	79
APS 5	2	1	15	1	23	13	4	3	10	72
APS 6	–	3	25	–	5	1	3	–	1	38
EL 1	6	–	28	–	21	8	6	3	15	87
EL 2	1	1	15	–	21	11	8	2	12	71
SES 1	–	–	3	–	1	1	–	–	–	5
SES 2	–	–	2	–	–	–	–	–	–	2
Total	13	6	107	2	164	84	51	17	98	542

APS = Australian Public Service; EL = Executive Level; SES = Senior Executive Service; CJ = Office of Chief Justice, Melbourne; NSO = National Support Office, Canberra

Note: Judicial officers and the Chief Executive Officer, who are holders of public office, are not included in this table.

Table 8.6 Non-ongoing staff, by location and classification

Level	ACT	CJ	NSO	NT	NSW	Qld	SA	Tas.	Vic.	Total
APS 1	–	–	–	–	–	–	–	–	–	0
APS 2	–	–	–	–	5	4	2	–	2	13
APS 3	3	–	3	3	12	6	2	1	2	32
APS 4	1	–	6	–	9	5	3	1	4	29
APS 5	–	–	3	–	–	–	–	–	–	3
APS 6	–	–	–	–	–	–	–	–	–	0
EL 1	–	1	5	–	1	5	–	–	2	14
EL 2	1	–	–	–	2	–	–	–	1	4
SES 1	–	–	–	–	–	–	–	–	1	1
SES 2	–	–	–	–	–	–	–	–	–	–
Total	5	1	17	3	29	20	7	2	12	96

APS = Australian Public Service; EL = Executive Level; SES = Senior Executive Service; CJ = Office of Chief Justice, Melbourne; NSO = National Support Office, Canberra

Note: Judicial officers and the Chief Executive Officer, who are holders of public office, are not included in this table.

Judicial officers

At 30 June 2009, the total number of judges, including the Chief Justice, was 35. There were 13 female and 22 male judges in the Court. There were also two male judicial registrars.

Table 8.7 Number of judges and judicial registrars at 30 June 2009

Location	Judges	Judicial registrars
New South Wales	14	2
Victoria	1 Chief Justice 6 Judges	– –
Queensland	8	–
South Australia	3	–
Tasmania	1	–
Australian Capital Territory	1 Deputy Chief Justice 1 Judge	– –
Total	35	2

Workforce turnover

During 2008–09, 93 employees and judicial officers left the Family Court, of whom 56 were ongoing employees; representing an annual turnover rate of 10 per cent of total ongoing staff numbers at 30 June 2009.

Table 8.8 Workforce turnover, 2008–09

Employment type	Reason	Total
Non-ongoing employees	Abandoned contract	4
4.88% of workforce	Deceased	1
	Dismissed	2
	Resignation	24
	Termination—unspecified	2
Total non-ongoing employees		33
Ongoing employees	Retirement age 60–65	3
8.29% of workforce	Retirement age over 65	1
	Inter department transfer	21
	Resigned	13
	Voluntary redundancy	18
Total ongoing employees		56
Public office holders	Retirement age 60–65	3
0.59% of workforce	Resigned	1
Total public office holders		4
Total		93

Note: Total staff numbers include all employees and public office holders at 30 June 2009. Non-ongoing employees whose period of engagement reached its contract date of expiry are not included.

Agreement making

Collective agreement

The Family Court's Collective Agreement 2007–10 was lodged pursuant to section 328 of the *Workplace Relations Act 1996* on 30 July 2007. The agreement has a nominal expiry date of 30 June 2010. There were 592 employees covered by the collective agreement at 30 June 2009.

Table 8.9 Employees covered by the Family Court Collective Agreement 2007–10 at 30 June 2009

Level	Female	Male	Total
APS 1	–	1	1
APS 2	43	37	80
APS 3	109	43	152
APS 4	86	22	108
APS 5	57	18	75
APS 6	25	13	38
EL 1	61	22	83
EL 2	41	19	60
Total	422	175	597

APS = Australian Public Service; EL = Executive Level

Other agreements

While the Australian Government's legislation governing changes to the previous Work Choices legislation no longer allows for the making of new Australian Workplace Agreements (AWAs), 41 employees have enforceable AWAs in place.

In some limited cases, the Family Court has used common law contracts to provide supplementary conditions for individuals covered by the Family Court Collective Agreement 2007–10 and determination 24 instruments pursuant to the *Public Service Act 1999* to build upon existing AWA arrangements. At 30 June 2009, the employment arrangements of six employees were governed by enforceable common law contracts; the employment arrangements of 41 employees were governed by determination 24 instruments.

Table 8.10 Employees covered by other agreements at 30 June 2009

Level	Australian Workplace Agreements			Common law contracts			Determination 24 arrangements		
	Female	Male	Total	Female	Male	Total	Female	Male	Total
APS 1	–	–	–	–	–	–	–	–	–
APS 2	–	–	–	–	–	–	–	–	–
APS 3	–	–	–	–	–	–	–	–	–
APS 4	3	–	3	–	–	–	3	–	3
APS 5	–	–	–	–	–	–	–	–	–
APS 6	2	2	4	–	2	2	2	2	4
EL 1	3	9	12	–	1	1	3	9	12
EL 2	6	8	14	1	2	3	6	8	14

	Australian Workplace Agreements			Common law contracts			Determination 24 arrangements		
	2	4	6	–	–	–	2	4	6
SES 1	2	4	6	–	–	–	2	4	6
SES 2	1	1	2	–	–	–	1	1	2
Total	17	24	41	1	5	6	17	24	41

APS = Australian Public Service; EL = Executive Level; SES = Senior Executive Service

Table 8.11 AWA minimum and maximum salary ranges, by classification

Classification	Salary range (\$)
APS 4	56 549 – 66 487
APS 6	72 113 – 86 903
EL 1	86 902 – 106 325
EL 2	105 325 – 129 490
SES 1	113 094 – 178 381
SES 2	171 744 – 183 133

APS = Australian Public Service; EL = Executive Level; SES = Senior Executive Service

Table 8.12 Classification structure and pay rates

APS classification and no. of staff	Salary rates on 1 July 2008	Salary rates on 1 July 2009
APS 1 – 1 employee	\$37 491	\$39 140
	\$38 505	\$40 199
	\$40 089	\$41 853
APS 2 – 80 employees	\$41 050	\$42 856
	\$43 288	\$45 193
	\$45 523	\$47 526
APS 3 – 152 employees	\$47 972	\$50 083
	\$49 190	\$51 354
	\$50 464	\$52 684
APS 4 – 108 employees	\$53 770	\$56 136
	\$55 167	\$57 594
	\$56 581	\$59 070
APS 5 – 75 employees	\$58 125	\$60 683
	\$59 946	\$62 584
	\$61 635	\$64 347
APS 6 – 38 employees	\$62 779	\$65 542
	\$66 487	\$69 413
	\$72 113	\$75 286
EL 1 – 101 employees	\$80 479	\$84 020
	\$83 691	\$87 373
	\$86 902	\$90 725
EL 2 – 75 employees	\$92 821	\$96 905
	\$97 923	\$102 232
	\$105 236	\$109 866
	\$106 900	\$111 603
	\$108 753	\$113 538
	\$111 531	\$116 438

APS = Australian Public Service; EL = Executive Level

Note: Excludes casual employees.

APPENDIX 3: FREEDOM OF INFORMATION

The Court received no freedom of information requests during 2008–09.

At 30 June 2009, there were no matters outstanding before the Administrative Appeals Tribunal.

Table 8.13 Freedom of information requests, 2004–05 to 2008–09

Financial year	Number of requests
2008–09	0
2007–08	4
2006–07	3
2005–06	3
2004–05	1

Facilities for access

Freedom of information requests are handled at a national level. The *Freedom of Information Act 1982* does not apply to any request for access to a document of the Court, unless the document relates to matters of an administrative nature (see section 5 of the Act). Broadly, this means that the Act does not apply to documents related to the exercise of the jurisdiction of the Court.

The availability of documents outside the Freedom of Information Act is subject to the *Family Law Act 1975* and the *Family Law Rules 2004*, which generally confine access to the Court's files or registry indexes to parties to particular proceedings or their representatives.

Facilities for examining documents and obtaining copies are available at the Court's registries. Freedom of information enquiries should be directed to:

Freedom of Information Coordinator
 Family Court of Australia
 PO Box 9991
 Canberra ACT 2601

Categories of documents

The Court maintains the following categories of documents:

- general correspondence
- client feedback correspondence
- documents concerning the development and implementation of policy, standards, guidelines and procedures
- records of meetings and conferences
- addresses and speeches published by the Court
- documents concerning administration and financial aspects of the Court
- documents concerning research projects, submissions, reports, audits, evaluations and reviews, including statistical information gathered by Court staff

- documents concerning security aspects of the Court
- personnel files
- first instance and appeal case files, comprising all documents filed in the Court or transferred from other jurisdictions (for example, formal applications and supporting affidavits) and records of all orders made in court proceedings
- an alphabetical index in each registry (in card form or in a computerised recording system), of all parties who have commenced or continued proceedings in that registry
- family consultant interview records (hard copy and/or computerised) that record particulars of any persons having presented themselves to the child dispute services section of the Court (whether voluntarily or under Court direction).

Other documents

The Freedom of Information Act does not apply to single copies of all printed materials listed below, which may be obtained free of charge upon request from all family law registries.

Prescribed brochures

When certain applications are filed, the *Family Law Act 1975* and the *Family Law Rules 2004* require Court staff to give specific brochures to the person filing the application (the applicant). The Act and Rules also require the applicant to provide specific brochures, along with other court documents, to the other party (the respondent). These are known as 'prescribed' brochures. The list below indicates which brochures were prescribed in this manner at 30 June 2009.

<i>Prescribed brochure</i>	
<i>Before you file—Pre-action procedure for parenting cases</i>	Distributed in accordance with Rule 1.05 and Schedule 1
<i>Before you file—Pre-action procedure for financial cases</i>	Distributed in accordance with Rule 1.05 and Schedule 1
<i>Costs Notice Chapter 19</i>	Distributed in accordance with Chapter 19 of the <i>Family Law Rules 2004</i>
<i>Enforcement hearings</i>	Served in accordance with Rule 20.11(3)(b))
<i>Experts Conference</i>	Distributed in accordance with Rule 15.69
<i>Marriage, Families and Separation</i>	Distributed in accordance with Part IIIA of the <i>Family Law Act 1975</i>
<i>Subpoena—Information for named person (served with a subpoena)</i>	Distributed in accordance with Rule 15.28
<i>Third party debt notices</i>	Distributed in accordance with Rule 1.05 and Schedule 1

Prescribed forms

There was one prescribed Family Court form, *A Notice of Child Abuse or Family Violence* (Form 4) at 30 June 2009. The remainder of the Family Court forms are approved by the Chief Justice pursuant to Rule 24.04(1).

Joint form

The joint *Initiating Application (family law)* form was moved out of the pilot phase and was updated in the light of the conferral of de facto jurisdiction.

Client information

The Family Court also provides a wide range of forms authorised by the Principal Registrar and general information materials, such as do-it-yourself kits, fact sheets, brochures and booklets. All forms and publications are available from the Court's registries and/or its website (www.familycourt.gov.au).



APPENDIX 4: ADVERTISING AND MARKET RESEARCH

Under section 311A of the *Commonwealth Electoral Act 1918*, the Court is required to disclose payments of \$10 900 or more (inclusive of GST) for advertising, market research, polling organisations, direct mail and media advertising.

The Court spent a total of \$80 696 in this category during the 2008–09 financial year, comprising mainly media advertising (recruitment and tender notices) handled by hma Blaze (\$71 123).

APPENDIX 5: ECOLOGICALLY SUSTAINABLE DEVELOPMENT AND ENVIRONMENTAL PERFORMANCE

The Family Court does not administer any legislation with implications for ecologically sustainable development, which is not affected by the Court's core business, planned outcomes or activities.

During 2008–09, there were no matters or reports concerning the Court under the *Environment Protection and Biodiversity Conservation Act 1999*. The Court does not own or control any places for the purposes of managing their heritage values under the Act.

The Court continued to seek to minimise the impact of its activities on the environment during the year by:

- participating nationally in Earth Hour to contribute to energy savings
- installing environmentally friendly Envirolights in all new refurbishments
- installing Envirolights in the National Support Office (effectively halving the number of lights required and cutting energy use, with a two-year payback period)
- regularly testing cooling towers and water features in court buildings, in accordance with statutory requirements
- regularly auditing electricity, water and gas supply and consumption, including comprehensive audits of the Brisbane and Melbourne Commonwealth Law Courts buildings
- providing energy consumption data to the Australian Greenhouse Office as part of whole-of-government energy reporting
- undertaking National Australian Built Environment Rating System (NABERS) audits of all Commonwealth Law Court buildings in which the Court is a tenant (all now have an NABERS classification)
- continuing to monitor and refine waste recycling within Commonwealth Law Courts buildings.

APPENDIX 6: GRANT PROGRAMS

The Family Court of Australia made no grants during 2008–09.

APPENDIX 7: COMMONWEALTH DISABILITY STRATEGY PERFORMANCE REPORTING

Table 8.14 Performance indicators

Performance indicator	Performance measure	Level of performance in 2008–09	Goals for 2009–10	Actions for 2009–10
The Family Court has established mechanisms for quality improvement and assurance.	Refurbishment works meet Building Code of Australia requirements.	The Court complies with the Building Code of Australia for building modifications and alterations. The code incorporates requirements to comply with disabled access for staff, clients and visitors. This includes areas such as ramps, signage and toilets.	Identify areas for improvement for access for staff, clients and visitors to Family Court of Australia facilities.	Undertake an audit of the Court's accommodation.
The Family Court has an established service charter that specifies the roles of the provider and consumer and service standards which address accessibility for people with disabilities.	Employment policies, procedures and practices comply with the requirements of the <i>Disability Discrimination Act 1992</i> .	The Court incorporates requirements to comply with legislative requirements in its new employment policies, procedures and practices and when revising existing policies, procedures and practices.	Identify areas for quality improvement for employees and prospective employees of the Court.	Include continuous improvement strategies in annual corporate business plans, including the human resources management business plan.
The Family Court has an established service charter that adequately reflects the needs of people with disabilities in operation.	Established service charter that adequately reflects the needs of people with disabilities in operation.	The Court's service charter identifies ways that clients can advise the Court of particular problems or needs.	The service charter to be reviewed to incorporate the Court's commitment to meeting the needs of people with a disability.	Prepare a revised service charter as part of the annual review.

Performance indicator	Performance measure	Level of performance in 2008–09	Goals for 2009–10	Actions for 2009–10
<p>The Family Court complaints policy complies with Australian Standard AS 4269-1995 and the Commonwealth Ombudsman's <i>Good Practice Guide for Effective Complaint Handling</i>.</p>	<p>The Court has comprehensive complaints guidelines, including a client fact sheet and detailed procedures published on the Family Court website.</p>	<p>During the year, the Court clarified and published on the its website details about the process of lodging judicial complaints.</p> <p>In all but 10% of cases, non-judicial complaints were finalised within 20 days.</p> <p>Judicial complaints take longer to finalise. Complainants are advised accordingly.</p>	<p>Apply the Court's policy to acknowledge complaints within 5 days and respond within 20 days, except where it is necessary to await the outcome of proceedings before the Court or obtain transcripts and analyse a large and complex file.</p>	<p>Continue to monitor the validity of complaints and analyse the number received and issues raised.</p>

APPENDIX 8: COMMITTEES

Judicial committees

Table 8.15 provides details of the membership and functions of the Family Court of Australia's judicial committees at 30 June 2009.

Table 8.15 Family Court of Australia judicial committees, 30 June 2009

Committee title	Chair	Members	Meets	Terms of reference
Chief Justice's Policy Advisory	Chief Justice Bryant	Deputy Chief Justice Faulks Justice Finn Justice Strickland Justice Watts Justice Ryan Justice Cronin Justice Murphy Chief Executive Officer (Richard Foster) Principal Registrar (Angela Filippello) Director Child Dispute Services (Dianne Gibson)	Quarterly	To support the Chief Justice in the administration of the Court and to provide strategic advice and policy direction, particularly in relation to legislative, procedural and administrative changes likely to affect the Family Court and its users.
Rules	Justice Watts	Justice Martin Justice Strickland Judicial Registrar Longhnan Senior Registrar FitzGibbon Registrar Micallef Legal counsel (Neil Wareham)	Monthly	To consider proposed changes to the Family Law Rules 2004 with a view to improving the efficiency, accessibility and cost effectiveness of the Family Court for its clients. Also to undertake detailed consideration of discrete issues as required.

Committee title	Chair	Members	Meets	Terms of reference
Judicial Development	Justice Warnick	Justice Collier Justice Benjamin Justice Dessau (consultant)	As required	To develop, implement and oversight judicial education in the Court.
Law Reform	Justice Strickland	Deputy Chief Justice Faulks Justice Finn Justice Watts Principal Registrar (Angela Filippello)	As required	To consider and comment upon proposed legislation and law reforms.
Benchbook	Justice Benjamin	Justice Watts Justice Ryan Hon Richard Chisholm (consultant) Nominated legal associate Family Law Information Service representative IT representative	As required	To review and update the electronic benchbook which contains commentary on a range of legal topics and principles encountered in the day-to-day work of the judiciary and registrars and provides a comprehensive list of orders.
Judicial Remuneration	Chief Justice	Deputy Chief Justice Faulks Justice May Justice O’Ryan Justice Young Justice Ryan Judicial Registrar Johnston	As required	To prepare submissions to annual and other reviews of the Remuneration Tribunal

Committee title	Chair	Members	Meets	Terms of reference
Magellan	Justice Burr	<p>Magellan judges</p> <p>Principal Registrar (Angela Filippello)</p> <p>Executive Advisor to the CEO (Leisha Lister)</p> <p>Senior Legal Officer Family Law Unit, Attorney-General's Department (Kathryn Ovington)</p> <p>National Legal Aid (Judith Sharples and Louise Smith)</p> <p>Department of Human Services, Vic. (Samantha Hague)</p> <p>Manager Court Services Department of Child Safety, Qld (Bernadette Smith)</p>	Quarterly	<p>To:</p> <ul style="list-style-type: none"> exchange information about support for Magellan report to the Chief Justice on its operation liaise with child welfare and the police on the evaluation of Magellan ensure that cases involving serious allegations of child sexual or physical abuse are dealt with as effectively and efficiently as possible.
National Case Management	Deputy Chief Justice Faulks	<p>Case Management judges</p> <p>Principal Registrar (Angela Filippello)</p> <p>Director Child Dispute Services (Dianne Gibson)</p> <p>Executive Advisor Client Services (Simon Kelso)</p>	As required	To take national responsibility for case management within the Court. This committee can refer case management matters to the Chief Justice's Policy Advisory Committee for determination.
Property Management	Justice Dawe	<p>FM Hartnett</p> <p>CEO (Richard Foster)</p> <p>Executive Director Corporate (Grahame Harriott)</p> <p>Registry Manager representative</p> <p>National Property Manager</p>	As required	To plan and assess the current and future needs of the Court in relation to property services, including contracting, refurbishment and construction.

Committee title	Chair	Members	Meets	Terms of reference
Research and Ethics	Justice Stevenson	Hon Susan Morgan (consultant) Director Child Dispute Services (Dianne Gibson) Manager Statistical Services Unit (Dennis Beissner) Legal counsel (Neil Wareham)	As required	To consider, monitor and overview all research and evaluation proposals (internal and external) for approval and disseminate research papers/results as necessary.
Costs	Justice Benjamin	Justice Watts Principal Registrar (Angela Filippello)	As required	To consider and advise on costs issues.
Cultural Diversity	Justice Mushin	Deputy Chief Justice Faulks Justice Flohm Director Child Dispute Services (Dianne Gibson) Executive Director Client Services (acting Stephen Andrew) Communications Manager (Janelle McLoughlin) CEO's representative (Leisha Lister)	As required	To complete the implementation of the Court's cultural diversity plan and provide advice to the Chief Justice and CEO on cultural diversity issues, including special needs of Aboriginal and Torres Strait Islander people.
Family Violence	Justice Ryan	Justice Stevenson Principal Registrar (Angela Filippello) Chief Justice's legal associate (Kristen Murray)	As required	To complete the implementation of the Court's family violence strategy and provide advice to the Chief Justice and CEO on family violence issues.

Committee title	Chair	Members	Meets	Terms of reference
Information and Communication Technology	Deputy Chief Justice Faulks	<p>CEO (Richard Foster)</p> <p>Principal Registrar (Angela Filippello)</p> <p>Executive Director Client Services (acting Stephen Andrew)</p> <p>Executive Director information, Communication and Technology Services (Stephen Andrew)</p> <p>Regional Registry Manager representative</p> <p>Manager Information Management (Sue Lynch)</p>	As required	To align the Court's information technology with the Court's business, including by focusing on projects with the greatest business impact and advancing partnerships between ICT Services and other areas of the Court.
Superannuation Surcharge	Justice Rose		As required	To consider and advise on issues associated with the application of the superannuation surcharge to Family Court judges.

Senior management committees

Table 8.16 provides details of the membership and functions of the Family Court of Australia's governance committees at 30 June 2009.

Table 8.16 Family Court of Australia governance committees, 30 June 2009

Committee title	Chair	Members	Meets	Terms of reference
Chief Executive Officer's Management Advisory Group (formerly the Court Management Group)	CEO Family Court of Australia and acting CEO of Federal Magistrates Court (Richard Foster)	Deputy CEO Federal Magistrates Court (acting Steve Agnew) Executive Director Information, Communication and Technology Services (Family Court) (Stephen Andrew) Executive Director Client Services (Family Court) (acting Stephen Andrew) Regional Registry Manager (Family Court) (Jane Reynolds Vic/Tas/SA) Regional Manager (Federal Magistrates Court) (Jamie Crew NSW/ACT) Executive Director Corporate (Family Court) and acting Chief Finance Officer (Federal Magistrates Court) (Grahame Harriott) Communication Manager (Federal Magistrates Court) (Denise Healy) With assistance provided by the Executive Advisor to the CEO Family Court (Leisha Lister)	Every 6 weeks	In April 2009, the Court Management Group was replaced with the CEO's Management Advisory Group, the primary objective of which is to provide operational and policy advice to the CEO regarding key areas that are likely to be affected by the integration of the administrations of the Family Court and the Federal Magistrates Court.

Committee title	Chair	Members	Meets	Terms of reference
Audit and Risk	Chris Doogan AM (external member)	<p>Executive Director Corporate (Grahame Harriott)</p> <p>Executive Director Client Services (acting Stephen Andrew)</p> <p>Registry Manager representative (Greg Thomas, Registry Manager Adelaide)</p> <p>ANAO representatives and the Family Court's internal auditors (Oakton Limited) also attend committee meetings as observers.</p> <p>Oakton Limited, the Family Court's internal auditor, provides secretariat services for the committee.</p>	5 times a year in February, May, July, August and November.	<p>Monitor and, where necessary, recommend improvements to:</p> <ul style="list-style-type: none"> • risk management identification and amelioration • internal control processes (including fraud control) • the financial reporting process • the functioning of the Internal Audit Unit • the external audit process • processes for monitoring compliance with legislation, regulations and government policy. • maintain an effective working relationship with the ANAO.

Committee title	Chair	Members	Meets	Terms of reference
National Consultative	CEO's representative (Donna Simotas, Manager Human Resources)	<p>Members are elected by vote and represent:</p> <p>National Support Office (Jacki Agius, Human Resources)</p> <p>Associates (Trish Zellner, Brisbane)</p> <p>Registrars (Athena Sikiotis, Melbourne)</p> <p>Client Services (John Green, Melbourne, and Carol McPherson, Lismore)</p> <p>Family Consultants (Kyll Sheppard, Melbourne)</p> <p>A representative from the Community and Public Sector Union is also invited to attend.</p>	At least twice a year	<p>Consultative forum for staff about issues with a national perspective, such as industrial democracy; security; the strategic objectives of the Court; equal employment opportunities; new technology; accommodation and amenities; and personnel and staffing policies and practices.</p> <p>Delegates present staff views on issues that affect the management and future direction of the Court and provide feedback and briefings to the workplace nationally.</p>
Staff Development	Manager Human Resources (Donna Simotas)	<p>Registry Manager representative (Greg Johannesen, Adelaide)</p> <p>Child Dispute Services (Paul Lodge, Sydney)</p> <p>Registrar (Debra Parker, Canberra)</p> <p>Client Services (Michelle Steiner, Sydney)</p> <p>Information Technology and Communications Services (Glenda Frew)</p>	Monthly	To identify, develop and/or implement national training and development initiatives, policies and programs.

APPENDIX 9: EXTERNAL INVOLVEMENT

The Family Court has a number of strategies for strengthening its partnerships with clients and other stakeholders within the family law system, such as legal practitioners, non-government organisations and government agencies and departments.

External stakeholders at the strategic level influence, either directly or indirectly, the direction of the family law system within Australia. They include:

- the Attorney-General's Department
- the Department of Family, Community Services and Indigenous Affairs
- the Child Support Agency
- community-based organisations
- the Australian Federal Police.

Relationships with these groups are managed either by the Chief Justice, the Deputy Chief Justice, other judges on behalf of the Chief Justice, the Chief Executive Officer or other senior executives from the National Support Office.

There are a number of established channels through which external stakeholders may inform the Court and affect its processes, including the following.

Family Law Council

The Family Law Council, established by the Attorney-General under section 115 of the *Family Law Act 1975*, confers with the Court in the course of its consideration of particular aspects of family law. The Court has judges appointed to the council and observers at its meetings.



Chief Justice Bryant with Professor Alan Hayes, Director of the Australian Institute of Family Studies

Australian Institute of Family Studies

The Australian Institute of Family Studies was established under section 114B of the Family Law Act and is a forum for exchange of information and research.

Family Law Section of the Law Council of Australia

The Chief Justice and the Deputy Chief Justice meet quarterly with the Family Law Section of the Law Council of Australia, and there are regular liaison meetings with local law societies and bar associations in each of the Court's registries.

Family Law Forum

The Chief Justice chairs the national Family Law Forum, which consists of representatives from the Federal Magistrates Court, the Family Law Council, the Family Law Section of the Law Council of Australia, National Legal Aid, the Attorney-General's Department, the Department of Families, Community Services and Indigenous Affairs, the Child Support Agency, the Australian Institute of Family Studies, non-government organisations and community legal centres. The Family Law Forum meets quarterly to discuss shared issues arising within the family law system.

Committees

In addition to the Family Law Forum, a number of external stakeholders contribute to Court direction by contributing to or being members of various Court committees. For example, external members are members of the Court's Magellan committee, the Audit and Risk Committee and the Family Law Courts Advisory Group. For more information on Court committees, see Appendix 8.

Local registry consultations

Each registry of the Family Court has established similar consultative processes through existing legal practitioner forums, family law pathways networks and court user groups. These forums aim to achieve better outcomes for clients through facilitating locally focused discussion. They have also provided a means to build effective referral relationships to support the establishment of Family Relationship Centres.

At a registry level, the Court has also developed networks with culturally and linguistically diverse communities through its Cultural Diversity Committee, and with mental health providers and advocates through its Mental Health Pilot Project.

Individuals and organisations may also participate in the Court's policy formulation by making representations in writing, either directly to the Court, through the Family Law Council or through community consultations conducted by the Court.

APPENDIX 10: JUDICIAL ACTIVITIES

In addition to hearing and determining cases, the Family Court's judges and judicial registrars actively contribute to the development of the law both in Australia and internationally. They achieve this through attending conferences and seminars, presenting papers, addressing professional associations and community-based organisations, meeting international delegations and liaising with judicial colleagues around the world.

Conferences

Many judges and judicial registrars also serve as members of organising committees for conferences, as well as working in the community with legal and cultural organisations.

The Chief Justice's activities in these areas during 2008–09 are summarised in Tables 8.17 and 8.18.

Table 8.17 Conferences attended and papers delivered by the Chief Justice, 2008–09

Date	Conference	Paper delivered
3–5 August 2008	International Conference on Child Labour and Child Exploitation, Cairns	A New Approach to the Litigation of Cases Involving Children—Reducing the Tension
15 August 2008	23rd Calabro Consulting Family Law Residential, Gold Coast	National Family Law Directions
11 September 2008	The Victorian Bar Continuing Development Program: The Family Violence Protection Bill 2008 (Vic)	Domestic Violence—The Family Court's Response
17 October 2008	Judicial College of Victoria Family Violence Workshop, Melbourne	The New Evidentiary Provisions—Changes in Approach
22–24 October 2008	New Zealand Family Court Judges Triennial Conference, Gisborne	Walrus and the Changing Shape of Family Law in Australia
14 November 2008	Law Institute of Victoria Annual Family Law Conference, Melbourne	Opening address
19 November 2008	Independent Children's Lawyers Conference, Hobart	With Dr Jenn McIntosh: Shared Parenting in Conflicted Parental Separation: The intersection of social science and the law
15 & 16 January 2009	Direct Judicial Communications on Family Law Matters and the Development of Judicial Networks: Hague Conference on Private International Law, Brussels	Direct Judicial Communications in 2018—What can we expect?

Date	Conference	Paper delivered
19 & 20 February 2009	Inaugural Family Law System Conference, Canberra	Opening address
23–25 February 2009	First AsianLII Conference, Sydney	Recognition of Laws by Foreign Courts: The Role of Online Law and Transparency in Decision Making: the Challenge for the Judiciary
27–29 March 2009	Collaborating Down Under, Inaugural 2009 Collaborative Law Conference, Sydney	Collaboration in Family Law
21 April 2009	Queensland University of Technology Public Lecture Series, Brisbane	Family Violence, Mental Health and Risk Assessment in the Family Law System
2 May 2009	13th Annual Family Law Intensive, Melbourne	Opening address
30 May 2009	North Queensland Law Association Conference, Townsville	Australia's Federal Judiciary: Unfinished business

Table 8.18 Chief Justice's speaking engagements, 2008–09

Date	Event
9 July 2008	10th Australian Institute of Family Studies Conference, Melbourne
21 July 2008	Address at signing of a memorandum of understanding with Indonesia's religious courts, Melbourne
22 July 2008	Speech to visiting Indonesian delegation on the importance of transparency and accountability for courts, Melbourne
8 September 2008	Welcome to visiting Swedish delegation, Sydney
9 September 2008	Opening of Contact Services Centre, Sydney
30 October 2008	Welcome and introduction to Lord Justice Thorpe's address on international family law, Melbourne
7 November 2008	4th Australian Institute of Judicial Administration Appellate Judges Conference, Melbourne
3 December 2008	College of Law graduating class, Melbourne
11 February 2009	Welcome to visiting Tanzanian delegation, Melbourne
19 March 2009	Women's Safety and the Law Forum, Melbourne
2 April 2009	Launch of <i>She Who Conquers: A centenary history of Firkbank Grammar</i> , Melbourne
5 May 2009	Presentation to University of Melbourne graduate law students, Melbourne
23 June 2009	Less Adversarial Trial education package launch, Sydney

Other judicial activities

Other activities of the judges and judicial registrars of the Family Court during 2008–09 included:

- presenting to the Family Law Section in Melbourne, the Queensland Law Society in Brisbane and the Victorian Bar and Law Institute in Melbourne about case management and ethical obligations of advocates
- co-presenting a session for bar readers on family violence law for barristers, Melbourne
- participating in a panel discussion at the Insolvency and Trustee Service Australia Bankruptcy Congress on 'Bankruptcy and Family law –what's worked and what's next'
- facilitating a workshop on culturally and linguistically diverse communities at the Inaugural Family Law System Conference, Canberra
- delivering a keynote address at the Human Rights, Effective Settlement and the Duty of Government to Care Conference, Melbourne
- acting as chairperson of 'The Law and the Children' session at the Commonwealth Law Conference, Hong Kong
- acting as chairperson of the Advisory Board Postgraduate Education in Family Law, College of Law, Sydney
- representing the Court at the Biennial Conference of Australian Commonwealth and State and Territory Central Authorities, Canberra
- representing the Court at the judicial conference conducted by the Permanent Bureau of the Hague Conference on Private International Law, and co-convened case study discussions between delegates, Malta
- presenting papers on 'The Evolution of the Expert Witness' at the Advanced Family Law Seminar, Sydney; 'Inherited Property in Property Settlements' at the Recognition of Religious Divorce seminar, Sydney; 'The International Network of Hague Judges' at the Third Pacific Regional Conference of the Hague Conference on Private International Law: International Cooperation through Hague Conventions in the Asia Pacific; and 'The Less Adversarial Trial' seminar, LEADR, Sydney.

Family Court judges and judicial registrars were also involved in organising local, national and international conferences, including the 5th World Congress on Family Law and Children's Rights (Halifax, Nova Scotia, August 2009), the Indigenous Courts Conference (Rockhampton, August 2009), the Family Violence Conference (Brisbane, October 2009) and the Australian Institute of Judicial Administration Annual Conference. Judges also acted as members of reference groups for local Family Relationship Centres.

Judges and judicial registrars also contributed to professional legal development through their membership of professional and research-based associations. The Family Court has been consistently represented on the Family Law Council. Judges and judicial registrars are also members of the Council and Board of Management of the Australian Institute of Judicial Administration; the Governing Council of the Judicial Conference of Australia; the Advisory Board, Family Law Practice for the NSW College of Law; Children's Rights International; Melbourne University Law School; and the National College of Judicial Education. They have also been integrally involved in the National Judicial Orientation Program and in teaching for other judicial education bodies throughout Australia.

The International Hague Network judge communicated with judicial officers over specific cases in the following countries:

- Brazil
- Canada
- France
- Greece
- Israel
- Netherlands
- New Zealand
- South Africa
- Sweden
- Ukraine
- United Kingdom
- United States of America.

APPENDIX 11: CONTACT DETAILS

CHIEF JUSTICE'S CHAMBERS

Owen Dixon Commonwealth Law Courts
305 William Street, Melbourne
(GPO Box 9991, Melbourne VIC 3001)

DEPUTY CHIEF JUSTICE'S CHAMBERS

Nigel Bowen Commonwealth Law Courts
Cnr University Avenue & Childers Street, Canberra ACT
(GPO Box 9991, Canberra ACT 2601)

NATIONAL SUPPORT OFFICE

Chief Executive Officer
15 London Circuit, Canberra ACT
(GPO Box 9991, Canberra ACT 2601)
Family Court website www.familycourt.gov.au
Family Law Courts website www.familylawcourts.gov.au

NATIONAL ENQUIRY CENTRE

The National Enquiry Centre is the entry point for all telephone and email enquiries on Family Law Court (Family Court and Federal Magistrates Court) matters. The centre provides information and procedural advice, forms and brochures, and referrals to community and support services. National Enquiry Centre staff cannot provide legal advice.

PO Box 9991, Parramatta NSW 2124

Phone: 1300 352 000

TTY: 1300 720 980

International: +61 2 8892 8590

Email: enquiries@familylawcourts.gov.au

FAMILY LAW REGISTRIES

AUSTRALIAN CAPITAL TERRITORY

Canberra	Nigel Bowen Commonwealth Law Courts Cnr University Ave and Childers St, Canberra ACT 2600 GPO Box 9991, Canberra 2601
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NEW SOUTH WALES

Albury	Level 1, 463 Kiewa St, Albury NSW 2640 PO Box 914, Albury NSW 2640
Dubbo	Cnr Macquarie and Wingewarra Sts, Dubbo NSW 2830 PO Box 1567, Dubbo NSW 2830
Lismore	Level 2, 29–31 Molesworth St, Lismore NSW 2480 PO Box 9, Lismore NSW 2480
Newcastle	61 Bolton St, Newcastle NSW 2300 PO Box 9991, Newcastle NSW 2300
Parramatta	1–3 George St, Parramatta NSW 2123 PO Box 9991, Parramatta NSW 2123
Sydney	Lionel Bowen Commonwealth Law Courts 97–99 Goulburn St, Sydney NSW 2000 GPO Box 9991, Sydney NSW 2001
Wollongong	Level 1, 43 Burelli St, Wollongong NSW 2500 PO Box 825, Wollongong NSW 2500

NORTHERN TERRITORY

Alice Springs	Level 1, Centrepont Building, Hartley St, Alice Springs NT 0870 PO Box 9991 NT 0871
Darwin	TCG Building Commonwealth Law Courts 80 Mitchell St, Darwin NT 0800 GPO Box 9991, Darwin NT 0800

QUEENSLAND

Brisbane	Harry Gibbs Commonwealth Law Courts 119 North Quay, Brisbane QLD 4000 PO Box 9991, Brisbane QLD 4001
Cairns	Level 3 and 4, 104 Grafton St, Cairns Qld 4870 PO Box 9991, Cairns QLD 4870
Rockhampton	46 East St (Cnr Fitzroy St), Rockhampton QLD 4700 PO Box 9991, Rockhampton QLD 4700

Townsville Level 2, Commonwealth Centre,
143 Walker St, Townsville QLD 4810
PO Box 9991, Townsville QLD 4810

SOUTH AUSTRALIA

Adelaide (Roma Mitchell Commonwealth Law Courts)
3 Angas St, Adelaide SA 5000
GPO Box 9991, Adelaide SA 5001

TASMANIA

Hobart Edward Braddon Commonwealth Law Courts
39–41 Davey St, Hobart TAS 7000
GPO Box 9991, Hobart TAS 7001

Launceston Level 3, ANZ Building,
Cnr Brisbane and George Sts, Launceston TAS 7250
PO Box 9991, Launceston TAS 7250

VICTORIA

Dandenong 53–55 Robinson St, Dandenong VIC 3175
PO Box 9991, Dandenong VIC 3175

Melbourne Owen Dixon Commonwealth Law Courts
305 William St, Melbourne VIC 3000
GPO Box 9991, Melbourne VIC 3001

WESTERN AUSTRALIA

Perth Family Court of Western Australia
150 Terrace Rd, Perth WA 6000
GPO Box 9991, Perth WA 6848
08 9224 8222
