

Question:

Senator HANSON: Correct me if I'm wrong, because you rattled those figures off: you've got 21 Family Court judges that are actually working at the moment.

Dr Smrdel: There are 21 doing trial work, first-instance work, and then there are 10 others, including the chief justice and the deputy chief justice, that do appeal work.

Senator HANSON: How many of those judges have been on three months or more of leave and are still on leave?

Dr Smrdel: We're not privy to that sort of information. You would need to inquire of the courts.

CHAIR: Could you get that information for Senator Hanson or for the committee?

Senator HANSON: That is another complaint that we're hearing: people are on long leave or taking leave because they're sick, and it goes up to retirement, and these people are not being replaced, and you've got a backlog of cases that need to be heard.

Mr Anderson: Just responding to the chair, it would be preferable if you directed that to Mr Soden.

Senator PATRICK: We can put a question on notice through the secretariat.

CHAIR: Could we ask Mr Soden for details of judges on leave for more than three months—holiday leave or sick leave, I think.

Answer:

If a Judge suffers an illness or accident sufficient to warrant absence from Chambers for an extensive period, the period necessary to recover will be a matter between that Judge and the Chief Justice of the Family Court/Chief Judge of the Federal Circuit Court. In such a case, the period of absence will be supported by the necessary evidence, including advice from treating specialists. Currently one judge is on extended leave.