



THE SENATE

STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS

12 June 2013

Senator the Hon John Hogg
President of the Senate

**INQUIRY INTO THE IMPACT OF FEDERAL COURT FEE INCREASES SINCE
2010 ON ACCESS TO JUSTICE IN AUSTRALIA**

SECOND INTERIM REPORT

Pursuant to Senate Standing Order 38(7), I present to you the second interim report of the Senate Legal and Constitutional Affairs References Committee (the committee) in relation to the inquiry into the impact of federal court fee increases since 2010 on access to justice in Australia.

On 27 February 2013, the Senate referred the following matter to the committee for inquiry and report by 6 June 2013:

The impact of federal court fee increases since 2010 on access to justice in Australia, with particular reference to:

- (a) the impact of federal court fee increases on low-income and ordinary Australians and operators of small businesses;
- (b) whether these fee increases are reasonable, based on evidence and consistent with other justice policy matters;
- (c) how increases in court fees, and other reform to the courts and justice system, can act as a barrier to accessing justice;
- (d) the extent to which court fee increases may impact on services provided by legal assistance services (i.e. legal aid commissions, Aboriginal and Torres Strait Islander legal services, family violence prevention legal services and community legal services);
- (e) the degree to which the fee changes reflect the capacity of different types of litigants to pay;

- (f) the application of the revenue that has been raised by federal court fee increases; and
- (g) other relevant matters.

The committee has received 32 public submissions for this inquiry and held a public hearing in Canberra on 17 May 2013. The committee tabled an interim report on 6 June 2013 in which it stated that, due to the need to further consider the evidence and conclude its deliberations, the committee intended to table its final report on 12 June 2013. The committee wishes to extend this reporting date to 17 June 2013 to enable it additional time to finalise its report.

Senator Penny Wright
Chair