

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

Group: 2

Program: Other Agency

Question No. AE15/149

Senator Collins asked the following written question from the 24 February and 27 March 2015 hearings:

1. If a judge retires and then is not replaced, what is the impact on the Court's capacity to hear cases in a timely manner and to give timely decisions?
2. The Family Court has been left without a full complement of judges for 15 months. Are there delays in judgments being delivered in the Family Court?
3. What is the impact of court delay on litigants using the Family Court?

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

1. This question is hypothetical. The judges who have retired during the life of the Government have either been replaced or are in the process of being replaced.
2. At the end January 2015, 142 judgments had been reserved. Fifty-four per cent had been outstanding for more than three months and 31 per cent had been outstanding more than six months. There has been an increase in the number of judgments reserved. This increase can be attributed to both the complexity of the cases before the Family Court and the number of judicial officers available to determine cases.
3. The Family Court has no data on the impact of delay on litigants.