

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

**Program: 1.1**

**Question No. SBE15/104**

**Senator Collins asked the following written question from the 20 October 2015 hearing:**

1. How many judicial vacancies currently exist on the Family Court and Federal Circuit Court benches?
2. Justice Bell retired from the Brisbane Registry of the Family Court in February. Why has he not yet been replaced?
3. Has a process of appointment been implemented to replace Justice Bell?
4. How far along the appointment process are you with respect to Justice Bell's replacement?
5. When do you expect a replacement for Justice Bell to be appointed?
6. How many judges currently sitting on the Family Court will reach retirement age within the next two years?
7. How many judges currently sitting on the Federal Circuit Court will reach retirement age within the next two years?
8. In a recent interview on ABC radio the Chief Justice of the Family Court, Diana Bryant, said that the courts will never make up the lost time from the delay in replacing judges. Are any measures being taken to expedite the filling of all of the vacancies that currently exist in both the Federal Circuit Court and the Family Court?

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

1. As at 20 October 2015, there was one vacancy in the Family Court of Australia and five vacancies in the Federal Circuit Court of Australia. However, the Government announced the appointment of four judges to the Federal Circuit Court on 29 October 2015.
- 2 – 5. The timing of judicial appointments is a matter for the Government in consultation with the Chief Justice.
6. Five Family Court of Australia justices will reach retirement age within the next two years, including the Chief Justice and the Deputy Chief Justice.
7. Six Federal Circuit Court of Australia judges will reach retirement age within the next two years.
8. The timing of judicial appointments is a matter for the Government in consultation with the Chief Justice.