

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
FEDERAL MAGISTRATES COURT OF AUSTRALIA

Question No. 4

Senator Pratt asked the following question at the hearing on 14 February 2012:

Senator PRATT: I have a brief question. I asked at estimates in February last year about a program that was rolling out starting last March. It was an evaluation of a Fair Work pilot to commence in the Coffs Harbour circuit. As I understand it, it started off in March last year and began proceedings then. Was the pilot successful? Were there plans to expand it more broadly or will that depend on the outcome of the pilot?

Mr Agnew: The Fair Work pilot is the pilot you are referring to in Coffs Harbor, and we commenced that early last year. There have been a small number of applications filed within that process. I would have to take on notice the exact details of the number of matters filed within Coffs Harbour, but we are still continuing to take those filings there. We are also doing other pilot programs with Fair Work in both Sydney and Melbourne. If you like, I can provide further details on the numbers specific to Coffs Harbour.

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

The Federal Magistrates Court conducts regular circuits to locations throughout rural and regional Australia including Coffs Harbour. The work on circuits is almost exclusively family law as it represents 93% of the filings in the Court.

In March 2011 the Court commenced a pilot whereby Fair Work applications were filed into the established Coffs Harbour circuit. Since that circuit there have been a further 3 circuits with a total of 10 Fair Work applications listed for hearing. All matters were finalised either on the first day hearing or within a week thereafter.

Although the numbers are not large, the claims are of very modest amounts and without the service applicants may not have had an opportunity to pursue them. The cost and inconvenience if they had to travel to a larger centre such as Brisbane or Sydney may have deterred them from filing.

The Court is now conducting discrete Fair Work lists in both Sydney and Melbourne and matters will be listed into other circuits as the workload requires.