

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
FAMILY COURT/FEDERAL CIRCUIT COURT

Question No. 16

Senator Brandis asked the following question at the hearing on 29 May 2013:

Senator BRANDIS: Turning to your acting Federal Circuit Court of Australia CEO hat, can you tell me what proportion of general federal law work nationally is handled by the Federal Circuit Court?

Mr R Foster: I will ask Mr Agnew to address that question.

Mr Agnew: I am not sure how you are putting that question, whether it is in terms of the split of the general federal law filings between the Federal Court and the Federal Circuit Court?

Senator BRANDIS: The general federal law, I mean leave out the High Court, obviously. The general federal law, as I understand the expression, is always used by the courts themselves, by the non-family law component. So given that the Family Court deals only with family law matters and the only other Federal Court is the Federal Court of Australia, I think the best way to approach answering my question is to say what proportion of matters other than family law matters are dealt with by the FCCA as opposed to the Federal Court.

Mr Agnew: Sorry, are you asking of the total pie, how much the Federal Court does as opposed to Federal Circuit Court?

Senator BRANDIS: Essentially.

Mr Agnew: I do not have that figure, I would have to take that on notice.

Senator BRANDIS: Roughly.

Mr Agnew: At best guess I would say it is almost 50-50 but I would have to take that—

Senator BRANDIS: Almost 50-50. So roughly half of all general federal law matters these days are being dealt with in the Federal Circuit Court rather than the Federal Court?

Mr Agnew: And I think that takes into account the bankruptcy filings which are—

Senator BRANDIS: Sure. I understand the Federal Court does a lot of formal work. Can you come back to me on that please, by reference to filings?

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

The following table and graph shows the filing figures for general federal law filings in the Federal Circuit Court of Australia and the Federal Court of Australia. The filings include Bankruptcy applications which is work dealt with by registrars. The percentage split of work between the Courts is detailed in the table below for the last four complete financial years and the current financial year to date 31 May 2013. The current split is 55% with the Federal Circuit Court and 45% with the Federal Court.

General Federal Law Filings (Including Bankruptcy)					
	2008-09	2009-10	2010-11	2011-12	2012-13 YTD
Federal Circuit Court	6541	6908	6614	6994	6409
Federal Court	3862	3646	4942	5279	5143
	10403	10554	11556	12273	11552
Percentage split between the Courts	63/37	65/35	57/43	57/43	55/45

General Federal Law Filings (Including Bankruptcy)

