

# **Part five: External scrutiny and activities**

## **Remuneration Tribunal**

The court provided a submission to the Remuneration Tribunal's *Review of Judicial & Related Offices' Remuneration 2002*.

## **Ombudsman**

During 2001-02, the Commonwealth Ombudsman received nine complaints relating to the Federal Magistrates Service. The nature of the complaints ranged from a decision made regarding an application for exemption of fees, decisions and/or actions of federal magistrates, provision of transcripts of hearings and a court registry decision to accept a cross-application from the respondent for discharge of orders previously made.

Details of the court's complaints handling procedures are outlined in part three of this report.

## **Privacy**

The court holds no personal information, other than personnel information, in relation to the administrative affairs of the court.

## **Family Law Council**

Federal Magistrate Ryan is a member of the Family Law Council.

The Chief Federal Magistrate and other federal magistrates attended a meeting of the council in Melbourne.

## **Freedom of Information**

There were no freedom of information requests made to the Federal Magistrates Service in 2001-02.

Section 5 of the *Freedom of Information Act 1982* provides that the Act does not apply to any request for access to a document of the court unless the document relates to matters of an administrative nature.

Access to documents or freedom of information matters should be directed to:

Chief Executive Officer  
Federal Magistrates Service  
305 William Street  
Melbourne Vic 3000

## Arrangements for outside participation

Regular formal consultations have been established with:

- Australian Law Reform Commission
- Australian Institute of Judicial Administration
- Family Court Chief Justice's Consultative Council
- Family Court Rules Committee
- Federal Court Rules Committee
- Family Law Section of the Law Council of Australia
- Law Council of Australia
- National Legal Aid
- National Alternative Dispute Resolution Advisory Committee
- Family Law Council
- Insolvency and Trustee Services Agency
- Child Support Agency
- Human Rights and Equal Opportunity Commission

There was continuing liaison with community organisations such as Relationships Australia, Centacare and Family Services Australia to discuss the provision of counselling and mediation services.

## Categories of documents

Under arrangements made with the respective courts, Federal Court and Family Court registries maintain the following categories of documents for the Federal Magistrates Service:

- Documents relating to matters heard by the court including applications, affidavits, transcripts, orders and copies of judgments.
- Registers and indexes of matters coming to the court.
- General correspondence.

The Federal Magistrates Service maintains the following categories of documents:

- General correspondence.
- Documents concerning the development and implementation of policy.
- Documents concerning administration and financial aspects of the operation of the service.

## Availability of access to information outside the Freedom of Information Act

Rule 2.08 of the *Federal Magistrates Court Rules* provides for searching the records of the court by the Attorney-General (in family law proceedings), a party, a lawyer for a party, a child representative (in family law proceedings) or a person granted leave by the court or a registrar. Leave may be granted if a proper interest is shown and may be subject to conditions.

## Public information

The Federal Magistrates Service continued to initiate projects to make its services relevant and accessible. Brochures providing a guide to using the Federal Magistrates Service for family law and general federal law matters were distributed to Federal Court and Family Court registries, legal aid offices and community legal centres and other organisations. A general guide to Federal Magistrates Court fees was issued, as was a guide on using primary dispute resolution services in the Federal Magistrates Court.

The Federal Magistrates Service's web site provides useful information about the court, including the rules, forms, court lists, jurisdiction, access to judgments, history of the Federal Magistrates Service, contact details for registries and links to other legally related internet sites. The web site is regularly updated and provides a subscription service, which sends email notifications to subscribers when new material has been updated on the site.

During the reporting year, the federal magistrates presented papers, gave lectures and chaired sessions at judicial conferences, judicial administration meetings, continuing legal education courses, university law schools, Bar reading courses, law society meetings, high schools and other public meetings.

The Public Affairs Officer continued to assist in the dissemination of information about the court, its judgments and its practices and procedures to the media and general public.

## **National Alternative Dispute Resolution Advisory Council**

Federal Magistrate Hartnett is a member of the National Alternative Dispute Resolution Advisory Council.

