

## A Compliance with annual report guidelines

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## B Summary resources

### TOTAL RESOURCES FOR OUTCOME I (\$'000)

**Outcome I** To provide the Australian community with a simple and accessible forum for the resolution of less complex disputes within the jurisdiction of the Federal Magistrates Court

	(1) Budget* 2005-2006 \$'000	(2) Actual expenses 2005-2006 \$'000	Variation (column 2 minus column 1) \$'000	Budget** 2006-2007 \$'000
Administered Expenses (including third party outputs)	727	****619	(108)	757
<b>Total Administered Expenses</b>	<b>727</b>	<b>619</b>	<b>(108)</b>	<b>757</b>
<b>Price of Departmental Outputs</b>				
Output 1.1				
Provision of a Federal Magistrates Service	31,524	26,164	(5,360)	38,000
Revenue from Government (Appropriation) for Departmental Outputs	31,524	26,164	(5,360)	38,000
Revenue from Government (Resources received free of charge)	17,354	***23,121	5,767	19,247
Revenue from other Sources	-	84	84	-
<b>Total Price of Outputs</b>	<b>48,878</b>	<b>49,988</b>	<b>491</b>	<b>57,247</b>
<b>TOTAL FOR OUTCOME I</b>				
<b>(Total Price of Outputs and Administered Expenses)</b>	<b>49,605</b>	<b>42,603</b>	<b>491</b>	<b>57,247</b>
		<b>2005-2006</b>		<b>2006-2007</b>
<b>Average Staffing Level</b>		138		163

\* Full-year budget, including additional estimates

\*\* Budget prior to additional estimates

\*\*\* This figure is provided by the Family Court of Australia, the Federal Court of Australia and the Auditor-General

\*\*\*\* Includes bad and doubtful debts

## C Conferences attended and presentations made by federal magistrates

Federal Magistrate	Conferences, presentations, papers and other activities to external organisations
John Pascoe CFM	<p><b>Conferences</b></p> <ul style="list-style-type: none"> <li>■ Australian Institute of Family Studies, International Forum on Family Relationships in Transition - Legislative, Practical and Policy Responses, 1 December 2005, Parliament House, Canberra. Presentation: Family Relationships in Transition: Legislative, Practical and Policy responses.</li> <li>■ The New South Wales Bar Association Continuing Professional Development Seminar, 14 February 2006, Sydney. Presentation: The Federal Magistrates Court of Australia: overview and future direction of the Court and the challenges before us in 2006.</li> <li>■ Family Law Masterclass, 31 May 2006, Brisbane. Presentation: The Family Law Amendment (Shared Parental Responsibility) Bill 2005</li> <li>■ Monash University - Access to justice: How much is too much? A conference exploring the legal and medical issues arising from querulous or vexatious people, 29 June – 1 July 2006, Prato, Italy. Presentation: People and Problems: The fundamental right of access to justice and The vexatious litigant in the context of changing democratic principles.</li> </ul>
Christine Mead FM	<p><b>Conferences</b></p> <ul style="list-style-type: none"> <li>■ Country Law Society Seminar, 25 February 2006, Clare, SA. Presentation: Property matters in the Federal Magistrates Court</li> </ul> <p><b>Membership</b></p> <p>Family Law Council</p> <p><b>Community</b></p> <ul style="list-style-type: none"> <li>■ Renmark Rotary Club, April 2006, Renmark SA. Presentation: The work of the Federal Magistrates Court.</li> </ul>
Judy Ryan FM	<p><b>Conferences</b></p> <ul style="list-style-type: none"> <li>■ Queensland Law Society Family Law Residential, 1 October 2005, Brisbane. Presentation: Shared parenting – a dynamic law reform agenda.</li> <li>■ Law Council of Australia - 6th Annual Family Law Intensive, 11 February 2006, Sydney. Presentation: Family law and mental health issues – a question of degree.</li> <li>■ Sydney legal profession seminar, 13 February 2006, Sydney.</li> </ul>

Federal Magistrate	Conferences, presentations, papers and other activities to external organisations
Judy Ryan FM	<p>Presentation: Family law proceedings conducted in the FMC.</p> <ul style="list-style-type: none"> <li>■ NSW Bar Association, 15 February 2006, Sydney.</li> </ul> <p>Presentation: Family law proceedings conducted in the FMC.</p> <ul style="list-style-type: none"> <li>■ NSW Young Lawyers Annual Family Law Conference, 4 March 2006, Sydney.</li> </ul> <p>Presentation: Enlarging the asset pool – adding back notional assets.</p>
Michael Baumann FM	<p><b>Conferences</b></p> <ul style="list-style-type: none"> <li>■ The Judicial Conference of Australia's Colloquium 2005, 2-4 September 2005, Sunshine Coast, Q'ld.</li> </ul> <p>Panel member</p> <ul style="list-style-type: none"> <li>■ Family Law Practitioners Conference, 30 September 2005, Brisbane.</li> </ul> <p>Presentation: Preparing and presenting a property case in the FMC.</p> <ul style="list-style-type: none"> <li>■ Legal Aid Family Law Section, January 2006, Brisbane.</li> </ul> <p>Presentation: Federal Magistrates Court jurisdiction</p> <ul style="list-style-type: none"> <li>■ Monash University - Access to justice: How much is too much? 29 June – 1 July 2006, Prato, Italy.</li> </ul>
Jim Brewster FM	<p><b>Community</b></p> <ul style="list-style-type: none"> <li>■ Relationships Australia, 12 April 2006, Canberra.</li> </ul> <p>Presentation: Family Law (Shared Parental Responsibility) Act, particularly PDR.</p>
Norah Hartnett FM	<p><b>Conferences</b></p> <ul style="list-style-type: none"> <li>■ Law Institute of Victoria Biannual Family Law Conference, 24 July 2005, Daylesford, Victoria.</li> </ul> <p>Presentation: The work of the Federal Magistrates Court.</p> <ul style="list-style-type: none"> <li>■ ALJA Expert Evidence Seminar, 11 November 2005, Melbourne.</li> </ul> <p>Session moderator on Dispute Resolution.</p> <ul style="list-style-type: none"> <li>■ Regional Judicial Symposium, 11-14 January 2006, Singapore.</li> </ul> <p><b>Membership</b></p> <p>National Alternative Dispute Resolution Advisory Council.</p>
John Coker FM	<p><b>Conferences</b></p> <ul style="list-style-type: none"> <li>■ NQLA Conference, 19-20 August 2005, Cairns Q'ld.</li> </ul> <p>Presentation: Developments with the Children's Cases Program.</p> <ul style="list-style-type: none"> <li>■ Socio-Legal Studies Association of the UK Annual Conference, 28-30 March, 2006, Stirling, Scotland.</li> </ul> <p>Presentation: Shared Parenting: A cure for all ills, or just another layer of problem.</p> <ul style="list-style-type: none"> <li>■ NQLA Conference, 16-17 June 2005, Townsville, Q'ld.</li> </ul> <p>Presentation: Advocacy in the Federal Magistrates Court.</p>

Federal Magistrate	Conferences, presentations, papers and other activities to external organisations
<p><b>John Coker FM</b></p>	<p><b>Papers</b>  Keele University (Masters of Child Law), May 2006, Stoke on Trent, UK.  <i>Shared Parenting: An Australian Perspective.</i>  <i>Shared Parenting: A cure for all ills or just another layer of problem?</i>  <i>Federal Magistrates Court of Australia - State of the Judicature.</i></p> <p><b>Community</b>  Regular meetings with Relationships Australia, Centacare and other stakeholders, including Family Law Practitioners Association in Townsville and Cairns.</p>
<p><b>Murray McInnis FM</b></p>	<p><b>Conferences</b></p> <ul style="list-style-type: none"> <li>■ International Institute of Forensic Studies - Experts and Lawyers: Surviving in the Brave New World, 16-19 October 2005, Broome WA.  Presentation: The New Federal Magistrates Court Rules for Immigration Law Proceedings, and Credibility Findings and Natural Justice.</li> <li>■ Australian Institute of Administrative Law Seminar, 2 March 2006, Melbourne.  Presentation: The Anti-Terrorism Act (No2) 2005.</li> <li>■ Law Institute of Victoria Small Practice Conference, 17 June 2006, Melbourne.  Presentation: The Federal Magistrates Court Jurisdiction Overview.</li> <li>■ Australian Institute of Administrative Law 2006 Administrative Law Forum, 22-23 June 2006, Surfers Paradise, Q'ld.  Presentation: Anti-Terrorism Legislation Issues for the Courts.</li> <li>■ Victorian Bar Readers Course, 1 September 2005.  Presentation: The Federal Magistrates Court Practice and Procedure - Rules in General Federal Law Jurisdiction.</li> <li>■ Victorian Bar Readers Course, 17 March 2006.  Presentation: The Federal Magistrates Court Practice and Procedure - Rules General Federal Law Jurisdiction.</li> </ul>
<p><b>Rolf Driver FM</b></p>	<p><b>Conferences</b></p> <ul style="list-style-type: none"> <li>■ The Greek Conference - Greek Privacy Symposium, 26-30 September 2005, Mikanos, Greece.  Presentation: The Unexpected Impact of a Medical Trait.</li> <li>■ Migration Institute of Australia Seminar, 10 March 2006, Sydney.  Presentation: The Effective Representation of Visa Applicants</li> <li>■ WorkChoices Seminar, 23 March 2006, Sydney.</li> <li>■ Sydney Migration Practitioners Forum, 2 May 2006, Sydney.</li> </ul>

Federal Magistrate	Conferences, presentations, papers and other activities to external organisations
<p><b>Rolf Driver FM</b></p>	<p><b>Memberships</b>            Judicial Conference of Australia            International Association of Refugee Law Judges, including the IARLJ's Human Rights Nexus Working Group            Australian Institute of Judicial Administration</p> <p><b>Paper</b>            Submitted a paper on behalf of JCA to the HREOC Inquiry into discrimination against people in same-sex relationships regarding financial and work related benefits and entitlements.</p>
<p><b>Kenneth Raphael FM</b></p>	<p><b>Conferences</b></p> <ul style="list-style-type: none"> <li>■ Faculty of Law of the University of Lund and the Raoul Wallenberg Institute at the University of Lund, October 2005, Sweden. Presentation: Protecting Human Rights in Australia.</li> <li>■ Centre for International Human Rights at the Northwestern University, 16 November 2005, Chicago Illinois USA. Presentation: Protecting Human Rights in Australia.</li> <li>■ University of Michigan, Post Graduate Program on International Refugee Law, Ann Arbor Michigan, USA. Presentation: Refugee Law in Australia.</li> <li>■ The Faculty of Law and Centre for International Human Rights at Notre Dame University, November 2005, South Bend Indiana, USA. Presentation: Australia's Anti-Terrorism Legislation.</li> <li>■ Judges of the United States Federal Court Bankruptcy Division, November 2005, Chicago, USA. Presentation: Some Observations on the Australian Law of Bankruptcy.</li> <li>■ Federal Court Admiralty Marshals and Registrars Conference, 8-10 March 2006.</li> </ul> <p><b>Practice Note</b>            April 2006: Admiralty Practice Note for the Profession</p>
<p><b>Stuart Roberts FM</b></p>	<p><b>Conferences</b></p> <ul style="list-style-type: none"> <li>■ Family Law Practitioners' Annual Conference, 26 &amp; 27 November 2005, Margaret River, WA.</li> <li>■ Child Representative Seminar, 19 May 2006, Hobart, Tasmania.</li> <li>■ Family Law Practitioners' Annual Conference, 20 May 2006, Hobart, Tasmania.</li> <li>■ Law Council of Australia seminar on The New Family Law Parenting System, 24 June 2006, Launceston, Tasmania.</li> </ul>
<p><b>Maurice Phipps FM</b></p>	<p><b>Conferences</b></p> <ul style="list-style-type: none"> <li>■ Victorian Bar and the Commercial Bar Association Seminar, 4 April 2006, Melbourne. Presentation: Federal Magistrates Court jurisdiction in trade practices matters.</li> </ul>

Federal Magistrate	Conferences, presentations, papers and other activities to external organisations
Maurice Phipps FM	<ul style="list-style-type: none"> <li>■ NJCA Judgment Writing Programme, 11-13 September, Adelaide.</li> <li>■ AJA Expert Evidence Seminar, 11 November 2005, Melbourne.</li> </ul>
Michael Connolly FM	<p><b>Conferences</b></p> <ul style="list-style-type: none"> <li>■ Australian Bar Association Conference, 29 June – 2 July 2005, Dublin Ireland.</li> </ul>
John Walters FM	<p><b>Conferences</b></p> <ul style="list-style-type: none"> <li>■ Hunter Valley Family Law Practitioners Association Conference, 28 - 29 October 2005, Port Stephens, NSW.</li> </ul>
Stewart Brown FM	<p><b>Conferences</b></p> <ul style="list-style-type: none"> <li>■ Family Law Practitioners Conference, 30 September 2005, Brisbane.</li> </ul>
Shenagh Barnes FM	<p><b>Conferences</b></p> <ul style="list-style-type: none"> <li>■ International Women Judges Conference, 3 - 7 May 2006, Sydney. Member of the steering committee.</li> </ul>
Michael Jarrett FM	<p><b>Conferences</b></p> <ul style="list-style-type: none"> <li>■ Murdoch Lawyers Family Law Special Interest Group, 7 September 2005, Sanctuary Cove, Q'ld. Spousal Maintenance: Conducting a hearing in the Federal Magistrates Court and Contraventions.</li> <li>■ Bundaberg District Law Association Annual Conference, 28 October 2005, Heron Island, Q'ld. Presentation: Jurisdictional changes in the Federal Magistrates Court.</li> <li>■ Travelling Judicial Education Program, National Judicial College of Australia, 18 November 2005, Brisbane.</li> </ul> <p><b>Presentations</b></p> <ul style="list-style-type: none"> <li>■ Hopgood Ganim Law Firm, 24 May 2006, Brisbane: Advocacy from a solicitor's point of view.</li> <li>■ Bar Association of Queensland, Continuing Legal Education Series, 24 May 2006: An Overview of the Jurisdiction of the Federal Magistrates Court.</li> </ul>
Victoria Bennett FM	<p><b>Conferences</b></p> <ul style="list-style-type: none"> <li>■ 11th Family Law Conference, October 2005, Perth.</li> <li>■ Law Institute of Victoria, 18 August 2005, Melbourne. Presentation: Child Support and Adult Child Maintenance.</li> </ul>

Federal Magistrate	Conferences, presentations, papers and other activities to external organisations
Sylvia Emmett FM	<p><b>Conferences</b></p> <ul style="list-style-type: none"> <li>■ The Judicial Conference of Australia's Colloquium 2005, 2-4 September 2005, Sunshine Coast, Queensland.</li> <li>■ International Association of Women Judges, 3-7 May 2006, Sydney.</li> <li>■ NSW Bar Association - Bar Practice Course, 11 May 2006, Sydney. Presentation: The Federal Magistrates Court of Australia.</li> </ul> <p><b>Other</b></p> <p>President of the Board of Inquiry approved by the Chief of the Defence Forces to enquire into the death of a sailor: Report delivered 28 May 2006.</p>
Grant Riethmuller FM	<p><b>Conferences</b></p> <ul style="list-style-type: none"> <li>■ Lexis Nexis Family Law Masterclass, 13-15 July 2005, Melbourne. Presentations: Exploring Recent Developments in Shared Parenting and Joint Custody, and Child Support</li> <li>■ Family Law Practitioners Conference, 5-7 August 2005, Tasmania.</li> <li>■ Law Institute of Victoria seminar, 18 August 2005, Melbourne. Presentation: Child Support and Adult Child Maintenance - Cases, Traps and Tips.</li> <li>■ Law via the Internet 2005 - 7th Conference on Computerisation of Law via the Internet, 17-19 November 2005, University of the South Pacific's Emalus Campus, Vanuatu. Presentation: Encouraging Internet-ready Judgments in the Federal Magistrates Court of Australia (paper published).</li> <li>■ Australian Institute of Family Studies International forum on family relationships in transition: Legislative, Practical and Policy Responses, 1-2 December 2005, Canberra. Presentation: Ripples on the Millpond: Reflections of Social Change from the Child Support Scheme (paper published)</li> <li>■ VBLAS Family Violence Seminar, Mallesons Stephenson Jaques, 28 February 2006, Melbourne. Presentation: SAAP-ing Discretion, the problems of a rigid statutory procedural fairness obligation.</li> <li>■ Australian Institute of Administration Law, Minter Ellison, 2 March 2006, Melbourne.</li> <li>■ Lexis Nexis Contracts 2006, 7 March 2006, Melbourne. Chairperson</li> <li>■ NQLA Conference, 16 June 2006, Townsville, Q'ld. Presentation: Update on child support legislation and family law amendments relating to contraventions.</li> <li>■ Family Court Registrars Meeting, 23 June 2006, Sydney. Presentation: The Child Support List in Melbourne.</li> </ul>

Federal Magistrate	Conferences, presentations, papers and other activities to external organisations
Grant Riethmuller FM	<p><b>Papers</b></p> <p>Riethmuller (Ed), <i>CCH Child Support Handbook</i> (Loose-leaf, CCH Australia, Sydney)</p> <p>Riethmuller (Ed), <i>CCH Federal Magistrates Court Practice</i> (Loose-leaf, CCH Australia, Sydney)</p> <p>Updates editor: <i>Civil Procedure, Laws of Australia</i> (Loose-leaf, Thomson, Sydney)</p>
Lloyd-Jones FM	<p><b>Community</b></p> <ul style="list-style-type: none"> <li>■ Chairman, Advisory Board to the Centre of Media and Communications Law, Faculty of Law, University of Melbourne.</li> <li>■ Guest lecturer in Communications Law as part of the Postgraduate Programme, Faculty of Law, University of Melbourne.</li> </ul>
Matthew Smith FM	<p><b>Conferences</b></p> <ul style="list-style-type: none"> <li>■ Australian Institute of Administrative Law 2006 Administrative Law Forum, 22-23 June 2006, Gold Coast, Q'ld.</li> </ul>
Graham Mowbray FM	<p><b>Conferences</b></p> <ul style="list-style-type: none"> <li>■ Wagga Wagga Family Law Seminar, 2 August 2005, Wagga Wagga NSW. Presentation: Family Law Procedures in the Federal Magistrates Court.</li> <li>■ National Judicial College Judgment Writing Program, 11-13 September 2005, Adelaide, SA.</li> <li>■ National Administrative Law Forum, 22-23 June 2006, Gold Coast, Q'ld.</li> <li>■ Family Court forums, July 2005-June 2006, Canberra.</li> <li>■ Canberra Collaborative Law Practice Group, 15 November 2005, Canberra.</li> <li>■ ACT Law Society Continuing Legal Education Seminar, 29 June 2006, Canberra.</li> </ul> <p>Presentation: Insolvency Procedures – Federal Jurisdictions</p> <p><b>Membership</b></p> <p>International Association of Refugee Law Judges</p> <p>Australian and New Zealand Society of International Law</p> <p>Australian Association of Constitutional Law</p> <p>Australian Institute of Administrative Law</p> <p>Judicial Conference of Australia</p>
Nick Nicholls FM	<p><b>Membership</b></p> <p>Judicial Conference of Australia</p> <p>Australian Institute of Judicial Administration</p>

Federal Magistrate	Conferences, presentations, papers and other activities to external organisations
<b>Robyn Sexton FM</b>	<p><b>Conferences</b></p> <ul style="list-style-type: none"> <li>■ NJCA Judgment Writing Conference, 11-13 September 2005, Adelaide, SA.</li> <li>■ Young Lawyers CLE, 17 September 2005, Sydney.</li> <li>■ IAWJ Women Judges Conference, Sydney NSW, 4-7 May 2006 Presentation: Preparing and conducting interim hearings.</li> </ul> <p><b>Presentation</b></p> <p>Sutherland Law Society, 14 February, 2006, Sydney.</p> <p><b>Community</b></p> <ul style="list-style-type: none"> <li>■ Centacare, Sydney, May 2006. Presentation to litigants.</li> </ul>
<b>Kevin Laphorn FM</b>	<p><b>Conferences</b></p> <ul style="list-style-type: none"> <li>■ Queensland Law Society and Queensland Family Law Practitioners Association - Family Law Residential, September 2005, Coolumb, Q'ld.</li> <li>■ Family Court of New Zealand Parenting Plans and Orders Conference, Wellington New Zealand, April 2006.</li> <li>■ Family Court of New Zealand Family Court Judges Orientation Workshop, Wellington, New Zealand, April 2006.</li> <li>■ Law Council of Australia - The New Family Law Parenting System, Newcastle, NSW, June 2006.</li> </ul>
<b>Keith Slack FM</b>	<p><b>Conferences</b></p> <ul style="list-style-type: none"> <li>■ Queensland Law Society and Queensland Family Law Practitioners Association - Family Law Residential, September 2005, Coolumb, Q'ld. Presentations: The approach of the Family Court to the investigation of allegations of child abuse: the unacceptable risk test, and The impact of income and earning capacity on property settlement outcomes</li> <li>■ Lexis Nexis Young lawyers programme, 30 May 2006, Brisbane. Presentation: Advocacy in the FMC.</li> </ul>
<b>Louise Henderson FM</b>	<p><b>Conferences</b></p> <ul style="list-style-type: none"> <li>■ Young Lawyers Association, 23 March 2006, Parramatta. Presentation: Drafting affidavits.</li> <li>■ Law Council of Australia seminar, June 2006, Parramatta Presentation: The new parenting regime.</li> </ul>
<b>Judith Housego FM</b>	<p><b>Conferences</b></p> <ul style="list-style-type: none"> <li>■ Sydney Legal Profession Seminar, 13 February 2006, Sydney (organised by the Court). Presentation: Family Law proceedings conducted in the FMC.</li> <li>■ NSW Bar Association Bar Practice Course, 15 February 2006, Sydney. Presentation: Family Law proceedings conducted in the FMC.</li> </ul>
<b>Kate Hughes FM</b>	<p><b>Conferences</b></p> <ul style="list-style-type: none"> <li>■ Legal Aid Family Law Section, January 2006, Brisbane.</li> </ul>

## D Staffing levels<sup>1</sup>

FMC staffing levels (by location and gender)

	CHIEF FEDERAL MAGISTRATE		FEDERAL MAGISTRATES		STAFF		TOTAL
	Male		Male	Female	Male	Female	
Adelaide			1	1		4	6
Brisbane			3	1	1	8	13
Canberra			2			4	6
Darwin			1			2	3
Launceston			1			2	3
Melbourne			6	2	7	34.5	49.5
Newcastle			2			4	6
Parramatta			1	2		6	9
Sydney	1		6	4	5	21.1	37.1
Townsville			1			2	3
<b>TOTAL</b>	<b>1</b>		<b>24</b>	<b>10</b>	<b>13</b>	<b>87.6</b>	<b>135.6</b>

FMC staffing levels (by location and gender)

	Chief Federal Magistrate \$270,270	Federal Magistrate \$229,330	Chief Executive Officer \$166,690	SES	Executive Level 2 \$77,860 to \$102,192	Executive Level 1 \$68,128 to \$75,427	APS 6 \$52,921 to \$60,828	APS 5 \$48,663 to \$52,312	APS 4 \$42,580 to \$48,054	APS 3 \$39,538 to \$42,580	APS 2 \$34,672 to \$38,930	TOTAL
Adelaide		2						2	2			6
Brisbane		4						4	4		1	13
Canberra		2						2	2			6
Darwin		1						1	1			3
Launceston		1						1	1			3
Melbourne		8		1	4	7.9	1	9	12	5.6		49.5
Newcastle		2						2	2			6
Parramatta		3						3	3			9
Sydney	1	10	1		.5	1	3	9.6	11			37.1
Townsville		1						1	1			3
<b>TOTAL</b>	<b>1</b>	<b>34</b>	<b>1</b>	<b>1</b>	<b>4.5</b>	<b>8.9</b>	<b>4</b>	<b>35.6</b>	<b>39</b>	<b>5.6</b>	<b>1</b>	<b>135.6</b>

(1) Part-time staff are shown as a percentage of the full-time equivalent. Staff employed on a casual basis (eg sessional registrars) are excluded. Positions that were vacant on 30 June 2006 have not been included. Staff who were inoperative at 30 June 2006 (eg on long-term leave) have not been included. The tables represent a 'snapshot' as at 30 June 2006, not the average staffing level through the year.

(2) There was only one SES Band 1 employed over the reporting period, and thus no salary range has been included in the above tables.

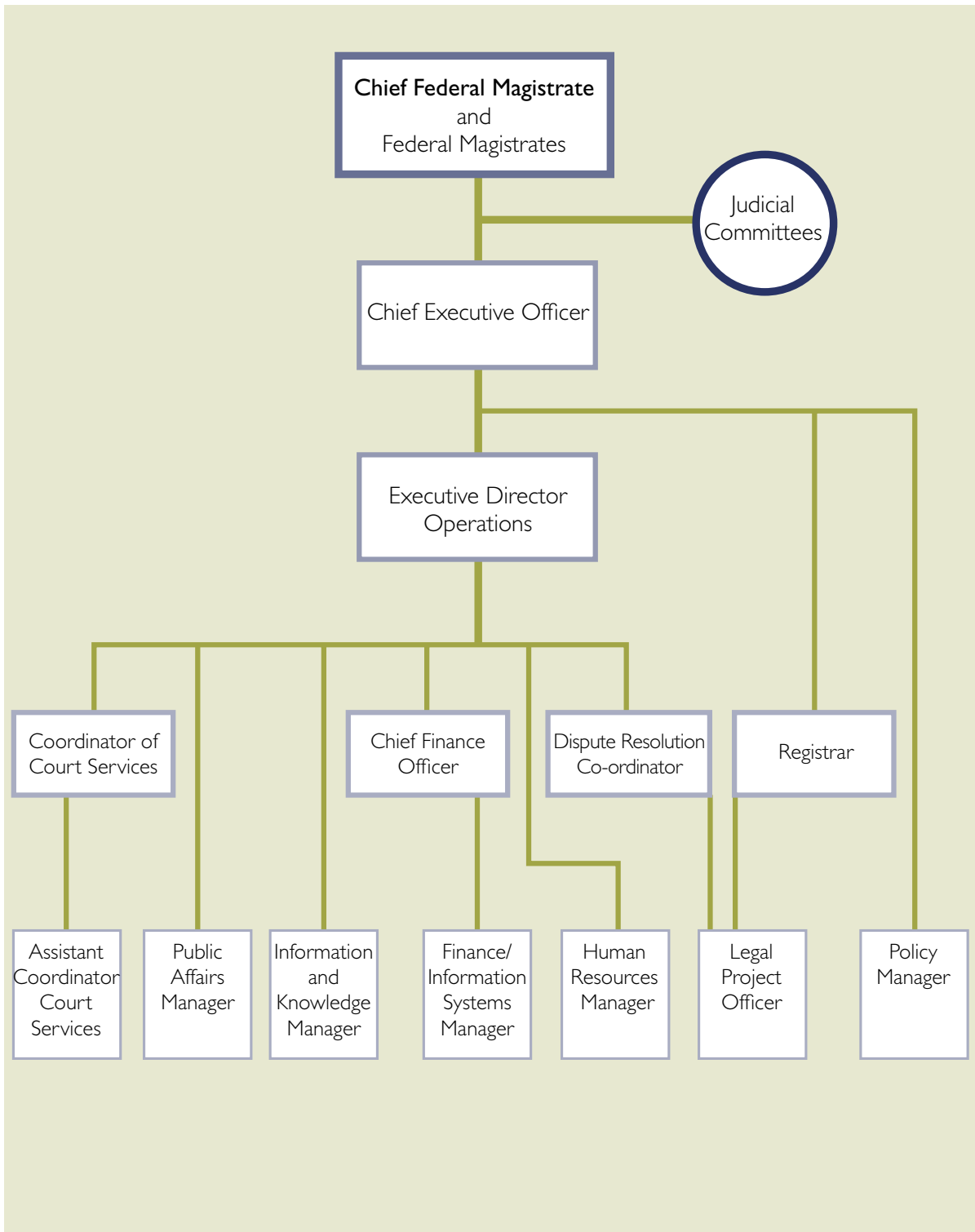
FMC staffing levels (by gender and salary level)

	Salary Level	Male	Female	Total
Chief Federal Magistrate	\$270,270	1		1
Federal Magistrates	\$229,330	24	10	34
Chief Executive Officer	\$166,690	1		1
SES Band 1			1	1
Executive Level 2	\$77,860 to \$102,192	1	3.5	4.5
Executive Level 1	\$68,128 to \$75,427	3	5.9	8.9
APS 6	\$52,921 to \$60,828	2	2	4
APS 5	\$48,663 to \$52,312	2	33.6	35.6
APS 4	\$42,580 to \$48,054	2	37	39
APS 3	\$39,538 to \$42,580		5.6	5.6
APS 2	\$34,672 to \$38,930		1	1
APS 1	\$30,414 to \$34,064		0	0
<b>TOTAL</b>		<b>36</b>	<b>99.6</b>	<b>135.6</b>

FMC Staff (Performance Pay)

	Salary Level	Eligible Staff	Average Payment	Total Payments
Executive Level 2	\$77,860 to \$102,192			
Executive Level 1	\$68,128 to \$75,427	3	\$2,263	\$6,788
APS 6	\$52,921 to \$60,828			
APS 5	\$48,663 to \$52,312	8	\$1,569	\$12,552
APS 4	\$42,580 to \$48,054	6	\$1,441	\$8,650
APS 3	\$39,538 to \$42,580	1	\$1,277	\$1,277
APS 2	\$34,672 to \$38,930			
APS 1	\$30,414 to \$34,064			
<b>TOTAL</b>		<b>18</b>		<b>\$29,267</b>

## E Organisational chart



## F Consultancies

The Federal Magistrates Court engages consultants for the provision of professional or expert advice, or for services that cannot be met through internal services.

### Consultancy Services let during 2005-06, of \$10,000 or more

Consultant Name	Description	Contract Price	Selection Process (1)	Justification (2)
Australian Government Solicitor	General legal advice	\$10,433	Direct sourcing	B
Deloitte Touche Tohmatsu	Internal audit services	\$23,177	Direct sourcing	B
Interiors Australia	Interior design – chambers	\$14,759	Direct sourcing	B
Profmark Consulting	Client satisfaction and staff satisfaction surveys	\$28,748	Direct sourcing	C
Ross D Farrell & Associates	Architectural services Sydney	\$11,256	Direct sourcing	B
Stace Management Networks	Strategic planning facilitation	\$33,937	Direct sourcing	B
Tactics Consulting	Intranet design	\$18,040	Select tender	A
<b>TOTAL</b>		<b>\$140,350</b>		

#### (1) Explanation of selection process terms drawn from the Commonwealth Guidelines (January 2005)

**Open Tender:** A procurement procedure in which a request for tender is published inviting all businesses that satisfy the conditions for participation to submit tenders. Public tenders are sought from the marketplace using national and major metropolitan newspaper advertising and the Australian Government AusTender internet site.

**Select Tender:** A procurement procedure in which the procuring agency selects which potential suppliers are invited to submit tenders. Tenders are invited from a short list of competent suppliers.

**Direct Sourcing:** A form of restricted tendering, available only under certain defined circumstances, with a single potential supplier or suppliers being invited to bid because of their unique expertise and/or their special ability to supply the goods and/or services sought.

**Panel:** An arrangement under which a number of suppliers, usually selected through a single procurement process, may supply property or services to an agency as specified in the panel arrangements. Tenders are sought from suppliers that have pre-qualified on the agency panels to supply to the government. This category includes standing offers and supplier panels where the consultant offers to supply goods and services for pre-determined length of time, usually at a pre-arranged price.

#### (2) Justification for decision to use consultancy

- A – skills currently unavailable within agency
- B – need for specialised or professional skills
- C – need for independent research or assessment

## **G** Fraud Control Certification

In accordance with guideline 2.8 of the *Commonwealth Fraud Control Guidelines 2002*, issued by the Minister for Justice and Customs pursuant to Regulation 19 of the *Financial Management and Accountability Regulations 1997*, I hereby certify that I am satisfied that:

- the Federal Magistrates Court has prepared fraud risk assessments and has in place a fraud control plan that complies with the Guidelines;
- appropriate fraud prevention, detection, investigation and reporting procedures and processes are in place and;
- annual fraud data has been collected and reported that complies with the Guidelines.

**John Mathieson**

Chief Executive Officer

Federal Magistrates Court of Australia

26 September 2006

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# Glossary

- **Circuit** – places the court regularly visits in rural and regional Australia.
- **Dispute resolution** – procedures and services to help resolve disputes before or during a court hearing without the need for a judicial decision. It may include mediation, conciliation or counselling.
- **Docket system** - the system used to allocate matters to federal magistrates and for their subsequent management by that federal magistrate. A matter usually remains with the same federal magistrate after it is allocated until finalisation.
- **Ex tempore judgment** – a judgment announced at the time of hearing or very shortly after.
- **Judgment** – a decision by a court after all the evidence is heard.
- **Jurisdiction** – the authority given to a court and its judicial officers to apply the law. For example, the court has jurisdiction under the *Family Law Act 1975* in family law matters.
- **Pro bono** – legal work performed without charge for clients who cannot afford to pay the usual fee.
- **Regulations** – a set of directions that outline court fees and guidelines. The regulations of the Federal Magistrates Court are the *Federal Magistrates Regulations 2000*.
- **Rules** – a set of directions that outlines court procedures and guidelines. The rules of the Federal Magistrates Court are the *Federal Magistrates Court Rules 2001*.
- **Self-represented litigant** – a party to a matter who does not have legal representation but who represents themselves before the court.

