



FEDERAL MAGISTRATES SERVICE

29 June 2001

FEDERAL MAGISTRATES SERVICE COMPLETES FIRST YEAR

A diverse range of cases has come before the Federal Magistrates Service in its first 12 months of operation. The court has heard matters in all areas of its new workload, including family law, sex and racial discrimination and business disputes. Celebrating its first anniversary, Chief Federal Magistrate Diana Bryant said family law and bankruptcy had been the main areas of work since the FMS began hearing cases on 3 July last year.

The FMS is also establishing most of the new law in the human rights area.

Ms Bryant said many significant milestones had been achieved in the 12 months since the court opened.

"The Federal Magistrates Service is the first ever lower level court in the Commonwealth arena. It has made an important contribution in the first year in dealing with less complex matters in an appropriately simple manner. This has resulted in almost all matters being resolved within six months," she said.

"We have shown that it is possible to establish a new court using the facilities of the other more established courts. This sharing of resources at a federal level is new."

Sixteen federal magistrates have been appointed in the FMS's first 12 months and are based across Australia with registries in Melbourne, Adelaide, Brisbane, Townsville, Canberra, Newcastle, Parramatta, Sydney and Launceston.

The FMS is receiving nearly a third of all family law filings in the places where federal magistrates are located.

During its first 12 months more than 3500 applications for final family law orders and another 3000 interim applications in children's and property matters were filed.

Nearly 28,000 new family law actions were commenced with the FMS, including 23,500 divorces.

In addition, more than 2000 cases have been transferred from the Family Court to the Federal Magistrates Service, while 150 matters have been transferred to the Family Court.

Just over 2000 general federal law matters, including administrative law, bankruptcy, human rights and trade practices matters, were filed with the FMS between July 2000 and May 2001. Bankruptcy work made up almost 90 per cent of the general federal law matters.

The Federal Court has transferred 119 bankruptcy, human rights, administrative law and trade practices matters to the FMS, and received eight matters from the FMS.

Ms Bryant said there was already evidence that the existence of the Federal Magistrates Service was helping those who had simple disputes to have them heard quickly and at lower cost.

"A lot of the work we do is complementary to the other courts," she said.

"The Family Court and the Federal Court are now able to dedicate their resources to more complex matters."

In addition to its country circuits, the FMS has used video and audio conferencing regularly to enable participation by parties or witnesses in remote locations or in a different state.

"We are taking justice to the people. The idea is not new but it is fulfilling our charter of providing simple and accessible justice," Ms Bryant said.

"We are looking to provide more coverage to people in the country and regional areas. The jurisdiction of the court is ideally suited to the type of work that we see in the country. For this reason, the demand for our country circuits is expanding."

Ms Bryant said the FMS had received strong support from the Family and Federal Courts and she thanked them for their support.

"Without the full support of each of the courts, we could not have achieved the goals that we set for the court on its commencement," she said.

CFM Bryant also thanked the federal Attorney-General's department for its assistance in the early days of setting up the court.

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