

Tuesday, 20 March 2018

## Law Council applauds Senate's call for an end to court funding crisis

The Senate has today overwhelmingly [passed a motion](#) calling for adequate funding of the Federal Circuit Court and the Family Court, where parties can be forced to wait up to three years before final hearing.

In the last sitting fortnight ahead of the Federal Budget, the motion was co-sponsored by Senator Griff (NXT), Senator Pratt (Labor), Senator Hanson (One Nation) and Senator Hinch (Justice Party) and supported by the Greens, Senator Leyonhjelm (Liberal Democratic Party) and Senator Anning (Independent). The motion, which passed 39 to 27, included that:

- The Federal Circuit Court and the Family Court have inadequate funding.
- Inadequate resourcing of the family law system has created a snowball effect, the social and economic cost of which will be felt by the community for years to come.
- A clear plan for the future is needed.

The motion also calls for the tabling of the 2014 KPMG report into the funding of the federal courts, and the Ernst & Young associated costings, prior to the Senate voting on the Family Law Amendment (Parenting Management Hearings) Bill 2017.

"This motion makes patently clear that the Australian Senate recognises our Federal Circuit Court and our Family Court are in crisis," said Morry Bailes, President of the Law Council of Australia.

"On behalf of all Australians who will engage with our justice system, we urge the Government to heed the Senate's concerns and provide our courts with the funding required to effectively fulfil their role.

"It is unacceptable that in a nation as prosperous as Australia, we are seeing families facing the prospect of being forced to wait up to three years before finalising cases involving disputes around children and property and allegations of family violence.

"These delays add unnecessary stress to what is likely a very painful and difficult time for the families involved.

"While the Law Council recognises the importance of the current [Review of the family law system](#), we would urge the Government not to cite it as a reason to delay increasing funding.

"We are grateful the Senate has recognised the justice crisis and that it has expressed its collective view so powerfully today.

"The upcoming Budget is a chance for the Australian Government to recognise the crisis in our courts and take steps to ensure Australians have timely access to justice," Mr Bailes said.

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