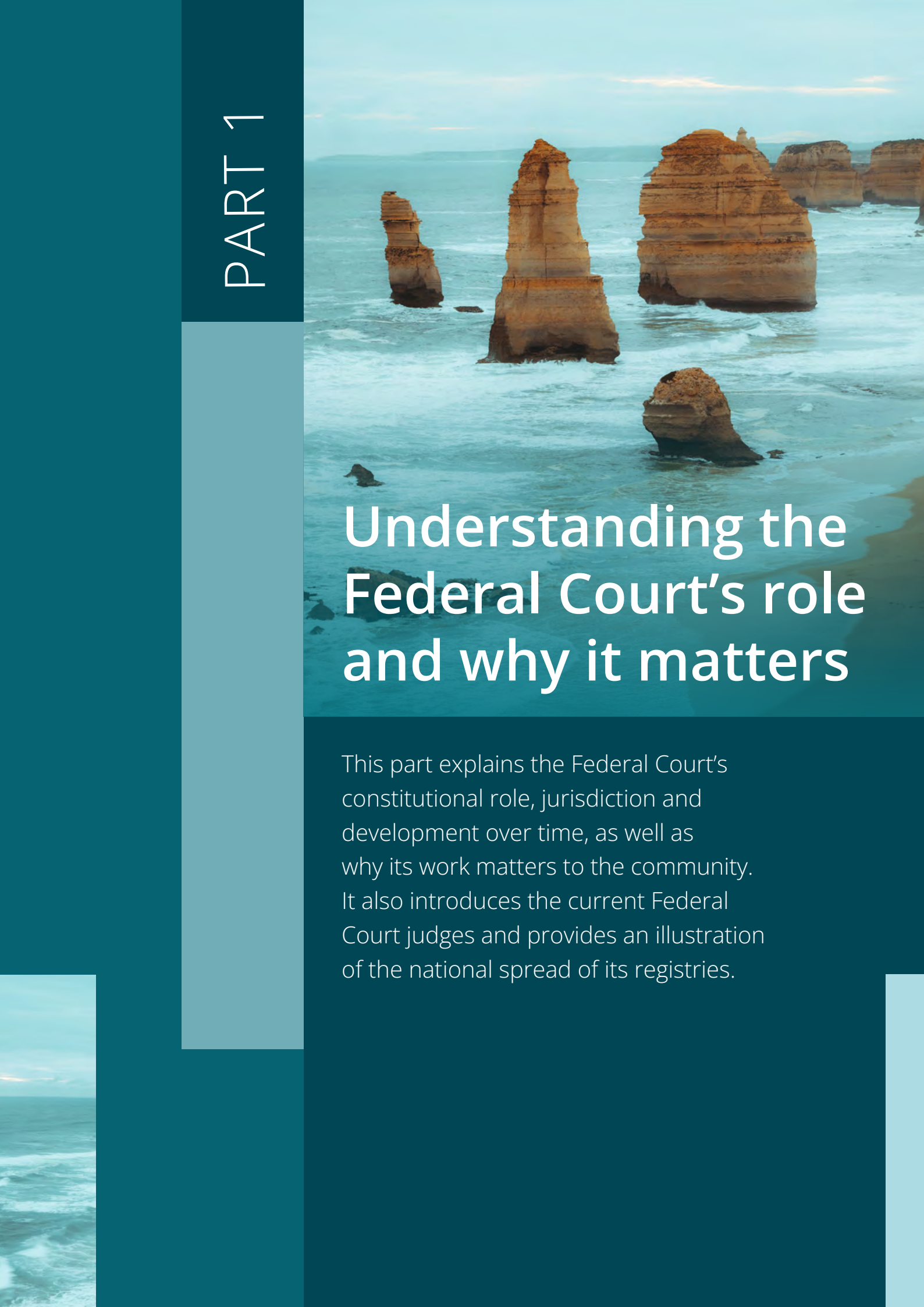




PART 1

Understanding the Federal Court's role and why it matters

This part explains the Federal Court's constitutional role, jurisdiction and development over time, as well as why its work matters to the community. It also introduces the current Federal Court judges and provides an illustration of the national spread of its registries.

The Federal Court's role in Australia's system of government

The Federal Court exercises the judicial power of the Commonwealth of Australia. It forms part of the federal court system. Courts operate within a hierarchy allowing decisions to be reviewed on appeal by higher courts. This structure supports consistency in the interpretation and application of the law and helps ensure that disputes are resolved fairly.

Australia's court system, or 'judiciary', is illustrated in a simplified way below. This shows the interaction between courts in each state and territory, and the Commonwealth courts.

The federal judiciary is one of three arms of Australia's system of government, alongside the Commonwealth Parliament, which makes the law, and the Executive, which administers the law, and which is comprised of all the ministers of the Government and the agencies for which they are responsible. Each state and territory also has its own distinct system of government, structured in a similar way to the national system.

All three arms of Australia's system of government draw their authority from the Constitution of the Commonwealth of Australia (the *Constitution*), with the Court empowered under section 71 of the *Constitution*.

The Federal Court's judicial function and its impact

The exercise of the Federal Court's judicial function has a tangible impact on people in Australia every day. The 'judicial power' exercised by courts involves interpreting and applying law to disputes between parties in order to determine their legal rights and responsibilities.

While the Federal Court's decisions are of direct importance to the parties involved, they also contribute to the development of the common law and so have a wider impact on others in similar circumstances. Indeed, as a national court dealing with diverse areas of law that apply Australia-wide, the Federal Court's interpretation and application of law can ultimately shape the lives of all people in Australia.

By fulfilling its constitutional function, the Federal Court plays an important role in upholding the 'rule of law'. This principle means that every person is entitled to the law's protection and that no person is above or beyond the reach of the law. The rule of law is fundamental to the functioning of Australia's democratic system of government and the wellbeing of all people in Australia.

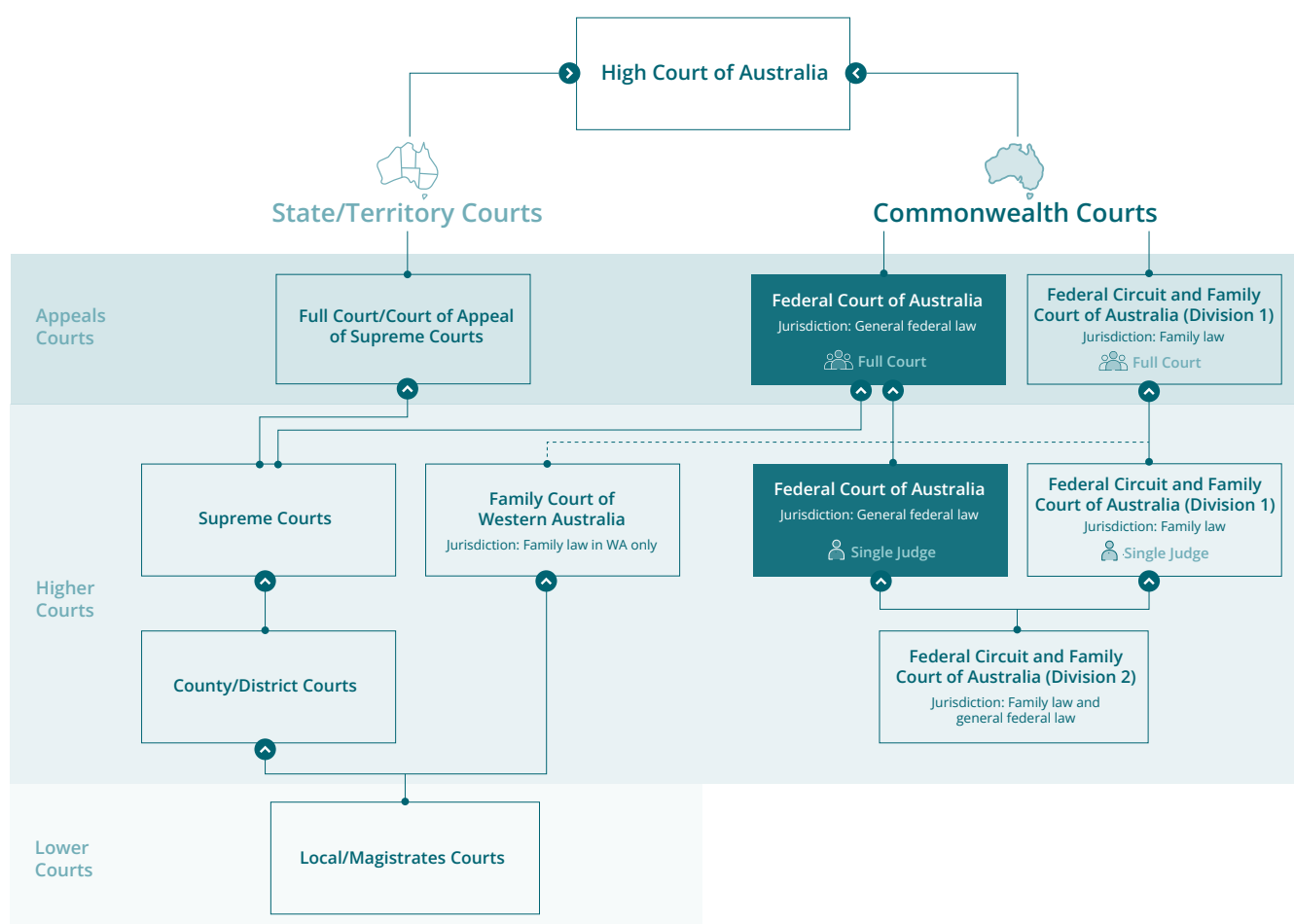


Figure 1.1: Federal Court of Australia's role within the Australian court system

History and evolution of the Court

The Federal Court was established by the Commonwealth Parliament through the passing of the *Federal Court of Australia Act 1976* (Cth) (the Federal Court Act), with its first sitting on 7 February 1977. Parliament intended that the Federal Court would absorb part of the workload of the High Court of Australia in matters arising under Commonwealth law and consolidate the work of the existing Federal Court of Bankruptcy and the Australian Industrial Court. It was also considered that a national court sitting throughout Australia should deal with areas of law of national importance, in place of a variety of state courts.

New legislation passed by the Parliament continues to expand the breadth of the Federal Court's jurisdiction and increase the volume of its work. This now extends to proceedings involving administrative review of government decisions, human rights and environmental law, native title determinations and compensation claims, migration law, commercial and competition law and consumer protection, admiralty and maritime law, intellectual property, taxation, federal crime and workplace relations. This reflects the reach and complexity of Commonwealth law, the Federal Court's role in the interpretation and development of that law, and the national significance of the Federal Court as a contemporary institution. The specific areas of law and types of legal issues the Federal Court deals with are detailed in **Parts 3 and 4** of this Report.

2026 marks 50 years since the enactment of the legislation establishing the Federal Court. The Federal Court is commemorating this milestone with a series of monthly seminars through to 2027, where a ceremonial sitting will formally mark the 50th Anniversary of the Federal Court's first sitting. These events will bring together the judiciary, the legal profession, legal scholars, students and members of the broader community to reflect on the Federal Court's contribution over the past five decades and consider the legal challenges and developments ahead. Insights are to be compiled into an enduring institutional record, published on the Federal Court's website. (<https://www.fedcourt.gov.au/news-and-events/npa-seminar-series>).

Jurisdiction: The Federal Court's authority to hear disputes

The Federal Court's ability to hear and decide proceedings brought before it is defined by its jurisdiction. 'Jurisdiction' refers to the types of proceedings the Federal Court has the legal authority to hear and determine.

As a national court operating throughout Australia, the Federal Court primarily deals with proceedings arising under Commonwealth law. This includes legislation enacted by the Commonwealth Parliament and delegated legislation made by Commonwealth bodies in the Executive arm of government. There are more than 250 statutes of Parliament conferring jurisdiction on the Federal Court, which are listed on the Federal Court's website (<https://www.fedcourt.gov.au/about/jurisdiction/acts>). Changes to legislation can affect both the number and type of proceedings brought before the Federal Court.

The Federal Court's jurisdiction is also conferred pursuant to section 39B of the *Judiciary Act 1903* (Cth). It includes most civil proceedings and a defined range of criminal proceedings arising under Commonwealth law.

The Federal Court also hears proceedings arising under or involving the interpretation of the *Constitution*, which are of national significance, as well as proceedings arising under equity and the common law—areas of law which have developed as a result of judicial decisions over time.

Civil and criminal proceedings

The Federal Court's determination of civil versus criminal proceedings involves the following key distinctions:

- **Civil proceedings** involve disputes between parties, such as individuals, companies or government decision-makers. The party bringing the proceeding, called the plaintiff, applicant or appellant, can seek a range of remedies or orders including monetary compensation, an order that another party be forced to do something or refrain from doing something (an injunction), or a declaration about the lawfulness of a certain action. That party must prove their proceeding 'on the balance of probabilities'.
- **Criminal proceedings** involve a person (a 'defendant') accused of committing an offence being prosecuted by a government body. Outcomes may include imprisonment, fines or other penalties. The prosecution is the one that has the burden to prove their proceeding 'beyond reasonable doubt'.

Original and appellate jurisdiction

The Federal Court exercises both original and appellate jurisdiction. An outline of each is provided below:

- **Original jurisdiction** refers to proceedings heard and determined by the Federal Court for the first time. This includes the determination of 'appeals' from non-judicial decisions of persons, authorities or tribunals other than courts. For example, when a party disagrees with a decision made by the Administrative Review Tribunal (ART) an 'appeal' against the decision could be brought under the Federal Court's original jurisdiction. The Federal Court's original jurisdiction is outlined in Divisions 1, 1A and 1B of Part III of the Federal Court Act.

- **Appellate jurisdiction** involves hearing appeals from judicial decisions. This includes decisions made by single judges of the Federal Court exercising original jurisdiction, non-family law decisions made by judges of the Federal Circuit and Family Court of Australia (Division 2), and certain decisions of judges sitting in other courts or bodies. The Federal Court's appellate jurisdiction is outlined in Divisions 2 and 2A of Part III of the Federal Court Act.

Original jurisdiction is usually exercised by a single judge; however, in some proceedings it can be exercised by a Full Court (comprised of three or sometimes five judges deciding the proceedings together)—for example, where the Chief Justice considers the proceedings is of sufficient importance to the development of the law or to the community. Most appellate matters are heard by a Full Court, although some appeals from courts in the hierarchy can be heard by a single judge (this includes some migration proceedings).

Leadership and stewardship in the administration of the Federal Court

The Federal Court's judicial function requires considerable administrative support in order to operate efficiently and effectively on a national scale.

Since 1990, the Federal Court has been responsible for its own administration, being the management of its own human, financial and material or technological resources, with a separate reporting arrangement to the Parliament and budget appropriation. These arrangements recognise the constitutional importance of the Federal Court's independence from the Executive arm of government and that because of this independence it is better placed to flexibly respond to changing pressures on its workload.

The Chief Justice leads the Federal Court and is responsible for ensuring the effective, orderly and expeditious discharge of its business. In managing the Federal Court's administrative affairs, the Chief Justice is assisted by the Chief Executive Officer and Principal Registrar (the Principal Registrar). The judges of the Federal Court also play a significant role in the provision of administrative support to the judicial function of the Court. The Federal Court Act provides that the Chief Justice may delegate any of their administrative powers to judges, and that the Principal Registrar may exercise powers on behalf of the Chief Justice in relation to the Federal Court's administrative affairs.

The Principal Registrar also:

- provides the corporate services of the Federal Court, pursuant to section 18Z(1)(a) of the *Federal Court Act 1976* (Cth),

- is an 'administrative head' for the purposes of the *Court Security Act 2013* (Cth),
- is an 'accountable authority' for the purposes of whole-of-government finance laws, pursuant to section 18ZB(c) of the *Federal Court Act 1976* (Cth), and
- is the 'head' of a statutory agency for the purposes of the *Public Service Act 1999* (Cth), pursuant to section 18ZE(1)(b) of the *Federal Court Act 1976* (Cth) (among other things).

In fulfilling these duties, the Principal Registrar works closely with the Deputy Principal Registrar. The Chief Justice and the Principal Registrar provide their personal reflections on the Federal Court's work during the reporting year in **Part 2** of this Report.

In addition to the leadership provided by the Chief Justice and Principal Registrar, the various teams of people described in **Part 5** who keep the Federal Court operating have their own leadership structures in place. This reflects the importance of leadership at every level of the Federal Court's administration, including through the way people take initiative, support colleagues, share knowledge and contribute to the Federal Court's work beyond their formal roles. All employees of the Federal Court within these teams are members of the Australian Public Service (APS) and are required to uphold the APS Values by contributing to an APS that is impartial, committed to service, accountable, respectful and ethical. The Federal Court's administration also seeks to uphold the APS value of stewardship by building, preserving and sharing institutional knowledge and capability, supporting continuity through change, and making decisions that strengthen the Federal Court's ability to serve the public interest now and into the future.

Examples of leadership and stewardship are reflected throughout this Report. In **Part 2**, the Chief Justice describes judge, judicial registrar and staff-led work to respond to changing pressures on the Court, including the Litigants in Person and Pro Bono Project, refinement of practice and procedure, judicial registrar-led case management, registry visits and stakeholder engagement, and the strengthening of registry leadership through the Deputy Principal Registrar role. **Part 2** also describes longer term stewardship through planning for the Federal Court's 50th Anniversary, preservation of institutional history through Archives Alive, international and regional judicial engagement, and work to build future capability across the Federal Court and the wider justice system. The people and teams described in **Part 5**, including registry, chambers, corporate services, library and specialist teams, also demonstrate leadership and stewardship by maintaining national operations, supporting judges and court users, preserving institutional knowledge and sharing capability across the Federal Court. Together, these examples show that leadership and stewardship are connected: leadership enables the Federal Court to respond to current demands, while stewardship ensures its knowledge, capability and public purpose are carried forward for the future.

Judges of the Federal Court and its locations

The Federal Court operates nationally, sitting in capital cities and at other locations across Australia.

The Federal Court consists of a Chief Justice and other judges that hold office under the Federal Court Act. Judges of the Federal Court are not employed by the APS; they are appointed by commission of the Governor-General and must retire at the age of 70. Appointees represent leaders from across the legal profession.

The principles guiding their conduct can be seen in the judicial oath or affirmation that all judges must take upon accepting their appointment to the Court:

To ‘swear’ or ‘solemnly and sincerely promise and declare’ that they will do right to all manner of people according to law without fear or favour, affection or ill will.

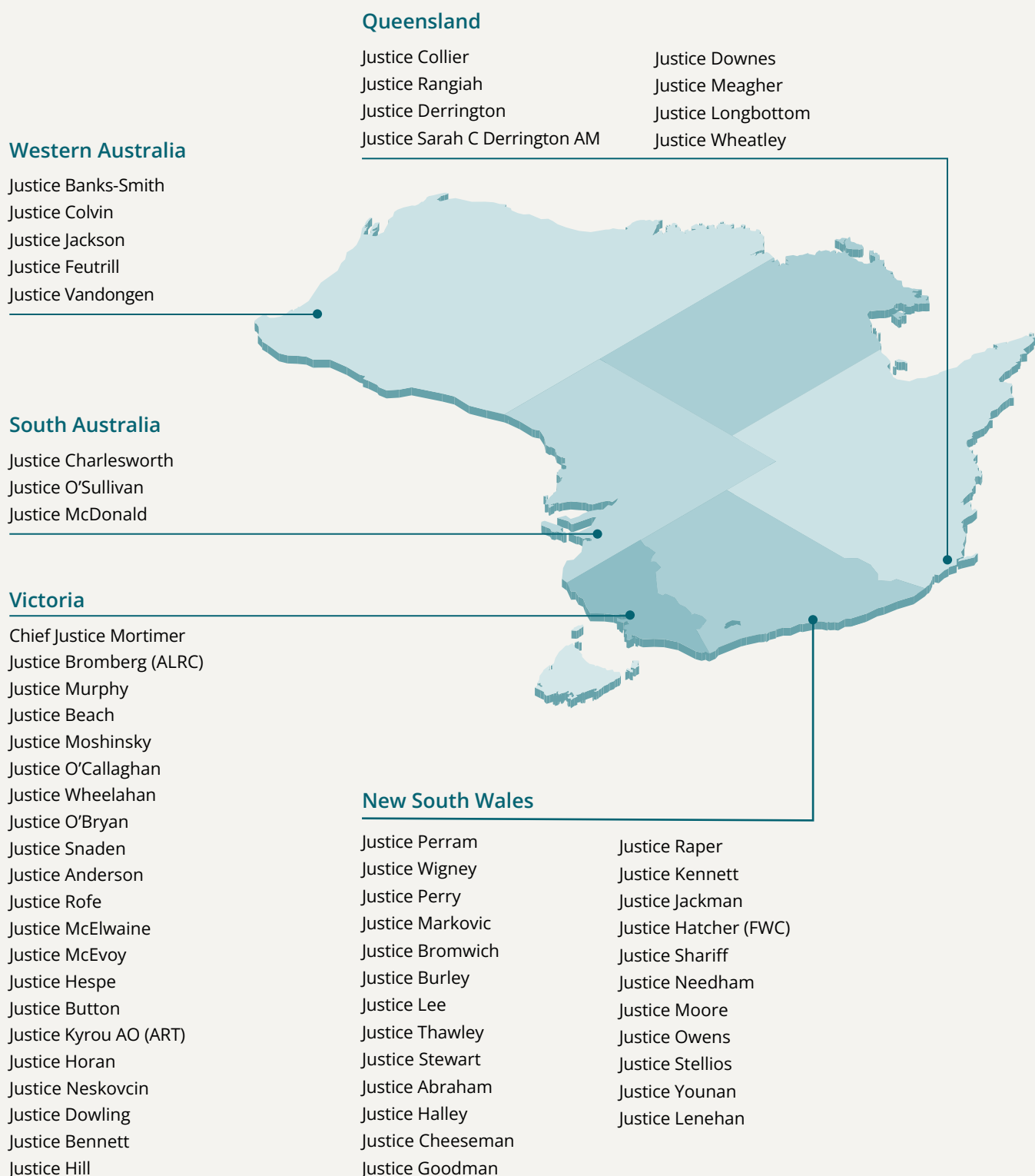


Figure 1.2: Judges of the Federal Court and its locations

There were 61 judges of the Federal Court as at 30 June 2026. The judges, with details about any other commissions or appointments, are listed in the following table.

Table 1.1 Judges of the Federal Court of Australia, in order of seniority (as at 30 June 2026)

Judge	Location	Other commissions or appointments
The Hon Debra Sue MORTIMER Chief Justice	VIC	
The Hon Berna Joan COLLIER	QLD	Additional Judge, Supreme Court of the Australian Capital Territory Judge, National and Supreme Courts of Papua New Guinea Sessional Judicial Deputy President, Administrative Review Tribunal
The Hon Nye PERRAM	NSW	President, Copyright Tribunal of Australia
The Hon Mordecai BROMBERG (ALRC)	VIC	President, Australian Law Reform Commission
The Hon Bernard Michael MURPHY	VIC	
The Hon Darryl Cameron RANGIAH	QLD	Additional Judge, Supreme Court of the Australian Capital Territory
The Hon Michael Andrew WIGNEY	NSW	Additional Judge, Supreme Court of the Australian Capital Territory Judge, Supreme Court of Norfolk Island Sessional Acting Judge, Vanuatu Court of Appeal
The Hon Melissa Anne PERRY	NSW	Deputy Judge Advocate General, Australian Defence Force (RAAF) Deputy President and currently Acting President, Defence Force Discipline Appeal Tribunal Sessional Judicial Deputy President, Administrative Review Tribunal
The Hon Jonathan Barry Rashleigh BEACH	VIC	Deputy President, Australian Competition Tribunal
The Hon Brigitte Sandra MARKOVIC	NSW	
The Hon Mark Kranz MOSHINSKY	VIC	Deputy President, Australian Competition Tribunal Part-time Member, Australian Law Reform Commission
The Hon Robert James BROMWICH	NSW	Chief Justice, Supreme Court of Norfolk Island Additional Judge, Supreme Court of the Australian Capital Territory
The Hon Natalie CHARLESWORTH	SA	Additional Judge, Supreme Court of the Australian Capital Territory
The Hon Stephen Carey George BURLEY	NSW	
The Hon David John O'CALLAGHAN	VIC	
The Hon Michael Bryan Joshua LEE	NSW	Additional Judge, Supreme Court of the Australian Capital Territory
The Hon Roger Marc DERRINGTON	QLD	Sessional Judicial Deputy President, Administrative Review Tribunal
The Hon Sarah Catherine DERRINGTON AM	QLD	Deputy President, Australian Competition Tribunal
The Hon Katrina Frances BANKS-SMITH	WA	Additional Judge, Supreme Court of the Australian Capital Territory

Table 1.1 Judges of the Federal Court of Australia, in order of seniority (as at 30 June 2026)

Judge	Location	Other commissions or appointments
The Hon Craig Grierson COLVIN	WA	
The Hon Thomas Michael THAWLEY	NSW	Additional Judge, Supreme Court of the Australian Capital Territory Deputy President, Copyright Tribunal of Australia Sessional Judicial Deputy President, Administrative Review Tribunal
The Hon Michael Francis WHEELAHAN	VIC	Additional Judge, Supreme Court of the Australian Capital Territory
The Hon Angus Morkel STEWART	NSW	Additional Judge, Supreme Court of the Australian Capital Territory
The Hon Michael Hugh O'BRYAN	VIC	President, Australian Competition Tribunal Additional Judge, Supreme Court of the Australian Capital Territory Deputy President, Copyright Tribunal of Australia
The Hon Darren John JACKSON	WA	
The Hon John Leslie SNADEN	VIC	
The Hon Stewart Maxwell ANDERSON	VIC	Additional Judge, Supreme Court of the Australian Capital Territory
The Hon Wendy Jane ABRAHAM	NSW	Judge, Supreme Court of Norfolk Island Additional Judge, Supreme Court of the Australian Capital Territory
The Hon John Allaster HALLEY	NSW	Deputy President, Australian Competition Tribunal Member, Defence Force Disciplinary Appeals Tribunal
The Hon Elizabeth Anne CHEESEMAM	NSW	
The Hon Helen Mary Joan ROFE	VIC	Deputy President, Copyright Tribunal of Australia
The Hon Kylie Elizabeth DOWNES	QLD	Deputy President, Australian Competition Tribunal
The Hon Scott Anthony GOODMAN	NSW	
The Hon Patrick O'SULLIVAN	SA	Additional Judge, Supreme Court of the Australian Capital Territory
The Hon Shaun Brendan McELWAINE	VIC	
The Hon Michael James FEUTRILL	WA	
The Hon Fiona Mary Ruth MEAGHER	QLD	
The Hon Timothy James Francis McEVOY	VIC	Sessional Judicial Deputy President, Administrative Review Tribunal
The Hon Lisa HESPE	VIC	Sessional Judicial Deputy President and Acting President when required, Administrative Review Tribunal
The Hon Elizabeth RAPER	NSW	
The Hon Geoffrey Ross KENNETT	NSW	Sessional Judicial Deputy President, Administrative Review Tribunal

Table 1.1 Judges of the Federal Court of Australia, in order of seniority (as at 30 June 2026)

Judge	Location	Other commissions or appointments
The Hon Catherine Gail BUTTON	VIC	Deputy President, Australian Competition Tribunal
The Hon Ian McNeil JACKMAN	NSW	Sessional judicial Deputy President, Administrative Review Tribunal
The Hon Adam HATCHER (FWC)	NSW	President, Fair Work Commission
The Hon Emiliós KYROU AO (ART)	VIC	President, Administrative Review Tribunal
The Hon Christopher James HORAN	VIC	
The Hon Yaseen SHARIFF	NSW	
The Hon Penelope Anna NESKOVCIN	VIC	President, Administrative Review Tribunal
The Hon Craig William DOWLING	VIC	
The Hon Jane Annabel Darling NEEDHAM	NSW	Sessional Acting Judge, Vanuatu Court of Appeal
The Hon Stephen Andrew McDONALD	SA	
The Hon Samuel Alexander VANDONGEN	WA	Additional Judge, Supreme Court of the Australian Capital Territory
The Hon Cameron Andrew MOORE	NSW	Deputy President, Australian Competition Tribunal
The Hon Nicholas James OWENS	NSW	
The Hon James Stephen STELLIOS	NSW	
The Hon Houda YOUNAN	NSW	
The Hon Elizabeth Anne BENNETT	VIC	
The Hon Erin Jane LONGBOTTOM	QLD	
The Hon Amelia Louise WHEATLEY	QLD	
The Hon Graeme Anthony HILL	VIC	
The Hon Craig Lindsay LENEHAN	NSW	

Appointments during 2025–26

In the last financial year, one judge was appointed to the Court:



The Honourable Justice Craig Lindsay Lenehan was appointed on 9 February 2026

Retirements during 2025–26

In the last financial year, one judge retired from the Court:



The Hon John Alexander Logan AM RFD retired with effect on 5 March 2026