

## Part 4: Management and accountability

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## Governance

Since 1990, the Federal Court has been self-administering, with a separate budget appropriation and reporting arrangement to the Parliament.

Under the *Federal Court of Australia Act 1976* (Cth), the Chief Justice is responsible for managing the Court's administrative affairs. The Chief Justice is assisted by the CEO and Principal Registrar.

The *Federal Court of Australia Act 1976* (Cth) also provides that the Chief Justice may delegate any of his or her administrative powers to judges, and that the CEO and Principal Registrar may exercise powers on behalf of the Chief Justice in relation to the Court's administrative affairs.

In practice, the Court's governance involves two distinct structures: the management of the Court through its registry structure, and the judges' committee structure that facilitates the collegiate involvement of the judges of the Court. Judges also participate in the management of the Court through formal meetings of all judges. The registries and the judges' committees are discussed in more detail in this part.

## Judges' committees

There are a number of committees of judges of the Court. These committees assist with the administration of the Court and play an integral role in managing issues related to the Court's administration, as well as its rules and practice.

An overarching Operations and Finance Committee, chaired by the Chief Justice, assists the Chief Justice with the management of the administration of the Court.

The Chief Justice is also assisted by standing committees that focus on a number of specific issues. In addition, other ad hoc committees and working parties are established from time to time to deal with particular issues.

All of the committees are supported by senior court staff.

For more information about committees, see Appendix 14.

## Judges' meetings

A national Judges' meeting was held on 2 December 2022 and 30 March 2023. The meetings also include a judicial education component.

## External scrutiny

The Court was not the subject of any reports by a Parliamentary committee or the Commonwealth Ombudsman. The Court was not the subject of any judicial decisions or decisions of administrative tribunals regarding its operations as a statutory agency for the purposes of the *Public Service Act 1999* (Cth) or as a non-corporate entity under the *Public Governance, Performance and Accountability Act 2013* (Cth).

## Commonwealth Courts Corporate Services

### Overview

The Commonwealth Courts Corporate Services (Corporate Services) includes security, communications, finance, human resources, library, information technology (IT), procurement and contract management, property, judgment publishing, risk oversight and management, and business intelligence.

Corporate Services is managed by the Federal Court CEO and Principal Registrar who consults with heads of jurisdiction and the other CEOs in relation to the performance of this function.

Details relating to corporate services and consultation requirements are set out in an MOU.

Corporate Services generates efficiencies by consolidating resources, streamlining processes and reducing duplication. The savings gained from reducing the administrative burden on each of the Courts are reinvested to support the core functions of the Courts.

### Objectives

The objectives of Corporate Services are to:

- provide accurate, accessible and up-to-date information and advice
- standardise systems and processes to increase efficiency
- build an agile and skilled workforce ready to meet challenges and changes, and
- create a national technology framework capable of meeting the needs of the Courts into the future.

### Purpose

Corporate Services is responsible for supporting the corporate functions of the Federal Court, Federal Circuit and Family Court and the National Native Title Tribunal.

During 2022–23, the work of Corporate Services focused on supporting the evolving needs of judges and staff across all the courts and tribunals, while delivering on required efficiencies to meet reduced appropriations.

The following outlines the work of Corporate Services, including major projects and achievements, during 2022–23.

## The work of Corporate Services in 2022–23

### Financial management

As the Accountable Authority, the CEO and Principal Registrar of the Federal Court has overarching responsibility for the financial management of the three courts and Corporate Services, together forming the Federal Court of Australia entity.

The Federal Court has an Operations and Finance Committee, which is made up of judges from the Court as well as the CEO and Principal Registrar.

This committee meets periodically and oversees the financial management of the Court, with Corporate Services providing support.

### Financial accounts

During 2022–23, revenue from ordinary activities totalled \$403.612 million.

Total revenue comprised:

- an appropriation from government of \$315.438 million
- \$43.811 million of resources received free of charge, predominantly for accommodation occupied by the Court in Commonwealth Law Courts buildings and the Law Courts Building in Sydney
- \$37.786 million of liabilities assumed by other government agencies, representing the notional value of employer superannuation payments for the Courts' judges
- \$2.007 million from the sale of goods and services and other revenue and gains, and
- \$4.570 million in increases in the revaluation reserve.

Total expenses as per the financial statements are \$411.326 million. This comprises \$117.415 million in judges' salaries and related expenses, \$155.084 million in employees' salaries and related expenses, \$99.619 million in property operating and other administrative expenses, \$37.067 million in depreciation expenses and \$2.141 million for the and financial instruments and financing costs.

The net operating result from ordinary activities for 2022–23, as reported in the financial statements, is a deficit of \$12.284 million including depreciation expenses and the accounting impacts of AASB 16 Leases. Depreciation expenses in 2022–23 of

\$37.067 million includes depreciation on right of use assets recognised under AASB 16 Leases. To reflect the underlying operating result of the Federal Court of Australia entity, in line with Department of Finance guidelines, depreciation expenses of \$37.067 million are excluded and principal payments of lease liabilities of \$19.921 million are included. This effectively reverses the impact of AASB 16 Leases on the underlying result and shows a net surplus from ordinary activities of \$4.862 million for 2022–23.

The surplus is an improvement on the budgeted break-even position due to judicial vacancies in both Courts and the slower than expected appointment of a number of newly funded positions.

Other comprehensive income of \$4.570 million arising from the independent revaluation of the Court's assets was received in 2022–23. When this is taken into account the overall result of the Court is a net surplus of \$9.432 million.

The next three-year budget cycle continues to challenge the entity to make further savings. With over 60 per cent of the entity's costs relating to property and judicial costs, which are largely fixed, the ability to reduce overarching costs is limited.

Equity increased from \$137.476 million in 2021–22 to \$144.413 million in 2022–23.

Program statements for each of the Court's programs can be found in Part 1.

### **Advertising and market research**

As required under section 311A of the *Commonwealth Electoral Act 1918* (Cth), the Court must provide details of all amounts paid for advertising and marketing services. A total of \$294,312 was paid for recruitment advertising services in 2022–23. Payments for advertising the notification of native title applications, as required under the *Native Title Act 1993* (Cth), totalled \$97,503 over the reporting year.

The Court did not conduct any advertising campaigns in the reporting period.

### **Grant programs**

The Federal Court made no grant payments in 2022–23.

## **Corporate governance**

### **Audit and risk management**

The CEO and Principal Registrar of the Federal Court certifies that:

- fraud control plans and fraud risk assessments have been prepared that comply with the Commonwealth Fraud Control Guidelines
- appropriate fraud prevention, detection, investigation and reporting procedures and practices that comply with the Commonwealth Fraud Control Guidelines are in place, and
- the entity has taken all reasonable measures to appropriately deal with fraud relating to the entity. There were no instances of fraud reported during 2022–23.

The entity had the following structures and processes in place to implement the principles and objectives of corporate governance:

- a single Audit Committee overseeing the entity that met four times during 2022–23. The committee comprises an independent chairperson, three judges from the Federal Court, one judge from the Federal Circuit and Family Court and one additional external member. The CEO and Principal Registrars for each of the Courts, the Executive Director Strategy and Corporate Services, the Chief Financial Officer and representatives from the internal audit service provider and the Australian National Audit Office (ANAO) attend committee meetings as observers
- internal auditors, RSM Bird Cameron, conducted three internal audits during the year to test the entity's systems of internal control
- a risk management framework including a Risk Management Policy, a Risk Management Plan and a Fraud Control Plan
- internal compliance certificates completed by senior managers, and
- annual audit performed by the ANAO who issued an unmodified audit certificate attached to the annual financial statements.

TABLE 4.1: AUDIT COMMITTEE, 30 JUNE 2023

Member name	Qualifications, knowledge, skills or experience (include formal and informal as relevant)	Number of meetings attended	Total number of meetings held	Total annual remuneration (GST inc.)	Additional Information (including role on committee)
Ian Govey AM	<ul style="list-style-type: none"> <li>Bachelor of Laws (Hons), Bachelor of Economics.</li> <li>Fellow, Australian Academy of Law.</li> <li>Chair, Banking Code Compliance Committee.</li> <li>Chair, Federal Court of Australia Audit Committee.</li> <li>Deputy Chair, Commonwealth Director of Public Prosecutions Audit Committee.</li> <li>Director, Australian Centre for International Commercial Arbitration (ACICA).</li> <li>Director, Australasian Legal Information Institute (AustLII).</li> <li>Deputy Chair, ACT Community Services Directorate Audit Committee.</li> </ul> <p>Previously:</p> <ul style="list-style-type: none"> <li>CEO, Australian Government Solicitor.</li> <li>SES positions in the Australian Public Service, including Deputy Secretary of the Commonwealth Attorney-General's Department.</li> </ul>	4	4	\$22,400	Chair
Justice Nicholas	<ul style="list-style-type: none"> <li>Bachelor of Laws, Bachelor of Arts.</li> </ul> <p>Previously:</p> <ul style="list-style-type: none"> <li>A barrister practising in the areas of commercial law, intellectual property law and trade practices law.</li> <li>Appointed Senior Counsel in 2001.</li> <li>Appointed as a Judge to the Federal Court of Australia in 2009.</li> </ul>	4	4	\$0	
Justice Murphy	<ul style="list-style-type: none"> <li>LLB, B Juris.</li> <li>Senior Partner of law firm (1990–95).</li> <li>Chairman of national law firm (2005–11) with responsibilities including financial forecasts, budgeting and risk management.</li> <li>Board Member, Vice President and President, KidsFirst (formerly Children's Protection Society) (2005–present) with responsibilities including financial forecasts, budgeting and risk management.</li> </ul>	1	4	\$0	

Member name	Qualifications, knowledge, skills or experience (include formal and informal as relevant)	Number of meetings attended	Total number of meetings held	Total annual remuneration (GST inc.)	Additional Information (including role on committee)
Justice Farrell	<ul style="list-style-type: none"> <li>• BA LLB (Hons) University of Sydney.</li> <li>• Deputy President, Australian Competition Tribunal.</li> <li>• Fellow, Australian Academy of Law.</li> <li>• Honorary life member, Business Law Section, Law Council of Australia.</li> </ul> <p>Previously:</p> <ul style="list-style-type: none"> <li>• President, Takeovers Panel (2010–12).</li> <li>• Member, Takeovers Panel (2001–10).</li> <li>• Chairman, Business Law Section, Law Council of Australia (2008–09).</li> <li>• Member, Executive, Business Law Section (2004–13).</li> <li>• Chair, Corporations Committee (2000–03).</li> <li>• Representative, Law Council, ASX Corporate Governance Council (2001–12).</li> <li>• Partner, Freehill Hollingdale and Page (1984–1992, 1994–2000).</li> <li>• Consultant, Freehills (2000–12).</li> <li>• National Coordinator, Enforcement, Australian Securities Commission (1992–93).</li> <li>• Acting member, Australian Securities Commission (1993).</li> <li>• Non-executive director and member of the audit committee for profit companies and government entities in the electricity generation, international banking, clothing manufacture and retail sectors (over periods between 1995–2010).</li> <li>• Non-executive director and member of the audit committee of not-for-profit entities the Securities Institute of Australia, the Australian Institute of Management, the National Institute of Dramatic Art and the Fred Hollows Foundation (over periods 1995–2017).</li> <li>• Fellow, Australian Institute of Management.</li> <li>• Fellow, Australian Institute of Company Directors.</li> </ul>	3	4	\$0	Justice Farrell resigned from the Committee prior to the 4th meeting.

Member name	Qualifications, knowledge, skills or experience (include formal and informal as relevant)	Number of meetings attended	Total number of meetings held	Total annual remuneration (GST inc.)	Additional Information (including role on committee)
Justice Harper	<ul style="list-style-type: none"> <li>BA (Hons), LLB, PhD (Uni Syd).</li> <li>Member, Family Court Finance Committee.</li> <li>Member, Family Court Conduct Committee.</li> </ul>	2	4	\$0	
David Donovan	<ul style="list-style-type: none"> <li>FCPA.</li> <li>Masters of Commerce; Graduate Certificate Professional Accounting.</li> <li>Fellow of the Institute of Public Accountants (FIPA).</li> <li>Director – Financial Reporting and Treasury at the Department of Employment and Workplace Relations.</li> </ul> <p>Previously:</p> <ul style="list-style-type: none"> <li>Chief Finance Officer Commonwealth Government Digital Transformation Agency and the Administrative Appeals Tribunal</li> <li>Employed across financial roles at the CSIRO, Department of Human Services and the National Health Performance Authority.</li> </ul>	3	4	\$0	External Member

The direct electronic address of the charter determining the functions of the audit committee for the entity can be found at [https://www.fedcourt.gov.au/about/corporate-information/audit-committee-charter/\\_nocache](https://www.fedcourt.gov.au/about/corporate-information/audit-committee-charter/_nocache).

### Compliance report

There were no significant issues reported under paragraph 19(1)(e) of the *Public Governance, Performance and Accountability Act 2013* (Cth) that relate to non-compliance with the finance law in relation to the entity.

### Correction of errors in the 2021–22 annual report

There are no errors to report.

### Security

Financial year 2022–23 saw the Courts and the Tribunal dealing with a range of matters which challenge the safety and security of people who attend the Entity facilities for work or are members of the community attending the Courts or Tribunal to access their services.

During 2022–23, \$7,240,325 was expended for court security services, including the presence of security officers, weapons screening, CCTV and other facility security measures. This figure includes funding spent on security equipment maintenance and equipment upgrades.

During the reporting year, work began on the Future Security Service project. The project will allow an approach to the market for a range of security services to replace existing arrangements as this becomes necessary.

There were a number of matters before the Courts which required heightened security requirements necessary for the safety of the Court or to address confidentiality and safety requirements sought by parties. Facilities which meet the Commonwealth's physical and information security requirements for the most sensitive matters were completed in Sydney and are now available for use.

The Sheriff and Marshal and deputies continue to work closely with the Commonwealth's lead security agencies and the Australian Federal Police, as well as the police services of the states and territories on a range of security matters. The most frequent interactions arise from their role in the execution of orders emanating from Family Law Act matters, including the recovery of children, the arrest of persons and the prevention of parties leaving Australia when ordered by a Court not to do so.

A targeted education program for staff was undertaken, with the aim of strengthening the security culture and improving staff awareness. This included information about tailgating, wearing of passes, device security, logging a security incident report, maintaining secure online profiles and other important security reminders. The security information on the intranet was also reviewed and updated.

### Purchasing

The Court's procurement policies and procedures, expressed in the Court's Resource Management Instructions, are based on the requirements of the *Public Governance, Performance and Accountability Act 2013* (Cth), the Commonwealth Procurement Rules and best practice guidance documents published by the Department of Finance. The Court achieves a high level of performance against the core principles of achieving value for money through efficient, effective and appropriately competitive procurement processes.

### Information on consultancy services

The Court's policy on the selection and engagement of all consultants is based on the Australian Government's procurement policy framework as expressed in the Commonwealth Procurement Policy and guideline documentation published by the Department of Finance.

The main function for which consultants are engaged relate to the delivery of specialist and expert services, primarily in connection with the Court's IT infrastructure, international programs, finance, property, security and business elements of the Court's corporate services delivery.

Depending on the particular needs, value and risks (as set out in the Court's Procurement Information), the Court uses open tender and limited tender for its consultancies. The Court is a relatively small user of consultants. As such, the Court has no specific policy by which consultants are engaged, other than within the broad frameworks above, related to

skills unavailability within the Court or when there is need for specialised and/or independent research or assessment.

Information on expenditure on all court contracts and consultancies is available on the AusTender website at [www.tenders.gov.au](http://www.tenders.gov.au).

### Consultants

During 2022–23, no new consultancy contracts were entered into. One ongoing consultancy contract was active during 2022–23, which involved total actual expenditure of \$179,000.

Table 4.2 outlines expenditure trends for consultancy contracts for 2022–23.

### Competitive tendering and contracting

During 2022–23, there were no contracts let to the value of \$100,000 or more that did not provide for the Auditor-General to have access to the contractor's premises.

During 2022–23, there were no contracts or standing offers exempted by the CEO and Principal Registrar from publication in the contract reporting section on AusTender.

### Exempt contracts

During the reporting period, no contracts or standing offers were exempt from publication on AusTender in terms of the *Freedom of Information Act 1982* (Cth).

### Procurement initiatives to support small business

The Court supports small business participation in the Commonwealth Government procurement market. Small and medium enterprises (SMEs) and small business participation statistics are available on the Department of Finance's website at <https://www.finance.gov.au/procurement/statistics-on-commonwealth-purchasing-contracts/>

In compliance with its obligations under the Commonwealth Procurement Rules, to achieve value for money in its purchase of goods and services, and reflecting the scale, scope and risk of a particular procurement, the Court applies procurement practices that provide SMEs the appropriate opportunity to compete for its business.

**TABLE 4.2: EXPENDITURE ON REPORTABLE CONSULTANCY CONTRACTS, CURRENT REPORTING PERIOD (2022–23)**

	Number	Expenditure \$'000 (GST inc.)
New contracts entered into during the reporting period	0	\$0
Ongoing contracts entered into during a previous reporting period	1	\$179
<b>Total</b>	<b>1</b>	<b>\$179</b>

**TABLE 4.3: EXPENDITURE ON REPORTABLE NON-CONSULTANCY CONTRACTS, CURRENT REPORTING PERIOD (2022–23)**

	Number	Expenditure \$'000 (GST inc.)
New contracts entered into during the reporting period	243	\$19,383
Ongoing contracts entered into during a previous reporting period	302	\$45,916
<b>Total</b>	<b>545</b>	<b>\$65,300</b>

**TABLE 4.4: ORGANISATIONS RECEIVING A SHARE OF REPORTABLE CONSULTANCY CONTRACT EXPENDITURE CURRENT REPORTING PERIOD (2022–23)**

Name of Organisation	Organisation ABN	Expenditure \$'000 (GST inc.)
Nous Group Pty Ltd	66086210344	\$179

**TABLE 4.5: ORGANISATIONS RECEIVING A SHARE OF REPORTABLE NON-CONSULTANCY CONTRACT EXPENDITURE CURRENT REPORTING PERIOD (2022–23)**

Name of Organisation	Organisation ABN	Expenditure \$'000 (GST inc.)
MSS Security Pty Limited	29 100 573 966	\$7,447
ENGIE Services AV Technologies	61 007 012 544	\$7,288
Built Pty Limited	24 083 928 045	\$5,739
Shape Australia Pty Limited	70 003 861 765	\$4,650
Thomas Reuters (Professional) Australia Limited	64 058 914 668	\$3,867

## Asset management

### *Commonwealth Law Court buildings*

The Court occupies Commonwealth Law Court buildings in every Australian capital city (eight in total). With the exception of two Commonwealth Law Courts in Sydney, the purpose-built facilities within these Commonwealth-owned buildings are shared with other largely Commonwealth Court jurisdictions.

From 1 July 2012, the Commonwealth Law Court buildings have been managed in collaboration with the building ‘owners’, the Department of Finance, under revised ‘Special Purpose Property’ principles. Leasing and building management arrangements are governed by whether the space is designated as special purpose accommodation (courtrooms, chambers, public areas) or usable office accommodation (registry areas).

An interim Memorandum of Understanding (MOU) was signed by the Court with Department of Finance for 2018–19 which continues to roll over monthly while the Court and Department of Finance negotiate a long-term agreement. The longer-term lease agreement MOU is being finalised and is expected to come into effect during the 2023–24 financial year.

### *Registries – leased*

Corporate Services also manages some 15 registry buildings across the nation, located in leased premises. Leased premises locations include Albury, Alice Springs, Cairns, Dandenong, Dubbo, Launceston, Lismore, Newcastle, Rockhampton, Sydney, Townsville and Wollongong. There are also arrangements for the use of ad hoc accommodation for circuiting in 25 other regional locations throughout Australia.

### *Regional registries – co-located*

The Courts co-locate with a number of state court jurisdictions, leasing accommodation from their state counterparts. The Court has Federal Court and Federal Circuit and Family Court registries in Darwin. The registries are co-located in the Northern Territory Supreme Court building under the terms of a Licence to Occupy between the Court and the Northern Territory Government.

### *Queens Square, Sydney*

The Federal Court in Sydney is located in the Law Courts Building in Queens Square, co-tenancing with the High Court of Australia and the New South Wales Supreme Court. This building is owned by a private company (Law Courts Limited), a joint collaboration between the Commonwealth and New South Wales governments. The Court pays no rent, outgoings or utility costs for its space in this building.

### *Projects and capital works delivered in 2022–23*

The majority of capital works delivered in 2022–23 were projects addressing the urgent and essential business needs of the Courts. Projects undertaken or commenced include the following:

- Completed construction for additional jury courtrooms and judges’ chambers in the Queens Square Law Courts building in Sydney.
- Completed construction works for the new Launceston registry including two courtrooms, judges’ chambers, registry, mediation suite, safe room and child services.
- Closure of the Brisbane Street Launceston registry, relocating court services to the newly constructed tenancy at Henty House.
- Completed rebranding of the Federal Circuit and Family Court of Australia across all properties.
- Completed detailed design for fitout works on level 4 at the Perth Commonwealth Law Courts. The joint project between the Family Court of Western Australia and the Federal Courts will be managed by the Federal Courts and include three courtrooms, conference, mediation suites, chambers, and support staff areas to meet the growing needs of the community. Construction is estimated to commence in early 2023–24 and be completed by the end of the financial year.
- Commenced concept design works to modify the Dandenong registry to increase the accommodation capacity for Registrars and Legal Case Manager facilities. Detailed design works will commence in early 2023–24, with construction estimated to be completed by the end of the financial year.
- Commenced concept design for new registrar accommodation in the Adelaide Commonwealth Law Courts. Detailed design works will commence in early 2023–24, with construction estimated to be completed by the end of the financial year.

- Commenced concept design in alignment with lease renewal to modify the Wollongong registry to improve court functions, patron comfort and lifecycle renewal. Detailed design works will commence in early 2023–24, with construction estimated to be completed by the end of the financial year.
- Commenced design of metering upgrades at 80 William Street as required under the lease and for improved data capture. Works are anticipated to be completed early 2024.
- Completed tendering for the design and construction of new judicial and registrar accommodation at the Melbourne Commonwealth Law Courts. Construction is due to commence in early 2023–24 with construction to be completed by the end of the financial year.
- Worked with the building owner, the Department of Finance, who completed painting works in the Perth Commonwealth Law Courts with planning underway for painting works in other Commonwealth Law Courts buildings including Melbourne, Parramatta and Adelaide.
- Assisted the Department of Finance to complete the upgrade of carpet throughout Melbourne Commonwealth Law Courts.
- Worked with the building owner, the Department of Finance, to progress key compliance, infrastructure, Disability Discrimination Act and lifecycle upgrades across a number of Commonwealth Law Courts, which will continue into the 2023–24 financial year.
- Worked with the building owner in the design phase and consultation for approximately 30 projects. The Courts also worked with the owner to assist with the completion of 32 projects which were delivered by the building owner over the reporting period at the Commonwealth Law Courts.

## Environmental management

The Court provides the following information as required under section 516A of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).

The Court, together with other jurisdictions in shared premises, ensures all activities are undertaken in an environmentally sustainable way, and has embedded ecologically sustainable development principles through its policies, procurement and contracting arrangements.

## Monitoring of actual impacts on the environment

The Court has an impact on the environment in a number of areas, primarily in the consumption of resources. Tables 4.6 and 4.7 list environmental impact/usage data where available.

## Measures to minimise the Court's environmental impact: Environmental management system

The Court's environmental management system has many of the planned key elements now in place. They include:

- an environmental policy and environmental initiatives outlining the Court's broad commitment to environmental management, and
- an environmental risk register identifying significant environmental aspects and impacts for the Court and treatment strategies to mitigate them.

## Other measures

During 2022–23, the Court worked within its environmental management system to minimise its environmental impact through a number of specific measures, either new or continuing.

## Energy

- Replacement of conventional florescent and halogen lighting with energy saving LED lighting.
- Replacement of appliances with energy efficient models.
- Review of electricity contracts to ensure value for money.
- Incorporation of energy efficient equipment into projects.
- Worked with landlords to install photo voltaic systems in our premises in Parramatta Commonwealth Law Courts and Dandenong.

## Information technology

- E-waste was recycled or reused where possible, including auctioning redundant but still operational equipment.
- Fully recyclable packaging was used where possible.

TABLE 4.6: THE COURT'S PAPER USAGE DATA, 2018–19 TO 2022–23

DETAILS	2018–19	2019–20	2020–21	2021–22	2022–23
<b>Paper usage – office paper (reams)</b>					
FCFCOA	27,049	28,651	21,917	15,654	11,076
FCA	8,787	5,866	4,734	5,215	4,222
<b>TOTAL</b>	<b>35,836</b>	<b>33,812</b>	<b>26,651</b>	<b>20,869</b>	<b>15,298</b>

### Paper

- Matters commencing with the Courts are now handled entirely electronically. Over 115,689 electronic court files have been created, comprising almost 1,590,920 electronic documents, effectively replacing the use of paper in court files. This is an increase of 8,584 electronic court files and 166,977 electronic court documents from 2021–22.
- Family law eFiling also continues to be expanded, with over 96.68 per cent of divorce applications now being electronically filed. This is an increase of 1.0 per cent from 2021–22.
- Clients are encouraged to use the online Portal, and staff are encouraged to send emails rather than letters where feasible.
- Secure paper (e.g. confidential) continued to be shredded and recycled for all court locations.
- Non-secure paper recycling was available at all sites.
- Printers are initially set to default double-sided printing and monochrome.
- 100 per cent recycled paper (5,652 reams) comprises 37 per cent of total paper usage with part recycled paper content reams accounting for a further 19 per cent of total paper usage.
- The overall reams total 2022–23 has decreased by 5,571 reams (27 per cent). This is due to the increased use of electronic filing and communication were feasible, and ongoing working from home arrangements.

### Waste/cleaning

Provision for waste co-mingled recycling (e.g. non-secure paper, cardboard, recyclable plastics, metals and glass) forms a part of cleaning contracts, with regular waste reporting included in the contract requirements for the privately leased sites.

Printer toner cartridges continued to be recycled at the majority of sites.

Recycling facilities for staff personal mobile phones were permanently available at key sites.

Secure paper and e-waste recycling was available at all sites.

### Property

Fit-outs and refurbishments continued to be conducted in an environmentally responsible manner including:

- recycling demolished materials where possible
- maximising reuse of existing furniture and fittings
- engaging consultants with experience in sustainable development where possible and including environmental performance requirements in relevant contracts (design and construction)
- maximising the use of environmentally friendly products such as recycled content in furniture and fittings, low VOC (volatile organic compound) paint and adhesives, and energy efficient appliances, lighting and air conditioning
- installing water and energy efficient appliances, and
- the Court's project planning applies ecologically sustainable development principles from 'cradle to grave' – taking a sustainable focus from initial planning through to operation, and on to end-of-life disposal. Risk planning includes consideration of environment risks, and mitigations are put in place to address environmental issues.

## Travel

Although some staff travel is unavoidable, the entity will continue to support the use of video conferencing and other lessons learned on the practice of remote communications where feasible and practicable.

### Additional ecologically sustainable development implications

In 2022–23, the Court did not administer any legislation with ecologically sustainable development implications, nor did it have outcomes specified in an Appropriations Act with such implications.

#### *Australian Public Service Net Zero 2030*

As part of the reporting requirements under section 516A of the *Environment Protection and Biodiversity Conservation Act 1999*, and in line with the Government's APS Net Zero 2030 policy, all non-corporate Commonwealth entities and corporate Commonwealth entities are required to publicly report on the emissions from their operations, commencing with public reporting of 2022–23 emissions in entity annual reports.

Entities will be able to consistently measure and report on their emissions using tools and guidance developed by the APS Net Zero Unit in the Department of Finance. To ensure consistency across the APS, reporting entities are required to use the emissions reporting tool provided by Finance to calculate their emissions.

Greenhouse gas emissions reporting has been developed with methodology that is consistent with the Whole-of-Australian Government approach as part of the APS Net Zero 2030 policy.

**TABLE 4.7: GREENHOUSE GAS EMISSIONS INVENTORY, FEDERAL COURT OF AUSTRALIA**

Emission source	Scope 1 kg CO <sub>2</sub> -e	Scope 2 kg CO <sub>2</sub> -e	Scope 3 kg CO <sub>2</sub> -e	Total kg CO <sub>2</sub> -e
Electricity (location based approach)		646,305	68,620	714,925
Natural gas				
Fleet vehicles	467,730		117,954	585,684
Domestic flights			1,182,653	1,182,653
Other energy				
<b>Total kg CO<sub>2</sub>-e</b>	<b>467,730</b>	<b>646,305</b>	<b>1,369,227</b>	<b>2,483,263</b>

CO<sub>2</sub>-e = Carbon Dioxide Equivalent

The Department of Finance reports the electricity and natural gas usage for the Commonwealth Law Courts building consumption on behalf of the Courts.

For the reporting year 2022–23, the courts utilised ten hybrid vehicles and seven Electric Vehicles (EV). Data for the km travelled was not available at the time of this report.

## Management of human resources

### Staffing

At 30 June 2023, the Court engaged 1,469 employees under the *Public Service Act 1999* (Cth). This figure includes 824 ongoing and 645 non-ongoing employees.

The engagement of a large number of non-ongoing employees is due to the nature of engagement of judges' associates. Associates are typically employed for a specific term of 12 months and transition to other employment once their non-ongoing employment ends. This practice is reflected in the Courts' retention figures.

All employees of the Federal Court and the Federal Circuit and Family Court were designated to be employees of the Federal Court of Australia by the *Courts Administration Legislation Amendment Act 2016* (Cth). Employees are also engaged by the Federal Court to support the operation of the National Native Title Tribunal.

More information is provided in Appendix 9 (*Staffing profile*).

### Employee wellbeing

The Court maintained its focus on supporting employee wellbeing and implemented a number of initiatives to support employees who may be facing professional or personal challenges. All employees can access a free and confidential counselling service via our Employee Assistance Provider, as well as the option of attending seminars on topics such as building resilience.

The Court engaged the Employee Assistance Provider to deliver wellbeing and vicarious trauma training to flood-affected employees, while also maintaining sessions focused on building resilience to support overall employee wellbeing. The Court also continued the weekly online yoga session at no cost to all staff.

### Diversity and inclusion

The Court is committed to a diverse and inclusive workplace, which includes ensuring its workforce reflects the broader communities in which our employees work. The Court focuses on ensuring it creates a safe and supporting environment in which employees can bring their true selves to work, as well as ensuring recruitment and other processes are strictly merit-based. From a gender diversity perspective, females now fill 61 per cent of positions at Senior Executive Service classifications and 74 per cent of positions at Executive Level classifications.

An important element of diversity and inclusion is ensuring employees are treated with dignity, courtesy and respect at all times in the workplace. The Court has adopted a zero tolerance approach to inappropriate workplace behaviour and recently updated its anti-discrimination, bullying and harassment policies to ensure they remain current and at best practice standards. The policies now also provide for a formal process for employees to raise a concern if they experience inappropriate behaviour by a judge.

The Court facilitated the annual refresher training to all employees to reinforce the policies and initial training delivered in 2022–23. This mandatory training is to ensure employees understand expected standards of behaviour in the workplace, as well as ensuring all employees know how they can raise a concern if they experience inappropriate behaviour. The Court recorded this training to ensure all new employees are similarly aware of the Court's policies and expectations in this regard.

### Reconciliation Action Plan

The inaugural Federal Court entity Reconciliation Action Plan (RAP) for 2020–21 was launched in September 2020. There are four levels of RAP – Reflect, Innovate, Stretch and Elevate – which suit organisations at the different stages of their reconciliation journey. The Court's reconciliation journey began with a Reflect RAP in which it shared its vision for reconciliation as well as laid the foundation for future RAPs.

The Court has focused on creating employment opportunities for Aboriginal and Torres Strait Islanders, with its Aboriginal and Torres Strait Islander employment rate increasing from 2.3 per cent in 2021–22 to 2.5 per cent in 2022–23. The Court is currently working on its next RAP at the Innovate level, which it is aiming to launch in 2024.

### Disability reporting mechanism

*Australia's Disability Strategy 2021–2031* is the overarching framework for inclusive policies, programs and infrastructure that support people with disabilities to participate in all areas of Australian life. The strategy sets out where practical changes will be made to improve the lives of people with disability in Australia. It acts to ensure the principles underpinning the United Nations Convention on the Rights of Persons with Disabilities are incorporated into Australia's policies and programs that affect people with disability, their families and carers. All levels of government have committed to deliver more comprehensive and visible reporting under the Strategy. A range of reports on the progress

of the Strategy's actions and outcome areas will be published and available at <https://www.disabilitygateway.gov.au/ads>.

Disability reporting is included in the Australian Public Service Commission's State of the Service reports and the APS Statistical Bulletin. These reports are available at <http://www.apsc.gov.au>

### **Employment arrangements**

The Remuneration Tribunal determines the remuneration of the CEO and Principal Registrars for the Federal Court, the Federal Circuit and Family Court and the Registrar of the National Native Title Tribunal, as they are holders of statutory offices.

The Courts' Senior Executive Service (SES) employees are covered by separate determinations made under section 24(1) of the *Public Service Act 1999* (Cth). The Federal Court of Australia Enterprise Agreement 2018–2021 covers most non-SES employees. A Determination supplements the enterprise agreement, with the Determination setting out the pay increases employees are eligible to receive during the 2021–22 to 2023–24 financial years. The Court made the Determination in accordance with the *Public Sector Workplace Relations Policy 2020*.

Individual flexibility arrangements are provided for in the enterprise agreement and are used to negotiate employment arrangements that appropriately reflect individual circumstances. Employees and the Court may come to an agreement to vary such things as salary and other benefits. Some transitional employment arrangements remain, including those described in Australian Workplace Arrangements and common law contracts.

At 30 June 2023, there was one employee on an Australian workplace agreement.

In addition, there were:

- 290 employees on individual flexibility arrangements
- 18 on section 24 determinations, and
- 1,160 (including casual employees) covered by the enterprise agreement.

In addition to salary, certain employees have access to a range of entitlements including leave, study assistance, salary packaging, guaranteed minimum superannuation payments, membership of professional associations and other allowances.

The Court has a range of strategies in place to attract, develop, recognise and retain key staff, including flexible work conditions and individual flexibility agreements available under the enterprise agreement.

### **Work health and safety**

The Court has a strong focus on providing employees with a safe and hazard free workplace. This is underpinned by the Court's commitment to consulting employees on safety related matters, with the Court having a formal Health and Safety Committee in place that meets on a quarterly basis.

In line with the Court's focus on employee wellbeing, the Court adopts early intervention strategies to support staff returning to work and performing their full range of duties following injury or illness. This applies irrespective of whether an injury is work related.

The Court's strong safety performance is reflected in the worker's compensation premium amount that has decreased 36 per cent in 2023–24 to \$0.48 million. For 2022–23 it was \$0.75 million and in 2021–22 it was \$1.4 million. The Court's indicative premium rate is similarly decreasing 0.50 per cent compared to 0.70 per cent last financial year and 0.84 per cent across the scheme (Commonwealth agencies).

## Information technology

The Information Technology (IT), Digital Practice and Cybersecurity teams focus on creating and maintaining technology that is simple, follows contemporary industry standards and meets the evolving needs of judges, staff, external clients, practitioners and other stakeholders across the Courts and Tribunals.

The IT team supports equitable, transparent access to justice via secure, responsive digital services delivered by a modern, cost-effective IT function as a trusted part of the Courts and Tribunals.

Work continued on consolidating and modernising IT systems to simplify the combined court environment and deliver efficiency improvements and more contemporary practices to reduce the cost of delivery.

### Achievements for 2022–23 included:

- **Lighthouse expansion project:** The protection of vulnerable parties and children in family law proceedings is supported by risk screening, triage, and case pathways into appropriate case management streams. The initial pilot was successful and from 28 November 2022, Lighthouse has been expanded to all family law registries. Matters seeking parenting and financial orders are now included, rather than parenting matters only.
- **Wi-Fi expansion:** The expansion of court and public Wi-Fi to all registries was completed.
- **Network simplification and improvements:** Aged equipment was decommissioned, data centres were consolidated, reducing reliance on legacy hardware and improving security. Remote networking, web security upgrades and significant application upgrades were completed.
- **Supporting expansion of registries:** Successful establishment of the new Launceston registry, and upgrades in Wollongong and Brisbane to support additional staff.
- **Security improvements:** End point protection for all devices and migration to more modern cloud-based solutions including email, finance and web connectivity.
- **Information Management System:** Rationalisation of three separate document management solutions into a single enterprise platform was completed.

- **IT Strategic Plan:** Significant effort against the IT Strategic Plan was completed, including modernisation of IT architecture standards, enhancement of internal support capability and refinement of roadmap to support cloud migration and key organisational outcomes.

### Digital Court Program

The Digital Court Program continues as a key priority for the Courts, streamlining core business systems to enhance flexibility and operational efficiency. The program is modernising critical document, workflow and case management tools to support the delivery of quality, timely court services to the Australian community. The progressive implementation of a new application suite, CourtPath, is the current primary focus of this program.

The first release of CourtPath launched in October 2022, delivering immediate benefits and efficiencies to family law court files and case management. CourtPath is developed in partnership with judges, registrars and court staff to deliver sustainable improvements to workflows and support efficient case handling.

Internal staff are delivering CourtPath, following user-centred design principles to ensure it is intuitive to use while providing timely, accurate and secure access to critical materials. It uses familiar, predictable design patterns seen in many modern applications to minimise the need for user training.

Work progressed throughout 2022–23 to expand the system to cater for all file types across the Courts in line with the program roadmap. Consolidation into a single platform will streamline court activity and reduce costs associated with maintaining multiple legacy platforms.

### Cyber security

As the Entity operates in an evolving digital environment, investment in cyber security remains critical to safeguard operations and protect clients and stakeholders. Throughout the reporting year, our commitment to safeguarding sensitive information, critical infrastructure, and data has been top priority, delivering key outcomes in line with the strategic roadmap. Key initiatives included advanced threat protection for all court devices, integrated vulnerability identification, ongoing development of a cyber-aware culture and enhanced incident response with a client-centric approach.

Internal cyber security capability has been enhanced throughout 2022–23, including the expansion of the Governance Risk and Compliance, Cyber Architecture and Cyber Engineering teams.

The Courts continue to strengthen cyber security maturity in line with the Australian Cyber Security Centre recommendations, Protective Security Policy Framework and Essential Eight compliance and regulatory requirements.

### Key cybersecurity areas of focus:

- **Endpoint Protection:** Following initial implementation in 2021–22, endpoint protection was enhanced and operationalised. Advanced threat protection significantly strengthened defence against emerging threats by proactively identifying and preventing malicious activities. This has improved resilience against sophisticated threats, security posture and data protection.
- **Vulnerability management:** Automated and continuous scanning of systems enables identification, prioritisation and mitigation of vulnerabilities across our network. Providing better visibility of vulnerabilities enables deployment of resources to address the most critical issues before they could be exploited and prioritisation of consolidation activities to reduce vulnerability footprint.
- **Incident response:** An updated incident response framework and processes enables swift and effective response to cyber incidents. Client-centric focus ensures prompt response, transparent communication and minimal disruption during cyber incidents.
- **Cyber Awareness Strategy:** The judiciary and staff are the first line of defence against cyber threats. Human error, negligence or lack of awareness can inadvertently expose the Entity to cyber security risks. Improving cyber awareness among judges, registrars and staff has been a key focus. Through awareness campaigns, regular communication, cyber tip cards, posters, and workshops, we have effectively raised awareness about cyber threats, best practices, and the importance of adhering to security policies and procedures. Although there has been an uplift, cyber-aware culture will remain a strong focus in 2023–24.
- **Governance risk and compliance:**
  - Improving third-party risk management, to ensure that all vendors and partners adhere to relevant controls.
  - Rigorous management of general and privileged account access, including reduction in inactive accounts.

- Risk Management Framework review and IT risk consolidation – aligning risks, compliance controls and mitigation with projects.

In addition to the initiatives mentioned above, work continues to strengthen data protection, improve vulnerability management, optimise identity and access management and update governance risk and compliance processes, policies, standards, and procedures.

### Digital Practice

To support the Court's digital practice, assist judges, chambers and court staff and increase efficiency of proceedings, Digital Practice Officers were introduced in 2021. This team has delivered significant improvements in core court operations including expansion of video conferencing capability, hearing solutions, digital courtrooms and live-streaming of high profile matters along with efficiency improvements via better use of existing digital tools.

Video conferencing remains an integral part of court proceedings, allowing broader and timely access to justice. During 2022-23, 36 additional courtrooms were enabled with video conferencing, taking the total to 75 per cent of all courtrooms having video conferencing capability.

### Courtroom technology upgrades

Courtroom technology has been installed and upgraded to provide a more consistent experience for parties attending in-person, virtually or in hybrid proceedings. Key improvements include a modern infrared hearing solution in all courtrooms to support attendees with hearing impairments, simpler audio, video and content sharing, and upgraded video conferencing hardware for 15 courtrooms, increasing the number of screens and cameras available.

To enable judges to sit in remote hearings, two digital courtrooms were introduced in Sydney Queens Square, reducing the space required compared to conventional courtrooms, while still providing an official courtroom environment.

### Process improvements and digitisation

Family law subpoena viewing appointments can now be booked online, streamlining the process for practitioners and litigants and ensuring documents and resources are available at the required times.

Efficient use of digital solutions is supported by ongoing training and support for staff, particularly focused on video conferencing and maximising use of key software such as Adobe Acrobat.

### Access to justice – Live streaming

The Federal Court has an ongoing commitment to providing access to justice by live streaming proceedings. In 2022–23, 232 court proceedings were live-streamed, including high public interest matters such as *Ben Roberts-Smith v Fairfax Media Publications*, *Bruce Lehrmann v Network Ten Pty Limited*, *Loretta Kikuyu v Minister for Health NSW & Anor*. Additionally, court and judicial events were live streamed including judicial welcome and farewell ceremonies, seminars and lectures such as Ngaru Yuru Lecture, UNCCA UN Lecture, Employment and Industrial Relations Seminar, William Ah Ket Scholarship, the Native Title Stakeholders Forum and the Silk Bows.

The Court will continue to livestream events such as these to strengthen ties with the community and profession.

### Websites

The Court and Tribunal websites are the main sources of public information and a gateway to a range of online services such as the Commonwealth Courts Portal, eLodgment, eFiling and eCourtroom.

The National Communications team is responsible for managing and maintaining the following Court and Tribunal websites:

- Federal Court of Australia: [www.fedcourt.gov.au](http://www.fedcourt.gov.au)
- Federal Circuit and Family Court of Australia: [www.fcfoa.gov.au](http://www.fcfoa.gov.au)
- National Native Title Tribunal: [www.nntt.gov.au](http://www.nntt.gov.au)
- Australian Competition Tribunal: [www.competitiontribunal.gov.au](http://www.competitiontribunal.gov.au)
- Defence Force Discipline Appeal Tribunal: [www.defenceappeals.gov.au](http://www.defenceappeals.gov.au)
- Copyright Tribunal: [www.copyrighttribunal.gov.au](http://www.copyrighttribunal.gov.au)

The websites provide access to a range of information including court forms and fees, publications, practice notes, guides for court users, daily court lists and judgments.

In the reporting year, over 15,106,032 total hits to the sites were registered:

- Federal Court website: 5,321,005
- Federal Circuit and Family Court of Australia: 8,872,731
- National Native Title Tribunal website: 912,296.

The following enhancements were made to the websites during the reporting period:

- A feedback form has been published on all pages of the Federal Court website.
- A new site for the Pacific Judicial Integrity Program was launched.
- The processes for publishing General Federal Law court lists to the websites were improved.
- Nine new Federal Court online files were established, bringing the total to 37 since the first file was published in 2012. Online files are created in cases of high public interest and contain all court documents approved for public access by the Judge.
- The family violence and Lighthouse content on the Federal Circuit and Family Court of Australia website was expanded.
- A new ‘enquiries hub’ was launched on the Federal Circuit and Family Court of Australia website. Court users can either self-serve by browsing frequently asked questions or submit a detailed enquiry through a tailored web form.

### Social media

The Federal Court of Australia actively engages in the following social media channels:

- LinkedIn
- Twitter
- YouTube

The Court leverages the social channels to inform the public about the role and work of the Court, including:

- legislation and rule changes
- latest news
- high profile cases and significant decisions
- media releases
- selected job vacancies
- emergency notifications
- online service outages, and
- registry closures.

Our accounts are monitored during business hours, Monday to Friday, and intermittently out of hours.

In addition to using social media to inform the public of the work of the Court, social media is leveraged to maintain contact with our audience and build

trust with our community. It is recognised that social media is an essential mechanism to reach the public and prospective followers to effectively present the Court, build trust and maintain the Court's brand, and we will continue to build this into our strategy.

Our approach to the Court's social media channels growth is organic. The Court is focused on creating and sharing engaging and informative content that is relevant to our audience. Our channels are the source of truth for the Court, with content designed to direct followers to the website for further information and reduce the need to contact the National Enquiry Centre.

The Court cannot provide legal advice and information published on our social accounts is not intended to be legal advice.

### LinkedIn

The Court's LinkedIn profile, <https://www.linkedin.com/company/federal-court-of-australia> is primarily used to share updates with the legal profession, highlight external engagements, the contribution the Court makes to the legal profession, and advertise select employment vacancies.

During the reporting period, the Court's LinkedIn account gained 9,921 followers, representing a 138.6 per cent increase. There were 73 posts published which attracted 428,963 impressions, an engagement rate of 5.77 per cent (per impression) and a total of 17,771 post clicks.

The account has seen an increase of 173 per cent in monthly visits and 76 more company page views.

Thirty eight per cent of our audience views LinkedIn from a mobile device only, 5 per cent from desktop only and 57 per cent use a combination of devices.

The top industry demographic of the Court's LinkedIn followers is largely dominated by law practice, followed by legal services, government administration, higher education, non-profit organisation management, judiciary and financial services.

The top 10 occupations of our followers include: lawyer, legal administrative professional, business strategist, administrative employee, customer service specialist, executive director, consultant, salesperson, student and university professor.

As at 30 June 2023, our followers were located nationally within Australia, largely in Sydney (30.7 per cent), Melbourne (22.9 per cent), Brisbane (10.2 per cent), Perth (5.3 per cent) Adelaide (4 per cent) and Canberra (3.4 per cent), with a few profiles indicating they reside overseas.

### Twitter

The Court's Twitter profile, [@fcfcoc](https://twitter.com/fcfcoc) is primarily used to share updates to the profession, legislation and rule changes, court events, livestream notifications, judgments of interest, online file publications, and the Court's contribution to the legal profession.

As at 30 June 2023, the Court's Twitter account had 3,015 followers. During the reporting period, the account gained 566 followers and lost 151 followers. The Court is not seeking to actively grow our Twitter following as this channel is used for one-way communication to share information, not to actively engage with the account's audience.

There were 88 Tweets published, 82 of which contained images/and or graphics. The Tweets attracted 228,719 impressions and an engagement rate of 4.99 per cent and a total of 8,978 post clicks.

### YouTube

The Court's YouTube account is used to livestream court events and share educational material for the public to view online. The Court's YouTube account is <https://www.youtube.com/@FedCourtAus>. YouTube livestreams and videos are cross promoted across the Court's other social channels (LinkedIn and Twitter).

As at 30 June 2023, the Court's YouTube channel had 18,700 followers. During the reporting period, 232 court proceedings and many other events were livestreamed, some of which are outlined below:

**TABLE 4.8: SELECTION OF COURT PROCEEDINGS AND EVENTS LIVESTREAMED IN 2022–23**

Event	Total views
Ben Roberts-Smith v Fairfax Media Publication PTY LTD (ACN 003357 720) & Ors – NSW1485/2018	37,812
Australian Vaccination-Risks Network Incorporated v Secretary, Department of Health – NSD469/2022	17,127
Lachlan Keith Murdoch v Private Media PTY LTD ACN 102 933 362 & Ors – NSD673/2022	3,609
Riley Gall v Domino's Pizza Enterprises Limited – VID685/2019	6,636
Santos Na Barossa v Dennis Murphy Tipakalippa – VID55/2022	1,398
McD Asia Pacific LLC & Anor v Hungry Jack's PTY LTD – NSD967/2020	526
ASIC v Union Standard – NSD2064/2019	5,675
Fisher v Commonwealth of Australia – VID545/2021	1,011
Loretta Kikuyu v Minister for Health NSW & Anor	2,827
Dailymail.com Australia PTY LTD v Erin Molan – NSD767/2022	612
Pabai Pabai v Commonwealth of Australia – VID622/2021	1,806
Michael Robert Luke & Ors v Aveo Group Limited – VID996/2017	1,444
Bruce Lehrmann v Network Ten PTY LIMITED ACN 052 515 250 & Anor - NSD103/2023 Bruce Lehrmann v News Life Media PTY LIMITED & Anor – NSD104/2023	21,211
Ford Motor Company v Biljana Capic – NSD1321/2021	2,929
Commisioner of Taxation v David Nicholas Iannuzzi – NSD1510/2017	653
Australian Securities and Investment Commission v Australia New Zealand Banking Group – VID1153/2018	1,960
Roxanne Tickle v Giggle for Girls – NSD1148/2022	2,470
Clinton Earl McKenzie v Commonwealth Superannuation Corporation – NSD670/2021	487
Act 1 of 2022 Applications by Telstra Limited and TPG Telecom Limited	1,819
Australian Securities and Investment Commission v Isignthis Limited & Anor – VID773/2020	2,948
Yindjibarndi Ngurra Aboriginal Corporation RNTBC (ICN 8721) and State of Western Australia & Ors – WAD37/2022	260
Commissioner of Taxation v Rawson Finances – NSD1329/2014	109
Save the Children Australia v Minister for Home Affairs – VID403/2023	227
Farewell ceremonial sitting for the Honourable Justice Middleton	1,924
Welcome ceremony for the Honourable Justice Kennett	146
Welcome ceremony for the Honourable Justice Jackman	290
Farewell ceremonial sitting for the Honourable Chief Justice Allsop AC	761
Welcome ceremony for the Honourable Chief Justice Mortimer	1,643
Welcome ceremony for the Honourable Justice Kyrou AO	171

## Access to judgments

When a judgment of the Federal Court of Australia or Federal Circuit and Family Court of Australia is delivered, a copy is made available to the parties and published on court websites.

In the reporting year, 1,783 settled judgments were received and published by the Judgments Publication Office. This figure includes 197 Full Court decisions.

The Judgments Publication Office also received and published a number of decisions from the Supreme Court of Norfolk Island (three), Competition Tribunal (two), the Copyright Tribunal (four) and the Defence Force Discipline Appeal Tribunal (three).

The Court also provides copies of judgments to a number of free legal information websites including AustLII and JADE, legal publishers, media and other subscribers. Judgments of public interest are published within an hour of delivery and other judgments within a few days, with the exception of family law and child support decisions which must first be anonymised. The Federal Court provides email notifications of judgments via a subscription service on the Court website.

## Recordkeeping and information management

### Corporate coverage

Information management is a corporate service function providing information and records management services to support effective and compliant information and records management for the Federal Court of Australia, the Federal Circuit and Family Court of Australia (Division 1), the Federal Circuit and Family Court of Australia (Division 2), National Native Title Tribunal, Australian Competition Tribunal, Copyright Tribunal of Australia and Defence Force Discipline Appeal Tribunal.

### Information governance

#### Records authorities

The new combined Courts' Records Authority was issued in November 2022. The records authority determines retention and authorises the disposal of records covering the Federal Court, the Federal Circuit and Family Court of Australia (Division 1) and the Federal Circuit and Family Court of Australia (Division 2). The records authority covers the following:

- court case management
- court service delivery and support, and
- court ceremonies management.

### Committees

The Information Governance Committee met quarterly during the reporting year to monitor information governance obligations that affect the Entity. The committee continued to work on meeting the outcomes of the government's *Building Trust in the Public Record* policy.

### Information management system

A project to consolidate the three legacy records management systems into a single information management system was completed in June 2023. The project saw the migration of over 1.2 million records into the new information management system. The Information Management Team will work on improving the management of the Courts' corporate records during 2023–24.

### Working digitally

The Court continues to progress towards working digitally by default. This is a reportable target set by the National Archives of Australia. Progress towards this target was demonstrated by:

- implementing an information management system that enables staff to save and retrieve their documents from within office applications and to save their emails directly
- increasing the volume of information assets being saved in the new information management system enabling them to be found and reused, and
- ensuring new managers and staff are aware of the Entity's information framework and their information management responsibilities via induction and online training.

### National Archives reporting

The National Archives annual check-up 2022–23, reporting on digital benchmark targets, saw an improvement of 0.23 per cent on the Entity's 2021–22 overall information management maturity index results. The implementation of the new information management system will enable the entity to steadily achieve the whole-of-government outcomes.

### Transfers to National Archives

No transfers to National Archives were undertaken in 2022–23.

## Library and information services

The Federal Court library provides a comprehensive library and information service to support the high-level information requirements of the judges, registrars and staff of the Federal Court of Australia, the Federal Circuit Court and Family Court of Australia (Division 1 and Division 2), and members and staff of the National Native Title Tribunal.

The library collection includes both print and online materials, with hardcopy collections maintained by qualified librarians in Adelaide, Brisbane, Melbourne, Sydney and Perth, and online resources available via the Courts' intranets. Smaller collections to meet the needs of resident and visiting judges are also maintained in other locations.

In Sydney, Federal Court judges and staff are supported by the New South Wales Law Courts library under a historical Heads of Agreement between the Federal Court of Australia and New South Wales Department of Communities and Justice. The terms of this agreement are flexible and renegotiated each year to meet changing requirements.

Although primarily legal in nature, the library collection also includes material related to Indigenous history and anthropology to support the native title practice areas, and to children and families to support the child court experts working within the Federal Circuit and Family Court of Australia.

Details of items held in the collection are publicly available through the Library Catalogue and Native Title InfoBase and accessible from the Federal Court of Australia website. The library's holdings are also added to Libraries Australia and Trove which allows inter-library loan access both nationally and internationally through other participating libraries.

The library is a foundation member of the Australian Courts Consortium for a shared library management system using SirsiDynix software. The Consortium allows the sharing of resources, collections, knowledge and expertise between libraries. SirsiDynix library management system provides the infrastructure for the Library website and catalogue.

Library services continue to evolve with ever increasing access to online resources being made available by publishers and ongoing changes to the availability and requirement for hardcopy resources by library users.

## Assistance to the Asia Pacific region

The Brisbane library continues to provide advice and support to the National and Supreme Courts of Papua New Guinea.

Duplicate library resources are offered to other libraries on an ongoing basis with a number of requests for material from Fijian law libraries being received and supplied.

## Commonwealth Courts Registry Services

### Overview of Registry Services

The registry services functions for the Federal Court, Federal Circuit and Family Court (Division 1) and Federal Circuit and Family Court (Division 2) are amalgamated into a program under Outcome 4 (Program 4.2) known as the Commonwealth Courts Registry Services (also known as Court and Tribunal Services).

This provides an opportunity to shape the delivery of administrative services and stakeholder support across the entity in a more innovative and efficient manner. A focus on maximising registry operational effectiveness through streamlined structures and digital innovations will significantly contribute to the future financial sustainability of the Courts.

A national approach ensures that the quality and productivity of registry services is the very best it can be. The focus on building consistency in registry practice across all Court locations and expert knowledge will continue to support the National Court Framework and the important work of the judges and registrars.

### Objectives

The objectives of Registry Services are to:

- provide a high level of support for the judiciary and court users through a national practice-based framework
- maximise operational effectiveness through streamlined structures and digital innovations
- develop an organisational structure that promotes flexibility and responsiveness to new opportunities and demands, and
- support the Courts to take full advantage of the benefits of the Digital Court Program.

### Purpose

The purpose of Registry Services is to provide efficient and effective services to the Commonwealth courts and tribunals and its users.

### Registry services management structure

The **Executive Director, Strategy and Corporate Services** has overarching responsibility for the delivery of registry services and leads the design and delivery of improved case management and administrative services across the Courts and the Tribunal. The Executive Director, Strategy and Corporate Services reports to the CEO and Principal Registrar of the Federal Court of Australia.

**Directors Court Operations**, formerly known as Directors Court Services, report to the Executive Director, Strategy and Corporate Services. They lead and manage the Courts' registry operations and resources in their respective regions, as well as contribute to continuous business improvement across three national streams: client services, digital services and court operations. Directors Court Operations work collaboratively with national service managers and other directors to lead and manage multi-disciplinary teams delivering a range of customer-driven professional and business support services to ensure national service excellence. The development and maintenance of key relationships with Aboriginal and Torres Strait Islander peoples, culturally diverse community groups and support services is an important responsibility of the role and ensures that all Court services recognise the needs of our client groups.

**Managers Court Operations**, formerly known as Managers Court Services, report to the Director Court Operations in their respective region and are responsible for leading and managing the Courts' registry operations and resources in their location in accordance with the Courts' strategic and operational plans and national service standards. Liaising with the judiciary of all Courts in their location, together with the Directors Court Operations, they ensure that the judiciary are well supported in chambers and in court, and that the delivery of court services is consistent, responsive to client needs and provided in a courteous, timely and efficient manner.

**Location-based Team Leaders, Registry Services Team Leaders, Chambers Coordinators and Strategic Support Hub Team Leaders** report to the Manager Court Operations, or in the absence of a Manager Court Operations, the Director Court Operations in their respective region. They are responsible for delivering high-quality case management, courtroom and chambers support to judicial officers (including training and development of associates) and registry services to clients, legal practitioners, registrars, Court Child Experts and

community groups that support court users. They have oversight of judicial and registry services in their location and provide information on appropriate avenues for addressing client needs and recommending appropriate options for effective resourcing and services for the Courts.

The **Director Strategic Support Hub** (SSH) reports to the Executive Director, Strategy and Corporate Services. The Director SSH is responsible for the strategic and operational management of the Courts' Enquiry Centre dispersed nationally, as well as national filed document processing and the national support pool for Deputy Registrars in family law. The Director SSH also has responsibility for managing the team handling first-level enquiries related to family law matters received via phone, email and live chat and various teams involved in processing documents in family law and providing event and document support to deputy registrars in family law.

In collaboration with the Directors Court Operations, and national and local managers, the Director SSH is an important driver and contributor to the identification of business and process enhancements linked to the delivery of improved customer interactions with the Courts and meeting service level standards associated with enquiries and document handling.

## Court and Tribunal registries

The key functions of Court and Tribunal registries are to:

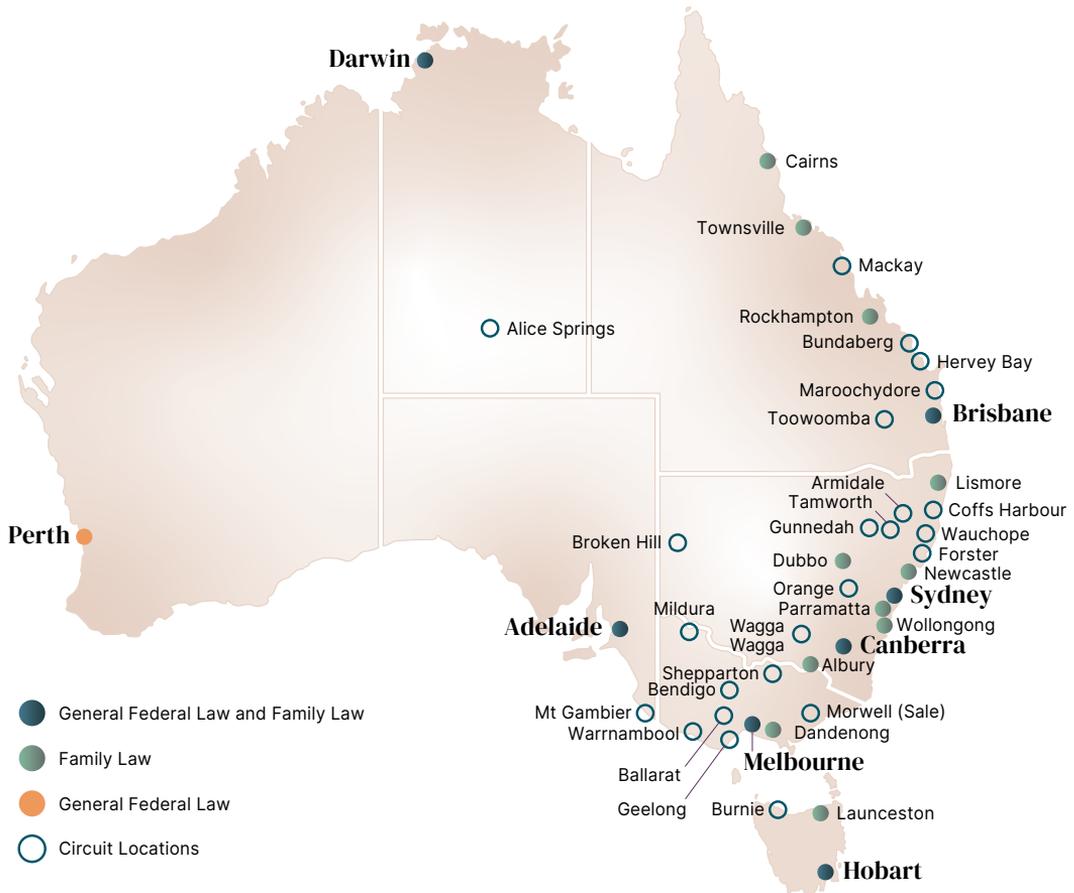
- provide information and advice about court procedures, services and forms, as well as referral options to community organisations that enable clients to take informed and appropriate action
- ensure that available information is accurate and provided in a timely fashion to support the best outcome for clients
- encourage and promote the filing of documents and management of cases online through the Portal
- enhance community confidence and respect by responding to clients' needs and assisting with making the court experience a more positive one
- monitor and control the flow of cases through file management and quality assurance
- schedule and prioritise matters for court events to achieve the earliest resolution or determination, and
- manage external relationships to assist with the resolution of cases.

The service delivery principles of Registry Services are to provide services that are:

- **Safe and easy to access:** all processes and services are streamlined so that they prioritise user safety and ease of access.
- **Consistent and equitable:** the level of service available to users is consistent irrespective of the location.
- **Timely and responsive:** services should meet the needs of each user and be delivered in a timeframe considered to be reasonable.
- **Reliable and accurate:** Courts and Tribunals must have full confidence that the information provided by staff can be relied upon by the user.

## Registry Services locations

FIGURE 4.1: REGISTRY SERVICES LOCATION MAP



### The work of Registry Services in 2022–23

Registry Services has three main performance criteria:

1. All information and service provided by registry services is high quality, timely and meets the needs of clients

*At least a 90 per cent customer enquiry satisfaction rating.*

2. Timely processing of documents

*75 per cent of documents processed within two working days.*

3. Efficient registry services

*All registry services provided within the agreed funding and staffing level.*

## Snapshot of 2022–23 performance against targets

TABLE 4.9: SNAPSHOT OF REGISTRY SERVICES PERFORMANCE AGAINST TARGETS, 2022–23

Performance measure	Result 2022–23	Status
<b>All information and service provided by registry services is high quality, timely and meets the needs of clients</b>		
At least a 90 per cent customer enquiry satisfaction rating.	The customer enquiry satisfaction rate was 73.8 per cent.	Performance measure not achieved
<b>Timely processing of documents</b>		
75 per cent of documents processed within two working days	82 per cent of documents were processed within two working days.	Performance measure achieved
<b>Efficient registry services</b>		
All registry services provided within the agreed funding levels	All registry services were provided within the agreed funding levels.	Performance measure achieved

Registry Services staff manage enquiries, document lodgments, subpoenas and safety plans. The number of safety plans activated in 2022–23 was 2,849 across all registry locations. Safety plan numbers have risen due to the increase in face-to-face services in some registries. In addition to face-to-face services, supporting the electronic hearings and additional registrar resources has continued to be a significant additional workload for Registry Services.

Throughout the year, Registry Services staff continued to process urgent enquiries and applications and provided support for difficult issues for a diverse range of clients with different needs both professionally and courteously. This included supporting vulnerable clients and ensuring people from non-English speaking backgrounds are suitably supported.

### Financial management

In 2022–23, the Registry Services budget allocation was \$30,822,000, with an under-spend of 2.5 per cent. Savings were achieved through lower employee costs due to staff vacancies.

### Document processing

Registry Services has one performance target relating to the timely processing of family law documents.

- 75 per cent of documents processed within two working days.

During the year, Registry Services processed 82 per cent of all documents received within two working days.

TABLE 4.10: DOCUMENTS PROCESSED WITHIN TWO WORKING DAYS

JURISDICTION	DOCUMENTS RECEIVED	DOCUMENTS PROCESSED WITHIN TWO DAYS	PERCENTAGE
All	143,944	118,118	82%
General federal law	45,935	41,022	89%
Family law	98,009	77,096	79%

## Enquiries

### *Family law enquiries*

Registry Services staff manage counter enquiries in 18 locations across the country. Court users may send enquiries directly to family law court locations via email. The Enquiry Centre also acts as a triage point for email enquiries and refers any enquiries to specific locations that cannot be answered at the first point of contact. These enquiries are usually case-specific or require some form of local knowledge or decision.

### *General federal law enquiries*

Since June 2021, general federal law phone enquiries have been received via a central phone number managed by the Enquiry Centre and registry staff. The Enquiry Centre also continues to maintain the live chat and central email channels in general federal law.

Some registries also provide additional services to support other Courts and Tribunals:

- The New South Wales District Registry provides registry services to the Copyright Tribunal, the Defence Force Discipline Appeal Tribunal, the Australian Competition Tribunal, the National Native Title Tribunal and the Supreme Court of Norfolk Island.
- The Queensland registry provides registry services to the Copyright Tribunal and the High Court of Australia.
- The South Australian registry provides registry services to the High Court of Australia.
- The Victorian registry provides registry services to the Australian Competition Tribunal.
- The Western Australian registry provides registry services to the Australian Competition Tribunal, the Copyright Tribunal of Australia and the Defence Force Discipline Appeal Tribunal.

## Client satisfaction

Client satisfaction is measured by a post-call survey of people who have called the Courts' Enquiry Centre. During the reporting year, the Enquiry Centre surveyed 1,735 court users, achieving a satisfaction rating of 73.8 per cent.

During the reporting period, connectivity disruptions affecting the call centre software intermittently affected clients' access to frontline services and may have affected performance against this target. Additionally, difficulties in recruiting and retaining staff affected resourcing levels across client services as not all vacancies were able to be successfully filled, resulting in some backlogs and delays.

Note: the achievement of a 90 per cent satisfaction rating means the clients surveyed selected 4/5 or 5/5 as a satisfaction measure of their most recent interaction with the Court.

### Local registry consultation

Registry Services staff engage regularly with numerous external groups such as local family law pathways networks, family advocacy and support services, Legal Aid, bar associations and law societies, local practitioners and practitioners' associations, community legal centres, family relationship centres, community organisations and support groups, child protection agencies, family violence committees and organisations, state courts, universities and police services.

Registries also work with other organisations who provide information to litigants requiring assistance with general federal law, such as the Consumer Action Law Centre, Justice Connect, LawRight, and providers of financial counselling and advice on migration matters.

Some local engagement activities that occurred during the reporting period included:

- The Australian Capital Territory registry hosted a briefing session with New Zealand government members on 29 November 2022.
- The Northern Territory registry hosted an annual practitioners meeting.
- The New South Wales registry hosted a meeting with the Law Council of Australia in October 2022; a joint lunch for Federal Court and New South Wales Supreme Court judges in March 2023; and a meeting between Chief Justice Mortimer and the local Bar and Law Society in May 2023.

- The Queensland registry hosted a University of Queensland exhibition moot in September 2022 and a show moot in June 2023; a NAIDOC Week morning tea with judges and local Indigenous leaders; a meeting with Chief Justice Mortimer, registry staff and the local profession in May 2023; and a Federal and Supreme Court luncheon in June 2023.
- The South Australian registry hosted 40 participants for the Essential Trial Advocacy course from 27 June 2022 until 1 July 2022; and the Bar Readers' course on 24, 25 and 28 October 2022, and 5–8 December 2022. The registry also held quarterly Pathways meetings and several practitioners' meetings with judges and co-located officers and stakeholders. The registry also hosts monthly *'Walk in their shoes'* tours for domestic violence volunteer services.
- The Victorian registry hosted the Melbourne Law School mooting competition in August and September 2022; the University of New England Law School moot courts in September 2022 and May 2023; the Monash Law Students Society women's moot competition in October 2022; a Federal Court/Australian Law Reform Commission seminar in December 2022; and a Commercial Bar Association event for 130 people in March 2023. On 25 May 2023, registry facilities were made available for an event to farewell Victorian Governor, The Hon Linda Dessau AC CVO with 110 guests in attendance.
- The Tasmanian registry hosted a meeting with Chief Justice Mortimer and 50 members of the Tasmanian legal profession and bar.
- The Western Australia registry hosted the Courts Summer Clerkship Program in November and December 2022, and a silks ceremony in March 2023. In May 2023, the registry hosted a court welfare service professional development day, as well as a meeting between Chief Justice Mortimer, the Western Australia Bar Association, the Law Society and staff.
- The Strategic Support Hub met monthly with representatives from the Family Relationship Advice line.

In addition, registry facilities were used for many Federal Circuit and Family Court of Australia activities, some of which are detailed below:

- The Newcastle registry held six Registry Services/ Lawyer Liaison meetings during the reporting period. Staff also presented to the Hunter Valley Family Law Practitioners Association about the role of Court Children's Service in May 2023.
- The Wollongong registry hosted an annual judicial dinner on 8 May 2023, with practitioners, stakeholders and court staff in attendance.
- The Parramatta registry hosted the Greater West Family Law Practitioners Association Twilight Seminars on 2 August 2022, 26 October 2022, 14 March 2023 and 22 June 2023, and held local lawyers meetings four times in the reporting year.

### Public education and engagement

The Court engages in a range of strategies to enhance public understanding of its work, and the Court's registries are involved in educational activities with schools and universities and, on occasion, with other organisations that have an interest in the Court's work. Court facilities were also made available for many events, some of which included:

- Mahla Pearlman Oration (July 2022)
- Australian Academy of Law event (August 2022)
- Michael Whincop Memorial Lecture (August 2022)
- Melbourne Law School Mooting Competition (September 2022)
- SIFoCC Conference (October 2022)
- Richard Cooper Memorial Lecture (October 2022)
- Minds Count Annual Lecture (October 2022)
- UNCCA UN Day Lecture (October 2022)
- Monash Law Students Society Womens Moot Competition (October 2022)
- Francis Forbes Society and Ngara Yura Committee (November 2022)
- NSW Young Lawyers, Confidence in the Courtroom (November 2022)
- Forbes Society AGM (November 2022)
- New England Law School Moot (September 2022 and December 2022)
- Federal Court/ Australian Law Reform Commission Seminar (December 2022)
- Advanced Trail Advocacy Intensive (January 2023)

- Inaugural Western Sydney University Seminar (February 2023)
- Case Management and Complex Civil Litigation Book Launch, *The Australian Class Action – A 30 Year Perspective* (March 2023)
- Council of CJs of Australia and NZ meeting (March 2023)
- Australasian Institute of Judicial Administration Court Librarians' Conference (March 2023)
- Trial Practice and Appellate Moot for the Victorian Bar (March 2023)
- Appellate Advocacy Moot for the Victorian Bar (April 2023)
- Law Courts Limited Board Meeting (April 2023)
- Whitmore Lecture (May 2023)
- University New England Moot (May 2023)
- ABC Documentary Film (June 2023)

### Overseas delegations

During the year, the Court has hosted numerous visiting delegations from overseas courts. These included:

- Vietnam
- Indonesia
- South Korea
- New Zealand
- Philippines
- Singapore
- Cambodia

The Queensland registry, in conjunction with the Pacific Judicial Integrity Program, also hosted Associates and Registrars from across 12 Partner Courts in the Pacific for a workshop on 'Managing and Reporting on Fraud and Corruption Cases' in March 2023. Other activities in relation to liaison with overseas courts and stakeholders can be found in Appendix 8 (*Judges' Activities*).

### Strategic Support Hub (previously known as National Enquiry Centre)

In 2022–23 the National Enquiry Centre was expanded and renamed the Strategic Support Hub (SSH). The Courts implemented structural changes targeting the development of national teams to assist with the processing of documents and management of enquiries as well as the existing national support pool assisting deputy registrars in family law.

In May 2023, the SSH added to the existing work of the Enquiry Centre taking on new areas of responsibility with a significant change to the processing of documents in family law. This involved the implementation of a national team working on the processing of divorce and consent order applications nationally.

These changes, and further changes planned for 2023–24, represent a significant shift in the way documents are processed in family law, moving from a location-based registry model to a national dispersed team undertaking this work.

As well as the expansion into document processing and registrar support work, the SSH is responsible for the Enquiry Centre of the Court. The Enquiry Centre provides a single point of entry for phone, email and live chat enquiries to the Federal Court of Australia and the Federal Circuit and Family Court of Australia (Division 1 and Division 2). The majority of the work of the SSH in 2022–23 continued to focus on family law, as well as continuing to undertake the management of general federal law enquiries received by phone and live chat.

In 2022–23, the Courts continued to advertise two 1300 numbers split between general federal and family law jurisdictions. These enquiries are managed by enquiries staff trained in family law and general federal law processes and procedures with assistance from registry staff as needed to supplement resourcing levels.

Live chat enquiries continue to be available to be initiated via the Federal Court of Australia, the Federal Circuit and Family Court of Australia, and the Commonwealth Court's Portal websites. Live chat enquiries are entirely managed by enquiries staff working in the SSH team. Additionally, the Enquiry Centre manages email enquiries received via the 'enquiries,' 'portal support' and 'portal registration' email addresses and submitted via web form.

The Enquiry Centre continues to have responsibility for the triage and delivery of requests for historic divorce orders, as well as managing the administration of resourcing the Courts' family law and general federal law after-hours service.

During 2022–23, the SSH undertook the following projects:

- the implementation of a web form for the submission of email enquiries, and
- implementation of a national document processing team working on divorce and consent order applications.

The introduction of a new web form for the submission of email enquiries has assisted with the collection of data from clients making email enquiries. This has removed the need for multiple email exchanges in a high proportion of the emails submitted via the web form, thereby improving the efficiency of handling of email enquiries. This project also saw the development of an 'enquiries hub' to assist clients with frequently asked questions and provide guidance and information to clients to help with early resolution of their enquiries. Further formal analysis of the project outcomes is yet to be completed.

In May 2023, a national divorce and consent orders processing team commenced, centralising the processing and checking of divorce and consent order applications. Over 9,000 documents were processed in the first seven days. This includes approximately 1,900 new divorce and consent order applications, and thousands of supplementary and supporting documents. In the weeks after commencement, extensive work was undertaken to standardise the approach for reviewing documents and providing consistent responses to common errors and issues. Further, cross training of staff in the Enquiry Centre and filing teams has taken place with the aim that a larger multi-skilled team will now be able to work across the existing work of the Enquiry Centre as well as divorce and consent order document processing.

Whilst still in the early stages of operation, initial results suggest that overall efficiencies have been gained in timeliness of processing these applications, consistency of approach, reducing associated enquires and improving service delivery to clients.

**TABLE 4.11: ENQUIRY CENTRE PERFORMANCE, 2022–23**

TYPE OF COMMUNICATION	VOLUME
Total calls presented	175,668
Total calls actioned	107,694
Calls (average wait time) <sup>1</sup>	13:49 mins
Calls (average handle time) <sup>1</sup>	8:12 mins
Total live chats presented	116,419
Total live chats actioned	81,243
Live chats (average queue time) <sup>1</sup>	7:08 mins
Live chats (average handle time)	14:51 mins
Total emails received <sup>1</sup>	85,812
Total emails sent <sup>2</sup>	37,834

1 based on calls/chats presented, includes calls/chats that may have abandoned prior to connecting to an NEC staff member.

2 based on actual weekly data to 30 October 2022 and weekly average estimate for remainder of the reporting year.

### Phone calls

In 2022–23, phone calls to the Enquiry Centre decreased. This may be attributable in part to greater familiarity with the process and rules changes made as a result of the commencement of the *Federal Circuit and Family Court of Australia Act 2021* (Cth) in 2021, however the implementation of the enquiries web form may also have assisted with providing clients with access to information assisting clients before calling the Courts. Though only in place for a short period, the new Divorce and Consent Order processing team that deals with high volume applications, may also have assisted in enquiry reduction in June as a nationally consistent approach and guidelines were implemented and backlogs of processing work in some registries were worked through.

Waiting times to connect with an agent decreased from 16:13 minutes in 2021–22 to 13:49 minutes. It is worth noting, however, that this improvement is mainly driven by calls to the general federal law enquiry line and service on the family law enquiry line has not significantly improved this year. The longer wait time, particularly in family law, continues to be a significant contributor to high abandonment rate for queued calls.

Average handle time for phone calls remains relatively steady year to year with a mild increase of less than one minute on average.

### Live chat

The data reported for live chats in 2022–23 indicates the first time in over three years that live chats have decreased, down from over 151,000 in 2021–22 to just over 116,000 in 2022–23. Live chats remains the most efficient channel for enquiries to the Enquiry Centre, with staff able to manage several chats simultaneously. Whilst this shift in family law queues may also be attributable to familiarity and increased comfort with 2021 changes, this trend was also evident to a lesser degree across the general federal law chat queues.

Average queue times for chat enquiries across family and general federal law remained stable and significantly less than the queue time for phone queries.

### Email

The estimate of emails received by the Enquiry Centre in 2022–23 decreased overall following the trend visible across all enquiry channels. Only partial actual reporting data is available in relation to email due to the removal of email management from the contact centre software in mid-November 2022 to increase efficiency in processing. It is estimated the Enquiry Centre received 85,812 emails this year, significantly less than the previous reporting year. This is based on actual data reported up to 30 October 2022 and a weekly estimate for the remainder of the reporting year. Once again, this decrease can be attributed to the stabilisation in process and procedure post the Federal Circuit and Family Court of Australia commencement and the implementation of the Courts' enquiries web form.

### Registry Services initiatives in 2022–23

#### *New subpoena booking management system*

In October 2022, in partnership with the Digital Practice Team, a pilot was undertaken aimed at enhancing the subpoena booking process for staff and clients and automating the previous manual process. Using Microsoft Bookings clients are able to select and book a suitable time to access subpoenaed material and files.

Following the success of the pilot, additional sites were added during 2022–23, and the system is now available for use in Adelaide, Brisbane, Cairns, Canberra, Dandenong, Dubbo, Hobart, Launceston, Lismore, Melbourne, Newcastle, Parramatta, Sydney LBB and Townsville. Additional discovery to expand to all remaining sites took place during the reporting year with further work planned next financial year.

#### *Court lists – general federal law*

Improvements to the General Federal Law court list publication for the Federal Circuit and Family Court of Australia were introduced in July 2022. The changes were modelled on work completed for the Federal Court of Australia earlier in the year, with the aim to streamline and align processes between the two courts.

### *Registry services restructure*

In August 2022 Phase 1 of the Registry Services restructure was announced following a period of consultation and feedback. This decision split the implementation and announcement of the Registry Services restructure into two parts.

#### **Phase 1:**

- Implementing the model dealing with national processes including document processing in family law and general federal law, enquiries, knowledge management and information and management of listing and events support regionally.
- Adopting a changed management model in NSW/ACT, SA/NT and WA

#### **Phase 2:**

- Adopting a changed management model in QLD and VIC/TAS. A final decision on the management structure proposed for these regions was not finalised as part of the August announcement and Phase 2 was ultimately put on hold in March 2023.

During the reporting year, significant recruitment and changes took place to standardise the classification level of staff performing similar duties across jurisdictions, as well as fill key roles within the model. The Enquiry Centre was absorbed into the newly created SSH, with additional duties encompassing document processing and registrar support. Additional structural changes saw the implementation of regional management of listings and event support, changes to the management of judicial chambers staff in some locations and the creation of a knowledge and information coordinator to assist with the development and management of an operation manual for Court and Tribunal staff.

In May 2023, the national divorce and consent orders processing team was implemented successfully with a further team covering all other family law documents planned for early in 2023–24. Further steps to expand the national processing team into general federal law documents are not planned until February 2024.

As part of the implementation of the SSH, the Courts have also introduced a training and development team responsible for providing a consistent induction and onboarding experience for new recruits for the Courts. Further development of the scope and responsibilities of this team are planned in 2023–24.

### *Registry Services training*

Training was offered to staff on a range of subjects during the year, both in-person, online and through the Court's eLearning platform.

Topics included:

- Judicial education
- Co-location, FASS
- Expense8
- Respectful workplace behaviours
- Resilience
- Courtpath
- Work, Health and Safety
- Warden
- Critical and creative thinking
- Flexible thinking in workplace
- Mental health in the workplace for managers
- Adobe Acrobat
- Associates Induction
- File inspections
- Justice Connect
- Financial hardship, applications and witnessing affidavits
- Migration refresher
- Leaderships skills
- New court procedures and practices
- Information security awareness
- Emergency procedures
- Byte sized learning for managers
- Family Advocacy and Support Service and co-located officers, and
- After hours training for Client Services staff assisting Judges/Registrars.