

Monday, 27 August 2018

## Don't short-change Australia's justice system by rushing through court merger bills

The Law Council is deeply concerned by the truncated three-week timeframe for the public to scrutinise the recently introduced court merger bills.

The [two bills](#), if passed, will merge the current Federal Circuit Court of Australia and the Family Court of Australia into the new Federal Circuit and Family Court of Australia. The bills signify the biggest changes to Australia's justice system in decades.

On Thursday, the same day the bills were introduced in the lower house, the [Senate Legal and Constitutional Affairs Committee](#) reduced the reporting deadline from 15 April 2019 to 26 November this year. The Committee also fixed a submission closing date of 14 September.

Law Council of Australia President, Morry Bailes, said the peak body already held significant concerns about the proposal to merge the courts, and a three-week deadline to scrutinise the bills would short-change a court system already at breaking point.

"Australia's family court system today is under immense pressure but rushing through changes without proper consultation is not the answer," Mr Bailes said.

"Three weeks for stakeholders and the community to review such a significant overhaul is insufficient and extremely worrying.

"We owe it to the people caught-up in the family law system not to give the most significant court changes since 1975 a mere cursory glance, or a simple tick-and-flick," Mr Bailes said.

Mr Bailes said that chronic underfunding for more than a decade has led to a court system which continually struggles to meet the needs of the community.

"The measures provide no extra funding for the chronically under-resourced court system or associated support services, which allow the court system to deal with cases more quickly.

"Last week the Senate recognised the major impact the proposed merger could have on all Australians' access to justice when it voted for a mid-April reporting deadline.

"A reporting deadline in mid-April 2019 would allow the Senate to consider the recommendations of the [Australian Law Reform Commission's Family Law Review](#). The final report is due on 31 March 2019.

"To significantly curtail this deadline is of great concern. We urge the government to reconsider this timeline immediately," Mr Bailes said.

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