

CORPORATE

plan

Covering the reporting period
2019–20 to 2022–23

2019–2020



**FEDERAL COURT
OF AUSTRALIA**



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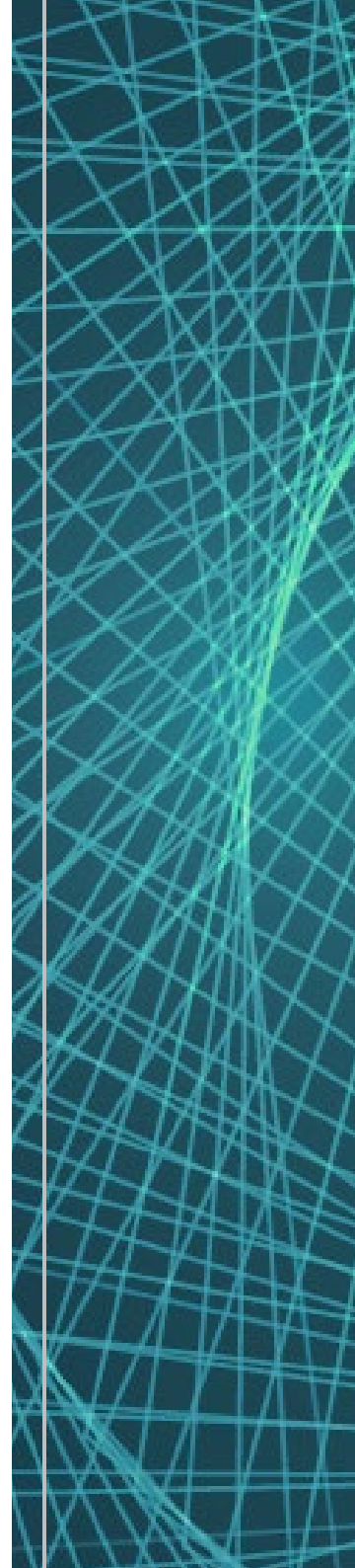


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Message from the Chief Executive Officer and Principal Registrar

The Corporate Plan is our principle planning document. It outlines the strategic direction, goals, challenges and priorities for the Federal Court of Australia entity, incorporating the Federal Court of Australia, the Family Court of Australia, the Federal Circuit Court of Australia, the National Native Title Tribunal, Commonwealth Courts Corporate Services and Commonwealth Courts Registry Services.

This important document focuses on planning future work and outlines how we will achieve our goals against our stated purpose.

We operate in a dynamic environment, so this plan will be reviewed each year, allowing us to continue to refine and adapt our efforts and ensure we remain on track.

I look forward to working closely with each court and the National Native Title Tribunal to implement the plan for the benefit of all Australians.



Warwick Soden
Chief Executive Officer and Principal Registrar

Statement of preparation

I, Warwick Soden, as the accountable authority of the Federal Court of Australia, present the *Federal Court of Australia's Corporate Plan 2019–20*, which covers the period 2019–20 to 2022–23, as required under section 35(1)(b) of the *Public Governance, Performance and Accountability Act 2013*.



Warwick Soden
Chief Executive Officer and Principal
Registrar
Federal Court of Australia

26 July 2019

Introduction

The Federal Court of Australia entity has four programs:

1. **Program 1.1:** Federal Court of Australia
(including the National Native Title Tribunal)
2. **Program 2.1:** Family Court of Australia
3. **Program 3.1:** Federal Circuit Court of Australia
4. **Program 4.1:** Commonwealth Courts Corporate Services
Program 4.2: Commonwealth Courts Registry Services.

Program 1.1: Federal Court of Australia

The Federal Court of Australia (Federal Court) was created by the *Federal Court of Australia Act 1976* (Cth) and began to exercise its jurisdiction on 1 February 1977. It assumed jurisdiction formerly exercised in part by the High Court of Australia and the whole jurisdiction of the Australian Industrial Court and the Federal Court of Bankruptcy.

The Federal Court is a superior court of record and a court of law and equity. It sits in all capital cities and elsewhere in Australia from time to time. The Court's jurisdiction is broad, covering almost all civil matters arising under Australian federal law and some summary and indictable criminal matters.

The Court's workload is organised by National Practice Areas (NPAs) and, where applicable, sub-areas based on established areas of law.

The Chief Justice is the senior judge of the Court and is responsible for managing the business and administrative affairs of the Court. The Chief Justice

is assisted by the Chief Executive Officer (CEO) and Principal Registrar, who is appointed by the Governor-General on the nomination of the Chief Justice.

The Federal Court has a substantial and diverse appellate jurisdiction. It hears appeals from decisions of single judges of the Court, decisions of the Federal Circuit Court of Australia (Federal Circuit Court) in non-family law matters, decisions of the Supreme Court of Norfolk Island and certain decisions of state and territory supreme courts exercising federal jurisdiction.

Since July 2012, the Federal Court has had responsibility for corporate administration of the National Native Title Tribunal (the Tribunal), however the Tribunal remains an independent body established by the *Native Title Act 1993*.

In 2016, the corporate services of the Family Court of Australia (Family Court) and the Federal Circuit Court were merged with the Federal Court, creating a shared corporate services body (see Program 4.1).

Program 1.1 (Cont'd): National Native Title Tribunal

The Native Title Act 1993 (Cth) established the Tribunal as an independent body with a wide range of functions.

The Native Title Act is a special measure for the advancement and protection of Aboriginal peoples and Torres Strait Islanders (Indigenous Australians) and is intended to advance the process of reconciliation amongst all Australians.

The purpose of the native title scheme, established by the Native Title Act, is to provide for the recognition and protection of native title, establish a mechanism for determining claims to native title, and establish ways in which future dealings affecting native title (future acts) may proceed.

The Tribunal has numerous functions designed to assist in serving that purpose. In particular, the Tribunal has responsibilities in connection with the processing of applications for determinations as to the existence or non-existence of native title over identified parcels of land, and with applications for compensation payable pursuant to the Native Title Act.

The Tribunal has functions in connection with future acts as defined in s 233 of the Native Title Act. It also assists persons involved in proceedings under the Act, including dispute resolution.

The President of the Tribunal is responsible for managing the administrative affairs of the Tribunal with the assistance of the Federal Court CEO and Principal Registrar. Matters under the *Public Governance, Performance and Accountability Act 2013* (Cth) and *Public Service Act 1999* (Cth) relating to the Tribunal are managed by the CEO and Principal Registrar under Part IIB of the Federal Court of Australia Act. The CEO and Principal Registrar may delegate his powers under the Native Title Act, to the Native Title Registrar, or staff assisting the Tribunal and also has powers of delegation under the Public Service Act and the Public Governance, Performance and Accountability Act). The President may direct the CEO and Principal Registrar regarding the exercise of his power to assist the President in managing the administrative affairs of the Tribunal.

Program 2.1: Family Court of Australia

The Family Court is a superior court of record established by Parliament in 1975 under Chapter III of the Constitution. The Family Court operates under the *Family Law Act 1975* (Cth) and through its specialist judges and staff, helps Australians to resolve their most complex family disputes.

The Family Court exercises appellate and trial level jurisdiction. At trial level, the Court deals with the most complex parenting and financial cases and hears cases arising under the regulations implementing the Hague Convention on the Civil Aspects of Child Abduction. The Appeal Division of the Family Court deals with the appeals from decisions of both federal and state courts. The members of the Appeal Division, with support from members of the Trial Division, hear appeals throughout the year in the five mainland capital cities and other locations as necessary.

The Chief Justice is the head of jurisdiction and is responsible for managing the administrative affairs of the Court. The Chief Justice is assisted by the CEO and Principal Registrar who is appointed by the Governor-General on the nomination of the Chief Justice.

Program 3.1: Federal Circuit Court of Australia

The Federal Circuit Court was established under the *Federal Circuit Court of Australia Act 1999* (Cth) to provide a simpler and more accessible alternative to litigation in the Family Court and the Federal Court, and to help relieve the workload of the superior federal courts.

The provisions of the *Federal Circuit Court of Australia Act 1999* (Cth) enable the Federal Circuit Court to operate as informally as possible in the exercise of judicial powers, use streamlined procedures and a range of dispute resolution processes to resolve matters without judicial decisions.

The Federal Circuit Court deals with a high volume of matters and delivers services to regional Australia through its regular circuit court program. Its jurisdiction includes family law and child support, administrative law, admiralty, bankruptcy, consumer, human rights, industrial, intellectual property and migration.

Program 4.1: Commonwealth Courts Corporate Services

The *Courts Administration Legislation Amendment Act 2016* established the Commonwealth Courts Corporate Services program from 1 July 2016.

Corporate Services includes communications, finance, human resources, information technology, library, procurement and contract management, property, risk oversight and management, judgment publishing and statistics.

The shared corporate services body 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 a memorandum of understanding.

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

Program 4.2: Commonwealth Courts Registry Services

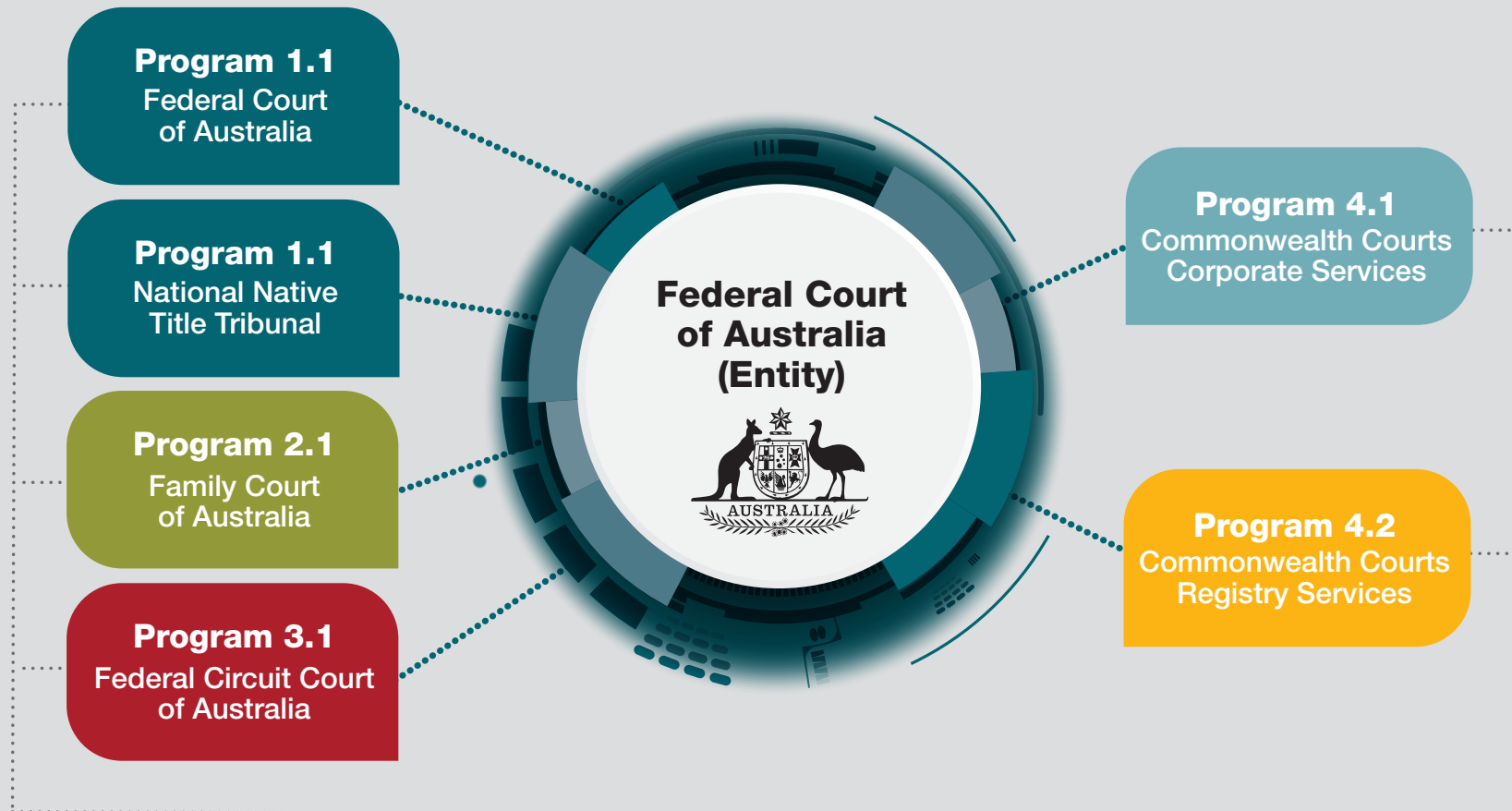
In 2019–20, the registry services functions for the Federal Court, Family Court and the Federal Circuit Court were amalgamated into a new program under Outcome 4 known as the Commonwealth Courts Registry Services.

This initiative provides the courts with the opportunity to shape the delivery of administrative services across all federal courts 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.

Federal Court of Australia Entity

PURPOSE: Contribute to the social and economic development and wellbeing of all Australians by applying and upholding the rule of law to deliver remedies and enforce rights.





Our Environment

The three courts and the Tribunal undertake regular reviews of their operating environment, challenges and risks to determine performance goals and operational plans each year. A review of the external environment suggests that the key environmental drivers during the period of this plan are government policy and legislative change, technological change, and social and economic change.

Government Policy and Legislative Change

The work of the courts and the Tribunal is influenced by government policy and legislative change. These changes can affect the volume and type of workloads, and jurisdiction. As a result, the courts and the Tribunal need agile and flexible resources and systems to ensure we can respond to change in the fastest and most cost effective way.

Significant structural change to the courts was proposed by the Government in the Federal Circuit and Family Court of Australia Bill 2018 and the Federal Circuit and Family Court of Australia (Consequential Amendments and Transitional Provisions) Bill 2018. These Bills lapsed on the Parliament being prorogued on 11 April 2018 for the 2019 general election.

The incoming Attorney-General announced on 26 May 2019 that, within his portfolio, the highest priority on the agenda of the Government in the new

Parliament would be the structural reform of the family law courts. Subject to the passage of legislation, such reform will have a substantial impact on the Family Court and the Federal Circuit Court.

Separately, the Family Court and the Federal Circuit Court are focussed on moving to a streamlined entry for all federal family law matters, and a common case management approach and a harmonised set of family law rules, procedures and practices. Additional funding has been provided to assist the courts in the development of rules, procedures, practices and the case management approach.

The Australian Law Reform Commission (ALRC) conducted a wide-ranging review into the family law system. The final report of the ALRC, delivered in March 2019, recommended significant reforms of relevance to the family law courts.

The announcement of additional efficiency dividends across the Public Sector prior to the election, in conjunction with each courts' objective to provide enhanced access to justice, will result in the need to deliver more services at a reduced cost. This will require significant management and prioritisation of resourcing over the next four years.

The Government had long signalled its intent to move forward on a range of proposed reforms to the *Native Title Act 1993 (Cth)*.

In October 2018, the Attorney-General and Minister for Indigenous Affairs released exposure drafts of the Native Title Legislation Amendment Bill 2018 and the Registered Native Title Bodies Corporate Legislation Amendment Regulations 2018, for public comment.

The proposed reforms intended to improve the native title system for all parties by:

- streamlining claims resolution and agreement-making processes
- supporting the capacity of native title holders through greater flexibility around internal decision making
- increasing the transparency and accountability of prescribed bodies corporate (the corporations set up to manage native title) to the native title holders
- improving pathways for dispute resolution following a determination of native title, and
- ensuring the validity of section 31 agreements in light of the Full Federal Court's decision in *McGlade v Native Title Registrar & Ors* [2017] FCAFC 10.

The exposure draft of the Native Title Legislation Amendment Bill 2018 canvassed a new dispute resolution function for the Tribunal. The Bill was introduced into Parliament on 21 February 2019. It progressed as far as a second reading in the House of Representatives, before Parliament was prorogued for the general election. Consequently, the Bill has lapsed but it is expected to be re-introduced.

The courts and the Tribunal have an ongoing commitment to relentless improvement, with many programs to improve efficiency already in place. For the courts, these programs encompass changes to the way that cases are managed and the provision of alternative dispute resolution processes, in addition to technological innovations. For the Tribunal, its programs to deliver improved and efficient services include an initial focus on the management and delivery of future act functions.

In its response to the Final Report of the Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry, released by the Treasurer on 4 February 2019, the Government announced that it would expand the

Federal Court's jurisdiction in relation to criminal corporate crime.

In that response, the Government noted that the Royal Commission had emphasised that effective deterrence through judicial decisions relies on the timely institution of proceedings and punishment of misconduct. The Government indicated that it agreed and that it had already provided an additional \$70.1 million to boost the Australian Security and Investment Commission's enforcement capabilities and supervisory approach and \$41.6 million to the Commonwealth Director of Public Prosecutions to prosecute briefs from the Australian Securities and Investments Commission. In the 2019 Budget, the Court received additional funding of \$35.4 million for criminal corporate crime.

Extending the Federal Court's jurisdiction would boost the overall capacity within the Australian court system to ensure the prosecution of financial crimes does not face delays because of heavy caseloads in the courts. It is anticipated that legislative amendments to implement this change will be introduced into Parliament in 2019–20.

Technological Change

Technological change continues to play a significant role in driving strategy. While technological advances have provided opportunities to improve the experience of court users and automate processes and increase efficiency, they have also created significant pressure on resourcing and funding ongoing development.

The introduction of the Government's Digital Transformation Agenda provides standards for digital development, as well as a goal to create public services that are 'simple, clear, faster and customer-centric'.

The courts and the Tribunal are already on the path to achieve this goal and further work will be conducted over the life of this plan with the implementation of a new digital strategy, *The SmartCourt*, and the introduction of

artificial intelligence projects to facilitate improvements in service delivery, consolidate services and reduce costs. Our challenge is to capitalise on these opportunities as the lifecycle of new technologies continues to become shorter.

Mobile technologies are fast becoming the key drivers of technological change for the courts and the Tribunal, however as the use of digital technologies increases, the courts and the Tribunal will need to achieve a balance with our statutory obligations. Additional challenges include accuracy, data security and timeliness of information provided through these platforms. The pace of technological change and innovation creates opportunities for us to improve the experience of court users across multiple platforms.

Mobile technologies are fast becoming the key drivers of technological change for the courts and the Tribunal

Social And Economic Change

The expectations and types of court users, clients and stakeholders are expected to change significantly over the next four years. With the ongoing development of 'big data', tailored services and communications, convenience and personalisation are now expected by the stakeholder groups serviced by the courts and the Tribunal. While technology provides a lower cost option to meet this need, defining stakeholder needs and developing tailored responses creates significant workload.

Business, government and commercial organisations also expect the legal profession to conduct business with them electronically. The courts and the Tribunal need to position themselves to continue to respond to this expectation and identify the most effective technology platform to address their needs. For

the Federal Circuit Court and the Tribunal, this also includes maintaining a balance between leveraging the benefits of technology to improve access, but also ensuring it meets the needs of clients in remote areas where access to technology can be not only cost prohibitive, but more importantly, inaccessible in some areas.

The work of the courts has also been impacted by economic and social change. For example, judge's workloads have increased as a result of rises in the number of unrepresented litigants and, in the Federal Court, a large increase in class actions. In addition, the Federal Circuit Court has seen a significant rise in migration appeals that is placing a strain on that Court. This trend is expected to continue over the four years of this plan.

The native title system continues to mature, with a recent landmark legal decision indicating shifts in work for the Tribunal. The High Court's decision in *Northern Territory v Mr A. Griffiths (deceased) and Lorraine Jones on behalf of the Ngaliwurru and Nungali Peoples [2019] HCA 7* (Timber Creek Compensation Claim) has created a focus on compensation applications, which will translate into increased workloads for the Tribunal over the period of this plan.

Community awareness and focus on matters involving family violence and allegations of child abuse remains high, with resulting impacts on the Family Court and the Federal Circuit Court.



Our Management of Risk

The Federal Court entity promotes a Risk Management Framework that supports the identification, analysis, assessment, treatment, monitoring and review of all strategic, professional, reputational, personnel, political and operational risks. These include risks to our stakeholders and emerging risks.

The Risk Management Plan has been developed in accordance with the methodology set out in *Australian/New Zealand Risk Management Standard* (AS/NZS ISO 31000:2009) and the *Commonwealth Risk Management Policy 2014*.

We have adopted seven broad criteria for establishing risk management priorities:

- 1. Strategic Risks** Risks that affect performance against identified strategic priorities.
- 2. Financial Risks** Risks that affect the financial outcomes of the entity or have detrimental financial impact.
- 3. Risks to Reputation** Risks that affect the reputation of the entity and its ability to perform, or which may impair the community's trust with the courts and judicial system.
- 4. Operational Risks** Risks that affect the CEO and Principal Registrar's management of and accountability for performance, including the entity's service delivery obligations, regulatory framework and business relationships.
- 5. Legal Liability Risks** Risks arising from current or pending litigation to which the entity is a party.
- 6. Property and Security** Risks that affect the security of all courts' and the Tribunal's resources (including property) and visitors to its premises.
- 7. Personal Risk** Risks that affect staff ethical behaviour, the integrity of decisions, processes and information, or affect the work, health and safety of personnel.

Oversight

Risks are reviewed at least each quarter and the risk register is updated after each review. Managing risks effectively and efficiently allows the entity to achieve its objectives. The importance of training and awareness programs in risk management is recognised, and consequently, the entity is committed to ensuring all staff receive regular training and information on risk management and their responsibilities.

The entity participates in Comcover's annual Risk Management Benchmarking Program, which is designed to assess the maturity of a risk framework against the nine elements of the Commonwealth Risk Management Policy, using a risk maturity model.

Additionally, Comcover's annual Risk Management Benchmarking Survey benchmarks the entity's risk management framework and capabilities against other participating agencies. The overall performance of the entity's risk management program has improved over the last two years and is fit for purpose.

The Audit Committee is established in accordance with s 45 of the *Public Governance, Performance and Accountability Act 2013*. The CEO and Principal Registrar must establish and maintain an Audit Committee, with the functions and responsibilities required by s 17 of the Public Governance, Performance and Accountability Rule 2014.

The functions of the committee are to:

- provide independent assurance of the effectiveness of the entity's Risk Management Framework
- review compliance with the entity's Risk Management Policy
- monitor the implementation of the entity's Risk Management Plan
- review compliance with finance law, including financial and performance reporting
- review risk reports periodically (quarterly and annual reports)
- review the internal control programs and advise whether key controls are appropriate and are operating effectively
- monitor and understand the potential impact of emerging risks on the entity's ability to achieve its objectives, and
- provide assurance that the entity has well-designed business continuity and disaster recovery arrangements in place and are tested periodically.

As part of the entity's continuous improvement approach and adopting best practices, the Risk Management Plan undergoes a periodic internal audit, either in its totality or specific sections (for example, fraud). The audit findings and recommendations are then reviewed and action plans are put in place to address the areas for improvement. The Audit Committee monitors quarterly, the implementation of the audit recommendations and respective action plans and advises on the suitability of the action plans proposed by management.

The table below provides some examples of the risks faced by the courts and Tribunal.

RISKS	AREA OF RISK	RISK DESCRIPTION	MITIGATION STRATEGY
Strategic	Disconnected future strategies	Risk for the courts and Tribunal of conflicting strategic agendas with government	<ul style="list-style-type: none"> • Communication and consultation with key stakeholders, particularly the Attorney-General, Attorney-General's Department, Department of Finance, and key government agencies.
Financial	Funding/ financial resources	Insufficient financial resources to support the essential requirements of the courts and the Tribunal to deliver services to their customers	<ul style="list-style-type: none"> • Robust budgeting and disciplined financial management practices. • Communication/consultation with key stakeholders, particularly the Attorney-General, Attorney-General's Department, Department of Finance and key government agencies. • Continued refinement of e-services to drive work practice efficiencies and better, quicker, less expensive services to customers.
Reputation	Inadequate guidance provided to judicial staff regarding media liaison practices	Reputational damage to the courts which could lead to a lack of public confidence in the judicial system	<ul style="list-style-type: none"> • Guidance provided to judicial and other relevant staff regarding media liaison practices. • A media management guide is provided to assist judges, their staff and registry staff in handling situations where there is media interest. • Official statements are reviewed prior to release.
Operational	Technological management	Information Technology (IT) tools and systems are unable or unavailable to support the judiciary, staff and customers of the courts and the Tribunal	<ul style="list-style-type: none"> • Ongoing refinements to the Electronic Court File (ECF) and Digital Court File (DCF) improving functionality (diminishing risks arising from double handling of data and not recording properly). • Business continuity and IT disaster recovery testing. • Continued and active investigation of transformational opportunities, such as ECF, the DCF, electronic consent orders and examination of how the courts' case management procedures could be more robust through IT support. • Ongoing review of systems (including case management applications) across the courts and the Tribunal to ensure they are technically sound and operate with a high level of data integrity.
Legal liability	Legal compliance	The courts and the Tribunal are subject to litigation	<ul style="list-style-type: none"> • Procurement and contract management is carefully undertaken and supervised to protect the entity. • Internal policies and procedures about how to comply with federal and state legislation, as well as the procedural rules of the courts are in place and are easy to understand and obtain.
Property and security	Security management	Attacks/threats to staff, judges and members of the public	<ul style="list-style-type: none"> • Ensure staff are aware of safety and security protocols. • Sheriff and Marshal oversee security functions. • Building Management Committee oversees security function at each location. • Metal detection and security cameras at each court. • Daily testing of scanning equipment against the standard. • Limited access to the secure areas in each building. • Higher cyber security awareness and enhanced protective security measures.
Personnel	Calibre of personnel	Difficulty in recruiting skilled/experienced professional support staff, registrars and family consultants and the loss of key personnel	<ul style="list-style-type: none"> • Performance reporting and monitoring of resources. • Review of registry practices to best support case management pathways. • Implement workforce planning and an integrated learning and development framework. This includes specialist services and culturally competent staff to assist carry out necessary functions.



Our Capability

We will build and maintain our capability over the four years of this plan by focussing on the following legislative and procedural, administrative and digital themes.

Legislative and Procedural

- **Implement** the expansion of the Federal Court's jurisdiction in respect of corporate crimes.
- **Implement** the Tribunal's possible expanded function in respect of dispute resolution (subject to legislation).
- **Harmonise** family law forms, rules, practices and procedures.
- **Provide** new national case management processes to support a single point of entry for family law.

Administrative

- **Restructure** service delivery to streamline and maximise services provided to our clients.
- **Leverage** and scale the National Enquiry Centre.
- **Deliver** services via a range of locations throughout Australia, including regional and remote.
- **Aspire** to be innovative and committing to a culture of continuous improvement and organisational reform.
- **Implement** and maintain strong governance arrangements to ensure we are accountable, open, collaborative and responsive.
- **Achieve** financial sustainability by realising further savings in an effort to achieve a balanced budget.
- **Invest** in leadership and management to ensure our leaders are responsible, visible, respected and trusted.
- **Commit** to improving our workforce and people planning practices.

Digital

- **Transform** our business through digitisation and other modern service reforms, as outlined in the Court's new *SmartCourt* Digital Strategy.
- **Increase** our ICT capability and align our ICT strategies to whole of government initiatives.
- **Implement** agile systems and processes with the capacity to navigate and respond to change.
- **Standardise** systems and processes that allow us to rapidly respond to client needs.





Our Performance

This section sets out the intended actions and high-level activities that will contribute to the entity's purpose over the four years of this plan. These should be read in conjunction with the Portfolio Budget Statements 2019–20 and the Federal Court annual report 2018–19.

Program 1.1: Federal Court of Australia

Purpose

To decide disputes according to law as quickly, inexpensively and efficiently as possible.

Strategic objectives

- Deliver efficient and just dispute resolution.
- Contribute to the Australian legal system — strengthen relations with court users.
- Improve access to justice.
- Build public trust and confidence.

How we will achieve our strategic objectives

- Extend the National Court Framework.
- Implement digital hearings.
- Continue to enhance online access.
- Continue initiatives for court user ease of access to all services.

How will we measure our performance?

The key outcome measure for the Federal Court is contained in the Portfolio Budget Statements. Across its jurisdiction, the Court will apply and uphold the rule of law for litigants in the Federal Court and parties in the Tribunal through the resolution of matters according to law and through the effective management of the administrative affairs of the Court and the Tribunal.

The Court maintains two time goals to measure the performance of its work. All strategies and tactical plans are designed to support the achievement of these performance goals. Our Annual Performance Statement will report on the success of the plan to achieve the following two targets:

Timely completion of cases

1. 85% of cases completed within 18 months of commencement.
2. Judgments to be delivered within three months.

Goals and Targets

In 2019–20, the Federal Court will progress the following projects:

GOAL	TARGET
Develop and implement national arrangements for the management and allocation of registrar-related work modelled on the NCF allocation system for judges.	Commencing 1 July 2019
Consider a more sophisticated digital hearing platform for the Federal Court.	March 2020
Develop, pilot and implement a best practice model that forms the basis of digital hearings.	June 2020
Continue to implement improved web and digital services to increase ease of access to the Court.	Ongoing
Develop tailored resources and educational materials via different channels to assist court users.	Ongoing
Develop and deliver seminars, lectures and training to improve access to justice, education on new services and other topics of relevance, including artificial intelligence.	Ongoing
Continue to align services with the Digital Transformation Agenda.	Ongoing
Reduce transcription costs to litigants by innovative delivery of new products such as speech to text technology.	January 2020

Program 1.1 (Cont'd): National Native Title Tribunal

Purpose

The Tribunal is an independent body established by the *Native Title Act 1993* (Cth). The purpose of the Tribunal is to perform the functions conferred upon it by the Act in accordance with the directions contained in s 109, ethically, efficiently, economically and courteously, thus advancing the purposes underlying the Act, particularly reconciliation amongst all Australians.

Strategic objectives

- Work with stakeholders, particularly representative bodies, governments at all levels and prescribed bodies corporate, to demonstrate our capacity to meet their identified needs.
- Develop staff capacity through specialised training, including cross skilling and by fostering staff understanding of the wider role of the Tribunal in fulfilling the purpose of the Native Title Act.
- Develop amongst non-Indigenous staff, a clearer understanding of the needs and problems of Indigenous Australians, as well as of their cultures and aspirations.
- Increase and retain the number of Indigenous staff working in the Tribunal.

How we will achieve our strategic objectives

- Ensure consistent service delivery with a focus on service excellence.
- Improve service delivery through ongoing innovation and focussing on the needs of key clients and stakeholders.
- Ensure our website is current, fully describes available services, and meets clients' and stakeholders' information needs.
- Periodic review of organisational structure to enable flexible deployment of staff and resources.
- Implement effective initiatives for recruiting and retaining Indigenous employees and developing and utilising their unique skills and knowledge.
- Identify operating efficiencies and cost-effective practices and processes.

How will we measure our performance?

The Tribunal strives to be an externally focussed organisation, responsive to stakeholder needs, and conscious of the role conferred upon it by Parliament. The Tribunal will look to stakeholders for their assessments of its performance. It will also publish, relevant statistics in the *Report of the National Native Title Tribunal*, which is included in the Federal Court of Australia's Annual Report.

Goals and Targets

In 2019–20, the Tribunal will progress the following projects:

GOAL	TARGET
Develop internal knowledge, capability and culture to focus on service excellence.	Ongoing
Identify areas of service delivery where the use of technology can improve efficiency of resources.	Ongoing
Continue to develop tailored and culturally appropriate services in response to client and stakeholder feedback.	Ongoing
Develop and deliver seminars, lectures and training to provide education on new services and other topics of relevance.	Ongoing
Regularly assess our website, products and services and improve them as required.	Ongoing
Provide a culturally safe and respectful workplace.	Ongoing
Provide opportunities for leadership development.	Ongoing
Deliver a Reconciliation Action Plan in collaboration with Corporate Services human resources section.	June 2020
Complete the Indigenous employment strategy in conjunction with the Corporate Services human resources section and apply strategy to all recruitment activities.	June 2020
Develop a plan to review business processes, including performance targets.	June 2020

Program 2.1: Family Court of Australia

Purpose

To help Australians resolve their most complex family disputes by deciding matters according to the law, promptly, courteously and effectively.

Strategic objectives

- Ensure best practices in judicial and non-judicial processes.
- Deliver efficient and effective dispute resolution of complex family law matters.

How we will achieve our strategic objectives

- Develop harmonised family law rules and common case management processes.
- Strengthen the role of the Family Court as a specialist court for complex family law matters.
- Review and develop the role of registrars.
- Improve strategies and processes to address family violence, particularly in complex family law disputes.
- Improve the efficiency of the Court through digital innovation.
- Improve the scope for information sharing and collaboration with other agencies to improve access and service delivery to court users.

How will we measure our performance?

The key outcome measure for the Family Court is contained in Outcome Two of the Portfolio Budget Statements. That is, to apply and uphold the rule of law for litigants in the Family Court through the resolution of family law matters according to law, particularly more complex family law matters and through the effective management of the administrative affairs of the Court.

The Family Court maintains three goals related to timely completion of cases. Strategies and priorities are designed to support the achievement of these performance goals. The Court's Annual Performance Statement will report on the success of the plan to achieve timely completion of cases. Performance will be measured by the following three targets:

Timely completion of cases

1. Clearance rate of 100%.
2. 75% of judgments to be delivered within three months.
3. 75% of cases pending conclusion to be less than 12 months old.

Goals and Targets

In 2019–20, the Family Court will progress the following projects:

GOAL	TARGET
Work towards common case management and rules harmonisation within the family law system.	June 2020
Optimise the role of registrars by increasing delegations and enhancing case management practices to ensure they provide specialist services to families.	June 2020
Enhance the digital capabilities of the Court by implementing a digital court file, enhancing eFiling, and other online services and digital processes.	December 2019
Engage and collaborate with other jurisdictions, agencies and service providers to improve and enhance services provided to Australian families.	Ongoing
Work towards enhanced collaboration with agencies and service providers to facilitate information sharing when risks are alleged in family law proceedings.	Ongoing
Review the Family Violence Best Practice Principles and Family Violence Plan.	Ongoing

Program 3.1: Federal Circuit Court of Australia

Purpose

To provide a simple and accessible alternative to litigation in the Family Court and Federal Court.

Strategic objectives

- Efficient access to justice.
- Improved business systems.

How we will achieve our strategic objectives

- Develop harmonised family law rules and common case management processes.
- Optimise the role of registrars.
- Continue to enhance online services.
- Improve the scope for information sharing and collaboration with other agencies to improve access and service delivery to court users.

How will we measure our performance?

The key outcome measure for the Federal Circuit Court is contained in Outcome Three of the Portfolio Budget Statement. That is, to apply and uphold the rule of law for litigants in the Federal Circuit Court through more informal and streamlined resolution of family law and general federal law matters according to law, through the encouragement of appropriate dispute resolution processes and through the effective management of the administrative affairs of the Court.

The Court maintains three goals related to timely completion of cases to measure the performance of its work. All strategies and tactical plans are designed to support the achievement of these performance goals. Our Annual Performance Statement will report on the success of the plan to achieve the following three targets:

Timely completion of cases

1. 90% of final order applications disposed of within 12 months.
2. 90% of all other applications disposed of within six months.
3. 70% of matters resolved prior to trial.

Goals and Targets

In 2019–20, the Federal Circuit Court will progress the following projects:

GOAL	TARGET
Work towards common case management and rules harmonisation within the family law system.	June 2020
Optimise the role of registrars by increasing delegations and enhancing case management practices to ensure they provide specialist services to families.	June 2020
Enhance the digital capabilities of the Court by implementing a digital court file, enhancing eFiling, and other online services and digital processes.	December 2019
Identify opportunities to expand the use of online services to integrate court user needs, improve access and reduce cost. Scope the requirements with users and develop a project plan.	Ongoing
Work towards enhanced collaboration with agencies and service providers to facilitate information sharing when risks are alleged in family law proceedings.	Ongoing
Review the Family Violence Best Practice Principles and Family Violence Plan.	Ongoing

Program 4.1: Commonwealth Courts Corporate Services

Purpose

To provide efficient and effective corporate services to the Commonwealth courts and tribunals.

Strategic objectives

- Deliver efficient and effective corporate services.
- Build an agile, skilled and engaged workforce.
- Optimise technology to support judicial, registry and corporate services functions.

How we will achieve our strategic objectives

- Streamline processes and procedures to identify efficiencies.
- Further refine business processes to streamline the functions of corporate services.
- Build and sustain an engaged workforce who are passionate about working together to achieve the vision.
- Strengthen and enhance leadership skills and capabilities.
- Create a high performance culture.
- Modernise technology to improve quality and range of services.
- Maintain a quality, contemporary and efficient IT environment.
- Improve the courts' key business systems.

How will we measure our performance?

The key outcome measure is contained in Outcome Four (program 4.1 and 4.2) of the Portfolio Budget Statements. That is, improved administration and support of the resolution of matters according to law for litigants in the Federal Court, the Family Court and the Federal Circuit Court and parties in the Tribunal through efficient and effective provision of shared corporate and registry services. Our Annual Performance Statement will report on the success of the plan to achieve the following Corporate Services target:

Efficient and effective Corporate Services.

1. Corporate services to be provided within the agreed funding.

Goals and Targets

In 2019–20, Corporate Services will progress the following projects:

GOAL	TARGET
Review opportunities to streamline finance processes and procedures across the courts and tribunals to generate efficiencies.	June 2020
Continue to enhance and refine emergency management plans, business continuity plans and the risk management framework.	December 2020
Develop and deliver a five-year strategic property plan and modernise and renew all security systems and equipment.	June 2020
Continue to develop and enhance training documentation and programs for the entity, including judicial wellbeing and resilience training.	June 2020
Strengthen and enhance leadership capability and skills.	Ongoing
Finalise the review of key policies and programs following the implementation of a single enterprise agreement across the entity.	December 2019
Establish proof of concept on integrated case management system using commercial off the shelf software.	Phased rollout over 2-3 years
Develop plan for maintaining appropriate lifecycle of legacy business application during transition to new system(s).	September 2019
Develop a strategy for modernising all infrastructure to form a unified communications platform.	December 2019
Deliver a common web platform for the courts and tribunal.	June 2020

Program 4.2: Commonwealth Courts Registry Services

Purpose

To provide efficient and effective registry services to the Commonwealth courts and tribunals.

Strategic objectives

- Deliver efficient registry services to all Commonwealth courts and tribunals.
- Build a service-oriented and digitally savvy workforce.
- Deliver a consistent registry service experience to users.

How we will achieve our strategic objectives

- Embed the national management structure.
- Develop leadership and service delivery capability.
- Realise the benefits of the Digital Court File.
- Deliver a new service model for integrated Commonwealth registry services.
- Leverage and scale the National Enquiry Centre.
- Improve in-court technical support.

How will we measure our performance?

The key outcome measure is contained in Outcome Four (program 4.1 and 4.2) of the Portfolio Budget Statements. That is, improved administration and support of the resolution of matters according to law for litigants in the Federal Court, the Family Court and the Federal Circuit Court and parties in the Tribunal through efficient and effective provision of shared corporate and registry services. Our Annual Performance Statement will report on the success of the plan to achieve the following Registry Services targets:

Efficient registry services

- Less than 1% of enquiries result in a complaint about registry services.

Timely processing of documents

- 75% of documents processed within three working days.
- 90% of documents processed within five working days.

Efficient registry services

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

Goals and Targets

In 2019–20, Registry Services will progress the following projects:

GOAL	TARGET
Finalise recruitment for national management structure.	August 2019
Establish leadership forums for managers and team leaders for information sharing and problem solving.	August 2019
Provide enhanced support for in-court technology and digital hearings.	September 2019
Implement business process changes with the rollout of the Digital Court File.	December 2019
Review the model for management of general federal law enquiries.	December 2019
Enhance National Enquiry Centre systems and capability.	June 2020
Design and implement new service model for integrated registry services.	June 2020



Resourcing

Federal Court of Australia

The table below illustrates the financial and staffing resources applied by the Federal Court over the four years of this plan.

	2019–20 Forward estimate \$'000	2020–21 Forward estimate \$'000	2021–22 Forward estimate \$'000	2022–23 Forward estimate \$'000
Administered expenses	1,200	1,200	1,550	1,550
Special appropriations <i>Public Governance, Performance and Accountability Act 2013</i>	600	600	600	600
Administered total	1,800	1,800	2,150	2,150
Departmental expenses (d)				
Departmental appropriation	67,099	67,405	67,710	67,173
S74 retained revenue receipts (a)	2,678	2,678	2,678	2,678
Expenses not requiring appropriation in the budget year (b)	15,788	15,788	15,788	15,788
Departmental total	85,565	85,871	86,176	85,639
Total expenses Federal Court of Australia	87,365	87,671	88,326	87,789
Average staffing level (c)	303			

Note: Departmental appropriation splits and totals are indicative estimates and may change in the course of the budget year as government priorities change.

- a) Estimated expenses incurred in relation to receipts retained under section 74 of the *Public Governance, Performance and Accountability Act 2013*.
- b) Expenses not requiring appropriation in the budget year are made up of liabilities assumed by other entities.
- c) Excludes judges.
- d) This includes funding the National Native Title Tribunal as component 1.1.2 in Federal Court PBS (Outcome 1).

Family Court of Australia

The table below illustrates the financial and staffing resources applied by the Family Court over the four years of this plan.

	2019–20 Forward estimate \$'000	2020–21 Forward estimate \$'000	2021–22 Forward estimate \$'000	2022–23 Forward estimate \$'000
Administered expenses	300	300	300	300
Special appropriations <i>Public Governance, Performance and Accountability Act 2013</i>	100	100	100	100
Administered total	400	400	400	400
Departmental expenses				
Departmental appropriation	29,644	29,740	29,839	29,944
Expenses not requiring appropriation in the budget year (a)	11,339	11,339	11,339	11,339
Departmental total	40,983	41,079	41,178	41,283
Total expenses Family Court of Australia	41,383	41,479	41,578	41,683
Average staffing level (b)	79			

Note: Departmental appropriation splits and totals are indicative estimates and may change in the course of the budget year as government priorities change.

a) Expenses not requiring appropriation in the budget year are made up of liabilities assumed by other entities.

b) Excludes judges.

Federal Circuit Court of Australia

The table below illustrates the financial and staffing resources applied by the Federal Circuit Court over the four years of this plan.

	2019–20 Forward estimate \$'000	2020–21 Forward estimate \$'000	2021–22 Forward estimate \$'000	2022–23 Forward estimate \$'000
Administered expenses				
Administered items	2,580	2,586	2,592	2,598
Special appropriations <i>Public Governance, Performance and Accountability Act 2013</i>	200	200	200	200
Administered total	2,780	2,786	2,792	2,798
Departmental expenses				
Departmental appropriation	62,831	63,742	63,423	63,113
Expenses not requiring appropriation in the budget year (a)	651	651	651	651
Departmental total	63,482	64,393	64,074	63,764
Total expenses Federal Circuit Court of Australia	66,262	67,179	66,866	66,562
Average staffing level (b)	278			

Note: Departmental appropriation splits and totals are indicative estimates and may change in the course of the budget year as government priorities change.

a) Expenses not requiring appropriation in the budget year are made up of liabilities assumed by other entities.

b) Excludes judges.

Commonwealth Courts Corporate Services and Registry Services

The table below illustrates the financial and staffing resources applied by Corporate Services and Registry Services over the four years of this plan.

	2019-20 Forward estimate \$'000	2020-21 Forward estimate \$'000	2021-22 Forward estimate \$'000	2022-23 Forward estimate \$'000
CORPORATE SERVICES				
Departmental expenses				
Departmental appropriation	78,289	72,818	73,145	73,325
S74 retained revenue receipts (a)	417	449	449	387
Expenses not requiring appropriation in the budget year (b)	57,636	57,711	57,868	57,868
Total expenses Corporate Services	136,342	130,978	131,462	131,580
REGISTRY SERVICES				
Departmental expenses				
Departmental appropriation	34,514	35,001	34,792	34,481
S74 retained revenue receipts (a)	844	844	844	844
Total expenses Registry Services	35,358	35,845	35,636	35,325
TOTAL CORPORATE SERVICES				
Departmental expenses				
Departmental appropriation	112,803	107,819	107,937	107,806
S74 retained revenue receipts (a)	1,261	1,293	1,293	1,231
Expenses not requiring appropriation in the budget year (b)	57,636	57,711	57,868	57,868
Total expenses	171,700	166,823	167,098	166,905
Average staffing level (c)	438			

Note: Departmental appropriation splits and totals are indicative estimates and may change in the course of the budget year as government priorities change.

a) Estimated expenses incurred in relation to receipts retained under section 74 of the *Public Governance, Performance and Accountability Act 2013*.

b) Expenses not requiring appropriation in the budget year are made up of depreciation and amortisation expenses and resources received free of charge.

c) Excludes judges.

Compliance Table

The table below lists matters to be included in the Corporate Plan under s 35(1)(b) of the *Public Governance, Performance and Accountability Act 2013* (Cth) and their relevant page numbers.

	Page Number					
	Federal Court of Australia	National Native Title Tribunal	Family Court	Federal Circuit Court	Commonwealth Courts Corporate Services	Commonwealth Courts Registry Services
Introductory statement	4	4	4	4	4	4
Purpose	27	28	29	30	31	32
Environment	13–17	13–17	13–17	13–17	13–17	13–17
Performance	27	28	29	30	31	32
Capability	22–25	22–25	22–25	22–25	22–25	22–25
Risk and oversight management	18–21	18–21	18–21	18–21	18–21	18–21