



FEDERAL CIRCUIT AND FAMILY COURT OF AUSTRALIA

Complaints policy

How can I make a complaint?

You can send your written complaint by post or email.

Generally complaints should be addressed to:

Chief Executive Officer and Principal Registrar
GPO Box 9991, Melbourne Vic 3001
Email: customer.service@fcfcoa.gov.au

You will need to include the following details with your complaint:

Your full name
Postal address
Contact telephone number
Case name and file number (if applicable).

Complaints about delays in delivery of reserved judgments and the conduct of judicial officers should be addressed to the Chief Justice or Chief Judge (see 'Delay in delivery of reserved judgments' and 'Judicial conduct' below).

The Court will acknowledge your complaint

The Court will generally acknowledge your complaint upon receipt and will endeavour to provide a formal response within 20 working days.

Types of complaints

Administrative issues

You may make a complaint about the services delivered by registry staff and other administrative staff of the Court. Such complaints are generally referred to the manager of the registry in which the complaint arose.

Judicial decisions and conduct of proceedings

If your complaint relates to the decision of a judicial officer or the conduct of proceedings, this is not a matter that the Chief Justice/Chief Judge or the Chief Executive Officer and Principal Registrar can investigate. Allegations of errors by a judicial officer in the conduct of proceedings, the evidence relied upon or decisions made can only be determined by way of the formal appeal process (for judges) or the review process (for Registrars).

There are time limits for the filing of an appeal or review. The Court's website has information on [appeal processes and review process](#). You may wish to seek legal advice to determine whether appealing the decision in your case is appropriate. Court staff cannot provide legal advice.

Judicial conduct

The Court has a [judicial complaints policy](#) which establishes procedures for the handling of complaints about judicial conduct.

Complaints relating to judicial conduct should be addressed to:

Chief Justice
Owen Dixon Commonwealth Law Courts
305 William Street
Melbourne Vic 3000
Email: customer.service@fcfcoa.gov.au

Delay in delivery of reserved judgments

The Court's [judicial complaints policy](#) also establishes a protocol relating to the delivery of reserved judgments. The protocol is designed to ensure that decisions are handed down, and reasons are given, as expeditiously as possible. The benchmark for the handing down of reserved judgments is within three months of the hearing or receipt of written submissions.

Complaints relating to the delivery of reserved judgments should be addressed to the Chief Justice/Chief Judge, whose details are provided below, or to the President of the appropriate State or Territory Law Society/Institute or Bar Association.

Chief Justice
Owen Dixon Commonwealth Law Courts
305 William Street
Melbourne Vic 3000
Email: customer.service@fcfcoa.gov.au

Complaints in pending proceedings

Generally, it will not be appropriate for the Court to investigate complaints about the conduct of pending proceedings. In most cases it will be appropriate for you to raise your complaint in court when your matter is next listed for hearing.

Child abuse

If you believe a child is at risk or has been abused, you should report it to the relevant welfare authority in your state or territory. Unlike welfare authorities, the Court does not have the power to investigate abuse.

Complaints about child court experts

Court Children's Services (CCS) is responsible for overseeing the work of child court experts. Assessments undertaken by child court experts form part of the evidence presented in court proceedings. If you are concerned about the conduct of a child court expert, or the report or memorandum they have provided to the Court, the appropriate forum for raising this is within the proceedings.

If your complaint is in regards to a Family Report then the mechanism for doing this is by cross-examination of the child court expert. This is where you, or your lawyer (if you have one) ask the child court expert questions about the contents of the report and their assessment of your family.

If your complaint is in relation to a Memorandum to Court, prepared for an interim court event, then you (or your lawyer) are still able to raise your concerns within the proceedings.

If you wish to cross-examine the child court expert who prepared your report, you (or your lawyer if you have one) must write to the child court expert at least 14 days **before** the hearing in order to ensure they are available.

If you are seeking to have the child court expert assigned to your case replaced with a new child court expert, this can only be done by applying to the Court within the current court proceedings. You should seek legal advice about this. Court staff cannot provide legal advice, however procedural advice may be obtained by contacting the Court on Live Chat, by calling 1300 352 000, or by emailing enquiries@fcfcoa.gov.au.

Complaints about child court experts, or the assessment they have conducted, cannot be investigated nor brought to the attention of the child court expert while the matter is currently before the Court. This is because the child court expert is an expert witness and doing so could be considered to be interfering with a witness in a matter.

Complaints should be made by email to customer.service@fcfcoa.gov.au. Complaints about a child court expert will be directed to a senior CCS staff member for review. The senior officer reviewing your complaint will provide you with a written response. Child court experts work within a clinical governance framework, are subject to quality assurance mechanisms and are required to participate in regular professional development and supervision. Feedback by way of complaints can assist CCS in ensuring the ongoing quality of its service.

Lawyers, Independent Children's Lawyers, and legal costs

You may bring to Court's attention issues relating to the conduct of another party's lawyer or an independent children's lawyer only if the conduct has adversely affected your current case. The Court cannot deal with such complaints after final determination of your matter.

If you have a complaint about the conduct of your lawyer, about a bill you have received from your lawyer, or about the conduct of another lawyer, including an Independent Children's Lawyer, that does not relate to current proceedings before the Court, you should contact the relevant body in your state or territory – see below for contact details.

In relation to complaints about Independent Children's Lawyers, you may wish to also notify the relevant state or territory legal aid body responsible for appointment of the Independent Children's Lawyer in your matter.

Note – it is a good idea to first try and resolve any issues directly with the lawyer before making a formal complaint.

Australian Capital Territory

Level 4, 1 Farrell Place
Canberra ACT 2601
DX 5623 CANBERRA

Phone: 02 6274 0300

Website: www.actlawsociety.asn.au

New South Wales

Office of the Legal Services Commissioner
Level 9, 75 Castlereagh Street
Sydney NSW 2000

Phone: 02 9377 1800 or 1800 242 958

Fax: 02 9377 1888

Website: www.lawlink.nsw.gov.au/olsc

Northern Territory

Law Society of the NT
PO Box 2388
Darwin NT 0801

Phone: 08 8981 5104

Fax: 08 8941 1623

Website: lawsocietynt.asn.au

Queensland

Legal Services Commission
Level 30, 400 George Street
Brisbane Qld 4000

Phone: 07 3564 7726

Outside Brisbane: 1300 655 754

Fax: 07 3564 7700

Website: www.lsc.qld.gov.au

South Australia

Legal Profession Conduct Commissioner

Physical location

Level 10, 30 Currie Street

Adelaide SA 5000

Postal address

GPO Box 230

Adelaide SA 5001

Phone: 08 8212 7924 or 1800 337 570 (free call)

Fax: 08 8231 0747

Website: www.lpcc.sa.gov.au

Tasmania

Law Society of Tasmania

28 Murray Street

Hobart TAS 7000

Phone: 03 6234 4133

Fax: 03 6223 8240

Website: <https://lst.org.au>

Victoria

Victorian Legal Services Board & Commissioner

Level 5, 555 Bourke Street

Melbourne 3000

Phone: 03 9679 8001

Fax: 03 9679 8101

Website: www.lsbv.vic.gov.au

Western Australia

Legal Practitioners Complaints Committee

Level 6, 111 St Georges Terrace

Perth WA 6000

Phone: 08 6211 3699

Fax: 08 6211 3650

Website: www.lpbwa.org.au

Vexatious complaints and complainant misconduct

The Court may not respond to your complaint if it is vexatious, repetitive or lacks substance. The Court has no power to investigate allegations of corruption or criminality. If a complaint raises issues which have already been responded to then no further response will be provided.