

Wednesday, 13 March 2019

## Full-time Townsville judge a must to serve community in need

The Law Council of Australia has called on the Federal Government to urgently ensure a permanent Federal Circuit Court judge is appointed to in the flood-ravaged community of Townsville, after the judge assigned to the region was directed to other registries last month.

Townsville is Queensland's largest regional centre and home to a population of around 235,000 people. The Law Council understands the community has been without a full-time Federal Circuit Court judge for more than a month, after Judge Middleton who had been assigned to the region, was asked by the Chief Judge to assist the Brisbane and Cairns registries, and ceased to sit in Townsville on 8 February 2019.

Law Council President, Arthur Moses SC, said the situation was "extremely concerning as it puts significant pressure on litigants in Townsville, at a time when the region is in particular need of support as the community recovers from the devastating floods".

"Many court matters have already been delayed and have had to be re-listed due to the floods. This further delay, cost and stress places a substantial burden on people involved, including families and children living with ongoing family law matters," Mr Moses said.

"The Law Council has been advised that during this time Judge Middleton has continued to deal with urgent matters in Townsville, and that where necessary other judges have sat in the Townsville Registry in recent weeks. However, the local legal profession is of the view that there are sufficient matters in Townsville to require the presence of a full-time Federal Circuit Court judge. Fly-in fly-out justice does not serve the best interests of the community."

The Law Council has written to the Commonwealth Attorney-General and the Chief Judge of the Federal Circuit Court to seek urgent support for Townsville including a full-time judge. No additional resources have been forthcoming.

The Law Council has been advised Judge Middleton will return to Townsville by the end of March but will continue to support other registries. While the Law Council welcomes the allocation of additional judges to the Family and Federal Circuit Courts, Mr Moses has questioned why six new appointments were named this week while Townsville remains without a permanent judge.

"Ensuring there are sufficient judges available to sit in rural, regional and remote Australia is critical to alleviate pressures placed on judicial officers and the communities they serve. Regional areas must receive greater priority when it comes to judicial resourcing, as demonstrated by the Law Council's [Justice Project final report](#). All Australians deserve equal access to justice regardless of where they live," Mr Moses said.

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