

# Commonly asked questions about the Federal Magistrates Court of Australia

## Who is the chief federal magistrate?



### Mr John Pascoe AO

Mr John Pascoe was sworn in as chief federal magistrate on 14 July 2004.

Mr Pascoe was managing director in the national law firm, Phillips Fox and has been a solicitor whose practice has been in insurance law, risk management and government regulations.

John Pascoe is a graduate of the Australian National University and, after admission as a solicitor, became a partner in the legal firm, Stephen Jaques & Stephen in 1977. He joined the board of George Weston Foods Limited in 1981 and became CEO of that company in 1985, a position he held until his appointment as non-executive chairman in 2000. He was also chairman of the Board of Management of Centrelink and chairman of Sealcorp Holdings Limited from 2000. He was a director and chairman of Aristocrat Leisure Limited from 2001.

## How many federal magistrates are there in Australia?

There are 36, including the chief federal magistrate.

## Who are the federal magistrates that sit in NSW?

The federal magistrates that sit in NSW are (with selected biographies):

- Newcastle: FM Giles Coakes and FM Kevin Laphorn
- Parramatta: FM Judy Ryan, FM Warren Donald and FM Robyn Sexton
- Queens Square, Sydney: FM Rolf Driver, FM Kenneth Raphael and FM Shenagh Barnes
- John Maddison Tower, Sydney: FM Stephen Scarlett, FM Michael Lloyd-Jones, FM Matthew Smith, FM Nick Nicholls and FM Sylvia Emmett



### FM Michael Lloyd-Jones

FM Michael Lloyd-Jones holds, among other qualifications, Master of Laws, Bachelor of Science and Bachelor of Business degrees. Mr Lloyd-Jones was appointed as a notary public in 1995. In March 1996 Mr Lloyd-Jones was appointed general counsel of Seven Network Limited. In this capacity he supervised a team of lawyers engaged in a wide range of activities including contractual

negotiation and documentation protection of intellectual property dispute resolution advising on pre-broadcast and broadcasting issues and employment law. Mr Lloyd-Jones was employed by the Ten Network from 1990-95 first as network solicitor and then as general counsel and company secretary. FM Lloyd-Jones was appointed as a federal magistrate in 2004.

### FM Matthew Smith

FM Matthew Smith holds Bachelor of Arts and Law (Hons) degrees from the Australian National University. He was admitted to the Bar in New South Wales in 1975 and commenced practice



in 1976. Mr Smith's early practice was in general civil litigation, family law and Local Court criminal matters. For the last 20 years of his practice at the Bar, he specialised in administrative law, appearing in the Federal Court, the Supreme Court of New South Wales, and the AAT, appearing primarily for private parties, but on occasions also representing government bodies. He was the

editor of the *Administrative Appeals Reports* from 1984, and held part-time positions as a lecturer at the University of NSW and as a judicial member of the NSW Administrative Decisions Tribunal. He was appointed as a federal magistrate in 2004.

## Where does the Federal Magistrates Court sit in NSW?

Sydney, Parramatta and Newcastle. The court also undertakes circuits through Lismore, Coffs Harbour and Wollongong.

## Does a panel system exist for the allocation of cases?

Specialist panels exist only in the Sydney registry of the Federal Magistrates Court. They exist for the allocation of matters to dockets to specialist general federal law jurisdictions. Panels exist in the areas of administrative law, trade practices, human rights and copyright

## Are counsel required to robe for appearances?

No, though robes and wigs are generally worn for ceremonial occasions.

## Do the federal magistrates robe?

Yes. The robes of the federal magistrates consist of a black square, made of Australian wool with seven vertical 'tucks' to be symbolic of federal jurisdiction and seven horizontal 'tucks' to suggest the breadth and scale of the court's concerns as well as its geographical reach.

## What are federal magistrates referred to in court?

The federal magistrates are justices of the court. Accordingly, federal magistrates are referred to in court as 'Your Honour'.

## What is the web site for the Federal Magistrates Court?

[www.fmc.gov.au](http://www.fmc.gov.au). It is an impressive web site which contains important information on the jurisdiction of the court, court forms and fees for matters the court can hear, the links to judgments of the court, information on primary dispute resolution, locations of where the court hears matters and how the court works.

## Where are decisions of the Federal Magistrates Court reported?

Decisions of the Federal Magistrates Court are reported from time to time in the *Australian Law Reports*, *Federal Law Reports* and *Family Law Reports*. As noted in 9 above, unreported decisions of the Federal Magistrates Court may be accessed at [www.fmc.gov.au](http://www.fmc.gov.au).

## Is there a loose leaf service for the Federal Magistrates Court?

Yes. *Federal Magistrates Court Practice and Procedure* – LexisNexis, *Federal Magistrates Court Practice* – CCH and *Federal Magistrates Court Guidebook* – Thomson Lawbook Company.