



**Australian
Human Rights
Commission**

everyone, everywhere, everyday

Our Ref: PDP/209113/FD

20 August 2010

Mr Ricky Partington
8 Dunbar Way
NORTH GOSFORD NSW 2250

Dear Mr Partington,

I refer to your correspondence received on 6 August 2010, which raises concerns about the Family Court of Australia.

The Australian Human Rights Commission has a specific jurisdiction when it comes to the issues it can deal with. Its role is to consider complaints of alleged discrimination on the basis of a person's race, sex, age or disability within specific areas of public life.

I appreciate the concerns that you have raised in relation to the court hearing. I note that you say that Judicial Registrar Loughnan and the child's legal representative were signalling each other during the process, which you believe led to Judicial Registrar Loughnan disregarding your claims.

However, our complaint handling power does not extend to considering claims against Judges when exercising judicial power. Judges are afforded judicial immunity when considering matters before the court, which means that they are protected from suits against them including claims of discrimination. If a party is not satisfied with a decision made by a judge, it is open for them to pursue an appeal against it, which it appears that you may have already done. It is on this basis that it does not appear that the Commission can assist with your concerns.

I note that you have already referred your concerns about the child's representative that was involved in the hearing to the Legal Services Commissioner.

You may also wish to discuss your options with a community legal centre.