



ATTORNEY-GENERAL  
THE HON ROBERT McCLELLAND MP

AG-MC11/06329

15 JUN 2011

The Hon John Murphy MP  
Chair  
Standing Committee on Petitions  
Parliament House  
CANBERRA ACT 2600

Dear Mr Murphy

Thank you for your letter of 23 May 2011 attaching a petition submitted to the Committee regarding a Royal Commission on judicial misbehaviour.

It is an essential feature of the Australian system of government that our courts are independent and free of interference from the executive arm of government. Consistent with this independence, the federal courts are each responsible for their own operation and management including the handling of complaints. If a person has a complaint about the conduct of a federal judicial officer they should write to the relevant head of jurisdiction.

On 18 March 2011, I announced significant federal judicial complaint reforms. The reforms include a mechanism to assist Chief Justices and the Chief Federal Magistrate to manage complaints that are referred to them as well as the reintroduction of the Parliamentary (Judicial Misbehaviour or Incapacity) Commission Bill to provide a standard mechanism for parliamentary consideration of removal of a judge from office under section 72(ii) of the Constitution.

The reforms reflect the Government's desire to implement a judicial complaints system that is more visible to the community and will enhance public confidence in the administration of justice.

I trust this information is of assistance to the Committee. Thank you for bringing this petition to my attention.

Yours sincerely

Robert McClelland

