



## New processes for handling complaints against federal judges

The House of Representatives Standing Committee on Social Policy and Legal Affairs is currently undertaking an inquiry into the Courts Legislation Amendment (Judicial Complaints) Bill 2012 and Judicial Misbehaviour and Incapacity (Parliamentary Commissions) Bill 2012.

The two bills aim to provide clear and certain processes for handling complaints about federal judges.

The Judicial Complaints Bill establishes a largely non-legislative framework which enables the Chief Justices of the Federal Court and the Family Court and the Chief Federal Magistrate to manage complaints that are referred to them. It is anticipated that the vast majority of complaints would be dealt with through this internal mechanism.

Introduced with the Judicial Complaints Bill, the Parliamentary Commissions Bill enables parliamentary commissions to be established following a resolution by each House of the Parliament to investigate specified allegations of misbehaviour or incapacity of a specified Commonwealth judicial officer (including a Justice of the High Court of Australia).

The two Bills have also been referred to the Senate Committee on Legal and Constitutional Affairs for inquiry and report.

Committee Chair Graham Perrett MP said, 'These Bills introduce greater transparency and accountability in our judicial complaints handling. They also establish a clear mechanism for the removal of a High Court judge, in the unlikely event that this should prove necessary.'

The Committee will hold a public hearing in Committee Room 1R3 on Thursday 10 May 2012 from 8.30am until 9.30am, with the Attorney General's Department and the Law Council of Australia appearing as witnesses.

The Committee anticipates reporting to the House in June 2012.

The Parliamentary Commissions Bill and the Judicial Complaints Bill are available on the Committee's website at [www.aph.gov.au/spla](http://www.aph.gov.au/spla)

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**For media comment**, please contact the Committee Chair, Mr Graham Perrett MP, on (07) 3344 2622 or 0408 883 312.

**For background information**, please contact the **Secretariat of the Committee on Social Policy and Legal Affairs**:

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