

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS  
ATTORNEY-GENERAL'S DEPARTMENT

**Output 1.1**

**Question No. 50**

**Senator Brandis asked the following question at the hearing on 18 February 2008:**

- a) In settling upon the new method for recruitment and selection of appointees to the Federal Magistrates Court, was the Chief Federal Magistrate consulted?
- b) Prior to making the decision around the new method for recruitment and selection of appointees to the Federal Magistrates Court did the Attorney-General consult the relevant officers of the Law Council of Australia, the Australian Bar Association, the law societies and bar associations of each of the states and territories, any representatives of the Australia Law schools, women lawyers organisations, the National Association of Community Legal Centres and/or legal aid bodies?
- c) For each case of these categories please specify if there were consultations with the relevant people and the dates of those consultations.

**The answer to the honourable senator's question is as follows:**

- a) Yes.
- b) On 17 February 2008, the Attorney-General gave a speech outlining a range of options for making appointments to the federal courts. The Attorney-General said 'I will outline a range of possible options for making what are very significant appointments and then ask for your feedback.' The Attorney-General concluded: 'As I mentioned at the beginning of my speech, I envisage that the judicial appointments process will be shaped over time in light of the Government's experience in implementing the procedures I have outlined today in relation to federal magistrates. I am firmly wedded to the principles of greater transparency, selection of candidates on merit only and ensuring greater diversity in appointments where possible. However, I am not wedded to the detail of how this may occur. I am keen to advance these ideas over the next few months and encourage you to put forward your ideas.'

The Attorney-General has invited the federal judiciary, the legal profession and other interested persons to comment on the possible options outlined in the speech.

- c) See answer to question (b).