

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

Sub Program 1.1.1

Question No. 138

Senator Heffernan asked the following question at the hearing on 27 May 2009:

If a Federal Judicial Commission was established, would these allegations and other related allegations be investigated by such a Commission?

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

The Standing Committee of Attorneys-General is developing options for establishing a national judicial complaints handling mechanism.

If a federal judicial commission were to be established with the power to receive and investigate complaints against federal judicial officers, the sort of behaviour that it might inquire into would depend on the nature of the jurisdiction which was conferred on the commission. Generally, if allegations of criminal behaviour were to be made, the criminal justice system would be invoked.