

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

Group 2

Program 1.1

Question No. 32

Senator Brandis asked the following question at the hearing on 29 May 2013:

Senator BRANDIS: Thank you. Mr Wilkins, can I return to the question that I raised on the courts—that is, the issue of appointments. I foreshadowed to you the questions that interested me about the process which had been engaged in in relation to the advertisement and appointment of the three new Federal Court judges.

...

Senator BRANDIS: When you say the panel process was completed, does that mean that a shortlist had been identified for recommendation to the Attorney by 10 May?

Mr Fredericks: Correct. A shortlist of names to be put before the Attorney-General, including the panel's opinion about their suitability for the position. How many names on that list?

Mr Fredericks: I do not have that information here.

Senator BRANDIS: Do you know, Mr Wilkins?

Mr Wilkins: I have not seen these processes actually.

Senator BRANDIS: What is the custom, Mr Fredericks, as to the number of names on a shortlist to be submitted to the Attorney?

Mr Fredericks: It is ultimately a judgement by the panel and, roughly speaking, my recollection of this Melbourne process was that there would have been probably somewhere between six to eight, maybe 10, names presented to the Attorney-General—

Senator BRANDIS: Between six and 10.

Mr Fredericks: I think that is right.

Senator BRANDIS: Those were names from how many applicants in total for the Melbourne vacancy?

Mr Fredericks: I really would have to take that one on notice.

Senator BRANDIS: You take that on notice, please.

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

There were 10 candidates shortlisted for interview whose names were ultimately put before the Attorney-General for the Melbourne/Adelaide Federal Court appointment process. There were a total of 38 applicants considered for this process.