

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

Sub Program 1.1.1

Question No. 15

Senator Brandis asked the following question at the hearing on 19 October 2009:

Has the Government reconsidered whether or not it proposes to abolish the Federal Magistrates Court, in light of the outcome of the decision in *Lane v Morrison*?

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

The Attorney-General wrote to the Chief Justices of the Family Court and Federal Court and the Chief Federal Magistrate on 16 October 2009 stating that:

The High Court found in its decision in *Lane v Morrison* that the Australian Military Court was unconstitutional. The Government is considering how it will respond to this decision. This may have implications for the proposed restructure of the Federal Court. As a result, the introduction of a Bill to implement the restructure of the federal courts has been delayed.