

## Terms of Reference

On 14 September 2006, the Senate referred to the Standing Committee on Foreign Affairs, Defence and Trade the provisions of the Defence Legislation Amendment Bill 2006 for inquiry and report by 10 October 2006.

The Bill proposes to replace the current system of trials by Courts Martial and Defence Force magistrates with an 'Australian Military Court'. It also intends to simplify summary procedures and introduce a right of appeal and right to elect trial from summary procedures to the new Australian Military Court.

The Committee invites you to make a written submission on the Bill. Because of the very short timeframe, the Committee requests that the submission be lodged **as soon as possible and preferably by 22 September** addressed to:

The Secretary  
Senate Foreign Affairs, Defence and Trade Legislation Committee  
Parliament House  
CANBERRA ACT 2600

The Committee is seeking to publicise its work as widely as possible and would appreciate you referring this letter of invitation to any person or organisation you think would be interested in contributing to the inquiry.

The Committee prefers submissions to be in electronic form on floppy disc or e-mailed (fadt.sen@aph.gov.au). Alternatively, submissions may be faxed (02 6277 5818) or posted. For enquiries or information about making submissions, phone: 02 6277 3535.

Submissions become committee documents and are only made public after a decision by the Committee. Persons making submissions should not release them without the approval of the Committee. Submissions are covered by parliamentary privilege but their unauthorised release is not.

The committee prefers to make submissions public and to publish them on the committee's website. If you would like the submission or parts of the submission kept confidential could you please clearly indicate your concerns. Some submitters may be invited to give evidence at public hearings.

There are a number of relevant documents that provide a background to this legislation. They include:

- the Senate Foreign Affairs, Defence and Trade References Committee Report, *'The Effectiveness of Australia's military justice system*, June 2005;
- the government's response to the report;

- Defence's first six monthly report to the committee on progress made in implementing the government's undertakings to reform Australia's military justice system;
- the Senate Foreign Affairs, Defence and Trade Legislation Committee report that reviewed Defence's first progress report;
- the Judge Advocate's Annual Report; and
- the Senate Foreign Affairs, Defence and Trade Legislation Committee Report on Annual Reports (Section dealing with the Judge Advocate's Annual Report).

All the above documents, except the Judge Advocate's Annual Report, are located on the committee's website at

[http://www.aph.gov.au/Senate/committee/FADT\\_CTTE/miljustice/index.htm](http://www.aph.gov.au/Senate/committee/FADT_CTTE/miljustice/index.htm)

[http://www.aph.gov.au/Senate/committee/FADT\\_CTTE/Legmiljustice/index.htm](http://www.aph.gov.au/Senate/committee/FADT_CTTE/Legmiljustice/index.htm)

[http://www.aph.gov.au/Senate/committee/FADT\\_CTTE/annual/2006/report2/index.htm](http://www.aph.gov.au/Senate/committee/FADT_CTTE/annual/2006/report2/index.htm)