



JUDGE ADVOCATE GENERAL
Australian Defence Force

Department of Defence, RGC-2-06, CANBERRA ACT 2600

2007-1015763
JAG 197/07

Dr Kathleen Dermody

Secretary

The Senate Standing Committee on Foreign Affairs Defence and Trade
Parliament House
CANBERRA ACT 2600

Dear Dr Dermody

**INQUIRY INTO THE PROVISIONS OF THE DEFENCE LEGISLATION
AMENDMENT BILL 2007**

1. Thank you for your letter of 17 August 2007 extending the Committee's invitation to make a written submission on this Bill. I am aware that the Chief Judge Advocate has received a similar invitation, and I have discussed the Bill and my intended reply with him. You will appreciate that there is some difficulty in the Chief Judge Advocate commenting specifically on the operation of the legislation because the Australian Military Court will ultimately be required to rule on it.

2. Head Military Justice Implementation Team kindly made a copy of the draft legislation available to me in anticipation of the Bill being introduced into the Parliament. As a result, I had the opportunity to raise matters of concern with the Military Justice Implementation Team while the Bill was in the draft stage. The significant issues were accepted by the Military Justice Implementation Team and are reflected in the Bill. Accordingly, there are no significant issues that I desire to raise for the Committee's consideration.

3. Of course, assuming that the Bill becomes law, the operation of the new system may, in time, suggest a need for "fine tuning", and my office will monitor developments and report to Parliament by means of my Annual Report on any variations which might be thought necessary.

Yours sincerely

R.R.S. TRACEY RFD

Brigadier

Acting Judge Advocate General - Australian Defence Force
RGC-2-06

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