



THE SENATE

LEGAL AND CONSTITUTIONAL AFFAIRS LEGISLATION COMMITTEE

23 July 2010

Senator the Hon John Hogg
President of the Senate

**INQUIRY INTO THE PROVISIONS OF THE CIVIL DISPUTE RESOLUTION
BILL 2010**

Background

On 23 June 2010, the Senate referred the provisions of the Civil Dispute Resolution Bill 2010 (Bill) to the Senate Legal and Constitutional Affairs Legislation Committee for inquiry and report by 30 July 2010.

The Bill encouraged the resolution of civil disputes outside of the courts and sought to improve access to justice by focusing parties and their lawyers on the early resolution of disputes (by requiring parties to take 'genuine steps' to resolve a civil dispute before proceedings are able to be commenced in the Federal Court of Australia or the Federal Magistrates Court).

Conduct of the inquiry

The committee advertised the inquiry in *The Australian* newspaper on 30 June 2010 and 14 July 2010, and invited submissions by 30 July 2010 (the committee had indicated an intention to seek an extension of time to report in late August 2010). Details of the inquiry, the Bill and associated documents were placed on the committee's website. The committee also wrote to over 40 organisations and individuals.

The committee did not receive any submissions for this inquiry.

On 19 July 2010, the Governor-General prorogued the 42nd Parliament and dissolved the House of Representatives. Accordingly, the committee has resolved not to continue its inquiry into the provisions of the Bill. This decision is consistent with the approach to inquiries during elections adopted by other Senate committees. If the Bill is reintroduced in the new parliament, the Senate can again refer it to the committee for inquiry.

Senator Trish Crossin
Chair