



Hon. Robert McClelland MP
Attorney-General

MEDIA RELEASE

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REFORMS TO FEDERAL JUDICIAL COMPLAINTS HANDLING

Attorney-General Robert McClelland today announced significant reforms to the handling of judicial complaints to introduce greater transparency and accountability in the federal courts.

Mr McClelland said the reforms – which are broadly based on the New South Wales Judicial Commission - will include a mechanism for judicial complaints handling to assist the Chief Justices of the Federal Court, the Family Court and the Chief Federal Magistrate, to manage complaints that are referred to them.

“A key feature of the new process is the ability for heads of jurisdiction to establish a Conduct Committee to investigate a complaint and provide a report on the issue,” Mr McClelland said.

“The reforms have been developed in close consultation with the federal courts and with the support of the Chief Justices of the Federal Court and the Family Court, and the Chief Federal Magistrate.

The new mechanism for judicial complaints handling will apply to the federal courts, with the exception of the High Court.

“Australia is well served by its judiciary, which is known for its excellence and its fairness,” Mr McClelland said.

“Judicial independence and impartiality are vital to the smooth administration of justice. A transparent, impartial and accountable system of judicial complaints handling will strengthen public confidence in the federal judiciary.”

The Government will also re-introduce of the Parliamentary (Judicial Misbehaviour or Incapacity) Commission Bill into the parliament.

“Parliamentary consideration of removal of a judge from office will only be triggered in the rarest of circumstances,” Mr McClelland said.

“However, it is important that a clear framework is in place if such an extraordinary circumstance were to arise.

The Government will continue to work with the courts to finalise the detail of the model for judicial complaints handling, including proposing legislative amendments to support the new complaints mechanism.

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