



ATTORNEY-GENERAL  
THE HON ROBERT McCLELLAND MP

Senate Legal & Constitutional Affairs Committee  
Supplementary Budget Estimates 2009-2010  
19-20 October 2009

08/16468

Tabled Document No 1

By: Family Court of Australia  
Date: 19/10/2009.

The Hon Chief Justice Diana Bryant  
Chief Justice's Chambers  
Family Court of Australia  
Owen Dixon Commonwealth Law Courts Building  
305 William Street  
MELBOURNE VIC 3000

Dear Chief Justice Bryant

I am writing to you regarding the Government's decision to restructure the federal courts.

You will be aware 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.

The High Court's decision involves some complex constitutional issues and the Government needs time to carefully consider them. My Department will consult in the preparation of legislation.

As a result it is now my intention that the legislation will be introduced as early as possible next year. While unfortunate, the delay is necessary to ensure a fully considered approach to the restructure of the federal courts.

The action officer for this matter in my Department is Ms Sandra Power who can be contacted on 02 6141 3083.

Yours sincerely

Robert McClelland