

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS  
FEDERAL COURT OF AUSTRALIA

**Question No. 30**

**Senator Barnett asked the following question at the hearing on 19 October 2009:**

Provide details on consultation, including dates, times and with whom, the Court has had with the Law Society and legal fraternity concerning the possibility of the absence of a full time registrar positioned in Hobart.

**The answer to the honourable senator's question is as follows:**

The Court undertook an extensive consultation program regarding the Small Registries Review. External Court users and others who were likely to have an interest in or were potentially affected by the Review were provided a copy of the Small Registries Review Consultation Paper in the week commencing 27 April 2009. This included the Law Society and the Independent Bar.

The feedback received from various external Court users, including Luke Rheinberger, President of the Law Society of Tasmania, Duncan Kerr MP and John Corcoran, President of the Law Council, was thoroughly considered prior to the decision on the Small Registries Review being made by the Registrar/CEO. In essence, the consultation process was undertaken over a period of two months.

Outlined below is the Consultation Program with external Court users regarding the Small Registries Review.

Small Registries Review Consultation Paper

- 14 April 2009 - Small Registries Review Consultation Paper is finalised, including recommendations and a preferred option. Paper sent to Registrar/CEO for consideration.

Consultation with the Law Society of Tasmania

- 29 April 2009 - Small Registries Review Consultation Paper sent to Martyn Hagan, Executive Director, Law Society of Tasmania for consideration and comment.
- 11 May 2009 - Letter to Chief Justice from Luke Rheinberger, President Law Society of Tasmania. Chief Justice response was sent on 22 May 2009.
- 23 June 2009 - Letter to Chief Justice from Luke Rheinberger, President Law Society of Tasmania. Chief Justice response was sent on 9 July 2009.
- 9 July 2009 - Fax to Chief Justice from Luke Rheinberger, President Law Society of Tasmania requesting an update on the review.

Consultation with the Members of Profession

- 29 April 2009 - Consultation Paper sent to Stephen Estcourt QC, for consideration and comment.
- 4 May 2009 - Email from Duncan Kerr MP to District Registrar Lagos. District Registrar Lagos responded, via email, on 6 May 2009 at 1.25pm.

- 4 May 2009 (4.00pm) Email from Martyn Hagan, Executive Director, Law Society of Tasmania to District Registrar Lagos advising feedback on the review would be sent shortly.
- 7 May 2009 (9.47am) - Email from Roland Browne, Fitzgerald and Browne Lawyers, Tasmania to District Registrar Lagos. District Registrar Lagos responded, via email, on 7 May 2009 at 1.45pm.
- 7 May 2009 - Letter (sent via email on 8 May 2009 at 3.42pm) from B K Hamilton, BK Hamilton & Associates to District Registrar Lagos.
- 14 May 2009 – Letter from Leonard Fernandez, Toomey Maning & Co to District Registrar Lagos.
- 23 July 09 – Letter (received by fax) from Duncan Kerr MP to Chief Justice. Chief Justice response sent on 27 July 2009.

#### Consultation with Law Council of Australia

- 30 June 2009 - Letter sent to Chief Justice from John Corcoran, President of Law Council. Chief Justice response was sent on 9 July 2009.