

The *Taxation Administration Act 1953* is amended to provide that the hearings of taxation matters in the AAT will be in private where a taxpayer so requests, except if the matter is being heard in the Small Taxation Claims Tribunal. In small taxation claims matters, the normal AAT provisions will apply, so that a hearing will be in public unless the tribunal is satisfied that it should be in private.

Human Rights Legislation Amendment Bill 1996

In the last issue of *Admin Review* it was reported that the Attorney-General, the Hon Daryl Williams AM QC MP, had announced that Cabinet had agreed to the introduction of legislation to reform the functions and structure of the Human Rights and Equal Opportunity Commission (HREOC). The reforms are in response to the High Court's decision *Brandy v Human Rights and Equal Opportunity Commission* (1995)127 ALR 1.

The foreshadowed legislation, the Human Rights Legislation Amendment Bill 1996, was introduced into the House of Representatives on 4 December 1996. On 6 February 1997 the Selection of Bills Committee recommended, and the Senate agreed, to refer the Bill to the Senate Legal and Constitutional Legislation Committee for inquiry and report by 27 May 1997.

The legislation is intended to simplify dispute resolution procedures in human rights matters. Complaints will continue to be lodged with, and investigated and conciliated by, HREOC but HREOC will no longer conduct hearings in relation to matters that cannot be conciliated. These matters will be dealt with in the Federal Court.

The Attorney-General said:

"The amendments avoid the potential that currently exists for parties to have to repeat hearings of disputes before HREOC in the Federal Court. The amendments will save parties time and limit the uncertainty and tension inherent in the process."

It is envisaged that a Human Rights Registry will be established in the Federal Court. The reforms will enable Judicial Registrars to be appointed to handle some cases. User-friendly procedures will be developed to reduce the formality of proceedings in human rights matters.

Parliamentary Inquiry into Legal Aid

The first report of the Senate Legal and Constitutional Affairs References Committee entitled *Inquiry into the Australian legal aid system* was tabled in the Parliament on 26 March 1997.

Senator McKiernan's tabling statement (Senate Hansard, 26 March 1997, at pages 2240 - 2241) advised that the inquiry into the legal aid system in Australia was referred to the Committee on 17 September 1996. The Committee received 157 written submissions and held 8 public hearings around Australia, at which the committee received evidence from 134 witnesses.

The statement noted that the Committee had heard

"that Australia has built a national legal aid system which is recognised internationally as an excellent model. . . ."

The Committee heard, however, that the current legal aid system has one major and fundamental downfall. That is, that it is "mean", because it does not have sufficient resources to extend it to many people who need it or would benefit from it. . . .

The strength of feeling . . . is such that the committee decided to prepare this first report concentrating on the current situation. The committee considered that it was important to do this in advance of the 1997-98 Budget due for delivery in May.

The committee considered that, by presenting the evidence provided to it [to] date in a report to the parliament, the Government may be better equipped to understand the degree and nature of con-