Mrs Giulia Jones MLA

Chair

Standing Committee on Justice and Community Safety (Legislative Scrutiny Role)

ACT Legislative Assembly

CANBERRA ACT 2601

Dear Mrs Jones

I write in relation to the Standing Committee on Justice and Community Safety (Legislative Scrutiny Role) Scrutiny Report 33 (the Report) containing comments on the Subordinate Law SL2019-11 *Court Procedures Amendment Rules 2019 (No 1)*.

The Rule-Making Committee (currently comprising the Chief Justice, Justice Elkaim, Acting Chief Magistrate and Magistrate Morrison) make rules in relation to the practice and procedure of ACT Courts and their registries pursuant to section 7 of the *Court Procedures Act 2004*. The Courts and the Joint Rules Advisory Committee continuously conduct a consultative review of the rules which may result in amendments to the *Court Procedures Rules 2006* (the Rules). The Rules are made by the Judiciary and not by the Executive.

Page 22 of the Report seeks an explanation of reasons for costs increases in the Amendment Rules.

Schedules 3 and 4 of the Rules govern the legal costs recoverable pursuant to a costs order. These schedules are reviewed regularly to ensure the costs are appropriate, and amendments are recommended by the Joint Rules Committee and approved by the Rule-Making Committee. The increase of 3.29 per cent made by Subordinate Law SL2019-11 was to take into account inflation and cost increases since those costs were last increased on 8 July 2017.

I am advised that the Rule-Making Committee will include more detail in the explanatory statements for future amendments to the Schedules.

I thank the Committee for its consideration of this subordinate law.

Yours sincerely

Gordon Ramsay

Attorney-General

actchiefminister