

Brandis scraps direction to Solicitor-General

Written by Michelle Grattan, Professorial Fellow, University of Canberra

Attorney-General George Brandis has pre-empted his opponents in the Senate by rescinding his controversial direction that all requests to the Solicitor-General for advice must go through him.

After a scathing report from the non-government majority on a Senate inquiry into the events surrounding Brandis issuing the direction, the Senate numbers were there for it to be disallowed.

The report found that Brandis had not undertaken the required consultation with then Solicitor-General Justin Gleeson - who resigned over the affair - and called for the Attorney-General's censure. The government minority backed Brandis, who has always maintained he did adequately consult Gleeson. The Senate numbers are not there for a censure.

Brandis tried to put the best gloss on his rescinding of the direction by claiming it was driven by wanting to talk to the new Solicitor-General, yet to be announced, "on how they would wish to be briefed".

He told the Senate he had consulted acting Solicitor-General Tom Howe. "He agreed with me that it was appropriate that when the new Solicitor-General came into office - which will be very soon - that he should begin, as it were, with a clean slate."

Brandis said that all along he'd regarded the direction "as a matter of administrative housekeeping. I think it is the greatest confectioned storm in a teacup that I have ever seen."

Michelle Grattan does not work for, consult, own shares in or receive funding from any company or organization that would benefit from this article, and has disclosed no relevant affiliations beyond the academic appointment above.

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