

Media Release

Outcome of preliminary examinations of complaints

10 JUNE 2021

Statement by the Hon. Ann Vanstone QC Judicial Conduct Commissioner

Early in May I began what turned out to be a series of preliminary examinations of complaints about the conduct of a serving magistrate. I have now concluded those examinations.

I have today made a recommendation to the Attorney-General that she appoint a judicial conduct panel to inquire into and report on those complaints.

The complaints relate to incidents involving five women who worked in various capacities at the courts. The complaints span a period of about seven years. The magistrate denies impropriety.

A judicial conduct panel has not previously been appointed in this state. Under the *Judicial Conduct Commissioner Act 2015*, it is to consist of two judicial officers – either current or former – and a lay person. Its role is to conduct an inquiry into matters referred to it and to report to the Attorney-General. Such a report would include the panel’s opinion as to whether removal of a judicial officer were justified. It has the powers of a Royal Commission.

My own decision to make this recommendation does not involve my making factual findings about whether the alleged incidents occurred, or the circumstances of them; except to the extent necessary to inform my recommendation.

Apart from providing the materials in my files to any panel which may be convened, my role in respect of these complaints has now concluded.

I consider that it is in the public interest that I make this statement having regard to the publicity that was given to the April 2021 report by the Acting Equal Opportunity Commissioner about harassment in the legal profession and also public allegations made by a legal officer who was formerly employed in the Courts.

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