



Judicial Conference of Australia

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Appointment of Magistrates should not be part of Political Crossfire

The President of the Judicial Conference of Australia, Justice Robert Beech-Jones, has expressed concern that doubts were being raised about the propriety of the recent appointment of magistrates in Victoria as part of an unrelated debate about the use of funds paid to electoral officers in the lead up to the Victorian election. “The recent appointment of magistrates in Victoria should not be part of the political crossfire on an unrelated issue” Justice Beech-Jones stated.

A report in *The Age* newspaper on 1 August 2018 stated that an Opposition spokesman had suggested that the recent appointment of five new magistrates may be reviewed in light of the debate about use of funds paid to electoral officers and that those magistrates should “reflect” on their own appointments.

“There is nothing in the story or elsewhere to suggest that there was any departure from the usual process of appointments in this case and there is nothing to suggest that any of the magistrates have any reason to reflect on the circumstances of their own appointment” Justice Beech-Jones stated. “Magistrates in Victoria can only be removed for proved misbehaviour or incapacity. This requirement serves the public interest in maintaining the independence of the judiciary. There is nothing to suggest that any of the appointed magistrates has engaged in any conduct that would warrant their removal.”

“These comments were unfortunate, because they have the tendency to undermine the legitimacy of the appointment of those magistrates and undermine public confidence in their impartiality” Justice Beech-Jones added.

The Judicial Conference of Australia is the professional association of judges and magistrates in Australia.

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The President of the JCA is not available for broadcast or television interviews on this matter.