

Media Statement

From Justice Steven Moore
President of the Australian Judicial Officers Association

23 July 2026

Media reports have attributed certain comments to Angus Taylor MP concerning the decision of a Magistrate of the Magistrates' Court of Victoria on 20 July 2026 to grant bail to Rayann El Houli, who faces charges of travelling to a restricted area and being a member of a terror group.

Mr Taylor is reported as having said that it was "an utter disgrace that an accused ISIS bride has been granted bail" and that "this decision fails the security test, the values test, the fairness test and the pub test".

The Magistrate was required to apply the law, not any "pub test", or other test.

The law required that bail not be granted unless the Magistrate was satisfied that exceptional circumstances existed to justify bail. In making that assessment, the Magistrate was required to presume that the accused person was innocent and to consider the nature of the alleged offending, the strength of the case against the accused, any risk to the community and whether any such risk could be sufficiently reduced by imposing bail conditions.

In this case, the Magistrate, applying the law, decided that there were exceptional circumstances and granted bail. Stringent bail conditions were imposed. If the prosecution considers that the Magistrate made a legal error, an appeal can be brought.

In a democratic society, it is essential for Judges and Magistrates to faithfully apply the law regardless of whether their decisions may be politically unpopular or may attract criticism from politicians.

The decisions of judicial officers are not immune from criticism. However, any criticism must not undermine public confidence in the courts: it should be measured and fair and recognise that it is the duty of judicial officers to impartially apply the law.

The Australian Judicial Officers Association is the professional association of judges and magistrates in Australia. For further information, contact Karen Sloan, Australian Judicial Officers Association Secretariat: secretariat@ajoa.asn.au | 02 6125 5763.

The President of the AJOA is not available for further comment, including broadcast or television interviews on this matter.