



**Australian Judicial Officers Association (AJOA) Colloquium
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TAMING THE TAMERS

A conversation about judicial conduct

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1. Like many of us, I am often asked to speak to lawyers. The topics vary from substantive law to advocacy to wellbeing. A few years ago, I spoke to a group of newly qualified barristers. The title of my talk was “Ten Things I ~~Hate~~ Am Going to Love About You”. I thought that was a catchy title, the umbrella to a list of tips for new barristers from an old one who is now a judge. As you may be aware the unedited version – *Ten Things I Hate About You* – is a movie, from the end of last century (1999), starring the late Heath Ledger and Julia Stiles. It is a modern adaptation of William Shakespeare’s *The Taming of the Shrew*. I shamedly confess to being so pleased with myself for coming up with a catchy title that I did not think too deeply about that connection, if I thought about it at all.
2. A few years later, I was asked again to speak to some even newer lawyers, those who had just completed their Practical Legal Training. It was suggested to me that I could reprise this speech. As you might imagine, that filled me with joy – the idea that I would not have to prepare a new one. But I did embark on some work, to update and adapt it – including by delving into the actual play. That caused me to become somewhat concerned, at the fact that I could be perceived to be making light of something very serious. Although a comedy, the politics underpinning *The Taming of the Shrew* are somewhat provocative, if not incendiary², involving as it

¹ I acknowledge the assistance of my 2026 associate, Ms Keeley Hughes, and research associate, Ms Ririka Stephenson, in the preparation of this paper.

² To use the words of Margaret Jane Kidnie in the Introduction to the Penguin Classics edition of the play, published in 2006, at p xxi.

does themes of power imbalance, gender inequality and, arguably, coercive control and domestic violence.

3. Irrelevant circumstances conspired to prevent me from attending that particular event, and so the speech was never reprised. The next time I spoke to new lawyers I chose something different.
4. But the thoughts continued to develop; and the culmination of those thoughts is what I have come here today to say.
5. There is, I think, a compelling analogy between *The Taming of the Shrew* and modern discussions about judicial conduct.³ In Shakespeare's play, Petruchio's project is fundamentally about control. The audience may debate whether it is comic, satirical or disturbing, but the mechanism is unmistakable: one person possesses social, legal and gendered power and seeks to reshape another's behaviour through its untrammelled exercise.
6. In 1611, John Fletcher wrote a reply, called *The Woman's Prize; or The Tamer Tamed*, which reverses the dynamic, in the context of the second marriage of Petruchio, following the death of Katherine, the "shrew" in Shakespeare's play. Petruchio's second wife, Maria, is even more resistant to domination than Katherine initially had been. Unable to control her and finding his taming tactics frustrated repeatedly by a wife in league with the other townswomen, Petruchio becomes in the end a convert to the spirit of compromise and accommodation within marriage. Petruchio discovers that command is not the same thing as respect, and authority is not the same thing as legitimacy. His second wife Maria does not defeat him through greater power; she exposes the limits of power itself. Petruchio learns that he cannot reign as a tyrant, and he is ultimately compelled to change his behaviour rather than merely enforce obedience.
7. The analogy I hope you will agree is compelling. As independent judges, we occupy a position of extraordinary power and privilege. We are the tamers. And this raises an interesting question: Who tames the tamers? Or perhaps, when one occupies a position of immense institutional authority, what constrains conduct when formal power permits much more than professional ethics should?
8. The answer, I suggest, is simple: it is each of you. My thesis is uncomplicated. It is that because of the position we occupy, we each have a professional and ethical obligation to conduct ourselves in such a way that those with whom we deal need no protection from us.

³ For ease of reference, in this paper I will use the words "judge" to refer to all judicial officers, judges and magistrates.

9. Lest you be thinking, from a self-satisfied position of comfort and confidence in your own integrity that nothing I have to say could possibly apply to you, I assure you that from my own direct experience, as the head of the complaints department in the Queensland courts, and conversations with my counterparts in other jurisdictions, this remains a contemporary problem – both as it concerns conduct in court and out of court. As it is a problem that affects not only the professional reputation of individual judges, but also ultimately the legitimacy of our institutions; and because it is something that I think can be readily addressed, by insight and awareness, I believe it is an important matter for us to collectively address.

The CCJ's Guide to Judicial Conduct

10. In March this year, the Council of Chief Justices, with the assistance of the Australasian Institute of Judicial Administration (AIJA), published a new, fourth edition of the *Guide to Judicial Conduct*. This fourth edition was the product of a complete review, undertaken by a committee led by the Hon Virginia Bell AC SC as principal reporter and including Justice Murray Aldridge, then of the Federal Circuit and Family Court and President of the AIJA, Professor Gabrielle Appleby and Professor Judith Cashmore AO. A working group of Chief Justices provided oversight for the review committee and the end result was the product of careful consideration by all Chief Justices in Australia as well as the Chief Justice of New Zealand – the members of the Council of Chief Justices.
11. As Chief Justice Stephen Gageler states in the preface to the fourth edition of the *Guide*, “an integrated Australian Judicature ... must necessarily have as one of its attributes a common and consistent understanding of the standards of behaviour expected of judges”.
12. The *Guide* provides contemporaneous principled and practical guidance to judges as to what may be an appropriate course of conduct, matters to be considered in determining a course of conduct, and from whom to seek support.
13. The *Guide* expressly acknowledges the marked imbalances of power that exist between judges and others, and instructs, at section 2.3.1 that judges “must treat others, including judicial colleagues, with civility and respect in their public life, social life and working relationships”. The *Guide* goes further and states that “judges have a responsibility **to model respectful behaviour at all times** and to confront poor behaviour in the workplace by others, including by other judges”.

The judicial conduct conversation has changed

14. The conversation about judicial conduct has changed over the decades since the *Guide* was first published in 2002. That first edition made no mention of power imbalance, nor the need to model respectful behaviour.
15. The impetus at the start of this century for the publication of a Guide to Judicial Conduct appears to have been both the expansion, including in terms of diversity, of the Australian judiciary⁴ and an increasing public focus on the conduct of judges and willingness to criticise them.⁵
16. It was in this same context, albeit almost 10 years earlier, that the Judicial Conference of Australia, now the Australian Judicial Officers Association, was established, as a body to represent the common interests and concerns of judges, to defend the judiciary as an institution and, where appropriate, to defend individual judges who were the target of unfair and unwarranted criticism.⁶
17. The second edition of the *Guide* was published in 2007. Whilst there is no express reference to power imbalance in this edition either, the shift begins, with the following paragraph added:

“Judges should remember that many members of the public regard judges as a privileged group because of their remuneration and entitlements, and because of the nature of the judicial office. They are likely to expect that a judge will be especially vigilant in observing appropriate standards of conduct, both publicly and privately.”

18. I pause to observe that lawyers, registry and court staff, including associates, are all members of the public, just as litigants, self-represented or otherwise, and witnesses are.
19. It took some time for the third edition of the *Guide* to be published, in late 2023. Imbalance of power is first referenced in this edition, in the following paragraph added after the one just referred to:

“Judges must conform to the standard of conduct required by law and expected by the community. They must treat others with civility

⁴ See for example, Chief Justice Gleeson, [Public Confidence in the Judiciary](#), 27 April 2002 at p 7 and Chief Justice Doyle, *Judicial Standards: Contemporary Constraints on Judges – The Australian Experience* (2001) 75 ALJ 96 at 100.

⁵ See for example, the Hon J B Thomas AM, ‘*Guide to Judicial Conduct*’: *A new handbook for judges* (2003) 77 ALJ 240 at 241-242.

⁶ Chief Justice French, [Seeing Visions and Dreaming Dreams](#), 7 October 2016.

and respect in their public life, social life and working relationships. It goes without saying that judges must not engage in discrimination or harassment (including sexual harassment) or bullying. In relation to these matters, judges must be particularly conscious of the effect of the imbalance of power as between themselves and others, especially their Chambers staff, Court staff and junior lawyers.”

20. Whereas the second and third editions involved editing the original, the fourth has been largely re-written. The catalyst for revising the *Guide*, relatively soon after the third edition, was in part a recommendation in the Australian Law Reform Commission’s report [*Without Fear or Favour: Judicial Impartiality and the Law on Bias*](#). But it was also considered that the time had come for a comprehensive review, having regard to a range of contemporary challenges, including the use of artificial intelligence.
21. As I have already mentioned, the most recent edition of the *Guide* explicitly recognises power imbalance as an ethical factor in its own right and substantially expands upon the guidance first introduced in the third edition. The revised section 2.3.1⁷ makes clear that judicial conduct which is an abuse of our “singular position of power” is not limited to overt, let alone unlawful, behaviour; it may be subtle. And conduct that may in other circumstances not amount to bullying or sexual harassment may cross the line when this imbalance is taken into account. This is an important point, underscoring the need for self-awareness.

Judicial legitimacy

22. As lawyers we understand that context is everything. An important part of the context for my remarks today is judicial legitimacy.
23. In a paper delivered to this Colloquium in 2022,⁸ our now Chief Justice Stephen Gageler described judicial legitimacy as “that level of public confidence which needs to exist for a competent and impartial judiciary to do its job of deciding controversies according to law without fear or favour”.
24. Twenty years earlier,⁹ Chief Justice Gleeson described public confidence as a guiding principle in relation to the conduct of judges, on and off the bench, and said:

⁷ The full text of section 2.3.1 is set out in the annexure to this paper.

⁸ The Hon Stephen Gageler AC, Justice of the High Court of Australia, *Judicial Legitimacy* (2023) 97 ALJ 28; also available on the AJOA website ([Judicial Legitimacy](#)).

⁹ Chief Justice Gleeson, [Public Confidence in the Judiciary](#), 27 April 2022.

“The general acceptance of judicial decisions, by citizens and by governments, which is essential for the peace, welfare and good government of the community, **rests, not upon coercion, but upon public confidence.** Not only is the judicial branch, as Hamilton¹⁰ said, the least dangerous. It is also the most dependent upon habitual conformity to its decisions on the part of the community and the other branches of government. **That habit of conformity only exists because the public have a certain attitude towards judicial power, and those who exercise it; an attitude we describe as confidence.**”

25. Just as Petruchio, objectively holding all the power, could not legitimately or effectively rule by coercion, neither can we.

26. In his paper on judicial legitimacy, Chief Justice Gageler made reference to John Adams’ pamphlet entitled *Thoughts on Government* published in 1776. According to the paper, in that pamphlet, Adams wrote that:

“[t]he dignity and stability of government in all its branches ... depends so much upon an upright and skilful administration of justice, that the judicial power ought to be distinct from both the legislative and executive, and independent [from] both... The Judges therefore should always be [people] of learning and experience in the laws, of **exemplary morals, great patience, calmness, coolness and attention.** Their minds should not be distracted with jarring interests; they should not be dependent upon any man or body of men ... To these ends... they should hold estates for life in their offices, or in other words their commissions should be during good behaviour, and their salaries ascertained and established by law.”

27. This passage provides the link between judicial conduct and judicial independence. With great power, and privilege, comes responsibility. The relevant responsibility of judges is to be people of exemplary morals, great patience, calmness, coolness and attention.

28. We have all observed in more recent times the erosion of institutional trust. Chief Justice Peter Quinlan spoke about this in his paper delivered to this Colloquium last year.¹¹ Interestingly, almost a quarter of a century earlier, Chief Justice Gleeson said the same thing:

¹⁰ A reference to Alexander Hamilton, *The Federalist Papers*, No 78, New York, Random House, 504.

¹¹ Chief Justice Quinlan, [We’re All In This Together: Civility and Institutional Trust](#), 9 October 2025.

“... we live in an age when the attitude of the general community towards authority, and institutions, is more consistently questioning, and even challenging, than in the past. This is a good thing. **It is better that people who exercise authority feel uncomfortable than that they feel complacent.**”

29. That last sentence is the key to my message today. We cannot be complacent about the position of power that we occupy. We have to remain alert and aware, insightful and empathetic.
30. Judicial independence is essential to our ability to decide controversies according to law without fear or favour. Independence is not a privilege bestowed upon judges for our benefit; it is “a cornerstone of our system of government in a democratic society and a safeguard of the freedom and rights of the citizen under the rule of law”.¹²
31. As Chief Justice Gleeson also said (in the same 2002 speech) judges enjoy what is, by most workplace standards, extraordinary personal independence and freedom from interference by their leadership. This is in aid of **one thing**: reinforcing the public’s confidence that they will exercise their judicial power without fear or favour, and without the prospect of being subjected to pressure, direct or indirect, from any authority but the law itself.
32. But that essential institutional independence, and freedom, is not an excuse to behave poorly, consciously or otherwise. On the contrary, it is the essential reason why we have to individually and collectively adopt high standards of personal conduct, and engage in frequent self-reflection, to make sure we are upholding those standards. Independence and accountability are not competing values. They are complementary ones.

Our humanity as both a strength and weakness

33. A judge who behaves badly, in or out of court, harms their own professional reputation. But this is not only an issue for the reputation of individual judges; it is an issue that puts at risk the integrity, indeed legitimacy, of the institution of the courts.

¹² *Guide to Judicial Conduct*, 3rd edition, at [2.2].

34. This point, with which I agree, was made in a 2014 article on *Judicial Conduct and Institutional Integrity* written by Gabrielle Appleby and Suzanne Le Mire.¹³ It is captured in the abstract of the article which begins by saying:

“Judges are human. It is their humanity that allows them to pass judgement on the complexities of fact and law in cases before them. However, their humanity also means they are subject to the usual gamut of human frailties. Problematic judicial conduct remains rare in Australia. However, failing to acknowledge and address it has the potential to damage the integrity of the courts and undermine the ability of individual judges to fulfil the judicial function.”

35. In our unavoidably hierarchical system, lawyers rarely complain; self-represented litigants frequently complain; associates and registry staff almost never complain, or if they do, they don’t want anything to be done about their complaint. That tells you something important. A self-represented litigant is not part of our “system” – that is, the legal profession, the court or justice system. That gives them a freedom from the constraints experienced by those who are part of our “system”. I am not suggesting their complaints are always valid; but sometimes they are. Lawyers do not complain, for fear of repercussions; likewise, registry and court staff such as associates.
36. In a system where those who are at risk of harm from our conduct do not feel they can speak up and have something done about it, which will not have a negative impact on them, there is a significant responsibility on each of us to ensure a higher level of conduct. And if we allow ourselves to fail in that endeavour, we put at risk not only our own reputations, but the integrity of the justice system.

Power itself is not the problem

37. It is not power that is the problem; it is the potential for misuse of that power, in the way in which it is exercised.
38. Judges occupy positions of extraordinary authority. We exercise powers that affect the lives of others in profound ways every day. We determine disputes, decide questions of liberty and impose sentences. We make findings that affect reputations. We resolve commercial controversies involving vast sums of money. We determine questions concerning children, families, employment, housing and personal rights and obligations.

¹³ Appleby and Le Mire, [*Judicial Conduct: Crafting a System that Enhances Institutional Integrity*](#) (2014) 38 MELULR 1.

39. We also direct proceedings and control courtrooms. We decide who speaks and for how long.
40. Frequently, there is no practical opportunity for immediate challenge. There may be no avenue for appeal; or an appeal may not address the problem.
41. The fact that judges possess such power is not controversial. Nor should it be. The effective administration of justice depends upon effective judicial authority.
42. A court without authority is incapable of doing justice. A judge who cannot control proceedings cannot ensure fairness. A judge who fears criticism every time an unpopular decision is made cannot fulfil their judicial oath. We must exert authority in order to discharge our judicial functions, to control the courtroom, and to manage our workload outside the courtroom.
43. But the same power can be exercised in different ways. The important distinction is to appreciate that which is legitimate and that which is improper, for example:

Legitimate	Improper
Courtesy	Rudeness
Firmness	Intimidation
Control	Humiliation
Discipline	Shaming
Testing an argument	Badgering
Intellectual engagement	Coercion
Constructive feedback	Unjust criticism
Objective correction	Belittling
Guidance	Patronising
Authority	Bullying
Accountability	Blaming
Responsibility	Embarrassment
Teaching	Micro-managing
Leadership	Domination

- 44. Awareness of the power we hold, and the impact that our conduct has on others, does not undermine our authority and is not a harbinger of weakness. Quite the opposite: it is a component of wisdom; an indicator of strength.
- 45. As will be apparent from the examples I have given, the focus of my remarks is on conduct in and outside the courtroom.

The Courtroom

- 46. Most judges recognise the importance of courtesy. Courtesy means not only polite behaviour but also respect and consideration for other people.
- 47. Courtesy does not mean softness, or indecision; it does not involve abandoning proper judicial control of proceedings.
- 48. Some of the finest judges are also among the firmest. The distinction is not between firmness and weakness; it is between authority and humiliation; discipline and intimidation; correction and belittlement; control and coercion.
- 49. A lawyer whose argument is not a good one, or who lacks experience, or who is perceived by the judge not to be the “sharpest knife in the drawer” is hardly likely to improve in any of these respects in response to badgering, let alone yelling, by the judge. The same applies to a self-represented litigant.
- 50. Sometimes, it can appear as though there is a performative element to a bullying judge’s behaviour. They can appear to be enjoying the theatre of making the lawyer, or self-represented litigant, appear to be a fool. In truth, the outcome is the opposite. It is the bullying judge whose reputation is affected, and in turn who causes a tarnish on the shine of our judicial system.
- 51. In more recent times, there has been recognition of the court as a workplace. Some judges don’t like that description but it is the reality. We encourage lawyers to see it that way, in their interactions with each other in the trenches. And we must too. Apart from the lawyers, there are other people who work in the courtroom – associates, clerks, bailiffs and orderlies. Humiliating any of these people in the name of maintaining order, control or authority is improper; it is a misuse of the power held by a judge.
- 52. The authority of a judge is strengthened, not diminished, by civility and respect. Indeed, courtesy often represents authority at its most confident. People secure in their authority rarely need to perform it. And the best way to maintain control, in the courtroom, of the parties, and of the proceeding, is to exude control yourself.

Beyond the Courtroom

53. In so far as we are concerned, our chambers, and our court registries, are unusual workplaces. We do not employ the staff who work with us, whether as associates or administrative assistants, or in the registry. We do not pay them. But we sit at the apex of this hierarchical system; this unique framework in which our institutional independence is such that, absent serious misconduct, we cannot be removed.

54. I was struck by this observation in Chief Justice Gleeson's paper delivered to this Colloquium in 2002:¹⁴

“It is often wrongly assumed that, beyond their capacity to advise, warn, and take appropriate administrative steps, Chief Justices, and other heads of jurisdiction, have authority to penalise other judges. Judicial independence means, amongst other things, that judges are independent of each other.”

which lead into his observation, already referred to, that:

“Judges enjoy what is, by most workplace standards, extraordinary personal independence and freedom from interference by their leadership.”

55. That is one side of the coin. The other side, as I have already mentioned, is the silence and acquiescence that is the unhappy consequence of the imbalance of power between us, and those with whom we engage both in court and outside of it.

56. Those two things make it imperative for individual judges to hold themselves accountable to a higher standard of interpersonal conduct. We have to behave in a way that means those without power do not need to complain. Otherwise, to put it bluntly, you are causing harm in circumstances where it is very difficult to do anything about it.

57. A question I suggest we ask ourselves, in relation to how we behave towards, or speak to, either our chambers staff, or registry staff, is how would you feel if that was your child, or family member, being spoken to in that way at work? Would you think that was acceptable?

58. I reiterate the benefits of self-awareness and self-reflection. Please think about how you engage with your chambers staff, and registry officers. Perhaps your interactions are just fine. But perhaps they are not.

¹⁴ Chief Justice Gleeson, [*Public Confidence in the Judiciary*](#), 27 April 2002.

The criteria for judicial appointment

59. The standard of conduct that I describe is incorporated within the AIJA's [Suggested Criteria for Judicial Appointment](#). This publication posits the requirement for demonstrated commitment to, among other things, meeting the expectations of the *Guide to Judicial Conduct* as well as demonstrated ability to:

Manage proceedings

- Treat others with respect, and so inspire respect and confidence
- Exercise authority calmly and professionally, particularly when challenged
- Maintain control of courtroom, using fair direction or intervention

and

Manage demeanour

- Speak calmly, courteously, and patiently, even when necessary to be forceful
- Balance seriousness, impersonal formality and informality
- Use or display humour with care, never at the expense of a court participant or relying on stereotypes
- Maintain appropriate demeanour even under pressure
- Avoid display of sarcasm, harshness, anger, rudeness, or hostility

and

Manage emotion

- Be aware of and thoughtfully manage own emotion and the feelings of others, consistent with the judicial role
- Balance confidence and humility
- Be willing to seek assistance and support when experiencing difficulties, especially with stress or trauma

and

Interact appropriately

- Engage constructively and collegially with others, including judicial colleagues, court administrators and staff, and others in the workplace
- Engage appropriately with a wide range of court participants, including skilled or unskilled legal representatives, represented and unrepresented parties, witnesses, jurors, and court staff
- Be considerate, tactful, and empathetic with others.

The elephant in the room

- 60. The elephant in the room for this conversation is judicial wellbeing. In some cases, bad behaviour reflects the judge's personality. But in many cases, both of harsh or impatient conduct in and out of court, it reflects a stressed, overworked judge who is struggling and lashes out at those around them.
- 61. I recognise and acknowledge this. If that is the cause, then the good news is that something can be done about it. Depression, anxiety and burnout, as well as secondary stress or vicarious trauma, are all treatable conditions. Workload is harder to treat, including under the strained funding circumstances affecting most of our courts.
- 62. I encourage you to speak to your head of jurisdiction if you feel as though challenges of this kind are causing you difficulty and, in turn, that this is affecting the way you behave in, or out of court.
- 63. Recognising a need for support and taking action are signs of great strength, self-awareness and self-leadership. There is no shame, or weakness, in doing so. On the contrary, it is the responsible thing to do.

Individual leadership

- 64. That leads to an important, and perhaps the most important development in modern thinking about judicial conduct, which is the recognition that every judge is a leader.¹⁵
- 65. Every interaction, with associates, registry staff, lawyers, litigants, witnesses and judicial colleagues, communicates something. How mistakes are addressed communicates something. How disagreement is expressed communicates something. And because judges occupy positions of such authority, these messages are amplified. Those entering the profession often learn more from what judges do than from what they say.
- 66. Culture is shaped by conduct, not by rhetoric.
- 67. The challenge for judicial leaders – by which I mean all judges – is therefore not merely to avoid poor conduct; it is to model conduct worthy of imitation.

¹⁵ A point made, in a different context, by the Hon Michelle Gordon AC, Justice of the High Court of Australia, in a speech delivered at the 2025 AJOA Colloquium, entitled [*Justice in a Changing World – The Responsive Bench*](#).

The Tamers Tamed

68. This brings me back to Fletcher's reply to Shakespeare.
69. The enduring insight of *The Tamer Tamed* is not that power disappears. Nor is it that authority becomes unnecessary. Rather, it is that authority ultimately depends upon legitimacy. Petruchio discovers that power alone cannot command respect. Respect must be earned.
70. The lesson for us is similar. Judicial power is conferred by law. But judicial authority, in a broader sense, depends upon something more. It depends upon public confidence, professional respect, and institutional legitimacy.
71. The most interesting part of Fletcher's sequel may be that Petruchio is not ultimately constrained by law. He is constrained by culture, by relationships and by the loss of moral authority.
72. What constrains us?
73. Most judges will never encounter a disciplinary process. Yet every judge is subject daily to more powerful influences: the value of their own professional reputation, collegial expectations, institutional culture, and the essentiality of public confidence.
74. The real "taming" of judicial tamers is not external discipline. It is self-awareness and internal restraint. That is why the answer to the question, "who tames the tamers" is, quite simply, each of us.

Annexure

Section 2.3.1 of the 4th edition of the *Guide to Judicial Conduct*:

“Judges must conform to the standard of conduct required by law and expected by the community. They must treat others, including judicial colleagues, with civility and respect in their public life, social life and working relationships. Judges have a **responsibility to model respectful behaviour at all times** and to confront poor behaviour in the workplace by others, including by other judges.

Judges must not engage in unlawful discrimination, victimisation, bullying or harassment, including sexual harassment. It is important that **in all dealings with chambers and court staff, judges are mindful of the marked imbalances of power that exist**. Conduct that in other circumstances might not amount to bullying or sexual harassment may cross the line when this imbalance is taken into account. Comments or questions about a staff member’s private life or about their appearance may, in all the circumstances, amount to sexual harassment. So, too, may comments or jokes of a sexual nature made in the presence of a member of staff, even if not directed at them. There should be no expectation that a judge’s staff will attend social functions or share private transport with the judge. The **imbalance in power** is such that it is inappropriate for a judge to engage in an apparently consensual sexual relationship with a member of chambers or court staff unless in a pre-existing long-term relationship.

Workplace bullying is conduct that a reasonable person would perceive in all the circumstances as belittling, humiliating, insulting, victimising, aggressive or intimidating. More subtle forms of conduct may amount to bullying, including the setting of unreasonable time frames for the completion of work or repeatedly requiring staff to work after hours, including on weekends. Bullying is to be distinguished from acceptable conduct, such as the reasonable allocation of work to staff, supervision and feedback on allocated work and other reasonable management action.

Taking into account the **singular position of power** occupied by the judge in their dealings with chambers and court staff, a single instance of conduct may amount to bullying or sexual harassment.

Judges set the standard of workplace conduct. A judge who becomes aware of instances or allegations of bullying, sexual harassment, or other unlawful, discriminatory or unethical conduct by a colleague should take steps to stop the conduct by calling it out and reporting the matter to the head of jurisdiction.

More generally, a judge should treat all court staff courteously and considerately. A judge should be mindful that court staff may feel unable to disagree with the judge. In dealing with senior court staff, a judge should respect the officer’s responsibility for the efficient administration of the court and the proper use of court resources.”