

## Acting Premier John Rau

Attorney-General  
Minister for Justice Reform

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### New Commissioner to oversee complaints against judicial officers

A new way to receive and investigate complaints against judicial officers is on the table for South Australia.

Attorney-General John Rau is asking for feedback on a draft Bill to establish a Judicial Conduct Commissioner for the state.

“Short of writing your complaint to the head of the relevant court, currently there is no system whatsoever to lodge complaints against Judges and Magistrates,” he said.

“We are seeking to create an official system where anyone, either internal or external of the judiciary, can make a formal complaint and that complaint will be handled appropriately and by an independent person.

“As part of the justice reform agenda I want to ensure the justice system is more transparent and accountable.

“The creation of this new position would ensure people have a formal independent avenue through which to pursue any complaints they may have about judicial officers.

“This is not a new or alternative mechanism for an appeal against an unfavourable outcome in a case.”

The draft Judicial Conduct Commissioner Bill 2015 will create the role of the Commissioner, who is appointed by the Governor. The Commissioner will receive complaints against Judges and Magistrates and will use their discretion as to whether any further action is required and what that action will be.

“The Commissioner will remain independent and will operate in a transparent and objective manner,” Mr Rau said.

“There will be a range of powers at the Commissioner’s disposal, including the power to recommend to the Attorney-General that a Judicial Conduct Panel be appointed to hear a specific matter.

“The Commissioner will also have the power to report serious complaints to Parliament in which case the judicial officer can be removed by address of both Houses,” he said.

The Judicial Conduct Commissioner will be hold office for a term seven years and may be renewed up to a term of 10 years.

The draft Judicial Conduct Commissioner Bill 2015 can be viewed at [www.agd.sa.gov.au/tcj](http://www.agd.sa.gov.au/tcj)