



Contents

Acknowledgement

The Commission acknowledges Aboriginal and Torres Strait Islander peoples as the First Peoples and Traditional Owners and Custodians of the land and waterways upon which our lives depend.

The Commission acknowledges and pays respect to the ancestors of this country, Elders, knowledge holders and leaders – past and present. The Commission extends that respect to all Aboriginal and Torres Strait Islander peoples.

The Commission acknowledges that harm has occurred for First Peoples in the court system. The Commission is committed to working with the Courts Koori Committee, the Dhumba Murmuk Djerring Unit, the Koori community and Court Services Victoria to ensure our work reflects this respect and acknowledgement.

Publication information

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Acknowledgement	2
Publication information	2
Accessibility	2
Enquiries and feedback	2
Responsible Body's Declaration	4
Message from the Chair	5
Message from the Director	6
Section 1: Our role in Victoria's judicial system	8
About the Judicial Commission of Victoria	9
Who we are	9
Our role and function	9
What we do	9
Who we can investigate	9
What we can investigate	9
The world we operate in	10
Our vision and mission	11
Our values and strategic direction	11
Progress against Strategic Plan 2022–24	11
Looking to the future	15
The Board	16
Section 2: Our impact	18
Our work this year	19
Key results	20
Number of enquiries received	20
Number of complaints received	21
Nature of complaints received	22
Complaint outcome results	22
Open complaints as of 30 June 2025	23
Powers and procedures used in investigating complaints	23
Timeliness and efficiency in finalising complaints	24
Complaints by jurisdiction	25
Nature and scope of complaints finalised	26
Grounds of dismissal	29
Mandatory notifications	31
Vexatious complainant declarations	31
Public interest disclosures	31

Key events	32	Complaint outcomes	72
Our focus areas	34	Dismissal of a complaint	72
Introduction	34	Referral to head of jurisdiction	74
Focus 1: Understanding the Commission through real stories and outcomes	35	Referral to an investigating panel	76
Behind the scenes of a Commission investigation – perspectives of an investigating lawyer	36	Investigation powers	78
Interview with Louise McCosker, community Board member	38	When can an officer be stood down?	78
Interview with Judge Cain, head of the Coroners Court	40	When can an officer be required to undergo a medical examination?	78
Focus 2: Wellbeing at our core	45	Powers of heads of jurisdictions	78
Reaffirming our commitment to wellbeing in communicating complaint outcomes	46	Our relationship with the Victorian Parliament and other sector agencies	78
A VCAT member's reflections on model tribunal conduct	47	Section 4: Our operations	79
Prioritising judicial wellbeing during the opportunity to respond process – reflections from a judicial officer	48	Organisational structure	80
Dignity and respect in all engagements – a zero-tolerance commitment	50	Governance, risk and security	81
Work experience report – student insights and reflections on our workplace and the court system	54	Audit and Risk Committee membership and roles	81
Focus 3: Driving collaboration through trusted relationships and shared purpose	58	Occupational health and safety	82
Integrity in action – international and national partnerships advancing judicial integrity	59	Cyber security	82
Australian Judicial Commissions conference	59	Our workforce	84
Reviewing our digital transformation 12 months on	62	Executive Officer data	84
Committed to keeping information cyber safe	63	Comparative workforce data	84
Focus 4: Listening, learning and leading on issues of impact	64	Our values and culture	86
Judicial discrimination	65	Employment and conduct principles	86
Section 3: About our complaints process	69	Learning and development	86
Complaints	70	Section 5: Our detailed data	87
Who can make a complaint?	70	Section 6: Disclosures	91
How to make a complaint	71	Financial summary and review	92
How we investigate complaints	71	Sustainability and climate change	94
		Compliance obligations	95
		Disclosure Index	97
		Section 7: Our financial statements	98
		Section 8: Acronyms, Glossary and Index	128
		Acronym List	129
		Glossary	130
		Index	131

Responsible Body's Declaration

In accordance with the *Financial Management Act 1994*, I am pleased to present the Judicial Commission of Victoria's Annual Report for the year ending 30 June 2025.

A handwritten signature in blue ink, appearing to read 'Richard Niall', is positioned above the printed name.

The Honourable Richard Niall

Chief Justice and Chair
of the Judicial Commission of Victoria

Melbourne, October 2025

Message from the Chair



I am pleased to present the Judicial Commission's annual report for 2024-25.

Central to the Commission's strategic direction has been its commitment to maintaining confidence and trust in the Victorian Courts and VCAT through provision of a fair and transparent complaints system. This year's annual report reflects on what has been achieved, measured against the Commission's strategic plan and foreshadows the next phase as the Commission develops its planning into the future.

A key aspect of the Commission's work over the past year has been sector-wide consultation on the development of a judicial conduct guideline about discrimination. The Commission is grateful to the many people who participated in the forums held, including judicial officers, the broader legal community, First Peoples stakeholders and others. The guideline, when released, will mark the Commission's third judicial conduct guideline. The Commission's guidelines continue to receive positive responses at a national and international level.

Across the reporting year, the Commission received 284 complaints and one referral about the conduct and capacity of judicial officers and VCAT members. The completion of complaint-handling and digital improvements ensured that the Commission maintained its efficiency in finalising complaint investigations.

This year, a higher percentage of complaints (99.1%) were dismissed than in any previous year.

Where complaints were not dismissed, the Commission proceeded in accordance with the *Judicial Commission of Victoria Act 2016* (Vic), including referring two matters to the head of the relevant jurisdiction with appropriate recommendations.

The Commission must give a judicial officer an opportunity to respond to a complaint before making any substantive findings. This provides procedural fairness and contributes to the integrity of the process.

No complaints involved conduct that, if substantiated, could amount to misbehaviour or incapacity such as to lead to the removal of the judicial officer. Consequently, no complaints were referred to an investigating panel.

The work of the Commission provides assurance in the integrity and accountability of the Victorian Judiciary and the high standards of conduct which they maintain.

I take this opportunity to acknowledge the leadership of the Commission by the Honourable Anne Ferguson. Her stewardship of the Commission over the last seven years has been instrumental in shaping the Commission's vision, values and direction, including its commitment to wellbeing.

I also acknowledge the significant and valuable contributions of the Honourable Justice Peter Kidd, who had been a member of the Commission's Board since it began operations in 2017. I thank him for the many important contributions he made to the Commission during that time.

I would like to formally welcome the new Chief Judge, the Honourable Justice Amanda Chambers, back to the Commission's Board. Justice Chambers was a member of the Commission's inaugural Board during her tenure as President of the Children's Court of Victoria.

I would also like to welcome Louise McCosker as a new community member of the Commission's Board. This year's annual report features an interview with Louise, explaining the wide breadth of experience she brings and her insights about the role.

In closing, I would like to acknowledge and thank my fellow Board members, the Director, and Commission staff for the warm welcome on my appointment and their continuing support. In my first five months as Chair, I have been deeply impressed by the Commission's strong foundations, clear sense of purpose and dedicated team.

A handwritten signature in blue ink, appearing to read 'Richard Niall'. The signature is fluid and cursive, with a large initial 'R'.

The Honourable Richard Niall

Chief Justice and Chair
of the Judicial Commission of Victoria

Message from the Director

In a time when our community is more interconnected than ever before – across the country and the globe – and with acute and persistent challenges to the rule of law, contributing to shaping a justice system that instils public confidence is more important than ever and benefits all Victorians.

This year we focused on key areas to help promote public trust and confidence.

Strengthening understanding through real stories and outcomes

This report gives voice to those who know and are deeply committed to the work of the Commission – our staff and board members – identifying the rewards and challenges of the work we do. We continue to embed our values in our culture and case studies demonstrate our effective responses to ethical challenges. Importantly, we recognise the intrinsic human element of judicial office.

Driving collaboration

Our culture thrives on collaboration with trusted partners who share our purpose. This year, we implemented our Communications and Stakeholder Engagement Strategy. It has guided our strategic use of limited resources to maximise effective influence – both across the state and at a national and international level.

Issues that impact – judicial discrimination

As the only Commission with the legislated power to make guidelines about judicial conduct, there is a real benefit in leveraging this to shape expectations in other jurisdictions. With ongoing invitations to address judicial officers and practitioners alike – the feedback is overwhelming that this work is important, impactful, well received, and increases confidence in judicial integrity.

This year we continued this work as we listened, learned and took the lead on the issue of judicial discrimination. As foreshadowed by the Chief Justice, a third judicial conduct guideline is due for release in 2025-26. This report details the invaluable feedback we received from across the sector during consultations.

To complement this work, we implemented data upgrades, allowing us to track complaints alleging this type of conduct. The results demonstrate that our work on producing a judicial conduct guideline on this issue is meaningful. Importantly, though, as highlighted in our case studies, judicial officers are appropriately exercising their judicial function and discrimination is not prevalent.

Wellbeing

I am proud to lead an organisation with wellbeing – individual, organisational and stakeholder – as a core purpose. This year, we continued to embed wellbeing in our judicial and community engagements, and we are committed to continuing to prioritise this issue.

In other areas, the Commission has faced resourcing challenges, which are not unique, but the ongoing resilience and commitment of the staff at the Commission has been remarkable. A willingness to speak out during this time, raising concerns about workload and wellbeing, is a testament to the culture of leadership and a genuine and shared commitment to each other and the work we do.

Our operational resilience

Another challenge – also not unique to the Commission – is the ever-present cyber security risk. The importance of preserving the confidentiality of judicial officer information, and that of complainants, is paramount. This year, we undertook a business continuity exercise that tested our responsiveness and resilience to a simulated cyber incident, identifying opportunities for improvement, and confirming key response capabilities.

While we have made significant progress in addressing cyber risk, we recognise the ever-evolving challenge and will continue to build resilience and reporting to mitigate the risk. The support of Court Services Victoria, led by Louise Anderson as CEO in this area in particular, but across all corporate areas, is crucial to our operation.

Achievements

Finally, like a proud parent, I am delighted that the Commission entered, for the first time, the 2025 Australasian Reporting Awards (ARA) and received a Silver Award. The ARA promotes best practice in reporting standards and recognises excellence in reporting across the public, private and not-for-profit sectors.

More than just a ‘participation award’ – the Silver Award is a testament to our commitment to transparency and delivering impactful reports. It reflects the collaborative approach taken by the managers and staff, across the corporate and legal areas of the Commission, and our team’s dedication, expertise, and belief in our mission.

It has inspired us to ‘go for gold’ with this report.

Looking ahead

Our next Strategic Plan will launch soon. We will remain committed to delivering a high-quality service that aligns with our values but are also excited to deliver on a bold new vision, built around safeguarding the public and judiciary, continuously improving through data, evidence and feedback, advancing judicial integrity and promoting and supporting wellbeing.

We look forward to participating in early induction programs for newly appointed judicial officers, proactively engaging on the judicial discrimination guideline and carefully integrating the use of artificial intelligence in the pursuit of advancing judicial integrity.

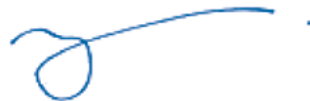
Acknowledgments

Thank you to former Chief Justice Ferguson for her leadership as Chair and to former Chief Judge Kidd for his support on the Board.

I would also like to extend my appreciation to the new Chair, Chief Justice Niall, for facilitating a smooth and effective transition. I look forward to continuing to work with the Board under his leadership to position the Commission for ongoing success.

I extend a warm welcome back to Chief Judge Chambers as a returning Board member and to Louise McCosker as a new member.

I thank all Board members for their guidance and commitment to the work we do.

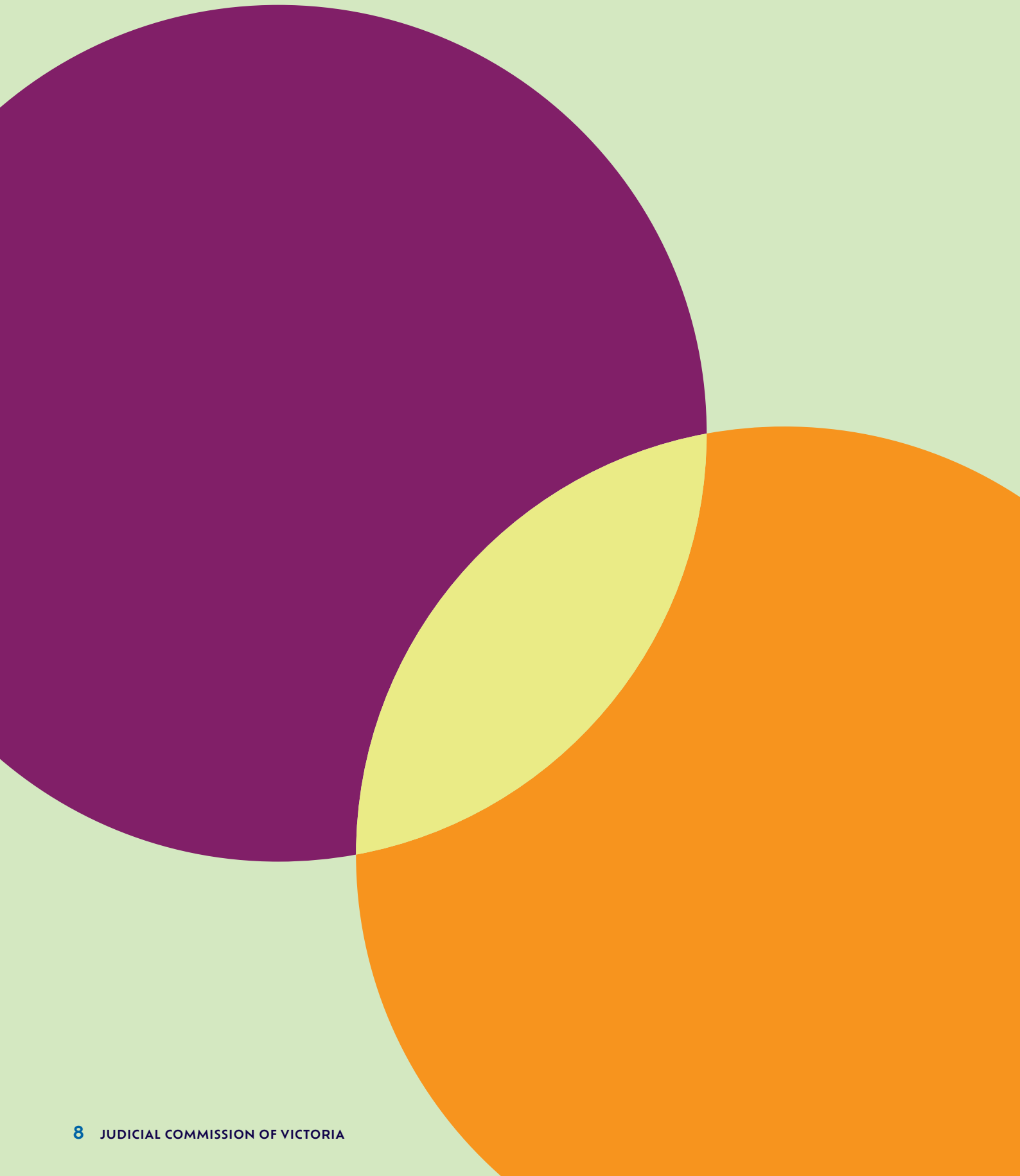


Alexis Eddy

Director of the Judicial Commission of Victoria

Section 1

Our role in Victoria's judicial system



About the Judicial Commission of Victoria

Who we are

The Judicial Commission of Victoria (the Commission) was established in 2016 under the *Constitution Act 1975* (Vic) as an independent body to investigate complaints about the conduct or capacity of judicial officers and members of VCAT. The *Judicial Commission of Victoria Act 2016* (JCV Act) governs the process for investigating complaints about judicial officers and members of VCAT.

Our role and function

Our function is to maintain public confidence in the Victorian courts and VCAT, and ensure that the high standard of conduct the Victorian public expects of its judiciary is maintained. We do that by providing a transparent and accountable complaint investigation process.

What we do

We investigate complaints about the conduct or capacity of judicial officers and VCAT members. Section 3 provides more information about our complaint investigation process.

We also publish judicial conduct guidelines (JCG) setting out the standards expected of judicial officers and VCAT members.

Conduct:

the way an officer behaves in public or some private settings.

Capacity:

the ability of an officer to perform their official duties appropriately.

Who we can investigate

Complaints must be about one of the following Victorian judicial officers or VCAT members:

- a Judge of the Supreme Court or County Court;
- a Magistrate of the Magistrates' Court or Children's Court or when presiding in the Victims of Crime Assistance Tribunal (VOCAT);
- a Coroner;
- a VCAT member;
- a judicial registrar of the Supreme Court, County Court, Magistrates' Court, Children's Court or the Coroners Court.

What we can investigate

By accepting an appointment, officers agree to uphold the judiciary's status and reputation and to avoid behaviour that diminishes public confidence in and respect for the judicial office.

The types of matters we can investigate include:

- courtroom demeanour, such as inappropriate remarks;
- sexual harassment, discrimination or bullying;
- health issues which may affect the officer's ability to perform their official functions;
- excessive delay in handing down a judgment.

We cannot investigate complaints about:

- the merits or lawfulness of a decision or procedural ruling made by an officer;
- court or VCAT staff members;
- an officer who has resigned or retired and is no longer a judicial officer or VCAT member;
- the conduct of judicial officers in federal courts or tribunals, such as the Federal Circuit and Family Court of Australia and the Administrative Review Tribunal.

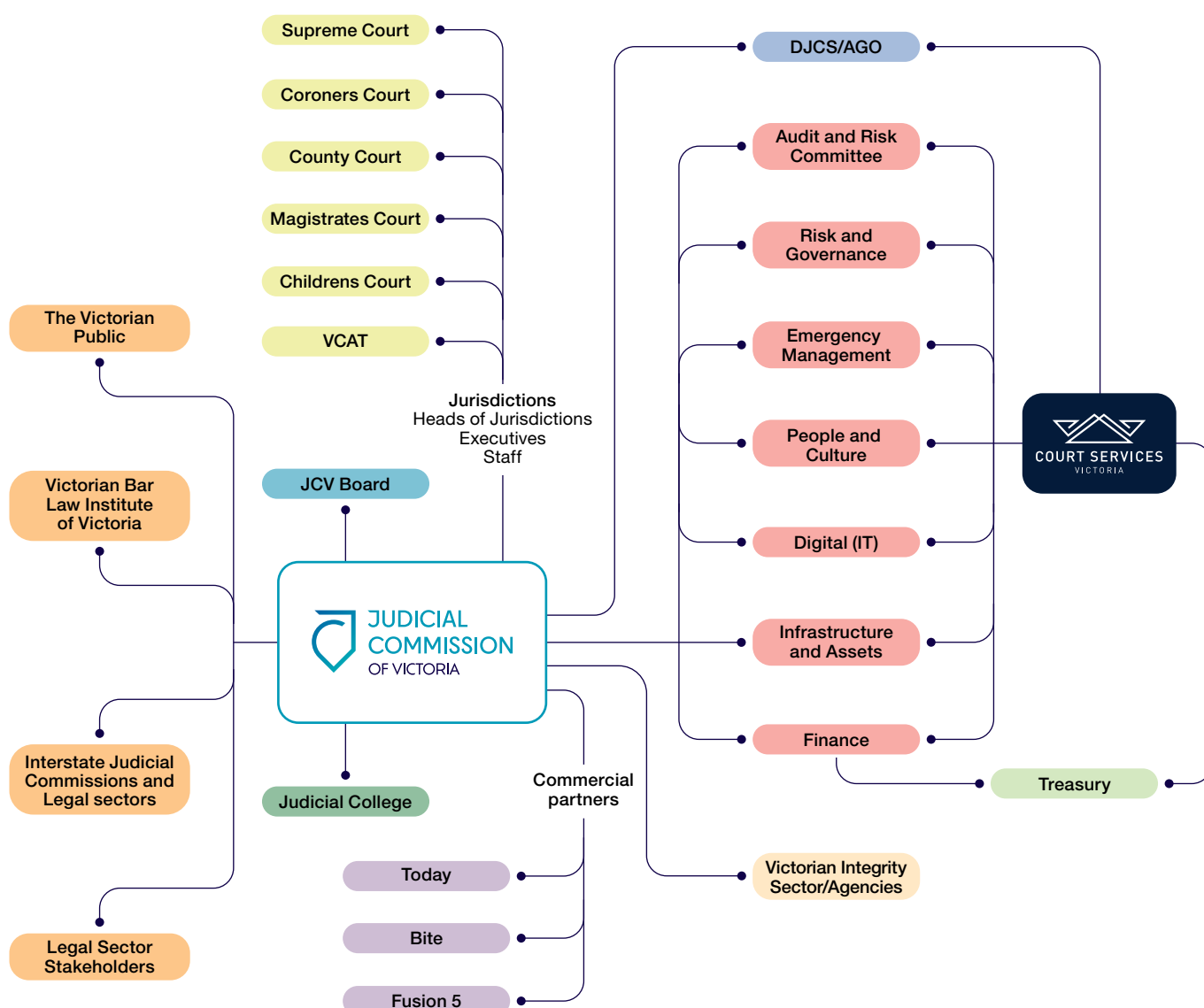
The world we operate in

We are an independent statutory agency governed by a Board comprising six judicial members (heads of jurisdiction) and four community members of high standing appointed by the Governor in Council.

We are led by the Director, who is appointed by the CEO of Court Services Victoria (CSV) on the recommendation of the Board. The Director reports to the Board concerning complaint investigations and the operation of the Commission and to the CEO of CSV for all other matters.

The Director is responsible for the administration of the Commission.

We sit within the broader courts' ecosystem, working with CSV under a shared services model to deliver our corporate functions. We also partner with external entities on specialist and technical activities and actively maintain critical justice, industry and government relationships in line with the JCV Act and our Communications and Stakeholder Engagement (CASE) Strategy.



Our vision and mission

We aim to ensure that public confidence and trust in the Victorian courts and VCAT is maintained. We achieve this by providing guidance on the highest standards of judicial behaviour and delivering a fair and transparent complaint resolution process.

Our values and strategic direction

We act transparently, impartially, impactfully and with integrity.

These values were endorsed as part of our inaugural 2022–2024 Strategic Plan.

Our core purpose is to *enhance trust and confidence in the judiciary* and provide a *fair and transparent process for investigating complaints*. Our Strategic Plan also prioritises *individual, organisational and stakeholder wellbeing* as central to our purpose.



Transparency



Impartiality



Impact



Integrity

Progress against Strategic Plan 2022–24

The 2022–24 Strategic Plan was an ambitious and achievable first. It informed our day-to-day operations, drove strategic activity and guided our Board.

Achieving our strategic priorities was the result of consistent focus on collaboration, accountability and continuous improvement. The delivery of our priorities was driven through a Strategic Action Plan (SAP) that translated our goals into focused, measurable initiatives.

Our SAP saw the delivery of:

- our digital transformation;
- JCG development;
- the release, revision and development of internal procedures and operational guidance; and
- the establishment of a comprehensive CASE Strategy.

Table 1.1: Overview and progress of initiatives and actions against Strategic Plan

 complete
  in progress
  on hold
  delayed

Strategic Action Item	Alignment with Strategic Plan purposes	Progress
Develop CASE Strategy	To enhance confidence and trust in the judiciary	
Finalise CASE implementation plan	To enhance confidence and trust in the judiciary	
Judicial bullying consultation and development of JCG	To enhance confidence and trust in the judiciary	
	To provide a fair and transparent process for investigating complaints	
	Individual, organisational and stakeholder wellbeing is central to everything we do	
Judicial bullying supporting activities	To enhance confidence and trust in the judiciary	
	To provide a fair and transparent process for investigating complaints	
	Individual, organisational and stakeholder wellbeing is central to everything we do	
Develop a Guideline on complaint acceptance	To provide a fair and transparent process for investigating complaints	
Develop a Guideline on the award of costs	To provide a fair and transparent process for investigating complaints	
Develop operational guidance for the conduct of medical examinations under the JCV Act	To provide a fair and transparent process for investigating complaints	
Judicial discrimination consultation and development of JCG	To enhance confidence and trust in the judiciary	
	To provide a fair and transparent process for investigating complaints	
	Individual, organisational and stakeholder wellbeing is central to everything we do	
Board governance activities: conducting self-review and developing an action register	To enhance confidence and trust in the judiciary	
	Individual, organisational and stakeholder wellbeing is central to everything we do	

Strategic Action Item	Alignment with Strategic Plan purposes	Progress
Digital Transformation Project (DTP)	To enhance confidence and trust in the judiciary	
	To provide a fair and transparent process for investigating complaints	
	Individual, organisational and stakeholder wellbeing is central to everything we do	
Review and update procedures for handling a public interest disclosure (PID)	To provide a fair and transparent process for investigating complaints	
	Individual, organisational and stakeholder wellbeing is central to everything we do	
Complete physical records management	Individual, organisational and stakeholder wellbeing is central to everything we do	
Complete digital records management	Individual, organisational and stakeholder wellbeing is central to everything we do	
Develop operational guidance on dual head of jurisdiction notifications	To provide a fair and transparent process for investigating complaints	
Legislative reform proposal	To enhance confidence and trust in the judiciary	
	To provide a fair and transparent process for investigating complaints	
Develop an information sheet for judicial officers explaining the opportunity to respond process and available wellbeing supports	To provide a fair and transparent process for investigating complaints	
	Individual, organisational and stakeholder wellbeing is central to everything we do	
Develop a vexatious complainants policy	To enhance confidence and trust in the judiciary	
	To provide a fair and transparent process for investigating complaints	
	Individual, organisational and stakeholder wellbeing is central to everything we do	

Strategic Action Item	Alignment with Strategic Plan purposes	Progress
Review of legal and complaints templates	To enhance confidence and trust in the judiciary	
	To provide a fair and transparent process for investigating complaints	
	Individual, organisational and stakeholder wellbeing is central to everything we do	
Develop operational guidance on complaint adjournments	To provide a fair and transparent process for investigating complaints	
Develop judicial conduct database of key judicial conduct cases	To enhance confidence and trust in the judiciary	
	To provide a fair and transparent process for investigating complaints	
Develop a Zero Tolerance Policy (ZTP)	Individual, organisational and stakeholder wellbeing is central to everything we do	
Create a legal advice database	To enhance confidence and trust in the judiciary	
	To provide a fair and transparent process for investigating complaints	
Develop a conflict of interest register with supporting instructions	To provide a fair and transparent process for investigating complaints	
	Individual, organisational and stakeholder wellbeing is central to everything we do	

Looking to the future

Our 2025–28 Strategic Plan will launch in the early part of the 2025–26 financial year and marks a substantial leap forward for the Commission. It will continue to reflect our commitment to evolving to meet stakeholder needs and delivering a high-quality service that aligns with our values.

Building on the foundation of the inaugural plan, the 2025–28 plan will have a bold vision, built around four key purposes of safeguarding the public and judiciary, continuously improving through data, evidence and feedback, advancing judicial integrity, and promoting and supporting wellbeing.

The implementation of our 2025–28 Strategic Plan will be supported by a comprehensive SAP outlining key initiatives and activities, responsibilities, timelines and resource allocation.

Upcoming initiatives will include:

- participating in early induction programs for newly appointed officers;
- sector-wide engagement on the judicial discrimination JCG;
- delivering training and engaging at federal and international levels on our three JCGs and best practice in advancing judicial integrity.

To ensure accountability against our strategic plan, we will periodically monitor and report on our progress against the SAP.

The Board



**The Honourable Chief Justice
Richard Niall (Chair)**
Chief Justice,
Supreme Court of Victoria

Chief Justice Niall was appointed a judge of the Court of Appeal of the Supreme Court of Victoria on 28 November 2017 and as Chief Justice on 17 December 2024, commencing on 3 February 2025.



**The Honourable Justice
Amanda Chambers**
Chief Judge,
County Court of Victoria

Chief Judge Chambers was appointed a judge of the Supreme Court of Victoria and Chief Judge on 27 May 2025.



**The Honourable Justice
Lisa Hannan**
Chief Magistrate,
Magistrates' Court of Victoria

Chief Magistrate Hannan was appointed Chief Magistrate on 17 September 2019, commencing 17 November 2019 and a judge of the Supreme Court of Victoria on 29 March 2022.



**The Honourable Justice
Ted Woodward**
President, Victorian Civil and
Administrative Tribunal (VCAT)

President Woodward was appointed a judge of the Supreme Court of Victoria on 31 May 2023, commencing on 5 June 2023 and as President of VCAT commencing on 1 July 2023 for five years.



His Honour Judge John Cain
State Coroner,
Coroners Court of Victoria

Judge Cain was appointed a judge of the County Court of Victoria and State Coroner on 29 October 2019, commencing 2 December 2019.



**His Honour Judge
Jack Vandersteen**
President,
Children's Court of Victoria

President Vandersteen was appointed a judge of the County Court of Victoria on 15 December 2020, commencing 1 January 2021 and as President of the Children's Court of Victoria for five years.



Graham Atkinson

Appointed July 2022
(further 5-year term)

Graham is the former Director and Principal Consultant (retired) at Atkinson Consulting Group. He has over 30 years' experience consulting with government and Indigenous communities on matters including land justice and heritage, economic and social planning, good governance and change management.



Dr Helen Szoke AO

Appointed March 2024
(further 5-year term)

Dr Szoke AO has led a distinguished career in human rights, governance, public policy and leadership, including as the Chief Executive of Oxfam Australia, Race Discrimination Commissioner for the Australian Human Rights Commission and CEO of the Victorian Equal Opportunity and Human Rights Commission.



Louise McCosker

Appointed February 2025
(5-year term)

Louise has extensive experience in the humanitarian, corporate, government and communications sectors. She has worked for nearly twenty years with the International Red Cross Movement in a number of contexts. Prior to that Louise worked as an executive producer of current affairs radio at the Australian Broadcasting Corporation.



Claire Keating

Appointed July 2022
(further 5-year term)

Claire is a chartered accountant with over 30 years' experience in superannuation and funds management. She also serves on several boards, including AustralianSuper and Charter Hall Direct Property Management Limited.

Our Director – Alexis Eddy

Alexis was appointed Director in October 2019.

With over 20 years of experience in the justice and integrity sectors, Alexis has an expert understanding of the Victorian integrity regime and best-practice policies and procedures and a depth of knowledge and expertise across the justice system.

She is passionate about leading an organisation that acts transparently, impartially, impactfully and with integrity. Those values lay the foundation for the behaviour expected of the Commission and its staff.

Section 2

Our impact



Our work this year

This year marked the end of our inaugural 2022-24 Strategic Plan and the culmination of a number of key pieces of work aimed at implementing our strategic choices and delivering on our strategic outcomes. This included:

- consulting on and publishing informed guidance setting out the ethical and professional standards of conduct on the important issues of bullying and discrimination;
- making changes to our complaints processes to prioritise and promote wellbeing;
- improving our data and reporting processes to enhance complaint transparency.

Our key results reflect the success of our inaugural strategy.

Our highest ever complaint dismissal rate demonstrates the importance and effectiveness of publishing transparent complaint information as guidance on where 'the line' is. Referrals to heads of jurisdiction comprised a wellbeing component, recognising the connection between positive mental and physical wellbeing and positive behaviour. Finally, the completion of our digital improvements ensured our finalisation times and rates remained largely steady with last year in the face of increasing demands on our service.



Key results

This section reports on key results from our complaints-handling functions and provides data on the nature of this work.

Last year, we reported on our important digital transformation designed to improve the consistency of our data and how we report and present it. Our aim was to further enhance the transparency of our complaints process by providing meaningful data for comparison and analysis.

We foreshadowed a final suite of improvements for implementation on 1 July 2024 that were aimed at enhancing the way we reported the nature of and scope of complaints. This was coupled with other data enhancements that have helped us understand who is complaining to us.

The final phase was delivered as planned and has now been in place for 12 months. This year, we are excited to present quantitative data about the nature and scope of complaints¹ in a new and improved way.

With our two-year data and reporting improvement project now complete, this report presents quantitative data about all aspects of our complaints work, consistently and accurately.

Number of enquiries received

885 enquiries  41.7%



390 phone enquiries from 270 individuals



495 email enquiries from 220 individuals



84 submissions via our online portal **did not** progress as complaints  11.6%

The lower number of enquiries and submissions (that do not ultimately progress as a complaint) is consistent with the increased traffic to our new website (see [Reviewing our digital transformation 12 months on in Focus 3](#)). It is evidence that our website and self-triage tool are working as intended and providing information at the right stage that is easily understood, accessible and targeted.

¹ Reporting of quantitative data about the nature and scope of complaints was paused after 2021–22 as we embarked on our two-year project to improve our data and reporting processes. In 2022–23 and 2023–24, we undertook qualitative reviews of prominent themes that emerged.

Number of complaints received

284 complaints²  23.9%



1 referral³



218 different individuals made complaints relating to



190 different officers

Complaint numbers rose again this year, but at a lower rate compared with the more than 50% increase last year. The continued increase was related to several factors, including improvements made during our digital transformation to the accessibility of our online complaints portal and more complaints from repeat individuals.



11 complaints (of the 284) from legal practitioners or professional court users

This figure has remained steady as a percentage of total complaints received since 2022–23.



8 complaints (of the 284) from First Peoples

This is the first year we have reported this data. Capturing this information enables us to respond to complainants in a culturally appropriate way. For more information about this change, see [Reviewing our digital transformation 12 months on in Focus 3](#).

In line with our CASE Strategy, we also commenced capturing information about how people making a complaint found out about us. This enables us to direct our future engagements with the sector and public where it will have the most impact and value.

70% of complainants found us in one of these ways



31% search engine



22% court/tribunal



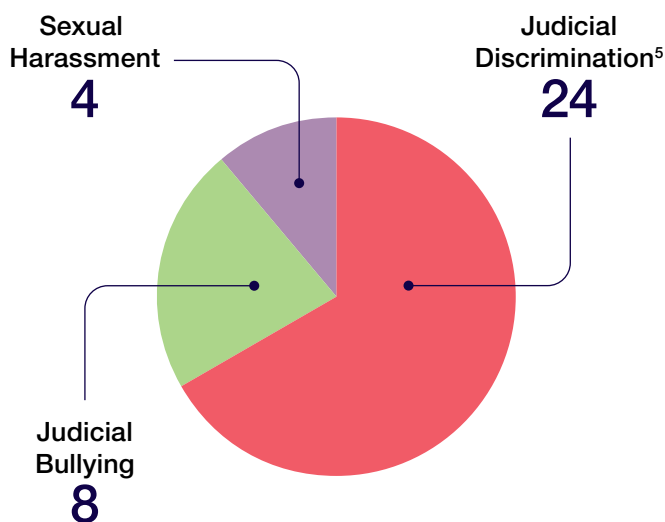
17% lawyer

² All complaints received were made under section 5 of the JCV Act. We received no complaints from professional bodies under section 6 of the Act.

³ Referrals may be made by a head of jurisdiction (section 7), the Attorney-General (section 8) or IBAC (section 9).

Nature of complaints received

Figure 2.1: Complaints alleging breach of a JCG:



Complaint outcome results⁵

214 complaint investigations finalised⁶



212 complaints dismissed



1 complaint referred to a head of jurisdiction



1 referral referred to a head of jurisdiction

99.1% dismissed  3.3%

0.9% referred to a head of jurisdiction  3.3%

The percentage of complaint investigations referred⁷ dropped significantly this year, continuing the trend of the last two years. In the context of increased complaint numbers, these figures represent reassuring evidence that, fundamentally, Victoria has a judiciary of the highest calibre whose conduct is exemplary.



0 complaints referred to an investigating panel

As a result, no investigating panels were appointed under section 87AAR(1) of the *Constitution Act 1975* (Vic) and no investigatory or coercive powers were exercised under Part 4 or 5 of the JCV Act.



3 complaints withdrawn

⁴ Consultation on a JCG on judicial discrimination concluded in November 2024. A JCG is currently in production for release in the first half of 2025–26.

⁵ This section uses the expression 'complaints' to include any referrals under sections 7–9 of the Act (unless it is indicated otherwise).

⁶ The JCV Act allows for complaints to be separated into 'parts'. It is possible for one part of a complaint to be dismissed while another part is referred to an investigating panel or head of jurisdiction. For consistent reporting of this data, a complaint is only counted once. For example, if part of a complaint was dismissed and a part was referred, it is only counted as being referred.

⁷ This year, both referred complaint investigations related to conduct outside the courtroom.

Open complaints as of 30 June 2025



0 complaints received in 2023-24 remained open



150 complaints received this year remained open  56%



0 complaint investigations adjourned pending active legal proceedings

Increased complaint numbers for the second year running have resulted in the number of open complaints continuing to rise. However, we finalised similar complaint numbers to last year and, on average, did it faster. We also maintained our record for clearing all complaints from previous years.

Powers and procedures used in investigating complaints



Opportunity to respond offered in **5 complaints** to **4 officers**



Responses received in **4 complaints**⁸

As illustrated by the case studies and reflections that follow in Focus 1 and 2, providing an opportunity to respond is important, as an officer can provide further information, including their perspective, that can assist us in determining how to finalise the complaint.



112 complaint investigations requested documents  2.6%

We only request documents to support our investigation of a complaint, where, on its face, the conduct alleged is the type that may have infringed the standards expected. The drop in document requests this year is consistent with the increased number of complaints that we found did not warrant further consideration under the JCV Act.

'[Our detailed data](#)' provides a comparison of key complaint results over the last three years.

⁸ The offer of an opportunity to respond and receipt of the response may not necessarily occur in the same financial year.

Timeliness and efficiency in finalising complaints

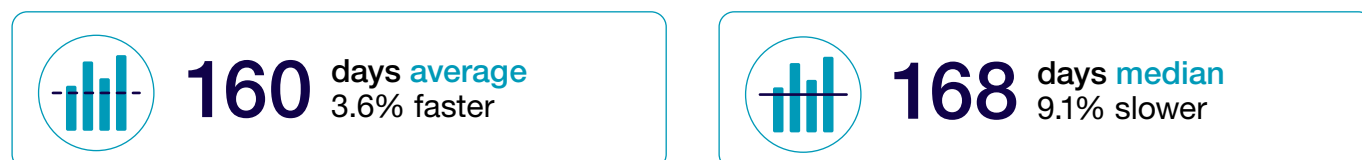
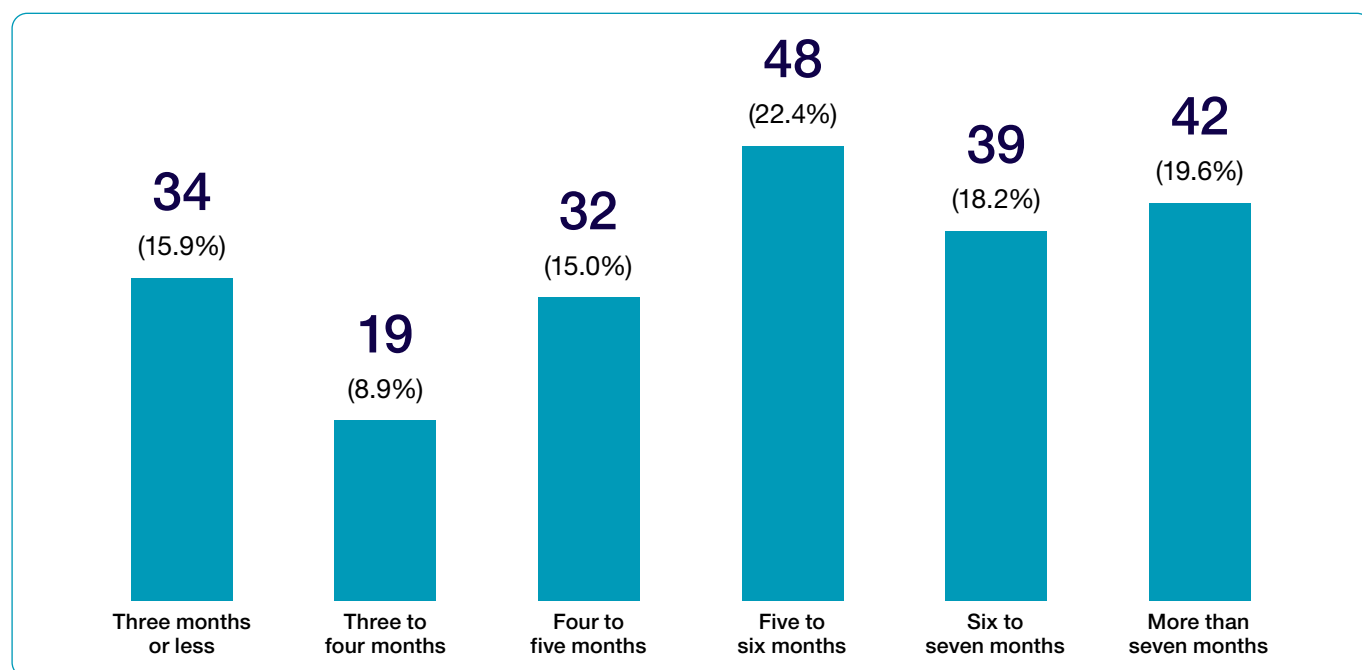


Figure 2.2: Time taken to finalise complaints and percentage of total



Since 2021–22, we have aimed to finalise complaints within six months of receipt, to align with comparable Australian complaint-handling bodies. This year, we continued to finalise more than 60% of complaints within six months despite experiencing a significant increase in demands on our service.

We have maintained a rate over 60% for three years running, evidence of the long-term impact changes made in 2021–22 to our intake, triage and early engagement have had. Before these changes, we finalised between 5.2% and 9.5% fewer complaints within this time frame. [Our detailed data](#) shows a comparison of our timeliness and efficiency with previous years.

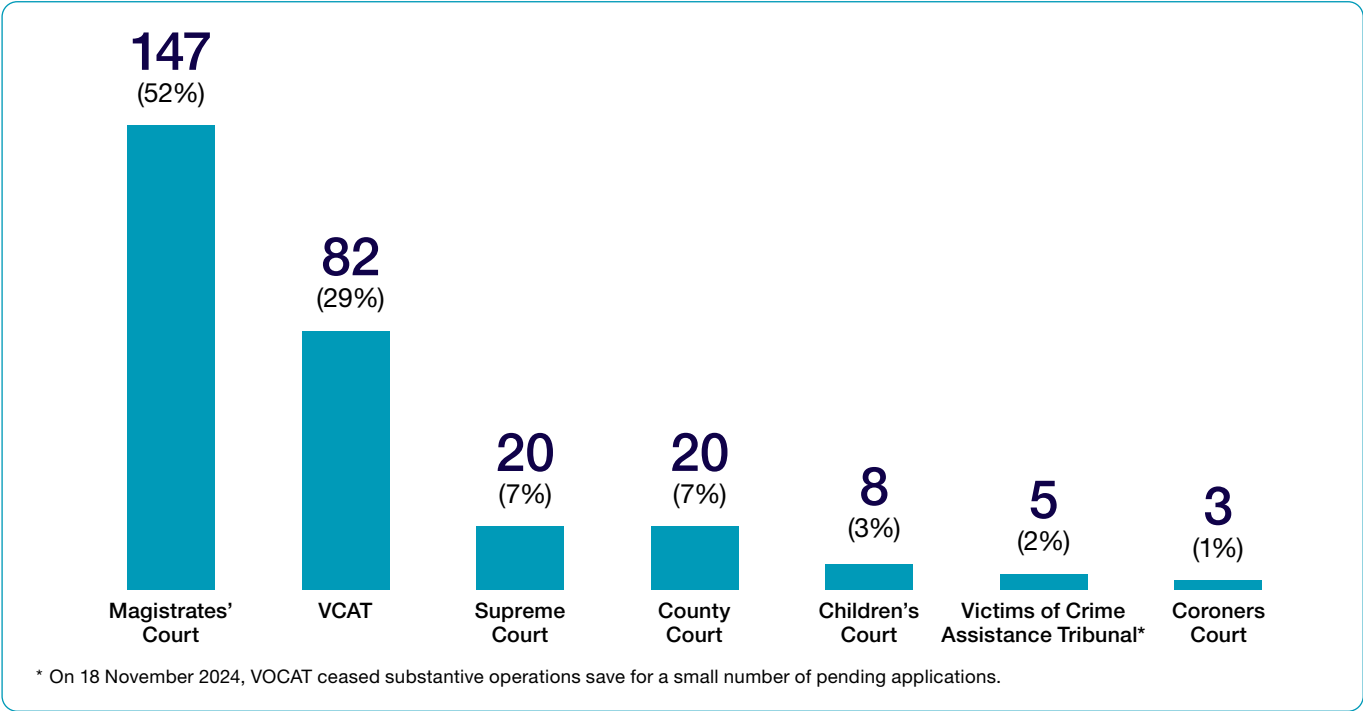
In line with our commitment to continuous improvement, next year we will review our approach to processing and investigating complaints that do not pass the threshold for further consideration under the JCV Act so that complainants and officers continue to receive outcomes efficiently.

Complaints by jurisdiction

This year, consistent with past years, we continued to receive more complaints about the two jurisdictions with the highest caseloads and number of officers: the Magistrates' Court and VCAT. Together, complaints about these jurisdictions made up more than three-quarters (81%) of all complaints. [Our detailed data](#) shows the trends in complaints by jurisdiction over the last three years.

Complaint numbers must be read in the context of the total cases the Victorian courts and VCAT dealt with each year, and the significant proportion of cases heard by the Magistrates' Court and VCAT.

Figure 2.3: Number of complaints received per jurisdiction and percentage of total



Nature and scope of complaints finalised

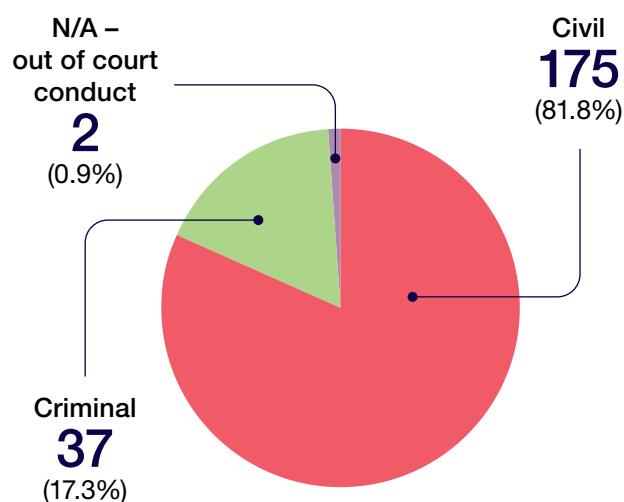
Last year, we reported on upgrades we were making to managing complaints data to ensure we were appropriately capturing the substance of conduct complained about in a consistent, clear and meaningful way.

Our simplified complaint categories have been applied to all complaints finalised this year. They allow us to:

- more precisely capture the nature of conduct issues people are complaining to us about;
- explain and support complaint outcome results;
- identify trends or changes in complaints to focus our engagement and the guidance we provide on judicial conduct.

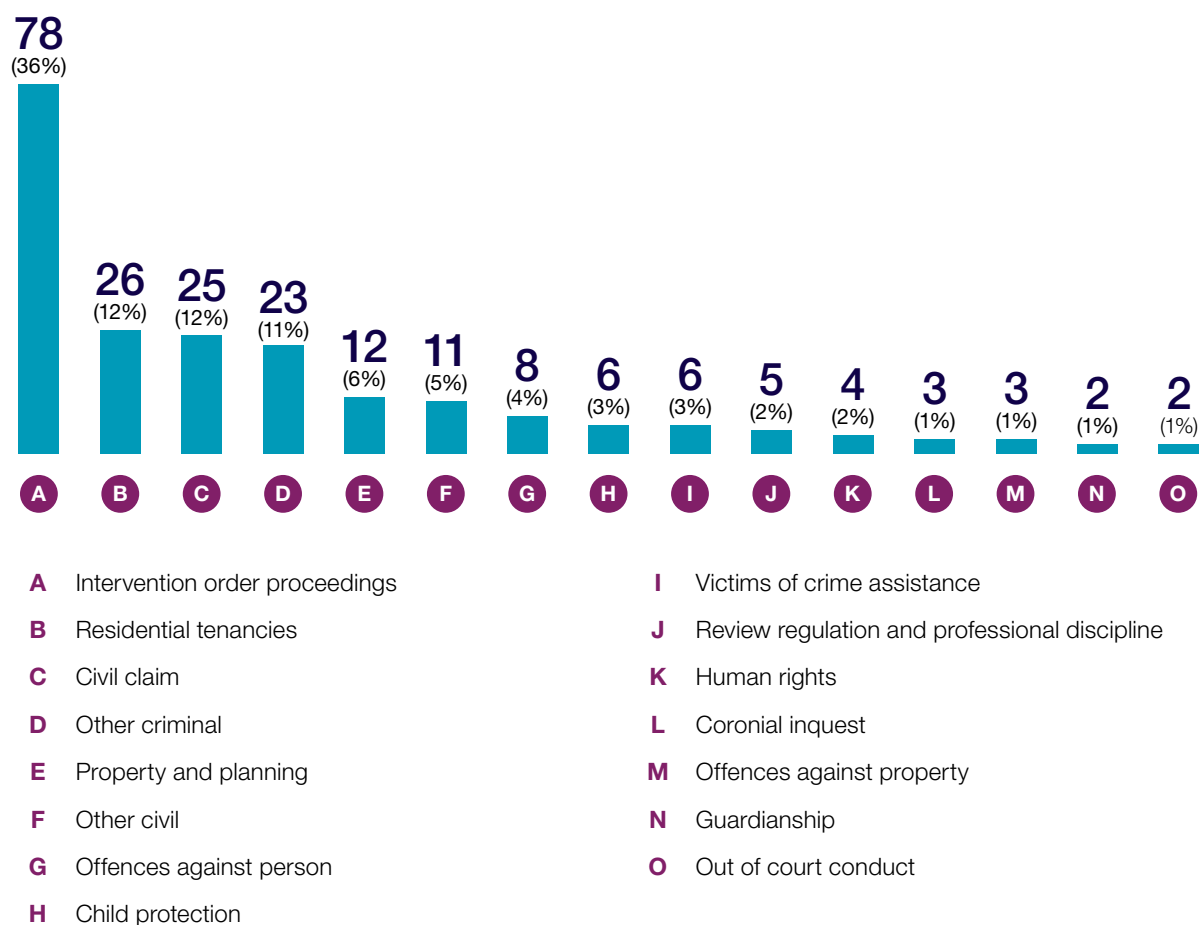
Complaint by area of law

Figure 2.4: Overview of complaints finalised by area of law



This year, most complaints concerned conduct in civil proceedings, with residential tenancies and civil claims receiving significantly more complaints than other areas of civil law.

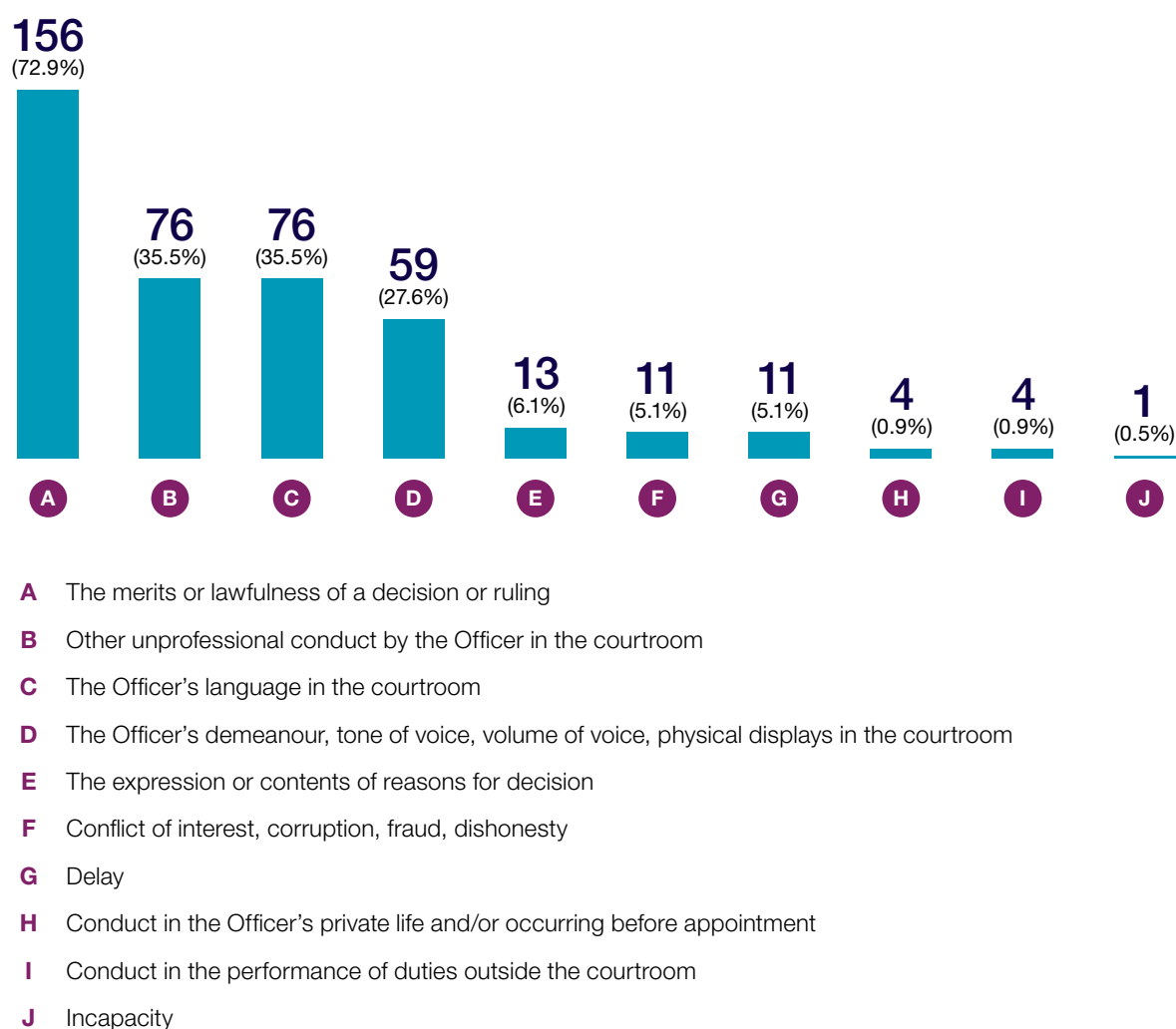
Figure 2.5: Complaints finalised by area of law



Consistent with the results of our qualitative reviews in 2022-23 and 2023-24, complaints concerning conduct in intervention order proceedings accounted for approximately one-third of all complaints. Conduct during these hearings continues to be the most complained about, with small but consistent growth over the last three years. Significantly, many complaints relate to areas of law that are heard in VCAT and the Magistrates' Court and involve a higher proportion of self-represented litigants who may have limited understanding of court and tribunal processes.

Complaint by nature of conduct

Figure 2.6: Complaints finalised by nature of conduct⁹

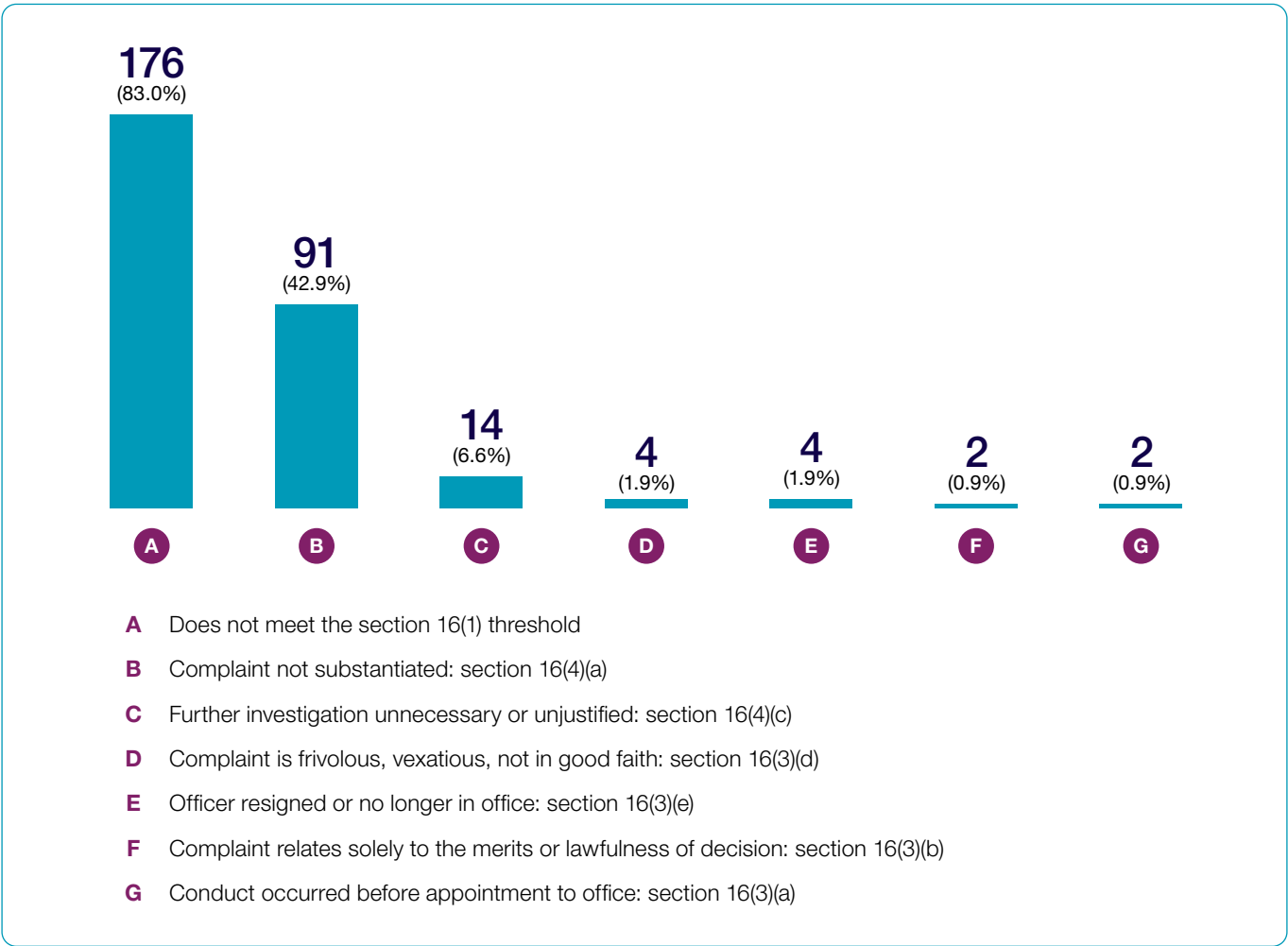


Although framed as being about conduct, we found almost three-quarters of finalised complaints were really about the complainant's dissatisfaction with the officer's decision, assessment of the evidence or some other core responsibility of an officer. This is consistent with the vast majority of complaints (see [Figure 2.7: Grounds for dismissing complaint parts](#)) failing to satisfy the threshold test for further consideration under the JCV Act and the corresponding high dismissal rate.

⁹ Where complaints have distinct 'parts' or allegations, a single complaint may be categorised under multiple conduct types. Accordingly, the total number of categories used exceeds the number of complaints finalised this year.

Grounds of dismissal

Figure 2.7: Grounds for dismissing complaint parts¹⁰



¹⁰ Where complaints have distinct 'parts' or allegations, a single complaint may be dismissed on multiple grounds. Accordingly, the total number of grounds exceeds the number of complaints finalised this year.

How often and why we generally used dismissal grounds this year:

- We most commonly dismissed complaints on the basis that they did not meet the section 16(1) threshold under the JCV Act for further consideration. This has been the most common dismissal ground for the last three years. This ground was generally used where a complainant misunderstood court processes and, as a result, complained about conduct that was (1) part of the legitimate role, core responsibilities, or obligation of an officer, or (2) not objectively inappropriate.
- The second most common dismissal ground for the last two years was that the complaint (in part or whole) had not been substantiated. This ground was generally used where we reviewed relevant recordings, transcripts or reasons for decision, and found that those materials did not support the complaint allegation(s).
- In a significantly smaller proportion of complaints, we were satisfied that further investigation of the complaint (in part or whole) was unnecessary or unjustified. This ground was usually used where:
 - we reviewed recordings, transcripts or reasons for decision; and
 - the reviewed materials supported some or all of the alleged conduct; but
 - having regard to all the circumstances, a reasonable member of the community would not consider that the officer's conduct infringed the standards of conduct generally expected.

Mandatory notifications

We did not make any mandatory notifications of:

- corrupt conduct to the Independent Broad-based Anti-corruption Commission (IBAC) under section 25 of the JCV Act; or
- misconduct to Integrity Oversight Victoria (IOV) under section 26 of the JCV Act.

Vexatious complainant declarations

We did not make any vexatious complainant declarations under section 140 of the JCV Act.

Public interest disclosures

A copy of our *Procedures for handling public interest disclosures* can be accessed at [https://www.judicialcommission.vic.gov.au/ Procedures-for-handling-public-interest-disclosures/](https://www.judicialcommission.vic.gov.au/Procedures-for-handling-public-interest-disclosures/)

We have no data to declare in respect of PIDs, as we:

- received no PID complaints referred by IBAC;
- did not investigate any PID complaints;
- made no notifications to IBAC under section 21(2) of the *Public Interest Disclosures Act 2012* (Vic) (PID Act); and
- made no applications for an injunction under section 50 of the PID Act.

Key events

JUL
2024

Data consistency and reporting improvements

We completed our two-year project to improve data consistency and reporting, with the roll-out in our complaint management system (CMS) of the final suite of data management improvements about the nature and scope of complaints.

Presentation to Victorian Magistrates

The Director and Manager, Legal & Complaints, presented to judicial officers of the Magistrates' Court about the Commission's role and processes and our work to maintain public confidence in the judiciary.

SEP
2024

Board self-review

We commenced work on a Board self-review to test our Board's effectiveness.

OCT
2024

7th Annual Report

Our 2023-24 Annual Report was tabled in Parliament.

The Judicial Commission of Indonesia

We hosted delegates from the Judicial Commission of Indonesia (Komisi Yudisial Republik Indonesia).

Australian Judicial Commissions Conference

We hosted the inaugural Australian Judicial Commissions Conference, with delegates from judicial commissions and government departments across Australia.

Judicial discrimination consultation

We conducted a sector-wide consultation on the development of a judicial conduct guideline about judicial discrimination.

NOV
2024

Judicial discrimination consultation continued

Our sector-wide consultation on the development of a judicial conduct guideline about judicial discrimination continued.

DEC
2024

Board self-review recommendations

We received the recommendations and outcomes of our Board self-review.

JAN
2025

Departure of Chair of the Board

We bid farewell to the Honourable Justice Anne Ferguson, Chief Justice of the Supreme Court, as Chair of our Board.

FEB
2025

New Chair of the Board

We welcomed the Honourable Justice Richard Niall, Chief Justice of the Supreme Court, as Chair of our Board.

Appointment of new non-judicial Board member

We welcomed the appointment of Louise McCosker (five-year term) as a non-judicial member of our Board.

Complaint Information Policy

We released an updated Publication of Complaint Information Policy (PCIP).

2025–2028 Strategic Plan

We commenced work on the development of our 2025–2028 Strategic Plan.

MAR
2025

Departure of Board member

We bid farewell to Justice Peter Kidd, Chief Judge of the County Court, as a member of our Board.

APR
2025

Cyber security and business continuity

In conjunction with the CSV Emergency Management and Business Continuity team, we conducted a BCP exercise to ensure we are ready to deal with potential cybersecurity attacks resulting in an outage of our CMS.

MAY
2025

Appointment of new judicial Board member

We welcomed the Honourable Justice Amanda Chambers, Chief Judge of the County Court, as a member of our Board.

Annual Report Silver Medal

Our 2023-24 Annual Report was awarded a Silver Medal at the Australasian Reporting Awards.

JUN
2025

Presentation at Queensland Magistrates Court conference

The Director presented at the Queensland Magistrates Court 2025 conference on the court as a workplace and our JCGs on sexual harassment and judicial bullying.

Complaints Engagement and Systems Coordinator

We created the role of Complaints Engagement and Systems Coordinator to align with our focus on using data to drive our strategic choices and continuous improvement initiatives.

Hosted high school students

We hosted three Year 10 high school students for a one-week work experience placement.

Our focus areas

Introduction

This year marks 100 years since *R v Sussex Justices*¹¹ in which Lord Hewart famously coined the phrase '*justice must be seen to be done*' – a phrase now strongly associated with openness and transparency (in the administration of justice).

As the Commission edges closer to a decade in existence, that quote made us think deeply about our organisational values. Transparency is a core Commission value and central to our provision of a fair and independent complaints process. Our goal is to produce complaint outcomes that are not only understood but are accepted as fair and impartial. But sometimes, like justice, a complaint outcome is only seen as fair and accepted if it is understood.

Last year, we explored the different perspectives and perceptions that our stakeholders had about our complaints process. Armed with that knowledge, this year we worked to build the trust and confidence of the community and judiciary in us as an independent, fair and impartial integrity body, strengthening understanding of:

- who we are,
- what we do, and
- how and why, we do it.

Through case studies and interviews, we debunk some common myths about the Commission and bring greater transparency to lesser-known aspects of our work.



The front cover depicts a Venn diagram as a visual metaphor for this year's theme of *strengthening understanding*, illustrating how separate perspectives can maintain their identities while finding meaningful connection in their convergence.

¹¹ *The King v. Sussex Justices, Ex parte McCarthy*, [1924] 1 K.B. 256 at 259.

Focus 1:

Understanding the Commission through real stories and outcomes

In this section, we showcase the voices of those who are shaping and supporting our work, bringing the Commission to life through the voices of the people who know it best – our staff and Board members. The narratives reveal the strong values and culture that underpin everything we do, as well as the challenges we face and how we continue to adapt to deliver value to the community we serve.

Case studies demonstrate how we have responded to new and developing issues in judicial ethics and account for the human element in judging.



Behind the scenes of a Commission investigation – perspectives of an investigating lawyer

Early in my legal career, my mentor (who is now an esteemed judicial officer) offered me a simple piece of advice, and over time, those words have resonated and guided my way through the legal profession. They said:

‘Discover an area of law that you love and are passionate about, work incredibly hard, play to your strengths, and you will be sure to have an exciting career that will bring you a sense of fulfilment.’

That was sage advice. I discovered a passion for social justice and worked in criminal defence and anti-corruption roles where I could contribute meaningfully to ensuring that the community was given fair and equal treatment before the law, and that government agencies acted with integrity and in accordance with their powers and functions.

However, my time at the Commission has provided the greatest sense of fulfilment. I strongly believe in the role and functions of the Commission, including the importance of maintaining public confidence in the court system and judiciary to a healthy and thriving democracy.

Over my career, I have spent a lot of time in court and have experienced first-hand the unique and challenging environment a courtroom can be. Robustness and frank language can be a necessary part of courtroom advocacy, but sometimes, it can cross a line. I have witnessed and experienced what it can look like when that line is crossed. It can be intimidating, offensive, and at times impugn the professional competence of a legal practitioner. It has been encouraging to see a focus on wellbeing and greater recognition of what constitutes inappropriate judicial conduct in more recent years. An independent Commission provides a vital public service investigating complaints when such matters are raised.

Lawyers at the Commission carry out a number of functions, including investigating complaints against officers. We receive complaints from members of the community, legal practitioners, other professional court users, legal sector organisations and professional bodies. Every complaint is different, and how we investigate it will depend on a number of factors.¹² Irrespective of who a complaint is from, everyone receives the same level of care, consideration, and analysis.

Our procedure for investigating complaints is set out in the JCV Act. This means that in some circumstances, we must dismiss a complaint. In others, a matter *may* require further consideration if, on its face, the conduct alleged is the sort that may infringe the standards of conduct generally expected of a judicial officer.

The majority of complaints received usually contain allegations of in-court conduct, so typically an investigation (depending on the nature of the allegations) will involve requesting and reviewing documents. This could mean listening to an audio recording of a proceeding or reviewing a court file.

Assessing conduct can be a complex task for an investigating lawyer. To help us investigate complaints, we often refer to the JCGs published by the Commission on judicial bullying and sexual harassment. These set the standard and provide an important point of reference to help us understand whether certain conduct ‘falls below’.

¹² The Commission is a complaints-based body and does not have own motion powers nor can it expand the scope of an investigation. An investigation is triggered by a complaint, and the scope of the investigation is determined by the particularisation of the conduct in the complaint.

In addition, we consult the principles and practical guidance on how officers should act in and out of court, as set out in the Guide to Judicial Conduct. We also undertake legal research on specific aspects of judicial conduct and ethics relevant to each complaint to ensure our consideration and analysis of a complaint is up to date with current developments and relevant case law.

One of the great things about working at the Commission is the collaborative culture among our team, and collaboration is often a key to successful investigation outcomes. Each of the lawyers at the Commission brings with them previous experience from a range of legal backgrounds and combined knowledge that comes from in-court experience across all the jurisdictions and expertise in many different facets of the law – from the justice and integrity sectors, as former prosecutors, civil litigators and administrative lawyers. Others have worked in the court system alongside judicial officers. As a team, we can draw on each other's perspectives and experiences, which often assist in providing context to various procedures or understanding about how a jurisdiction or type of proceeding operates.

Ultimately, it is for our Board to determine whether a complaint should be dismissed. After concluding an investigation into a complaint, my job is to set out a proposal (in the form of a report) for dealing with the complaint for the Board. The proposal may include findings and other recommendations and sets out relevant principles and guidelines in support.

The report is provided to the Board for their consideration, and if they agree, endorsement of the outcome.

Sometimes, in more complex investigations, the most challenging aspect is recommending a dismissal where a complainant has detailed the profound impact of the conduct on them. A lot of thought goes into acknowledging their lived experience and determining the approach to notifying them that will best support their wellbeing. We understand and appreciate how stressful and overwhelming the courtroom experience can be, particularly for members of the community who rarely engage with the court system and may be attending court for matters directly impacting their lives. We recognise how brave people are, particularly legal practitioners whose professional lives may be spent in the courtroom, to come forward and make a complaint to us. It is not uncommon for complainants to express their disappointment if we find that their complaint is not substantiated.

This is where the value of our investigation reports lies. Much care, consideration and analysis go into these reports. A lot of thought is given to tailoring them in a way that complainants unfamiliar with the court system can understand the reasons why their complaint has been dismissed. Providing additional information about how or why an officer acted a certain way (for example, explaining why a certain action was part of the officer's role or duty) is aimed at informing complainants about what constitutes appropriate judicial conduct and where the 'line' is to better manage their expectations in the future. Helping people to *understand* the court environment and the judicial role through our investigation reports makes them a valuable tool that contributes to ensuring that the community has confidence and trust in the Victorian courts and VCAT.

Being an investigating lawyer at the Commission is equally rewarding and challenging, but I am fortunate to be part of a dedicated team who are passionate about contributing meaningfully to the community and providing a fair, transparent and accountable complaint system that delivers impartial and impactful outcomes.



Interview with Louise McCosker, community Board member

This year, there were some changes in the makeup of our Board, with a new Chair, Chief Judge and additional community member. Community members bring an important and unique perspective to the Board; how a reasonable community member might perceive the conduct. This ensures that current community views and expectations about how officers should behave are taken into account.

We asked Louise, our newest community member, some questions to get to know her better and understand how she has experienced her role on our Board since her appointment in February 2025.

Q Tell us about your career background and experience

A My working life really began when I joined the Australian Broadcasting Corporation (ABC) in the early 1980s as a trainee radio producer. I worked at the ABC's metropolitan radio stations in Newcastle, Hobart and Brisbane, including as executive producer and program director.

After almost 20 years at the ABC, I worked for close to a decade as a policy adviser in the Queensland government, mostly in the areas of women's policy and public service management.

My career with the Red Cross started in 2006 when I went to Banda Aceh, Indonesia, as a communications delegate, following the devastating Boxing Day tsunami. Since then, I've worked with the International Red Cross and Red Crescent Movement in a variety of senior roles, including in communications, humanitarian diplomacy, coordination and management and in a number of countries, including Australia, Indonesia, Switzerland, Bangladesh, Samoa, Papua New Guinea, Afghanistan, Ukraine and Syria. Earlier this year, I was honoured to receive the Australian Red Cross's International Service Award for my contributions to the Red Cross Movement.

Q What attracted you to apply to be a Commission Board member?

A A good friend sent me the advertisement for the role. It immediately piqued my interest, so I went to the Commission website to learn more about it. I was expecting to find a lot of 'dry' legalese. Instead, I found a very 'user-friendly' site, a wide range of complaints that were thoroughly investigated, and some really interesting and well-constructed guidelines to not just inform the Board's deliberations but, more importantly, to guide judicial officers on their behaviour.

At the time, I was reflecting quite a lot on the importance of our public institutions and how, given what was happening in other parts of the world, they should be actively cherished and protected. For a long time, I've had a strong interest in the role and functions of our court system and an appreciation of the importance of maintaining public confidence and trust in the judiciary. Being part of a Commission that contributes to building this confidence appealed to me a great deal, and I felt that my experience put me in a good position to add value to its work.

Q What has been your experience of being on the Board so far?

A I'm impressed with the thoroughness of the process, and I've already learned a great deal. Equal respect is afforded to the complainant and the officer concerned, and every complaint is accorded proper scrutiny. I've appreciated the broad range of skills and views around the Board table and the fact that all our views are sought and respected. I'm also inspired by the work of the Commission staff. I'm amazed at how many complaints we manage to deal with at each meeting – and for every one of those complaints, the staff prepare a thorough report, so we have a lot of reading to do before each meeting. The quality of their work is excellent and makes our job much easier.

Q What aspects of the role are you enjoying the most?

A I'm really enjoying the challenge – and for someone like me who does not have a legal background, it is a pretty steep learning curve. I've only been on the Board for around six months, and already I feel like I have a much deeper understanding of the judiciary and the challenges its members deal with – particularly with caseloads. I'm also enjoying the broad range of complaints that we deal with. A lot of the complaints are not black and white – they can be quite complex – which is often the case when dealing with human behaviour. I like the collegial environment and being part of something that is fundamental to having a robust democracy where public institutions are trusted and people's rights are respected.

Q Do you have any aspirations for where you hope to see the Commission in the next 5 years?

A The Commission is already on a good track, and I hope that continues. I think one of the main priorities for the next few years is to keep building recognition by all stakeholders of the importance of the work of the Commission in building public confidence in our legal system. No one likes to be the subject of a complaint, and judicial officers are no different. I'm also mindful that there is a huge amount of pressure on the judiciary. By the same token, everyone has the right to be treated respectfully and to voice their concerns if they feel they haven't been.



Interview with Judge Cain, head of the Coroners Court

Judge John Cain was appointed State Coroner in October 2019 and has been a member of our Board for over 5 years. We sat down with him to reflect on the Commission's evolution during that time, the importance of procedural fairness, and how judicial officers can meaningfully engage in the complaints process.

Q Can you tell us about the materials provided to the Board and how they support decision-making?

A The materials we receive are very comprehensive. They include the full details of the initial complaint, and, depending on the nature and complexity of the complaint, they may also include court transcripts or audio recordings. If there are gaps in the information submitted by the complainant, efforts are made to fill them in through further contact with the complainant.

One particularly valuable part is the analysis prepared by Commission staff. It identifies the relevant legislation, frames the issues and offers a preliminary view. This gives the Board a solid foundation to work from. Commission staff do an excellent job curating this material in a way that helps us focus on what matters most.

Q How does the opportunity to respond process help the Board in its work?

A Once a complaint makes it past the initial threshold, what we have is usually just the complainant's side of the story. The opportunity to respond process is essential in giving the judicial officer a chance to provide context, explain what occurred, and offer any clarifications. It improves the quality of decision-making because it gives us a more complete picture. Often, understanding what was happening in court on that day, or what pressures the officer was under, makes a significant difference.

Q **What advice would you give to judicial officers who are given an opportunity to respond?**

A I would encourage them to reflect carefully – not just on the complaint, but on their conduct overall. Ask: Was this typical of how I operate, or was it an exception? Are there learnings to take away? If they believe their actions were appropriate, they should say so. But if there's something they would have done differently in hindsight, acknowledging that can be powerful. It helps the Board see that the judicial officer has taken the matter seriously and reflected meaningfully.

Q **Given your background in the Coroners Court, the only inquisitorial jurisdiction in Victoria, do you see any parallels with your work on the Commission?**

A My inquisitorial experience makes me more inclined to ask follow-up questions and seek out additional information. While others from adversarial backgrounds might not approach things the same way, we all share the goal of fairly and efficiently determining whether a complaint has merit. That mindset carries across jurisdictions.

Q **You've been with the Commission since its early days. What changes have you observed?**

A The quality of material prepared by staff has definitely improved. It challenges us as Board members to form and articulate our views more clearly. We've also become more efficient in focusing on the most serious matters and avoiding unnecessary time spent on matters that don't warrant as close attention.

That said, legislative reform is needed. The current Act doesn't allow for the delegation of certain functions, which causes a real bottleneck. After 8 years of operation, it's clear that enabling appropriate delegations would significantly improve our efficiency and reduce backlogs. Updating the legislation to reflect how the Commission now operates would benefit everyone – the Commission, judicial officers and complainants.

The following case studies highlight the nuanced environments officers preside over, the potential pitfalls they encounter, and demonstrate how important the composition of our Board is to effective complaint outcomes. Together, our Board blends judicial and community views to understand and account for the legitimate expression of humanity and individuality in an officer's courtcraft.

CASE STUDY

Responding to new and developing issues in judicial ethics

We received two separate complaints from members of the public about an officer's conduct during an inquest. The complaints similarly alleged that the Officer:

- undermined public confidence in the independence and impartiality of the Court by conducting the inquest with a flag representing a marginalised group within the community draped over the front of the bench (the flag allegation);
- only called expert witnesses who held one-sided views; and
- failed to appoint a contradictor to present alternative evidence and experiences.¹³

The complainants said that the display of the flag 'significantly undermined' their confidence in the Officer's fair and judicious conduct of the inquest.

After an initial review of the complaints, we were satisfied that the flag allegation warranted further consideration in accordance with the JCV Act.

We watched the audio-visual recordings of the hearings, considered photographs of the front of the bench, provided by the Court and read the Officer's findings.

The Officer was provided with an opportunity to respond to the complaints. The Officer provided a detailed response (in summary):

- providing background and context to the inquest, noting significant consultation about courtroom setup in the lead-up to the inquest;
- accepting that they had approved the courtroom's setup, including the flag's display, as prominent;
- explaining that the flag's display was a specific gesture geared towards enhancing cultural safety of members of the marginalised group, not intended to convey any particular message or view on the topics under consideration;
- setting out their understanding of the flag as non-controversial and noting its display in other forums;
- reflecting on the Court's tradition of modifying its processes and setup to improve cultural safety;
- contending that the flag assisted witnesses in giving evidence by helping to place them at ease, noting many were members of the marginalised group;
- expressing regret that some people felt alienated from the hearings;
- reflecting on how they would handle a similar situation in the future; and
- noting the unique jurisdiction of the Court, with reference to the objects and duties under the relevant legislation.

¹³ One of the complaints alleged further matters, which we were satisfied related to the Officer's judicial function and did not disclose any conduct that *may* have infringed the standards of conduct generally expected of judicial officers.

Responding to new and developing issues in judicial ethics *continued*

The information provided by the Officer was important to the outcome of the investigation.

We considered the principle that officers must not enter the political arena. To this end, we considered the historical context of the flag and its present status. We noted that the flag continues to be the subject of differing perspectives, but observed that no objection was raised to it during the hearing. Conversely, some witnesses in their evidence expressed approval of the flag.

We considered the duty to maintain order and decorum in the courtroom, as well as the necessity that courtrooms remain neutral terrain. Although the flag was objectively large, we accepted that 'instant connection' to a sense of safety for members of the marginalised group was at 'the forefront of [the Officer's] mind' in displaying it. We also considered the inquisitorial jurisdiction of the Court, noting that a coroner must conduct an inquest:

- with as little formality and technicality as the interests of justice permit; and
- in a way that, as far as practicable, makes the inquest comprehensible to interested parties and family members who are present.

Having regard to all the circumstances, we found that the flag's display in the courtroom (albeit unorthodox) was not such a departure from order and decorum as to infringe the standards of conduct generally expected of judicial officers. We were satisfied that a reasonable community member would not regard the Officer as having undermined public confidence in the independence and/or impartiality of the Court. The complaints were dismissed.

CASE STUDY

The risk of personalised comments causing offence

We received a complaint alleging that an officer made flippant and careless comments about the relationship of a person present in the courtroom in support of a litigant, that caused offence.

We listened to the audio recording of the hearing. At the commencement of the proceeding the Officer said good morning to the litigant and asked who was in attendance with them. The litigant responded, '*my mother*' and the Officer commented, '*Your mum, good morning. The last time I said, is that your mother?*' The lady said, '*No, I'm his girlfriend, so I don't make those comments anymore.*'

We dismissed the complaint because we found that the Officer's conduct did not infringe the standards of conduct generally expected of judicial officers. We noted that judicial officers are human, and their court craft may reflect human and personal qualities, including being momentarily light-hearted. Further, the comment was made in the context of the Officer identifying persons present in the courtroom in support of the parties. We were satisfied that a reasonable community member would consider the Officer's explanation as to why they were careful not to make assumptions about the relationship between people to be acceptable.

CASE STUDY

The risk of familiarity being perceived as bias or impartiality

We received a complaint from a party to two proceedings heard by an officer. The complaint alleged that the Officer (amongst other things) failed to act impartially. In support, the complainant alleged that the Officer made three comments that gave unwarranted deference to the other party because of their profession and thus gave rise to an apprehension of bias.

We listened to the audio recording of the hearing and confirmed three instances where the Officer commented concerning the other party's profession.

For example, early in the hearing, the Officer said, 'Now, am I correct in thinking one of these gentlemen is actually a medical practitioner?' The following exchange took place:

OTHER PARTY: 'I'm a doctor, Your Honour.'

OFFICER: 'All right, I should be calling you Dr [Other Party].'

OTHER PARTY: 'In fact, I'm a surgeon, so you can call me Mr [Other Party].'

OFFICER: 'A friend's daughter has just qualified in surgery recently, an extremely clever girl, and she elected to stay Dr and not Ms.'

We were satisfied that a reasonable community member would likely perceive that the Officer asked the questions to clarify what form of address they should use throughout the hearing. The exchange could not reasonably be perceived as showing favouritism to the other party.

Further, the second and third comments referring to the other party's profession were made in the context of the Officer emphasising the contested nature of the proceedings and expressing 'measured displeasure' at the manner in which they had been conducted. We found they were not inappropriate because they were a legitimate expression of the Officer's judicial function.

The complaint was dismissed. We were not satisfied that the Officer's conduct infringed the standards of conduct generally expected of judicial officers.

Focus 2:

Wellbeing at our core

When we launched our inaugural strategic plan in 2022, a key purpose was ‘individual, organisational and stakeholder wellbeing is central to everything we do.’ As 2024 came to a close and we commenced work on a new strategic plan for 2025 and beyond, we reflected on how that statement has guided our work over the last three years. This section explores our work through the lens of our commitment to wellbeing – to our staff, complainants and officers.



Reaffirming our commitment to wellbeing in communicating complaint outcomes

Informing the public, including the legal sector and the judiciary, about complaint outcomes, as appropriate, is an essential part of our operations. Doing so is consistent with our purposes and values, including transparency and accountability in investigating the performance of officers, and maintaining confidence in the Victorian courts and VCAT. However, the investigation process is not designed to be punitive.

With these considerations at the forefront, the Publication of Complaint Information Policy (PCIP) guides our approach to publishing information about complaints and promotes consistency in when and how we do so.

Under the JCV Act, we may publish complaint information (for example, a statement) where we consider it to be in the public interest. In deciding this, we balance the disclosure considerations, taking into account the circumstances of each complaint. These align with the purposes of the JCV Act overall to:

- a. ensure a transparent and accountable process for investigating the performance of judicial officers;
- b. maintain present and future public confidence in the Victorian courts and VCAT;
- c. protect the privacy and safety of an individual; and
- d. prevent disruption to the orderly administration of justice.

We conducted a review of the PCIP on its first anniversary and made changes to it. As part of the review, we met with representatives of the Council of Magistrates and the Council of Judges.

As revised, the PCIP clearly establishes that if we refer an officer to a head of jurisdiction or an investigating panel, we will provide them with an opportunity to respond to the disclosure considerations, *before* deciding to publish complaint information, including their identity and have regard to any response they provide.

As before, the PCIP provides that if we decide to publish complaint information, then, subject to certain express considerations, our practice, generally, is to publish the relevant officer's identity when it is in the public interest to do so.

As revised, the PCIP expands on the express considerations bearing on identification, better accounting for the protection of the privacy and safety of individuals (including the relevant officer).

The revised PCIP reaffirms our commitment to judicial wellbeing and ensuring officers have an opportunity to be heard on any publication matters affecting them.

A VCAT member's reflections on model tribunal conduct

We asked one VCAT member about (1) their experience of conducting tribunal hearings, (2) the importance of respectful conduct in the tribunal room, (3) key challenges faced, and (4) strategies for maintaining the standards of conduct expected.

Q How would you describe your role as a VCAT member beyond just deciding cases?

A At VCAT, a significant part of our work involves assisting self-represented parties – many of whom are unfamiliar with the legal system and may be engaging with it for the first time. This brings a quasi-educational component to the role. It often involves explaining legislation in simple, accessible terms and demystifying the tribunal's function so that parties understand the process they're involved in. In my experience, lawyers are rarely present – perhaps in less than 5% of cases – so the responsibility to ensure everyone understands the process is especially important.

Q How do you set the tone for your tribunal hearings?

A Setting the tone starts right at the beginning. Because so many parties are self-represented, I take a few minutes to explain what the hearing will involve, who will speak when and what's expected. I find this helps put people at ease and establishes a clear framework. I like to keep formality to a minimum where appropriate. Making sure people are comfortable and knowing how they like to be addressed is crucial. I'm also mindful of any individual needs or disabilities and will adjust the process to ensure everyone can participate equally.

Q How do you maintain professionalism when dealing with difficult situations or individuals?

A This is one of the biggest challenges of the role. The cases we hear, particularly in the residential tenancies and guardianship and administration lists, can often involve people in crisis or distress. Emotions run high, and many parties may be dealing with trauma, mental health issues, disability or financial insecurity. When someone is clearly upset or agitated, I focus on how I use language.

Many hearings are conducted by phone or Zoom, so tone and clarity are vital. I avoid legal jargon and speak calmly, making sure the person feels heard and respected – to ensure the way I communicate isn't going to elevate emotions or impact their ability to participate in the hearing.

Sometimes, despite best efforts, people do interrupt or become combative. In those cases, I acknowledge their concerns – reminding them they'll have a chance to speak, whilst also setting firm boundaries around respectful conduct. If the case involves particularly high levels of conflict between parties, I may begin the hearing by clearly outlining expectations around respectful participation. It's all about reading the room and adjusting as needed.

Q What advice would you give to new tribunal members on managing hearing room dynamics?

A The most important piece of advice I give new members is to lead with empathy and respect. Let parties know what to expect, walk them through the process and explain how and why you're making your decision. Even if they don't like the outcome, they should walk away understanding how you got there.

Also, remain flexible. Sometimes, something becomes apparent only once the hearing starts – perhaps someone needs an interpreter or an adjustment due to a disability. You need to be ready to pivot and ensure that fair hearing principles are met.

You don't need to overcomplicate your language to assert authority. Show that you're in control of the hearing, that you understand the issues and that you have a plan for how the matter will proceed. This builds trust and helps things run smoothly.

Prioritising judicial wellbeing during the opportunity to respond process – reflections from a judicial officer

A judicial officer who recently navigated the opportunity to respond stage of a complaint process shared their reflections, offering valuable insights into both the challenges and strengths of the experience and what their engagement with us was like.

The Officer noted that the overall duration of the process was longer than expected, which introduced an element of stress – particularly as the response timing coincided with the Christmas period. However, this challenge was mitigated by clear communication from us, including transparency around the reasons for the extended timeframes.

‘I was kept well-informed throughout the process,’ the Officer said. **‘I appreciated the opportunity to speak directly with relevant people at the Commission to clarify any concerns I had. The issues around timing were openly acknowledged and explained.’**

Despite the initial uncertainty, the Officer described the outcome of the complaint as timely and accompanied by a thorough and thoughtful analysis of the issues.

Throughout the experience, the Officer felt that their interactions with us were marked by professionalism and courtesy.

‘All communications were respectful, informative, and attended to without delay. That level of responsiveness was deeply appreciated.’

The process also considered the wellbeing of the judicial officer, with appropriate support options clearly outlined at each step.

Importantly, the experience proved to be a reflective one for the Officer. **‘Ultimately, I learned a great deal through the process,’** the Officer reflected. **‘It prompted further reflection and discussion on how best to approach and manage complex proceedings.’**

This candid feedback underscores the significance of not just the procedural fairness of the opportunity to respond process, but also the human experience of those involved. It highlights our commitment to transparency, respectful communication and prioritising judicial wellbeing, even in challenging circumstances.

Wellbeing remains an important consideration even when a complaint is referred following an opportunity to respond, and where appropriate, referral recommendations are tailored to promote judicial wellbeing.

CASE STUDY

Tailoring referral recommendations

We received a complaint alleging that an officer delayed providing written reasons in two proceedings for nine months.

We inspected the proceeding file, requested additional information from the complainant and provided the Officer with an opportunity to respond.

In responding, the Officer apologised for the delay and acknowledged that timeliness is a 'fundamental judicial responsibility'. The Officer detailed various personal and professional challenges that contributed to the delay. For example, the Officer noted the 'stressful' and 'overwhelming' workload demands, particularly since the COVID-19 pandemic and the pressures to work through the backlogs.

We acknowledged that working across busy lists can be overwhelming and stressful, and accepted that workload pressures had been exacerbated since the backlogs caused by the COVID-19 pandemic.

We found that the Officer's response demonstrated appropriate remorse and insight. The Officer took the matter seriously, was committed to improving their time management and ensuring such delays did not recur.

We found that the Officer's conduct infringed the standards of conduct generally expected because:

- In the context of the type of proceeding and jurisdiction, a reasonable member of the community was likely to regard a period of 9 months and 14 days for the provision of written reasons as an unreasonable and excessive delay.
- A delay of this nature could diminish public trust and confidence in the administration of justice.

In referring the complaint to the Officer's head of jurisdiction, we tailored training and counselling recommendations to address the Officer's conduct and wellbeing.

Dignity and respect in all engagements – a zero-tolerance commitment

Concerning judicial conduct, the Guide to Judicial Conduct provides in part, ‘the entitlement of everyone [...] to be treated in a way that respects their dignity should be constantly borne in mind.’

That statement reflects the same high standard we hold ourselves to. We always strive to communicate with and treat our stakeholders with dignity and respect. To reflect the value and priority we place on the wellbeing of our staff and stakeholders during all communications, last year, we launched our Zero Tolerance Policy (ZTP).

The ZTP sets out how we will communicate with our stakeholders, how we expect them to communicate with us and how we respond to inappropriate behaviour. It protects our staff and the public in interactions and guides our approach to respectful and dignified communications.

This year, we conducted a review of the ZTP on its first anniversary. Updates to the ZTP clarifying our processes for protecting the safety and privacy of our staff are expected to be rolled out next year.

With wellbeing at our core, we strive to provide accurate and relevant information in a sympathetic and understanding manner to those we interact with and, where necessary, provide reasonable adjustments so that the public can engage meaningfully with us.

Despite our best endeavours, sometimes we receive complaints about the conduct of our Legal & Complaints team in managing complaints. All complaints about our staff are carefully considered in accordance with our internal complaints policy, by the Director or Chair, as appropriate, but are not an avenue to seek reconsideration of the Commission’s decision in relation to complaints against judicial officers.

Complainants usually made complaints about the conduct of our staff following receiving notice of the dismissal of their complaint against a judicial officer and expressing dissatisfaction with that decision. On other occasions, complaints were made about our non-exercise of a discretionary power during an investigation or about our processes for protecting staff privacy and anonymity.

The investigations into staff conduct were each found to be not substantiated or the conduct otherwise appropriate in all the circumstances. Often, although characterised as relating to the conduct of our staff, the correspondence in large part continued to raise matters in relation to the Commission’s decision.

The following case studies demonstrate our commitment to complainants' wellbeing and are evidence of the ZTP in action.

CASE STUDY

Evidence of our commitment to wellbeing in complainant engagements

We received a telephone enquiry from a member of the public regarding an ongoing building dispute in VCAT. The enquiry related to the conduct of legal representatives and alleged delays in the proceeding.

Although these matters were not within our jurisdiction, our complaints support officer took care to allow the caller an ample opportunity to share their story without interruption. Having obtained information about the difficulties the caller experienced, we provided information regarding who and what we can investigate and provided referrals to appropriate agencies that might be better placed to resolve the concerns raised.

We received written feedback from the member of the public about their interaction with our complaints support officer. They expressed appreciation that their **'demeanour was instantly comforting'**, they felt they had been **'truly heard'** and found the experience **'incredibly meaningful'**. They commended the **'professionalism and outstanding customer service'** shown, and explained that it had left a **'lasting impression'** of **'feeling uplifted during an otherwise difficult time'**.

CASE STUDY

Making reasonable adjustments to support complainants through the complaints process

We received an enquiry about making a complaint concerning the conduct of an officer in a proceeding relating to a TAC claim. The complainant requested adjustments to accommodate his lack of proficiency with English. We considered the request and arranged to take their complaint over the phone with the assistance of an interpreter.

The complaint was dismissed because we found that there was no evidence to substantiate part of the complaint, and other matters were part of the core functions of a judicial officer.

With the complainant's wellbeing in mind, we called them back with the assistance of an interpreter and advised them of the outcome of the complaint prior to providing a written copy of the complaint outcome report. This ensured that the complainant understood the outcome, enabled them to express their feelings and ask questions.

This year, we updated our online form to enable complainants to advise us if they require the assistance of an interpreter (and the language required).

CASE STUDY

The impact of providing complainant support during an investigation

We received a complaint from a legal practitioner concerning an officer's conduct during a trial. The complaint alleged the Officer's conduct constituted judicial bullying and described the impact of the conduct on the legal professional as distressing and humiliating, affecting their ability to work.

We contacted the legal practitioner at the start of our investigation to respond to the concerns raised in the complaint about their health and wellbeing. We provided details of welfare support services that were available, including those specific to the profession. We also explained our complaint and investigation process, specific avenues open to legal practitioners under the JCV Act to make complaints, potential outcomes and the expected timeframe for completion of the investigation.

To investigate the complaint, we listened to the audio recording of the proceeding and applied the JCG on Judicial Bullying. In assessing the conduct, we acknowledged the experience of the legal professional while having regard to how a reasonable community member would perceive or experience the Officer's conduct.

We dismissed the complaint, finding that (among other things):

- The Officer's tone remained respectful, calm and professional throughout the proceeding, and could not be described as mocking, derisive or excessively frustrated.
- On rare occasions, the Officer spoke in a frank and robust way; however, in the context of the exchange(s) and having regard to the JCG, it was not inappropriate.
- The nature of the Officer's interruptions was not inappropriate in the context of seeking to draw the legal professional's attention to a particular issue or clarify a point.

Although the legal practitioner was disappointed with the findings of the investigation, at the conclusion, they thanked us for our support during the investigation process and appreciated that their experience had been acknowledged.

CASE STUDY

Acknowledging the impact of conduct

We received a complaint from a public sector organisation about an Officer's conduct in six proceedings. The complaint made overarching allegations that the Officer's conduct:

- was bullying, belittling, angry, intimidating and impatient towards professional staff, which contributed to a psychologically unsafe work environment; and
- was undermining, unreasonably critical and disrespectful.

The complaint detailed the impact of the Officer's conduct on professional staff, which caused feelings of distress and an unwillingness to appear before the Officer.

We listened to audio recordings of the proceedings and gave the Officer an opportunity to respond to the complaints.

In the response, the Officer:

- provided context to the proceedings, and expressed concern over delays;
- detailed the sensitive and urgent nature of the applications, and the intention to exercise active case management to ensure that the matters were given sufficient time, care and attention by the court;
- demonstrated insight into the unintended impact of the conduct, stating that it was never intended to bully or intimidate a person;
- expressed some regret, accepting that they 'should have done better' and some critical comments were 'irrelevant and unnecessary'.

This information was important to the outcome of the investigation.

We acknowledged the complexities and challenges involved in the applications, the subject of the proceedings, the circumstances surrounding them, and that these types of proceedings can be distressing and difficult for all involved and particularly the impact on staff, as detailed in the complaint. However, having regard to all of the circumstances and context, we dismissed the complaint and made a number of findings, including that the Officer:

- generally spoke in a frank and robust manner;¹⁴ and their tone was not aggressive or hostile;
- presented with a level of frustration at times across the proceedings, but it was not inappropriate in the context of their active case management role to ensure time-wasting behaviour was avoided; and
- made some unnecessary and critical comments that were momentary and not sustained.

The complainant was provided with a complaint outcome report that included the Officer's perspective.

Following the conclusion of the investigation, we met with the complainant as part of our ongoing commitment to ensure we strengthen stakeholder understanding of our complaints process and concern for wellbeing. Although the complainant expressed some disappointment with our findings, they appreciated the existence of an independent complaints process and our efforts to support them in better understanding and dealing with any future judicial conduct issues that arise.

¹⁴ '[...] judicial officers may speak to legal practitioners in frank language and a robust way', *Judicial Conduct Guideline on Judicial Bullying* (May 2023).

Work experience report – student insights and reflections on our workplace and the court system

To fulfil our purpose of maintaining present and future public confidence in the court system, we engage with the community, including young people, so they can better understand the court system and develop trust and confidence in it. This year, we hosted three Year 10 students from a local government high school for a one-week work experience placement. Below, they recount some of their experiences and reflect on their key learnings and takeaways.

Our week of work experience at the Judicial Commission of Victoria – by Kemda, Olek and Elliot

During our week at the Commission, we had a fantastic and varied experience. We saw a government workplace environment in action, how a courtroom operates by observing several court hearings across the Supreme, County, Children's and Magistrates' Courts, learnt about the differences and similarities in the court jurisdictions and met two heads of jurisdiction to understand what the work of judicial officers is like. Through all of this, we gained an insight into the Commission's function and role in guiding standards of judicial integrity and behaviour.

In the office

The staff at the Commission were very welcoming and friendly.

We learnt about the process to make a complaint using the Commission's website portal, as well as about the pathways many of the Commission lawyers have taken over their legal careers. We also learnt about working in the public service and the differences compared to the private sector.



Visiting the courts

When visiting the Magistrates' Court, we learnt how court proceedings are conducted as well as what happens in the background. We met the Chief Magistrate, who taught us about the process of becoming a magistrate and what a typical day looks like for judicial officers. The Chief Magistrate also took us on a tour of the Magistrates' Chambers.

At the Children's Court, we met the President of the Children's Court, Judge Vandersteen, and had the opportunity to see the custody cells beneath the court. It was really intense to see where children, our age or younger, are held.

We also observed bail and remand applications in both courts and noticed some key differences. In the Magistrates' Court, the accused stood behind a glass barrier, and there was no natural light in the courtroom. In comparison, in the Children's Court, the courtrooms felt more open and therapeutic, with windows to allow natural light in, as well as no glass barrier. There were also differences in how the judicial officers acted.

The magistrates sitting in the Children's Court used softer voices, more familiar language and attempted to connect with young, accused people directly. They appeared concerned to understand the conditions the children might be living in or with. In contrast, the magistrates sitting at the Magistrates' Court were more direct and straightforward.

Overall, it has been a real eye-opening experience and has helped us learn about a new potential career pathway. The opportunity to see the differences between the courts, observe various cases and speak to judicial officers has helped improve our understanding of our community, the positive and negative impacts that the justice system has in our society and the role the Commission plays in the legal system.



Having young people in the office for a week caused us to reflect on the complaints we receive about or from young people and their experience of judicial conduct. The case studies below are a sample of the types of issues that have arisen this year when officers dealt with young people in the court system and highlight our wellbeing-centred approach.

CASE STUDY

Integrating trauma-informed values in communicating complaint outcomes to young people

We received a complaint about an officer's expression of their reasons for sentence. The matter under sentence concerned sexual offending against children. The complainant was a parent of one of the victim-survivors. The complaint alleged that the Officer, in their reasons for sentence, made:

- incorrect findings of fact; and
- damaging remarks suggesting the victim-survivors had contributed to their exposure to the harm caused by the offender.

The complainant suggested that their child had been further traumatised by the sentencing process.

We read the Officer's reasons.

We acknowledged that the court process and the circumstances surrounding it can be stressful for victim-survivors. However, we dismissed the complaint because:

1. We were satisfied that the first allegation disclosed no basis to consider that the Officer's conduct may have infringed the standards of conduct generally expected of judicial officers. Assessing the evidence presented at plea hearings and making findings of fact are core responsibilities of a judicial officer. It is for a judicial officer, alone, to decide the sentence to be imposed and, for that purpose, to find the relevant facts.

2. Concerning the second allegation, we noted that care should be taken to avoid causing unnecessary hurt in exercising the judicial function. This includes being mindful about observations made in remarks on sentence. While judicial officers may comment on issues of wider community concern, their remarks should be tempered with caution, restraint, and courtesy. We were satisfied that the Officer had made remarks critical of the victim-survivors and we acknowledged the impact the remarks were said to have had, specifically, on the complainant's child. However, the Officer had appropriately qualified their remarks, consistent with the standards of conduct generally expected of judicial officers. In particular, the Officer:

- began and concluded their remarks, noting that the remarks did not make the offending any less serious;
- acknowledged that the victim-survivors were children and not responsible for their actions; and
- referred to the tragic harm the offending had caused to the victim-survivors and their families.

In the overall context of the reasons, we were satisfied that a reasonable community member would not perceive the Officer's remarks as 'damaging' or otherwise inappropriate.

We prepared the investigation report with due regard to the involvement of a young person and the possibility that they may read it.

CASE STUDY

Tone, language and treatment of young people in the courtroom

We received a complaint from the parent of a 16-year old about the treatment of their child during an application for the release of an impounded personal electric vehicle. The complaint alleged, among other things, that the Officer asked the child applicant questions that were confronting, personal and irrelevant to the application. In the complainant's view, the Officer's questioning was inappropriate because of the applicant's age.

We listened to the audio recording of the proceeding.

We noted that an officer speaking to a young person is in a position to make the court environment less intimidating and should ensure the young person understands questions put to them and may provide additional instructions where necessary. On the other hand, an officer is entitled to ask questions regarding matters, including personal ones, set out in an application in order to assess its merits or test the veracity of evidence.

The court clerk informed the Officer that the applicant was under the age of 18 and had a parent in attendance for support. After reading the written application, the Officer asked the applicant to step into the witness box and explained to the applicant that they needed to show how their interests were substantially affected by the impoundment. The Officer asked the applicant questions about his reliance on and use of the impounded item.

We assessed the Officer's language, tone and overall treatment of the applicant during the proceeding by reference to how a reasonable community member might perceive the conduct. We found that a reasonable community member would consider the Officer's tone to be moderate and courteous throughout the hearing. Further, there was nothing inappropriate about the way the Officer questioned the applicant. Rather, the Officer appropriately conducted the proceeding as would be expected when dealing with a young person.

Focus 3:

Driving collaboration through trusted relationships and shared purpose

Last year, we produced a CASE Strategy to direct who we engage with and how. This section details our CASE Strategy's first year of operation, which caused us to look upward and outward as we engaged at national and international levels to focus on promoting our JCGs as world leading.

Finally, we review the impact our digital transformation has had in the year since its completion and explore the important work we undertook to protect data.



Integrity in action – international and national partnerships advancing judicial integrity

Australian Judicial Commissions conference

We were delighted to hold the inaugural Australian Judicial Commissions Conference in October 2024, at our office in Melbourne. A culmination of significant planning and organisation, particularly by our Operations team, it was an important ‘first’ for the sector.

Colleagues from existing judicial commissions, or government departments considering the establishment of a judicial commission, attended the conference. This included New South Wales, ACT, South Australia, Tasmania and Western Australia. Although unable to attend, we received well wishes from New Zealand, the Northern Territory and Queensland.

The gathering was dedicated to exploring the vital role of integrity within judicial systems. From across the country, we were united in the view that the strength of our justice system hinges on transparency, fairness and the commitment to uphold the rule of law.

Over the course of the conference, we strengthened existing relationships and made new ones. We explored key issues affecting judicial integrity, shared best practices, ideas and approaches – from existing judicial commissions and those who worked in courts.

Our Director and Managers, Legal & Complaints, led the first session about our JCG on Judicial Bullying, and explored case studies where conduct ‘gets personal’ and where it may, or may not, cross the line.

Victoria Legal Aid (VLA) led an informative and instructive session on ‘Wellbeing, Culture and the Courage to make Complaints’, reflecting on their own experiences as practitioners and leaders and the impact of poor judicial conduct on lawyers and clients. They also talked about VLA’s experience in making complaints about judicial conduct and the importance of doing so.

One of our Senior Lawyers delivered an insightful and thought-provoking paper on judicial ethics and principles in practice. This generated discussion around the challenges in applying legal principles, particularly when scrutinised by judicial officers of the highest standing.

Both the Chief Executive and a Principal Lawyer from NSW spoke about the role of institutional complaints and the impact on judicial independence. This generated a good opportunity for cross-discussion about internal processes and procedures, opportunities for continuous improvement, as well as reassurance that we each faced similar challenges.

Since the conference, there has been ongoing contact and sharing of information amongst the group, which it is anticipated will continue into the coming years.

We thank all participants for attending and having an open and collaborative dialogue with each other. These relationships are vital to assist us in working collectively to address shared challenges and foster cultures of integrity within our courts.



Department of
Justice





Thank you for hosting the inaugural meeting of judicial commissions. What a great initiative, providing an excellent opportunity for those of us who work in this space to come together, explore common themes and learn from each other. It was a valuable and thought-provoking experience.

Una Doyle, Chief Executive,
Judicial Commission of New South Wales



The conference provided an excellent opportunity to understand how Judicial Commissions in other jurisdictions operate on the ground and to gain valuable insights. It was an informative, collaborative and enjoyable conference on this unique jurisdiction.

Jennifer Bingemann,
*Acting Director, Legislative Services,
Department of Justice (Western Australia)*



The conference was a valuable opportunity to connect with other jurisdictions and discuss common themes and challenges in our unique area of work, as well as have some visibility of how other commissions are structured. The conference program (including guest speakers) was extremely well thought out and encouraged input from attendees and the sharing of stories and learnings, which was insightful. The Judicial Commission of Victoria were wonderful hosts!

Office of the Judicial Conduct Commissioner (SA)



Judicial Commission of Indonesia

On 8 October 2024, we hosted a delegation from the Judicial Commission of Indonesia (Komisi Yudisial Republik Indonesia). The visit reflected a shared commitment to enhancing judicial accountability, integrity and public confidence.

The delegation consisted of a member of the Komisi Yudisial and four staff members. The purpose of the visit was to learn and share insights and best practices, and explore possible cooperation and knowledge exchange between the two Commissions. We were pleased to share information about the Victorian model of judicial oversight, and in particular, resources that have been recognised across jurisdictions, such as our JCGs on judicial bullying and sexual harassment.

We continue to explore similar opportunities for partnerships, both interstate and abroad.

Other interstate engagements

Tasmania:

Following the Australian Judicial Commission's conference, we engaged further with the Department of Justice (Tasmania), providing information and support to inform their consideration of establishing a judicial commission and outlining the intricacies of the Victorian model compared with the Tasmanian proposal. On 21 November 2024, we were pleased to receive news that the Judicial Commissions Bill 2024 had passed the Tasmanian Parliament.

Queensland:

The Director was invited to present to the Queensland Magistrates Court conference, on the court as a workplace – conduct and context. Through the use of interactive Q&A and polling technology, the Director spoke about the courtroom as a unique workplace and the importance of addressing issues of judicial bullying and sexual harassment – to create a safer workplace for staff, practitioners, judicial officers and all who come before courts.



Reviewing our digital transformation 12 months on

In July 2024, our completed DTP (including our new website and complaints portal with in-built self-triage tool) went live. At the same time, we rolled out a final suite of data management improvements to the way we categorise complaints in our CMS.

The website was the product of extensive planning to ensure it met the needs of our organisation and end users. We engaged in wide consultation and feedback to ensure it struck the right balance of information, remained user-friendly and intuitive, delivered improved effectiveness and followed best-practice web design principles.

In the 12 months since its launch, there has been a 36.8% increase in traffic to our website compared with last year, a 41.7% reduction in the number of enquiries and an 11.6% reduction in the number of submissions via our online portal that do not progress as a complaint. This demonstrates that the website is transparent and easily accessible, and, together with the in-built self-triage system, is working effectively to provide early clarity on what we can and cannot investigate.

In line with our ongoing commitment to continuous improvement, throughout the year, we reviewed our digital footprint and implemented updates, changes and enhancements as needed, to ensure maximum effectiveness for all users.

This included changes that allow complainants to:

- identify as First Peoples, so we can respond in a culturally appropriate way and, where appropriate, provide information about a range of specialist services;
- identify if they require the assistance of an interpreter, so we can make reasonable adjustments when we engage with them throughout the complaints process;
- tell us how they found out about us so we can better direct our stakeholder engagement efforts.

We also:

- boosted the functionality of our CMS by building in an SMS capability, improving our efficiency in responding to enquiries and providing greater flexibility in how we communicate with complainants;
- enhanced the search functionality in the online complaint form to make it easier to find the name of the judicial officer complained about;
- continued to update the FAQ section of our website to answer common questions and reduce the need for early engagement and simple enquiries.

Committed to keeping information cyber safe

Business continuity planning is the process of creating systems of prevention and recovery to deal with potential incidents impacting operations.

Having a business continuity plan (BCP) in place ensures that we can maintain our operations when the unexpected happens. It enables us to stay prepared and composed, allowing us to continue serving our stakeholders, protecting our data and resolving issues effectively.

To maintain the strength of our BCP, we conduct an annual exercise to test the resilience and reliability of its components.

This year, we undertook an exercise that tested our ability to respond to a cyber-attack event.

The exercise simulated a cyber-attack on our CMS partner, resulting in a prolonged system outage, impacting our ability to manage complaints and receive new submissions.

Led by our Operations team in collaboration with our Legal & Complaints team, we evaluated how to manage complaint investigations and reporting of complaints data during potential downtime of the CMS and explored alternative methods for complaint submission and the receipt of enquiries.

Members from CSV's Emergency Management & Business Continuity team were present to observe the exercise and provide us with feedback.

During the exercise, no large gaps were identified. However, several key learnings were gained, which have provided us with opportunities to strengthen our knowledge in some of the more technical aspects of this type of incident and increase our preparedness for any future events.



Focus 4:

Listening, learning and leading on issues of impact

In this section, we foreshadow the release of a new JCG on Judicial Discrimination. We examine the sector-wide consultation we undertook as part of the JCG's development, the feedback we received, and case studies where discriminatory conduct allegations have been made and why we found that discrimination did not occur.



Judicial discrimination

In 2022, as part of our sector-wide consultation on judicial bullying, we received almost universal support to address the issue of judicial discrimination. Last year, this report considered the importance of diverse perspectives, outside of a legal or judicial view and acknowledged the profound impact of discrimination. This year, we acted on our commitment to address the issue of judicial discrimination.

Our consultation process

Between October and November 2024, we distributed a consultation paper. During 18 feedback sessions, we met with 124 people (with 8 written responses) on a proposed JCG on Judicial Discrimination, listening to feedback about what judicial discrimination looks like, how it occurs and ways to address it.

The consultation paper set out:

- general commentary on discrimination in the context of courts and tribunals, noting that discrimination by judicial officers does not appear to be a widespread issue, but it has the potential to significantly undermine public confidence;
- commentary on judicial immunity and discrimination law;
- a proposed definition of discrimination based on the *Equal Opportunity Act 2010* (Vic) (EO Act), with some variations to account for the judicial context and the Commission's assessment of complaints process;
- the form and content of a proposed JCG on discrimination by judicial officers; and
- proposed factors for the Commission to consider when assessing complaints alleging discriminatory conduct.

Consultation participants included officers from each jurisdiction and various justice stakeholders. This included legal practitioners and First Peoples specific stakeholders, CSV staff and other professional court users.

Outcomes of our consultation process

During consultations, the general themes that arose for discussion included:

- community expectations about whether officers should be held to the same standard that applies to the rest of the community;
- whether the JCG definitions ought to adopt the precise wording or align as closely as possible to the definitions from the EO Act, and the potential consequences of not doing so;
- whether direct discrimination should be subject to a 'reasonableness' test and the relevance of motive (as opposed to knowledge or awareness of an attribute);
- cultural competency and education, and training about discrimination;
- how to account for the proper exercise of the judicial function;
- the tension between potential indirect discrimination and case management; for example, when procedural or timetabling decisions impact upon the needs of persons with parenting or caring responsibilities;
- the potential for judicial discrimination to significantly undermine public confidence in the judicial system, despite not being widespread;
- the leadership responsibility of officers to model appropriate behaviour and treat all people equally;
- how discrimination can be compounded by intersectionality;
- culturally safe and inclusive complaint-handling practices.

Impending release of a JCG

Following consultation, a JCG on Judicial Discrimination, modelled on our JCGs on Sexual Harassment and Judicial Bullying, has been developed, setting out:

- the application of the JCG (i.e. that it applies to officers in their professional capacity, whether in or out of court);
- definitions of discrimination by a judicial officer;
- application of the Charter of Human Rights and Responsibilities, anti-discrimination law framework and the jurisdiction of the Commission (i.e. the Commission does not assess whether conduct amounts to unlawful discrimination);
- examples of potentially inappropriate conduct and potentially acceptable conduct;
- information about how the Commission assesses conduct under the JCV Act;
- definitions of victimisation and bystander conduct;
- the risk factors and impacts of discrimination by judicial officers (including the importance of education and training for judicial officers); and
- the process for making complaints about discrimination by judicial officers, and the potential outcomes under the JCV Act.

The JCG on Judicial Discrimination is intended for release in the first half of 2025–26 and will be launched in conjunction with a series of stakeholder information sessions in support.

The following case studies demonstrate that complaints made to us alleging discriminatory conduct often raise themes consistent with those revealed during the consultation process; for example, how to account for the proper exercise of the judicial function.

CASE STUDY

Active case management consistent with the proper exercise of the judicial function

We received a complaint about an officer's conduct during a criminal trial. The complainant was the self-represented accused. The complaint alleged (among other things) that the Officer did not allow the complainant to address the jury on his mental health. On this basis, the complainant suggested that the Officer had discriminated against him.

While acknowledging the complainant's strong feelings about the matter, we were satisfied that the alleged conduct could not be characterised as discrimination. Rather, the alleged conduct was consistent with the proper exercise of the judicial function.

It is common practice and consistent with active case management for judicial officers to direct parties' attention to the issues in dispute and considerations relevant to the jury's decision-making to appropriately control and manage the court.

We dismissed the complaint because we were not satisfied the matter warranted further consideration on the ground that the Officer's conduct *may* have infringed the standards of conduct generally expected of judicial officers.

CASE STUDY

Court security and controlling proceedings consistent with the proper exercise of the judicial function

We received a complaint about the conduct of an officer sitting as a member in the Victims of Crime Assistance Tribunal.¹⁵ The complaint alleged (among other things) that the Officer said that the complainant's assistance dog was a 'dangerous dog' and denied the dog entry to the courtroom.

The complainant referred to the significant distress they felt in leaving their dog outside the court, as well as the impact on the dog.

We acknowledged that the complainant's experience in attempting to enter the court was difficult and upsetting for them. We noted that planning by officers before a hearing is important to enable people with a disability to participate on an equal basis, and that this may include physical access considerations in respect of assistance animals.

Assistance animals are regulated under the *Disability Discrimination Act 1992* (Cth) (DD Act). Under the DD Act, it is not unlawful for a person to request a handler to produce evidence that an animal is an assistance animal.

Officers have a fundamental duty to control court proceedings and ensure that matters are dealt with appropriately, safely and with minimal disruption. With respect to security matters, an officer's authority is absolute.

Having regard to all the circumstances, we were satisfied that:

- although framed as an allegation about conduct, the Officer's purported denial of entry to the complainant's dog concerned the alleged exercise of a core administrative function; and
- referring to a dog as a 'dangerous dog' would not be inconsistent with the standards of conduct generally expected of judicial officers.

Therefore, we dismissed the complaint. We were not satisfied that the complaint disclosed a basis to consider that the Officer's conduct may have infringed the standards of conduct generally expected of judicial officers.

¹⁵ On 18 November 2024, the Victims of Crime Financial Assistance Scheme (FAS) replaced VOCAT.

CASE STUDY

Assessing reasonable adjustments

We received a complaint about an officer's conduct during an application for a personal safety intervention order. The complaint alleged (among other things) that the Officer had engaged in discriminatory conduct by denying the complainant, a Deaf person, the use of an Auslan interpreter.

We investigated the complaint by listening to the audio recording of the proceeding. At the start of the proceeding, the complainant and the Officer had an exchange, and after answering a few questions, the complainant expressed some difficulty in understanding when the Officer's head was down as they were unable to lip read.

Officers have a duty to ensure a fair hearing and assess whether any adjustments are required to support effective communication during a hearing. It is a matter for an officer to determine whether and what reasonable adjustments are required to fairly conduct a hearing, based on their assessment of a party's needs.

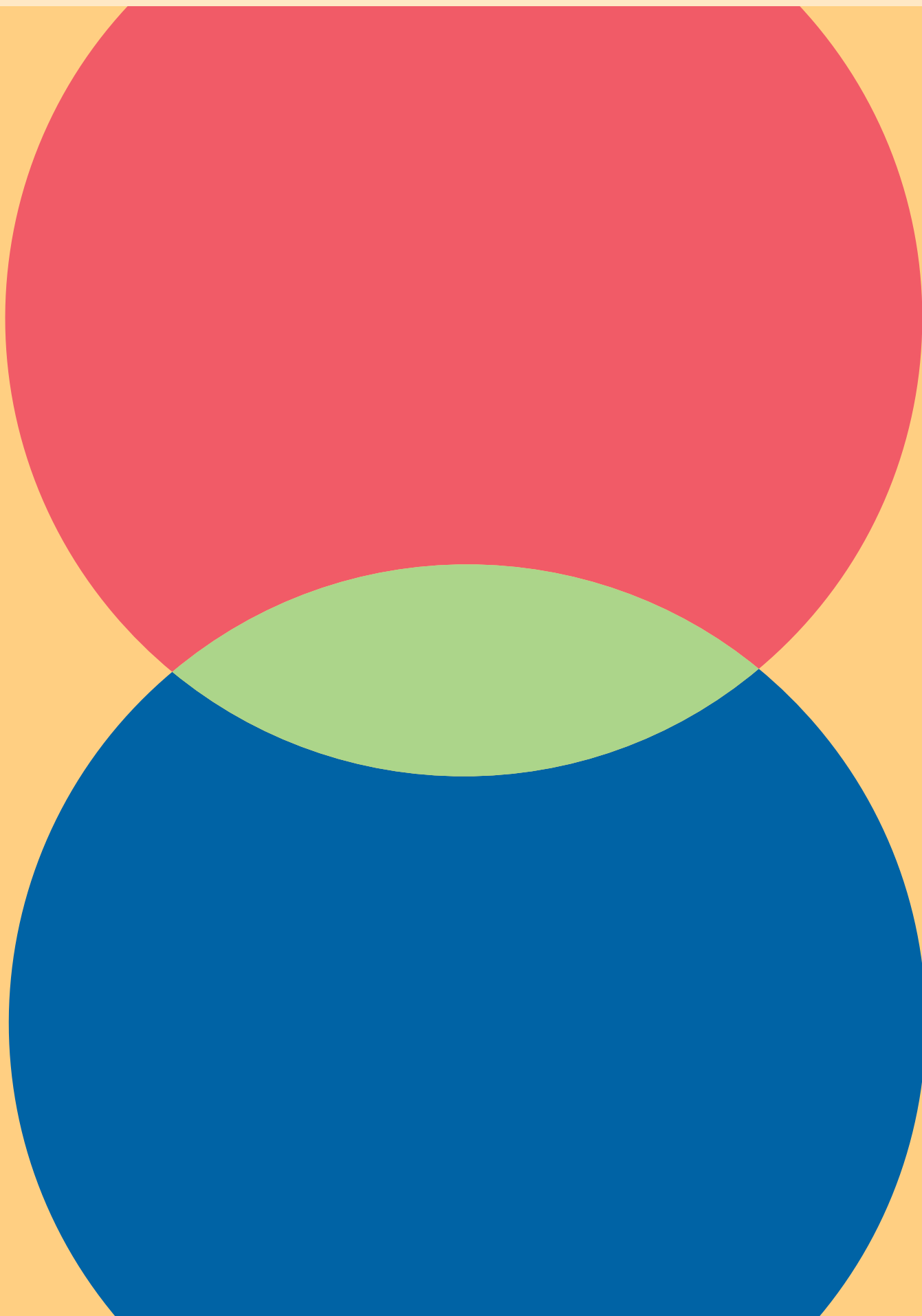
We found that the Officer did fulfil their duty to assess the complainant's communication needs and explained their assessment. They also discussed with the complainant what reasonable adjustments (other than an interpreter) could be made to support effective communication during the hearing, which the complainant agreed would be suitable.

Although an Auslan interpreter was not used, the Officer did not deny the complainant access. Rather, the Officer made a concerted effort throughout the hearing to ensure that the complainant was following and understanding the proceeding, explaining matters using clear language, repeating things when necessary and confirming with the complainant that they understood questions or procedural decisions.

Therefore, we dismissed the complaint on the basis that it was not substantiated.

Section 3

About our complaints process



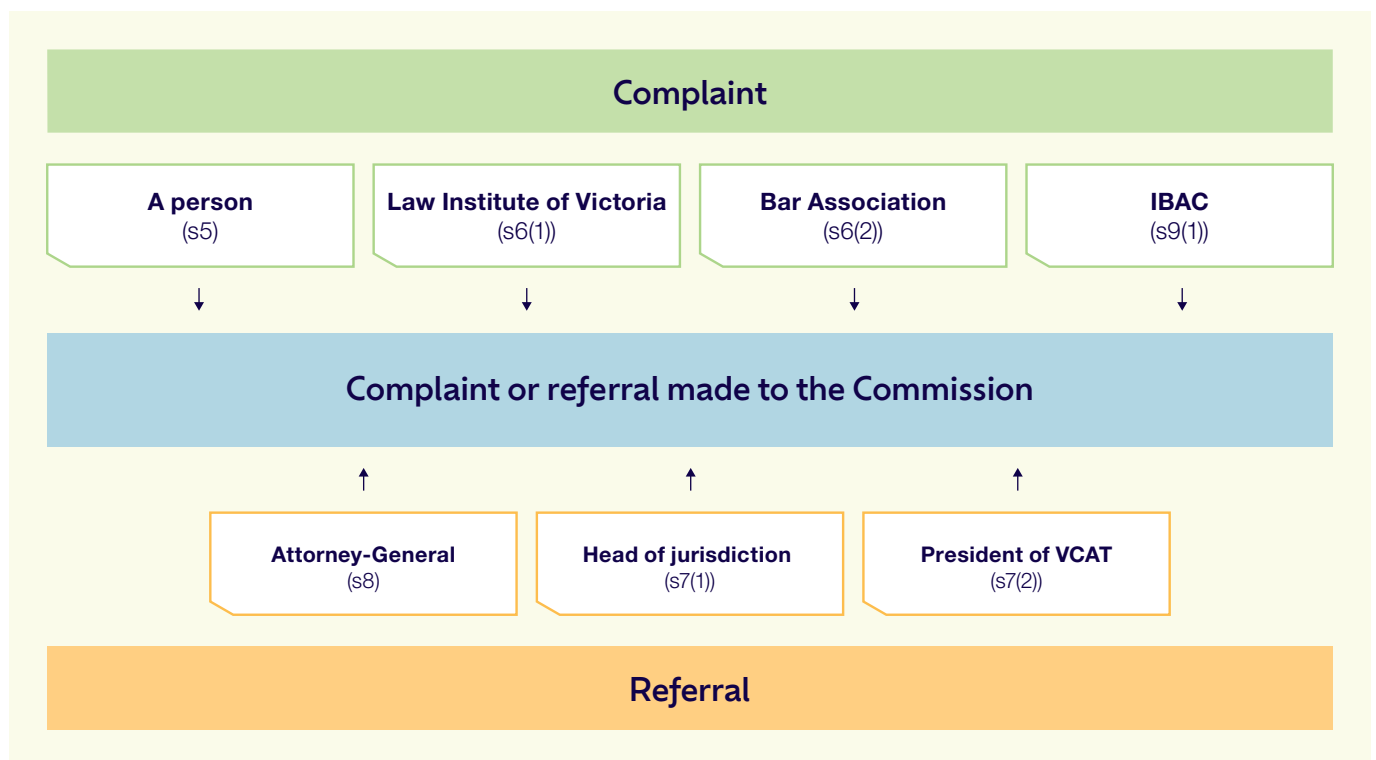
Complaints

Who can make a complaint?

Any member of the public or the legal profession can make a complaint to us. Complaints can be made by those directly impacted or by third parties who witnessed or are aware of the matter.

Organisations and agencies can make complaints on behalf of their employees.¹⁶ Similarly, the Law Institute of Victoria (LIV) and the Victorian Bar can make complaints on behalf of their members without disclosing the identity of the person who they are making the complaint on behalf of.

We cannot accept anonymous complaints.



¹⁶ See definition of 'person' in the *Interpretation of Legislation Act 1984* (Vic), s 38.

How to make a complaint

A complaint can be made to us online at www.judicialcommission.vic.gov.au

How we investigate complaints

Lawyers carry out a preliminary investigation under the supervision of the Manager, Legal & Complaints. This often involves requesting a file or audio recording from the court or tribunal. The Director prepares a recommendation for the Board.

A detailed investigation report, which includes, where appropriate, quotes from the proceedings and references to relevant standards or guides, is prepared and provided to relevant parties in accordance with the notification requirements under the JCV Act.

Procedural fairness – providing an opportunity to respond to the complaint

Under the JCV Act, we are required to notify officers that a complaint has been made about them at the earlier of:

- when the complaint is dismissed; or
- when the officer is given an opportunity to respond to the complaint.

The opportunity to respond process may be an officer's first significant interaction with the Commission and can be a stressful experience.

We must give an officer an opportunity to respond before referring a complaint or referral to an investigating panel, or the nominated head of jurisdiction.

This is part of the information gathering stage of the investigation, where the Commission considers that, on the material currently before it, it may be open to find that the officer's conduct has infringed the standards.

This is a relatively low threshold – *may* have. The decision to give an officer an opportunity to respond does not involve determining the merits of the case or represent an adverse finding.

The process set out under section 14 of the JCV Act is opt-in. It is designed to provide the officer with a meaningful opportunity to address the allegations against them and provide their perspective on the complaint. It also affords an officer procedural fairness before a decision is made to refer a complaint to an investigating panel or head of jurisdiction. An officer may choose whether to respond or not, there being no mandatory requirement under the JCV Act to do so.

At this stage, no decision or outcome has been reached.

An officer is usually given four weeks to respond. If an officer requests an extension, we may grant it.

Once we receive a response, it is considered in determining the outcome of the complaint or referral. In some matters, the officer has acknowledged or even apologised for the impact of their conduct on the relevant party. They have demonstrated insight and awareness into the conduct and identified ways to address it going forward. Occasionally, based on the additional information contained in a response, the matter is ultimately dismissed.

In all matters, the officer and the complainant are notified in writing and provided with a detailed investigation report. This is an important part of transparency and restoring faith in the individual officer and the judiciary more broadly.

Complaint outcomes

We are not empowered to ‘discipline’ or ‘remove’ an officer from their position; however, we may recommend that an officer be stood down pending the outcome of the investigation.

The JCV Act provides for three possible complaint outcomes:

- i. dismiss the complaint or referral (for example, those where the conduct alleged is assessed not to have infringed required standards, that are trivial, vexatious, relate to a person who is no longer a judicial officer or VCAT member, or relate solely to the merits or lawfulness of a decision);
- ii. if it is a complaint about serious conduct, conclude that the conduct infringed the standards of conduct expected of judicial officers and refer it to the relevant head of jurisdiction, with recommendations about future conduct; and
- iii. if it is a complaint about a very serious matter, which, if true, would warrant removal from office, refer it to an investigating panel for further investigation.

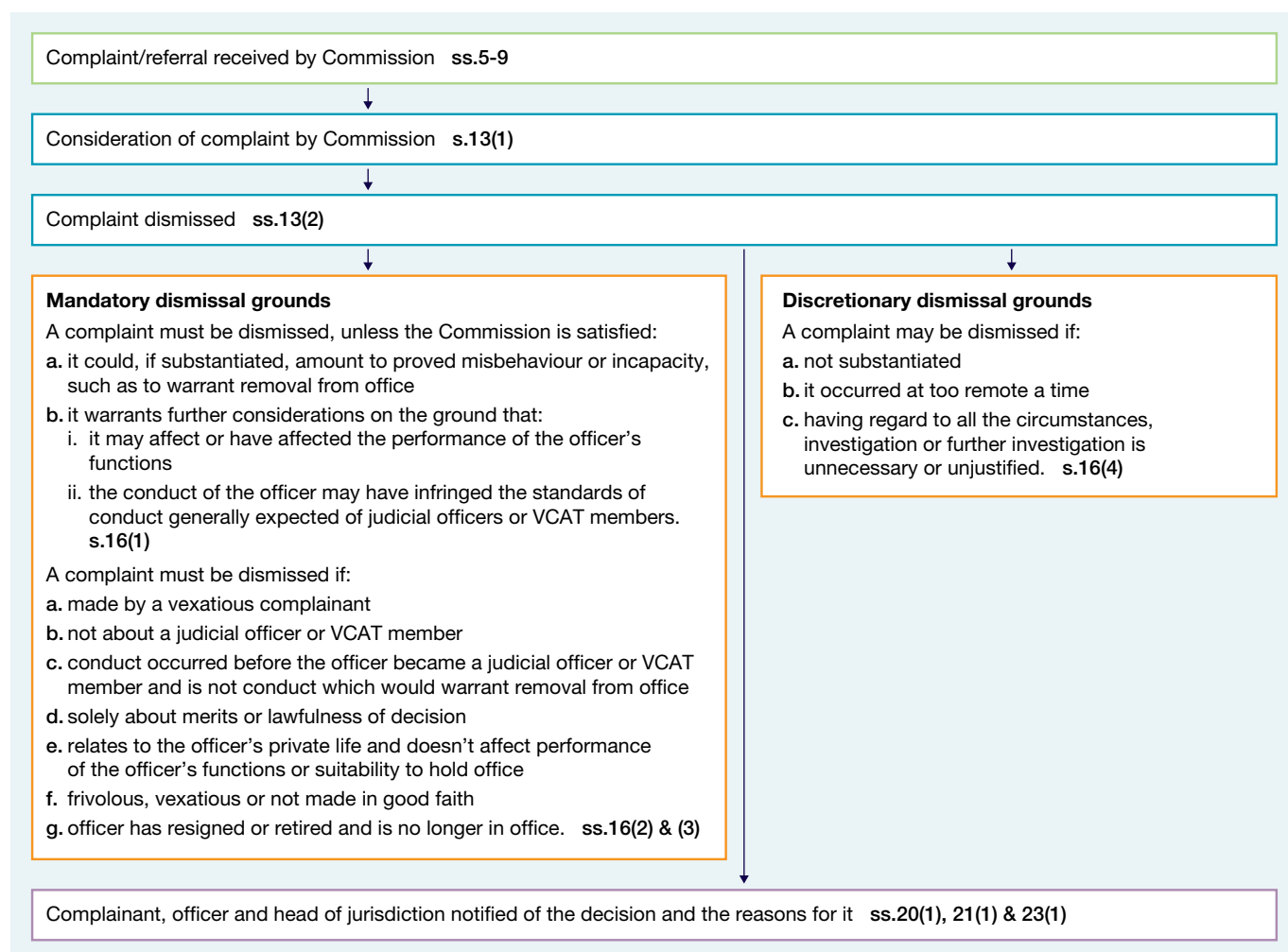
Dismissal of a complaint

The Act establishes mandatory and discretionary grounds for dismissing a complaint. This includes complaints that:

- are trivial, vexatious, or not made in good faith;
- relate to a person who is no longer a judicial officer or VCAT member;
- relate solely to the merits or lawfulness of a decision or procedural ruling; or
- on their face, do not disclose conduct that may have infringed the standards expected.

If a complaint is dismissed, the relevant head of jurisdiction, the judicial officer concerned and the complainant will be notified of the dismissal and the reasons for it. An investigating panel may also dismiss a matter.

Figure 3.1: Process for dismissing a complaint



Referral to head of jurisdiction

If we find that conduct infringed the expected standards of judicial officers, the matter may be referred to the relevant head of jurisdiction, with recommendations in relation to the officer's future conduct. The recommendations are intended to guide the officer to achieve and maintain the expected standards of judicial conduct.

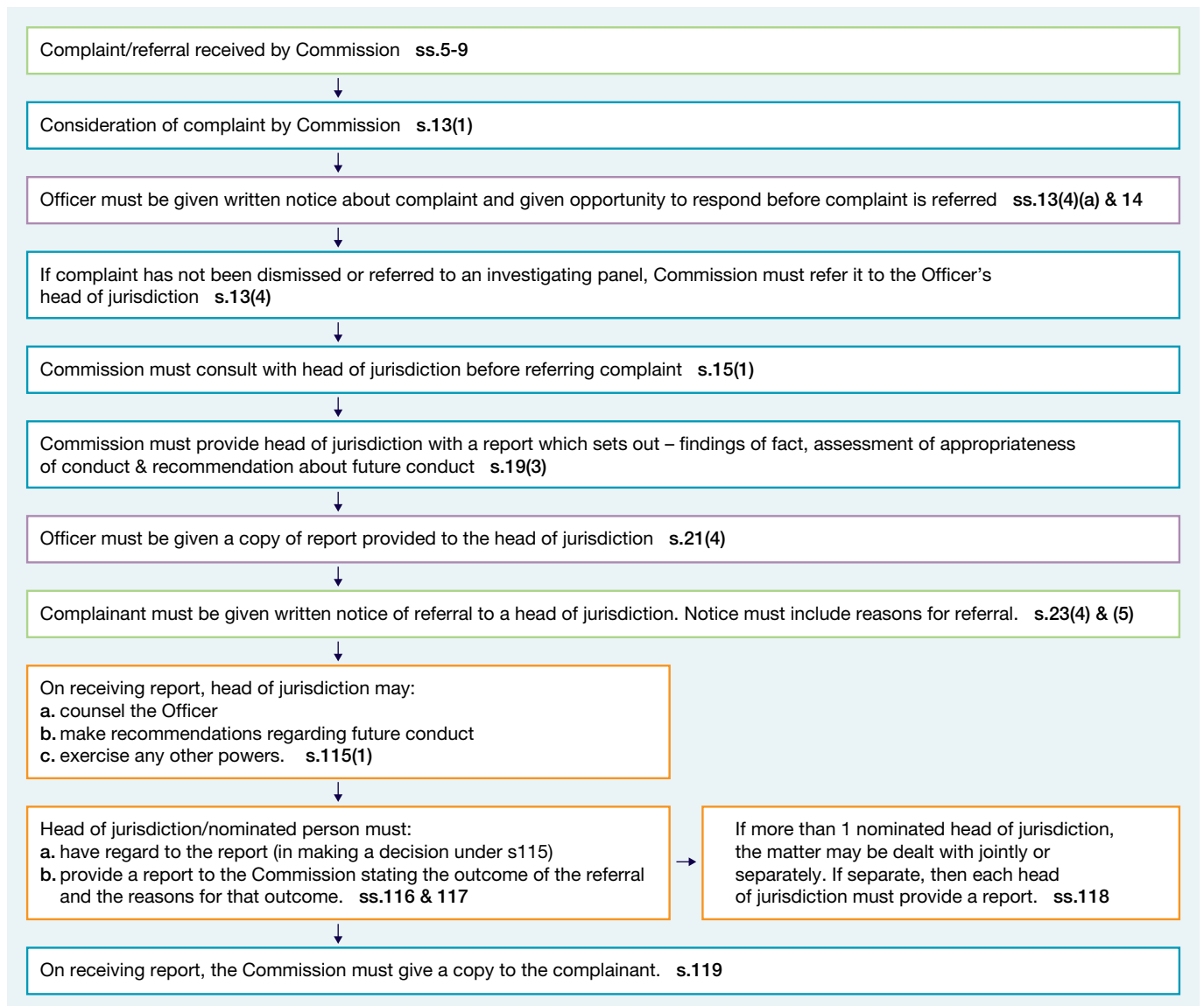
Where a complaint is referred to the head of jurisdiction, both the officer concerned and the head of jurisdiction are provided with a report setting out our findings, assessment of the appropriateness of the conduct and recommendations.

The head of jurisdiction must consider our report and may do one or more of the following:

- counsel the officer in respect of the complaint;
- make recommendations to the officer about future conduct;
- exercise any other powers of the head of jurisdiction.

The head of jurisdiction must provide a report to us stating the outcome of the referral and how they arrived at that conclusion. We provide a copy of that report to the complainant.

Figure 3.2: Process for referring a complaint to the head of jurisdiction



Referral to an investigating panel

Under the JCV Act, if a complaint has not been dismissed, and we are of the opinion that it could, if substantiated, amount to proved misbehaviour or incapacity to warrant removal of the officer, we must refer it to an independent investigating panel for a full investigation.

An investigating panel:

- is appointed by the Commission's Board but operates independently of the Commission;
- comprises three members: two former or current judicial officers or VCAT members and one community member of high standing, selected from the pool of people appointed for this purpose;
- may regulate its own proceeding (subject to the JCV Act);
- is bound by the rules of natural justice but not by the rules of evidence;
- must act expeditiously and confidentially, subject to limited exceptions;
- has a broad range of coercive and investigatory powers, including to compel production of documents, conduct hearings and issue summonses requiring witnesses to give evidence.

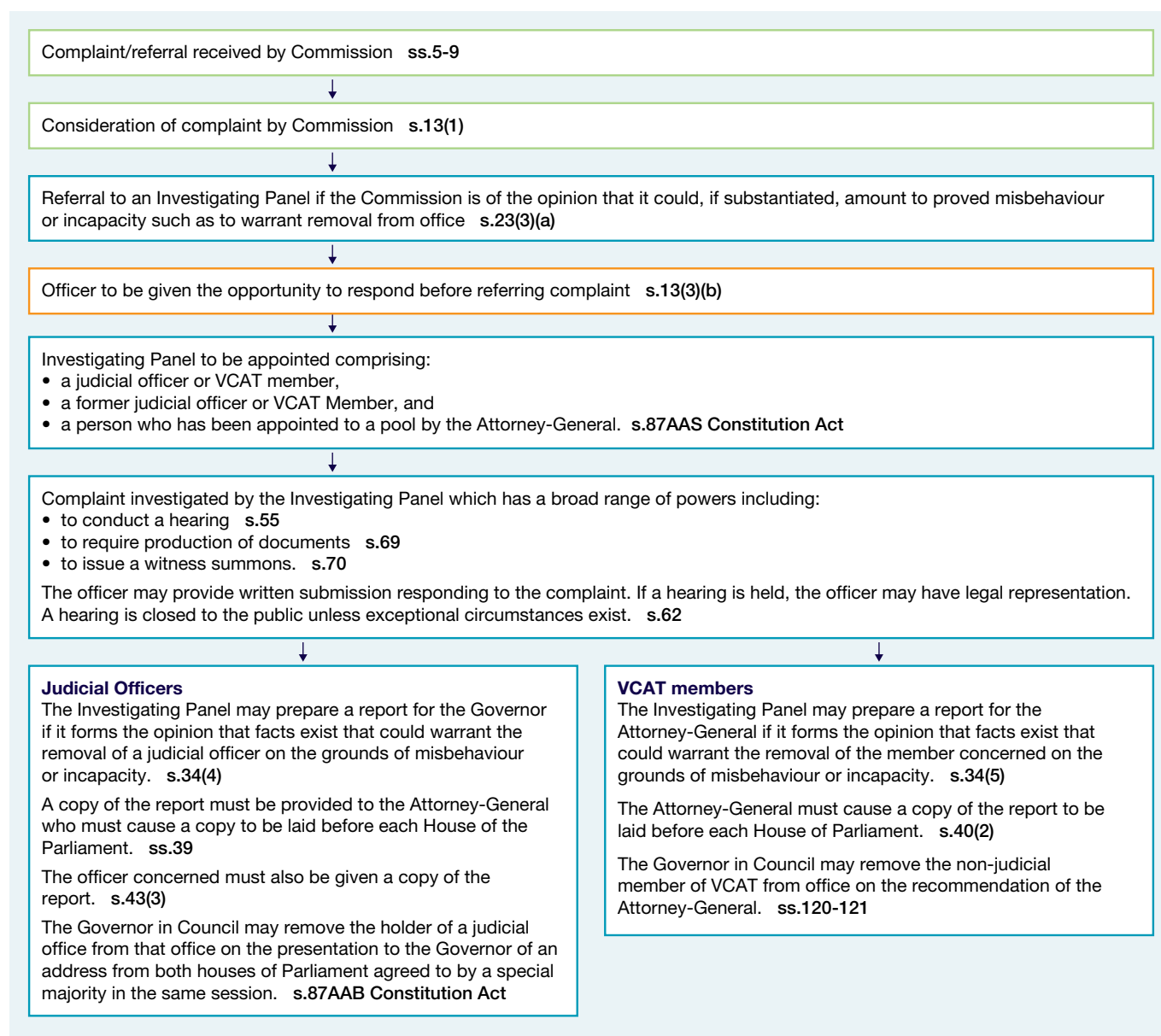
Most complaints do not concern matters that could warrant removal. An investigating panel is reserved for the most serious matters. Hearings are closed to the public unless exceptional circumstances exist.

Having investigated the complaint, an investigating panel has three options. It may:

- dismiss the complaint;
- refer the complaint to the relevant head of jurisdiction with recommendations about the future conduct of the officer concerned;
- draft a report recommending the officer be removed from office where it has concluded facts exist that could amount to provided misbehaviour or incapacity.

An investigating panel is not empowered to remove an officer. A special majority of both Houses of Parliament must agree before an officer can be removed.

Figure 3.3: Process for referring a complaint to an investigating panel



Investigation powers

When can an officer be stood down?

The relevant head of jurisdiction may stand down an officer (other than another head of jurisdiction or an officer of the Supreme Court or the County Court). This can occur at any time if they believe that the continued performance of functions by the officer is likely to impair public confidence in the impartiality, independence, integrity or capacity of that person or the relevant court or tribunal.

The Commission or an investigating panel may recommend to a head of jurisdiction that an officer be stood down (or where the officer has already been stood down by a head of jurisdiction, extend the time within which the officer is stood down). A recommendation can only be made in limited circumstances and with respect to the most serious complaints. If the officer in question is a head of jurisdiction or an officer of the Supreme Court or County Court, the relevant council of judges may determine that the officer be stood down. Standing down an officer is a temporary measure and is not the same as removing an officer from office. It does not affect the officer's remuneration, allowances or other entitlements.

A head of jurisdiction can stand down an officer for a period of 21 days. The Commission or an investigating panel may recommend that an Officer be stood down from office or continue to be stood down from office after the expiration of 21 days, pending the outcome of a complaint or referral.

When can an officer be required to undergo a medical examination?

If the Commission or an investigating panel reasonably believes an officer may be suffering from an impairment, disability, illness or condition that may significantly affect the officer's performance of their functions, it may require an officer to undergo any medical examination it considers necessary.

The officer concerned must be given a copy of the medical report. The officer may then submit a medical report by a registered medical practitioner that addresses those matters.

Powers of heads of jurisdictions

Prior to the establishment of the Commission, complaints could only be made to the heads of jurisdiction. These were processed internally by the relevant jurisdiction. The Commission's complaint process provides an alternate, separate and transparent decision-making process.

The JCV Act does not, however, limit the powers that the heads of jurisdiction have to:

- ensure the effective, orderly, and expeditious discharge of the business of the court;
- do all the things necessary or convenient to perform these responsibilities.

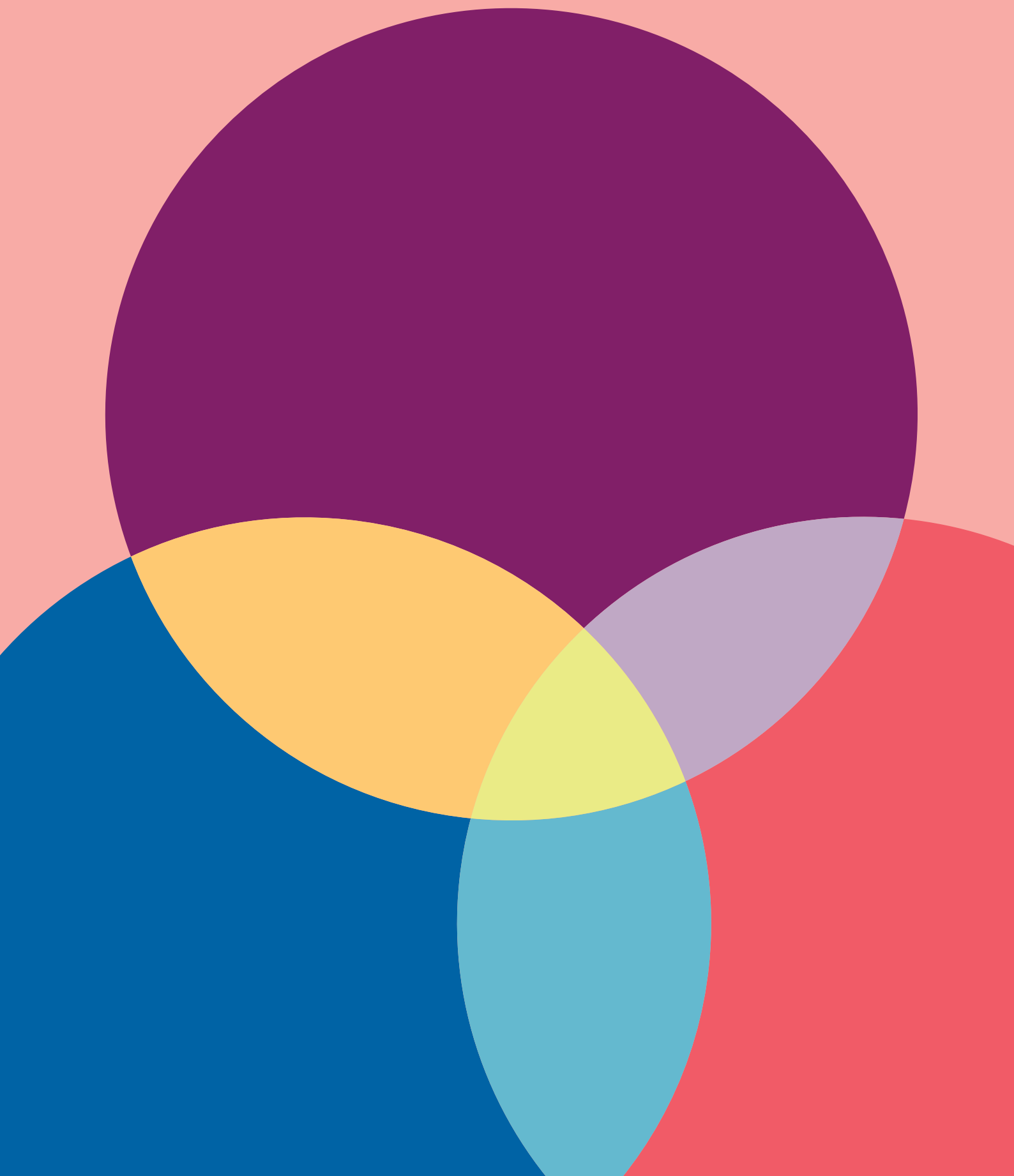
Our relationship with the Victorian Parliament and other sector agencies

The Victorian Parliament has the power to remove a judicial officer. The Attorney-General of Victoria has the power to remove a VCAT member. The Governor in Council in Victoria makes the orders for the removal of judicial officers.

IOV is responsible for the oversight of the exercise of coercive powers by an investigating panel or oversight of the exercise by the Commission of the power to compel an officer to undergo a medical examination. This occurs through notification to IOV of any exercise of these powers at the conclusion of an investigating panel hearing or investigation of a matter, as the case may be.

Section 4

Our operations



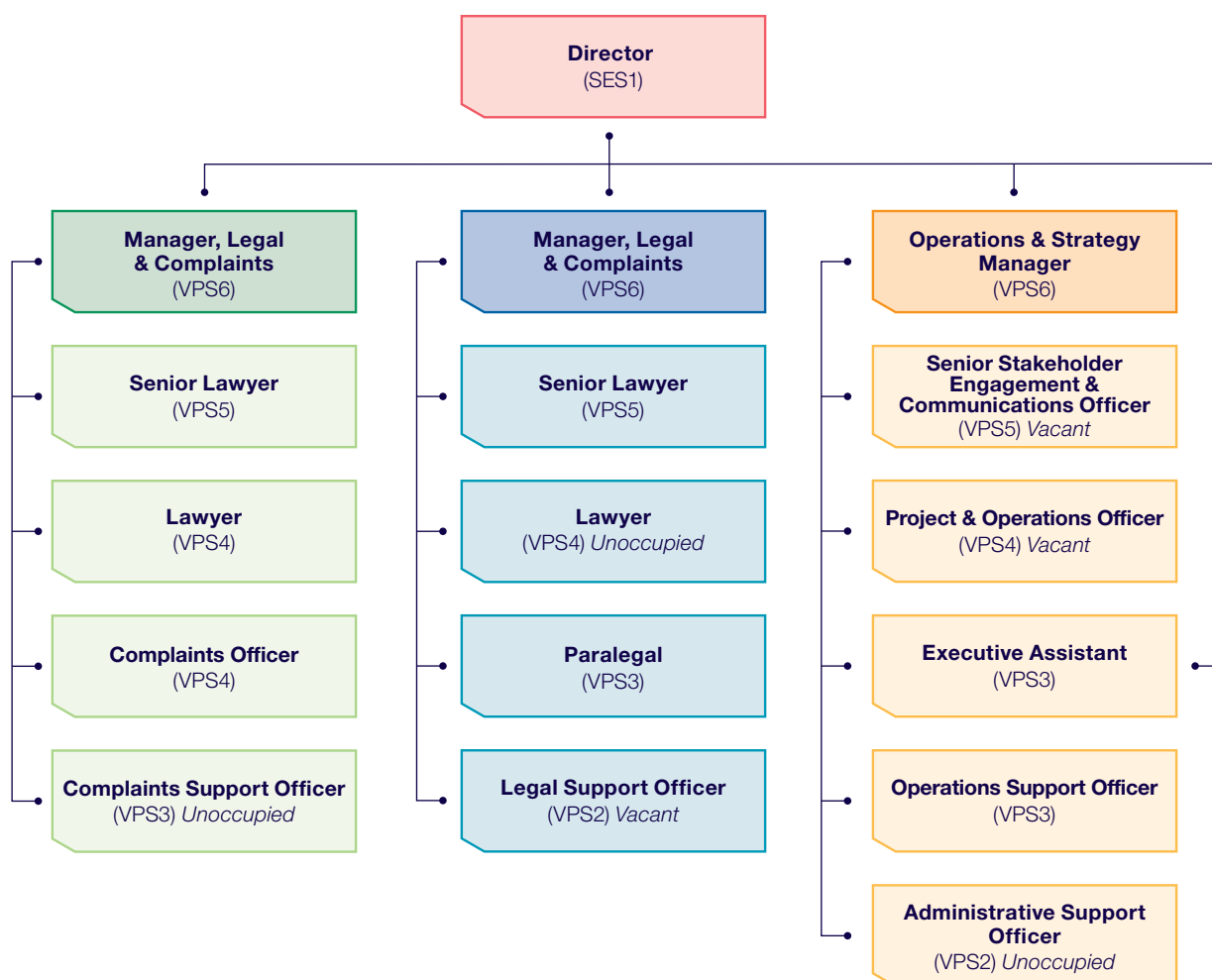
Organisational structure

The Director and Board are supported by a team performing a broad range of operational, legal and complaints-handling tasks to ensure the Commission can deliver its functions under the JCV Act.

The Legal & Complaints team manages the investigation of complaints about the conduct and capacity of judicial officers and VCAT members, leads the development of JCGs and stakeholder engagement with the public, complainants, judiciary and legal sector, and supports the work of investigating panels.

The Operations team leads all corporate functions, including Human Resources, Strategy, Finance, Governance, and IT, supported by CSV, who provide specialist advice, advocacy and technical expertise as needed.

Our teams work closely together, united by a shared passion for delivering on our strategic priorities. We foster a connected and collegiate culture, collaborating regularly to achieve the best possible outcomes.



The organisational structure reflects the position as at 30 June 2025.

Governance, risk and security

Audit and Risk Committee membership and roles

The Audit and Risk Committee (ARC) is a standing committee of CSV, and sub-committee of the Courts Council. Meeting quarterly, the ARC oversees the provision of audit and risk management functions and assurance to our Board.

In accordance with the Financial Reporting Directions under the *Financial Management Act 1994* (Vic) (FM Act), the members of the committee during 2024-25 were:

- Ms Susan (Sue) Friend, Chair, non-judicial independent member of both the ARC and Courts Council;
- The Honourable Justice Michael Osbourne, judicial member;
- The Honourable Judge Gary Clark, judicial member;
- The Honourable Magistrate Michael Richards, judicial member;
- Dr Philip Williams, non-judicial independent member of both the ARC and Courts Council (retired 30 September 2024);
- Ms Fiona Green, non-judicial independent member.

The purpose of the ARC is to assist Courts Council to fulfil its oversight responsibilities relating to:

- the integrity and quality of CSV's financial reporting and disclosures;
- the adequacy of CSV's risk management framework and use by management to identify and manage key risks;
- the adequacy of CSV's internal control framework to mitigate key business, financial, fraud and regulatory risks;
- the independence, workplace (including an annual audit of CSV financial statements), and effectiveness of external auditor;
- the independence, qualifications, engagement, fees, scope of work and effectiveness of CSV's internal audit function;
- compliance with relevant laws, regulations, standards and codes.

On 29 May 2021, the Assistant Treasurer granted the Commission full exemption from the Standing Directions 2018 under the FM Act for 2020-21 and onwards. This year, we collaborated with CSV to maintain a range of financial control and governance arrangements to ensure ongoing sound financial management. We continue to adopt CSV policies on a broad range of finance, risk and procurement matters, and the ARC maintain its oversight of, and engagement with us.

We continue to be subject to annual audits conducted by the Victorian Auditor-General's Office (VAGO), with oversight provided by the ARC encompassing review of fees, audit strategies and audit outcomes. Annual financial audits ensure a comprehensive approach to financial governance and provide opportunities for improvement. The ARC endorses our audited annual financial statements, which are subsequently reviewed and approved by our Board. The statements are presented in Section 7 of this report.

The ARC also oversees our risk-related activities, including those aligned with the overarching CSV organisational risk profile (ORP).

Risk and risk management

We maintain a local risk register, underpinned by a series of actions designed to mitigate and control identified risks. Our risk register contains a detailed assessment of present and emerging operational and strategic risks, including appropriate interventions to manage psychosocial hazards. It is reviewed periodically to ensure its currency. The actions identified in our risk register contribute to ongoing continuous improvement efforts across all facets of our organisation and operations.

While focusing on localised impacts, our risk register and overall approach to risk cascades from CSV's ORP. We collaborate with, and receive support from, the CSV Risk Team on all risk and insurance matters, while also contributing to ORP reviews and related actions.

Occupational health and safety

We are committed to providing a healthy and safe work environment. To support this, we adopt and locally implement CSV's Occupational Health and Safety (OHS) policy and strategy, drawing on a suite of available resources as needed to ensure compliance with WorkSafe Victoria regulations.

In-office OHS is reinforced by providing ergonomic furniture and maintaining a clean, compliant workspace that meets walkway accessibility and safety standards.

Ensuring staff wellbeing through managing psychosocial hazards, including vicarious trauma, is a key component of our OHS approach, particularly during and after distressing phone calls – where confronting details can be shared – or when reviewing legal proceedings. In addition to being exposed to challenging content, some staff may engage with complainants who are frustrated or confused about the legal system, and who may also display complex behaviours or disclose mental health issues. Our staff are experienced and trained in responding to persons disclosing self-harm or suicidal ideation during telephone calls or email. Staff are encouraged to take breaks and employ their preferred self-care strategies as and when needed following exposures. Our Legal & Complaints team have attended trauma awareness and other training designed to support them in managing difficult communications. We have consulted with staff to identify psychosocial hazards in our workplace and interventions to manage them. This includes continuing to explore avenues to limit the risk of vicarious trauma.

Our employees have access to CSV Employee Wellbeing Services, delivered through PeopleSense by Altius, and are encouraged to utilise them as needed.

Incident management

In 2024–25, we recorded one non-notifiable incident, which resulted in a minor injury. The incident was recorded through CSV's online reporting system (AIRS), and preventive measures, including improved signage, were implemented to mitigate the risk of recurrence.

Cyber security

We take cybersecurity seriously and acknowledge the risks that arise from inadequate management.

This year, we have taken clear steps to reduce the risk of a cyber incident and lessen the impact if one does occur.

Recent cyber security activities and achievements

- **Website and CMS penetration testing completed**
Successfully conducted penetration testing on the new website and CMS, resulting in minimal findings and confirming strong security.
- **Monthly cyber communications distributed**
Continued to enhance cyber awareness by distributing a monthly Cyber Communications Series to all staff, focusing on key topics such as phishing, password hygiene, and safe data handling.
- **Cyber specialist presentation at all staff meeting**
Engaged a Cybersecurity Specialist from CSV to deliver a presentation at an All-Staff meeting, raising awareness and promoting best practices across the organisation.

- **Collaboration with CSV on information asset audit**

Worked with CSV to conduct a comprehensive Information Asset Audit, ensuring accurate identification and classification of critical data assets.

- **Representation at courts-wide cyber security working group**

Participated in the Courts-Wide Cyber Security Working Group, contributing to cross-jurisdictional collaboration and alignment on cybersecurity initiatives.

- **BCP exercise conducted**

Completed a BCP exercise that tested our responsiveness and resilience to a simulated cyber incident, identifying opportunities for improvement and confirming key response capabilities.

While we have made significant progress in addressing cyber risk, we recognise that cyber security is an ever-evolving challenge.

We will continue to strengthen our cyber security resilience through the following upcoming initiatives:

- **Establish regular cybersecurity reporting to the Board**

Implement periodic reporting to ensure our Board remains informed and engaged on key cyber risks, activities and improvements.

- **Undertake a security review of sharepoint**

Conduct a comprehensive review of our SharePoint environment to identify and address any potential security gaps.

- **Revise digital records management and retention practices**

Update our approach to managing and retaining digital records to align with best practices and security requirements.

- **Commence a CMS cybersecurity audit**

Launch a targeted audit of our CMS to assess current controls and identify areas for enhancement.

Our workforce

Executive Officer data

As of 30 June 2025, we have one Executive Officer.

Comparative workforce data

The following table discloses the head count and full-time equivalent (FTE) of all our active public service employees, employed in the last full pay period in June of the current reporting period, and in the last full pay period in June of the previous reporting period (2024).

Table 4.1: Details of employment levels in June 2024 and 2025

		Jun-25						
		All employees		Ongoing			Fixed term and casual	
		Number (headcount)	FTE	Full-time (headcount)	Part-time (headcount)	FTE	Number (headcount)	FTE
Demographic data	Gender							
	Women	12	10.2	5	3	7.1	4	3.1
	Men	1	1.0	1	0	1.0	0	0.0
	Self-described	0	0.0	0	0	0.0	0	0.0
	Age							
	15-24	0	0.0	0	0	0.0	0	0.0
	25-34	3	3.0	2	0	2.0	1	1.0
	35-44	7	5.9	3	3	5.1	1	0.8
	45-54	3	2.3	1	0	1.0	2	1.3
	55-64	0	0.0	0	0	0.0	0	0.0
	65+	0	0.0	0	0	0.0	0	0.0
Classification data	VPS 1-6 grades	12	10.2	5	3	7.1	0	0.0
	VPS 1	0	0.0	0	0	0.0	0	0.0
	VPS 2	1	0.6	0	1	0.6	0	0.0
	VPS 3	3	2.3	1	0	1.0	2	1.3
	VPS 4	3	2.8	1	1	1.8	1	1.0
	VPS 5	2	2.0	2	0	2.0	0	0.0
	VPS 6	3	2.5	1	1	1.7	1	0.8
	Senior employees	1	1.0	1	0	1.0	0	0.0
	Executives	1	1.0	1	0	1.0	0	0.0
	Total employees	13	11.2	6	3	8.1	4	3.1

Table 4.1: Details of employment levels in June 2024 and 2025 (continued)

		Jun-24						
		All employees		Ongoing			Fixed term and casual	
		Number (headcount)	FTE	Full-time (headcount)	Part-time (headcount)	FTE	Number (headcount)	FTE
Demographic data	Gender							
	Women	13	10.7	5	1	5.6	7	5.1
	Men	2	2.0	1	0	1.0	1	1.0
	Self-described	0	0.0	0	0	0.0	0	0.0
	Age							
	15-24	1	0.4	0	0	0.0	1	0.4
	25-34	3	3.0	2	0	2.0	1	1.0
	35-44	9	7.7	4	1	4.6	4	3.1
	45-54	2	1.6	0	0	0	2	1.6
	55-64	0	0.0	0	0	0.0	0	0.0
	65+	0	0.0	0	0	0.0	0	0.0
Classification data	VPS 1-6 grades	0	0.0	0	0	0	0	0
	VPS 1	0	0.0	0	0	0.0	0	0.0
	VPS 2	1	0.4	0	0	0.0	1	0.4
	VPS 3	4	2.9	1	0	1.0	3	1.9
	VPS 4	3	3.0	1	0	1.0	2	2.0
	VPS 5	3	3.0	3	0	3.0	0	0.0
	VPS 6	3	2.4	1	1	1.6	1	0.8
	Senior employees	1	1.0	1	0	1.0	0	0.0
	Executives	1	1.0	1	0	1.0	0	0.0
	Total employees	15	12.7	7	1	7.6	7	5.1

Our values and culture

Employment and conduct principles

We are committed to applying merit and equity principles when appointing staff. These selection processes ensure that applicants are assessed and evaluated fairly and equitably based on the key selection criteria and other accountabilities without discrimination. Employees have been correctly classified in workforce data collections.

Learning and development

We are committed to ongoing learning and development to support the growth of our staff, build capability and foster a continuous improvement culture. The performance development plan process, together with ongoing staff consultation, informs our learning and development activities.

All lawyers in our Legal & Complaints team hold current practising certificates and meet their CPD obligations by attending targeted training and events hosted by professional, government and academic bodies, covering diverse topics such as administrative, criminal and human rights law as well as integrity and ethics. We also fund their membership with professional bodies such as the Law Institute of Victoria (LIV) and Australasian Institute of Judicial Administration.

We actively work to connect staff with available training opportunities and strive to create new ones when existing offerings do not meet identified needs. Staff have access to learning and development opportunities internally through CSV, more broadly within government, and from external providers.

This year, staff attended formal training in a broad range of fields, including:

- Change Management
- Confidential Hiring
- Leading for Wellbeing
- Dealing with Complex Behaviours
- Leadership in Courts
- Company Directors
- Right to Disconnect
- The Professional Executive Assistant
- Advanced Skills for Elite Personal and Executive Assistants
- Navigating Change and Uncertainty for People Leaders
- Courts Group Compliance Suite
- First Aid
- Fire Warden.

Staff also participated in a number of professional development activities, such as public lectures, workshops, seminars and conferences on a broad range of topics including:

- Threats to Judicial Independence, Authority, and the Administration of Justice in Australia
- Lawyer Wellbeing Theory
- Ethical Wellbeing
- Government Lawyers in Administrative Law and Statutory Interpretation
- AI in Government Decision Making
- Cyber Security
- National Public Sector Governance
- Rebuilding Public Service Trust and Integrity.

Section 5

Our detailed data

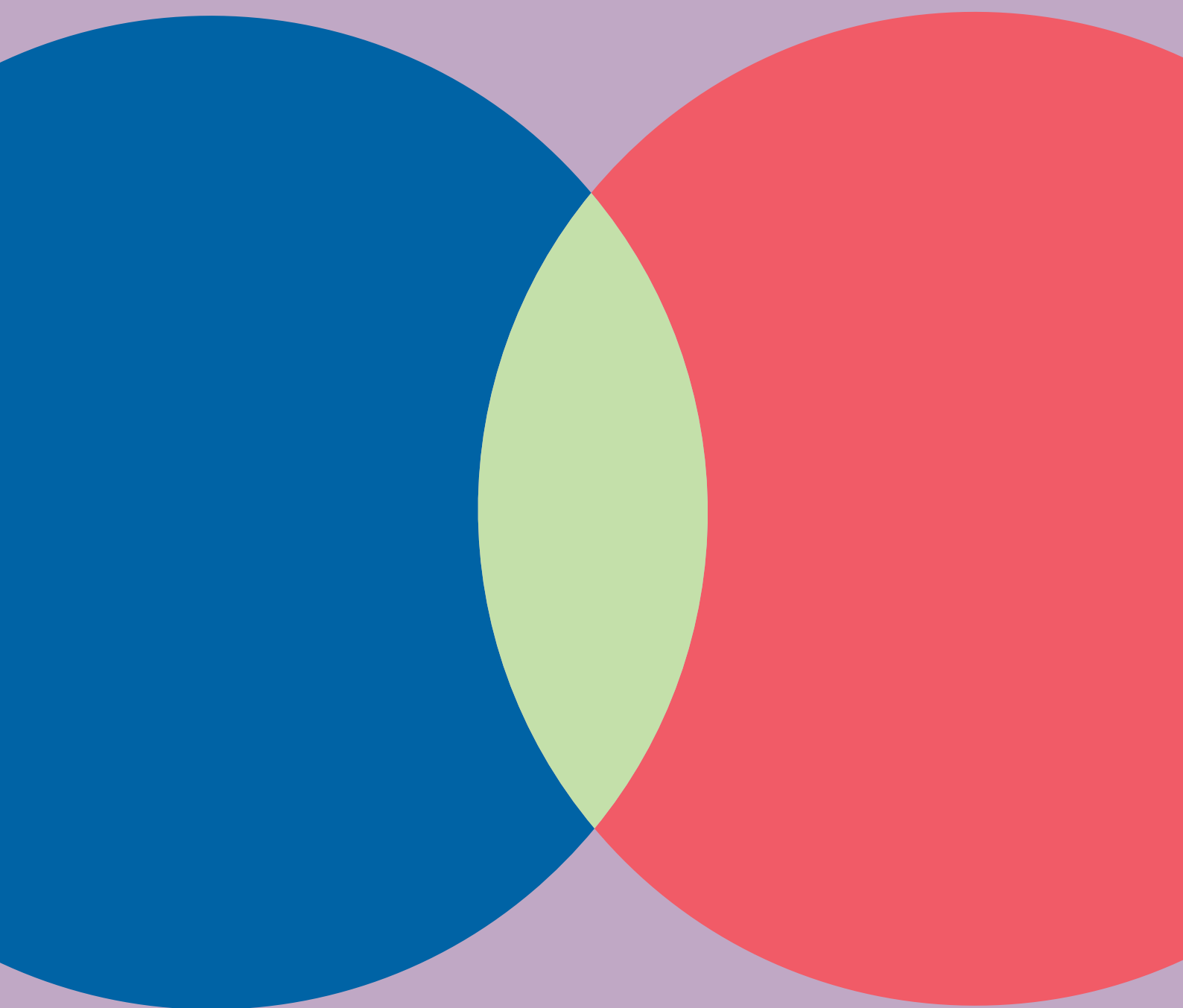


Table 5.1: Comparison of key complaints data from the last three financial years

	2022–23	2023–24	2024–25
Individual Complainants	116	185	218
Individual Officers	103	160	190
Complaints where a request for documents was made under section 28	78	115	112
Complaints where an opportunity to respond was offered	4	16	5
Complaints where a response was received	3	14	4
Dismissed	96 (92.3%)	207 (95.8%)	212 (99.1%)
Referred to head of jurisdiction	6 (5.8%)	9 (4.2%)	2 (0.9%)
Referred to investigating panel	2 (1.9%)	0 (0%)	0 (0%)

Table 5.2: Time taken to finalise complaints and percentage of total

Time period from date of receipt to finalisation	Number of complaints (percentage of totals)		
	2022–23	2023–24	2024–25
Three months or less	18 (17.3%)	42 (19.4%)	34 (15.9%)
Three to four months	13 (12.5%)	30 (13.9%)	19 (8.9%)
Four to five months	14 (13.5%)	31 (14.4%)	32 (15.0%)
Five to six months	24 (23.1%)	36 (16.7%)	48 (22.4%)
Six to seven months	12 (11.5%)	29 (13.4%)	39 (18.2%)
More than seven months	23 (22.1%)	48 (22.2%)	42 (19.6%)

Table 5.3: Timeliness of finalised complaints

Timeliness of finalised complaints	2022–23	2023–24	2024–25
Average	187	166	160
Median	159	154	168
Finalised within 6 months	69 (66.4%)	139 (64.4%)	133 (62.1%)

Table 5.4: Efficiency in finalising complaints

Complaint flow	2022–23	2023–24	2024–25
Received	145	230	285
Investigations finalised	104	216	214
Withdrawn	1	7	3
Remaining open at the end of the financial year ¹⁷	83	96	150
Of those remaining open, the number received in the previous financial year	4	0	0
Clearance rate	72%	97%	76%

Table 5.5: Number of complaints received per jurisdiction and percentage of total

Jurisdiction	2022–23	2023–24	2024–25
Supreme Court	17 (11.7%)	15 (6.5%)	20 (7.0%)
County Court	11 (7.6%)	27 (11.8%)	20 (7.0%)
Magistrates' Court	83 (57.2%)	107 (46.5%)	147 (51.6%)
Children's Court	4 (2.8%)	7 (3%)	8 (2.8%)
Coroners Court	2 (1.4%)	2 (0.9%)	3 (1.1%)
VCAT	27 (18.6%)	70 (30.4%)	82 (28.8%)
VOCAT	1 (0.7%)	2 (0.9%)	5 (1.7%)

¹⁷ These figures exclude submissions received prior to 30 June that are triaged as a complaint after 30 June.

Table 5.6: Number of complaints received from legal practitioners and professional court users

2022–23	2023–24	2024–25
6	8	11

Table 5.7: Number of complaints alleging judicial bullying

Judicial Bullying Complaints	2022–23	2023–24	2024–25
Received	3	3	8

Table 5.8: Grounds for dismissing complaint parts

Ground for dismissing complaint parts	Number of complaints and percentage of total dismissed complaints where the ground was exercised at least once		
	2022–23	2023–24	2024–25
Does not meet the section 16(1) threshold	78 (76%)	143 (69.1%)	176 (83.0%)
Not a judicial officer of VCAT member: section 16(2)(b)	1 (1%)	0 (0%)	0 (0%)
Conduct occurred before appointment to office: section 16(3)(a)	1 (1%)	1 (0.5%)	2 (0.9%)
Complaint relates solely to the merits or lawfulness of decision: section 16(3)(b)	7 (7.3%)	21 (10.1%)	2 (0.9%)
Complaint is frivolous, vexatious, not in good faith: section 16(3)(d)	3 (3.1%)	3 (1.4%)	4 (1.9%)
Officer resigned or retired: section 16(3)(e)	1 (1%)	4 (1.9%)	4 (1.9%)
Complaint not substantiated: section 16(4)(a)	47 (49%)	111 (53.6%)	91 (42.9%)
Too remote in time: section 16(4)(b)	0 (0%)	1 (0.5%)	0 (0%)
Further investigation unnecessary or unjustified: section 16(4)(c)	34 (35.4%)	41 (19.8%)	14 (6.6%)

Section 6

Disclosures



Financial summary and review

Four-year financial summary

The budget provides a comparison of our financial statements and the forecast financial information.

The financial summary and review are not subject to audit by VAGO and are not prepared on the same accounting basis as our financial statements.

Refer to the financial statements for comparisons of budget and actual.

TABLE 6.1 Financial summary

	2024–2025 \$000	2023–2024 \$000	2022–2023 \$000	2021–2022 \$000
Revenue from government	2,429	2,681	2,803	2,656
Total income from transactions	2,429	2,681	2,803	2,656
Total expenses from transactions	2,415	2,435	2,368	2,685
Net result from transactions – surplus / (deficit)	14	246	435	(2)
Net result for the period – surplus / (deficit)	16	246	435	(0)
Net cash flow from operating activities	52	–	200	265
Total Assets	1,783	1,765	1,439	1,378
Total Liabilities	507	505	425	580

Consultancy expenditure

Details of consultancies (valued at \$10,000 or greater)

Purpose of consultancy	Start date	End date	Total approved project fee (excl. GST)	Expenditure 2024–2025 (excl. GST)	Future expenditure (excl. GST)
PR and Annual Report Services	1 July 2024	30 June 2025	\$45,455	\$20,850	\$0
Revised Complaints Portal Build – Digital Transformation Project	1 July 2024	30 June 2025	\$0	\$0	\$59,880
Website design and build – Digital Transformation Project	1 July 2024	30 June 2025	\$375,000	\$20,900	\$20,900
Externally Facilitated Board Evaluation	1 July 2024	30 June 2025	\$23,650	\$23,650	\$0

Details of consultancies (valued at less than \$10,000)

Purpose of consultancy	Start date	End date	Total approved project fee (excl. GST)	Expenditure 2023–2024 (excl. GST)	Future expenditure (excl. GST)
Design and format of Strategic Plan Services	1 July 2024	30 June 2025	\$1,600	\$1,600	\$0
SMS Integration to Complaints Management System	1 July 2024	30 June 2025	\$6,000	\$6,394	\$0
Rebranding – Digital Transformation Project	1 July 2024	30 June 2025	\$6,000.00	\$5,160.00	\$0
Facilitator services for Strategic Plan Workshop	1 July 2024	30 June 2025	\$4,950	\$4,950	\$0
External Legal Counsel	1 July 2024	30 June 2025	\$0	\$6,708	\$0
Penetration Testing – Digital Transformation Project	1 July 2024	30 June 2025	\$19,400	\$8,800	\$0
Website design and build – Digital Transformation Project	1 July 2024	30 June 2025	\$0	\$1,504	\$0

Information and communication technology expenditure

Details of Information and Communication Technology (ICT) expenditure

(\$ Thousand)			
All operational ICT expenditure		ICT Expenditure related to projects to create or enhance ICT capabilities	
Business As Usual (BAU) ICT expenditure	Non-Business As Usual (Non-BAU) ICT expenditure	Operational Expenditure	Capital Expenditure
	\$61,378	\$176,698	\$6,833
Total = Operational expenditure and capital expenditure			\$244,909

Sustainability and climate change

As an office-based organisation, we are committed to minimising our environmental impact and actively support sustainable practices wherever possible.

Energy and Water Consumption

The building is carbon-neutral certified under the combined NABERS and Climate Active pathway, and in alignment with the international Greenhouse Gas Protocol. The building has a 5-Star NABERS Energy (6-Star equivalent NABERS Energy with GreenPower rating using self-surrendered LGCs). Additionally, the building has a 5.5-Star NABERS Water Rating.

The focus on energy efficiency utilises a combination of both on-site and off-site 100% renewable electricity, combined with a demand response programme to manage electricity loads within the building. LED lighting and air conditioning have also been upgraded to optimise energy efficiency.

We are not billed separately for water usage and electricity, as it is included as part of the building lease. We have no oversight of the consumption of these services.

Paper

We buy our paper from Complete Office Supplies. It is 100% Recycled Bright White Australian (made in Victoria) and is certified carbon neutral under the National Carbon Offset Standard's Carbon Neutral Program.

We encourage staff and stakeholders to avoid printing documents unless absolutely necessary, in order to reduce paper consumption and waste.

Plants

To improve air quality and foster an environment that supports stress reduction and overall wellbeing, we maintain a variety of plants throughout our office. This contributes to a healthier, more pleasant, and productive workplace for all staff and visitors. Plants are maintained by both an external contractor and our office staff.

Commuting

With no onsite parking provided, our staff actively utilise sustainable transport options – such as walking, cycling, public transport and carpooling – to commute to and from work. In further support of active commuting, end-of-trip facilities are available and include bike storage and shower amenities.

Lighting

Energy-efficient motion-sensor lighting is installed throughout the office to reduce unnecessary energy use.

Waste

A colour-coded four-bin system is in place throughout the office to support effective waste separation and recycling.

Bins allow sorting as follows:

- Yellow bin: Paper and cardboard recycling
- Red bin: General waste (non-recyclable items)
- Green bin: Organic waste (food scraps and compostables)
- Blue bin: Container and plastic recycling.

In addition to general office waste disposal, e-waste recycling is also facilitated. It includes the disposal of electronic items such as computers, printers, batteries, and other related equipment.

Compliance obligations

Freedom of information

The *Freedom of Information Act 1982* (Vic) (FOI Act) allows the public the right to access documents held by us.

While an applicant can apply for access to documents created by us or supplied to us by an external organisation or individual, under section 143 of the JCV Act, the FOI Act does not apply to a document that discloses information about a complaint, referral or Commission investigation.

The FOI Act also allows us to refuse access, either fully or partially, to certain documents or information, including some internal working documents, law enforcement documents, those covered by legal professional privilege, containing personal information or confidential information provided to us.

FOI requests are handled in accordance with guidelines and processes set down by the Office of the Victorian Information Commissioner (OVIC). If an applicant is not satisfied with our decision, under the FOI Act, they have the right to ask for a review by the OVIC within 28 days of receiving a decision letter from us.

This year, we received one (1) FOI request from a member of the public. We refused access to the documents in full, because the request related to documents about a complaint investigation.

Making a request

An FOI request to access documents held by us can be made to:

Freedom of Information
Judicial Commission of Victoria
GPO Box 4305
Melbourne VIC 3001

FOI requests must be in writing and clearly identify what type of material or document is being sought. Applicants can use the OVIC FOI request form located at:

<https://ovic.vic.gov.au/wp-content/uploads/2023/09/Freedom-of-information-access-request-form-section-17.docx>

An application fee of \$32.70¹⁸ applies and additional charges may also apply if the document pool is large. We may waive or reduce the fee if payment would cause financial hardship to the applicant.

Compliance with the Building Act 1993

We do not own or control any government buildings and, therefore, are excused from notifying of our compliance with the building and maintenance provisions of the *Building Act 1993*.

Victoria Industry Participation Policy Act 2003

The *Victorian Industry Participation Policy Act 2003* must be applied to all procurement activities valued at \$3 million or more, in metropolitan Melbourne and for state-wide projects, or \$1 million or more in regional Victoria. We did not commence or complete any such procurement activities this year.

Compliance with the Carers Recognition Act 2012

We are committed to meeting our obligations under the *Carers Recognition Act 2012* (Vic). All new employees are made aware of their rights and responsibilities under this legislation as part of the induction process. We also support existing employees with caring responsibilities by supporting them in balancing their work and caring commitments. This is done in accordance with the provisions of the *Victorian Public Service Enterprise Agreement 2024* and our broader commitment to flexible, inclusive, and wellbeing-driven workplace practices.

We have people management policies (adopted from CSV) that support the principles of the *Carers Recognition Act 2012* (Vic), including:

- Employee Assistance Program
- Personal/Carer's Leave Policy
- Flexible Working Arrangements Policy
- Purchased Leave Policy.

¹⁸ The cost to make an FOI application increases each year on 1 July. This was the fee as at 30 June 2024.

Compliance with the *Public Interest Disclosures Act 2012*

The PID Act encourages people to disclose improper conduct by public officers and public bodies and provides protection to those who make disclosures in accordance with the PID Act, or anyone who may suffer detrimental action in reprisal for those disclosures.

The PID Act establishes a system for ensuring disclosures are properly assessed and investigated where appropriate. It also ensures the content and identity of the disclosure is confidential.

Our Procedures for handling public interest disclosures is available on our website and outlines the system for reporting disclosures of improper conduct or detrimental action further.

Reporting procedures

Reporting PIDs to us:

We can receive PIDs of improper conduct about judicial officers and non-judicial members of VCAT.

PIDs should be made to:

Director
Judicial Commission of Victoria
GPO Box 4305
Melbourne VIC 3001

or see our website for options to submit your PID to us electronically.

Our Procedures for handling public interest disclosures outlines our processes for protecting and supporting people who make a PID.

Reporting PIDs about us:

PIDs about improper conduct by the Commission or its employees must be made to IBAC or IOV or the Victorian Ombudsman.

We do not accept improper conduct by our employees and are committed to transparency and accountability in the Commission's administrative and management practices. We encourage and support the reporting and prevention of corruption and other misconduct within the Victorian public service.

Additional Commission information available on request

The Commission has retained the items listed below, and they are available on request, subject to the provisions of the FOI Act.

- a) A statement that all relevant Officers of the Commission have duly completed declarations of pecuniary interests;
- b) Details of shares held by a senior officer as nominee or held beneficially in a statutory authority or subsidiary;
- c) Details of publications produced by the Commission about itself, and how these can be obtained;
- d) Details of assessments and measures undertaken to improve the occupational health and safety of employees;
- e) A list of major committees sponsored by the Commission, the purpose of each committee and the extent to which the purposes have been achieved;
- f) Details of consultancies and contractors, including:
 - a. consultants/contractors engaged;
 - b. services provided;
 - c. expenditure committed for each engagement.

Compliance with DataVic Access Policy

The DataVic Access Policy and supporting Guideline provide direction on the release, licensing and management of Victorian Government data so that it can be used and reused by the community and businesses. We made zero data sets available on the DataVic website this year.

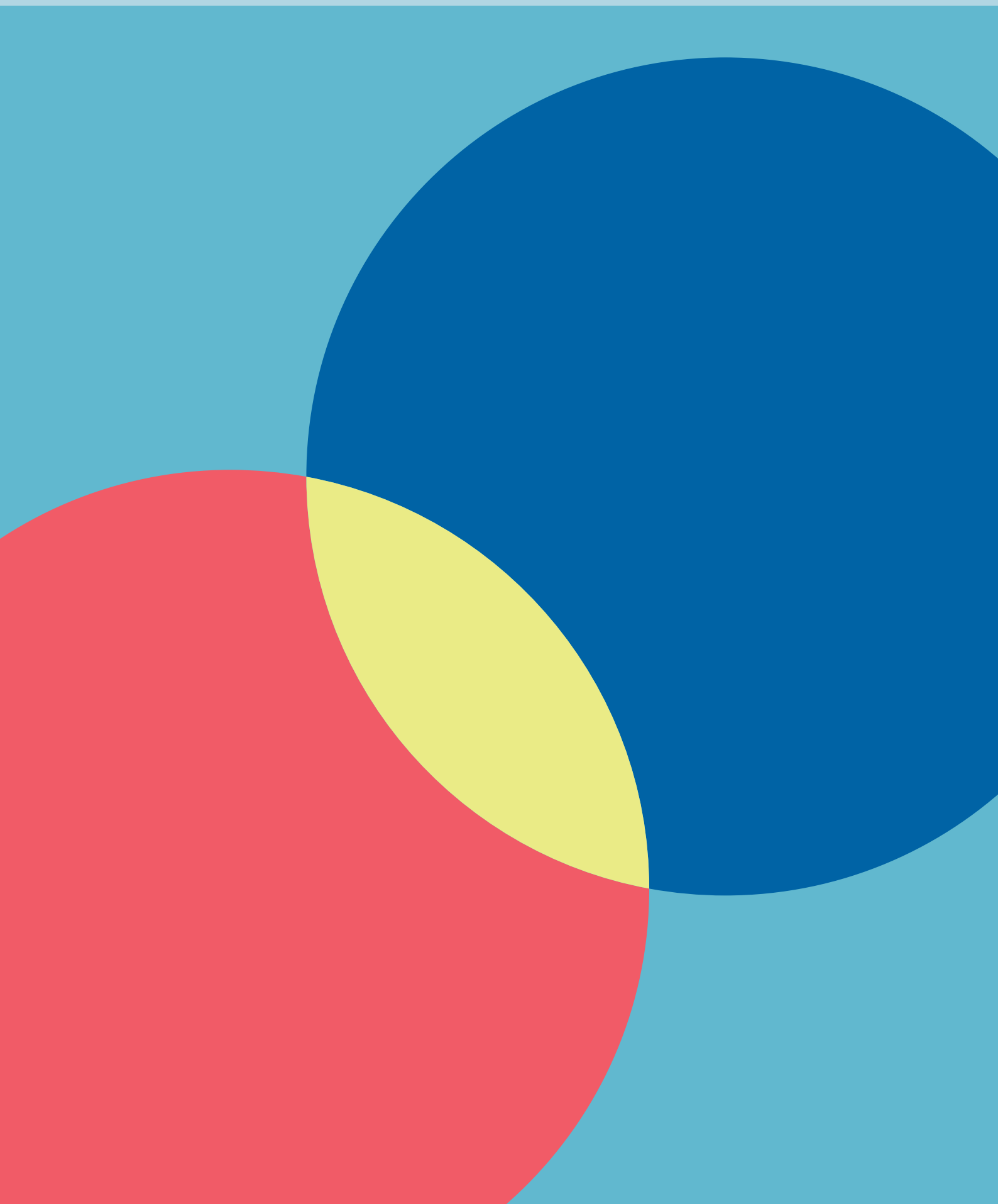
Information contained in this Annual Report is also available in an accessible electronic format at www.judicialcommission.vic.gov.au.

Disclosure Index

Legislation	Requirement
Ministerial Directions and Financial Reporting Directions	
REPORT OF OPERATIONS	
Charter and purpose	
FRD 22H	Manner of establishment and the relevant Ministers
FRD 22H	Purpose, functions, power and duties
FRD 8D	Departmental objectives, indicators and outputs
FRD 22H	Nature and range of services provided
Management and structure	
FRD 22H	Organisational structure
Financial and other information	
FRD 8D	Budget portfolio outcomes
FRD 10A	Disclosure Index
FRD 22H	Employment and conduct principles
FRD 22H	Occupational health and safety policy
FRD 22H	Summary of financial results for the year
FRD 22H	Application and operation of the <i>Freedom of Information Act 1982</i>
FRD 22H	Compliance with building and maintenance provisions of the <i>Building Act 1993</i>
FRD 22H	Compliance with the <i>Victorian Industry Participation Act 2003</i>
FRD 22H	Application and operation of the Public Interest Disclosure 2012
FRD 22H	Application and operation of the <i>Carers Recognition Act 2012</i>
FRD 22H	Details of consultancies over \$10,000
FRD 22H	Details of consultancies under \$10,000
FRD 22H	Disclosure of ICT expenditure
FRD 24D	Reporting of office-based environmental impacts
FRD 29	Workforce data disclosures
SD 5.2	Specific requirements under Standing Direction 5.2

Section 7

Financial statements



FINANCIAL STATEMENTS

FOR THE FINANCIAL YEAR ENDED 30 June 2025

JUDICIAL COMMISSION OF VICTORIA - FINANCIAL STATEMENTS

How this report is structured

Judicial Commission of Victoria (JCV) has presented its audited general purpose financial statements for the financial year ended 30 June 2025 in the following structure to provide users with the information about JCV's stewardship of resources entrusted to it.

DECLARATION IN THE FINANCIAL STATEMENTS	3
COMPREHENSIVE OPERATING STATEMENT	5
BALANCE SHEET	6
CASH FLOW STATEMENT	7
STATEMENT OF CHANGES IN EQUITY	8
1 ABOUT THIS REPORT	9
2 FUNDING DELIVERY OF OUR SERVICES	10
2.1 SUMMARY OF INCOME THAT FUNDS THE DELIVERY OF OUR SERVICES	10
3 THE COST OF DELIVERING SERVICES	11
3.1 EXPENSES INCURRED IN DELIVERY OF SERVICES	11
3.2 SUPPLIES AND SERVICES	13
4 KEY ASSETS TO SUPPORT SERVICE DELIVERY	14
4.1 PROPERTY, PLANT AND EQUIPMENT	14
5 OTHER ASSETS AND LIABILITIES	16
5.1 RECEIVABLES	16
5.2 PAYABLES	16
6 HOW WE FINANCED OUR OPERATIONS	17
6.1 CASH FLOW INFORMATION AND BALANCE	17
6.2 COMMITMENTS FOR EXPENDITURE	18
7 FINANCIAL INSTRUMENTS, CONTINGENCIES AND VALUATION JUDGEMENTS	19
7.1 FINANCIAL INSTRUMENTS SPECIFIC DISCLOSURES	19
7.2 CONTINGENT ASSETS AND CONTINGENT LIABILITIES	21
8 OTHER DISCLOSURES	22
8.1 RESPONSIBLE PERSONS	23
8.2 KEY MANAGEMENT PERSONNEL	24
8.3 REMUNERATION OF EXECUTIVE OFFICERS	24
8.4 REMUNERATION OF AUDITORS	25
8.5 OTHER ACCOUNTING POLICIES	25
8.6 SUBSEQUENT EVENTS	25
8.7 CHANGE IN ACCOUNTING POLICIES	25
9 GLOSSARY OF TECHNICAL TERMS AND STYLE CONVENTIONS	26

DECLARATION IN THE FINANCIAL STATEMENTS

The attached financial statements for the Judicial Commission of Victoria have been prepared in accordance with Direction 5.2 of the Standing Directions of the Minister for Finance under the *Financial Management Act 1994*, applicable Financial Reporting Directions (FRDs), Australian Accounting Standards including interpretations, and other mandatory professional reporting requirements.

We further state that, in our opinion, the information set out in the comprehensive operating statement, balance sheet, cash flow statement, statement of changes in equity and accompanying notes, presents fairly the financial transactions during the year ended 30 June 2025 and financial position of the Judicial Commission of Victoria at 30 June 2025.

At the time of signing, we are not aware of any circumstance that would render any particulars included in the financial statements to be misleading or inaccurate.

We authorise the attached financial statements for issue on 15 October 2025.



The Honourable Chief Justice
Richard Niall
Chair of the Board
Judicial Commission of Victoria



Alexis Eddy
Director
Judicial Commission of Victoria



Peter Bennis
Chief Finance Officer
Judicial Commission of Victoria

Melbourne
15 October 2025

Melbourne
15 October 2025

Melbourne
15 October 2025

Independent Auditor's Report

To the Board of the Judicial Commission of Victoria

Opinion	I have audited the financial report of the Judicial Commission of Victoria (the Commission) which comprises the: • balance sheet as at 30 June 2025 • comprehensive operating statement for the year then ended • statement of changes in equity for the year then ended • cash flow statement for the year then ended • notes to the financial statements, including material accounting policy information • declaration in the financial statements. In my opinion the financial report presents fairly, in all material respects the financial position of the Commission as at 30 June 2025 and its financial performance and cash flows for the year then ended in accordance with the financial reporting requirements of Part 7 of the <i>Financial Management Act 1994</i> and applicable Australian Accounting Standards-Simplified Disclosures.
Basis for opinion	I have conducted my audit in accordance with the <i>Audit Act 1994</i> which incorporates the Australian Auditing Standards. I further describe my responsibilities under that Act and those standards in the <i>Auditor's responsibilities for the audit of the financial report</i> section of my report. My independence is established by the <i>Constitution Act 1975</i>. My staff and I are independent of the Commission in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 <i>Code of Ethics for Professional Accountants (including Independence Standards)</i> (the Code) that are relevant to my audit of the financial report in Victoria. My staff and I have also fulfilled our other ethical responsibilities in accordance with the Code. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.
The Board's responsibilities for the financial report	The Board of the Commission is responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards- Simplified Disclosures and the <i>Financial Management Act 1994</i>, and for such internal control as the Board determines is necessary to enable the preparation of a financial report that is free from material misstatement, whether due to fraud or error. In preparing the financial report, the Board is responsible for assessing the Commission's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless it is inappropriate to do so.

Auditor's responsibilities for the audit of the financial report

As required by the *Audit Act 1994*, my responsibility is to express an opinion on the financial report based on the audit. My objectives for the audit are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.

As part of an audit in accordance with the Australian Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Board's internal control
- evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Board
- conclude on the appropriateness of the Board's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Board's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause the Commission to cease to continue as a going concern
- evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.

I communicate with the Board regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.



MELBOURNE
22 October 2025

Charlotte Jeffries
as delegate for the Auditor-General of Victoria

Comprehensive operating statement

For the financial year ended 30 June 2025

	Note	2025 \$'000	2024 \$'000
Continuing operations			
Income from transactions			
Grants	2.1	2,429	2,681
Total income from transactions		2,429	2,681
Expenses from transactions			
Employee expenses	3.1	1,993	1,744
Depreciation and amortisation	4.1	21	21
Supplies and services	3.2	401	670
Total expenses from transactions		2,415	2,435
Net result from transactions (net operating balance)		14	246
Other economic flows included in net result			
Net gain/(loss) arising from revaluation of long service liability		2	-
Total other economic flows included in net result		2	-
Net result		16	246
Comprehensive result		16	246

The accompanying notes form part of these financial statements.

Balance Sheet

As at 30 June 2025

	Note	2025 \$'000	2024 \$'000
Financial assets			
Cash and deposits	7.1.1	188	240
Receivables	5.1	1,477	1,433
Total financial assets		1,665	1,673
Non-financial assets			
Property, plant and equipment	4.1	71	92
Prepayments		47	-
Total non-financial assets		118	92
Total assets		1,783	1,765
Liabilities			
Payables	5.2	51	143
Provisions	3.1.2	456	362
Total liabilities		507	505
Net assets		1,276	1,260
Equity			
Accumulated surplus/(deficit)		1,276	1,260
Net worth		1,276	1,260

The accompanying notes form part of these financial statements.

Cash flow statement

For the financial year ended 30 June 2025

	Note	2025 \$'000	2024 \$'000
Cash flows from operating activities			
Receipts			
Receipts from Government		2,384	2,327
Total receipts		2,384	2,327
Payments			
Payments to suppliers and employees		(2,436)	(2,327)
Interest and other costs of finance paid		-	-
Total payments		(2,436)	(2,327)
Net cash flows from/(used in) operating activities	6.1	(52)	-
Net increase (decrease) in cash held		(52)	-
Cash and cash equivalents at the beginning of the financial year		240	240
Cash and cash equivalents at the end of the financial year		188	240

The accompanying notes form part of these financial statements.

Statement of changes in equity

For the financial year ended 30 June 2025

2025		Accumulated surplus/ (deficit)	Total
	Note	\$'000	\$'000
Balance as at 1 July 2024		1,260	1,260
Net result for the year		16	16
Balance as at 30 June 2025		1,276	1,276

2024		Accumulated surplus/ (deficit)	Total
	Note	\$'000	\$'000
Balance as at 1 July 2023		1,014	1,014
Net result for the year		246	246
Balance as at 30 June 2024		1,260	1,260

The statement of changes in equity should be read in conjunction with the notes to the financial statements.

1 ABOUT THIS REPORT

The Judicial Commission of Victoria (JCV) was established on 1 July 2017 under the *Constitution Act 1975* as an independent body to investigate complaints about judicial officers and non-judicial members of the Victorian Civil and Administrative Tribunal (VCAT) to ensure public confidence and trust in the system is maintained.

JCV's activities and governance are defined within the *Judicial Commission of Victoria Act 2016* and the *Constitution Act 1975*. JCV's activities include investigating complaints about judicial officers and non-judicial members of VCAT.

JCV's principal address is GPO Box 4305, Melbourne, Vic 3000.

Basis of preparation

These financial statements are Tier 2 general purpose financial statements prepared in accordance with AASB 1060 *General Purpose Financial Statements – Simplified Disclosures for For-Profit and Not-for-Profit Tier 2 Entities* (AASB 1060) and Financial Reporting Direction 101 *Application of Tiers of Australian Accounting Standards* (FRD 101).

JCV is a Tier 2 entity in accordance with FRD 101. These financial statements are the first general purpose financial statements prepared in accordance with Australian Accounting Standards – Simplified Disclosures. JCV's prior year financial statements were general purpose financial statements prepared in accordance with Australian Accounting Standards (Tier 1). As JCV is not a 'significant entity' as defined in FRD 101, it was required to change from Tier 1 to Tier 2 reporting effective from 1 July 2024.

These financial statements are in Australian dollars and the historical cost convention is used unless a different measurement basis is specifically disclosed in the notes associated with the item measured on a different basis.

The accrual basis of accounting has been applied in the preparation of these financial statements whereby assets, liabilities, equity, income and expenses are recognised in the reporting period to which they relate, regardless of when cash is received or paid.

Consistent with the requirements of Australian Accounting Standard AASB 1004 *Contributions*, contributions by owners (that is contributed capital and its repayment) are treated as equity transactions and, therefore, do not form part of the income and expenses of JCV.

Additions to net assets that have been designated as contributions by owners are recognised as contributed capital. Other transfers that are in the nature of contributions to or distributions by owners have also been designated as contributions by owner.

Transfers of net assets arising from administrative restructurings are treated as distributions to or contributions by owners. Transfers of net liabilities arising from administrative restructurings are treated as distributions to owners.

Judgements, estimates and assumptions are required to be made about financial information being presented. The significant judgements made in the preparation of these financial statements are disclosed in the notes where amounts affected by those judgements are disclosed. Estimates and associated assumptions are based on professional judgements derived from historical experience and various other factors that are believed to be reasonable under the circumstances. Actual results may differ from these estimates.

Revisions to accounting estimates are recognised in the period in which the estimate is revised and also in future periods that are affected by the revision. Judgments and assumptions made by management in applying Australian Accounting Standards (AASs) that have significant effects on the financial statements and estimates are disclosed in the notes under the heading 'Change in accounting policies'.

These financial statements cover JCV as an individual reporting entity and include all the controlled activities of JCV. All amounts in the financial statements have been rounded to the nearest \$1,000 unless otherwise stated.

Compliance information

These general-purpose financial statements have been prepared in accordance with the *Financial Management Act 1994* (FMA) and applicable AASs, which include Interpretations, issued by the Australian Accounting Standards Board (AASB).

Where appropriate, those AASs paragraphs applicable to not-for-profit entities have been applied. Accounting policies selected and applied in these financial statements ensure that the resulting financial information satisfies the concepts of relevance and reliability, thereby ensuring that the substance of the underlying transactions or other events is reported.

2 FUNDING DELIVERY OF OUR SERVICES

Introduction

JCV is an independent body established by legislation to investigate complaints about Judicial Officers and non-judicial members of the Victorian Civil and Administrative Tribunal (VCAT).

Structure

2.1 Summary of income that funds the delivery of our services

2.1 Summary of income that funds the delivery of our services

	2025	2024
	\$'000	\$'000
Grants	2,429	2,681
Total income from transactions	2,429	2,681

Revenue and income that fund delivery of JCV's services are accounted for consistently with the requirements of AASB 1058 *Income of Not-for-Profit Entities*, as disclosed in the following notes.

Grant Income

The JCV is funded for the provision of outputs consistent with its statutory function by accrual-based grants derived from monies appropriated annually by Parliament through Court Services Victoria (CSV).

Grant income for investigating panel expenditure is recognised when a present obligation for such expenditure has been incurred as a result of services provided prior to balance date relating to a complaint or referral being referred to an Investigating Panel.

3 THE COST OF DELIVERING SERVICES

Introduction

This section provides an account of the expenses incurred by JCV in delivering the services and outputs it received income for, as outlined in section 2.

Structure

3.1 Expenses incurred in delivery of services

3.2 Supplies and services

3.1 Expenses incurred in delivery of services

	Note	2025 \$'000	2024 \$'000
Employee benefit expenses	3.1.1	1,993	1,744
Supplies and services	3.2	401	670
Total expenses incurred in delivery of services		2,394	2,414

3.1.1 Employee benefit and Judicial Officer remuneration expenses in the comprehensive operating statement

	2025 \$'000	2024 \$'000
Defined contribution superannuation expense	178	155
Salaries and wages	1,449	1,333
Leave expenses (annual leave and long service leave)	231	114
Other on-costs (fringe benefits tax, payroll tax, training and workcover levy)	135	142
Total employee expenses	1,993	1,744

Employee expenses encompass all costs related to employment, including wages and salaries, fringe benefits tax, leave entitlements, termination payments, and WorkCover premiums.

The amount recognised in the comprehensive operating statement in relation to superannuation is employer contributions for members of defined contribution superannuation plans that are paid or payable during the reporting period.

3.1.2 Employee benefits and Judicial Officer remuneration in the balance sheet

Provision is made for benefits accruing to employees in respect of wages and salaries, annual leave and long service leave for services rendered to the reporting date and recorded as an expense during the period the services are delivered.

	2025 \$'000	2024 \$'000
Current provisions:		
Annual leave	147	123
Long service leave	178	159
Provisions for on-costs	66	55
Total current provisions for employee benefits	391	337
Non-current provisions		
Employee benefits and Judicial Officer remuneration	54	21
On-costs	11	4
Total non-current provisions for employee benefits	65	25
Total provisions for employee benefits	456	362

Reconciliation of movement in on-cost provision

	2025 \$'000
Opening balance	59
Additional provisions recognised	39
Reductions arising from payments/other sacrifices of future economic benefits	(21)
Closing balance	77
Current	66
Non-current	11
Total	77

Wages and salaries, annual leave and sick leave: Liabilities for wages and salaries (including non-monetary benefits, annual leave and on-costs) are recognised as part of the employee benefit provision as current liabilities, because JCV does not have an unconditional right to defer settlements of these liabilities.

The liability for salaries and wages are recognised in the balance sheet at remuneration rates that are current at the reporting date. As JCV expects the liabilities to be wholly settled within 12 months of reporting date, they are measured at undiscounted amounts.

The annual leave liability is classified as a current liability and measured at the undiscounted amount expected to be paid, as JCV does not have an unconditional right to defer settlement of the liability for at least 12 months after the end of the reporting period.

No provision has been made for sick leave as all sick leave is non-vesting and it is not considered probable that the average sick leave taken in the future will be greater than the benefits accrued in the future. As sick leave is non-vesting, an expense is recognised in the Comprehensive operating statement as it is taken.

Employment on-costs such as payroll tax, workers compensation and superannuation are not employee benefits. They are disclosed separately as a component of the provision for employee benefits when the employment to which they relate has occurred.

Unconditional long service leave is disclosed as a current liability even where JCV does not expect to settle the liability within 12 months, as it will not have the unconditional right to defer the settlement of the entitlement should an employee take leave within 12 months. The components of the current long service leave liability are measured at:

- undiscounted value – if JCV expects to wholly settle within 12 months; or
- present value – if JCV does not expect to wholly settle within 12 months.

Conditional long service leave is disclosed as a non-current liability. There is an unconditional right to defer the settlement of the entitlement until the employee has completed the requisite years of service. This non-current long service leave liability is measured at present value.

Any gain or loss following revaluation of the present value of non-current long service leave liability is recognised as a transaction, except to the extent that a gain or loss arises due to changes in bond interest rates for which it is then recognised as an 'other economic flow' in the net result.

3.2 Supplies and services

	2025 \$'000	2024 \$'000
Accommodation and property services	23	21
Contractors, professional services and consultants	117	177
Printing, stationery and other office expenses	20	37
Technology services	190	409
Other	51	26
Total supplies and services	401	670

Supplies and services expenses generally represent day-to-day running costs incurred in normal operations and are recognised as an expense in the reporting period in which they are incurred. These expenses include lease payments as discussed below.

Court Service Victoria as per Memorandum of Understanding (MOU) provides the Commission with corporate support services such as accommodation, financial services, facilities management services, payroll services, procurement and information communication technology. These services are not recognised in the financial statements of the Commission, as their fair values cannot be reliably determined.

Investigating Panel expenditure

There was no Investigating Panel expenditure incurred in this financial year (2024: \$29k). The Investigation Panel expenditure is included in contractors, professional services, consultants, and other costs (such as salaries and wages, stationery, and transcript costs).

A liability for Investigating Panel expenditure is recognised when a present obligation for such expenditure has been incurred as a result of services provided prior to balance date relating to a complaint or referral being referred to an Investigating Panel, it is likely that there will be a consequent outflow of economic benefits and the amount of the obligation can be measured reliably. There is no liability for Investigating Panel expenditure at 30 June 2025 (2024: nil).

4 KEY ASSETS TO SUPPORT SERVICE DELIVERY

Introduction

JCV controls non-financial assets that are utilised in fulfilling its objectives and conducting activities. These non-financial assets represent the key resources that have been entrusted to JCV to be utilised for delivery of its outputs.

Structure

4.1 Property, plant and equipment

4.1 Property, plant and equipment

	Gross carrying amount		Accumulated Depreciation		Net carrying amount	
	2025	2024	2025	2024	2025	2024
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Plant and equipment at fair value	175	175	(103)	(82)	71	92
Total property, plant and equipment	175	175	(103)	(82)	71	92

4.1.1 Depreciation Charge for the period

	2025 \$'000
Plant and equipment at fair value	21
Total property, plant and equipment	21

All property, plant and equipment that have finite useful lives, are depreciated.

Depreciation is generally calculated on a straight-line basis, at rates that allocate the asset's value, less any estimated residual value, over its estimated useful life. Typical estimated useful lives for the different asset classes for current and prior years are included in the table below:

Asset	Useful Life Years
Plant and equipment	4 to 10

The estimated useful lives, residual values and depreciation method are reviewed at the end of each annual reporting period, and adjustments made where appropriate.

4.1.2 Reconciliation of movements in carrying values of property, plant and equipment

	Plant and equipment at fair value	Total
2025	\$'000	\$'000
Opening balance	92	92
Depreciation	(21)	(21)
	71	71

5 OTHER ASSETS AND LIABILITIES

Introduction

This section sets out those assets and liabilities that arose from JCV's controlled operations.

Structure

5.1 Receivables

5.2 Payables

5.1 Receivables

	2025 \$'000	2024 \$'000
Current receivables		
Statutory		
Amounts owing from Victorian Government	1,477	1,433
Total receivables	1,477	1,433
<i>Represented by:</i>		
Current receivables	1,477	1,433

Statutory receivables do not arise from contracts and are recognised and measured similarly to contractual receivables (except for impairment), but are not classified as financial instruments. Amounts recognised from the Victorian Government represent funding for all commitments incurred and are drawn from the Consolidated Fund as the commitments fall due. All of JCV's receivables are statutory receivables.

5.2 Payables

	2025 \$'000	2024 \$'000
Current Payables		
Contractual		
Trade creditors and other payables	51	143
Total payables	51	143
<i>Represented by:</i>		
Current payables	51	143

Payables consist of:

contractual payables, classified as financial instruments and measured at amortised cost. Accounts payable represent liabilities for goods and services provided to JCV prior to the end of the financial year that are unpaid; and

statutory payables, that are recognised and measured similarly to contractual payables, but are not classified as financial instruments and not included in the category of financial liabilities at amortised cost, because they do not arise from contracts.

Contractual payables have an average maturity of 30 days.

The terms and conditions of amounts payable to the government and agencies vary according to the particular agreements and as they are not legislative payables, they are not classified as financial instruments.

6 HOW WE FINANCED OUR OPERATIONS

Introduction

This section provides information on the sources of finance utilised by JCV during its operations and other information related to the financing of activities.

Structure

6.1 Cash flow information and balances

6.2 Commitments for expenditure

6.1 Cash flow information and balance

Cash and deposits, including cash equivalents, comprise cash on hand and cash at bank that are held for the purpose of meeting short-term cash commitments, rather than for investment purposes, and which are readily convertible to known amounts of cash and are subject to an insignificant risk of changes in value.

Due to the State's investment policy and funding arrangements, JCV does not hold a bank account in its name and uses CSV's bank account. Cash received from generation of income is generally paid into the State's bank account ('public account').

Similarly, JCV expenditure, including payments to its suppliers and creditors, is made via the public account. The public account remits to CSV the cash required upon presentation of cheques by JCV's suppliers or creditors.

These funding arrangements may result in JCV having a notional shortfall in the cash required, and any monies owed to JCV, are received via CSV through the State Administered Unit (SAU) debtors account. Amounts receivable at balance date are shown in note 5.1.

For cash flow statement presentation purposes, cash and cash equivalents comprise the cash balance and funds held in trust, \$0.19m (2024: \$0.24m).

6.1.1 Reconciliation of net result for the period to cash flow from operating activities

	2025 \$'000	2024 \$'000
Net result for the period	16	246
Non-cash movements:		
Depreciation and amortisation of non-current assets	21	21
Movements in net assets and liabilities		
Decrease/(increase) in receivables	(44)	(354)
Decrease/(increase) in prepayments	(47)	5
Increase/(decrease) in payables	(92)	48
Increase/(decrease) in provisions	94	34
Net cash from/(used in) operating activities	(52)	-

6.2 Commitments for expenditure

Commitments for future expenditure include operating commitments arising from contracts. These commitments are recorded below at their nominal value and inclusive of GST. These future expenditures cease to be disclosed as commitments once the related liabilities are recognised in the balance sheet.

6.2.1 Total commitments payable

	Less than 1 year	Between 1 and 5 years	Over 5 years	Total
Nominal Amounts: 2025	\$'000	\$'000	\$'000	\$'000
Operating commitments payable	70	28	-	98
Total commitments (inclusive of GST)	70	28	-	98
Less GST recoverable	6	2	-	8
Total commitments (exclusive of GST)	64	26	-	90

	Less than 1 year	Between 1 and 5 years	Over 5 years	Total
Nominal Amounts: 2024	\$'000	\$'000	\$'000	\$'000
Operating commitments payable	62	62	-	124
Total commitments (inclusive of GST)	62	62	-	124
Less GST recoverable	6	6	-	11
Total commitments (exclusive of GST)	56	56	-	112

7 FINANCIAL INSTRUMENTS, CONTINGENCIES AND VALUATION JUDGEMENTS

Introduction

JCV is exposed to risk from its activities and outside factors. In addition, it is often necessary to make judgements and estimates associated with recognition and measurement of items in the financial statements. This section sets out financial instrument specific information (including exposures to financial risks), as well as those items that are contingent in nature or require a higher level of judgement to be applied, which for JCV relate mainly to fair value determination.

Structure

- 7.1 Financial instruments specific disclosures
- 7.2 Contingent assets and contingent liabilities

7.1 Financial instruments specific disclosures

Introduction

Financial instruments arise out of contractual agreements that give rise to a financial asset of one entity and a financial liability or equity instrument of another entity.

Categories of financial assets under AASB 9

JCV has no financial assets classified as “at fair value through other comprehensive income” or “at fair value through profit or loss”.

Financial assets at amortised cost

Financial assets are measured at amortised costs if both of the following criteria are met and the assets are not designated as fair value through net result:

- the assets are held by JCV to collect the contractual cash flows, and
- the assets’ contractual terms give rise to cash flows that are solely payments of principal and interest.

These assets are initially recognised at fair value plus any directly attributable transaction costs and subsequently measured at amortised cost less any impairment.

JCV recognises the following assets in this category:

- cash and deposits;

Categories of financial liabilities under AASB 9

Financial liabilities at amortised cost

Financial liabilities at amortised cost are initially recognised on the date they are originated. They are initially measured at fair value minus any directly attributable transaction costs. Subsequent to initial recognition, these financial instruments are measured at amortised cost with any difference between the initial recognised amount and the redemption value being recognised in profit and loss over the period of the interest bearing liability, using the effective interest rate method. JCV recognises payables in this category:

- payables (excluding statutory payables).

Derecognition of financial assets

A financial asset (or, where applicable, a part of a financial asset or part of a group of similar financial assets) is derecognised when:

- the rights to receive cash flows from the asset have expired; or
- JCV retains the right to receive cash flows from the asset, but has assumed an obligation to pay them in full without material delay to a third party under a 'pass through' arrangement; or
- JCV has transferred its rights to receive cash flows from the asset and either:
 - has transferred substantially all the risks and rewards of the asset; or
 - has neither transferred nor retained substantially all the risks and rewards of the asset, but has transferred control of the asset.

Where JCV has neither transferred nor retained substantially all the risks and rewards or transferred control, the asset is recognised to the extent of JCV's continuing involvement in the asset.

Derecognition of financial liabilities

A financial liability is derecognised when the obligation under the liability is discharged, cancelled or expires.

When an existing financial liability is replaced by another from the same lender on substantially different terms, or the terms of an existing liability are substantially modified, such an exchange or modification is treated as a derecognition of the original liability and the recognition of a new liability. The difference in the respective carrying amounts is recognised as an 'other economic flow' in the comprehensive operating statement.

7.1.1 Financial instruments: Categorisation ⁽ⁱ⁾

Category		2025 \$'000	2024 \$'000
Contractual financial assets			
Funds held in Trust	Cash and deposits	188	240
Total contractual cash and deposits		188	240
Total contractual financial assets		188	240
Contractual financial liabilities			
Payable:			
Trade creditors and other payables	Financial liabilities at amortised cost	51	143
Total contractual financial liabilities		51	143

(i) The total amounts disclosed here exclude statutory amounts that are not in the scope of AASB 9 (e.g. amounts owing from Victorian Government and GST input tax credit recoverable and taxes payable)

Impairment of financial assets under AASB 9

JCV records a provision for expected credit loss for the relevant financial instruments by applying AASB 9's expected credit loss approach. Financial assets at fair value through net result are not subject to impairment under AASB 9.

Cash and deposits and statutory receivables are subject to impairment under AASB 9, but any impairment loss would be immaterial.

Contractual receivables are subject to impairment under AASB 9. JCV applied the simplified approach to measure expected credit losses for all contractual receivables using a lifetime expected loss allowance based on the assumptions about risk of default and expected loss rates. JCV has determined that it does not have any contractual receivables at 30 June 2025 (2024: \$nil).

Movements in the provision for credit losses are classified as other economic flows in the net result. Contractual receivables are written off when there is no reasonable expectation of recovery and impairment losses are classified as either a transaction expense or other economic flow in the net result.

Statutory receivables are not financial instruments. However, they are nevertheless recognised and measured in accordance with AASB 9 requirements as if those receivables are financial instruments.

Statutory receivables are considered to have low credit risk, taking into account the counterparty's credit rating, risk of default and capacity to meet contractual cash flow obligations in the near term. As the result no loss allowance has been recognised.

7.2 Contingent assets and contingent liabilities

Contingent assets and contingent liabilities are not recognised in the balance sheet but are disclosed and, if quantifiable, are measured at nominal value.

Contingent assets and liabilities are presented inclusive of GST receivable or payable respectively.

Contingent assets

Contingent assets are possible assets that arise from past events, whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the entity. There are no contingent assets to be reported or disclosed (2024: \$nil).

These are classified as either quantifiable, where the potential economic benefit is known, or non-quantifiable.

Contingent liabilities

Contingent liabilities are:

- possible obligations that arise from past events, the existence of which will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the entity; or
- present obligations that arise from past events but are not recognised because:
 - it is not probable that an outflow of resources embodying economic benefits will be required to settle the obligations; or
 - the amount of the obligations cannot be measured with sufficient reliability.

Contingent liabilities are also classified as either quantifiable or non-quantifiable. There are no non-quantifiable contingent liabilities to be reported or disclosed (2024: \$nil).

8 OTHER DISCLOSURES

Introduction

This section includes additional material disclosures required by accounting standards or otherwise, for the understanding of this financial report.

Structure

- 8.1 Responsible persons
- 8.2 Key management personnel
- 8.3 Remuneration of executive officers
- 8.4 Remuneration of auditors
- 8.5 Other accounting policies
- 8.6 Subsequent events
- 8.7 Change in accounting policies

8.1 Responsible persons

In accordance with the Ministerial Directions issued by the Assistant Treasurer under the *Financial Management Act 1994*, the following disclosures are made regarding responsible persons for the reporting period.

Names

The persons who held the positions of Minister and Accountable Officer in JCV are as follows:

Responsible Minister

Attorney-General, The Hon. Jaclyn Symes MP
Acting Attorney-General, The Hon. Enver Erdogan, MP
Attorney-General, The Hon. Sonya Kilkeny

Period

1 July 2024 to 18 December 2024
1 November 2024 to 5 November 2024
19 December 2024 to 30 June 2025

Accountable Officer

Director, Alexis Eddy
Acting Director, Katherine Linzner

Period

01 July 2024 to 30 June 2025
7 November 2024 to 21 November 2024

Governing Body

The persons who held membership of the Board of JCV are as follows:

Member Names

The Honourable Chief Justice Richard Niall, Chair
The Honourable Chief Justice Mary Anne Ferguson, Chair
The Honourable Chief Judge Amanda Chambers
The Honourable Chief Judge Peter Kidd
The Honourable Justice Edward Woodward
Her Honour Chief Magistrate Lisa Hannan
His Honour Judge Jack Vandersteen
His Honour State Coroner Judge John Cain
Mr Graham Atkinson
Ms Claire Keating
Dr Helen Szoke AO
Ms Louise McCosker

Period

03 February 2025 to 30 June 2025
01 July 2024 to 02 February 2025
27 May 2025 to 30 June 2025
1 July 2024 to 26 May 2025
01 July 2024 to 30 June 2025
01 July 2024 to 30 June 2025
01 July 2024 to 30 June 2025
01 July 2024 to 30 June 2025
01 July 2024 to 30 June 2025
01 July 2024 to 30 June 2025
01 July 2024 to 30 June 2025
18 February 2025 to 30 June 2025

Remuneration: Accountable Officer

	2025	2024
Remuneration range	No.	No.
\$270,000-\$279,999	-	1
\$290,000-\$299,999	1	-
Total	1	1

Remuneration: Non Judicial Member

	2025	2024
Remuneration range	No.	No.
\$0-\$9,999	4	3
Total	4	3

Judicial members of the responsible body are remunerated under the *Judicial Entitlements Act 2015* as holders of judicial positions defined by the respective acts of law that create the Victorian judiciary, namely the *Constitution Act 1975 s 82*, *County Court Act 1958 s.10*, *Magistrates Court Act sch.1 Pt1 cl.10* and *Victorian Civil and Administrative Tribunal Act. 1998 s.17AA*. The Judicial members receive no additional remuneration in their capacity as members of the Board of the Judicial Commission of Victoria.

8.1.1 Transactions and balances with key management personnel and other related parties

Given the breadth and depth of State government activities, related parties transact with the Victorian public sector in a manner consistent with other members of the public e.g. stamp duty and other government fees and charges. Further employment of processes within the Victorian public sector occur on terms and conditions consistent with the *Public Administration Act 2004* and Codes of Conduct and Standards issued by the Victorian Public Sector Commission. Procurement processes occur on terms and conditions consistent with the Victorian Government Purchasing Board requirements.

JCV receives grant income from appropriations received by CSV as shown in note 2.1. JCV receives administrative support from CSV under a memorandum of understanding between the two entities.

During the period from 1 July 2024 to 30 June 2025, there were no related party transactions that involved key management personnel for JCV.

8.2 Key management personnel

Key management personnel of JCV includes the responsible Minister, members of the Governing Body, and Accountable Officer.

Remuneration of key management personnel comprises employee benefits (as defined in AASB 119 *Employee Benefits*) in all forms of consideration paid, payable or provided by the entity, or on behalf of the entity, in exchange for services rendered. Accordingly, remuneration is determined on an accruals basis.

The compensation detailed below excludes the salaries and benefits of Portfolio Ministers. Ministers’ remuneration and allowances are set by the *Parliamentary Salaries and Superannuation Act 1968* and is reported within the State’s Annual Financial Report.

The remuneration of the Judicial members of the responsible body as holders of judicial positions is also excluded. The Judicial members receive no additional remuneration in their capacity as members of the Board of the Judicial Commission of Victoria.

Remuneration of key management personnel

	2025	2024
	\$'000	\$'000
Total remuneration	324	300

8.3 Remuneration of executive officers

Other than the Director, who is the Accountable Officer, there are no other executive officers employed by JCV.

8.4 Remuneration of auditors

	2025 \$'000	2024 \$'000
Victorian Auditor-General's Office		
Audit of the financial statements	28	25
Total remuneration of auditors	28	25

8.5 Other accounting policies

Contributions by owners

Consistent with the requirements of AASB 1004 *Contributions*, contributions by owners (that is, contributed capital and its repayment) are treated as equity transactions and, therefore, do not form part of the income and expenses of JCV.

Additions to net assets that have been designated as contributions by owners are recognised as contributed capital. Other transfers that are in the nature of contributions to or distributions by owners have also been designated as contributions by owners.

8.6 Subsequent events

There have been no significant or material events since balance date to the date of approval of the financial report that require adjustments to the amounts reported and disclosures made in the financial report.

8.7 Change in accounting policies

There has been no changes in the accounting policies during the year.

9 GLOSSARY OF TECHNICAL TERMS AND STYLE CONVENTIONS

Comprehensive result is the amount included in the comprehensive operating statement representing total change in net worth other than transactions with owners as owners.

Current grants are amounts payable or receivable for current purposes for which no economic benefits of equal value are receivable or payable in return.

Depreciation is an expense that arises from the consumption through wear or time of a produced physical or intangible asset. This expense is classified as a 'transaction' and so reduces the 'net result from transactions'.

Effective interest method is the method used to calculate the amortised cost of a financial asset and of allocating interest income over the relevant period. The effective interest rate is the rate that exactly discounts estimated future cash receipts through the expected life of the financial asset or, where appropriate, a shorter period.

Employee benefits expenses include all costs related to employment including wages and salaries, fringe benefits tax, leave entitlements, redundancy payments, defined benefits superannuation plans, and defined contribution superannuation plans.

Financial asset is any asset that is:

- a) cash;
- b) an equity instrument of another entity;
- c) a contractual right:
 - to receive cash or another financial asset from another entity; or
 - to exchange financial assets or financial liabilities with another entity under conditions that are potentially favourable to the entity; or
- d) a contract that will or may be settled in the entity's own equity instruments and is:
 - a non-derivative for which the entity is or may be obliged to receive a variable number of the entity's own equity instruments; or
 - a derivative that will or may be settled other than by the exchange of a fixed amount of cash or another financial asset for a fixed number of the entity's own equity instruments.

Financial instrument is any contract that gives rise to a financial asset of one entity and a financial liability or equity instrument of another entity.

Financial liability is any liability that is:

- a) a contractual obligation:
 - to deliver cash or another financial asset to another entity; or
 - to exchange financial assets or financial liabilities with another entity under conditions that are potentially unfavourable to the entity; or
- b) a contract that will or may be settled in the entity's own equity instruments and is:
 - a non derivative for which the entity is or may be obliged to deliver a variable number of the entity's own equity instruments; or
 - a derivative that will or may be settled other than by the exchange of a fixed amount of cash or another financial asset for a fixed number of the entity's own equity instruments. For this purpose, the entity's own equity instruments do not include instruments that are themselves contracts for the future receipt or delivery of the entity's own equity instruments.

Financial statements in this report comprises:

- a) a balance sheet as at the end of the period;
- b) a comprehensive operating statement for the period;
- c) a statement of changes in equity for the period;
- d) a cash flow statement for the period;
- e) notes, comprising a summary of significant accounting policies and other explanatory information;
- f) comparative information in respect of the preceding period as specified in paragraph 38 of AASB 101 *Presentation of Financial Statements*; and
- g) a statement of financial position as at the beginning of the preceding period when an entity applies an accounting policy retrospectively or makes a retrospective restatement of items in its financial statements, or when it reclassifies items in its financial statements in accordance with paragraphs 41 of AASB 101.

Grant expenses and other transfers are transactions in which one unit provides goods, services, assets (or extinguishes a liability) or labour to another unit without receiving approximately equal value in return. Grants can either be operating or capital in nature.

While grants to governments may result in the provision of some goods or services to the transferor, they do not give the transferor a claim to receive directly benefits of approximately equal value. For this reason, grants are referred to by the AASB as involuntary transfers and are termed non reciprocal transfers. Receipt and sacrifice of approximately equal value may occur, but only by coincidence. For example, governments are not obliged to provide commensurate benefits, in the form of goods or services, to particular taxpayers in return for their taxes.

Grants can be paid as general purpose grants, which refer to grants that are not subject to conditions regarding their use. Alternatively, they may be paid as specific purpose grants, which are paid for a particular purpose and/or have conditions attached regarding their use.

General government sector comprises all government departments, offices and other bodies engaged in providing services free of charge or at prices significantly below their cost of production. General government services include those that are mainly non-market in nature, those that are largely for collective consumption by the community and those that involve the transfer or redistribution of income. These services are financed mainly through taxes, or other compulsory levies and user charges.

Grants for on-passing are grants paid to one institutional sector (e.g. a State general government entity) to be passed on to another institutional sector (e.g. local government or a private non-profit institution).

Interest expense represents costs incurred in connection with leases. It includes interest on lease repayments.

Leases are rights conveyed in a contract, or part of a contract, the right to use an asset (the underlying asset) for a period of time in exchange for consideration.

Net financial worth is equal to financial assets minus liabilities. It is a broader measure than net debt as it incorporates provisions made (such as superannuation, but excluding depreciation and bad debts) as well as holdings of equity. Net financial worth includes all classes of financial assets and liabilities, only some of which are included in net debt.

Net operating balance or **net result from transactions** is a key fiscal aggregate and is revenue from transactions minus expenses from transactions. It is a summary measure of the ongoing sustainability of operations. It excludes gains and losses resulting from changes in price levels and other changes in the volume of assets. It is the component of the change in net worth that is due to transactions and can be attributed directly to government policies.

Net result is a measure of financial performance of the operations for the period. It is the net result of items of revenue, gains and expenses (including losses) recognised for the period, excluding those classified as 'other non-owner movements in equity'.

Net worth is calculated as assets less liabilities, which is an economic measure of wealth.

Non-financial assets are all assets that are not financial assets. It includes land, buildings, plant and equipment, cultural and heritage assets and intangibles.

Operating result is a measure of financial performance of the operations for the period. It is the net result of items of revenue, gains and expenses (including losses) recognised for the period, excluding those that are classified as 'other non-owner movements in equity'. Refer also 'net result'.

Other economic flows included in net result are changes in the volume or value of an asset or liability that do not result from transactions. In simple terms, other economic flows are changes arising from market remeasurements. They include gains and losses from disposals, revaluations and impairments of non-current physical and intangible assets; fair value changes of financial instruments and agricultural assets; and depletion of natural assets (non-produced) from their use or removal.

Other economic flows – other comprehensive income comprises items (including reclassification adjustments) that are not recognised in net result as required or permitted by other Australian Accounting Standards. They include changes in physical asset revaluation surplus and gains and losses on remeasuring available-for-sale financial assets.

Payables includes short and long-term trade debt and salaries and wages payable

Present value is a financial calculation that measures the worth of future amount of money in today's dollars adjusted for interest and inflation.

Receivables include amounts owing from government through appropriation receivable, short and long-term trade credit and accounts receivable, accrued investment income, grants, taxes and interest receivable.

Supplies and services generally represent cost of goods sold and the day to day running costs, including maintenance costs, incurred in the normal operations of JCV.

Transactions are those economic flows that are considered to arise as a result of policy decisions, usually an interaction between two entities by mutual agreement. They also include flows into an entity such as depreciation, where the owner is simultaneously acting as the owner of the depreciating asset and as the consumer of the service provided by the asset. Taxation is regarded as mutually agreed interactions between the government and taxpayers. Transactions can be in kind (e.g. assets provided/given free of charge or for nominal consideration) or where the final consideration is cash. In simple terms, transactions arise from the policy decisions of the Government.

Style conventions

Figures in the tables and in the text have been rounded. Discrepancies in tables between totals and sums of components reflect rounding. Percentage variations in all tables are based on the underlying unrounded amounts.

The notation used in the tables is as follows:

0	zero, or rounded to zero
-	zero, or rounded to zero
(xxx)	negative numbers
200x	year period
200x 0x	year period

The financial statements and notes are presented based on the illustration for a government department in the 2024-25 Tier 2 Model Report for Victorian Government Departments. The presentation of other disclosures is generally consistent with the other disclosures made in earlier publications of the JCV's annual reports.

Section 8

Acronyms, Glossary and Index



Acronym List

ARC	Audit and Risk Committee
ABC	Australian Broadcasting Corporation
BCP	Business continuity plan
CASE Strategy	Communications Stakeholder and Engagement Strategy
CEO	Chief Executive Officer
CFO	Chief Financial Officer
CMS	Complaint management system
CPD	Continuing professional development
CSV	Court Services Victoria
DD Act	<i>Disability Discrimination Act 1992 (Cth)</i>
DTP	Digital transformation project
EO Act	<i>Equal Opportunity Act 2010 (Vic)</i>
FM Act	<i>Financial Management Act 1994 (Vic)</i>
FOI Act	<i>Freedom of Information Act 1982 (Vic)</i>
FTE	Full-time equivalent
IBAC	Independent Broad-based Anti-corruption Commission
IOV	Integrity Oversight Victoria
JCG	Judicial Conduct Guideline
JCV Act	<i>Judicial Commission of Victoria Act 2016</i>
LIV	Law Institute of Victoria
OHS	Occupational Health and Safety
ORP	Organisational risk profile
OVIC	Office of the Victorian Information Commissioner
PCIP	Publication of Complaint Information Policy
PID	Public interest disclosure
PID Act	<i>Public Interest Disclosures Act 2012 (Vic)</i>

SAP	Strategic Action Plan
VAGO	Victorian Auditor-General's Office
VCAT	Victorian Civil and Administrative Tribunal
VLA	Victoria Legal Aid
VOCAT	Victims of Crime Assistance Tribunal
ZTP	Zero Tolerance Policy

Glossary

Adjourned complaint investigations – a complaint or referral that must be adjourned under section 18 or may be adjourned under section 31 of the JCV Act.

Board self-review – a process through which Board members evaluate their own performance, both individually and collectively as a Board. Facilitated externally, the evaluation may include surveys, interviews, and skills assessments. The self-review aims to identify strengths, weaknesses and opportunities for improvement across all aspects of Board operations.

Clearance rate – a calculation to determine our efficiency in finalising complaints (investigations finalised + withdrawn/received, expressed as a percentage).

The Commission – the Judicial Commission of Victoria.

Courts Council – CSV's governing body, chaired by the Chief Justice of the Supreme Court and comprising the heads of jurisdiction and two non-judicial members. This body directs the strategy, governance and risk management of CSV.

Council of Judges – the Council referred to in section 87 of the *County Court Act 1958* (Vic).

Council of Magistrates – the Council referred to in section 15 of the *Magistrates' Court Act 1989* (Vic).

Finalised complaint investigations – a complaint under section 5 or 6 or a referral under section 7, 8 or 9 of the JCV Act where one of the actions (dismissal or referral to an investigating panel or head of jurisdiction) set out in section 13 of the JCV Act has been taken.

The Guide to Judicial Conduct – guidance to judicial officers on maintaining high standards of conduct published by the Australasian Institute of Judicial Administration on behalf of the Council of Chief Justices of Australia and New Zealand.

Judicial officer – magistrates, judges and other persons identified as judicial officers under section 87AA of the *Constitution Act 1975* (Vic).

officer – used in this report to refer to judicial officers and VCAT members, reflecting its use in the *Judicial Commission of Victoria Act 2016*.

Officer – used in this report to refer to a specific judicial officer or VCAT member, for example, in case studies.

Opportunity to respond – the process provided under section 14 of the JCV Act before referring a matter to the head of jurisdiction or investigating panel.

Referred complaint investigations – a complaint under section 5 or 6 or a referral under section 7, 8 or 9 of the JCV Act that has been referred to an investigating panel or head of jurisdiction in accordance with sections 13(3) or 13(4) of the JCV Act.

Submissions – matters received via the Commission's online portal that do not progress as complaints because they are triaged as outside the Commission's jurisdiction because they (1) do not meet the definition of a complaint under the JCV Act, (2) are substantively similar or duplicates of previously finalised complaints, (3) a duplicate of another submission, or (4) are lodged in parts and so combined with other submissions into a single complaint.

Unoccupied position – the incumbent is not presently active in the role; for example, on parental leave or secondment.

Vacant position – there is no incumbent in the role or the role is unfilled.

VCAT member – non-judicial members of the Victorian Civil and Administrative Tribunal.

Index

A

Action Plan 11, 135
administration of justice 34, 46, 49, 86
audit 81, 83, 92, 135

B

bias 44
Board 10, 11, 12, 16, 32, 33, 35, 37, 38, 39, 40, 41, 42, 71, 76, 80, 81, 83, 92

C

capacity 9, 66, 78, 80
Case study 42, 43, 44, 49, 51, 52, 53, 56, 57, 66, 67, 68
Children's Court of Victoria 16
CMS. *See* complaint management system
community member 38, 43, 44, 52, 56, 57, 76
complainant 28, 30, 31, 37, 39, 40, 44, 49, 51, 52, 53, 56, 57, 66, 67, 68, 71, 72, 74
complaint 9, 10, 11, 12, 14, 19, 20, 21, 22, 23, 24, 26, 28, 29, 30, 34, 36, 37, 39, 40, 41, 42, 44, 46, 48, 49, 50, 51, 52, 53, 54, 56, 57, 62, 63, 65, 66, 67, 68, 70, 71, 72, 74, 76, 78, 89, 90, 95, 136
complaint management system 32, 33, 62, 63, 82, 83, 135
conduct 9, 12, 14, 19, 22, 23, 26, 27, 28, 30, 31, 32, 36, 37, 38, 41, 42, 43, 44, 47, 49, 50, 51, 52, 53, 56, 57, 59, 61, 63, 64, 65, 66, 67, 68, 71, 72, 74, 76, 80, 83, 86, 96, 97
consultation 12, 32, 42, 62, 64, 65, 66, 86
Coroners Court of Victoria 16
County Court of Victoria 16
Court Services Victoria 2, 10, 33, 63, 65, 80, 81, 82, 83, 86, 95, 135, 136
CSV. *See* Court Services Victoria
culture 35, 37, 80, 86
cyber security 7, 33, 82, 83

D

digital transformation 11, 13, 20, 21, 58, 62, 92, 93, 135
Director 6, 7, 10, 17, 32, 33, 50, 59, 60, 61, 71, 80, 96
discrimination. *See* judicial discrimination
dismissal 19, 28, 29, 30, 37, 50, 72

E

engagement 24, 26, 48, 62, 80, 81, 96
ethics 35, 37, 42, 43, 59, 86

F

First Peoples 2, 62, 65

H

head of jurisdiction 21, 22, 46, 49, 71, 72, 74, 76, 78, 88, 136

I

impact 18, 21, 24, 37, 47, 52, 53, 56, 58, 59, 64, 65, 67, 71, 82, 94
impartiality 42, 43, 44, 78
incapacity 5, 76
integrity 11, 15, 17, 34, 36, 37, 54, 59, 61, 78, 81, 86
investigation 9, 23, 29, 30, 36, 37, 43, 46, 50, 52, 53, 56, 71, 72, 76, 78, 80, 90, 95

J

JCG. *See* judicial conduct guideline

judicial bullying 33, 36, 52, 61, 65, 90

Judicial Commissions Conference 32, 59

judicial conduct guideline 9, 11, 12, 15, 22, 32, 52, 53, 59, 64, 65, 66, 135

judicial discrimination 6, 7, 12, 15, 22, 32, 64, 65, 66

judicial function 42, 56, 65, 66, 67

judicial integrity 15, 54, 59

jurisdiction 10, 19, 21, 22, 25, 37, 41, 42, 43, 46, 49, 51, 54, 60, 65, 66, 71, 72, 74, 76, 78, 88, 89, 136

L

lawyer 36, 37, 59, 86

legal practitioner 36, 52

M

Magistrates' Court of Victoria 16

O

opportunity to respond 23, 42, 46, 49, 53, 71, 88

P

privacy 46, 50

procedural fairness 5, 40, 48, 71

publication 2, 33, 46, 135

public confidence 9, 11, 32, 36, 38, 39, 42, 43, 46, 54, 61, 65, 78

R

referral 49, 71, 72, 74, 78, 95, 136

risk 7, 43, 44, 66, 81, 82, 83, 135, 136

S

sexual harassment 9, 33, 36, 61, 66

stakeholder 6, 10, 11, 12, 13, 14, 15, 45, 53, 62, 66, 80, 135

strategic 11, 15, 19, 33, 45, 80, 81

strategy 6, 10, 11, 12, 19, 21, 58, 80, 82, 135, 136

Supreme Court of Victoria 16

T

transparency 19, 20, 34, 46, 48, 59, 71, 96

transparent 9, 11, 12, 13, 14, 19, 37, 46, 62, 78

V

values 11, 15, 17, 34, 35, 46, 56, 86

VCAT 9, 11, 16, 25, 27, 37, 46, 47, 51, 72, 76, 78, 80, 89, 90, 96, 135, 136

Victims of Crime Assistance Tribunal 9, 67, 135

Victorian Civil and Administrative Tribunal. *See* VCAT

W

wellbeing 5, 6, 7, 11, 12, 13, 14, 15, 19, 36, 37, 45, 46, 48, 49, 50, 51, 52, 53, 56, 59, 82, 86, 94, 95

Z

Zero Tolerance Policy 14, 50, 51, 135

ZTP. *See* Zero Tolerance Policy

