

Media Release

For immediate release

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Judicial Commission of Victoria welcomes release of the Review of Sexual Harassment in Victorian Courts

The Judicial Commission of Victoria (The Commission) welcomes the release of the findings of the Review of Sexual Harassment in Victorian Courts (The Report).

The Commission is committed to working alongside others in the sector to prioritise the implementation of this Report. The Commission supports each of the recommendations which have been made to it. The Commission has commenced preparation of a guideline to clearly set out appropriate standards. The broader review being conducted by the Commission of its processes is carefully considering the matters raised by the Report to strengthen sexual harassment complaint and investigation processes.

The full report can be found at shreview.courts.vic.gov.au/about-the-review

Information about the Judicial Commission's current processes

The Commission's Board consists of four non-judicial members from a variety of non-legal backgrounds appointed by the Governor in Council, including Dr Szoke, and six judicial members.

The Commission can investigate complaints about the conduct of judicial officers and VCAT members including sexual harassment. The Commission cannot investigate complaints against judicial officers or VCAT members who have retired or resigned. Complaints can be made by those directly impacted or others who witnessed or are aware of the conduct. This can be done in writing via our [online portal](#) or alternatively, we can arrange a time for a complaints officer to discuss a potential complaint, options and processes over the telephone.

Complainants can remain anonymous until such time as they decide to make a formal complaint.

If a complainant decides to make a formal complaint, the Commission will not disclose their name to the public. However, their name does need to be provided to the judicial officer about whom they are making a complaint. Their name will be shared on a confidential basis with other relevant people (e.g. members of the Board) for the limited purpose of investigating the complaint.

The Commission must then take one of the following courses of action:

- i. dismiss the complaint or referral (for example if it relates to a person who is no longer a judicial officer or VCAT member);
- ii. make a finding that the conduct infringed the standards of conduct expected of judicial officers and refer it to the relevant head of jurisdiction, with recommendations in relation to future conduct; and

- iii. if it is a complaint, which if substantiated, could warrant removal from office, refer it to an investigating panel for further investigation.

The Commission does not have the power to remove a judicial officer from their position. Where an investigating panel finds that facts exist that could warrant the removal of that judicial officer it makes a report to the Governor or Attorney-General of its findings which can then be acted upon. A special majority of both Houses of Parliament must agree before a judicial officer can be removed. The Attorney-General may recommend removal of a non-judicial VCAT member to the Governor in Council.

Contact:

Judicial Commission of Victoria

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