

Magistrates Court (Special Magistrates Appointment Requirements) Determination 2009

Notifiable instrument NI2009 —616

made under the

Magistrates Court Act 1930, section 8AA (Requirements of appointment – Special Magistrates)

The Executive determines the following selection process and criteria:

Selection Process

The Attorney General must:

- (i) seek expressions of interest for the position of Special Magistrate by public notice; and
- (ii) write to key ACT stakeholders, inviting them to suggest or nominate people who are suitably qualified for appointment

unless the Attorney-General is of the opinion that it is in the interests of justice for an appointment to be made at short notice.

The selection process must be based on a consideration of possible candidates by the Attorney General having regard to the selection criteria stated in this determination.

Before making an appointment, the Attorney General must consult with the Chief Magistrate about possible appointees.

For a selection process that has begun but is not complete before the date of this instrument, a step in the selection process may be taken before or after the date of this instrument.

Selection criteria

Intellectual capacity:

- Appropriate knowledge of the relevant law and its underlying principles
- High level of expertise in your chosen area or profession
- Ability to quickly absorb and analyse information

Personal qualities:

- Integrity and independence of mind
- Sound judgement
- Decisiveness
- Objectivity
- Ability and willingness to learn and develop professionally

An ability to understand and deal fairly:

- Ability to treat everyone with respect and sensitivity whatever their background
- Willingness to listen with patience and courtesy

Authority and communication skills:

- Ability to explain the procedure and any decisions reached clearly and succinctly to all those involved
- Ability to inspire respect and confidence
- Ability to maintain authority when challenged

Efficiency:

- Ability to work at speed and under pressure
- Ability to organise time effectively and produce clear reasoned judgements expeditiously
- Ability to work constructively with others (including leadership and managerial skills where appropriate)

Experience in a dispute resolution environment would be an advantage.

Simon Corbell
Attorney General

1 December 2009

Katy Gallagher
Minister

1 December 2009