

Australian Capital Territory

# Magistrates Court (Special Magistrates Appointment Requirements) Determination 2015 (No 1)

Notifiable instrument NI2015–579

made under the

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

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## 1 Name of instrument

This instrument is the *Magistrates Court (Special Magistrates Appointment Requirements) Determination 2015 (No 1)*.

## 2 Commencement

This instrument commences on the day after it is notified.

## 3 Revocation

This instrument revokes the *Magistrates Court (Special Magistrates Appointment Requirements) Determination 2009* [NI2009-616].

## 4 Determination

The Executive determines the selection process and criteria that applies to:

- (1) the appointment of Special Magistrates in schedule 1; and
- (2) the reappointment of Special Magistrates in schedule 2.

Simon Corbell MLA  
Attorney-General  
7/10/2015

Joy Burch MLA  
Minister  
7/10/2015

## Schedule 1

The Executive may appoint a person as a Special Magistrate based on a consideration of possible candidates by the Attorney-General, where the Attorney-General has:

- sought expressions of interest for the position of Special Magistrate by public advertisement;
- written to key ACT stakeholders inviting them to nominate suitably qualified people for appointment;
- had regard to the below selection criteria; and
- consulted with the Chief Magistrate about possible appointees

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

### 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 judgments expeditiously
- Ability to work constructively with others (including leadership and managerial skills where appropriate)

Experience in a dispute resolution environment would be an advantage.

## **Schedule 2**

The Executive may reappoint a person as a Special Magistrate if the Attorney-General:

- has consulted with the Chief Magistrate about the reappointment; and
- is satisfied that the nominated person has the experience, skills and qualifications to undertake the work of a Special Magistrate.