

10 December 2021

Honourable John Quigley MLC
Attorney General
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Email: Minister.Quigley@dpc.wa.gov.au

Dear Attorney General

STATUS OF REGISTRARS

I am writing to respectfully request that you consider legislative reform to provide that legally qualified Registrars of the District, Family and Supreme Courts of Western Australia are independent officers of the Court and not public servants subject to the Public Sector Management Act.

Registrars perform important judicial work, including determining applications that involve the State as a litigant for remedies such as default and summary judgment.

It is the view of the Law Society that there could be an unfortunate perception that legally qualified registrars, as public servants, are not sufficiently independent of the State. The Society considers that Registrars should report to, and only to, the Chief of Jurisdiction.

I understand that the genesis of Registrars being subject to the *Public Sector Management Act 1994 WA* (PSMA) was for purposes of determining their remuneration. However, the Society considers that the Salaries and Allowances Tribunal is the appropriate institution to determine the remuneration of Registrars, as it does with other judicial officers.

Furthermore, removing Registrars from the auspices of the PSMA would allow the heads of jurisdiction greater flexibility in managing the operation of their courts.

If you have any queries please contact Mary Woodford, General Manager Advocacy and Professional Development on 9324 8646 or mwoodford@lawsocietywa.asn.au

Yours sincerely



Jocelyne Boujos
President

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