

MEDIA STATEMENT

Response to articles in The West Australian on 4 December 2024

The Western Australian Bar Association has noted the article in The West Australian on the front page and pages 8-9 on 4 December 2024, and the comments of the Honourable Premier Roger Cook reported on 3 December 2024 advising that Magistrate Young “will be held accountable by the chief judge and other measures that we have inside the judicial system”, and further advising that Chief Justice Quinlan should “certainly call him in”.

The Association condemns family and domestic violence in the strongest possible terms. However, the Chief Justice of the Supreme Court of Western Australia has no power to “call in” Magistrate Young to discuss his language or any other aspect of his work as a magistrate. The only measure available to review a sentencing decision is to bring an appeal. According to the reports in the West Australian, no appeal will be brought in this case. That is outside the power of the Chief Justice or any other member of the judicial system.

The Western Australian Bar Association considers that the integrity of the judicial system is of paramount importance to the proper functioning of the legal system in this State and to the preservation of the rule of law. The comments of the Premier which have been recently reported in connection with this matter have the potential to undermine the independence of the judiciary, which is a touchstone of our democratic process.

4 December 2024