

Judicial Commissions Appointment 2009 (No 1)*

Notifiable instrument NI2009-566

made under the

Judicial Commissions Act 1994, section 6 (Constitution of Judicial Commission), section 8 (Terms and conditions of appointment) and section 16 (Request by Attorney General)

1 Name of appointment

This instrument is the Judicial Commissions Appointment 2009 (No 1).

2 The Complaint

The Attorney General for the Australian Capital Territory (**the Attorney General**) received a complaint (**the Complaint**) in relation to the Chief Magistrate of the Australian Capital Territory (**the Chief Magistrate**) on 23 October 2009.

The terms of the Complaint received by the Attorney General are that:

On or about 21 October 2009, Chief Magistrate R J Cahill caused or procured the creation and transmission of written material to Special Magistrate Peter Lauritsen which had, or might have had, the effect of interfering with the conduct of criminal proceedings to be heard by his Honour relating to a public figure known professionally and socially to the Chief Magistrate before the proceedings commenced.

3 Judicial Commission

The Executive appoints

The Hon James Wood AO QC (Presiding Member)

The Hon Jerrold Cripps QC

The Hon Ted Mullighan QC

as members of a Judicial Commission to examine the Complaint and to submit a report of its examination by 11 December 2009.

*Name amended under Legislation Act, s 60

Note A member of a judicial commission ceases to hold office when it submits its report to the Attorney General or, where relevant, when it notifies the Attorney General that outstanding matters have been finalised (see *Judicial Commissions Act 1994*, s 10)

4 Conditions

These Appointments are subject to the terms and conditions set out in Annexure A to this Appointment.

Jon Stanhope MLA
Chief Minister
Dated 10 November 2009

Katy Gallagher MLA
Deputy Chief Minister
Dated 10 November 2009

Annexure A

1 Timing

The Commission shall begin its examination of the complaint as soon as practicable, and shall conduct its examination as expeditiously as possible.

2 Interference with criminal proceedings

The members of the Commission are to conduct their examination in a manner which avoids prejudice wherever possible to the criminal proceedings which are the subject of the Complaint.

3 Remuneration, allowances and other entitlements

The details of any remuneration, allowances or entitlements or other terms and conditions of appointment for each member shall be as agreed in writing between the Executive and the member.