



## Media Statement

6 February 2023

### **STANDING DOWN OF HIS HONOUR MAGISTRATE PITHOUSE ON RECOMMENDATION OF JUDICIAL COMMISSION, AND REFERRAL OF COMPLAINT TO INVESTIGATING PANEL**

In September 2022, the Judicial Commission received a complaint about the conduct and capacity of His Honour Magistrate Pithouse (the Officer). The complaint relates to the Officer's in-court behaviour.

#### **Standing down of the Officer**

In October 2022, the Commission recommended that the Officer be stood down from office in light of the complaint. The recommendation was made pursuant to section 98(1)(a) the *Judicial Commission of Victoria Act 2016* (the Act).

The Commission was satisfied that:

- the matter the subject of the complaint could, if substantiated, amount to proved misbehaviour or incapacity of the Officer such as to warrant the removal of the Officer from office; and
- the continued performance of functions by the Officer was likely to impair public confidence in the impartiality, independence or integrity of the Officer, or the Magistrates' Court of Victoria (section 98(3)(b)(iv) of the Act).

Following the recommendation, the Honourable Justice Lisa Hannan, Chief Magistrate, determined to stand down the Officer from performing any functions in open court, until further notice.

Pursuant to section 99(4) of the Act, the standing down of a judicial officer does not affect their salary, allowances, or entitlements.

#### **Referral of complaint to investigating panel**

In December 2022, the Commission referred the complaint to an investigating panel for further investigation, pursuant to section 13(3) of the Act.

As the investigation is ongoing, the Commission will not be commenting further at this time.

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For all media enquiries, the Commission can be contacted via email at [media@judicialcommission.vic.gov.au](mailto:media@judicialcommission.vic.gov.au) or (03) 9084 9600.