

From the Department of Justice

# JP Conduct



As JPs would be aware, the *Justices of the Peace (Code of Conduct) Regulations 2019* sets the standards all JPs in Tasmania are expected to uphold.

You can find the [Justices of the Peace \(Code of Conduct\) Regulations 2019](#) on the Tasmania legislation website.

Under the Code, an appointed justice must –

- *conduct himself or herself in a manner that promotes public confidence in the integrity and independence of the office of Justice of the Peace.*

A justice must not –

- *conduct himself or herself in such manner as to bring the office of Justice of the Peace into disrepute.*

In addition, an appointed justice must always act impartially in exercising their powers and not allow their conduct as a JP to be influenced by his or her political, business, family, social, religious or personal interests.

When it comes to social media, JPs should take care if commenting on issues of public debate, particularly on matters relating to the administration of justice.

The same high standard of conduct and behaviour generally expected of JPs also applies when using social media. Online participation should reflect and uphold the integrity and reputation of the office of JP. These are high standards to uphold and the use of social media potentially exposes JPs to criticism that they have breached the Code of Conduct.

We are not asking JPs to avoid using social media. We want JPs to be able to participate in public debates, while being mindful of their obligations and responsibilities to promote public confidence and independence in the office of JP.

However, JPs should avoid statements that advocate or criticise individuals before the courts, comments on laws, sentencing, the judiciary or magistracy or any other highly political issues. You must not make comments that seriously call into question your impartiality.

JPs online should be respectful, courteous and polite. Be sensitive to diversity and avoid arguments and any personal attacks. Never post offensive, defamatory, threatening, harassing, discriminatory or hateful content.

Consider the impact of any comments you make online. Tasmania is a small community and your status as a JP may be well known. You could be asked to sign documents for or related to individuals you have commented on.

When considering making comments on-line, JPs may wish to ask the following –

- could your comments cause a loss of community confidence in your ability to work in an impartial and professional manner?
- are your comments consistent with how the community expects a JP to operate and behave?
- could your comments lower or undermine the reputation of the office of JP?
- are your comments lawful? For example, do they comply with anti-discrimination legislation and laws relating to defamation?
- would you be comfortable if the Department read your comments?

If in doubt, don't post your comments, as breaches of the *Justices of the Peace (Code of Conduct) Regulations 2019* may result in suspension, an investigation and removal from the office of JP.

JPs may be interested in reviewing a new [position description](#) recently added to the Department's website. The position description not only outlines the roles and purpose of JPs but includes additional information in relation to key accountabilities, knowledge and skills and personal qualities.