

Supporting judicial well-being: rising threats to the safety and security of judicial officers

1. Today marks the first International Day for Judicial Wellbeing established by resolution of the United Nations General Assembly on 4 March 2025. It corresponds with the adoption of the Nauru Declaration on Judicial Wellbeing by international and pacific islands chief justices and judges at the Regional Judicial Conference on Integrity and Judicial Wellbeing on 25 July 2024.
2. The Nauru Declaration identifies judicial wellbeing as being essential for judges' occupational health and sustainability, for the experience of court users, for the quality of justice and, ultimately, for public confidence in the courts. It recognises that judicial wellbeing is the responsibility of both individual judges and judicial institutions, and that courts must create working conditions conducive to its attainment.
3. As the representative body of the Australian judiciary, the Australian Judicial Officers Association has a vital interest in issues which both enhance and undermine judicial wellbeing. An essential element of and precondition to judicial wellbeing is the personal safety and security of judicial officers and their families. Regrettably, on this inaugural International Day for Judicial Wellbeing, it is necessary to publicly record that this foundation stone upon which judicial wellbeing and the work of the courts rests is under threat and in need of urgent attention.
4. An increase in threats and threatening behaviours towards judicial officers by litigants and court users is the common experience of many judicial officers, particularly those sitting in Local and Magistrates' Courts. The anecdotal experience of judicial officers is clearly borne out by the available data and research.
5. Research published in July 2022, based on a survey completed by 205 sitting or retired judicial officers in New South Wales courts, found that approximately 61% of judicial officers had experienced some form of threat, with 41% having

received a threat of harm.¹ Threats were predominantly experienced in the courtroom or in person outside of court, with threats via social media being the next most common experience.² Of greatest concern, the survey found that almost a quarter of judges had received a death threat, a rate higher than that reported in previous studies from the United States.³ To address these threats, the authors made various recommendations, including annual safety audits of court precincts and court rooms; safety audits of judicial officers' homes; the development of protocols to protect judicial officers from email-based threats and vilification; and the creation of a database to collect reports of threats and vilification.⁴

6. Recent unpublished data from Victoria indicates that increases in threats to judges and magistrates continue unabated. Between 2023 and 2024, the number of judicial officers across Victorian courts who sought support from Court Services Victoria to manage a threat more than doubled, with the largest number being from the Magistrates Court. Alarming, based on incidents reported in 2025 to date, it is projected that the overall number of reported threats to Victorian judicial officers is likely to increase yet again, and by the extraordinarily high rate of 70% more than in 2024.
7. The most recent Australian published research in relation to threats to judicial officers and court staff⁵ confirms that threats, violence and aggression experienced by judicial officers and court staff creates psychosocial hazards⁶ and that organisational and systemic changes are needed to prevent threats and violence.⁷ This includes implementing clear organisational policies and procedures to address workplace threats and violence; effective reporting and information sharing; the development of risk assessments and protocols for

¹ O'Sullivan, Kevin, Jill Hunter, Richard Kemp and Pru Vines 'Judicial Work and Traumatic Stress: Vilification, Threats and Secondary Trauma on the Bench' (2022) 28(4) *Psychology, Public Policy and Law* 532, 537-538.

² Ibid 537.

³ Ibid 537, 540.

⁴ Ibid 540-541.

⁵ Charlotte Hock and Heather Douglas, 'Threats, Domestic and Family Violence and Workplace Safety in the Courts' (2025) 33(1) *Journal of Judicial Administration* 163.

⁶ Ibid 164.

⁷ Ibid 169.

responding to threats and incidents; and appropriate training of staff. The authors also note that overseas studies confirm that threats and violence experienced by judicial officers are common.⁸ It is particularly sobering to consider the deteriorating situation in relation to the safety and security of judges in the United States.

8. In his end of year report for 2024,⁹ Chief Justice John Roberts of the Supreme Court of the United States identified violence and intimidation as areas of ‘illegitimate activity’ which threatened the independence of judges. He reported that there had been a ‘significant uptick in identified threats at all levels of the judiciary’¹⁰ and that, in the last five years alone, the US Marshals Service had investigated more than 1,000 serious threats against Federal judges. In several of these instances, the threats required the assignment of full time security for judges, with about 50 individuals being criminally charged. In extreme cases, judicial officers have been issued bullet proof vests.
9. Chief Justice Roberts also recounted the tragic loss of life of judges and their families as a result of their judicial work. Three judges were killed for doing their jobs in the years between 1979 and 1989 and, between 2005 and 2020, a number of close relatives of Federal judges were killed by assailants intent on harming the judges who had handled their cases. More recently, in 2022 and 2023, State judges in two states were murdered at their homes following adverse rulings in the exercise of their ordinary judicial duties. As the Chief Justice observed:

These tragic events highlight the vulnerability of judges who sign their names to the decisions they render each day and return home each night to communities, where they remain involved as neighbors, volunteers, and concerned citizens. Judges cannot hide, nor should they.

⁸ Charlotte Hock and Heather Douglas, ‘Threats, Domestic and Family Violence and Workplace Safety in the Courts’ (2025) 33(1) *Journal of Judicial Administration* 163, 166.

Chief Justice John Roberst of the Supreme Court of the United States, *2024 Year End Report on the Federal Judiciary* (2024) 15.

¹⁰ Data from the US Marshals Service, the body responsible for the security of Federal judges, shows that the number of threats to judges increased by more than 150% between 2019 and 2023.

10. The Chief Justice also noted that attempts to intimidate need not cause actual physical harm to judges in order to threaten judicial independence:

Disappointed litigants rage at judicial decisions on the Internet, urging readers to send a message to the judge. They falsely claim that the judge had it in for them because of the judge's race, gender or ethnicity – or the political party of the President who appointed the judge. Some of the messages provoke violence – for example, setting fire to or blowing up the courthouse where the target works.

11. In recent months, Reuters published a special report in relation to threats to judicial officers in the United States.¹¹ The report identified numerous instances of recent threats of violence and harassment against Federal judges and their family members following the judges' involvement in politically controversial cases. Threats were made by email, by phone and in-person at the homes of judges and their relatives. Some judges received anonymous pizza deliveries to their homes, as a method of intimidation. Messages posted on social media called for judges to be fired, arrested or killed, while others call for family members to face violence, retaliation or arrest.
12. Although differences in democratic structures and traditions mean that the experience in the United States is not to be assumed to automatically flow to Australia, the deteriorating safety and security of judges in the United States should lend urgency to Australian governments to improve the safety and security of Australian judicial officers. The increasing prevalence of threats to the safety and security of Australian judicial officers is alarming and unacceptable. It demands urgent action to ensure judicial officers and court staff may go about their work without unnecessary risks to their psychological and physical health and safety, and to ensure that they may properly discharge their oaths of office.
13. On this inaugural International Day for Judicial Wellbeing, the Australian Judicial Officers Association calls on the Attorneys-General of the Commonwealth, the States and the Territories to formulate and implement

¹¹ Parker, Ned, Mike Spector, Peter Easley, Linda So and Nate Raymond, 'These judges ruled against Trump. Then their families came under attack.' (2 May 2025) *Reuters*.

consistent policies and measures to address the increasing prevalence of threats to the safety and security of judicial officers.

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