



Statement on Judicial Well-being by the Chief Justice of New South Wales

On 4 March 2025, the General Assembly of the United Nations adopted *Resolution 79/266*, which proclaimed 25 July of each year as the *International Day for Judicial Well-being*. Member States, judicial institutions, academia and civil society were encouraged to observe the day through activities tailored towards education and increased public awareness of the importance of judicial well-being. This statement, which updates and replicates my 2025 Statement on Judicial Well-Being, is directed to that end.

The Preamble to the Resolution:

“Reaffirm[ed] that a well-functioning judiciary exemplifies the six core judicial values enshrined in the Bangalore Principles of Judicial Conduct: independence, impartiality, integrity, propriety, equality, competence and diligence,

Acknowledg[ed] that the physical and mental well-being of judges is crucial for promoting competence and due diligence, which highlights the importance of addressing judicial stress and the necessity of providing appropriate support, [and]

[Took] note of the Nauru Declaration on Judicial Well-being, adopted on 25 July 2024.”

The Nauru Declaration on Judicial Well-being¹ was the precursor to the Resolution and declared the following seven principles:

1. Judicial well-being is essential and must be recognized and supported.
2. Judicial stress is not a weakness and must not be stigmatised.
3. Judicial well-being is a responsibility of individual judges and judicial institutions.
4. Judicial well-being is supported by an ethical and inclusive judicial culture.
5. Promoting judicial well-being requires a combination of awareness-raising, prevention, and management activities.
6. Judicial well-being initiatives must suit the unique circumstances and requirements of national jurisdictions.
7. Judicial well-being is enhanced by human rights.

That judicial well-being is essential for the administration of justice and must be recognised and supported is self-evident. The task of a judicial officer, at all levels of the judicial hierarchy, carries peculiarly onerous responsibilities. The vast majority of decisions made by judicial officers in New South Wales affect an individual’s liberty, property, personal well-being and security, family, status and health or financial position. And the effect of those decisions extends to the families of litigants, victims and to society more generally. Judicial officers carry the burden of these decisions and their consequences every single day and, because of the subject matter of many cases, their work is done in an environment of stressed and anxious people. An unhappy, overstressed, overstretched judge is

¹ See R Wimalasena, L C Leitch, C Schrever and J Fogel, “The Nauru Declaration: A Milestone for Judicial Wellness” *Judicature International* (2025).

invariably not a good one, and is not good for the court in which he or she sits. The corollary of this is that judicial wellbeing is not a luxury or self-indulgence, and should be taken seriously.

Judicial work is largely solitary (especially but not only in rural and regional settings) and open to public scrutiny (and appropriately so). With a population of over 8.5 million spread over 800,000 square kilometres and with an economy valued at almost \$700 billion, New South Wales has a judiciary of approximately 330 dedicated men and women.² This human capital is a precious public resource, making the well-being of judicial officers not only a laudable goal in and of itself but one which should be of important community concern.³

The volume of work of the State's judiciary is vast. In 2025, over 4,000 matters were filed in the Supreme Court's Common Law Division and almost 4,500 matters in the Equity Division. Filings in crime increased by almost 50% from the previous year and there were 2,862 bail filings. This work is performed by the 20 members of the Supreme Court's Common Law Division who also sit on the most serious of criminal trials, on the Court of Criminal Appeal and on civil disputes. The District Court's most recent annual report recorded an increase of 10.26% in the number of cases filed in the civil jurisdiction. In the criminal jurisdiction, some 1,814 criminal trials were listed for hearing, 57.1% of which proceeded to verdict, and the average length of a trial was 11.02 days. A very large percentage of these were concerned with sexual assault and or domestic violence. There are approximately 100 District Court judges and acting judges. In the Local Court, some 398,090 criminal matters, 58,284 apprehended violence orders and 68,788 civil matters were commenced in 2025. Nearly half of that Court's caseload in 2025 was related to domestic, family and personal violence cases. Almost 28,000 bail applications were also determined in the Local Court last year. There are approximately 150 Local Court judges.

These figures speak powerfully to the immense volume of work undertaken by the State's judiciary and the diligence of the judicial officers who comprise it. Their work is unrelenting, and they are stretched to capacity. Burnout is an ever-present risk. This is only exacerbated by threats of physical violence to, and trolling of, judicial officers, increasingly fired by social media. Such conduct is real and supplies an added source of stress for judicial officers.

What the figures I have referred to do *not* convey is that the *nature* of so much of the judiciary's work brings with it peculiar stresses and the inevitable scope for vicarious or secondary trauma and depression. Daily exposure to sharp differences, disputes and argumentation render judicial officers especially vulnerable as a group.⁴ This is especially the case for judicial officers working in high-volume, summary jurisdictions, regularly dealing with domestic violence and/or for those judges hearing criminal, juvenile and family law matters and criminal appeals on a regular basis. These judicial officers are routinely exposed to the most confronting of circumstances and societal dysfunction which makes occasional claims to the effect that the judiciary is "out of touch" or "sit in ivory towers" as regrettable as they are ill-informed.

The well-being of judicial officers is critical to the optimal functioning of the judiciary. Recent empirical studies in Australia mean that we now know more about the causes of judicial stress than we have in the past,⁵ and the tragic passing of two Victorian magistrates by suicide in 2017 and 2018, and

² The New South Wales judiciary comprises the Supreme Court, Land and Environment Court, Industrial Relations Commission, District Court, Local Court, Drug Court, Children's Court, Youth Koori Court and Coroner's Court.

³ C Schrever et al, "The Psychological Impact of Judicial Work: Australia's First Empirical Research Measuring Judicial Stress and Wellbeing" (2019) 28 *JJA* 141 at 141.

⁴ The Hon M D Kirby AC CMG, "Judicial Stress" (1995) 2(3) *TJR* 199, and a revised version at Judicial Commission of New South Wales, *The Role of the Judge*, Education Monograph No 3, 2004 at p 43.

⁵ See, eg, Schrever et al at fn 3 above; J Hunter et al, "A Fragile Bastion: UNSW Judicial Traumatic Stress Study" (2021) 33(1) *JOB* 1.

of Federal Circuit Court Judge Guy Andrew in 2020, as well as a host of premature judicial retirements prompted by stress and burnout, highlight the fact that this issue is confrontingly real.

It has also correctly been observed that “stress undermines key human faculties required for good decision making. It undermines our objectivity and critical thinking, making it more likely that decisions will be infused with unconscious biases or heuristics.”⁶ The link between judicial well-being and both judicial integrity and the quality of judicial decision-making is also well established.⁷

Happily, we have long passed the time when it was contended that recognition of the reality of judicial stress and the corresponding importance of judicial well-being implied a degree of weakness or vulnerability on the part of the judiciary, thereby undermining public confidence in the administration of justice. As with a greater appreciation of the importance of mental health in society more generally, so too recognition of its importance within the judiciary is salutary. Stress is most pernicious when it goes untreated and develops into distress or depression, and the implications of these conditions for good and competent judicial decision making are obvious.

Heads of jurisdiction in New South Wales are acutely conscious of the importance of judicial well-being. The Judicial Commission of New South Wales has a judicial well-being portal on the Judicial Information Research System (JIRS) to assist judicial officers maintain and sustain a healthy judicial life. This includes personal accounts from the Bench, a repository of academic research, strategies for judicial well-being, mental health issues, advice as to the availability of professional help and self-help programs as well as guidance for assisting colleagues who may be labouring under their work burdens or showing symptoms of mental stress. All judicial officers in New South Wales are encouraged to be aware of this valuable resource. Judicial well-being is now also an established feature of judicial orientation.

The single greatest source of stress and pressure on the judiciary is the volume of work expected to be discharged by the State’s judicial officers. Proper resourcing in terms of numbers of judicial officers and of adequate facilities including properly equipped court rooms to accommodate this workload and proper security is essential. Backlogs in the hearing of cases are not caused by any lack of judicial diligence. The judiciary must be recognised as providing the community with an essential service, and its work must be valued, respected and appropriately funded in that context, as an essential part of our civic infrastructure.

The *International Day for Judicial Well-being* provides a timely occasion to make these points. I acknowledge the hard work of the State’s judiciary and thank its dedicated judicial officers, judicial and registry staff for the vital and essential role they play in our democracy.

25 July 2026

**The Hon. Andrew Bell AC
Chief Justice of New South Wales**

⁶ R Wimalaseena, L C Leitch, C Schrever and J Fogel, “The Nauru Declaration: A Milestone for Judicial Wellness” *Judicature International* (2025).

⁷ UNODOC, “Exploring Linkages between Judicial Well-Being and Judicial Integrity: Report on the Global Survey Conducted by the Global Judicial Integrity Network” (2022).