

## **Question on Notice**

**No. 660**

**Asked on 25 May 2021**

**MS A LEAHY** ASKED THE ATTORNEY-GENERAL AND MINISTER FOR JUSTICE, MINISTER FOR WOMEN AND MINISTER FOR THE PREVENTION OF DOMESTIC AND FAMILY VIOLENCE (HON S FENTIMAN) –

### **QUESTION:**

Will the Attorney-General advise if the State Government is planning to re-locate the Charleville Magistrates position to another location in this term?

### **ANSWER:**

I advise the Member neither I, as Attorney-General, or the State Government has control over where Magistrates Court resources are allocated after initial appointment.

Pursuant to section 12 of the *Magistrates Act 1991* the Chief Magistrate is responsible for ensuring the expeditious exercise of the jurisdiction of Magistrates Courts. This includes deciding the days, places and times for constituting Magistrates Courts.

Court sitting decisions are made by the Chief Magistrate in consultation with the Regional Coordinating Magistrate. Decisions about these arrangements may take into consideration factors such as the volume of matters, the number of magistrates available, and the resources of key justice stakeholders such as Police Prosecutions and support agencies.

I am sure the Member would agree, it is fundamental to the independence of the judiciary and the separation of powers that these functions are exercised by the Chief Magistrate without interference from Executive Government.

I am advised the Charleville Magistrates Court is currently a circuit court, where a magistrate sits two to four days each month.

The Chief Magistrate constantly reviews the distribution of court lodgements throughout the State. For some years the lodgements in South Western Queensland including Charleville have been declining.

The calendar for Charleville and South West Queensland is published annually and the 2022 calendar is yet to be finalised.

The Chief Magistrate has advised he is committed to ensuring the South West, Roma Charleville, Cunnamulla, Mitchell, Tambo and Quilpie is serviced by a single dedicated magistrate into the future.