

## **Question on Notice**

**No. 833**

**Asked on 17 June 2021**

**MR J MCDONALD** 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:**

With reference to Question on Notice No. 954 asked on 12 June 2019 regarding the ceasing of QCAT services in Gatton and with increasing delays for Lockyer applicants of up to 12 weeks to see urgent applications for warrants of possession heard in Ipswich —

Will the Attorney-General consider options to fix this problem by implementing some or all of the following: (a) restore QCAT services to Gatton to enable these local applications to be processed, (b) increase services at Ipswich to meet the demand and (c) allow Lockyer applications to be heard in Toowoomba where delays are reported to be 4 weeks?

### **ANSWER:**

I understand that tenancy matters may be filed in Gatton, but these matters are not heard there. This was a decision of the Regional Coordinating Magistrate. These matters are transferred to the appropriate Magistrates Court as decided by the Regional Coordinating Magistrate. I have no role in the scheduling of matters before the court.

It is fundamental to the independence of the judiciary and the separation of powers that judicial functions are exercised by the Chief Magistrate or delegate without interference from Executive Government.

I am advised that under rule 8 of the *Queensland Civil and Administrative Tribunal Rules* 2009, an application for a tenancy matter may only be filed in the registry of the tribunal closest to the relevant residential or rental premises, or QCAT's Brisbane registry. The closest QCAT registry for the filing of material for Laidley properties is Gatton.

I understand that QCAT actively monitors the timeframes to hearing and the nature of the applications at all registries in Queensland. The length of time for a hearing can be impacted by a number of factors including the complexity of the case, the availability of members/adjudicators, compliance by parties with QCAT's directions, the busy hearing schedule of QCAT and high volume lodgements. The increase on demand for QCAT's services has resulted in significant delays across Brisbane and regional Queensland.

The COVID-19 pandemic also has been and continues to be, an extraordinarily disruptive period for QCAT. Steps which needed to be taken to safeguard the members of the public who attend QCAT, members and adjudicators and registry staff have had a significant impact on QCAT's ability and capacity to deliver frontline civil justice services.

However, I am pleased to advise that in the 2021-22 Queensland State Budget, an additional \$7.028 million over two years has been provided to QCAT to address demand backlogs as a result of COVID-19.

I am also pleased to advise that QCAT plans to increase services at Ipswich to meet demand. I am advised that QCAT will list an additional day per fortnight at Ipswich commencing 21 July 2021 to hear additional minor civil dispute matters.