

Question on Notice

No. 1222

Asked on 28 October 2022

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:

With reference to the commencement of the Councillor Conduct Tribunal— Will the Attorney-General advise (a) how many decisions of the Tribunal have been appealed to QCAT, (b) how many of these appeals have been finalised, (c) how many are still pending and (d) what is the longest timeframe for an appeal?

ANSWER:

I thank the Member for Warrego for the question.

I am advised by the Queensland Civil and Administrative Tribunal (QCAT) that these matters are managed within QCAT's General Administrative Review jurisdiction, rather than in its appeal jurisdiction.

QCAT reviews a wide range of administrative decisions from various government agencies, officers, regulatory authorities and registrars. Decisions of the Councillor Conduct Tribunal are included in the types of decisions which are reviewed by QCAT.

On 3 December 2018 the Councillor Conduct Tribunal was established under the *Local Government (Councillor Complaints) and Other Legislation Amendment Act 2018*. Since the establishment of the Councillor Conduct Tribunal, QCAT has received 14 applications seeking a review of Tribunal decisions.

Of those matters lodged at QCAT, three are finalised and 11 have yet to be determined.

The average time to finalisation for the three applications finalised to date is 46 weeks. The longest time to finalisation for the applications finalised to date is 91 weeks. The other two were finalised in 26 weeks and 21 weeks respectively.

The oldest application outstanding was filed on 21 April 2020.

As outlined on QCAT's website, the average time to finalise a General Administrative Review is 42 weeks from the time of filing.

A number of factors affect the time to finalise a matter within QCAT's General Administrative Review jurisdiction, including the complexity of the case, the availability of members, compliance by parties with directions and the busy hearing schedule of the tribunal.

QCAT issues directions to parties throughout the course of a matter to ensure the parties are as prepared as possible and aware of the next steps involved in the case and, most importantly, to ensure evidence and material is available for consideration by all parties at the final hearing.