

Question on Notice

No. 298

Asked on 2 April 2025

HON S MILES ASKED THE ATTORNEY-GENERAL AND MINISTER FOR JUSTICE AND MINISTER FOR INTEGRITY (HON D FRECKLINGTON)

QUESTION:

With reference to the Protocol for Judicial Appointments in Queensland— Will the Attorney General advise (a) if the protocol has changed since the election of the Crisafulli LNP Government, and if so, what are the changes, and (b) who are the current members of the Judicial Appointments Advisory Panel?

ANSWER:

I thank the Member for Murrumbidgee for his question.

As I have previously stated publicly, the Crisafulli Government has refreshed the Protocol for Judicial Appointments in Queensland, noting the old Protocol had been in place for almost 10 years.

Refreshing the Protocol for Appointments in Queensland is something heads of jurisdiction raised with me upon taking office.

During the process of updating the Protocol, I consulted with heads of jurisdiction – the Chief Justice, Chief Judge, Chief Magistrate, and the President of the Land Court – and relevant stakeholders (including the Bar Association of Queensland and Queensland Law Society) to ensure their views were considered.

The Crisafulli Government is committed to appointing Judges and Magistrates on the basis of merit through an open Expressions of Interest process where members of the legal profession have the opportunity to apply.

The new Protocol was made available online on 28 February 2025, and can be accessed at https://www.courts.qld.gov.au/__data/assets/pdf_file/0011/821909/protocol-for-judicial-appointments-in-queensland.pdf.

The changes include:

- enabling Expressions of Interest (EOI) in response to a vacancy as well as standing EOIs to be considered;
- expanding the scope of the Protocol to include, and provide clarity on, vacancies in special jurisdiction courts and judicial leadership positions; and
- updating the selection criteria to align with the 2024 amendments to the Australasian Institute of Judicial Administration's Suggested Criteria for Judicial Appointments to ensure our approach aligns with best practice.

The membership of the Judicial Appointments Advisory Panel comprises:

- (a) the chairperson, who shall be a former member of the judiciary with prior experience serving on the same court (or a higher Court) for which the vacancy applies;
- (b) a current or former President of the Bar Association of Queensland (if not available, a nominee of the President as agreed by the Attorney-General);
- (c) a current or former President of the Queensland Law Society (if not available, a nominee of the President as agreed by the Attorney-General);
- (d) up to three individuals who, in the opinion of the Attorney-General, represent community views and standards and/or possess knowledge, expertise or experience in the justice system that could usefully contribute to the selection of judicial officers (for example, an experienced legal practitioner, a former member of the judiciary, a current or former Executive in the Justice portfolio); and
- (e) in the case of a Land Court vacancy, a former Land Court President, former Land Court member, or a retired judge of the Supreme or District Court.

As was the case under the previous Protocol, Panel members change from time to time. There are no permanent members of the Panel. Rather, suitable members are identified to form the panel each meeting.