

PARTIAL TRANSCRIPT OF NCAT 2020/000287835 May 19,2021 HEARING:

Zonneville: I've got a question of law for you.

Dinnen: Well, before you do that-

Zonneville: No, no, before the proceedings start, I've got a question of law that I've got to ask you, which is important proving how you start, and effect on what transpires [00:06:00] next. Are you a judicial officer?

Dinnen: This is Matter Number 287835 of 2020. Peter Zonneville and Minister of Education- [crosstalk]

Zonneville: Are you a judicial officer?

Dinnen: -and early childhood learning.

Zonneville: Could you please answer the question then? Could you please answer the question? Are you a judicial officer? This is relevant to my rights in this matter.

Dinnen: Well, Mr. Zonneville, [00:06:30] I'm a tribunal member.

Zonneville: But are you a judicial officer? I'm just asking you a simple yes or no question.

Dinnen: I'm not getting into a discussion with you, Mr. Zonneville.

Zonneville: No, no, no, I'm asking a question of law. Are you a judicial officer? This is simple, yes or no.

Dinnen: [chuckles] I'm not having a discussion with you about this, Mr. Zonneville.

Zonneville: Well, this is a question of law. These hearings allow questions of law, this is a procedural right. ***You're denying me a procedural right, are you?**

Dinnen: ***I am.** At this stage, yes.

Zonneville: **I'm sorry, [00:07:00] you need to recuse yourself.**

Dinnen: All right. Now, **the matter has been commenced** at 12-

Zonneville: Yes, no, no, **sorry. I want [crosstalk] to exercise the right under the Court and Security Act Sections 9.2A, I request permission to record these proceedings.**

Dinnen: **No. That permission is not granted, you are not entitled to record the proceedings.**

Zonneville: Can I have reasons, please?

***** You haven't given me the opportunity to give reasons [00:07:30] for,so I'm really concerned about my procedural rights.**

Dinnen: I have not commenced the matter yet, Mr. Zonneville. You are speaking over me.

Dinnen: I'm going to proceed, Mr. Zonneville. If you're dissatisfied with that, that's your problem.

Zonneville: No, no, I'm sorry, [00:09:00] I can't accept that. **Please, can you give me all the reasons why you don't give me permission to record and notify? As I said, I request your removal from these proceedings.**

Dinnen: ****I reject both of those applications.** I'm going to proceed now.

Zonneville: Okay, all the reasons, please.

Dinnen: I'm going to proceed now with the-

Zonneville: No, no, all the reasons, please. Now, I **have the procedural right for you to give me all the reasons.....**

Dinnen: Mr. Zonneville, if you continue to talk over me-

Zonneville: ..because you're not going to fulfill your [00:09:30] statutory obligation under the Sect.62 [00:09:31]

Dinnen: Mr. Zonneville, if you continue to talk over me, I will remove you from the proceedings.

Zonneville: Sorry, one other thing is, **I request the order the removal CSO from the proceedings, please.**

Dinnen: I'm sorry, I couldn't hear you, what did you say?

Zonneville: I request that you order the removal of the CSO from proceedings, please.
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Dinnen: **Well, I deny that request.** If you continue to talk over me, I will remove [00:10:00] you from the proceedings.

Zonneville: On what grounds, please? On what grounds? Because if you look at Section 4 of the Notice of Legal Representation, it's not until then, Montgomery made no expressed permission for the Crown Solicitor's Office to be the legal representative.

Dinnen: Mr. Zonneville, [crosstalk] if you continue to talk over me, I will adjourn the proceedings.

Zonneville: You're not giving me a procedural premise. This is a right that I have in these proceedings and the things is that.....

Dinnen: When it's your turn, you can talk. [00:10:30]

Zonneville: Well, fine, but again, it's like this.. [00:10:32].

Dinnen: All right. I'm going to adjourn the proceedings.