



Civil and Administrative Tribunal New South Wales

Case Name: Peter Zonneville v Minister for Education and Early Childhood Learning

Hearing Date(s): 19 May 2021

Date of Orders: 19 May 2021

Date of Decision: 6 July 2021

Jurisdiction: Administrative and Equal Opportunity Division

Before: D Dinnen, Senior Member

File Number(s): 2020/00287835

REASONS FOR DECISION

The request to remove the Crown Solicitors Office from the proceedings were denied for the following reasons:

1 The Applicant did not provide any basis for his application to have the Crown Solicitors office removed from the proceedings.

2 The Applicant did not allow the Tribunal to question him as to the grounds upon which he made the application, the evidence he relied on, or to consider the application further, or provide an opportunity for the Respondent to make any submissions.

3 The Respondent was entitled to be represented at hearing by the Crown Solicitors Office as its legal representative. There was no requirement for the Crown Solicitors Office to seek leave by virtue of s 45 of the Civil and Administrative Act 2013 because the proceedings were being heard in in the Administrative and Equal Opportunity Division of the Tribunal, which is excepted from that requirement by clause 9 of Schedule 3 to the CAT Act.

Additionally, the Crown Solicitors Office was not acting as “agent”, and so there was no need for it to be granted leave in that respect, and the Applicant’s comment about “section 4 is not filled in” (referring to section 4 of the Notice of Representation Form) was misconceived.

I hereby certify that this is a true and accurate record of the reasons for decision of the New South Wales Civil and Administrative Tribunal.

Registrar