

## INFORMATION SHEET: Other

Suspension/Stand-down / Management Initiated Lateral Transfer / Medical and Other

Relevant legislation

As per the *Police Service Administration Act 1990 Part 9 Review of decisions*

**(1) A police officer who is aggrieved by a decision about—**

...

**(b) the selection of an officer for transfer to a police officer position, if the selection procedures mentioned in section 5.2(2)(a) were not required to be complied with; or**

**(c) suspension or standing down of the officer under section 6.1; or**

**(d) another decision prescribed by regulation as open to review under this part;**

**may apply to have the decision reviewed by a commissioner for police service reviews.**

Note— See the Crime and Corruption Act 2001, chapter 5, part 3 for review provisions relating to disciplinary decisions made under part 7 or 7A.

...

**(3) An application for the review of a decision mentioned in subsection (1)(b) may only be made by a police officer who was transferred to the position concerned without applying for the transfer.**

**(4) Authority is hereby conferred on a commissioner for police service reviews—**

**(a) to hear and consider all applications for review under this part duly made;**

**(b) to make recommendations relating to any matters relevant to a review under this part.**

### An Outline of the Review Process

- An applicant who wishes to have an appointment decision reviewed (the review applicant) must email a completed Notice of Application to Review form to the Secretary, Office of the Commissioner Police Service Reviews (OCPSR), via [OCPSR@ccc.qld.gov.au](mailto:OCPSR@ccc.qld.gov.au) within 7 days of the decision. **A copy of the decision must also be attached to the form.**
- Applications are lodged electronically but will also be accepted in person or, if received by post, on or before the closing date. If you have not received confirmation of receipt via email from the Secretary, prior to the review closing it is the Applicants responsibility to confirm receipt by phoning 3360 6387. Applications for review not received by the closing date, or received after the closing date will not be accepted.  
The review applicant must specify the grounds for review on the Notice of Application to Review and show how they consider the decision to be unwarranted.
- The Secretary OCPSR gives written notification of the application to review to the Commissioner of Police via the Senior Sergeant, Police Service Reviews. The Secretary also formally notifies the review applicant that their application has been received.
- The Decision Maker or Delegate provides a report to the Secretary OCPSR (via the Senior Sergeant, Police Service Reviews). The Secretary OCPSR then provides a cop of the report to the review applicant and a copy is kept on file for the Review Commissioner.

- The review applicant is then required to provide a written submission outlining in detail the reasons for continuing with their review. The submission should be sent by email to the Secretary OCPSR within the timeframe provided by the Secretary OCPSR.
- Extensions for submissions will not be given unless the Secretary OCPSR is contacted and a reasonable explanation is provided. Work commitments or periods of leave are not grounds for an extension. (Failure to submit documentation within the required timeframe may result in the matter lapsing or being considered “on the papers” by the Review Commissioner — i.e. on the basis of documentation already supplied to the review.)
- The Decision Maker or Delegate may provide a written response to the review applicant’s submission, which is forwarded to the review applicant.
- The Secretary OCPSR emails the review applicant, Decision Maker or Delegate and Senior Sergeant, Police Service Reviews about the date and time of the review hearing. If the review applicant does not attend the hearing and the Secretary has not been notified of any likely absences or unavailability (e.g. for court attendance), the matter may be considered on the written material provided, at the discretion of the Review Commissioner.
- A review hearing is held, and conducted in accordance with section 9.4 of the *Police Service Administration Act 1990*. The hearing may be held either in person, or by teleconference, depending on the location of the parties to the review at the direction of the Review Commissioner. The Panel Convenor is required to participate in the hearing to provide information to the Review Commissioner about the selection process.
- All parties of the review should take to the review hearing all the documentation that they have supplied and received during the review process (in case reference needs to be made to this material).
- The Review Commissioner makes a recommendation to the Commissioner of Police. Copies of this review report are also provided to the review applicant and the Senior Sergeant, Reviews.
- The Commissioner of Police is responsible for making the final decision about the decision, and is not obliged to accept the Review Commissioner’s recommendation. If the Commissioner of Police decides not to implement the recommendation of the Review Commissioner, the Commissioner of Police must give a brief summary of the reasons for the decision to all parties to the review and the Review Commissioner.