

ESTIMATES COMMITTEE

Question Taken on Notice

Question Number: 5.13

Output Number: 3.2

Date: 16/06/2025

From: Mrs Laurie Zio

To: Hon Marie-Clare Boothby

Portfolio: Attorney-General

Agency: Attorney-General's Department

Subject: Costs involved in cases that do not progress

QUESTION:

Can the commissioner please provide an overview of the cost involved in cases that do not progress, in terms of resources and financial expenditure?

ANSWER:

It is not possible to provide a definitive or standardised overview of the costs and resources involved for applications that were not accepted by the Anti-Discrimination Commission (ADC). The ADC do not have a time cost billing model similar to a law firm. Each matter is assessed on a case-by-case basis and varies considerably depending on its specific circumstances. A number of variables influence the time and resources required to assess these matters, including:

- The experience and level of the complaints officer. ADC's complaints team comprises one experienced complaints officer and one recently appointed officer who is still undergoing training. One role is at a designated A06 level and one at an A07, so the cost associated with their time varies. The complexity of a matter and the officer's level of experience will impact the time required for assessment.
- The complexity and scope of the complaint. Some complaints involve a single allegation of prohibited conduct concerning one area and one attribute (for example, an allegation limited to offensive behaviour), while others involve multiple attributes or grounds (for example, allegations of discrimination based on sex and race, coupled with offensive behaviour based on race). Complaints involving multiple grounds require more extensive analysis and consideration.
- The extent to which the complaint was accepted or declined. In some matters, parts of the complaint may be accepted while other aspects are declined. For example, the discrimination component may proceed while an associated offensive behaviour component is declined. In these circumstances, the additional resources required to assess and decline the discrete aspect are minimal, as much of the assessment work has already been undertaken.

As a general observation, where complaints are clearly outside jurisdiction, are vexatious, or otherwise fail to disclose prohibited conduct, the assessment process is not resource intensive. For straightforward matters of this nature, it is estimated that the assessment and notification process would take approximately one to two hours of officer time.