

ATTORNEY GENERAL — UNFAIR DISMISSAL CASE

783. Ms M.J. DAVIES to the Attorney General:

I refer to the Attorney General's intervention on behalf of the state to question the power of the Public Service Appeal Board to summons people—namely, the Minister for Health—to give evidence in the legal stoush between the minister and his sacked staff.

- (1) Why has the Attorney General intervened?
- (2) What precedent, if any, is there for this action?

Mr J.R. QUIGLEY replied:

- (1) Yes, I have intervened on the advice I received. The matter was drawn to my attention by the State Solicitor, who pointed out to me that this action was on foot and someone was requesting subpoenas be issued by the Public Service Appeal Board. A concern was expressed that there was no source of power to issue the subpoenas, so I took further legal advice from the Solicitor-General, and as a consequence of the advice I received, without taking sides or addressing the facts of the case, I made a submission on the law. Might I add that the Public Service Appeal Board accepted the submission that was made, which was just on a point of law.
- (2) As for precedent for this, there are plenty of precedents both of me and other Attorneys intervening in cases. I regularly intervene in cases in the High Court to assist it with proper statutory interpretation.