



Revision and review of decisions

Review of a decision by the Executive Director to decline or discontinue consideration.

1. A complainant (other than a secondary complainant) may request a review of a decision by the Executive Director to decline a complaint, or to discontinue consideration of a complaint at Level 1.
2. The ground for review is that the Executive Director's decision is clearly erroneous.
3. The review will be conducted by the Chair of the Council, by a Vice Chair, or by another Council Member designated by the Chair.
4. The Executive Director may be required to give further consideration to the complaint or specific parts of it.
5. The request for a review must be made within 7 days of the complainant being notified of the decision to decline or discontinue.

Revision of a Provisional Adjudication made by an Adjudication Panel

6. A complainant (other than a secondary complainant) or a publication may request a revision of a Provisional Adjudication made by an Adjudication Panel. A revision does not involve a change in whether aspects of a complaint are upheld or dismissed.
7. The grounds for revision are that the Provisional Adjudication contains material that is inaccurate, unclear, or unnecessarily compromises the privacy of a complainant or other person.
8. The Chair of the Adjudication Panel, after consultation with the Executive Director, can approve revisions.
9. A request for revision must be made within 7 days of the requesting party being notified of the Provisional Adjudication.

Review of a Provisional Adjudication made by an Adjudication Panel

10. A complainant (other than a secondary complainant) or a publication can request a review of a Provisional Adjudication.

11. The grounds for review are that:

- A significant error of fact or procedure has occurred, or
- New evidence has become available which it was not reasonably possible to provide earlier, and
- Correction of the error, or consideration of the new evidence, justifies a change in the decision by the Adjudication Panel.

12. The Chair and the Vice Chairs will decide whether a reasonably arguable case for review is made out, and, if so, will decide whether the review will be conducted by the Adjudication Panel or by a newly constituted Review Panel.

13. In deciding which Panel will conduct the review, the Chair and Vice Chairs will consider the significance of the matter, its complexity, the significance of new evidence, the desirability of the prompt finalisation of the review, and any other relevant factors.

14. The Chair and Vice Chairs may invite comment from the Adjudication Panel before deciding whether to refer the matter to a Review Panel.

15. The Panel conducting the review will consider whether to uphold or dismiss the complaint as if it were an Adjudication Panel, except that parties will not be invited to make oral submissions, unless the Chair of the Council considers it appropriate.
16. A request for review must be made within 7 days of the requesting party being notified of the Provisional Adjudication.

Revision of a Provisional Adjudication made by a Direct Adjudication Panel

17. A complainant (other than a secondary complainant) or publication may request a revision of a Provisional Adjudication made by a Direct Adjudication Panel. A revision does not involve a change in whether aspects of a complaint are upheld or dismissed.
18. The grounds for revision are that the Provisional Adjudication contains material that is inaccurate, unclear, or unnecessarily compromises the privacy of a complainant or other person.
19. The Chair of the Direct Adjudication Panel, after consultation with the Executive Director, can approve revisions.

20. A request for revision must be made within 7 days of the requesting party being notified of the Provisional Adjudication.

Review of a Provisional Adjudication made by a Direct Adjudication Panel

21. Upon request by the complainant (other than a secondary complainant) or publication a complaint considered and decided by a Direct Adjudication Panel will be heard and decided afresh by a newly constituted Panel comprising at least one (but not more than two) Panel Members from the original Direct Adjudication Panel.
22. On a review of a Provisional Adjudication by a Direct Adjudication Panel the complainant and the publication will be given the opportunity to make oral submissions to the Review Panel.
23. The Review Panel reviewing a Provisional Adjudication by a Direct Adjudication Panel may vary or change the Provisional Adjudication as if it were the Direct Adjudication Panel.

Revision of a Provisional Adjudication made by a Review Panel

24. A complainant (other than a secondary complainant) or a publication may

request a revision of a Provisional Adjudication made by a Review Panel. A revision does not involve a change in whether aspects of a complaint are upheld or dismissed.

25. The grounds for revision are that the Provisional Adjudication contains material that is inaccurate, unclear, or unnecessarily compromises the privacy of a complainant or other person.

Review of a Provisional Adjudication made by a Review Panel

26. A complainant or publication cannot seek review of a Review Panel's decision to uphold or dismiss the complaint or an aspect of the complaint.

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