

# QCAT

Queensland **Civil and Administrative Tribunal**

## Annual Report 2013-14



## About our annual report

The Queensland Civil and Administrative Tribunal's annual report summarises its financial and corporate performance for 2013-14 and meets accountability requirements under the *Queensland Civil and Administrative Tribunal Act 2009*.

This annual report can be accessed online at <http://www.qcat.qld.gov.au/about-qcat/publications>

ISSN1838-2746.

© The State of Queensland (Queensland Civil and Administrative Tribunal) 2014.

This annual report is licensed by the State of Queensland (Queensland Civil and Administrative Tribunal) under a Creative Commons Attribution (CC BY) 3.0 Australia licence, available at <http://creativecommons.org/licences/by/3.0/au/deed.en>

Content from this report may be copied for use, and attributed to the State of Queensland (Queensland Civil and Administrative Tribunal) Annual Report 2013-14.

## Contact us

Web: [www.qcat.qld.gov.au](http://www.qcat.qld.gov.au)  
Phone: 1300 753 228  
Email: [enquiries@qcat.qld.gov.au](mailto:enquiries@qcat.qld.gov.au)  
In person: Level 9, 259 Queen Street, Brisbane  
Post: GPO Box 1639, Brisbane, 4001

## Interpreter services



The Queensland Government is committed to providing accessible services to Queenslanders from all culturally and linguistically diverse backgrounds. If you have difficulty in understanding the annual report, contact us on 1300 753 228 and we will arrange an interpreter to effectively communicate the report to you.

## Our icons



The QCAT divisions are represented by a series of icons: the orange icon represents civil disputes, the purple icon represents human rights and the beige icon represents administrative and disciplinary matters.

30 September 2014

The Honourable Jarrod Bleijie MP  
Attorney-General and Minister for Justice  
State Law Building  
Brisbane Qld 4000

Dear Attorney

I am pleased to present the Annual Report 2013-14 for the Queensland Civil and Administrative Tribunal (QCAT).

I certify that this annual report complies with:

- the Queensland Civil and Administrative Tribunal's requirements under the *Queensland Civil and Administrative Tribunal Act 2009*,
- the prescribed requirements of the *Financial Accountability Act 2009* and the Financial and Performance Management Standard 2009, and
- the detailed requirements set out in the *Annual report requirements for Queensland Government agencies*.

A checklist outlining the annual reporting requirements can be found in Appendix 5 of this document.

Yours sincerely

A handwritten signature in black ink, appearing to read 'David Thomas', with a long horizontal flourish extending to the right.

Justice David Thomas  
QCAT President

# Table of contents

<b>About QCAT</b>	<b>7</b>
About us	8
Our vision	8
What we do	8
Our core values	8
Our organisational structure	9
<b>Messages from the President and Executive Director</b>	<b>10</b>
Message from the President	11
Message from the Executive Director	12
<b>Our year</b>	<b>13</b>
Our performance	14
<i>Our workload and outcomes</i>	<i>14</i>
<i>Service delivery</i>	<i>14</i>
<i>Engagement</i>	<i>15</i>
<i>Outcomes by jurisdiction</i>	<i>15</i>
Our achievements and priorities	16
<i>Key achievements in 2013-14</i>	<i>16</i>
<i>Priorities for 2014-15</i>	<i>17</i>
<b>Our financial performance</b>	<b>18</b>
<b>Engaging with the community</b>	<b>19</b>
Tribunal users	20
<i>Our Service Charter</i>	<i>20</i>
<i>Talk to your QCAT: Minor civil disputes</i>	<i>21</i>
<i>Accessibility</i>	<i>21</i>
<i>Support and advocacy</i>	<i>21</i>
<i>Communicating decisions</i>	<i>22</i>
<i>Client satisfaction</i>	<i>22</i>
Our stakeholders	23
<i>Stakeholder satisfaction</i>	<i>23</i>
<b>Our work</b>	<b>25</b>
Alternative Dispute Resolution	27
<i>Facts and figures</i>	<i>28</i>
Civil, Administrative and Disciplinary	29
<i>Facts and figures</i>	<i>31</i>
Human Rights	33
<i>Facts and figures</i>	<i>36</i>

Minor civil disputes	38
<i>Facts and figures</i>	39
Appeals	41
<i>Facts and figures</i>	42
<b>Our projects</b>	<b>43</b>
QCAT Review	44
Justice of the Peace trial	45
<i>Facts and figures</i>	47
<b>Our governance</b>	<b>49</b>
Practice directions	50
Tribunal Excellence Framework	50
Risk management	50
Open Data	50
Public Sector Ethics Act 1994	50
Information systems and record keeping	51
Boards and committees	52
Regulatory changes	53
<b>Our decision-makers</b>	<b>54</b>
Tribunal members and adjudicators	55
Presidential members	55
Senior members	56
Members	56
Sessional members	56
Adjudicators	57
Justices of the Peace	57
Assessors and mediators	58
<b>Our staff</b>	<b>59</b>
Our workforce	60
Governance operations	61
Glossary	62
Abbreviations and acronyms	62
<b>Appendices</b>	<b>63</b>
Appendix 1 – Member appointments	64
Appendix 2 - Tree assessor appointments	67
Appendix 3 - Justice of the Peace trial appointments	68
Appendix 4 – QCAT practice directions	71
Appendix 5 – Compliance checklist	72

## List of figures

Figure 1: QCAT organisational structure 2013-14	9
Figure 2: Lodgements and finalisations 2013-14	14
Figure 3: QCAT mediation settlement rates 2012-13 v 2013-14	28
Figure 4: Compulsory conference settlement rates	28
Figure 5: Civil matters lodgements 2012-13 and 2013-14	31
Figure 6: Civil matters clearance rates 2012-13 and 2013-14	31
Figure 7: Administrative and Disciplinary matters lodgements 2012-13 and 2013-14	31
Figure 8: Administrative and Disciplinary matters clearance rates 2012-13 and 2013-14	32
Figure 9: Civil and disciplinary division matters times to finalisation	32
Figure 10: Human rights lodgements 2012-13 and 2013-14	36
Figure 11: Human rights clearance rates 2012-13 and 2013-14	36
Figure 12: Human rights division matters time to finalisation	36
Figure 13: Minor civil dispute lodgements 2012-13 and 2013-14	39
Figure 14: Minor civil dispute clearance rates 2012-13 and 2013-14	39
Figure 15: Minor civil dispute matters average time to hearings	39
Figure 16: Appeals lodgements	42
Figure 17: Appeals clearance rates	42
Figure 18: JP trial hearings	47
Figure 19: Adjournments	47
Figure 20: Adjournment rates for matters heard by a JP panel	47

## List of tables

Table 1: Pending cases and clearance rates	14
Table 2: Service delivery	14
Table 3: Engagement	15
Table 4: Lodgements and clearance rates by jurisdiction	15
Table 5: 2013-14 QCAT financial statement	18
Table 6: Type and number of limitation orders made 2013-14 under the <i>Guardianship and Administration Act 2000</i>	37
Table 7: Guardians for restrictive practices finalised applications 2013-14	37
Table 8: Containment, seclusion and other restrictive practices approvals 2013-14	37
Table 9: Residential tenancy applications lodged in 2013-14	40
Table 10: Residential tenancy application types managed by QCAT in 2013-14	40
Table 11: Residential tenancy hearings and finalisations in 2013-14	40
Table 12: Residential tenancy reopenings and appeals managed by QCAT in 2013-14	40
Table 13: JPs appointed to QCAT	47
Table 14: Appeals filed on matters heard by a JP panel	48
Table 15: Complaints filed on matters heard by a JP panel	48



## About us



The Queensland Civil and Administrative Tribunal (QCAT) is established under the *Queensland Civil and Administrative Tribunal Act 2009* and began operations in December 2009.

QCAT operates as a tribunal, not a court, and in keeping with statutory requirements acts with as little formality and technicality as possible.

QCAT services are delivered throughout Queensland in conjunction with the Magistrates Court. Approximately half of matters are heard outside of Brisbane either by magistrates hearing QCAT minor civil disputes or regular hearings by QCAT members.

## Our vision

To deliver Tribunal services in a way that is independent, efficient, expert, accessible and flexible.

## What we do

QCAT makes decisions on a range of jurisdictions including:

- human rights (anti-discrimination, guardianship and administration for adults and children and young people matters)
- civil (e.g. building disputes and tree disputes)
- administrative (reviews of decisions by government agencies and statutory authorities)
- disciplinary (e.g. police and health professionals)
- minor civil disputes (including consumer, debt and residential tenancy disputes).



18 tribunals  
and 23  
jurisdictions  
were combined  
to form QCAT

In certain circumstances, the Appeal Tribunal of QCAT hears appeals against decisions of the tribunal and some external agencies.

## Our core values

- Independence
- Integrity
- Responsiveness
- Fairness
- Active resolution
- Cost effective



# Our organisational structure

\*

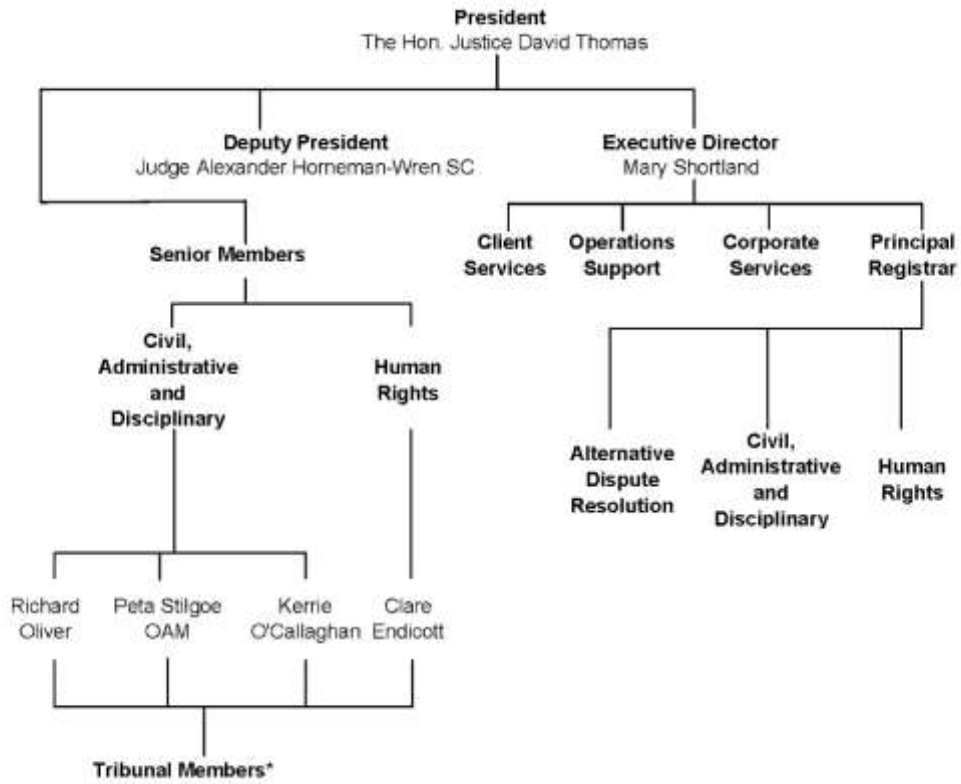



Figure 1: QCAT organisational structure 2013-14

\* *Tribunal members include: ordinary members; sessional members; adjudicators and Justices of the Peace*



President and  
Executive  
Director  
messages

## Message from the President



It has been my pleasure to assume the presidency of the Queensland Civil and Administrative Tribunal (QCAT) from October 2013.

Considerable thanks are due to Justice Alan Wilson, my predecessor and inaugural QCAT President. The dedication and commitment of Justice Wilson in establishing the tribunal and its processes is reflected in his recent award for achievement in judicial administration from the Australian Institute of Judicial Administration (AIJA).

As we approach 5 years as a ‘super tribunal’, it is timely to reflect on what QCAT has delivered for the Queensland community. Through a commitment to actively resolve disputes in a way that is fair, just, accessible quick and inexpensive, QCAT has consolidated its role in the justice system, and established a robust system of dispute resolution.

It is timely that we now participate in the Department of Justice and Attorney-General’s QCAT Review to ensure we continue to meet the objects of our Act, and that those objects remain relevant. Indeed the objects of the Act can serve to reflect what the entire justice system should deliver.

Since October 2013 I have been impressed by those groups that make QCAT what it is; magistrates who hear Tribunal matters as members throughout the State; members and adjudicators who consistently deliver considered decisions; assessors who provide assistance and expertise; Justices of the Peace who are making a significant contribution to our innovative trial; and registry staff who continue to provide exceptional service delivery in the face of a constrained fiscal environment.

I look forward to leading the Tribunal to deliver on upcoming challenges and opportunities.

**Justice David Thomas – QCAT President**  
**September 2014**



## Message from the Executive Director



QCAT delivers exceptional service to the Queensland community.

### *Our performance*

Our delivery of a 106 per cent overall clearance rate is a 15 per cent increase from our first reporting year in 2010-11. This reflects the ongoing commitment by decision-makers and staff to continuous improvement.

Engaging with the community is crucial to delivering this clearance rate; better understanding by users of our processes makes for increased efficiency and effective dispute resolution.

The quality of our service delivery is reflected in our outstanding results in client (72 per cent) and stakeholder (73 per cent) satisfaction. These results are boosted by service delivery outcomes such as phone response times improving by over two-thirds; improved clearance rates; and commitment to client education.

Over 60,000  
people were  
involved in  
QCAT matters  
last year

A green circular graphic with a thin border, containing text in a green, sans-serif font. The text is centered within the circle and reads: "Over 60,000 people were involved in QCAT matters last year".

### *Our projects*

The QCAT JP Trial continues to make a significant contribution to Government commitments to reduce the backlog in courts and tribunals. The award-winning and innovative project will continue in the coming year as we await outcomes of evaluation by the Attorney-General.

This year we will also continue to respond to outcomes of the QCAT Review.

### *Our future*

Recent projections forecast that by 2019 the Tribunal will manage over 35,000 matters annually, an increase of over 3 per cent each year. It is likely this increase will be predominantly in building, guardianship and administration and children's matters.

We know that as our population ages there will be increased demand for tribunal services for older Australians. These changing demographics will bring fresh challenges for the tribunal; an increased provision of no-fee services to the community.

We are mindful of these longer-term challenges, and of our immediate focus to manage community engagement; service delivery; our governance; jurisdictional coverage and demand management; and effective alternative dispute resolution (ADR).

Through a continued focus on these objectives, we will continue to resolve disputes for the community and be ready for the challenges and opportunities to come.

**Mary Shortland – QCAT Executive Director**  
**September 2014**



## Our performance

### Our workload and outcomes\*

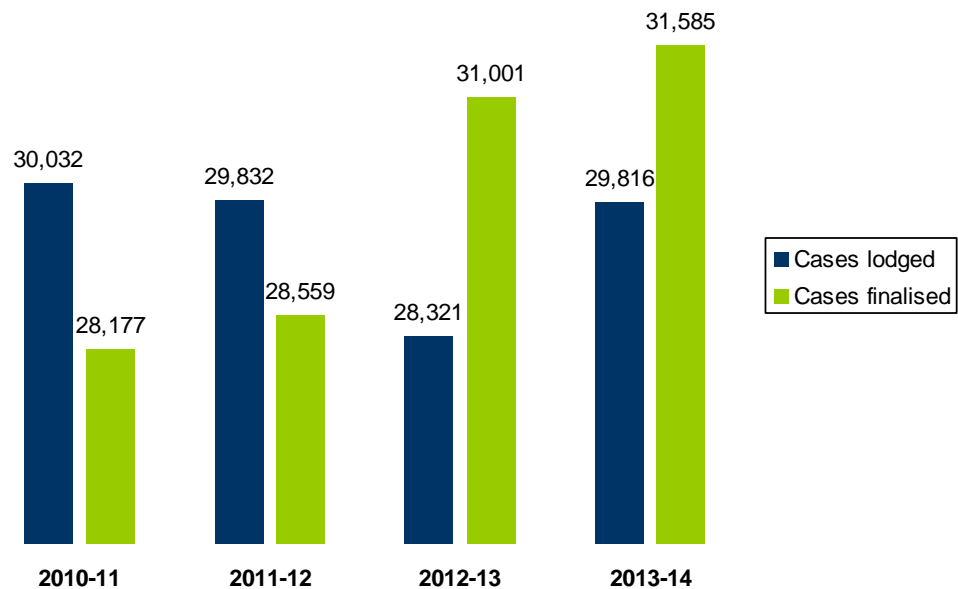


Figure 2: Lodgements and finalisations 2013-14

	2012-13	2013-14	% difference
Cases pending (period end)	5467	3,502	36%
Overall clearance rate	109%	106%	(3%)

Table 1: Pending cases and clearance rates

### Service delivery

Service/ performance	2012-13	2013-14
1300 calls managed	98,985	99,157
Call response time	10.12 minutes	3.13 minutes
Search request of tribunal records	10,654	13,737
Counter enquiries	9,207	10,767
Proceedings scheduled <sup>#</sup>	18,268	17,926
Cost per matter (average)	\$624	\$621
Interpreter and translation services delivered	193	237
Complaint rate	0.8%	0.8%

Table 2: Service delivery  
<sup>#</sup> excluding minor civil disputes

## Engagement

Service/ performance	2012-13	2013-14
Client satisfaction rating	74%	72%
Stakeholder satisfaction rating	75%	73%
Employee satisfaction rating	71%	70%

Table 3: Engagement

## Outcomes by jurisdiction

	Lodgements		% difference	Clearance rates		% difference
	2012-13	2013-14		2012-13	2013-14	
<b>Human rights</b>						
Anti-discrimination	108	114	6%	135%	111%	-18%
Children	237	256	8%	100%	97%	-3%
Guardianship	9746	10,411	7%	104%	96%	-8%
<b>Civil</b>						
Building	329	307	-7%	126%	111%	-12%
Retail shop leases	130	127	-2%	115%	115%	0%
Minor civil disputes	16,070	16,923	5%	113%	112%	-1%
Other civil disputes	118	108	-8%	141%	106%	-25%
Neighbourhood disputes	270	196	-27%	80%	131%	64%
<b>Administrative and disciplinary</b>						
General administrative review	400	464	16%	107%	96%	-10%
Occupational regulation	376	276	-27%	93%	127%	37%
<b>Appeals</b>						
Appeals	522	586	12%	103%	94%	-9%

Table 4: Lodgements and clearance rates by jurisdiction

\*NOTE: clearance rate = number of matters finalised ÷ number of lodgements x 100

# Our achievements and priorities

## Key achievements in 2013-14

### Performance

- managing almost 30,000 applications and finalising over 31,500 matters to support dispute resolution in the community
- achieving an overall clearance rate of 106 per cent against a 100 per cent target
- a Tribunal Excellence Framework rating of 6, reflecting an innovative and strategic organisational approach
- employee satisfaction rating of 70 per cent despite ongoing government reform
- decrease in costs per matter (calculated through application of an activity-based costing methodology)



### Service delivery

- management of nearly 100,000 calls to the QCAT 1300 number, with a significant improvement (over two-thirds) in phone response times
- processing over 13,700 tribunal register and record searches and providing assistance to over 10,000 clients visiting the Brisbane registry

### Reforms

- supporting the transition to a new QCAT President in October 2013
- response to the QCAT Review (required by the Act)

### Innovation

- over 3000 matters heard by JP panels as part of the QCAT JP Trial
- **reducing 'red tape' through** online form development and review of 16 existing forms

### Engaging with the community

- delivery of minor civil dispute community information forum to ensure access to information on our most popular jurisdiction
- client satisfaction rating of 72 per cent, reflecting a commitment to accessibility; courtesy and respect; prompt and accurate advice; and efficient service delivery
- supporting accessibility through the fee waiver program (450 waived this year)
- over 1.7 million pages viewed on the QCAT website



- stakeholder satisfaction rating of 73 per cent
- service delivery partnership with Magistrates Courts throughout Queensland
- ongoing delivery of recommendations from the Queensland Child Protection Commission of Inquiry 2013.

## Priorities for 2014-15



The *QCAT Strategic Plan 2013-2016* outlines five strategic priorities to achieve our vision to actively resolve disputes in a way that is fair, just, accessible, quick and inexpensive. The strategic priorities included within the plan are:

- engaging with the community
- service delivery (resourcing, people and processes)
- expertise and governance (roles and responsibilities)
- jurisdictional coverage and demand management
- embedding alternative dispute resolution (ADR).

Specific priorities for the year include:

Online service delivery is a priority for QCAT

- implementing the Government's response to the QCAT Review
- appointment of members and adjudicators
- ongoing delivery of the JP Trial
- development of online and digital service delivery solutions
- continuous improvement of cost effective service delivery which meets community needs
- ongoing engagement with people who use QCAT
- investigating accommodation options to ensure delivery of accessible services
- implementing Commission of Audit recommendations as part of DJAG's renewal program relevant to the tribunal
- implementing recommendations from the Queensland Child Protection Commission of Inquiry 2013.

## Our financial performance

	Budget (\$m)	Actual (\$m)	Variance (\$m)
Income			
Appropriation	16.155	17.464	1.309
User charges	2.700	2.507	(0.193)
Justice of the Peace project	0.874	0.874	0
<b>Total revenue</b>	<b>19.729</b>	<b>20.845</b>	<b>1.116</b>
Expenses			
Staff employment costs	9.672	9.699	(0.027)
Member costs	5.156	5.758	(0.602)
Property costs	3.097	3.055	0.042
Overhead	0.930	1.459	(0.529)
Justice of the Peace project	0.874	0.874	0
<b>Total operating expenses</b>	<b>19.729</b>	<b>20.845</b>	<b>(1.116)</b>

**Table 5: 2013-14 QCAT financial statement**

### Funding

QCAT's total income for 2013-14 was \$20.845m.

### Expenditure

In 2013-14, QCAT's recurrent expenditure was \$20.845m.

### 2013-14 financial statements for QCAT

The 2013-14 audited financial statements for QCAT are published within the Department of Justice and Attorney-General's Annual Report 2013-14.



Engaging  
with the  
community

## Tribunal users



QCAT prides itself on the professionalism, integrity and impartiality of its staff and decision-makers and values the right of parties to have access to a quality service.

## Our Service Charter

You have a right to:



- a fair and impartial hearing
- reasonable help to understand the tribunal's practices and procedures
- respect from registry staff and tribunal members
- your personal and confidential information being treated in compliance with relevant legislation.

We will:

- treat you with courtesy, respect and professionalism
- respect the diversity of the community
- provide fair and equitable access to services
- provide you with clear and accurate information about our practices and procedures
- provide you with detailed information through fact sheets and the QCAT webpage
- welcome your comments and deal with any reasonable problems.

We cannot:

- provide you with legal advice, however we can refer you to legal and community organisations which may be able to assist you
- provide advice about what to say during a hearing
- talk to a tribunal member or adjudicator on your behalf
- other than through the appeals system, alter decisions of a decision-maker or the outcomes of hearings.

You can help us by:

- having your case number and details ready when calling the tribunal
- providing us with timely and accurate information
- treating staff and members/adjudicators and other parties with courtesy and respect
- letting us know if you have any special needs
- telling us how we can improve our services
- asking us to explain anything you are not sure of.

## Talk to your QCAT: Minor civil disputes

QCAT hosted the first *Talk to your QCAT* community forum in October 2013. The forum focussed on minor civil disputes, which make up approximately half of QCAT applications.

Over 150 members of the community and QCAT stakeholder groups attended to learn more about resolving minor civil disputes; lodging or responding to an application; tribunal processes and basic legislation; self-representation and the role of the Tribunal within Queensland's judicial system.

Almost 17,000  
MCD  
applications  
were received in  
2013-14



*QCAT decision-makers and staff provided information on MCDs via a community forum.*

## Accessibility

QCAT have delivered ongoing development of online resources, including content and online form development as part of the Your Rights, Crime and the Law web portal at <http://www.qld.gov.au/law/>

Hearing loop facilities have also been made available in Brisbane hearing rooms to ensure accessibility for parties with a hearing impairment.

## Support and advocacy

Community legal centres throughout Queensland play a key role in supporting people using QCAT services with advice, advocacy and representation.

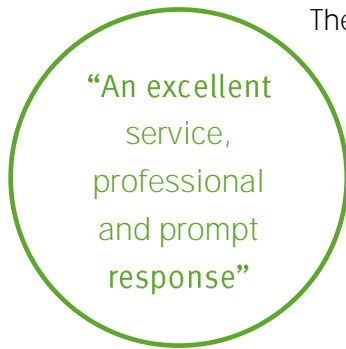
The QPILCH Self Representation Service provides free legal advice and assistance to self-represented parties in eligible QCAT jurisdictions including anti-discrimination, child protection, guardianship and administration, administrative review and QCAT appeals. QCAT is QPILCH's largest source of referrals with 93 Tribunal users supported by the service in 2013-14.

In 2013-14 Court Network Volunteers provided assistance to more than 9,204 people using QCAT in Brisbane. Thirty per cent of those assisted were for claims; 22 per cent were for tenancy matters; and 79 per cent were unrepresented.

## Communicating decisions

In 2013-14, the Supreme Court of Queensland Library published approximately 766 decisions handed down by the tribunal and 342 decisions of the appeal tribunal. Tribunal decisions are available from <http://www.sclqld.org.au/caselaw/QCAT>

## Client satisfaction



The overall satisfaction rating of 72 per cent (comparable to 74 per cent in 2012-13) reflected a high level of satisfaction with QCAT service delivery regardless of satisfaction with case outcomes.

The client satisfaction rating includes assessment of accessibility; service delivery; satisfaction with outcome; knowledge and skills; fairness and equality; and member conduct and professionalism.

**“The QCAT service was professional and fair”**

Specific results from the survey included:

- 80 per cent agreed they had been treated with courtesy and respect during their QCAT experience
- 77 per cent agreed the QCAT decision-maker acted professionally
- 75 per cent agreed the decision-maker had appropriate knowledge and skills
- 74 per cent agreed they had received a prompt response from QCAT
- 73 per cent agreed staff had appropriate knowledge and advice from staff
- 72 per cent found the Tribunal easy to access
- 68 per cent were satisfied with the outcome (this is a significant results given that many matters before the Tribunal are adversarial disputes were there is likely to be a ‘winner’ and a ‘loser’).

**“All our contact with QCAT staff has been positive, supportive and informative”**

## Our stakeholders



### A snapshot of stakeholder engagement in 2013-14

- jointly produced the *Getting a fair go in the Tribunal* video with Anti-Discrimination Queensland to provide assistance for parties involved in discrimination matters. The video is available from <http://www.youtube.com/watch?v=EzxigZ3Mz3o&feature=c4-overview&list=UU7Ko4Y36y-i6D25yfgL638g>
- regular contributions to stakeholder publications e.g. the RTA's *Open House* newsletter
- membership of the Queensland Building and Construction Commission (QBCC) customer reference group
- presentations by staff and decision-makers to a diverse range of stakeholders e.g. Queensland Association of Independent Legal Services (QAILS), the Queensland Law Society and Foster Care Queensland
- assistance with training for organisations e.g. Court Volunteer Network and QPILCH

QCAT encouraged knowledge sharing and development through hosting delegations from the South Australian Civil and Administrative Tribunal (SACAT), Bhutanese National Legal Institute and senior Fellows from Mongolia.

## Stakeholder satisfaction

Annual stakeholder satisfaction research assesses accessibility; fairness; communication and engagement; knowledge and information; professionalism and accountability; independence and efficiency.

In 2013-14 QCAT achieved an overall stakeholder satisfaction level of 73 per cent. This reflects an 18 per cent increase in satisfaction since the research was first undertaken in 2010.

Specific results from the survey included:

- 80 per cent of stakeholders agreed that QCAT provide information in a timely and efficient manner



- 77 per cent agreed that the decision-maker had appropriate knowledge and skills
- 77 per cent agreed the Tribunal is accessible
- 72 per cent agreed that QCAT engages with their organisation to meet the needs of our users.





## Alternative Dispute Resolution

- QCAT coordinates the delivery of mediation services for minor civil disputes via internal mediators and the Dispute Resolution Branch (DRB) of the Department of Justice and Attorney-General (DJAG)
- mediation is a key element of the QCAT dispute resolution process. Mediators provide parties with a quick, informal, fair and cost-effective resolution of disputes
- QCAT offers other dispute resolution services including mediation in other jurisdictions, compulsory conferences and hybrid hearings

## Civil, Administrative and Disciplinary

- civil matters including building disputes; body corporate and community management; tree disputes; manufactured homes and retirement villages; and retail shop leases
- review of administrative decisions
- occupational regulation and disciplinary matters including teachers, health professionals and legal practitioners

## Human Rights

- guardianship and administration for adults
- anti-discrimination
- children and young people matters and education matters

## Minor civil disputes

- debts
- consumer and trader disputes
- property damage caused by the use of a motor vehicle
- repairs to a defect in a motor vehicle
- dividing fence disputes under the *Neighbourhood Disputes (Dividing Fences and Trees) Act 2011* and the *Building Act 1975*
- residential tenancy matters

## Appeals

- appeals are heard by an internal Appeal Tribunal
- not every decision of QCAT can be appealed
- appeal processes may differ depending on who made the original decision

# Alternative Dispute Resolution



## Our year

### *Performance*

- delivered settlement rate of 52 per cent for mediation of minor civil disputes
- supported delivery of a 69 per cent settlement rate for mediation of other matters
- delivered high satisfaction ratings of Tribunal users for both conduct of mediations (94 per cent) and outcomes from the mediation process (71 per cent)

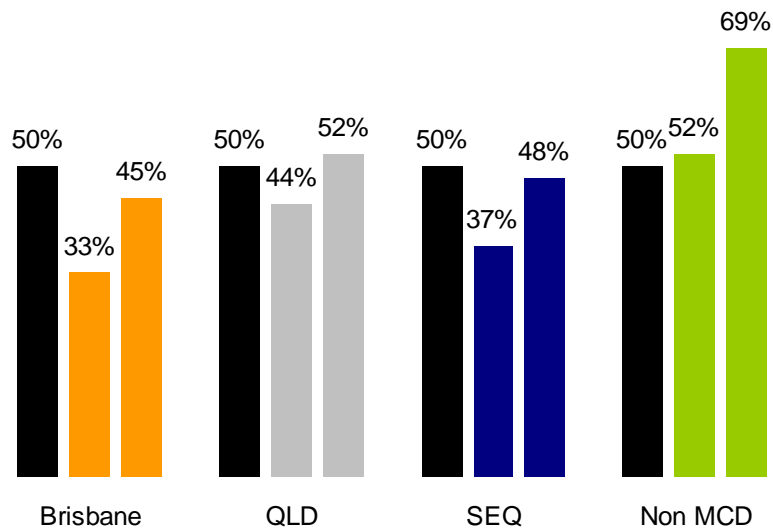
### *Our stakeholders*

- regular engagement with the Dispute Resolution Branch (DRB) which provides MCD mediation services to QCAT; and Magistrates Courts to ensure efficient scheduling

### *Looking forward*

- implementing changes from mediation and compulsory conferencing reviews
- analysis of technology options in the delivery of ADR services

## Alternative Dispute Resolution facts and figures



■ *Benchmark*

Figure 3: OCAT mediation settlement rates 2012-13 v 2013-14

\*\* Mediations in Brisbane are conducted by both DRB mediators and QCAT mediators. During 2013-14 year DRB mediators achieved a 38% settlement rate while QCAT mediators achieved a 63% settlement rate. The figure noted above combines both sets of outcomes.

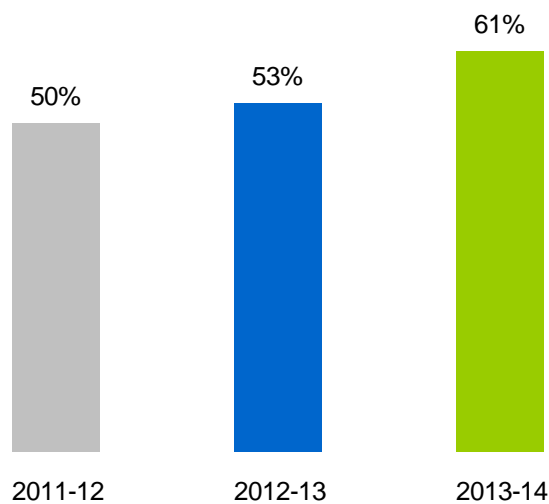


Figure 4: Compulsory conference settlement rates

# Civil, Administrative and Disciplinary

## Our year



### Performance

- delivery of an overall clearance rate of 107 per cent despite an increase in lodgements in general administrative review (+16 per cent)
- all clearance rates over 100 per cent, including significant improvements in occupational regulation (+30 per cent) and neighbourhood dispute matters (+51 per cent)
- improved finalisation timeframes for health matters

Tree assessors provide expert advice to members hearing tree disputes

### Looking forward

- implementation of new legislation including the *Tattoo Parlours Act 2013*
- responding to statutory review of the *Neighbourhood Disputes (Dividing Fences and Trees) Act 2011*
- ongoing development of effective education and engagement resources
- active engagement with key stakeholders e.g. new Queensland Health Ombudsman



QCAT decides occupational regulation and disciplinary matters in its original jurisdiction and also as an administrative review of the decisions of regulatory agencies. The following case studies show the diversity of matters in this jurisdiction.

#### **Gambling addiction leads to real estate agent disqualification**

An application for disciplinary proceedings was filed by the Chief Executive of the Department of Justice and Attorney-General against a real estate property manager who had misappropriated \$3,550 from her employers trust account and behaved in an incompetent or unprofessional way.

The property manager confessed her theft to her employer and police saying that she had a gambling addiction. The employer stated the confessions were provoked by announcement of an audit. The Tribunal reprimanded the property manager and disqualified her from holding a real estate licence or certificate of registration for 5 years. She had to repay the stolen amount, pay a \$1,000 fine, and successfully complete certain training if she wished to re-apply for a licence or certificate in the future.

### **Principal fails to protect students**

The College of Teachers took disciplinary action against a Principal for failing to protect students from harm from sexual conduct by another teacher.

The Tribunal found that a ground for disciplinary action was established but did not agree with the joint submission of the parties that the appropriate sanction should be a reprimand.

The Tribunal considered a number of factors including that 14 of the 44 sexual offences committed against the primary school children were committed after the former Principal had been made aware of the conduct by a parent. The failure of the Principal to take adequate steps served to damage public confidence and failed to protect students. Orders were made by QCAT against the Principal that he be suspended for two years. When eligible for teacher registration, he is prohibited from working as a Principal or as a child protection contact.

### **Doctor misconduct made worse by fraud**

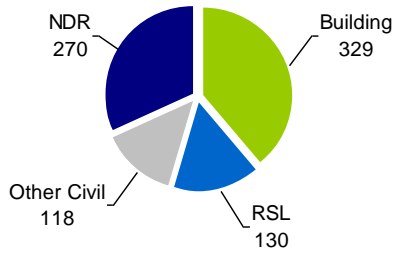
The Medical Board of Australia applied to QCAT regarding a registered medical practitioner who had behaved inappropriately towards a female patient. The Board imposed immediate conditions on the doctor such as not examining or treating any female patient without a chaperone. The doctor failed to comply with these conditions on 142 separate occasions.

He also wrote to the patient's home address threatening defamation proceedings and forged letters to the Chair of the Medical Board and the patient's solicitors claiming the patient admitted to framing the doctor and was withdrawing her complaint.

The Tribunal found that the practitioner's behaviour constituted professional misconduct. He was reprimanded and his registration suspended for 2 years. Conditions were also imposed on his registration for a year following the expiry of his suspension including the requirement for a chaperone.

# Civil, Administrative and Disciplinary facts and figures

2012-13 lodgements



2013-14 lodgements

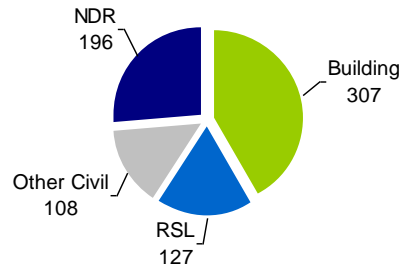


Figure 5: Civil matters lodgements 2012-13 and 2013-14

Clearance rates

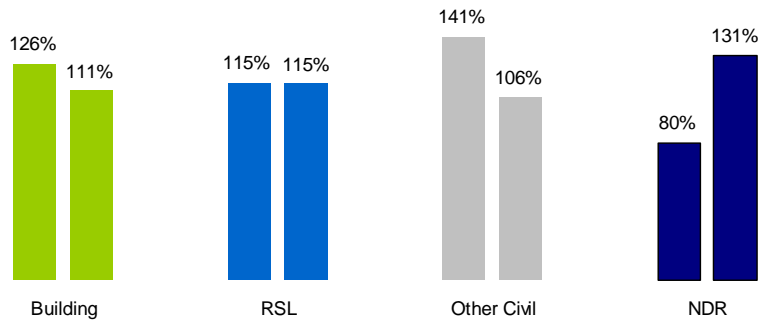
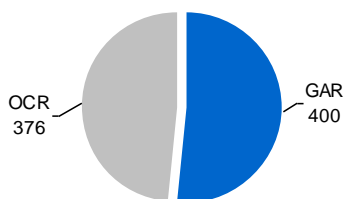


Figure 6: Civil matters clearance rates 2012-13 and 2013-14

2012-13 lodgements



2013-14 lodgements

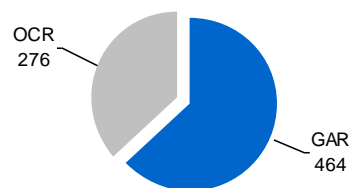


Figure 7: Administrative and disciplinary matters lodgements 2012-13 and 2013-14

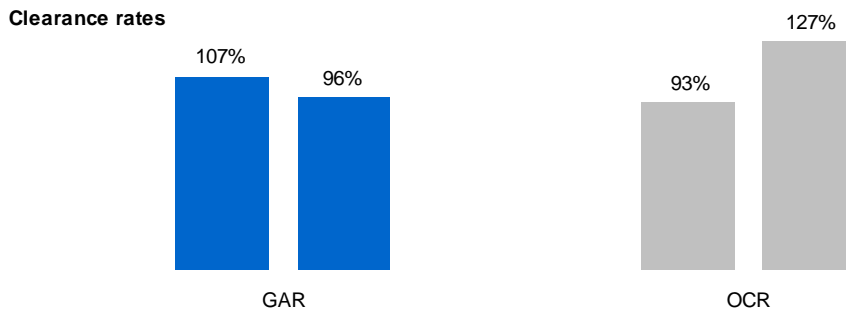


Figure 8: Administrative and disciplinary matters clearance rates 2012-13 and 2013-14

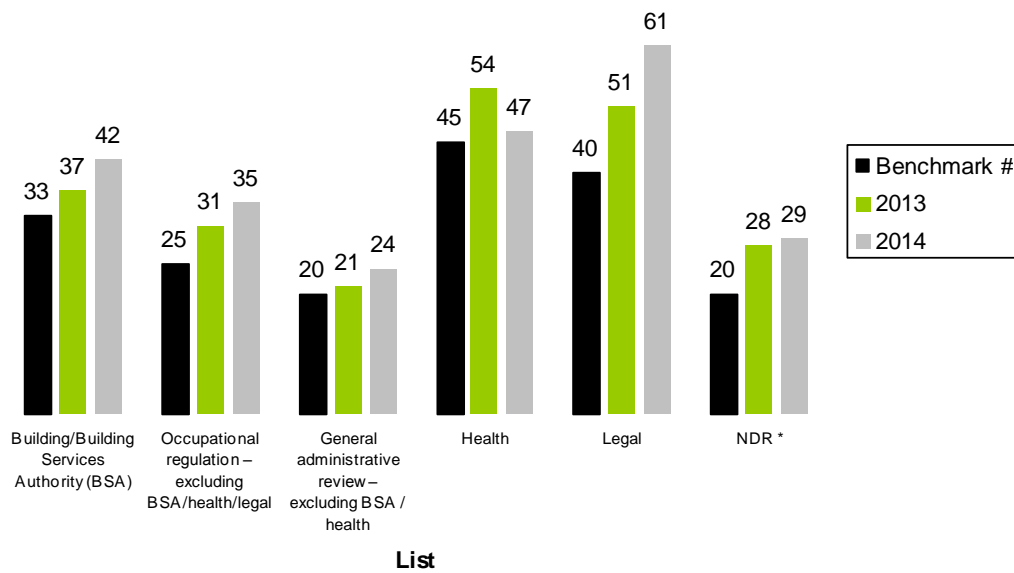


Figure 9: Civil and disciplinary division matters weeks to finalisation

*\*New jurisdiction introduced in November 2011*

*# QCAT introduced new benchmarks for all lists within 2012-13*



# Human Rights

## Our year



### *Performance*

- management of increased applications in all jurisdictions; children and young people (+8 per cent), guardianship (+7 per cent) and anti-discrimination (+6 per cent)
- reduced finalisation times in all jurisdictions, including child protection matters

We connect with our clients through professionalism, courtesy and respect

### *Engagement*

- active engagement with range of stakeholders including the Department of Communities, Child Safety and Disability Services; the Commission for Children and Young People and Child Guardian; Anti-Discrimination Commission Queensland; the Office of the Adult Guardian; the Public Trustee of Queensland; independent advocacy groups and non-government organisations
- we deliver off-site hearings for adults in guardianship and administration matters at South East Queensland hospitals

### *Looking forward*

- implementing legislative amendments arising from the Queensland Law Reform Commission's review into the guardianship and substituted decision-making regime
- implement changes as a result of recommendations out of the Queensland Child Protection Commission of Inquiry
- active engagement with key Tribunal users, particularly in the child protection sector.



### **The benefits of a combined Tribunal**

George is an 18 year old man who has had an intellectual disability since birth and has been under state care due to a long-term child protection order. Despite his intellectual disability, George is able to clearly request he have no contact with his mother, who has a history of violent behaviour.

Prior to his 18<sup>th</sup> birthday, the Department of Community Services applied for an advance guardianship/administrator appointment for George. QCAT appointed the Adult Guardian as guardian and the Public Trustee of Queensland as administrator. The Adult Guardian now had authority to make decisions about contact.

Prior to the establishment of QCAT, applications made under child protection and guardianship/administration legislation would have been heard by separate Tribunals. As QCAT, the applications can be heard by the one Tribunal; clients like George experience a seamless service.

### *QCAT and the Queensland Child Protection Commission of Inquiry*



The Government accepted the recommendations from the Queensland Child Protection Commission of Inquiry 2013 that QCAT consider improved practices and processes in:

- child inclusive and age-appropriate processes e.g. increased use of advocates
- timely consideration to reduce unnecessary delays and dismissal of matters
- publication of outcomes achieved through the compulsory conference process.

Following establishment of an internal working group, outcomes in 2013-14 include:

- QCAT President Justice Thomas meeting young people who are CREATE ambassadors (peak body for children in care) to discuss communication of decisions and reviews
- engagement with peak bodies in the child protection sector regarding best practice for children and young people and increasing involvement in the review process.

As part of an ongoing commitment to delivery of these recommendations, priorities in 2014-15 include:

- communicating with young people about self-representation support
- ongoing development of QCAT education material and child friendly materials
- ongoing stakeholder engagement, including as part of the G Force stakeholder group.

## Making the tough decisions in anti-discrimination

QCAT received a referral from the Anti-Discrimination Commission Queensland for an applicant who alleged discriminatory remarks were made about her nationality by opposition representatives while conducting activities as a volunteer during a political election.

In attempt to confine the issues, the tribunal issued directions that the parties make written argument about the matter in preparation for a hearing. However, the applicant was often difficult to contact, did not comply with procedural directions (allegedly for medical reasons) and made repeated requests for extensions and adjournments.

Following approval of a number of requests for extension of time, the Tribunal determined that the applicant's conduct (and the absence of substantial evidence) indicated she was not actively pursuing her claim, and that the hearing would proceed regardless of her attendance.

## QCAT in action: Resolution through compulsory conferences

Jenny is the mother of two children who are under the care and protection of the Department of Communities, Child Safety and Disability Services (DOCs). Jenny's children reside with approved carers and Jenny had contact with her children under long standing arrangements. However, DOCS informed Jenny that due to some concerns, her current contact arrangements were changing.

Jenny made application to QCAT seeking to review the decision of DOCs to change the contact arrangements. As with most **children's matters**, Jenny was advised the Tribunal would first conduct a compulsory conference.

A compulsory conference is a dispute resolution method which emphasises finding a solution to the dispute. If a matter is not resolved through the compulsory conference, the QCAT member can make a decision on how the case will proceed.

A compulsory conference is conducted in private. This allows the parties to the dispute to speak freely with the peace of mind that anything said during the compulsory conference cannot be divulged to any other parties including any future proceedings.

Jenny was able to resolve her dispute with DOCs through the compulsory conference process. Both parties agreed to conditions being met by Jenny, which would result in a review of the decision on contact arrangements.

# Human Rights facts and figures

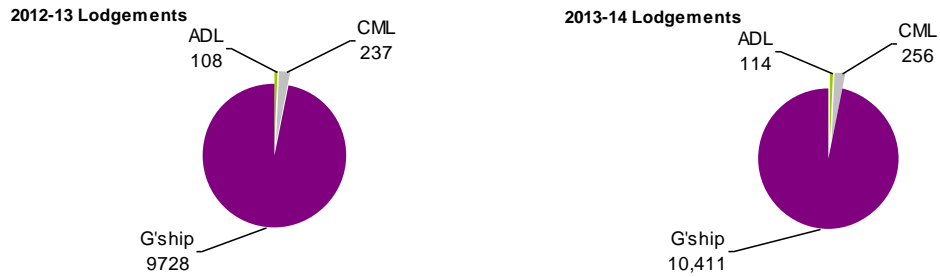


Figure 10: Human rights lodgements 2012-13 and 2013-14

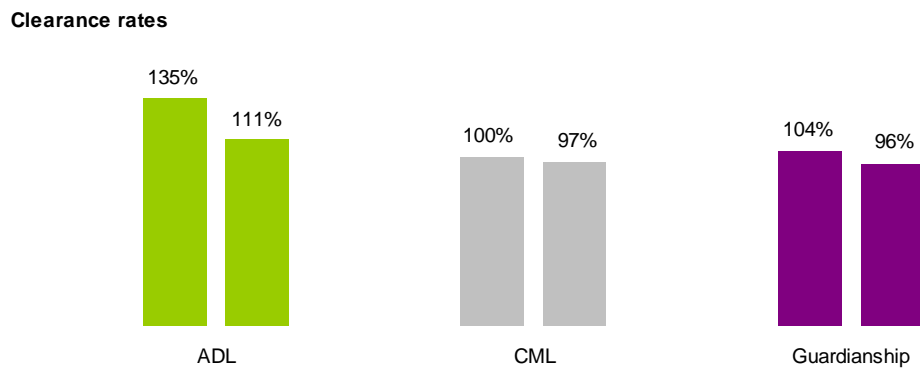


Figure 11: Human rights clearance rates 2012-13 and 2013-14

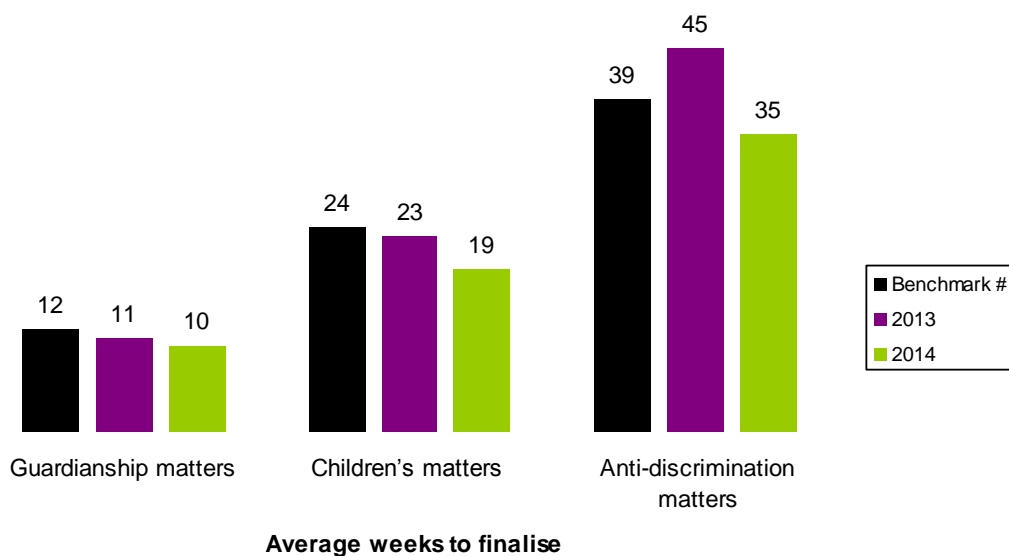


Figure 12: Human rights division matters weeks to finalisation  
*# QCAT introduced new benchmarks for all lists within 2012-13*

Limitation order type	Number made
Adult evidence order	0
Closure order	1
Non-publication order	1
Confidentiality order	13
No orders made	29
<b>Total applications received</b>	<b>44</b>

Table 6: Type and number of limitation orders made 2013-14 under the *Guardianship and Administration Act 2000*

	Guardianship for restrictive practice	Review of guardianship for restrictive practice
Order made	67	366
Dismissed / revoked	10	86
Deceased	1	1
Administrative closure	1	7
Withdrawn at hearing	6	0
<b>Total</b>	<b>85</b>	<b>450</b>

Table 7: Guardians for restrictive practices finalised applications 2013-14

	Approved	Dismissed / revoked	Deceased	Withdrawn / Administrative Closure	Total
Containment	9	0	1	1	11
Review of containment	39	2	0	1	42
Seclusion	7	0	0	2	9
Review of seclusion	41	6	0	3	50
Application for another restrictive practice	6	1	0	1	8
Review of application for another restrictive practice	49	5	0	1	55

Table 8: Containment, seclusion and other restrictive practices approvals 2013-14

# Minor civil disputes

## Our year

### *Performance*



- maintaining a clearance rate over 100 per cent, despite an 11 per cent increase in residential tenancy applications
- delivery of average times to hearing for all MCD types exceeding benchmarks
- ongoing support of the Justices of the Peace trial

### *Looking forward*

- ongoing review to improve processes, forms, client education and information
- develop additional online forms and opportunities for electronic payment
- provide ongoing support and education for Magistrates Court staff delivering QCAT services through Queensland



#### **Reopening an application in residential tenancy**

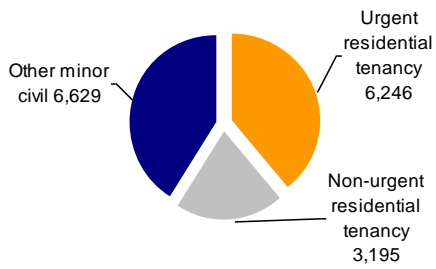
Wendy lodged a residential tenancy application with QCAT claiming compensation over a residential tenancy dispute. The Tribunal dismissed the application as there had been no conciliation attempt between parties via the RTA (a requirement of the Act) and Wendy had failed to prove her case.

Wendy then applied to the Tribunal to reopen the matter to consider additional evidence including a medical report and a notice of unresolved dispute from the RTA.

In order to successfully apply for reopening, Wendy must show that she would suffer an injustice because she has significant new evidence that was not previously available. The Tribunal determined there was nothing to support that the evidence Wendy wanted to submit was new evidence which was not reasonably available for the original hearing.

# MCD facts and figures

2012-13 lodgements



2013-14 lodgements

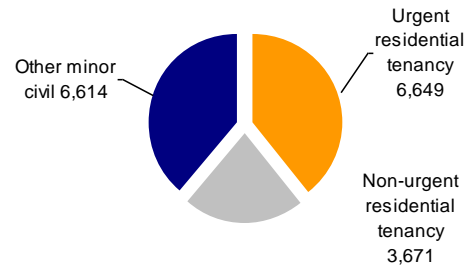


Figure 13: Minor civil dispute lodgements 2012-13 and 2013-14\*

Clearance rates

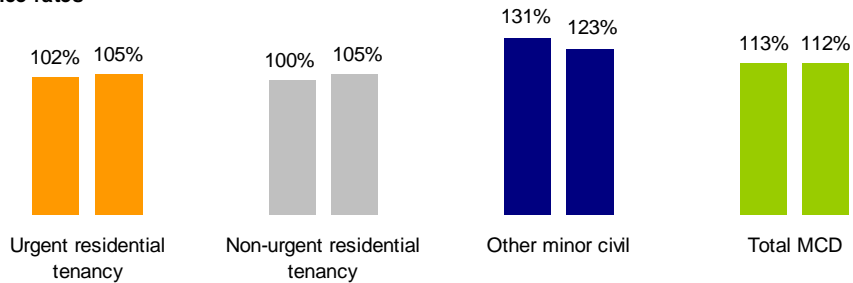


Figure 14: Minor civil dispute clearance rates 2012-13 and 2013-14\*

\*Figures for Brisbane and South-East Queensland only, where QCAT adjudicators sit. Matters in other regions are heard by magistrates sitting as QCAT members.

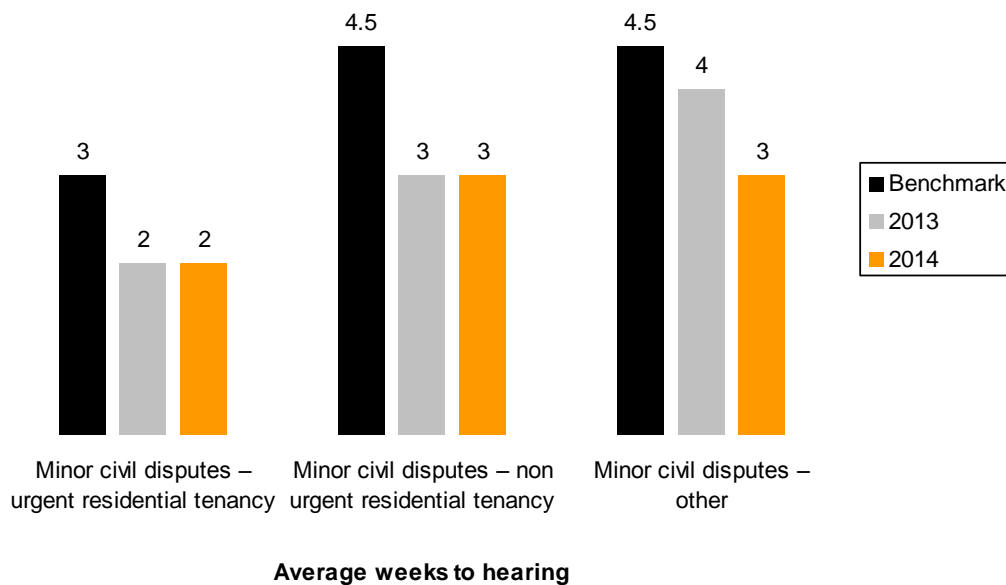


Figure 15: Minor civil dispute matters average time to hearings

Residential tenancy applications processed 2013-14	
Applications	
Total received – 11% increase on 2012-13 (9441)	* 10,309

Table 9: Residential tenancy applications lodged in 2013-14

Application types	
Termination for rent arrears	4,480
Termination for objectionable behaviour	160
Termination for repeated breaches	473
Termination for lessor's excessive hardship	269
Termination for tenant's excessive hardship	318
Termination for domestic violence	5
Termination for damage/injury	58
Emergency repairs	36
Rental increase/decrease	78
Tribunal order on abandoned premises	31
Application for unjust listing	598
Application for proposed listing	42
General disputes	1,833
Bond disputes	1,031
Miscellaneous/other	897

Table 10: Residential tenancy application types managed by QCAT in 2013-14

*Includes 594 applications lodged by Public Housing. Figures are for Brisbane and South-East Queensland only, where QCAT adjudicators sit. Matters in other regions are heard by magistrates sitting as QCAT members.*

Hearings and matters finalised	
Adjournments	1,592
Hearings	13,996
Matters finalised	10,819
Warrants of possession issued	2,681

Table 11: Residential tenancy hearings and finalisations in 2013-14

Reopenings and appeals	
Reopenings lodged	170
QCAT Appeal Tribunal	422

Table 12: Residential tenancy reopenings and appeals managed by QCAT in 2013-14



# Appeals

## Our year

### *Performance*

- maintenance of a 2 per cent appeal rate (of total lodgements)
- management of a 12 per cent rise in appeals

### *Looking forward*

- improvements to information about avenues of appeal and the work of the Appeal Tribunal

#### **When can a decision be appealed?**

Not every decision can be appealed to the QCAT Appeal Tribunal. QCAT sends clients information about avenues of appeal, with the decisions of the Tribunal.

For minor civil disputes and in many other cases, there is no right to appeal a decision and a party must first ask the Appeal Tribunal for permission to appeal. This is called “leave to appeal”. Leave to appeal is generally only given if:

- there is a reasonable argument that an error has occurred; and
- an appeal is necessary to correct a substantial injustice to the applicant caused by that error.

Leave to appeal will not be granted just because a party is unhappy with the tribunal’s decision.

#### **Who hears appeals?**

The Appeal Tribunal may be constituted by one, two or three Judicial Members or if the President considers it appropriate, one, two, or three Senior or Ordinary Members of the Tribunal. For appeals from decisions of Magistrates (who decide minor civil disputes in their capacity as QCAT Members) the Appeal Tribunal must be constituted by a Judicial Member.

The Appeal Tribunal cannot hear appeals from decisions of Judicial Members or appeals from other decisions of the Appeal Tribunal. These appeals must be commenced in the Court of Appeal. QCAT’s figures indicate a very low rate of appeals commenced with the Court of Appeal: 30 appeals in 2012-13 and 22 in 2013-14. These figures represent less than 1 per cent of all QCAT lodgements in those respective years.

## Appeals facts and figures

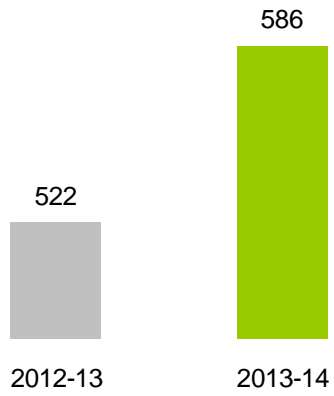


Figure 16: Appeals lodgements

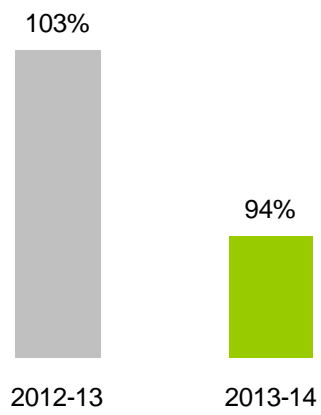


Figure 17: Appeals clearance rates



Our  
projects

## Project: QCAT Review

Over 100 public submissions were received in the QCAT Review consultation

Under section 240 of the *Queensland Civil and Administrative Tribunal Act 2009* (the Act), the Minister must undertake a statutory review the Act 3 years after commencement.

In 2012-13, the Department of Justice and Attorney-General released a consultation paper and undertook extensive community and stakeholder consultation to investigate if QCAT is meeting the objects of the Act and if legislative amendments are required.

Specifically, the Review considers the following issues:

- appeals in the minor civil disputes jurisdiction
- whether provisions in the Act or an enabling Act restricting who may constitute the tribunal for the exercise of specific powers are appropriate and necessary.
- whether provisions in enabling Acts setting out different powers and procedures for the exercise of QCAT's jurisdiction are appropriate and necessary
- regional service
- legal representation of parties
- the requirement for the President and Deputy President to be a Supreme Court Judge and a District Court Judge respectively
- the appellate jurisdiction.

The outcomes of the QCAT Act review will be informed by research and analysis, community feedback and submissions received in response to the consultation paper. The Review is ongoing and the Attorney-General will table a report of outcomes in Parliament.

### Objects of the Act

*(a) to establish an independent tribunal to deal with the matters it is empowered to deal with under this Act or an enabling Act; and*

*(b) to have the tribunal deal with matters in a way that is accessible, fair, just, economical, informal and quick; and*

*(c) to promote the quality and consistency of tribunal decisions; and*

*(d) to enhance the quality and consistency of decisions made by decision-makers; and*

## Project: Justice of the Peace trial



The Queensland Government has committed to support and expand the Justices of the Peace (JPs) program in Queensland. As part of this commitment QCAT have implemented a unique initiative where JPs hear some minor civil dispute matters before the Tribunal – a concept never before tested in Queensland.

*Left: JPs hear matters before QCAT.*

The trial was implemented in Brisbane, Ipswich, Maroochydore and Southport on 3 June 2013 and in Townsville from 9 October 2013. JP panels hear some minor civil disputes including non-urgent residential tenancy disputes, minor debt matters, consumer and trader disputes, dividing fence matters and motor vehicle property damage disputes.

A panel of two JPs, one of whom must be legally qualified, constitute the Tribunal as part of the trial.

In 2013-14, JPs heard a total of 3,058\* matters across the five trial locations and delivered low levels of adjournment, complaint and appeal. This delivery is a reflection on the comprehensive training and assessment provided prior to appointment.

### Evaluation of the trial

The Department of the Premier and Cabinet is responsible for trial evaluation. A mid-trial evaluation report was finalised in September 2013 and a post-trial report in March 2014.

The trial has five key objectives:

1. reduce the average time taken to finalise all MCD applications and improve the clearance rate for all MCD applications in the trial sites;
2. reduce the cost of hearing these matters;
3. enable QCAT adjudicators and magistrates (who act as QCAT members in regional areas) to deal with more complex matters;
4. recognise the substantial voluntary contribution of JPs to the community and provide opportunities to improve, develop and expand their role; and
5. contribute to Government commitments to improve the administration of **Queensland's** justice system and frontline services for Queenslanders.

The trial is ongoing while the Attorney-General considers the evaluation.

### JPs as QCAT decision-makers

Trial participant Jessica has sat on more than 80 MCD matters in Ipswich and Brisbane.

“I became a JP in 2005 to make a difference to the community,” she said.

“Having worked in the legal sector I wanted to support any initiative which encourages fair, quick and inexpensive justice.”

Jessica has particularly enjoyed the interaction with other JPs and the opportunity to become a JP (legal) after her admission to the legal profession.

“I really valued my first three months of sitting as a JP (non-legal) as I got to sit with some very experienced lawyers, barristers and even a retired Magistrate!” she said.

## JP trial facts and figures

### Hearings

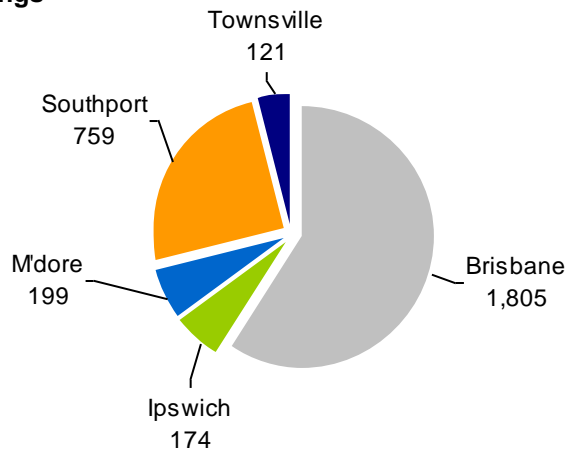


Figure 18: JP trial hearings

### Adjournments

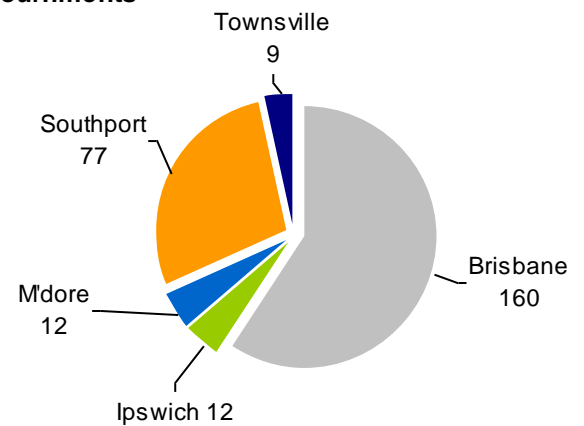


Figure 19: Adjournments

### Adjournment rate

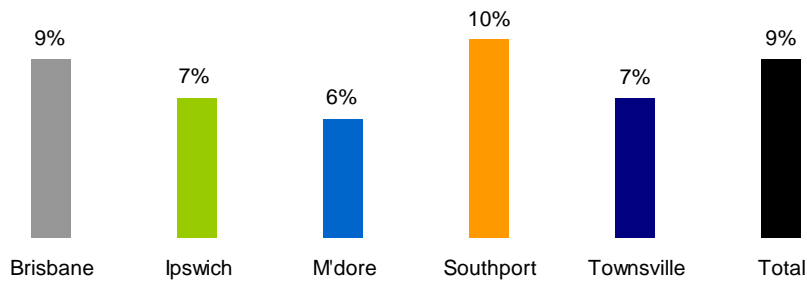


Figure 20: Adjournment rates for matters heard by a JP panel

Site location	Legally qualified	Non-legally qualified	Total
Brisbane	18	32	50
Ipswich	4	8	12
Maroochydore	3	13	16
Southport	7	16	23
Townsville	3	6	9
<b>Total</b>	<b>35</b>	<b>75</b>	<b>110</b>

Table 13: JPs appointed to QCAT (see also Appendix 4)

Trial site	Appeals lodged*	% of matters heard	Finalised*	% of lodged appeals	Upheld*	% of finalised appeals
Brisbane	46	3%	36	78%	8	22%
Ipswich	3	2%	3	100%	1	33%
Maroochydore	2	1%	2	100%	0	0%
Southport	15	2%	10	67%	3	30%
Townsville	1	1%	0	0%	0	0%
<b>Total</b>	<b>67</b>	<b>2%</b>	<b>51</b>	<b>76%</b>	<b>12</b>	<b>24%</b>

Table 14: Appeals filed on matters heard by a JP panel\*

Trial site	Number*	Complaint rate
Brisbane	12	0.7%
Ipswich	0	0.0%
Maroochydore	2	1.0%
Southport	2	0.3%
Townsville	0	0.0%
<b>Total</b>	<b>16</b>	<b>0.5%</b>

Table 15: Complaints filed on matters heard by a JP panel

*\*Figures are indicative of FY2013/14 only and not the full trial period*





Our  
governance

## Practice directions

Practice directions are guidelines for QCAT proceedings. The directions provide information on specific issues and complement existing QCAT legislation and rules. Practice directions are available from <http://www.qcat.qld.gov.au/using-qcat/practice-directions> (see Appendix 4).

## Tribunal Excellence Framework

In 2011, QCAT adopted a performance assessment program; the Tribunal Excellence Framework. The framework uses self-assessment and research to assess performance across independence, professionalism and integrity, leadership and effective management, fair treatment, accessibility, accountability, efficiency and client needs and satisfaction.



The Framework measures performance across eight key areas



In 2013-14 QCAT achieved a score of 6, indicating “an exceptionally well-defined, innovative and strategic approach, that is fully integrated with organisational needs and implemented consistently in all areas”.

In 2014-15 QCAT is developing a new methodology for assessment of its functions against the Tribunal Excellence Framework. It is expected that the methodology will highlight external feedback and assessment.

## Risk management

QCAT complies with the Department of Justice and Attorney-General’s Risk Management Policy which was endorsed by the Audit and Risk Management Committee in 2010.

## Open Data

In support of the Queensland Government’s Open Data initiative, QCAT has published data for applications lodged by postcode. The QCAT dataset is available at <https://data.qld.gov.au/dataset/qcat-matters-2013-14>

## Public Sector Ethics Act 1994

The Department of Justice and Attorney-General’s code of conduct is based upon the ethics identified in the *Public Sector Ethics Act 1994* which are: respect for persons, integrity, respect

for the law and system of government, diligence, economy and efficiency. QCAT staff undertakes annual training and education in the code of conduct and ethical decision-making.

The principles of the Act and the Department of Justice and Attorney General's Code of Conduct, with which QCAT staff are required to comply, are embedded in human resource management policies, practices and procedures.

## Information systems and record keeping

QCAT has procedures and guidelines in place to inform staff of record keeping practices and responsibilities. Staff are trained in the creation, maintenance and management of records for system compliance with monitoring, management and auditing requirements in line with DJAG record keeping systems. A review of document retention and record keeping standards is in development to ensure compliance with the *Public Records Act 2002* and guidelines issued by Queensland State Archives.

## Boards and committees

### Rules Committee

The Rules Committee is established under the Act and consists of the President, the Deputy President, a full-time senior or ordinary member, a member who is not an Australian lawyer, and other members or adjudicators the President has nominated. The Committee develops and reviews the rules under the Act and approves forms for use under the Act.

In 2013-14, the Committee has approved amendments including consequential amendments arising from the changes made to the Act by the *Justice and Other Legislation Amendment Act 2013*. Those changes included allowing an application or referral to be withdrawn without needing to obtain the leave of the Tribunal. The Committee has also approved new forms and changes to a number of existing forms.

### Alternative Dispute Resolution Committee



The Alternative Dispute Resolution (ADR) committee consists of the President, the Deputy President, one senior member, four members, the Principal Registrar and the Alternative Dispute Resolution Manager.

The committee works to ensure the tribunal encourages early and economical resolution of disputes including through ADR processes through coordinating ADR training for staff and members and promoting the effective use of ADR to increase the early resolution of matters.

### Education, Training and Resources Committee

The Education, Training and Resources committee consists of the President, Deputy President, Executive Director, a senior member, two ordinary members and other members as required. It was established to ensure that all members and adjudicators are up to date with legislation, decisions and processes.

## Regulatory changes

### *Changes to QCAT legislation*

The following Acts amended the *Queensland Civil and Administrative Tribunal Act 2009* in 2013-14:

- [\*Treasury and Trade and Other Legislation Amendment Act 2013\*](#)
- [\*Justice and Other Legislation Amendment Act 2013\*](#)
- [\*Construction and Tourism \(Red Tape Reduction\) and Other Legislation Amendment Act 2014\*](#)

Amendments included:

- requirement for leave of the tribunal to withdraw an application or referral removed for most applications
- new section 50A which allows for decisions by default for unliquidated damages
- tribunal no longer required to provide reasons for some procedural and interim decisions
- change to appeal time limit for some matters - where reasons are not required to be given, or where no reasons were requested, the party has 28 days from receiving notice of the decision
- other minor amendments.

### *QCAT Rules and Regulation amendments*

The *Queensland Civil and Administrative Tribunal Amendment Rule (No. 2) 2013* (commenced 1 January 2014) amended the QCAT Rules to support changes made by the *Justice and Other Legislation Amendment Act 2013*

### *Significant changes to enabling legislation*

There are over 200 legislative Acts and Regulations which confer jurisdiction on the tribunal. During 2013 -14 enabling legislation was amended, affecting the jurisdiction of the tribunal. Significant amendments include:

- *Water Supply (Safety and Reliability) Act 2008*
- *Heavy Vehicle National Law Act 2012*
- *Transport and Other Legislation (Heavy Vehicle National Law) Amendment Act 2013*
- *Work Health and Safety Act 2011*
- *Residential Tenancies and Rooming Accommodation Act 2008*
- *Directors' Liability Reform Amendment Act 2013* (amended various enabling Acts)
- *Liquor (Red Tape Reduction) and Other Legislation Amendment Act 2013* (amended various enabling Acts).



Our  
decision-  
makers

# Tribunal members and adjudicators

## Presidential members

Justice David Thomas, President

Justice Alan Wilson, President (to October 2013)



*The appointed President must be a Supreme Court judge who is recommended for appointment by the Attorney-General after consultation with the Chief Justice. The President holds office for the period of at least three years but not more than five years.*

Justice David Thomas, was appointed as a Justice of the Supreme Court of Queensland in September 2013 and as QCAT President in October 2013.

Following admission as a solicitor of the Supreme Court of Queensland in 1979, Justice Thomas has gained more than 30 years experience in dispute resolution and administration. Not only an eminent lawyer, he is also actively involved in community organisations. He is the current Deputy Chair of the Queensland Ballet, President of the Royal National Agricultural and Industrial Association of Queensland, the Chairman of the Queensland Maritime Museum and a Director of The Society of the Sacred Advent Schools.

Justice Thomas is only the fourth solicitor to be appointed as a Justice to the Supreme Court.

## Judge Alexander Horneman-Wren SC, Deputy President



*The Deputy President must be a District Court judge recommended for appointment by the Minister after consultation with the Chief Judge. The Deputy President holds office for the period of at least three years but no more than five years.*

Judge Horneman-Wren has extensive experience in administrative, industrial and employment law in both federal and state jurisdictions. He was appointed Senior Counsel in 2009, appearing before both the Court of Appeal and High Court of Australia.

Judge Horneman-Wren was sworn in concurrently as a District Court Judge and appointed as Deputy President of QCAT in October 2012.

## Senior members

*Members must be recommended for appointment by the Minister after advertisement of the vacancy and consultation with the President. A person is eligible for appointment as a senior member only if the person:*

- *is an Australian lawyer of at least eight years standing, or*
- *has in the Minister's opinion, extensive knowledge, expertise or experience relating to a class of matter for which functions may be exercised by the tribunal.*

As at 30 June 2014 QCAT has four appointed senior members:

- Clare Endicott
- Kerrie O'Callaghan
- Richard Oliver
- Peta Stilgoe OAM.

Senior member appointments are included in Appendix 1.

## Members

*A person is eligible for appointment as an ordinary member only if the person:*

- *is an Australian lawyer of at least six years standing, or*
- *has in the Minister's opinion, special knowledge, expertise or experience relating to a class of matter for which functions may be exercised by the tribunal.*

*A senior member or ordinary member holds office for the period of at least three years but not more than five years.*

As at 30 June 2014, QCAT has 10 ordinary members, three of whom work part-time. Member appointments are included in Appendix 1.

## Sessional members

*Sessional members are ordinary members and meet the eligibility criteria outlined above. Most appointments are for three years.*

As at the 30 June 2014, QCAT has 94 sessional members including five who are concurrently part-time adjudicators. Sessional member appointments are included in Appendix 1.



## Adjudicators

*A person is eligible for appointment as an adjudicator only if the person is an Australian lawyer of at least five years standing. An adjudicator holds office for the period of at least three years but not more than five years.*

As at 30 June 2014, QCAT has nine appointed adjudicators including seven appointed on a part-time basis. Adjudicator appointments are included in Appendix 1.

## Justices of the Peace

*QCAT justices of the peace have undergone specialised training and assessment before being recommended to Governor-in-Council for appointment. A person appointed as a QCAT justice of the peace holds office for the period, of at least three years but not more than five years, stated in the person's instrument of appointment.*

A person is eligible for appointment as a QCAT justice of the peace if the person is:

*(a) a justice of the peace (qualified) or*

*(b) a justice of the peace (magistrates court) or*

*(c) a justice of the peace under the Justices of the Peace Commissioners for Declarations Act 1991, section 19(1A) or*

*(d) a lawyer who is a justice of the peace under the JPCD Act, section 41(a).*

As at 30 June 2014, QCAT has 110 appointed justices of the peace including 25 who are legally qualified, and 75 who are non-legally qualified. Justice of the Peace appointments are included in Appendix 3.

## Assessors and mediators

### *Tree assessors*

QCAT tree assessors are appointed under the *Queensland Civil and Administrative Tribunal Act 2009* to assist in resolving disputes under the *Neighbourhood Disputes (Dividing Fences and Trees) Act 2011*. The assessors, trained arborists, may conduct on-site assessment for tree issues, provide written reports to the tribunal and give expert evidence in a proceeding.

As at 30 June 2014, 19 trained arborists provide services on a casual basis throughout Queensland including Cairns, Hervey Bay, Gold Coast, Rockhampton, South East Queensland and Townsville. Assessor appointments are included in Appendix 2.

### *Retail shop lease mediators*

Mediators under the *Retail Shop Lease Act 1994* are appointed by the Attorney-General to assist in mediation after a dispute notice is lodged. If the dispute cannot be resolved the mediator is able to refer the dispute to QCAT.

### *Legal and lay panel members*

Under the *Legal Profession Act 2007*, the tribunal must be constituted by a member who is a Supreme Court judge for hearing and deciding disciplinary matters for legal practitioners. The Tribunal must be assisted by a lay panel member and a legal practitioner panel member. The members of the lay and practitioner panels are appointed by the Governor-in-Council.

### *Health assessors*

Under the *Health Practitioner (Disciplinary Proceedings) Act 1999*, the tribunal is required to be constituted by a judicial member for hearing and deciding disciplinary matters for health practitioners. An assessor from the public panel of assessors and two assessors from the professional panel of assessors are also required to assist QCAT in these matters.

The panels, appointed by the Governor-in-Council on the recommendation of the Minister for Health, are classified by specialisation (e.g. pharmacists and physiotherapists). On 1 July 2014, the *Health Ombudsman Act 2013* repealed the *Health Practitioner (Disciplinary Proceedings) Act 1999* and the panels continued under the new legislation.



## Our staff

QCAT registry staff work with our decision-makers and Magistrates Courts staff to deliver tribunal services across Queensland.

Research shows a 70 per cent employee satisfaction rating (internal research) and staff have also participated in the DJAG Employee Opinion Survey (results pending).

A staff committee has been formed to deliver the QCAT Reward and Recognition program. The program recognises achievement in service delivery, innovation and culture.

## Our workforce

As at 30 June 2014, QCAT has an establishment of 111 permanent positions, and four temporary Hearing Support Officers employed for the Justice of the Peace Trial. An additional eight trainees successfully completed a Certificate III in Business Administration.

Of QCAT registry staff, there are 97 women (71 per cent) and 40 men, with 22 employed on part-time arrangements. Of QCAT's 23 senior and ordinary members and adjudicators appointed on a full-time or part-time basis, 71 per cent are women (see Appendix 1).

There were no early retirement, redundancy or retrenchment packages awarded in 2013-14.



*The QCAT JP trial project team were highly commended in the Innovation section of the 2014 DJAG Staff Excellence Awards. The team is pictured here with Director General John Sosso (centre front), QCAT President Justice David Thomas (third from right, back row) and former QCAT President Justice Alan Wilson (second from right, back row).*

### ***Workforce planning, attraction and retention***

During this reporting period, there has been a 16 per cent separation rate; the increase from previous financial years is due to the finalisation of trainees.

QCAT's commitment to ensuring employees achieve work-life balance is demonstrated by a number of staff participating in part-time arrangements, the provision of access to leave arrangements and flexible working hours.

### *Whistleblower protection*

QCAT supports the DJAG's policy to assist staff to make a public interest disclosure under the *Public Interest Disclosure Act 2010*. No disclosures were made by QCAT staff in 2013-14.

## Governance operations

List of consultants:

- KPMG: Assessment of QCAT's Financial Sustainability (\$95,521.00 excl GST)
- KPMG: QCAT Mediation Pilot Program Evaluation (\$30,049.00 excl GST)

Cost of overseas travel:

- Australian Institute of Judicial Administration Conference, Wellington, New Zealand
  - Senior Member Peta Stilgoe (\$2424.00)
  - Ordinary full time member Susan Gardiner (\$2202.00)

# Glossary and abbreviations

## Glossary

active case management	when QCAT members take a proactive role in the management of cases for example, listing the case for a compulsory conference, to ensure the case progresses steadily
adversarial	a legal system or proceeding that involves conflicting parties or interests
alternative dispute resolution	resolution of a matter through mediation or conferencing rather than the adversarial process
compulsory conference	a dispute resolution method used to mediate settlement, identify issues in dispute and make orders and directions
directions	the tribunal has to the power to order parties to do certain things to streamline the progress of a matter before the tribunal e.g. to file and exchange material
jurisdiction	the legislative power of the tribunal to hear and determine certain matters
mediation	a dispute resolution method used for bringing about agreement or reconciliation between parties. This involves exploring possible agreement without an adversarial hearing. Mediations are conducted by an impartial dispute resolution professional

## Abbreviations and acronyms

the Act	<i>Queensland Civil and Administrative Tribunal Act 2009</i>
ADL	anti-discrimination list
ADR	alternative dispute resolution
CAD	civil, administrative and disciplinary
CML	<b>children's matters list</b>
DJAG	Department of Justice and Attorney-General
DRB	Dispute Resolution Branch
GAR	general administrative review
JP	Justice of the Peace
JPCD Act	<i>Justices of the Peace and commissioners for Declarations Act 1991</i>
MCD	minor civil dispute
NDR	neighbourhood dispute resolution
OCR	occupational regulation
RSL	retail shop leases



# Appendices

## Appendix 1 – Member appointments

Name	Position	Appointment start date	Appointment end date	
Clare Endicott	Senior member	1/12/2009	30/11/2014	
Kerrie O'Callaghan	Senior member	1/01/2010	31/12/2014	
Richard Oliver	Senior member	1/12/2009	30/11/2014	
Peta Stilgoe	Senior member	3/01/2012	2/01/2017	
James Allen	Member	1/12/2009	30/11/2014	
Adrian Ashman	Member	1/12/2009	30/11/2014	
Elisabeh Benson	Member	1/12/2009	30/11/2014	
Bridget Cullen	Member	1/12/2009	30/11/2014	
Julie Ford	Member	1/12/2009	30/11/2014	
Susan Gardiner	Member	1/12/2009	30/11/2014	
Patricia Hanly	Member	1/12/2009	30/11/2014	
Michelle Howard	Member	1/12/2009	30/11/2014	
Ronald Joachim	Member	1/12/2009	30/11/2014	
David Paratz	Member	26/10/2012	25/10/2017	
John Bertelsen	Adjudicator	1/12/2009	30/11/2014	
Alexander Crawford	Adjudicator *	17/6/2011	30/11/2014	
Trevor Davern	Adjudicator	1/01/2010	31/12/2014	
Michael Howe	Adjudicator *	17/6/2011	30/11/2014	
Bevan Hughes	Adjudicator *	1/12/2011	30/11/2014	
William LeMass	Adjudicator *	1/12/2009	30/11/2014	
Kevin O'Hanlon	Adjudicator	1/12/2011	30/11/2014	Resigned 08/11/2013
Christine Trueman	Adjudicator	1/12/2009	30/11/2014	
Jeremy Gordon	Adjudicator *	1/12/2011	30/11/2014	
Peter Apel	Sessional member	12/11/2010	30/11/2014	
Kenneth Barlow	Sessional member	1/12/2009	30/11/2014	
Barbara Bayne	Sessional member	1/12/2009	30/11/2014	
Philippa Beckinsale	Sessional member	1/12/2009	30/11/2014	
Catherine Benson	Sessional member	12/11/2010	30/11/2014	
Jeffrey Bowles	Sessional member	12/11/2010	30/11/2014	
The Hon Charles Brabazon	Sessional member	1/11/2011	30/10/2014	
Joanne Browne	Sessional member	1/12/2009	30/11/2014	
Susan Burke	Sessional member	1/12/2011	30/11/2014	
Gerald Byrne	Sessional member	12/11/2010	30/11/2014	
John Carey	Sessional member	12/11/2010	30/11/2014	
Julia Casey	Sessional member	1/12/2009	30/11/2014	
Leslie Clarkson	Sessional member	1/12/2009	30/11/2014	
Roxanne Clifford	Sessional member	1/12/2009	30/11/2014	
Simon Coolican	Sessional member	12/11/2010	30/11/2014	
Barry Cotterell	Sessional member	1/12/2009	30/11/2014	



Name	Position	Appointment start date	Appointment end date	
Thomas Cowan	Sessional member	12/11/2010	30/11/2014	
Alexander Crawford	Sessional member *	01/12/2009	30/11/2014	
The Hon Keiran Cullinane	Sessional member	1/11/2011	31/10/2014	
Sandra Deane	Sessional member	12/11/2010	30/11/2014	
Keith Dodds	Sessional member	17/02/2012	16/02/2015	
Michelle Dooley	Sessional member	1/12/2009	30/11/2014	
Deanne Drummond	Sessional member	1/12/2011	30/11/2014	
Russell Duigan	Sessional member	1/12/2009	30/11/2014	
Paul Favell	Sessional member	1/12/2009	30/11/2014	
Penelope Feil	Sessional member	1/12/2009	30/11/2014	
Jennifer Felton	Sessional member	1/12/2009	30/11/2014	
Ann Fitzpatrick	Sessional member	1/12/2009	30/11/2014	
Fiona Fitzpatrick	Sessional member	1/12/2011	30/11/2014	
John Forbes	Sessional member	1/12/2011	30/11/2014	
Pamela Goodman	Sessional member	1/12/2009	30/11/2014	
Jeremy Gordon	Sessional member *	1/12/2011	30/11/2014	
Murray Green	Sessional member	1/12/2011	30/11/2014	
Wendy Grigg	Sessional member	12/11/2010	30/11/2014	
Susann Holzberger	Sessional member	1/12/2009	30/11/2014	
Michael Howe	Sessional member *	12/11/2010	30/11/2014	
Bevan Hughes	Sessional member *	1/12/2011	30/11/2014	
Elizabeth Hulin	Sessional member	1/12/2009	30/11/2014	
Nathan Jarro	Sessional member	1/12/2009	30/11/2014	
Joanna Jenkins	Sessional member	12/11/2010	30/11/2014	
The Hon John Jerrard	Sessional member	1/11/2011	30/10/2014	Resigned 01/03/2014
Mark Johnston	Sessional member	1/12/2009	30/11/2014	
Christine Jones	Sessional member	12/11/2010	30/11/2014	
Neil Judge	Sessional member	1/12/2009	30/11/2014	
Sandra Kairl	Sessional member	1/12/2009	30/11/2014	
Paul Kanowski	Sessional member	1/12/2011	30/11/2014	
David King	Sessional member	12/11/2010	30/11/2014	
Robert King-Scott	Sessional member	12/11/2010	30/11/2014	
Peter Krebs	Sessional member	12/11/2010	30/11/2014	
Desmond Lang	Sessional member	1/12/2011	30/11/2014	
William LeMass	Sessional member *	17/06/2011	30/11/2014	
David Lewis	Sessional member	1/12/2011	30/11/2014	
Joanna Lindgren	Sessional member	12/11/2010	30/11/2014	
Katherine Lindsay	Sessional member	1/12/2011	30/11/2014	
Stuart MacDonald	Sessional member	1/12/2009	30/11/2014	
Malcolm Macrae	Sessional member	1/12/2009	30/11/2014	
Donald McBryde	Sessional member	1/12/2009	30/11/2014	
Michael McCarthy	Sessional member	1/12/2009	30/11/2014	

Name	Position	Appointment start date	Appointment end date	
Peter McDermott	Sessional member	11/06/2010	30/11/2014	
Louise McDonald	Sessional member	1/12/2009	30/11/2014	
Margaret McLennan	Sessional member	1/12/2009	30/11/2014	
John Milburn	Sessional member	1/12/2011	30/11/2014	
Sharon Mills	Sessional member	1/12/2009	30/11/2014	
Elissa Morriss	Sessional member	1/12/2009	30/11/2014	
Gwenn Murray	Sessional member	1/12/2009	30/11/2014	
Robyn Oliver	Sessional member	12/11/2010	30/11/2014	
David Paxton	Sessional member	12/11/2010	30/11/2014	Resigned 27/08/2013
Louise Pearce	Sessional member	12/11/2010	30/11/2014	
Dianne Pendergast	Sessional member	1/12/2011	30/11/2014	
Wayne Pennell	Sessional member	12/11/2010	30/11/2014	
Katina Perren	Sessional member	1/12/2011	30/11/2014	
Mark Plunkett	Sessional member	12/11/2010	30/11/2014	
Graham Quinlivan	Sessional member	1/12/2009	30/11/2014	
Peter Richards	Sessional member	1/12/2009	30/11/2014	
Bernadette Rogers	Sessional member	1/12/2011	30/11/2014	
Christine Roney	Sessional member	1/12/2011	30/11/2014	
Peter Roney	Sessional member	1/12/2009	30/11/2014	
Keta Roseby	Sessional member	12/11/2010	30/11/2014	
Richard Roylance	Sessional member	1/12/2009	30/11/2014	
Virginia Ryan	Sessional member	1/12/2011	30/11/2014	
Katherine Schmider	Sessional member	1/12/2009	30/11/2014	
Anthony Sidwell	Sessional member	1/12/2011	30/11/2014	
Rosemary Stafford	Sessional member	1/12/2009	30/11/2014	
Susan Sullivan	Sessional member	1/12/2011	30/11/2014	
Aaron Suthers	Sessional member	1/12/2009	30/11/2014	
John Tanzer	Sessional member	12/11/2010	30/11/2014	
The Hon James Thomas	Sessional member	1/12/2011	30/11/2014	
Gilbert Trafford-Walker	Sessional member	19/10/2012	18/10/2015	
Peter Walker	Sessional member	12/11/2010	30/11/2014	
Shirley Watters	Sessional member	1/12/2009	30/11/2014	
Ian Wells	Sessional member	1/12/2009	30/11/2014	Resigned 22/01/2014
James White	Sessional member	1/12/2011	30/11/2014	
Andrew Williams	Sessional member	12/11/2010	30/11/2014	
Tammy Williams	Sessional member	1/12/2009	30/11/2014	
Carolyn Windsor	Sessional member	1/12/2011	30/11/2014	
Paul Wonnocott	Sessional member	1/12/2011	30/11/2014	
Michael Wood	Sessional member	1/12/2009	30/11/2014	

\* Appointed currently as a sessional member and part-time adjudicator.

## Appendix 2 - Tree assessor appointments

Name	Position	Appointment start date
Jan Allen	Tree assessor	1/11/2011
Anthony Cockram	Tree assessor	1/11/2011
Noel Fitzpatrick	Tree assessor	1/11/2011
Sean Freeman	Tree assessor	1/11/2011
Goetz Graf	Tree assessor	1/11/2011
David Gunter	Tree assessor	1/11/2011
Jonathon Hobbs	Tree assessor	1/11/2011
Benjamin Inman	Tree assessor	1/11/2011
Cameron James	Tree assessor	1/11/2011
David Roberts	Tree assessor	1/11/2011
Michael Sowden	Tree assessor	1/11/2011
Andrew Stovell	Tree assessor	1/11/2011
Roxanne Taylor	Tree assessor	1/11/2011
Willem Taylor	Tree assessor	1/11/2011
Adam Tom	Tree assessor	1/11/2011
Jeremy Young	Tree assessor	1/11/2011
Garry Rangi	Tree assessor	4/10/2013
Simon Lonsdale	Tree assessor	4/10/2013
Steven Richards	Tree assessor	4/10/2013

## Appendix 3 - Justice of the Peace trial appointments

Name	Legally qualified or non-legally qualified	Appointment start date	Appointment end date	Trial location	Resigned
Adam Ozdowski	Legal	3/06/2013	2/06/2016	Brisbane	
Alan Collier	Legal	4/10/2013	3/10/2016	Brisbane	
Alan Guyder	Non-legal	28/06/2013	27/06/2016	Brisbane	
Alan Snow	Non-legal	28/06/2013	27/06/2016	Brisbane	
Andrew Harris	Legal	28/06/2013	27/06/2016	Brisbane	
Andrew Mckenzie	Non-legal	28/06/2013	27/06/2016	Brisbane	
Angela Yin	Non-legal	3/06/2013	2/06/2016	Brisbane	
Angela-Marie James	Non-legal	3/06/2013	2/06/2016	Maroochydore	
Anthony Friel	Non-legal	3/06/2013	2/06/2016	Maroochydore	
Arron Hartnett	Legal	3/06/2013	2/06/2016	Brisbane	
Arthur Fry	Non-legal	3/06/2013	2/06/2016	Maroochydore	
Barry McPhee	Non-legal	3/06/2013	2/06/2016	Maroochydore	
Barry Vickers	Non-legal	3/06/2013	2/06/2016	Brisbane	
Bruce Cook	Non-legal	3/06/2013	2/06/2016	Southport	
Bruce Little	Non-legal	3/06/2013	2/06/2016	Maroochydore	
Bruce Starkey	Legal	3/06/2013	2/06/2016	Brisbane	
Bryan Carpenter	Non-legal	28/06/2013	27/06/2016	Brisbane	
Bryan Pickard	Legal	3/06/2013	2/06/2016	Maroochydore	
Carmel McMahon	Legal	3/06/2013	2/06/2016	Brisbane	
Carol Ann Rolls	Legal	28/06/2013	27/06/2016	Ipswich	
Carole Watson	Non-legal	28/06/2013	27/06/2016	Maroochydore	
Catherine O'Donnell	Non-legal	3/06/2013	2/06/2016	Brisbane	
Charles Hammersla	Non-legal	3/06/2013	2/06/2016	Brisbane	
Chiu-Hing Chan	Legal	3/06/2013	2/06/2016	Southport	
Christine Cuthbert-Steele	Non-legal	3/06/2013	2/06/2016	Ipswich	
Christopher Mills	Legal	21/02/2014	20/02/2017	Townsville	
Darren Swindells	Non-legal	3/06/2013	2/06/2016	Ipswich	
Darryl Schmidt	Non-legal	3/06/2013	2/06/2016	Brisbane	
David Barkley	Legal	3/06/2013	2/06/2016	Brisbane	
David Phipps	Legal	3/06/2013	2/06/2016	Maroochydore	
Dayle Smith	Legal	4/10/2013	3/10/2016	Brisbane	
Deanna Minchio	Non-legal	28/06/2013	27/06/2016	Townsville	
Derek Struik	Legal	4/10/2013	3/10/2016	Brisbane	
Erin Horell	Non-legal	3/06/2013	2/06/2016	Townsville	
Fay Twidale	Non-legal	3/06/2013	2/06/2016	Ipswich	
Gabrielle Mewing	Legal	3/06/2013	Resigned	Southport	20/01/14

Name	Legally qualified or non-legally qualified	Appointment start date	Appointment end date	Trial location	Resigned
Gary Gibson	Non-legal	3/06/2013	2/06/2016	Brisbane	
Gary Kirby	Non-legal	3/06/2013	2/06/2016	Brisbane	
Geoffrey Gunn	Legal	4/10/2013	3/10/2016	Brisbane	
Gloria Beyers	Legal	3/06/2013	2/06/2016	Southport	
Graeme Rogers	Non-legal	28/06/2013	27/06/2016	Ipswich	
Hedley Rye	Non-legal	4/10/2013	3/10/2016	Southport	
Helen Staines	Non-legal	3/06/2013	2/06/2016	Southport	
James Anderson	Non-legal	28/06/2013	27/06/2016	Southport	
James Stackpoole	Non-legal	3/06/2013	2/06/2016	Brisbane	
Jane Hawkins	Non-legal	3/06/2013	2/06/2016	Brisbane	
Jason Lawler	Non-legal	3/06/2013	2/06/2016	Brisbane	
Jessica Mills	Legal	28/06/2013	27/06/2016	Ipswich	
Jim Gordon	Legal	28/06/2013	27/06/2016	Brisbane	
Joanne Myers-Cave	Non-legal	3/06/2013	2/06/2016	Maroochydore	
Jodie George	Non-legal	28/06/2013	27/06/2016	Southport	
John Crighton	Non-legal	3/06/2013	2/06/2016	Southport	
John Howie	Non-legal	3/06/2013	2/06/2016	Brisbane	
Karl McKenzie	Non-legal	3/06/2013	2/06/2016	Townsville	
Katherine Fenwick	Non-legal	3/06/2013	2/06/2016	Brisbane	
Keith Stanton	Legal	3/06/2013	2/06/2016	Southport	
Kevin Erwin	Non-legal	3/06/2013	2/06/2016	Brisbane	
Lawrence Ballinger	Non-legal	3/06/2013	2/06/2016	Townsville	
Leigh Bernhardt	Non-legal	3/06/2013	2/06/2016	Southport	
Lexene Andrews	Non-legal	3/06/2013	2/06/2016	Maroochydore	
Linda Renouf	Non-legal	3/06/2013	2/06/2016	Brisbane	
Linda-Anne Griffiths	Legal	3/06/2013	2/06/2016	Ipswich	
Lisa Butson	Legal	4/10/2013	3/10/2016	Townsville	
Lisa Rennie	Legal	28/06/2013	27/06/2016	Brisbane	
Lynette Maguire	Non-legal	3/06/2013	2/06/2016	Maroochydore	
Lynne Matsen	Non-legal	3/06/2013	2/06/2016	Brisbane	
Malcolm Edmiston	Non-legal	3/06/2013	2/06/2016	Townsville	
Marcus Katter	Legal	28/06/2013	27/06/2016	Brisbane	
Marian Goddard	Non-legal	3/06/2013	2/06/2016	Townsville	
Marilyn Heath	Non-legal	3/06/2013	2/06/2016	Maroochydore	
Mark Anthony	Non-legal	28/06/2013	27/06/2016	Ipswich	
Mejrem Mustafa	Non-legal	3/06/2013	2/06/2016	Southport	
Michael Corlett	Non-legal	3/06/2013	2/06/2016	Maroochydore	
Michael Francis	Legal	28/06/2013	27/06/2016	Brisbane	
Michael Lai	Non-legal	3/06/2013	2/06/2016	Brisbane	
Miles Heffernan	Non-legal	3/06/2013	2/06/2016	Southport	
Noel Payne	Non-legal	3/06/2013	2/06/2016	Southport	

Name	Legally qualified or non-legally qualified	Appointment start date	Appointment end date	Trial location	Resigned
Paul Arthur	Legal	3/06/2013	2/06/2016	Brisbane	
Peter Cleary	Legal	4/10/2013	3/10/2016	Brisbane	
Peter Dollman	Non-legal	28/06/2013	27/06/2016	Brisbane	
Raelene Kell	Non-legal	3/06/2013	2/06/2016	Brisbane	
Raymond Kelly	Non-legal	28/06/2013	27/06/2016	Maroochydore	
Rob Martin	Legal	28/06/2013	27/06/2016	Southport	
Robert Brummell	Non-legal	3/06/2013	2/06/2016	Brisbane	
Robert Denaro	Legal	4/10/2013	3/10/2016	Brisbane	
Roberta Scrivner	Non-legal	3/06/2013	2/06/2016	Brisbane	
Rodney Hilditch	Non-legal	3/06/2013	2/06/2016	Brisbane	
Roslyn Newlands	Non-legal	3/06/2013	2/06/2016	Brisbane	
Ross Lee	Legal	3/06/2013	2/06/2016	Southport	
Samantha Angus	Non-legal	3/06/2013	2/06/2016	Ipswich	
Samuel Hardin	Legal	3/06/2013	2/06/2016	Southport	
Sarah Bregonje	Non-legal	3/06/2013	2/06/2016	Ipswich	
Sean Goodsir	Non-legal	3/06/2013	2/06/2016	Ipswich	
Shirley Murray	Non-legal	3/06/2013	2/06/2016	Southport	
Simon Cox	Non-legal	28/06/2013	27/06/2016	Brisbane	
Stacey Morton	Non-legal	3/06/2013	2/06/2016	Brisbane	
Stephanie Wehrend	Non-legal	3/06/2013	2/06/2016	Brisbane	
Stephen Osachuk	Non-legal	3/06/2013	2/06/2016	Southport	
Stephen Royce	Non-legal	3/06/2013	2/06/2016	Southport	
Stuart Smith	Non-legal	28/06/2013	27/06/2016	Southport	
Susan Maree Stubbings	Non-legal	3/06/2013	2/06/2016	Brisbane	
Suzanne McCormack	Legal	3/06/2013	2/06/2016	Brisbane	
Toby Latcham	Non-legal	3/06/2013	2/06/2016	Brisbane	
Troy Davison	Non-legal	3/06/2013	2/06/2016	Brisbane	
Trudi Jobberns	Legal	4/10/2013	3/10/2016	Southport	
Victoria Laing-Short	Legal	28/06/2013	27/06/2016	Ipswich	
Vincent Everett	Non-legal	3/06/2013	2/06/2016	Maroochydore	
Wayne Stanton	Legal	3/06/2013	2/06/2016	Maroochydore	
Wendy Clark	Non-legal	3/06/2013	2/06/2016	Southport	
William Thomas	Non-legal	28/06/2013	27/06/2016	Southport	
William Thomas	Legal	21/02/2014	20/02/2017	Townsville	

## Appendix 4 - QCAT practice directions

Practice direction	Date effective	Replaces
<a href="#">QCAT Practice Direction No 7 of 2013: Arrangements for applications for orders to resolve other issues about trees</a>	1/07/2013	Practice Direction No 5 of 2011
<a href="#">QCAT Practice Direction No 8 of 2013: Joinder of Parties</a>	29/08/2013	n/a
<a href="#">QCAT Practice Direction No 9 of 2013: Interest on decisions by default for certain minor civil disputes</a>	5/11/2013	Practice Direction No 5 of 2013
<a href="#">QCAT Practice Direction No 10 of 2013: Change of name - Queensland Building and Construction Commission</a>	1/12/2013	n/a
<a href="#">QCAT Practice Direction No 1 of 2014: Hearing Protocol</a>	24/03/2014	Practice Direction No 6 of 2013
<a href="#">QCAT Practice Direction No 2 of 2014: Service of QCAT proceedings in Australia outside Queensland</a>	1/05/2014	n/a

## Appendix 5 – Compliance checklist

Summary of requirement	Basis for requirement	Annual report reference
Letter of compliance	<ul style="list-style-type: none"> <li>A letter of compliance from the accountable officer or statutory body to the relevant Minister</li> </ul>	ARRs – section 8 page 3
Accessibility	<ul style="list-style-type: none"> <li>Table of contents</li> <li>Glossary</li> </ul>	ARRs – section 10.1 page 4 page 62
	<ul style="list-style-type: none"> <li>Public availability</li> </ul>	ARRs – section 10.2 page 2
	<ul style="list-style-type: none"> <li>Interpreter service statement</li> </ul>	<i>Queensland Government Language Services Policy</i> ARRs – section 10.3
	<ul style="list-style-type: none"> <li>Copyright notice</li> </ul>	<i>Copyright Act 1968</i> ARRs – section 10.4
	<ul style="list-style-type: none"> <li>Information Licensing</li> </ul>	<i>QGEA – Information Licensing</i> ARRs – section 10.5
General information	<ul style="list-style-type: none"> <li>Introductory Information</li> </ul>	ARRs – section 11.1 page 8
	<ul style="list-style-type: none"> <li>Agency role and main functions</li> </ul>	ARRs – section 11.2 page 8
	<ul style="list-style-type: none"> <li>Operating environment</li> </ul>	ARRs – section 11.3 n/a
	<ul style="list-style-type: none"> <li>Machinery of government changes</li> </ul>	ARRs – section 11.4 n/a
Non-financial performance	<ul style="list-style-type: none"> <li><b>Government’s objectives for the community</b></li> </ul>	ARRs – section 12.1 n/a
	<ul style="list-style-type: none"> <li>Other whole-of-government plans / specific initiatives</li> </ul>	ARRs – section 12.2 n/a
	<ul style="list-style-type: none"> <li>Agency objectives and performance indicators</li> </ul>	ARRs – section 12.3 n/a
	<ul style="list-style-type: none"> <li>Agency service areas, and service standards</li> </ul>	ARRs – section 12.4 n/a
Financial performance	<ul style="list-style-type: none"> <li>Summary of financial performance</li> </ul>	ARRs – section 13.1 page 18
Governance – management and structure	<ul style="list-style-type: none"> <li>Organisational structure</li> </ul>	ARRs – section 14.1 page 9
	<ul style="list-style-type: none"> <li>Executive management</li> </ul>	ARRs – section 14.2 n/a



Summary of requirement	Basis for requirement	Annual report reference	
	• Related entities	ARRs – section 14.3	n/a
	• Government bodies	ARRs – section 14.4	n/a
	• <i>Public Sector Ethics Act 1994</i>	<i>Public Sector Ethics Act 1994</i> (section 23 and Schedule)  ARRs – section 14.5	page 50
Governance – risk management and accountability	• Risk management	ARRs – section 15.1	page 50
	• External scrutiny	ARRs – section 15.2	n/a
	• Audit committee	ARRs – section 15.3	n/a
	• Internal audit	ARRs – section 15.4	n/a
	• Public Sector Renewal	ARRs – section 15.5	n/a
	• Information systems and recordkeeping	ARRs – section 15.6	page 51
Governance – human resources	• Workforce planning, attraction and retention, and performance	ARRs – section 16.1	page 60
	• Early retirement, redundancy and retrenchment	Directive No.11/12 <i>Early Retirement, Redundancy and Retrenchment</i>  ARRs – section 16.2	page 60
Open Data	• Open Data	ARRs – section 17	page 50
Financial statements	• Certification of financial statements	FAA – section 62  FPMS – sections 42, 43 and 50  ARRs – section 18.1	n/a
	• Independent Auditors Report	FAA – section 62  FPMS – section 50  ARRs – section 18.2	n/a
	• Remuneration disclosures	<i>Financial Reporting Requirements for Queensland Government Agencies</i>  ARRs – section 18.3	n/a

FAA *Financial Accountability Act 2009* FPMS *Financial and Performance Management Standard 2009*  
ARRs *Annual report requirements for Queensland Government agencies*

