

# QCAT

Queensland **Civil and Administrative Tribunal**



## Annual Report 2015-16

## About our annual report

The Queensland Civil and Administrative Tribunal's annual report summarises its performance for 2015-16 and meets accountability requirements under the *Queensland Civil and Administrative Tribunal Act 2009*.

This annual report can be accessed online at [qcat.qld.gov.au](http://qcat.qld.gov.au).

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You are invited to provide feedback on this annual report at [qld.gov.au/annualreportfeedback](http://qld.gov.au/annualreportfeedback) or general feedback on QCAT services at [qcat.qld.gov.au/about-qcat/contact-us/feedback](http://qcat.qld.gov.au/about-qcat/contact-us/feedback).

## Interpreter services



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

## Our icons



Our three icons represent QCAT divisions. The orange icon represents civil disputes, the purple icon represents human rights and the beige icon represents administrative and disciplinary matters.

21 October 2016

The Honourable Yvette D'Ath MP  
Attorney-General and Minister for Justice  
State Law Building  
Brisbane QLD 4000

Dear Attorney,

I am pleased to present the Queensland Civil and Administrative Tribunal's Annual Report for 2015-16.

I certify that this annual report complies with the Tribunal's requirements under the *Queensland Civil and Administrative Tribunal Act 2009* (Qld).

Yours sincerely,



**Justice David Thomas,**

**QCAT President**

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# President's remarks

QCAT's innovation and stakeholder collaboration and support have defined 2015-16. We dedicated the first year of our 2015-19 strategic plan to planning and engagement. In addition to the commencement of planning for major service improvements, the Tribunal embarked on the QCAT process review.

We implemented service improvements that required changes to the *Queensland Civil and Administrative Tribunal Rules 2009*. These changes enabled the e-filing of applications and online payment of fees.

We struck a partnership with Queensland Health to expedite in-hospital guardianship hearings, made important improvements to how we mediate disputes and leveraged compulsory conferences to resolve building disputes. We have also conducted a process review, the outcomes of which are being implemented. These initiatives embrace the contemporary needs of the users of the Tribunal.

This year we met with representatives from the Metro North Health and Hospital service who were concerned about timeframes for substituted decision maker appointments for adults in hospital. We decided to commence planning for a process improvement project to expedite these matters.

In the period 2015-16, the Tribunal created registry roles in Townsville and Cairns commencing 2016-17. This will ensure our regional sessional members have improved administration support. This is a favourable outcome for regional services for which the Tribunal and our stakeholders have long-advocated. These positions will be funded from existing resource allocations.

The Tribunal seeks fair and just outcomes. One aspect of measuring our success in achieving this is our appeal rate. This year, our appeal lodgement rate fell 11%, demonstrating the quality of our Members', Adjudicators' and JPs' decisions and their ability to clearly communicate the reasons for their judgment. Fair and just outcomes are also represented through efficient justice service delivery. Our appeal clearance rate increased 7% in 2015-16, illustrating QCAT's ability to quickly resolve matters.

QCAT aims to provide efficient service delivery to self-represented parties. In an effort to ensure these parties are well-supported and properly prepared for their Tribunal proceeding, we work with two vital non-profit services – the Queensland Public Interest Law Clearing House (QPILCH) and Court Network.

This year the number of people receiving support from these services exceeded targets by 21% and 10%, respectively.

We aim to ensure we have a broad range of appropriate, experienced members across Queensland to hear matters. In 2015-16, sessional member numbers increased by 18, enhancing the Tribunal's flexibility to choose members with appropriate and relevant expertise to hear a range of matters. Our Justices of the Peace play an important role.

The Tribunal has the benefit of the expertise and commitment of our 4 Senior Members, 12 Members and 9 Adjudicators. I acknowledge the very significant contribution which has been made by these full time Senior Members, Members and Adjudicators. This expertise and experience



aided the review undertaken this year which examined our justice service and decision making processes. I look forward to working with them in implementing these review outcomes.

I offer my gratitude to former Deputy President Judge Alexander Horneman-Wren SC for his excellent work with the Tribunal since 2012. Judge Suzanne Sheridan was appointed to the Deputy President role in November and her extensive legal knowledge and professional support was greatly appreciated this year. In addition, we welcomed two supplementary members, Justice Clifton Ralph Russell Hoeben AM RFD and Justice Tim Carmody who have helped ensure efficient justice service delivery for matters requiring a presiding judicial member, such as legal and health practitioner matters. I also acknowledge the hard work and commitment of our administrative and registry staff who are led by Executive Director Mary Shortland and Principal Registrar Louise Logan.

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  
September 2016**

# Executive Director's remarks

Despite ongoing financial challenges, the Tribunal ended the financial year to 30 June 2016 with a net balanced position, however this was \$1.2m over the allocated budget. The year was a financially demanding one with increased staff and member employment and training costs and amplified property costs.

An increase in own source revenue (OSR) helped negate these issues. Ongoing commitment to existing projects, such as the justices of the peace (JP) initiative, and new innovative projects, such as hospital hearings, will assist in easing the financial burden and enable ongoing efficient service delivery.

For QCAT to continue to uphold our excellent service delivery standards in a challenging fiscal environment we must be innovative. We continuously deliver high clearance rates for cases before the Tribunal by inexpensively and quickly resolving disputes. This directly contributes to our long-established reputation for delivering fair and just outcomes, as demonstrated in our 2015-16 results.

This year we achieved a 100% clearance rate which is an incredible result considering some of our workload increases. Our Human Rights Division had a 17% increase in children's matters and 12% increase in guardianship matters and our Civil, Administrative and Disciplinary Division experienced a 19% increase in retail shop lease matters and a 16% increase in building matters.

**“We achieved a 100% clearance rate which is a satisfying result considering our workload increases.”**

We successfully balanced a rising demand for Tribunal services with ongoing fiscal restraints through our ability to innovate, particularly in the online space.

QCAT's Online Services Committee developed a number of internal and external online services for greater efficiency and accessibility. These innovations included:

- trialling eMediations
- developing and releasing four new online forms
- creating child friendly web content
- starting SMS alerts for tenancy matters.

We collaborated with the Department of Justice and Attorney-General's Digital Transformation team to plan a number of these changes and thank them for their insight and support.

In fact, QCAT enjoys productive collegiate relationships with a number of peer organisations without whom our ability to deliver quality outcomes at high volume would be significantly more challenging, if not impossible. In particular, we convey our ongoing gratitude to:

- the Magistrates Courts who offer QCAT services outside Brisbane
- the Department of Justice and Attorney-General's Dispute Resolution Branch who provide mediators across the state



- the Office of the Public Guardian who may be appointed to make personal decisions in the best interests of vulnerable people involved in QCAT guardianship matters or advocate on behalf of children in child protection matters.
- the Public Trustee who may be appointed to make decisions about the financial administration of vulnerable people's affairs.

Our 2015-16 performance and innovations dovetail with the department's strategic objectives to improve both Queensland's justice system, as evidenced by our service delivery innovations, and frontline justice services.

The Tribunal has a reputation for excellent frontline service delivery and this was further strengthened in 2015-16.

- **We effectively managed demand**, as evidenced in QCAT's 100% clearance rate and our 67% mediation and 56% compulsory conference settlement rates. The Tribunal's mediation and compulsory conference settlement rates have consistently cleared 50% for the last three years. However, we are starting to see some hairline fractures in results as QCAT does its best to manage narrow resources and expanding user need with finalisations down 3% on 2014-15.
- **We helped vulnerable people and the community protect their rights** through ready, efficient access to Tribunal services and cooperative relationships with non-profits and government agencies. In fact, a survey this year of 19 executive stakeholder influentials found the majority agreed QCAT's services are accessible and economical, and the Tribunal deals with matters quickly.
- **We provided high quality, professional services** as this year's 82% user satisfaction rate confirmed, the survey for which implemented a new methodology that resulted in three times the number of respondents.

Our 2015-16 achievements are a credit to the Tribunal. I appreciate the support of QCAT president Justice David Thomas, thank our wonderful members, adjudicators and Justices of the Peace who delivered above and beyond, finalising 30,029 matters this year, and my profound gratitude to all QCAT staff for their courage, client service and commitment to justice.



**Mary Shortland – QCAT Executive Director**  
**September 2016**



# 2015-16 snapshot

30,029 matters finalised

achieved 100% clearance rate

1582 online form lodgements

call volumes increased 8% to 112,370 calls

achieved a call response time of 3.17 minutes

served 11,955 users at our front counter

17% increase in children's matters

guardianship matter lodgements totalled 11,623

93% positive mediation feedback

retail shop lease matters increased 19%

16,222 minor civil dispute lodgements

appeal lodgements fell 11%

# About us

The Queensland Civil and Administrative Tribunal (QCAT) is an independent tribunal that resolves disputes, and makes and reviews decisions in a range of jurisdictions including:

- minor civil disputes (eg residential tenancy, minor debt and consumer claims)
- guardianship and administration (for adults with impaired capacity)
- civil disputes (eg building, neighbourhood disputes, retail shop leases, bodies corporate, retirement villages and manufactured homes)
- administrative - reviews of government decisions and statutory authorities (eg liquor licensing, tattoo parlours, racing, State revenue, blue cards and child protection)
- regulating occupations (eg lawyers, health professionals, teachers, and police)
- anti-discrimination.

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

Fair and just outcomes.

## Our mission

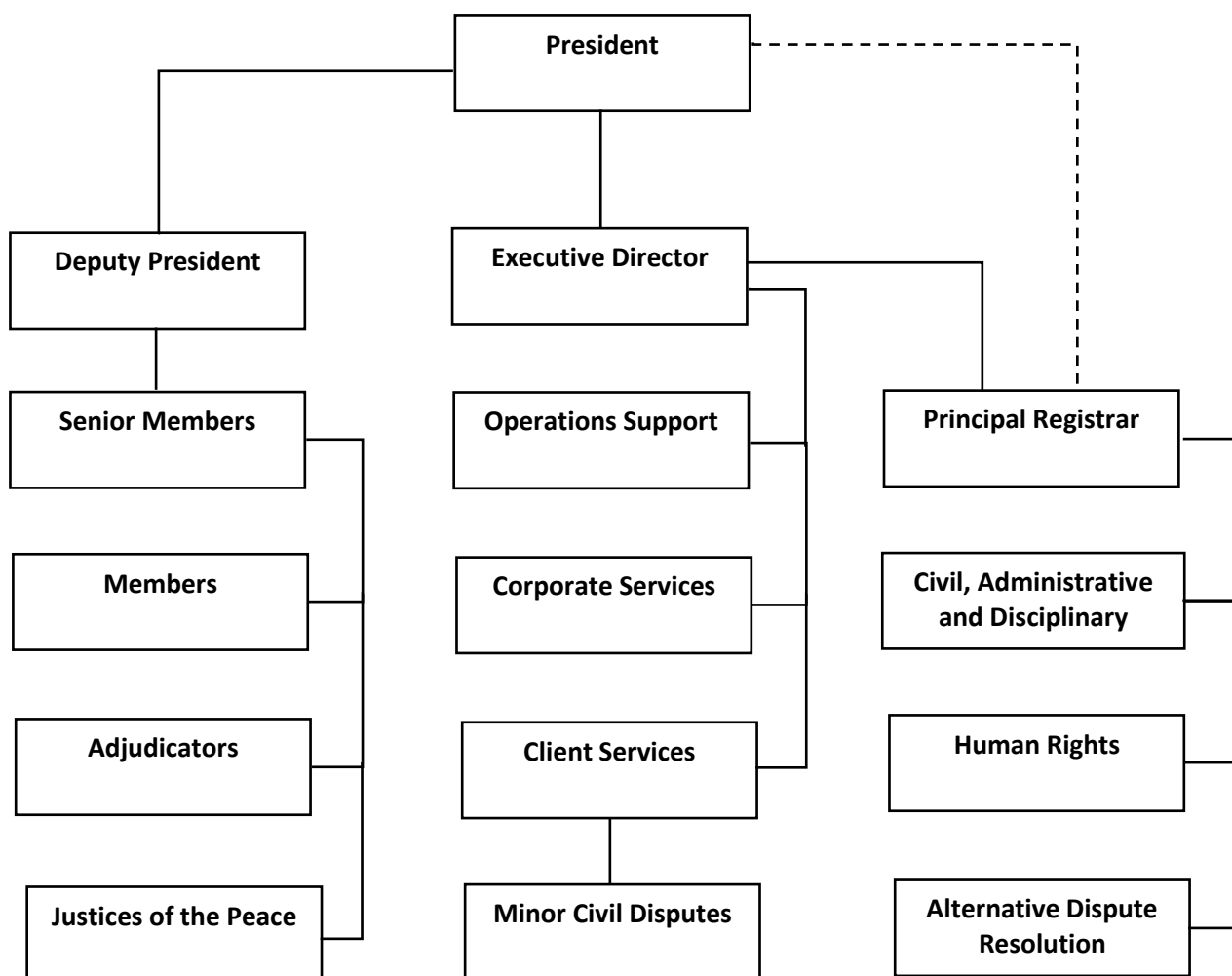
Actively resolve disputes in a way that is fair, just, accessible, quick and inexpensive.

## Our strategic priorities 2015-19

Our priorities balance stakeholder engagement and collaboration, internal and external service delivery needs, dispute resolution improvements and internal capability requirements. They are:

- Engaging with the community
- Service delivery
- Effective dispute resolution
- Managing the Tribunal.

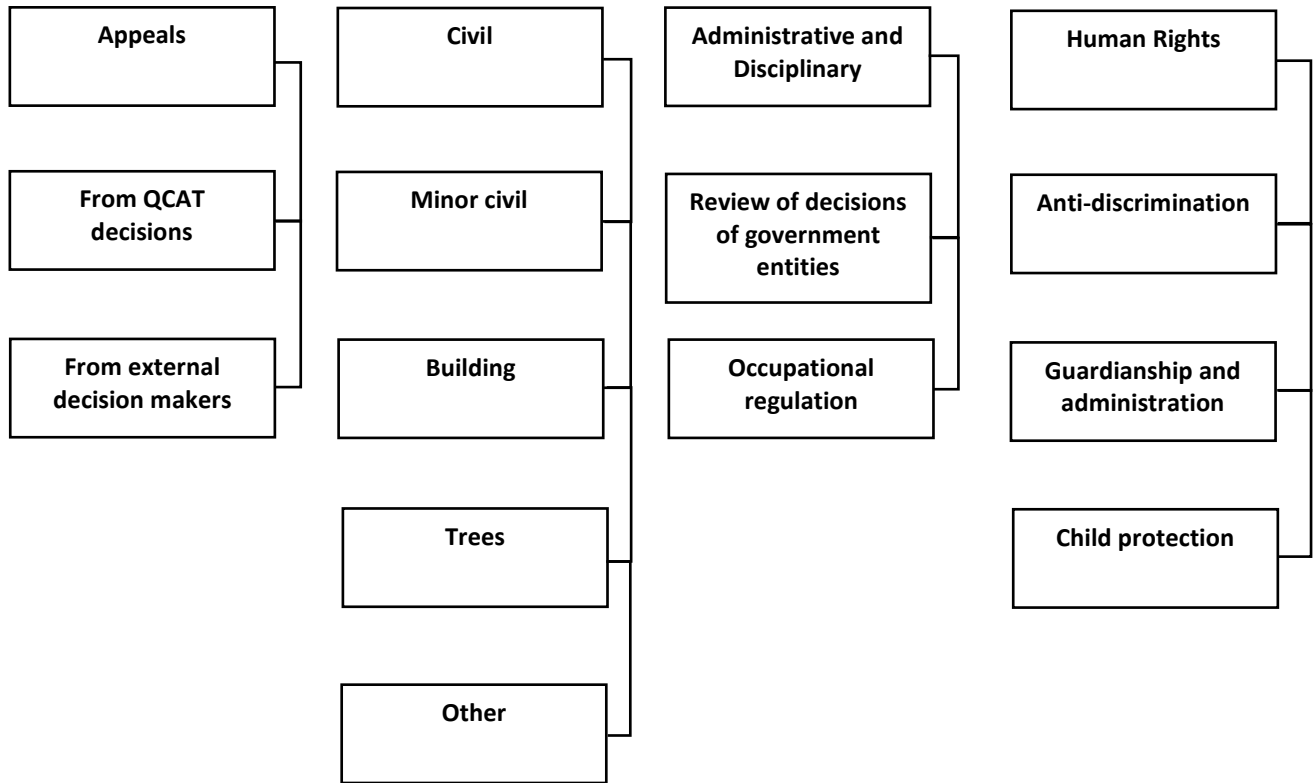
# Our organisational structure



## QCAT organisational structure 2015-16

\* Tribunal members include judicial members, senior and ordinary members and sessional members. Magistrates across Queensland are also Tribunal members for minor civil disputes.

# Our jurisdictions



## Overview of QCAT jurisdictions

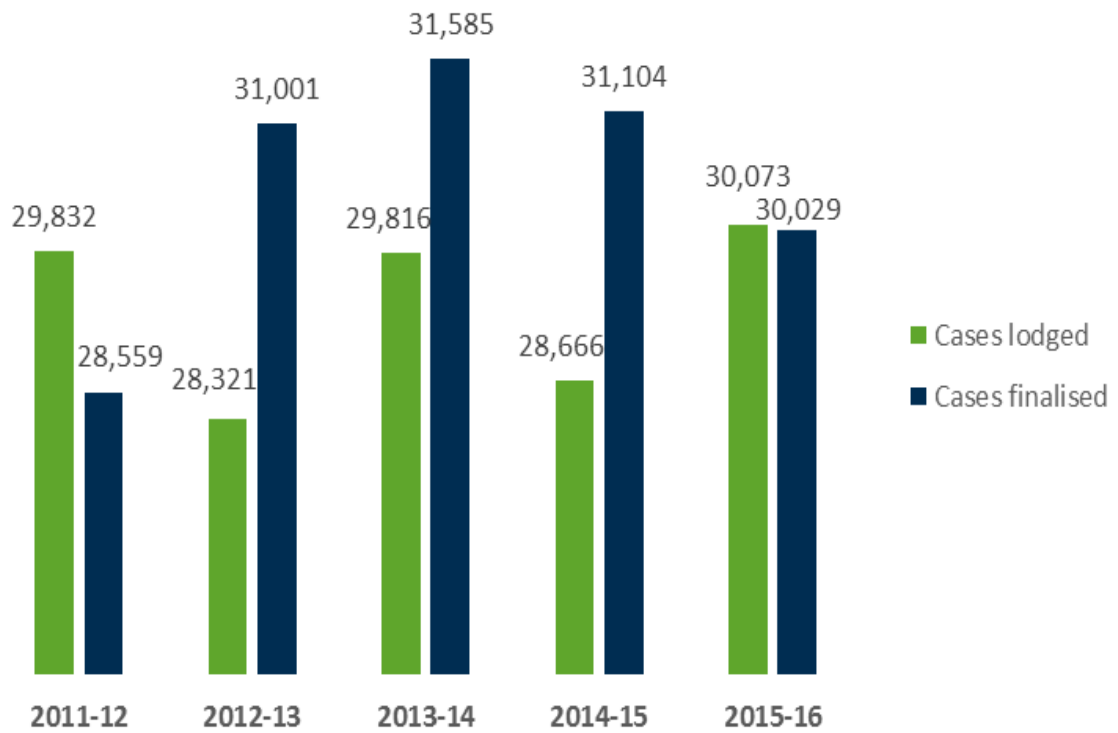
\* Government entities includes statutory bodies

# Our key initiatives for 2015-16

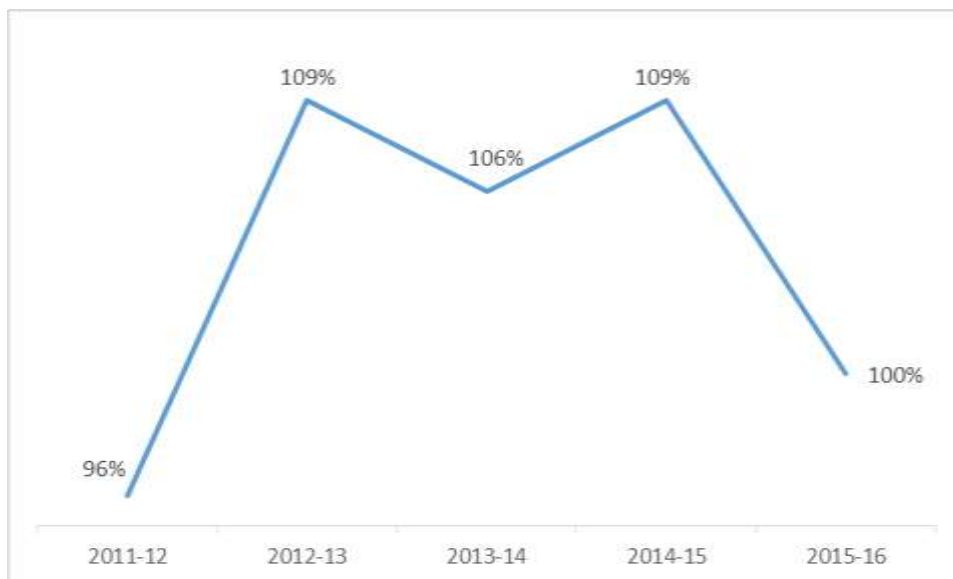
eMediations	Trialling the use of Skype technology to increase mediation and compulsory conference accessibility. Administration and technology requirements implemented. Trial continuing with results being monitored.
Online Forms	Four new forms delivered.
Workforce Reinvigoration Program	Built upon our workforce reinvigoration program commenced in 2013-14 to provide leadership development, long term workforce planning and improved performance management.
Leadership Development Project	Delivery of leadership development to aspiring leaders in the registry through a structured program of mentoring, peer support, workshops and workplace initiatives.
Targeted Training for Staff	Delivered targeted training to registry staff across a range of topics including communication, jurisdictions and mediator professional development.
Hospital hearings	Partnership initiative with Queensland Health for guardianship hearings to be fast tracked and held in hospitals for users currently hospital bound. Trial continuing.
Justices of the Peace	The use of Justices of the Peace to hear minor civil disputes involving claims under \$5,000. Now forms part of business-as-usual.
Member Process Review	A member driven review involving an examination by members of the processes used by the Tribunal, which culminated in a one day workshop facilitated by external accounting firm, KPMG, and a final report to be presented by KPMG.
Publication of Decisions	A review of the process by which QCAT decisions are published on the Supreme Court Library website, including incorporating the best practice guidelines into the written decisions, to ensure timeliness of publication and accuracy in presentation.
Adopting use of Westlaw for Catchwords	In writing decisions, members have agreed to, and been trained on the use of, the Westlaw catchword system. Use of the system will increase the accessibility of their decisions which, in turn, will enhance consistency of decisions within the Tribunal and across Tribunals.
Child protection initiatives	<ul style="list-style-type: none"> <li>• Developed and started capturing themes arising in compulsory conferences in child protection reviews to enhance understanding and reporting on outcomes in this jurisdiction.</li> <li>• Launched a <a href="#">child friendly webpage</a> and a child friendly complaints process.</li> <li>• Published a new practice direction for child protection reviews.</li> </ul>

# Our year

## Workload and outcomes



Lodgements and finalisations to 2015-16



## Service delivery

Service performance	2013-14	2014-15	2015-16
Cases lodged	29,816	28,666	30,073
Cased finalised	31,585	31,104	30,029
1300 calls managed	99,157	103,718	112,370
Call response time	3.13 minutes	9.02 minutes	3.17 minutes
Search request of Tribunal records	13,737	17,572	16,772
Counter enquiries	10,767	10,623	11,955
Proceedings scheduled <sup>#</sup>	17,926	17,428	17,607
Cost per matter (average)	\$621	\$630	\$674
Interpreter and translation services provided	237	266	290
Complaint rate	0.8%	0.8%	0.9%
User satisfaction rating	72%	71%	82%

### Service delivery results

*# excluding minor civil disputes*

## Outcomes by jurisdiction

	Lodgements			Clearance rates		
	2014-15	2015-16	Difference	2014-15	2015-16	Difference
<b>Human rights</b>						
Anti-discrimination	108	104	-4%	101%	95%	-6%
Children	297	348	17%	94%	94%	0%
Guardianship	10,402	11,623	12%	101%	95%	-6%
<b>Civil</b>						
Building	265	307	16%	116%	90%	-26%
Retail shop leases	126	150	19%	107%	91%	-16%
Minor civil disputes	16,030	16,222	1%	113%	109%	-4%
Other civil disputes	88	78	-11%	115%	103%	-12%
Neighbourhood disputes	208	203	-2%	106%	100%	-6%
<b>Administrative and disciplinary</b>						
General administrative review	316	314	-1%	126%	94%	-32%
Occupational regulation	240	216	-10%	118%	104%	-14%

### Lodgements and clearance rates by jurisdiction

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

## Pending matters by jurisdiction

Jurisdiction	2014-15	2015-16	Difference (n)
<b>Human rights</b>			
Anti-discrimination	65	67	2
Children	134	166	32
Guardianship	1904	2418	514
<b>Civil</b>			
Building	151	168	17
Retail shop leases	44	81	37
Minor civil disputes	105	42	-63
Other civil disputes	39	38	-1
Neighbourhood disputes	100	97	-3
<b>Administrative and disciplinary</b>			
General administrative review	184	198	14
Occupational regulation	256	223	-33
<b>Appeals</b>			
To QCAT Appeal Tribunal	242	219	-23
<b>Total</b>	<b>3224</b>	<b>3717</b>	<b>493</b>

Pending matters by jurisdiction



# Our financial performance

	Budget (\$m)	Actual (\$m)	Variance (\$m)
<b>Income</b>			
Appropriation	16.733	18.087	1.354
User charges	2.713	2.713	
Justice of the Peace project	0.985	0.838	(0.147)
<b>Total revenue</b>	<b>20.431</b>	<b>21.638</b>	<b>1.207</b>
<b>Expenses</b>			
Staff employment costs	9.637	9.946	(0.309)
Member costs	5.198	5.696	(0.498)
Property costs	2.468	3.299	(0.831)
Overhead	2.143	1.859	0.284
Justice of the Peace project	0.985	0.838	0.147
<b>Total operating expenses</b>	<b>20.431</b>	<b>21.638</b>	<b>(1.207)</b>

## 2015-16 QCAT financial statement

### Funding

QCAT's total income for 2015-16 was \$21.638m.

### Expenditure

QCAT's expenditure was \$21.638m.

This year we conducted a review of our fees structure to ensure QCAT was applying a sustainable model balanced against maintaining ready access to justice. As a result, we clarified through a practice direction the correct method for invoicing QCAT's search fees. This made it clearer for our staff and interested parties to apply and understand the correct fees.

In addition, the Tribunal made recommendations about suitable amendments to our fee structure to reduce unmeritorious QCAT applications and to enable cost recovery for photocopying the registry undertakes for parties to proceedings. We anticipate amendment to the fee regulation in 2016-17 will give effect to these changes.

Section 231 of the *Queensland Civil and Administrative Tribunal Act 2009* states QCAT must maintain a trust account to receive and hold amounts the Tribunal orders to be paid to the trust account for a proceeding. The QCAT trust account has transitioned to an online facility which provides a streamlined process for reporting and managing funds.

Work commenced this year on improving integration between Auscript and sessional member schedules. Auscript is QCAT's recordings and transcripts service provider. The new integrated program will be completed next year, improving staff and cost efficiencies.

# Our strategic priorities

## Engaging with the community

### Surveys

This year QCAT analysed a range of perspectives through three tailored surveys:

1. A user survey of QCAT's performance, particularly in relation to our fairness, efficiency and professionalism.
2. A user survey accessing QCAT's phone and counter services and online accessibility.
3. A stakeholder survey of senior executives from priority stakeholder organisations assessing the quality of QCAT information, appropriateness of their contact and our performance.

### User surveys

This year we applied new methods to the annual user survey's functions and content and delivery. The aim was to improve user response rates and tailor the survey based on the status of people's matters (ongoing or completed).

The response rate to the survey concerning QCAT's performance improved to a 24% response rate with 3836 users responding, compared to a 9.7% response rate in 2014-15.

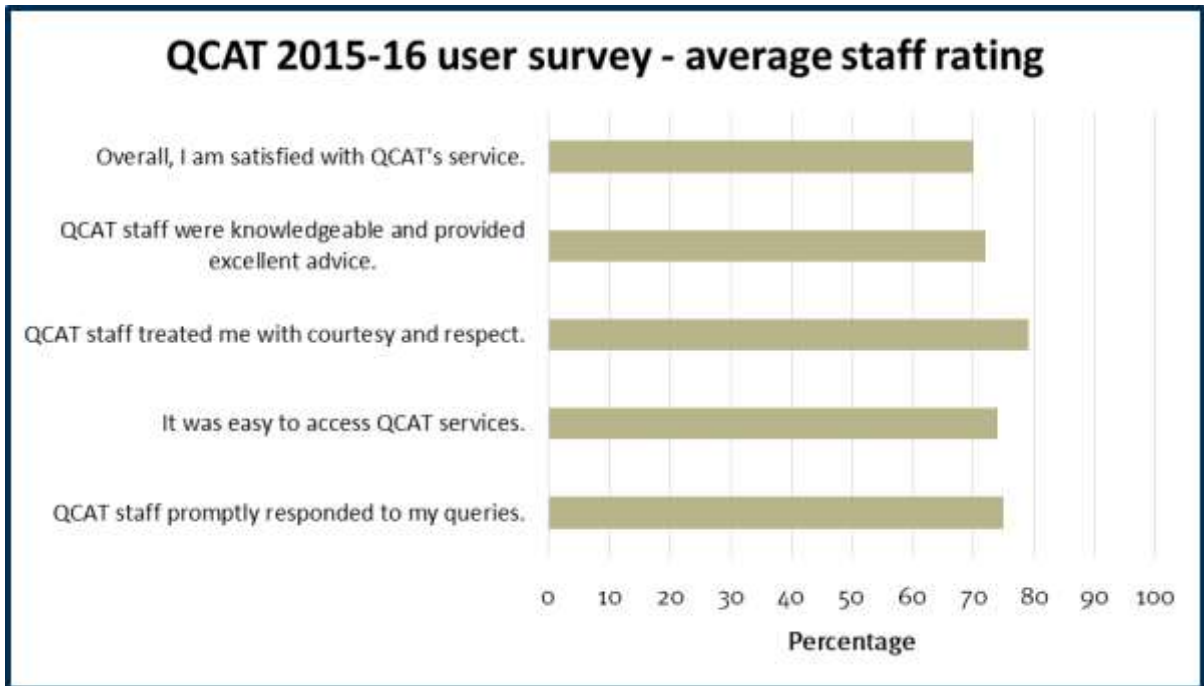
On average, only 18% of people expressed a negative experience across our client and member services.

Positive survey results included:

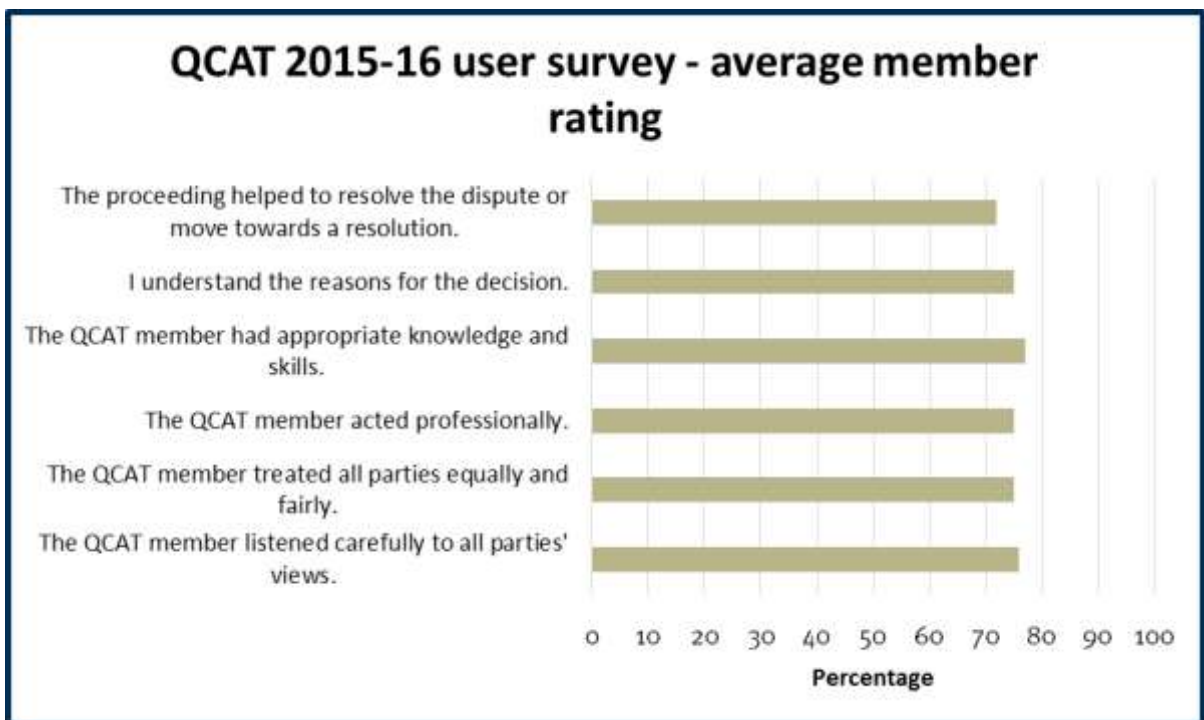
- 75% of respondents agreeing or strongly agreeing the member acted professionally
- a 4% increase in the number of people strongly agreeing or agreeing it was easy to access QCAT's services.

The results also highlighted the potential for dispute resolution improvement, mindful of course that the survey delivery method and content altered this year.

The common thread through these results is the need for improved QCAT decision communication, procedures for which will be given careful consideration in 2016-17.



QCAT survey results – staff performance criteria



QCAT survey results – member performance criteria

## User Insight

This year we conducted a targeted survey into the accessibility of our online information and how Tribunal users found the information they needed. During a four-week period 181 participants responded to the survey either on the phone or over the counter to assess why they were using those channels instead of the website. The majority were parties to minor civil disputes, predominantly either tenancy or minor debts.

These survey results showed:

- 51% of users tried to access information or a service online before either calling or visiting a counter
- Of the users who did not first try to access information online 38% identified they preferred to access government services online and 31% preferred to access these services by telephone
- The primary reasons for telephoning after searching online included not being able to find information online (31%), wanting to talk to someone (26%) and difficulty understanding the online information (25%)
- The primary reasons for visiting a counter after searching online included to lodge documents (63%) and needing information or advice (13%).

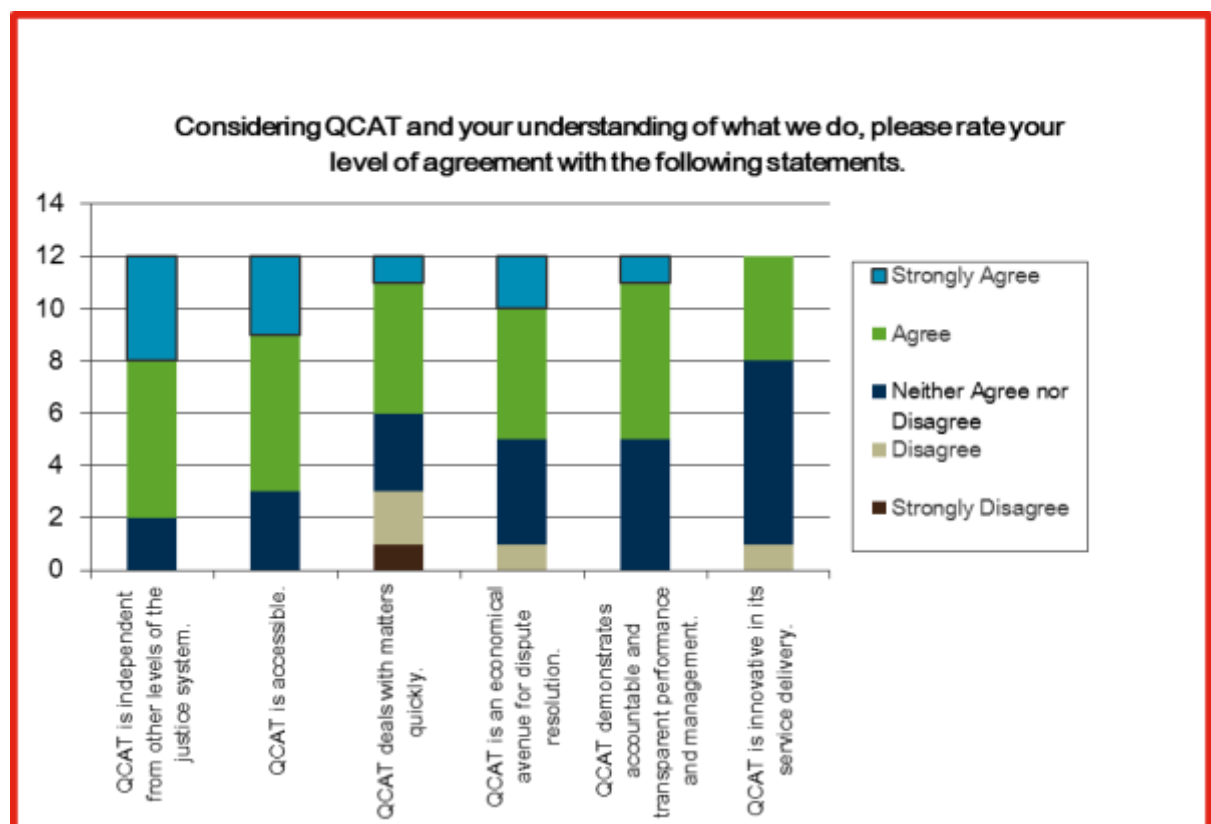
These results inform our ongoing development of online resources and how best to meet the information needs of the Tribunal's users.

## Executive survey

This year, the QCAT stakeholder survey targeted chief decision makers from priority stakeholder organisations across government, regulatory and non-profit sectors. The purpose was to examine the difference (if any) between the stakeholder and user surveys to better inform QCAT's stakeholder engagement plan.

There was a 70% response rate with executive stakeholders revealing they:

- feel satisfied with the quality of QCAT's information and level of engagement
- are happy with the direct contact they receive from QCAT
- would like to receive information on decisions directly affecting them, QCAT statistics and reporting
- generally feel QCAT is independent, accessible, efficient, economical, accountable and transparent.



QCAT 2015-16 executive stakeholder survey results

## Stakeholder engagement

This year our stakeholder engagement included:

Stakeholder	Our 2015-16 collaboration
Australian Guardianship and Administration Council	QCAT continues its commitment to AGAC meetings, held every six months. This enables the Tribunal to participate in an Australia wide response to important issues, such as the introduction of NDIS and to learn from the experience of similar Tribunals.
Australian Health Practitioner Regulation Agency	QCAT meets regularly with AHPRA to discuss the health practitioner disciplinary list.
Aurukun	Together with the Queensland Family and Child Commission, Public Safety Business Agency and the Department of Aboriginal and Torres Strait Islander Partnerships, QCAT participated in a presentation to the Aurukun community about child protection issues. In particular, a member of QCAT spoke to the community about the Tribunal's approach to Blue Card applications.
Bar Association of Queensland	QCAT consults with the Bar Association of Queensland regarding process and practice issues.
Building Dispute Practitioners Society	In 2015-16, the BDPS created a sub-committee to meet with the Tribunal to discuss ways in which the building jurisdiction could be improved. The Tribunal met with the sub-committee on two occasions.
Child related stakeholder forums	The Tribunal hosted a number of child related forums through the year, inviting government stakeholders (e.g. Public Guardian, Public Safety Business Agency, Queensland Family and Child Commission and Department of Education Training and Employment) and community organisations (e.g. Foster care Queensland, Aboriginal and Torres Strait Islander Legal Service, CREATE Foundation, QPILCH and Youth Advocacy Centre).
Council of Australasian Tribunals	Tribunal members participated in the annual COAT conference in Hobart including one member delivering a paper on judicial oversight of the Tribunal. The President is a member of the COAT executive as the Treasurer.
Legal Services Commission	QCAT consults with the LSC regarding process and practice issues.

<b>Stakeholder</b>	<b>Our 2015-16 collaboration</b>
Queensland Health	Our Human Rights Division continued QCAT's strong relationship with Queensland Health through a pilot project to reduce guardianship hearing timeframes for inpatients.
Queensland Law Society	QCAT continues to be invited to address a number of QLS sub-committees about topical issues, including developments in elder law and the process involved in occupational regulation proceedings. QCAT meets regularly with QLS representatives regarding process and practice issues.
REIQ	The Tribunal considers that many residential tenancy disputes can be avoided by proper preparation of tenancy agreements, an understanding of the QCAT hearing process and fair engagement between parties before a dispute escalates. For that reason, QCAT attends the annual REIQ summit, and specialist training days, to assist property managers in correct and respectful communication with tenants and the Tribunal.
Residential Tenancies Authority (RTA)	We published three articles in RTA's Open House newsletter reaching 10,234 subscribers. This year, QCAT and the RTA streamlined bond management and appeal processes to reduce double handling of applications and ensure a fair, timely process for users. We also ensured the current data exchange between RTA and QCAT would be incorporated into the RTA's upcoming system upgrades.

## Our partnerships

<b>Partnering organisation</b>	<b>2015-16 collaboration</b>
Community Legal Centres Queensland	To help consolidate CLCQ's brand, we edited communication, changing language used in online platforms and in user information tools.
Department of Justice and Attorney-General's Dispute Resolution Branch	We maintained a constructive relationship with the dispute resolution branch this year to provide additional mediators for Brisbane matters as required and performed 2020 mediations state-wide at their six Dispute Resolution Centres.

## Partnering organisation

## 2015-16 collaboration

Department of Justice and Attorney-General

The Tribunal receives funding and high-level corporate support from the department. Our independence is enshrined in the *Queensland Civil and Administrative Tribunal Act 2009* that states QCAT 'is not subject to direction or control by any entity, including any Minister' (s162). We enjoy a professional, productive relationship with the department which this year included improved interpreter services, mediation service delivery and leadership development.

Inter-Departmental Interpreter Working Group

QCAT is an active participant in the Inter-Departmental Interpreter Working Group, contributing to the government's domestic and family violence reform agenda. A major initiative of the group in 2015-16 was mapping the interpreter process to make it easier for interpreters to engage with the justice system, and developing a domestic and family violence glossary and training. These initiatives were delivered to coincide with the Southport Domestic Violence Court trial.

Supreme Court Library Queensland

The publication of reasons on the Supreme Court Library website is in accordance with the general practice of the Tribunal and is authorised by section 125 of the *Queensland Civil and Administrative Tribunal Act 2009*. The reasons are part of the Tribunal's public record. In 2015-16, 440 Tribunal reasons, and 195 appeal Tribunal reasons were published on the Supreme Court Library website.

## Our special thanks to

### Queensland Public Interest Law Clearing House (QPILCH)

QPILCH is an independent, not-for-profit, community-based legal organisation that coordinates pro bono legal services for individuals and community groups in Queensland. QPILCH offers assistance across a range of jurisdictions such as child protection, guardianship and appeals. For the first time, QPILCH extended its service to include pro bono representation in compulsory conferences in child protection matters. We provide office space for QPILCH support services in Brisbane, which this year provided 303 user appointments. To support the QPILCH service and our users, QCAT offered training to volunteer lawyers on the QCAT appeals procedure, maintained regular contact with the organisation and remodelled the Tribunal's Brisbane premises to create a discrete reception area for QPILCH users.





**Court Network**

In Queensland, approximately 120 trained volunteers support Court and Tribunal users in Brisbane, Townsville and Cairns. Court Network supports users navigating the Tribunal at Brisbane Townsville and Cairns. In 2015-16, Court Network supported 9922 QCAT users. This year, we provided training for Court Network's March intake of 45 volunteers who have since graduated and are on roster across Brisbane Courts and Tribunals.



# Service delivery

## Infrastructure

### A permanent presence in North Queensland

This year we received approval to trial North Queensland hearing support officer roles. The trial has three key objectives:

1. Reduce staff travel costs and travel-related expenses.
2. Reduce delays to parties and stakeholders when flight delays or cancellations occur.
3. Improve operational efficiencies by reducing travel, administration and in-transit time that could be better spent supporting Tribunal members in other QCAT jurisdictions.

It is important that members of the public outside the South East Queensland region see QCAT as accessible and responsive. The Tribunal sees the recruitment of permanent QCAT staff in the regions as an important first step in a strategy to ensure engagement with the Tribunal across Queensland.

The trial will be evaluated in December 2016 to assess user benefits, internal efficiencies and potential extension.

### Remote conferencing

Remote conferencing is a cost-effective, time-efficient option to hear matters and communicate with regional parties.

This year, our Brisbane videoconference systems in hearing rooms 1 and 8 were upgraded. During the 2015-16 financial year QCAT held 35 hearings via videoconference to bring parties together from diverse and remote locations including Thursday Island, Mornington Island, Normanton, Doomadgee, Roma, Mount Isa, Goondiwindi and Charleville. This is a significant increase on the 10 hearings by videoconference held last year.

### Our Brisbane premises

We are continuing to improve our current premises to overcome immediate resourcing concerns and to ensure Tribunal staff have a safe and efficient workspace. In 2015-16 these works:

- contributed to a more efficient use of office space
- created a safer working environment for staff and members
- enabled members to work more closely together to improve their management and professional development opportunities.

In addition, we completed preparations to provide clearer directions for users of QCAT services and facilities with improved hearing room signage.

## **Our regional partnerships with Magistrates Courts**

Queensland's Magistrates Courts provide QCAT's regional frontline services. Our partnerships with the courts aim to ensure the public receives informed, consistent service.

This year we held face-to-face sessions with court staff in the 12 Southeast Queensland Magistrates Courts to provide them with information about QCAT scheduling and hearing support processes and enable us to learn about local issues and regional differences.

The outcomes from these sessions informed 2015-16 service improvement planning. Activities to be implemented in 2016-17 include:

- developing a system for capturing users and staff's FAQs to develop training content and ensure knowledge-based and collaborative needs are met
- developing and delivering a rolling QCAT training calendar to Magistrates Court staff
- surveying court registries on their QCAT training and information to help formulate our next regional engagement plan
- establishing a working party with Magistrates Courts representatives to reinvigorate regional engagement
- updating QCAT application procedures for consistent service delivery in regional and remote areas.

## Our jurisdictions

### Civil, Administrative and Disciplinary Division

Our Civil, Administrative and Disciplinary Division incorporates a broad range of jurisdictions. The Tribunal's civil jurisdiction includes:

- building disputes
- body corporate and community management, retirement villages and manufactured homes
- neighbourhood disputes (trees)
- retail shop leases.

The Tribunal's administrative review jurisdiction includes the review of government decisions. The Tribunal's occupational regulation jurisdiction includes regulation of lawyers, health professionals, teachers, engineers, veterinarians, builders and property agents.

### Initiatives

#### Neighbourhood disputes

The term 'neighbourhood disputes' covers both tree disputes and dividing fencing disputes. QCAT's Civil, Administrative and Disciplinary Division manages tree disputes while the Client Services team and the State's regional Magistrates Courts manage fence disputes.

This year, the notice process for neighbourhood disputes was transferred to QCAT from the Department of Justice and Attorney-General. To facilitate the change, the Tribunal reviewed and updated online information and client service scripts. In 2015-16 QCAT commenced a trial of referring simple tree disputes straight to mediation, rather than a hearing or compulsory conference before a member. The trial is continuing and will be evaluated in 2016-17.

#### Early intervention – building disputes

This year the Tribunal returned to the practice of referring building disputes to compulsory conference soon after receiving the response to the application. The early referral to dispute resolution enables parties to resolve their dispute, or clarify issues, before committing significant time and resources to the preparation for a hearing.

- In the six months to June 2016, the average time to finalisation of matters in the trial was 17 weeks, a 26-week reduction on pre-trial timeframes.
- In that same period, the number of resolved matters increased by 8% from 36.4% to 44.4%.

## Facts and figures

**Lodgements:** The Tribunal experienced a 19% increase in retail shop lease matters and 16% increase in building matters. There was a slight decrease in occupational regulation matters which may be partly attributable to changes in the *Queensland Building and Construction Commission Act 1991*.

**Clearance rates:** The average clearance rates for 2015-16 (113%) shows a 6% decrease. Given the significant increase in filings, the high clearance rate is a creditable result and remains greater than 100%.

### Graph key

BDL – building

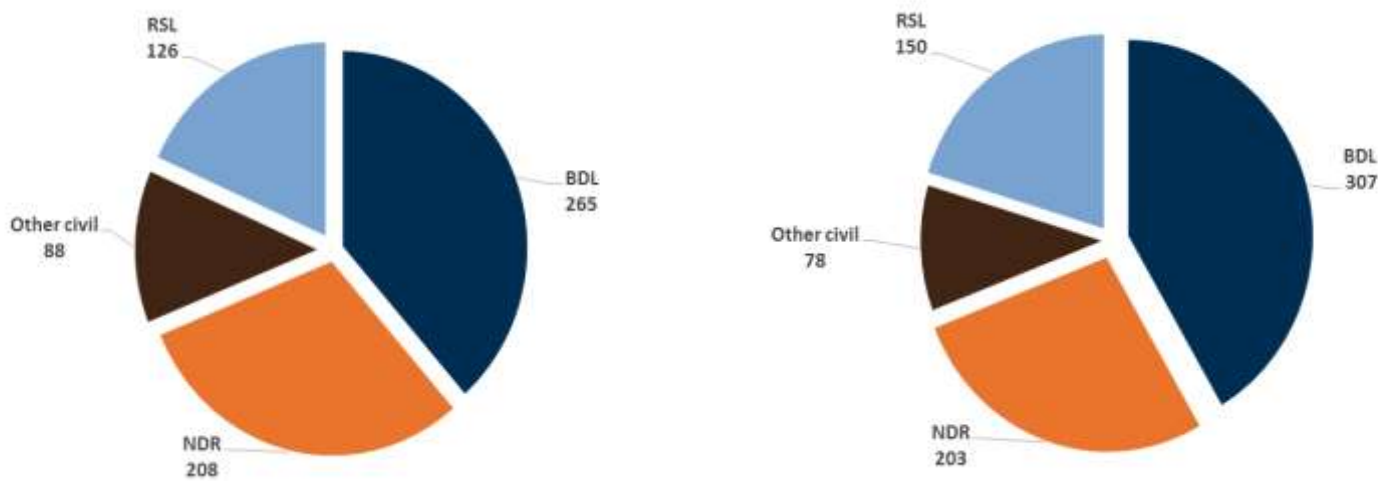
GAR – general administrative review

NDR – neighbourhood dispute resolution (tree disputes)

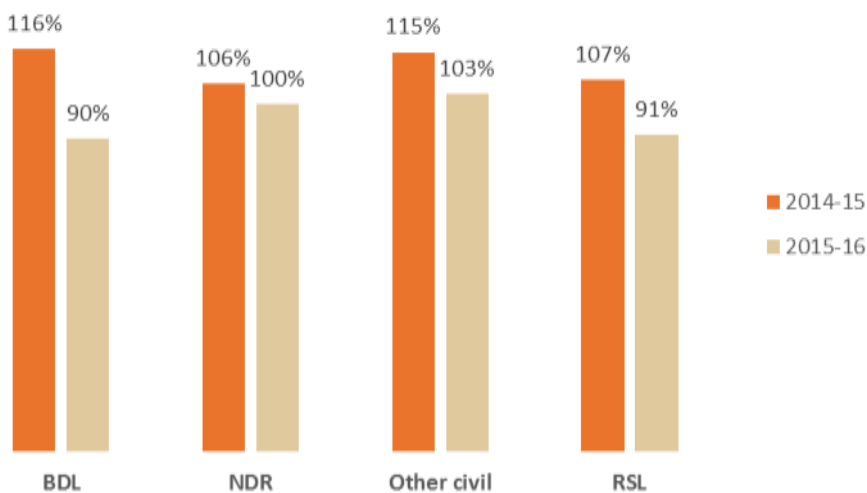
OCR – occupational regulation

Other civil – matters including body corporate disputes, legal cost agreement claims, retirement villages or manufactured home disputes etc

RSL – retail shop lease



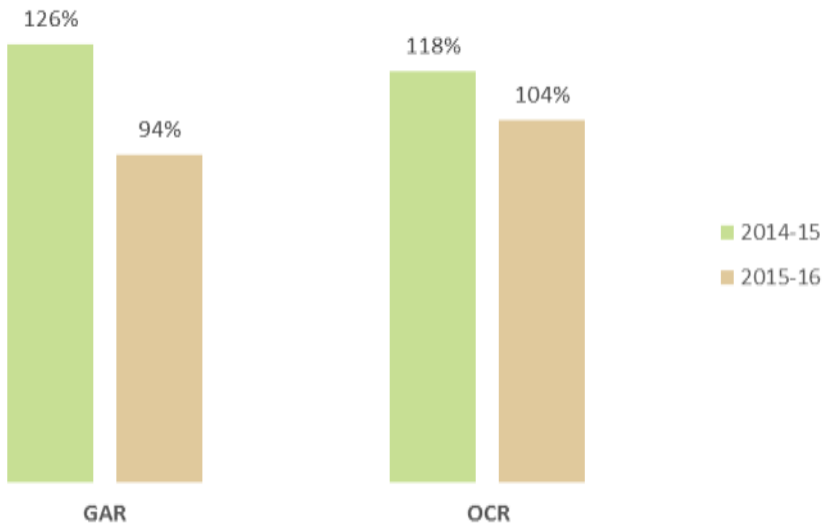
### Civil matters lodgements 2014-15 and 2015-16



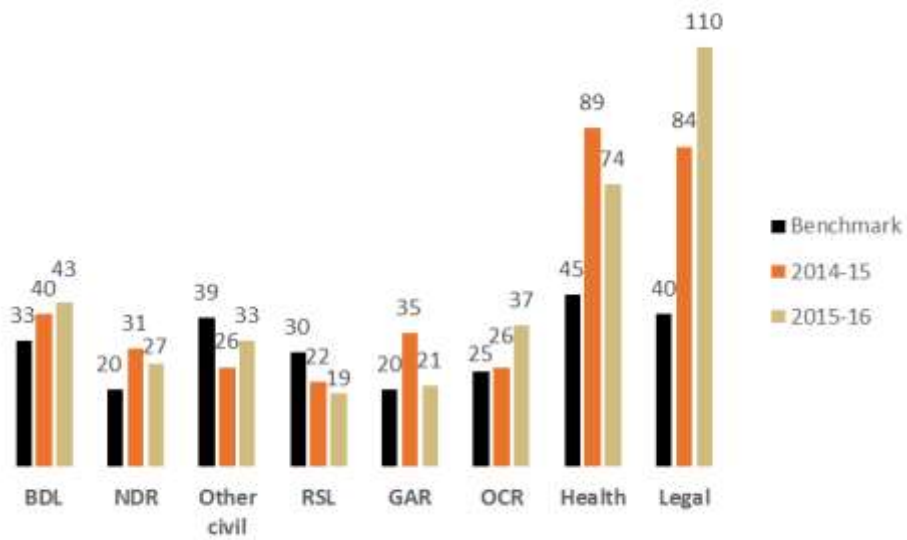
### Civil matters clearance rates 2014-15 and 2015-16



**Administrative and disciplinary matters lodgements 2014-15 and 2015-16**



**Administrative and disciplinary matters clearance rates 2014-15 and 2015-16**



Civil, administrative and disciplinary matters weeks to finalisation 2014-15 and 2015-16

## QCAT in action

Kevin was having problems with tree roots in his sewerage pipes. He believed that a tree growing on his neighbour Paul's property was the problem. He filed an application for an order that Paul remove the tree.

The Tribunal appointed an arborist to look at the problem. The arborist provided a report that said the tree roots were encroaching on Kevin's property, causing his courtyard paving to buckle. He said that the roots in the pipes were probably from tree in question.

Paul told the Tribunal that the damage to Kevin's pipes was because the pipes were old clay pipes.

**The Tribunal found that Paul's tree was causing damage to Kevin's pipes. It ordered Paul remove the tree and pay Kevin's costs of fixing his pipes.**

Don and Alice bought a dining table and 12 chairs from Fine Furniture in June. They paid a substantial deposit.

The table was delivered in a damaged condition. Don asked for a replacement table; the replacement table was the wrong colour so he rejected the replacement table.

By October Don and Alice had still not received the chairs. Fine Furniture advised Don and Alice that the order was still more than a month away from delivery. Fine Furniture later advised them that their replacement table should arrive in late December.

Don cancelled the contract in November and called for a refund of the deposit.

**The Tribunal found that Fine Furniture's failure to deliver an acceptable table was a major failure under the Australian Consumer Law, and a failure of its obligations under the contract. As a result, Don and Alice were entitled to reject both the table and chairs. The Tribunal ordered Fine Furniture refund the deposit and pay interest.**

A licensed club in a country town once held a licence for adult entertainment. When that licence expired, its application for a new licence was refused. After four years, it again applied for an adult entertainment licence. Again it was refused, on the grounds that the club could not control noise and behaviour issues. The club applied to the Tribunal for a review of that decision.

**The Tribunal accepted the club's acknowledgement of past errors. It found that any perceived risks could be addressed through conditions on the licence. It granted a three-year licence with stringent conditions.**



## Human Rights Division

The Human Rights Division manages guardianship and administration, clinical research, anti-discrimination, child protection, adoption, and access to schools and institutions. This year the Tribunal again saw a marked increase in lodgements. The Human Rights Division experienced a 12% increase in guardianship lodgements with clearance rates only marginally affected (6% decrease) while children's matters increased by 17% but clearance rates held at 94%. A settlement rate of 65% was achieved in compulsory conferences for child protection reviews.

An application for a restrictive practice may be required if an adult with impaired capacity shows challenging behaviour which could cause harm to themselves or others. The *Guardianship and Administration Act 2000* was amended in 2014 to allow two year appointments for guardians for restrictive practices instead of one year appointments. This change has reduced the number of reviews this year and provided greater certainty to the parties concerned.

The Tribunal also engaged in significant project work, including preparations for the NDIS rollout, ongoing implementation of Queensland Child Protection Commission of Inquiry recommendations, and partnering with Queensland Health to expedite hospital hearings.

The anti-discrimination jurisdiction remained relatively static.

## Initiatives

### National Disability Insurance Scheme

The implementation of National Disability Insurance Scheme (NDIS) may impact the workload in QCAT's guardianship list if the appointment of substitute decision makers is required to help adults assess, negotiate and enter into contracts to purchase services and supports.

This year we focused on having mechanisms in place to measure the impact of NDIS so that the Tribunal can understand demands on resources. Preparations included analysis of participant data from interstate launch sites<sup>1</sup> and National Disability Insurance Agency projects<sup>2</sup> for Queensland, and reviewing QCAT's guardianship management procedures, current capacity and performance.

### Hospital hearings

Hospital hearings are a collaboration between QCAT and Metro North Hospital and Health Service (MNHHS). The initiative aims to reduce the length of hospital stays for patients with pending applications for the appointment of a guardian or administrator.

Many elderly patients require substitute decision makers so they can transition from the Queensland Health system to appropriate aged care accommodation.

The initiative will review processes at both MNHHS and QCAT to identify cases where time and cost savings can be made, while still preserving the rights of the adult.

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<sup>1</sup> National Disability Insurance Scheme – New South Wales, 30 June 2016, [NDIS rolls out across half of NSW](#)

<sup>2</sup> National Disability Insurance Scheme, [Our sites](#)

A trial group of cases are being heard at the hospital in which the adult is located. Potential benefits include:

- reduction in QCAT guardianship hearing timeframes for inpatients from 6 weeks (the previous average) to 3-4 weeks
- alleviation of the current high demand for limited acute inpatient services in MNHHS
- streamlined processes between QCAT and MNHHS
- cost savings to MNHHS by reducing the time patients spend in hospital waiting alternative accommodation
- improved inpatient rehabilitation with prompt placement in care facilities.

### **Child protection**

In 2015-16 QCAT continued to implement outcomes from the Child Protection Commission of Inquiry's 2013 report *Taking responsibility: A Roadmap for Queensland Child Protection*. This year we:

- Launched a child friendly webpage (see [qcat.qld.gov.au/matter-types/children/iamachild](http://qcat.qld.gov.au/matter-types/children/iamachild)) along with a child friendly complaints process. The webpage received 488 unique page views in 2015-16.
- Published a QCAT Practice Direction 6 of 2015, Process for administrative reviews in child protection matters, to set out how we include children and young people in reviews of Department of Communities, Child Safety and Disability Services decisions. The practice direction was accessed 68 times in 2015-16.
- Started recording outcome themes for compulsory conferences to enhance the understanding and reporting on outcomes in this jurisdiction. These themes will be reported on in next year's annual report.
- Started capturing the participation of children in our child protection reviews. Children's participation in our child protection reviews will be reported on in next year's annual report.
- Continued to focus on efficient, appropriate and sensitive methods to manage and resolve child protection matters.

QCAT has implemented all relevant inquiry recommendations that will become part of business as usual in 2016-17. We continue to work closely with other child protection stakeholders to share insights and initiative results.

### **Ensuring external examiners' excellence**

QCAT's external panel of examiners provide accountancy and trustee expertise to the Tribunal's annual examination of administrators' accounts. These administrators review the management of complex finance and property matters for adults with impaired decision making capacity.

This year preparation commenced on reviewing the panel's guidelines, which details roles and responsibilities, relevant legislation, considerations regarding expenditure, calculation outcomes, assets and liabilities, and required documentation.

These guidelines are the foundation of annual training, a review of which is also underway.

### **Early dispute resolution in anti-discrimination disputes**

As a result of the members' process review, the process for dealing with anti-discrimination matters changed. Instead of orders taking the dispute from filing to a hearing, with a late compulsory conference, anti-discrimination disputes are now referred to an early compulsory conference. The Member presiding over the compulsory conference then makes orders for the further progress of the matter that are tailored to the needs of the particular dispute.

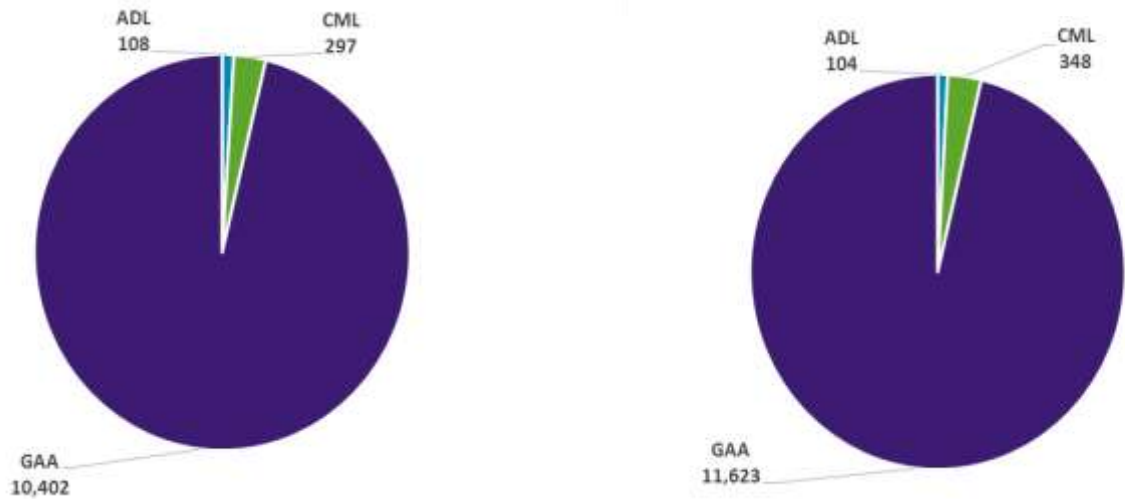
## Facts and figures

### Graph key

ADL – anti-discrimination

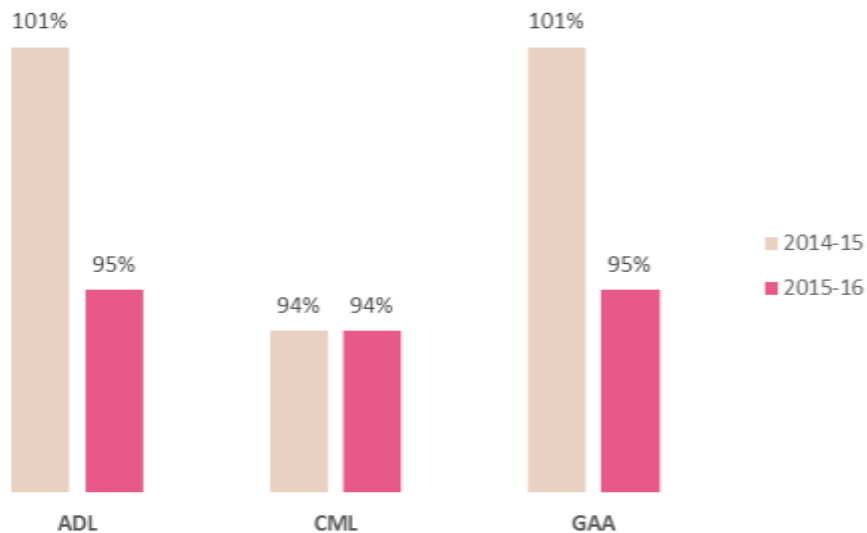
CML – children’s matters

GAA – guardianship and administration for adults



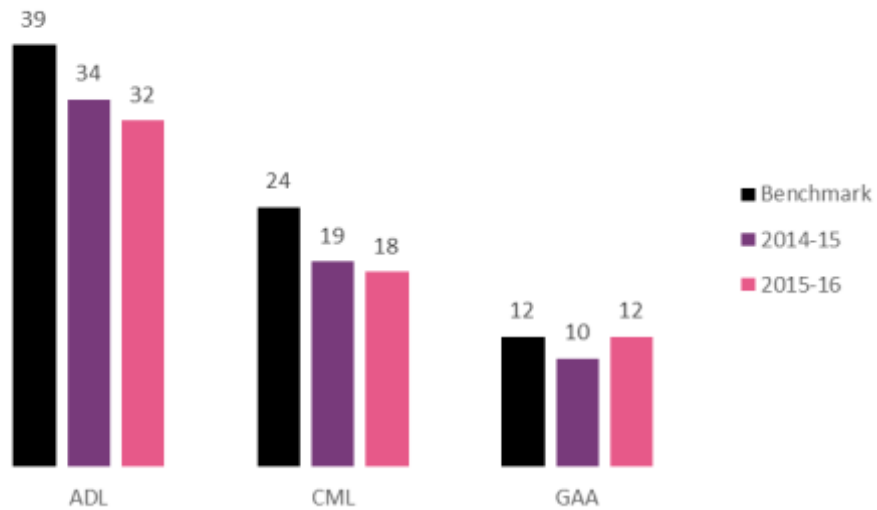
### Human rights lodgements 2014-15 and 2015-16

There has been a 12% increase in guardianship lodgements this year and a 17% increase in matters in the children’s list that includes both child protection and employment screening (blue card) reviews. Anti-discrimination referrals have remained static.



### Human rights clearance rates 2014-15 and 2015-16

Our clearance rates remained relatively stable this year despite significant increases in children and guardianship matter lodgements. Where appropriate QCAT uses compulsory conferences to resolve matters without the need for a Tribunal hearing and to clarify issues for resolution.



**Human rights weeks to finalisation 2015-16**

On average both anti-discrimination and children’s matters were finalised well within our benchmarks of 39 weeks and 24 weeks respectively. The benchmark of 12 weeks for guardianship matters was met. The two week increase in timeframes for guardianship matters from 2014-15 is due to an increase in matters balanced against resource constraints.

## QCAT in action

A not-for-profit association wanted to employ a youth worker to support its program for young people at risk. The association employed two youth workers; one male and one female. The male youth worker was taking extended leave. The association wanted to advertise for a male youth worker to fill that role. Advertising for a male youth worker would have been a breach of the *Anti-Discrimination Act*. The association applied to the Tribunal for an exemption from the Act.

The Tribunal accepted the association's evidence that 80% of the youths involved in the program were male. It did not accept that only a male youth worker was capable of doing the work but it did accept the association's submission that at least one male youth worker was necessary to address challenging, aggressive, sexualised behaviours while the current youth worker was on leave.

**The Tribunal granted an exemption from the Anti-Discrimination Act.**

### **Supporting children's participation in proceedings**

An application for a review of a Department of Communities, Child Safety and Disability Services decision was received from parents of three children under the care and protection of the department.

**The children involved were all old enough to express their views and wishes and informed their advocate they did not wish to have contact with their parents during the proceedings before QCAT. The Public Guardian communicated the wishes of the children to the Tribunal and arrangements were made to reflect their needs.**

These arrangements included ensuring the parties arrived at staggered times, providing Public Guardian support during the proceedings and organising separate hearing rooms connected by teleconference. An independent service provider was also involved to support the children and make practical arrangements for their attendance.

As the parents were from a non-English speaking background, interpreters were arranged to ensure they understood the proceedings and could express their views. The Tribunal conducted a compulsory conference which resulted in the parents withdrawing their application. They and the department agreed to incrementally introduce contact arrangements for the children to reconnect with their parents, initially by phone and letters, with a view to progressing these arrangements.

## 2015-16 guardianship for restrictive practice

	Guardianship for restrictive practice		Review of guardianship for restrictive practice	
	2014-15	2015-16	2014-15	2015-16
Order made	66	53	376	53
Dismissed / revoked	9	10	55	32
Deceased	0	0	1	1
Administrative closure	8	4	4	3
Withdrawn at hearing	13	14	1	0
<b>Total</b>	<b>96</b>	<b>81</b>	<b>437</b>	<b>89</b>

The *Guardianship and Administration Act 2000* was amended in 2014 to allow two year appointments for guardians for restrictive practices (previously one year appointments were the maximum term allowable). This meant that appointments made in 2014-15 did not require further review until 2016-17, with the effect of reducing reviews this year.

## Containment, seclusion and other restrictive practices approvals 2015-16

	Approved		Dismissed / revoked		Withdrawn / Administrative Closure		Total	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Containment	9	18	1	1	2	4	12	23
Review of containment	37	30	3	6	0	4	40	40
Seclusion	2	11	2	2	1	3	5	16
Review of seclusion	37	34	1	3	0	2	38	39
Application for another restrictive practice	8	11	1	3	2	1	11	15
Review of application for another restrictive practice	48	45	1	6	0	5	49	56

This year there was a rise in containment and seclusion approved applications. These approvals represent, respectively, 0.2% and 0.14% of total guardianship lodgements for 2015-16.

## Limitation orders 2015-16

Limitation order type	Number made	
	2014-15	2015-16
Adult evidence order	2	0
Closure order	0	1
Non-publication order	1	3
Confidentiality order	31	28
No orders made	28	29
<b>Total applications received</b>	<b>62</b>	<b>61</b>

If the Tribunal is satisfied it is necessary to avoid serious harm or injustice to a person it may make a limitation order under the *Guardianship and Administration Act 2000*.

Limitation orders include:

- adult evidence orders where information is obtained from an adult concerned at a hearing in the absence of anyone else.
- closure orders where all or part of a hearing is closed to all or a specific group or person.
- non-publication orders that prevent publication of information about a Tribunal proceeding.
- confidentiality orders that restrict access by another party to a relevant document or information.

There was little change in the number of limitation orders made in 2015-16 compared to the previous year.

## Minor Civil Disputes

Minor civil disputes, although civil disputes, are managed by our Client Services team and through Magistrates Courts across Queensland. They are the bulk of the Tribunal's filings.

Minor civil disputes include:

- urgent residential tenancy disputes
- disputes under \$25,000:
  - non-urgent residential tenancy
  - consumer/trader disputes
  - trader/trader disputes
  - claims for property damage arising out of the use of a vehicle
  - claims for repair of a defect in a motor vehicle
  - fencing disputes
  - minor debts.

## Initiatives

### User engagement

In 2015/16, the Tribunal started sending SMS alerts to people who lodged non-urgent residential tenancy applications. The SMS confirmed QCAT had received the application and provided applicants with their case number. In 2015-16, 5626 SMS alerts were sent, reducing incoming calls regarding these matters by 62%.

### Justice of the Peace initiative

In 2015-16 there was an independent review of our Justice of the Peace (JP) initiative. Justices of the Peace have been a part of QCAT for three years, hearing matters in Brisbane, Ipswich, Maroochydore, Southport and Townsville. The independent review evaluated the initiative's success against its five objectives:

1. Reduce time taken to finalise minor civil dispute applications and improve clearance rates.
2. Reduce the cost of hearing minor civil disputes.
3. Enable QCAT adjudicators and magistrates to hear more complex matters.
4. Provide opportunities to develop and expand JPs' skills.
5. Contribute to improving justice system administration and access for Queenslanders.

Following assessment of the evaluation, the Honourable Yvette D'Ath MP, Attorney-General and Minister for Justice announced JPs will now form part of business-as-usual operations within QCAT and continue in the five locations.

Under the initiative a panel of two JPs, one of whom must be legally qualified, constitute the Tribunal to resolve minor civil disputes up to \$5000 including:

- non-urgent residential tenancy disputes
- minor debt matters
- consumer and trader disputes
- dividing fence matters
- motor vehicle property damage disputes.



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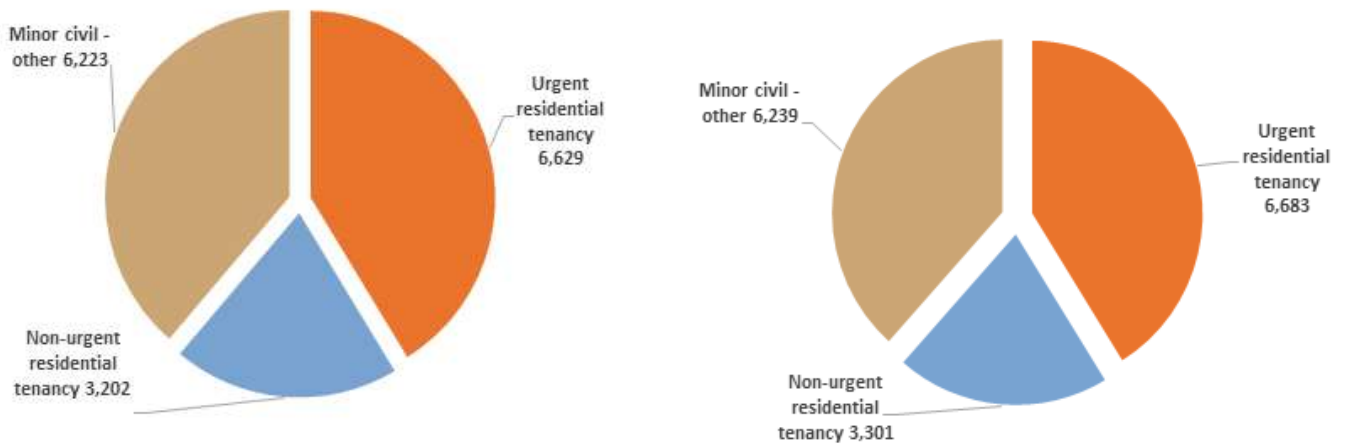
### A year in the life of QCAT JPs

- 72 JPs were reappointed in June 2016.
  - JPs heard 3332 matters in 2015-16 across five locations.
  - There are a low number of adjournments (13%), complaints (0.48%) and appeals (1.2%) from JP matters.
  - This year's client research showed 59% of those who responded agreed with QCAT's decision in their matter and 58% agreed or strongly agreed the QCAT member (JP) had appropriate knowledge and skills.
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Relevant 2015-16 outcomes are provided here.

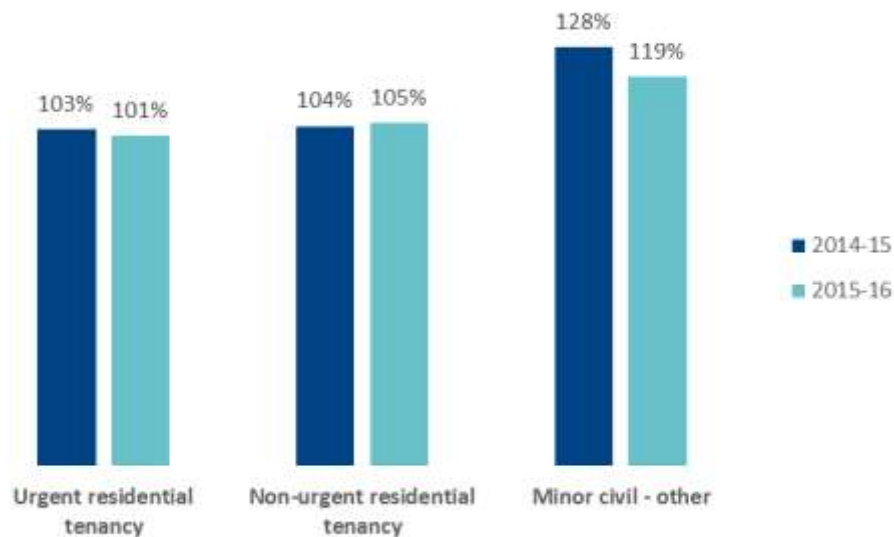
Site location	Hearings		Adjournments		Adjournment rates	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Brisbane	2014	1835	187	231	9%	13%
Ipswich	203	193	16	27	8%	14%
Maroochydore (M'dore)	207	272	11	16	5%	6%
Southport	774	737	85	135	11%	18%
Townsville	226	295	17	35	8%	12%

## Facts and figures



### Minor civil dispute lodgements 2014-15 and 2015-16\*

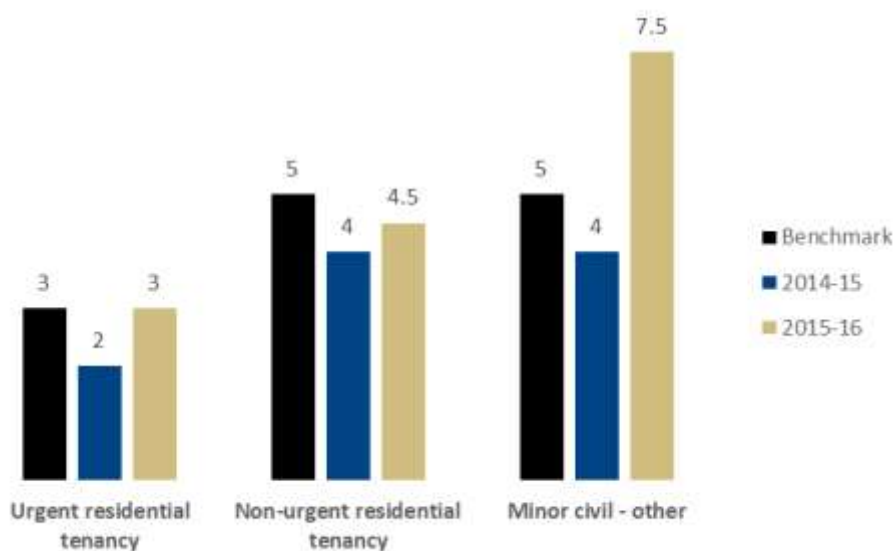
Total minor civil dispute QCAT lodgements remained consistent with 2014-15, while non-urgent residential tenancy matters increased 3%.



### Minor civil dispute clearance rates 2014-15 and 2015-16\*

A 4% clearance rate reduction accompanied the lodgement reduction this year, with the biggest fall being in 'other minor civil' matters (9%). These matters cover a wide range of disputes of varying complexity including minor debt, consumer and fence matters.

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



#### Minor civil dispute matters' weeks to hearing

The benchmark for weeks to hearing for urgent and non-urgent tenancy matters was met. Other minor civil matters, which consist of fence, minor debt and consumer matters, exceeded their performance benchmark by 2.5 weeks.

Residential tenancy applications processed 2015-16	2014-15	2015-16
Total received	9831	9984

Application numbers for residential tenancy disputes remained consistent in 2015-16

Residential tenancy application types	2014-15	2015-16	Difference
Termination for rent arrears	4311	4312	1
Termination for objectionable behaviour	115	151	36
Termination for repeated breaches	341	289	-52
Termination for lessor's excessive hardship	267	308	41
Termination for tenant's excessive hardship	314	315	1
Termination for domestic violence	8	7	-1
Termination for damage/injury	8	36	28
Emergency repairs	26	31	5
Rental increase/decrease	61	79	18
Tribunal order on abandoned premises	56	68	12
Application for unjust listing	639	626	-13
Application for proposed listing	47	37	-10
General disputes	1943	1638	-305
Bond disputes	885	1038	153
Miscellaneous/other	810	1049	239

#### Residential tenancy application types 2014-15 and 2015-16

In 2015-16 there was a significant decrease in applications for general disputes and an increase in applications for other matters such as service charges or tenancy changes (miscellaneous/other). General disputes are dispute that may involve a number of issues.

Residential tenancy hearings and matters finalised	2014-15	2015-16
Adjournments	1446	1440
Hearings	13,447	13,989
Matters finalised	10,219	10,253
Warrants of possession issued	2877	2636

#### Residential tenancy hearings and finalisations 2014-15 and 2015-16

The number of residential tenancy hearings increased slightly this year by 4% however the rate of adjournment and finalisation of matters remained relatively consistent to that in 2014-15. There was an 8% decrease in the number of warrants of possession issued.

Residential tenancy reopenings and appeal lodgements	2014-15	2015-16	Difference
Reopenings lodgements	124	140	16
QCAT Appeal Tribunal lodgements	395	345	-50

#### Residential tenancy reopenings and appeal lodgements QCAT managed 2014-15 and 2015-16

There was a 11.5% increase in the number of reopening applications in 2015-16 and a 13% decrease in the number of applications for leave to appeal residential tenancy decisions.

## QCAT in action

John, a builder, filed a claim for minor civil dispute for unpaid work under a building contract with Bill, a homeowner. Bill said he was not responsible for the debt because the charges were excessive and he had been billed for work he did not authorise.

John had not taken his dispute through the early dispute resolution process required under the *Queensland Building and Construction Commission Act*. A party cannot file an application for a building dispute unless the dispute has been through the QBCC dispute resolution process.

**The Tribunal dismissed John's claim for lack of jurisdiction. The Appeal Tribunal confirmed the Tribunal's decision, saying that the dispute was a building dispute, mediation through the QBCC was a necessary pre-condition to the Tribunal's jurisdiction and, because John did not go through that process, the Tribunal had no jurisdiction.**

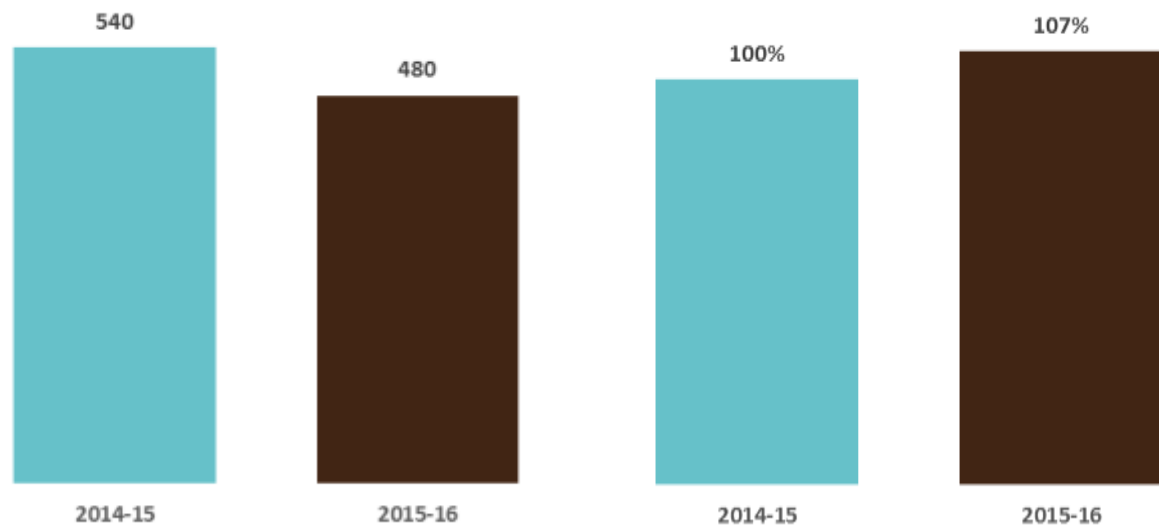
## Appeals Division

The 2015-16 appeal applications represent an 11% decrease on 2014-15 (which, in itself, experienced an 8% decrease on 2013-14).

### Appeals lodgements to the QCAT Appeal Tribunal.

The rate of appeal to the Court of Appeal is extremely low when compared to the total number of finalisations – 0.02%.

### Facts and figures



#### Appeal lodgements to the QCAT Appeal Tribunal

#### QCAT Appeal Tribunal clearance rates

Data	2014-15	2015-16
Appeals from decisions of the Appeal Tribunal	21	18
Appeals from QCAT in its original jurisdiction	4	5

#### Appeals to the Court of Appeal

# Effective Dispute Resolution

The provision of effective alternative dispute resolution (ADR) is central to QCAT’s obligation, and ability, to provide accessible, fair, just, economical, informal and quick justice.

Tribunal staff, together with the Department of Justice and Attorney-General’s Dispute Resolution Branch (DRB), conduct minor civil dispute mediations in Brisbane. In the regions, DRB conducts all mediations. This year 72% of mediation users were happy with their outcomes and 92% were happy with the overall conduct of the mediation process. We experienced a 6% increase in mediation settlement rates this year.

Compulsory conferences continue to be an effective dispute resolution tool. Our compulsory conference settlement rate increased by 4% to 56%. Returning to early referral to compulsory conferences has improved our settlement rate. We expect that, as the trial continues, early referral to compulsory conferences will better inform the parties about evidential requirements and what to expect in a hearing. We anticipate that, when parties are better informed, the rate of adjournments will drop and the days required for hearing will reduce.

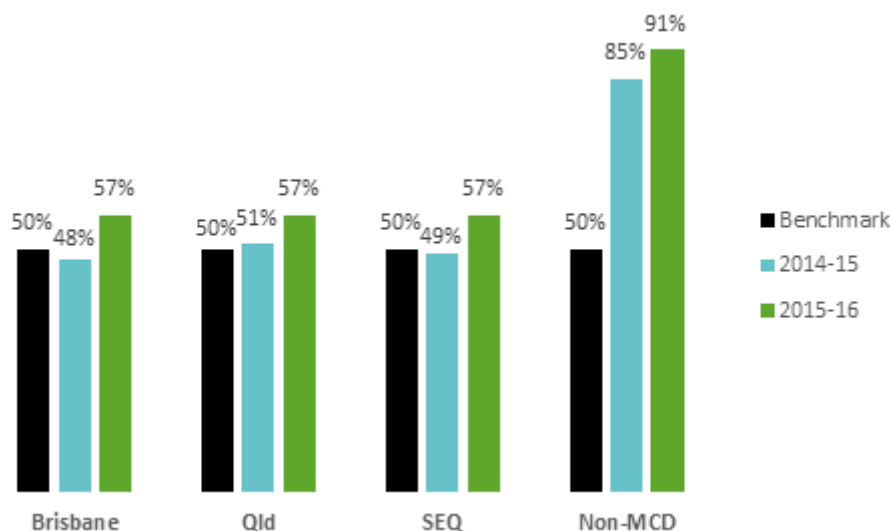
Hybrid hearings continue to be a useful alternative to a full ADR and hearing model in some jurisdictions, such as animal management and trees, where very quick decisions may be required.

## Initiatives

This year we initiated:

- eMediations and compulsory conferences through the trial use of Skype technology
- the adoption of the process advisory mediation model in MCD mediations, which requires the mediator to be a source of expert information regarding QCAT procedure
- early referral to compulsory conference in civil and anti-discrimination disputes.

## Facts and figures



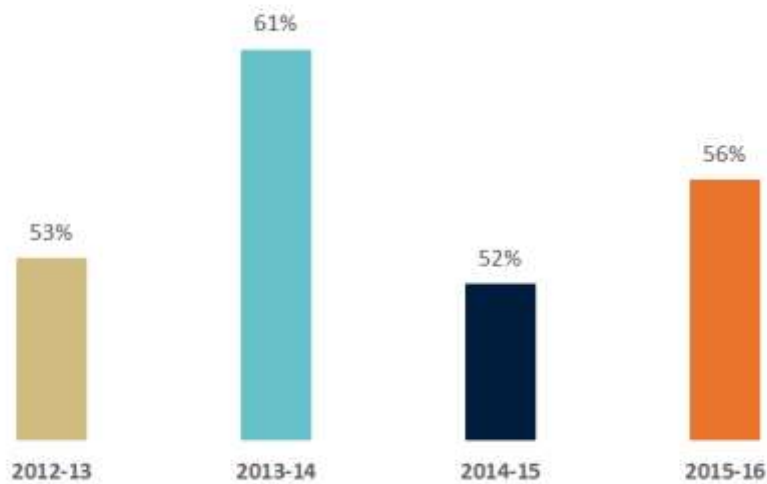
### QCAT mediation settlement rates: 2014-15 to 2015-16

Our minor civil dispute settlement rates increased statewide by 6% and Brisbane mediation settlements improved 9% (these rates include mediations conducted by both QCAT and DRB mediators).

Organisation	2014-15	2015-16	Difference
QCAT	82	89	7
DRB	1964	2020	56
<b>Total</b>	<b>2046</b>	<b>2109</b>	<b>63</b>

**Number of MCD mediations conducted statewide**

The Department of Justice and Attorney-General’s Dispute Resolution Branch (DRB) receives QCAT mediation referrals for matters outside Brisbane through Magistrates Courts statewide. DRB conduct a significant proportion of minor civil dispute mediations with slight increases recorded for 2015-16.



**Compulsory conference settlement rates 2012-2016**

The 56% settlement rate for 2015-16 is inclusive of all compulsory conferences with the exception of blue card and general administrative reviews and occupational regulation as these matters undergo compulsory conferences to clarify and narrow the issues rather than finalisation. The overall finalisation rate inclusive of these matters is 47%.

# Managing the Tribunal

## Our governance

QCAT's well-established governance structure has clear lines of authority and accountability to ensure the Tribunal maintains the highest standards of decision making and corporate integrity.

### Senior Leadership Group

The senior leadership group of the Tribunal comprises the presidential members, the senior members, the Executive Director and the Principal Registrar. The leadership group meets for the purposes of coordinating the management of the Tribunal.

## Tribunal composition – members

### Presidential members

#### Justice David Thomas, President

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

Justice Thomas was admitted as a solicitor of the Supreme Court of Queensland in 1979, and had more than 30 years' experience in dispute resolution and commercial litigation before becoming President of the Tribunal.

#### Judge Suzanne Sheridan, Deputy President

Judge Suzanne Sheridan was appointed as a Judge of the District Court of Queensland in November 2014, and as Deputy President of QCAT in November 2015. Prior to that, her Honour had spent more than 25 years in a major law firm, 10 of them as a partner, where she specialised in commercial litigation and dispute resolution.

Her Honour has held a range of professional and leadership positions, including part-time member of the Queensland Building Tribunal and part-time member of the Queensland Law Reform Commission.

### Supplementary members

Under the QCAT Act, the Attorney-General and Minister for Justice may appoint a person to be a supplementary member of the Tribunal. Only a Supreme Court Judge, District Court Judge or Magistrate can be appointed in this role. Details of QCAT's 2015-16 supplementary members are included in [Appendix 1](#).



## Senior members

Senior members are responsible for effectively and efficiently managing lists within the Tribunal's divisions and to hear and decide matters.

As at 30 June 2016 QCAT has four appointed senior members.

- Ian Brown
- Clare Endicott
- Kerrie O'Callaghan
- Peta Stilgoe OAM.

Senior member appointment details are included in [Appendix 2](#).

## Ordinary members

Ordinary members hear and decide matters within the Tribunal as the President determines appropriate. They are generally appointed on a full time or sessional basis. A small number of members are part time.

### Full time and part time members

As at 30 June 2016, QCAT has 9 appointed full time and three part time members. Member appointment details are included in [Appendix 3](#).

### Sessional members

As at 30 June 2016, QCAT has 97 sessional members, 18 more than the previous year, including three who are concurrently part-time adjudicators and one who is concurrently appointed as a part-time ordinary member.

The additional sessional member appointees bring a range of specialist expertise in areas such as child protection, building, retail shop leases and alternative dispute resolution. Sessional member appointment details are included in [Appendix 4](#).

## Adjudicators

Adjudicators hear and decide minor civil disputes throughout Southeast Queensland and, as required, other types of matters.

As at 30 June 2016, QCAT has nine appointed adjudicators including six appointed on a part-time basis. Adjudicator appointment details are included in [Appendix 5](#).

## Justices of the Peace

QCAT justices of the peace have undergone specialised training and assessment before being recommended to Governor-in-Council for appointment.

As at 30 June 2016, QCAT has 83 appointed justices of the peace comprising 28 legally qualified, and 55 non-legally qualified. Justice of the Peace appointment details are included in [Appendix 6](#).

## **Tribunal's composition – registry and administrative support**

QCAT's registry acts as the administrative arm of the Tribunal. Executive Director, Mary Shortland and Principal Registrar, Louise Logan lead the registry of 111 staff.

The registry case management is organised in two divisions:

- The Human Rights division that deals with guardianship and administration, child protection and anti-discrimination matters.
- The Civil, Administrative and Disciplinary division that manages a range of civil disputes including building and body corporate disputes, other complex civil disputes, reviews of administrative decisions of various Queensland Government departments, local governments or regulatory authorities. It also looks after disciplinary matters for various professions. The processing of minor civil disputes, part of the Civil Division, is carried out in the registry's Client Services team.

A Registrar and Deputy Registrar lead each division.

Other teams support the Tribunal's work through alternative dispute resolution, frontline client service, hearing and scheduling support, and corporate and legal services. Each team's leader, together with the Registrars and the Principal Registrar, make up the registry management team. The Executive Director chairs the management team that has oversight of the registry's operational and strategic direction.

As at 30 June 2016, the registry has 111 permanent positions, and five temporary hearing support officers employed for the Justices of the Peace initiative. In 2015-16 seven trainees completed a Certificate III in Business Administration and one trainee completed a Certificate III in Information, Digital Media and Technology.

Of the staff working in the registry there are 92 women (76%) and 35 men (28%), with 22 staff employed on part-time arrangements. There were no early retirement, redundancy or retrenchment packages awarded in 2015-16. During this reporting period, there has been a 3.6% separation rate.

## **Tribunal's composition – ancillary**

### **Legal practitioner and lay panel**

In accordance with the *Legal Profession Act 2007*, a Supreme Court Judge must hear and decide disciplinary matters for legal practitioners. One lay panel member and one legal practitioner panel member must assist the Tribunal. The Governor in Council appoints people to these respective panels. There were no changes to the panel in 2015-16.

## Assessors in health matters

In accordance with the *Health Ombudsman Act 2013*, a judicial member, with assistance from an assessor from the public panel of assessors and two assessors from the professional panel of assessors, constitute the Tribunal for hearing and deciding disciplinary matters for health practitioners. The Governor-In Council appoints panels on the Minister for Health's recommendation. The professional panels are classified by speciality. On 27 August 2015, 150 assessors were appointed to the panels for terms of between three and five years.

## 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, who are qualified arborists, may conduct onsite assessment for tree disputes, provide written reports to the Tribunal and give expert evidence in a proceeding.

As at 30 June 2016, 19 tree assessors provide service throughout Queensland including Cairns, Hervey Bay, Gold Coast, Rockhampton, South East Queensland and Townsville. Assessor appointments are included in [Appendix 7](#).

## Retail shop lease mediators

The Attorney-General appoints retail shop lease mediators who conduct mediations once a dispute notice is lodged. The QCAT registry manages the mediator list. If mediation does not resolve the dispute, the matter can be referred to QCAT for a hearing. There were no changes to the mediator list in 2015-16.

## Our legislative framework

### Changes to the QCAT Act

In 2015 – 16 the *Queensland Civil and Administrative Tribunal Act 2009* was amended to extend the Justice of Peace Trial provisions.

### QCAT Rules and Regulation amendments

The Queensland Civil and Administrative Tribunal Rules 2009 were amended by the Queensland Civil and Administrative Tribunal Legislation Amendment Regulation (No. 1) 2016 to implement changes to filing, service and other miscellaneous changes.

Amendments to the Queensland Civil and Administrative Tribunal Regulation 2009 were also made in 2015-16, including changes to the prescribed fees and schedules.

### Changes to enabling legislation

Amendments to enabling legislation that commenced this year were:

- *Civil Partnerships Act 2011*
- *Guide, Hearing and Assistance Dogs Act 2009*.

## Practice directions

In 2016 four new practice directions were published:

### Practice Direction No 4 of 2015

*QCAT Registry Christmas Closure – 2015*

Effective: 27 October 2015

### Practice Direction No 5 of 2015

*Searching QCAT proceedings and obtaining copies of QCAT documents*

Effective: 1 November 2015

### Practice Direction No 6 of 2015

*Process for administrative reviews in child protection matters*

Effective: 24 November 2015

### Practice Direction No 1 of 2016

*Completing and submitting approved QCAT forms online and other electronic filing*

Effective: 4 April 2016

Update effective: 29 June 2016

Amendments were made to the following practice directions:

### Practice Direction No 3 of 2013

Hearings in Administrative Review Proceedings

Effective: 6 May 2013

Updated: 23 November 2015

### Practice Direction No 2 of 2011

Electronic filing of applications and other documents in minor debt proceedings

Updated: 4 April 2016

Comprehensive external and internal stakeholder communication accompanied this revision.

## Open Data

2015-16 QCAT application lodgements listed by postcode are available on the [Queensland Government's Open Data website](#).

## Committees

### Rules Committee

QCAT's Rules Committee has responsibility for developing and reviewing the Tribunal's rules and forms approved for use under the QCAT Act. As required by the QCAT Act, the Rules Committee is constituted by the President, Deputy President, a full time senior or ordinary member and a member who is not an Australian lawyer constitute the committee. The President may appoint other members as considered appropriate.

In 2015-16 the committee reviewed four forms. Legislative, practice direction or procedure change usually predicated a form review.

In addition, the committee approved significant amendments to the QCAT Rules to enable QCAT to advance e-filing of applications.

The committee also approved minor amendments to the instructions of Form 3 - Application for minor civil dispute - minor debt. The changes were associated with a practice direction that prescribes which documents can be electronically filed with the Tribunal.

### Education, Training and Resources Committee

Our Education, Training and Resources Committee is responsible for overseeing the member training schedule. Membership of the Committee was refreshed in November 2015 following a call for Expressions of Interest. Judge Sheridan, Deputy President of QCAT, sits as Chair of the Committee.

This year, the committee organised a member conference in March 2016, and a statewide two day conference for members, sessional members and adjudicators to be held in November 2016. The second day of the conference is being organised as a joint initiative with the Administrative Appeals Tribunal, and with the support of the Council of Australasian Tribunals. It is intended in future to work with other Tribunals and courts in organising joint training sessions.

### Alternative Dispute Resolution Committee

The purpose of the Alternative Dispute Resolution Committee is to provide training opportunities for members and staff and promote the use of ADR as a time efficient, cost effective dispute resolution alternative.

### eStrategy Committee

The eStrategy committee was a recommendation from the members' process review initiative which was endorsed at the members' workshop in May 2015.

The purpose of the committee to ensure that both registry and members are engaged in the identification, development, implementation and review of technology solutions. The committee will achieve this purpose by centralising and coordinating all projects that involve the use of technology.

## **MCD Committee**

The MCD committee had not met for a number of years. As a result of the members' process review initiative, the committee was reinstated this year.

The purpose of the committee is to identify, and discuss implementation of, strategies in the minor civil disputes jurisdiction to assist in the efficient operation of both the Tribunal and the Magistrates Courts.

## **Online Services Committee**

The Online Services Committee is established to oversee the QCAT online services (including forms) project development and implementation. This committee manages these online services and is responsible for project outputs and attainment of relevant trial outcomes.

In 2015-16 the committee met formally once, and through working groups developed and implemented four online services, including:

- online QCAT form 58 – notice of withdrawal of application or referral
- online QCAT form 3 – application for minor civil dispute – minor debt, inclusive of a shopping cart facility
- online QCAT form 56 – application for leave to be represented
- an online tool enabling public to search and copy QCAT documents.

In 2016-17 the committee will continue developing and implementing online services.

## **Process Review Committee**

During 2015, QCAT undertook a project to examine:

- the way matters progress at QCAT
- interaction between the registry and members
- the QCAT user experience.

The aim was to identify ways in which the Tribunal's processes could be improved. The process review committee's task was to collate and coordinate this work, culminating in a one-day workshop in May 2016.

The review has resulted in a number of valuable recommendations; some of which can be implemented in the short term whereas others will require significant resources and/or legislative change. The process review committee will coordinate the implementation of the recommendations including the priority for each recommendation and the allocation of resources to each project.

# Our future

The QCAT Strategic Plan 2015-19 details the Tribunal’s four short and medium term priorities that form the basis of delivering fair and just outcomes. As part of our long term workforce planning, we have looked beyond the annual horizon to gauge social, government and legal issues that may impact QCAT. This informed our 2015-19 strategic plan review and helped formulate our 2016-17 business plan.

Our annual business plans provide the operational initiatives for ongoing innovation and collaboration opportunities. Delivering these opportunities will ensure we realise the strategic plan’s benefits. Trends, issues and their potential initiatives and performance indicators are:

## QCAT 2016-17 business plan

Trends and issues	2016-17 initiatives	Performance indicators
Continuing increase in filings.	<ul style="list-style-type: none"> <li>• Implement an online services program in conjunction with the department’s online roadmap.</li> </ul>	<ul style="list-style-type: none"> <li>• Delivery of online services.</li> </ul>
	<ul style="list-style-type: none"> <li>• Build accessibility through fit-for-purpose premises that provide the right space to deliver our services.</li> </ul>	<ul style="list-style-type: none"> <li>• Accommodation options reviewed and presented to the department.</li> </ul>
	<ul style="list-style-type: none"> <li>• Develop options for regional access and build on service delivery partnerships.</li> </ul>	<ul style="list-style-type: none"> <li>• Review and improve in the engagement, training and development of Magistrates court staff delivering frontline QCAT services.</li> </ul>
Ongoing service delivery with limited resources.	<ul style="list-style-type: none"> <li>• Work with legal and community organisations to ensure ongoing community access to support and assistance services.</li> </ul>	<ul style="list-style-type: none"> <li>• Support QPILCH to provide 250+ QCAT client appointments.</li> <li>• Support Court Network to provide support to 9000+ QCAT clients.</li> </ul>
	<ul style="list-style-type: none"> <li>• Streamline services through business process improvement projects.</li> </ul>	<ul style="list-style-type: none"> <li>• Finalisation of phase one projects in searches, archiving and retrieval.</li> </ul>
	<ul style="list-style-type: none"> <li>• Respond to QCAT Review.</li> </ul>	<ul style="list-style-type: none"> <li>• Implement recommendations (subject to confirmation).</li> </ul>
	<ul style="list-style-type: none"> <li>• Work with the government to develop a sustainable budget to support the Tribunal.</li> </ul>	<ul style="list-style-type: none"> <li>• An agreed budget that provides financial sustainability for QCAT.</li> </ul>



Trends and issues	2016-17 initiatives	Performance indicators
	<ul style="list-style-type: none"> <li>• JP initiative business-as-usual transition.</li> </ul>	<ul style="list-style-type: none"> <li>• Weeks to hearing benchmark, enable adjudicators and magistrates to hear more complex matters.</li> </ul>
<p>Increased number of guardianship cases with more clients aged 65 years and older, and more appointments resulting from the NDIS.</p>	<ul style="list-style-type: none"> <li>• Implement QCAT NDIS services.</li> <li>• Conduct hospital hearings trial with Queensland Health.</li> <li>• Implement recommendations from the Queensland Law Reform Commission's inquiry into guardianship legislation.</li> </ul>	<ul style="list-style-type: none"> <li>• Review the impact of the NDIS, provide feedback and improve disability support service delivery.</li> <li>• 3-4 week hearing timeframes, cost savings, improved rehabilitation.</li> <li>• Implement recommendations (subject to confirmation).</li> </ul>
<p>Expanded use of alternative dispute resolution to more jurisdictions, particularly with this year's proven effectiveness in cases as diverse as building and children's matters, resulting in pressure on ADR Resources.</p>	<ul style="list-style-type: none"> <li>• Continue to implement Queensland Child Protection Commission of Inquiry recommendations.</li> <li>• Review neighbourhood dispute resolution (NDR) process.</li> <li>• Develop the use of QCAT registry mediators for NDR.</li> <li>• Progress online dispute resolution service options.</li> <li>• Review agreements with partners.</li> <li>• Build the available physical resource through fit for purpose premises that provide adequate facilities for ADR.</li> </ul>	<ul style="list-style-type: none"> <li>• Implement recommendations: <ul style="list-style-type: none"> <li>– child inclusive and age appropriate processes (ie increased use of child and youth advocates)</li> <li>– timely consideration to reduce unnecessary delays and dismissal of matters</li> <li>– publish outcomes achieved through compulsory conference process.</li> </ul> </li> <li>• Conduct trial and evaluation.</li> <li>• Delivery of online dispute resolution model trial.</li> <li>• Review and monitor service level agreements with Magistrates Courts and the department's Dispute Resolution Branch.</li> <li>• Accommodation and fit out reviewed and options presented to the department.</li> </ul>

Trends and issues	2016-17 initiatives	Performance indicators
Ongoing growth in the volume of state legislation and, as a result, our review jurisdiction.	<ul style="list-style-type: none"> <li>• Contribute to statutory reviews including the <i>Neighbourhood Disputes (Dividing Fences and Trees) Act 2011</i>.</li> </ul>	<ul style="list-style-type: none"> <li>• Implement outcomes (subject to confirmation).</li> </ul>
Need to train and retain staff to support consistent, high quality service delivery.	<ul style="list-style-type: none"> <li>• Appoint and retain decision makers.</li> </ul>	<ul style="list-style-type: none"> <li>• Appointment of sessional members.</li> </ul>
	<ul style="list-style-type: none"> <li>• Action outcomes of the Queensland Employee Opinion survey through QCAT's Workforce Reinvigoration Program.</li> </ul>	<ul style="list-style-type: none"> <li>• Maintain staff satisfaction level.</li> <li>• Develop and implement the QCAT Workforce Plan.</li> <li>• 50% staff satisfaction with PEP processes.</li> </ul>
	<ul style="list-style-type: none"> <li>• Manage JP initiative.</li> </ul>	<ul style="list-style-type: none"> <li>• 50% reduction in average time between minor civil dispute application and hearings.</li> <li>• Ongoing retention of appointed JPs.</li> <li>• Ongoing low appeal, adjournment and complaint rate.</li> </ul>

# Appendices

## Appendix 1 – Supplementary member appointments

Name	Position	Appointment start date	Appointment end date	Notes
Justice Tim Carmody	Supplementary member	02/07/2015	21/10/2016	
Justice Clifton Ralph Russell Hoeben AM RFD	Supplementary member	18/01/2016	17/01/2017	

## Appendix 2 – Senior member appointments

Name	Position	Appointment start date	Appointment end date	Notes
Ian Brown	Senior member	29/05/2015	28/05/2020	
Clare Endicott	Senior member	29/05/2015	28/05/2020	
Kerrie O'Callaghan	Senior member	01/01/2010	31/12/2019	
Peta Stilgoe OAM	Senior member	03/01/2012	02/01/2017	

## Appendix 3 – Member appointments

Name	Position	Appointment start date	Appointment end date	Notes
James Allen	Member	01/12/2009	30/11/2019	
Joanne Browne	Member	18/07/2014	17/07/2019	
Bridget Cullen	Member	01/12/2009	30/11/2019	
Julie Ford	Member	01/12/2009	30/11/2019	
Susan Gardiner	Member	29/05/2015	28/05/2020	
Jeremy Gordon	Member **	29/05/2015	28/05/2020	
Tina Guthrie	Member	29/05/2015	28/05/2020	
Patricia Hanly	Member	01/12/2009	30/11/2019	
Michelle Howard	Member	01/12/2009	30/11/2019	
Bevan Hughes	Member	18/07/2014	17/07/2019	
David Paratz	Member	26/10/2012	25/10/2017	
Samantha Traves	Member	29/05/2015	28/05/2020	

\*\* Appointed concurrently as a sessional member and part-time ordinary member.

## Appendix 4 – Sessional member appointments

Name	Position	Appointment start date	Appointment end date	Notes
William Allen	Sessional member	26/09/2014	25/09/2017	
Adrian Ashman	Sessional member	01/12/2014	30/11/2017	
Kenneth Barlow	Sessional member	01/12/2009	30/11/2017	
Barbara Bayne	Sessional member	01/12/2009	30/11/2017	
Philippa Beckinsale	Sessional member	01/12/2009	30/11/2017	
Catherine Benson	Sessional member	12/11/2010	30/11/2017	
Peter Bridgeman	Sessional member	01/04/2016	31/03/2021	
Susan Burke	Sessional member	01/04/2016	31/03/2021	
Gerald Byrne	Sessional member	12/11/2010	30/11/2017	
John Carey	Sessional member	12/11/2010	30/11/2017	
Julia Casey	Sessional member	01/12/2009	30/11/2017	
Leslie Clarkson	Sessional member	01/12/2009	30/11/2017	
Roxanne Clifford	Sessional member	01/04/2016	31/03/2021	
Joanne Collins	Sessional member	26/09/2014	25/09/2017	
Alison Colvin	Sessional member	26/09/2014	25/09/2017	
Nelson Cooke QC	Sessional member	26/09/2014	25/09/2017	
Simon Coolican	Sessional member	12/11/2010	30/11/2017	
William Crane	Sessional member	26/09/2014	25/09/2017	
Alexander Crawford	Sessional member *	01/12/2009	30/11/2017	
Beverley Day	Sessional member	01/04/2016	31/03/2021	
Sandra Deane	Sessional member	12/11/2010	30/11/2017	
Michelle Dooley	Sessional member	01/12/2009	30/11/2017	
Paul Favell	Sessional member	01/12/2009	30/11/2017	
Penelope Feil	Sessional member	01/12/2009	30/11/2017	
Jennifer Felton	Sessional member	01/12/2009	30/11/2017	
Ann Fitzpatrick	Sessional member	01/12/2009	30/11/2017	
Fiona Fitzpatrick	Sessional member	01/12/2011	30/11/2017	
John Forbes	Sessional member	01/12/2011	30/11/2017	
April Freeman	Sessional member	26/09/2014	25/09/2017	
Pamela Goodman	Sessional member	01/12/2009	30/11/2017	
Jeremy Gordon	Sessional member **	01/12/2011	30/11/2017	
Simon Grant	Sessional member	26/09/2014	25/09/2017	
Murray Green	Sessional member	01/12/2011	30/11/2017	
Wendy Grigg	Sessional member	12/11/2010	30/11/2017	
Geoffrey Gunn	Sessional member	26/09/2014	25/09/2017	
Steven Holzberger	Sessional member	26/09/2014	25/09/2017	
Susann Holzberger	Sessional member	01/12/2009	30/11/2017	
Michael Howe	Sessional member *	12/11/2010	30/11/2017	
Elizabeth Hulin	Sessional member	01/12/2009	30/11/2017	
Nathan Jarro	Sessional member	01/12/2009	30/11/2017	
Ronald Joachim	Sessional member	01/12/2014	30/11/2017	

Name	Position	Appointment start date	Appointment end date	Notes
Mark Johnston	Sessional member	01/12/2009	30/11/2017	
Christine Jones	Sessional member	12/11/2010	30/11/2017	
Neil Judge	Sessional member	01/12/2009	30/11/2017	
Angela Julian-Armitage	Sessional member	26/09/2014	25/09/2017	
Sandra Kairl	Sessional member	01/12/2009	30/11/2017	
Paul Kanowski	Sessional member	01/12/2011	30/11/2017	
Dominic Katter	Sessional member	26/09/2014	25/09/2017	
Benjamin Kidston	Sessional member	01/04/2016	31/03/2021	
Elisa Kidston	Sessional member	01/04/2016	31/03/2021	
Terence King	Sessional member	11/09/2015	10/9/2020	
Robert King-Scott	Sessional member	12/11/2010	30/11/2017	
Peter Krebs	Sessional member	12/11/2010	30/11/2017	
Desmond Lang	Sessional member	01/12/2011	30/11/2017	
Emma Lanigan	Sessional member	01/04/2016	31/03/2021	
Ross Lee	Sessional member	26/09/2014	25/09/2017	
William LeMass	Sessional member *	17/06/2011	30/11/2017	
David Lewis	Sessional member	01/04/2016	31/03/2021	
Katherine Lindsay	Sessional member	01/12/2011	30/11/2017	
Stephen Lumb	Sessional member	26/09/2014	25/09/2017	
Stuart MacDonald	Sessional member	01/12/2009	30/11/2017	
Mary (Lynne) Matsen	Sessional member	01/04/2016	31/03/2021	
Donald McBryde	Sessional member	01/12/2009	30/11/2017	
Michael McCarthy	Sessional member	01/12/2009	30/11/2017	
Peter McDermott	Sessional member	11/06/2010	30/11/2017	
Louise McDonald	Sessional member	01/12/2009	30/11/2017	
Margaret McLennan	Sessional member	01/04/2016	31/03/2021	
John Milburn	Sessional member	01/12/2011	30/11/2017	
Elissa Morriss	Sessional member	01/12/2009	30/11/2017	
Gwenn Murray	Sessional member	01/12/2009	30/11/2017	
Thomas O'Donnell	Sessional member	26/09/2014	25/09/2017	
Robert Olding	Sessional member	01/04/2016	31/03/2021	
Louise Pearce	Sessional member	12/11/2010	30/11/2017	
Dianne Pendergast	Sessional member	01/04/2016	31/03/2021	
Wayne Pennell	Sessional member	12/11/2010	30/11/2017	
Graham Quinlivan	Sessional member	01/12/2009	30/11/2017	
Linda Renouf	Sessional member	01/04/2016	31/03/2021	
Ann-Maree Roche	Sessional member	26/09/2014	25/09/2017	
Bernadette Rogers	Sessional member	01/12/2011	30/11/2017	
Christine Roney	Sessional member	01/12/2011	30/11/2017	
Peter Roney QC	Sessional member	01/04/2016	31/03/2021	
Keta Roseby	Sessional member	12/11/2010	30/11/2017	
Richard Roylance	Sessional member	01/12/2009	30/11/2017	
Virginia Ryan	Sessional member	01/12/2011	30/11/2017	
Jennifer Sheean	Sessional Member	26/09/2014	25/09/2017	
Rosemary Stafford	Sessional member	01/12/2009	30/11/2017	

<b>Name</b>	<b>Position</b>	<b>Appointment start date</b>	<b>Appointment end date</b>	<b>Notes</b>
Daniel Stepniak (Dr)	Sessional member	01/04/2016	31/03/2021	
Susan Sullivan	Sessional member	01/12/2011	30/11/2017	
James Thomas	Sessional Member	11/09/2015	10/09/2020	
Glen Thorpe	Sessional member	01/04/2016	31/03/2021	
Gill Trafford-Walker	Sessional member	19/10/2012	18/10/2015	
James White	Sessional member	01/12/2011	30/11/2017	
Andrew Williams	Sessional member	12/11/2010	30/11/2017	
Tammy Williams	Sessional member	01/12/2009	30/11/2017	
Carolyn Windsor	Sessional member	01/12/2011	30/11/2017	
Paul Wonnocott	Sessional member	01/12/2011	30/11/2017	
Michael Wood	Sessional member	01/12/2009	30/11/2017	

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

\*\* Appointed concurrently as a sessional member and part-time ordinary member.

## Appendix 5 – Adjudicator appointments

Name	Position	Appointment start date	Appointment end date	Notes
John Bertelsen	Adjudicator	01/12/2009	30/11/2019	
Alexander Crawford	Adjudicator *	17/06/2011	30/11/2019	
Michael Howe	Adjudicator *	17/06/2011	30/11/2019	
Marcus Katter	Adjudicator	29/05/2015	28/05/2020	
William LeMass	Adjudicator *	01/12/2009	30/11/2019	
Gabrielle Mewing	Adjudicator	29/05/2015	28/05/2020	
Wayne Stanton	Adjudicator	29/05/2015	28/05/2020	
Alan Walsh	Adjudicator	18/07/2014	17/07/2019	
Anna Walsh	Adjudicator	29/05/2015	28/05/2020	

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

## Appendix 6 – Justice of the Peace appointments

Name	Legally qualified or non-legally qualified JP	Appointment start date	Appointment end date	Trial site	Notes
Adam Ozdowski	Legal	03/06/2016	13/11/2016	Brisbane	
Alan Collier	Legal	04/10/2013	03/10/2016	Brisbane	
Alan Guyder	Non Legal	28/06/2013	27/06/2016	Brisbane	Deceased
Alan Snow	Non Legal	28/06/2016	13/11/2016	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	03/06/2016	13/11/2016	Brisbane	
Angela-Marie James	Non Legal	03/06/2016	13/11/2016	Maroochydore	
Anthony Friel	Non Legal	03/06/2016	13/11/2016	Maroochydore	
Arron Hartnett	Legal	03/06/2016	13/11/2016	Brisbane	
Arthur Fry	Non Legal	03/06/2016	13/11/2016	Maroochydore	
Aunty Lynne Matsen	Non Legal	03/06/2013	02/06/2016	Brisbane	Appointed as sessional member 01/04/2016
Barry McPhee	Non Legal	03/06/2016	13/11/2016	Maroochydore	
Barry Vickers	Non Legal	03/06/2016	13/11/2016	Brisbane	
Bruce Cook	Non Legal	03/06/2013	02/06/2016	Southport	
Bruce Little	Non Legal	03/06/2016	13/11/2016	Maroochydore	
Bruce Starkey	Legal	03/06/2016	13/11/2016	Brisbane	
Bryan Carpenter	Non Legal	28/06/2016	13/11/2016	Brisbane	
Bryan Pickard	Legal	03/06/2016	13/11/2016	Maroochydore	
Carmel McMahon	Legal	03/06/2016	13/11/2016	Brisbane	
Carol Ann Rolls	Legal	28/06/2016	13/11/2016	Ipswich	
Carole Watson	Non Legal	28/06/2016	13/11/2016	Maroochydore	
Catherine O'Donnell	Non Legal	03/06/2016	13/11/2016	Brisbane	
Chiu-Hing Chan	Legal	03/06/2016	13/11/2016	Southport	
Christine Cuthbert-Steele	Non Legal	03/06/2016	13/11/2016	Ipswich	
Christopher John Mills	Legal	21/02/2014	20/02/2017	Townsville	
Darren Swindells	Non Legal	03/06/2016	13/11/2016	Ipswich	
Darryl Schmidt	Non Legal	03/06/2016	13/11/2016	Brisbane	
David Barkley	Legal	03/06/2016	13/11/2016	Brisbane	
David Phipps	Legal	03/06/2016	13/11/2016	Maroochydore	
Dayle Smith	Legal	04/10/2013	03/10/2016	Brisbane	
Deanna Minchio	Non Legal	28/06/2016	13/11/2016	Townsville	
Derek Struik	Legal	04/10/2013	03/10/2016	Brisbane	
Erin Horell	Non Legal	03/06/2013	02/06/2016	Townsville	
Fay Twidale	Non Legal	03/06/2013	02/06/2016	Ipswich	
Gary Gibson	Non Legal	03/06/2016	13/11/2016	Brisbane	
Gary Kirby	Non Legal	03/06/2013	02/06/2016	Brisbane	
Geoffrey Gunn	Legal	04/10/2013	03/10/2016	Brisbane	



Name	Legally qualified or non-legally qualified JP	Appointment start date	Appointment end date	Trial site	Notes
Gloria Beyers	Legal	03/06/2016	13/11/2016	Southport	
Graeme Rogers	Non Legal	28/06/2016	13/11/2016	Ipswich	
Hedley Rye	Non Legal	04/10/2013	03/10/2016	Southport	
Helen Staines	Non Legal	03/06/2016	13/11/2016	Southport	
James Anderson	Non Legal	28/06/2016	13/11/2016	Southport	
James Stackpoole	Non Legal	03/06/2016	13/11/2016	Brisbane	
Jane Hawkins	Non Legal	03/06/2016	13/11/2016	Brisbane	
Jason Lawler	Non Legal	03/06/2016	13/11/2016	Brisbane	
Jessica Mills	Legal	28/06/2016	13/11/2016	Ipswich	
Jim Gordon	Legal	28/06/2013	27/06/2016	Brisbane	
Joanne Myers-Cave	Non Legal	03/06/2016	13/11/2016	Maroochydore	
Jodie George	Non Legal	28/06/2016	13/11/2016	Southport	
John Crighton	Non Legal	03/06/2016	13/11/2016	Southport	
John Howie	Non Legal	03/06/2016	13/11/2016	Brisbane	
Karl McKenzie	Non Legal	03/06/2016	13/11/2016	Townsville	
Katherine Jane Fenwick	Non Legal	03/06/2016	13/11/2016	Brisbane	
Keith Stanton	Legal	03/06/2013	2/06/2016	Southport	
Kevin Erwin	Non Legal	03/06/2016	13/11/2016	Brisbane	
Lawrence Ballinger	Non Legal	03/06/2016	13/11/2016	Townsville	
Leigh Bernhardt	Non Legal	03/06/2016	13/11/2016	Southport	
Lexene Andrews	Non Legal	03/06/2013	02/06/2016	Maroochydore	
Linda Renouf	Legal	03/06/2013	02/06/2016	Brisbane	Appointed as sessional member 01/04/2016
Linda-Anne Griffiths	Legal	03/06/2016	13/11/2016	Ipswich	
Lisa Butson	Legal	04/10/2013	03/10/2016	Townsville	
Lisa Rennie	Legal	28/06/2013	27/06/2016	Brisbane	
Lynette Maguire	Non Legal	03/06/2016	13/11/2016	Maroochydore	
Malcolm Edmiston	Non Legal	03/06/2016	13/11/2016	Townsville	
Marian Goddard	Non Legal	03/06/2016	13/11/2016	Townsville	
Marilyn Heath	Non Legal	03/06/2016	13/11/2016	Maroochydore	
Mark Anthony	Non Legal	28/06/2016	13/11/2016	Ipswich	
Mejrem Mustafa	Non Legal	03/06/2016	13/11/2016	Southport	
Michael Corlett	Non Legal	03/06/2016	13/11/2016	Maroochydore	
Michael Francis	Legal	28/06/2016	13/11/2016	Brisbane	
Michael Lai	Non Legal	03/06/2016	13/11/2016	Brisbane	
Miles Heffernan	Non Legal	03/06/2013	02/06/2016	Southport	
Noel Payne OAM	Non Legal	03/06/2016	13/11/2016	Southport	
Paul Arthur	Legal	03/06/2016	13/11/2016	Brisbane	
Peter Cleary	Legal	04/10/2013	03/10/2016	Brisbane	
Peter Dollman	Non Legal	28/06/2016	13/11/2016	Brisbane	
Raelene Kell	Non Legal	03/06/2013	02/06/2016	Brisbane	
Raymond Kelly	Non Legal	28/06/2016	13/11/2016	Maroochydore	
Rob Martin	Legal	28/06/2016	13/11/2016	Southport	

Name	Legally qualified or non-legally qualified JP	Appointment start date	Appointment end date	Trial site	Notes
Robert Brummell	Non Legal	03/06/2016	13/11/2016	Brisbane	
Robert Denaro	Legal	04/10/2013	03/10/2016	Brisbane	
Roberta Scrivner	Non Legal	03/06/2013	02/06/2016	Brisbane	
Rodney Hilditch	Non Legal	03/06/2013	02/06/2016	Brisbane	
Roslyn Newlands	Non Legal	03/06/2016	13/11/2016	Brisbane	
Samantha Angus	Non Legal	03/06/2013	02/06/2016	Ipswich	Deceased
Samuel Hardin	Legal	03/06/2016	13/11/2016	Southport	
Sarah Bregonje	Non Legal	03/06/2013	02/06/2016	Ipswich	
Sean Goodsir	Non Legal	03/06/2016	13/11/2016	Ipswich	
Shirley Murray	Non Legal	03/06/2016	13/11/2016	Southport	
Simon Cox	Non Legal	28/06/2016	13/11/2016	Brisbane	
Stacey Morton	Non Legal	03/06/2016	13/11/2016	Brisbane	
Stephanie Wehrend	Non Legal	03/06/2013	02/06/2016	Brisbane	Resigned 13/07/2015
Stephen Osachuk	Non Legal	03/06/2016	13/11/2016	Southport	
Stephen Royce	Non Legal	03/06/2016	13/11/2016	Southport	
Stuart Smith	Non Legal	28/06/2016	13/11/2016	Southport	
Susan Maree Stubbings	Non Legal	03/06/2016	13/11/2016	Brisbane	
Suzanne McCormack	Legal	03/06/2016	13/11/2016	Brisbane	
Toby Latcham	Non Legal	03/06/2013	02/06/2016	Brisbane	
Troy Davison	Non Legal	03/06/2013	02/06/2016	Brisbane	
Trudi Jobberns	Legal	04/10/2013	03/10/2016	Southport	
Victoria Short	Legal	28/06/2016	13/11/2016	Ipswich	
Vincent Everett	Non Legal	03/06/2016	13/11/2016	Maroochydore	
Wendy Clark	Non Legal	03/06/2013	02/06/2016	Southport	Deceased
Dr William Thomas	Non Legal	28/06/2016	13/11/2016	Southport	
William Thomas	Legal	21/02/2014	20/02/2017	Townsville	

## Appendix 7 - Tree assessor appointments

Name	Appointment start date
Jan Allen	01/11/2011
Anthony Cockram	01/11/2011
Noel Fitzpatrick	01/11/2011
Sean Freeman	01/11/2011
Goetz Graf	01/11/2011
David Gunter	01/11/2011
Jonathon Hobbs	01/11/2011
Benjamin Inman	01/11/2011
Cameron James	01/11/2011
Simon Lonsdale	04/10/2013
Garry Rangi	04/10/2013
Steven Richards	04/10/2013
David Roberts	01/11/2011
Michael Sowden	01/11/2011
Andrew Stovell	01/11/2011
Roxanne Taylor	01/11/2011
Willem Taylor	01/11/2011
Adam Tom	01/11/2011
Jeremy Young	01/11/2011

