

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.

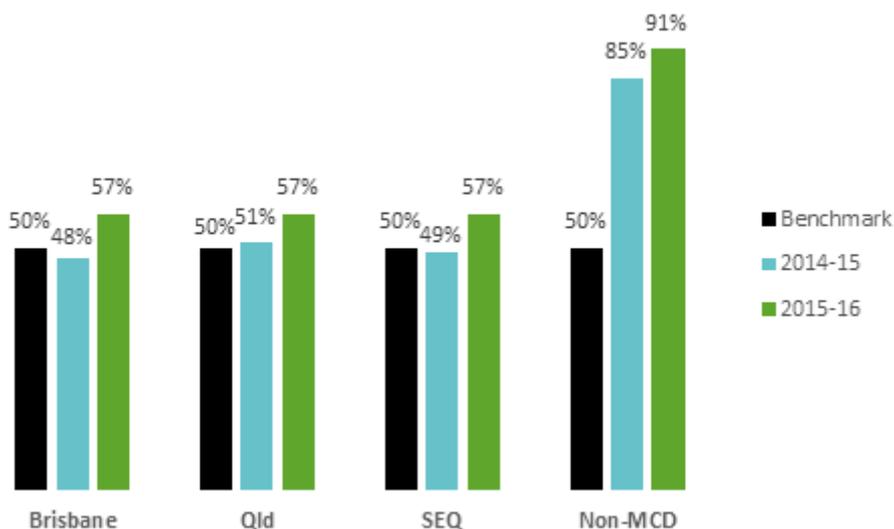
Hybrid hearings continue to be a useful alternative to a full ADR and hearing model in some jurisdictions, such as animal management and trees, where very quick decisions may be required.

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



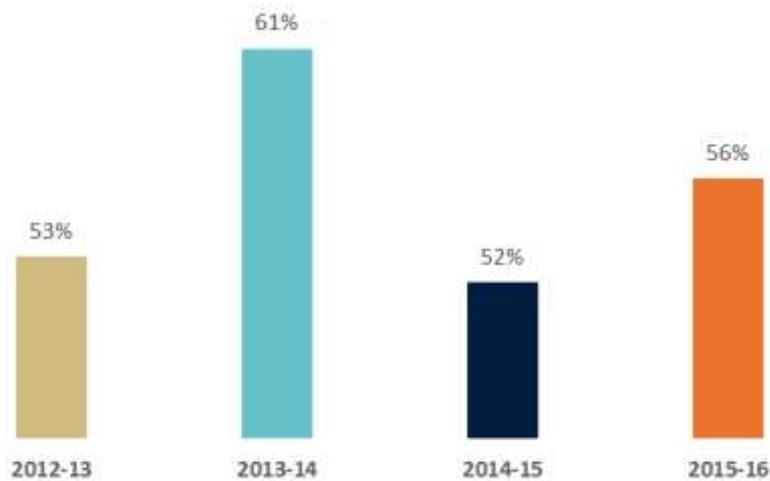
QCAT mediation settlement rates: 2014-15 to 2015-16

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
Total	2046	2109	63

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%.