

# Civil, Administrative and Disciplinary division

The Civil, Administrative and Disciplinary (CAD) division manages a wide range of applications including:

- appeals
- body corporate and community management
- child care
- commercial building
- community services
- disability services
- domestic building disputes
- fisheries
- independent assessor - Prostitution Act 1999
- liquor reviews
- local government levee bank
- manufactured homes
- minor civil disputes
- occupational regulation and disciplinary matters for teachers, architects, plumbers and drainers, doctors, nurses, vets, property agents, motor dealers etc
- retail shop leases
- retirement villages
- right to information
- taxation
- transport
- victims of crime
- weapons.

## Our year



In 2010-11, CAD continued to meet the expectations and dispute resolution needs of the community across a broad range of jurisdictions.

The CAD division delivered a 94 per cent clearance rate despite a 5 per cent increase in lodgements.

The majority of matters managed by the division were building disputes (484) and general administrative reviews (354). Key results include:

- 9 per cent increase in clearance rates for occupational regulation matters (from 108 per cent to 117 per cent)
- maintenance of clearance rates exceeding 100 per cent within the building and occupational regulation jurisdictions
- 94 per cent clearance rate for retail shop lease matters despite a rise in lodgements.

These results are achieved through hard work by the CAD division including communicating effectively with clients regarding tribunal procedures and processes, implementing standard directions to increase efficiency of proceedings, ongoing evaluation and continuous improvement of case management procedures, and collaborating with senior members and other registry divisions to ensure service improvement.

Case managers have undertaken extensive training in anticipation of commencement of the *Neighbourhood Disputes Resolution Act 2011*, which will continue throughout implementation in 2011-12.

The division continued to establish and maintain relationships with key stakeholders including government entities and individuals affected by matters before the tribunal such as building disputes or retirement village disputes. In addition to undertaking community education sessions, the team members regularly meet with a range of stakeholders to assess and improve case management processes.

## Looking forward

Pro-active case management and continuous improvement will remain CAD's focus in 2011-12.

Activities for development include a process mapping project for each jurisdiction from application to resolution for internal use to ensure consistency of service and process for staff and clients.

In 2011-12 the division will assist in the implementation of the *Neighbourhood Disputes Resolution Act 2011*, including liaison with tree assessors appointed throughout Queensland. The tree assessors will support the active resolution of tree disputes through the provision of expert advice to parties and the tribunal.

CAD will also undertake a comprehensive review of case management processes across all jurisdictions. This includes addressing concerns outlined in KPMG's *Report on the*

*Queensland Building Services Authority Organisation Review* published in June 2011. The report identified the need for clear communication with builders and consumers regarding QCAT's role in the building dispute resolution process in Queensland.

A series of strategic recommendations will also be implemented to ensure ongoing consistency and efficiency of administrative and disciplinary matters. This includes a commitment to accessible and comprehensible client information.

A significant focus in 2011-12 will be active participation in stakeholder and client engagement activities to continue to raise awareness of QCAT services and processes.

### **QCAT in action: Occupational regulation**

Frank is a 37-year-old who first registered as a teacher in Queensland in 2006.

In January 2008, the Queensland Police Service notified the Queensland College of Teachers (QCT) that Frank had been charged with an offence of indecent treatment of a child under 12 under his care (but not in his capacity as a teacher). QCT notified Frank of the suspension of his teacher registration in accordance with the *Education (Queensland College of Teachers) Act 2005*.

Following an application by the QCT, the tribunal was satisfied that Frank was not suitable to teach, because his behaviour did not satisfy the standard generally expected of a teacher.

Based on evidence provided, and despite the criminal charges being subsequently dropped, the tribunal considered Frank's behaviour serious and prohibited him from reapplying for registration to teach for three years. A number of conditions were also imposed if Frank chooses to reapply, including extensive psychological therapy and a demonstrated understanding of the QCT's Code of Ethics.

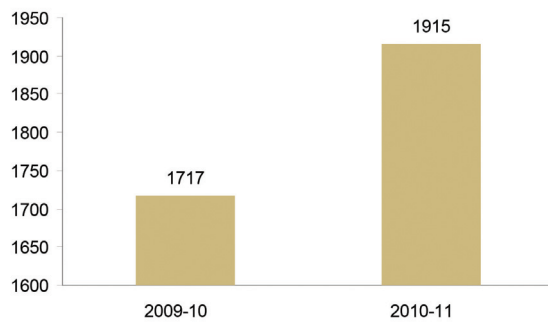
## CAD facts and figures

### Appeals, reopening and renewals

	Lodgements			Clearance rates		
	2009-10**	2010-11	% change	2009-10**	2010-11	% change
Appeals	119	460	-	29%	77%	48%
Reopenings	8	28	-	38%	82%	44%
Renewals	4	5	-	50%	100%	50%

**Table 6: 2009-10 and 2010-11 appeals, reopenings and renewals**

Increased community awareness of rights to appeal tribunal decisions has seen a dramatic rise in appeals lodged in 2010-11. Of appeals lodged, 73 per cent (124) were unsuccessful. Of the unsuccessful appeals, 73 per cent related to minor civil disputes.



**Figure 5: CAD lodgements 2009-10 and 2010-11**



**Figure 6: CAD clearance rates 2009-10 and 2010-11**