

OUR DECISION-MAKERS

Tribunal members and adjudicators

Tribunal members, adjudicators and other decision-makers reflect the diversity of the community. In keeping with the QCAT Act, QCAT must maintain specialist knowledge, expertise and experience of members and adjudicators; and use that knowledge, expertise and experience appropriately.

“The Members I dealt with made a difficult time so much easier. I can't praise them enough for their help and assistance.”

QCAT user, 2015

Of QCAT's 25 senior and ordinary members and adjudicators appointed on a full-time or part-time basis, 52 per cent are women.

Presidential members

Justice David Thomas, President



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

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

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

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

Judge Alexander Horneman-Wren SC, Deputy President



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

Judge Horneman-Wren has extensive experience in administrative, industrial and employment law in both federal and state jurisdictions. He was appointed

Senior Counsel in 2009, appearing before both the Court of Appeal and High Court of Australia.

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

Senior members

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

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

As at 30 June 2015 QCAT has four appointed senior members:

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

Senior member appointments are included in [Appendix 1](#).

Ordinary members

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

“The member explained all that was expected and what was going to happen at the hearing.”

QCAT user, 2015

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

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

As at 30 June 2015, QCAT has 12 appointed ordinary members, three of whom work part-time. Member appointments are included in [Appendix 1](#).

Sessional members

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

As at 30 June 2015, QCAT has 79 sessional members including three who are concurrently part-time Adjudicators and one who is concurrently appointed as a part-time Ordinary Member. Sessional member appointments are included in [Appendix 1](#).

Adjudicators

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

“The adjudicator was knowledgeable, fair and reasonable and remained focused on the legislation.”

QCAT user, 2015

As at 30 June 2015, QCAT has nine appointed adjudicators including six appointed on a part-time basis. Adjudicator appointments are included in [Appendix 1](#).

Justices of the Peace

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

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

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

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

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

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

“All parties had equal amounts of time to speak and all opinions were given equal respect.”

QCAT user, 2015

As at 30 June 2015, QCAT has 109 appointed justices of the peace including 36 who are legally qualified, and 73 who are non-legally qualified. Justice of the Peace appointments are included in [Appendix 3](#).

Assessors and mediators

Tree assessors

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

As at 30 June 2015, 19 trained arborists provide services on a casual basis throughout Queensland including Cairns, Hervey Bay, Gold Coast, Rockhampton, South East Queensland and Townsville. Assessor appointments are included in [Appendix 2](#).

Retail shop lease mediators

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

Legal and lay panel members

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

In July 2014, six members of the lay panel and six members of the practitioner panel were appointed for a 3 year term. In September 2014, an additional member was appointed to the lay panel and eight members appointed to the practitioner panel.

Health assessors

Under the *Health Ombudsman Act 2013*, the tribunal is required to be constituted by a judicial member for hearing and deciding disciplinary matters for health practitioners. An assessor from the public panel of assessors and two assessors from the professional panel of assessors assist QCAT in these matters.

The panels, appointed by the Governor-in-Council on the recommendation of the Minister for Health, are classified by specialisation (e.g. pharmacists and physiotherapists).