

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.

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You are invited to provide feedback on this annual report at qld.gov.au/annualreportfeedback or general feedback on QCAT services at 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

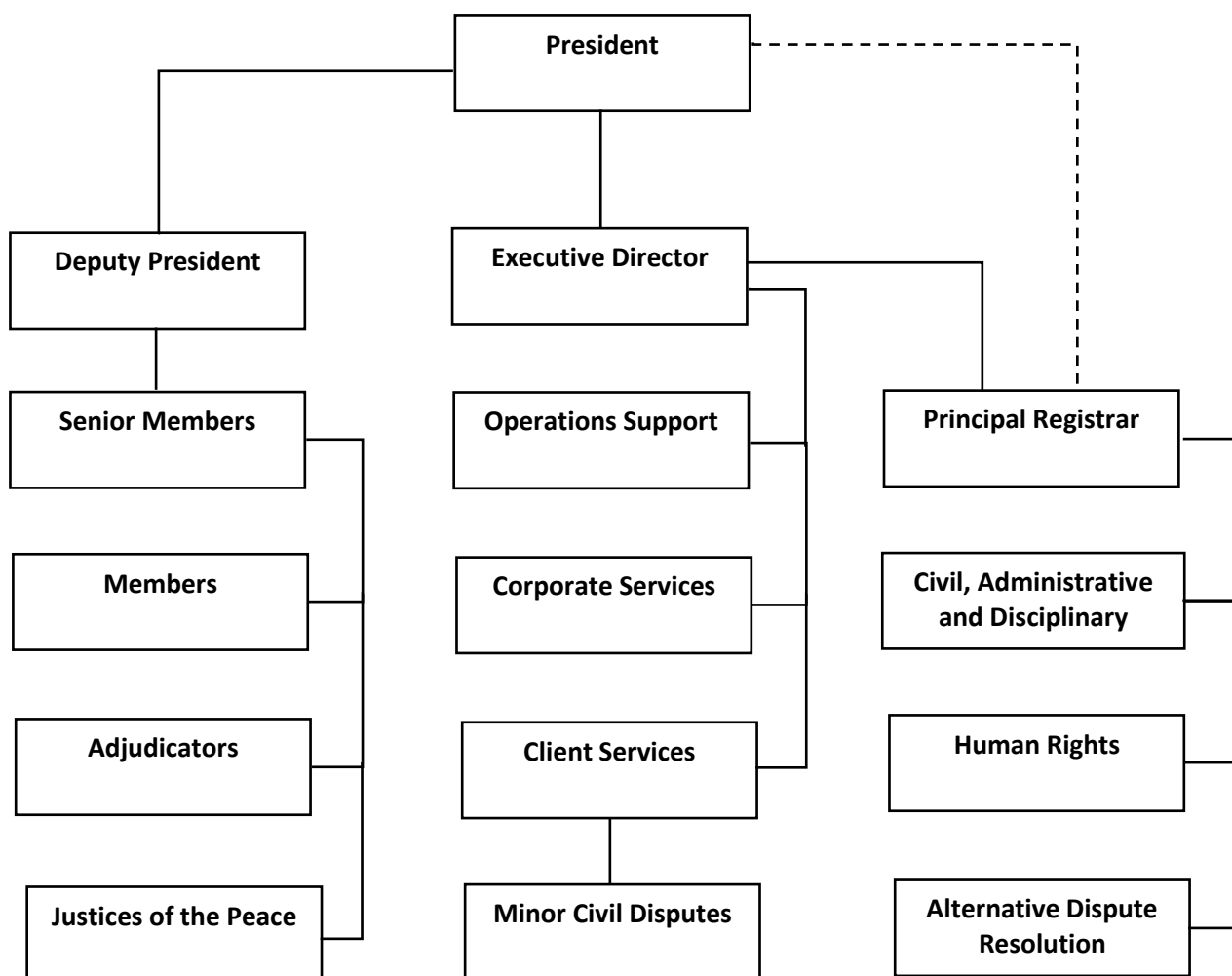
Actively resolve disputes in a way that is fair, just, accessible, quick and inexpensive.

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.

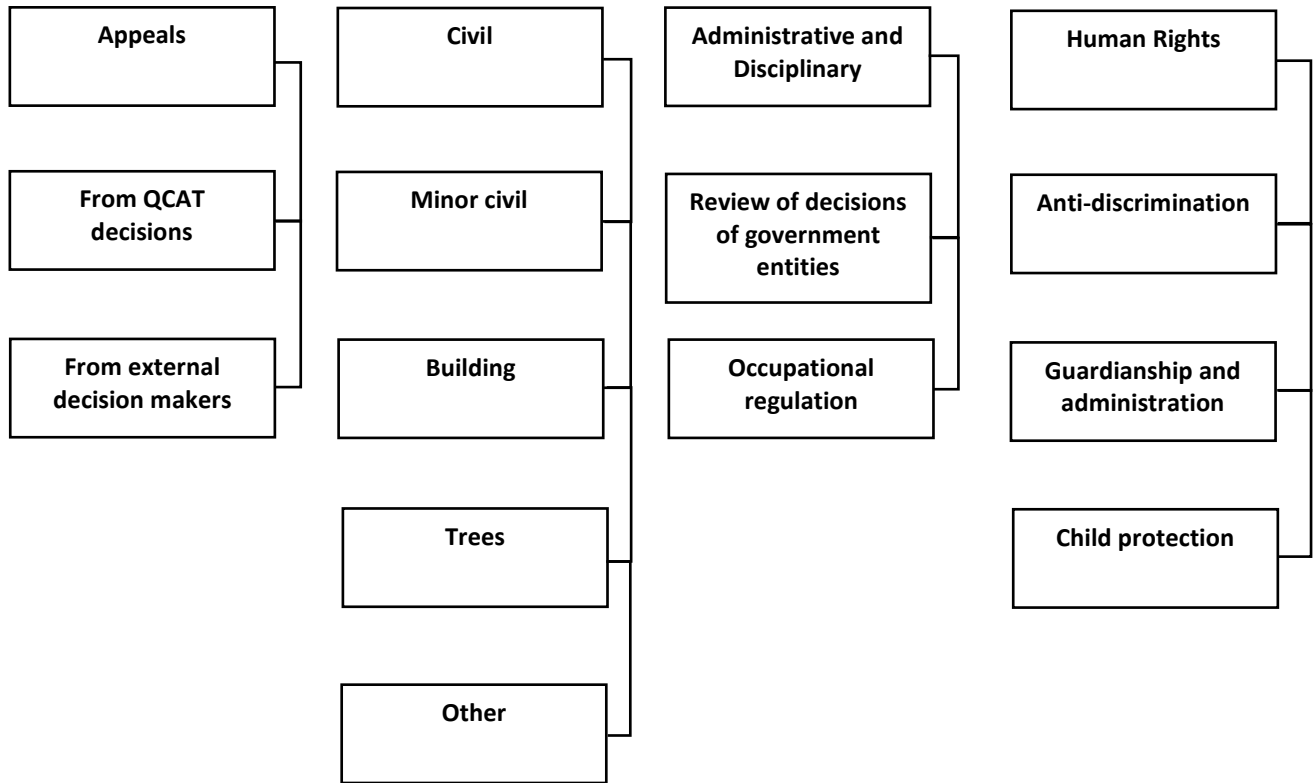
Our organisational structure



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