

QCAT

Queensland Civil and Administrative Tribunal



Annual Report
2010–11

About our annual report

The Queensland Civil and Administrative Tribunal's annual report summarises its financial and corporate performance for 2010-11 and meets accountability requirements under the *Queensland Civil and Administrative Tribunal Act 2009*. To view this report online visit www.qcat.qld.gov.au.

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Interpreter services



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

Our icons



The QCAT divisions are represented by a series of icons: the orange icon represents civil disputes, the purple icon represents human rights and the beige icon represents administrative and disciplinary matters.

30 September 2011

The Honourable Paul Lucas MP

Attorney-General, Minister for Local Government and Special Minister of State

State Law Building

Brisbane Qld 4000

Dear Attorney

I am pleased to present the Annual Report 2010-11 for the Queensland Civil and Administrative Tribunal (QCAT).

I certify that this annual report complies with:

- the Queensland Civil and Administrative Tribunal's requirements under the *Queensland Civil and Administrative Tribunal Act 2009*
- the prescribed requirements of the Financial Accountability Act 2009 and the Financial and Performance Management Standard 2009
- the detailed requirements set out in the Annual Report Requirements for Queensland Government Agencies.

Yours sincerely



Justice Alan Wilson
President

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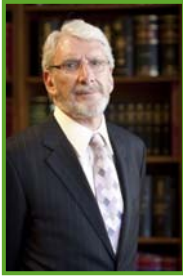
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Message from the President



QCAT's second year has been one of consolidation and challenge. Important structural and operational reforms, and the commitment of members and staff, have meant that the tribunal continues to meet its statutory obligations to provide Queenslanders with dispute resolution services that are fair and just, accessible, quick and inexpensive.

In a year marked by natural disaster and inevitable strains upon public resources, the tribunal has achieved a remarkable clearance rate in 2010-11 of 91 per cent, far exceeding its 60 per cent target. In several important jurisdictions the clearance rate has exceeded 100 per cent, reflecting a reduction in waiting times and increased ability to offer speedy dispute resolution to parties.

Major reforms in the past year include:

- the increased use of Alternative Dispute Resolution (ADR) and active case management to reduce timeframes and the costs of dispute resolution
- the launch of QCAT's first Strategic Plan
- implementing the International Framework for Tribunal Excellence to enhance tribunal performance
- establishment of the QCAT Board to guide strategic operations and growth
- an extensive consultation and engagement program for clients and stakeholders
- the introduction of a member appraisal program to encourage members with the assessment and development of their ability, and skills.

The work of members, adjudicators and registry staff has overcome the daunting challenges the tribunal has faced. In its first year QCAT received 37 per cent more applications than the eighteen tribunals it absorbed – proving, from its inception, that it was something sought out by Queenslanders and, now, accessible to them.

In the course of meeting these challenges QCAT has achieved a quiet revolution in ADR through use of *compulsory conferences* – a form of hearing where a tribunal member assists parties to achieve sensible mediated outcomes or clarify issues within the dispute. If the dispute cannot be resolved by agreement, the subsequent shorter and more focused hearings result in time and public resource savings. Additional savings have also been realised from a reduction in the number of members sitting in many tribunals.

The appointment of more members in major regional cities has also reduced costs and enhanced opportunities for local dispute resolution. Outside South-East Queensland, minor civil disputes continue to be determined by local magistrates, sitting as QCAT

members. I am grateful to them, and to the Chief Magistrate Judge Brendan Butler SC, for their assistance and cooperation.

The Deputy President was the moving force in creating the member appraisal program, which will ensure members' individual abilities are recognised, and enhanced. She has also shouldered a heavy case, and administrative, workload with patience and good spirit. QCAT's four Senior Members have assumed direct responsibility for specific jurisdictions and their own case lists. They have, over time, taken a more active role in QCAT's leadership and operations and developed more efficient case management techniques.

Permanent members and adjudicators continue to embrace their work with intelligence and enthusiasm. Members have applied their wide range of diverse individual aptitudes to playing an active role in training sessional members and in public and stakeholder educational programs. Sessional members have, from the first, brought the experience and knowledge they had gained in former tribunals into play at QCAT. Many of these sessional members have thoughtfully embraced our new direction towards ADR, greater expedition, and the active and interventionist management of every case.

QCAT's first Strategic Plan, the work of the Executive Director, looks to improve and enhance the focus upon ADR; use QCAT's people, and resources, effectively; create a new management structure for the tribunal; develop strategies for meeting and implementing new jurisdictions; and maintain informed stakeholder engagement and improve services to parties who come to the tribunal throughout Queensland.

The tribunal is blessed with skilled registry staff, led by the Executive Director and supported by the Principal Registrar. Staff members have undertaken regular in-house training to ensure knowledge of its processes, and its many jurisdictions, remains current.

A number of other innovations have been set in place – the development of a stakeholder engagement plan to guide focused delivery of information and educational services to stakeholders, and the community; and interaction with sessional members through a consultative group, and regular newsletters.

Significant savings and efficiencies have been achieved through QCAT's remorseless emphasis on ADR, and reducing the number of members sitting in hearings in particular jurisdictions. The tribunal has managed, to date, to achieve significant economies without reducing its level of service.

Despite the recognition and adoption, within the tribunal, of new ways by which QCAT may provide Queenslanders with quick and inexpensive justice, limitations on resources have nevertheless restricted its ability to develop in areas including sufficient and

appropriate accommodation, especially for ADR processes; effective member and staff training opportunities; meeting new jurisdictional demands, such as the *Neighbourhood Disputes Resolution Act 2011*; expanding QCAT's regional presence, including facilities; and, technological developments such as e-filing, and video link facilities for hearings and training programs.

In my perception, too, the tribunal's ability to function effectively has nearly reached its limits and there will be no further discernible scope for operational efficiencies, or cost savings. The concerted efforts of members and staff to do their very best with existing financial resources cannot overcome the fact that the tribunal lacks sufficient funding to perform its operations as well as it might.

QCAT can only, I am concerned, continue to operate within its present financial constraints by reducing the speed with which it provides ADR proceedings, and hearings.

The importance of adequate funding to the tribunal was recognised by the Independent Panel of Experts whose reports led to its creation. QCAT has proved how effectively it can operate, and its success is vividly confirmed by continuing growth in demand – and, despite that demand, its high clearance rates. It is vital that the good purposes for which it was created should not be stymied in its formative stages.

Justice Alan Wilson
President
September 2011

Message from the Executive Director



Congratulations to all registry staff and tribunal members on another year of growth in sometimes challenging circumstances.

The launch of the inaugural *QCAT Strategic Plan 2012-15* this year has articulated our vision, our values and the culture all QCAT registry staff and members strive for.

Developed in consultation with a diverse range of stakeholders, the plan identifies key priorities over the next three years as we work towards a vision to actively solve disputes in a way that is fair, just, accessible, quick and inexpensive.

Our priorities reflect the dynamic operating context within which we operate, and focus on the areas of both challenge and opportunity.

The establishment of the QCAT Board of Management reflects the refreshed strategic and governance approach to our organisation. We recognise the challenges ahead: we are experiencing an increase in lodgements and jurisdictional demand at a time when resources are constrained throughout the State.

As demand rises, so too does the workload on our staff, testing our service delivery commitment. As we continue to work together to identify innovative ways to deliver, we must also ensure we balance demands with the need for staff training, development and recognition.

We have a lot to be proud of when we consider the achievements of the past year. We have pioneered new processes for professional development and appraisal of the performance of tribunal members, and we have established a new methodology for compulsory conferences, which will ultimately reduce hearings and improve outcomes.

We have worked to meaningfully engage with stakeholders and clients to ensure awareness and accessibility, recognising that education is a key element to ensuring access to justice.

We have delivered clearance rates that defy the resourcing challenges we have faced.

It is a testament to the dedication of registry staff, members and adjudicators that our recent inaugural client satisfaction survey reflected that, on average, 77 per cent of our clients agree they were treated with courtesy and respect. This result reflects the recognition of the high levels of client service provided, which are recognised by clients even if they may be dissatisfied with the decision in their case.

Similarly, our stakeholder satisfaction research (conducted for the second time in 2011), reflects an increase in overall satisfaction from key stakeholder and partner groups.

In the year ahead we face a range of challenges including the commencement of the *Neighbourhood Dispute Resolution Act 2011* and other potential new jurisdictions. Identifying appropriate ways to manage demand without compromising on service standards and outcomes for our clients is paramount.

We must strengthen our regional response for regional and remote accessibility, including establishing a permanent presence in North Queensland to service the regional community more effectively, and continuing to work closely with Magistrates Courts throughout the state.

We will continue to take an active approach to case management, particularly through embedding alternative dispute resolution (ADR) processes and supporting self-represented litigants effectively and efficiently through the dispute resolution process.

We must also confront a changing demographic profile in Queensland as the ageing population grows and requires more and more decision-making support.

We will continue to strive to deliver a fair and just Queensland for all.

Mary Shortland
Executive Director
September 2011

Our achievements and priorities

Our key achievements in 2010-11:

- launch of the inaugural QCAT Strategic Plan 2012-15
- overall clearance rate of 91 per cent despite a 6 per cent rise in lodgements
- 92 per cent clearance rate in guardianship for adults matters (+6%) despite a 9 per cent rise in lodgements
- overall CAD clearance rate up by 6 per cent despite 12 per cent rise in lodgements
- 9 per cent increase in clearance rates for occupational regulation matters
- increase of almost 50 per cent in clearance rates for appeals, renewals and reopenings
- 60 per cent of issues within compulsory conferences were resolved
- delivery of stakeholder and client market research program.

Our priorities for 2011-12:

- performance assessment against the Tribunal Excellence Framework
- QCAT 3-year review due by November 2012
- effective implementation of new jurisdictions and legislation including the *Neighbourhood Dispute Resolution Act 2011*
- further embed alternative dispute resolution within the tribunal through ongoing evaluation, and establishment of performance monitoring and competency-based frameworks
- address current and future resourcing requirements
- effective management of demand for QCAT services to meet community expectations
- stakeholders and client engagement and education
- strengthening our regional response through increased accessibility.

Our year

Our workload and outcomes

	2009-10	2010-11	% change
Cases lodged	28,227	30,032	6%
Cases finalised	26,435	27,457	4%
Cases pending	6,806	7,594	12%
Overall clearance rate	94%	91%	-3%

Table 1: Lodgements, finalisations, pending cases and clearance rate 2009-10 and 2010-11

Outcomes by jurisdiction

	Lodgements			Clearance rates		
	2009-10	2010-11	% change	2009-10	2010-11	% change
Human rights						
Anti-discrimination	105	151	44%	64%	60%	4%
Children	231	219	(5%)	98%	87%	(11%)
Clinical research	17	32	88%	100%	75%	(25%)
Guardianship	9,002	9,842	9%	86%	92%	6%
Civil						
Building	484	422	(13%)	111%	103%	(8%)
Retail shop leases	114	125	10%	93%	94%	1%
Minor civil disputes	17,155	17,871	4%	98%	91%	(7%)
Other civil disputes	160	204	28%	89%	89%	-
Administrative and Disciplinary						
General administrative review	354	386	n/a	56%	94%	38%
Occupational regulation	474	285	(40%)	108%	117%	9%
Appeals, reopenings and renewals						
Appeals	119	460	-	29%	77%	48%
Reopenings	8	28	-	38%	82%	44%
Renewals	4	5	-	50%	100%	50%

Table 2: Lodgements and clearance rates 2009-10 and 2010-11

Alternative dispute resolution success

	2008-09	2009-10	2010-11
Mediation success rate in minor civil disputes	N/A	46%	46%
Mediation success rate in non-minor civil disputes	N/A	68%	60%

Table 3: Mediation success rates 2010-2011

	2010-11
Compulsory conferences	1461
Compulsory conference success rate*	60%

Table 4: Compulsory conference success rates 2010-2011

Compulsory conference success rates reflect that individual matters may contain a number of issues in dispute – some of which may be resolved at the compulsory conference even if the dispute continues to a hearing.

Two-year financial summary

	2009-10 (7 months \$m)	2010-11 (12 months \$m)
Income		
Appropriations	8.4	15.7
User charges	1.5	3.0
Total income	9.9	18.7
Expenditure		
Salaries to staff	4.6	8.6
Member costs	3.0	6.2
Property costs	1.5	2.3
Overheads	1.5	1.7
Total expenditure	10.3	18.8

Table 5: Two-year financial summary

About us



The Queensland Civil and Administrative Tribunal (QCAT) was established on 1 December 2009 under the *Queensland Civil and Administrative Tribunal Act 2009*. QCAT has successfully amalgamated 18 tribunals and 23 jurisdictions into a one-stop-shop for community justice and dispute resolution in Queensland.

QCAT operates as a tribunal, not a court, and in keeping with statutory requirements acts with as little formality and technicality as possible.

Our vision

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

What we do

QCAT makes decisions on a range of matters across:

- administrative decisions
- administration for adults
- anti-discrimination matters
- building disputes
- children and young people matters
- guardianship for adults
- minor civil disputes including consumer, debt and residential tenancy disputes
- other civil disputes
- occupational regulation matters including police, health professionals and legal practitioners
- retail shop lease disputes.

QCAT reviews decisions made by government agencies and statutory authorities (review decisions). These decisions were previously reviewed by the Supreme Court, the District Court, the Magistrates Court or a former tribunal or other statutory bodies e.g. the Gaming Commission and Information Commissioner.

In certain circumstances, the Appeal Tribunal of QCAT hears appeals against decisions of the tribunal.

Our clients

Our clients include the Queensland community, Queensland Government departments and agencies and representatives of tribunal users. Due to QCAT's wide-ranging jurisdictions, the tribunal can affect many aspects of the Queensland community.

Our core values

Our values are embedded in our day-to-day operations and guide all that we do:

- independence – we are impartial and consider all matters on their individual merits
- integrity – we ensure that our decisions are open to scrutiny and review
- responsiveness – we aim to understand your unique needs and ensure that your matter is heard in a timely manner
- fairness – we aim to understand your issues, we explain what we are doing and how fair outcomes have been reached
- active resolution – we clarify the issues, and resolve them
- cost effective – we resolve disputes as effectively and efficiently as possible.

QCAT in action: When shop keepers and landlords disagree

Bob and Sue are tenants in a group of shops owned by Charlie. Charlie constructed a coffee shop in a kiosk in the vicinity of his shops, which Bob and Sue claim compromised the visibility of and access to their shop.

Bob and Sue applied to QCAT to seek compensation under the *Retail Shop Leases Act 1994* for loss of turnover and future loss, and asked that QCAT order the kiosk be closed and that Charlie reduce their rent by 30 per cent.

The tribunal member accepted evidence that the new entrances created as part of the centre development took customers within a close proximity of Bob and Sue's shop and determined that Charlie had taken all reasonable steps to ensure a clear passage for customers to their shop.

The member dismissed the claim for compensation, and advised Bob and Sue that their claims for rent reduction and that the coffee kiosk be closed were not within the jurisdiction of QCAT (particularly if this involves a tenant [of the coffee shop] that is not party to the proceedings).

Our organisational structure

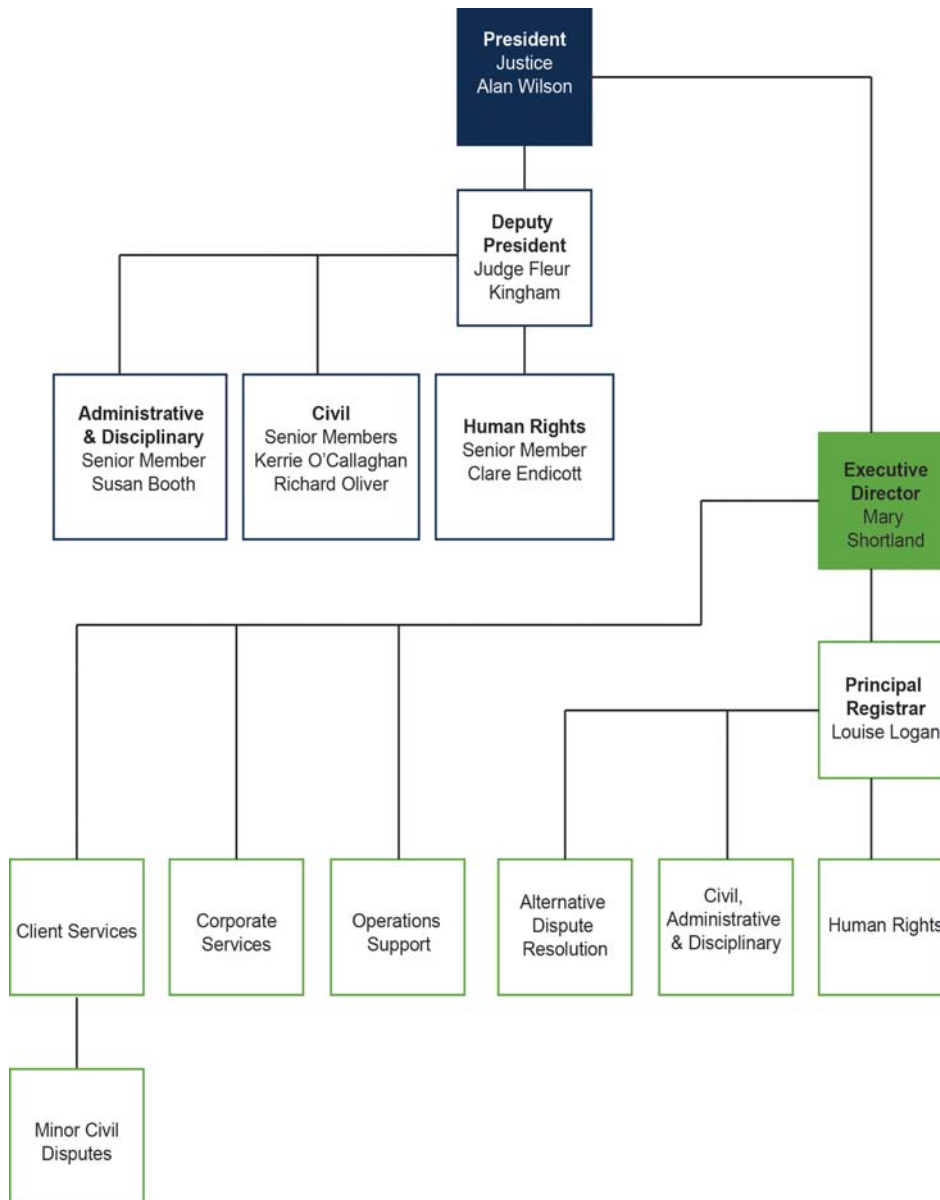


Figure 1: QCAT organisational structure 2010-11

Our members and adjudicators

Members and adjudicators conduct hearings and make decisions for QCAT matters, and may also conduct compulsory conferences and mediations.

The President decides which members and the number of members (no more than three) who will hear a matter based on the nature, importance and complexity of the case. In some cases, specific legislation dictates a specific person must hear a matter e.g. under

the *Legal Profession Act 2007* a Supreme Court judge must hear matters related to legal practitioners.

Members can either be lawyers or other people who have knowledge, expertise or experience relating to the type of matter being heard. For example, a teacher may be utilised for hearing teacher disciplinary matters, or a psychologist or social worker may provide an invaluable contribution in guardianship or child protection matters.

Sessional members are appointed throughout Queensland to ensure locals have access to locally based mediation and hearings.

Adjudicators are lawyers who hear minor civil disputes and some other matters.

Supreme and District Court judges and magistrates may be appointed as supplementary members. All magistrates throughout Queensland are automatically appointed as ordinary members of QCAT to hear minor civil disputes.

Members reflect the social and cultural diversity of the community and include Aboriginal and Torres Strait Islander people.

Our regional services

QCAT services are delivered throughout the State 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.

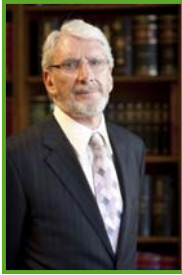
The local Magistrates Court is the first point of contact for suburban Brisbane and non-Brisbane based QCAT clients.

Members also serve regionally to ensure access to local decision-makers.

To ensure accessibility, the tribunal considers alternative arrangements for parties who are unable to access their local courthouse.

Our people

Justice Alan Wilson, President



“The diversity and skill of our members and adjudicators ensure we can apply the appropriate experience to all matters.”

Justice Alan Wilson was admitted as a barrister in 1982. In his early career he developed a specialist practice in wills, probate and succession and equity. Later he undertook a great deal of mediation work and is an active proponent of its benefits.

Justice Wilson was appointed Senior Counsel in 1999 and to the District Court of Queensland in 2001. He was also appointed a Planning and Environment Court Judge in 2001 and a Children’s Court Judge in 2003. He transferred to Brisbane in January 2004 and managed the lists of the Planning and Environment Court from 2004 to 2008.

Justice Wilson was simultaneously appointed to the Supreme Court and as the inaugural President of QCAT in October 2009.

Judge Fleur Kingham, Deputy President



“QCAT is revolutionising dispute resolution in our community.”

Judge Fleur Kingham is a judge of the District Court of Queensland, the Children’s Court of Queensland and the Planning and Environment Court of Queensland. Prior to those appointments in 2006 she was the Deputy President of the Land and Resources Tribunal of Queensland.

Judge Kingham is a mediator with experience in multi-party and public interest disputes including Indigenous Australian land and governance issues. She practised in commercial litigation and environmental law, has advised governments on policy and legislative developments in environmental and resources law and held academic positions in related fields.

In October 2010, Judge Kingham was awarded the prestigious Queensland Law Society Agnes McWhinney Award. The award recognised her significant contribution to innovative reforms in ensuring simplified and accessible alternative dispute resolution within the tribunal.

Kerrie O’Callaghan, Senior Member – Civil



“Our stakeholders help us to provide more accessible and efficient service for our clients.”

Ms O’Callaghan has been involved in the legal profession in numerous roles since her admission as a solicitor in 1985. She has been a partner in a national law firm and practised principally in the areas of construction and commercial litigation. She was a member of the Queensland Building Tribunal from 1993 to 2002.

Before being appointed to QCAT Ms O’Callaghan was a member of the Guardianship and Administration Tribunal and was the in-house lawyer in Queensland for the construction company Baulderstone Qld Pty Ltd.

Richard Oliver, Senior Member – Civil



“QCAT strives for service excellence in all our jurisdictions.”

Formerly a barrister practicing in Brisbane, Mr Oliver joined QCAT on its commencement in December 2009.

Mr Oliver graduated from the University of Queensland in 1979 with a Bachelor of Law degree and after a short period as a judge’s associate he commenced practice as a barrister in early 1980.

He has been in private practice since that time apart from between 1987 and 1990 when he was a principal of a regional law firm.

Mr Oliver has experience across a broad range of jurisdictions with particular experience in civil litigation, building matters and administrative reviews. He was a sessional tribunal member in the original Queensland Building Tribunal between 1994 and 2001 and was appointed as a sessional member to the former Commercial and Consumer Tribunal from February 2008 until the commencement of QCAT.

Prior to his appointment to QCAT he practiced insurance law, personal injury and commercial and estate litigation. This resulted in participation in numerous mediations and compulsory conferences.

He is an accredited mediator with the Supreme Court and is well equipped to help develop QCAT’s alternate dispute resolution procedures and assist members and staff in this area.

Susan Booth, Senior Member – Administrative and Disciplinary



“QCAT’s regional presence is key to ensuring accessibility to fair, efficient and efficient justice.”

Ms Booth was admitted as a solicitor in 1990 and worked in both private practice and senior government positions for over 15 years. Her expertise in industrial, discrimination and administrative law includes a significant emphasis on alternative dispute resolution.

Before being appointed to QCAT Ms Booth was Queensland’s Anti-Discrimination Commissioner responsible for the State’s human rights laws and the former Queensland Anti-Discrimination Tribunal. She was also chair of the national peak human rights body the Australian Council of Human Rights Agencies.

At QCAT, Ms Booth has responsibility for the administrative and disciplinary lists and chairs the QCAT Alternative Dispute Resolution committee.

From October 2011 Ms Booth will take up an appointment as a Commissioner with Fair Work Australia.

Clare Endicott, Senior Member – Human Rights



“QCAT is committed to treating impaired or disabled persons with dignity and respect.”

Ms Endicott graduated from the University of Queensland with an Arts degree in 1975 and with a law degree in 1977. She was admitted as a solicitor in 1978 and practised as a litigation solicitor until 2006.

She completed her Master of Law degree in 1987 and was a partner in Brisbane legal firms for almost 25 years.

In 2005 Ms Endicott became a part time member of the Guardianship and Administration Tribunal and in April 2006 she was appointed the Deputy President of that tribunal.

How we resolve disputes

The QCAT dispute resolution process is based on active case management to achieve our vision to *actively resolve disputes in a way that is fair, just, accessible, quick and inexpensive*.

As outlined in Figure 2, the progress of an application in the tribunal depends on the type of matter.

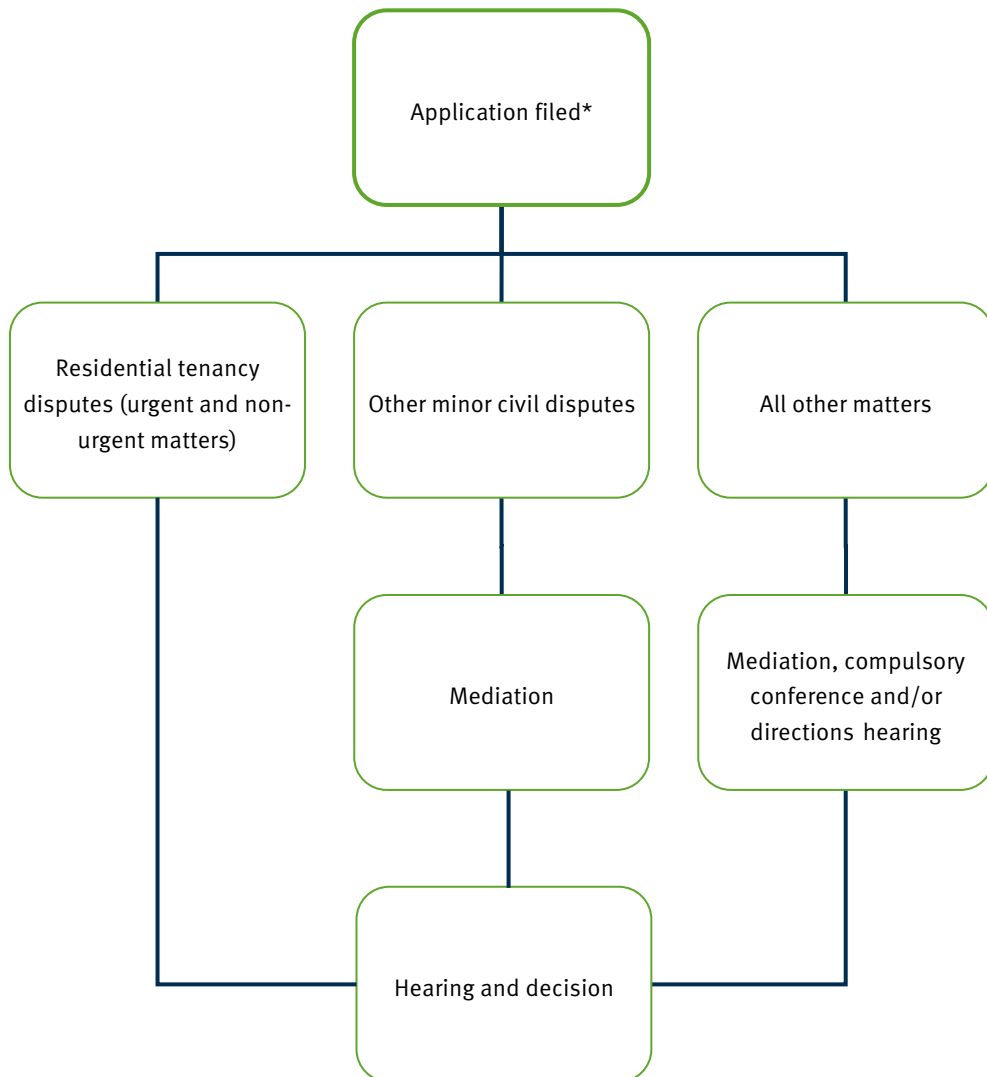


Figure 2: The QCAT process from application to resolution

** For urgent residential tenancy matters (as defined under the Residential Tenancies and Rooming Accommodation Act 2008), clients may apply directly to the tribunal. For all other residential tenancy matters, clients must contact the Residential Tenancies Authority and participate in their dispute resolution process before an application to the tribunal will be accepted.*

Application to QCAT

Applications may be initiated by anyone, including community members, disciplinary boards and government departments. The tribunal may refer applications to the Queensland Ombudsman or transfer them to the courts as appropriate.

Generally, applicants are expected to represent themselves before QCAT, and to be responsible for fees associated with applications. To ensure accessibility, fee waivers are considered in exceptional circumstances.

Mediation

Mediation aims to resolve the dispute without proceeding to a hearing. Generally, the mediation is held in private and discussions cannot be used or referred to at any subsequent hearing unless the parties agree.

If the parties reach an agreement, the mediator may record the terms of the agreement and QCAT may make the orders necessary to give effect to the agreement as required.

If no agreement is reached, an outline of remaining issues in dispute is provided for use by the tribunal as the matter proceeds to a compulsory conference, directions hearing or hearing.

Compulsory conference

Compulsory conferences are used to clarify the issues in dispute and to try to resolve a dispute without proceeding to a hearing. During a compulsory conference, the member can make orders about how the case will proceed so it can be resolved.

Compulsory conferences may be conducted by a member, adjudicator or the Principal Registrar. Generally, compulsory conferences are private, and information and evidence presented cannot be used or referred to at any subsequent the hearing.

If the parties reach an agreement the tribunal will record the terms of the agreement and make the orders necessary to give effect to the agreement as required.

Directions hearing

The aim of a directions hearing is to establish how the case will proceed and make appropriate orders. For example, that one party must provide the other party with certain documents or information.

Directions hearings may be conducted by a member, adjudicator or the Principal Registrar. All parties will receive an order or letter confirming the directions, or actions they need to do, as set down by the tribunal.

Final hearing and decision

The aim of the final hearing is to make a final decision about the case. At the hearing, QCAT members or adjudicators (up to three) will receive and consider evidence from both parties and hear submissions about the evidence and the law.

A decision may be provided at the end of the hearing, however, if the tribunal needs more time to consider the matter or obtain more information, it may reserve its decision and all parties will receive QCAT's decision at a later date – the length of time will depend on the complexity of the matter.

Enforcement

Decisions made by QCAT are final and are enforceable.

Accessibility of proceedings

To ensure accessibility, QCAT considers applications to attend hearings via telephone or videoconferencing.

QCAT in action: Ensuring accessibility and equity

The Anti-Discrimination Commission Queensland referred to QCAT a complaint from MD and AS that they had received inferior service from medical staff at a hospital due to their race and religious background and that they were not provided with an interpreter to explain the medical procedures.

QCAT used an interpreter service to ensure that MD and AS understood all of the tribunal's correspondence and the initial directions hearing and subsequent compulsory conference. Both the hospital and MD and AS were directed to lodge submissions in support of their claims. QCAT referred MD and AS to the Self Representation Service of the Queensland Public Interest Law Clearing House (QPILCH) who assisted them to draft their submissions. The complaint was later resolved at a compulsory conference.

The flexible and proactive approach adopted by QCAT echoes the principles of the QCAT legislation in dealing with matters in a way that is accessible, fair, just, economical, informal and quick.

Reopenings and renewals

In some circumstances, a party can apply to reopen or renew a matter after the decision has been made.

A reopening application can be made when a party had a reasonable excuse for not attending a hearing, or there is significant new evidence and a party would suffer a substantial injustice if the matter was not reopened.

A renewal application can be made when it is not possible to comply with the tribunal's decision, or there are problems in understanding and enforcing the decision.

The tribunal can decide to grant the application and may hear and decide the matter again, or make a different decision.

Appeals

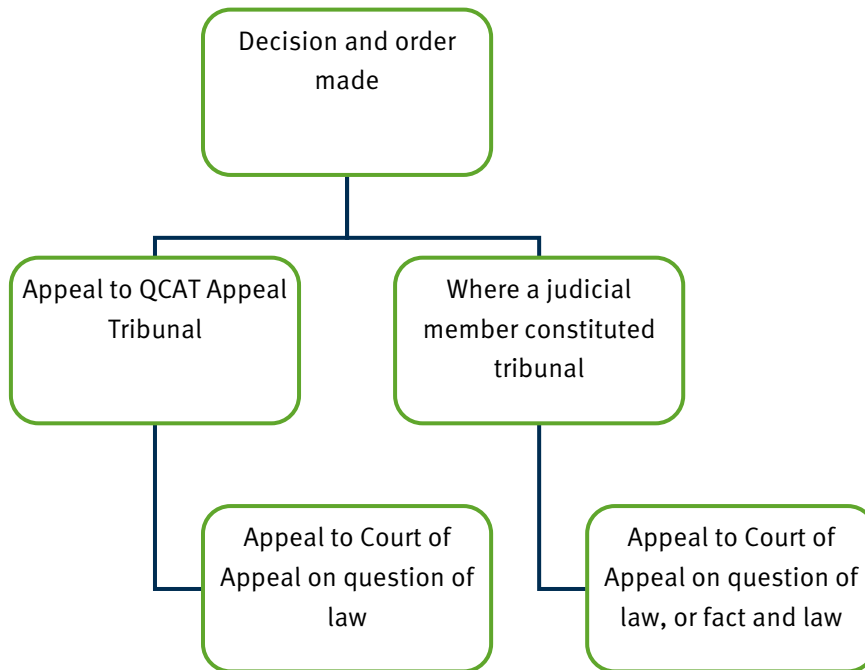


Figure 3: Appeals process

In some circumstances a party to a proceeding may appeal against a decision of the tribunal to the QCAT Appeal Tribunal based on a question of law, fact, or a combination.

In some circumstances an appeal can only be made with the leave of the Appeal Tribunal, which may be constituted by judicial members or members. If a judicial member constituted the tribunal and made the decision, then a party may be able to appeal to the Court of Appeal. In some circumstances an appeal can only be made with the leave of the Court of Appeal.

Using QCAT services

Representation and legal advice

As part of an independent tribunal, QCAT members and registry staff are unable to provide legal advice to clients. Staff may refer clients to their local community legal centre or to a private solicitor to seek advice.

Generally, QCAT expects all parties to represent themselves in all tribunal proceedings. However, parties do have the right to seek permission (seek leave) to be represented before the tribunal. Some parties do not need to seek leave, such as a child or person who has impaired decision making, and in certain kinds of disciplinary matters.

Support and advocacy

Community legal centres

Community legal centres throughout Queensland play a key role in supporting QCAT clients with advice, advocacy and representation.

Court Network

Court Network is an Australian not-for-profit court support service providing non-legal information, support and referral services to all persons attending court/tribunals.



Court Network

Since the launch of QCAT in December 2009 Court Network Volunteers have provided assistance to over 40,000 court users in Queensland which includes assistance to over 5,000 Brisbane QCAT clients. Of those assisted in the Brisbane tribunal 91 per cent were self-represented.

Court Network has 130 Volunteers in Brisbane CBD, Cairns and Townsville courts.

Queensland Public Interest Law Clearing House (QPILCH) – Self Representation Service



The QPILCH Self Representation Service has been hosted by QCAT since January 2010. QPILCH is an independent not-for-profit community legal centre that coordinates the provision of pro bono legal services for individuals and community groups.

QPILCH provides free legal advice and assistance to existing and prospective parties in eligible QCAT jurisdictions including anti-discrimination, child protection, guardianship and administration, administrative review and QCAT appeals.

In 2010-2011, the Self Representation Service processed 171 applications for assistance and provided 202 appointments to QCAT clients.

Tenants' Union of Queensland (TUQ)

QCAT hosts the TUQ to provide weekly workshops for QCAT clients in their Brisbane registry office. The TUQ is a statewide community organisation focussed on the rights of residential tenants, including caravan park and boarding house residents. The free workshops assist existing and potential clients with completing and filing applications, preparing materials for hearings, and learning more about their rights and responsibilities under the law.

Our complaints and feedback policy

QCAT encourages feedback from clients and stakeholders to assist in responding to emerging client service issues and to maintain client satisfaction. We aim to process complaints through a fair, timely, easy to use and confidential process.

In 2010-11 the rate of complaints received by QCAT was 0.4 per cent of total applications. This reflects a decrease from the 2009-10 figure of 0.5 per cent.

Complaints relating to policy and procedure decreased by over 57 per cent in 2010-11, reflecting an increased awareness of how QCAT operates.

The QCAT registry

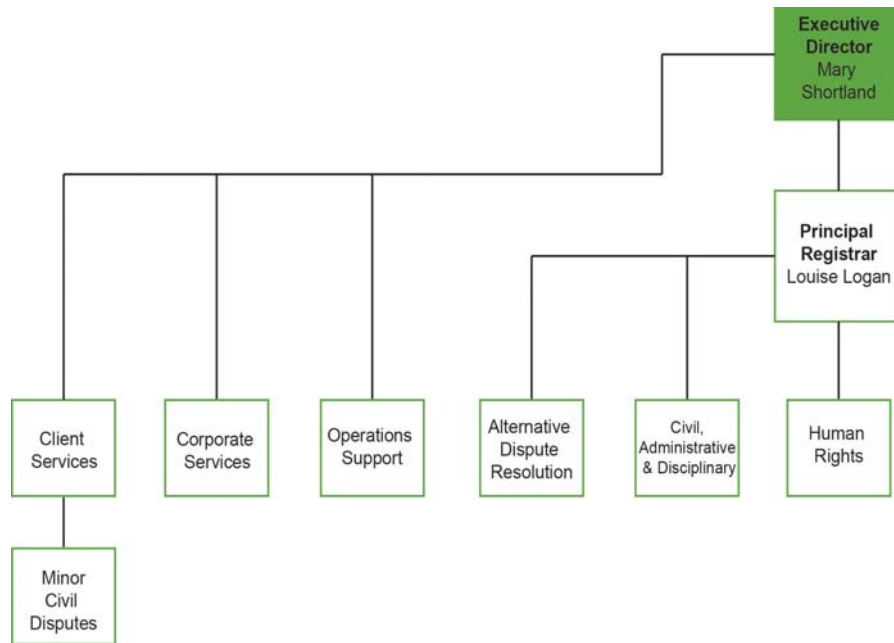


Figure 4: Structure of the QCAT registry

Our staff and structure

QCAT registry staff work with members, adjudicators and Magistrates Courts staff to deliver tribunal services across Queensland.

QCAT recognises our people as a key strength of our organisation and central to our success. QCAT registry staff have continued to demonstrate commitment, knowledge, dedication and skill in their delivery of client service, active case management, dispute resolution, operational support and corporate services.

We have built a culture that supports the individual and collective talents of our staff and members, is collaborative, respectful and embraces diversity. We value the skill, capabilities and differing professional backgrounds of our staff which promote the growth of a strong service culture.

The QCAT registry comprises the following divisions:

- Alternative Dispute Resolution (ADR)
- Civil, Administrative and Disciplinary
- Human Rights
- Client Services (incorporating Minor Civil Disputes)
- Operations Support
- Corporate Services.

Alternative Dispute Resolution division

The Alternative Dispute Resolution (ADR) division coordinates the delivery of mediation services for Minor Civil Disputes via internal mediators and the Dispute Resolution Branch of the Department of Justice and Attorney-General.

The role of the Alternative Dispute Resolution division has expanded in 2010-11 to accommodate the ongoing demand for mediation of minor civil disputes, and in preparation for an increased need for ADR under the *Neighbourhood Disputes Resolution Act 2011*.

Our year

The ADR division continued to build a productive relationship with the Department of Justice and Attorney-General's Dispute Resolution Branch (DRB), now formalised with a service level agreement outlining the mutual obligations of QCAT and DRB around delivery of mediation services for minor civil disputes (MCDs) across Queensland.

This year has seen a new focus on training existing QCAT registry staff from all divisions in alternative dispute resolution techniques to strengthen our roster of qualified mediators. Three of the tribunal's registry staff mediators have achieved National Mediation Accreditation (NMA), with more to follow in the coming year. Conciliation training has also been provided by the Institute for Social Science Research at the University of Queensland.

The in-house training approach enables training of mediators who already have strong knowledge and experience in QCAT processes and jurisdictions.

The new approach has enhanced QCAT's capacity to provide an in-house mediation service for minor civil disputes and dividing fence matters.

Looking forward

Further embedding ADR processes throughout QCAT is a key priority of the *QCAT Strategic Plan 2012-15*. Experience shows that outcomes negotiated between parties are often fairer, and more lasting, than those imposed on them by a decision-maker.

With an increasing demand for mediation as a result of increased MCD lodgements and the new challenges of the *Neighbourhood Dispute Resolution Act 2011*, an ongoing focus on in-house training (including National Mediator Accreditation) will deliver decreased waiting times for mediations, absorb new conciliation demand and ensure timely delivery of dispute resolution for the community.

A number of initiatives to be introduced in 2011-12 include:

- a SMS advice pilot to reduce non-attendance – clients will be reminded via text message of their pending mediation date
- increasing communication with clients prior to mediation to raise process awareness and manage expectations
- an expansion of suburban court services so clients outside the Brisbane CBD can undertake local face-to-face mediation rather than travelling to the QCAT registry office or attending by telephone
- conducting a client survey to assess whether smaller claims should be referred directly to hearing without mediation.

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.

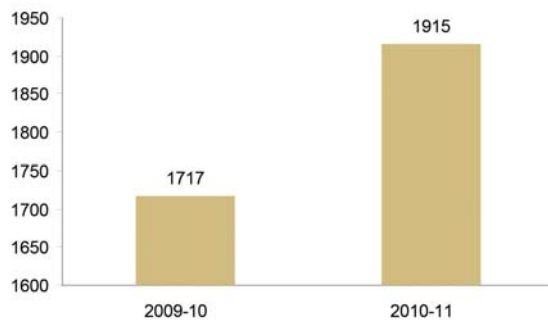


Figure 5: CAD lodgements 2009-10 and 2010-11

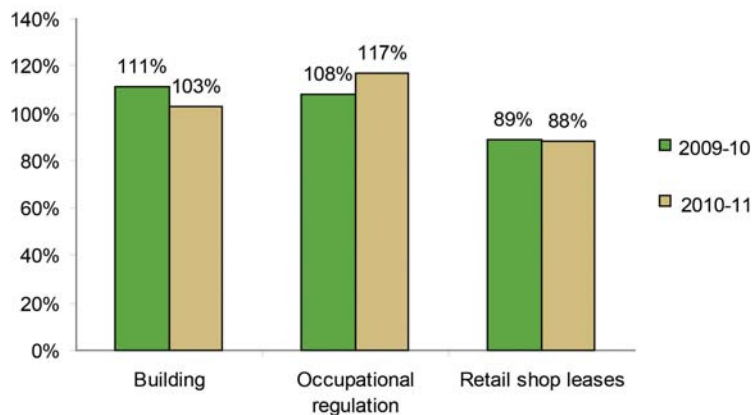


Figure 6: CAD clearance rates 2009-10 and 2010-11

Human Rights division

The Human Rights division (HuRD) manages:

- guardianship and administration for adults
- anti-discrimination
- children and young people matters
- education matters.

Our year

Outcomes



The division has faced a range of challenges this year, primarily focussed on an increase in lodgements, particularly in anti-discrimination (44 per cent), clinical research (88 per cent) and guardianship (nine per cent).

Despite these challenges, the team has delivered an overall clearance rate of 91 per cent, including a 6 per cent increase in the clearance rate of guardianship and administration for adults matters despite a 9 per cent increase in lodgements.

A challenge of a different nature requiring attention in 2011-12 is a 5 per cent decrease in lodgements for children and young people matters.

Across all lists within the HURD division, regional sittings have increased, providing greater accessibility for regional and remote clients.

In keeping with the requirements of *Guardianship and Administration Act 2000* and the *Disability Services Act 2006*, the division heard all applications for those matters identified as requiring to be concluded prior to the conclusion of the transitional phase of guardianship matters involving Positive Behaviour Support Plans that contain the use of Restrictive Practice.

Making connections

HuRD has continued to deliver case management and support services to a range of vulnerable and disadvantaged people including children, adults with impaired capacity and people alleging discrimination, harassment, vilification and victimisation. This support includes active liaison with families, carers and support people.

HuRD successfully participated in the Department of Justice and Attorney-General's Planning for Life forums throughout the state, which provide an opportunity for the community to learn about organising their affairs so that family members or other trusted people can make decisions on their behalf, should the need arise in the future.

The division consulted with the Department of Communities about the *Positively Ageless – Queensland Seniors Strategy 2010-20* which is a long-term vision for valuing and empowering Queensland seniors.

In December 2010, tribunal members initiated a group for child-related stakeholders which includes representatives from government departments such as the Department of Communities (Child Safety), the Commission for Children and Young People and Child Guardian, the Department of Education, Training and the Arts, peak bodies including Foster Care Queensland and legal advocacy organisations such as Legal Aid Queensland. The group meets quarterly to share information about key developments and issues in the child protection sector.

Looking forward

A key challenge for the coming year is the growing number of applications in the guardianship and administration for adults and anti-discrimination jurisdictions. As both of these areas can involve complex matters, any increase can have a significant impact on division resources.

The increase in guardianship and administration for adults matters is an ongoing trend which reflects an ageing population and an increased awareness in the community of how guardianship and administration can be used to protect a loved one. We will continue to monitor this trend and explore innovative ways of maintaining service standards and efficiency within this growing jurisdiction.

We will also continue to participate in consultation including the *Positively Ageless* strategy and the Queensland Law Reform Commission recommendations as a result of the review of the legislation relating to substitute decision-making.

An exciting initiative in 2011-12 is the pilot program to hear guardianship and administration adults matters on-site in Queensland Health facilities. The program

promises to deliver a range of benefits, most significantly greater accessibility for clients in both a physical and service sense.

We are also committed to engaging with the child protection sector and identifying factors influencing a decrease in child related applications. This commitment includes engagement with key stakeholders and a communication action plan to ensure direct clients (via stakeholder and referral organisations) are aware of the tribunal and how to access our services. In 2011-12 this will be evaluated and addressed via research and stakeholder and client engagement strategies.

QCAT in action: Helping children be heard

Lee, a foster carer, lodged an application with QCAT asking for a review of a decision by the Department of Communities (Child Safety Services) that five children in the care of the Department (and currently cared for by Lee) would be placed with alternate foster carers. Lee's application was supported by the parents of the children involved, who also lodged their own application regarding the same matter.

QCAT determined that the applications by Lee and the parents would be heard together and stayed the department's decision (put it in hold) until the applications were heard.

QCAT appointed a separate representative for the children to ensure the views, wishes and interests of the children were actively promoted.

A series of directions were issued to enable all parties to present their views and make submissions to QCAT about matters such as witnesses, documentation required and reports to be prepared. The matter was complicated by the fact that the foster carer's authority was at the same time under review.

QCAT systematically worked through the issues and facilitated dialogue between the parties using a dispute resolution methodology. QCAT assisted the parties to reach an agreement which enabled the foster care's authority to be renewed, the children to remain living with the foster carer and the concerns of the department to be addressed.

HuRD facts and figures

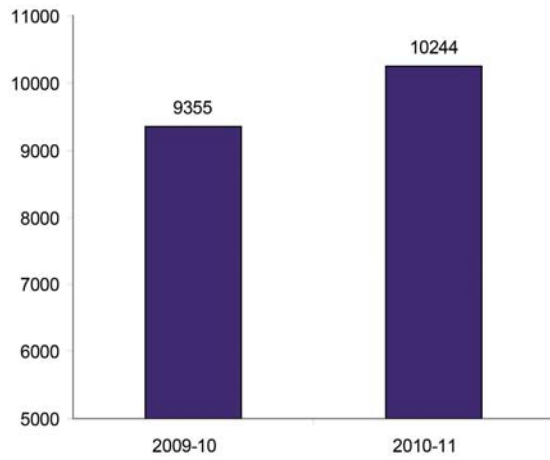


Figure 7: HuRD lodgements 2009-10 and 2010-11

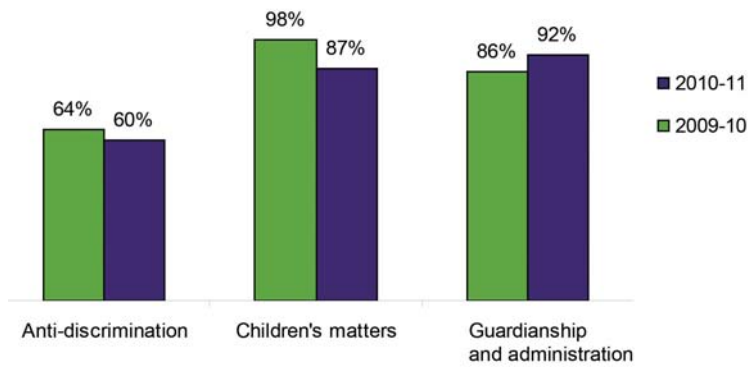


Figure 8: HuRD clearance rates 2009-10 and 2010-11

Limitation order type	Number made
Adult evidence order	1
Closure order	0
Non-publication order	3
Confidentiality order	14
Total applications received	30

Table 7: Type and number of limitation orders 2010-11

	Order made	Order renewed and varied	Dismissed / revoked	Deceased	Administrative closure	Withdrawn	Total
Guardianship for restrictive practice	129	0	27	1	7	19	183
Review of guardianship for restrictive practice	320	0	66	0	1	3	390

Table 8: Guardians for restrictive practices finalised applications 2010-11

	Approved	Dismissed	Deceased	Withdrawn / closure	Total
Containment	17	0	1	14	32
Review of containment	36	2	0	3	41
Seclusion	15	0	0	9	24
Review of seclusion	41	7	1	2	51
Application for another restrictive practice	21	0	1	11	33
Review of application for another restrictive practice	49	6	1	2	58

Table 9: Containment, seclusion and other restrictive practices approvals 2010 -11

Plans checked	Compliant	Not compliant
72	69	3

Table 10: Positive behaviour support plan compliance checks 2010-11

QCAT in action: Safeguarding adult decision-making

Peter is a 43 year old man who initiated a damages action in the Supreme Court for injuries sustained in a 1996 motor vehicle accident. Reservations were raised by Peter's counsel about his capacity to give instructions to his lawyers – the question of capacity was referred to QCAT for determination.

Peter attended an initial directions hearing but declined to co-operate with any medical assessment of capacity. Using disclosure provisions in the governing legislation, QCAT obtained information about Peter's medical history from his last treating doctor. This doctor had known Peter since 2005 and thought he had capacity to make complex decisions.

At a subsequent hearing, the tribunal member heard that Peter led an unconventional life. He viewed legal proceedings as a game, he was not driven by financial gain, and he was able to clearly articulate his plans for any damages he was to recover.

Lifestyle choices, eccentricity and poor decision-making are not in themselves evidence of impaired capacity – Peter was capable of understanding the nature and effect of decisions about the matter, freely and voluntarily making decisions about the matter; and communicating the decisions.

The member determined that Peter had capacity to instruct his lawyers in the damages action pending in the Supreme Court.

Minor civil disputes

Minor civil disputes (MCDs) include claims:

- for debts
- arising out of a contract between a trader and consumer
- for property damage caused by the use of a motor vehicle
- for repairs to a defect in a motor vehicle
- relating to disputes under the *Dividing Fences Act 1953*
- in respect of a tenancy matter.

Clients for MCDs may include:

- tenants, landlords, housing providers and real estate agents
- small business owners
- consumers and traders
- neighbours (dividing fences)
- motorists and motor traders
- private and business creditors
- debtors and commercial agents.

In south-east Queensland, MCD hearings are conducted by QCAT adjudicators. In other regions, the hearings are conducted by Magistrates (QCAT members for the purposes of conducting MCD hearings).

Our year



Minor civil disputes (MCDs) are case managed by the Client Services division with a focus on delivering fast and efficient dispute resolution, in particular for urgent tenancy matters.

2010-2011 has seen a 4 per cent increase in MCD applications, and a clearance rate of 91 per cent. MCDs represent 60 per cent of QCAT's total lodgements.

The majority of MCDs (75 per cent) are residential tenancy matters involving disputes between tenants and landlords.

To ensure the efficiency of the MCD process, the Client Services division has created a team of specialist MCD officers who manage the progress of cases from lodgement to resolution.

An ongoing commitment to client engagement and communication is reflected in the development of a range of new tools including application checklists for residential tenancy and minor debt applications.

Our partners

In support of the MCD jurisdiction, the Client Services division has maintained strong links with the Magistrates Courts, who deliver tribunal services outside the dedicated QCAT registry in Brisbane City. A dedicated Minor Civil Dispute Coordinator position provides support for Magistrates Court staff and facilitates communication and training on QCAT procedures including distribution of a monthly training newsletter and visits to regional courthouses to ensure comfort with the QCAT process.

We have also continued to work closely with the Residential Tenancies Authority (RTA) – this partnership facilitates the distribution of rental bonds via a data-link facility with the RTA to effect the disbursements of bonds quickly and accurately.

The division also undertakes speaking engagements to raise awareness of QCAT processes across a cross section of MCD stakeholder organisations including the RTA and the Real Estate Institute of Queensland.

MCD staff also work closely with tenancy advocacy groups including the Tenants Union of Queensland and Tenancy Advice and Advocacy Service (TAAS). QCAT hosts TAAS to provide a weekly free advice clinic at the QCAT registry for self-represented parties.

Looking forward

A 2011-12 priority is for a proactive community engagement to ensure both accessibility and an understanding of client rights and responsibilities. This engagement includes a self-help strategy whereby clients can access information using the call centre and website.

Internally, the focus is on ensuring staff (including Magistrates Court staff who manage MCD matters outside of suburban Brisbane) have the tools and knowledge required to deliver high quality client service.

Work will commence to implement a new case management system across Magistrates Courts in Queensland and the QCAT registry in Brisbane. This system will be used to better case manage MCD matters and track their progress through the tribunal.

Commencement of the *Neighbourhood Dispute Resolution Act 2011* is expected to impact MCD resources for both dividing fencing disputes and enforcement of tree orders relating to minor debt i.e. overhanging branches.

A key challenge in the new year will be engaging in a meaningful way with Magistrates Court staff to ensure consistent levels of service are provided when clients are dealing with QCAT, regardless of location. This challenge will need to be addressed via regular communication, education and training.

MCD facts and figures

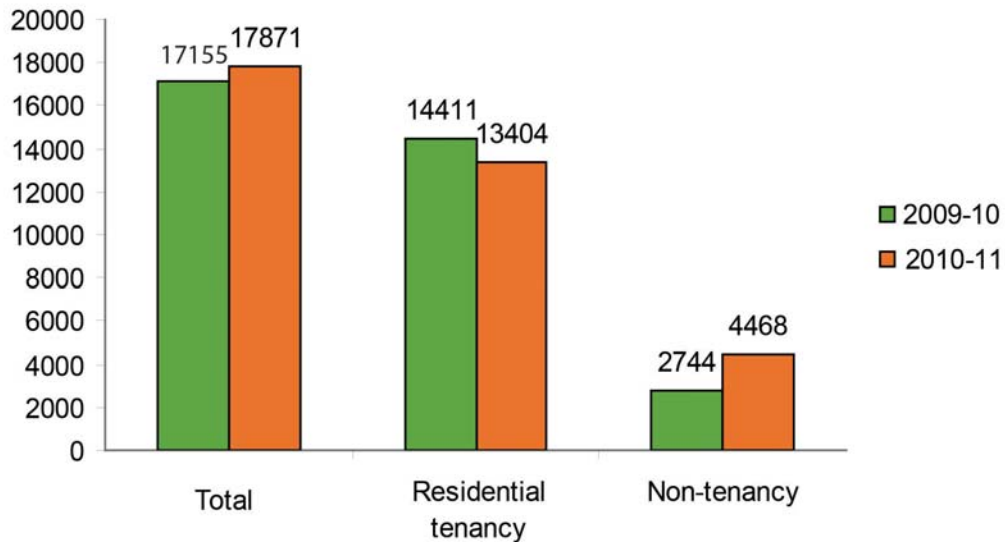


Figure 9: Total MCD lodgements 2009-10 and 2010-11

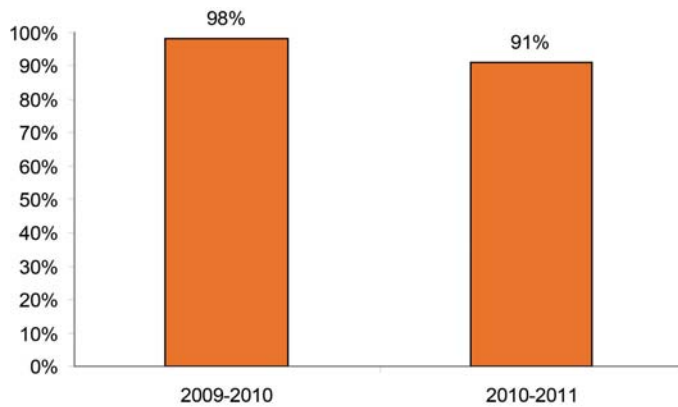


Figure 10: MCD clearance rates 2009-10 and 2010-11

QCAT in action: Evidence the key to rental disputes

ABC Property leased a residential property to Anna and Craig for a 3 month period. After the couple has had vacated the property, ABC Property made an application for \$473 compensation from Anna and Craig for additional cleaning, repairs and other works.

Anna and Craig accepted liability for the cost of flea treatment, but disputed the costs claimed for cleaning, repairs to wall dents, engaging a locksmith and removal of a wooden bath mat.

ABC Property was unable to offer sufficient evidence to support their claim: no photographs were taken to show additional cleaning was required, the exit condition report was not signed or dated by either party and no evidence was provided regarding the claims extra keys were cut by Anna and Craig. ABC Property was able to show that the bath mat was part of the original entry condition report signed by Anna and Craig, and correspondence which reflected Anna and Craig were liable for the repair of the wall dents.

Based on the evidence presented, the tribunal determined no costs should be awarded for additional cleaning or locksmith services. The member awarded ABC Property \$121 for pest treatment and replacement of the wooden bath mat, to be deducted from the rental bond held by the Residential Tenancies Authority.

Operations Support

The Operations Support division consists of scheduling, hearing support and transcription teams.

In 2011-12, the Operation Support division will strengthen the tribunal's presence throughout Queensland through targeted stakeholder engagement e.g. scheduling staff visiting courthouses throughout Queensland to liaise with Magistrate Court staff and ensure accessibility and effectiveness of services in regional and remote Queensland.

Scheduling

The scheduling team supports tribunal members and case managers by scheduling proceedings, including at magistrate courts in regional and South-East Queensland.

The scheduling team has scheduled over 12,000 proceedings throughout Queensland in 2010-2011 (excluding minor civil disputes) including mediations, compulsory conferences, directions hearings, expert conclaves and hearings.

Hearing support

The hearing support team provide support to members and adjudicators in hearings. This support can include liaising with parties, recording the proceedings, swearing in witnesses, producing orders and other general assistance.

A team of 20 hearing support officers provide support to members and adjudicators throughout Queensland. Most days, seven to eight hearing support officers are providing support on hearing circuits including far north and remote Queensland. Hearing support officers spend nine days a fortnight in hearings throughout the State.

The work of the hearing support team was recognised in Department of Justice and Attorney-General's 2011 staff excellence awards presented in July. The team received a commendation in the Commitment to Purpose category for their dedication to delivering high quality services and striving for quality and excellence.

Transcription

The transcription team provides a service to the members and adjudicators, case managers and parties seeking audio recordings of hearings. Requests for reasons for decisions can be provided by audio in accordance with section 123 of the QCAT Act.

In 2010-11, the transcription team processed approximately 1,385 requests for transcripts (537), reasons (432) and audio recordings (416).

Client Services

The Client Services team delivers service activities including reception counter service at the Brisbane QCAT registry office, call centre functions and minor civil dispute (MCD) case management.

In an average month, the Client Services team receives 8,606 phone calls and assists with thousands more email and face-to-face enquires.

The focus for 2011-12 remains on implementing strategies to ensure consistent levels of timely service, including relevant collection and analysis of demand data, and development of appropriate business and community engagement and education strategies.

Corporate Services

The Corporate Services team delivers human resources, training, marketing and communication and legal services to support the QCAT Registry, tribunal members and adjudicators.

Making connections

Our stakeholders

Our stakeholder community includes government departments, statutory bodies, the legal community and a large number of support and advocacy groups.

Since the establishment of the tribunal, we have valued our relationships and collaborations with organisations who may be impacted by decisions made by QCAT, who appear regularly before the tribunal, or who contribute to raising awareness of tribunal services and processes through their own communication channels.

This year has seen the development and implementation of a stakeholder engagement plan outlining priority stakeholders and a goal-oriented approach to ensure we meet and exceed expectations.

Our engagement and collaboration with these groups relates directly to ensuring existing and potential QCAT clients throughout Queensland are engaged through a range of sources and channels.

Stakeholder research

Stakeholder satisfaction research undertaken for the second time this year demonstrated an overall satisfaction level of 77 per cent – a 16 per cent improvement from 2009-10. The research reflected significant improvements in stakeholder perception of member and adjudicator professionalism and QCAT's accessibility and independence. Elements of the stakeholder research will help inform the Tribunal Excellence Framework performance analysis in 2011-12.

How do we engage?

Stakeholder engagement in 2010-11 included:

- speaking engagements
- appointment of a dedicated MCD Coordinator within QCAT as a direct contact for Magistrates Court staff
- a monthly newsletter for Magistrates Court staff focussing on minor civil disputes
- facilitation of staff from stakeholder organisations to observe hearings e.g. community legal centres and the Residential Tenancies Authority
- visits to courthouses across Queensland to engage with courts staff and ensure knowledge of the QCAT process
- delivery of Law Week information sessions.

Looking forward

A new initiative for 2011-12 is a quarterly stakeholder newsletter, *QCAT News*. Launched in August 2011, the newsletter will communicate new processes, legislation, events and significant decisions across all jurisdictions.

We will continue the implementation and ongoing evaluation of the stakeholder engagement plan to plan, report on and evaluate stakeholder activities including speaking engagements, training, participation in working groups, provision of consultation advice, community education and events.

Our clients

Every Queenslanders is potentially a QCAT client. With such a diverse range of jurisdictions and legislation to administer, people and businesses from all walks of life with all manner of disputes may come into contact with us, at a time when they may be feeling stressed, upset or vulnerable as a result of their dispute.

Client research

Research into QCAT client satisfaction was undertaken for the first time in 2011. Results reflected a high level of satisfaction with QCAT client service in relation to courtesy and respect shown by staff, regardless of satisfaction with case outcomes.

Elements of the client research will help inform the Tribunal Excellence Framework performance analysis in 2011-12.

How did we engage?

The QCAT website is a key communication channel and continued to attract high numbers of visitors in 2010-11.

QCAT registry staff and members undertook a number of speaking engagements to connect directly with clients including:

- events such as DJAG's *Planning for Life* forums, International Women's Day and Law Week
- legal advice and advocacy organisations e.g. Caxton Street Legal Centre, Court Volunteer Network, Legal Aid Queensland, Queensland Association of Independent Legal Services and Queensland Public Interest Law Clearing House
- legal and judicial groups e.g. Australian Institute of Administrative Law, Australian Institute of Judicial Administration, Bar Association Queensland, Building Disputes Practitioners Society, Coalition of Australian Tribunals, Ipswich

- Regional Magistrates Group, Professional Standards Council of Australia, Queensland Law Society and University of Queensland School of Law
- residential tenancy organisations e.g. Residential Tenancies Authority, Real Estate Institute of Queensland and Community Titles Institute Queensland
 - training events e.g. Queensland Courts Orientation Program, Courts Capability Network
 - organisations covered by occupational regulation legislation e.g. Australian Institute of Radiography
 - other organisations with a specific interest e.g. Australian and New Zealand Society for Geriatric Medicine.

Looking forward

A client engagement strategy will be finalised in 2011-12 to outline client awareness and education activities.

Interpreter and translation services

During 2010-11 QCAT provided 155 interpreter and document translation services via the Queensland Interpreting and Translating Service, the Translating and Interpreting Service and the Korean Interpreting and Translation Service.

The services were provided across 31 languages, with the most common being Mandarin, Korean and Arabic. The majority of services were required with the guardianship and administration for adults (42 per cent) and minor civil dispute jurisdictions (30 per cent).

Deaf Services Queensland was also engaged to provide client assistance on seven occasions.

Engaging with other tribunals

In December 2010, QCAT hosted a delegation of 18 judges from Qinghai province in North-western China. The delegation met with senior staff to discuss processes and procedures for administrative matters.

In December 2010, QCAT hosted the Portfolio Committee on Human Settlements from South Africa to discuss our approach to alternative dispute resolution.

QCAT has hosted several staff from Victorian Civil and Administrative Tribunal (VCAT), and undertaken reciprocal visits, which benefit both tribunals in learning more about innovative or different ways to approach similar challenges.

The NSW Planning and Environment Court have also provided support to QCAT in developing new processes for tree dispute resolution as part of the *Neighbourhood Dispute Resolution Act 2011* to be implemented in 2011-12.

Supreme Court of Queensland Library

The Supreme Court of Queensland Library (the Library) is the lead information agency for the Queensland courts and judiciary. It serves the Supreme, District and Magistrates Courts and QCAT.

The Library provides a range of information services to tribunal members including:

- legal reference and document delivery service via telephone, facsimile and email
- research services
- access to more than 150 databases and an estimated 60,000 individual full-text titles via the Judicial Virtual Library intranet
- consolidated and discounted subscription purchasing for the QCAT member library
- regular current awareness services via email subscription including the Judicial Current Awareness service and the *Queensland Legal Updater* bulletin.

Since 1 December 2009, the Library has published over 1,100 QCAT decisions and over 330 appeal tribunal decisions via the Library website. The availability of decisions is valuable for QCAT members, clients and the legal community because it shows how QCAT applies the legislation in different matters, and the potential outcomes and costs of being a party to an application to QCAT.

Our governance

Risk management

QCAT complies with the Department of Justice and Attorney-General's Risk Management Policy which was endorsed by the Audit and Risk Management Committee in 2008.

Tomorrow's Queensland Ambitions

Toward Q2 is the government's vision for Queensland and outlines five ambitions (strong, green, smart, healthy and fair) and 10 targets to achieve this vision by 2020. The guiding principle that QCAT operates under is *Fair - supporting safe and caring communities*.

Outputs	Output objectives	Principal activities
Court and tribunal services	Support safe and secure communities through the resolution of civil and criminal matters and improve services to vulnerable people.	Court, tribunal and prosecution services; coronial services, and justice models for early intervention and diversionary strategies.
Human rights protection services	Safeguard vulnerable people through the protection of the rights and interests of adults with impaired decision making capacity, children and victims of crime.	Guardianship and systems advocacy; review of decision made about children and young people in care; and compensation to victims of crime.
Policy, legislation and legal services	Provide justice policy advice, legislative development and law reform services and protect the community through the regulation of legal practitioners.	Leadership role in law reform; independent legal services for public sector agencies; justice policy advice and legislative development; and model litigant for the state.
Community justice services	Promote community safety, security, fairness and equity by protecting people's identity, property and rights and providing community justice services.	Registration and certification services for life events; justices of the peace programs; a penalties enforcement framework; and non-adversarial conflict resolution methods and local justice solutions.

Table 11: QCAT outputs and objectives against Fair

Public Sector Ethics Act 1994

The Department of Justice and Attorney-General's code of conduct provides a clear understanding of the standard of conduct required to be achieved in performing the role as a public official. This is based upon the ethics identified in the *Public Sector Ethics Act 1994* which are: respect for persons, integrity, respect for the law and system of government, diligence, economy and efficiency.

Staff are made aware of the code of conduct initially as part of the QCAT induction program and then on an annual basis. The coming year will see all staff attend ethical decision-making training provided through the Department of Justice and Attorney-General to ensure compliance with the updated Act.

Whistleblowers Protection Act 1994 and Public Interest Disclosure Act 2010

No public interest disclosures were made by QCAT staff in 2010-11.

Carer's (Recognition) Act 2008

The *Carer's (Recognition) Act 2008* formally recognises carers and the important contribution they make to the people they care for and to the community more generally.

Carers play a significant role in some QCAT jurisdictions – particularly guardianship and administration for adults and children and young people's matters.

We engaged with the Office of Carers in the development of the *Queensland Government Carer Action Plan 2006-2010* and support the principles of the Queensland Government Carer Recognition Policy and the Queensland Carers Charter.

Our management and structure

Tribunal member appointments

Appointment of the President

The 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.

Appointment of the 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 not more than five years.

Appointment of senior members and members

As at 30 June 2011 QCAT had four appointed senior members and ten ordinary members with two of these members working part-time. 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.

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

- 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.

In recommending persons for appointment as members, the Minister must have regard to the following:

- the need for balanced gender representation in the membership of the tribunal
- inclusion of Aboriginal people and Torres Strait Islander members
- the need for the membership of the tribunal to reflect the social and cultural diversity of the general community
- the range of knowledge, expertise and experience of members of the tribunal.

A senior member or ordinary member holds office for the period of at least three years but not more than five years. A person appointed as a senior member or ordinary member may be reappointed whether or not the vacancy in the member's office has been advertised. A senior member or ordinary member may be appointed on a full-time, part-time or on sessional basis.

Sessional members

As at the 30 June 2011 QCAT had 139 appointed sessional members. Five of these sessional members are appointed concurrently as part-time adjudicators.

Adjudicators

As at 30 June 2011, QCAT has eight appointed adjudicators (five of whom are appointed on a part-time basis). An adjudicator must be appointed by the Governor in Council on recommendation from the Minister after advertisement of the vacancy and consultation with the President.

When selecting a person for recommendation for appointment as an adjudicator, the Minister must advertise for applications from appropriately qualified persons to be considered for selection.

A person is eligible for appointment as an adjudicator only if the person is an Australian lawyer of at least 5 years standing. An adjudicator holds office for the period of at least three years but not more than five years. A person appointed as an adjudicator may be reappointed whether or not the vacancy in the adjudicator's office has been advertised.

Member appointments – see Appendix 1.

Boards and committees

Management committee

The Management committee was created under the direction of the QCAT President and consisted of the President (chairperson), Deputy President, Executive Director, one senior member, two ordinary members, Principal Registrar and the Manager – Business Services.

The committee met on a monthly basis to review financial statements, activity reports, member analysis reports and evaluate key initiatives.

Board of Management

From February 2011, the Board of Management replaced the Management committee.

The Board of Management consists of the President (chairperson), Deputy President, Executive Director, four senior members, the Principal Registrar and the Manager – Business Services.

The establishment of the Board reflects a shift from an operational to a strategic focus. The management committee focussed on operations, while the Board addresses strategic direction, performance, resources, compliance, risk and accountability issues.

Rules committee

The Rules committee is established under the Act. The members of the Committee are the President, the Deputy President, a full time ordinary member, a full time member who is not an Australian lawyer, an adjudicator, the Principal Registrar and the Senior Legal Officer. The Committee's functions are to develop and review the rules under the Act, approve forms for use under the Act, and any other functions conferred on the Committee.

During the period, the Rules committee met on three occasions: 3 August 2010, 7 October 2010 and 20 April 2011.

The Committee has requested various amendments to the rules, including amendments to provide for conciliators for neighbourhood dispute matters. The Committee has also approved forms for use by the tribunal, and approved changes to existing forms. The Committee has also considered the tribunal's existing registry practices and recommended changes when necessary.

Alternative Dispute Resolution committee

The Alternative Dispute Resolution (ADR) committee consists of the President, the Deputy President, two senior members, one member, the Principal Registrar and the Alternative Dispute Resolution Manager.

Its work focuses on:

- meeting the statutory demand in s4(b) of the Act that the tribunal encourage early and economical resolution of disputes including if appropriate through ADR processes
- training members in ADR and developing their skills and knowledge on its best use in QCAT's diverse jurisdictions
- the more effective use of ADR throughout QCAT for example, by increasing the early resolution of matters and avoiding the need for final adjudication through the use of compulsory conferences
- developing internal training and accreditation programmes for members.

Education, Training and Resources committee

The Education, Training and Resources committee was established by the President to focus on:

- meeting the statutory demand under s172(2)(c)(ii) of the Act that members and adjudicators are adequately and appropriately trained to enable the tribunal to perform its functions effectively and efficiently
- raising member and adjudicator proceedings skills and practices
- maintaining an awareness of legislative developments
- encouraging a cohesive and collaborative membership.

The Committee coordinates an annual conference (held in March) and half-day per month is set aside for legislative and procedural training, which can be accessed via telephone link for regional members and adjudicators.

In 2011-12 the Committee will:

- implement an induction and professional development program to introduce new members to the breadth of tribunal jurisdictions, legal and process issues
- trial a mediation training program for members in conjunction with the Victorian Civil and Administrative Tribunal and the State Administrative Tribunal (WA)
- implement a member mentoring program in conjunction with the annual appraisal process
- actively pursue training initiatives including delivering a guest speaking program for members.

Innovation committee

The Innovative committee is comprised of the Executive Director, QCAT management team (division registrars and senior registry staff) and staff members from each division of the registry.

The Committee meets quarterly and identifies and evaluates suggestions and opportunities for improvements to service delivery or registry processes.

Committee members facilitate the submission of staff proposals relating to new initiatives, refining or redefining existing practices or redistributing resources.

Local consultative committee

The Local consultative committee (LCC) consists of QCAT management and QCAT union member representatives. The committee meets quarterly to facilitate meaningful consultation on issues including organisational change, workload management, training, work life balance, sustainability and workforce management policies.

The QCAT LCC first met in September 2010. The LCC works in conjunction with the Department of Justice and Attorney-General consultative committee (DJAGCC) and was the first LCC to be established by a division of JAG.

Our workforce

As at 30 June 2011, the QCAT registry has 110 permanent employees and five trainee staff. An additional two trainees completed traineeships in May 2011 after the successful completion of their Certificate III in Business Administration.

Of the 110 staff, 15 are employed on part-time arrangements. During this reporting period, there has been an 8 per cent permanent separation rate.

The graph below depicts the ratio of men and women within the registry.

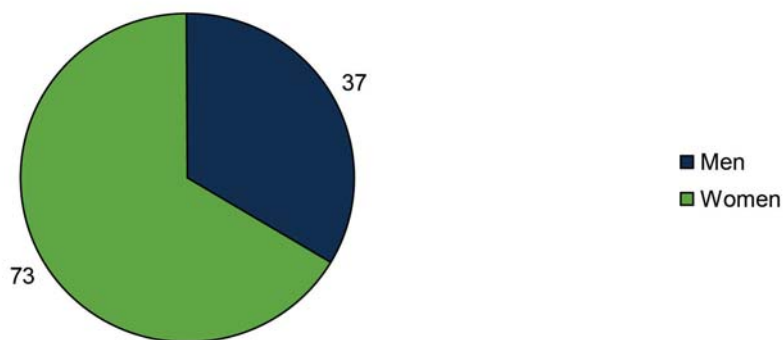


Figure 11: Ratio of male and female staff within the QCAT registry

Statutory appointments include the President, the Deputy President, four senior members, 10 members and eight adjudicators (seven of the members and adjudicators are employed on a part-time basis).

As at 30 June 2011, there were 139 appointed sessional members (including five members concurrently appointed as adjudicators).

Workforce planning

In 2010-11, QCAT undertook specific recruitment programs focussed on Indigenous Australian trainees. This initiative was recognised via the Department of Justice and Attorney-General's 2011 staff excellence awards where staff received a commendation in the Commitment to Reconciliation category.

QCAT is committed to the attraction and retention of staff and promotes work life balance strategies.

In 2011 the QCAT Executive Director was a champion for a pilot project within the Department of Justice and Attorney-General to promote and trial work-life balance opportunities. QCAT provides a representative to the department's Work Life Balance Strategy Committee, which is dedicated to the development and implementation of work life balance strategies for all employees.

A number of QCAT employees achieve work/life balance through part-time and flexible working hours.

A carer's room is provided (equipped with a computer, bedding and children's activities) for use by all staff and their families.

Workforce capability

All registry staff are supported through appropriate communication, negotiation and consultation including a performance effectiveness program.

QCAT has provided training and development opportunities to build staff and management performance and capability to ensure continuous improvement of service and knowledge standards.

Early retirement, redundancy and retrenchment

As at the 30 June 2011 QCAT had not awarded any early retirement, redundancy or retrenchment packages in 2010-11.

Governance operations

List of consultants	Nil
Cost of overseas travel	Nil

Our financial performance

	Budget (\$m)	Actual (\$m)	Variance (\$m)
Income			
Appropriation	15.7	15.7	-
User charges	3.0	3.0	-
Grants and other contributions			
Total income	18.7	18.7	-
Expenses			
Staff employment costs	9.0	8.7	0.3
Member costs	5.9	6.2	(0.3)
Property costs	2.3	2.3	-
Overhead	1.5	1.6	0.1
Total operating expenses	18.7	18.8	(0.1)

Table 12: 2010-11 QCAT financial statement

Funding

QCAT's total income for 2010-11 was \$18.7m. Government appropriations of \$15.7m were received from the Department of Justice and Attorney-General and QCAT also received \$3.0m from application fees and Memorandums of Understanding (MoUs).

Expenditure

In 2010-11, QCAT's recurrent expenditure was \$18.8m, divided between staff salaries of \$8.7m, members costs (including sessional members) of \$6.2m, property costs of \$2.3m and overheads of \$1.6m.

2010–11 financial statements for QCAT

2010-11 audited financial statements for QCAT are published within the Department of Justice and Attorney-General's annual report 2010-11.

Glossary and abbreviations

Abbreviations and acronyms

ADR	alternative dispute resolution
CAD	Civil, Administrative and Disciplinary division
DRB	Dispute Resolution Branch – Department of Justice and Attorney-General
HuRD	Human Rights division
MCD	minor civil dispute
QCAT	Queensland Civil and Administrative Tribunal
QBSA	Queensland Building Services Authority

Glossary

active case management	When QCAT members take a proactive role in the management of cases for example, listing the case for a compulsory conference, to ensure the case progresses steadily.
adversarial	A legal system or proceeding that involves conflicting parties or interests.
adjudicators	Legally qualified QCAT decision makers for minor civil disputes and other matters before the tribunal.
alternative dispute resolution	Resolution of a matter through mediation or conferencing rather than the adversarial process.
compulsory conference	A dispute resolution method used by the tribunal to mediate settlement, identify issues in dispute and make orders and directions.
directions	The tribunal has to the power to order parties to do certain things to streamline the progress of a matter before the tribunal, for example to file and exchange material.
directions hearing	Directions hearings may be conducted by a member, adjudicator or the Principal Registrar and aim to streamline matter progress.
enduring power of attorney	Legal document a person can prepare to give someone else the power to make personal or financial decisions on their behalf.
expert conclave	An expert conclave is a private meeting between experts in the same field of expertise, chaired by a member of the

	tribunal. Lawyers, advisers and clients are not permitted to attend the conclave.
impaired capacity	The inability of a person to go through the process of reaching a decision and putting it into effect based on three elements: <ul style="list-style-type: none"> • understanding the nature and effect of the decision • freely and voluntarily making a decision • communicating the decision in some way.
jurisdiction	The legislative power of the tribunal to hear and determine certain matters.
mediation	A dispute resolution method used for bringing about agreement or reconciliation between parties. This involves exploring possible agreement without an adversarial hearing. Mediations are conducted by an impartial dispute resolution professional.
member	Professionally qualified QCAT decision makers for disputes before the tribunal.
minor civil disputes	A claim for certain debts or disputes limited to \$25,000 or less.
<i>Neighbourhood Dispute Resolution Act 2011</i>	Legislation passed in August 2011 under which QCAT will have jurisdiction over dividing fence and tree disputes.
sessional member	Professionally qualified QCAT decision makers for disputes before the tribunal employed on a sessional basis.
submissions	An outline of argument parties may submit to the tribunal based on the evidence that has been put before the tribunal.

Appendix 1 – Member appointments

Name	Position	Appointment start date	Appointment end date	Notes
Susan Booth	Senior Member	1/12/2009	30/11/2014	
Clare Endicott	Senior Member	1/12/2009	30/11/2014	
Kerrie O’Callaghan	Senior Member	1/01/2010	30/11/2014	
Richard Oliver	Senior Member	1/12/2009	30/11/2014	
James Allen	Member	1/12/2009	30/11/2014	
Adrian Ashman	Member	1/12/2009	30/11/2014	
Elizabeth Benson-Stott	Member	1/12/2009	30/11/2014	
Julie Ford	Member	1/12/2009	30/11/2014	
Susan Gardiner	Member	1/12/2009	30/11/2014	
Patricia Hanly	Member	1/12/2009	30/11/2014	
Michelle Howard	Member	1/12/2009	30/11/2014	
Ronald Joachim	Member	1/12/2009	30/11/2014	
Bridget Cullen Mandikos	Member	1/12/2009	30/11/2014	
Peta Stilgoe	Member	1/12/2009	30/11/2014	
John Bertelsen	Adjudicator	1/12/2009	30/11/2014	
Kate Buxton	Adjudicator *	1/12/2009	30/11/2014	
Alexander Crawford	Adjudicator *	17/6/2011	30/11/2014	
Trevor Davern	Adjudicator	1/12/2009	30/11/2014	
Michael Howe	Adjudicator *	17/6/2011	30/11/2014	
William LeMass	Adjudicator *	1/12/2009	30/11/2014	
Christine Trueman	Adjudicator	1/12/2009	30/11/2014	
Tammy Williams	Adjudicator *	11/6//2010	30/11/2014	
Allanah Aitken	Sessional Member	1/12/2009	30/11/2011	
Michele Alroe	Sessional Member	1/12/2009	30/11/2011	
Peter Apel	Sessional Member	12/11/2010	30/11/2014	
Margaret Arthur	Sessional Member	1/12/2009	30/11/2011	
Johanna Bakermans	Sessional Member	1/12/2009	30/11/2011	
Brydget Barker-Hudson	Sessional Member	1/12/2009	30/11/2011	
Kenneth Barlow	Sessional Member	1/12/2009	30/11/2011	
Sean Barry	Sessional Member	1/12/2009	30/11/2011	
Barbara Bayne	Sessional Member	1/12/2009	30/11/2011	
Philippa	Sessional Member	1/12/2009	30/11/2011	

Name	Position	Appointment start date	Appointment end date	Notes
Beckinsale				
Catherine Benson	Sessional Member	12/11/2010	30/11/2014	
Susan Bothmann	Sessional Member	1/12/2009	30/11/2011	
Jeffrey Bowles	Sessional Member	12/11/2010	30/11/2014	
Thomas Bradley	Sessional Member	1/12/2009	30/11/2011	
Alexander Brands	Sessional Member	1/12/2009	30/11/2011	
Suzanne Brooks	Sessional Member	1/12/2009	30/11/2011	
Joanne Browne	Sessional Member	1/12/2009	30/11/2011	
Robert Bulley	Sessional Member	1/12/2009	30/11/2011	
Simon Burgess	Sessional Member	1/12/2009	30/11/2011	
Kate Buxton	Sessional Member*	17/06/2011	30/11/2014	
Gerald Byrnes	Sessional Member	12/11/2010	30/11/2014	
John Carey	Sessional Member	12/11/2010	30/11/2014	
Annette Carrigan	Sessional Member	1/12/2009	30/11/2011	
Julia Casey	Sessional Member	1/12/2009	30/11/2011	
Sharon Christensen	Sessional Member	1/12/2009	30/11/2011	
Gregory Clarke	Sessional Member	1/12/2009	30/11/2011	
Leslie Clarkson	Sessional Member	1/12/2009	30/11/2011	
Roxanne Clifford	Sessional Member	1/12/2009	30/11/2011	
James Cockerill	Sessional Member	1/12/2009	30/11/2011	
Nigel Collings	Sessional Member	1/12/2009	30/11/2011	
Michael Conrad	Sessional Member	1/12/2009	30/11/2011	
Simon Coolican	Sessional Member	12/11/2010	30/11/2014	
Barry Cotterell	Sessional Member	1/12/2009	30/11/2011	
Thomas Cowan	Sessional Member	12/11/2010	30/11/2014	
Julie Cowdroy	Sessional Member	1/12/2009	30/11/2011	
Christopher Coyne	Sessional Member	1/12/2009	30/11/2011	
Alexander Crawford	Sessional Member*	1/12/2009	30/11/2014	
Beverley Day	Sessional Member	1/12/2009	30/11/2011	
Sandra Deane	Sessional Member	12/11/2010	30/11/2014	
Michelle Dooley	Sessional Member	1/12/2009	30/11/2011	
Russell Duigan	Sessional Member	1/12/2009	30/11/2011	
Tracy Lee Fantin	Sessional Member	1/12/2009	30/11/2011	
Paul Favell	Sessional Member	1/12/2009	30/11/2011	
Penelope Feil	Sessional Member	1/12/2009	30/11/2011	
Jennifer Felton	Sessional Member	1/12/2009	30/11/2011	

Name	Position	Appointment start date	Appointment end date	Notes
Ann Fitzpatrick	Sessional Member	1/12/2009	30/11/2011	
Anne Forbes	Sessional Member	1/12/2009	30/11/2011	
Colin Forrest	Sessional Member	1/12/2009	30/11/2011	
John Gallagher	Sessional Member	1/12/2009	30/11/2011	
Keith Geraghty	Sessional Member	1/12/2009	30/12/2011	
Pamela Goodman	Sessional Member	1/12/2009	30/11/2011	
Jody Gosling	Sessional Member	1/12/2009	30/11/2011	
Robert Grant	Sessional Member	1/12/2009	30/11/2011	
Myrtle Green	Sessional Member	1/12/2009	30/11/2011	
Robert Gregory	Sessional Member	1/12/2009	30/11/2011	
Wendy Grigg	Sessional Member	12/11/2010	30/11/2014	
Catherine Heyworth-Smith	Sessional Member	1/12/2009	30/11/2011	
Judith Himstedt	Sessional Member	1/12/2009	30/11/2011	
Alison Holm	Sessional Member	1/12/2009	30/11/2011	
Susann Holzberger	Sessional Member	1/12/2009	30/11/2011	
Rosalind Hourigan	Sessional Member	1/12/2009	30/11/2011	
Michael Howe	Sessional Member*	12/11/2010	30/11/2014	
Elizabeth Hulin	Sessional Member	1/12/2009	30/11/2011	
Anne Jarrett	Sessional Member	1/12/2009	30/11/2011	
Nathan Jarro	Sessional Member	1/12/2009	30/11/2011	
Joanna Jenkins	Sessional Member	12/11/2010	30/11/2014	
Lynette Johannessen	Sessional Member	1/12/2009	30/11/2011	
Mark Johnston	Sessional Member	1/12/2009	30/11/2011	
Christine Jones	Sessional Member	12/11/2010	30/11/2014	
Neil Judge	Sessional Member	1/12/2009	30/11/2011	
Sandra Kairl	Sessional Member	1/12/2009	30/11/2011	
David King	Sessional Member	12/11/2010	30/11/2014	
Robert King-Scott	Sessional Member	12/11/2010	30/11/2014	
Peter Krebs	Sessional Member	12/11/2010	30/11/2014	
Rosemary Kyburz	Sessional Member	1/12/2009	30/11/2011	
William LeMass	Sessional Member*	17/06/2011	30/11/2014	
Gregory Lewis	Sessional Member	1/12/2009	30/11/2011	
David Liddell	Sessional Member	1/12/2009	30/11/2011	
Joanna Lindgren	Sessional Member	12/11/2010	30/11/2014	

Name	Position	Appointment start date	Appointment end date	Notes
Jill Loane	Sessional Member	1/12/2009	30/11/2011	Resigned 10/2/2011
Janice Logan	Sessional Member	1/12/2009	30/11/2011	
Stuart MacDonald	Sessional Member	1/12/2009	30/11/2011	
Malcolm Macrae	Sessional Member	1/12/2009	30/11/2011	
Elena Marchetti	Sessional Member	1/12/2009	30/11/2011	
Donald McBryde	Sessional Member	1/12/2009	30/11/2011	
Michael McCarthy	Sessional Member	1/12/2009	30/11/2011	
Peter McDermott	Sessional Member	11/06/2010	30/11/2014	
Louise McDonald	Sessional Member	1/12/2009	30/11/2011	
Paul McGrath	Sessional Member	1/12/2009	30/11/2011	
Margaret McLennan	Sessional Member	1/12/2009	30/11/2011	
Leslie McNamara	Sessional Member	1/12/2009	30/11/2011	
Brockwell Miller	Sessional Member	1/12/2009	30/11/2011	
Sharon Mills	Sessional Member	1/12/2009	30/11/2011	
Elissa Morriss	Sessional Member	1/12/2009	30/11/2011	
Gwenn Murray	Sessional Member	1/12/2009	30/11/2011	
Fay O'Donnell	Sessional Member	1/12/2009	30/11/2011	
Robyn Oliver	Sessional Member	12/11/2010	30/11/2014	
Lisa O'Neill	Sessional Member	1/12/2009	30/11/2011	
Maureen O'Regan	Sessional Member	1/12/2009	30/12/2011	
Marjorie Pagani	Sessional Member	1/12/2009	30/11/2011	
David Paxton	Sessional Member	12/11/2010	30/11/2014	
Louise Pearce	Sessional Member	12/11/2010	30/11/2014	
Wayne Pennell	Sessional Member	12/11/2010	30/11/2014	
Phillip Pennington	Sessional Member	1/12/2009	30/11/2011	
Mark Plunkett	Sessional Member	12/11/2010	30/11/2014	
Graham Quinlivan	Sessional Member	1/12/2009	30/11/2011	
Darryl Rangiah	Sessional Member	1/12/2009	30/11/2011	Resigned 10/2/2011
Karyn Reardon	Sessional Member	1/12/2009	30/11/2011	
Judith Reid	Sessional Member	1/12/2009	30/11/2011	
Kim Richards	Sessional Member	1/12/2009	30/11/2011	
Peter Richards	Sessional Member	1/12/2009	30/11/2011	
Eleanor Robertson	Sessional Member	1/12/2009	30/11/2011	
Peter Roney	Sessional Member	1/12/2009	30/11/2011	
Keta Roseby	Sessional Member	12/11/2010	30/11/2014	

Name	Position	Appointment start date	Appointment end date	Notes
Richard Roylance	Sessional Member	1/12/2009	30/11/2011	
Beverley Russell	Sessional Member	1/12/2009	30/11/2011	Resigned 16/6/2011
Katherine Schmider	Sessional Member	1/12/2009	30/11/2011	
Stephen Sheaffe	Sessional Member	1/12/2009	30/11/2011	
Grant Sommerville	Sessional Member	1/12/2009	30/11/2011	
Glenice Spender	Sessional Member	1/12/2009	30/11/2011	
Rosemary Stafford	Sessional Member	1/12/2009	30/11/2011	
Stephen Stathis	Sessional Member	1/12/2009	30/11/2011	
Aaron Suthers	Sessional Member	1/12/2009	30/11/2011	
Andrew Swindells	Sessional Member	1/12/2009	30/11/2011	
John Tanzer	Sessional Member	12/11/2010	30/11/2014	
Ian Thomas	Sessional Member	1/12/2009	30/11/2011	
James Thomas	Sessional Member	1/12/2009	30/11/2011	
Peter Toohey	Sessional Member	1/12/2009	30/11/2011	Resigned 10/2/2011
Diane Turner	Sessional Member	12/11/2010	30/11/2014	
Peter Walker	Sessional Member	12/11/2010	30/11/2014	
Margaret Watson	Sessional Member	1/12/2009	30/11/2011	
Kenneth Watson	Sessional Member	1/12/2009	30/11/2011	
Shirley Watters	Sessional Member	1/12/2009	30/11/2011	
Ian Wells	Sessional Member	1/12/2009	30/11/2011	
Robert Wensley	Sessional Member	1/12/2009	30/11/2011	
Adrian Williams	Sessional Member	1/12/2009	30/11/2011	
Andrew Williams	Sessional Member	12/11/2010	30/11/2014	
Tammy Williams	Sessional Member*	1/12/2009	30/11/2014	
Lindy Willmott	Sessional Member	1/12/2009	30/11/2011	
Elizabeth Wilson	Sessional Member	1/12/2009	30/11/2011	
Jennifer Wiltshire	Sessional Member	1/12/2009	30/11/2011	
Michael Wood	Sessional Member	1/12/2009	30/11/2011	
Peter Wulf	Sessional Member	1/12/2009	30/11/2011	

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



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2010–11**

