

Connect

Tribunals Review Newsletter



Edition two October 2008

A message from Julie Grantham

Welcome to the second edition of *Connect*, the e-newsletter written especially for tribunal staff, members and stakeholders affected by the creation of the Queensland Civil and Administrative Tribunal (QCAT).

The independent panel's stage one report on the scope and initial implementation arrangements for the new tribunal has been approved by Cabinet.

The report includes 48 recommendations and identifies 23 tribunals and the functions of five other bodies for inclusion in the new tribunal. These tribunals vary in size, with the smallest having only one hearing a year through to the largest conducting 22,000 hearings a year. That's quite a difference!

The summary of recommendations collated in the first few pages of the report is an easy way to learn about the panel's recommendations. If you're not interested in reading the entire report this is a good place to start and may help you identify the recommendations that are of most interest to you.

Some of the information provided in this edition of *Connect* may not be new to you. When you have a diverse readership like we do you must accommodate readers with vastly different knowledge levels in equal measure. This is also true for the change management process that is crucial to QCAT's success.

Everyone is different, so are their responses to change. Staff must have an opportunity to process change at a pace they are comfortable with. Staff also need an opportunity to voice their concerns and to decide how they want to contribute to the process moving forward. This is not always easy but it is something that deserves our time and energy to get right.

Join our mailing list

To join, visit our website www.tribunalsreview.qld.gov.au and follow the link.

Have you visited our website recently?

It's full of useful information, presentations and demonstrations. Visit www.tribunalsreview.qld.gov.au.

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Queensland Government
Department of Justice and Attorney-General

It is also something that the tribunals review team is committed to. Workshops have been organised to help tribunal registrars, managers and supervisors lead staff through the transition process that lies ahead. If you are attending one of these workshops I encourage you to get involved and take these skills back to your workplace for the benefit of your colleagues.

I trust you will all enjoy reading this edition of *Connect*. On behalf of the tribunals review team, I thank you for your continued support and look forward to the exciting months ahead.

Julie Grantham
Director-General
Department of Justice and Attorney-General

Information (lunchbox) session update

Our second round of staff information sessions were held on 18, 19 and 20 August 2008.

These sessions included a presentation about the panel's stage one report and a discussion of key recommendations. This was followed by a group activity that asked participants to consider one of three questions:

1. List the challenges you see in delivering your tribunal's services in regional and rural Queensland
2. Describe how registry staff are feeling about the changes ahead
3. If you could improve any aspect of how your tribunal currently operates, what would it be?

This activity generated many ideas and suggestions that are now being used to inform current and future project work.

Some of the issues identified during the activity included:

- the availability and appropriateness of regional resources especially for vulnerable people
- the need for consistent service delivery standards across the tribunal
- the importance of honest, direct and ongoing communication with staff particularly where job security and stability is concerned
- greater emphasis on the professional development and training of staff and more community education and awareness programs.

Our next round of staff information sessions will be held on 26, 27 and 28 November 2008 from 9am -10.30am and 11am -12.30pm.

What's on

1. Mercer consultation sessions

When:

September – October 2008

Time:

Various

Where:

Brisbane central business district.

For more information visit our website.

2. Managing transition and change workshop

The workshop will assist tribunal registrars, managers and supervisors understand the dynamics of personal and organisational transition.

When:

17 October 2008

Time:

9am-12.30pm or 1pm – 4.30pm
(plus lunch)

Where:

State Law Building, 50 Ann Street, Brisbane.

3. November information sessions

Our next round of staff information sessions are coming soon.

When:

26, 27 and 28 November 2008

Time:

9am -10.30am or 11am-12.30pm
daily

Venue:

Bank of Queensland Building, Queen Street, Brisbane.

Staff must register to attend. Email your details and session preference to enquiries@tribunalsreview.qld.gov.au by 10 November 2008.

See you there.

Mercer consultation begins

In its stage one report, the panel recommended the adoption of an integrated registry structure suitable for the needs of QCAT.

Developing this structure to reflect the purpose and service delivery mandate of the new tribunal is a large and complex task. For this reason, Mercer has been engaged to undertake this work. This includes developing the roles, responsibilities and reporting lines that are the basis of the registry as well as the role descriptions that outline the accountabilities of individual roles.

The role of staff in the development process is a critical one. A series of face-to-face consultation sessions will take place during September and October. In addition, Mercer will observe tribunal hearings and tour tribunal registries.

Mercer has more than 30 years experience working with Australian companies including public sector organisations at all levels of government. Most recently, they worked with the Department of the Premier and Cabinet in Queensland to review the structure of the new Public Service Commission.

Their work will also inform the development of a workforce management plan by the tribunals review team. This will commence in late 2008 once work on QCAT's new registry structure is underway. For more information about the consultation process or to access a copy of the consultation schedule visit our website www.tribunalsreview.qld.gov.au.

QCAT and the courts

QCAT will affect the courts in a number of ways. QCAT will have the largest impact on the small claim and minor debt jurisdictions of the Magistrates Court. These jurisdictions will transfer to QCAT from 1 December 2009 to form part of its civil disputes division. The Misconduct Tribunal, Health Practitioners Tribunal and Legal Practitioners Tribunal will also move to QCAT and join its administrative and disciplinary division. A range of merit review jurisdictions currently being dealt with in the Supreme Court, District Court and Magistrates Court will also move to QCAT.

The small claim and minor debt jurisdictions have the highest matter numbers of any amalgamating tribunal. They also have a huge regional presence which needs to be maintained – 96 per cent of tribunal matters heard outside of Brisbane relate to these jurisdictions.

The tribunals review team will be working with the courts between now and December 2009 to determine how this will occur.

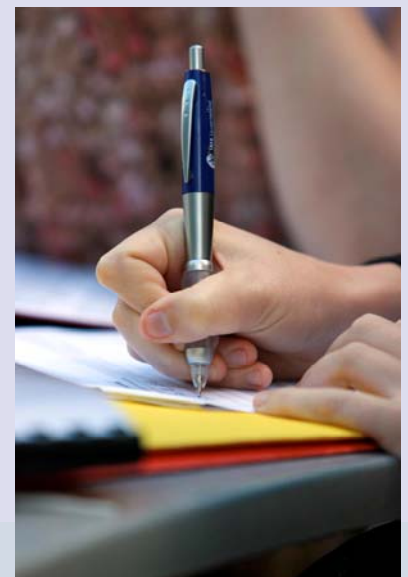
Stage two report

The panel's second report to the Queensland Government on the legislative changes needed to create QCAT is due in October 2008.

Legislative amendments are required to more than 160 pieces of legislation and subordinate legislation, affecting over 24 different government bodies. In addition, legislation to support the creation of QCAT is required.

It is anticipated that two Acts will be created. The first Act will establish QCAT, its membership, powers and procedures. The second will amend the range of Acts across government that relate to the tribunals that will be amalgamated into QCAT. A small number of Acts such as the *Small Claims Tribunals Act 1973* will be repealed.

Consultation on a draft Bill is expected to commence in January 2009. You will be able to download a copy of the draft Bill from the tribunals review website once this process begins.



Next month, the tribunals review team will commence work on QCAT's regional and rural service delivery plan. The plan will consider a range of strategies to ensure the efficient and timely delivery of justice to users outside of south east Queensland.

This plan will address member arrangements, registry support, facilities and technology. Although the plan has yet to be determined it is not expected to significantly change how these matters are dealt with in the regions.

A regional reference group, which includes a mix of court representatives, will also be formed to provide information and advice on issues with a significant regional impact.

Case management tool selected

The panel's first report to the government recommended the adoption of a single case management system until QCAT can be incorporated into the Future Courts project which will see a single case management solution used across the courts and the new tribunal post 2012.

In July 2008, an analysis of existing case management systems was completed in order to determine the most suitable tool for adoption across QCAT. A number of mandatory requirements were identified and used to assess the current systems' suitability for implementation within QCAT. On 8 August 2008, CaseWorks was approved as the case management system to be adopted by all QCAT jurisdictions, with the exception of small claims and minor debt matters which will continue to use their current tool (CLAIMS).

CaseWorks is a highly flexible system that is very easy to use and navigate and is currently used by the Victorian Civil and Administrative Tribunal (VCAT).

CaseWorks will be gradually rolled out between now and December 2009. This means some tribunals will begin using CaseWorks before they amalgamate into QCAT. A range of factors need to be considered before determining the most appropriate time to transition tribunals to CaseWorks. This will include whether the tribunal is currently using a case management system, the volume of matters received annually, the number of specialist features that will need to be incorporated into the system for individual tribunals and any legislative requirements necessary to move a tribunal to CaseWorks.

The tribunals review team is currently identifying how this roll out will occur and at what time tribunals will transition to CaseWorks. Once this schedule is finalised it will be posted on the tribunals review website.

For more information about CaseWorks, visit the website which now includes demonstrations, presentations and frequently asked questions about CaseWorks.

Have you seen our frequently asked questions webpage recently?

It has been updated with lots of new FAQs. If you have a question that is not answered online, why not contact us by email or phone to see if we can help.

Here is a selection of recently added questions:

How many full time members will QCAT need?

The exact number of full time members is still to be determined. Detailed modelling of current and future tribunal operations will be used, in part, to determine the most appropriate number of full time members. Sessional members will also be appointed as will tribunal registrars.

Will QCAT have a mix of legal and professional members?

Yes. The diversity of matters that will appear before QCAT will require a mix of legal and professional members. Detailed modelling of current and future tribunal operations will be used to determine the appropriate mix.

Will QCAT have members outside of Brisbane?

Regionally based members are already used by a number of tribunals, as are circuiting members. An increase in the use of these types of members will be considered as part of QCAT's regional and rural service delivery plan due for release in February 2009.

Focus on: The Anti-Discrimination Tribunal

In each edition of *Connect* we focus our attention on someone or something of interest to staff and members. In this edition, we turn our focus to the Anti-Discrimination Tribunal and chat with Registrar, Deborah Keenan.

What is the role of the Anti-Discrimination Tribunal?

To resolve disputes referred from the Anti-Discrimination Commission Queensland through conciliation or hearing. The tribunal also decides applications for exemptions from the operation of the *Anti-Discrimination Act* and responds to requests for opinions from the Anti-Discrimination Commissioner.

Who typically uses the tribunal?

Complainants who believe they have been subjected to unlawful discrimination, vilification, and/or sexual harassment, as well as respondents, representatives and agents.

How many registry staff does the tribunal have?

There are presently three of us. We have one other staff member, the tribunal assistant, who is currently on secondment.

How many members does the tribunal have?

The tribunal has all part time members. We have one in Townsville, two in Cairns and eight in Brisbane.

Where is the tribunal currently located?

Level 1/189 Coronation Drive, Milton.

What happens when a matter is referred to the tribunal?

The registrar issues initial directions to the parties to file material and attend a conciliation conference.

What types of hearings does the tribunal have?

The tribunal has directions hearings, interlocutory hearings, interim hearings, and final hearings all conducted by a single member. The registrar also conducts some directions hearings.

How will QCAT improve the delivery of your tribunal services?

We are looking forward to the availability of tribunal specific hearing rooms as well as fulltime members. Moving from Milton to the city will make us more central and therefore more accessible for Brisbane parties and their representatives. Statutory time limits on delivery of decisions will help us to provide timely decisions to the parties.

(continued)

What would you like other amalgamating tribunals to know about your tribunal?

We are a great team and we're looking forward to moving to the city!

What's the best part of working for the tribunal?

Advancing human rights by fostering tolerance and valuing diversity in the community, being advocates for the *Anti-Discrimination Act* and its objectives, dealing with an interesting and diverse range of complaints and parties and the ability to resolve complaints through dispute resolution processes.

Meet the Anti-Discrimination Tribunal staff members:



Registrar, Deborah Keenan



Conciliator, Andrea Gibson



Case Manager, Carmen Carroll