



## QCAT: A new milestone for the Queensland Civil Justice System

Queensland is making a historical landmark and comprehensive reform in its civil justice system by introducing the Queensland Civil and Administrative Tribunal (**QCAT**) as of 1 December 2009.

This reform is instituted by amalgamating the functions of 23 tribunals and other statutory bodies into one single tribunal called QCAT.

The reforms come after an overhaul of the Queensland civil and administrative justice system conducted by the Legal, Constitutional and Administrative Review Committee (**LCARC**) of the Queensland Parliament. The LCARC recommended in their 2008 report titled 'The accessibility of administrative justice' that a 'generalist tribunal' be created in Queensland.

The Queensland government appointed retired Court of Appeal Justice Glen Williams to head a panel of experts and make recommendations as to how such a tribunal could be established. The recommendations made by this panel resulted in passing the *Queensland Civil and Administrative Tribunal Act 2009 (Qld.) (QCAT Act)* establishing QCAT.

The main purpose of the reform was to create a single and larger gateway of administering justice within the Queensland civil justice system in order to enhance the objectives stated in section 3 of the QCAT Act:

- to establish an independent tribunal to deal with the matters it is empowered to deal with under this Act or an enabling Act; and
- to have the tribunal deal with matters in a way that is accessible, fair, just, economical, informal and quick; and
- to promote the quality and consistency of tribunal decisions; and
- to enhance the quality and consistency of decisions made by decision-makers; and
- to enhance the openness and accountability of public administration.

In short, QCAT is intended to increase community access to justice and improve the efficiency of decision making in Queensland.

### QCAT Synopsis

- Commences its function officially as of 1 December 2009
- His Honour Justice Alan Wilson appointed President on 23 October 2009 and Her Honour Fleur Kingham appointed Deputy President on 30 July 2009
- Central Registry located at Levels 9-11 Bank of Queensland Building, 259 Queen Street, Brisbane. Regional Registries – Regional Magistrates Courts throughout the State
- Established by the Queensland Civil and Administrative Tribunal Act 2009 (QLD)
- Amalgamates 23 tribunals:
  - Anti-Discrimination Tribunal
  - Children Services Tribunal
  - Commercial and Consumer Tribunal
  - Small Claims Tribunal
  - Retail Shop Leases Tribunal
  - Fire Panel of Referees
  - Fisheries Tribunal
  - Guardianship and Administration Tribunal
  - Independent Assessor under Prostitution Act 1999
  - Racing Appeals Tribunal
  - Appeals Tribunal under Local Government Act 1993 (levee banks)
  - Legal Practice Tribunal
  - Health Practitioners Tribunal
  - Misconduct Tribunal
  - Teachers Disciplinary Committee
  - Nursing Tribunal
  - Surveyors Disciplinary Committee
  - Veterinary Tribunal
  - *Valuers Registration Act 1992* committee
- Conferred with wide jurisdiction, over 160 pieces of legislation amended to confer jurisdiction on QCAT through the QCAT (Jurisdiction Provisions) Amendment Act 2009 (QLD)

## Callovers

QCAT will hold callovers in the first two weeks of its operation for some matters in the selected amalgamated tribunals. The callover process will be held to determine the stage the parties have reached in their matter and to provide instructions to those parties to progress the matter in the new QCAT jurisdiction.

QCAT website will be operational as of 1 December 2009.

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