



Speech by

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MEMBER FOR WHITSUNDAY

Hansard 14 May 2003

COMMERCIAL AND CONSUMER TRIBUNAL BILL

Ms JARRATT (Whitsunday—ALP) (8.42 p.m.): I am pleased to rise to speak in support of the Commercial and Consumer Tribunal Bill. As many speakers before me have noted, this bill actually establishes the Commercial and Consumer Tribunal, or the CCT. As we have heard, the CCT will amalgamate a number of tribunals both from the minister's portfolios and from other portfolios outside her jurisdiction.

I am also pleased to note that this tribunal will be able to deal with new and emerging issues that we can probably relate to late 20th century and early 21st century life, including difficulties surrounding work with architects, engineers, plumbers and drainers, building certifiers and residential services accreditation. That is a really important list of areas that the tribunal will be empowered to address.

One of the great advantages of the CCT and, indeed, one of the objects of the bill is informality. This is to be achieved through parties representing themselves wherever possible. I have nothing against lawyers or solicitors. In fact, many of my new-found friends in this House were formerly from the legal fraternity so I dare not cast aspersions upon their names. However, not everyone feels comfortable in the presence of such people, especially when dealing with issues that are quite stressful to them.

Mr Lester: And some are better than others.

Ms JARRATT: I take the interjection from the honourable member for Keppel. Some are better than others and one cannot always afford the best. The more remote and isolated the area in which one lives, the more difficult it can be to access a highly qualified person who, in other circumstances, may achieve a different end for the client.

Under the bill, self-representation is aimed at actually reducing legal costs for ordinary people—indeed, for everybody. That is to be highly and loudly applauded. Self-representation can also help to encourage an atmosphere where parties, particularly people who are appearing before the tribunal for the first time, will not feel overawed. Personally I have not had the experience of fronting up to a tribunal, but I have been called as a witness in a court of law. It was an absolutely overwhelming and overawing experience. To say that I was nervous is an understatement. Therefore, it will be of great assistance to have some informality in the setting, which will put people at ease.

The bill establishes as a principle that parties must represent themselves, while incorporated and unincorporated parties must be represented by someone who is not a lawyer. However, the bill does allow for legal representation in some matters. That is an important point. For example, in disciplinary proceedings and public examinations where a person's livelihood may be at stake, legal representation is a right. I am pleased to see that this exemption exists in the bill because when dealing with issues that may affect one's future chances of earning an income one should have resort to legal representation. In other circumstances, however, the CCT can approve legal representation after taking into consideration factors such as the complexity of the case. That is another example of when an exemption may be granted.

In setting out the criteria, the bill seeks to ensure that non-legally represented parties will not be disadvantaged. I underline that point. Furthermore, the Commercial and Consumer Tribunal can also approve representation by someone who is not a lawyer. As the member for Nicklin has noted, this will be of particular benefit to the elderly, although it is not necessarily confined to that group of people.

Mr Wellington: It's for anyone.

Ms JARRATT: Anyone who finds themselves in that situation, is unfamiliar with the procedure and may be feeling insecure would be greatly comforted by being able to take along a friend, a relative or someone they respect. It is amazing how much confidence can be gained by having someone standing beside you. That is a very welcome aspect of this bill.

Mr Wellington: Hear, hear!

Ms JARRATT: I thank the member for that interjection. I agree with him on that matter.

The bill creates a very people-friendly process for dealing with what could be very uncomfortable situations that are nevertheless a part of life. The bill will create a process that will be a lot more user-friendly for people who find themselves in such situations. I hope that it will reduce stress. Hopefully, it will encourage the early settlement or resolution of many difficulties that formerly would have had to be dealt with through quite formal proceedings.

I am pleased to note that the Commercial and Consumer Tribunal will act as a decentralised model. In other words, it will be quite accessible to people in the regions. I am not sure of the details of how that will work, but I have been assured that that is the case. As someone who represents people from a regional electorate, I welcome that. It is not always easy to find the money to get to Brisbane to front up to a tribunal for whatever reason. It is so much better that we are able to provide such a service for people in regional areas. On that point alone I commend the minister, her staff and all those who had a part in the construction of this bill because that is what we want to see in regional Queensland.

As I have just done, I commend the minister on the bill. I also commend the other ministers from whose portfolios we have taken areas of jurisdiction. Sometimes we are accused of having a silo mentality, but this obviously exposes the fact that as a government we are able to work together and across portfolios, to give up some of the powers that perhaps in the past we have clutched a little too tightly to our chests. I congratulate the minister on the bill. I am sure that it will make a huge difference, especially to people in regional Queensland.