



Speech by

Ros Bates

MEMBER FOR MUDGEERABA

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**QUEENSLAND CIVIL AND ADMINISTRATIVE TRIBUNAL BILL;
QUEENSLAND CIVIL AND ADMINISTRATIVE TRIBUNAL
(JURISDICTION PROVISIONS) AMENDMENT BILL**

Ms BATES (Mudgeeraba—LNP) (3.02 pm): I rise today to make a contribution to the debate on the Queensland Civil and Administrative Tribunal Bill 2009. The objectives of the bill are to establish an independent tribunal to deal with matters for which it has jurisdiction; ensure the tribunal deals with matters in a way that is accessible, fair, just, economical, informal and quick; promote the quality and consistency of the tribunal's decisions; enhance the quality and consistency of original decision making; and enhance the openness and accountability of public administration.

The purpose of this legislation is to streamline the process for parties involved in the tribunal process. It will create a one-stop shop for relevant parties to lodge applications and have matters dealt with. In 2008, the Queensland government announced its intention to create a new civil and administrative tribunal following a review by the Department of Justice and Attorney-General. The review arose out of longstanding concerns about the many tribunals in Queensland and the confusion for users, not to mention the cost to government. The new tribunal will form a single entity which will enable the community to access justice more efficiently than in the past.

In addition, the Queensland government also announced that it would appoint an independent panel of experts who would advise the government on the creation of the new tribunal. The terms of reference for the panel required the panel to provide advice in three stages to implement a tribunal—and that is that it be independent, efficient, expert, accessible, flexible and able to adapt to future pressures. The first report recommended that existing tribunals be abolished and transferred to the new tribunal to be known as the Queensland Civil and Administrative Tribunal, or QCAT, and that it be led by a Supreme Court judge.

This bill will abolish and amalgamate over 20 tribunals into one supertribunal and pave the way for another layer of court structure for small claims and civil disputes. QCAT will concentrate on resolving disputes, reviewing decisions of government agencies and conducting disciplinary proceedings for a range of professions, vocations and occupations. The bill claims that the new supertribunal will deal with matters effectively, economically and quickly and that these changes will be more cost-effective and improve the delivery of service across the tribunal process in this new form.

The new tribunal effectively should reduce some of the civil court case backlogs in the courts in Queensland. It is interesting to note that the amalgamated tribunals have had mixed success and results in other states. VCAT in Victoria has proven that a reduction in red tape is possible, that cost savings are possible as civil court cases are growing in number each year and that Queensland has one of the highest numbers of civil matters in the country.

The state government says that there will be an additional cost in the implementation and support of QCAT. One-off funding has been provided to support the establishment of the tribunal. This funding has been focused on the development of legislation and the implementation of technology, business processes, communication and structural arrangements. The government is yet to outline if those positions

that were previously created by the 20-odd tribunals will be saved, and one wonders if this is nothing more than a cost-cutting exercise at the expense of jobs. How many of the 100,000 jobs will be lost in the amalgamation of these tribunals and the ancillary staff that oversee them? This government remains quiet on what impact these amalgamations will have on existing Public Service jobs, despite claiming that eventually there will be long-term savings.

This bill has been presented to parliament before the government has even worked out how to implement the amalgamation and is rushing through those major concerns with no real understanding of the outcomes. Whilst rationalisation of duplicated processes is absolutely necessary, in this current climate and given the much lauded election promise of 100,000 new jobs, one wonders how many public servants will lose their jobs with these proposed amalgamations.