



## INTRODUCING NCAT

On 26 October 2012 the Attorney General announced the establishment of the NSW Civil and Administrative Tribunal, to be known as NCAT. More than 20 of the State's existing tribunals will be integrated into NCAT, providing a single gateway for tribunal services for the people of NSW.

The benefits of an integrated tribunal system include the opportunity to identify & roll out best practice in a range of areas including learning & development, alternative dispute resolution, & electronic service delivery.

NCAT is due to be phased in from 1 January 2014.

Establishing NCAT and transitioning the jurisdiction, members and staff of the existing tribunals is an enormous task. There are many facets of the project that will be designed and implemented over the next 12 months. Further consolidation activities will also continue beyond the commencement date.

This first newsletter provides information on NCAT and how the project is managed. We look forward to providing you further updates as the project progresses and NCAT takes form.

## GETTING TO KNOW THE NCAT FAMILY

There are more than 20 existing tribunals that will form NCAT, with a huge diversity in the types of disputes and applications that are dealt with, including:

- **Civil and Commercial Disputes:** eg between consumers, victims, tenants and landlords, owners and builders
- **Human rights matters:** eg equal opportunity, discrimination, victims support & guardianship
- **Administrative law (the citizen and the Government):** eg licensing & regulatory disputes, occupational & professional discipline, & access to Government information

It is proposed that NCAT will have a divisional structure that preserves the specialised jurisdiction and expertise of the member tribunals. The current Bill identifies the divisions as:

1. Administrative and Equal Opportunity Division
2. Consumer and Commercial Division
3. Occupational & Regulatory Division (with separate list for health professional cases)
4. Guardianship Division
5. Victims Support Division

You can access the Bill in full at: <http://parliament.nsw.gov.au/>

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To facilitate a shared understanding of each of the member tribunals and what they do, future editions of this newsletter will feature a short article on a particular tribunal.

## STEERING COMMITTEE

A high level Steering Committee has been established to maintain strategic oversight of the project and to make decisions about the institutional design of NCAT and the appropriate allocation of resources.

**Chair:**

Laurie Glanfield, Director General of the Department of Attorney General and Justice

**Members:**

Karen Crawshaw, Deputy Director General at NSW Health

Megan Kirchner, Executive Director of Health and Justice, the Department of Premier and Cabinet

Rod Stowe, Commissioner at NSW Fair Trading

Vicki Telfer, Executive Director at NSW Industrial Relations

## REFERENCE GROUP

A Reference Group of key stakeholders has been established to provide input on behalf of the affected tribunals, tribunal users and relevant peak bodies. The Reference Group will be consulted on legislation and other issues arising during the project. They will also play an important role in engaging with the broader stakeholder group and providing feedback and information to the Steering Committee and project team.

The Reference Group is chaired by Linda Pearson, Commissioner of the Land and

Environment Court of NSW and member of the Administrative Review Council (ARC). Ms Pearson is an experienced former member of a number of Commonwealth and State tribunals (including the Administrative Decisions Tribunal, Guardianship Tribunal, Social Security Appeals Tribunal and Migration Review Tribunal).

Further details about Reference Group members and meetings will be provided in future newsletters.





## NCAT PROJECT TEAM

A small, multi-disciplinary project team has been established to reflect the broad range of tasks that need to be undertaken to establish NCAT. This will include legislative drafting, financial and business process analysis, review of corporate services functions (including human resources, finance and information technology), communications, stakeholder management and the development of centralised client services.

**Sian Leathem, Project Manager.** Sian has been seconded to the project from her role as Registrar of the Workers Compensation Commission. Prior to commencing with the Commission in 2007, Sian was Assistant Registrar at the Commonwealth Administrative Appeals Tribunal. She is the inaugural Chair of the Law Society's Advisory Committee on Government and Administrative Law and has been a long standing committee member of the Council of Australasian Tribunals (COAT).

**Lisette Rudge, Senior Project Officer.** Lisette has been seconded to the project

team from her position as Senior Policy and Project Officer at the Consumer, Trader and Tenancy Tribunal. Lisette has extensive experience in business analysis and change management. She has also had significant experience in tribunal client services, including electronic service delivery.

**David Baty, Senior Project Advisor.** David has been seconded to the project team from his position as Principal Governance Officer, Operations in NSW Health. David has extensive experience in stakeholder relations, information management, data collection and governance.

**Kellie Blakemore, Legal Policy Officer.** Kellie is a Policy Officer at the Department of Attorney General and Justice, where she focuses on court and tribunal matters. Kellie also has extensive experience in frontline service delivery, including in court administration and call centre operations. Kellie's main role in the NCAT project team will be to develop NCAT's legislation.

## Communication and Feedback

One of the project team's most important functions will be ensuring that stakeholders, including members and staff of affected tribunals, are kept informed of progress on the establishment of NCAT. This will be done through the scheduling of information sessions, the distribution of regular newsletters and through the posting of updates on the website: [www.tribunals.lawlink.nsw.gov.au](http://www.tribunals.lawlink.nsw.gov.au)

The project team also welcomes questions and suggestions from interested parties. You are welcome to contact us at

02 8688 9344 or [ncat@agd.nsw.gov.au](mailto:ncat@agd.nsw.gov.au)



## FRAMEWORK FOR TRIBUNAL EXCELLENCE

In 2012, the Council of Australasian Tribunals adopted and published the *Framework for Tribunal Excellence*:

[http://www.coat.gov.au/sites/default/files/docs/framework\\_for\\_tribunal\\_excellence\\_may\\_2012.pdf](http://www.coat.gov.au/sites/default/files/docs/framework_for_tribunal_excellence_may_2012.pdf)

The Framework draws on the work of the International Consortium which developed the 'International Framework for Court Excellence' ([www.courtexcellence.com](http://www.courtexcellence.com)). However, it has been substantially modified to reflect the particular needs of tribunals.

The *Framework* draws on the core values inherent in excellent tribunals, identified as:

- Equality before the law
- Fairness
- Impartiality
- Independence
- Respect for the Law
- Accessibility
- Competence
- Integrity
- Accountability
- Efficiency

The *Framework* also identifies eight key areas of Tribunal Excellence:

1. Independence
2. Leadership and Effective Management
3. Fair treatment
4. Accessibility
5. Professionalism and Integrity
6. Accountability
7. Efficiency
8. Client Needs and Satisfaction

The *Framework* will be used as a guiding source in the design and implementation of NCAT, to ensure we progressively and collaboratively build a high performing tribunal that is based on shared values and a commitment to continuous improvement.

In future editions of the Newsletter, we will focus on a core value identified in the *Framework* and explore what that value means to individual members and staff from the various tribunals.

Our next newsletter will consider **Equality before the law**. You are welcome to submit your thoughts and contributions to [ncat@agd.nsw.gov.au](mailto:ncat@agd.nsw.gov.au)