

QCAT

Queensland Civil and Administrative Tribunal



Information Kit: Adjudicator Expression of Interest



INTRODUCTION

This information kit is intended to assist people who may be interested in applying for appointment to the Queensland Civil and Administrative Tribunal (QCAT).

This kit provides an overview of the purpose and operations of the tribunal and details of the selection criteria and process for appointment.

Further information about the tribunal and its operations is available at:

www.qcat.qld.gov.au

AVAILABLE POSITIONS

Expressions of interest are sought from suitably qualified persons for appointment as follows:

- An adjudicator, hours to be negotiated with successful applicant (Part-time appointment is considered on a case by case basis)
- Adjudicators are based in Brisbane and will be required to conduct hearings in Beaudesert, Beenleigh, Caboolture, Cleveland, Coolangatta, Holland Park, Ipswich, Pine Rivers, Redcliffe, Richlands, Sandgate, Southport, Wynnum and Brisbane.
- Qualifications in alternative dispute resolution are highly desirable.

Applications close: Monday 15th July 2013 at 4.00pm

PART 1: THE TRIBUNAL AND ITS ROLE

QCAT is an independent statutory body established under the *Queensland Civil and Administrative Tribunal Act 2009* (the QCAT Act). QCAT began operations on 1 December 2009.

QCAT's jurisdiction is conferred on it by the QCAT Act, and over 200 pieces of legislation. The full list of acts which confer jurisdictions of QCAT may be accessed online at www.legislation.qld.gov.au

QCAT is designed to deliver justice in a way that is:

- independent
- efficient
- expert
- accessible
- flexible
- able to adapt to future pressures.

To achieve the objects of the legislation, QCAT must

- a) facilitate access to its services throughout Queensland;
- b) encourage the early and economical resolution of disputes before the tribunal, including, if appropriate, through alternative dispute resolution processes;
- c) ensure proceedings are conducted in an informal way that minimises costs to parties, and is as quick as is consistent with achieving justice;
- d) ensure like cases are treated alike;
- e) ensure the tribunal is accessible and responsive to the diverse needs of persons who use the tribunal;
- f) maintain specialist knowledge, expertise and experience of members and adjudicators;
- g) ensure the appropriate use of the knowledge, expertise and experience of members and adjudicators;
- h) encourage members and adjudicators to act in a way that promotes the collegiate nature of the tribunal; and
- i) maintain a cohesive organisational structure.

QCAT falls within the ministerial responsibility of the Attorney-General.

Jurisdiction

When QCAT began on 1 December 2009, it amalgamated the jurisdictions of 23 different bodies, including tribunals, commissions and some of the jurisdictions of the courts. The following eighteen (18) tribunals were abolished as part of the amalgamation:

- Anti-Discrimination Tribunal
- Appeal Tribunal (levee banks) under the *Local Government Act 1993*
- Children Services Tribunal
- Commercial and Consumer Tribunal
- Fisheries Tribunal
- Guardianship and Administration Tribunal
- Independent Assessor under the *Prostitution Act 1999*
- Health Practitioners Tribunal
- Legal Practice Tribunal
- Misconduct Tribunal
- Nursing Tribunal
- Panel of Referees under the *Fire and Rescue Service Act 1990*
- Racing Appeals Tribunal
- Retail Shop Leases Tribunal
- Small Claims Tribunal
- Surveyors Disciplinary Committee
- Teachers Disciplinary Committee
- Veterinary Tribunal.

To deal with the differences between the various jurisdictions included in QCAT, the tribunal operates in three divisions.

The **Human Rights** division deals with guardianship and administration, child protection and anti-discrimination matters.

The **Civil Disputes** division deals with minor civil disputes, minor debts, residential and retail tenancy disputes and some other more complex civil disputes.

The **Administrative and Disciplinary** division deals with reviews of administrative decisions of various Queensland Government departments, local governments or regulatory authorities. It also deals with disciplinary matters for various professions.

Within each division, QCAT has original and review jurisdiction.

For example, the Administrative and Disciplinary division has original jurisdiction for the more serious disciplinary matters, as well as review jurisdiction for the review of administrative decisions. The Human Rights division has original jurisdiction to deal with guardianship and administration matters and anti-discrimination matters, and review jurisdiction for some child protection matters.

QCAT also has an appeal jurisdiction where certain decisions of QCAT may be appealed to QCAT's internal appeal tribunal.

Decisions made by the internal appeal tribunal of QCAT, or decisions made by judicial members in the first instance by QCAT, can be appealed to the Court of Appeal.

Structure

The tribunal is led by a full-time President who is a Supreme Court Judge and a Deputy-President who is a District Court Judge.

The President of QCAT is Justice Alan Wilson. The Deputy President of QCAT is Judge Horneman-Wren.

Senior members, ordinary members and adjudicators decide matters before the tribunal and are independent statutory appointments.

A diagram illustrating the membership structure of QCAT is provided at Attachment A.

The tribunal is supported by a registry which acts as the administrative arm of the tribunal. The registry is led by an Executive Director and Principal Registrar. The Executive Director of QCAT is Mary Shortland, the Principal Registrar is Louise Logan.

PART 2: MEMBERSHIP

President

The President's roles and responsibilities include:

- the efficient operation of the tribunal;
- issuing practice directions;
- the selection and management of members;
- developing a positive and cohesive culture;
- advising the Attorney-General about how QCAT could better meet its objectives; and
- advising the Attorney-General about the ongoing effectiveness of the *QCAT Act 2009* and the enabling Acts.

In addition to managing the business of the tribunal, including the members and adjudicators, the President also adjudicates in the more significant or complex matters of the tribunal, including hearing appeals as part of the appeal tribunal. The President also presides in matters including the discipline of legal professionals.

Deputy President

The Deputy-President's roles and responsibilities include:

- assisting the President in the management of members;
- overseeing QCAT operations;
- acting as a member in the internal appeals process; and
- standing in for the President as required.

In addition to helping the President manage the business of the tribunal, the Deputy President also adjudicates in the more significant or complex matters of the tribunal, including hearing appeals as part of the appeal tribunal. The Deputy President presides in matters involving discipline of health professionals.

Senior members

Eligibility:

A person is eligible for appointment as a senior member only if the person:

- a) is an Australian lawyer of at least 8 years standing; or
- b) has, in the Minister's opinion, special knowledge, expertise or experience relating to a class of matter for which functions may be exercised by the tribunal.

Senior members hear and decide matters within the tribunal as is determined appropriate by the president. Depending on the member's particular expertise, the member may hear matters across a number of different divisions.

Senior members may also provide advice to the president about the allocation of members and hearing procedures.

Senior members may be required to participate in committees established by the president or executive director to provide advice and assistance in specific areas relating to the management of the tribunal and its resources.

Senior members are generally appointed on a full-time basis. Part-time appointment may be considered on a case by case basis.

Senior members may be required to travel throughout Queensland. Possession of a 'C Class' drivers licence is highly desirable.

Please Note: Senior members are not being appointed as part of the current recruitment process.

Ordinary members

Eligibility:

A person is eligible for appointment as an ordinary member only if the person:

- c) is an Australian lawyer of at least 6 years standing; or
- d) has, in the Minister's opinion, special knowledge, expertise or experience relating to a class of matter for which functions may be exercised by the tribunal.

Ordinary members hear and decide matters within the tribunal as is determined appropriate by the president. Depending on the member's particular expertise, the member may hear matters across a number of different divisions..

Ordinary members are generally appointed on a full-time or sessional basis. Part-time appointment is considered on a case by case basis

Members appointed on a sessional basis are used to hear matters on an ad hoc basis and are remunerated on that basis. They are not guaranteed a regular or a minimum number of hearings.

Ordinary members are required to travel throughout Queensland. Possession of a 'C Class' drivers licence is highly desirable.

Please Note: Ordinary members are not being appointed as part of the current recruitment process.

Adjudicators

Eligibility:

A person is eligible for appointment as an adjudicator only if the person is an Australian lawyer of at least 5 years standing.

Adjudicators are responsible for hearing minor civil disputes and other less complex or non-contentious matters before the tribunal. Adjudicators are generally appointed on a part-time basis.

Adjudicators are required to travel throughout South-East Queensland. Possession of a 'C Class' drivers licence is highly desirable.

Qualifications in alternative dispute resolution are highly desirable.

Hours are to be negotiated with successful applicant. Part-time appointment is considered on a case by case basis

If you require further information about these positions please contact Sonya Studders, Project Officer at QCAT on (07) 3225 2668.

PART 3: RESPONSIBILITIES OF MEMBERS AND ADJUDICATORS

Generally, members and adjudicators appointed to QCAT make the following commitment:

- to ensure that the objects and principles of the *QCAT Act 2009* are applied to the functions of the tribunal;
- to be available for hearings in various locations across Queensland if required;
- to attend tribunal hearings fully prepared;
- to deal with all parties impartially, and with courtesy and professionalism;
- to make orders and give reasons pursuant to the provisions of the *QCAT Act 2009*;
- to participate in meetings if/when required;
- to participate in professional development, continuing education or training activities as directed by the president;
- to bring to the attention of the president any perceived anomalies in legislation; and
- to report to the president any personal conflicts of interest.

PART 4: CONSTITUTION OF THE TRIBUNAL

The president is responsible for determining how the tribunal will be constituted for a particular matter, using one, two or three member panels. The president is also responsible for determining when an adjudicator can constitute the tribunal.

In deciding which members are to hear a matter, the president must consider the nature, importance and complexity of the matter, the need for special knowledge, expertise or experience, provisions of an enabling Act or the QCAT Rules.

Judicial members are required to constitute the appeal tribunal unless the president decides that other suitably qualified persons can hear a matter.

PART 5: TERMS AND CONDITIONS OF APPOINTMENT

Members and adjudicators of QCAT hold office on the terms and conditions decided by the Governor in Council.

Members and adjudicators are appointed by the Governor in Council on the recommendation of the Attorney-General. Appointments may be for a period of up to five years (but not less than three years).

Members and adjudicators may be required to travel throughout Queensland in order to conduct hearings and are expected to adhere to any tribunal or external policies and procedures relevant to members and adjudicators.

Members and adjudicators of QCAT may be eligible for re-appointment.

Operations of the tribunal

Members and adjudicators of QCAT hear and decide matters within the tribunal as directed by the president. The frequency with which a member or adjudicator sits on the tribunal will vary according to whether they are appointed on a full-time, part-time or sessional basis. It will also vary according to the needs of the tribunal and the number and location of hearings by jurisdiction. The listing of members and adjudicators will remain at the discretion of the president.

Hearings may be of part day, full day or multi-day duration and may be held at a number of locations across Queensland. Hearings may be face to face or conducted through the use of teleconference or videoconference facilities.

Indemnity

Members and adjudicators of QCAT have, in the performance of their functions, the same protection and immunity as a Supreme Court judge in the performance of their functions.

Remuneration

Members and adjudicators of QCAT receive an attractive remuneration package that recognises the expertise and experience required to properly perform the adjudicative functions of the tribunal.

Position	Super. salary p. a. \$	Employer super. contribution * \$	Leave loading \$	Motor vehicle allowance p.a. \$
Senior Member	215,250	27,444	2,888	25,500
Ordinary Member	169,124	21,563	2,269	-
Adjudicators	105,239	13,418	1,412	-

Accommodation

QCAT conducts hearings at 259 Queen Street (Bank of Queensland Building) where both the tribunal and the registry are located. Regional hearings are held at Magistrates' Court premises and other facilities throughout the state. QCAT also has a large pool of regional members who can be called upon to hear and determine matters across the state.

Criminal history checks

A criminal history check is necessary before any new appointment is made to the tribunal. Prospective members and adjudicators will be asked to consent to a check as part of the application process.

Further information

For further information about statutory appointments please refer to the following general information guide:

Welcome Aboard: A Guide for Members of Queensland Government Boards, Committees and Statutory Authorities – Governing Queensland

<http://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/welcome-aboard/assets/welcome-aboard-handbook.pdf>

PART 6: HOW TO APPLY

Your expression of interest must include your curriculum vitae outlining your qualifications, experience and where relevant, your publications and presentations.

Your response to the selection criteria should not exceed two (2) pages.

Selection criteria describe the particular abilities, skills, knowledge, qualifications (if applicable) and other requirements needed to achieve the outcomes of the position.

Candidates are also asked to complete an open book examination which will address QCAT's procedures and application of the rules of natural justice and the practices necessary for active dispute resolution.

Failure to address the selection criteria, provide your curriculum vitae and complete the examination may exclude an application from further consideration.

Please Note:

Selection criteria are included at the end of this information kit.

Form of application

Your application for a position with QCAT must include:

1. QCAT Application Form – this should be used as your cover sheet
2. Application – your application must address all of the selection criteria relevant to the position you are applying for
3. Completion of the examination
4. A current curriculum vitae
5. A completed forms package (A-C) including:
 - Appointment to Government Body: Personal Particulars form
 - Statutory Appointments and Public Service Employments Currently Held form
 - Consent to Criminal History form

Please note that we do not require copies of qualifications or certificates at this stage.

Applications should be lodged no later than the closing date specified in the expression of interest.

Curriculum vitae

Your curriculum vitae should include:

- career history
- academic qualifications (if applicable)
- membership of professional/community bodies
- publications written, edited or contributed to in your professional capacity (if applicable)
- experience on boards and tribunals (if applicable).

Lodging your application

Your application must be lodged in **one** of the following ways:

In person: Marked “Private and Confidential”

Attention: Project Officer
Queensland Civil and Administrative Tribunal
Level 9, 259 Queens Street
Brisbane QLD 4000

Post: Project Officer
Queensland Civil and Administrative Tribunal
GPO Box 1639
Brisbane QLD 4001

Email: Sonya.studders@justice.qld.gov.au

Applications close: Monday 15th July 2013 at 4.00pm

Applications will be shortlisted by the President of QCAT. The Attorney-General will recommend appointments to the Governor in Council after consultation with the President.

A letter of appointment will be sent to successful applicants once the Governor in Council process is complete.

SELECTION CRITERIA:

SELECTION CRITERIA: ADJUDICATORS

Selection Criteria 1

Demonstrated special knowledge, expertise or experience in relation to the functions exercised by QCAT.

Selection Criteria 2

Demonstrated understanding of the rules of natural justice and procedural fairness and the ability to analyse and apply legislation including the ability to make sound and timely decisions.

Selection Criteria 3

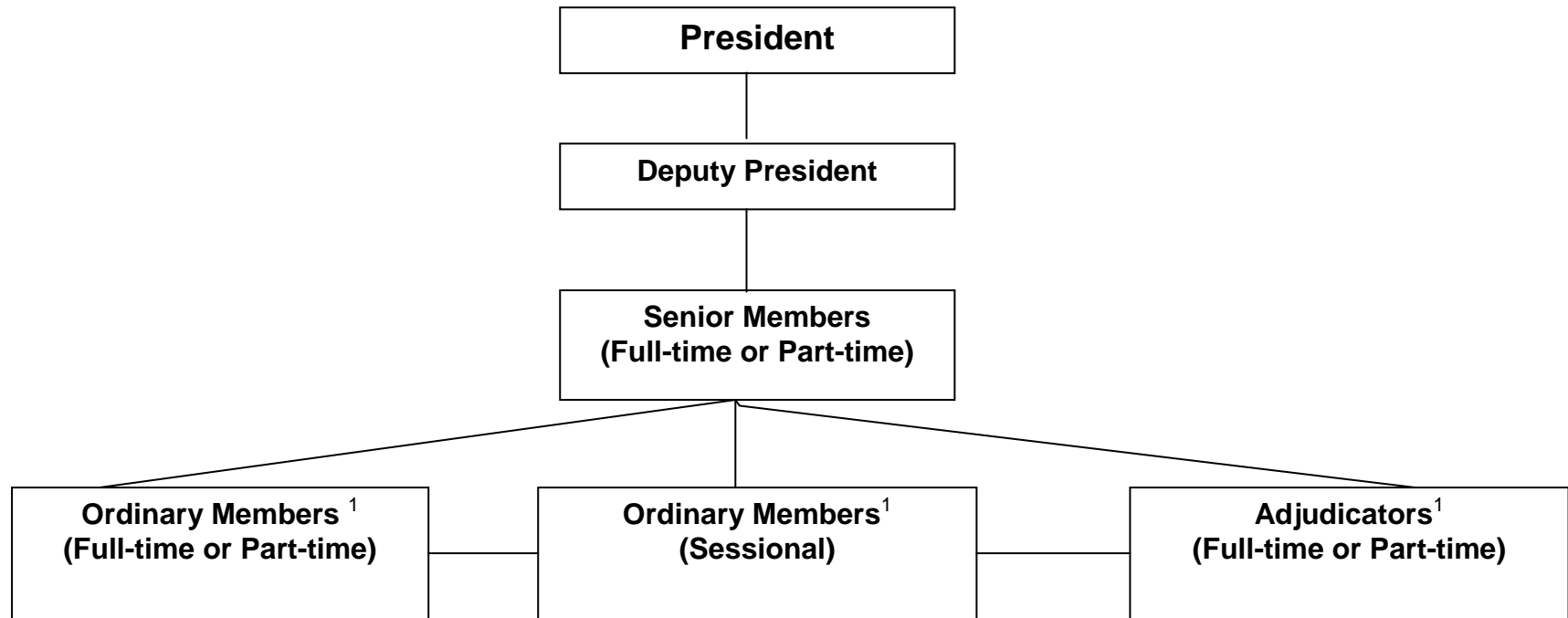
Demonstrated high level interpersonal, oral and written communication skills, including the ability to conduct hearings involving a wide range of parties, make orders and give reasons (orally or in writing) and deal with vulnerable people and difficult situations sensitively.

Additional Factors

- Applicants must be an Australian lawyer of at least 5 years
- Experience as a mediator would be highly regarded, but is not mandatory
- Applicants must be able to travel throughout Queensland to attend hearings
- Applicants must possess sound computer literacy and word processing skills

It is important to address all relevant selection criteria in your application.

Attachment A: Membership Structure



Members and adjudicators will only sit across multiple divisions if suitably skilled and qualified

OF

FULL-TIME AND PART-TIME MEMBERS AND ADJUDICATORS

OF THE

QUEENSLAND CIVIL AND ADMINISTRATIVE TRIBUNAL

DICTIONARY

“**adjudicator**” means an adjudicator described in Section 198(6) of the Act.

“**appointee**” means a senior member, an ordinary member or an adjudicator.

“**member**” means either a senior member or an ordinary member.

“**ordinary member**” means an ordinary member described in Section 183(5) of the Act.

“**part-time**” means the engagement of an employee on the basis of a fixed and constant number of hours and days per fortnight at a percentage (of 10 % intervals) of full-time.

“**public service officer**” has the same meaning as a public service officer of the Department of Justice and Attorney-General.

“**QCAT**” means the Queensland Civil and Administrative Tribunal.

“**senior executive**” means a person appointed, in the department, under Section 110 of the *Public Service Act 2008*.

“**senior member**” means a senior member described in Section 183(4) of the Act.

“**the Act**” means the *Queensland Civil and Administrative Tribunal Act 2009*.

“**the department**” means the department for the time being administering the Act.

CONDITIONS OF APPOINTMENT**1. Conditions generally**

Section 186 of the Act provides that the conditions of members shall be those stated in the Act and those decided by the Governor in Council.

Section 201 of the Act provides that the conditions of adjudicators shall be those stated in the Act and those decided by the Governor in Council.

All provisions contained in these arrangements applicable to full-time appointees apply to part-time appointees on a pro rata basis, excluding official travel and motor vehicle use which are paid in full.

In accordance with Section 172(2)(c)(i) of the Act, appointees will be subject to a Code of Conduct developed by the President of QCAT.

The conditions contained in this document together with those prescribed in the Act and decided by Governor in Council represent the entirety of conditions applicable to appointees.

2. Terms of appointment

Senior members and ordinary members are appointed by the Governor in Council in accordance with Sections 171(3) and 183 of the Act. Members may be appointed on a full-time or part-time basis.

Adjudicators are appointed by the Governor in Council in accordance with Section 198 of the Act. Adjudicators may be appointed on a full-time or part-time basis.

Appointees hold office for a period of at least 3 years but not more than 5 years. However, they may be reappointed.

Criminal history checks may be conducted on appointees or persons being considered for appointment.

For each appointee a business location will be identified.

3. Selection

The recruitment and selection of appointees is to be undertaken in accordance with the protocols adopted by the Attorney-General, as varied from time to time, in consultation with the President.

4. Duties and hours of duty

The duties to be performed and the hours and times to be worked by appointees are determined by the President from time to time.

5. Remuneration

Appointees shall be paid a remuneration package comprising superannuable salary, employer superannuation contribution, annual leave loading and, where applicable, a motor vehicle allowance at the rates, and subject to variations, as shown and outlines shown hereunder:

Position	Super. salary p. a. \$	Employer super. contribution * \$	Leave loading \$	Motor vehicle allowance p.a. \$
Senior Member	215,250	27,444	2,888	25,500
Ordinary Member	169,124	21,563	2,269	-
Adjudicators	105,239	13,418	1,412	-

- the amounts shown are those applicable where an appointee contributes 5% of their salary to the QSuper fund (see Clause 9 herein).

As an interim arrangement and until a comprehensive review of Senior Members, Ordinary Member and Adjudicator remuneration is conducted, the superannuable salary rates outlines in the table above, will be increased by such percentage amount as may ne determined from time to time, for the senior executive service and senior officer levels of the public service, by the Chief Executive of the Public Service Commission.

The rate of allowance and the arrangements applicable to the provision and use of motor vehicles is that which applies to a senior executive (SES2 level) as varied from time to time.

6. Remuneration package benefits

Appointees are able to access benefits as follows:

- the salary packaging arrangements available to public service officers; and

- senior members only - the private use of a government-owned motor vehicle.³

7. Leave

Appointees are entitled to the same conditions and arrangements as public service officers, as varied from time to time, for the undermentioned types of leave:

- recreation
- sick
- long service
- bereavement
- parental
- special
- carers
- cultural
- court attendance and jury service

Appointees are also entitled to the same conditions and arrangements as public service officers in respect to purchased leave, provided they have the consent of the president.

8. Higher Duties

Persons appointed to act in accordance with Sections 191 and 206 of the Act are entitled to the same conditions and arrangements as public service officers, as varied from time to time, for higher duties allowance.

9. Superannuation

Appointees shall elect to join QSuper or some other fund of their choice.

In respect of appointees who join the QSuper Accumulation Plan, the department will contribute amounts on the same basis as that applicable to public service officers.

In respect of appointees who join an alternative fund, the department will contribute an amount equivalent to the Superannuation Guarantee Contribution.

10. Workers' Compensation

Appointees will be covered by a policy with WorkCover Queensland under Section 26 of the *Workers' Compensation and Rehabilitation Act 2003*.

11. Recognition of previous service

The previous employment of appointees with the undermentioned units of the Queensland Public Sector will be recognised for sick, recreation and long service leave purposes only, provided that immediately prior to their commencement with QCAT they were a current employee or that any break in employment does not exceed 12 months:

- a Government department;
- a Public Service office;
- a Court of the State;
- a Statutory Office holder;
- the Police Service.

12. Leave without salary credited as service

Appointees are entitled to the same conditions and arrangements as public service officers, as varied from time to time, for leave without salary credited as service.

13. Separation payments

Appointees who resign or retire or who are removed from office in accordance with Sections 188 or 203 of the Act, will be paid a cash equivalent of their recreation and long service leave entitlements on the same basis as a public service officer.

The provisions in this section constitute the whole of entitlements payable to appointees in respect of separation.

14. Official travel

Appointees are entitled to:

- best value fare economy class air travel; and
- the same conditions and arrangements as public service officers, as varied from time to time, for travelling allowance and indemnity for air travel.

15. Motor vehicle use

Appointees will be afforded the same arrangements as public service officers in respect of approved use of private motor vehicles for official purposes.

This will include where appointees are required to travel away from their appointed location but will exclude travel to and from their appointed location.

16. Telephone

Subject to documentary validation, appointees are entitled to be reimbursed the cost of any business related calls made from their private telephone in the course of carrying out their official duties.

17. Employee assistance

Appointees are entitled to the same arrangements that apply to employees of the department in respect of employee assistance.

Application form

Important information: Please use this form as a coversheet for your **QCAT Adjudicator** application. You must complete all sections of this form and indicate 'N/A' where not relevant.

Applications close: Monday 15th July 2013 at 4.00pm

Part 1 – Personal details	
Title:	
Given name (in full):	
Surname/Family name:	
Preferred name:	
Professional/business address:	
Unit:	Street number:
Street name:	Suburb/Town:
State:	Postcode:
Home address:	
Unit:	Street number:
Street name:	Suburb/Town:
State:	Postcode:
Work number:	
Home number:	
Mobile number:	
Email address:	

Part 2 – Eligibility requirements

Legal category

A) I have been admitted to legal practice in Queensland, another Australian state or territory, or have been enrolled as a legal practitioner of the High Court of Australia, in:

the Supreme Court of Queensland

Date of admission: dd/mm/yyyy

the High Court of Australia

Date of admission: dd/mm/yyyy

another state or territory of Australia

Please indicate which: ACT

Date of admission: dd/mm/yyyy

B) Number of years in practice as:

a solicitor: please specify

a barrister: please specify

a government lawyer or corporate lawyer: please specify

Please note: You must provide a copy of your certificate of admission if appointed to QCAT.

Part 3 – Equal employment opportunity

Please indicate if you belong to any of the following groups:

Note: The completion of this section is voluntary and the information is treated confidentially.

People with a disability

Torres Strait Islander people

Women

People from a non English speaking
background

Aboriginal people

Part 4 - Referees

We are seeking evidence from people who are in a position to comment on your suitability for appointment as a QCAT member or adjudicator. Discretion will be exercised if contacting referees.

1st Referee

Name:
Position:
Relationship:
Telephone:

2nd Referee

Name:
Position:
Relationship:
Telephone:

Part 5 - Declaration

I declare that the information supplied on his form is true and correct to the best of my knowledge and (if completing this form electronically) I certify that the typed signature below is intended to be my signature.

Signature:

Date: dd/mm/yyyy

Privacy statement

Information collected through the expression of interest process is used to assess a candidate's suitability for appointment to QCAT and is only shared with individuals involved in the selection and appointment process.

Part 6 – Lodgement

Your application must be lodged in **one** of the following ways:

In person: Marked "Private and Confidential"

Attention: Project Officer
Queensland Civil and Administrative Tribunal
Level 9, 259 Queens Street
Brisbane QLD 4000

Post: Project Officer
Queensland Civil and Administrative Tribunal
GPO Box 1639
Brisbane QLD 4001

Email: Sonya.studders@justice.qld.gov.au

Part 7 – Checklist

Please ensure all of the below are submitted as part of your application package, omission may result in your application being excluded from the process.

- QCAT Application Form
- Address to Selection Criteria
- Completion of Examination
- Curriculum Vitae
- Appointment to Government Body: Personal Particulars Form
- Statutory Appointment and Public Service Employments Currently Held Form
- Consent to Criminal History Form, copy of drivers licence/passport

Adjudicator Exam

Instructions – Please answer all 4 questions that follow. The objective is to produce short answers, no more than 200 words per question maximum. Other than by reference to the QCAT Act, Rules and Practice Directions, no research is required. Your commentary is intended to reflect upon those materials specifically.

1. The QCAT Act contemplates self-representation. The challenge for Adjudicators is to manage the process in a way that ensures procedural fairness for all parties, including some who will exhibit difficult or challenging behaviour. What sections of the QCAT Act might be useful for Adjudicators who are managing difficult proceedings with parties who have no legal knowledge, or an understanding of what is necessary to present their case? Identify and explain.
2. QCAT is a busy jurisdiction, with a legislative objective to deal with matters in a way that is accessible, fair, just, economical, informal and quick. This means that Adjudicators must use practical, cogent, and humane thought processes to deal with questions of both fact and law in a time-poor environment. What “tools” does the QCAT Act contain to assist Adjudicators in this regard?
3. The central feature of the alternative dispute resolution process at QCAT is the “compulsory conference” process, the purposes of which are set out in s69 of the QCAT Act. The compulsory conference process requires active engagement with the parties. Section 29 of the QCAT Act imposes an obligation on the Tribunal to ensure that parties have a proper understanding of QCAT proceedings. Identify ways in which s29 and s69 might work in tandem to aid the Tribunal in assisting self-represented parties to resolve a matter at a compulsory conference.
4. Fred Rodell, Professor of Law at Yale University, famously made the following statement:

“There are two things wrong with almost all legal writing. One is its style. The other is its content. That, I think, about covers the ground.”

Briefly reflect on Professor Rodell’s comments in the context of decision writing for QCAT. Having regard to the need for QCAT to be responsive to the community it serves, what strategies would you employ to clearly communicate your decision, whether given orally.

Appointment to government body

Personal particulars form – Candidates

Private and confidential

Candidates for appointment to a government body are requested to complete and sign this form. The information is sought to assist in assessing a candidate's suitability for nomination/appointment. An answer of yes to any question(s) will not automatically exclude a person from selection.

Note: If selected, it is requested that you advise the relevant Minister in writing of any changes to the above information on becoming aware of such changes at any time during the term of your appointment.

Name:	
Address:	
Date of birth:	
Place of birth:	

Please answer all of the following questions. If there is insufficient space below, please attach details.

If selected, would you have any conflicts of interest, that is, do you have any private interests that may affect or appear to affect your public duty, eg employment, directorships, partnerships, assets or liabilities? (If YES, please specify)

Do you have any disclosable criminal convictions, ie convictions as an adult that form part of your criminal history and which have not been rehabilitated under the *Criminal Law (Rehabilitation of Offenders) Act 1986*? (If YES, please specify) If you are unsure about the status of any criminal convictions which you have, you may wish to seek legal advice in responding to this question.

Are you aware of any charges pending against you or are there any matters involving offences which are under investigation and which may involve you? (If YES, please specify)

Are you or have you ever been the subject of a complaint to a professional body in Australia which has been substantiated or is currently under investigation, including the Crime and Misconduct Commission or the former Criminal Justice Commission? (If YES, please specify)

Do you know of any reason why you should not be appointed? (If YES, please specify)

Declaration

I consent to provide the above information in respect of myself and understand that there is no legal obligation for me to do so. I declare that the personal information provided by me in this form is complete and correct to the best of my knowledge. I understand that I may be asked to consent to a criminal history check being undertaken in respect of myself and that the results of that check may be taken into account by the Queensland Government in assessing my suitability for appointment.

Signature: _____

Date: _____

The Department of Justice and Attorney-General is collecting your personal information in accordance with the Queensland Government's Remuneration of Part-time Chairs and Members of Government Boards, Committees, and Statutory Authorities, for the purpose of assessing your eligibility for appointment to Queensland Government statutory bodies and to receive fees should you be appointed. It is the Department's usual practice to disclose your personal information to relevant statutory bodies seeking to appoint members, and to the Department of the Premier and Cabinet and Queensland Treasury.



QUEENSLAND POLICE
AUTHORITY AND INDEMNIFICATION

CONSENT TO CHECK NATIONAL POLICE
RECORDS AND ADVISE A THIRD PARTY

8/6/04

(Family Name)	MR/MRS/MS/MISS
(Given Names)	

(Former Maiden Name, Married Name/s, or Aliases)

(Residential Address)	
POSTCODE	
TELEPHONE	
PRIVATE ()	BUSINESS ()

DATE OF BIRTH	/ /	PLACE OF BIRTH	
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PROOF OF IDENTITY

<p>Attach a legible –</p> <ul style="list-style-type: none"> • photocopy of your current Driver’s Licence OR • photocopy of your current passport including photograph and signature OR • photocopies of two other forms of identification bearing your signature
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NAME OF THIRD PARTY	
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This check is for the purpose of undertaking work with the Third Party that is PAID <input type="checkbox"/> UNPAID <input type="checkbox"/>
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I, whose personal particulars are set out above, authorise the Commissioner of Police or his servants or agents to:

check my name against records that are held by the Queensland Police Service or are available to them nationally from other Australian Police Services, and I further agree to provide my fingerprint impressions if required for checking purposes, and if I do not have a conviction or if I only have a conviction that cannot be disclosed by virtue of the Criminal Law (Rehabilitation of Offenders) Act 1986 (Qld) to advise the above-named third party that I do not have a conviction that can be disclosed. If I have a conviction that can be disclosed, I authorise the disclosure to the above-named third party of the details of that conviction. I clearly understand that any details disclosed to the above-named third party will be considered by them and may affect any application I have made with them for a position of trust or employment, or as the case may be.

I hereby agree not to take or suffer or permit to be taken any legal action whatsoever or howsoever against the Crown in the right of the State of Queensland, the Commissioner of Police or any member or agent of the Queensland Police Service in respect of advice given to a third party or the disclosure or use of information relating in any way to records under the name supplied.

SIGNATURE OF PERSON	
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IN THE PRESENCE OF

SIGNATURE OF WITNESS	
PRINTED NAME OF WITNESS	

DATE	/ /
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