

# Evaluation Framework – JP Trial

## Evaluation

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### Background to the QCAT Justice of the Peace Trial

As part of its election commitment, the Queensland Government has committed \$3.5 million over four years to enhance and refocus the role of the justice of the peace (JP) in the community.

The QCAT Justice of the Peace Trial will involve two JPs sitting together to hear and determine all minor civil dispute (MCD) applications,<sup>1</sup> excluding applications with a value of more than \$5,000 and urgent residential tenancy matters.

The objectives of the trial are to:

- reduce the average time taken to finalise all MCD applications and improve the clearance rate for all MCD applications in the trial sites
- reduce the cost of hearing these matters
- enable QCAT adjudicators and magistrates (who act as QCAT members in regional areas) to deal with more complex matters
- recognise the substantial voluntary contribution of JPs to the community and provide opportunities to improve, develop and expand their role
- contribute to Government commitments to improve the administration of Queensland's justice system and frontline services for Queenslanders.

The trial will commence on 3 June 2013 and be conducted over six months in five trial sites:

1. Brisbane – QCAT adjudicator
2. Southport – QCAT adjudicator
3. Ipswich – QCAT adjudicator
4. Maroochydore – Magistrate sitting as a QCAT member
5. Townsville – Judicial Registrar.

### Purpose of the evaluation

The trial will be evaluated in order to:

- identify whether the trial conforms to the structure and objectives outlined in the government's commitment
- identify any challenges or strengths in implementation that inhibited or promoted achieving the goals of the trial
- determine whether the trial was effective in achieving its goals
- inform future decision making relevant to the trial.

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<sup>1</sup> For a definition of terms, see Appendix 1.

## Deliverables

The evaluators are responsible for preparing a mid-trial and post-trial evaluation report.

### Mid-trial evaluation report

The purpose of the mid-trial evaluation report is to describe the implementation and operation of the JP trial. The report will identify those elements of the trial that appear to be working well and those areas where improvements might be made. Recommendations will be made with a view to the implementation of the model beyond the trial sites and improving content implementation.

The mid-trial evaluation report will be comprised of three sections and address the key research questions identified in the table below.

Report section	Guiding research questions	Data source/s
Models for resolving MCDs	<ul style="list-style-type: none"> <li>Describe the model used by QCAT to resolve MCDs prior to the JP trial</li> <li>Describe the model for resolving MCDs that was intended for implementation under the JP trial</li> </ul>	Document analysis  Interviews (as required): <ul style="list-style-type: none"> <li>Project steering group</li> <li>Project control group</li> <li>Project coordinator</li> </ul>
Approach to implementation including: <ul style="list-style-type: none"> <li>Trial Promotion</li> <li>JP Recruitment</li> <li>JP Training</li> <li>JP Appointments</li> <li>Communication with key stakeholders and QCAT</li> <li>Governance</li> </ul>	<ul style="list-style-type: none"> <li>What were the steps taken to implement the trial, including:               <ul style="list-style-type: none"> <li>targets and expectations established for recruitment, training outcomes and appointments, and trial sites</li> </ul> </li> <li>What factors facilitated/inhibited implementation?</li> <li>How might the approach to implementation be improved for future iterations of the trial?</li> </ul>	Interviews (as required): <ul style="list-style-type: none"> <li>Project steering group</li> <li>Project control group</li> <li>Project coordinator</li> <li>JPs (legal) and JPs (non-legal)</li> <li>Key stakeholders<sup>2</sup></li> <li>Senior Member involved in recruitment</li> <li>QCAT Adjudicators</li> <li>Magistrates / Judicial Registrar</li> </ul> Surveys (as required): <ul style="list-style-type: none"> <li>JPs (legal) and JPs (non-legal)</li> <li>Sessional members</li> <li>Key stakeholders</li> </ul> Administrative data (where relevant): <ul style="list-style-type: none"> <li>Records maintained by QCAT</li> <li>Project Coordinator monthly progress reports</li> </ul>
Early stages of operation  (particular attention will be paid to those elements of the early stages of operation which may inform outcomes of the trial, e.g., time taken to finalise MCD applications)	<ul style="list-style-type: none"> <li>Describe the model as it actually operates under the JP trial</li> <li>What factors facilitate/inhibit operation of the trial?               <ul style="list-style-type: none"> <li>Model being implemented</li> <li>Availability of JPs</li> </ul> </li> </ul>	Interviews (as required): <ul style="list-style-type: none"> <li>Project control group</li> <li>Project coordinator</li> <li>JPs (legal) and JPs (non-legal)</li> <li>QCAT Adjudicators</li> <li>Magistrates / Judicial Registrar</li> </ul> Surveys <ul style="list-style-type: none"> <li>JPs (legal) and JPs (non-legal)</li> <li>Sessional members</li> <li>Key stakeholders</li> <li>QCAT Clients</li> </ul>

<sup>2</sup>A list of key stakeholders is provided in Appendix 2.

	<ul style="list-style-type: none"> <li>○ Support from Mags court</li> <li>○ Adjournments</li> <li>○ Complaints</li> <li>○ Time taken to reach a decision</li> <li>○ Remuneration rates</li> </ul> <ul style="list-style-type: none"> <li>● Where might the daily operation of the trial be improved?</li> <li>● How might the daily operation of the trial be improved?</li> </ul>	Administrative data (where relevant), including: <ul style="list-style-type: none"> <li>● Records maintained by QCAT</li> <li>● Project Coordinator monthly progress reports</li> </ul>
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Records maintained by QCAT that will inform conclusions about the operation of the trial include:

- Assessment of JPs
- Separation rate of JPs during the trial
- Availability of regular/appropriately qualified JPs to hear matters
- Number of complaints (specific to the trial)
- Court room use and availability throughout the trial
- Remuneration rates.

### Post-trial evaluation report

The purpose of the post-trial evaluation report is to compare the outcomes of the trial against its objectives. The post-trial evaluation report will be structured around the five (5) objectives of the trial. Guiding research questions, data sources and data to be collected to inform conclusions about outcomes of the trial are described below.

Trial objective	Guiding research questions	Data source/s	Data to be collected
Reduce the average time taken to finalise all MCD applications and improve the clearance rate for all MCD applications (compared to QCAT processes prior to the trial)	<p>What was the average time taken to finalise MCD applications:</p> <ul style="list-style-type: none"> <li>● in the 6 months prior to the JP trial</li> <li>● over the same 6 month period in 2012, 2011, 2010</li> <li>● during the JP trial?</li> </ul> <p>What was the clearance rate for all MCD applications:</p> <ul style="list-style-type: none"> <li>● in the 6 months prior to the JP trial</li> <li>● over the same 6 month period in 2012, 2011, 2010</li> <li>● during the JP trial?</li> </ul>	<p>Administrative data including:</p> <ul style="list-style-type: none"> <li>● Records maintained by QCAT</li> <li>● Project Coordinator monthly progress reports</li> </ul> <p>Interview data</p>	<ul style="list-style-type: none"> <li>● Time to hearing</li> <li>● Time to resolve matter (from application to resolution)</li> <li>● MCD clearance rate</li> </ul> <p>Interviews (as required):</p> <ul style="list-style-type: none"> <li>● QCAT Principal Registrar</li> <li>● QCAT Project Officer</li> <li>● QCAT Operations Support Manager</li> <li>● QCAT Adjudicators</li> <li>● Magistrates</li> <li>● JPs (legal) and JPs (non-legal)</li> </ul>

Reduce the cost of hearing these matters (compared to QCAT processes prior to the trial)	<p>What was the average daily cost of hearings:</p> <ul style="list-style-type: none"> <li>• in the 6 months prior to the JP trial</li> <li>• over the same 6 month period in 2012, 2011, 2010</li> <li>• during the JP trial?</li> </ul>	<p>Administrative data including:</p> <ul style="list-style-type: none"> <li>• Records maintained by QCAT</li> </ul> <p>Interview data</p>	<ul style="list-style-type: none"> <li>• Average daily cost of hearing</li> <li>• Cost of QCAT Adjudicators assigned to support the trial (including help-line and backfilling)</li> </ul> <p>Interviews (as required):</p> <ul style="list-style-type: none"> <li>• QCAT President</li> <li>• QCAT Executive Director</li> <li>• QCAT Principal Registrar</li> <li>• QCAT Project Officer</li> <li>• QCAT Operations Support Manager</li> <li>• QCAT Adjudicators</li> </ul>
Enable QCAT Adjudicators and Magistrates to deal with more complex matters	<p>What is the nature of cases dealt with by QCAT Adjudicators and Magistrates:</p> <ul style="list-style-type: none"> <li>• in the 6 months prior to the JP trial</li> <li>• over the same 6 month period in 2012, 2011, 2010</li> <li>• during the JP trial?</li> </ul> <p>What is the subjective experience reported by QCAT adjudicators and Magistrates with regard to the complexity of cases they were able to deal with during the trial compared to the six month period prior to the trial?</p>	<p>Administrative data including:</p> <ul style="list-style-type: none"> <li>• Records maintained by QCAT</li> </ul> <p>Interview data</p> <p>Survey data</p>	<ul style="list-style-type: none"> <li>• Case type for all cases dealt with by QCAT Adjudicators</li> <li>• Number of MCDs heard by Magistrates</li> </ul> <p>Interviews(as required):</p> <ul style="list-style-type: none"> <li>• QCAT Adjudicators</li> <li>• Magistrates</li> </ul> <p>Survey</p> <ul style="list-style-type: none"> <li>• Sessional members<sup>3</sup></li> </ul>
Recognise the substantial voluntary contribution of JPs to the community and provide opportunities to improve, develop and expand their role	<p>Did the trial recognise the voluntary contribution of JPs to the community?</p> <ul style="list-style-type: none"> <li>• In what way is this contribution recognised?</li> <li>• What worked well to recognise the contribution of JPs to the community?</li> <li>• How might recognition of JPs to the community be improved?</li> </ul>	<p>Administrative data including:</p> <ul style="list-style-type: none"> <li>• Records maintained by QCAT</li> </ul> <p>Survey data</p> <p>Interview data</p>	<p>Indicators of recognising the voluntary contribution of JPs are:</p> <ul style="list-style-type: none"> <li>• Perceptions of remuneration</li> <li>• improved professional standing (e.g., legal &amp; broader community)</li> <li>• formal and informal recognition (e.g., mechanisms within the trial, product of engaging in the trial)</li> <li>• subjective experiences of JPs</li> </ul> <p>Indicators of opportunities to improve, develop and expand are:</p> <ul style="list-style-type: none"> <li>• extent and quality of training provided to JPs prior to and during the trial</li> <li>• extent and quality of support provided to JPs prior to and during the trial (e.g., legal advice)</li> <li>• extent to which JPs were utilised during the trial (e.g., legally qualified vs JPs (non-legal))</li> <li>• opportunities for progression by JPs within and outside QCAT, including:</li> </ul>

<sup>3</sup> Sessional members can stand in for QCAT Adjudicators. QCAT currently engages 98 sessional members (7 also act as part-time Adjudicators)

			<ul style="list-style-type: none"> <li>○ ongoing training support for JPs throughout the trial (e.g., provision of information as required)</li> <li>○ whether they thought they needed refresher courses or other kinds of support</li> <li>○ if there were any broader outcomes for JPs that weren't a specific intention of the trial (e.g., increased responsibility as a JP in the community, promotions)</li> </ul> <p>Interviews (as required):</p> <ul style="list-style-type: none"> <li>● Project Coordinator</li> <li>● JPs (legal) and JPs (non-legal)</li> <li>● QCAT Adjudicator / Magistrate</li> </ul> <p>Surveys</p> <ul style="list-style-type: none"> <li>● JPs (legal) and JPs (non-legal)</li> <li>● Sessional members</li> <li>● Key stakeholders</li> </ul>
<p>Contribute to Government commitments to improve the administration of Queensland's justice system and frontline services for Queenslanders</p>	<p>What impact does the trial have on the broader operation of QCAT? In terms of:</p> <ul style="list-style-type: none"> <li>● costs</li> <li>● time</li> <li>● resource allocation and workload</li> <li>● provision of fair and just outcomes to clients</li> </ul> <p>What impact does the trial have on the operation of Magistrate Courts in trial sites outside Brisbane? In terms of:</p> <ul style="list-style-type: none"> <li>● time</li> <li>● workload</li> </ul>	<p>Administrative data including:</p> <ul style="list-style-type: none"> <li>● Records maintained by QCAT</li> <li>● Project Coordinator monthly progress reports</li> <li>● Records held in the Queensland Courts database (if relevant)</li> </ul> <p>Interviews</p> <p>Survey</p> <ul style="list-style-type: none"> <li>● Satisfaction with outcomes</li> <li>● Fair and just outcomes</li> </ul>	<ul style="list-style-type: none"> <li>● Complaints arising from matters heard by JPs</li> <li>● Rate of and success of appeals of JP decisions <ul style="list-style-type: none"> <li>○ No. of appeals lodged</li> <li>○ No. of appeals upheld</li> </ul> </li> <li>● QCAT clearance rate</li> <li>● Availability of regular/appropriately qualified JPs to hear matters</li> <li>● Magistrate Court clearance rates: <ul style="list-style-type: none"> <li>○ in the 6 months prior to the JP trial</li> <li>○ over the same 6 month period in 2012, 2011, 2010</li> <li>○ during the JP trial?</li> </ul> </li> </ul> <p>Surveys</p> <ul style="list-style-type: none"> <li>● QCAT clients</li> <li>● JPs (legal) and JPs (non-legal)</li> <li>● Sessional members</li> <li>● Key stakeholders</li> </ul> <p>Interviews (as required):</p> <ul style="list-style-type: none"> <li>● Magistrates</li> <li>● QCAT President</li> <li>● QCAT Executive Director</li> <li>● QCAT Principal Registrar</li> <li>● QCAT Client Services Manager</li> <li>● QCAT Business Services Manager</li> <li>● QCAT Project Officer</li> <li>● QCAT Operations Support Manager</li> </ul>

## Evaluation design

The trial will be evaluated using a pre-post design. A pre-post design compares scores on the outcome measures (e.g., time to hearing, number of appeals lodged) prior to and during the trial. Under the current design, scores on the outcome measures collected during the six month trial period will be compared to scores on the outcome measures collected over the following periods:

- 6 months prior to the commencement of the trial (2 December 2012 – 2 June 2013)
- the same six month period (3 June – 3 December) in 2012, 2011, 2010.

A pre-post design reveals the extent of change which occurred on the outcome measures over the period under investigation (ie prior to and during the trial). A pre-post design does not, however, allow for causal attributions to be made. That is, a pre-post design can only tell us if change occurred, not if the JP Trial caused the changes observed.

The potential of evaluating the JP trial using a randomised control trial (RCT) or pre-post design with comparison sites was considered by the evaluation and QCAT teams. It was decided that the practical constraints surrounding the conduct of the trial did not allow for these evaluation approaches. Such constraints include the allocation of eligible cases to or from JPs using the QCAT administrative system, risk of inaccurate data collection on trial specific elements, lack of additional sites comparable to the trial sites. For a more detailed discussion of the risks and benefits of this decision, see Appendix 3. The QCAT team has been made aware of these risks and acknowledges their potential impact on the evaluation.

## Consent process

When conducting research with human beings it is important to include a robust consent process which fully informs participants of the type of data being collected, what the data will be used for and their rights as a participant. In particular, the consent form should outline:

- what the evaluation is for
- what participation in the study requires
- what the information collected will be used for
- the benefits and risks associated with participating in the research
- the process for de-identifying data.

The research participant should also be told that they have a right to withdraw from the research at any time without reason or penalty. They should also be told that they will be given the opportunity to read and confirm or correct statements they made to the evaluators that were subsequently used in the evaluation report.

By signing the consent form or completing the survey, the individual consents to researchers collecting, analysing and reporting survey, interview and/or administrative data.

For an example consent form see Appendix 4.

## Roles and responsibilities

The evaluation will be conducted by Criminal Justice Research (CJR) within the Department of the Premier and Cabinet in close collaboration with QCAT.

CJR is responsible for:

- developing the evaluation framework
- working together with QCAT to develop JP and stakeholder surveys
- developing structured interview formats
- conducting and reporting on structured interviews
- analysing administrative data sets
- analysing data collected through surveys
- providing evaluation participants the opportunity to provide feedback on statements they made to the evaluators that were subsequently used in the evaluation report
- notifying QCAT of any unintended impacts (outlined below) of the evaluation
- preparing a draft and final mid-trial evaluation report
- preparing of a draft and final post-trial evaluation report.

QCAT is responsible for:

- providing timely access to administrative data sets
- working together with CJR to develop JP and stakeholder surveys
- preparing final JP, client and stakeholder surveys
- distributing surveys and collecting responses
- providing survey data to CJR in a timely and readable format
- providing support for structured interview process (e.g., arranging initial contact between evaluators and interviewees)
- making the purpose of the evaluation clear to stakeholders and managing expectations about the evaluation is able to conclude and recommend
- providing feedback on drafts of the mid-trial and post-trial evaluation reports
- responding to any unintended impacts (outlined below)
- funding the evaluation.

## Potential issues associated with the model and evaluation approach

There are a number of potential issues associated with the trial model and evaluation approach that should be highlighted at the outset, including:

- the trial model may produce a decrease in the currently high QCAT clearance rates
- the trial model may significantly increase the work load for QCAT officers
- the pre-post evaluation approach makes it difficult to draw clear conclusions about the impact of the trial on the measured outcomes or causal relationships due to:
  - the short trial period
  - the absence of a randomised control trial design or the presence of comparison sites
- the high profile of the trial may have heightened stakeholder expectations regarding what the evaluation will deliver.

CJR will monitor and report on these issues to QCAT. QCAT is responsible for responding to these issues as they see fit.

## Timeline

A mid-trial evaluation report will be delivered four (4) months and the post-trial evaluation report seven (7) months after the first sitting date for the trial.

The trial commenced in June 2013. Unless the commencement date changes, the mid-trial evaluation report will be due in September 2013 and the post-trial evaluation will be due in February 2014.

## Governance

### JP Trial

A Project Steering Group (PSG) will be established to oversee project development and implementation of the JP trial. The group will be comprised of:

- QCAT President
- QCAT Deputy President
- Attorney-General or delegate
- QCAT Senior Member
- QCAT Executive Director
- QCAT Principal Registrar
- Deputy Director-General (Justice Services)
- Executive Director Magistrates Court
- Department of the Premier and Cabinet

The Project Control Group (PCG) is responsible for planning and implementation of the trial and reports to the PSG. It is the PCG's responsibility to ensure appropriate identification, consideration and resolution of all issues during the planning and implementation phase. Membership includes:

- QCAT President
- QCAT Senior Member
- QCAT Executive Director
- QCAT Principal Registrar
- QCAT Client Services Manager
- QCAT Business Services Manager
- QCAT Project Officer
- QCAT Operations Support Manager
- QCAT Training Officer
- QCAT Marketing and Communications Officer

### Evaluation

The QCAT President and the Directors-General of the Department of the Premier and Cabinet (DPC) and the Department of Justice and Attorney-General (DJAG) will be responsible for endorsing the evaluation framework. The evaluation framework is a flexible document that can be amended to reflect emerging issues or impacts associated with the trial or evaluation approach. Endorsement from the QCAT President and the Directors-General of DPC and DJAG will be sought prior to substantial changes being made to the document.



The PSG, Director-General DJAG and Attorney General will be responsible for endorsing the mid-trial evaluation report and post-trial evaluation report. Draft copies of the mid-trial evaluation report and post-trial evaluation report will be provided to the PSG for feedback and comment prior to a final submission of both reports.

### **Communication strategy**

In response to recommendations made by the Legal Affairs and Community Safety Committee, the Government has agreed to make the Evaluation Framework publicly available prior to the expiration of the trial.



## Appendix 1: Definition of terms

Term	Definition	Source (where relevant)
<b>Adjournment</b>	<ul style="list-style-type: none"> <li>• JPs may seek an adjournment of a matter to seek legal advice or work through the issues on their own</li> <li>• the number of adjournments made by JPs and the reason for the adjournment will be measured</li> <li>• this measure will be comparable across traditional and trial processes</li> </ul>	CLAIMS
<b>Assessment of JPs</b>	<ul style="list-style-type: none"> <li>• dichotomous measure: competent / not competent</li> <li>• assessed using role plays</li> <li>• assessed against clear criteria</li> </ul>	JP Database Completed assessment forms
<b>Average cost of matter</b>	<ul style="list-style-type: none"> <li>• the cost of the claim being brought by the claimant</li> </ul>	CLAIMS
<b>Average cost per matter</b>	<ul style="list-style-type: none"> <li>• Dividing the average daily cost of panel by the number of matters heard by a JP panel (5 matters per day)</li> </ul>	
<b>Average cost of hearing</b>	<ul style="list-style-type: none"> <li>• Hearing Support Officer salary;</li> <li>• JPs remuneration (JPs receive a set fee of \$100 per sitting day)</li> <li>• Resources; and</li> <li>• any associated costs</li> <li>• this measure is comparable across traditional and trial processes (ie standard for QCAT to collect data on cost of hearing)</li> </ul>	
<b>Average daily cost of panel</b>	<ul style="list-style-type: none"> <li>• JPs receive a set fee of \$100 per sitting day</li> <li>• this measure is comparable across traditional and trial processes (ie standard for QCAT to collect data on cost of hearing)</li> <li>• a hearing may continue over more than one day and the daily cost of the panel will be the same per day</li> </ul>	TBA
<b>Average time to hearing</b>	<ul style="list-style-type: none"> <li>• calculated as a standard average (i.e., total time to hearing divided total number of matters heard)</li> </ul>	CLAIMS
<b>Average time to resolve matter</b>	<ul style="list-style-type: none"> <li>• calculated as a standard average (i.e., total time to resolve all matters divided by total number of matters heard)</li> </ul>	CLAIMS
<b>CaseWorks</b>	<ul style="list-style-type: none"> <li>• Case management and scheduling database maintained by QCAT</li> <li>• Records allocations and scheduling for all matters dealt with by QCAT as well as</li> </ul>	

	service as a case management system for all other tribunal work	
<b>CLAIMS</b>	<ul style="list-style-type: none"> <li>• Civil Listing and Information Management (CLAIMS) - Minor Civil Dispute database maintained by QCAT</li> <li>• Records outcomes of all MCD matters</li> </ul>	
<b>Clearance rate</b>	<ul style="list-style-type: none"> <li>• calculated as the total number of finalised cases divided by the total number of lodgements made in a given period</li> <li>• trial and traditional processes are comparable</li> </ul>	CLAIMS
<b>Comparison sites</b>	<ul style="list-style-type: none"> <li>• a comparison site is one that is as similar as possible to a trial site and where the trial has not been implemented</li> </ul>	
<b>Complexity of matter</b>	<ul style="list-style-type: none"> <li>• there is no standard definition of a more or less complex matter used within QCAT</li> <li>• Adjudicators are likely to be dealing with more complex matters if they start hearing matters outside the usual scope assigned to their position (e.g., building matters)</li> </ul>	CaseWorks
<b>Cost of providing legal advice</b>	<ul style="list-style-type: none"> <li>• QCAT adjudicators will receive \$759 for every full day and \$543 for every part day they are on call to provide advice to JPs</li> <li>• they will receive this amount irrespective of whether they are called on to provide advice</li> <li>• this cost is included in the funding for the trial</li> </ul>	
<b>JP availability</b>	<ul style="list-style-type: none"> <li>• measured as the number of eligible matters heard by appropriately qualified JPs</li> <li>• recorded in CLAIMS</li> </ul>	CLAIMS
<b>JP Database</b>	<ul style="list-style-type: none"> <li>• database built specifically for the trial</li> <li>• maintained by the project manager</li> <li>• holds JP specific information</li> </ul>	
<b>JP Qualifications</b>	<ul style="list-style-type: none"> <li>• JP (Legally Qualified) – date from which the individual was admitted to the bar and the date from which individual was awarded JP qualifications</li> <li>• JP (Qualified) – date from which individual was awarded JP qualifications</li> </ul>	JP Database
<b>Judicial Registrar</b>	<ul style="list-style-type: none"> <li>• limited to hearing some MCDs and less complex matters</li> <li>• legally qualified</li> <li>• stand in where there is no need for the full consideration of a Magistrate</li> </ul>	
<b>Minor Civil Dispute (MCD)</b>	<p>Minor Civil Disputes in scope for the trial include:</p> <ul style="list-style-type: none"> <li>• Minor debt disputes</li> </ul>	

	<ul style="list-style-type: none"> <li>• Consumer/trader disputes</li> <li>• Residential Tenancy Disputes (non-urgent)</li> <li>• All other disputes under \$5,000, including: <ul style="list-style-type: none"> <li>○ Dividing Fence Disputes</li> <li>○ Property Damage Disputes</li> <li>○ Claims for repair of defect motor vehicle</li> </ul> </li> </ul>	
<b>Number of complaints</b>	<ul style="list-style-type: none"> <li>• two categories of complaints: <ul style="list-style-type: none"> <li>○ those against JPs</li> <li>○ those relevant to administration/process</li> </ul> </li> <li>• traditional QCAT processes attract complaints</li> </ul>	JP Database (JP relevant complaints) QCAT Complaints Register (administration/process complaints) QCAT Complaints Register (complaints made in traditional processes)
<b>Number of QCAT Adjudicators required to back fill</b>	<ul style="list-style-type: none"> <li>• QCAT Adjudicators will be responsible for hearing JP eligible matters on occasions when no appropriately qualified JPs are available</li> <li>• where a JP panel cannot be assembled (e.g., non-legally qualified / legally qualified JP is unavailable), the attending JP may be paired with the QCAT Adjudicator</li> </ul>	CLAIMS  TBA
<b>Separation rate</b>	<ul style="list-style-type: none"> <li>• measured as the number of JPs who terminate their involvement in the trial</li> <li>• JPs will be asked to complete a separation feedback form</li> </ul>	JP Database
<b>Referral for legal advice</b>	<ul style="list-style-type: none"> <li>• Number of times JPs refer matters to QCAT Adjudicators for advice <ul style="list-style-type: none"> <li>○ Additional information including matter type and length of call will be recorded by the Adjudicator</li> </ul> </li> <li>• this cannot be compared to traditional QCAT processes as they do not include a referral service</li> </ul>	JP Database Adjudicator Feedback Sheets
<b>Referral to Tribunal</b>	<ul style="list-style-type: none"> <li>• number of matters referred back to the Tribunal as they are too complex or fall outside JPs jurisdiction</li> </ul>	TBA
<b>On the papers</b>	<ul style="list-style-type: none"> <li>• administrative tasks completed by all QCAT adjudicators in addition to hearing up to 12 matters a day</li> <li>• QCAT adjudicators who are on call will be expected to complete this work when they are not assisting JPs</li> </ul>	NA

	<ul style="list-style-type: none"> <li>This is a broad level administrative task and is not formally recorded in a consistent manner across all tasks– it is not possible to show whether the number of tasks completed increases or decreases during the trial</li> </ul>
<b>Pre-post design</b>	<ul style="list-style-type: none"> <li>pre-post designs compare outcome measures collected during the trial to the same outcome measures collected prior to the trial</li> </ul>
<b>QCAT Adjudicators</b>	<ul style="list-style-type: none"> <li>lawyers with 5 years experience</li> <li>jurisdiction limited to: MCDs, matters considered appropriate by the President having regard to the nature, importance and complexity of the matter</li> <li>work exclusively for QCAT</li> </ul>
<b>QCAT Divisions</b>	<ul style="list-style-type: none"> <li>The Civil Disputes and Administrative Disciplinary Action (CAD)</li> <li>Human Rights Division (HuRD)</li> </ul>
<b>QCAT Ordinary Member</b>	<ul style="list-style-type: none"> <li>lawyers with 6 years experience or more and has extensive knowledge, expertise or experience relevant to the matter before the Tribunal</li> <li>Magistrates automatically become QCAT Members when hearing MCD matters</li> </ul>
<b>QCAT Registrar</b>	<ul style="list-style-type: none"> <li>oversees areas within QCAT</li> <li>can make some orders but it is largely an administrative role</li> </ul>
<b>QCAT Registry</b>	<ul style="list-style-type: none"> <li>refers to an area of QCAT responsible for: <ul style="list-style-type: none"> <li>Client Services</li> <li>Operations Support</li> <li>Case Management</li> <li>Alternative Dispute Resolution</li> <li>Corporate Services</li> </ul> </li> </ul>
<b>Randomised control trial</b>	<ul style="list-style-type: none"> <li>RCT designs randomly allocate claims to either a JP panel (trial condition) or QCAT Adjudicator (traditional process)</li> <li>RCT is the only evaluation design through which causal relationships between the trial and outcomes can be established</li> </ul>
<b>Senior QCAT Members</b>	<ul style="list-style-type: none"> <li>lawyers with 8 years experience and has extensive knowledge, expertise or experience relevant to the matter before the Tribunal</li> <li>work exclusively for QCAT</li> </ul>
<b>Sessional QCAT Members</b>	<ul style="list-style-type: none"> <li>individuals who are employed, as required, to sit as QCAT members</li> <li>they do not need to be legally qualified</li> <li>they must have knowledge, expertise or experience relevant to the matter being</li> </ul>

heard

**Surveys - JP/stakeholder**

- Marketing and Communications are responsible for survey administration

## Appendix 2: Key stakeholder groups

### Residential Tenancy Stakeholders

- the Real Estate Institute of Queensland (REIQ)
- the Tenants Union Queensland (TUQ)
- the Residential Tenancies Authority (RTA)

### Justice sector stakeholders

- Magistrate Court and Chief Magistrate
- Queensland Justices Association (QJA)
- Gold Coast Justices Association (QCJA)
- Australasian Council of Justices' Associations

### Legal and Advocacy groups

- the Queensland Law Society (QLS)
- the Bar Association of Queensland
- Community Legal Centres:
  - Legal Aid Queensland
  - the Queensland Association of Independent Legal Services (QAILS)
  - Queensland Public Interest Law Clearinghouse (QPILCH)

### Justice of the Peace stakeholders

- DJAG – Justice of the Peace Branch
- Justice of the Peace Advisory Council



## Appendix 3 - Comment on the Evaluation Design

The proposed approach to evaluating the JP trial follows a pre-post design. This appendix outlines the risks and benefits associated with a pre-post design compared to other approaches, including randomised control trials (RCT) and the use of comparison sites.

- A pre-post design cannot account for any number of social, legal or other changes occurring at the same time as the JP trial which may also contribute to the changes observed in the outcome measures.
- For added rigour in pre-post evaluation designs, it is advisable to identify comparison sites. A comparison site is one that is as similar as possible to the JP trial sites and where the JP trial has not been implemented. In the current case, similarity is likely to be based on population characteristics, the number of lodgements made at each site and the nature of claims dealt with at each site.
  - A pre-post design with comparison sites makes the assumption that social, legal or other changes occurring during the study period are likely to impact in a similar way on the JP trial and comparison sites. Differences between JP trial sites and the comparison sites are then explored for the purpose of identifying the degree of change at the trial sites likely to be attributable to the JP trial. This pre-post approach including comparison sites still does not allow for causal attributions to be made between the trial and changes observed.
- The only way in which changes in the outcome measures can be causally attributed to the JP trial is through a randomized control trial (RCT). Under this approach, MCD applications submitted at each of the trial sites would be randomly assigned to either a JP model or the traditional QCAT model – these two processes are expected to be operating simultaneously at each site. The outcomes (e.g., average time to finalise) associated with both processes (traditional and JP trial) are then compared.

Following discussions with representatives from QCAT it was determined that a RCT approach is not suitable for the administrative processes and approaches to data collection established within QCAT and creates a high risk of error in data collection. Based on a broad level examination of lodgement information, it was also determined that appropriate comparison sites for each of the trial sites are not available.

## Appendix4: JP Trial Evaluation – Example information sheet and consent form

### What is the evaluation for?

The purpose of the JP Trial evaluation is to identify whether the program was implemented and operates as planned, what works well and what might be improved, and whether the trial meets its five objectives:

1. reduce the average time taken to finalise all minor civil dispute (MCD) applications and improve the clearance rate for all MCD applications in the trial sites
2. reduce the cost of hearing these matters
3. enable Queensland Civil and Administrative Tribunal (QCAT) adjudicators and magistrates (who act as QCAT members in regional areas) to deal with more complex matters
4. recognise the substantial voluntary contribution of JPs to the community and provide opportunities to improve, develop and expand their role
5. contribute to Government commitments to improve the administration of Queensland's justice system and frontline services for Queenslanders.

### What's involved in participation?

If you participate in the evaluation you will be helping us to understand what it is like to be part of a program of this nature, if it worked for you, and whether it might work for other people. We will collect information from you through surveys or interviews. Surveys are expected to take 10-15 minutes to complete, while interviews may take up to an hour.

If you are a Justice of the Peace, we will also collect some information about your recruitment, training and performance from QCAT. All of the information provided to us by QCAT will be de-identified. That means we won't know who it's come from.

If, at any time, you change your mind about being part of the evaluation, you can simply choose to stop completing the survey or ask for the interview to end. If you choose to leave the evaluation, we will not use the information you have provided.

Prior to reporting quotes you have made to us we will give you the opportunity to read your quote in the context of the evaluation report and provide comment or feedback to us regarding the extent to which we have accurately captured your views.

### What will you do with my information?

The information we collect will be put in to evaluation reports for QCAT and the Department of Justice and Attorney-General. The Government will use the report to inform decisions about the JP Trial in the future.

All the information we collect will be de-identified. That means no-one will be able to link specific statements or opinions directly back to you. Most of the data we collect from surveys or from QCAT will be reported at an aggregate level. That means similar responses will be grouped together and data for any single individual will not be reported.

### What if there's something I don't want to talk about?

We will ask you about yourself and your experiences of the trial. There may be an occasion when you don't want to disclose something, that's ok. You can skip the question or come back to it later.

***What if I have more questions about the evaluation?***

If you want you want to know more about the evaluation or what we will do with the information we collect, please contact the research team:

**Emma Ogilvie** (Criminal Justice Research, Department of the Premier and Cabinet)

Ph: (07) 3227 8436      Email: [Emma.Ogilvie@premiers.qld.gov.au](mailto:Emma.Ogilvie@premiers.qld.gov.au)

***What if I want to make a complaint about the evaluation?***

If you want to make a complaint about the evaluation, please contact:

**Department of Justice and Attorney-General**

[mailbox@justice.qld.gov.au](mailto:mailbox@justice.qld.gov.au)

3239 3520