

VCAT 2016-17 ANNUAL REPORT



VCAT | victorian civil &
administrative
tribunal

Fair, efficient justice for all Victorians

About VCAT

VCAT is a tribunal that serves the community by resolving disputes and making decisions about human rights cases. We are less formal than a court.

We hear and decide civil and administrative cases in the State of Victoria, Australia.

The law that establishes VCAT and governs our operations is the *Victorian Civil and Administrative Tribunal Act 1998*.

VCAT is part of Victoria's court system. To support the independence of Victoria's courts and the tribunal, our administrative services and facilities are provided by a statutory body corporate: Court Services Victoria (CSV).

We explain more about this important relationship on page 7. For more information about CSV, visit courts.vic.gov.au.

About this report

VCAT must give the Attorney-General of Victoria an annual report before 30 September each year, as required under the VCAT Act.

This report is primarily prepared for the Attorney-General and Parliament of Victoria, organisations that support people who use our services and our funding partners.

It provides an account of VCAT activities from 1 July 2016 to 30 June 2017 and progress against our *Building a Better VCAT: Strategic Plan 2014-17*.

This report includes summary financial information. VCAT's accounts are published as part CSV's annual report, available at courts.vic.gov.au.

Acknowledgement

VCAT acknowledges the Aboriginal and Torres Strait Islander people as the Traditional Custodians of the land. We also acknowledge and pay respect to their Elders, past and present.

Dear Attorney-General

In accordance with section 37 of the *Victorian Civil and Administrative Tribunal Act 1998*, I have pleasure in submitting the VCAT Annual Report for the year ended 30 June 2017, for you to present to the Houses of Parliament.

Yours sincerely



Justice Greg Garde AO RFD, President



Keryn Negri, Chief Executive Officer

Feedback

To make enquiries and give feedback on this report, visit vcat.vic.gov.au.

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Our strategic plan

Our strategic plan is a roadmap to ensure our organisation has the facilities, processes, technology and human resources to deliver an outstanding tribunal service.

This report covers the final year of our *Building a Better VCAT: Strategic Plan 2014-17*. It contains both our activity for this year and a short summary of achievements against the three-year plan.

The plan set five strategic directions:

1. Better access
2. Community involvement and engagement
3. Modernising service delivery
4. Improving efficiency
5. Investing in our people

The plan included key focus areas under these strategic directions. Our business plan for the year set priority projects within each focus area.

2014-15:

Building a strong foundation

to ensure sound budget and financial management, appropriate corporate governance, leadership and management capabilities.

2015-16:

Reforming systems

including improvements to our information technology systems and hardware, revision and implementation of new legislation, review of business processes and resources, and development of workforce strategy.

This year:

Embedding change and efficiencies

including completing reform projects, creating opportunities for enhanced performance and leadership, and strengthening relationships with our stakeholders and the community.

Next year:

A new plan to take VCAT into the 2020s

We are developing a new Strategic Plan to guide our activities from 2018-2022. For more information about how we are doing this, see page 35.

VCAT 2016-17 ANNUAL REPORT

Our vision and values

VCAT's goal is to be an outstanding civil and administrative tribunal.

Our vision is to serve the community by resolving disputes in a timely, cost effective and efficient way.

We value:

- fairness
- professionalism
- integrity
- impartiality
- independence
- efficiency
- approachability
- accessibility.

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Our highlights and challenges

This was the final year of our *Building a Better VCAT: Strategic Plan 2014-17*. Our work under this plan has provided the foundation to transform VCAT into a modern, accessible tribunal.

Overview

Highlights

Improved access for **tenants** and residents, who lodged 27 per cent more residential tenancies applications this year

Strong growth in civil claims, up 29 per cent overall, and in planning and environment major cases (130 per cent increase)

Successfully implemented and monitored the Victorian Government's **new fee structure** for VCAT from 1 July 2016

Secured funding and initiated a **new digital strategy** to enhance online services and improve efficiency

Launched a **new award-winning website** to better meet users' online information needs and improve access to VCAT's other online services

Conducted **customer surveys**, which showed 85 per cent satisfaction with VCAT services, reviewed our processes and prepared to implement a single phone number, as part of our multi-year **Customer Service Improvement Program**

Conducted **comprehensive research** into Aboriginal and Torres Strait Islander experiences at VCAT to inform our Koori Inclusion Action Plan 2018-22

Consulted extensively with stakeholders to develop our **Accessibility Action Plan**, a first for Court Services Victoria

Established a **partnership with Justice Connect** to develop a support model for people who represent themselves at VCAT

Challenges

More applications about goods and services and complex planning matters affected our ability to clear cases quickly

Managing **funding and competing priorities** delayed some projects, for example plans to install an automated listings scheduler and make wi-fi available

Slow progress on technology projects such as the Guardianship Hub, while we **secured resources** for the digital strategy

Technical issues with integrating data from online forms to our case management system **limited efficiency gains**, as we had to continue manual data checks

Looking ahead

Deliver new and better online forms, redevelop the Residential Tenancies Hub, create and apply a digital first approach by implementing our **digital strategy**

Transition all our services to a single phone number, develop a new customer service framework and simplify processes and procedures through our **Customer Service Improvement Program**

Improve access for people with a disability and the Koori community by implementing VCAT's **diversity program**

Finalise our **new strategic plan** to take VCAT into the 2020s

Snapshot

	2014-15	2015-16	2016-17
Our service			
↑ Applications lodged	86,442	85,961	86,461
↓ Cases finalised	85,887	87,448	84,878
↑ Cases listed for mediation or compulsory conference		1720	2453
↓ Resolution rate for cases at compulsory conference or mediation		61%	56%
↑ Pages viewed online	3.8 million	3.8 million	4.1 million
↑ Website use by mobile device	24%	28%	31%
↓ Calls answered		210,097	208,146
↑ Incoming emails handled		143,599	179,037
↓ Counter enquiries answered at our main hearing venue, 55 King St		26,795	24,628
➖ Hearing venues used across Victoria	67	58	58
↑ Visitors to our main hearing venue (approximate)		120,000	148,000
Feedback on our service			
➖ Customer satisfaction		Not measured	85% June 2017
➖ Comments on website pages		Not collected	2761
↓ Complaints		271	238
Our people			
↓ Members	213	237	228
↑ Staff	218	206	218
Our finances (million)			
↑ How much government appropriates for VCAT costs		\$19.7	\$21.7
↑ Funds from Consumer Affairs Victoria (in trust, for dispute resolution services)		\$17.9	\$18.6
↑ Revenue from fees		\$7.7	\$9.1
↑ Spent on operating expenses (see Note 9 on page 64)		\$45.3	\$49.3
↓ Operating costs recovered for lists not supported by trust funds		23.4%	17.3%

Delivering our strategy

From 2014 to 2017

This was the final year of our *Building a Better VCAT: Strategic Plan 2014-17*. This plan set us on the road to becoming a more user-centric, information-driven and technology-enabled organisation. We have built the framework, strategies and financial base for a fundamental shift in how we serve the community. Achievements over the life of this strategic plan include:

Better access

Secured funding for and made significant progress on a comprehensive program to improve our services

Assisted the Victorian Government's fee review and implemented the new structure, which aimed to improve access to justice

Developed and started to deliver our diversity program to improve access and inclusion for our diverse users and workforce, including the Koori community

Established partnerships with Justice Connect and DSCV that will support people who represent themselves at VCAT and extend access to dispute resolution

Opened new venues in Moe and Preston, increasing our capacity to hear cases in growth areas

Improved our facilities and made our main hearing venue safer and more welcoming, including establishing a concierge service and providing better remote witness facilities

Community involvement and engagement

Consulted with stakeholders and the community on key initiatives, such as our customer service improvements and Koori Inclusion Action Plan

Reviewed and revamped our website to make it easier for people to find and understand information about our services

Implemented media policies that heralded a new relationship with media, to help build community knowledge about VCAT

Worked with Consumer Affairs Victoria to improve communications to tenants, landlords, estate agents and others involved in residential tenancies matters

Improving efficiency

Delegated Principal Registrar powers to trained staff, so we can process matters faster for the people who use our services

Developed and began to implement VCAT's performance reporting system to capture data and information as the basis for better decision-making

Modernise service delivery

Secured funding and started work on a digital strategy to transform our services

Developed and introduced online forms, making it easier for people to apply

Delivered a pilot of electronic lodgement services with CSV – a step toward a system where parties can start a case online, have access to an electronic case file and follow progress online

Extended online access by opening the Residential Tenancies Hub to tenants and private landlords, and progressing work to revamp this service

Investing in our people




























Developed and delivered a workforce plan to ensure best-practice recruitment, retention, staff development and leadership

Worked with CSV to implement a system that will improve how we measure key workforce metrics, so that we can improve planning

We are working on a new strategic plan to take VCAT into the 2020s (see page 35).

In 2016-17 – Priority projects scorecard

Each year we develop and implement a business plan to make sure we focus on priority projects that align with the strategic directions and key focus areas in our strategic plan. This scorecard shows our progress on this year's priority projects, some of which extend over several years.

Key:		Page
 Completed		
 In progress		
 Yet to start		
	Strategic Direction 1: Better Access	12
	Progress our Customer Service Improvement Program	 13
	Respond to Access to Justice Review recommendations	 13
	Review and update correspondence templates	 13
	Develop VCAT accommodation priorities	 14
	Refurbish customer service spaces at our main venue	 14
	Progress a model for the Self Help Centre	 14
	Extend Principal Registrar delegations	 14
	Implement video conferencing in hearing rooms	 14
	Strategic Direction 2: Community involvement and engagement	15
	Deliver our strategic communications program	 16
	Improve residential tenancies information	 16
	Implement our diversity program	 16
	Strategic Direction 3: Modernising service delivery	20
	Progress electronic document lodgement service	 25
	Develop more online forms	 25
	Move the Residential Tenancies Hub to a new platform	 25
	Provide wi-fi at our main hearing venue	 25
	Implement a change and incident management program	 25
	Install an automated listings scheduler	 25
	Strategic Direction 4: Improving efficiency	26
	Develop our performance reporting framework	 28
	Review our regional service delivery model	 28
	Implement and monitor new fee regime	 29
	Audit the objector Notice of Decision process for Planning cases	 29
	Implement VCAT's security audit recommendations	 29
	Strategic Direction 5: Investing in our people	30
	Complete all projects in our Workforce Plan 2015-17	 31
	Develop VCAT's next strategic plan	 35

Delivering our services

We received more than 86,000 applications and finalised nearly 85,000 cases this year. Most applications were about residential tenancies (63 per cent) and guardianship (16 per cent).

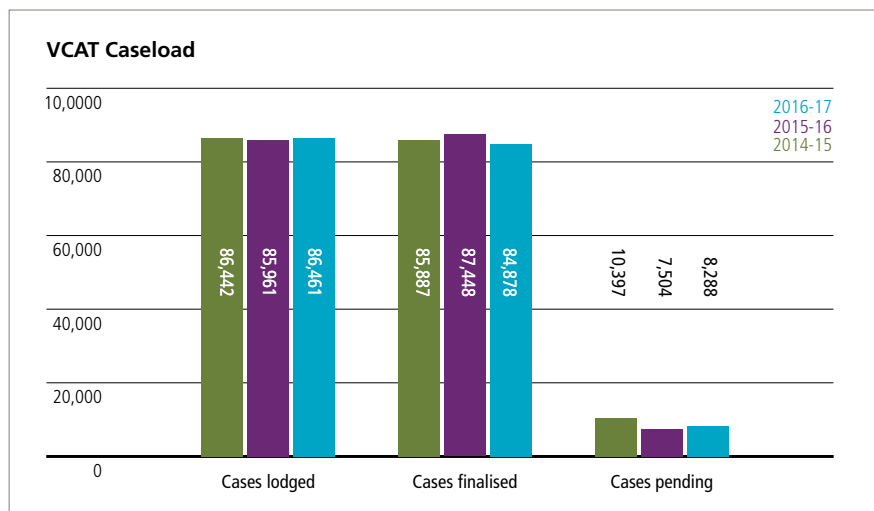
Improving access to justice

There was a 29 per cent rise in civil claims this year, which accounted for more than 10 per cent of total applications. Growth was high across all types of civil claims but especially in complex claims (up 36 per cent), which generally take longer to finalise.

This increase, combined with a rise in Planning and Environment cases - major cases up 130 per cent - meant more cases were pending (awaiting a decision) at 30 June. (Note that pending data is reported using complex formulae from our two case management systems.)

We received 27 per cent more applications from tenants and residents, despite receiving slightly fewer residential tenancies applications overall.

The greatest percentage variation was in our Human Rights and Legal Practice lists. Due to the small number of applications in these lists, a relatively small increase in volume shows as a large statistical change. The rise in Human Rights applications is not attributed to any particular factor, and the continued decline in Legal Practice cases reflects processes introduced by law in 2015.



Overview	2014-15	2015-16	2016-17	% change
Cases lodged	86,442	85,961	86,461	1%
Cases finalised	85,887	87,448	84,878	-3%
Cases pending	10,397	7,504	8,288	10%
Clearance rate	99%	102%	98%	

Overview	2014-15	2015-16	2016-17	% change
Hearing venues used	67	58	58	0%

LISTS	Cases lodged per List				Timeliness (weeks)		
	2014-15	2015-16	2016-17	% change	2016-17 Median	2016-17 80th Percentile	Target
Civil Division							
Building and Property	1,801	1,746	1,856	6%	14	34	n/a
Civil Claims	6,895	6,789	8,758	29%	11	16	19
Owners Corporations	3,068	3,156	3,126	-1%	7	11	10
Residential Tenancies Division							
Residential Tenancies	59,184	56,412	54,551	-3%	2	4	6
Administrative Division							
Legal Practice	168	112	68	-39%	15	43	40
Planning and Environment	2,729	2,695	2,878	7%	26	33	n/a
Review and Regulation	1,061	1,009	994	-1%	19	49	n/a
Human Rights Division							
Guardianship	11,220	13,771	13,896	1%	n/a	n/a	n/a
Human Rights	316	271	334	23%	11	24	n/a
TOTAL	86,442	85,961	86,461	1%	12*	23*	26**

* achieved median and percentile, excluding Guardianship cases

** estimate of weeks to finalisation, excluding complicated cases

Our organisation

Our relationship to courts and government

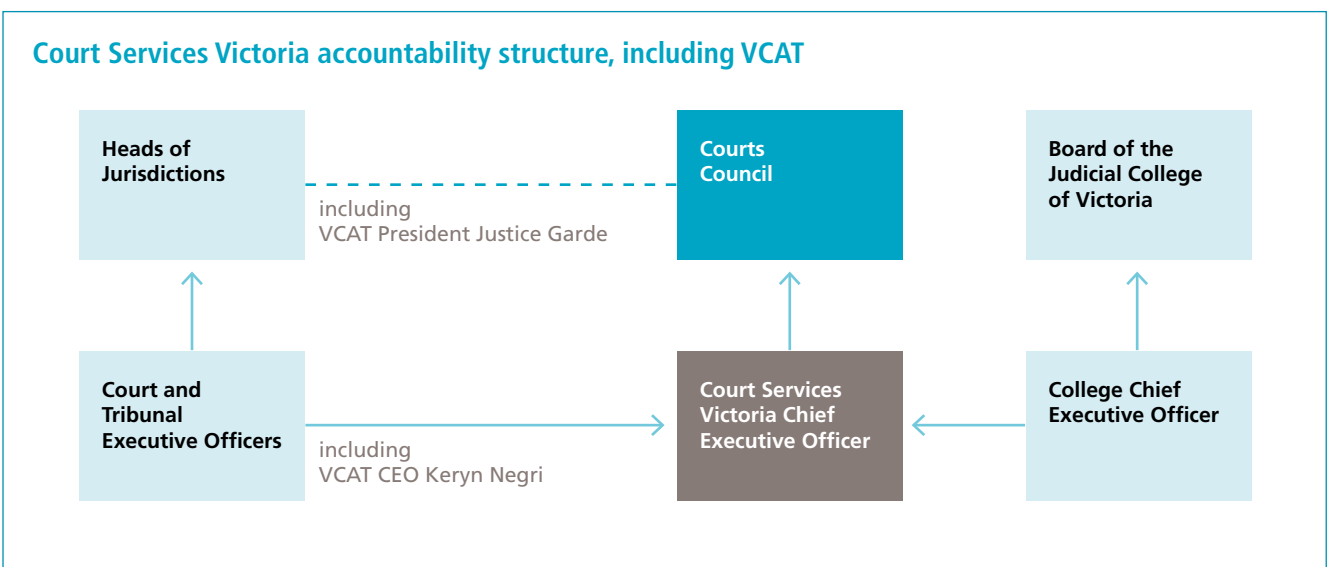
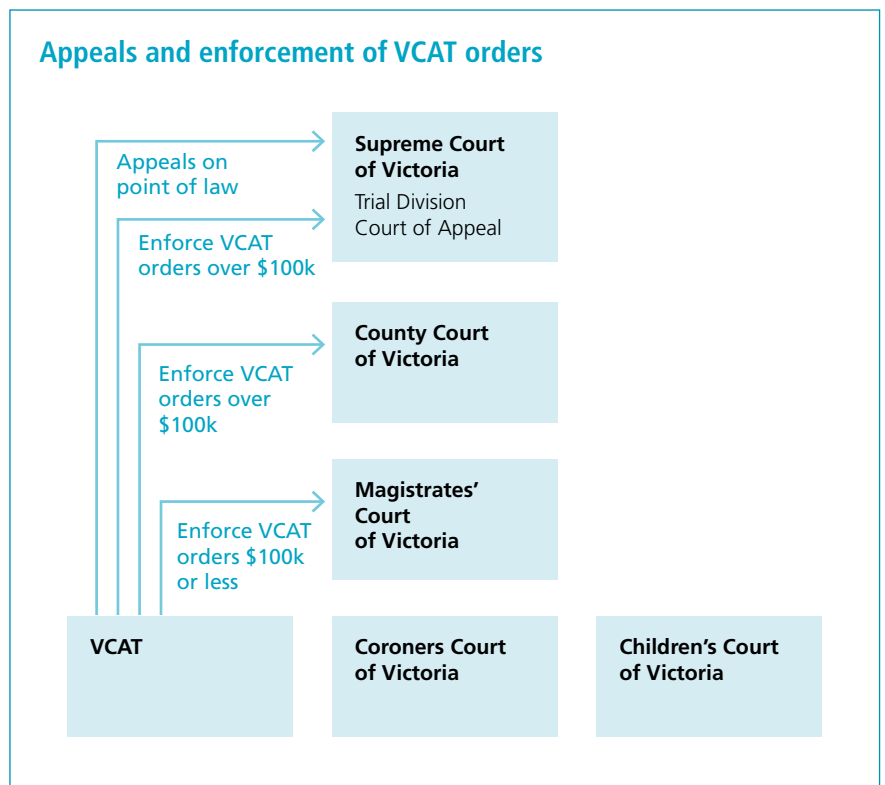
VCAT is part of Victoria's court system, which is independent of Parliament and executive government.

Appeals on questions of law from our decisions are heard by the Supreme Court of Victoria's Trial Division and Court of Appeal.

To support the independence of Victoria's courts and VCAT, our administrative services and facilities are provided by a statutory body corporate: Court Services Victoria (CSV).

VCAT's President is a member of CSV's governing body, the Courts Council. Our CEO is appointed by the Courts Council on the recommendation of the VCAT President. Our CEO is responsible to the VCAT President for VCAT operations and to the CSV CEO on all other matters.

VCAT's financial accounts are audited and published as part of CSV's annual report. You can see a summary of our accounts on page 61. For more information about CSV and to view its annual report, visit courts.vic.gov.au.



Who we are

By law, our President is a justice of the Supreme Court of Victoria. Fourteen judges from the County Court of Victoria serve as our Vice Presidents, with two working full time at VCAT. More details about our **Leadership and governance** are on page 36.

Our members have specialist knowledge and qualifications, and most have a legal background. All our members must have:

- a high level of integrity
- sound judgment
- legal or professional skills
- excellent communication and interpersonal skills
- the ability to conduct hearings
- a capacity to make fair decisions quickly.

See a list of our members on page 67.

Our staff come from diverse backgrounds and provide services including:

- registry, listings and customer services
- people and facilities management
- strategic communications
- information technology
- finance and reporting.

What we do

We serve the community by resolving disputes and making decisions in human rights cases, for example by appointing guardians for vulnerable Victorians.

VCAT is less formal than a court. In most cases, you do not need a lawyer or professional representative. Usually you must ask our permission to have someone represent you.

Where possible, we help people reach agreement by talking through the issues at a mediation or compulsory conference with the other people involved. If the parties cannot agree, we decide the case at a hearing.

When hearing a case, we apply the relevant law - for example, the *Residential Tenancies Act 1997* for cases about renting a home. We can only hear cases when a law gives us this authority. See page 66 for a list of the laws that give us authority to hear cases.

Except for the right to appeal to the Supreme Court of Victoria, VCAT decisions are final and binding on the parties to the proceeding.

Our governance

VCAT is established by an Act of Parliament – the *Victorian Civil and Administrative Tribunal Act 1998* (the VCAT Act). This is the principal law that governs our operations.

Under this law, the VCAT President and Vice Presidents are responsible for the management and administration of the tribunal. Strategic advice to the President is made through the President's Advisory Committee, which includes our senior leaders. For more about our leadership see page 36.

A number of purpose-specific committees meet regularly to oversee critical business functions, to provide a clear decision-making process and ensure compliance with VCAT's obligations. These committees are governed by business rules that include terms of reference, membership, meeting frequency, decision-making and reporting requirements. They provide regular updates to the President's Advisory Committee.

In 2016-17, we received 12 per cent fewer complaints about our services. We also had fewer appeals against VCAT decisions lodged with the Supreme Court of Victoria (70 appeals, compared to 78 last year). Our decisions can be appealed only on questions of law – that is, whether the judge or member made a legal error. This limit on appeals helps give certainty to parties when we determine their disputes. For more information about appeals and complaints see page 42.



VCAT members hear and decide cases

Our structure

VCAT is organised into four divisions, supported by the administration executive (including our registry functions). Each division is led by a Deputy President.

Administrative Division deals with professional conduct inquiries and applications from people seeking review of decisions made by government, councils and other authorities.

Civil Division hears and determines a range of civil disputes relating to consumer matters, domestic building works, owners corporations matters, retail tenancies, sale and ownership of property, and use or flow of water between properties.

Human Rights Division deals with matters relating to guardianship and administration, powers of attorney, equal opportunity, racial and religious vilification, health and privacy information, the *Disability Act 2006 (Vic)* and decisions made by the Mental Health Tribunal.

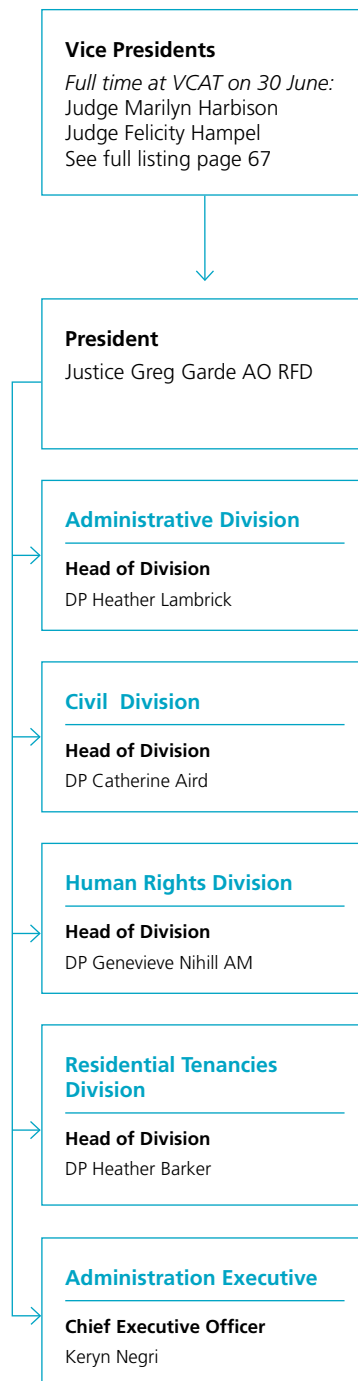
Residential Tenancies Division deals with matters involving residential tenants and landlords, rooming house owners and residents, the Director of Housing and public housing tenants, caravan park owners and residents, site tenants and site owners.

These divisions each have lists – lists are areas of VCAT that deal with specific types of cases. For example, the Planning and Environment List is part of our Administrative Division, and Guardianship List is part of our Human Rights Division. For the lists in each division see page 43.

Our Chief Executive Officer oversees the **administration executive and registry** functions that enable the divisions to do their work, including listings, customer services, people management, strategic communications, information technology, finance and reporting.

Deputy Presidents and the Chief Executive Officer report to the President. Our Vice Presidents are judges from the County Court of Victoria.

View the full listing of Heads of List, their deputies and our administration executive team on page 36.



Our evolution

From mid-1900s Parliament passes new laws on subjects previously without detailed legislation. Tribunals start to be set up as a speedier, cheaper and less formal alternative to courts

1968 Various reports propose reforms, including consolidating Victoria's many boards and tribunals

1982 A Victoria Law Foundation Report calls for reform, estimating Victoria had more than 200 tribunals, boards and decision-making bodies

1996 Attorney-General's discussion paper recommends establishing VCAT to replace all existing tribunals within the Department of Justice

1998 VCAT opens its doors on 1 July 1998 amalgamating 15 boards and tribunals. It begins with only two divisions - civil and administrative

2000 VCAT Online enables electronic lodgement of residential tenancies matters – an innovation for courts and tribunals

2002 Human Rights Division established

2005 Legal Profession Tribunal incorporated into VCAT

2014 Residential Tenancies Division established. The Department of Justice ceases to provide the administrative support function for VCAT and this becomes part of CSV's functions. Important changes to the VCAT Act enhance our powers.

2015 Powers of Attorney jurisdiction expanded

President's message



VCAT is about to enter its twentieth year. It is time to revisit our vision for the future, and make it easier for people to access our services.

The tribunal is closely connected to the Victorian community and touches the lives of many people. During the year, we built stronger relationships with our stakeholders to better meet community needs.

VCAT resolves disputes in a dynamic and increasingly complex world. New procedural and dispute resolution options made possible by digital technology are emerging. Societal changes and regulation are increasing the complexity of cases.

The Victorian Government's response to the Access to Justice Review and other initiatives this year signals its broad support for VCAT. Its confidence is well founded. VCAT has adapted to meet many challenges over the past two decades. It will continue to do so, and ever improve its services to the community.

Improving access to justice

Affordability and timeliness are critical to access to justice. Since 1 July 2016, we have seen nearly 30 per cent more people come to VCAT to resolve disputes about consumer and civil claims.

Applications by tenants and residents in residential tenancies disputes soared this year by 27 per cent. Initiatives to improve access to justice by tenants and residents have included new digital information services and a new Notice of Hearing. I will soon chair the first meeting of a new Residential Tenancies Reference Group, which will inform our digital and customer service projects to make it easier for people to get the information and support they need.

More people came to us to resolve planning disputes, with a 130 per cent increase in major cases in the Planning and Environment List.

The Victorian Government has committed substantial funds to help VCAT expand online applications, implement electronic lodgement and pursue other digital improvements. The Government has also supported our efforts to expand alternative dispute resolution services, so as to resolve matters without a hearing, and to support self-represented parties at VCAT. These improvements are to occur in partnership with the Dispute Settlement Centre of Victoria and Justice Connect, in accordance with key recommendations of the Access to Justice Review.

VCAT is improving access to justice for the Aboriginal and Torres Strait Islander community, and for people with a disability. These are welcome initiatives and will continue into the future.

Acknowledging VCAT leaders

I congratulate Deputy President Helen Gibson AM, who leads our Planning and Environment List, on her appointment as a Member of the Order of Australia in the Queen's Birthday 2017 Honours List.

I also congratulate Geoff Code, Anna Dea and Justine Jacono on their promotions to Senior Member, and Senior Members Gerry Butcher and Jonathan Smithers on their appointments as Head of List for Legal Practice and Owners Corporations respectively. I thank Senior Member Alan Vassie for his service over many years as the Head of the Owners Corporations List.

This year we welcomed VCAT's first female Principal Registrar, Carolyn McSparran. Her appointment followed the retirement of Jim Nelms PSM. I thank Jim for his substantial contribution to VCAT's development over almost twenty years.

Looking to the future

This will likely be my last year as VCAT's President. I am very proud of VCAT's achievements over my time. They have included enhanced strategic direction and governance, and seen the implementation of many reforms to the *Victorian Civil and Administrative Tribunal Act 1998* (Vic) and enabling enactments, a new fee system, jurisdictional changes and reforms and the delivery of the *Building a Better VCAT: Strategic Plan 2014-17*. I am honoured to have helped shape the future of VCAT and enhance its decision making and services.

I thank the Attorney-General for the opportunity to lead VCAT for a further year. The range and benefits of the projects that we will deliver next year will be unprecedented for VCAT.

I express my sincere gratitude to members and staff for their continuing commitment and hard work in the past and into the future.

Justice Greg Garde AO RFD
President

Chief Executive Officer's message



As we come to the end of our *Building a Better VCAT: Strategic Plan 2014-17*, it is very satisfying to see the strong foundation that this plan has built for VCAT's future development.

Building a sound foundation

VCAT's new fee regulations came into effect on 1 July 2016. We were able to address structural budget issues and are in a better position to invest in service improvements. This is a great foundation to launch our vision for 2018-22.

We monitored the impact of the new fees and welcomed feedback from stakeholders and the community. When possible, we responded by adjusting our information and processes.

VCAT worked closely with the Government on its Access to Justice Review and with Consumer Affairs Victoria on the *Fairer Safer Housing* initiative and review of the *Residential Tenancies Act 1997*. These important policy reviews enabled the community and regular users of our services to inform the Government about their experience at the tribunal.

We support many of the Access to Justice Review recommendations and are particularly excited to work with our partners to expand mediation services, explore options for introducing Online Dispute Resolution, and improve support for self-represented litigants.

Secured funding for innovation

Building on the Access to Justice Review recommendations and the directions outlined in our strategic plan, we worked with our key stakeholders on reform initiatives to make VCAT easier to access and more efficient. This culminated in significant funding announcements by the Victorian Government during the year, including:

- \$4.55 million investment in VCAT's digital strategy to modernise our systems and deliver better online services to our

customers and more efficient, electronic file management systems

- \$6.26 million over four years to expand mediation services at VCAT for small civil claims in partnership with the Dispute Settlement Centre of Victoria.

Along with our ongoing Customer Service Improvement Program, these initiatives will modernise our operations and transform how the tribunal engages with the community, putting the people who need to access VCAT at the heart of our thinking and our process.

This is further enhanced by our focus on diversity. Our Diversity Committee commissioned a body of work that explored how well we service Victoria's Koori community. The results led to VCAT's new Koori Inclusion Action Plan, which I will have the pleasure of launching as part of NAIDOC week in July 2017. With assistance from Consumer Affairs Victoria, we can now recruit a senior Koori engagement officer to drive a number of its initiatives. We also began work on VCAT's Accessibility Action Plan, a commitment in the Victorian Government's State Disability Plan and a first for Court Services Victoria. I look forward to finalising and implementing this plan in 2017-18.

Our new strategic plan

We have started to develop our next strategic plan and, with the support of our key stakeholders, are finalising our priorities.

VCAT is well placed to deliver an outstanding, customer-centric tribunal service. I congratulate our members and staff on their achievements this year and thank our funding partners and stakeholders for their ongoing support and confidence.

Keryn Negri
Chief Executive Officer

Strategic Direction 1

Better access

Key focus areas 2014-17

- » Improved support for people who represent themselves at VCAT
- » Plan for future accommodation needs
- » Support the development and use of multi-jurisdictional facilities through CSV
- » Modernise hearing room facilities and improve security at 55 King St

Priority projects 2016-17

	Page
Progress our Customer Service Improvement Program	13
Respond to Access to Justice Review recommendations	13
Review and update correspondence templates	13
Develop VCAT accommodation priorities	14
Refurbish customer service spaces at our main venue	14
Progress a model for the Self Help Centre	14
Extend Principal Registrar delegations	14
Implement video conferencing in hearing rooms	14

Highlights

- » Received \$4.55 million in funding as part of the Victorian Government's Access to Justice Review initiatives, to enhance our service delivery, including online services
- » Conducted two customer surveys, finalised a new complaints policy and progressed plans to transition to a single phone number, as part of our Customer Service Improvement Program
- » Partnered with Justice Connect to design support services for people who represent themselves at VCAT, building on our Self Help Centre pilot last year
- » Expanded Principal Registrar delegations to our Administrative Division, to speed planning, legal practice, and review and regulation cases

Challenges

- » Securing funding to remodel our customer service areas at our main hearing venue
- » Delays while working out the best way to progress our correspondence review, which will now progress as part of our Customer Service Improvement Program
- » Limited efficiency gains due to technical issues with integrating data from online forms to our case management system, as we had to continue manual data checks

Looking ahead 2017-18

- » Integrate and transition our services to a single phone number and implement a new customer service framework, through our Customer Service Improvement Program
- » Deliver better online services by implementing our digital strategy, including revamping the Residential Tenancies Hub, developing a Guardianship Hub and improving online forms
- » With Justice Connect, develop a sustainable model for a self-help service to assist people who represent themselves at VCAT
- » Refurbish customer service areas at our main hearing venue

Key:

- Completed
- In progress
- Yet to start

Year in review

Improved support for people who represent themselves

Progressing our Customer Service Improvement Program

Our Customer Service Improvement Program, which started in 2015, aims to improve the accessibility, responsiveness, effectiveness and efficiency of our customer services.

Supported by \$4 million from the Victorian Government over four years from 2016-17, this program is modernising our services. This includes:

- standardising and streamlining end-to-end processes and documenting related procedures. Also see 'Drive process improvements in Registry' on page 24 and 'Drive process improvements for Listings' on page 28
- moving to a single phone number from more than 20 existing numbers, and creating a customer service centre of excellence that will serve customers across VCAT
- developing a customer service policy, a revised complaints policy and a new customer service framework

- implementing an annual customer satisfaction survey
- benchmarking of VCAT's customer services with that of other tribunals and similar or related organisations.

During 2016-17 we made significant progress, including:

- finalised a plan, reviewed processes and started developing procedures to transition VCAT to an integrated customer service with a single phone number by the end of 2017
- implemented two high-priority projects in the plan during May 2017 – new voice messages for our phone service that are clearer and more helpful to our customers and new call reason codes that provide better data to inform service improvement
- conducted customer surveys in September 2016 and June 2017 (see page 17) to measure satisfaction with our services
- finalised a new best-practice complaints policy to be implemented in July 2017
- established a new Customer Service Manager role and began recruitment.

We incorporated into the Customer Service Improvement Program our project to review

and update correspondence templates, as correspondence is integral to how we engage with our customers.

Responding to Access to Justice Review recommendations

"The Access to Justice funding announcement is an acknowledgment of the important role VCAT plays in the delivery of justice services and VCAT's commitment to a transformation agenda. We look forward to working with our stakeholders as we implement our vision for a modern, accessible tribunal for the future."

VCAT President Justice Garde, May 2017

VCAT's transformation projects received a boost in May 2017, when the Victorian Government announced funding to support recommendations made by the Access to Justice Review.

This included a significant investment in VCAT and innovations to transform how we meet the diverse needs of the community, with a particular focus on extending our digital services and alternative dispute resolution. The Government committed:

- \$4.55 million over four years to expand online applications and implement



Our Customer Service Improvement Program aims to improve the accessibility, responsiveness, effectiveness and efficiency of our customer services

electronic lodgement and electronic files as part of VCAT's Digital Strategy (see page 24). This will make it easier to interact with VCAT online and streamline our processes and systems

- \$6.26 million over four years to expand and modernise alternative dispute resolution services at VCAT for small civil claims, in partnership with the Dispute Settlement Centre of Victoria. This includes \$0.727 million flowing directly to VCAT to accommodate the expanded service at 55 King St (see page 22).

VCAT also benefits from nearly \$800,000 that the Government has set aside for an online dispute resolution pilot led by the Department of Justice and Regulation and a \$1.98 million investment to help the courts improve their websites.

In response to the review, we:

- worked closely with the Dispute Settlement Centre of Victoria to develop a model to expand alternative dispute resolution (see page 22)
- engaged Justice Connect to scope a model for people who represent themselves at VCAT (a self-help centre) (see below)
- continued to implement the Customer Service Improvement Program (see page 13)
- developed a process for member peer review (see page 35).

The Government also announced it would establish specialist family violence courts in five locations. This will enable VCAT to relocate to new premises in Shepparton, Ballarat, Frankston, Moorabbin and Heidelberg.

Progressing a Self Help Centre model

We worked with community legal centre Justice Connect from early 2017 to scope a proposed model for a self-help service at VCAT.

This responds to a key Access to Justice Review recommendation: that the courts and VCAT work with the community legal sector to provide extra support for people who represent themselves.

Work began in March to identify their unmet needs, in consultation with VCAT staff, members, the people who use our services and external service providers.

The project will take into account results from a Self Help Centre pilot at VCAT last year. We expect to develop a detailed model and business case by December 2017.

Extending Principal Registrar delegations

The delegation of powers from our Principal Registrar to qualified staff aims to speed up processing for people who use our services.

This year we extended the powers to benefit people with cases in our Review and Regulation and Legal Practice lists, and trained more delegates (40 staff can now use the powers).

The delegations have successfully operated for about 18 months. Based on this long-term success, we will further expand this program next year.

Plan for future accommodation needs, and support the development and use of multi-jurisdictional facilities through CSV

We participated in two committees led by Court Services Victoria – the CBD Major Asset Strategic Planning Committee and the Asset and Security Portfolio Committee.

This included a new CBD Major Asset Plan for how courts' assets will be used and managed. Launched in February 2017, it makes relocating VCAT's headquarters from 55 King St to the legal precinct a priority. We also took part in further planning for the new multi-jurisdictional law facilities in Shepparton. Refurbishment and main works for the facilities are scheduled for completion in mid-2018.

We participated in the newly-established Safe and Secure Courts Steering Committee, which is working to deliver unprecedented security coverage through a shared safety

standard across every court and tribunal in Victoria, regardless of location.

Modernise hearing room facilities and improve security at 55 King Street

In February 2017, we implemented new security and administrative arrangements to support proceedings after standard business hours, introduced new processes for handling protected information, and installed new safes at our hearing venues in central Melbourne.

At our main hearing venue 55 King St, we installed specialised glass-break and perimeter intruder alarms. We expanded our remote witness facilities to two more hearing rooms to improve safety for vulnerable people, including people affected by family violence.

In March 2017, we introduced new videoconferencing equipment at 55 King St and published a new practice note to guide people who want to use hearing room technology, including videoconferencing facilities.

Refurbishing customer service spaces at our main venue

We engaged architects to create plans to refurbish customer service spaces at 55 King St. This includes revamping the ground floor customer service centre, improving Level 5 where most residential tenancies cases are held and preparing Level 2 to host the expanded alternative dispute resolution service.

We improved navigation aids at 55 King St and extended our partnership with not-for-profit organisation Arts Project Australia, which promotes artists with an intellectual disability and provides artwork for our central Melbourne venues.

We continued our concierge service pilot at 55 King St, guiding or directing 16,495 people this year to hearing rooms, assisting with fee payments and answering general enquiries.

Strategic Direction 2

Community involvement and engagement

Key focus areas 2014-17

- » Work in partnership with our stakeholders

- » Review and improve community engagement and user group forums

- » Seek feedback from people who have had a matter heard at VCAT

- » Improve the way we provide information and build knowledge about VCAT

Priority projects 2016-17

	Page
Deliver our strategic communications program	16
Improve residential tenancies information	16
Implement our diversity program	16

Highlights

- » Launched VCAT's new website in July 2016 after a complete review and revamp, making it easier for people to find and understand information about our services
- » Improved the Notice of Hearing that goes to parties in residential tenancies cases, to make it easier for tenants and landlords to understand next steps
- » Published a new *Renting and Intervention Orders* brochure to assist people affected by family violence who need to change their tenancy agreements
- » Completed consultations to inform VCAT's first Accessibility Action Plan, which will set out actions to deliver best practice accessibility and inclusion from 2017 to 2021
- » Developed a new Koori Inclusion Action Plan to be released in early July 2017 during NAIDOC Week
- » Expanded our program of Law Week events to broaden our engagement with the community

Challenges

- » Technical work to make sure our systems could generate the improved Notice of Hearing slowed its delivery
- » Prioritising our Koori Inclusion Action Plan and new Accessibility Action Plan slowed progress on other diversity projects, such as interpreter guidelines

Looking ahead 2017-18

- » Finalise and implement our Accessibility Action Plan, to guide improvements for people with a disability
- » Work with residential tenancies stakeholders to improve our online services
- » Launch and implement our new Koori Inclusion Action Plan
- » Further develop digital communications, including website enhancements and videos
- » Improve stakeholder engagement

Key:

- Completed
- In progress
- Yet to start

Year in review

Our strategic communications and diversity programs include a comprehensive range of initiatives that aim to improve access to VCAT.

Work in partnership with our stakeholders

Developing an Accessibility Action Plan

The Victorian Government's *Absolutely everyone: State Disability Plan 2017-2020*, has 'accessibility at VCAT' in its key actions toward realising the social, economic and civic aspirations of people with a disability in Victoria.

To make VCAT truly accessible for people with a disability, we began work on an Accessibility Action Plan this year. The plan will set out actions to deliver best practice accessibility and inclusion over four years, from 2017 to 2021.

We want to make sure there are no barriers for any person who wants to use VCAT's services or work at the tribunal. As well as taking a number of practical steps to be more inclusive, this plan will seek to build a greater

awareness of disability and accessibility issues among VCAT members and staff.

VCAT is the first Court Services Victoria jurisdiction to develop an accessibility plan. To develop the plan, we consulted with stakeholders including members and staff. Our Diversity Committee is overseeing its development and anticipated release in early 2017-18.

We also worked closely with stakeholders to develop our new Koori Inclusion Action Plan (see page 17).

Improving residential tenancies information

People seeking to resolve renting disputes come to either Consumer Affairs Victoria or VCAT looking for information and assistance. To make it easier for people to find the right approach to their dispute, we worked with Consumer Affairs Victoria to audit and align the information provided by both organisations, particularly online. This included streamlining information about serving notices in residential tenancies cases to reflect legislative changes in late September 2016. This nearly doubled the visits from Consumer Affairs Victoria's website to VCAT to 15,349 sessions this year.

Renting Pop-up partnership in Law Week

With Consumer Affairs Victoria, we hosted a lunchtime 'Renting Pop-up' in Melbourne's Federation Square during Law Week in May 2017. Anyone with a renting question could drop in to ask questions about tenant and landlord rights and responsibilities (Consumer Affairs Victoria) and find out how to resolve a renting dispute at VCAT.

This was part of an expanded program of VCAT events in Law Week – an annual festival of events about the legal system, presented by Victoria Law Foundation. VCAT held events outside of our usual Courts Open Day activities, including sharing insights about how the tribunal works with VCE Legal Studies students.

Renting information sessions

Nearly 500 people attended seven residential tenancies forums held across Victoria from July to October 2016, including in Leongatha, Ringwood, Bairnsdale, Craigieburn, Geelong, Werribee and Cranbourne. Fewer people registered for forums held in Melbourne's central business district this year, possibly due to an expanded regional and suburban program. We will continue to offer these information sessions across Victoria in 2017-18.



We started work on an Accessibility Action Plan to improve our services for people with a disability

Website links	Sessions	
	2015-16	2016-17
from CAV to VCAT	8,190	15,349
from VCAT to CAV	15,788	12,975

Review and improve community engagement and user group forums

Supporting Koori engagement at VCAT

In June 2017 we secured funding from Consumer Affairs Victoria for VCAT's first dedicated Koori Engagement Project Officer to support Aboriginal and Torres Strait Islander engagement across all areas of the tribunal.

This new role was a key recommendation from comprehensive research we commissioned with PwC Indigenous Consulting into Aboriginal and Torres Strait Islander experiences at VCAT – an evidence base to inform future targeted initiatives.

The consultation took eight months – longer than expected, in part due to low awareness of VCAT among Victoria's Aboriginal community. The results demonstrated the need for change and informed development of our new Koori Inclusion Action Plan (to be released during NAIDOC Week in July 2017).

Meanwhile, we progressed initiatives under our existing action plan. We accepted an invitation from Aboriginal Housing Victoria to present with other organisations to Aboriginal tenants and support agencies across the state from May to October 2017.

"A large barrier is that VCAT is seen as just another part of the justice system – and the justice system is something you try and avoid. Try and avoid because it is confronting, and difficult, and traditionally 'against us'..."

Feedback from Koori consultations

Seek feedback from people who have had a matter heard at VCAT

As part of our Customer Service Improvement Program and in line with the International Framework for Court Excellence, we began an annual program of VCAT-wide user surveys to measure satisfaction with our services and identify opportunities for improvement.

People are invited to complete the survey however they contact us – in person at venues across the state, by email, on our website or by phone.

We carried out the inaugural survey from 7-9 September 2016. We published the results and proposed actions on our website and communicated these directly to key stakeholders.

The second survey was conducted from 6-9 June 2017, recording an overall satisfaction rate of 85 per cent.

Results of the 2017 Customer Survey

Measure	2017 %
Overall customer satisfaction rate	85
Website was easy to understand	78
Website was easy to use	80
Clarity of forms	76
Clarity of correspondence	82
Ease of finding VCAT and the hearing room or office	93
Felt safe at VCAT	90
Ability to physically access the services	94
Language needs addressed	80
Knowledge and helpfulness of staff	93
Courtesy and respect of staff and members	94
Timeliness to complete VCAT business	72
Convenience of operating hours	84
Fairness of way in which case was handled	82
Member listened to parties before making a decision	87
Equal treatment in hearings	87
Knowledge of next steps	81



A new award-winning website

VCAT’s website at vcat.vic.gov.au is the first port of call for most people who are considering taking a case to VCAT. It is also a critical resource for people. Our new website went live on 20 July 2016 – marking the end of a significant redevelopment project and a new era of digital engagement with people who use our services.

Surveys, user testing and desktop research informed the mobile-responsive design, which won gold in the Government Design Awards and silver in the Melbourne Design Awards 2017.

Existing content was audited and rewritten into plain language, reducing a major barrier to people understanding the VCAT process and what they need to do. The structure was completely rebuilt to make it easier and faster for people to find the information they need.

To assist people who speak languages other than English, we included an overview of VCAT’s services in eight languages and how to access interpreters and translators. We also improved the website’s accessibility for people with disabilities, including enhanced visual cues, compatibility with screen readers, text-to-voice functionality and navigational aids.

We put in place new governance arrangements to ensure active ongoing monitoring and management, and recruited a dedicated Website Content Manager role to oversee enhancements to our main communications channel.

After the website was live, we made further changes based on qualitative and quantitative data, from sources such as web analytics, surveys, audits, user testing, and website and call feedback.

This included:

- improving pathways to content that was difficult to find
- making access to decisions more accessible
- improving the quality of search results
- restructuring how fees are presented
- more extensive use of plain language or explained legal terms in place of legal jargon
- providing more detailed explanations of disputes/claims we hear for some case types
- making it clear that hearing details are available on a daily basis
- better explanations of aspects of the VCAT process.

We also established key performance measures to track the overall effectiveness of the website on a regular basis. People visiting the site made 2761 comments using the on-page feedback mechanism during the year, which informed content and structure improvements.

VCAT website usage

Year	Sessions	Users	Page views (million)	Pages per session	Average session duration (min:sec)	Mobile device (per cent)
2016-17	1,062,774	501,375	4.1	3.88	3:40	31 (phone 25, tablet 6)
2015-16	1,048,384	492,017	3.8	3.60	3:39	28 (mobile 21, tablet 7)
2014-15	1,003,935	458,061	3.8	3.80	4:06	24
2013-14	912,778	405,001	3.6	3.97	4:41	19
2012-13	876,089	355,581	3.5	4.04	4:27	13



Our new website makes it easier for people to access our services, whatever device they use

(continued from page 17) In response to feedback, we intend to focus our service improvements in four key areas:

- Accessibility of information
- Efficiency of VCAT processes
- Improving language support
- Vulnerable and disadvantaged customers.

As well as our surveys, we included feedback mechanisms on each page of our new website (see page 18), so users can tell us what they think of the content and structure. This feedback is monitored daily and combined with analytics and user testing to inform improvements.

Improve the way we provide information and build knowledge about VCAT

A better Notice of Hearing for landlords and tenants

In response to feedback from support services, we improved our Notice of Hearing that goes to more than 100,000 people involved in residential tenancies cases each year. The aim is to increase participation at hearings by making the notice easier to understand. It includes clearer instructions about what to do, contact details for VCAT and support services, and the inclusion of 'Confidential Legal Document' on the outside of the notice in eight languages, to encourage people to open it. Our stakeholders provided valuable feedback and tested the document with a small group of tenants, which led to critical refinements.

The notice is generated from both our case management system and the Residential Tenancies Hub. Technical work to ensure these different systems could generate the new notice took longer than expected. We introduced the new Notice of Hearing on 22 June 2017.

New brochures and videos

In February 2017, we published a *Renting and Intervention Orders* brochure to help people affected by family violence to apply to VCAT. It is available through the Magistrates' Court of Victoria and our website. After consulting with our stakeholders, we identified demand for shorter brochures and digital resources such as videos. We will progress these next year.

Working with the media

We continued to implement our media policies and accreditation program this year and take media coverage as an opportunity to educate and inform the public about how VCAT works. In June 2017 we worked with Channel Nine's *A Current Affair* program to create a television segment about how VCAT resolves residential tenancies and civil disputes. The segment, to air in July 2017, is an opportunity to inform 800,000 viewers about how VCAT can help.

Suppression orders

When necessary, we make a suppression (non-publication) order on a decision, which can have varying levels of restriction, ranging from prohibiting any reporting of the case to allowing publication but not allowing identification of anyone involved. A party can apply for an order or VCAT can initiate this. We make these orders in the interests of justice, to prevent distress and ensure fair treatment of victims, witnesses, children or other vulnerable people. This generally happens in disciplinary matters in the Review and Regulation List (such as Working with Children Check review applications) and in the Human Rights List.

In June 2017 we began using a Court Services Victoria database to alert journalists to suppression orders made under the *Open Courts Act 2013*.

Suppression orders by list

	2015-16	2016-17
Civil Claims List	1	0
Human Rights List	30	40
Legal Practice List	1	1
Residential Tenancies List	1	3
Review and Regulation List	57	53
Other VCAT lists	0	0
Total suppression orders	90	97
Total suppression orders as percentage of cases	0.1%	0.1%

Strategic Direction 3 Modernising service delivery

Key focus areas 2014-17

- » Review and update the VCAT Act and enabling provisions

- » Support the development of CSV

- » Engage earlier with government stakeholders in the legislative process

- » Review and expand the use of Alternative Dispute Resolution

- » Drive process improvements in Registry

- » Expand our use of information technology

Key:

- Completed
- In progress
- Yet to start

Priority projects 2016-17

	Page
Progress electronic document lodgement service	25
Develop more online forms	25
Move the Residential Tenancies Hub to a new platform	25
Provide wi-fi at our main hearing venue 55 King Street	25
Implement a change and incident management program	25
Install an automated listings scheduler	25

Highlights

- » Developing a four-year digital strategy which provides a framework for transforming VCAT's online services and securing funding for the implementation of a significant works program
- » Establishing a new partnership with the Dispute Settlement Centre of Victoria to expand alternative dispute resolution services across Victoria

Challenges

- » An unexpected requirement to move existing online forms to a new platform delayed development of new forms
- » Problems integrating online forms with our case management system meant we had to continue manual data checks, limiting efficiency gains
- » Low uptake of electronic document lodgement for TAC cases
- » Competing priorities delayed plans for wi-fi and an automated listings scheduler

Looking ahead 2017-18

- » Work with Dispute Settlement Centre of Victoria to expand alternative dispute resolution
- » Pursue process standardisation and enhancements through the Customer Service Improvement Program

Year in review

Review and update VCAT Act and enabling provisions and support development of CSV

Much of our work in these areas has become business as usual. Our support for CSV is ongoing and we participate on committees that ensure its effective management.

In 2016-17 we responded to a range of proposed legislative reforms and reviews which affect or have implications for VCAT's jurisdiction. For example, we made submissions in response to the review of the *Residential Tenancies Act 1997* and consulted with Consumer Affairs Victoria on the Consumer Property Law Review.

Engage earlier with government stakeholders in the legislative process

As Victoria's primary residential tenancies dispute resolution service, we made submissions on the options discussion paper for the Victorian Government's Fairer Safer Housing review of the *Residential Tenancies Act 1997*. In response to feedback provided on our services as part of the review, we made changes to improve file access for support agencies, boosted our communications to key stakeholders and took steps to establish a new Residential Tenancies Reference Group (to commence in July 2017). We also worked to improve tenant engagement (see page 57).

We implemented changes to support new legislation – for example new laws establishing the Domestic Building Dispute Resolution Victoria service and rooming house operator licensing scheme – and consulted with stakeholders early in development of the Family Violence Protection Amendment (Information Sharing) Bill 2017 and on implementation of the *Traditional Owner Settlement Amendment Act 2016*, which expanded VCAT's jurisdiction.



We are working in partnership to expand dispute resolution services

Review and expand the use of Alternative Dispute Resolution (ADR)

Short mediation and hearing

We use this form of alternative dispute resolution to help people with civil claims valued at less than \$3000. The mediations are conducted by qualified VCAT staff mediators. If a dispute is not settled at the mediation it goes to a hearing on the same day, conducted by a VCAT member.

Short mediation and hearing outcomes	2015-16	2016-17
Mediation settled	74	69
Mediation not settled	74	58
Mediation not held, matter adjourned on the day	3	3
Mediation not held, matter referred to VCAT member on the same day	262	251
Cancelled before day of short mediation and hearing	189	217
Total matters listed for short mediation and hearing	602	598

Reason short mediation and hearing cancelled beforehand	2015-16	2016-17
Adjourned or cancelled at the parties' request	64	102
Case settled	2	5
Case struck out or withdrawn	123	110
Total	189	217

Reason mediation not held (matter referred to a VCAT member)	2015-16	2016-17
No parties attended – matter dismissed or struck out by VCAT member	46	53
Settled – VCAT was notified on the day	13	7
Not defended – either the applicant or respondent did not attend	157	172
Other reasons	46	19
Total	262	251

Compulsory conferences and mediation

We listed 2453 cases for compulsory conferences and mediations this year – 42 per cent more than last year. On average, more than half were successfully resolved through these processes.

We continued to use compulsory conferences for complex and protracted Powers of Attorney cases in our Guardianship List. VCAT members assisted parties to reach resolution in 100 per cent of these matters compared to 88 per cent last year. Alternative dispute resolution is not routinely used in the Guardianship and Residential Tenancies lists given the large volume caseload, legislative timeframes and rapid hearing processes associated with these case types.

Total cases listed for compulsory conference or mediation

List	Compulsory Conference		Mediation		Total	
	2015-16	2016-17	2015-16	2016-17	2015-16	2016-17
Building and Property	264	418	347	474	611	892
Civil Claims	220	398	11	6	231	404
Guardianship	8	18	0	2	8	20
Human Rights	75	64	34	54	109	118
Legal Practice	28	6	0	0	28	6
Owners Corporations	83	108	24	11	107	119
Planning and Environment	435	666	1	0	436	666
Residential Tenancies	11	15	1	0	12	15
Review and Regulation	178	213	0	0	178	213
Total	1302	1906	418	547	1720	2453

Number of cases settled by compulsory conference or mediation

List	Compulsory Conference		Mediation		Total	
	2015-16	2016-17	2015-16	2016-17	2015-16	2016-17
Building and Property	168	199	225	301	393	500
Civil Claims	141	257	10	4	151	261
Guardianship	7	14	0	1	7	15
Human Rights	47	40	15	42	62	82
Legal Practice	16	1	0	0	16	1
Owners Corporations	63	72	6	10	69	82
Planning and Environment	281	330	0	0	281	330
Residential Tenancies	7	12	0	0	7	12
Review and Regulation	69	91	0	0	69	91
Total	799	1016	256	358	1055	1374

Of cases listed for compulsory conference or mediation, percentage resolved

List	2015-16 %	2016-17 %
Building and Property	64	56
Civil Claims	65	65
Human Rights	57	69
Legal Practice	57	17
Owners Corporations	64	69
Planning and Environment	64	50
Residential Tenancies	58	80
Review and Regulation	39	43

A new service model for resolving small claims

We worked with the Dispute Settlement Centre of Victoria (DSCV) to secure significant funding on an exciting project to expand ADR services at VCAT, based on our short mediation and hearing service for small civil claims.

In June 2017, the Victorian Government committed \$6.26 million over four years to this partnership with the DSCV. This includes \$0.727 million flowing directly to VCAT to accommodate the new service at 55 King Street.

We developed a proposed model that will see VCAT's service offered to parties with claims valued up to \$15,000 (it is currently only available for claims up to \$3000). The service will expand in Melbourne and roll out across Victoria, leveraging DSCV's existing presence in regional areas. This will be a staged program, starting in Barwon South West and North West regions.

We set up a governance committee that will drive implementation of the new model, which will help to ensure geographic location is not a barrier to ADR of small civil claims at VCAT.



Drive process improvements in Registry

Through our Customer Service Improvement Program, we reviewed our end-to-end processes and began developing a new approach to procedures to improve consistency across the organisation (see page 13). On 1 July 2016, we implemented new processes, forms and procedures in our registry to support the introduction of the Victorian Government's new fee structure.

Our registry faced some challenges during the year, integrating the above changes with limited resources and more applications for some types of cases, especially civil matters. On 21 December 2016, one of our case management systems had a one-day unplanned outage, which created a considerable operational burden. Technical issues with existing online forms added to the pressure, as we had to manually check data.

We changed processes in our Civil Division to respond faster when people asked us to waive or reduce fees. We found that more than 60 per cent of these applications were incomplete, so we changed the form, provided better information to users and trained staff. We cleared a backlog of these requests and made sure we could assess applications within 48 hours. This served as a model for other divisions.

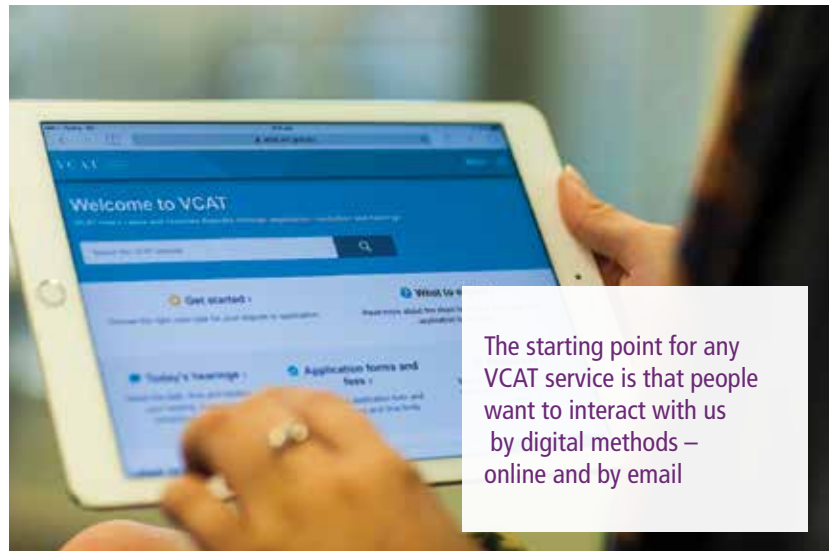
A new digital strategy

In May 2017, we set out a four-year digital strategy to deliver better online services. In June, the Victorian Government committed \$4.55 million to help us progress this work, which was recommended in its Access to Justice Review. Consumer Affairs Victoria is also providing funding.

Under the strategy, we will expand online applications and further develop electronic lodgement – a system where all parties can start a matter online, have access to an electronic case file and follow its progress online. People who use our services will benefit from streamlined processes and systems.

A key principle of the new strategy is 'digital first'. The starting point for any VCAT service is that people want to interact with us by digital methods – online and by email. This will free staff to assist people who need face-to-face and phone support.

To deliver the new strategy, we restructured our information technology team. By 30 June 2017 we had finalised resourcing arrangements for the project and developed a comprehensive engagement and consultation process.



The starting point for any VCAT service is that people want to interact with us by digital methods – online and by email

Expand our use of information technology

Helping users calculate and pay fees

We developed a new payment channel to make it easier for people to pay for services. Testing started in November 2016 but problems integrating our online forms and case management systems slowed progress. At 30 June, we were conducting a pilot to resolve functionality and processing issues.

We deferred our work on a proposed fee calculator until September 2017, when our online forms and other systems will move to a more flexible platform.

Progressing electronic lodgement

In November 2016, CSV and VCAT delivered a new electronic lodgement service for parties involved in active Transport Accident Commission cases. The fast, free and efficient service enables parties to lodge supporting documents online, if their case started after 1 January 2014. Some benefits and efficiencies were realised but uptake was low from legal firms as it does not integrate with their systems and preferred payment methods. We continued to develop an online system to help people manage guardianship applications. We will progress these projects through our digital strategy.

Developing online forms

More people chose to lodge VCAT applications online this year, especially for civil claims and owners corporations disputes. We worked on new forms for planning and building applications, but had to divert resources to migrate existing forms to a new platform and resolve unexpected technical issues. Functionality issues with the forms meant we had to continue manually checking details in the case management system, which resulted in limited efficiency gains. We found this was due to an issue with the case management system, which has not yet been resolved. Online forms will progress as part of our digital strategy.

Percentage of online lodgements in lists where this is available

List	2015-16 %	2016-17 %	Variance %
Building and Property	14	22	57
Civil Claims	38	65	72
Human Rights	24	32	30
Owners Corporations	49	74	53
Review and Regulation	16	21	33
Residential Tenancies	86	84	-2.6

Applicants who used online lodgements in the Residential Tenancies List

Applicant type	2015-16	2016-17	Variance %
Landlords represented by estate agents or property managers	35,526	33,785	-5
Director of Housing	11,766	10,445	-11
Tenants or residents	875	1,058	21
Private landlords	434	534	23
Others	1	2	100

New platform for Residential Tenancies Hub

The Residential Tenancies Hub is an online system, accessible via the VCAT website, that tenants, landlords and estate agents can use to create notices (for example, to give notice that repairs are needed), apply to VCAT, pay related fees, and search for previous notices and applications. We moved this system to a new platform during the year, as the existing platform was outdated. This enables us to make system improvements next year. We included the hub in website user testing in early 2017, to give a full picture of user experience and identify priorities for improvement. Under our new digital strategy, we will create a reference group to advise on the system upgrade.

Other technology projects

In March 2017, we introduced new video-conferencing equipment at 55 King St and published a new practice note to guide people who want to use hearing room technology, including videoconferencing facilities. CSV provided a change and incident management program at no cost, which is used to manage information technology requests within VCAT. Competing priorities delayed plans for wi-fi at our main hearing venue and the installation of an automated listings scheduler.

Strategic Direction 4 Improving efficiency

Key focus areas 2014-17

- » Improve governance arrangements
- » Drive process improvements for Listings
- » Review performance measures and ensure data integrity
- » Monitor the impact of fee regulations

Key:

- Completed
- In progress
- Yet to start

Priority projects 2016-17

	Page
Develop our performance reporting framework	■ 28
Review our regional service delivery model	■ 28
Implement and monitor new fee regime	■ 29
Audit the objector Notice of Decision process for Planning cases	■ 29
Implement VCAT's security audit recommendations	■ 29

Highlights

- » Successfully implemented VCAT's new fee regime
- » Introduced a new Project Management Excellence Framework and Reporting tool
- » Appointed independent members to our Risk Management and Audit Committee
- » Finalised our review of regional services and audited the Notice of Decision process in our Planning and Environment List
- » CSV audit of our financial processes indicated sound management

Challenges

- » Lack of integrated digital services affected our efficiency and services

Looking ahead 2017-18

- » Work with Court Services Victoria on the Shepparton multi-jurisdictional facility
- » Develop VCAT accommodation strategy, including VCAT requirements for the new Bendigo and Werribee courts
- » Build performance reporting dashboards for ADR activities
- » Support project management excellence and reporting
- » Extend Principal Registrar delegations

Year in review

Improve governance arrangements

New principles to guide service design

To guide future VCAT systems and processes, we developed a clear statement of our public value and design principles. The 'public value chain' is used to assess the extent to which our processes, systems or processes deliver fair, efficient and accessible dispute resolution. The design principles are used to guide process or system changes, and are included in project terms of reference and governance charters.

Reviewing our governance structure

We reviewed our governance structure in June 2017 and will introduce a new model next year to support our work for the next five years. We appointed two new independent members to our

Risk Management and Audit Committee alongside the independent Chair, to strengthen risk audit and compliance focus and to add expertise in key risk areas, including IT project management and cyber security. They start in August 2017.

Improving reporting and business continuity

In October 2016 we started to use the Department of Justice and Regulation's Project Management Excellence Framework and their project reporting tool. This helped boost our project management capability and strengthen financial and risk management oversight. For more about our governance structure see page 36.

A routine CSV audit of our core financial processes and controls to check bank management, cash management and trust management identified one minor process control gap related to cash management, which was addressed.

We held two desktop exercises in October 2016 and June 2017 to validate our business continuity plan, which ensures we can continue operation during and after an event that disrupts services.

New governance for library services

The Law Library of Victoria provides legal library services to VCAT members and staff. In May 2017, VCAT's President signed a new agreement for this service, along with the heads of other jurisdictions, the Judicial College of Victoria, the Victorian Bar Association, the Law Institute of Victoria and Court Services Victoria. Work to be carried out by the Law Library of Victoria under this agreement includes development of a new library service delivery model.



Improving efficiency will deliver a better service for people coming to VCAT

Drive process improvements for Listings

We worked to improve processes and efficiencies in our operations area, which includes our listings team. They schedule hearings across the state and ensure cases progress as fast as possible. After a successful pilot project, we transferred ongoing responsibility for managing adjournment and venue changes from registry to listings, for both Civil Claims and Owners Corporations lists. We formed a working group during January 2017 to explore ways to streamline our Planning and Environment listing practices and made changes to enable us to hear more of these cases each day.

Review regional service delivery

We want people living in metropolitan and regional Victoria to have equal access to justice. VCAT's regional services had changed little since 2010, so this year we identified opportunities for improvement, for example, possibly piloting a new registry service with the Magistrates' Court of Victoria (MCV) at Shepparton. We began discussions with MCV to progress this idea.

We also made changes to improve current regional services, including building works and extending Principal Registrar delegations so regional staff can certify tribunal orders (see page 14). We upgraded staff classifications to recognise the additional responsibilities. The review also recommended technology improvements, included in our new digital strategy.

An example of our new performance management dashboards (not actual data)



Review performance measures and ensure data integrity

Develop our performance reporting framework

We continued to develop our performance and reporting framework for VCAT, aligned to the International Framework for Court Excellence adopted by Court Services Victoria in 2014.

Our performance and reporting framework helps us measure the value of our activities to the community, and provide data to help us make operational and strategic decisions. We are rolling it out in four phases:

1. Pilot real-time performance management dashboards for residential tenancies disputes – completed this year, with positive results
2. Build similar real-time performance management dashboards for Alternative Dispute Resolution services – due to start in August 2017
3. Roll out real-time performance management and reporting across the organisation in 2018-19
4. Integrate this with our financial, project management, risk management, people management and services reporting.

As part of Court Services Victoria, which reports against measures in the International Framework for Court Excellence, we report on the extent to which VCAT's files are available when required, accurate and complete. We carried out five audits this year. On average, our success rate was 86 per cent against a target 90 per cent.

Monitor the impact of fee regulations

"I thank VCAT for its work with the Government on a new, fairer fee structure which is already improving access to justice for Victorians.

"Thousands of Victorians use VCAT every year, and these fairer fees are helping to ensure that more Victorians have access to dispute resolution, regardless of their personal financial circumstances."

Victorian Attorney-General, Martin Pakula MP

Implement and monitor the new fee structure

VCAT's fee structure changed on 1 July 2016. The new fee structure created three tiers of fees: corporate, standard and concession. It aimed to be easier to understand, improve access to justice and streamline administration. We monitored the proportions of lodgements under this fee structure over the year. (There are no fees in human rights and guardianship cases.)

Percentage of fee category by VCAT list

List	2016-17 Fee type % – rounded			
	Corporate	Standard	Concession	None (or not specified)
Building and Property	33	63	2	2
Civil Claims	43	49	5	2
Owners Corporations	90	8	1	1
Legal Practice	22	60	4	14
Planning and Environment	41	54	2	3
Residential Tenancies	18	45	1	36
Review and Regulation	19	61	10	10

We also monitored the impact of the new fee structure against four desired impacts. Below is a sample of the evidence:

Impact	Evidence
Simpler for users	Phone-based complaints about fees were extremely low following the immediate introduction of the new fees.
Improves access to justice	Increases in lodgement of small civil claims (28%) and major cases in the Planning and Environment List (130%).
Makes VCAT administrative processes simpler	In our Residential Tenancies Division, the new fees allow Health Care Card holders to apply without paying an application fee. In the past, they had to make a separate application to have fees waived - filling out a form detailing their income, expenditure, assets and debt to show that payment would cause financial hardship. This was referred to a Registrar or Deputy Registrar for a decision. This process is no longer required.
Improves VCAT's financial sustainability	Improved cost recovery through higher lodgements and higher fees for opt-in services, such as major cases in the Planning and Environment List, has strengthened VCAT's financial sustainability.

Audit the objector Notice of Decision process

Our audit of internal processes for receiving and responding to objectors' applications for review in our Planning and Environment List found the system was operating effectively. It recommended phasing out faxes, automating some processes and strengthening case management system controls. Our Risk Management and Audit Committee is overseeing this work.

Implement security audit recommendations

We finalised actions recommended by our security audit last year. Further actions depend on CSV, which has responsibility for the security of courts and VCAT.

Strategic Direction 5 Investing in our people

Key focus areas 2014-17

- » Improve the way we manage our workforce

- » Improve training and development opportunities for members and staff

- » Maintain transparent appraisal processes

Key:

- Completed
- In progress
- Yet to start

Priority projects 2016-17

	Page
Complete all projects in our Workforce Plan 2015-17	31
Develop VCAT's next strategic plan	35

Highlights

- » Successfully completed key projects set out in our Workforce Plan 2015-17
- » Increased staff engagement 11 per cent by July 2016 (midway through the plan)
- » Delivered staff training to assist our diverse users
- » Inducted 25 new VCAT members to determine residential tenancies, civil, and planning and environment cases
- » Implemented a new online learning management system for staff and a new workforce metrics system

Challenges

- » Deferred development of new customer service competencies until new procedures are finalised
- » Limited funding for leadership capability training

Looking ahead 2017-18

- » Complete remaining Workforce Plan activities
- » Develop workforce strategies in line with new strategic plan

Year in review

Improve the way we manage our workforce and improve training and development opportunities

We completed 80 per cent of our Workforce Plan 2015-17, including key projects. This included initiatives from our Member Engagement Strategy. Remaining activities depended on progress in other areas, such as a review of registry processes.

The Workforce Plan set out six key pillars to help build an outstanding civil and administrative tribunal.

They are:

- enabling culture
- capability development
- recruit, induct, onboard
- leadership strength
- safety and wellbeing
- right resourcing.

Enabling culture

We completed our second culture and engagement survey in July 2016, after the first in 2015. Staff engagement increased by 11.5 per cent to 43 per cent, with member engagement steady at 63 per cent. We delivered programs to better serve culturally and linguistically diverse users, including Koori cultural awareness training, and encouraged collaboration – for example, staff and members took part in workshops to assist accessibility and strategic planning.

Initiatives such as extending Principal Registrar delegations supported a culture where our people are enabled to deliver services more efficiently. At our biennial conference, staff and members explored ways to increase access to justice at VCAT.

We celebrated Reconciliation Week, Harmony Week and NAIDOC Week, and ran programs to support mental health awareness. In September 2016, we established a group to support inclusion for lesbian, gay, bisexual, transgender and intersex (LGBTI) people

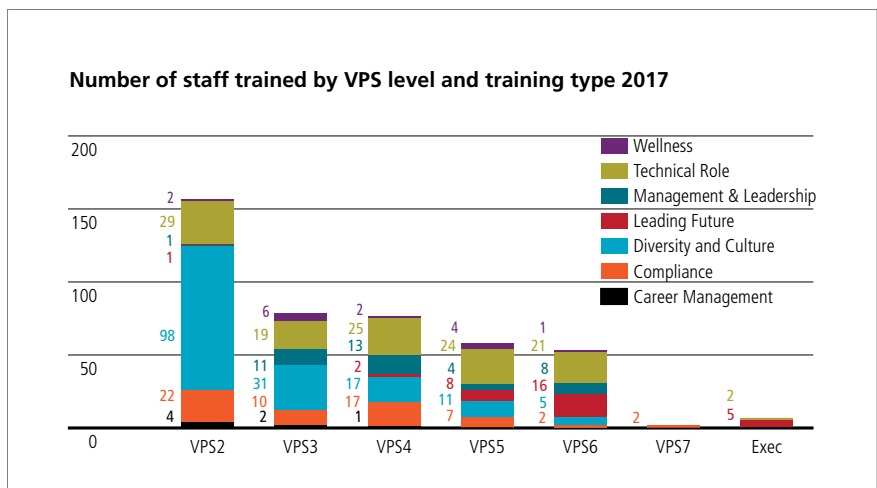
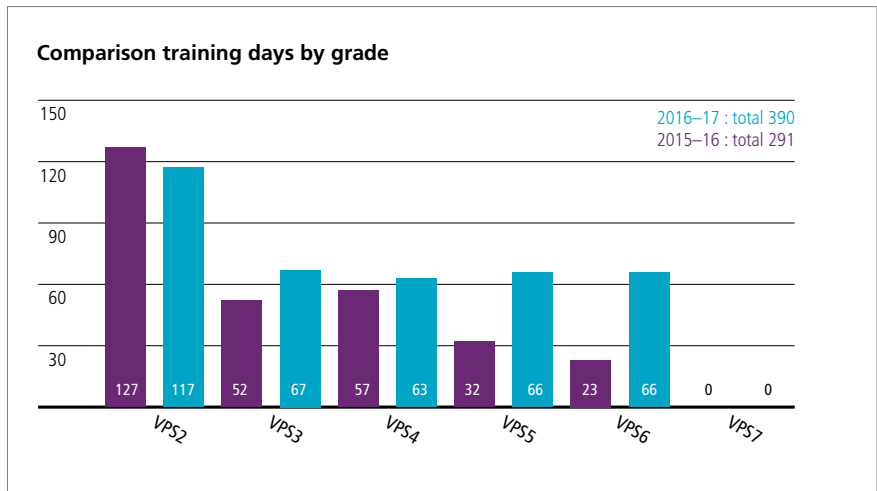
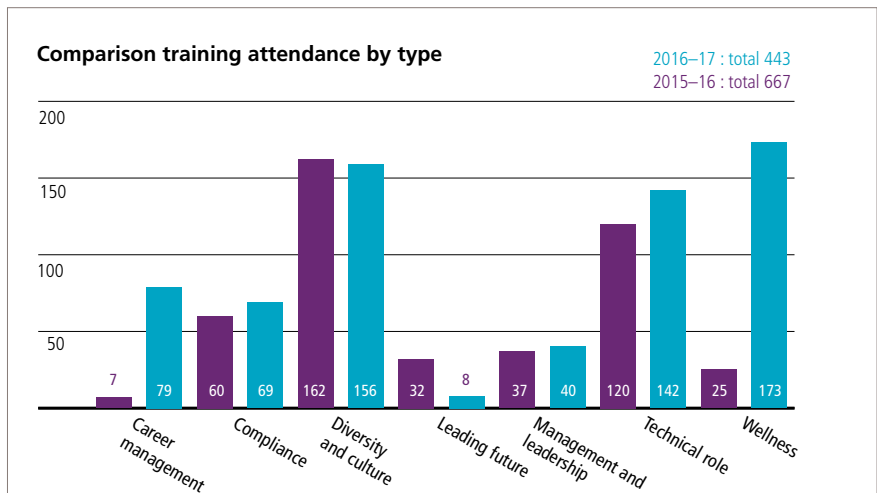
working at and attending VCAT. Through our 'LGBTI & Allies' group, we participated in events such as the International Day Against Homophobia, Biphobia, Intersexism and Transphobia, with our customer service staff wearing rainbow lanyards to show support. In December 2016, VCAT joined the Victorian Public Sector Pride Network.



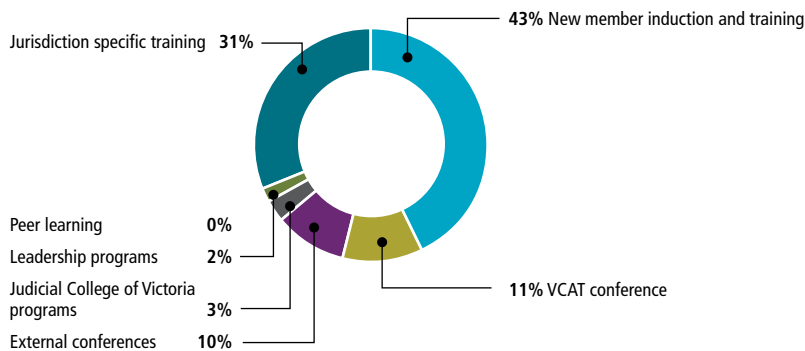
Capability development

Specific training supported our service delivery, such as training to enable delegates to use Principal Registrar powers. We prioritised diversity training, management skills for new leaders, and extending the strategic capabilities of senior staff. We continued to work with the Staff Development Group, including consulting on the Charter of Human Rights, and trained its members to champion our new learning management system (PALMS) after its launch in January 2017.

Most of our staff training supported staff at lower classifications. We invested more time overall in staff development this year, although staff attended fewer training opportunities.



Professional development expenditure 2016-17

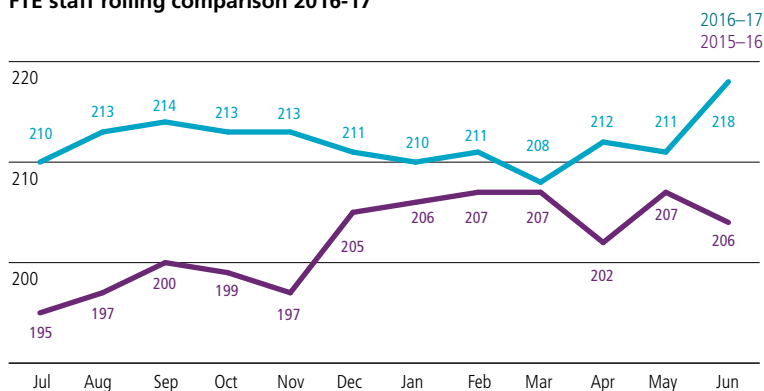


More than 40 per cent of member professional development expenditure this year was invested in training and inducting our new members into the Civil Claims, Residential Tenancies and Planning and Environment Lists. We supported existing members through list-specific professional development opportunities, including Judicial College of Victoria programs, and legal and judicial conferences.

Recruit, induct, onboard

Our workforce, including both staff and members, remained stable over the year. We reviewed staff and member induction, and improved feedback processes for staff who expressed interest in short-term opportunities within VCAT. These opportunities helped build the flexibility and skills base of our workforce.

FTE staff rolling comparison 2016-17

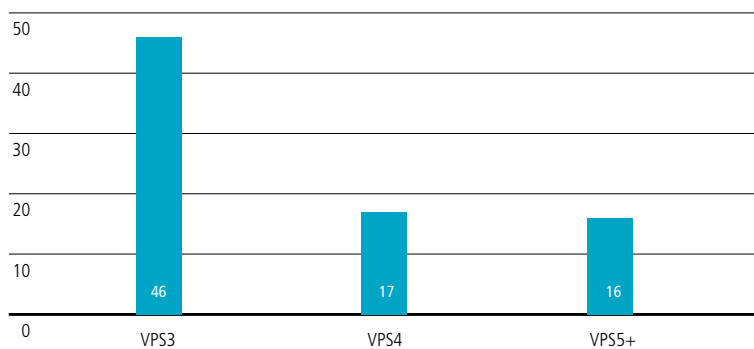


Leadership strength

This year we formalised the role of our Heads of Division and Heads of List in giving members feedback and mentoring. We coached our new people leaders to help them manage any underperformance and provided opportunities for them to participate in CSV's staff mentoring program.

We also nurtured emerging people leaders through opportunities to act in a higher role.

Staff in higher duties by classification 2016-17

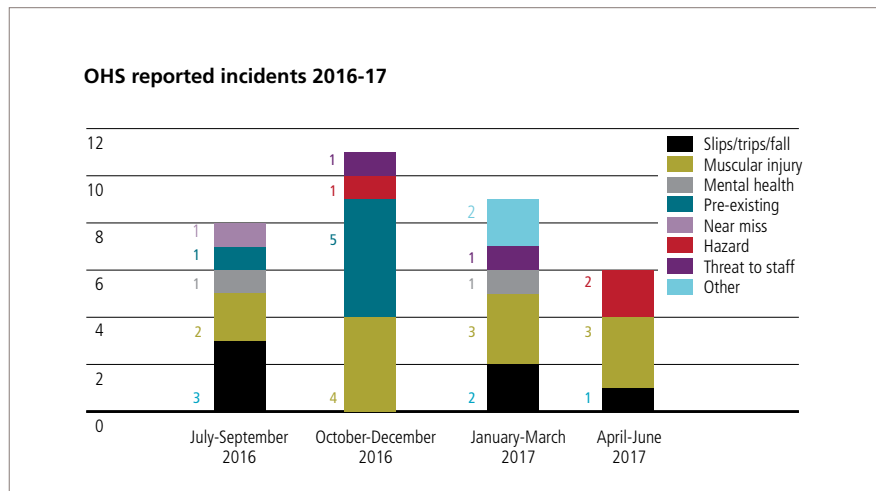


Safety and wellbeing

To better identify and prevent hazards, we expanded our occupational health and safety (OHS) categories, increasing reported incidents by 70 per cent. We appointed new representatives to our OHS Committee and provided training. Wellness programs for staff and members included mindfulness, our own step competition, mental health awareness, Tai Chi, Feb Fast and participation in the CSV Corporate Netball Cup. Details of VCAT WorkCover claims and associated costs are reported as part of CSV annual reports. For details, visit courts.vic.gov.au.

Right resourcing

CSV provided a workforce metrics system, improving the data that informs our people management decisions. We integrated this system into our business processes, and used it to calculate our staff workforce data for this report.



Staff workforce summary at 30 June 2017

	2015-16	2016-17
Full time	159	161
Part time	30	36
Fixed term	27	40
Total head count	216	237
Total full time equivalent	206	218

Member workforce summary at 30 June 2017

	2014-15	2015-16	2016-17
Judicial Members, including President	14	15	15
Deputy Presidents	7	7	7
Senior Members	14	15	15
Senior Members, sessional	11	9	9
Members	30	30	23
Members, sessional	137	161	159
Total	213	237	228

Maintain transparent appraisal processes

VCAT members are appointed by the Governor-in-Council on the recommendation of the Attorney-General, to support the tribunal's independence. A member appraisal process was introduced for the first time during this year. It comprises self-assessment, followed by a feedback session with a senior member to identify strengths and corrective action when required.

A staff online performance appraisal and development system was introduced to enable structured and timely discussions about career management and development. This enables us to align organisational and individual goals, and provide targeted development opportunities.

Developing VCAT's new strategic plan

A new plan to take VCAT into the 2020s

Our strategic plan is a roadmap to ensure VCAT has the facilities, processes, technology and human resources to deliver an outstanding tribunal service.

We are creating a new plan that will build on the successes of our *Building a Better VCAT: Strategic Plan 2014-17*.

In 2016-17, we engaged Nous Group to facilitate extensive consultation with key stakeholders.

We also held a series of workshops with VCAT members and staff, and invited them to complete a survey to inform the plan's development.

We expect to release the new plan for 2018-22 early next financial year.

A new leadership and governance framework

To support delivery of our new strategic plan, we reviewed VCAT's governance and leadership framework this year. The review findings will inform a new leadership and governance model that will enable us to support initiatives under our new strategic plan.

To support the transformation that the new strategic plan will deliver, we developed a clear statement of our public value chain and design principles. The public value chain is used to assess the extent to which our processes, systems or processes deliver fair, efficient and accessible dispute resolution. The design principles are used to guide process or system changes, and are now included in project terms of reference and governance charters.

Stakeholder engagement

We want to work more closely with our stakeholders, who have valuable insights into the community that we serve. We will look at ways to involve and engage stakeholders in design and delivery over the next five years.

Leadership and governance

Our leadership includes VCAT members, appointed by the Governor-in-Council to ensure the tribunal's independence, and senior staff employed by Court Services Victoria. Together, they serve on the various committees set up to ensure sound governance.

Our President is a Justice of the Supreme Court of Victoria, and County Court judges serve as our Vice Presidents.

Deputy Presidents lead our divisions. Each of VCAT's four divisions has separate lists, set up to handle specific types of cases. Each list has a leader (Head of List) who may be a Deputy President or senior member.

Our Chief Executive Officer is appointed by the Courts Council on the VCAT President's recommendation. Our CEO leads the senior staff who make up the administration executive and registry.

Our leadership as at 30 June 2017

President

Justice Greg Garde AO RFD

Vice Presidents

Fourteen County Court judges serve as Vice Presidents (see page 67).

Administrative Division

Head of Division

Deputy President Heather Lambrick

Legal Practice List

Head of List

Senior Member Gerry Butcher RFD

Deputy Head of List

Senior Member Elisabeth Wentworth

Planning and Environment List

Head of List

Deputy President Helen Gibson AM

Deputy Heads of List

Senior Member Margaret Baird

Senior Member Laurie Hewet

Senior Member Jeanette Rickards

Review and Regulation List

Head of List

Deputy President Heather Lambrick

Deputy Heads of List

Senior Member Ian Proctor

Member Elisabeth Wentworth

Civil Division

Head of Division

Deputy President Catherine Aird

Civil Claims List

Head of List

Deputy President Ian Lulham

Deputy Heads of List

Senior Member Stella Moraitis

Member Andrew Kincaid

Building and Property List

Head of List

Deputy President Catherine Aird

Deputy Heads of List

Senior Member Eric Reigler

Senior Member Mark Farrelly

Owners Corporations List

Head of List

Senior Member Jonathan Smithers

Deputy Head of List

Member Linda Rowland

Human Rights Division

Head of Division

Deputy President Genevieve Nihill AM

Guardianship List (including Powers of Attorney)

Head of List

Deputy President Genevieve Nihill AM

Deputy Heads of List

Senior Member Bernadette Steele

Member Brendan Hoysted

Human Rights List

Head of List

Deputy President Genevieve Nihill AM

Deputy Head of List

Senior Member Bernadette Steele

Residential Tenancies Division

Head of Division

Deputy President Heather Barker

Residential Tenancies List

Head of List

Deputy President Heather Barker

Deputy Heads of List

Member Kylea Campana

Member Lindsay Warren

Administration Executive and Registry

Chief Executive Officer

Keryn Negri

Principal Registrar

Carolyn McSparran

Director, Operations

Melissa Biram

Director, Corporate Services

Barbara Oleczek

Director, Customer Service

Improvement Program

Marion van Rooden

Manager, Finance and Reporting

Bradley Vice

Director, Information Technology

Gerard Draim

Director, Information Technology

– Strategic Projects

Edward Busuttil

Director, People Management

Jeshree Gaundar

President's Advisory Committee

The President's Advisory Committee (PAC) is VCAT's primary governance group.

The committee meets fortnightly to discuss key issues affecting the organisation. It provides strategic advice to the President to assist in decision-making and the efficient management and continuous improvement of VCAT operations.

The committee includes the senior leadership group, including the President, two Vice Presidents, the Chief Executive Officer, Heads of Divisions, the Principal Registrar, the Director of Corporate Services and the Director of Operations. This section provides PAC membership at 30 June 2017.

President (and Committee Chair)

Justice Greg Garde AO RFD BA(Hons) LL.M



Justice Garde was appointed a Justice of the Supreme Court of Victoria on 29 May 2012. Prior to his appointment to the Supreme Court, he was a practising Queens Counsel, having been appointed in 1989. Justice Garde signed the Victorian Bar Roll in 1974. His Honour was also appointed Queens Counsel in New South Wales, Queensland, the Northern Territory and Tasmania. Formerly, Justice Garde was a lecturer in Administrative and Constitutional Law, President of the Planning and Local Government Committee of the Commercial Bar Association, and President of the Victorian Chapter of the Council of Australasian Tribunals. He was appointed President of VCAT on 1 June 2012.

Chief Executive Officer

Keryn Negri BA



Keryn has worked across a broad array of social policy areas including aged care, employment, health, indigenous affairs, emergency management and consumer affairs, driving a number of major reform projects. She has worked in several departments including Health and Human Services, Education, Premier and Cabinet, and Justice. Keryn has a passion for driving public sector excellence, leadership and reform.

Australia Day honour for Planning and Environment role model



Deputy President Helen Gibson, head of VCAT's Planning and Environment List, was named a Member of the Order of Australia (AM) in this year's Australia Day awards, for significant service to planning and environment law in Victoria, and as a role model for women in the profession.

The honours system recognises the achievements of people who go above and beyond what could reasonably be expected, and who have made a significant contribution to Australian life or humanity.

The award cited Helen's work since the early 1980s, including her leadership of VCAT's Planning and Environment List from 2004 to present.

Helen was the inaugural Chief Panel Member of Planning Panels Victoria from 1996 until her appointment at VCAT. She has participated on many planning reviews and advisory committees, including as an Expert Group Member on the Review of the State Planning Policy Framework from 2008 to 2010.

Vice President

Judge Marilyn Harbison BA (Hons) LLM



Judge Harbison was appointed a Judge of the County Court on 5 February 1996. Her Honour previously served as a Vice President of the tribunal from 2007 to 2011 and was reappointed Vice President on 24 September 2013. Prior to her elevation to the Bench, her Honour was a Commercial Litigation Partner at the law firm Wisewoulds and had been in private practice as a solicitor for more than 20 years.

Head of Civil Division

Catherine Aird BEc LLB



Cathy became a tribunal member in 1996. She was appointed a Deputy President in 2004 and is Head of Civil Division. She has been Head of List for Domestic Building, Occupational and Business Regulation, Retail Tenancies and Real Property. Cathy previously worked for AVJennings Homes, RAlA Practice Services and in private practice. She has been an Aged Care Complaints Resolution Scheme mediator and the Architects Registration Board consumer representative.

Head of Human Rights Division

Genevieve Nihill AM LLM LLB BA



Genevieve has been a member for 11 years. She heads the Guardianship and Human Rights lists, and the Human Rights Division. Genevieve has been a member of several other tribunals, including the Mental Health Review Board, Intellectual Disability Review Panel and various health practitioner registration board hearing panels. She has a background of practice in public and community law.

Vice President

Judge Felicity Hampel SC BA LLB



Judge Hampel was appointed to the County Court of Victoria in 2005 and is a fellow of the Australian Academy of Law. Her Honour commenced practice as a barrister in 1981, and was appointed Queens Counsel in 1996, converting to Senior Counsel in 2001. She is deputy chair of the Australian Advocacy Institute. Past positions include part-time Commissioner of the Victorian Law Reform Commission and President of Liberty Victoria.

Head of Residential Tenancies Division

Heather Barker LLB



Heather is head of VCAT's Residential Tenancies Division, established in 2014. She has been in charge of the Residential Tenancies List since 2013, after serving as a member of the Residential Tenancies and Small Claims Tribunals since 1989. Previously, Heather worked in private practice, as an associate partner in a large Melbourne firm and as a lawyer with a large commercial firm in London.

Head of Administrative Division

Heather Lambrick LLB BA



Heather has been a member of the tribunal since its inception in 1998. She heads the Administrative Division and the Review and Regulation List within that Division. She has held other leadership roles within VCAT, having previously been Head of Civil Division and Residential Tenancies List. Before her appointment to VCAT, Heather practised exclusively in the area of criminal law as a practitioner and lecturer.

Director, Operations

Melissa Biram



Melissa joined VCAT in 2011 as the Registrar of the Administrative Division, before being appointed Director, Operations in 2014. She has an extensive career in operational roles in courts and tribunals spanning 18 years, primarily in the Magistrates', Supreme and Coronial jurisdictions. Before starting at VCAT, Melissa's roles included managing the Principal Registry of the Victims of Crime Assistance Tribunal and managing support services for Magistrates.

Director, Corporate Services

Barbara Oleczek
BA(Hon) MA MBA M.Bus(Bk&Fin)



Barbara has extensive experience in strategic and business planning, corporate governance, risk management, capital project development, budgeting and finance, and project management. She has worked for more than 20 years in Victorian Government departments and holds tertiary qualifications in Arts, Business Administration and Banking and Finance. Her key focus is effective engagement with stakeholders and continuous service improvement.

**New Principal Registrar
Carolyn McSporryan**



Carolyn McSporryan's appointment as VCAT's first female Principal Registrar on 18 April 2017 marked the beginning of a new era.

Carolyn joined VCAT after 15 years at Victoria Legal Aid (VLA), where she was responsible for the development of the grants management system, complaints function and the establishment of specialist practitioner panels.

Carolyn played a strong role in building collaborative partnerships with state and federal governments, the Federation of Community Legal Centres and other institutions. She was seconded to the Department of Justice and Regulation to work on the Access to Justice Review, providing expert advice on VLA's role in supporting equitable access to legal support services.

Rules Committee

The Rules Committee is responsible for updating and amending the *Victorian Civil and Administrative Tribunal Rules 2008* (Vic) ('Rules') and VCAT's practice notes (guides to VCAT legal processes). This committee ensures that the rules and the practice notes are up-to-date and consistent with any changes in the law, such as changes to VCAT's jurisdiction or its fee structure, and VCAT's internal processes.

The VCAT President and all 14 Vice Presidents are members of the Committee. The two Vice Presidents allocated to VCAT full time usually attend the committee meetings. A Deputy President, two members and an independent, non-tribunal member also sit on the committee.

Committee activities

The committee met three times in 2016-17 and held one meeting 'on the papers'.

Changes to rules

On 31 August 2016, the committee made by circular resolution (without a meeting) the *Victorian Civil and Administrative Tribunal (Amendment No. 15) Rules 2016* (Vic). The changes included amending the rules to:

- allow the Principal Registrar to delegate the ability to certify copies of monetary and non-monetary orders to Registrars, their deputies and regional administrative staff, and
- exempting applicants in the Residential Tenancies List from certain requirements when making an application under section 120 of the *Victorian Civil and Administrative Tribunal Act 1998* (Vic).

On 23 February 2017, the committee made the *Victorian Civil and Administrative Tribunal (Amendment No. 16) Rules 2017* (Vic).

The changes included amending the rules to:

- revoke a restriction on the Principal Registrar from performing certain tribunal functions in relation to proceedings in the Planning and Environment List, and
- allow for the function of making procedural directions or listing directions to be performed by the Principal Registrar of the tribunal in accordance with the standing instructions of the relevant head of list or deputy.

On 25 May 2017, the committee made the *Victorian Civil and Administrative Tribunal (Amendment No. 17) Rules 2017* (Vic). The changes included amending the rules to:

- remove the requirement for applications to be accompanied by statutory declarations if the applicant is a person or entity that has as its whole or dominant purpose a charitable, benevolent or philanthropic purpose, and
- allocate enabling enactments to the appropriate lists.

Practice notes approved

On 31 August 2016, by circular resolution, the committee approved amendments to practice notes:

- PNVCAT1 – Common Procedures, to note the variations in procedures for requesting adjournments in the Residential Tenancies List
- PNRST1 – Residential Tenancies List Adjournments, to clarify the procedure and time period for requesting adjournments
- PNRST3 – Residential Tenancies List Rent Special Accounts, to update the procedures for payments into and out of rent special accounts in accordance with current tribunal practice.

On 10 November 2016, the committee approved the creation of a new practice note:

- PNVCAT7 – Hearing Room Technology, providing information on the technology available in the tribunal's hearing rooms and the procedures through which their use can be requested.

On 10 November 2016, the committee also approved amendments to practice notes:

- PNVCAT1 – Common Procedures, to outline additional circumstances in which parties can be represented in tribunal proceedings
- PNPE5 – Valuation and Compensation Matters, to update some of the terminology used and the procedures outlined to reflect current practice
- PNPE8 – Major Cases List, to update the target timelines of proceedings to reflect current practice.

On 23 February 2017, the committee approved amendments to practice note:

- PNVCAT1 – Common Procedures, to allow parties to notify a change of address and other contact details by telephone in Guardianship List matters.

On 25 May 2017, the committee approved the creation of a new practice note:

- PNG1 – Guardianship List General Procedures, which outlines the practices and procedures of the Guardianship List of the Human Rights Division.

Allocation of jurisdictions

On 25 May 2017, the following enabling enactments were allocated to Schedule 1 of the Rules:

- *Child Wellbeing and Safety Act 2005* (Vic)
- *Health Complaints Act 2016* (Vic)
- *Rooming House Operators Act 2016* (Vic).

Other committees

A number of purpose-specific committees meet regularly to oversee critical business functions, provide a clear decision-making process and ensure compliance with VCAT's obligations. This includes standing committees (listed below) and groups set up to manage specific projects, such as fees implementation and redevelopment of our website. Our committees are governed by business rules that include terms of reference, membership, meeting frequency, decision-making and reporting requirements. They provide regular updates to the President's Advisory Committee.

Facilities and Accommodation Committee

The Facilities and Accommodation Committee examines key issues concerning VCAT's facilities, assets and accommodation. It also undertakes planning for metropolitan and regional facilities. It works with CSV to align accommodation planning with long-term asset strategy and service delivery models.

Finance Committee

The Finance Committee directs and monitors financial compliance across the organisation. The committee leads all financial management aspects of relationships with key stakeholders including CSV, Department of Justice and Regulation, Victorian Building Authority and Legal Services Board.

Risk Management and Audit Committee

The Risk Management and Audit Committee is a forum to discuss and monitor key risks for the organisation, compliance obligations and audit processes, and recommendations. The committee was established under the mandate of the *Financial Management Act 1997* and the *Occupational Health and Safety Act 2004*.

Occupational Health, Safety and Wellbeing Committee

VCAT has an obligation under the *Occupational Health and Safety Act 2004* to protect the health and safety of all employees, volunteers, contractors and VCAT users. Our Occupational Health, Safety and Wellbeing Committee meets bi-monthly and involves elected member and staff health and safety representatives.

Information Technology (IT) Steering Committee

The IT Steering Committee oversees our investment in IT priorities, monitors the progress of key projects and helps facilitate our strategic objectives through IT initiatives.

Diversity Committee

VCAT's Diversity Committee meets bi-monthly and is responsible for the development, coordination, implementation, review and monitoring of issues of cultural and social diversity at the tribunal.

The committee also contributes to the Judicial Council on Cultural Diversity, a national advisory body that assists Australian courts, judicial officers and administrators to respond to the diverse needs of the community.

The head of VCAT's Human Rights Division chairs the committee, which includes the Chief Executive Officer, the Member for Social and Cultural Inclusion and a staff representative.

Appeals and complaints

Appeals against VCAT decisions

VCAT decisions can be appealed only on questions of law – that is, whether the judge or member made a legal error. This limit on appeals helps give certainty to parties when we determine their disputes.

Parties who want to appeal must seek leave (permission) from the Supreme Court of Victoria. Its Trial Division hears appeals against orders made by a VCAT member or Deputy President. The Court of Appeal hears appeals against decisions by the VCAT President or a Vice President.

Appeals are based on the legalities, facts and circumstances of each case. An appeal may relate to only one or a few points of a complex decision. It is rare for the court to direct a case to be completely reheard.

Appeals to Supreme Court

Historical appeals data is adjusted as outcomes are determined. This year we audited the number of appeals and outcomes during the past two years, resulting in minor adjustments to previously reported totals.

	2014-15	2015-16	2016-17
Leave to appeal not granted	24	27	4
Leave to appeal granted and appeal dismissed	13	14	5
Leave to appeal granted and appeal upheld	16	15	9
Administrative disposal/discontinued/finalised by consent	26	17	14
Awaiting decision	0	5	38
Total number of appeals lodged	79	78	70

Complaints about VCAT

People can make a complaint by completing a complaint form and sending it to VCAT with supporting material. The complaint form is a statutory declaration which must be formally witnessed by a Justice of the Peace or other person authorised by section 107A of the *Evidence (Miscellaneous Provisions) Act 1958*.

Complaints may be about:

- the quality of the service received from a VCAT staff member
- the conduct of VCAT registry and administrative staff
- the conduct of VCAT members/mediators
- VCAT's processes or procedures
- our provision of services.

We do not address complaints about:

- the merits of a case
- errors or mistakes in decisions, or other legal grounds.

Complaints and information about them are confidential. We receive and manage complaints in accordance with the *Privacy and Data Protection Act 2014*.

Complaints outcomes

We investigate and decide whether a complaint is:

- **dismissed** – the complaint raised issues that can only be decided by the Supreme Court, for example, about the outcome or the manner in which a member conducted the hearing
- **substantiated** – we take steps to fix the problem, when possible, or to make sure it will not happen again
- **unsubstantiated** – the complaint was not based in fact, or was without grounds.

Complaints outcomes 2016-17

	Dismissed	Substantiated	Unsubstantiated	Pending
Member/mediator	8	9	15	1
Staff	0	3	2	0
Administrative process	1	21	34	2
Decision	66	1	42	0
Other	1	0	32	0
Total	76	34	125	3

Type of complaint

Complaint about	2013-14	2014-15	2015-16	2016-17
Member/mediator	163	108	67	33
Staff	16	6	5	5
Administrative process	112	93	58	58
Decision	62	60	108	109
Other	49	29	33	33
Total	402	296	271	238

Improvements to our complaints process

This year we reviewed our complaints processes as part of our Customer Service Improvement Program. Our new complaints policy will be introduced early next year.

We also prepared for the Judicial Commission of Victoria to start operation on 3 July 2017. The Victorian Government established this independent body to investigate complaints about judicial officers and VCAT members. It will investigate complaints about the conduct or capacity of judicial officers and VCAT members, but not complaints about the correctness of a decision.

Delivering our services

VCAT serves the community by resolving disputes and making decisions about human rights cases.

In this section of the report, we provide detailed information about the type and number of cases we handled in 2016-17, how quickly we resolved matters, and the key factors affecting these services this year. We provide this information for each VCAT list (the areas of VCAT that handle specific types of cases). There are nine VCAT lists, shown here according to division.

Administrative Division	Civil Division	Human Rights Division	Residential Tenancies Division
<p>Head of Division <i>DP Heather Lambrick</i></p> <p>Legal Practice List Planning and Environment List Review and Regulation List</p>	<p>Head of Division <i>DP Catherine Aird</i></p> <p>Building and Property List Civil Claims List Owners Corporations List</p>	<p>Head of Division <i>DP Genevieve Nihill AM</i></p> <p>Guardianship List Human Rights List</p>	<p>Head of Division <i>DP Heather Barker</i></p> <p>Residential Tenancies List</p>



Many VCAT decisions are made at hearings

Building and Property List

Key points

- » The increase in complex cases is mostly due to an increase in domestic building claims over \$100,000
- » From 26 April 2017, disputes involving the homeowner must go to a new conciliation service, Domestic Building Dispute Resolution Victoria, before coming to VCAT (with a few exceptions)

What we do

The Building and Property List hears and determines a range of disputes:

- » domestic building disputes, including when Domestic Building Dispute Resolution Victoria certifies the dispute as not resolved or suitable for conciliation
- » reviews of certain decisions by this new service
- » reviews of decisions by warranty insurers in relation to domestic building works
- » claims brought by a landlord or tenant under a retail premises lease, seeking resolution of a retail tenancy dispute
- » commercial building works and commercial leases
- » claims arising from the unreasonable flow of water from one property to another
- » sale or division of co-owned land or goods.

Year in review

We finalised 11 per cent more cases this year across the range of matters in our Building and Property List. Most applications were domestic building claims (75 per cent of initiations). We finalised 15 per cent more of these cases than we did last year.

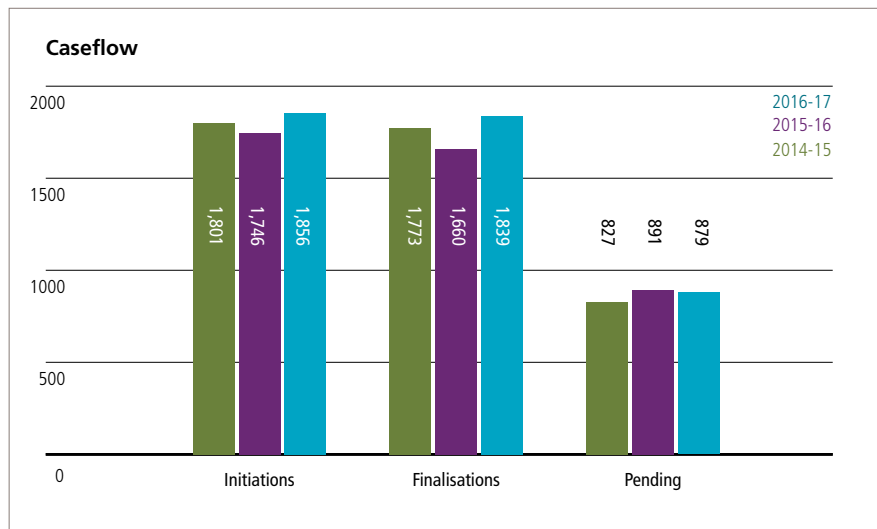
There was a 35 per cent increase in complex cases. Domestic building claims above \$100,000 made up about two thirds of these cases.

The new Domestic Building Dispute Resolution Victoria service commenced on 26 April 2017. Most domestic building disputes where the owner is a party must go to this new service before coming to VCAT. Homeowners can still apply directly to VCAT in some circumstances – for example, seeking an injunction or to resolve a dispute with a tradesperson they have engaged directly to do a certain type of work prescribed by law.

As the new service was operating for only the final two months of the financial year, its impact on the number of applications to the Building and Property List is yet to be determined.

For other types of cases heard by this list, a relatively small number of matters shows as a large statistical variation – for example, an 81 per cent increase in Water Act initiations relates to only 26 claims arising from the unreasonable flow of water from one property to another.

It is worth noting a growth trend in applications under the Australian Consumer Law, which includes commercial building matters and other building work not covered under the *Domestic Building Contracts Act 1995*. We expect this growth trend will continue.



Caseflow	2014-15	2015-16	2016-17	Variance
Initiations	1,801	1,746	1,856	6%
Finalisations	1,773	1,660	1,839	11%
Pending	827	891	879	-1%
Clearance Rate	98%	95%	99%	

Timeliness of Finalised Cases (Weeks)				
Median	14	14	14	
80th Percentile	31	32	34	

Initiations				
Domestic Building	1,339	1,328	1401	5%
Real Property	185	146	188	29%
Retail Tenancies	277	272	267	-2%
Total	1,801	1,746	1,856	6%

Finalisations				
Domestic Building	1,333	1,251	1438	15%
Real Property	184	163	136	-17%
Retail Tenancies	256	246	265	8%
Total	1,773	1,660	1,839	11%

Pending				
Domestic Building	637	706	648	-8%
Real Property	91	70	118	69%
Retail Tenancies	99	115	113	-2%
Total	827	891	879	-1%

Applications by Enabling Enactment				
<i>Domestic Building Contracts Act 1995</i>	1,298	1,225	1,251	2%
<i>Property Law Act 1958</i>	129	111	130	17%
<i>Retail Leases Act 2003</i>	277	272	267	-2%
<i>Water Act 1989</i>	55	32	58	81%
<i>Australian Consumer Law and Fair Trading Act 2012</i>	37	95	150	58%
Others	5	11	0	-100%
Total	1,801	1,746	1,856	6%

Applications by claim amount				
Small Claims: < \$10,000	498	468	492	5%
Standard Claims: \$10,000 - \$100,000	564	531	623	17%
Complex Claims: \$100,000 +	228	195	264	35%
No Value	511	552	477	-14%
Total	1,801	1,746	1,856	6%

Civil Claims List

Key points:

- » The number of small claims under \$10,000 increased 28%
- » The number of complex claims went up 36% and standard claims rose by 26%
- » Larger caseload, resource challenges and technology issues contributed to a lower clearance rate

What we do

The Civil Claims List handles disputes about the supply of goods or services.

There is no limit on the amount that may be claimed in an application in the Civil Claims List. This means that we hear disputes from everyday consumer transactions to large commercial matters. The more complex cases include:

- » disputes about sales of businesses, including representations of profitability
- » professional negligence claims against accountants and other service providers
- » complex disputes about cars, where multiple parties are involved
- » disputes under contracts for software and application development, and for internet marketing
- » disputes under contracts for the manufacture of expensive items such as caravans
- » disputes under insurance policies
- » disputes between franchisors and franchisees
- » disputes in which claims for contribution or indemnity are made against third parties.

Year in review

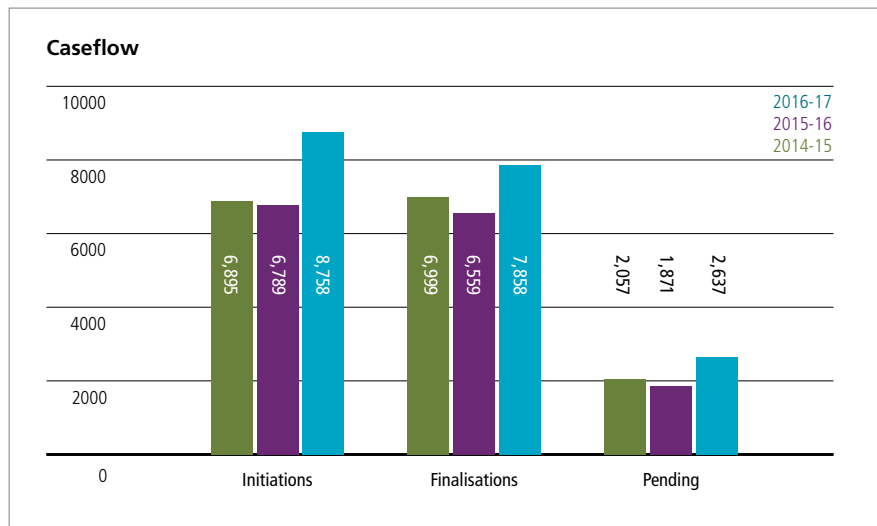
There has been a 29 per cent overall increase in applications. All categories of cases grew: the overall largest category, small claims, grew by 28 per cent; claims up to \$100,000 by 26 per cent (having increased by 13 per cent in the previous year); and larger claims by 36 per cent. Most parties conduct their cases without legal representation, which can increase the demands on VCAT members when the parties are unfamiliar with the relevant laws.

Finalisations increased by 20 per cent but did not keep up with the rate of growth in initiations. The number of pending cases grew, as the higher number of more complex cases required longer hearings.

Small claims are usually simpler to hear and determine. Claims valued at \$10,000 to \$100,000 are generally more complex, more likely to concern competing expert evidence and questions of law, and take longer to resolve. VCAT conducts directions hearings and ADR processes to speed resolution of cases.

Applications recorded as 'no amount' include applications for injunctions (for example to prohibit a bailee disposing of goods, or a licensor from terminating a licence), claims to validate the rejection of goods under the Australian Consumer Law, and claims for indemnity.

About 65 per cent of applications were made using the online form. The form assists applicants to avoid making errors which would otherwise cause delay, for example by making sure the applicant properly identifies a company against which a claim is made. However, technical issues integrating the forms into our case management system meant we still had to continue manual data checks, limiting efficiency.



Caseflow	2014-15	2015-16	2016-17	Variance
Initiations	6,895	6,789	8,758	29%
Finalisations	6,999	6,559	7,858	20%
Pending	2,057	1,871	2,637	41%
Clearance Rate	102%	97%	90%	

Timeliness of Finalised Cases (Weeks)				
Median	10	10	11	
80th Percentile	17	16	16	
Target				19

Applications by Enabling Enactment				
<i>Australian Consumer Law and Fair Trading Act 2012</i>	5,732	5,598	7,625	36%
<i>Domestic Building Contracts Act 1995</i>	1,157	1,185	1,125	-5%
<i>Fair Trading Act 1999</i>	5	2	2	0%
Others	1	4	6	50%
Total	6,895	6,789	8,758	29%

Applications by claim amount				
Small Claims: < \$10,000	5,772	5,555	7,138	28%
Standard Claims: \$10,000 - \$100,000	962	1,089	1,372	26%
Complex Claims: \$100,000 +	74	69	94	36%
No Value	87	76	154	103%
Total	6,895	6,789	8,758	29%

What we do (continued)

On the same day we might hear a case about unsatisfactory dry cleaning services, a case about the sale of a business and another about the operations of a franchise.

Claims can be issued by suppliers and consumers – for example, tradespeople frequently make applications about unpaid debts.

In this list, we also hear cases based on the laws that prohibit misleading or deceptive conduct, false representation and unconscionable conduct. People can make applications under some of these laws even where they have not bought goods or services from the respondent.

Guardianship List

Key points

- » We continued to manage the Powers of Attorney jurisdiction within existing resources
- » We adopted a new case management model after a successful pilot program
- » There was a steady growth in online lodgement of administrator accounts

What we do

The Guardianship List makes protective orders under the *Guardianship and Administration Act 1986* and other legislation.

The most common orders – guardianship and administration orders – involve appointing substitute decision-makers for cognitively impaired adults who are unable to make decisions for themselves.

The list also makes orders about enduring Powers of Attorney (including those for medical treatment).

Year in review

We continued to manage the increased workload created by our expanded Powers of Attorney jurisdiction (introduced in September 2015) within existing resources. This year we noted more complex cases, increasing the time and resources required (such as using remote witness facilities and longer hearing times).

After trialling a new model of case management for Powers of Attorney cases in 2016, we found that it:

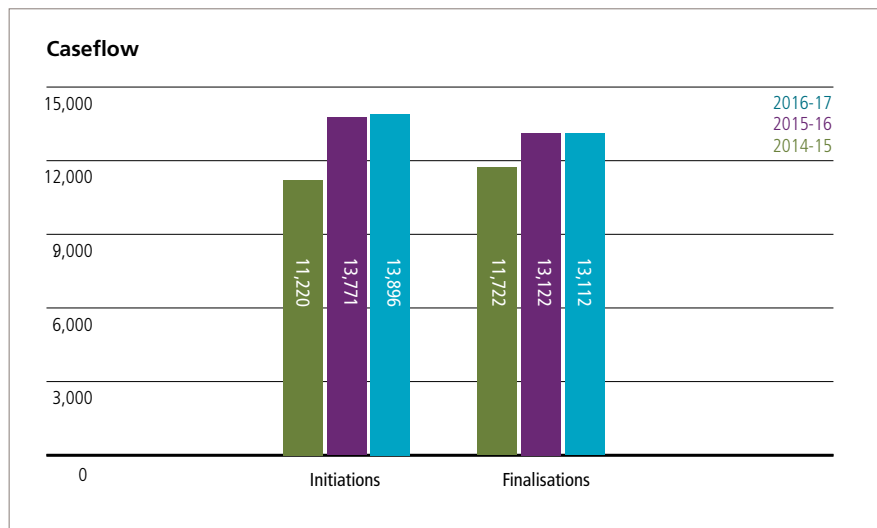
- improved services – the new model addressed many concerns raised by users who had previously been involved in a court or tribunal process
- decreased avoidable adjournments, which meant faster resolution
- increased process and hearing efficiency
- increased staff job satisfaction and opportunities for learning and development.

We made this our standard way to manage Powers of Attorney cases and are considering rolling this out to other types of cases within our Human Rights Division.

We developed information to assist private administrators as they deal with financial institutions and provided support to help them lodge accounts online. The number of online lodgements has steadily increased over the past few years to 80 per cent this year.

VCAT began holding regular guardianship hearings at Sunshine Hospital in February 2017. With this addition, we now regularly hold such hearings at seven hospitals.

Timeliness of hearings and pending matters are valid measures for other VCAT lists but not for Guardianship List, as we always hear these cases within the timeframes required by legislation. For this reason, we do not report against these measures as do other lists.



Caseflow	2014-15	2015-16	2016-17	Variance
Originating Initiations	11,220	13,771	13,896	1%
Finalisations	11,722	13,122	13,112	0%
Clearance Rate	104%	95%	94%	

Major applications/activities by Act and sections				
Guardianship and/or Administration orders	5,216	5,552	5,474	-1%
Reassessment orders	7,636	7,337	7,177	-2%
Powers of Attorney	538	643	645	0%
Others*	722	3,426	3,775	10%
Total	14,112	16,958	17,071*	1%

* Breakdown of other applications/activities by Act and sections				
Advice to administrator		2,654	2,889	9%
Directions		503	620	23%
Rehearing		81	74	-9%
Power to enforce guardianship order		58	64	10%
Temporary guardianship order		41	48	17%
Additional activities		89	80	-10%
Total		3,426	3,775	10%

Human Rights List

Key points

- » We managed increased applications within current resources, with limited impact on clearance rate
- » There was a natural variance in the number of applications, not attributed to any specific activity
- » This list receives a small number of cases but they tend to be complex matters

What we do

The Human Rights List hears cases under the *Equal Opportunity Act 2010*, *Health Records Act 2001*, *Privacy and Data Protection Act 2014*, *Disability Act 2006* and *Mental Health Act 2014*, as well as other legislation.

Applications under the Equal Opportunity Act include complaints about discrimination. This includes complaints about unfavourable treatment due to personal characteristics or attributes such as age, sex, disability or racial background.

The Equal Opportunity Act prohibits discrimination on the basis of listed attributes in certain areas of public life, such as employment, education, services or clubs. The list also hears applications for exemption, for example when a school wants to preferentially admit female students to balance gender ratios.

The Human Rights List also hears complaints that have been referred to VCAT by the Health Services Commissioner under the Health Records Act, and by the Privacy and Data Protection Commissioner under the Privacy and Data Protection Act. It hears appeals from the Mental Health Tribunal under the Mental Health Act, and cases under the *Assisted Reproductive Treatment Act 2008*.

Under the Disability Act, the list makes and reviews orders about people with intellectual disability who are being detained to prevent serious harm.

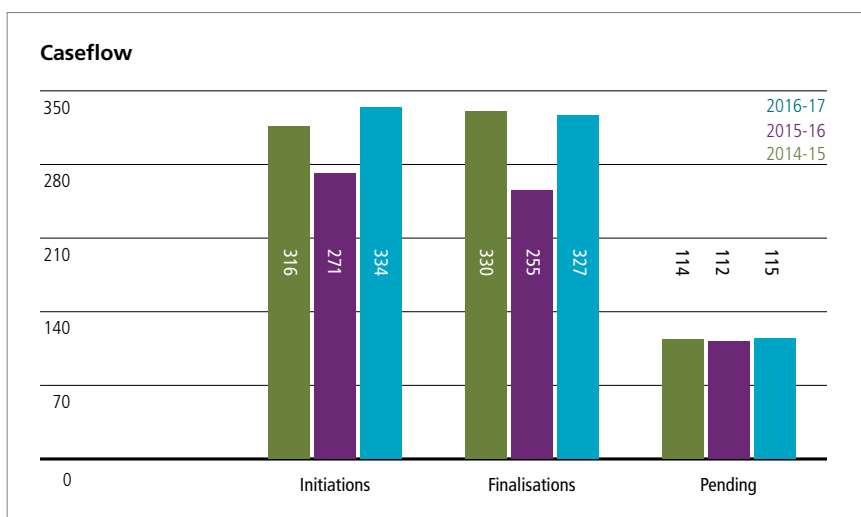
Year in review

The small number of applications in this list means that a relatively small increase in volume shows as a large statistical variation.

Caseflow	2014-15	2015-16	2016-17	Variance
Initiations	316	271	334	23%
Finalisations	330	255	327	28%
Pending	114	112	115	3%
Clearance Rate	104%	94%	98%	

Timeliness of Finalised Cases (Weeks)				
Median	13	14	11	
80th Percentile	26	27	24	

Applications by Enabling Enactment				
<i>Disability Act 2006</i>	32	23	34	48%
<i>Equal Opportunity Act 2010</i>	223	162	201	24%
<i>Health Records Act 2001</i>	26	35	41	17%
Others	35	51	58	14%
Total	316	271	334	23%



Legal Practice List

Key points

- » We received fewer applications, partly due to new powers for the Victorian Legal Services Commissioner (VLSC)
- » The increase in applications under the Legal Profession Uniform Law (Victoria) is because it replaced the *Legal Profession Act 2004* from 1 July 2015
- » We had more complex cases and fewer less serious cases

What we do

The Legal Practice List mainly deals with disputes about lawyers' services and costs, and complaints about lawyers' conduct.

It hears and determines disputes that are not resolved by the VLSC. The Legal Practice List handles:

- » applications from the VLSC about the professional conduct of lawyers
- » claims by clients for losses they allege their lawyer has caused them to suffer
- » claims by lawyers about non-payment of legal fees.

Year in review

In 2016-17, we finalised 83 matters and received 68 new applications.

We received 16 disciplinary applications and 52 civil applications. The number of civil applications fell with the conferring of increased powers on the Victorian Legal Services Commissioner to determine disputes involving small amounts.

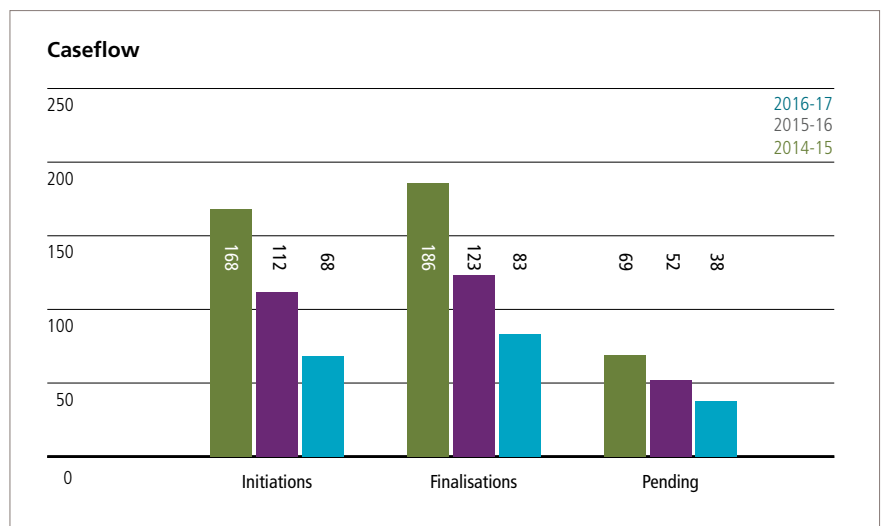
Of the civil applications, 44 were made under the Australian Consumer Law/Fair Trading Act.

The small number of applications in this list means that a relatively small increase in volume shows as a large statistical variation.

Caseflow	2014-15	2015-16	2016-17	Variance
Initiations	168	112	68	-39%
Finalisations	186	123	83	-33%
Pending	69	52	38	-27%
Clearance Rate	111%	110%	122%	

Timeliness of Finalised Cases (Weeks)				
Median	12	13	15	
80th Percentile	26	25	43	
Target				40

Applications by Enabling Enactment				
<i>Australian Consumer Law and Fair Trading Act 2012 and Fair Trading Act 1999</i>	52	40	44	10%
<i>Legal Profession Act 2004</i>	116	69	10	-86%
<i>Legal Profession Uniform Law Application Act 2014</i>	0	3	14	367%
Total	168	112	68	-39%



Owners Corporations List

Key points

- » This list has a high percentage uptake of online applications (74% uptake)
- » We received more complex cases, which can take longer to finalise

What we do

Almost all matters heard by the Owners Corporations List are disputes under the *Owners Corporations Act 2006*.

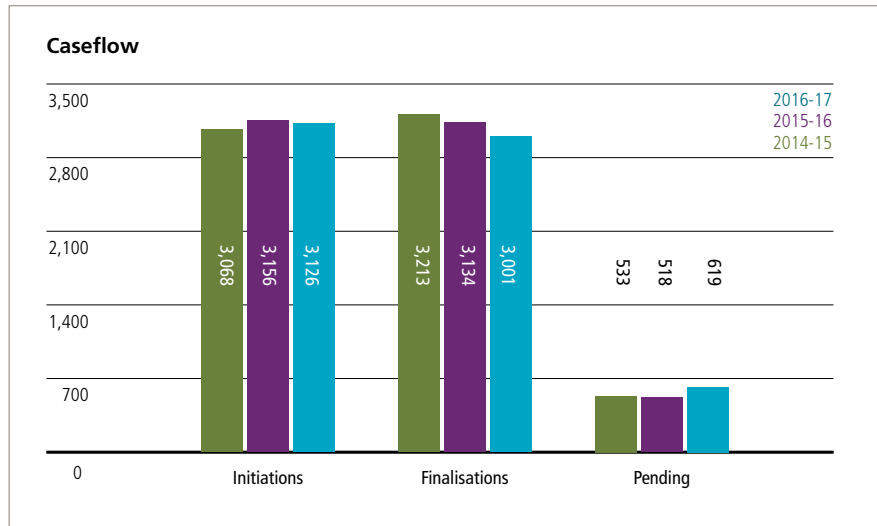
An owners corporation, formerly known as a body corporate, manages the common property in a subdivision that has created several lots or units. The common property can be a driveway, car parking space, garden, lift, staircase or foyer. The owners corporation collects fees from its lot-owning members to pay for the cost of managing, maintaining and insuring the common property.

Year in review

There were 3126 new applications to the Owners Corporations List in 2016-17 and we finalised 3001 applications, clearing 96 per cent of cases.

About 90 per cent of the list's work relates to claims for unpaid owners corporations fees below \$10,000. The remaining 10 per cent comprises complex claims which raise a wide variety of issues. We received more complex cases this year, which take longer to finalise.

Most applications (74 per cent) were made using our online form.



Caseflow	2014-15	2015-16	2016-17	Variance
Initiations	3,068	3,156	3,126	-1%
Finalisations	3,213	3,134	3,001	-4%
Pending	533	518	619	19%
Clearance Rate	105%	99%	96%	

Timeliness of Finalised Cases (Weeks)				
Median	6	6	7	
80th Percentile	9	9	11	
Target				10

Applications by Enabling Enactment				
<i>Australian Consumer Law and Fair Trading Act 2012</i>	11	20	30	50%
<i>Owners Corporations Act 2006</i>	3,019	3,093	3,080	0%
Others	38	43	16	-63%
Total	3,068	3,156	3,126	-1%

Applications by claim amount				
Small Claims: < \$10,000	2,710	2,757	2,738	-1%
Standard Claims: \$10,000 - \$100,000	144	140	148	6%
Complex Claims: \$100,000 +	4	5	13	160%
No Value	210	254	227	-11%
Total	3,068	3,156	3,126	-1%

Planning and Environment List

Key points

- » There was a 130% increase in the number of major case applications
- » Overall applications increased by seven per cent
- » These factors impacted on listing of cases and the clearance rate

What we do

The Planning and Environment List deals with a variety of applications related to the use, development and subdivision of land, heritage, gaming premises approvals, water and Environment Protection Authority licensing and approvals, the valuation of land for rating purposes, and compensation arising from the compulsory acquisition of land.

Most cases are about whether to grant a planning permit to use or develop land. Many disputes concern multi-dwelling developments, ranging from two or three dwellings on a suburban lot to multi-storey buildings containing hundreds of apartments. When reviewing the decision of a council to grant a permit, VCAT's role is to reconsider the whole application afresh on its merits.

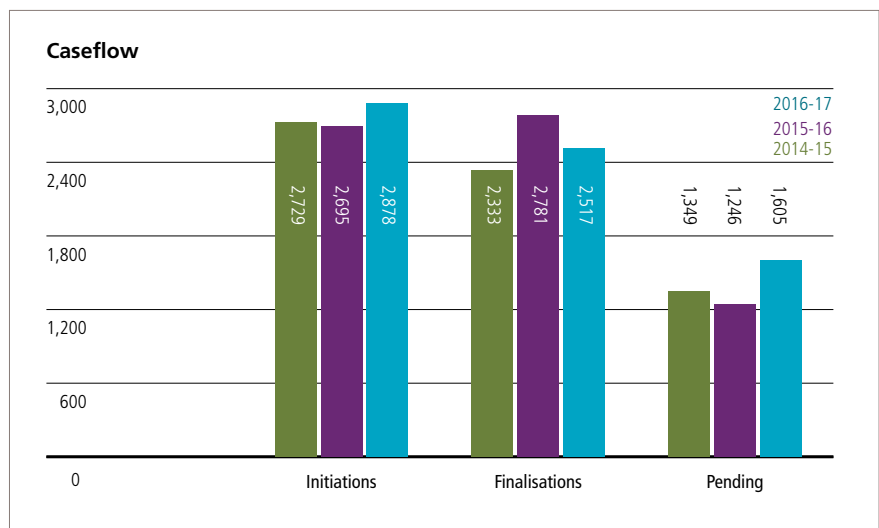
Year in review

In 2016-17, applications to the Planning and Environment List increased by seven per cent from the previous year. The list dealt with developments worth over \$10 billion in total.

The new VCAT fee structure introduced on 1 July 2016 removed monetary limits on major case applications, set up to speed dispute resolution. There was a 130 per cent increase in the number of major case applications and five per cent fewer standard claims.

We sent 53 per cent more cases to compulsory conferences, and resolved more through this process, reflecting VCAT's focus on resolution by alternative dispute resolution.

A rise in new land valuation matters is partly due to a cycle of local government property valuations for rates – these are conducted every two years. The small number of land acquisition applications means that a relatively small increase in volume (from seven applications to 15) shows as a large statistical variation (114 per cent).



Caseflow	2014-15	2015-16	2016-17	Variance
Initiations	2,729	2,695	2,878	7%
Finalisations	2,333	2,781	2,517	-9%
Pending	1,349	1,246	1,605	29%
Clearance Rate	85%	103%	87%	
Timeliness of Finalised Cases (weeks)				
Median	23	25	26	
80th Percentile	30	32	33	
Initiations				
Planning and Environment	2,631	2,619	2,800	7%
Land Valuation	98	76	78	3%
Total	2,729	2,695	2,878	7%
Finalisations				
Planning and Environment	2,248	2,665	2,446	-8%
Land Valuation	85	116	71	-39%
Total	2,333	2,781	2,517	-9%
Pending				
Planning and Environment	1,280	1,218	1,570	29%
Land Valuation	69	28	35	25%
Total	1,349	1,246	1,605	29%
Applications by Enabling Enactment				
<i>Environment Protection Act 1970</i>	11	14	18	29%
<i>Planning and Environment Act 1987</i>	2,606	2,568	2,758	7%
<i>Land Acquisition and Compensation Act 1986</i>	9	7	15	114%
<i>Valuation of Land Act 1960</i>	86	62	61	-2%
Others	17	44	26	-41%
Total	2,729	2,695	2,878	7%
Applications by Type				
(PEL) Major Cases	225	229	526	130%
(PEL) Standard Claims	2,406	2,390	2,274	-5%
Land Valuation	98	76	78	3%
Total	2,729	2,695	2,878	7%
Applications by claim amount (Planning and Environment applications)				
Small Claims: < \$10,000	106	97	256	164%
Standard Claims: \$10,000 - \$100,000	43	56	112	100%
Complex Claims: \$100,000 - \$1m	458	553	987	78%
Complex Claims: \$1m - \$5m	229	271	516	90%
Complex Claims: \$5m - \$20m	157	187	239	28%
Complex Claims: \$20m +	81	80	116	45%
No Value	1,655	1,451	652	-55%
Total	2,729	2,695	2,878	7%
Approximate Total Value (\$billion)	\$7.25	\$7.04	\$10.25	46%

*2015-16 total claim value and number of applications by claim amount have been adjusted for data input errors identified during checks this year

Top 20 number of applications by Council during 2016-17 (in alphabetical order)	2014-15	2015-16	2016-17	Variance
Banyule City Council	89	75	74	-1%
Bayside City Council	141	144	114	-21%
Boroondara City Council	199	112	157	40%
Darebin City Council	101	112	138	23%
Glen Eira City Council	162	214	172	-20%
Hobsons Bay City Council	63	66	69	5%
Kingston City Council	54	49	59	20%
Manningham City Council	52	37	65	76%
Maribyrnong City Council	52	50	50	0%
Maroondah City Council	65	54	70	30%
Melbourne City Council	105	97	96	-1%
Monash City Council	99	108	178	65%
Moonee Valley City Council	74	57	102	79%
Moreland City Council	125	139	117	-16%
Mornington Peninsula Shire Council	81	104	143	38%
Port Phillip City Council	104	111	156	41%
Stonnington City Council	101	108	144	33%
Whitehorse City Council	107	62	68	10%
Whittlesea City Council	54	46	57	24%
Yarra City Council	120	137	145	6%

Top 20 number of applications by Suburb during 2016-17 (in alphabetical order)	2014-15	2015-16	2016-17	Variance
Bentleigh	26	34	36	6%
Bentleigh East	30	57	41	-28%
Brighton	37	31	35	13%
Carnegie	26	25	25	0%
Coburg	26	28	23	-18%
Croydon	18	14	30	114%
Essendon	13	16	23	44%
Glen Iris	17	16	25	56%
Glen Waverley	16	15	39	160%
Hawthorn	31	28	24	-14%
Kew	38	21	29	38%
Melbourne	39	47	35	-26%
Mount Waverley	22	20	49	145%
Port Melbourne	22	25	35	40%
Preston	18	41	37	-10%
Reservoir	27	21	38	81%
Richmond	36	47	51	9%
South Melbourne	20	22	31	41%
South Yarra	33	36	31	-14%
St Kilda	20	19	27	42%

Residential Tenancies List

Key points

- » There was a 27% increase in applications by tenants and residents
- » We improved our Notice of Hearing and online information
- » We published a new brochure to assist people affected by family violence

What we do

The Residential Tenancies List is our busiest list, accounting for more than 60 per cent of new applications to VCAT this year. It is a high-volume, fast throughput list where matters are often finalised within four weeks of the original application – even earlier for matters such as urgent repairs, which can be resolved within days. Parties generally receive their decision on the same day as the hearing.

The list handles disputes between:

- » landlords and tenants
- » rooming house owners and rooming house residents
- » the Director of Housing and public housing tenants
- » caravan park owners and residents.

Year in review

There was a large increase in applications by tenants and residents this year, despite a slight decline in overall applications to this list. Changes to create better access for tenants and residents - such as the automatic waiver of the VCAT fee for Health Care Card holders, access to the online Residential Tenancies Hub and other improvements – may partly account for the rise.

After consultation with stakeholders, we created a new Notice of Hearing in plain language which clearly explains to parties what is required at the hearing and includes telephone numbers for assistance.

We published brochures relating to the family violence provisions of the Residential Tenancies Act, which have been placed in all Magistrates' Courts venues and made available through support agencies. This publication advises people of their tenancy rights in the context of family violence, provides contact details for family violence and legal services, and informs them about VCAT's family violence support worker and remote witness facilities.

Together with Aboriginal Housing Victoria and other community legal agencies we participated in a number of Aboriginal community engagement forums.

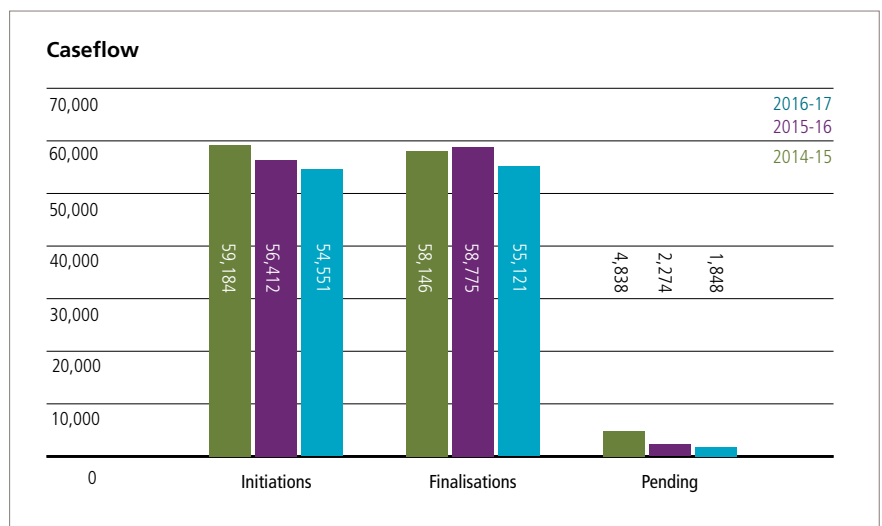
We continued to hold user group meetings with major stakeholders and general education forums around the state for all interested people.

The 'other' category in the 'applications by enabling enactment' table shows a 2188 per cent increase. We improved recording and monitoring of applications made under the Australian Consumer Law and Fair Trading Act and the increase reflects our improved data collection.

The most popular case types are shown in the 'applications by case type' table. Other popular categories included:

- Renewals - 4520
- Review and leave - 2472
- Tenant claims for the bond – 1586
- Possession: 60-day notice – 1464
- Possession: end of fixed term or 120-day no reason - 927
- Possession: damage or danger - 520

The remaining applications related to many different types of cases.



Caseflow	2014-15	2015-16	2016-17	Variance
Initiations	59,184	56,412	54,551	-3%
Finalisations	58,146	58,775	55,121	-6%
Pending	4,838	2,274	1,848	-19%
Clearance Rate	98%	104%	101%	

Timeliness of Finalised Cases (Weeks)				
Median	3	2	2	
80th Percentile	7	5	4	
Target				6

Applications by Enabling Enactment				
<i>Residential Tenancies Act 1997</i>	56,048	53,405	51,861	-3%
<i>Victorian Civil and Administrative Tribunal Act 1998</i>	3,130	2,999	2,507	-16%
Others	6	8	183	2188%
Total	59,184	56,412	54,551	-3%

Highest number of Applications by Case Type				
Possession and rent	12,586	11,824	11,253	-5%
Bond - unpaid rent and loss or damage or both - Landlord	9,973	9,512	9,143	-4%
Bond and compensation - Landlord	6,696	6,160	5,734	-7%
Possession, rent and bond	5,873	5,554	5,264	-5%

Applications by Applicant Type				
Director of Housing	12,936	12,172	10,799	-11%
Landlords represented by estate agents or property managers	38,794	36,520	34,785	-5%
Private landlords	2,537	2,653	2,770	4%
Tenants or residents	3,931	4,038	5,135	27%
Others	986	1,029	1,062	3%
Total	59,184	56,412	54,551	-3%

Review and Regulation List

Key points

- » VCAT continued to finalise more cases than it receives, maintaining a steady clearance rate
- » We made it possible for parties with Transport Accident Commission cases started after January 2014 to lodge documents electronically
- » There was a low uptake of online applications in our Review and Regulation List

What we do

The Review and Regulation List hears matters in relation to more than 80 different pieces of legislation. Its review jurisdiction allows people to challenge administrative decisions made by government decision-makers, and professional and licensing decisions made by regulatory authorities, boards, panels and committees.

In this list, we also conduct inquiries into the professional conduct of various professionals, including a broad range of health professionals, as part of its 'original' jurisdiction - that is, VCAT's power to hear matters not under review but related to the laws it is responsible for administering.

The wide variety of matters we commonly deal with include:

- » building practitioner matters (disciplinary and registration)
- » child welfare
- » domestic animals, including dangerous dogs
- » estate agent disciplinary matters
- » Freedom of Information (FOI) reviews
- » health practitioners disciplinary and registration matters
- » disciplinary reviews in the private security and racing industries
- » taxation matters
- » Transport Accident Commission (TAC) matters
- » victims of crime matters
- » reviews of Working with Children Check decisions.

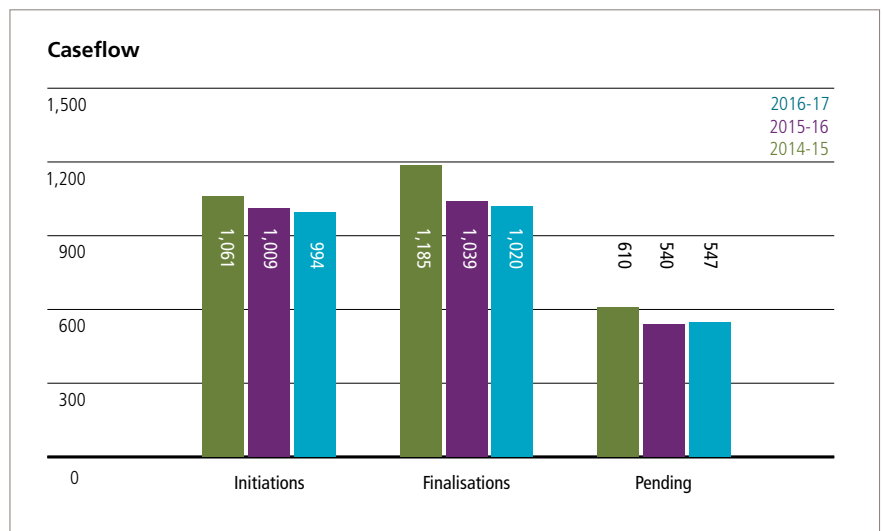
Year in review

We launched a system that enables parties with active TAC cases started after 1 January 2014 to lodge documents electronically. This type of case was chosen as a pilot for the electronic lodgement system, now being explored as part of VCAT's Digital Strategy (see page 24).

Uptake of online forms launched last year was disappointing – the lowest uptake across the tribunal at 21 per cent. We are investigating the reasons for this.

Legislative and procedural changes suggested by VCAT continued to result in a significant drop in TAC applications. From October 2014, legislation no longer required TAC applicants to apply to VCAT if they were still negotiating their case. Cases that are suspended while the parties are in negotiations are not included – there were 281 such cases at 30 June.

We continued to see an increase in FOI applications and finalised more of these cases. The small number of applications means that a relatively small increase in volume shows as a large statistical variation.



Caseflow	2014-15	2015-16	2016-17	Variance
Initiations	1,061	1,009	994	-1%
Finalisations	1,185	1,039	1,020	-2%
Pending	610	540	547	1%
Clearance Rate	112%	103%	103%	

Timeliness of Finalised Cases (Weeks)				
Median	26	22	19	
80th Percentile	63	56	49	

Initiations (Details)				
<i>Freedom of Information Act 1982</i>	86	105	126	20%
<i>Transport Accident Act 1986</i>	453	330	225	-32%
Others	522	574	643	12%
Total	1,061	1,009	994	-1%

Finalisations (Details)				
<i>Freedom of Information Act 1982</i>	103	79	109	38%
<i>Transport Accident Act 1986</i>	581	426	274	-36%
Others	501	534	637	19%
Total	1,185	1,039	1,020	-2%

Pending (Details)				
<i>Freedom of Information Act 1982</i>	39	63	75	19%
<i>Transport Accident Act 1986</i>	305	195	200	3%
Others	266	282	272	-4%
Total	610	540	547	1%

Financial information

Comprehensive operating statement for the financial year ended 30 June 2017

	Note	2015-16 \$'000	2016-17 \$'000
Income from transactions			
Output appropriations		12,366	14,717
Special appropriations		14,997	16,082
Grants	1	17,891	18,591
Other income		0	0
Total income from transactions		45,255	49,391
Expenses from transactions			
Employee expenses	2	37,639	40,367
Depreciation and amortisation	3	528	562
Interest expense	4	49	43
Grants and other transfers	5	0	0
Supplies and services	6	9,601	10,225
Other (including expense recoups)	7	(2,861)	(1,579)
Total expenses from transactions		44,956	49,618
Other economic flows to be included in expenses			
Gains/(losses) from other economic flows	8	(331)	292
Total expenses after gains/(losses)		45,287	49,326
Net operating result		(33)	65

Capital Expenditure 2016-17

	2015-16 \$'000	2016-17 \$'000
Building Projects	0	0
Plant and Equipment	(4)	6
Intangible assets	488	554
Total Movement	484	560

Notes to the operating statement

Note	2015-16 \$'000	2016-17 \$'000
1 Output appropriation revenue		
Tribunal fees returned under S.29 of the Finance Management Act	7,687	9,143
Accommodation funding	3,786	4,453
Depreciation funding	336	466
Court Fee Pool funding	2,048	274
General provision of outputs	(1,492)	381
Total Output Appropriation	12,366	14,717
2 Trust Revenue		
General government outside portfolio		
Consumer Affairs Victoria	17,891	18,591
Total grants	17,891	18,591
3 Employee expenses		
Salaries and wages	29,719	31,787
Termination benefits	133	0
Superannuation	2,908	3,154
Leave expenses (annual leave and long service leave)	2,133	2,089
Other on-costs (fringe benefits tax, payroll tax, training and workcover levy)	2,746	3,337
Total employee expenses	37,639	40,367
4 Depreciation and amortisation		
Buildings	0	0
Buildings leasehold	0	0
Leasehold improvements	183	183
Plant and equipment	6	4
Leased plant and equipment	338	325
Software	0	49
Total depreciation and amortisation	528	562
5 Interest expense		
Interest on finance leases	49	43
Total interest expense	49	43
6 Supplies and services		
Accommodation and property services	6,043	6,314
Contractors, professional services and consultants	1,034	1,438
Printing, stationery and other office expenses	1,118	1,043
Technology services	896	1,043
Repairs and maintenance	263	90
Interpreter and translation services	246	295
Total supplies and services	9,601	10,225
7 Other (including expense recoups)		
Bank charges	55	63
Travel	310	311
Communication, postage and couriers	733	822
Vehicles	127	115
Expense recoups	(4,714)	(3,521)
Boards/committees/instructors (non-payroll)	557	555

Note	2015-16 \$'000	2016-17 \$'000
Process serving	1	3
Police/hospital records search	0	3
Application/lodgement/licensing fees	3	6
Business probity checks	1	5
Membership subscriptions to professional bodies	2	12
Protective clothing/uniforms	3	1
Medical and pharmaceutical costs	9	6
Legal settlements	53	0
Purchase of services - Commonwealth Government excluding general government sector	0	31
Purchase of services - Intragovernment	0	9
Other operating expenses (misc)	0	0
Total other (including expense recoups)	(2,861)	(1,579)
8 Other gains/(losses) from other economic flows		
Net gain/(loss) on non-financial assets	(3)	
Net gain/(loss) arising from revaluation of long service leave liability	(328)	292
Total other gains/(losses) from other economic flows	(331)	292
9 Change in disclosure policy		
<p>The disclosure of financial information in the VCAT Annual Report 2016-17 is significantly different to previous VCAT Annual Reports. The change is required to ensure a consistent and comparable reporting format across all CSV jurisdictions.</p> <p>Operating expenses now include expense recoups or cost offsets funded by third party authorities. These recoups were previously disclosed as inflows, requiring total operating expenses to be grossed up by the same amount.</p> <p>A reconciliation of the 2015-16 and 2016-17 operating expense and revenue totals are provided below.</p>		
<hr/>		
Revenue		\$m
Total disclosed in 2015-16 Annual Report		50.0
Less: 2015-16 recoups from third party authorities disclosed as revenue		4.7
Total disclosed as 2015-16 comparatives this year		45.3
<hr/>		
Expenses		
Total disclosed in 2015-16 Annual Report		50.0
Less: 2015-16 recoups from third part authorities added back to expenses		4.7
Total disclosed in 2015-16 comparatives this year		45.3

Funding and expenditure

During 2016-17 courts and tribunals adopted a new Model Finance Report to ensure consistent reporting (see note 9). Along with other Court Services Victoria (CSV) jurisdictions, we have changed our annual financial information format accordingly. CSV's consolidated report is fully compliant with the reporting guidelines set by the Department of Treasury and Finance for Victorian Government Departments, and the Australian Accounting Standards.

Funding

VCAT received Victorian Government appropriation revenue of \$30.80 million in 2016-17, up \$3.44 million or 13 per cent compared to the previous financial year. This reflects increased fee revenue earned under section 29 of the *Financial Management Act 1994*, one-off funding to implement process and system improvements and increased Special Appropriation funding received.

Fee revenue increased to \$9.14 million, \$1.45 million or 19 per cent more than 2015-16. This was partly due to new fees introduced on 1 July 2016. It also reflects more lodgements in the Civil Claims List, which rose 29 per cent compared to last year. Another factor was a 130 per cent increase in major cases, which attract higher fees, in the Planning and Environment List.

In 2016-17, VCAT received \$1.15 million in funding to implement its Customer Service Improvement Program. This investment contributes to the following enhancements, which were in progress at the end of the financial year:

- single 1300 phone number
- consolidating and streamlining processes
- introducing an integrated customer service centre.

Special Appropriation funding increased to \$16.08 million, a \$1.08 million or seven per cent increase compared to 2015-16. This reflects training for new sessional members and a 4.8 per cent increase in member

salaries approved by the Attorney-General in line with a published Commonwealth Remuneration Tribunal determination.

Appropriation revenue contributed funding to most of VCAT's lists, except for lists wholly funded from other sources. These include:

- the Residential Tenancies Trust Fund, established under the *Residential Tenancies Act 1997*
- Domestic Building (part of Building and Property List) funded by the Domestic Building Fund, established under the *Domestic Building Contracts Act 1995*
- Owners Corporations List funded by the Victorian Property Fund, established under the *Owners Corporations Act 2006*
- Legal Practice List funded by the Legal Services Board established under the *Legal Profession Act 2004*.

As well as receiving appropriation revenue, some lists recover costs from other sources:

- Guardianship List recovers costs from the Guardianship and Administration Fund established under the *Guardianship and Administration Act 1986*
- Review and Regulation List recovers costs from the Australian Health Practitioner Regulation Agency and Victoria's racing regulation agencies (Harness Racing, Greyhound Racing and Racing Victoria).

Expenditure

Operational expenditure

In 2016-17, VCAT's recurrent expenditure was \$49.3 million. This is \$4 million or nine per cent more than the previous financial year.

Greater expenditure resulted from more lodgements, which increased VCAT's dispute resolution activity and raised registry staff and member payroll costs. Payroll costs were also boosted by the commencement of fixed term positions, created to facilitate the implementation of our Customer Service Improvement Program.

This year, VCAT's expenditure includes cost offsets related to dispute resolution services provided on behalf of third party authorities. These services are provided under agreements with these authorities. A summary of cost recoveries is outlined in the table below.

Cost recovery from third party authorities (\$ million)	2015-16	2016-17
Guardianship and Administration	1.6	1.80
Health Boards and Racing Authorities	0.9	0.17
Legal Services Board	1.5	1.19
Office of the Small Business Commissioner	0.4	0.35
Other	0.3	0.02
Total grants and other transfers	4.7m	3.53m

Capital expenditure

Consistent with our new financial reporting format, VCAT is reporting capital expenditure for the first time. During 2016-17, VCAT received \$1.25 million in capital funding to roll out system enhancements and to improve digital services as part of its Digital Strategy. The Treasurer's approval has been sought to carry over unspent capital funding into 2017-18 pursuant to section 32 of the *Financial Management Act 1994*.

Audited accounts

VCAT's accounts are audited as part of CSV's accounts and published in its annual report.

The figures published in the CSV annual report may vary from the information published in VCAT's annual report, due to adjustments made in the time between publications. To view the CSV annual report, visit courts.vic.gov.au.

Workforce data

Staff composition by gender, age and classification

	June 2015-16			June 2016-17		
	Ongoing employees		Fixed term	Ongoing employees		Fixed term
	Head count	Full time equivalent	Full time equivalent	Head count	Full time equivalent	Full time equivalent
Gender						
Male	47	47	6.5	49	47.9	11.7
Female	142	133.4	18.4	148	135.8	22.2
Total	189	180.4	24.9	197	183.7	33.9
Age						
Under 25	25	24	12.3	28	27.4	18.5
25 - 34	56	56.4	7	56	53.2	9.4
35 - 44	25	23.9	1.6	32	29.9	2
45-54	44	40.6	3	39	36.1	3
55-64	35	31.7	1	36	31.9	1
Over 64	4	3.8	0	6	5.2	0
Total	189	180.4	24.9	197	183.7	33.9
Classification						
VPS 2	115	109.9	17.9	103	96.8	28.6
VPS 3	37	34.4	0	51	44.7	2.3
VPS 4	18	17.6	1	19	18.8	0
VPS 5	10	9.6	5	13	12.6	1
VPS 6	8	8	1	8	7.9	2
VPS 7	0	0	0	1	1	0
Executive Officer 3	1	1	0	1	1	0
Executive Officer 2	0	0	0	1	1	0

All figures reflect average June payroll each year. The figures exclude those persons on leave without pay or absent on secondment, external contractors/consultants and temporary staff employed by employment agencies. 'Ongoing employee' means people engaged on open-ended contracts of employment and executive officers on a standard executive contract who were active in the last pay period of June. Judicial officers are not included.

Leadership – Gender breakdown as at 30 June 2017

Position	Number	%	Position	Number	%
Deputy Presidents	7		Senior Members (non sessional)	15	
Female	5	71	Female	7	47
Male	2	29	Male	8	53
Heads of Division	4		VPS Leadership	14	
Female	4	100	Female Executive	2	100
Male	0	0	Male Executive	0	0
Heads of List	9		Female VPS 6	8	67
Female	6	67	Male VPS 6	4	33
Male	3	33			

Allocation of functions

Enabling enactments as at 30 June 2017

Aboriginal Heritage Act 2006
Accident Compensation Act 1985
Accident Towing Services Act 2007
Adoption Act 1984
Agricultural and Veterinary Chemicals (Control of Use) Act 1992
Architects Act 1991
Assisted Reproductive Treatment Act 2008
Associations Incorporation Reform Act 2012
Australian Consumer Law and Fair Trading Act 2012
Back to Work Act 2015
Biological Control Act 1986
Births, Deaths and Marriages Registration Act 1996
Building Act 1993
Bus Safety Act 2009
Business Franchise (Petroleum Products) Act 1979
Catchment and Land Protection Act 1994
Cemeteries and Crematoria Act 2003
Children, Youth and Families Act 2005
Children's Services Act 1996
Child Wellbeing and Safety Act 2005
Climate Change Act 2010
Company Titles (Home Units) Act 2013
Conservation, Forests and Lands Act 1987
Conveyancers Act 2006
Co-operatives National Law Application Act 2013
Country Fire Authority Act 1958
Credit Act 1984
Dairy Act 2000
Dangerous Goods Act 1985
Disability Act 2006
Domestic Animals Act 1994
Domestic Building Contracts Act 1995
Drugs, Poisons and Controlled Substances Act 1981
Duties Act 2000
Education and Care Services National Law Act 2010
Education and Training Reform Act 2006
Electoral Act 2002
Electricity Safety Act 1998
Emergency Management Act 1986
Emergency Services Superannuation Act 1986
Environment Protection Act 1970
Equal Opportunity Act 2010
Equipment (Public Safety) Act 1994
Estate Agents Act 1980
Firearms Act 1996
First Home Owner Grant Act 2000
Fisheries Act 1995
Flora and Fauna Guarantee Act 1988
Freedom of Information Act 1982
Fundraising Act 1998
Gambling Regulation Act 2003
Gas Safety Act 1997
Guardianship and Administration Act 1986
Health Complaints Act 2016
Health Practitioner Regulation National Law
Health Records Act 2001
Health Services Act 1988
Heritage Act 1995
Housing Act 1983
Information Privacy Act 2000
Land Acquisition and Compensation Act 1986
Land Tax Act 2005
Legal Profession Uniform Law Application Act 2014
Liquor Control Reform Act 1998
Livestock Disease Control Act 1994
Local Government Act 1989
Major Sporting Events Act 2009
Major Transport Projects Facilitation Act 2009
Meat Industry Act 1993
Medical Treatment Act 1988
Mental Health Act 2014
Metropolitan Fire Brigades Act 1958
Mineral Resources (Sustainable Development) Act 1990
Motor Car Traders Act 1986
Occupational Health and Safety Act 2004
Occupational Health and Safety Regulations 2007
Owner Drivers and Forestry Contractors Act 2005
Owners Corporations Act 2006
Parliamentary Salaries and Superannuation Act 1968
Payroll Tax Act 2007
Petroleum Act 1998
Pharmacy Regulation Act 2010
Pipelines Act 2005
Planning and Environment Act 1987
Plant Biosecurity Act 2010
Powers of Attorney Act 2014
Prevention of Cruelty to Animals Act 1986
Privacy and Data Protection Act 2014
Private Security Act 2004
Professional Boxing and Combat Sports Act 1985
Property Law Act 1958
Public Health and Wellbeing Act 2008
Racial and Religious Tolerance Act 2001
Racing Act 1958
Rail Safety (Local Operations) Act 2006
Rail Safety National Law Application Act 2013
Relationships Act 2008
Residential Tenancies Act 1997
Retail Leases Act 2003
Retirement Villages Act 1986
Road Management (General) Regulations 2016
Road Management Act 2004
Road Safety (Vehicles) Regulations 2009
Road Safety Act 1986
Rooming House Operators Act 2016
Sale of Land Act 1962
Seafood Safety Act 2003
Second-Hand Dealers and Pawnbrokers Act 1989
Sentencing Act 1991
Sex Work Act 1994
Small Business Commissioner Act 2003
State Employees Retirement Benefits Act 1979
State Superannuation Act 1988
Subdivision Act 1988
Superannuation (Portability) Act 1989
Supported Residential Services (Private Proprietors) Act 2010
Surveying Act 2004
Taxation Administration Act 1997
Therapeutic Goods (Victoria) Act 2010
Traditional Owner Settlement Act 2010
Transport (Compliance and Miscellaneous) Act 1983
Transport Accident Act 1986
Transport Superannuation Act 1988
Trustee Companies Act 1984
Unclaimed Money Act 2008
Urban Renewal Authority Victoria Act 2003
Valuation of Land Act 1960
Veterinary Practice Act 1997
Vexatious Proceedings Act 2014
Victims of Crime Assistance Act 1996
Victoria State Emergency Service Act 2005
Victoria State Emergency Service Regulations 2006
Victorian Plantations Corporation Act 1993
Water Act 1989
Wildlife Act 1975
Working with Children Act 2005
Workplace Injury Rehabilitation and Compensation Act 2013

VCAT member directory

As at 30 June 2017

President

The Hon. Justice Garde AO RFD, Greg

Vice Presidents

Her Honour Judge Davis, Sandra
 His Honour Judge Dean, Mark
 His Honour Judge Dyer, Robert
 His Honour Judge Grant, Paul
 Her Honour Judge Hampel, Felicity
 Her Honour Judge Harbison, Marilyn
 His Honour Judge Hicks, Graeme
 His Honour Judge Lacava, Paul
 His Honour Judge Macnamara, Michael
 Her Honour Judge Millane, Frances
 His Honour Judge Misso, Philip
 Her Honour Judge Morrish, Jeanette
 Her Honour Judge Pullen, Susan
 Her Honour Judge Tsalamandris, Andrea

Deputy Presidents

Ms Aird, Catherine
 Ms Barker, Heather
 Mr Dwyer, Mark
 Ms Gibson AM, Helen
 Ms Lambrick, Heather
 Mr Lulham, Ian
 Ms Nihill AM, Genevieve

Senior Members

Ms Baird, Margaret
 Ms Burdon-Smith, Susan
 Mr Butcher RFD, Gerard
 Mr Code, Geoffrey
 Ms Dea, Anna
 Mr Farrelly, Mark
 Mr Hewet, Laurie
 Ms Jacono, Justine
 Ms Moraitis, Stella
 Mr Potts, Ian
 Mr Proctor, Ian
 Mr Riegler, Eric
 Ms Rickards, Jeanette
 Mr Smithers, Jonathan
 Ms Steele, Bernadette

Senior Members, sessional

Ms Coghlan, Anne
 Mr Davis, Robert
 Her Honour Judge Jenkins, Pamela
 Mr Levine, Michael
 Ms Lothian, Margaret
 Ms Preuss, Jacqueline
 Mr Vassie, Alan
 Mr Walker, Rohan
 Mr Williams, Roland

Members

Mr Bennett, John
 Ms Bensch, Elizabeth
 Ms Blackburn, Michelle
 Ms Campana, Kylea
 Ms Daicic, Carol
 Mr Deidun, Michael
 Mr Edquist, Christopher
 Ms Grainger, Julie
 Mr Hoysted, Brendan
 Mr Kincaid, Andrew
 Ms Liden, Susanne
 Mr Martin, Philip
 Ms Naylor, Rachel
 Ms Price, Charlene
 Mr Rundell, Geoffrey
 Mr Sibonis, Bill
 Ms Smith, Anita
 Ms Tilley, Anne-Marie
 Mr Tyler, Peter
 Mr Warren, Lindsay
 Ms Wentworth, Elisabeth
 Ms Whitney, Susan
 Mrs Wilson, Silvana

Members, sessional

Dr Alexander, George
 Ms Anderson, Diane
 Ms Archibald PSM, Mary
 Mr Axford, Stephen
 Ms Barrand, Pamela
 Ms Barry, Pamela
 Ms Bates, Diane

Mr Batrouney, Roger
 Dr Baxter, James
 Dr Bender, Philip
 Ms Bilston-McGillen, Tracey
 Ms Birtwistle, Kerrie
 Ms Boddison, Wendy
 Ms Boyd-Squires, Siobhan
 Ms Bridge, Emma
 Mr Buchanan, Robert
 Dr Burge, Dorothy (Barbara)
 Ms Bylhouwer, Marietta
 Mr Calabro, Domenico
 Mr Cali, Louis
 Dr Cameron, Melanie
 Ms Cameron, Rebecca
 Ms Campbell, Heather
 Ms Carew, Megan
 Mr Carruthers, Geoffrey
 Ms Carruthers, Maureen
 Mr Chase, Gregory
 Mr Chuck, Alan
 Mr Cimino, Sam
 Mr Clampett, John
 Ms Coe, Elizabeth
 Ms Cogley, Vicki
 Dr Collopy, Brian
 Mr Connard, Timothy
 Ms Cook, Dalia
 Ms Crawford, Gwenneth
 Ms Cremean, Bernadette
 Ms Crocker, Lara
 Mr Daly, Robert
 Mr David, Graeme
 Mr Davies, Hugh
 Ms Davies, Vicki
 Dr Davis, Bruce
 Mr Dawson, Frank
 Ms Delany, Clare
 Dr Dickinson, Anthony
 Ms Djohan, Spiridoula (Picha)
 Mr Draper, Barry
 Ms Duggan, Anne
 Ms Eastman, Annette
 Mr El Moussalli, Michael
 Dr Fabris, Elaine

Dr Farhall, John
 Dr Farrelly, Peter
 Ms Fleming, Natalie
 Ms Fong, Christina
 Ms French, Rebecca
 Mr Fry, Sydney
 Ms Galvin, Danielle
 Mr Gaschk, Peter
 Mr Gilbert, Jayce
 Dr Gleeson, John
 Dr Glover, John
 Ms Glynn, Alison
 Ms Good (Keon-Cohen), June
 Ms Goulding, Megan
 Mr Gray, Peter
 Mr Gu, Xu Ming (Sherman)
 Mr Gymer, Raymond
 Mr Gysslink, Paul
 Mr Hadjigeorgiou, Nicholas
 Ms Halliday, Juliette
 Ms Hally, Mary
 Ms Hancock, Elizabeth
 Ms Harding QC, Diana
 Ms Harrison, Fiona
 Ms Harper AM, Patricia
 Dr Hart, Christopher
 Mr Harty, Christopher
 Ms Harvey, Margaret
 Ms Hebiton, Janine
 Mr Horan, Anthony
 Ms Hughes, Elizabeth
 Mr Jones, Leslie
 Dr Johnston, Alan
 Mr Josephs, Barry
 Ms Keddie, Ann
 Ms Kefford, Jacquelyn
 Mr Kim, David
 Dr King AM, Robert
 Ms Kirmos, Kay
 Ms Klingender, Jessica
 Ms Knights, Kim
 Ms Kominos, Angela
 Mr Lancy, Robert
 Ms Leshinsky, Judith
 Mr Lightfoot, Brian
 Mr Mahoney, Owen

Mr Malbon, Alan
 Ms Manning, Carolyn
 Ms Marks, Felicity
 Ms Marshall, Simone
 Mr McCabe, Edmund
 Ms McClintock, Kathleen
 Ms McDonald, Sarah
 Ms McKeown, Patricia
 Professor McMeeken, Joan
 Mr McNamara, Kenneth
 Ms Metcalf, Katherine
 Dr Molloy, Patricia
 Ms Moon, Anne
 Ms Murphy, Alison
 Ms Nagle, Kathleen
 Ms Nash, Holly
 Mr Nelthorpe, Michael
 Ms Nervegna, Lorina
 Ms Norman, Kathryn
 Dr O'Brien, Elissa
 Mr Page, Rodney
 Ms Paterson, Katherine
 Ms Pearson, Rosslyn
 Mr Pennell, Jason
 Mr Perera, Christopher
 Ms Perlstein, Judith
 Ms Petranis, Tania
 Mr Phillips, Robert
 Ms Power, Marian
 Mr Powles, Charles
 Mr Prince, Mark
 Dr Reddy, Aruna
 Dr Reggars, John
 Ms Ridgwell, Barbara
 Dr Riley, Colin
 Ms Rowland, Linda
 Mr Scott, Ian
 Dr Shanahan, Elizabeth
 Mr Sharkie, John
 Mr Sharpley, Gregory
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 Ms Slattery, Alison
 Ms Slee, Felicity
 Dr Story AM RFD, Rowan
 Mr Sweeney, Michael
 Ms Tait, Jane

Dr Tan, Eng-Seong
 Mr Tang, Reynah
 Ms Tantau, Anna
 Ms Taranto, Mary-Anne
 Mr Thomas, Bryan
 Dr Treble, Andrea
 Dr Triglia, Maria
 Mr Ussher, Blair
 Ms Walsh, Jill
 Dr Waterhouse, John
 Ms Watson, Tracy
 Ms West, Lynda
 Ms Wilson, Catherine
 Ms Wilson, Cindy
 Mr Zheng, Samuel

Glossary

Term	Explanation
Alternative Dispute Resolution	Resolution of a dispute through a VCAT-facilitated process other than a hearing. Examples include settling the dispute through mediation or a compulsory conference
Applicant	The party applying to VCAT for orders or relief
Caseflow	Caseflow is a way of measuring the work of the tribunal. It consists of three numbers: a count of new matters commenced, a count of matters finalised and matters still pending
Clearance rate	The number of finalised applications divided by the number of new initiated/commenced applications, expressed as a percentage
Compulsory conference	A form of dispute resolution where a VCAT member facilitates a confidential discussion between the parties
CSV	Court Services Victoria
DBDRV	Domestic Building Dispute Resolution Victoria – a government agency that provides free services to help resolve domestic (residential) building disputes
Directions	Directions are orders made by VCAT to promote the fair and expeditious hearing of a case – for example, to file or serve certain documents. VCAT may give directions at any time
Directions hearing	A preliminary hearing where VCAT hears from the parties as to directions that might be made, or other preliminary matters
Division	VCAT has four divisions – Civil, Administrative, Residential Tenancies and Human Rights
80th percentile	VCAT aims to have 80 per cent of applications finalised within a certain number of weeks. The number of weeks varies for different types of cases.
Enabling enactment	An Act of Parliament or Regulation under which jurisdiction is given to VCAT
Enduring power of attorney	A legal document that allows another person to make personal or financial decisions on a person's behalf
EPA	Environment Protection Authority
Finalisations	The number of applications finalised by VCAT
Initiations	Applications commenced at VCAT
Injunction	A type of order that directs a person to do, or not to do, something
Judicial member	A VCAT member who is a Judge of the Supreme Court or County Court of Victoria
Jurisdiction	The legal authority given to VCAT to hear and decide certain types of cases
Median	The midpoint value in the distribution of finalised applications in weeks
Mediation	Another form of dispute resolution involving confidential meetings and discussion between the parties. Unlike a compulsory conference, it is conducted by a trained mediator
Member	A person who is a legal practitioner, or in the opinion of the Minister, holds extensive knowledge or experience in relation to any class of matter in respect of which functions may be exercised by VCAT. Members are appointed on a sessional or non-sessional basis through the Governor-in-Council.
Non-sessional member	A full-time or part-time member of the tribunal
Objector	A person who has lodged an objection to a proposed planning permit with the responsible authority
Order	VCAT's written instructions or final decision in a case
Original jurisdiction	When VCAT is the original decision maker, rather than reviewing the decision of a responsible authority
Party	A person or organisation that has applied to VCAT or who is defending claims made against them, or who VCAT joins as a party
Pending	The number of applications that have been commenced and are not yet finalised
Practice Note	Official VCAT guidance about our procedures to people using our services
Real property jurisdiction	Co-ownership disputes under the <i>Property Law Act 1958</i> and claims arising from an unreasonable flow of water under the <i>Water Act 1989</i>
Registry	The administrative section of VCAT that coordinates the exchange of information between VCAT and the parties, supports the members in their duties and handles enquiries about cases
Respondent	The party against whom orders or relief is sought by an applicant
Responsible authority	The government department or agency that an Act of Parliament names as the body with power to act in a particular situation

Term	Explanation
Review jurisdiction	VCAT's powers to review decisions made by other decision-makers
Sessional member	A VCAT member who is available as required; not full time or part time
Settlement	An agreement between parties that finalises some or all of their dispute, so that VCAT does not have to decide it for them
SMAH	Short mediation and hearing – a form of alternative dispute resolution
Submission	A written outline of a party's argument as to why VCAT should decide the case in a certain way
Target	A standard against which performance is measured, for example, weeks to finalise or numbers of cases
TAC	Transport Accident Commission
Tribunal	The Victorian Civil and Administrative Tribunal established under Part 2 of the <i>Victorian Civil and Administrative Tribunal Act 1998</i>
User groups	Key stakeholders with interest in particular lists
Variance	Percentage difference between the current and previous financial year

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Hearing locations

We held hearings at 58 venues during 2016-17, including at 44 venues on a regular basis (for more than four months). These are listed below. Magistrates' Court locations are marked with an *.

Melbourne CBD

55 King Street
Melbourne

William Cooper Justice Centre
Level 5, 223 William Street

Suburban

Broadmeadows

Hume Global Learning Centre
Pascoe Vale Road

Collingwood

Neighbourhood Justice Centre
Wellington Street

Dandenong*

Cnr Foster and Pultney Streets

Fairfield

Disability Forensic Assessment
and Treatment Services
100 Yarra Bend Road

Frankston*

Fletcher Road

Moorabbin*

Moorabbin Justice Centre
Nepean Highway, Highett

Preston

Darebin Intercultural Centre
Roseberry Ave

Ringwood*

Ringwood Street

Springvale

Greater Dandenong
City Council Chambers
Springvale Rd
(Guardianship only)

Sunshine*

Foundry Road

Werribee*

Salisbury Street

Regional

Bairnsdale*

Nicholson Street

Ballarat*

Grenville Street South

Benalla*

Bridge Street

Bendigo*

Pall Mall

Castlemaine*

Lyttleton Street

Colac*

Queen Street

Dromana*

Codrington Street

Echuca*

Heygarth Street

Geelong*

Railway Terrace

Hamilton*

Martin Street

Horsham*

Roberts Avenue

Kerang*

Victoria Street

Korumburra*

Bridge Street

Mildura*

Deakin Avenue

Moe

Town Hall, Albert St

Morwell*

Commercial Road

Portland*

Cliff Street

Sale*

Foster Street (Princes Highway)

Seymour*

Tallarook Street

Shepparton*

High Street

Swan Hill*

Curlewis Street

Wangaratta*

Faithfull Street

Warrnambool*

Koroit Street

Wodonga*

Elgin Boulevard

Hospitals

(Guardianship List)

Bundoora

Bundoora Extended Care Centre
1231 Plenty Road

Caulfield

Caulfield Hospital
260-294 Kooyong Road

Cheltenham

Kingston Centre
400 Warrigal Road

Fitzroy

St Vincent's Hospital Melbourne
59 Victoria Parade

Parkville

Royal Melbourne Hospital
Royal Park Campus
34-54 Poplar Road

St Albans

Sunshine Hospital
176 Furlong Rd

Wantirna

Wantirna Health
251 Mountain Highway

Contact details

Main Office

55 King Street, Melbourne VIC 3000

Email: vcat@vcat.vic.gov.au

Website: vcat.vic.gov.au

Telephone: 1300 01 8228 (1300 01 VCAT)

Building and Property List

civil@vcat.vic.gov.au

Civil Claims List

civil@vcat.vic.gov.au

Guardianship List

humanrights@vcat.vic.gov.au

Human Rights List

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Legal Practice List

admin@vcat.vic.gov.au

Owners Corporations List

civil@vcat.vic.gov.au

Planning and Environment List

admin@vcat.vic.gov.au

Residential Tenancies List

renting@vcat.vic.gov.au

Review and Regulation List

admin@vcat.vic.gov