

From: [Policy MailIn](#)
To: [REDACTED]
Subject: FW: NCAT 5 year statutory review
Date: Monday, 17 June 2019 4:27:45 PM
Attachments: [image001.png](#)

From: [REDACTED]
Sent: Monday, 17 June 2019 4:22 PM
To: Policy MailIn
Subject: FW: NCAT 5 year statutory review

From: Sylvia Cortez [REDACTED]
Sent: Monday, 17 June 2019 10:51 AM
To: [REDACTED]
Subject: RE: NCAT 5 year statutory review

Hi [REDACTED],

Here is EAC input for the email below.

- Is it easy or difficult for people to work out whether NCAT is the right body to resolve their legal issue?
Easy - It is quite clear on the website what disputes they can resolve.
- Is NCAT accessible and responsive to its users' needs? **Not always. In busy periods there can be long waits for hearings and sometimes conciliation is pushed although the case could be quite black and white.**
- Are there things that NCAT could do to make it easier for people appearing in the Tribunal to understand the process and participate? **When applications are completed, a list of requirements for the hearing should be given to the applicant. Often agents come to NCAT and are faced with an applicant who is completely unprepared. Pre hearing conciliations could also ease the burden on NCAT and allow parties to negotiate prior to the hearing with a third party. This third party, if unable to negotiate a deal, can then ensure both parties are ready for a hearing so no ones time is wasted.**
- Does NCAT resolve legal disputes quickly, cheaply and fairly? **No. it is a very expensive process where many of the affected decide not to pursue the claim as there is no guarantee that the case will go in there favour after spending thousands of dollars collecting information and reports from professionals.**
- Should NCAT resolve some matters just by looking at the documents submitted by the parties, without a hearing in person? **Yes. In some instances where the case is straight forward the documentation would speak for itself. Break lease fees are a good example of this.**
- Does NCAT need additional powers to be able to enforce its decisions? **I haven't seen the need at this stage.**

If you need clarification, please let me know.

Regards,
Sylvia

Sylvia Cortez
Chief Executive Officer

[REDACTED] [REDACTED] [REDACTED]



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From: [REDACTED]
Sent: Friday, 31 May 2019 11:59 AM
Subject: NCAT 5 year statutory review

Dear Forum Members,

The Department of Justice is conducting a review of the *Civil and Administrative Tribunal Act 2013*, which established the NSW Civil and Administrative Tribunal (NCAT), to find out how well it is working, and to look at reforms that could strengthen access to justice for people in NSW. The Department invites interested individuals and organisations to give their feedback about the effectiveness of NCAT and to suggest ideas that promote increased access to justice. Submissions can be made on any issue relating to the operation of NCAT, however questions to consider might include:

- Is it easy or difficult for people to work out whether NCAT is the right body to resolve their legal issue?
- Is NCAT accessible and responsive to its users' needs?
- Are there things that NCAT could do to make it easier for people appearing in the Tribunal to understand the process and participate?
- Does NCAT resolve legal disputes quickly, cheaply and fairly?
- Should NCAT resolve some matters just by looking at the documents submitted by the parties, without a hearing in person?
- Does NCAT need additional powers to be able to enforce its decisions?

For more information about the review and how to make a submission, visit the statutory reviews page:

https://www.justice.nsw.gov.au/justicepolicy/Pages/lpclrd/lpclrd_consultation/lpclrd_stat_reviews.aspx
. Submission close on 10 July 2019.

NCAT was established by the NSW Government in 2014 to provide a simple, quick, and effective process for resolving disputes and reviewing administrative action. It has broad powers to deal with a wide range of civil disputes, including tenancy and strata, administrative review of government decisions, discrimination, guardianship, and professional disciplinary matters.

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Department of Justice.

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