

From: Policy Mailin
To: [REDACTED]
Subject: FW: NCAT 5 year statutory review
Date: Thursday, 13 June 2019 12:56:06 PM
Attachments: image001.jpg

From: [REDACTED]
Sent: Thursday, 13 June 2019 12:16 PM
To: Policy Mailin
Subject: FW: NCAT 5 year statutory review

From: [REDACTED]
Sent: Thursday, 6 June 2019 4:58 PM
To: [REDACTED]
Subject: RE: NCAT 5 year statutory review

THIS EMAIL HAS BEEN SENT ON BEHALF OF PETER BLANSHARD.

Hi [REDACTED],

With regards to automotive claims, the majority are being settled within an adequate time. It is when consultants are required and an engineering review is needed, that both time and costs blow out. In years gone by, we had a stronger team of automotive specialists that reviewed the incoming cases and attempted to sort out the differences at a very early stage. There was always a lot of claims made, by misguided consumers and battles fought by repairers on a matter of principle, moreso than logic of settling with the consumer in an amicable way.

I further believe, with online applications, I feel access is adequate. Like with all disputes, sometimes there can be a question of balance, when an obvious malicious claim has been made. I have seen this rather regularly, where a consumer will threaten a repairer with an NCAT claim solidly into believe that there is an underlying mandate in their favour. It is sometimes this arrogance that creates the reasoning for a repairer to argue something on a basis of principle. In saying this, I don't believe there is an answer, as we do not want to distract from the purposes of NCAT, nor do we want to discourage a consumer for exploring their rights.

From a stakeholder's point of view, I would like to see the definition of major and minor fault, more critically defined that may prevent the unnecessary claim of money back, because the consumer feels it has been a major failure.

As usual, the IAME Board of Directors, makes myself available for further interaction with regards to automotive claims, so please don't hesitate to contact myself, if any of these points require clarification.

Kind regards,

[REDACTED]
Personal Assistant
Supporting IAME Chief Executive Officer

iame Group of Companies

[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/lpcird/lpcird_consultation/lpcird_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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