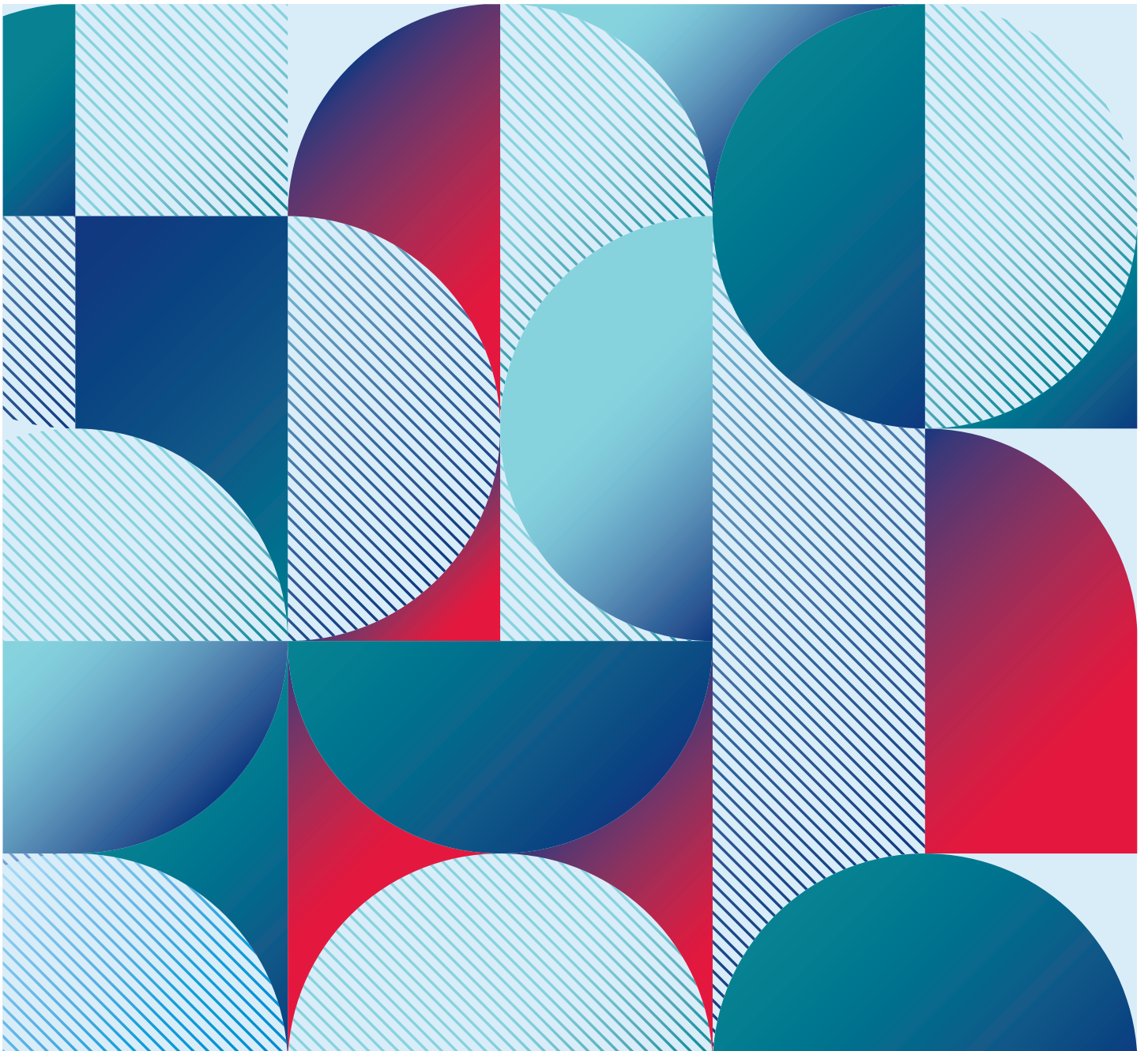




**NCAT**  
NSW Civil and  
Administrative  
Tribunal

# NCAT Annual Report 2024–2025



# Acknowledgement of Country

The NSW Civil and Administrative Tribunal (NCAT) acknowledges the ongoing connection Aboriginal people have to the land on which we work and live. We recognise our First Nations people as the traditional custodians of our Country and pay our respects to Elders past and present.



**NCAT**  
NSW Civil and  
Administrative  
Tribunal

The Hon. Michael Daley MP  
Attorney General  
GPO Box 5341  
SYDNEY NSW 2001

Dear Attorney,

I am pleased to submit the 2024-25 Annual Report for the NSW Civil and Administrative Tribunal.

The report summarises the Tribunal's performance and outcomes achieved during the period 1 July 2024 to 30 June 2025.

The report has been prepared in accordance with section 91 of the *Civil and Administrative Tribunal Act 2013* (NSW).

Following the tabling of the report in Parliament, it will be available for public access on the Tribunal's website at [www.ncat.nsw.gov.au](http://www.ncat.nsw.gov.au).

Yours sincerely,

**The Hon Justice Lea Armstrong**  
President  
NSW Civil and Administrative Tribunal

# Table of Contents

---

<b>President’s Report</b> .....	<b>5</b>
<b>2024-25 in Review</b> .....	<b>7</b>
<b>Independence</b> .....	<b>9</b>
Legislative framework .....	9
Member appointments and tenure.....	9
Administrative support .....	10
Budget and funding sources .....	10
<b>Leadership and effective management</b> .....	<b>12</b>
Leadership group .....	12
Governance.....	13
Disclosure of information.....	14
<b>Fair treatment</b> .....	<b>15</b>
Member Code of Conduct.....	15
Internal appeals.....	15
Service Charter and service enhancement projects.....	16
Procedures and processes.....	16
Representation before NCAT .....	17
Interpreter services.....	17
<b>Accessibility</b> .....	<b>18</b>
Accessibility of services.....	18
NCAT website and social media.....	18
Resources.....	19
Hearing locations and times.....	19
Fees and charges .....	20
Legal assistance.....	21
Additional assistance .....	21
Procedural directions, guidelines and policies .....	21
<b>Professionalism and integrity</b> .....	<b>23</b>
Competency framework and performance appraisal.....	23
Member qualifications .....	23

Code of Conduct.....	23
Professional development, appraisal and training.....	23
Appeals.....	24
<b>Accountability.....</b>	<b>25</b>
Hearings open to the public.....	25
Service charter.....	25
Complaint handling mechanisms.....	25
Stakeholder engagement.....	25
Publication of reasons for decisions.....	26
Other engagement with the community.....	26
<b>Efficiency.....</b>	<b>27</b>
Performance standards and monitoring.....	27
Promotion of resolution processes.....	27
Flexibility of membership and procedures.....	28
Use of digital technologies.....	28
<b>User engagement.....</b>	<b>29</b>
Use of NCAT website and social media.....	29
Customer feedback and surveys.....	29
Stakeholder interaction.....	29
Internal appeals.....	30
Complaints data.....	30
<b>Divisional and Appeal Panel Reports.....</b>	<b>31</b>
Administrative and Equal Opportunity Division.....	32
Consumer and Commercial Division.....	36
Guardianship Division.....	43
Occupational Division.....	49
Appeal Panel.....	53
<b>Appendices.....</b>	<b>59</b>
Appendix 1 - Legislation.....	60
Appendix 2 - Major Legislative Change 2024-25.....	64
Appendix 3 - Tribunal Members as at 30 June 2025.....	65
Appendix 4 - NCAT Member Code of Conduct.....	95
Appendix 5 - NCAT Expenditure Report.....	100
Appendix 6 - Service Standards: Lodgement to Finalisation.....	101

Appendix 7 - Resolution Processes.....	103
Appendix 8 - Fees and charges as at 30 June 2025.....	106
Appendix 9 - NCAT Liaison Group and Divisional Consultative Forum Membership .....	108

## NCAT Annual Report Structure

NCAT has structured the information in this annual report, in addition to the President’s Report and 2024-25 in Review, in three parts. First, general information concerning the Tribunal as a whole is provided by reference to the eight areas of tribunal excellence set out in the Australia and New Zealand Tribunal Excellence Framework – 3<sup>rd</sup> Edition (June 2025) published by the Council of Australasian Tribunals. The eight areas are:

- Independence
- Leadership and Effective Management
- Fair Treatment
- Accessibility
- Professionalism and Integrity
- Accountability
- Efficiency
- User Engagement

More specific information concerning each Division of the Tribunal and the Appeal Panel is contained in the Divisional and Appeal Panel Reports.

Finally, detailed information concerning certain aspects of the Tribunal’s functions and operations is provided in the appendices, as referred to in the other two parts.

# President's Report

---

## Navigating change and demonstrating resilience

During the reporting period, NCAT experienced the departure of a significant number of long-serving Members to the newly established Commonwealth Administrative Review Tribunal. The loss of this expertise and institutional knowledge presented a considerable challenge to NCAT's operations.

As part of its renewal, NCAT undertook a substantial recruitment campaign in 2024 and 2025 across multiple Member roles, including a Deputy President, Principal Members, Senior Members and General Members.

In September 2024, Gregory Sarginson was appointed Deputy President and Division Head of the Consumer and Commercial Division. His long service at NCAT and prior experience at the former Consumer, Trader and Tenancy Tribunal bring continuity and depth of expertise to that jurisdiction.

In addition, during the year NCAT welcomed four Principal Members, 27 Senior Members and 11 General Members across all Divisions and the Appeal Panel. Of these, 34 were newly appointed to the Tribunal. 56 experienced Members were also reappointed for further terms.

Notwithstanding these changes, NCAT demonstrated resilience and maintained a high standard of service to the community. With the support of the NSW Attorney General, NCAT's increase in the number of full-time Members has been instrumental in rebuilding the Tribunal's capacity.

These measures enabled NCAT to continue to meet its statutory obligations and to uphold the quality and timeliness of its decision-making. I wish to acknowledge the dedication of all Members and staff

during this period of transition, and to express my gratitude for their professionalism and commitment to the important work of NCAT.

## Continued growth in Guardianship Division

The Guardianship Division continued to experience sustained growth in the number of applications during the reporting period. Since the establishment of NCAT in 2014, the Division's share of the Tribunal's overall workload has increased from 14 per cent to 26 per cent.

This trend reflects broader demographic and social trends, including Australia's ageing population and the corresponding rise in age-related decision-making disabilities such as dementia. Increased public awareness of the abuse and exploitation of older people and people with disability has also contributed to this upward trend, together with factors such as family conflict and the introduction of additional safeguards designed to reduce restrictive practices in aged care settings.

Consistent with its long-standing practice and the recommendations made by the Disability Royal Commission, the Division remains committed to facilitating and encouraging the participation of people with disability in Tribunal proceedings. This approach ensures that the voices of those most affected are heard and respected, reinforcing NCAT's commitment to fairness, inclusivity, and the protection of rights for all members of the community.

## Vale Jennifer Newman

During the reporting period, the Guardianship Division and the wider Tribunal community mourned the passing of Ms Jennifer Newman, a distinguished Member whose service to the people of New South

Wales extended over more than two decades. A proud Wiradjuri woman from Narromine, Ms Newman was deeply respected and much loved by colleagues and staff across the Tribunal.

Ms Newman's enduring legacy is reflected in her unwavering commitment to advancing culturally informed and respectful approaches for First Nations people involved in Tribunal proceedings. Her wisdom, generosity of spirit and dedication to the work of the Guardianship Division have left an indelible mark on NCAT's culture and practice.

## Advancing our digital transformation

NCAT remains committed to advancing its digital transformation to better support Members, Registry staff and Tribunal users. During the reporting period, NCAT has continued to explore innovative ways to harness technology, including transcription services to support Tribunal Members in fulfilling their role, secure document transfer solutions to enhance confidentiality and streamline processes, and tools to assist with scheduling to make case management more seamless and to reduce administrative burden.

As part of this journey, we have also grappled with the emerging role of generative AI in Tribunal proceedings. While these technologies offer exciting possibilities, we are carefully considering their implications to ensure they align with our principles of fairness, integrity and transparency.

Through these initiatives, NCAT aims to leverage technology responsibly to strengthen its operations and deliver the best possible outcomes for the community.

## Supporting Tribunal excellence

The quality and consistency of Tribunal decision-making relies on the expertise, professionalism and ongoing development of its Members. During the

reporting period, NCAT continued to prioritise the professional growth of its Members through a comprehensive program of learning and development initiatives.

On 4 April 2025, NCAT held its all Member Conference in Sydney, opened by the Hon. Michael Daley, NSW Attorney General. The conference featured a keynote address by Chief Justice Stephen Gageler AC and included sessions on communicating with First Nations people, questioning vulnerable witnesses and writing concise and accessible decisions. The conference provided an important opportunity for Members from all Divisions to engage in professional development, share expertise and discuss best practice approaches across the Tribunal.

In addition to the Conference, Division-specific Member professional development activities were held throughout the year. These included the Guardianship Division Member Training Conference, Consumer and Commercial Division Member Training Conference, and a regular program of twilight sessions held for Administrative and Equal Opportunity Division and Occupational Division Members. These sessions ensure Members are kept informed of legal and procedural developments relevant to their Divisions, while reinforcing best practice in decision-making and Tribunal processes.

NCAT also undertook a review and refinement of its mentoring and performance appraisal program, to support Members and to promote a culture of excellence within the Tribunal.

Collectively, these initiatives strengthen Members' expertise and support the delivery of decisions that are fair, consistent and accessible. They reflect NCAT's ongoing commitment to continuous professional development and to maintaining the highest standards in Tribunal decision-making.

**The Hon Justice Lea Armstrong**  
President

# 2024-25 in Review

## 73,724

Applications lodged

- 3.5% increase in applications lodged compared to 2023-24
- 655 appeals lodged

## 59.4%

Lodged online

- 83.3% of applications in the Consumer and Commercial Division lodged online

## 124,736

Hearings and other listing events

- Held in 45 locations across NSW
- Includes hearings, case conferences, conciliation, directions, expert conclaves, interim orders and mediation sessions.

## 70,693

Matters finalised

- 0.04% increase in finalisations compared to 2023-24
- Achieved an overall clearance ratio of 95.9%

## 86

Community consultations, stakeholder group meetings, Tribunal Member and staff training sessions

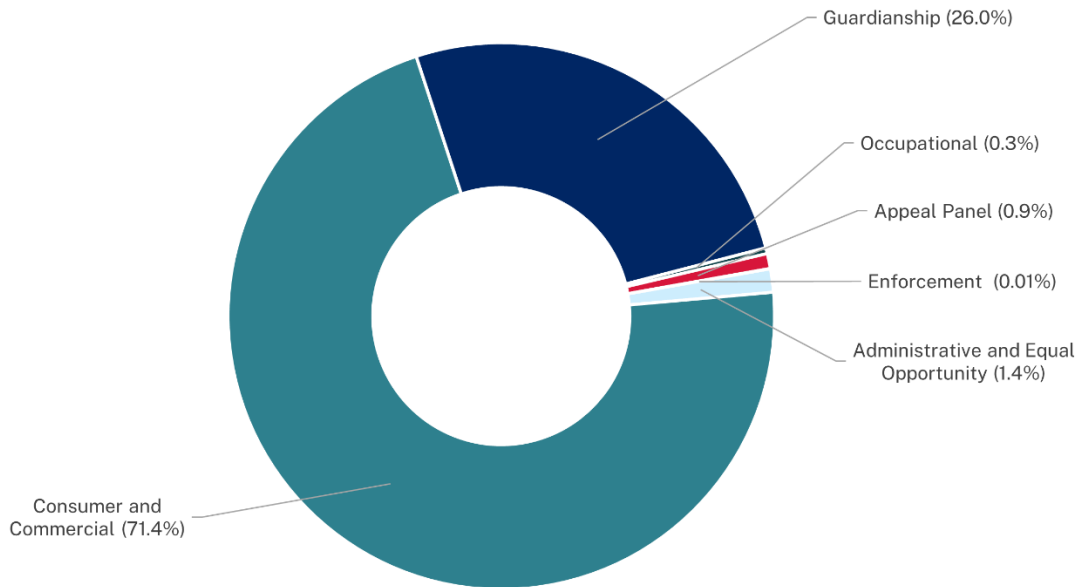
## 1.3 million+

Website visits

- 1,349,763 visitors to the NCAT website
- 2,794,448 pages viewed online
- 1,674 followers on X (formerly Twitter)
- 3,894 e-newsletter subscribers

NOTE: In November 2023, the JusticeLink case management system was implemented in NCAT's Consumer and Commercial Division and Enforcement Division. This report provides the first full year of data drawn from the new system. The previous case management system in the Consumer and Commercial Division and Enforcement Division had a differing approach to data capture and as a result care should be taken when comparing with previous years' data.

## 2024-25 Applications



DIVISION	NUMBER	% OF TOTAL
Administrative and Equal Opportunity	1,018	1.4%
Consumer and Commercial	52,608	71.4%
Guardianship	19,183	26.0%
Occupational	251	0.3%
Appeal Panel	655	0.9%
Enforcement (Penalties and Contempt) *	9	0.01%
<b>TOTAL</b>	<b>73,724</b>	<b>100.0%</b>

\* Enforcement (civil penalty and contempt applications) under section 77 of the NCAT Act.

# Independence

‘A tribunal’s degree of independence will influence public perception about the extent of the impartiality of the decision-making within the tribunal. This is particularly important in tribunals which deal with disputes involving the citizen and the State. Impartiality is essential for the delivery of predictable, just decisions and the acceptance of those decisions by the public.’

*Australia and New Zealand Tribunal Excellence Framework*

## Legislative framework

NCAT is an independent tribunal established by the *Civil and Administrative Tribunal Act 2013 (NSW)* (NCAT Act). The NCAT Act sets out the provisions for the Tribunal’s establishment, jurisdiction, powers, procedures, and the appointment and removal of Members.

The objects specified in section 3(a) and (g) of the NCAT Act include the establishment of NCAT as an independent tribunal, the promotion of public confidence in tribunal decision-making and in the conduct of its Tribunal Members. In pursuing these objectives, NCAT is committed to delivering tribunal services that are fair, timely and accessible, supported by processes that monitor and assess its performance. These objectives guide the work of NCAT’s Members and Registry staff and underpin the delivery of NCAT’s services across New South Wales.

In their decision-making functions, Members are independent of, and not subject to the direction of the executive branch of government. They have the same protections and immunity from suit as Judges of the Supreme Court of New South Wales.

The independent decision-making role of NCAT is supported by 175 enabling Acts and subordinate instruments, that confer broad and diverse powers on NCAT. These powers are exercised through NCAT’s four Divisions and the Appeal Panel.

A list of the enabling legislation is provided in Appendix 1, and information on legislative changes during the reporting year is available in Appendix 2.

## Top ten matters

by volume 2024-25

- Residential tenancy and social housing matters
- Guardianship and financial management matters in relation to people with impaired decision-making capacity
- Consumer claims
- Home building matters
- Strata and community schemes, retirement villages and similar matters
- Motor vehicle matters
- Other commercial matters (including retail lease, agricultural tenancy and agency disputes)
- Administrative review of government decisions including access to government information and privacy matters
- Internal appeals
- Anti-discrimination matters

## Member appointments and tenure

NCAT’s membership is independent of the legislative and executive branches of government. The NCAT Act (Part 2 and Schedule 2) sets out the requirements for the appointment, qualifications, remuneration and

other aspects of tenure of both presidential and non-presidential Members of the Tribunal.

The President, who must be a Judge of the Supreme Court, is appointed by the Governor of New South Wales. The Governor also appoints Deputy Presidents of the Tribunal. Principal Members, Senior Members and General Members are appointed by the Attorney General. Aside from the President who must serve full-time, Members may be appointed on either a full-time or a part-time basis.

All appointments are for terms of up to five years and Members may be reappointed upon the expiry of their terms. Except for the President, Members may be removed from office by the Governor on the grounds of incapacity, incompetence or misbehaviour. The President assigns Members to one of NCAT's Divisions and may also cross-assign them to other Divisions as required.

As at 30 June 2025, NCAT had a total of 297 Members, including the President, Deputy Presidents, Principal Members, Senior Members and General Members, who bring diverse qualifications, experience and expertise to Tribunal decision-making. Members are located across the Sydney metropolitan area and regional New South Wales, ensuring NCAT's services remain accessible and responsive to community needs.

In addition to the appointment of current and former senior judicial officers as Members of the Tribunal, the Governor or the Attorney General appoints new Members through a merit-based recruitment process approved by the Attorney General. This process typically involves widespread advertising seeking expressions of interest, followed by the convening of an appointment committee (including one or more nominees of the Attorney General), to assess applications, interview candidates and conduct reference checks. The committee reports to the President of NCAT, whose duty under the NCAT Act is to provide advice to the Attorney General concerning appointments.

During the reporting year, significant Member recruitment activity was undertaken, reinforcing and renewing the Tribunal's membership, while the reappointment of experienced Members ensured continuity of expertise, institutional knowledge, and the Tribunal's decision-making capacity

Whether a Member is assigned to single Division or cross-assigned to other Divisions depends on the operational needs of the Divisions and the expertise of the Member. Cross-assignment provides greater flexibility in allocating Members to hear cases, assists in developing the expertise of Members, and ensures Members' skills and experience are utilised where required in appropriate cases.

## Administrative support

Each Division of NCAT and the Appeal Panel is supported by dedicated Registries providing administrative services to Tribunal Members under the direction of NCAT's Executive Director and Principal Registrar.

Staff operate from NCAT Registry offices in the Sydney CBD, and across metropolitan and regional areas, ensuring administrative support is available wherever Tribunal services are delivered. As at 30 June 2025, NCAT employed 229.13 full-time equivalent (FTE) Registry staff.

## Budget and funding sources

NCAT's budget is made up of:

- Filing and other fees received by NCAT for its services as allowed for under the Civil and Administrative Tribunal Regulation 2022 (NSW)
- Recurrent funding through the NSW Treasury
- Funds from various government agencies for cost recovery of work performed. Examples include:
  - NSW Public Purpose Fund, which funds professional discipline matters involving legal practitioners in accordance with the *Legal*

*Profession Uniform Law Application Act 2014*  
(NSW)

- NSW Department of Customer Service, derived from statutory sources including the Property Services Statutory Interest Account, the Rental Bond Board, and the Home Building Administration Fund
- NSW Department of Customer Service in conjunction with the Small Business Commissioner, which provides funding to NCAT to deliver effective services that support timely resolution of disputes under the *Retail Leases Act 1994* (NSW)
- Health Professional Councils, and the Australian Health Practitioner Regulation Agency.

Appendix 5 contains NCAT's Expenditure Report for the 2024-25 financial year.

# Leadership and effective management

‘Strong leadership within a tribunal requires the creation of a highly professional management group which is able to focus on innovation and continuous improvement as well as anticipate changes in society which may influence demands within the tribunal.’

‘Excellent tribunals encourage and support the head, senior decision makers, non-member tribunal administrators and tribunal members (with leadership roles) to take part in courses to improve their management skills.’

*Australia and New Zealand Tribunal Excellence Framework*

---

## Leadership group

### President

The President of NCAT is the Hon Justice Lea Armstrong. Her Honour has held this role since 31 October 2018.

The President’s functions include directing the business of the Tribunal, facilitating the adoption of good administrative practices for the conduct of the Tribunal’s business, managing Members and advising the Attorney General about appointments, reappointments and removal of Tribunal Members.

### Deputy Presidents

Each of NCAT’s four Divisions is headed by a Deputy President. The Division Head is responsible for the management of matters within that Division (subject to the direction of the President), and exercises statutory functions conferred by the NCAT Act as well as functions under delegation from the President.

As of 30 June 2025, the Division Heads (full-time Deputy Presidents) were:

- Judge Rashelle Seiden SC, Head of the Administrative and Equal Opportunity Division and Occupational Division
- Anne Britton, Head of the Guardianship Division
- Gregory Sarginson, Head of the Consumer and Commercial Division (appointed to the role in September 2024).

In addition to the Division Heads, there were two part-time Deputy Presidents of NCAT: Acting District Court Judge Nancy Hennessy and Stuart Westgarth.

### Principal Registrar

The Executive Director and Principal Registrar, Michelle Brazel, supports the President in the leadership and management of NCAT and performs statutory functions under the NCAT Act and other legislation, as well as responsibilities delegated by the President.

### Registrars

In the Principal Registry and across each Division, NCAT’s Registrars are responsible for managing Registry staff and performing functions delegated by the Principal Registrar. As of 30 June 2025, the Registrars were:

- Amanda Curtin, Director and Registrar of the Principal Registry
- Pauline Green, Director and Registrar of the Consumer and Commercial Division
- Jane Pritchard, Director and Registrar of the Guardianship Division
- Louise Clegg and Michelle Bechini, job-sharing the role of Registrar, Administrative and Equal Opportunity Division, Occupational Division, Appeals and Enforcement.

# Governance

## Rule Committee

The Rule Committee of the Tribunal, established under section 24 of the NCAT Act, comprises the President and the Division Heads, and any member appointed by the President, with the Principal Registrar serving as Secretary. The Committee’s function is to make rules for NCAT and to ensure that the rules are as flexible and informal as possible.

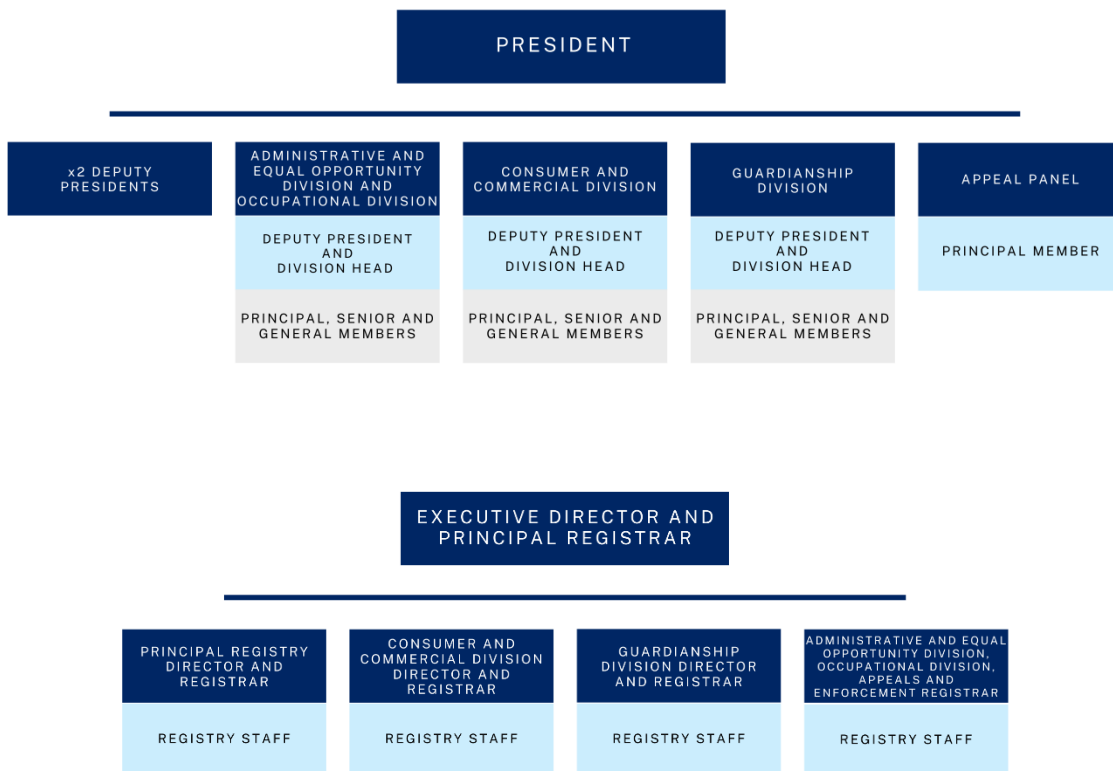
The Civil and Administrative Tribunal Rules 2014 (NSW) (the Rules) apply to proceedings before the Tribunal. They require matters to be dealt with in a way that is accessible, fair and just. The Rules also promote

procedural flexibility, enabling the Tribunal to respond effectively to the specific circumstances of individual parties.

## NCAT Executive

The NCAT Executive, comprising the President, Division Heads, and the Executive Director and Principal Registrar, meets regularly to oversee the performance and management of NCAT. The NCAT Executive also considers the legislation, processes, and practice and procedure relevant to the operations of NCAT.

## NCAT Organisation Charts



## Advisory committees

Advisory committees are established to promote innovation and improvement in specific aspects of the Tribunal's work.

### Practice and Procedure Committee

Chaired by a Deputy President, the Practice and Procedure Committee comprises representatives from each Division and the Appeal Panel. The Committee provides advice and makes recommendations to the President and the NCAT Executive on issues relating to NCAT's processes, practice and procedure, as required.

### Professional Development Committee

The Professional Development Committee, also chaired by a Deputy President and including representatives from each Division, provides advice and makes recommendations to the President and the NCAT Executive about the ongoing professional development of Members.

### Accessibility Committee

The Accessibility Committee provides advice and makes recommendations to the President and the NCAT Executive on ways to improve NCAT's service delivery for all users. The focus of the committee is to recognise the diversity of Tribunal users, including race, culture and language, sexual orientation, gender, disability, religion or beliefs, socio-economic circumstances or geographic location.

## Disclosure of information

In addition to its annual reports, NCAT regularly discloses selected information on the performance of the Tribunal (including Divisions and Appeal Panel) at the meetings of the NCAT Liaison Group and the Divisional Consultative Forums. These stakeholder groups, as listed in Appendix 9, provide a structured forum for review, discussion and feedback on the Tribunal's operations.

In addition, NCAT provides collated, de-identified information on its caseload and performance upon request, in accordance with NCAT Policy 3 – Provision of Statistical Data, promoting transparency and engagement with the Tribunal's work.

# Fair treatment

‘A central obligation of a tribunal is the provision of a fair hearing.

A fair hearing involves the opportunity for each party to put their case – the right to be heard – and have the case determined impartially and according to law. It involves identifying the difficulties experienced by any party, whether due to lack of representation, unfamiliarity with the law, language, culture, disability or any other matter, and finding ways to assist parties through the tribunal process.’

*Australia and New Zealand Tribunal Excellence Framework*

---

## Member Code of Conduct

NCAT’s Member Code of Conduct, issued by the President under section 20 of the NCAT Act, is set out in full at Appendix 4. The Code requires all Members to, among other things:

- provide a fair hearing to all parties
- avoid circumstances that might give rise to a conflict of interest and to advise the parties of any potential conflicts that have arisen or may arise
- conduct proceedings in a manner that is patient, courteous and respectful of all parties, representatives, witnesses, staff and others with whom the Members deal.

The Code of Conduct outlines NCAT’s commitment to fairness, dignity and respect in the workplace. Each person, including staff and Members, should have a safe and secure place in which to work. NCAT does not tolerate inappropriate workplace behaviour, including bullying, harassment, sexual harassment, other forms of unlawful discrimination, vilification or violence.

## Internal appeals

A key mechanism through which NCAT ensures fairness, consistency and quality in its decision-making is the internal appeal process. Under sections 32 and 80 of the NCAT Act, parties generally have a right to appeal to the NCAT Appeal Panel from:

- decisions made by the Tribunal in proceedings for a general decision or an administrative review decision

- decisions made by a registrar of a kind that is internally appealable.

Most first instance decisions of NCAT can be appealed to the Appeal Panel as of right on a question of law and, with leave of the Appeal Panel, on any other grounds. For appeals from decisions of the Consumer and Commercial Division, leave to appeal is granted in accordance with clause 12 of Schedule to the NCAT Act.

For substantive Tribunal appeals, an Appeal Panel is usually constituted by two Members drawn from across NCAT’s Divisions. The presiding Member is usually a Presidential or Principal Member, or an experienced Senior Legal Member. As at 30 June 2025, 57 Members from all NCAT Divisions were assigned to the Appeal Panel. Registry staff provide administrative support to the Members who hear internal appeals.

NCAT’s internal appeals process allows first instance decisions to be scrutinised and, where appropriate, corrected without the time or expense of Supreme Court proceedings. This process improves the quality of decision-making across NCAT and provides users with a cost-effective and efficient appeal mechanism. More information about the internal appeals process is available at Appendix 7.

During 2024-25, 655 appeals were lodged with NCAT and 562 appeals were finalised. The *Appeal Panel Decisions Digest* is published monthly and provides summaries of significant appeal decisions and

keywords for other appeal decisions handed down during the month.

## Service Charter and service enhancement projects

The *NCAT Service Charter* gives practical expression to the legislative object in section 3(e) of the NCAT Act by ensuring that decisions of the Tribunal are timely, fair, consistent, and of a high quality.

Initiatives highlighted in this report reflect NCAT's ongoing commitment to accessible and user-focused services by:

- providing simple, easy to understand processes, regardless of a user's education, language, legal experience or familiarity with court or Tribunal proceedings
- ensuring accessibility for all users, regardless of factors such as age, disability, cultural background, gender or geographical location
- being attentive and responsive to the needs of all users, including those from multicultural communities
- communicating clearly and effectively with relevant people and organisations
- responding promptly to suggestions about practice and procedure
- receiving and responding to feedback, including comments, complaints and concerns.

## Aboriginal Tenancy List

The Consumer and Commercial Division's Aboriginal Tenancy List provides a specialist case resolution stream for Aboriginal and Torres Strait Islander people involved in tenancy or social housing disputes. The List offers a culturally sensitive and supportive environment where tenants and landlords can access support services and specialist tenants' advocates.

During the listing process, parties have the opportunity to work with dedicated conciliators and Tribunal Members to reach agreement on their dispute. The List is designed to empower Aboriginal parties to

confidently engage with the Tribunal process, promoting fair outcomes for all participants.

## Procedures and processes

NCAT's hearing procedures are designed to ensure that every party has a fair opportunity to be heard and to participate meaningfully in the Tribunal process. NCAT decides how parties and witnesses will attend a hearing, depending on the nature of the matter, the type of hearing event, and the issues to be determined.

Hearings may be conducted in person, by telephone, by video, or as a combination of these formats (a 'hybrid hearing'). Most preliminary hearings, such as directions hearings or callovers, are conducted by telephone or video. Exceptions include 'group lists' in the Consumer and Commercial Division, where several matters are listed together and NCAT assists parties with settlement discussions.

Final hearings are usually held in person, where parties and their representatives, appear 'face to face' before the Tribunal. Where attendance in person is not possible, NCAT may allow a party or witness to attend a final hearing by telephone or video to ensure that all parties can equally participate in the proceedings.

In the Guardianship Division, all final hearings are conducted as hybrid hearings to accommodate the diverse needs of participants, including people with disability, carers and service providers.

Under section 50 of the NCAT Act, the Tribunal may determine a matter without a hearing ('on the papers'). This can only occur if all parties have been given an opportunity to make submissions on whether a hearing should be dispensed with, and the Tribunal is satisfied that the issues for determination can be adequately determined based on written materials.

All NCAT hearings are sound recorded which ensures transparency of the Tribunal process. Digital copies of sound recordings can be provided to parties or their representatives upon request with fee payment. Mediations, conciliations and other resolution processes are generally not sound recorded to

preserve confidentiality and encourage open discussion.

NCAT promotes a culture that supports innovative and effective dispute resolution techniques. Where a matter is not suitable for a negotiated outcome, the Tribunal assists parties to identify and focus on the key issues in dispute, supporting an efficient hearing process and more timely resolution of the matter.

NCAT uses a range of resolution processes across its diverse jurisdiction, tailored to the nature and complexity of proceedings, the requirements of the enabling legislation and the specific functions of each Division. Further information about these processes is provided at Appendix 7.

## Representation before NCAT

Whether a party requires leave to be represented before NCAT depends on the NCAT Act or the relevant enabling legislation. Leave to be represented is required in most matters in the Consumer and Commercial Division and the Guardianship Division. Parties are entitled to be legally represented in the Administrative and Equal Opportunity Division and the Occupational Division, as well as in internal appeals from these Divisions.

A significant proportion of parties who appear before NCAT are self-represented. NCAT endeavours to ensure that information about the nature and conduct of proceedings is available to assist parties to understand their role, how to prepare their evidence and participate effectively in proceedings.

### Guardian ad Litem and Separate Representation

NCAT may appoint a Guardian ad Litem (GAL) or a Separate Representative to represent parties who are under the age of 18, or who lacks the capacity to represent himself or herself. Incapacity may result from an intellectual, psychological or physical disability, physical or mental illness or advanced age.

A party may apply to NCAT for the appointment of a GAL, or NCAT may appoint a GAL on its own initiative.

GALs are most often appointed in matters before the Administrative and Equal Opportunity Division, or in Guardianship Division matters before the Appeal Panel. The *NCAT Guideline - Representatives for people who cannot represent themselves (GALs)* outlines the process followed when NCAT appoints a GAL.

Separate Representatives, who are lawyers, are most often appointed in the Guardianship Division to represent the interests of the person who is the subject of the application, and in the Administrative and Equal Opportunity Division in matters where the participation of a child or young person may be required.

## Interpreter services

NCAT ensures that all parties can fully participate in Tribunal proceedings, regardless of their language background. Interpreters are provided at hearings and other listing events upon request. Parties can request an interpreter on their application form, in writing or by contacting the Registry as soon as possible before the hearing date.

During 2024-25, NCAT arranged over 4,500 interpreter services, with the highest demand for Mandarin, Arabic, Cantonese, Vietnamese, Spanish, Greek, Korean, Italian, Croatian and Persian.

NCAT actively promotes the Telephone Interpreter Service (TIS) at all Registry locations. Registry staff use TIS materials and language identification cards to assist users with limited English proficiency and to connect them to a telephone interpreter where needed.

To further support people from culturally and linguistically diverse backgrounds, bilingual NCAT Registry staff, who receive an allowance under the Community Language Allowance Scheme (CLAS), are available to provide language assistance to NCAT clients with their enquiries.

# Accessibility

‘Access to justice is a fundamental human right and a core principle of the rule of law. Tribunals as well as courts have an obligation to provide the community they serve with access to a fair hearing.’

‘Tribunal fees, forms and processes have an important impact on access to justice, as does the extent of information and assistance provided to parties.’

‘The location and time that a tribunal hears disputes also directly affects access to justice. Those living in regional and remote locations should have the same level of access to the tribunal as those who live in metropolitan areas.’

*Australia and New Zealand Tribunal Excellence Framework*

---

## Accessibility of services

NCAT offers a wide range of services designed to meet the diverse needs of parties and support equitable access to justice. These services are tailored to be easily accessible for self-represented parties, enabling them to understand and navigate the Tribunal’s processes independently. As a result, a significant number of cases at NCAT are conducted without legal representation.

### NCAT Registries

NCAT has nine Registry offices located in the Sydney CBD, metropolitan areas and regional locations, providing in-person services during business hours across all Divisions and the Appeal Panel. The Guardianship Division also provides an after-hours telephone service where urgent hearings are required.

Applications can be lodged in person at any NCAT Registry or Service NSW service centre, by post, or online for all Consumer and Commercial Division application types.

NCAT’s Principal Registry is located in the Sydney CBD and provides corporate support for all Divisions and the Appeals Panel.

### Online services

NCAT provides online services for parties in the Consumer and Commercial Division. In 2024-25, 83.3% of applications in this Division were lodged online.

The online platform supports all case types managed by the Consumer and Commercial Division and makes it easier for applicants, respondents and other parties to access and manage their case. Applicants can save draft forms, lodge secondary requests, and upload supporting documentation online, while respondents and other parties can register to access and view their case information online.

Parties can also search and view upcoming NCAT hearings by case number, party name, hearing date and location on the NSW Online Registry website.

## NCAT website and social media

NCAT’s website is the primary source of information for people seeking to bring a matter to the Tribunal or learn more about its role and operations.

An ongoing program of website maintenance ensures that information remains accurate and identifies opportunities for improvement. Feedback received through NCAT’s online feedback form, together with website analytics, is used to guide enhancements.

The NCAT website includes accessibility features for users with disabilities. Visitors can adjust fonts, text size, spacing and contrast. A text-to-speech function is available for those who prefer listening to website content.

NCAT also uses social media to reach wider audiences, featuring posts about new and updated resources, service news, and other topical information.

## Resources

A variety of resources, including fact sheets and forms, are available on the NCAT website to support users in understanding Tribunal processes and preparing for hearings.

The following new or updated information was added to the website during the year:

- New Easy Read version of Guardianship Division's Separate representation fact sheet – developed to support people with cognitive disability better understand the role of a separate representative and what to expect during Tribunal proceedings.
- Use of Generative AI Technologies in Tribunal proceedings – Introduction of new resources including a procedural direction, member guidelines and a fact sheet providing clarity and consistency for parties and Tribunal Members.

NCAT's online subscription services continue to deliver regular updates and case digests, helping legal practitioners, parties and community organisations stay informed about new resources, initiatives and changes to NCAT operations. These services include:

- *NCAT News* e-newsletter which provides updates on new resources, initiatives and operational change.
- *NCAT Legal Bulletin* which summarises significant case law relevant to the work of NCAT.
- The *Appeal Panel Decisions Digest* which provides summaries of significant decisions and keywords of Appeal Panel decisions published on the NSW Caselaw website.
- The *Guardianship Division Case Digest* which summarises significant cases determined in that Division.

## Community languages

To support equitable access for people who speak languages other than English, the NCAT website includes an integrated language auto-translation that allows users to view page content in more than 100 community languages. This ensures that non-English speakers can access essential Tribunal information in their preferred language.

NCAT also provides educational videos that explain how different types of cases are managed in each of the Tribunal's four Divisions. These videos use realistic case scenarios and are available in English and four community languages.

The NCAT website offers enhanced accessibility through integrated language auto-translation. This feature allows users to view page content in more than 100 community languages, ensuring that non-English speakers can access Tribunal information in their preferred language.

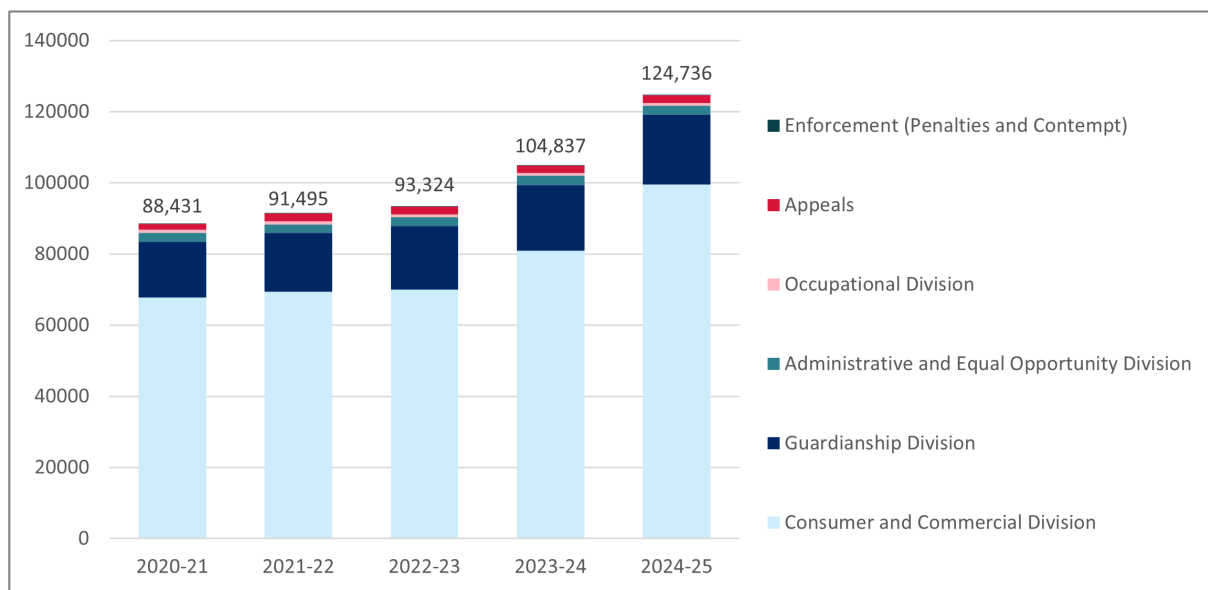
To further assist users, NCAT provides educational videos that explain how different types of cases are managed each of the Tribunal's four Divisions. These videos are presented in English and four community languages.

## Hearing locations and times

In 2024-25, NCAT conducted 124,736 hearings and other listing events. Tribunal hearings are held in hearing rooms co-located with NCAT Registries and in a range of court houses and other venues in 45 locations across metropolitan and regional areas of New South Wales.

NCAT's principal hearing venues include purpose-built hearing rooms, waiting areas and video-conference facilities designed to accommodate the needs of people with disabilities and support a safe and accessible hearing environment.

**Graph 1 – Hearings and other listing events 5-year comparison**



## Virtual hearings

Initial case management steps, such as directions, case conferences and callovers, are usually conducted by telephone or video conference. These ‘virtual’ hearing events are preferred for shorter duration listings, reducing travel requirements and offering significant time-savings for parties and the Tribunal.

In the Guardianship Division, all final hearings are offered as ‘hybrid hearings’, allowing parties to attend by telephone or video if they cannot attend in person. For all other hearing types, parties can request to appear by telephone or video if they are unable to attend in person.

## Urgent hearings

NCAT can arrange an urgent hearing when an application involves an immediate risk of harm to person or property, severe personal or financial hardship, threat of removal of children, and warrant or lockout threats. The Guardianship Division also operates an after-hours service for urgent applications, enabling hearings to be held by telephone within hours of receiving the application.

During the reporting year, the NCAT website and Guardianship Division application forms were updated

to provide step-by-step instructions for making an urgent application to the Guardianship Division. This initiative helps ensure that vulnerable clients experiencing crisis or distress can more easily access our services.

## Decisions on the papers

Under section 50(2) of the NCAT Act, NCAT can make a decision ‘on the papers’ without a hearing. This mode of decision-making is only used when the Tribunal is satisfied that the issues for determination in the particular matter can be adequately determined in the absence of the parties by considering any written submissions or any other material provided to NCAT. Decisions to set aside or vary a Tribunal decision and reinstatement applications are usually heard ‘on the papers’. This process reduces the need for in-person attendance where appropriate.

## Fees and charges

NCAT’s schedule of fees and charges for the filing of applications, appeals and other services as at 30 June 2025 is provided at Appendix 8. Payments can be made by cash, cheque, credit card and eftpos.

Certain applicants may be eligible for reduced fees, including pensioners, students receiving an allowance

and people receiving a grant of legal aid or assistance from a community legal centre.

In special circumstances, NCAT will consider requests for fees to be postponed in whole or in part. Fee waiver requests are considered under clause 6 of the Civil and Administrative Tribunal Regulation 2022 (NSW). Information about fees and instructions on how to apply for a fee waiver is available on the NCAT website, helping ensure that financial barriers do not prevent people from accessing justice.

## Legal assistance

A range of support services across New South Wales is available to assist people participating in NCAT proceedings.

The NCAT website provides information about services and organisations that offer free or low-cost legal information, advice and assistance, including referral services to legal practitioners who may provide pro bono legal services. Many of these organisations and services, including aged-care and disability services that provide information and help to parties involved in guardianship matters, are listed on the *Getting Help* fact sheet. This fact sheet is regularly reviewed and updated to ensure the most relevant services are included.

Legal Aid NSW provides a duty lawyer scheme for parties involved in anti-discrimination disputes in the Administrative and Equal Opportunity Division, as well as legal assistance to parties appearing in residential tenancy appeals.

NCAT may refer parties to anti-discrimination matters to the NSW Bar Association's Legal Assistance Referral Scheme (LARS). LARS endeavours to match requests for legal assistance with barristers who can provide advice, appear on behalf of the party or assist with the settlement of a case.

## Additional assistance

NCAT aims to ensure that parties and others involved in the Tribunal's processes receive any reasonably

necessary assistance to participate effectively. This includes:

- making documents available in alternative formats
- providing hearing rooms with varying degrees of formality appropriate to each jurisdiction
- offering assistive listening devices or hearing loops in NCAT hearing venues
- using the National Relay Service (NRS) for people with hearing or speech impairments
- allowing additional time for people using Augmentative and Alternative Communication (AAC)
- providing interpreters for people from non-English speaking backgrounds, or Auslan interpreters for deaf users.

Member and staff receive training on the provision of such assistance as part of their ongoing professional development programs. Under section 38(5)(a) and (b) of the NCAT Act, Members are also required to take reasonable steps to ensure parties understand the nature of the proceedings and, if requested, to explain any procedural aspect of NCAT's processes.

## Procedural directions, guidelines and policies

Section 26 of the NCAT Act gives the President power to give binding procedural directions. In addition, NCAT publishes guidelines and policies that provide guidance to parties on how matters are to be dealt with at NCAT. These procedural directions, guidelines and policies may apply across NCAT or be specific to individual Divisions, helping ensure consistency, transparency and accessibility in Tribunal processes.

The following procedural directions, guidelines, policies and other documents are currently available on the NCAT website.

### NCAT Procedural Directions

NCAT Procedural Direction 1 – Service and Giving Notice

NCAT Procedural Direction 2 – Summonses  
NCAT Procedural Direction 3 – Expert Evidence  
NCAT Procedural Direction 4 – Registrars’ Powers  
Directions  
NCAT Procedural Direction 5 – Acceptance of Home  
Building Claims  
NCAT Procedural Direction 7 – Use of Generative  
Artificial Intelligence (Gen AI)

## **Guidelines**

### **NCAT Guidelines**

Adjournments  
Internal Appeals  
Representatives for people who cannot represent  
themselves (GALs)

### **Administrative and Equal Opportunity Division Guidelines**

Confidentiality, privacy and publication  
Costs  
Resolution processes

### **Consumer and Commercial Division Guidelines**

Conciliation and hearing by the same Member  
Confidentiality, privacy and publication  
Costs  
Home building applications  
Representation

### **Guardianship Division Guidelines**

Confidentiality, privacy and publication  
Costs  
Representation

### **Occupational Division Guidelines**

Confidentiality, privacy and publication  
Costs  
Health Professionals Registration Appeals  
Professional Discipline Matters  
Resolution processes

## **NCAT Policies**

NCAT Policy 1 – Complaints  
NCAT Policy 2 – Publishing Reasons for Decisions  
NCAT Policy 3 – Provision of Statistical Data  
NCAT Policy 4 – Access to and Publication of  
Information Derived from Proceedings  
NCAT Policy 5 – Member Participation in External  
Engagements  
NCAT Policy 6 - Communicating with the Tribunal and  
Members

## **Other documents**

NCAT Domestic Violence Protocol  
NCAT Member Code of Conduct  
NCAT Member Guidelines – Use of Generative AI in  
Tribunal proceedings  
NCAT Member Terms and Conditions Handbook  
NCAT Service Charter

# Professionalism and integrity

'The core competencies [for Tribunal Members] include:

- knowledge and technical skills;
- communication (including cultural competency and working with interpreters);
- decision-making;
- professionalism and integrity;
- efficiency; and
- leadership and management.'

*Australia and New Zealand Tribunal Excellence Framework*

---

## Competency framework and performance appraisal

The *NCAT Member Competency Framework* is based on the Council of Australasian Tribunals (COAT) Tribunal Competency Framework. It identifies the critical competencies, abilities and qualities required to be an effective Tribunal Member. NCAT uses its framework to provide the basis for Member appraisals conducted in all Divisions of the Tribunal to assist Members to understand and improve their performance. It also forms part of the assessment and basis of recommendation of candidates for appointment and reappointment.

The *NCAT Member Competency Framework* identifies seven essential areas of competence: knowledge and technical skills, fair treatment, communication, conduct of hearings, evidence, decision-making, and professionalism and efficiency.

## Member qualifications

Members bring legal expertise or other specialist knowledge to Tribunal decision-making. The required qualifications for Members in each category are specified in section 13 of the NCAT Act.

A list of Tribunal Members as at 30 June 2025, along with brief biographical information, qualifications and relevant experience, is provided at Appendix 3.

## Code of Conduct

The *Member Code of Conduct*, issued by the President, applies to all Members of NCAT. The Code provides guidance to Members in the performance of their statutory functions and assists Members in identifying and resolving ethical issues. Before they are appointed, Members are required to agree to abide by the Code of Conduct. The *Member Code of Conduct* is kept under review to ensure currency. The latest version is published on the NCAT website and is included at Appendix 4 of this report.

NCAT Registry staff are required to comply with the NSW Department of Communities and Justice Code of Ethical Conduct and related policies and procedures.

## Professional development, appraisal and training

During 2024-25 NCAT held 44 professional development sessions for Members and Registry staff on a range of topics relevant to the work of the Tribunal and Registry operations.

## Tribunal Members

The NCAT Member Conference was held in Sydney on 4 April 2025, bringing together Tribunal Members from all Divisions. The conference program provided an opportunity for Members to hear from distinguished guest speakers, exchange insights across jurisdictions,

and participate in sessions designed to strengthen decision-making and tribunal practice.

The conference keynote address was delivered by The Hon. Chief Justice Stephen Gageler AC, and conference sessions covered a range of contemporary and practical topics, including effective communication with First Nation people, approaches for questioning vulnerable witnesses and techniques for writing clear and accessible reasons for decision. Members also explored strategies for managing high-conflict hearings and discussed the emerging role of artificial intelligence in the Tribunal context.

In addition to the 2025 NCAT Member Conference, a number of Divisional-specific Member professional development activities were held throughout the year. These included the Guardianship Division Member Training Conference, Consumer and Commercial Division Member Training Conference, and twilight seminars held for Administrative and Equal Opportunity Division and Occupational Division Members on specific issues relevant to those Divisions.

NCAT supports ongoing Member professional development through a range of activities, including Member network groups, mentoring, briefing sessions, seminars and attendance at external conferences. During the reporting period, the updated Mentoring Scheme for Tribunal Members was implemented. The Scheme provides a practical framework for mentoring across all Divisions, fostering professional growth and offering guidance for new and developing Members.

New Members participate in an Induction Program which involves information sessions and observing hearings. Members also participate in regular performance appraisals under the supervision of the Division Head of the Member's primary Division, or the President. Based on the COAT Tribunal Competency Framework and the COAT Framework of Excellence, the appraisal process varies across the Divisions, reflecting their different composition and workload. Generally, the process involves self-assessment, peer review, observation of a hearing conducted by the

Member, and review of the Member's reasons for decision.

## Registry staff

NCAT Registry staff regularly participate in professional development activities provided by the NSW Department of Communities and Justice. These activities are designed to support staff in their service delivery role, to prepare staff and managers for the future and to build organisational capability. All new Registry staff are also required to observe Tribunal hearings as part of their induction, to better understand how their work supports Members and Tribunal users.

Performance Management and Development Plans (PDPs) are in place for all Registry staff. The development component of these plans encourages managers and staff to identify and discuss relevant professional development opportunities.

## Appeals

The decisions of the Appeal Panel provide valuable information and feedback to Members on legal and procedural issues that arise in Tribunal proceedings, supporting consistent and high-quality decision making across Divisions.

It is NCAT's practice to provide a copy of the Appeal Panel's decision to the Member or Members who sat on the original matter once the decision is published. NCAT also prepares regular reports listing decisions that have been appealed and the outcomes of those appeals. Final decisions of the Appeal Panel are generally made publicly available on the NSW Caselaw website, and a digest of recent Appeal Panel decisions is published on the NCAT website.

# Accountability

'Tribunals serve the public through the provision of accessible, fair and efficient dispute resolution services. In delivering that service they are accountable to the public. An effective complaints mechanism is an important means of ensuring that the public's expectations of members and staff are met.'

Regular stakeholder and community engagement and reporting tribunal performance helps ensure that the tribunal is accountable to the public it serves.'

*Australia and New Zealand Tribunal Excellence Framework*

---

## Hearings open to the public

NCAT is required to hear cases in public unless it otherwise orders. Most NCAT hearings are open to the public, and anyone can attend and observe proceedings from the back of the hearing room. The online publication of NCAT's hearing lists provides the public with easy access to information about upcoming hearings. This level of openness ensures accountability and promotes confidence in the Tribunal's decision making. Additionally, public access to hearings allows individuals to learn about NCAT and understand how decisions are made.

There are certain tribunal proceedings where sensitive or other confidential matters may be disclosed, or there may be minors or vulnerable persons involved. NCAT will conduct these hearings either wholly or partly in private. This happens most often in the Guardianship Division, Administrative and Equal Opportunity Division, and Occupational Division, due to the nature of functions exercised by those Divisions.

## Service charter

The *NCAT Service Charter* outlines the Tribunal's commitment to providing accessible, fair, and timely resolution of disputes. It gives practical expression to the legislative objective in section 3(e) of the NCAT Act, ensuring that the Tribunal's decisions and other resolution services are timely, fair, consistent, and of high quality.

## Complaint handling mechanisms

NCAT's integrated complaint and feedback processes provide a consistent and co-ordinated approach to responding to complaints and gathering and using feedback to inform processes and service delivery. Online forms are available on the NCAT website to assist people in providing this feedback.

*NCAT Policy 1 - Complaints* explains the approach taken when responding to a complaint about the delivery of a service provided by NCAT or the conduct of Registry staff, a conciliator/mediator or a Member.

In 2024-25, NCAT received 454 complaints. This equates to a complaint in 0.62% of all matters lodged with NCAT. The most common categories of complaints received during the year were decision dissatisfaction, Member or conciliator conduct, and policies, procedures and processes. Responses to complaints include clarification about NCAT policies and procedures, providing information about avenues of appeal, and contact details for support services such as Legal Aid NSW.

## Stakeholder engagement

NCAT recognises that regular engagement with stakeholders helps ensure the Tribunal is responsive to the needs and concerns of those who use its services including the public, parties, their representatives and relevant professional or industry bodies.

Divisional Consultative Forums provide a structured forum for NCAT to engage with stakeholders on issues relating to Tribunal practice and procedure, with separate meetings held with individual stakeholders whenever specific issues arise. See Appendix 9 for a list of organisations represented on the NCAT Liaison Group and the Divisional Consultative Forums.

## **Publication of reasons for decisions**

NCAT publishes many of its reasons for decisions on the NSW Caselaw website. The Tribunal's approach to publication of reasons for decisions is set out in *NCAT Policy 2 – Publishing Reasons for Decisions*. Decisions are generally selected for publication based on their public interest or educational value and are made available to the public to promote transparency, accountability and trust in the Tribunal's decision making processes.

## **Other engagement with the community**

During 2024-2025, Members and Registry staff participated in 42 community education and information programs. These included meetings and/or events conducted by the NSW Law Society's Elder Law Capacity and Succession Committee, the Judicial Council on Diversity and Inclusion, the Australian Guardianship and Administration Council, the Guardianship Forum for Private Practitioners by Legal Aid NSW, and Diversity and Inclusion Justice Network. In addition, selected Members spoke at or attended various conferences, including the 2025 Supreme, Federal and New Zealand Senior Courts Conference, and 2025 COAT National Conference.

# Efficiency

‘Tribunals should provide an efficient dispute resolution service in the sense that the tribunal is affordable and resolves disputes in an appropriate and timely way.’

*Australia and New Zealand Tribunal Excellence Framework*

## Performance standards and monitoring

NCAT has measures in place to monitor efficiency in dealing with its workload. NCAT’s efficiency and effectiveness is measured in part by the number of matters lodged and NCAT’s case clearance ratio. This indicates the capacity of NCAT to manage its workload within its current resources and systems.

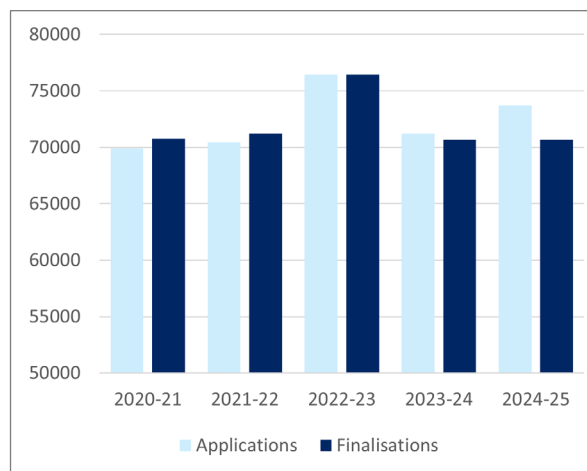
During 2024-25, there was a 3.5% increase in the overall number of applications received by NCAT compared to the previous year. This increase was driven by a 10.7% rise in applications to the Guardianship Division, marking its seventh consecutive year of increased workload.

Moderate increases were also seen in the Appeal Panel (6.3%) and in NCAT’s other Divisions: Administrative and Equal Opportunity Division (2.1%), Consumer and Commercial Division (1.1%) and Occupational Division (0.8%).

The NCAT Executive actively monitors lodgement volumes and trends, finalisations, and the timeliness of hearings so that resources can be adjusted to maintain service delivery standards.

Standards in relation to the time to first listing and the time to finalisation are set and monitored for the various types of matters in each Division and the Appeal Panel. All applications to the Guardianship Division are triaged on receipt to assess the degree of urgency and the severity of risk (if any) to the person who is the subject of the application.

**Graph 2 – Applications received and finalised 5-year comparison**



Applications are then allocated into risk categories based on that assessment. The risk category determines the time within which the application is to be heard and determined.

## Promotion of resolution processes

NCAT provides a range of informal and formal resolution processes to enhance the efficiency of its operations. These include conciliation, mediation, directions, case conferences and expert conclaves. These processes ensure that NCAT can provide a just, quick and inexpensive resolution of issues between parties.

In the Consumer and Commercial Division, Members and experienced Registry staff act as conciliators in group lists to help parties resolve their dispute and agree to a settlement without the need for a hearing. In home building cases, specialist Members facilitate expert conclaves.

In the Administrative and Equal Opportunity Division and Occupational Division, case conferences, mediation and directions are used to narrow issues in dispute before the final hearing. Directions are also regularly used in home building, strata and retail lease matters in the Consumer and Commercial Division.

## Flexibility of membership and procedures

NCAT’s Members bring a wide range of qualifications, experience and expertise to the Tribunal. Although Members are assigned to a particular Division under the NCAT Act, the efficiency of the Tribunal is enhanced by the President’s ability to cross-assign Members so that their expertise can be deployed across NCAT’s Divisions as well as the Appeal Panel, when required.

Under section 38(1) of the NCAT Act, the Tribunal may determine its own procedure in relation to any matter for which the Act or procedural rules do not otherwise allow. This flexibility allows NCAT to act efficiently and promptly to resolve urgent matters or matters otherwise out of the ordinary.

## Use of digital technologies

NCAT continues to embrace enhancements in digital technologies to further provide efficiencies in its operations.

NCAT Online Services allows parties in the Consumer and Commercial Division to create and manage an account to start a new case or view an existing case online. The platform allows users to upload documents and evidence directly to their case file and receive real-time updates on their case status.

Audio-visual link (AVL) technology is available in most NCAT hearing venues. Shorter initial hearings, such as directions, case conferences, and callovers, where the focus is generally on procedural issues, are regularly conducted using AVL. This approach provides listing efficiencies for the Tribunal and reduces travel costs for the parties involved.

Members across all NCAT Divisions and the Appeal Panel also use in-hearing online systems to access case information and make orders during the hearing process. These systems also allow parties to receive by email any orders made after the hearing.

**Table 1 – Number of applications received and finalised by Division 2024-25**

DIVISION	APPLICATIONS	FINALISATIONS	CLEARANCE RATIO
Administrative and Equal Opportunity	1,018	1,020	100.2%
Consumer and Commercial	52,608	50,963	96.9%
Guardianship	19,183	17,858	93.1%
Occupational	251	277	110.4%
Appeal Panel	655	562	85.8%
Enforcement (Penalties and Contempt)	9	13	144.4%
<b>TOTAL</b>	<b>73,724</b>	<b>70,693</b>	<b>95.9%</b>

# User engagement

‘Public trust and confidence in the administration of justice are essential for the acceptance by users of an individual decision that affect them. Therefore for a tribunal to be effective its users have to be satisfied that the procedures and processes adopted by the tribunal are fair.’

*Australia and New Zealand Tribunal Excellence Framework*

NCAT is most effective when it is accessible and responsive to the people who rely on it. Understanding user needs remains central to NCAT’s ongoing efficacy in providing justice to the people of NSW.

NCAT gathers information about its users and their experience, their needs and their level of satisfaction in a number of ways, including:

- NCAT website and social media analytics
- Customer feedback and surveys
- Stakeholder interaction
- External engagement at conferences and meetings
- Internal appeals to the Appeal Panel
- Complaints data.

## Use of NCAT website and social media

NCAT’s website is the primary channel for users to access information about applying to NCAT to commence proceedings and to learn about the Tribunal and its processes. The website’s user-centric design allows visitors to easily locate the information they need.

During 2024-25, the NCAT website received 1,349,763 visits and 2.8 million page views, representing a 1.6% decrease in user engagement compared with the previous year. Website analytics and user feedback continue to inform improvements to content, navigation and overall usability.

NCAT also uses its Twitter account to share updates on new resources, service changes, and other relevant information for users. Social media allows NCAT to provide timely information and alerts, keeping users

and stakeholders informed of legislative and procedural changes.

## Customer feedback and surveys

NCAT provides multiple channels for users to give feedback through its website. Users can complete the *NCAT Online Feedback Form* to provide comments or suggest improvements, and the *Thumbs Up/Thumbs Down* feature allows NCAT to quickly gauge general sentiment on each webpage.

During the reporting period, NCAT received 979 responses via *Thumbs Up/Thumbs Down* and 227 online feedback forms, providing invaluable insights into the user experience. Common themes included website usability, application form guidance, online system functionality, and improved information about procedural steps.

Users are encouraged to subscribe to the *NCAT News* e-newsletter for updates on initiatives and service changes, and to NCAT’s case digest publications for summaries of key decisions. By 30 June 2025, there were 3,894 subscribers across the e-newsletter and digest publications.

## Stakeholder interaction

The NCAT Liaison Group and Divisional Consultative Forums provide key stakeholders with the opportunity to meet regularly with the Tribunal and provide direct feedback on our procedures and processes. The participation of Members and Registry staff at conferences and meetings also allows the Tribunal to receive comments and other feedback (both positive and negative) on its performance.

## Internal appeals

Parties who are dissatisfied with a decision of the Tribunal can appeal to NCAT's Appeal Panel in most cases. The number of appeals, the grounds of appeal and consideration of the reasons for decision of NCAT at first instance, provide valuable insights into the quality of the Tribunal's first instance decisions and the legitimacy of the parties' dissatisfaction. Appeal Panel decisions also provide guidance to Members to improve the quality of decision-making and writing throughout NCAT.

## Complaints data

NCAT considers and responds to complaints in accordance with the *NCAT Policy 1 – Complaints*. Complaints data assists NCAT to identify opportunities to strengthen Tribunal processes to and improve the clarity and accessibility of information provided to users.

# Divisional and Appeal Panel Reports

Administrative and Equal Opportunity Division

Consumer and Commercial Division

Guardianship Division

Occupational Division

Appeal Panel

# Administrative and Equal Opportunity Division

## What the Division does

The Administrative and Equal Opportunity Division reviews government decisions affecting individuals and resolves anti-discrimination complaints.

Over 100 statutes give jurisdiction to the Division to review various decisions made by government administrators. The two statutory aims of external review of government decisions are to enhance the delivery of government services and programs, and to promote compliance by government administrators with legislation when making decisions.

The term 'equal opportunity' describes the other major function of this Division, which is to resolve complaints made under the *Anti-Discrimination Act 1977* (NSW). This Act gives a remedy to people who have been discriminated against, harassed, vilified or victimised on certain grounds.

## Work within the Division

The Division allocates matters to four Lists: Administrative Review, Community Services, Revenue, and Equal Opportunity.

The Administrative Review List manages the review of decisions made by administrators. These include access to government information, breaches of privacy, and decisions by the NSW Trustee and Guardian. Administrative decisions about occupational and professional licences and registrations are dealt with in the Occupational Division.

The Community Services List includes matters concerning the review of decisions about whether persons should be allowed to work with children and whether authorised carers (foster carers) should lose their accreditation.

The Revenue List includes the review of decisions about state taxes, such as land tax and payroll tax.

The Equal Opportunity List manages complaints referred to NCAT by the President of the Anti-Discrimination Board. These include complaints about discrimination, harassment, vilification or victimisation on grounds such as race, sex, age, religion, disability, homosexuality, transgender status and carer's responsibilities.

Table 2 –2024-25 Administrative and Equal Opportunity Division workload and performance

LIST	APPLICATIONS	FINALISATIONS	CLEARANCE RATIO
Administrative Review	546	586	107.3%
Community Services	145	128	88.3%
Equal Opportunity	189	168	88.9%
Revenue	138	138	100.0%
<b>TOTAL</b>	<b>1,018</b>	<b>1,020</b>	<b>100.2%</b>

## Workload

During the reporting period, the Division received 1,018 applications and finalised 1,020 giving a clearance ratio across the whole Division of 100.2%.

During the reporting year, the Division prepared for and managed the expansion of its jurisdiction to review certain decisions following the commencement of legislation such as the *Conversion Practices Ban Act 2024* (NSW). The Division also made procedural adjustments to address an increased number of applications by increasing the frequency and timing of some lists.

The Division encourages self-represented parties to obtain legal advice and representation in appropriate cases. Both Legal Aid NSW and the Bar Association's Legal Assistance Referral Scheme (LARS) have provided much needed legal assistance to parties who meet their guidelines.

In most kinds of proceedings, parties are given an opportunity to resolve their dispute through case conference or mediation. In suitable matters, the Division provides an experienced mediator at no cost to the parties. Those matters include anti-discrimination complaints, revenue applications, applications for access to government information and privacy breaches.

## Members and mediators

The Division comprises the Deputy President and Division Head, Principal Members, Senior Members and General Members. All of the Members, apart from the Division Head and one Principal Member, work on a sessional basis. Principal and Senior Members are typically legally qualified. General Members represent community perspectives and provide knowledge and expertise relating to their area of work.

As at 30 June 2025, there were 87 Members assigned to the Administrative and Equal Opportunity Division. During 2024-25 the Division welcomed and inducted a number of new legally trained Members.

Professional development 'Twilight Seminars' were held during the year on a diverse range of topics including dealing with confidential information, equal opportunity and decision-writing, as well as procedural updates. These sessions form part of a structured program aimed at enhancing Members' knowledge and skills. Member performance is regularly appraised, with feedback provided to support continuous improvement.

The Division has a group of seven expert mediators, some of whom are also Members. They conduct mediations across several Lists in the Division.

## Legislation

Changes to legislation relating to the work of the Division during the year included the introduction of the following:

- *Conversion Practices Ban Act 2024*
- *Crimes (Domestic and Personal Violence) and Other Legislation Amendment Act 2024*
- *Marine Safety Amendment Act 2024*
- *Ports and Maritimes Administration Amendment Act 2024*
- *Revenue Legislation Further Amendment Act 2024*

A full list of the legislation which confers power on the Division is attached at Appendix 1.

## Consultation with stakeholders

During the reporting period, the Administrative and Equal Opportunity Division engaged with stakeholders through four dedicated Consultative Forums: the Administrative Review forum, Anti-Discrimination Forum, Community Services Forum and Revenue Forum. These Forums support the Division to gather feedback, share updates, and discuss emerging issues relevant to its jurisdiction.

## Significant decisions

### ***GKT v Fire and Rescue New South Wales* [2024] NSWCATAD 335**

The applicant alleged a breach of the *Privacy and Personal Information Protection Act 1998* (PPIP Act) by the respondent. The applicant was employed by the respondent as a station officer in charge of a platoon. A potential conflict arose between the applicant and some members of the platoon, requiring the zone commander's intervention. The zone commander held a meeting on a confidential basis with the applicant and separately with the platoon members and a union representative.

The commander circulated minutes of the meeting with the platoon to its members. Two days later, the applicant reported that printed copies of the minutes had been left in open areas of the station. The commander directed staff to destroy all copies. An internal review found breaches of ss 12 and 17 of the PPIP Act. The applicant received an apology, and staff were required to complete privacy training. On review in the Tribunal, the applicant sought compensation and further action against the platoon.

Section 12 requires agencies to take reasonable security safeguards. The respondent argued that verbal warnings and the directive to destroy the minutes were sufficient, and that any breach was against express instructions. However, the Tribunal found that s 12 had been breached, as the minutes remained accessible for two days, and that stronger safeguards were required.

In relation to s 17, the Tribunal considered whether leaving the minutes out at the station amounted to "use" of personal information by the agency. The respondent submitted that actions of individual employees cannot be attributed to it. The Tribunal disagreed, finding that allowing the minutes to be accessed by unintended recipients amounted to use for a purpose other than their intended purpose.

The Tribunal awarded the applicant \$8,000 for psychological distress but declined to order further action.

### ***Duan v Bridge* [2024] NSWCATAD 349**

The applicant, who is Chinese, brought a complaint of racial vilification against the respondent pursuant to s 20C of the *Anti-Discrimination Act 1977*. He alleged that, while he was installing solar panels on the roof of a house in Sydney, the respondent, who lived in a neighbouring house, sprayed him with a water hose, causing him to slip and almost fall off the roof. When the applicant asked the respondent to stop, she responded that she did not care and referred to the applicant as "Jackie Chan". It was also alleged that the respondent told the applicant she did not understand his English and mocked his accent.

The question before the Tribunal was whether the alleged conduct of the respondent amounted to a public act inciting severe ridicule on the ground of the applicant's race. The respondent admitted some of the conduct, but denied spraying or intentionally spraying the applicant with the water hose. The Tribunal found that the respondent's account of events was implausible and that the applicant's evidence, which was corroborated by a subcontractor present at the time, was credible.

The Tribunal held that the conduct was a public act, as it could be seen or overheard by members of the public even though it took place on private property. The conduct was capable of inciting ridicule and was severe because of the physical danger posed to the applicant. The words spoken by the respondent to the applicant during the incident were on the ground of the applicant's race. Accordingly, the conduct constituted racial vilification.

The Tribunal considered that an apology would be of no utility because the respondent denied the conduct. The respondent was ordered to pay \$6,000 in compensation for the applicant's economic and non-economic loss.

***Sbat v Combat Sports Authority of NSW [2025]***  
**NSWCATAD 27**

The applicants, co-owners of a gym, were registered industry participants as coaches and seconds under the *Combat Sports Act 2013*. Their registrations were cancelled by the respondent on the basis they are not fit and proper persons. The first applicant was also issued with an order prohibiting him from attending any combat sports weigh-in or contest for three years.

The first applicant had a criminal record including drug possession and supply, stalking/intimidation and assault and was subject to firearms and weapons prohibition orders. The second applicant had an extensive history of use of performance-enhancing drugs and related criminal convictions. Each of the applicants was alleged to be associated with members of organised criminal networks, which they denied. Illegal substances including steroids and human growth hormone had been found at the gym and an organised crime-related murder was committed in its car park.

The Tribunal considered that the applicants' past conduct provided a guide as to their future behaviour. Both applicants submitted they had disavowed their criminal pasts.

The Tribunal found that the first applicant had a significant criminal history and that the presence of illegal performance-enhancing drugs at the gym under the first applicant's watch posed a risk to the health and safety of participants. The Tribunal held that the first applicant's registration under the Act would be antithetical to its objects.

The Tribunal accepted the respondent's submission that the second applicant's pattern of drug use compromised the sport's integrity, fairness and safety. While the second applicant argued that he was not aware that the same conduct rules for competitors applied to trainers, the Tribunal rejected this explanation, noting that his registration required him to know and follow the rules. The Tribunal affirmed the cancellation of his registration.

***Guo v Chief Commissioner of State Revenue [2024]***  
**NSWCATAD 309**

The applicant, a permanent resident of Australia, owns a residential property in Sydney. While the applicant lived in the home when she was present in Australia, in the years following the purchase of the property, she spent long periods of time outside of Australia. The applicant was assessed for land tax and surcharge land tax on the property for the 2019 to 2023 tax years. She objected to the assessments and her objections were disallowed. The question for the Tribunal was whether the applicant was eligible for an exemption.

The applicant submitted that her intention and personal circumstances should be taken into account when assessing her liability. In late 2019, the applicant travelled to China to care for her elderly mother and has remained there since. The applicant submitted that she could not return to Australia because of the COVID-19 pandemic but had always intended to live at the property on her return.

The Tribunal found that the applicant was not exempt from land tax, as she was not in Australia at the relevant dates and for a continuous period of 6 months in each tax year. The Tribunal held that use and occupation means physical use approaching regular enjoyment and that a degree of permanence must be evinced.

The Tribunal also held that the applicant is not exempt from surcharge land tax. As a permanent resident, to qualify for an exemption she was required to have been ordinarily resident in Australia for 200 days or more in the 12 months preceding the taxing date. The Tribunal found the applicant did not meet this requirement. The Tribunal also held that it could not take the applicant's personal circumstances into account, as there is no general discretion to grant a one-off exemption on the basis of fairness.

# Consumer and Commercial Division

## What the Division does

The Consumer and Commercial Division resolves a wide range of housing and property-related disputes including tenancy and social housing, strata schemes, retirement villages and other types of community living, and dividing fence disputes. The Division also deals with disputes between consumers and businesses, such as consumer claims about goods and services, motor vehicles, home building and retail leases.

The Division deals with the largest workload within NCAT due to its broad jurisdiction over everyday disputes. The high volume of cases reflects the Division's critical role in providing accessible and efficient dispute resolution for individuals and businesses.

## Work within the Division

The Division manages its high workload through several strategies to ensure justice can be delivered on a large scale, promptly and cost effectively.

The Division's caseload is managed across six dedicated Divisional Registry locations, and its hearings are held in multiple venues located across metropolitan and regional New South Wales.

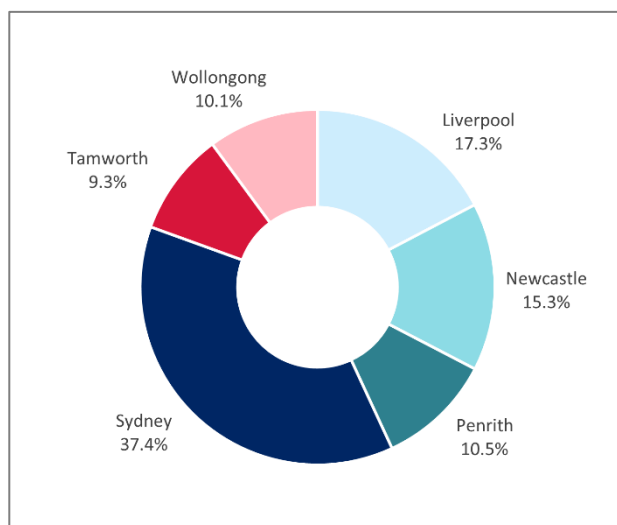
Almost all matters are listed in the first instance for a 'group list' conciliation and hearing. This process promotes informal discussions between parties to attempt to resolve their dispute before the hearing takes place. Parties are also encouraged to conduct their own case which ensures quicker resolution of the dispute without the cost or delays often associated with representation.

The provision of online services is another strategy used by the Division to manage its high workload. NCAT's Online Services allows parties to lodge applications, pay fees and manage their case online in all matter types managed in the Consumer and Commercial Division. During the reporting period, 83.3% of applications managed by the Division were lodged via NCAT's Online Services.

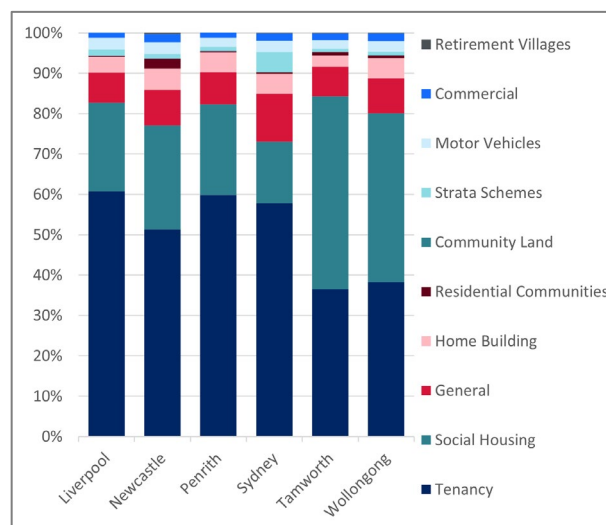
**Table 3 – 2024-25 Consumer and Commercial Division workload and performance**

LIST	APPLICATIONS	FINALISATIONS	CLEARANCE RATIO
Tenancy	28,193	27,660	98.1%
Social Housing	12,900	12,647	98.0%
General	4,985	4,657	93.4%
Home Building	2,409	2,161	89.7%
Residential Communities	386	299	77.5%
Community Land	36	31	86.1%
Strata Schemes	1,352	1,278	94.5%
Motor Vehicles	1,412	1,340	94.9%
Commercial	895	843	94.2%
Retirement Villages	40	47	117.5%
<b>TOTAL</b>	<b>52,608</b>	<b>50,963</b>	<b>96.9%</b>

**Graph 3 – Consumer and Commercial Division  
Workload received by Registry 2024-25**



**Graph 4 – Consumer and Commercial Division  
List types received by Registry 2024-25**



## Workload

During 2024-25 the Division received 52,608 applications and finalised 50,963 giving a clearance ratio across the whole Division of 96.9%.

Compared to the previous year, lodgements in the Division increased by 1.1% and finalisations decreased by 3.2%. The Division continues to receive the majority of NCAT’s overall caseload, accounting for 71.4% of total matters received.

The Division faced a number of operational challenges during the reporting period, including the recruitment and training of new Members, the appointment of a new Deputy President and Division Head, and the induction of new Principal Members. Significant legislative reforms in residential tenancies also required targeted Member training and contributed to the complexity of matters handled by the Division.

Despite these challenges, the Division maintained stability and continued to manage a high volume of complex matters effectively.

## Aboriginal Tenancy List

The Aboriginal Tenancy List provides a culturally responsive and supportive environment for Aboriginal and Torres Strait Islander tenants and landlords

involved in a tenancy or social housing dispute. Held every two weeks, the List operates in designated NCAT locations and offers parties the opportunity to connect with Aboriginal advisory services, legal advocates, and support providers.

Members are provided with training and information concerning cultural, economic and social issues that impact those whose disputes are placed in the List. Close attention is given to achieving appropriate outcomes for the benefit of all parties that are consistent with the Tribunal’s statutory obligations.

## Members

As at 30 June 2025, there were 120 full time and sessional Members assigned to the Consumer and Commercial Division. During the year, the Division welcomed 17 new Senior and General Members. Approximately 26 Members assigned to the Division sat on Appeal Panels.

Division-wide training occurred for all Consumer and Commercial Division Members in March 2025. The training program focused on various topics relevant to the Division’s broad jurisdiction, including conducting efficient and procedurally fair hearings, delivering oral and written reasons, managing tenancy termination

matters, transferring matters to the Aboriginal Tenancy List, and the use of Generative AI in Tribunal proceedings.

## Legislation

Changes to legislation affecting the work of the Division during the year included the following:

- *Residential Tenancies Amendment Act 2024* (NSW) and *Residential Tenancies Amendment Regulation 2025* (NSW), including grounds on which a landlord can issue a notice of termination on a tenant and the information to be provided; removal of 'no grounds' termination of periodic tenancies; restriction of rent increases to once yearly for most agreements; banning fees for background tenancy checks; permitted reasons for refusing pets; and ensuring any conditions for keeping a pet are reasonable.
- *Strata Schemes Legislation Amendment Act 2025* (NSW) and *Strata Schemes Legislation Amendment Regulation 2025* (NSW), introducing reforms commencing at various times (2 March 2025; 1 July 2025; 27 October 2025 and 1 April 2026). Changes commencing on 2 March 2025 included removal of strata committee office bearers by general resolution, general meeting approval of legal costs, and voting by company nominees.
- *Strata Managing Agents Amendment Act 2024* (NSW), relating to increased disclosure and transparency requirements for strata managing agents.

A full list of the legislation which confers power on the Division is attached at Appendix 1.

## Consultation with stakeholders

The Consumer and Commercial Division has four separate Consultative Forums comprising the Tenancy, Aboriginal and Social Housing Forum; the Home Building forum; the Residential Communities, Retirement Villages and Strata and Community

Schemes Forum; and the General, Commercial and Motor Vehicles Forum.

The Division's Forums met twice in the reporting period. These meetings allow the Tribunal to engage with advocates and other interested stakeholders about changes in legislation and the Division's practices and procedures. The Forums also allow stakeholders to provide feedback and raise any issues or concerns their constituent members have experienced in the Tribunal.

## Significant decisions

### ***Haber v Tadrous* [2025] NSWCATCD 32**

The applicants were the tenants and the respondents were the landlords. During the term of the tenancy, the tenants made various repairs to the premises and undertook replacement of some items themselves. About 5 years after the tenancy ended, the tenants made an application under the *Residential Tenancies Act NSW 2010* (NSW) (RT Act) for compensation against the landlords and a rent reduction. Amongst other claims, they alleged the landlords breached the tenancy agreement by failing to maintain the premises (s 63(1) RT Act), which caused them loss and interfered with their quiet enjoyment (s 50(1) RT Act).

The Tribunal found the tenants' claims were filed substantially after the three months of first becoming aware of the breaches and therefore out of time (see s 190 RT Act and reg 39(9) Residential Tenancies Regulation 2019). The Tribunal refused to extend time under s 41 of the *Civil and Administrative Tribunal Act 2013* (NSW) due to the lengthy delays, lack of explanation for the delays and prejudice to the landlords by the delays. The rent reduction claims under s 44(3) RT Act were also dismissed as they were filed after the tenancy ended. Such a claim must be made during the tenancy (s 44(3)).

The Tribunal accepted that non-economic loss for stress, frustration, disappointment and inconvenience may be recoverable in tenancy matters, citing *Baltic Shipping Co v Dillon* (1993) 176 CLR 344.

***Gardener v Bright; Bright v Gardener; Bright v Gardener***  
**[2025] NSWCATCD 23**

Ms Gardener was the lessor of premises where a café was operated by Ms Bright. The café was initially managed by Ms Gardener's granddaughter and Ms Bright's daughter. Ms Bright later took over the café. At some stage Ms Bright permitted a third party to operate a retail business from the café for a rent of \$100 per week, without the lessor's knowledge. After Ms Bright allegedly failed to pay rent, Ms Gardener changed the locks of the premises.

Ms Gardener commenced proceedings against Ms Bright and her partner, Mr Munro, seeking possession of the premises, arrears of rent and damages, and costs. There was no written retail lease agreement. However, the Tribunal found a retail lease existed between Ms Gardener and Ms Bright, based on Ms Bright's conduct, communications, and continued occupation of the premises and therefore it had jurisdiction to determine the proceedings under *Retail Leases Act 1994* (NSW) (RL Act). The Tribunal was satisfied that there were some rent arrears owing by Ms Bright and that it should exercise the power conferred by s 72(1)(f)(iii) of the RL Act by declaring that the lessor was entitled to possession of the premises and make an order under s 72(1)(c)(ii) that the tenant was required to surrender possession.

The lessor also claimed \$16,200 in rent arrears. However, the Tribunal was not satisfied that the lessor had discharged the burden of proof in terms of quantum and only awarded \$1,400. There was no rent ledger and it was not possible to determine what amounts had been paid by the lessee. The Tribunal upheld the principle that it was required to do the best it could to assess the quantum of the rent arrears claimed on the available evidence. The lessor's other claims for amounts such as "funds towards loan to be repaid"; land and water rates; funds towards revival of premises and miscellaneous damages were all dismissed for lack of evidence. The claim against Mr Munro was also dismissed in full as he was not found to be a party to the lease.

The tenant also filed a cross application seeking remedies under the *Residential Tenancies Act 2010*

(NSW) (RT Act), claiming that the parties had a residential tenancy agreement between them not a retail lease. The Tribunal rejected this argument on the basis that the Tribunal found that the predominant use of the premises was for conducting the business of a café, and therefore s 7(h) of the RT Act applied to exclude the premises from being subject to the RT Act.

***Pepper v E J and W A Booth Pty Ltd trading as Booths Motor Group Tuggerah*** [2024] NSWCATCD 57

In July 2020, Mr Pepper purchased a new 2020 Mitsubishi ASX wagon from a licensed motor dealer, Booths Motor Group Tuggerah (the Seller) for \$26,697.50. The vehicle was financed through Secure Funding Pty Ltd (Liberty Financial), which held a security interest over the car. Mitsubishi Motors Australia Limited was the manufacturer of the vehicle. In September 2021, the Seller diagnosed that the engine was misfiring. In February 2023, the applicant became aware of other defects with the vehicle including a faulty touch screen and brake sensor issues. In March 2023, the Seller rectified the misfiring issue by replacing the engine wiring harness and electronic control, and the applicant subsequently rejected the vehicle and sought a refund or replacement. In July 2023, the Seller sold its business to Tuggerah Auto Group. In April 2024, the applicant lodged a consumer claim against all four parties, alleging the vehicle suffered from persistent mechanical and electrical issues despite 17 repair attempts by the Seller and subsequently by Tuggerah Auto Group over three and a half years.

The Tribunal determined the dispute as a consumer claim under Part 6A of the *Fair Trading Act NSW 1987*. The Tribunal found the vehicle was not of acceptable quality under section 54 of the Australian Consumer Law (ACL); that the three faults with the vehicle, both individually and cumulatively, constituted a major failure, within the meaning of s 260(1)(a) of the ACL, entitling the applicant to reject the vehicle under s 259(3)(a) of the ACL. The Tribunal also found that a reasonable consumer with knowledge of the nature and extent of the mechanical, electrical and braking issues, would not have bought this vehicle. The Tribunal was

satisfied that the applicant was entitled to reject the vehicle and had done so within the rejection period.

The Tribunal calculated an overall refund amount of \$25,161.46. The Tribunal did not discount the amount awarded even though the vehicle had been driven more than 69,000km. The refund was to be paid first to the lender to discharge the loan, with any balance paid to the applicant. No orders could be made against the manufacturer as the only remedy available against the manufacturer was for damage.

### **Sader v Renbar Constructions Pty Ltd [2025] NSWCATCD 47**

Dr and Mrs Sader (the Owners) contracted with Renbar Constructions Pty Ltd (Renbar) to demolish and rebuild the house on their land. Supreme Court proceedings between the parties in relation to alleged unpaid invoices and alleged defective work were finalised in March 2022. In the course of that litigation the parties obtained expert building reports.

The Owners commenced further proceedings against Renbar in the Tribunal in 2024, seeking \$222,315.46 for alleged breaches of statutory warranties under the *Home Building Act 1989* (NSW) (HB Act). The claims related to: defective roof waterproofing, inadequate falls in drainage lines, and a water leak from the bedroom 1 ensuite.

The Tribunal considered whether the Owners' claims were precluded by the prior proceedings, where similar defects were raised. Section 18E(2) of the HB Act provides that prior proceedings are not a bar to further proceedings by home owners in respect of breaches of statutory warranty, provided the home owners did not know, and could not reasonably be expected to have known, of the existence of the defects now sued for at the time of the original proceedings.

The Tribunal concluded that the Owners either knew or reasonably ought to have known of the defects from the experts' reports in the earlier proceedings, and dismissed their claim.

In the event that the Tribunal's finding under s 18E(2) of the HB Act may subsequently be found to be wrong on appeal, the Tribunal regarded it as appropriate to

consider the merits of the defect claims. It relevantly found that the Owners would have succeeded in respect of the defective roof waterproofing claim. The Tribunal rejected a defence raised by Renbar under s 18F of the HB Act in respect of one element of the roof waterproofing claim. Section 18F(1)(a) provides a defence to proceedings alleging defective building work, if the home owner gave instructions to the builder contrary to written advice given by the builder before the work was done.

The Tribunal found that Renbar had not given written advice in relation to the waterproofing before carrying out the work which the Owners alleged was defective.

### **Jollow v The Owners – Strata Plan No. 61407 [2025] NSWCATCD 43**

The respondent is the owners corporation of a 13-lot strata scheme registered in 1999. The applicant is the owner of Lot 3. Lot 3 is on the ground floor and has a large terrace. Including the terrace, Lot 3 has a total floor space greater than any other lot's combined area, however the internal floor space of Lot 3 was less than at least one other unit. The applicant made an application under s 236 of the *Strata Schemes Management Act 2015* (NSW) (SSM Act) seeking a reallocation of unit entitlements and repayment of strata levies overpaid based on the new unit entitlement.

The applicant argued that the original allocation of unit entitlements between lots was based on floor-plan size rather than market value and was unreasonable. The applicant submitted that in consequence she had been subject to disproportionate strata levies.

Both parties provided expert reports prepared by certified practising valuers as required by s 236(5) of the SSM Act. The Tribunal preferred the evidence of the applicant's valuer, Mr Karvon, who based his assessment on the original sale prices of the lots around the time of registration and market comparisons. The respondent's expert's valuation varied significantly for several lots without detailed explanation.

The Tribunal found that the original allocation of unit entitlements was not based on a qualified valuer's market valuation and was unreasonable. It applied the principles set out in *Anderson Stuart v Treleavan* [2000] NSWSC 283 and ordered a reallocation of unit entitlements based on Mr Karvon's assessment of the respective values of the lots at the time of registration of the strata plan.

The Tribunal dismissed the applicant's claim to be repaid excessive levies under s 236(6) of the SSM Act, as only the original owner could be made subject to such an order, and the original owner was not a party to the proceedings.

#### ***Sun v Lumi Skin Clinics Pty Ltd* [2025] NSWCATCD 17**

The applicant engaged the respondent, a beauty clinic, for facial treatment services after signing the respondent's Terms and Conditions. The terms included a non-refund policy. Over two years, the applicant purchased from the respondent 16 promotional beauty services packages, at a total cost of \$32,622. One package, valued at \$4,653, remained unused. As part of those packages, the applicant sought a "facial slimming injection" which involved the injection of "Botox" into the applicant's face. The injection was administered by a medical practitioner introduced by the respondent. After receiving the injection, the applicant complained it caused injury to her face.

The applicant sought \$9,130 in compensation, including a refund for the facial injection, medical expenses for side effects, and reimbursement of unused package credits. The applicant alleged breach of the consumer guarantee of due care and skill under s 60 of the Australian Consumer Law (NSW) (ACL). The Tribunal found that the injection was administered by an independent contractor for whom the respondent was not vicariously liable. In any event, the applicant did not suffer any long term damage, nor had she produced evidence of any medical expenses associated with the injury.

The applicant also claimed the service was not fit for purpose in breach of the consumer guarantee under s 61 of the ACL. The Tribunal found the applicant failed to prove that the service might not reasonably be

expected to achieve the result it found the applicant had impliedly made known she wished to achieve, which was the reduction of wrinkles and fine lines.

The applicant further claimed the respondent's policy regarding refunds for unused packages was either unconscionable or unfair. The Tribunal rejected the claim of unconscionable conduct because the applicant signed, and therefore accepted, the respondent's trading terms. The respondent did not fail to disclose its refund policy. The Tribunal also rejected the unfair contract claim because the applicant failed to prove the term governing refunds would cause significant imbalance in the parties' rights and obligations under the contract. The Tribunal also found that the no-refund term was reasonably necessary to protect the respondent's legitimate interests because, when a client purchased a treatment package, the respondent purchased the relevant products for use by that client. The respondent consented to an order that it refund \$4,653 in respect of the unused package. The remainder of the application was dismissed.

#### ***Fish v Kurmond Homes Pty Ltd; Kurmond Homes Pty Ltd v Polycrete Australia Pty Ltd* [2025] NSWCATCD 6**

The applicant, Mr Fish, contracted Kurmond Homes Pty Ltd (the builder) to build a home. Mr Fish engaged a third party, Polycrete Australia Pty Ltd (Polycrete), to produce a polished finish to the concrete flooring in the home. By arrangement with the builder, under a variation to the building contract, the polishing was carried out by Polycrete before final completion of the building work and before the handover of the home to Mr Fish.

Mr Fish alleged three defects in the home: uneven aggregate distribution in the concrete slab, damage to the polished concrete surface, and mortar smears on external brickwork. He sought \$415,622 in compensation.

The Tribunal dismissed the claim regarding the aggregate in the concrete slab because, among other things, the aggregate did not compromise the aesthetic appeal of the polished concrete. It also dismissed the claim about the brickwork because the smear was

merely evidence of incomplete work and the proposed method to complete the work was unreasonable.

However, the Tribunal found that a chemical applied to the sealant by the builder or its cleaning contractor caused dull patches and unattractive spills and drops on the concrete surface. The Tribunal found that the builder had breached the statutory warranty under s 18B(1)(b) of the *Home Building Act 1989* (NSW) (HB Act), that all materials supplied by the builder would be good and suitable for the purpose for which they are used, by

supplying unsuitable cleaning materials that damaged the polished concrete surface. The Tribunal cited *Owners Corporation No.1 of PS613436T v Lu Simon Builders Pty Ltd (Building and Property)* [2019] VCAT 286 where it was held that a “builder’s obligation to supply materials that are good and suitable for the purpose for which they are used is not limited to an obligation to use reasonable care and skill ... the obligation is absolute”. The Tribunal awarded \$55,999.19 for the cost of grinding, sealing, and polishing the damaged floor surface.

# Guardianship Division

## What the Division does

The Guardianship Division exercises a protective jurisdiction and promotes the rights of people living with decision-making disabilities.

The Division facilitates substitute decision-making by determining applications for the appointment of guardians and financial managers. In addition, the Division reviews guardianship and financial management orders, provides consent for medical and dental treatment, reviews enduring powers of attorney and enduring guardianship appointments, and approves clinical trials to enable people with decision-making disabilities to participate.

Many decisions made by the Division have a profound effect on the autonomy of persons with decision-making disabilities, and ability to make decisions about critical aspects of their lives.

Section 4 of the *Guardianship Act 1987* (NSW) requires Members of the Division when exercising their powers to observe a number of principles.

These include taking into account the views of the person with a disability, restricting their freedom of decision-making and freedom of action as little as possible and protecting them from abuse, neglect and exploitation. At all times, the welfare and interests of people with disabilities is the paramount consideration.

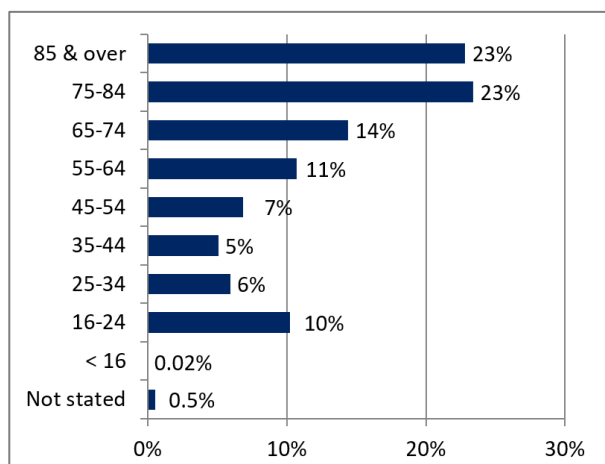
## Work within the Division

The Division uses a triage system to assess applications based on the apparent risk posed to the person who is the subject of the application (referred to as the **subject person**) or the person's estate. Listing priority is given to applications where the subject person is assessed as being at immediate risk (Risk Category 1).

Table 4 – 2024-25 Guardianship Division workload and performance

APPLICATION TYPE	APPLICATIONS	FINALISATIONS	CLEARANCE RATIO
Guardianship	6,017	5,446	90.5%
Requested Review of Guardianship	898	863	96.1%
Financial Management	4,199	4,016	95.6%
Requested Review of Financial Management	902	900	99.8%
Enduring Power of Attorney	323	300	92.9%
Enduring Guardianship	1,056	583	55.2%
Review/Revocation of an Enduring Power of Attorney	28	27	96.4%
Medical/Dental Consent	416	406	97.6%
Recognition of Interstate Appointment	88	83	94.3%
Clinical Trial	28	27	96.4%
Rehearing – Remittal	1	0	0.0%
Set Aside/Vary Decisions	1	1	100.0%
Statutory Reviews (falling due in the period)	5,226	5,206	99.6%
<b>TOTAL</b>	<b>19,183</b>	<b>17,858</b>	<b>93.1%</b>

**Graph 5 – Age demographic of the subject person**



Recognising the urgent nature of many applications made to the Division, the Division provides an after-hours service, enabling applications to be determined 24 hours a day, 365 days a year.

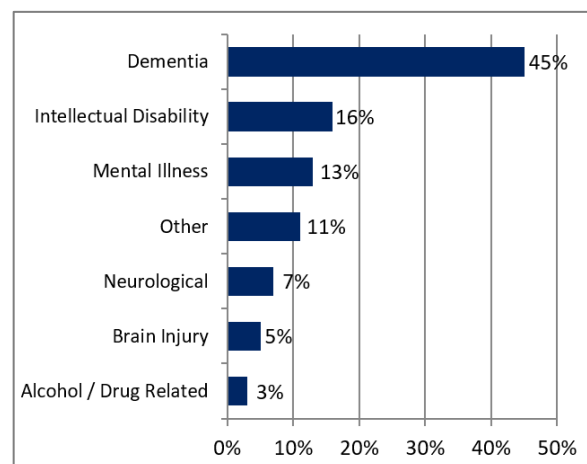
## Accessibility

The Division endeavours to ensure that the subject person is supported to participate in proceedings to the greatest extent possible. The Division follows the guidelines developed by the Australian Guardianship and Administration Council, which are designed to maximise the participation of the subject person in guardianship proceedings to the maximum extent feasible.

To encourage the participation of the subject person the Division conducts hearings throughout greater metropolitan Sydney and regional NSW, and, where practicable, in health care and aged care facilities. In addition, the Division conducts ‘hybrid hearings’, that is, hearings where parties have the option to participate by video conference, telephone or in person. The Division encourages all parties, and in particular the subject person, to participate in hearings in person.

Throughout the reporting period the subject person participated in 81% of substantive hearings: 13% in person, 56% by video conference and 12% by telephone.

**Graph 6 – Disability identified in applications**



## Workload

The Division continued to experience significant growth in its workload, which increased by 10.7% from the previous year. Despite an average annual increase in workload of 9.3% for the last seven years, the Division managed to achieve a clearance ratio of 93.1%.

In the reporting period the number of applications made to the Guardianship Division grew to 13,957 for substantive orders. In addition, the Division conducted 5,226 statutory (end-of-term) reviews of guardianship and financial management orders.

The primary driver of this growth continues to be the ageing profile of the population and the consequent increase in the number of people living with dementia and other age-related decision-making disabilities. Other factors contributing to this growth include increased public awareness of, and preparedness to report, abuse and exploitation of people with disabilities and older people, difficulties dealing with the National Disability Insurance Agency, financial and other institutions on behalf of the subject person, the introduction of safeguards to reduce the use of restrictive practices in residential aged care facilities, family conflict and “inheritance impatience”.

Guardianship orders are time limited. The *Guardianship Act* requires that guardianship orders be periodically reviewed by the Tribunal, generally every 12 months, or after the initial order up to 3 years. While not time-

limited, financial management orders must be reviewed if ordered by the Division.

During 2024-2025, the Guardianship Division:

- received 6,017 applications for guardianship orders, 898 requested reviews and 4,644 statutory reviews
- finalised 5,446 applications for guardianship orders, 863 requested reviews and 4,623 statutory reviews
- of the guardians appointed, 52% were private guardians, 46% the Public Guardian and 2% a joint appointment of a private guardian and the Public Guardian
- received 4,199 applications for financial management orders, 902 requested reviews and 582 reviewable orders
- finalised 4,016 applications for financial management orders, 900 requested reviews and 583 reviewable orders
- of the managers appointed under financial management orders, 48% were private managers and 52% the NSW Trustee and Guardian
- granted 195 requests for legal representation and appointed 1,011 separate representatives. One or more parties were legally represented in 6% of all applications
- arranged for the attendance at hearings of 2,241 interpreters in 63 languages.

## Members and staff

Most hearings are conducted by a three-Member panel: a Senior (Legal) Member, a Senior (Professional) Member, and a General (Community) Member.

Members of the Division are appointed on the basis of their professional and/or personal experience with people with disabilities and/or their legal skills and experience. Senior (Professional) Members hold professional qualifications in areas such as medicine, psychiatry, psychology and social work. General (Community) Members have direct personal and/or

professional experience with people with decision-making disabilities.

This multi-disciplinary model enables NCAT to draw on the collective knowledge, skill and experience of its Members. This assists the Tribunal to better evaluate the available evidence and to discharge its statutory obligation to ensure that all relevant material is disclosed to the Tribunal (s 38(6)(a) of the NCAT Act). The combination of professional and personal experience contributes significantly to the quality of its decisions.

The Division's Member professional development program focused on topics relevant to the jurisdiction, including effective communication with people with decision-making disabilities; the nature of the fiduciary obligations owed to the subject person/principal by a financial manager/attorney; brain injury: diagnosis, prognosis, rehabilitation and assessment, and questioning techniques.

Registry staff provide a specialist enquiry service and give information to the subject person, family members, and anyone with a genuine concern for the subject person's welfare about the Division's procedures and the type of information likely to be required to support or to challenge an application. In appropriate cases, staff assist people to identify informal solutions where problems arise with a person's decision-making capacity. This often results in an application not being made to the Tribunal and, instead, the person being supported by family and friends to make decisions.

Assisting the subject person to understand NCAT's role and its procedures is a focus of the Division's enquiry service. Staff encourage the participation of the subject person by exploring options with the subject person, as well as families and friends, to participate in the hearing process. In addition, where appropriate, staff seek information about the subject person's capacity to make decisions, the support available to assist the person to make decisions and the type of decisions that are likely to be required to be made in the foreseeable future.

## Consultation with stakeholders

The NCAT Guardianship Division Consultative Forum met twice during the reporting period.

Members of the forum include representatives from advocacy groups, such as the Seniors Rights Service, Alzheimer's Australia NSW, the Intellectual Disability Rights Service, the NSW Council for Intellectual Disability and key government agencies including the NSW Public Guardian, the NSW Trustee and Guardian and the National Disability Insurance Agency.

The forum provides the Division with an invaluable opportunity to engage with the disability sector and other stakeholders and to receive feedback about our practices and procedures.

## Significant decisions

### **LXN [2024] NSWCATGD 13**

LXN is a Cambodian woman in her twenties with a major cognitive impairment, living in a safe house in Sydney with no family in Australia. She has a complex history of trauma, and has been subject to human trafficking, exploitation and abuse. A case manager at the safe house applied to NCAT to appoint a guardian and financial manager for LXN.

The Tribunal found that decisions about LXN's personal and financial affairs needed to be made and, because of her cognitive impairment, LXN was incapable of making those decisions. The Tribunal found that in 2024, LXN's cognitive functioning had declined significantly, and the safe house had become unsuitable as she struggled to live independently, had frequent memory loss and could not communicate well. The Tribunal said it was unclear on the available material whether LXN wished to return to Cambodia (and whether it was safe to do so) but found that it was likely that decisions needed to be made about applying for a visa, disability supports, medical treatment and facilitating LXN's participation in legal proceedings. The Tribunal made a guardianship order for LXN and appointed the Public Guardian for a period of 12 months.

The Tribunal also made a financial management order and appointed the NSW Trustee and Guardian as LXN's financial manager. It found that LXN was incapable of managing her financial affairs and that a financial manager was required to make and implement decisions about applying for funding under a compensation scheme for victims of trafficking, Centrelink payments, identification documents and Medicare registration.

### **Jess (a pseudonym) [2024] NSWCATGD 16**

Jess is a 15-year-old transgender female (assigned male at birth). In 2024, the Hunter New England Local Health District applied to NCAT under s 175 of the *Children and Young Persons (Care and Protection) Act 1998* (NSW) (the Act) for consent to give "gender affirming hormone therapy" to Jess and two other transgender children (see *Charles (a pseudonym) [2024] NSWCATGD 15* and *Lisa (a pseudonym) [2024] NSWCATGD 17*).

At the time of the hearing, Jess was about to turn 16. Jess has identified as a girl since she was 13 years old. She was enrolled at school as a female student, wore the female school uniform and used a gender-neutral bathroom. Jess was taking puberty-suppression medication (Stage 1 treatment) and wished to commence "gender affirming hormone therapy" which involved taking the cross-sex hormone, oestrogen (Stage 2 treatment). Jess was diagnosed with Gender Dysphoria in early 2023. At the time of the hearing, she was said to be actively suicidal.

Section 175(1) of the Act makes it an offence to carry out "special medical treatment" on a person under 16 years of age. However, a medical practitioner may carry out special medical treatment on a child if the Tribunal consents to the carrying out of that treatment: s 175(2)(b).

The Tribunal considered:

1. Whether the proposed treatment, the Stage 2 treatment, constituted special medical treatment, that is, treatment that is "reasonably likely to have

the effect of rendering the subject person permanently infertile”; and

2. If so, whether it was necessary to carry out the treatment to prevent serious damage to Jess’ psychological health.

The Tribunal found that the proposed treatment was special medical treatment. The Tribunal acknowledged that there was a lack of definitive evidence but nonetheless found that there was a “real but immeasurable chance” that permanent infertility may be an effect of the treatment. Further, the Tribunal found that the proposed treatment was not intended to remediate a life-threatening condition, but rather to bring about the feminisation of Jess’ body.

The Tribunal found that it was necessary to carry out the treatment to prevent serious damage to Jess’ psychological health. Jess was “exceptionally vulnerable to self-harm” and her Gender Dysphoria posed a risk to her life, such that her mental health could not otherwise be successfully treated without undergoing the treatment.

The Tribunal decided to exercise its discretion to consent to the treatment as the proposed treatment was in the interests of Jess’ safety, welfare and well-being.

#### ***Jonathan (a pseudonym) [2025] NSWCATGD 11***

Jonathan is in his mid-nineties. He owns a unit with his former wife, and a property in East Sydney. Jonathan’s son, Oliver made an application to NCAT for a financial management order and requested to be appointed as his father’s financial manager. The stated reason for making that application was Jonathan’s plan to sell the East Sydney property. Oliver said that Jonathan was being influenced and manipulated by a real estate agent and solicitor; and Oliver’s concern was that Jonathan planned to give 60% of the sale proceeds to charity.

The Tribunal commenced its analysis by referring to the long-established common law principle that a person is presumed to have decision-making capacity. The Tribunal found inconclusive, the evidence relied upon

by Oliver about his father’s property dealings in Greece said to evidence a lack of capacity. The Tribunal found that the report prepared by a psychologist who had diagnosed Jonathan with an adjustment disorder and depression in the context of legal proceedings in 2019, had no bearing on Jonathan’s current ability to manage his affairs. The Tribunal found that Jonathan understood the consequences for his financial position of the proposed sale of the East Sydney property, including the tax implications. The Tribunal accepted Oliver’s assertion that Jonathan’s intention to donate a significant proportion of the proceeds of the sale to charity was “unusual” but provided that Jonathan is able to manage his affairs, he is “free to make his own decisions about these matters”. The Tribunal found that Jonathan gave a plausible and reasoned explanation for various other claims made by Oliver, including that Jonathon had been exploited by sale agents and had failed to seek assistance from Oliver about the proposed sale.

Despite his advanced age, the Tribunal was not satisfied that Jonathan was incapable of managing his financial affairs and dismissed the application.

#### ***Laura (a pseudonym) [2025] NSWCATGD 12***

Laura is in her mid-seventies. Laura has been diagnosed with mild Alzheimer’s dementia. In 2024, Laura’s son made an application to NCAT seeking review of Laura’s revocation of a 2021 Enduring Power of Attorney (2021 EPoA) in which Laura appointed him as one of her attorneys. In addition, the son made an application for a financial management order. Laura’s son claimed that Laura did not have capacity to revoke the 2021 EPoA and was being exploited by her sister (who was Laura’s current enduring attorney and enduring guardian).

In deciding whether to carry out a review of the revocation of the 2021 EPoA, the Tribunal was required to consider what the son contended was “contradictory” medical evidence as to Laura’s capacity. The son pointed out that in 2021 a neurologist had diagnosed Laura with Alzheimer’s dementia, and that this was inconsistent with the opinion of a neuropsychologist who found that in 2023 and 2024 Laura still had capacity to manage her legal and

financial affairs. The Tribunal was not persuaded that the evidence was inconsistent. It noted that a diagnosis of Alzheimer’s disease of itself does not demonstrate that a person lacks capacity to make relevant decisions. The Tribunal reasoned that “it is the impact of the cognitive decline associated with such diagnosis that is relevant in assessing the issue of capacity”. The Tribunal noted that “capacity is decision specific and may fluctuate from time to time”. The Tribunal preferred the opinion given by the neuropsychologist about Laura’s decision-making capacity and noted she had assessed Laura in 2024, whereas the neurologist had assessed Laura three years earlier. The Tribunal considered significant that the neurologist provided a tentative diagnosis and had not commented on Laura’s decision-making capacity nor the impact of her cognitive decline on her capacity. The Tribunal decided not to exercise its discretion to carry out a review of the 2021 EPoA as the medical evidence did not establish that Laura lacked capacity to revoke the EPoA.

The Tribunal also declined to make a financial management order, as the threshold issue of incapacity was not met.

# Occupational Division

## What the Division does

The Occupational Division hears and determines occupational matters in three broad categories:

- Professional discipline of health practitioners, architects, veterinary practitioners, registered certifiers, lawyers and public notaries
- Administrative review of decisions relating to the licensing of specified occupations, and
- Potential breaches by local government councillors and Aboriginal land councillors of applicable codes of conduct and pecuniary interest provisions.

## Work within the Division

The Division primarily deals with professional disciplinary matters brought by statutory authorities and other professional associations against architects, health practitioners, lawyers and public notaries, veterinary practitioners, and registered certifiers.

It also hears and determines matters involving local government councillors for asserted breaches of the pecuniary interest provisions and codes of conduct applicable to local government councillors under the *Local Government Act 1993* (NSW), as well as challenges to the election of councillors.

In addition, the Tribunal hears and determines matters involving Aboriginal land councillors for asserted breaches of pecuniary interest provisions and codes of

conduct applicable to those councillors under the *Aboriginal Land Rights Act 1983* (NSW).

The Division exercises an appellate function in hearing appeals under the Health Practitioner Regulation National Law against decisions of the various health professional councils and national boards. The Division also exercises an administrative review jurisdiction in respect of a number of occupations including builders, taxi service operators and security agents.

The matters heard in this Division are often complex and generally require longer hearings than those in other Divisions. One of the primary functions of the Division is to protect the public by ensuring only professionals who are competent and appropriate to practise, including doctors, other health professionals and lawyers, are permitted to do so.

## Workload

During 2024-25, the Occupational Division received 251 applications and finalised 277, giving a clearance ratio across the whole Division of 110.4%. The predominant type of applications in the Division are professional disciplinary proceedings.

In health professional disciplinary matters, the ability of the Tribunal to dispose of its caseload is enhanced by the appointment of Occasional Members drawn from the relevant professions, who provide specialist knowledge and expertise to assist in determining complex issues. The Tribunal panel also includes a Lay Member, whose contribution is also valuable.

Table 5 – 2024-25 Occupational Division workload and performance

LIST	APPLICATIONS	FINALISATIONS	CLEARANCE RATIO
Administrative Review	159	154	96.9%
Health Practitioner	74	101	136.5%
Legal Practitioner and Other Professionals	18	22	122.2%
<b>TOTAL</b>	<b>251</b>	<b>277</b>	<b>110.4%</b>

In legal services matters involving disciplinary applications brought under the Legal Profession Uniform Law (NSW), the Tribunal is constituted by a three-Member panel comprising a senior judicial officer or Legal Member (barrister or solicitor, depending on the practitioner's discipline), another Legal Member, and a General Member. The constitution of the Tribunal to hear other types of matters involving legal practitioners differs depending on the type of proceeding.

The composition of the Tribunal when hearing other professional disciplinary matters is fixed by the governing legislation and typically includes a professional from the relevant discipline.

Disciplinary proceedings against local government councillors and Aboriginal Land councillors are usually heard by a single Member, except in the case of a challenge to a councillor's election under the *Local Government Act 1993* (NSW), which are heard by a three-Member panel.

Administrative review matters involving numerous occupations including builders, taxi services and security agents are typically heard by a single Legal Member.

## Members

The Division comprises the Deputy President and Division Head, as well as Members in the Division who include Judges, Principal and Senior Members and Professional Members who are appointed as Occasional Members for a particular matter because of their professional expertise, and General and Lay Members.

As at 30 June 2025, there were 60 Members appointed to the Occupational Division.

Professional development 'Twilight Seminars' were held during the year on a diverse range of topics including dealing with confidential information, working with specialist panel members in health disciplinary matters, and decision-writing, as well as procedural updates. These sessions form part of a structured

program aimed at enhancing Members' knowledge and skills.

## Legislation

There was no new jurisdiction conferred on the Division during the reporting period. A full list of the legislation which confers power on the Division is attached at Appendix 1.

## Consultation with stakeholders

The Occupational Division engaged with stakeholders through two dedicated Consultative Forums: the Health forum and Legal Practitioners forum. Each forum met once during the reporting period, providing a platform for ongoing dialogue with key stakeholders. These forums support the Division to gather feedback, share updates, and discuss emerging issues relevant to its jurisdiction.

## Significant decisions

### *Singh v Point to Point Transport Commissioner* [2024] NSWCATOD 137

The applicant had been a taxi driver for 18 years, including for GM Cabs, an authorised service provider. In mid-2023, GM Cabs offboarded the applicant because he had been charged with domestic violence offences and had pleaded not guilty. The applicant held a taxi licence for a motor vehicle with a designated taxi plate. After being offboarded, he applied to the Point to Point Transport Commissioner for authorisation to provide his own taxi service. A delegate of the Commissioner refused the application on the basis that the Commissioner had significant safety concerns while the criminal charges were before the court.

On review in the Tribunal, the Commissioner conceded that the applicant met the 'general standards for authorisation' for authorised service providers. While the standards require that an applicant have no current proceedings against them for a disqualifying offence, the criminal charges to which the applicant was subject

were not disqualifying offences. However, the applicant applied for authorisation with the intention that he would drive the taxis himself. The regulations prescribe additional disqualifying offences for drivers and some of the offences the applicant was charged with would result in the applicant's disqualification if he was convicted of them.

The Tribunal noted that the decision to refuse or grant authorisation is discretionary. While the legislation does not identify any relevant factors to be taken into account, the decision-maker is to consider the subject-matter, scope and purpose of the legislation. Here, a paramount consideration was safety. The Tribunal held that the pending charges against the applicant posed an unacceptable risk to public safety and affirmed the Commissioner's decision.

***Payne v Council of the Law Society of New South Wales [2024] NSWCATOD 118***

The applicant is a solicitor. In a phone call intercepted by law enforcement, he instructed a client not to attend court, so the client could avoid arrest. The next day, he informed the court that he had not spoken to the client. The applicant was charged with intending to pervert the course of justice, for which he pleaded guilty and was sentenced to a 12-month community corrections order. The Council cancelled the applicant's practising certificate and precluded him from practising for 5 years.

On review of the Council's decision, the applicant accepted that his conduct was contrary to the administration of justice and involved dishonesty towards the court. He submitted that the offending was impulsive and was due to concern for the client's mental health. At the time the offending occurred, the applicant himself was under acute personal stress.

The Council submitted that the applicant's conduct was likely to undermine the public's confidence in the legal profession. The conduct was not a temporary lapse in judgment but was designed to deceive the court.

The Tribunal found that the applicant's conduct had breached the fundamental obligations of a legal

practitioner. It considered the applicant's lifetime of service to his family, community and clients and found that the applicant's conduct was a one-off aberration, not motivated by a selfish interest but rather done out of concern for the welfare of a client. The Tribunal found that the applicant had showed insight and accepted responsibility and would not repeat the conduct. The Tribunal held that the applicant was fit and proper to hold a practicing certificate, but suspended the certificate for the duration of the community corrections order. The Tribunal required the applicant's practice to be supervised and that he undertake a legal ethics course for the first 6 months.

***Council of the New South Wales Bar Association v Waterstreet (No 2) [2025] NSWCATOD 4***

The respondent, a barrister, was found guilty of unsatisfactory professional conduct and professional misconduct under the *Legal Profession Uniform Law* (NSW) following a Stage 1 hearing. The impugned conduct included sexual harassment and failing to pay an employee's wages.

At the Stage 2 hearing, the Council sought that the respondent be reprimanded and prohibited from applying for a practising certificate for a three-year period.

The respondent submitted that the Tribunal should take guidance from criminal sentencing principles and consider his "moral culpability", arguing that his culpability was reduced due to his undiagnosed and untreated bipolar disorder being the dominant causal factor for his behaviour. He also argued the Tribunal should take into account the extra-curial punishment he had experienced.

The Tribunal found that while the respondent continues to receive psychiatric treatment and has demonstrated some insight into his behaviour, it could not be satisfied that the risk of the respondent engaging in further sexualised conduct had been reduced to an acceptable degree. The Tribunal found that the respondent had a tendency to minimise his behaviour and held that moral culpability is not relevant to determining what protective orders are appropriate. The Tribunal

balanced the matters experienced by the respondent as extra-curial punishment against the fact that he had engaged in a course of conduct over a number of years, concluding that the respondent was not currently capable of changing his habits. The respondent was reprimanded and precluded from applying for a practising certificate for a year, to give him time to develop further insight and change his behaviour on a more sustained basis.

#### ***Solaris v Health Care Complaints Commission [2024]*** **NSWCATOD 204**

The applicant was alleged to have provided health services as a non-registered health practitioner. The services he provided included the administration of Kambo, a toxic excretion from the eponymous frog species, and Ayahuasca. It was alleged he administered Kambo to an attendee at a retreat, who died as a result. The respondent issued the applicant with an interim prohibition order to protect the health and safety of the public.

The applicant submitted that administering Ayahuasca does not amount to the provision of a health service. He also denied administering any substances, arguing that attendees willingly asked for it and chose to drink it.

The Tribunal found that the applicant is described as the “facilitator” of the Ayahuasca ceremonies in promotional material and there was evidence that he gave instructions about how much each participant should drink. The Tribunal considered the meaning of “health service” and held that it related to the treatment and care of physical or mental illness or injury. The applicant had advertised the retreat as one that provides health benefits and the administration of Kambo was prescribed by him to improve mental and emotional health.

The Tribunal found that the applicant breached the code of conduct for non-registered health practitioners by facilitating the use of a prohibited substance, failing to understand the gravity of the deceased’s health crisis after his consumption of Kambo and Ayahuasca and failing to obtain emergency assistance in time to save the deceased’s life. As the applicant continued to

conduct similar retreats, the Tribunal was satisfied he poses an ongoing risk to public health and safety and affirmed the respondent’s decision.

#### ***Health Care Complaints Commission v Le [2024]*** **NSWCATOD 171**

Disciplinary proceedings were brought against the respondent, a medical practitioner, alleging that he engaged in unsatisfactory professional conduct and professional misconduct. The complaints about the respondent’s conduct arose out of his prescribing of a cream to treat eczema, which was developed by him and was not TGA-approved. The respondent was alleged to have prescribed the cream to three patients: a 32 year old woman, a 12 month old and a 7 year old.

The HCCC submitted that in treating those three patients, the applicant engaged in conduct including failure to conduct a proper initial assessment, misdiagnosis, failure to keep adequate records, inappropriately prescribing the cream and continuing to prescribe the cream without the patients’ conditions improving. The respondent was also alleged to have continued to prescribe the cream to the child patients after being notified of the product’s mercury toxicity.

The Tribunal found that the respondent’s conduct fell significantly below reasonable standards. However, the Tribunal did not find that the respondent had engaged in improper or unethical conduct, finding that the conduct was based on the respondent’s unshakeable belief that the cream he developed offered help to patients when no other treatment had worked. The Tribunal also found that the respondent failed to disclose his financial interest in prescribing the cream to patients and that he manufactured the cream in bulk, contrary to the therapeutic goods regulations.

The respondent was found guilty of unsatisfactory professional conduct and professional misconduct. Following a Stage 2 hearing, the respondent’s registration was suspended for 6 months and conditions were imposed prohibiting him from manufacturing, compounding or prescribing compounded substances: *Health Care Complaints Commission v Le (No 2) [2025]* NSWCATOD 20.

# Appeal Panel

## What the Appeal Panel does

The Appeal Panel is responsible for hearing internal appeals from decisions of each of the Divisions where there is a right of appeal to the Appeal Panel provided for in the NCAT Act or in the enabling legislation.

The Appeal Panel is also responsible for hearing designated external appeals as provided for in the NCAT Act or the enabling legislation.

## Workload

The Appeal Panel functioned efficiently during the reporting period, dealing with a wide range of matters, including some of significant complexity. However, managing the growing number of appeals in a timely manner remains an ongoing challenge.

During the 2024-25 reporting period, the Appeal Panel experienced an increase in appeals received. A total of 655 appeals were lodged for the year ending 30 June 2025, compared with 616 appeals in the previous year. The overall clearance ratio for the year was 85.5%.

Appeals were received from decisions across all Divisions, with the Consumer and Commercial Division accounting for the largest proportion. This reflects the high volume of first instance decisions in that Division.

A detailed breakdown of appeals by Division is provided in Table 6.

Each Division manages its work by lists or order types. Table 7 provides a breakdown of the appeals by list or order type. For the 2024-25 year, 58% of internal appeals were finalised at or before the first hearing, and 96% of matters were finalised within nine months of lodgement. The Appeal Panel has a performance target of finalising 80% of appeals within nine months from the date they are lodged. To achieve this, all new appeals are listed for callover within two weeks from filing, with urgent stay applications and other interlocutory applications listed more quickly.

Generally, an appeal involves a single callover during which directions are made for the preparation of appeal papers and provision of submissions by the parties. At the callover, the appeal process is explained, and a final hearing date is allocated. Parties can normally expect the hearing to take place six to ten weeks after the callover, with urgent appeals and interlocutory applications being dealt with more quickly.

In many cases, the appellant may apply for a stay of the orders under appeal, so that they can be relieved of the obligation to comply with the orders pending the appeal outcome. These applications are typically determined at the callover.

Table 6 – 2024-25 Appeal Panel workload and performance

DIVISION	APPLICATIONS	FINALISATIONS	CLEARANCE RATIO
Administrative and Equal Opportunity Division	69	54	78.3%
Occupational Division	12	9	75.0%
Consumer and Commercial Division	527	452	85.8%
Guardianship Division	45	47	104.4%
Designated External Appeals	2	0	0.0%
<b>TOTAL</b>	<b>655</b>	<b>562</b>	<b>85.8%</b>

**Table 7 – 2024-25 Appeals finalised by Division and list/order type**

LIST / ORDER TYPE	2024-25
<b>Administrative and Equal Opportunity</b>	
• Administrative Review List	35
• Community Services List	5
• Equal Opportunity List	9
• Revenue List	5
<b>Occupational</b>	
• Administrative Review List	9
• Health Practitioner List	0
• Legal Practitioner and Other Professionals List	0
<b>Consumer and Commercial</b>	
• Commercial List	27
• Community Land List	2
• General List	56
• Home Building List	89
• Motor Vehicles List	24
• Residential Communities List	2
• Retirement Villages List	1
• Social Housing List	21
• Strata Schemes List	56
• Tenancy List	174
<b>Guardianship</b>	
• Initial Order	15
• Review of Order	32
<b>Designated External Appeals</b>	
	0
<b>TOTAL</b>	<b>562</b>

**Table 8 – 2024-25 Final orders made by the Appeal Panel**

FINAL ORDERS MADE	2024-25	%
Allowed	110	19.6%
Dismissed	314	55.9%
Withdrawn	119	21.2%
Other	19	3.4%
<b>TOTAL</b>	<b>562</b>	<b>100.0%</b>

**Table 9 – 2024-25 Appeal Panel decisions appealed to the Supreme Court or Court of Appeal\***

APPEAL RESULT	2024-25	%
Dismissed	13	61.9%
Allowed	8	38.1%
<b>TOTAL</b>	<b>21</b>	<b>100.0%</b>

\* These figures are for matters in which there are finalised decisions published on NSW Caselaw.

Consistently with section 37 of the NCAT Act, the Appeal Panel promotes the use of alternative resolution processes where appropriate for the resolution of appeals. Conciliation conducted at callovers may result in matters being finalised by withdrawal of the appeal or by consent orders.

Subject to the nature of the issues raised on appeal, and whether the NCAT Act or enabling legislation makes special provision for the constitution of the Appeal Panel (such as in appeals from the Guardianship Division), an Appeal Panel constituted to hear and determine an internal appeal usually comprises two legally qualified Members.

Internal NCAT appeals from the Guardianship Division are constituted by three Members (two Legal Members, and one non-legal Senior or General Member) in accordance with clause 13 of Schedule 6 to the NCAT Act.

Orders and reasons for decisions of the Appeal Panel may be given on the day of the appeal. Otherwise, decisions are reserved. The service standard for publishing a decision and written reasons is 12 weeks from the date the decision is reserved, but usually decisions are published before this time. Table 8 provides a summary of the final orders made.

Decisions of the Appeal Panel in its internal appeal jurisdiction may be appealed to the Supreme Court of NSW. Decisions may also be challenged by way of judicial review. These appeals and applications are assigned to the Supreme Court, or the Court of Appeal if the Appeal Panel included a judicial officer. Table 9 sets out the number of appeals and applications

finalised by the Supreme Court for the 2024-25 reporting period and the result of those appeals.

## Members

The Appeal Panel is constituted by Members at the direction of the President, assisted by the Principal Member Appeals.

Members of the Appeal Panel comprise the President, the Deputy Presidents, the Principal Members and selected Senior Members allocated by the President to the Appeal Panel. For appeals from the Guardianship Division, a non-legal General Member (who has experience with persons to whom the *Guardianship Act 1987* relates) or a Senior Member with relevant professional qualifications is included on the Appeal Panel constituted in a particular matter.

Reserved final decisions of the Appeal Panel are typically published on NSW Caselaw. The *Appeal Panel Decisions Digest* is regularly published, updating Members on important decisions from the Appeal Panel. The Digest is published on the NCAT website and is available as a subscription service.

## Significant decisions

### ***Houda v Seraphim* [2025] NSWCATAP 135**

An Appeal Panel refused leave to appeal a decision of the Administrative and Equal Opportunity Division in relation to an interlocutory decision declining to make non-disclosure and non-publication orders under ss 49(2) and 64 of the NCAT Act. The appellant sought leave to appeal on grounds that issues of principle (or public importance) were raised regarding ss 49(2) and 64 of the NCAT Act, there is limited appellate guidance on the term “desirable” in those sections, and NCAT’s decision involved errors of principle and was attended by sufficient doubt to warrant a grant of leave.

The appellant submitted that there is no principled basis for the Appeal Panel to apply the type of “restraint” ordinarily applied to requests for leave in interlocutory appeals concerning questions of practice and procedure in this case because of the unchallenged

evidence of detriment that would be likely be suffered by third parties if confidentiality orders were not made. The Appeal Panel accepted that this type of decision was not in the same category as more minor interlocutory matters, however confirmed that, “there should nonetheless be substantial reasons to allow appellate review from an interlocutory decision of this nature.” The Appeal Panel also clarified the principles regarding a grant of leave to appeal, including that “[l]eave to appeal should only be granted when there are substantial reasons to warrant leave being granted. These reasons include the presence of an error of principle in the decision under appeal, resulting in substantial injustice. For leave to be granted, the decision under appeal must generally be attended with sufficient doubt to warrant its consideration on appeal”. The Appeal Panel determined that the appellant’s arguments did not warrant the grant of leave to reconsider the Tribunal’s decision, nor did the Appeal Panel think that the appellant raised questions of public importance that required clarification on appeal.

### ***YKW v Public Guardian* [2025] NSWCATAP 112**

An Appeal Panel dismissed an appeal from the Guardianship Division of NCAT which, on the first ground of appeal, sought to raise procedural fairness concerns about the Tribunal’s failure to cross-examine the Public Guardian on its purportedly poor decisions while appointed as guardian. The Appeal Panel found that the Tribunal’s discretion under s 38 of the *Civil and Administrative Tribunal Act 2013* (NSW) (NCAT Act) does not require it to question parties or witnesses, and procedural fairness was not breached.

In the second ground of appeal, the appellant contended that NCAT had misconstrued ss 15 and 17 of the *Guardianship Act 1987* (NSW) in appointing the Public Guardian where there were two people who had applied to be guardian, reasoning that the Public Guardian can only be appointed as a “last resort”. The Appeal Panel confirmed that NCAT had correctly applied the principles outlined in the relevant authorities regarding ss 4, 15(3) and 17 of the *Guardianship Act* and there were no individuals seeking guardianship who were both willing and able to perform

the role. It was appropriate to appoint the Public Guardian in those circumstances.

The third appeal ground contended that NCAT should have considered the alleged “neglect” and “isolation” experienced due to decisions of the Public Guardian. The appellant raised the South Australian Supreme Court decision of *TGN v MCN & Anor* [2023] SASCA 62 in support of her argument, however the Appeal Panel found that the interpretation of a different statutory regime (with no equivalent review process) did not assist in applying the NSW provisions. It was found that NCAT did not misapply the s 4 principles and, while decisions of an existing guardian may be considered by NCAT under s 17(1) to determine whether that guardian is “able” to exercise the proposed functions, s 17(2) states that s 17(1) does not apply to the Public Guardian.

#### ***Barefoot Timber Pty Ltd v Wright* [2024] NSWCATAP 252**

An Appeal Panel allowed an appeal from a decision of the Consumer and Commercial Division which found that Barefoot Timber had not carried out work with due care and skill and had breached s 60 of the Australian Consumer Law (ACL). The Appeal Panel found that the failure of NCAT at first instance to inform the parties that a decision was to be made pursuant to the ACL and not the *Home Building Act 1989* (NSW) (HB Act) constituted a denial of procedural fairness.

The respondent to this appeal filed a claim in NCAT pursuant to the HB Act, however NCAT did not have jurisdiction to deal with the dispute pursuant to the excluded definition of ‘residential building work’ in the HB Act. Nevertheless, NCAT had jurisdiction to deal with the case under the ACL. Nothing in the Tribunal's decision at first instance suggested that the parties were informed during the hearing that the Tribunal intended to determine the matter under the ACL and not the HB Act.

On appeal, a breach of procedural fairness was not raised as a ground of appeal by the parties, who were not legally represented. The Appeal Panel found that where an appellant is self-represented, the Appeal Panel will consider whether a question of law has been

raised, subject to any procedural fairness issues that may arise for the respondent. It may be appropriate for an Appeal Panel to adopt “a more generous or benevolent approach” when assessing the grounds of appeal in such cases (*Dokas v Gallagher (No 2)* [2024] NSWCA 236 at [66]). Here, it was a denial of procedural fairness to base NCAT’s decision on statutory provisions in the ACL without providing the parties with an opportunity to respond. It was not necessary for the Appeal Panel to consider the remaining grounds of appeal. The Tribunal is obliged to afford procedural fairness to both parties in a proceeding and act according to equity, good conscience and substantial merits of the case without regard for technicalities pursuant to s 38(4) of the NCAT Act. A decision should not be based on grounds that the parties have not relied on, and in relation to which the parties have not had an opportunity to consider their respective positions.

#### ***NSW Trustee and Guardian v FYV* [2024] NSWCATAP 243**

An Appeal Panel allowed an appeal from a decision of the Administrative and Equal Opportunity Division regarding an application for administrative review of a decision by the NSW Trustee and Guardian (NSW Trustee) to sell a property owned by a protected person. At first instance, NCAT found that the sale of the property would be inconsistent with many of the “section 39 principles”, including with the principle that the welfare and interests of the protected person be given paramount consideration (*NSW Trustee and Guardian Act 2009* (NSW), s 39(a)). It recommended that the NSW Trustee reconsider the sale and determine a different course of action to clear the protected person’s debts. On appeal, the Appeal Panel concluded that the decision at first instance did not include any analysis of the submission made by the NSW Trustee that the reverse mortgage proposal was not a feasible option. Whilst NCAT at first instance was not obliged to accept the NSW Trustee’s submission, NCAT was still required to consider the argument because it was central to the NSW Trustee’s case. By failing to do so, NCAT failed to afford the NSW Trustee procedural fairness. The Appeal Panel found that NCAT at first

instance had lost sight of one of the critical issues it was required to determine. The error was inadvertent but significant and constituted a constructive failure to exercise jurisdiction and to accord the NSW Trustee procedural fairness.

Section 39 of the *NSW Trustee and Guardian Act 2009* (NSW) sets out various principles which need to be applied when making decisions about people incapable of managing their affairs. Of these principles, s 39(a) states that “the welfare and interests of such persons should be given paramount consideration”. However, a decision may still be the correct and preferable one notwithstanding that it is contrary to a protected person’s wishes. On balance, other considerations may weight against the wishes of a protected person such as where a property needs to be sold in light of minimal cash reserves, a clear and pressing need to be able to access funds to pay for past and future expenses, and where other options are attended by significant uncertainty causing further delay.

Having allowed the appeal on this basis, the Appeal Panel proceeded to redetermine the matter by way of rehearing. Whilst accepting that the protected person had repeatedly expressed the view she wished to retain the property and this was a powerful consideration in favour of retaining the property, on balance, the correct and preferable decision was to sell the property. This decision was made in light of several considerations, including that there was a clear and pressing need to make arrangements to satisfy the protected person’s creditors and to pay her ongoing expenses. She had been unable to pay for goods and services that may improve her quality of life.

Additionally, despite holding significant assets, it appeared the property was uninsured as the protected person could not afford to pay for insurance. It was not in her interests that there be any doubt as to whether her sole asset is insured. It was also not possible to say whether an application for a reverse mortgage would be successful, or what the specific terms of such an arrangement would be. The decision to sell the property was both the correct and preferable decision and gave paramount consideration to the protected person’s

welfare and interests, despite being contrary to her wishes (at [100]-[110]).

### ***Dakin v ICC Group West Ryde Pty Ltd* [2024] NSWCATAP 151**

An Appeal Panel allowed an appeal from a decision of the Consumer and Commercial Division and remitted the proceedings for hearing and redetermination. The appellant (the second respondent’s mother) had been living in the first respondent’s unit and paying rent on a monthly basis, though no written agreement existed. The second respondent (the appellant’s son) was the sole director and secretary of the first respondent. After living in the unit for some time, the respondents informed the appellant that she could no longer reside in the property, and the appellant went to live with her daughter, before moving into temporary accommodation.

The appellant commenced proceedings in NCAT seeking various orders including a declaration under s 11 of the *Residential Tenancies Act 2010* (NSW) (RT Act) that this arrangement was a residential tenancy agreement as well as seeking compensation. At first instance, NCAT rejected the contention that a residential tenancy agreement existed, and the informal family arrangement was “better characterised as a licence agreement at will”. This finding was made despite s 13 of the RT Act, which states that a residential tenancy agreement may exist regardless of whether the agreement is in writing or formal, and regardless of whether it specifies a period or term for the tenancy. Under s 13(2), an agreement may also be implied.

On appeal, the appellant submitted that NCAT at first instance did not consider those aspects of s 13 of the RT Act and the Appeal Panel held that there existed an intention to create legal relations here such that a residential tenancy agreement existed. Additionally, contrary to the respondent’s submissions, the High Court has disapproved of the existence of a rebuttable presumption that an arrangement between family members is not intended to have legal force.

### ***Johnston v NSW Land and Housing Commission* [2024] NSWCATAP 227**

An Appeal Panel allowed an appeal from the Consumer and Commercial Division and remitted the proceedings to NCAT for reconsideration after finding that NCAT at first instance had misapplied the law relating to compensation under the RT Act. Ms Johnston (the appellant) had made a request for repairs and maintenance on her rental property that were delayed or not rectified. The appellant sought compensation for, amongst other things, the landlord's breach of her right to quiet enjoyment of the residential premises under s 50 of the RT Act, stating it had caused her "distress, disappointment, anxiety and embarrassment".

At first instance, NCAT was not satisfied that the landlord was properly notified of the repair issues as the notification did not follow the landlord's procedures, however found that the delay in rectifying one issue was unreasonable, awarding \$500 in compensation. NCAT excluded any consideration of stress and anxiety in that figure on the basis that the *Civil Liability Act 2001* (NSW) (CL Act) precludes an award being made under the RT Act for non-economic loss for personal injury unless a certain threshold is met. The Appeal Panel found that NCAT erred in this respect, holding that a claim under the RT Act for compensation for loss of quiet enjoyment of a premises, and for inconvenience, does not constitute a claim for personal injury damages (*Makowska v St George Community Housing Ltd* [2021] NSWSC 287 at [26]). Additionally, the High Court has held that disappointment and distress caused by a breach of contract for pleasure or relaxation is a compensable head of loss which is separate from damages for personal injury (*Baltic Shipping Co v Dillon* (1993) 176 CLR 344, *Moore v Scenic Tours Pty Ltd* (2020) 268 CLR 326; [2020] HCA 17). The Appeal Panel accepted that NCAT at first instance made an error on a question of law to the extent that it applied s 16(1) of the CL Act to Ms Johnston's claim for loss of enjoyment of her property. The Appeal Panel also held that NCAT's view regarding adequate notice of the need for repairs was erroneous. There is nothing in the RT Act or the tenancy

agreement which prescribes a particular method for the notification of the need for repairs.

### ***Higgins v Commissioner of Police, New South Wales Police Force* [2025] NSWCATAP 31**

An Appeal Panel granted leave to appeal a decision of the Administrative and Equal Opportunity Division on the basis that NCAT had not provided adequate reasons in the first instance decision. The matter concerned a request for "copy access" to Body-Worn-Video (BWV) of a NSW Police Officer through an application under the *Government Information (Public Access) Act 2009* (NSW) (GIPA Act). The first instance decision affirmed the respondent's decision to refuse copy access.

It was submitted on appeal that NCAT did not provide adequate reasons about the appellant's submissions concerning the "public debate consideration", for which the Senior Member provided only a single sentence, stating that it was "not clear" how the disclosure would contribute to a public interest debate. The Appeal Panel noted that an appeal ground that merely states that the reasons are inadequate does not necessarily amount to a question of law, however the Appeal Panel decided to grant leave to appeal under s 80(2)(b) of the NCAT Act on that ground. Leave to appeal was given because a "critical element" of the NCAT's reasoning process was "missing or, at least, unclear", stating that reasons need to be given to indicate to the parties why the decision was made and to allow them to exercise such rights as may be available to them in respect of the decision. The failure of NCAT to give adequate reasons, e.g. by applying the "public interest test" in s 13 of the GIPA Act, was sufficient to grant the appellant leave to appeal. The Appeal Panel noted that whilst the reasons were inadequate, the conclusion reached by NCAT was not necessarily wrong, and the matter was returned to NCAT for reconsideration

# Appendices

---

- 1**      **Legislation**
- 2**      **Major Legislative Change 2024-25**
- 3**      **Tribunal Members as at 30 June 2025**
- 4**      **NCAT Member Code of Conduct**
- 5**      **NCAT Expenditure Report**
- 6**      **Service Standards: Lodgement to Finalisation**
- 7**      **Resolution Processes**
- 8**      **Fees and charges as at 30 June 2025**
- 9**      **NCAT Liaison Group and Divisional Consultative Forum Membership**

# Appendix 1

## Legislation

---

The *Civil and Administrative Tribunal Act 2013* sets out provisions related to establishing the Tribunal, how proceedings are commenced, procedures and powers of the Tribunal, and the appointment of Members.

The following Acts and subordinate legislation confer jurisdiction on the Tribunal as at 30 June 2025.

### NCAT Legislation

Civil and Administrative Tribunal Act 2013  
Civil and Administrative Tribunal Regulation 2022  
Civil and Administrative Tribunal Rules 2014  
Court Security Act 2005

### Enabling Legislation

#### Administrative and Equal Opportunity Division

Administrative Decisions Review Act 1997  
Adoption Act 2000  
Agricultural Industry Services Act 1998  
Agricultural Livestock (Disease Control Funding) Act 1998  
Air Transport Act 1964  
Animal Research Act 1985  
Anti-Discrimination Act 1977  
Apprenticeship and Traineeship Act 2001  
Associations Incorporation Act 2009  
Australian Oil Refining Agreements Act 1954  
Betting and Racing Act 1998  
Births, Deaths and Marriages Registration Act 1995  
Boarding Houses Act 2012  
Building and Construction Industry Security of Payment Act 1999  
Building Products (Safety) Act 2017  
Business Names (Commonwealth Powers) Act 2011  
Casino Control Regulation 2019

Cemeteries and Crematoria Act 2013  
Cemeteries and Crematoria Regulation 2022  
Charitable Fundraising Act 1991  
Child Protection (International Measures) Act 2006  
Child Protection (Offenders Registration) Act 2000  
Child Protection (Working with Children) Act 2012  
Children (Detention Centres) Act 1987  
Children (Detention Centres) Regulation 2015  
Children (Education and Care Services) National Law (NSW)  
Children (Education and Care Services National Law Application) Act 2010  
Children (Education and Care Services) Supplementary Provisions Act 2011  
Children and Young Persons (Care and Protection) Act 1998  
Children and Young Persons (Care and Protection) Regulation 2022  
Children's Guardian Act 2019  
Coal Industry Act 2001  
Combat Sports Act 2013  
Commons Management Act 1989  
Community Gaming Act 2018  
Community Housing Providers (Adoption of National Law) Act 2012  
Community Housing Providers National Law (NSW)  
Community Services (Complaints, Reviews and Monitoring) Act 1993  
Conversion Practices Ban Act 2024

Co-operatives (Adoption of National Law) Act 2012  
 Co-operative Housing and Starr-Bowkett Societies Act 1998  
 Criminal Records Act 1991  
 Crown Land Management Act 2016  
 Dormant Funds Act 1942  
 Drug and Alcohol Treatment Act 2007  
 Education Act 1990  
 Education (School Administrative and Support Staff) Act 1987  
 Electricity Supply Act 1995  
 Electoral Act 2017  
 Exhibited Animals Protection Act 1986  
 Explosives Act 2003  
 Fines Act 1996  
 Firearms Act 1996  
 First Home Owner Grant and Shared Equity Act 2000  
 Fisheries Management Act 1994  
 Food Act 2003  
 Food Regulation 2015  
 Forestry Act 2012  
 Game and Feral Animal Control Act 2002  
 Gaming and Liquor Administration Act 2007  
 Gaming and Liquor Administration Regulation 2024  
 Gaming Machines Act 2001  
 Gas and Electricity (Consumer Safety) Act 2017  
 Gas Supply Act 1996  
 Government Information (Public Access) Act 2009  
 Guardianship Act 1987  
 Health Records and Information Privacy Act 2002  
 Hemp Industry Act 2008  
 Higher Education Act 2001  
 Hunter Water Act 1991  
 Licensing and Registration (Uniform Procedures) Act 2002  
 Liquor Act 2007  
 Liquor Regulation 2018  
 Local Land Services Act 2013  
 Local Land Services Regulation 2014  
 Marine Pollution Act 2012  
 Marine Pollution Regulation 2024  
 Marine Safety Act 1998  
 Motor Accident Injuries Act 2017  
 Motor Accidents Compensation Act 1999  
 Motor Vehicle Sports (Public Safety) Act 1985  
 National Disability Insurance Scheme (Worker Checks) Act 2018  
 Native Title (New South Wales) Act 1994  
 NSW Trustee and Guardian Act 2009  
 Ombudsman Act 1974  
 Paintball Act 2018  
 Paintball Regulation 2024  
 Personal Property Securities (Commonwealth Powers) Act 2009  
 Pesticides Act 1999  
 Photo Card Act 2005  
 Police Act 1990  
 Poppy Industry Act 2016  
 Privacy and Personal Information Protection Act 1998  
 Private Health Facilities Act 2007  
 Public Health Act 2010  
 Public Lotteries Act 1996  
 Public Spaces (Unattended Property) Act 2021  
 Rail Safety National Law NSW  
 Registered Clubs Act 1976  
 Relationships Register Act 2010  
 Residential (Land Lease) Communities Act 2013 (Section 175)  
 Residential Tenancies Act 2010 (Division 3 of Part 10)  
 Retail Trading Act 2008  
 Retirement Villages Act 1999  
 Rice Marketing Act 1983  
 State Debt Recovery Act 2018  
 Sydney Water Act 1994

Taxation Administration Act 1996  
Teacher Accreditation Act 2004  
Thoroughbred Racing Act 1996  
Unclaimed Money Act 1995  
Victims Rights and Support Act 2013  
Waste Avoidance and Resource Recovery Act 2001  
Waste Avoidance and Resource Recovery (Container Deposit Scheme) Regulation 2017  
Water Act 1912  
Water Industry Competition Act 2006  
Water NSW Act 2014  
Weapons Prohibition Act 1998  
Work Health and Safety Act 2011  
Work Health and Safety Regulation 2017

### **Consumer and Commercial Division**

Agricultural Tenancies Act 1990  
Australian Consumer Law  
Boarding Houses Act 2012  
Community Land Development Act 2021  
Community Land Management Act 2021  
Contracts Review Act 1980  
Conveyancers Licensing Act 2003 (only in relation to Division 3 of Part 4)  
Credit (Commonwealth Powers) Act 2010  
Dividing Fences Act 1991  
Fair Trading Act 1987  
Holiday Parks (Long-term Casual Occupation) Act 2002  
Home Building Act 1989  
Motor Dealers and Repairers Act 2013  
Pawnbrokers and Second-hand Dealers Act 1996  
Property and Stock Agents Act 2002  
Residential (Land Lease) Communities Act 2013  
Residential Tenancies Act 2010  
Retail Leases Act 1994  
Retirement Villages Act 1999  
Strata Schemes Management Act 2015

Sydney Water Act 1994 (Section 58)  
Uncollected Goods Act 1995

### **Guardianship Division**

Children and Young Persons (Care and Protection) Act 1998  
Guardianship Act 1987  
NSW Trustee and Guardian Act 2009  
Powers of Attorney Act 2003

### **Occupational Division**

Aboriginal Land Rights Act 1983  
Architects Act 2003  
Building and Development Certifiers Act 2018  
Conveyancers Licensing Act 2003 (Division 3 of Part 4)  
Design and Building Practitioners Act 2020  
Fair Trading Act 1987  
Health Care Complaints Act 1993  
Health Practitioner Regulation (Adoption of National Law) Act 2009  
Health Practitioner Regulation National Law (NSW)  
Home Building Act 1989  
Legal Profession Uniform Law (NSW)  
Legal Profession Uniform Law Application Act 2014  
Licensing and Registration (Uniform Procedures) Act 2002  
Local Government Act 1993  
Motor Dealers and Repairers Act 2013  
Passenger Transport Act 2014  
Pawnbrokers and Second-hand Dealers Act 1996  
Point to Point Transport (Taxis and Hire Vehicles) Act 2016  
Property and Stock Agents Act 2002  
Public Notaries Act 1997  
Security Industry Act 1997  
State Insurance and Care Governance Act 2015  
Surveying and Spatial Information Act 2002  
Tattoo Industry Act 2012

Tow Truck Industry Act 1998

Veterinary Practice Act 2003

Wool, Hide and Skin Dealers Act 2004

Workplace Injury Management and Workers  
Compensation Act 1998

# Appendix 2

## Major Legislative Change 2024-25

---

### **Strata Schemes Legislation Amendment Act 2024**

The *Strata Schemes Legislation Amendment Act 2024* amended the *Strata Schemes Management Act 2015* to extend the limitation period for damages claims from two years to six years. Corresponding amendments were made to the *Community Land Management Act 2021* to align limitation periods across related legislation. The amendments commenced on 30 September 2024.

### **Ports and Maritimes Administration Amendment Act 2024**

The *Ports and Maritimes Administration Amendment Act 2024* amended the *Ports and Maritime Administration Act 1995* to enable the introduction of new administrative review rights by regulation. This provides a framework for possible review functions for the Tribunal under the Act. The amendments commenced on 30 September 2024.

### **Revenue Legislation Further Amendment Act 2024**

The *Revenue Legislation Further Amendment Act 2024* amended the *Taxation Administration Act 1996* to extend the Tribunal's jurisdiction to review certain decisions imposing penalties for tax avoidance. The amendments commenced on 2 December 2024.

### **Crimes (Domestic and Personal Violence) and Other Legislation Amendment Act 2024**

The *Crimes (Domestic and Personal Violence) and Other Legislation Amendment Act 2024* amended the *Firearms Act 1996* to clarify that a person is not entitled to apply to NCAT for a review of a decision to revoke a firearms licence or permit where the revocation was made on the basis that the person is subject to an apprehended

violence order (AVO) or a serious domestic abuse prevention order (SDAPO). The changes commenced on 13 December 2024.

### **Marine Safety Amendment Act 2024**

The *Marine Safety Amendment Act 2024* amended the *Marine Safety Act 1998* to extend the Tribunal's review powers to include decisions about the transfer of vessel registration certificates. The amendments commenced on 2 March 2025.

### **Conversion Practices Ban Act 2024**

The *Conversion Practices Ban Act 2024* prohibits practices directed at changing or suppressing an individual's sexual orientation or gender identity. The Act provides for complaints about prohibited conduct to be referred to the Tribunal for determination. The Act commenced on 4 April 2025.

### **Residential Tenancies Amendment Act 2024**

The *Residential Tenancies Amendment Act 2024* introduced a number of reforms to the *Residential Tenancies Act 2010*. Key changes included ending 'no grounds' terminations, limiting rent increases to once per year for all lease types, simplifying pet ownership provisions, prohibiting upfront fees, and requiring landlords to provide evidence when ending a tenancy for reasons such as renovations, sale, or family occupation. The amendments commenced on 19 May 2025.

# Appendix 3

## Tribunal Members as at 30 June 2025

---

### President

#### **The Hon Justice Lea Armstrong BA (Hons) LLB (Hons) LLM**

Justice Armstrong was appointed a Judge of the Supreme Court of New South Wales and President of the NSW Civil and Administrative Tribunal on 31 October 2018.

Prior to her judicial appointment, Justice Armstrong served for over three years as NSW's first female Crown Solicitor, with over 25 years' experience in government and commercial law.

Prior to being appointed as the NSW Crown Solicitor, Justice Armstrong worked as NSW Treasury's first General Counsel. Earlier in her career, Justice Armstrong served in a range of senior roles in the Crown Solicitor's Office, including as General Counsel and as an Assistant Crown Solicitor in commercial law and in administrative law. She also worked in a major Sydney commercial law firm, then Blake Dawson Waldron Solicitors. Prior to her professional life as a solicitor, her Honour was an Associate to Justice McHugh at the High Court of Australia.

Justice Armstrong holds a Masters of Law from the University of NSW, and a Bachelor of Laws (Honours) and a Bachelor of Arts (Honours) from the Australian National University.

### Deputy Presidents

#### **Judge Rashelle Seiden SC BSc LLB (Hons) MTax MBA**

Judge Seiden was sworn in as a Judge of the District Court of NSW and appointed Deputy President of the NSW Civil and Administrative Tribunal, and Division Head of the Occupational Division and Administrative and Equal Opportunity Division, on 15 April 2024.

Prior to that, her Honour had 28 years of experience as a barrister (appointed Senior Counsel in 2013), with a broad ranging administrative and appellate practice, appearing in the High Court of Australia on multiple occasions. Judge Seiden has a longstanding involvement with the Tribunal, having first been appointed as a sessional Deputy President of the Administrative Decisions Tribunal in 2012 and later a Principal Member at NCAT.

#### **Anne Britton BA LLB (USyd)**

Anne Britton was admitted as a lawyer in 1989 and is currently Deputy President of NSW Civil and Administrative Tribunal and head of the Tribunal's Guardianship Division.

For over two decades, Anne has held senior roles in State and Commonwealth Tribunals. She has been the Chair of the Council of Australasian Tribunals (COAT) (National) and Member of the Judicial Council on Cultural Diversity. Anne has a long-standing interest in Tribunal Member professional development and among other things has led the development of COAT's online course for new members, which was launched in 2017.

Her experience includes Senior Member (2009-2014), Administrative Appeals Tribunal, Judicial Member (1996-2006) and Deputy President (2006-2009), NSW Administrative Decisions Tribunal and Board Member (2000-2006), NSW Legal Aid Commission. Anne taught in the Masters Program at UNSW Law School and has significant experience in governance roles, including as a former director of the NSW Legal Aid Commission, the Communications Law Centre and Belvoir Street Theatre.

#### **Gregory Sarginson BA LLB LLM (USyd)**

Gregory Sarginson was appointed Deputy President of the NSW Civil and Administrative Tribunal and Division Head of the Consumer and Commercial Division on 11 September 2024.

Deputy President Sarginson holds the degrees of BA LLB and LLM from the University of Sydney. He was a Solicitor specialising in insurance and commercial litigation between 1994 and 2003. Between 2003 and 2021 he was practicing at the NSW Bar. He lectured at the Law Extension Committee from 2005 to 2023 and was a subject Examiner and Revising Examiner until 2025. He was a part time General Member of NCAT (and its predecessor, the Consumer, Trader and Tenancy Tribunal) from 2012 to 2016; a part time Senior Member between 2016 and 2021; a full time Senior Member from 2021 to 2024; and a Principal Member in 2024. He has authored a large number of Tribunal decisions at first instance, and decisions of the Appeal Panel of the Tribunal.

### **Acting Judge Nancy Hennessy LLB (Hons) (ANU) LLM (USyd)**

Judge Hennessy was appointed as an Acting Judge of the District Court on 4 February 2019 and is currently a Deputy President of the NSW Civil and Administrative Tribunal.

Before her appointment as an Acting Judge, Judge Hennessy was a NSW Magistrate and Head of the Administrative and Equal Opportunity Division of the Tribunal. Her areas of expertise include administrative law, human rights and protective jurisdictions involving children and people with disabilities.

### **Stuart Westgarth BA LLB**

Deputy President since NCAT's inception in 2014. Graduated in Arts and Law from the University of Sydney and has practiced as a solicitor since 1975. Former Fellow of the Australian Institute of Company Directors and Director of Legal Super Pty Ltd until April 2016. Partner in Corrs Chambers Westgarth from 1980 to 2007 and Managing Partner (Sydney) from 1995-1999. Partner at HWL Ebsworth from 2008-2012 and President of the Law Society of NSW in 2011. Primary area of practice has been in commercial litigation, particularly banking, maritime and product liability litigation.

## **Members**

### **Aczel, Thomas MBBS (USyd) FRACS**

Senior Member. Studied Medicine at Sydney University 1970-1975. Advanced Surgical training in NSW and Queensland, and in the UK. Fellow of the Royal Australasian College of Surgeons conferred 1984. Commenced private practice as a General Surgeon in 1987. Appointed as VMO, Hawkesbury District Hospital 1987. Services to the RAAF Richmond 3 Hospital 1987 to 2011. Senior Lecturer in Surgery, Notre Dame University Medical School 2010 to the present. Retired from Surgical practice in 2023. Commenced working for NCAT in the Guardianship Division in 2024. Appointed Associate Professor at Notre Dame University's School of Medicine in March 2025.

### **Adamovich, Barbara BA LLB LLM**

Senior Member. Admitted as a solicitor in 1998. From 2008 a Legal Member of the Mental Health Review Tribunal and, since 2012, a Senior Member (Legal) of the Guardianship Division of NCAT (formerly the Guardianship Tribunal).

### **Ainslie-Wallace AM, The Hon Ann BA LLB (UNSW)**

Principal Member. Admitted to the NSW Bar in December 1978. Appointed the District Court of NSW in July 1997 and was a Deputy Chair of the NSW Medical Tribunal. From 2010 to

February 2022 was a judge of the Appeals Division of the Family Court of Australia until 2022. Appointed an acting judge of the District Court of NSW and Deputy President of the Mental Health Review Tribunal in 2022 and appointed an Acting Judge of the Supreme Court of NSW in 2023. Appointed Adjunct Professor of Law at UTS Sydney in 2006. In 2018 awarded Doctor of Laws (honoris causa), UTS Sydney. Fellow of the Australian Academy of Law. October 2015 appointed Master Benchers of the Honourable Society of the Inner Temple. A life member of the National Judicial College of Australia and a member of its Programs Advisory Committee. A director and chair of the board of the Australian Advocacy Institute and has been a member of the teaching faculty of that Institution since its inception in 1991. A faculty member of the Advanced International Advocacy Course, Keble College Oxford.

### **Alder, Julia BA (USyd) DipLaw GradCertJourn (UTS)**

General Member. 1996-2015, litigation solicitor at various Sydney firms, including Corrs Chambers Westgarth. 2005-2012, a writer for publications including the *Law Society Journal*, *Workplace Review* and *SafetyCulture*.

### **Ali, Birgun (Rosa) DOBA DipApSC (Orth) BA (Hons) MSc (ClinNeuropsych)**

Senior Member. Qualified as an Orthoptist in 1987 and then as a Clinical Neuropsychologist in 1997. Fellow of the Australian Psychological Society College of Clinical Neuropsychologists (CCN). Over 30 years of clinical experience in NSW Health, private consultancy, academic, supervisory and leadership roles. Currently working as a Clinical Neuropsychologist at Liverpool Hospital, Neurology Department and in private practice. Previously worked as a Clinical Neuropsychologist at Concord Hospital (21 years) and the Sydney Children's Hospital Network, Neurology, Oncology and Brain Injury Rehabilitation Departments (6 years); as an Orthoptist in health and developmental disability services (6 years); and as an academic at the University of Technology Sydney, Graduate School of Health. Significant experience in teaching and supervising clinical psychology trainees.

### **Alkadamani, Rabih BEc LLB (Hons)**

Senior Member. Barrister since 1994. Practices in a broad range of commercial and corporate disputes, employment law and equity.

### **Andelman, Larissa LLB (UNSW) MCom (UOW) BCom (UOW) DipLaw (LPAB)**

Senior Member. Admitted as a solicitor in NSW in 2003. Called to the Victorian Bar in 2006. Called to the NSW Bar in 2012.

### **Anderson, Mark BA LLB**

Senior Member. Admitted as a solicitor in 1985 and as a barrister in 1990. Currently a barrister at the private Bar with over 30 years of advocacy experience and a part-time Senior Member of NCAT since 2014. Interests and experience in multicultural and Indigenous cultural issues; delivered a paper at the 6th World Congress on Family Law and Children's Rights 'Protecting the rights of indigenous and multicultural children and preserving their cultures in fostering and adoption' subsequently published in the *Family Court Review*: Vol 52 No 1, Jan 2014. Recently presented at the July 2019 Conference of The International Centre for Family Law Policy and Practice in London in relation to gender dysphoria and transgender issues. Presented on representing children at the AFCC Australian conference in Melbourne in 2017 and in Sydney August 2019. Worked as a counsellor and youth worker for the Association of Children with Learning Disabilities and with UNIFAM in his earlier years and subsequently trained and performed telephone counselling for Lifeline. Extensive work over the years in the care jurisdiction of the Children's Court and District Court, as well as regular appearances in *parens patriae* and adoption matters in the Supreme Court and Court of Appeal, and in the *Federal Family Law Act 1975* (Cth) jurisdiction.

### **Anthony, Lyn BA MAppPsych**

Senior Member. Registered Psychologist since 1996. Has worked in Forensic, Secondary and Tertiary education and in Private Practice. Member of the Mental Health Review Tribunal since 2008 (Civil and Forensic hearings). Appointed as a Member to NCAT's Guardianship Division in 2016.

### **Archibald, Ian BA LLB**

Senior Member. Admitted as a solicitor in 1981. Practised in general law until 2001 when called to the Bar. Since then, has been in private practice principally in the areas of equity, commercial and administrative law. Has wide experience across state and federal jurisdictions.

### **Ash, David BA LLM**

General Member. Admitted as a barrister in 1998. Consulting Editor to the *Federal Court Reports*; book author, *Three Sydney Judges*.

### **Bailey, Robyn BA (Languages) LLB LLM NMAS Cert IV (Inv)**

Senior Member. Guardianship Division, Administrative and Equal Opportunity Division and Occupational Division. Former Senior Member Consumer and Commercial Division. Former Senior Member of the Veteran's Review Board and ACT Civil and Administrative Tribunal (ACAT). Admitted to the Bar in 1988 and as a solicitor in 1989. Former partner and director of

law firms in Sydney. Practice areas included civil litigation and conflict resolution. Director of Exploresolutions Pty Ltd. Nationally Accredited Mediator (NMAS), conducting mediations, arbitrations, and inquiries in Australia and internationally. Restorative justice facilitator. Former mediator for the Workers Compensation Commission and Facilitator for the Defence Abuse Response Taskforce. Judge of the *International Chamber of Commerce* annual Commercial Mediation Competition, in Paris, since 2018 (except for a two-year hiatus during COVID-19).

### **Bain, Margaret BSc (Psych) MCLinPsych MCLinNeuropsych**

Senior Member. Qualified as a Clinical Psychologist in 1995 and as a Clinical Neuropsychologist in 2002. Previously qualified as a registered nurse. Experience as a clinical neuropsychologist and clinical psychologist primarily in acute hospital settings in neurology, HIV, and consultation liaison psychiatry services. Member of the Australian Commission on Safety and Quality in Health Care Cognitive Impairment Advisory Group 2016 – 2019. Fellow of the Australian Psychological Society College of Clinical Neuropsychologists (CCN) and College of Clinical Psychologists (CCLP). Past Chair of CCN NSW and past CCN National Executive Committee Member.

### **Baird, Dr Ameer PhD MPsy (Clin Neuro) BA (Hons)**

Senior Member. Clinical neuropsychologist with a PhD from the University of Melbourne. Has worked in clinical and research positions in London and Paris and is now in private practice at Newcastle. Member of the NSW Mental Health Review Tribunal. Due to complete a Juris Doctor and Diploma of Legal Practice at the University of Newcastle at the end of 2024. Recently awarded a Justice Fellowship from the Law and Justice Foundation of NSW to explore dementia and criminal law.

### **Balla, Acting Judge Audrey BA LLB (UNSW)**

Principal Member. Admitted as a solicitor in 1979. Acting Justice of the Supreme Court of the ACT, Acting Judge of the District Court of NSW. Author of legal texts covering insurance law, motor accidents and industrial accidents.

### **Banerjee, Dr Kathryn MBChB MRCPCH MSc FAFRM**

Senior Member. Senior Staff Specialist working in Paediatric Rehabilitation with experience in neurodisability, brain injury, cerebral palsy, spinal conditions, and musculoskeletal disorders. Works with children and families with physical disabilities, intellectual impairment, behaviour and mental

health disorders, linking closely with therapists, NDIS and other community support services.

**Barnes, Matthew** BEc (Hons)/LLB(Hons) LLM (Criminal Practice) MAppLaw (Commercial Litigation) GDLP

Senior Member. Admitted as a legal practitioner in 2006 and called to the Bar in 2022. Accredited as a mediator under the National Mediator Accreditation System. Part-time lecturer at the University of Wollongong (Advanced Legal Skills and Evidence Law) and the College of Law (Advocacy).

**Barnes, Shenagh** LLB (Hons) LLM (Hons)

Senior Member. Many years of experience in the law, including as a legal practitioner, academic, tribunal member and judge.

**Barnes, Dr Susan** BA (Hons I) PhD Anthropol

General Member. Research interest in violence and abuse. Now retired. 2005-2010, Disability Advocate; 2010-2016, NSW Manager Disability Advocacy at People with Disability Australia (PWDA); 2015-2020, Community Member of NCAT in the Guardianship Division. Reappointed in 2021 as a Community Member for a further five years.

**Barnetson, Diane** BA BLegStud MIR

General Member. Since 1982 has worked in the Consumer Claims Tribunal and its subsequent Tribunals. Has also worked as an Industrial Advocate, as a Member Mental Health Review Tribunal, Social Security Appeals Tribunal, Migration Review Tribunal, Refugee Review Tribunal and as a conciliator at Human Rights and Equal Opportunity Commission. Has taught legal studies at TAFE and Wollongong University.

**Bartrop, John** BCom LLB (UNSW)

General Member. Appointed in January 2019. Admitted as a solicitor in 1978. Commercial Litigation Partner of a national law firm from 1984 to 2012. Practice included appearing in all Courts and Tribunals and undertaking mediations. Held various management positions including Managing Partner, Practice Group Coordinator and Board Member. Currently volunteer at a community legal centre.

**Bassett, Graham** BA DipEd MInfoTech LLB (Hons)

General Member. After being Head of Information Technology at various Sydney schools, admitted as a barrister in both Queensland and NSW in 2002. Practises in Byron Bay in family provision and copyright. Lectured from time to time in Cyberlaw and Intellectual Property at Southern Cross University until 2018. Member of the Consumer Trader and Tenancy Tribunal (2007-2014) and NCAT for the Northern Rivers area of NSW. From 2014 to 2021, director of the Bath (UK) based company, George Wood Movie Limited.

Reappointed to NCAT in late 2017 in Sydney and also do hearings in regional areas and Northern Rivers.

**Bateman, Eric** LLB (Hons) (SCU), BAppSc (SCU), GradDipLP (CL) GradDipPA (UQ)

General Member. Admitted as a solicitor of the NSW Supreme Court 2006 to 2025. 18 years' experience as legal practitioner in NSW Government including 2019 to 2025 Director Legal NSW Fair Trading.

**Bell SC, Adam** FCIArb BA (Hons) LLB (Hons) BAppSc AssocDegAppSc

Senior Member. Admitted as a solicitor in 1982 and admitted to the Bar in 1990. Appointed Senior Counsel in 2003. Nationally accredited mediator. Expertise in equity, commercial law, administrative law, arbitration and mediation.

**Bishop SC, Elizabeth** LLB MTax

Senior Member. Admitted to the Bar in 2009. Initially appointed to the Administrative and Equal Opportunity Division and Appeal Panel and now sits in the Occupational Division and on the Appeal Panel. Member and Director of Ground Floor Wentworth Chambers. Member, Business Law Section, Law Council of Australia. Fellow, Tax Institute of Australia. Member, Women's Lawyer Association of NSW. Recognised in Doyle's Guide (leading tax barrister) and the International Tax Review (Women in Tax). Expertise spans a broad range of areas, including administrative law, revenue law, trusts, proceeds of crime and disciplinary disputes involving tax practitioners.

**Black, Mirriam** BSW MSW

General Member. Social Work Field Supervisor UWS, Director Capacity Australia, 2010-2013 NSW Government Home Care Advisory Board Member, formerly CEO Parkinson's NSW, formerly NSW Manager Family Support, Dementia Australia NSW, formerly Coordinator and Counsellor, NSW Dementia Information and Counselling Service.

**Blake AM SC, Garth** BA LLM (USyd)

Principal Member. Barrister from 1984 to 2020, and in 2002 appointed Senior Counsel. Practised at trial and appellate levels in federal and state jurisdictions with a focus on commercial law and equity. 2002, Churchill Fellowship, to investigate church policy and practice in addressing child sexual abuse in Australian churches. 2018, Member of the Order of Australia, for significant service to the Anglican Church of Australia, particularly to child protection policy and professional standards, and to the law. Various roles in the Anglican Church of Australia since 1998, particularly relating to the protection of children and professional standards. International roles in the Anglican Communion since 2007;

currently chair of the Anglican Communion Safe Church Commission.

### **Blaxland, Wendy BSW**

Senior Member. Inaugural honorary secretary ADARDS, (now Dementia Australia). Court Visitor, 1994-2003, for Office of Protective Commissioner (now TAG). Extensive experience, in a variety of social work roles, in community and hospital settings, working with people living with dementia and other neurocognitive disorders, their families and carers.

### **Bliim, Steven DipLaw SAB**

General Member. Admitted as a solicitor in 1984. Most recently, three years as Principal Solicitor of a Community Legal Centre. 2012-2014, Solicitor General of the Republic of Nauru. 20 years at the Bar and 14 years as a solicitor.

### **Block, Regina BA LLB**

Senior Member. In-house legal and compliance counsel with investment banks 1986-2003. Solicitor in private practice since 2003 and acting as Special Counsel for a financial services law practice since 2023. Expert in commercial law, financial services law and compliance. Former Board member and chair of Finance Risk and Audit Committee of Independent Community Living Australia 2017-2021. Volunteer Solicitor at a community legal centre since 2013. General Member of NCAT appointed February 2024.

### **Bluth, Dennis LLB LLM BA (USyd)**

Senior Member. Admitted as a solicitor in 1977. Was a partner with a large national law firm for over 25 years. Specialises in all areas of property law. Accredited property lawyer by the Law Society of NSW. Recognised in Doyle's Guide as a 'recommended' New South Wales property and real estate lawyer. Formerly, member of the Law Society Property Committee, and the General Practice Section of the Law Council of Australia. Former member of the Property Services Advisory Council. Named 'Lawyer of the Year' for Leasing Law in Best Lawyers™ Australia 2019 edition. Former Chair General Practice Section, Law Council of Australia.

### **Bolt, Mary BA (Hons) (Syd) LLB (UNSW)**

General Member. 2003, College of Law Exemptee Program. 1999-2013, part-time member of the Administrative Decisions Tribunal sitting in the General Division, Equal Opportunity Division and Community Services Division. 2014 to date, General Member of NCAT in the Occupational Division and Administrative and Equal Opportunity Division. Also sits on appeal matters from the Guardianship Division.

### **Booby, Rhonda BA MA(Psych) LLB (Hons) EMPA (Merit) DipEd DipLegPrac**

Principal Member. Admitted as a solicitor in NSW in 1999. Appointed to the (then) Guardianship Tribunal, 2010; 2012-2024 Legal Member, Mental Health Review Tribunal; 2015-2017 appointed to the State Parole Authority. 2014-2015, part-time Law Reform Commissioner.

### **Bowman, Brooke BSW LLB GDLP**

Senior Member. Guardianship Division. Admitted as a solicitor in 2009. Also appointed to the National Sports Tribunal. Admitted as a solicitor in 2009. Previous experience as a government lawyer in the areas of dispute resolution, children's law and criminal law. Prior to commencing at NCAT worked as a Children's Registrar at the Children's Court of NSW. Qualified as a social worker in 2000 and practiced as a social worker in various roles in the health, child protection, and criminal justice space prior to coming to the law. Legal Representative on the Aboriginal Health and Medical Research Ethics Committee and a formerly on the NSW Law Society Children's Legal Issues Committee.

### **Boxall, Andrew BA LLB (USyd) DSU (Paris II) MA (UNSW) GradDip Art History (Adelaide)**

Senior Member. Solicitor (NSW 1977, England & Wales 1982, WA 1987, Victoria 1989, Hong Kong 1989). Consultant, Allens Linklaters. Member, Superannuation Complaints Tribunal, 2016-2020. From 1986-2016, Partner, Allens Linklaters; since 1995, Director, Waratah Receivables Group; 2004-2013, Director, UnitingCare Ageing, Western Region; 1996-2004, Director Transparency International; 2005 to date, Trustee, AMF Australia Foundation.

### **Boyce, Philip DipLaw (SAB) LLM**

Senior Member. Full-time Senior Member appointed to the Consumer and Commercial Division since 2014. Admitted as a solicitor in NSW in 1977. Private legal practice since 1977. 2006-2013 Senior Chairperson, Local Land Boards of NSW; 2003-2006 Judicial Member, Administrative Decisions Tribunal of NSW. Solicitor for Registrar General, Acting General Legal Counsel and Head of Legal Division, NSW Department of Lands.

### **Boyce, Stuart MFireSafeEng MAIBS**

General Member. JP, Grade A1 PCA and Grade A1 Accredited Certifier at the Buildings Professional Board since July 1998. Currently Founding Company Director at BCA Logic. Over 27 years' experience providing practical and innovative Building Code consultancy advice across numerous sectors and building types. Consultancy advice includes Building Code Compliance, Fire Engineering, Accessibility Compliance and other Building Legislative advice.

**Boyd-Boland, Stephen LLM (USyd)**

Senior Member. Solicitor for over 25 years. Extensive experience in commercial law, property law and estate planning. Previously a lawyer at Ashurst's (then Blake Dawson Waldron), an in-house lawyer at a large corporation and a lawyer at a mid-size law firm. Currently a solicitor/director in a boutique general practice. An accredited mediator with significant experience in dispute resolution. On the NSW Law Society panel of mediators, a Notary Public and also sits as a Member of the Personal Injury Commission.

**Briggs, Phillip BArch (Hons I) PhD MDR FRAIA MIAMA**

General Member. Chair NSW Chapter AIA Senior counsellors, Referee NSW District and Supreme Courts, Expert determiner, Arbitrator, Conciliator, Mediator. 1980 to date; Member of each NSW Tribunal having jurisdiction for resolution of building disputes to current membership of NCAT.

**Brittliff, Rachel JD M Leg S BBus**

General Member. Principal Lawyer at the Personal Injury Commission and its predecessor organisations for twelve years. Qualified in Adult Education and worked in various private sector organisations before becoming a lawyer in 2012. In addition to her work with the Personal Injury Commission and the NSW Civil and Administrative Tribunal, co-founded and Management Committee member of the charity *Derek's Place*.

**Bryant, Lachlan BA LLB (Hons)**

Senior Member. Admitted as a solicitor in 2006. Private practice 2006 to 2012 including work as Panel Member for Legal Aid NSW. Taught several law subjects at the University of Wollongong 2016 to 2022. Professional standards and safeguarding focus since 2012.

**Bullock, Suellen Mitchell BSocStud (USyd)**

General Member. Career is a mixture of social work, corporate management and administrative law review: Social Worker at Royal South Sydney Hospital and Rehabilitation Centre; Social Worker, NSW Legal Services Commission; Senior Social Worker QLD Legal Aid Office; Investigation Officer NSW Ombudsman's; Executive Officer, NSW Ombudsman's Office; Part-time Senior Member Veteran's Review Board; Deputy Principal Member Social Security Appeals Tribunal; Deputy Division Head Administrative Appeals Tribunal, Social Security and Child Support Division; Internal Ombudsman with the Internal Ombudsman Shared Service with Cumberland City, Inner West and City of Parramatta Councils.

**Burnet, Dr Heike MBBS (Germany) AMC FRACP**

Senior Member. Staff Specialist in Geriatric Medicine at Royal Prince Alfred and Balmain Hospital providing acute/subacute inpatient medical care.

**Burton SC, Gregory BA (Hons) LLB (Hons) (Syd) BCL (Oxon) FCI Arb FRI**

Senior Member. Admitted to the NSW Bar in 1989 and appointed Senior Counsel in 2004. Senior Counsel in private practice. Arbitrator, mediator, expert determiner, court referee; auDA dispute resolution panel for domain names; 1990, founding and current editor, *Journal of Banking and Finance Law and Practice*; co-author, *Banker and Customer in Australia*; Procurator (church counsel) Presbyterian Church of Australia; 1980-1983, formerly solicitor Freehills (now HSF); 1984-1985, associate to Hon Justice Deane, High Court of Australia; 1987-1988, lecturer in law, Australian National University (ANU).

**Campbell, Cathy DipLaw (LPAB)**

General Member. Called to the NSW Bar in 1998. After a successful career on the production side of commercial television, obtained employment with insurance litigation law firm Max Connery and Co while studying law part-time. Practised as a solicitor with a varied practice in civil work generally, with a particular emphasis on legal professional negligence. Previously a Member of the Consumer Trader and Tenancy Tribunal. Involved with the young persons' charity Stepping Stone House, Sydney.

**Carter, Dr Tanya Lorraine BVSc (USyd) MSc IAWEL (Edin) MANZCVS (Animal Welfare) FRCVS**

General Member. An experienced small animal veterinarian who established her own veterinary practice in Haberfield, Sydney and is also a wildlife researcher. Published author and presenter on veterinary ethics. Master's degree in international animal Welfare Ethics and Law. Past President of the Animal Welfare Chapter of the Australian and New Zealand College of Veterinary Scientists (ANZCVS), President of the Welfare and Ethics Special Interest Group of the Australian Veterinary Association (AVA), Chair of the AVA's Animal Welfare Trust, member of a number of animal ethics committees. Former Member of NSW Veterinary Surgeons Board and Administrative Decisions Tribunal. Member of the NSW Kangaroo Management Advisory Panel and Chair of the NSW GWIC Animal Welfare Committee.

**Charles, David BA LLM**

Senior Member. Admitted as a solicitor in 1981. Admitted as a barrister in 1991. Over 35 years of experience in civil litigation as a practising solicitor and barrister. Appointed as Strata Schemes Adjudicator in 2012. Volunteered as a duty barrister

from time to time at the Downing Centre Local Court, under the NSW Bar Association Duty Barrister Scheme.

### **Cheng, Kevin BSc LLB (UNSW)**

General Member. Admitted as a solicitor of the Supreme Court of NSW in 2012. Extensive experience of over 10 years in government practice, particularly in the areas of dispute resolution, information law and administrative decision making. Currently Senior Advisor at the Office of the Australian Information Commissioner. Past roles include - Business Consultant at the NSW Information and Privacy Commission; Senior Lawyer at the Australian Government Solicitor.

### **Chenoweth, Dr Bruce MBBS (Monash) DPM RCS RCP (London) MRCPsych**

Senior Member. Raised in Mackay, educated at Wesley College Melbourne. Early experience as a General Practitioner in Mackay, then Psychiatry training in the UK. Returned as Deputy Director Psychiatry at Royal Brisbane Hospital then worked in the child abuse unit at the Mater Hospital Brisbane. 17 years in Adolescent Mental Health and the Early Psychosis Unit in Newcastle with an inexorable drift to Intellectual Disability Mental Health from 1991. Years of consulting to group homes, large residentials, and regional and rural centres followed. 10 years with the Developmental Assessment Unit at St George Hospital and involvement with NSW Health and UNSW Dept of 3DN. Teaching and training of junior colleagues in Developmental Psychiatry has been a privilege and a joy.

### **Christie, Alec BA (Hons) LLB (Hons) GradDip European Union Law**

Senior Member. Administrative and Equal Opportunity Division. Admitted as a solicitor in 1989 in New South Wales and the Commonwealth. Partner at Atmos Legal and Head of Privacy Risk and Digital Law. Practices in information and technology law, including big data analytics, AI, IoT, and legal issues affecting highly regulated sectors such as financial services and critical infrastructure. Advises on digital transformation, cloud computing, sourcing, and open-source software. Recognised by peers and in multiple legal directories for expertise in privacy and cyber security across the public, not-for-profit, and private sectors, and across a range of industries.

### **Cigolini, Associate Professor Maria MBBS (USyd) FRACGP FACHPM (RACP) GradDipPallMed (Melb)**

Senior Member. Senior Palliative Medicine physician with background in General Medicine and Supportive Care, until recently Clinical Head of Palliative Medicine Royal Prince Alfred Hospital, Sydney. Clinical Associate Professor of Medicine at the University of Sydney, Lecturer and MD student

tutor. Clinical and research supervisor, Royal Australasian College of Physicians. Post-graduate training and committee experience in bioethics, clinical and human research ethics. Strengths include service, program and policy development toward quality assurance and improved patient outcomes in conjunction with other disciplines, across all health sectors and for specific patient cohorts.

### **Clark, Katrina BSc LLB**

General Member. Admitted as a solicitor in 1985 in NSW. Practised commercial law and litigation with Mallesons and Gilbert & Tobin, specialising in intellectual property law and consumer law and appointed General Counsel of Accenture for ANZ in 1993. Embraced community law and advocacy in early 2000s working with Legal Aid NSW and community legal centres and appointed board member through that period, acting in various key positions, for Carers NSW, the Association for Children with a Disability in NSW and Children and Young People with Disability Australia. Co-authored, published and distributed *Through The Maze* and *Helping You and Your Family*, information resources for families and therapists designed to help families caring for a child with a disability. Assigned in 2017 to the Guardianship Division and Consumer and Commercial Division of NCAT.

### **Coleman SC, The Hon Acting Judge Ian BA LLB (USyd) MA (UWS) MSustAgric (USyd)**

Principal Member. Barrister at Law 1975-1991; Trial judge - Family Court 1991-1999; Judge Advocate - Australian Defence Force 1992-1997; Part-time commissioner, Australian Law Reform Commission 1993-2003; Appeal Division judge - Family Court 1999-2013; Barrister at Law (Australia and Fiji) 2013 to date; Adjunct Professor, School of Law Western Sydney University 2013-2017; Member South Katoomba RFS, Katoomba RSL, Blue Mountains Conservation Society, Wentworth Falls Golf Club.

### **Collins, Rosemary LLB (Hons I) BEngSci (Mech)**

Senior Member. Admitted to practice as a solicitor in 2008. Worked in private practice and in-house counsel at large multinational corporations, primarily in construction and consumer law. Experienced international sporting tribunal member.

### **Compton, Caroline BA MEd JD GDLP PhD**

General Member. Former legal academic, currently a medical student at the University of Sydney.

### **Conley, Jennifer BA LLB**

Senior Member. Admitted as a solicitor in 1993. Previous experience as a solicitor in civil and administrative law with Legal Aid and community legal centres. Prior to the

commencement of NCAT, appointed to the Guardianship Tribunal and the Administrative Decisions Tribunal. Currently also appointed to the Mental Health Review Tribunal.

### **Connelly, Janice** BA LLB LLM

Senior Member. Admitted as a solicitor in 1989. Nationally accredited as a mediator in 2009. Extensive Court and Tribunal experience. Currently an assessor and arbitrator for the Local Court of NSW, a Senior Member (Legal) of the Guardianship Division and Appeal Panel of NCAT, a Presiding Legal Member of the Mental Health Review Tribunal and a mediator with the Personal Injury Commission.

### **Connor, Elaine** BA (Hons) MPsych (Clin) LLB (Hons)

Senior Member. Qualified as a psychologist in 1979; Admitted as a solicitor in 1992. Extensive experience in guardianship jurisdictions in Victoria and NSW. Experience in a variety of legal roles and in advocating for people with disabilities. Currently also appointed as a Legal Member of the Mental Health Review Tribunal.

### **Conroy, Tracie** BAdultEd (UniSA) MEd (UTS)

General Member. Extensive history in equity, diversity and inclusion senior roles within university and TAFE settings. Extensive experience working with people with disability, particularly young adults experiencing mental health issues/illnesses. Experience working with Commonwealth and State anti-discrimination legislations including managing complaints.

### **Cootes AM, Janene** BSocStudies (USyd)

General Member. Qualified as a social worker in 1977. Has worked in a range of disability advocacy roles. Executive Officer, Intellectual Disability Rights Service 2005.-2024. Appointed to the Guardianship Tribunal of NSW in 2002.

### **Corley, Susan Dr** LLB LLM BSc (Hons) PhD

General Member. Admitted as a solicitor in 1985. Currently also a Conjoint Senior Lecturer at UNSW. From 1985-1992, solicitor with Mallesons, Stephen Jacques; 1994-2000, Legal Counsel and then Senior Legal Counsel with AMP Ltd; 1994-2013, part-time member of the Consumer Trader and Tenancy Tribunal and its predecessor tribunals.

### **Cornwell, Erika** BSW Dip FamilyTherapy

General Member. Has worked in various non-government agencies, including as Director of a service for adolescents and families. Held various roles in state government, including as a social worker and official visitor. Part-time member for 20 years, until mid 2019, of the Social Security Appeals Tribunal,

which merged in 2015 with the Administrative Appeals Tribunal.

### **Corr, Dr Melissa** MBBS FRANZCP

Senior Member. Consultant psychiatrist at Royal Prince Alfred Hospital from 1989 specialising in the psychiatry of medical illness.

### **Crawford, Dr Julia**

General Member. Small animal veterinarian with 33 years' experience. Past President of the NSW Division of the Australian Veterinary Association, Chair of the Veterinary Nursing Group National Industry Advisory Group and a Director of the Australian Veterinary Association.

### **Crowley, Debbie**

General Member. Since 1990, involved in community organisations that provide disability services or fund disability services. Experienced foster carer.

### **Cutler, Paul** BSc (Hons) MSc (Hons) DipLaw LLB MDR

General Member. Has practiced at the NSW Bar since 2006. Member of Queen's Square chambers specialising in migration and commercial law. Accredited mediator and arbitrator and a costs assessor of the Supreme Court of NSW.

### **D'Addona, Anna** BA LLB GDLP GDFDRP

Senior Member. Admitted as a Legal Practitioner in April 2008. Appointed to the Federal Circuit and Family Court of Australia in 2020 and sat as a Registrar and then Judicial Registrar until 2025. Practiced as an Independent Children's Lawyer in Family Law and Child Representative in the Care and Protection jurisdiction. Accredited Specialist in Family Law, an AMDRAS accredited mediator and Family Dispute Resolution Practitioner. Casual academic and unit coordinator at Western Sydney University in Advanced Family Law.

### **Dalla-Pozza, Michael**

Senior Member. Admitted as a solicitor in 2005, joining the New South Wales Crown Solicitor's Office and reaching the positions of Senior Solicitor and then Solicitor Advocate. Admitted to the Bar in 2019 and joined 3 St James' Hall chambers. Has since developed a practice focused on Administrative and Criminal Law as well as the conduct of Inquests and Inquiries.

### **D'Arcy, Jennifer** BComm LLB (UNSW)

Senior Member of the Guardianship Division of NCAT since 2006. Previously a legal member of the Social Services and Child Support Division of the Administrative Appeals Tribunal, a legal member of the Mental Health Review Tribunal and a

senior legal member of the Veterans' Review Board.  
Experience in private practice and in community legal centres.

**Davidson, Lorna** LLB (Hons) (UofG) LLM (Cantab) LLM (CU)

Senior Member. Prior to moving to Australia, worked for the United Nations as a senior legal advisor in Chambers at the International Criminal Tribunal for the former Yugoslavia. Previously a human rights lawyer with non-governmental organisations in the United States and United Kingdom. Most recently held positions in the Office of the Solicitor Assisting the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability and previously at the Royal Commission into Institutional Responses to Child Sexual Abuse.

**Davidson, Patricia** BEd (SpecEd) MSpecEd

General Member. Qualified as a special education teacher in 1974. Over 40 years' experience working with people with disabilities in the fields of education and the community. 14 years' experience with the Public Guardian as a principal guardian, regional manager and assistant director.

**Davison, Steven** BA (Hons) Psych MPH (Hons)

General Member. Appointed to the Administrative and Equal Opportunity Division in 2014. Roles in the private sector and government in rehabilitation, injury compensation, OH&S, housing, social services, health and disability. Experience as a psychologist in community, forensic and occupational settings. Policy advisor on disability, aged care and public health. Research interests include progressive neurological diseases, health technology and patient safety.

**Davy, Tiffany** BA LLB BDiv

Senior Member. Admitted as an Australian lawyer in 2004 and called to the Bar in 2010. Initially appointed to the Consumer and Commercial Division in 2025, also sits in the Administrative and Equal Opportunity Division, particularly in taxation matters. Member of Coram Chambers. Expertise spans a broad range of areas, including administrative law, revenue law, corporate and commercial disputes, and regulatory matters.

**de Fina, Deborah Margaret** BEc (Hons) JD MIA

Senior Member. Admitted to the NY Bar in 1994. Represented children in NY's child protection and juvenile justice jurisdictions before returning to Australia. Admitted as a legal practitioner in NSW in 1998. 30 years of experience in children's rights and advocacy for disadvantaged individuals, in state and federal government agencies and as a private consultant including: led NSW Legal Aid's child protection legal team and the Private Sessions legal team at the Royal

Commission into Institutional Responses to Child Sexual Abuse; undertook large scale legislative and policy reform projects; and assisted large and small organisations to meet their child protection legal obligations.

**De Jersey, Sancia** BA LLB MBA

Principal Member. Admitted to practice as a solicitor in 1988. Holds a mediation qualification from the Institute of Australian Mediators and Arbitrators. Her principal area in private practice of about 20 years was commercial litigation lastly as a partner at HWL Ebsworth before being appointed a Member of the Consumer Trader and Tenancy Tribunal in 2012, and then appointed to NCAT, Consumer and Commercial Division.

**Deane, Megan** BA LLB (UNSW) LLM (Melb)

Senior Member. Admitted as a solicitor in NSW in 1996. Former member of the Migration Review Tribunal 2000-2015, Refugee Review Tribunal 2005-2015 and Social Security Appeals Tribunal 2009-2011. Accredited Mediator.

**Declé, Peace** LLB/BSc (Hons) MAL

Senior Member. Barrister based in northern NSW practising predominantly in family law.

**Dinnen, Deborah** BA LLB LLM

Senior Member. Admitted as a Solicitor in 2005, called to the Bar in 2011. Appointed to NCAT in 2016, in the Administrative and Equal Opportunity Division and Occupational Division. Appointed to the NSW Dust Diseases Tribunal in 2018 as a Contributions Assessor. As counsel, practises in administrative law, employment and industrial law, discrimination, coronial inquests and inquiries.

**Dixon SC, Harry** BA LLB LLM

Senior Member. Admitted to practice as a Solicitor in 1979; admitted to the Bar in 1988 and appointed Senior Counsel in 2000 with experience in administrative law, alternative dispute resolution and mediation, civil and human rights and discrimination, employment law and industrial law.

**Djekovic, Dr Kate** MBBS BPsych (Hons) FRACP

Senior Member. Staff Specialist Geriatrician at War Memorial Hospital, providing subacute and rehabilitation inpatient medical care as well as community Geriatric medicine care.

**Drennan, Jeniffer** BA LLB (Hons)

General Member. Formerly an NCAT conciliator. Nationally accredited mediator since 2007 (NMAAS). Currently Chair of Resolution Institute Newcastle Professional Development Group - a group actively promoting the advancement of a diverse range of dispute resolution models in the wider community.

**Dubler SC, Dr Robert** LLB (Hons I) (USyd) BEc (Hons I) (USyd) LLM (Hons I) (Cantab) PhD (USyd)

Senior Member. Admitted as a solicitor in 1986. Called to the bar in 1990. Appointed senior counsel in October 2004. LEADR accredited mediator, 2012.

**Duc, Anton** BBus MBus LLB

General Member. Admitted as a solicitor in 2003. Called to the Bar in 2015. Practices in a wide variety of federal and state courts and tribunals. Experienced in employment and industrial law, family law and law relating to small business. Nationally accredited mediator and family dispute resolution practitioner.

**Duffy, Dr Francis** PhD MSW BSW (Hons) Grad Cert Social Development

Senior Member. Current member Mental Health Review Tribunal. Former lecturer in Social Work and Policy Studies, University of Sydney. Current social work academic at Charles Sturt University. Research areas include ageing, and disability. Former senior social worker at St Vincent's Hospital and counsellor at Relationships Australia. Previous board member Charingfield Residential Aged Care Facility and Abbeyfield Australia Community Housing.

**Durack SC, Philip** BJuris LLB BCL

Senior Member. Senior Counsel at the Sydney Bar with over 34 years' experience as a solicitor and counsel in commercial and general litigation.

**Eftimiou, Maritsa** BA LLB

General Member. Admitted as a barrister to the Supreme Court of NSW, 1983. From 1999-2007, Member of the Migration and Refugee Review Tribunal; 2003-2012, Member of the State Parole Authority of NSW.

**Eggleton, Dr Kylie** BA (Hons I) LLB BMed MD FRACGP

Senior Member. Works as a general practitioner in private practice with special interest in aged care and disability sectors. Admitted as a solicitor of the Supreme Court of NSW in 1999. Former local government and environmental lawyer and Associate to Justice RN Talbot.

**Ellensohn, Maria** MSM (Germany)

Senior Member. Qualified as social worker in 2002. Extensive experience in the disability and health sectors. Appointed as a Member of the Guardianship Division of NCAT in 2021.

**Ellis SC, Graham** BComm LLB FIAA FCPA

Senior Member. Holds the senior qualifications of an actuary, accountant and barrister. Admitted as a barrister in 1980.

Served as a judge of the senior trial court and senior appellate court in Papua New Guinea 1990-1992 and 2009-2011.

**Epstein-Frisch AM, Belinda** BSW MSW

General Member. Appointed to the Guardianship Division of NCAT in 2012. Extensive experience in advocacy, policy, service development and governance in relation to people with disability at the national, state and community levels.

**Etkind, Stephen Harris** BA BCom LLB LLM

General Member. Solicitor and Public Notary, NSW. Partner and Head of Minter Ellison's Investment and Financial Services team from 1999 to 2015. Pro Bono Services Partner at Minter Ellison from 2010 to 2015. Chair of the International Bar Association's Investment Funds Committee. Partner at Henry Davis York (now merged with Norton Rose Fulbright) from 2015 to 2017. Senior Consultant to Salvos Legal (NFP law firm) from 2017 to 2019. Currently Senior Consultant to DLA Piper. Has held various pro bono roles and supported clients over 20 years, in particular the Public Interest Advocacy Centre and Seniors Rights Service (elder abuse advice and advocacy network).

**Falk, Angelene** BA LLB (Hons) GradDiplntPropLaw GradDipLegPrac

Senior Member. Australian Information Commissioner and Privacy Commissioner 2018-2024. Developed and implemented national regulatory strategy across privacy and information access. Experienced in privacy, access to information, government information management, discrimination, human rights, administrative decision-making, merits review, litigation, alternative dispute resolution, policy development, law reform, governance and administration. Former Deputy Commissioner at the Office of the Australian Information Commissioner. Held legal, policy and education roles at the Anti-Discrimination Board of NSW, the Equal Opportunity Commission of Victoria and in Law Reform Commissions.

**Ferreira, Ingrid**

General Member. Over 30 years' experience in business administration, customer service, middle management. Involved with Down Syndrome NSW and Special Olympics. Works for IDRS; this position puts her in contact with people with intellectual disability, many of whom are incapable of making essential life decisions.

**Finnane, Edmund** BA LLB (ANU) LLM (Corporate & Commercial Law) (UNSW)

General Member. Practised as a solicitor from 1994 to 1996 and has been practising as a barrister since 1997. Areas of practice include equity, property law, commercial law,

bankruptcy, company law including corporate insolvency, and deceased estates. General Editor of the *Company & Securities Law Journal* since 2018. Co-author of *Equity Practice & Precedents* (1st Edition 2008; 2nd Edition 2019) and *Pleading Precedents* (6th Edition 2009; 7th Edition 2024). Authored annotations in the Thomson Reuters annual and online publication *Corporations Legislation with Annotations* from 2009 to 2022. Director of the Commercial Law Association of Australia from 2009 to 2025.

### **Foda, Sandrah LLB BSc GAICD**

General Member. Called to the Bar in 2000. Currently briefed as Counsel by the ATO, ASIC, APRA and private clients and has a broad commercial practice. In 1995 was Tipstaff to the Honourable Mr Justice Powell AM QC of the Court of Appeal of New South Wales. In 1997, was admitted as a solicitor and joined the firm of Hunt & Hunt Lawyers. Since 2014, an Adjudicator in relation to Building and Construction Industry Security of Payment Act 1999 (NSW). Holds a Bachelor of Science majoring in Pure and Applied Mathematics. Director of the King's School Foundation Council.

### **Foreman, Emeritus Professor Philip BA MLitt Med (Hons) PhD FAPS**

General Member. Former Dean of Education, University of Newcastle, 2001-2007; Life Member Royal Institute for Deaf and Blind Children; Former Chair, NSW Institute of Teachers, 2007-2013; Former Chair, Australasian Teacher Regulatory Authorities; Member, Administrative Decisions Tribunal, 2007-2013; Member, NCAT 2014 to present. Books: *Education of Students with an Intellectual Disability: Research and Practice* (2009); *Inclusion in Action* (6th edition, 2022). Currently, Emeritus Professor, College of Human Social Futures, University of Newcastle.

### **Franke, Melissa BASW GradCertMgt**

Senior Member. Social worker in NSW Health for 24 years in hospital and community settings. Manager of Sutherland Hospital Social Work Department and part-time Unit Head of the Community Social Work Team at Southcare (Aged and Extended Care) since 2010. Worked as an ACAT Assessor and Authorised Visitor for the NSW Trustee and Guardian (2012-2022).

### **Frost, Stephen BA (Hons) DipLaw (BAB) FTI**

Senior Member. Appointed to NCAT in 2014. Admitted as a lawyer in 1989. 1995-2008 partner in the business advisory firm KPMG; 2006-2017 Member, Senior Member and Deputy President of the Administrative Appeals Tribunal; 2010-2013 Judicial Member of the former NSW Administrative Decisions Tribunal. Extensive experience in taxation and revenue law and administrative law.

### **Gardner, Michelle LLB GDLP**

Senior Member. Admitted as a solicitor in 2000. Extensive Tribunal experience. Currently, also a Legal Member of the Mental Health Review Tribunal and a Legal Member of the Victorian Civil and Administrative Tribunal. Previously a Senior Member of the Social Security Appeals Tribunal.

### **Gardner, Patrick BSc (Psych) JD**

Senior Member. Admitted as a solicitor in the Supreme Court of NSW in 2011. Experience having worked as a solicitor in private practice and in-house. Prior to appointment to NCAT, a long-term volunteer and board member in the community legal sector.

### **Gatland, Jill BA (Hons) (Syd) LLB (UNSW)**

Senior Member. Admitted as a solicitor in 1999 and as a barrister in 2013. Currently, a barrister in private practice with chambers at 11th Floor St James Hall. Formerly principal litigator for the Australian Taxation Office. Expertise in administrative law, equity, commercial law and taxation and revenue law.

### **Geikie, Neil LLB MA (Social Theory) GDLP**

Senior Member. Guardianship Division. Admitted as a solicitor in 1990. NSW Court Arbitrator (2001 to current). Member of the Professional Conduct Advisory Panel of The Law Society NSW (2010 to current). Nationally Accredited Mediator (2013 to current). Principal of ReSolution Mediation. Extensive litigation experience in testamentary disputes, contested deceased estates, family law, commercial disputes, professional disciplinary representation.

### **George, Dr Katrina BA LLB (UNSW) PhD (Syd) GAICD**

Senior Member. Admitted as a solicitor in 1994. Solicitor in private practice until 2000. Senior Lecturer, School of Law, Western Sydney University until 2013, with research and teaching interests in criminal law, torts, health law and ethics. Principal of an independent girls' school between 2013 and 2020. Graduate of the Australian Institute of Company Directors.

### **Giurissevich, Anthony BA LLB (USyd)**

Senior Member. Admitted to the Supreme Court NSW and High Court in 1976. Currently, consultant lawyer and sole practitioner in Sydney in general litigation often representing persons with disability and the disadvantaged. NESB and fluent in Italian. Former Legal Member of Social Security Appeals Tribunal and Veterans' Review Board. Current Member of Mental Health Review Tribunal.

**Given, Fiona BA (Hons) LLB**

General Member. Completed an Arts/Law degree in 2003 and has lived experience of disability. Sits as a General Member in the Guardianship and Administrative Division, the Equal Opportunity Division, and on the Appeal Panel for Guardianship matters. Works as a Research Assistant at the University of Sydney and has presented on disability issues nationally and internationally.

**Glover, Ross LLM**

General Member. Commenced practice at the NSW Bar in 2010 where he has a broad commercial practice, with particular expertise in the conduct of large scale and complex litigation before the Supreme Court of NSW and the Federal Court of Australia. Extensive experience in the conduct of inquiries, including as Commissioner of the Public Inquiry into Wingecarribee Shire Council. Member of the CDPD external counsel panel and a Reserve Legal Officer in the Royal Australian Navy.

**Goldman, Dr David BEc LLB (Hons) LLM PhD**

Senior Member. Admitted as a solicitor 1996, partner Norton Rose Fulbright 2008-2024. Adjunct Associate Professor, UNSW Law & Justice, convening Corporate Insolvency course since 2009. Author, *Globalisation and the Western Legal Tradition* (Cambridge University Press 2007). Significant local and cross-border litigation and transaction experience, speaking and advising on commercial and banking issues, insolvency and professional duties across diverse industries including finance, construction, property, education, retail, commodities and transport.

**Goldstein, David BJuris LLB**

Senior Member. Admitted as a barrister and solicitor in Western Australia, 1979. Admitted as a solicitor in NSW, 1983. Admitted as a solicitor in Hong Kong in 2006. Senior Member (part-time) Civil and Administrative Tribunal, Consumer and Commercial Division and at NCAT since 2012.

**Goodman-Delahunty, Professor Jane BA TTHD JD PhD**

General Member. Admitted to the bar in 1983, qualified as an experimental cognitive psychologist in 1986 (USA), as a registered psychologist in 2005 (Australia), and accredited as a mediator in 1994 (USA) and 2002 (Australia). Currently, Professor, Newcastle Law School, University of Newcastle. From 2002-2013, Commissioner, NSW Law Reform Commission; 2007-2013, mediator, NSW Department of Commerce; 1992-2001, administrative judge, US Equal Employment Opportunity Commission; From 2007, General Member of NCAT. Elected Fellow of the American Psychological Association.

**Gracie, Malcolm BA LLB (Hons I)**

Senior Member. Barrister - admitted 1989. Arbitrator – (former) Fellow CI Arb, Fellow ACICA, Grade 1 Arbitrator Resolution Institute. ACCC - NBNC National Arbitrator Pool; Minister for Industry and Resources - Mining and Petroleum Onshore Acts Arbitration Panels; Economic Regulation Authority of WA – Railway Access Arbitration Panel; NT Minister for Mining and Industry- Member of the Mediators Panel under the Petroleum Regulations 2020 (NT). Supreme and District Court Arbitration and Expert Determination Panels. Lieutenant Commander Royal Australian Navy (Reserve Legal Officer). Defence Force Registered Mediator. Memberships: NSW Bar Association; Honourable Society of Lincoln's Inn (UK).

**Grafenauer, Katherine AMusA BSc/LLB (Hons) GDLP NMAS PRI**

General Member. Member of Commercial and Consumer Division since December 2022. Admitted as a legal practitioner in 1998. Over 20 years' experience in commercial litigation, now work almost exclusively in ADR. Principal mediator at Adaptive Mediation. Nationally accredited mediator since 2018. Member of NSW Law Society, Resolution Institute and Australian Mediation Association.

**Grant, Christopher BEc LLM GradDipEd**

Senior Member. Admitted as a solicitor in 1989. Solicitor for over 25 years working in community legal centres, NSW Legal Aid and private firms. From 2014-2016, worked with the Royal Commission into Institutional Responses to Child Sexual Abuse. Main areas of practice are criminal law, family law and children's law.

**Grant, Yvonne BA, LLB, LLM, MSusDev**

Senior Member. Appointed to the Consumer and Commercial Division of NCAT. Has worked in the legal profession in a range of roles, including as a Legal Presiding Member across several tribunals in the areas of health, mental health, professional conduct and administrative review. Accredited mediator and Family Dispute Resolution Practitioner, and experienced as a policy advisor, legal academic and board member.

**Graycar, Emeritus Professor Reg LLB (Hons) (Adelaide) LLM (Harvard) FAAL**

Senior Member. Barrister practising in NSW and also Emeritus Professor of Law at Sydney Law School. Has been a Professor of Law at UNSW Law School and a Visiting Professor at Cornell Law School, USA; University of British Columbia Law School, Canada; and the Université de Paris 1 (Panthéon-Sorbonne), France. Has been a full-time Commissioner of the NSW Law Reform Commission, a part time Commissioner of the Australian Law Reform Commission and has served on a

number of federal tribunals and Commonwealth and State advisory bodies.

**Green, Dr Jenny** BEd MA (Special Education)  
GradCert (Higher Education) PhD

General Member. Board member of the Australian Centre for Disability Law. Consultant, academic, researcher and practitioner with 30 years' experience in no-for-profit organisations and disability.

**Griffin, Leah** BA LLB AMDRAS

General Member. Admitted as a solicitor in 2010. Practice included appearing in State and Federal Courts and Tribunals and undertaking mediations.

**Grinston, Elizabeth** BA LLB (Hons)

Senior Member. Appointed to NCAT in February 2025. Previously a member of multiple tribunals including the Social Security Appeals Tribunal, the Consumer Trader & Tenancy Tribunal and its predecessors. Formerly General Counsel at UNSW Sydney, Screen Australia and Airservices Australia, and in private practice a partner of Freehills and special counsel at Gilbert + Tobin. Long-standing Board and Ethics Committee member with current roles including Oxfam Australia and the Black Dog Institute.

**Halbert, Jennifer** BA LLB

Senior Member. Appointed to the Guardianship Division in 2016, cross appointed to the Consumer and Commercial Division 2017-2021. Member National Sport Tribunal appointed 2020 and continuing. Nationally Accredited Mediator. Admitted as a solicitor in 1991 and thereafter private practice as a solicitor specialising in litigation particularly Family Law, Reviewer for the Office of the Legal Services Commissioner, and senior solicitor Women's Legal Resources Centre. From 2003 to 2019, Registrar of the Family Court of Australia (FCOA) and the Federal Circuit Court (FCC), and 2006-2016, Regional Appeal Registrar Eastern Region FCOA.

**Halstead, Nathan** MBuildSurv (UWS) GradDip  
FireEng (VU) MTechEnvEng (UTS) JP

General Member. More than 27 years of experience in building regulations and fire safety projects in the construction industry. Significant expertise in delivering large and complex projects across all sectors of industry, including complex performance-based compliance solutions and fire safety engineering. Registered as an Unrestricted Building Surveyor within NSW. Nationally, an Accredited Member of the Australian Institute of Building Surveyors. Fire safety credentials include being registered in NSW as a Certifier – Fire Safety; and as an Accredited Practitioner Fire Safety Assessment, enabling him to assess all 36 Fire Safety

Measures as required by the Fire Protection Accreditation Scheme. Registered Professional Engineer - Fire Safety in three states: NSW, Queensland and Victoria. Also registered in NSW as a Design Practitioner – Fire Safety Engineering. As Managing Director of the AED Group,

**Hamilton, Renae** BA LLB (USyd)

Senior Member. Admitted as a solicitor in 1996. Over 25 years' experience in litigation and dispute resolution in private practice, specialising in insurance litigation, predominantly personal injury matters involving catastrophic injury, psychological injury, and more recently historical sexual abuse matters. Currently Special Counsel at Wotton+Kearney. Senior Member of NCAT's Guardianship Division since 2021.

**Handebo, Simon** BBus LLB LLM Grad Dip FDRP

Principal Member. Guardianship Division. Admitted as a solicitor in 2011, with experience primarily in family law and child protection. Previously worked as a Judicial Registrar with the Federal Circuit and Family Court of Australia, specialising in high-risk parenting disputes. Formerly worked as Senior Children's Registrar at the Children's Court of NSW. Qualified as a Family Dispute Resolution Practitioner.

**Hanna, Mark Neil** LLB (Hons I) (USyd) MMedPrac  
(Merit) (USyd)

General Member. Principal of Mark Hanna Lawyers specialising in commercial, family, and estate law. Firm recovered an Australian child from China to his mother. Qualified mediator and a sessional Tribunal Member at ACAT. Best known for involvement in three successful appeals to the High Court. In *Kirk v Industrial Relations Commission* [2010] HCA 1, the High Court extended the reach of Chapter III of the Constitution, holding that the supervisory jurisdiction of the state supreme courts is a defining characteristic and cannot be removed by legislation.

**Hanstein, Sharon** BA LLB LLM

General Member. Admitted as a solicitor in 1994. From 2001 to 2010, a solicitor with Blake Dawson Waldron and the Australian Government Solicitor. From 2012, a Member of the Consumer, Trader and Tenancy Tribunal and NCAT.

**Harris, Philip** CSM RFD psc(r) BA LLM

General Member. Based at Tamworth and sitting throughout the North and Northwest of NSW. Previously the Principal of a private practice in Tamworth specialising in property, commercial law, civil litigation and estates. Former Colonel in the ADF.

### **Harvey, Danae BA (Hons) LLB**

General Member. Has worked in community legal centres in the Hunter and Illawarra regions of NSW from 1993-2003. In 1999 accredited as a mediator through Lawyers Engaged in ADR (LEADR). 2002-2013, appointed to the Consumer Trader and Tenancy Tribunal; 2005-2008, Mental Health Review Tribunal. Currently appointed as Assessor in the Small Claims Division of the Local Court since 2003, and to NCAT's Consumer and Commercial Division since 2014.

### **Hayes, Elayne BA**

General Member. Qualified mediator through LEADR, 2013-2016. Voluntary work with University of Western Sydney Law School since 2011. 1983-1987, Social Security Appeals Tribunal Sydney; 1993-1997, Director of Human Resources, Centrelink; 1999-2000, Social Security Appeals Tribunal Canberra; 2001-2006, Director of Human Resources and Communications, Department of Health and Ageing; 2006-2010 and 2013-2018, General Member, Veterans' Review Board; from 1998, a General Member of the Occupational Division of NCAT; since 2002 a General Member of the Equal Opportunity Division of NCAT; and since 2016, a General Member of the Children's Guardian area.

### **Healy, Aine**

General Member. Guardianship Division. Consultant with professional and lived expertise in disability, inclusion, social policy, communications and advocacy. Previously with Every Australian Counts, NSW Council for Intellectual Disability and IDEAS, along with volunteer roles in community organisations.

### **Hennings, Simon BA LLB (USyd)**

Senior Member. Admitted as a solicitor 1989. Currently, full-time Member of NCAT. 2002-2005, part-time Member of the Consumer, Trader and Tenancy Tribunal; 2006-2013, full-time Member of Consumer, Trader and Tenancy Tribunal; Since 1994, Committee Member Camden Show Society; Since 2001, Community Member for the Community Consultative Committee Camden Gas Project.

### **Herberte, Jillian BSW (UNSW) EMPA (ANU)**

General Member. Extensive experience at Executive Director level within the former Department of Family and Community Services. Oversight of service delivery and reform in Child Protection, Out of Home Care, Disability and Housing services. Experience in interdepartmental committees and internal program review.

### **Higgins, Sigrid BA LLM**

Senior Member. Admitted as a solicitor in 1983 and called to the NSW Bar in 1999. Graduate Certificate in Dispute Resolution 2000. Practised as a barrister until 2020 and now

practising as a solicitor. Part-time Judicial Member and Deputy President of the former NSW Administrative Decisions Tribunal until 2013; 2008-2013, Member, Defence Honours and Awards Appeals Tribunal; 2005-2012, Patent and Trade Marks Disciplinary Tribunal; 2002-2005, Legal Member of the NSW Chiropractors' Registration Board; 1995-1997, Executive Secretary of the International Commission of Jurists (Geneva, Switzerland); 1991-1993, Manager and Senior Lawyer, Commerce Commission (Wellington, New Zealand), and Principal Legal Officer and Senior Assistant Director in the Office of the Commonwealth Director of Public Prosecutions; 1983-1987, Principal Legal Officer (Criminal Law Policy) Commonwealth Attorney General's Department.

### **Houlahan, Lynn Mary BA Psych PGDipPsych MSpecEd DipWelfare JP**

Senior Member. Registered psychologist. Currently an Independent Decision Maker with the National Redress Scheme for victims of child sexual abuse; 1996 to date, NSW Mental Health Review Tribunal; 2013-2017, psychologist/ commission officer with Royal Commission into Institutional Responses to Child Sexual Abuse; 1995-2013, deputy chairperson, NSW Housing Appeals Tribunal; 1996-2008, Professional Member, Administrative Decisions Tribunal. Formerly, regional co-ordinator and was previously an area manager, DOCS Disability and Child Protection Services.

### **Hughes, Julie BLegS (Macq) GDL (USyd) GDL**

Senior Member. Graduating 1994 and admitted in 2004, has been involved in legal education at Newcastle Law School for over 20 years as a lecturer (specialising in Health Law, Civil Procedure, Contract), and clinical supervisor. Legal Member of the Mental Health Review Tribunal (16 years), a Chairperson/Deputy of various health professional tribunals and Professional Standards Committees, and a Principal Member of NCAT Occupational Division. Private practice background in medical negligence, wills/estates/elder law, family law, and commercial. Has practiced in community legal centres, most recently as supervising solicitor in Newcastle University's Older Persons' Legal Clinic.

### **Hung, Chun-Chi (Michael) BCom LLB (Hons I) LLM**

Senior Member. Admitted as a solicitor in 2008. Since 2014, Principal Lawyer of ClearSky Legal specialising in business law and property law. Teaching Fellow of UNSW Law & Justice, and consultant to Herbert Smith Freehills. Qualified as Accredited Specialist in Business Law in 2019. Member of Specialist Accreditation Business Law Advisory Committee 2020-2024. General Member of the NCAT 2022-2025. Former tipstaff to Justice Peter W Young AO.

### **Hunt, Sally BA LLB**

General Member. Admitted as a solicitor in NSW in 2001. Former member of the Migration and Refugee Review Tribunals 2010-2015. Accredited specialist in Immigration Law and previously principal of a boutique immigration law firm. Over 20 years' legal practice in private, government and corporate roles. Trained in mediation.

### **Isenberg, Naida**

Senior Member. Formerly served on the Administrative Appeals Tribunal, Veterans' Review Board, the Migration and Refugee Review Tribunals and the Defence Honours and Awards Appeals Tribunal. Has a long legal background at a senior level in both the Commonwealth and NSW governments, as well as in the private sector. Holds the rank of Lieutenant-Colonel in the Australian Army Legal Corps. Served on the board of two charities, one of which is the War Widows Guild.

### **Jammy, Paul BA LLB**

General Member. Practising barrister (admitted as a barrister in 1991 in South Africa, joined the Sydney Bar in 2012. Commercial litigation solicitor at Clayton Utz 2008-2012. Internationally accredited mediator. Principal areas of practice are banking and financial services litigation and regulation, and general commercial litigation.

### **Jay, David BSc (Hons) LLB (Hons)**

Senior Member. Admitted to New South Wales Bar in 2004. Currently, practising barrister in commercial disputes, equity and tax law. Has presented papers for the Law Society's CLP programs on environmental law and family provision claims. Qualified mediator and acts as a Contributions Assessor for the Dust Diseases Tribunal. Before admission to the Bar, acted as a solicitor and in-house counsel for a private company. Member, Francis Forbes Society for Australian Legal history. Former tipstaff for Justice Peter Young.

### **Johnston, Susan BSocStud MPH**

General Member. Guardianship and Appeal Divisions since 2014. 2007-2014 Community Member of Guardianship Tribunal. 2008-2018 Board Director of Evergreen Life Care (aged care facility). 1994-2020 Member of Mental Health Review Tribunal. Over 15 years' experience as an accredited Social Worker in mental health, homelessness and HIV services and 20 years' experience as a human services consultant providing policy, planning and program evaluation services to government and non-government agencies.

### **Jones, Neil BBus LLB ADipAg**

Senior Member. Legal Member with the Mental Health Review Tribunal. Originally working in agriculture, admitted as a Solicitor of the Supreme Court of NSW and the High Court of Australia in 2002. Principal of a legal practice in Orange. Panel solicitor for Legal Aid NSW in areas of Mental Health advocacy, crime (duty, summary and indictable), family law and childcare and protection (children and adult panels).

### **Kennedy, Claudia BA DipEd DipRC MA**

Senior Member. Qualified as a rehabilitation counsellor in 1983, MASRC. Worked in disability practice, policy and education since 1980 at CRS, WorkCover, ADHC and University of Sydney.

### **Kennedy, Nicole BTech (Marine Engineering) MIS MIL JD**

Senior Member. Practised experience as a generalist solicitor and Principal solicitor in the Community Legal sector, particularly in FVPLS organisations working in all areas of law. Experience as a Tenant Advocate.

### **Kinsey, Graham LLB**

General Member. Admitted as a barrister in 1976. Admitted as a solicitor in 1981. 1974-1977, legal clerk and legal officer with Corporate Affairs Commission; 1977-1986, legal officer and then manager of the Legal Services Branch, Department of Consumer Affairs. 1986, solicitor in private practice with John Orford & Associates; 1987-2014, sole practitioner; 2014-2017, Koutzoumis Lawyers. 2009-2013, part-time Member, Consumer Trader and Tenancy Tribunal. From 2014, part-time General Member of NCAT's Consumer and Commercial Division.

### **Kirk, Dr Linda LLB (Hons I) BEc GDLP LLM SJD**

Senior Member. Previously Senior Member of the Administrative Appeals Tribunal from January 2017 until it was abolished in October 2024. From January 2009 to June 2014, was a Senior Member of the Migration Review Tribunal and the Refugee Review Tribunal. Former Senator for South Australia for six years from 2002-2008 and served as a member of the Senate Legal and Constitutional Committee. Currently a member of the NSW Chapter committee of the Australian Institute of Administrative Law and an Adjunct Associate Professor at the UNSW Faculty of Law and Justice.

### **Koch, Benjamin BA LLB (Hons I)**

General Member. Admitted as a solicitor in 2003. Associate to the Hon Justice Besanko in the Supreme Court of South Australia in 2004. Between 2005-2010, solicitor and subsequently senior associate at Henry Davis York. Called to

the Bar in 2010 and practices in insolvency, banking and commercial litigation from 9 Selborne Chambers.

### **Kulkarni, Nishad** BCom LLB (Hons) LLM (Dist)

Senior Member. Barrister since 2011. Expertise in commercial, corporate and property disputes and in taxation matters. Author of articles in *Australian Law Journal* and *Tax Institute* journals. Former tipstaff to Justice Gzell AM.

### **Kyriagis, Dr Maria**

Senior Member. A Paediatric Rehabilitation Staff Specialist with nearly 20 years' experience at Sydney Children's Hospital with clinical expertise in medical rehabilitation of children with significant disabilities. Currently the Head of Department of Rehab2Kids Unit at Sydney Children's Hospital. An examiner for Australian Faculty of Rehabilitation Medicine (Paediatrics) and teaches undergraduate and postgraduate medical students. Currently pursuing a Master of Bioethics from the University of Sydney.

### **Landau, Dr Peter** MBBS (Hons) (USyd) FRACP

Senior Member. Current clinical appointment as Senior Staff Specialist in Geriatric Medicine, Westmead Hospital. Other positions held at Westmead include; Director Physician Training 1992-2000, Director Clinical Training 1993-2002, Director Stroke Service 2003-2017, Head, Geriatric Medicine Department 2005-2017, Clinical Director, Critical Care & Medicine 2013-2019. Councillor, Postgraduate Medical Council of NSW 1995-2005. Member of Guardianship Tribunal 1988-1995.

### **Laurence, Kerrie** BA (Educational Psychology)

General Member. Community Member with NCAT since 2002. Experience in education services for adults and children with an intellectual disability (TAFE and Department of Education); assessment and accreditation of Aged Care Services (Quality Assessor, Age Care Standards and Accreditation); carer and advocate for parents living with dementia. Extensive experience in child protection and family services with Department of Communities and Justice, with focus on investigations of alleged abuse in residential and out-of-home care. Previous Member of Social Security Appeals Tribunal and the Veteran's Review Board.

### **Law, Dr Jane Sarah** MBBS MMSCI (Epidemiology)

Senior Member. Qualified in 1983 in UK. Trained and worked as a GP for over 17 years in Australia. Special interest in adults with Intellectual Disability Medicine, working at the NSW Developmental Disability Health Unit for 19 years. Currently working with the same population as an outreach service with Intellectual Disability Healthcare.

### **Le Breton, John Vincent**

General Member. Experience managing government and non-government services supporting people with disabilities. Community Member in Guardianship Division since 2007. Member Mental Health Review Tribunal since 2016. Former Director of the NSW Office of the Public Guardian and former Director of Victims Services NSW. Former Member Administrative Decisions Tribunal. Former member NSW Ministerial Reference Group on Person Centred Approaches and former Co-chair NSW Ombudsman's Committee on Community Living.

### **Le Poer Trench, The Hon Acting Judge Mark**

Principal Member. Appointed as a Judge to the Family Court of Australia in October 2001. Prior to appointment, His Honour spent 20 years practising at the NSW Bar, predominately in family law, appellate advocacy, children's matters and de facto relationships. His Honour is currently a mediator and arbitrator for family law matters, and a member of the Australian Institute of Family Law Arbitrators and Mediators. His Honour is a member of the Family Law Section of the Law Council of Australia.

### **Leal, Suzanne** BA (Hons) LLB (USyd)

Senior Member. Admitted as a solicitor in 1992. Former Member of the Migration Review Tribunal 2001-2015, Refugee Review Tribunal 2004-2015; and Judicial Member of the Administrative Decisions Tribunal 2004-2015. Accredited specialist in criminal law (1999), legal practitioner (criminal law) at the NSW Legal Aid Commission 1995- 2001, policy officer at the Criminal Law Review Division of the NSW Attorney General's Department 1993-1995. Presenter, *Writing Better Judgments* program for the National Judicial College of Australia 2020 – present.

### **Ledda, John** LLB LLM (Hons) (USyd)

Senior Member. Deputy Parliamentary Counsel, NSW Parliamentary Counsel's Office 2016-2021. Legislative drafter 1992-2023. Research Officer, NSW Court of Appeal 1989-1991. Admitted as a solicitor in 1989. Called to the NSW Bar in 1995.

### **Lee, Steve** BSc (Hons I) MSc (Clinical Neuropsychology)

Senior Member. Qualified as a Clinical Neuropsychologist in 1996. Clinical experience as a neuropsychologist includes brain injury (TBI) rehabilitation, neurology, neuropsychiatry, mental health, private clinical and medicolegal practice, teaching and supervision. Appointed to the Mental Health Review Tribunal in 2024 in both Civil and Forensic divisions.

### **Lethbridge SC, Robert LLB**

Senior Member. Barrister (15 June 1979). Appointed Senior Counsel in 2001. Chairman NSW Bar Association Family Law Committee 2021/2022 and continuing. Member NSW Bar Association Diversity and Equality Committee 2020/2021 and continuing. Australian National University LLB. Practice Areas: Family Law, Appellate. Specialises in complex Australian and International property and parenting matters and is a qualified Mediator. Expertise as a trial lawyer as well as in the appellate division of the Family Court. Has appeared in the NSW Supreme Court, Court of Appeal and in the High Court of Australia. Trains other lawyers in trial and appellate advocacy for the Australian Institute of Arbitrators.

### **Levine, Judith BA LLB (Univ Medal) (UNSW) LLM (NYU)**

Senior Member. Admitted as a lawyer in NSW (2000) and New York (2003). Independent arbitrator in domestic and international contract, investor-state and sports disputes, including in Australia, England, France, Hong Kong, Singapore and Switzerland. President, Australian International Commercial Arbitration Centre. Member, National Sports Tribunal. Judge, Commonwealth Secretariat Arbitral Tribunal. Previously Senior Legal Counsel at the Permanent Court of Arbitration; attorney at White & Case in New York; judicial clerk at the International Court of Justice; assistant adviser to the Commonwealth Attorney-General, judge's associate at the High Court of Australia.

### **Levingston, John BA LLB (ANU)**

General Member. Member of NCAT and the former Consumer, Trader and Tenancy Tribunal since 2010. Commonwealth Public Service 1977-1981 Overseas Trade (coal and uranium); International Trade Policy; OIC NSW Consumer Protection, Trade Practices Commission 1980-1981. Admitted to the High Court and Supreme Courts of the ACT 1981, NSW 1982 and Victoria 1995. Private practice as a Solicitor (15 years) and a Barrister (28 years); Accredited Mediator (NMA); Arbitrator; Costs Assessor NSW Supreme Court. Previously honorary positions as Adjunct Professor of Law at the University of Canberra; Conjoint Professor of Law at the University of Newcastle. Contributor to the Butterworths Australian Legal Dictionary 1997. Author of legal texts published by The Federation Press Sydney: *The Law of Affidavits* (2013 and 2nd ed 2023); and *The Law of Tribunals* (2016). Author, *NCATapedia* 2015.

### **Levy SC, Acting Judge Leonard**

Principal Member. Called to the Bar in NSW in 1977. Appointed Senior Counsel in 1996. Principal areas of practice included common law, professional negligence, and professional disciplinary cases. Called to the Bar of England and Wales in

2006. Judge of the District Court 2008 – 2023, also serving as a Deputy Chairman of the former Medical Tribunal of NSW. Appointed as a Principal Member of NCAT in 2023.

### **Lewis, Paul BA (Psych) LLB GDLP**

General Member. Admitted to practice as a Solicitor, 1990 (NSW) and 1992 (Qld.) Specialises in family law and practising mediator for over 30 years (trained in community mediation and facilitation by the Community Justice Program, Qld, 1993-94). Currently accredited as a Mediator through the NSW Law Society's LMA Scheme. Accredited Specialist in Family Law and in Dispute Resolution by the NSW Law Society. Former lecturer in Family Law and Practical Legal Training at Western Sydney University, former Independent Children's Lawyer and Family Dispute Resolution Practitioner under the Family Law Act, trained in Collaborative Law (2005 by Stu Webb and Marion Korn, UTS short course). Private practice experience has included personal injury, bankruptcy, commercial leasing, minor crime, anti-discrimination, conveyancing and small business matters. Currently an editorial consultant to the ADJR (Australasian Dispute Resolution Journal) alongside other voluntary committee roles with the NSW Law Society at present and in recent years.

### **Limbury, Ashley BEc(SocSc) (Hons) (USyd) MBA (UTS)**

General Member. Currently, in private practice as a dispute resolution consultant and strategic facilitator with experience in commercial, workplace, discrimination and family law matters. Fellow of Resolution Institute and accredited in 2003. Accredited as a family dispute resolution practitioner in 2009. Appointed as a Defence Force Restorative Engagement Facilitator 2017 and a Guardian ad Litem NSW in 2005. Mediator and General Member of the NCAT Administrative and Equal Opportunity Division.

### **Little, Joanne BA LLB (Hons) (USyd)**

Senior Member. Admitted to the legal profession in New South Wales in 2002. Admitted to the legal profession in England and Wales in 2009 and called to the Bar in 2010. Over 20 years' experience as a legal practitioner with experience as an advocate, in private practice within Australia (Allens Linklaters), private practice internationally having practised in London, Paris and Amsterdam (Freshfields Bruckhaus Deringer) and solicitor in-house (St. George Bank and Westpac Banking Corporation). Specialising in commercial litigation, banking and finance, insurance, insolvency, Corporations Act and equity.

### **Lloyd, David BEc LLB LLM (USyd)**

Senior Member. Since 2019, barrister at the NSW Bar; member of State Chambers. Practising in employment and industrial

law, public and administrative law, equity, discrimination/human rights law, care and protection law, workplace investigations and inquiries, occupational disciplinary. From 1991 to 2019, NSW solicitor, practised at Ashurst (previous Blake Dawson Waldron) in its employment and industrial relations practice in various roles, including as a partner of the firm.

### **Lo Surdo SC, Anthony BA LLM (USyd)**

Senior Member. Legal practitioner since 1987. Called to the NSW Bar in 1996 and appointed Senior Counsel in 2011. A commercial silk, arbitrator and mediator in private practice with chambers in Sydney, Melbourne, and Darwin. Through Arbitra International is known in London, Washington DC and Abu Dhabi. Regularly appointed as an arbitrator and mediator internationally and domestically. A member of leading world arbitral institutions including ACICA, ADGM, AIAC, CAS, DIAC, HKIAC, JCAA, KCAB, LCIA, QICCA, SAC, SIAC & THAC. A Grade 1 Arbitrator, Advanced Mediator and Expert Determiner (Resolution Institute). A Fellow of the Chartered Institute of Arbitrators (UK), a Fellow of the Australian Centre for International Commercial Arbitration and a Fellow of Resolution Institute. Registered in PNG as an international and domestic arbitrator and accredited as a mediator instructor and coach. Accredited as an international mediator by the International Mediation Institute and as a mediator by the Singapore International Mediation Institute. Specialist sports lawyer with experience in selection, anti-doping, disciplinary and governance disputes. Member of the Court of Arbitration for Sport, National Sports Tribunal (Cth), Racing Appeals Tribunal (NSW), Football Australia Judicial Bodies and Chair of the Football NSW Appeals Tribunal. Chair of the NSW Bar Association ADR Committee and member of the Supreme Court of NSW, ADR Steering Committee.

### **Longley, Wendy BSc (Hons) MA MSc PhD**

Senior Member. Qualified as a clinical neuropsychologist in 1987. Fellow of the Australian Psychological Society's College of Clinical Neuropsychologists. Senior Member (Professional) of the Guardianship Division since 2014. Also working as a clinical neuropsychologist at the War Memorial Hospital, Waverley, since 2015. PhD completed successfully in mid-2019 in the area of neuropsychological rehabilitation at Sydney University, Department of Medicine. 1987-1993, Clinical Neuropsychologist, Concord Hospital. 1993-2013, Senior Clinical Neuropsychologist, Multiple Sclerosis Australia (NSW). Ongoing, guest lecturer and/or clinical supervisor at Sydney University, Macquarie University, University of Technology Sydney, and the Australian National University.

### **Love, Elizabeth BSW BA MMHlth (Older Person)**

Senior Member. Qualified as a Social Worker in 2002. Worked as a Social Worker for over 20 years at St Vincent's Hospital (Sydney), St Thomas Hospital (London) and Wolper Jewish Hospital in the areas of older people's mental health, disability, rehabilitation and immunology and infectious diseases. Casual academic at the University of Sydney, Faculty of Social Work (2013 -2018) and board member of Charingfield, residential aged care facility (2015-2018).

### **Lynch, Anne BA (USyd) LLB (UTS)**

General Member. Appointed to the Consumer and Commercial Division of NCAT since 2019. Strata Schemes Adjudicator with Consumer Trader and Tenancy Tribunal from 2003 to 2014. Admitted as a solicitor in 1994. Prior to appointment as a Member worked in conciliation and mediation with various Tribunals. Accredited Mediator working prior to 2001 in both private practice and insurance.

### **Lynch, Joanne BA LLB**

General Member. Admitted as a solicitor in 1988. Registrar Children's Court of NSW 2015-current, Member Consumer Trader and Tenancy Tribunal (CTTT) 2002-2013, solicitor regional practice 1989-2002, trainer at Riverina Institute of TAFE 2002-2019, sessional lecturer Charles Sturt University 2013-2015.

### **Lyne, Elizabeth BBus CPA GAICD**

General Member. Currently, board director, Marathon Health Ltd; Trustee, NSW Responsible Gambling Fund. Past board director, Murrumbidgee Primary Health Network. Past board director, Murrumbidgee Medicare Local Ltd. Past board director, Riverina Division of General Practice and Primary Health Ltd.

### **MacIntyre, Everton Amrit BA (Hons) LLB**

Senior Member. Admitted as a solicitor in NSW in 1987. Partner at Baker McKenzie 1999-2023. Senior Adviser at Baker McKenzie 2023 to date. Member of the Australian Taxation Office Public Rulings Panel (External Member) 2012-2020. Chairperson of the Tax Institute/RevenueNSW liaison committee 2010-2023. Co-author of CCH Australian GST and Duties services 2000 to date. Author of articles in the Australian Law Journal and Australian Bar Review on revenue and other topics.

### **Maclean, Dr Jennifer BSc PhD LLB**

General Member. Admitted as a solicitor in 2002. 2003-2006, legal officer at Legal Aid NSW; 2007 to date, held a number of senior legal roles in Federal and State government departments, including the Federal Department of Human Services, and NSW Department of Justice.

**Maher, Maryanne** BA LLB MBA DipLabRels  
GAICD

General Member. Admitted as a solicitor of the Supreme Court of NSW in 1989. Practised in major law firms prior to joining a management consulting organisation and a medical research institute. Currently working in and has many years' experience in the non-profit sector. Extensive experience as a consumer representative in Australian Medical Research. A community member for Health Professional Councils Authority and Medicines Australia, Code of Conduct Appeals Committee.

**Martin, Meredith** BA (Hons) DipEd MEd PhD

Senior Member. Currently consultant in disability, welfare, mental health, criminal justice sectors. Part-time lecturer, Sydney University. Member of Mental Health Review Tribunal. Professional Member of the Guardianship Tribunal. Ministerial Advisory Committee on Literacy and Numeracy (2012-2017) and NSW Board of Studies (2002-2017).

**Massey, Vaughan** DipLaw (SAB) PGDip Conflict Resolution

Senior Member. Admitted as a solicitor in 1979. Currently sole practitioner in private practice. Experience appearing as a separate representative before NCAT's Guardianship Division and in matters before the Mental Health Review Tribunal over several years. Engaged in the study and practice of alternate dispute resolution since 1985. Ministerial appointment to the Council of the University of New England, 1984-1987. Volunteer solicitor and Member of the Management Committee of Macquarie Legal Centre, various times 1998-2004.

**Matheson, Alice** AEd BA (Hons) Clinical Psychology MA (Hons) Clinical Neuropsychology

Senior Member. Nine years' experience as a clinical psychologist in the public sector. Qualified as a clinical neuropsychologist 1981. Extensive experience in the assessment of all forms of brain impairment and cognitive rehabilitation. Currently a Fellow of the Australian Psychological Society College of Clinical Neuropsychology (CCN), Senior Member of the Guardianship Division of NCAT, and Senior Member of the ACT Civil and Administrative Tribunal.

**Matkovich, Nicholas** BA LLB MBA

Senior Member. Admitted as a Solicitor in the NSW Supreme Court in 1978, and subsequently admitted to practice in all States and Territories of Australia. Executive Certificate in Insurance, Fellow of ANZIIF and Fellow of ALUCA. Currently a Partner of the national law firm HWL Ebsworth. Notary Public.

**Matthies, Christopher** BA LLB ExecMPubAdmin

Senior Member since January 2024. Admitted as a legal practitioner in 1999 with over 20 years' experience as a government lawyer. From 2010, held senior executive positions at the Commonwealth Administrative Appeals Tribunal, including as Chief Legal Officer from August 2020. Was appointed as National Education and Care Services Freedom of Information Commissioner from January 2024 until June 2025. Currently also appointed as a General Member of the Commonwealth Administrative Review Tribunal.

**McAteer, John** BA (Macq) MA (Macq) BLegS (Macq) GDLP (UTS)

Senior Member. Appointed to NCAT from 2014. Legal practitioner (Australian Lawyer) admitted 2001 solicitor NSW and Commonwealth. Currently, solicitor in sole practice, Member Administrative Review Tribunal (Cth), Board Member NFP Housing From 2009-2011, NSW Privacy Commissioner; 2006-2009, Registrar Victims Compensation Tribunal; 2002-2006, Solicitor Advocate NSW Attorney General's; 1996-2002, senior investigator, NSW Ombudsman, Chief Clerk NSW Courts 1988-1996. Qualified mediator.

**McAuliffe, Jane** BA (Hons) MA DPsych (Clinical Neuropsychology)

Senior Member. Qualified as a Clinical Neuropsychologist in 1987. Currently, a clinical neuropsychologist in both public and private rehabilitation and aged care services. Since 2008, engaged in clinical trials for the treatment of dementia within the Hornsby Ku-ring-gai Hospital Research Unit. A fellow of the Australian Psychological Society College of Clinical Neuropsychologists (CCN) and, from 2016-2018, Chair of the NSW CCN.

**McCarthy, Shaun** BA LLB PhD

Senior Member (Legal), Guardianship Division. Associate Professor, University of Newcastle School of Law and Justice.

**McCue, Margaret** LLM (UNSW)

General Member. Appointed to the former Consumer Trader and Tenancy Tribunal in 2011. Admitted as a solicitor in 1988. Currently, a commercial lawyer practising in Macquarie Street Sydney. Nationally accredited mediator appointed to the Personal Injury Commission in 2020, and the former Workers Compensation Commission since 2011. Current appointment as a Local Court Arbitrator and executive board member of the Australian Dispute Resolution Association (ADRA). Participated in a number of mentoring programs for the advancement of women in law at the University of NSW; University of Wollongong and Notre Dame University, Sydney. In May 2017, completed the Company Directors course conducted by the Broken Bay Institute. Has held the following

appointments: Non-executive board member of local chamber of commerce; Governor of a perpetual care entity; Director of a co-educational school; Chair of the board of strata scheme 'The Oxley', Elizabeth Bay.

**McDaniel AO, Emeritus Professor Michael BA PhD FRNS**

General Member. Member of the Wiradjuri Nation of Central NSW. Former Pro Vice-Chancellor (Indigenous Leadership), and Director, Jumbunna Institute for Indigenous Education and Research, University of Technology Sydney. Served on a number of tribunals including the National Native Title Tribunal, NSW Mental Health Review Tribunal, NSW Administrative Appeals Tribunal, and NSW Guardianship Tribunal. Also served as a Commissioner with the NSW Land and Environment Court. Currently a Special Advisor to the Vice-Chancellor, University of Technology Sydney and serves as Chair of the Sydney Opera House Trust.

**McDonald, Paul LLB (Hons)**

General Member. Part time member of the Commercial and Consumer Division. Barrister since 2018 specialising in commercial disputes and equity matters (including family provision). Before that, solicitor (from 2001) mainly in commercial litigation with some government work (state and federal). Also a Public Notary (NSW) and legal presenter/educator.

**McDonald, Scott BA LLB FAICD**

Senior Member. Consumer and Commercial Division. Also commercial litigation partner at Sparke Helmore Lawyers, specialising in complex corporate, insolvency and competition disputes as well as private international law, international commercial arbitration and pro bono disputes. Sits on and advises boards (including not for profits) and facilitates the legal education modules on directors' duties to members of the Australian Institute of Company Directors in the AICD Company Directors' Course.

**McFarlane, Mary Beth BA LLB Dip Legal Practice**

General Member. Appointed to the Consumer and Commercial Division in 2021. Admitted as a solicitor in 2009. Even balance of time spent working between private and public sectors, with an extensive background in prosecutions. Current Legal Member of the Mental Health Review Tribunal.

**McGirr, Patrick Dip Teach (UNSW) MMgmt (UWS) MComm (Hons) (WSU)**

General Member. Background in education and later senior management roles in human services spanning both government and private sector organisations. Experience in social research, identifying needs, and delivering service

responses including aged/dementia care. 15 years' experience as an Associate Lecturer in Business (Western Sydney University). Key teaching/research areas were strategic/financial analysis and leadership development at MBA level. Lived experience (30+ years) formally supporting a person with a dual diagnosis of psychosocial and intellectual disability. Working knowledge of the role of a Private (Financial) Manager and current know-how in negotiating through NDIS processes.

**McIllhatton, Susan BA LLB**

Senior Member. Admitted as a solicitor in 1983. Previously senior solicitor Legal Aid Commission, Senior Member Refugee Review Tribunal, Deputy District Registrar Federal Court of Australia, Member Consumer Trader and Tenancy Tribunal, Deputy President Guardianship Tribunal.

**McMahon, Karen BA LLB LLM**

Senior Member. Admitted as a solicitor in 1992. Over 25 years' experience in litigation and dispute resolution in private practice, government and community sector. Specialised practice in health law between 2001-2016. Past Member of NSW Law Society Medico-Legal Liaison Committee. Legal Member with the Mental Health Review Tribunal and NCAT's Guardianship Division since 2016.

**McNeill, Susannah BA LLB MPub&IntLaw**

General Member. Admitted as a solicitor in 1999. Worked as an immigration and refugee lawyer in private practice and community legal centres. Former Director of Migration Institute of Australia and Migration Agents Registration Authority. Former Member of the Migration and Refugee Review Tribunals. Former Senior Administrator with the International Rescue Committee in Bangkok, Thailand. Reviewer with the Administrative Appeals Tribunal 2016-2024. Currently Senior Lawyer with the Administrative Review Tribunal.

**McPhee, Dr Brenda MBBS (USyd)**

Senior Member. Guardianship Division and Appeal Panel. Over 30 years' experience in general practice in community and women's health centres. Former professional member of the Social Security Appeals Tribunal (1994-2005).

**Mendes Da Costa, Amanda BA LLB**

Senior Member. Former member of the Victorian Bar who practised as a barrister for more than 25 years in the areas of administrative, criminal, mental health, family and child protection law. Former member of the Mental Health Review Board of Victoria (10 years) and the Administrative Appeals Tribunal (7 years) in the Migration Division. Current member of the Nauru Refugee Status Review Tribunal.

**Merrick, Katherine BA LLB**

Senior Member. Admitted as a solicitor in 1989. Commenced career as a solicitor in the Commercial Litigation team at Mallesons Stephen Jaques, before joining Henry Davis York in 2000 as a partner in the Dispute Resolution group. In 2017 joined Gadens as a founding partner of the new Sydney office. In addition is appointed as a part time Senior Member of NCAT, also sits on the executive committee of the NSW Royal Humane Society (Bravery NSW), and holds the role of Captain of her local NSW Rural Fire Service brigade.

**Mishra, Hooma BA LLB (Hons) GDLP MPA**

Senior Member. Admitted as a solicitor in 2003. Significant experience across legal and policy roles at The Cabinet Office, NSW Department of Communities and Justice, NSW Mental Health Commission and NSW Department of Customer Service. Extensive work history in areas of criminal justice and victims of crime, child protection, forensic mental health and working closely with vulnerable communities, including people with lived experience and their carers.

**Mitchell, Dr Tanya BA LLB PhD**

Senior Member. Background in criminal legal practice with the Aboriginal Legal Services in New South Wales (SRACLS) and the Northern Territory (NAAJA); Investigator with the Children in State Care Commission of Inquiry headed by the Honourable Mullighan QC; Academic at the University of Sydney, after a period of travel and work in Istanbul and Addis Ababa, and wrote PhD on the transformation and expansion of the summary criminal jurisdiction into a major mechanism of social control.

**Mobbs, Karen BA LLB**

Senior Member. Admitted as a solicitor in 1989 with over 30 years of legal experience gained in both the private and public sectors, including in senior positions at Commonwealth, state and local government levels.

**Moir, Jillian BA (Hons) LLB GDLP BSc (Psychology)**

Senior Member. Admitted as a solicitor in 1993. Former Senior Member, Veterans' Review Board and Member of the Social Security Appeals Tribunal/Administrative Appeals Tribunal. Many years' experience in mediation and conciliation.

**Molony, Peter**

Senior Member. Admitted as a barrister and solicitor of the Supreme Court of Victoria in 1980. Admitted as a barrister of the Supreme Court of NSW in 1986. From 1999-2002, Senior Member Fair Trading Tribunal; 2002-2013, Judicial Member Administrative Decisions Tribunal; 2002-2011 Senior Member Guardianship Tribunal; 2013-2016 Senior Member NCAT.

**Montgomery, Stephen BScAgr LLB (Hons) GDLP**

Senior Member. Legal Practitioner since 1992. Currently a solicitor. From 1999-2002, Member, Fair Trading Tribunal of NSW; 2002-2007, Member, Consumer Trader and Tenancy Tribunal; 2001-2013, a Judicial Member of the Administrative Decisions Tribunal; 2014 to present, Senior Member NCAT.

**Moran, Peter LLB**

Senior Member. Admitted as a solicitor in 1983. Currently, a Partner in law firm Colin Biggers & Paisley with over 39 years' extensive experience in insurance, reinsurance and commercial litigation. Lawcover panel solicitor for 32 years. Regularly presents papers and seminars on risk management to the legal profession and conducts training sessions for regional legal practitioners throughout NSW. From 2016 to date, Senior Member NCAT.

**Mortensen, Karl (Ned) LLB BBuild GDLP**

Senior Member. Admitted as a solicitor 2016. Appointed as panellist adjudicator for Adjudicate Today in NSW, Vic, SA and ACT. Former partner at Roberts Crosbie Mortensen Lawyers 2019-2024 primarily practicing in building and construction litigation. Former expert witness specialising in construction following an earlier construction industry career.

**Moujalli, Daniel BEc LLB (Hons) (USyd)**

Senior Member. Admitted as a solicitor in Australia in 1996 and in England and Wales in 1999. Practising as a barrister in NSW and ACT since 2007. Adjunct lecturer with the College of Law Sydney since 2018. Author and presenter of various papers on legal practice and procedure.

**Multari, Peter BEc Dip Law**

Senior Member. Before joining the Tribunal, spent 16 years in private practice focusing on personal injury law, supporting people at some of the most difficult moments in their lives. Subsequently, dedicated 20 years to the community legal sector, assisting disadvantaged individuals from diverse backgrounds with complex legal issues compounded by socio-economic hardships and trauma. As a result, developed a deep understanding of the personal and social complexities faced by many individuals and applies an empathetic, rights-focused approach to guardianship matters.

**Mulvey, Craig BCom LLM**

Senior Member. Current barrister in private practice. Appointed as a Senior Legal Member Guardianship Tribunal NSW, 2010 – 2014. Since 2014, appointed as a Senior Member NCAT in the Guardianship, Administrative and Equal Opportunity and Occupational Divisions and the Appeal Panel. Past board member and co-convenor of the Inner-City Legal Centre. Current chair and board member of the Intellectual

Disability Rights Service. Member of the NSW Bar Association's Legal Aid Committee and past member of the Elder Law Committee.

### **Murray, Dr Maree**

General Member. Teaches Law at the University of Technology, Sydney. Expertise in Diversity and Inclusion. Previously was Director of the Wingara Mura Leadership Program, and Deputy Director of Diversity and Inclusion, at the University of Sydney. Experience as an Industrial Relations academic, in research and evaluation, and in conducting workplace arbitration and mediation.

### **Newton SC, Peter Thomas DipLaw (SAB)**

Senior Member. Admitted to practice as a solicitor in 1993 and as a barrister in 1997 and appointed Senior Counsel in 2001. From 1993 to 1997 practiced as commercial law and litigation solicitor in NSW. Since 1997 has practiced as a barrister specialising in banking, property law, commercial law, equity, succession law and insolvency and in 2021 was appointed Senior Counsel. Since 2018 has been a member of one of the Professional Conduct Committees of the NSW Bar Association, assessing and investigating complaints about barristers. From 2019 until 2024 was a part-time member of the Administrative Appeals Tribunal hearing and determining student and business visa refusal and cancellation disputes. In February 2025 appointed as a part-time senior member in the Consumer and Commercial Division of NCAT.

### **Ng, Chuan BCom LLB (UNSW)**

General Member. Admitted in the Supreme Court of NSW (1998). Legal/Research Officer, Royal Commission into NSW Police Service (1995-1997). Research Assistant to Common Law Judges, Supreme Court of NSW (1997). Judge's Associate, District Court NSW (1998). Prosecuting lawyer NSW ODP (1999-2001) and Senior/Principal Federal Prosecutor CDPP (2001-2005). Appointed as CDPP In-house Counsel/Crown Prosecutor (2005-2008). Judicial Registrar of the Federal Court and Federal Circuit Court of Australia (2008-2021). Adjunct Lecturer teaching criminal law and procedure UNSW (2010-2019). Accredited Mediator NMAS since 2009. Currently in private practice as Special Counsel in a boutique law firm.

### **O'Carrigan, Patrick FRAIA AIAMA**

Senior Member. Registered architect and urban designer with over 25 years' experience in private and public sectors. Qualified as an arbitrator. Former Member, Administrative Decisions Tribunal with an interest in ethics and governance.

### **O'Dowd, Norman James BA LLB MPA**

Senior Member. Admitted as a legal practitioner in 1993. Gained specialist accreditation in family law in 1999. Worked

for Legal Aid NSW, providing representation to children and young people in the family law courts. Extensive mediation experience. Recently worked at UTS and The College of Law, teaching in the areas of family law, ethics law and justice, foundations of law and legal and professional skills. Also employed as a research associate on projects related to cross border surrogacy arrangements, and family violence and self-representation in the family law system.

### **Organ, Lynne LLB**

Senior Member. Admitted as a solicitor in 1985. Senior Member of NCAT's Guardianship Division. Legal Member, Mental Health Review Tribunal (2016 to date). Community Legal Centre, Legal Aid and private practice (1986-2001). Extensive litigation and dispute resolution experience in health and administrative law including disciplinary work, medical negligence and inquests at Health Care Complaints Commission in the prosecution section and in private practice (2001-2015).

### **Oxenham, Melanie BSW**

General Member. Guardianship Division. Background in broad range of disability and aged care services and TAFE education. Experience in substitute and supported decision-making and end-of-life planning. Facilitator/community educator - planning ahead, NDIS and disability awareness.

### **Perrignon, Richard BA (Hons) LLB (USyd)**

Senior Member. Admitted as a solicitor of the Supreme Court of NSW in 1987 and as a barrister-at-law in 2002. From 2008-2014, judicial member of the Administrative Decisions Tribunal while practising at the Bar. Since 2010, a Member of the Workers Compensation Commission. Appointed as Senior Member, NCAT 2014 in the Administrative and Equal Opportunity Division and Appeal Panel. He is a nationally accredited mediator and mediates cases before the Appeal Panel and in other Divisions of the Tribunal. As a barrister, he appears as Crown Prosecutor for the Commonwealth of Australia in jury trials for offences under Commonwealth law.

### **Pickering, Edwina BSW MIR**

General Member. Previous employment with National Disability Services and NSW Ombudsman, and as a consultant in the health and community sectors. Member of Guardianship Tribunal since 2014.

### **Pinto, Susan Marie BA (Hons) LLB MA (Criminology)**

Senior Member. Admitted as a legal practitioner in 1999. Previous experience in criminal intelligence and as a legal officer in refugee law. First appointed as a Tribunal member on the Administrative Appeals Tribunal in 2003 and reappointed

until 2017, specialising in migration and refugee law. Appointed to the Hong Kong Torture Claims Appeal Board in mid 2017 and reappointed until June 2026 assessing applications for asylum in Hong Kong. Appointed to the Nauru Refugee Status Review Tribunal in 2018 and reappointed until December 2021, undertaking applications for persons seeking asylum. Appointed as a senior legal member of Guardianship Division of NCAT in March 2021.

**Pirina, Christina BSc (Macq) LLB (Hons II) (USyd) LLM (UNSW)**

General Member. Admitted to legal practice in 2005, with experience in a range of government, not-for-profit and private sector roles. Principal Solicitor at Macarthur Legal Centre, since 2014. Trained in mediation and Family Dispute Resolution (FDRP), with teaching experience as a casual academic (Western Sydney University (2015-2017)) and mediation/FDR coach (NSW College of Law (2015-2021)). Author of *Dealing with Debt: a legal guide to personal debt in NSW*, a legal resource guide, published by the NSW State Library (2022).

**Porter, Lyn GradDipSocSc (Community Services)**

General Member. Currently appointed as an Official Community Visitor. Many years of experience working in the areas of domestic violence, child protection investigation and monitoring the conduct of service provision in the Disability and Out of Home Care Sectors.

**Poulos, Kathryn-Anne LLB Dip Nursing**

General Member. Admitted as a barrister in 1998 and practising in medical negligence, personal injury, inquest and statutory tribunals, insurance and commercial and banking. Previously appointed an Arbitrator by the NSW Bar Association for domestic and international arbitrations and by the District Court of NSW. Previously qualified as a registered nurse.

**Radburn, Sean BBus LLB JD**

General Member. Legal practitioner at Somerville Laundry Lomax Solicitors.

**Ransome, Kay BA (Hons) LLB (Hons)**

Principal Member. Admitted as a solicitor in NSW in 2008. Legal Member, Disciplinary Appeal Board, Institute of Actuaries of Australia. Lawyer whose primary expertise is administrative law. Many years' experience in tribunals, including as Chairperson of the former Consumer Trader and Tenancy Tribunal and as Principal Member, former Refugee Review Tribunal and Migration Review Tribunal and Member, Torture Claims Appeals Board and Adjudicator, Non-refoulement Claims Petition Office, Hong Kong.

**Redfern PSM, Jan BEc LLB LLM (Syd)**

Senior Member. Admitted as a solicitor in 1983, working in private practice and as a partner of a national law firm for 10 years. Currently a sessional Deputy President of the Mental Health Review Tribunal (Forensic Division). Deputy President and Division Head of the Migration and Refugee Division of the Administrative Appeals Tribunal, 2016-2024. Senior executive of ASIC from 1999-2008. Working on tribunals since 2009, with previous appointments as a senior member of the Administrative Appeals Tribunal, part-time Deputy President of the NSW Guardianship Tribunal and Principal Member of NCAT.

**Redmond, John-Paul BA (Hons) (USyd) LLB (Hons) (USyd) LLM (USyd)**

General Member. Before joining the Tribunal, spent 27 years in private practice, firstly as solicitor in 1998 and then as barrister in 2003. Primary areas of practice are in personal and corporate insolvency, trusts, real property and commercial law.

**Richter, Ruth BA (Hons) GradDip SpecEd**

General Member. Over 25 years' experience in the human services sector in direct service provision/management roles in non-government disability organisations, legal substitute decision-making and investigative roles for the NSW Government, senior consulting roles in the human services area with reputable consulting firms; Independent decision-making for the Australian Government, policy research reform.

**Riordan, Michelle LLB**

Senior Member. Currently, Manager of Legal Education, Office of the General Counsel, Workers Compensation Independent Review Office. Previously a solicitor in private practice from 1987-2013, including a lengthy period of partnership in a law firm based in Sydney; 2005-2013, a Judicial Member of the Administrative Decisions Tribunal.

**Roberts, Sophie BFA LLB**

General Member. Admitted as a solicitor in NSW in 2010. Since 2025, has been a Judicial Registrar at the Federal Circuit and Family Court of Australia, specialising in migration law. Previously a solicitor for more than 14 years with experience working in private practice (public law), at the Administrative Appeals Tribunal and for a not-for-profit legal practice doing pro-bono work.

**Roberts, Susan BA LLB (Hons)**

Senior Member. Admitted as a solicitor in 1989. Currently, a consultant in the management and governance of institutions and organisations in the human rights and social justice field. From 1994-2010, held various roles at the Australian Human

Rights Commission including Director, Legal Services and Executive Director.

### **Robertson, David LLB BEc BCL**

Principal Member. Admitted as a solicitor in 1986 and as a barrister in 1991. Practised in all areas of commercial law with a focus on banking, insolvency and building and construction. Appeared in courts and tribunals at all levels, in both NSW and interstate, including numerous mediations and arbitrations. Rhodes Scholar.

### **Robinson, Kate BSc (Hons) LLB (Hons) MEL (USyd) GAICD**

Principal Member. Admitted as a solicitor in 2002. Government lawyer 2002-2023. Senior Member of NCAT 2023-2024. Accredited Specialist Government and Administrative Law, NSW Law Society.

### **Rogers, Linda BSW LLB**

Senior Member. Admitted as a solicitor in 1996 and currently a sole practitioner. Legal Officer, NSW Guardianship Tribunal (1998-2002). Principal Solicitor, Intellectual Disability Rights Service (2002-2003). Member of Social Security Appeals Tribunal (2008-2014). Member of the Law Society of NSW Elder Law, Capacity and Succession Committee (2017-2019). Sessional academic at Western Sydney University (2017-2020) and Macquarie University 2024. Senior Lawyer at the Disability Royal Commission (2020-2023).

### **Rogerson, Robert Paul BA LLM (USyd)**

Senior Member. Admitted as a solicitor in 1983. Over 40 years' experience in commercial law with specialty in financial services both in private practice and in-house. Previously General Counsel of the NRMA, Head of Legal of St George Bank, Head of Group Compliance at Westpac Banking Corporation and Head of Legal ABN AMRO Bank NV in Australia. Part time lecturer at UTS Law School (2014-2017) in Finance Law, Commercial Contracts and Constitutional Law.

### **Roney KC, Peter BA LLB**

Senior Member, Administrative and Equal Opportunity Division. practices and continues in private practice as Senior Counsel, specialising in Commercial law, Consumer law, and Industrial Workplace Safety Law. Appointed King's Counsel in 2010. Former member of the Anti-Discrimination Tribunal Qld. Member of the Human Rights Division Qld Civil and Administrative Tribunal since 2009.

### **Rose, Jeffrey BCom (Acc) (Merit) LLB (UNSW) GDLP (UTS) GradCertMilLaw (ANU) GDipMilLaw (Adel)**

Senior Member. Admitted as a solicitor in 1994, practising primarily in commercial law and commercial litigation, and appointed as a Notary Public in 2002. Called to the Bar in 2011, with expertise in commercial law, administrative law, equity, corporations, insolvency, insurance, property, estate matters, and military law. Commissioned as a legal officer in the Royal Australian Navy since 2012, including deployment to the Persian Gulf in 2013 on Operation SLIPPER. Serving as Honorary Legal Counsel to Scouts NSW since 2020. General Member of the Tribunal from 2017 to 2025 and appointed Senior Member in 2025. Member of the NSW Bar Association. Recipient of the National Medal, NSW Rural Fire Service Long Service Medal, Australian Defence Medal, and Australian Active Service Medal with ICAT clasp.

### **Ross, Katherine BA BLegS**

Senior Member. Admitted as a solicitor of the Supreme Court of NSW in 1987. 1991-2009, partner, Dunn Ross Lawyers; 2010-2011, Special Counsel, Harris Wheeler Lawyers. Past President, Disability Advocacy (NSW). Past part-time lecturer and tutor, University of Newcastle.

### **Royer, Rosemary BSocStud (USyd) GradCertEdStud (Disability) (Newc)**

General Member. Qualified social worker. Has extensive experience at a senior level over many years in government and non-government organisations working with vulnerable families, children and young people. Developed statewide policy and implemented services across health and disability services. Appointed in 2014 to NCAT's Administrative and Equal Opportunity Division as a General Member, and to the Guardianship Division in 2016.

### **Ruschen, Katherine BA LLB (Hons)**

General Member. Over 20 years' experience as a solicitor, including 10 years as a partner of both boutique and mid-tier law firms. Specialist commercial and insurance litigation and dispute resolution lawyer, with a focus on professional malpractice and professional misconduct. Has represented healthcare and legal professionals in several high-profile Coronial Inquests and Royal Commissions and before professional disciplinary bodies. Appointed as an External Merit Reviewer for the State Insurance Regulatory Authority (SIRA). Holds a mediation qualification from the Australian Disputes Centre.

### **Rutledge AM, Pamela BA Dip SW**

General Member. Following experience as a Social Worker in front-line service delivery, had extensive experience in senior

roles in the NSW public sector, including experience in health, housing and ageing and disability. In 2009 moved to the not-for-profit sector to become CEO of Richmond Fellowship NSW then CEO of Flourish Australia (RichmondPRA Ltd). Appointed as a Community Member of NCAT Guardianship Division and sits as a Member on the Mental Health Review Tribunal and is a Board member of Aspect Australia and the Nepean Blue Mountains Local Health District.

**Ryan, Moira Cynthia** BEc DipEd LLB LLM (Applied Fam)

Senior Member. Admitted as a solicitor in 1992. In private practice for 21 years in the areas of family law, wills and estates. From 2013 to 2021 appointed a Registrar in the Family Court of Australia and the Federal Circuit Court of Australia. Accredited Specialist in Family Law from 2002-2024 and Nationally Accredited Mediator from 2012-2024. Appointed to the Guardianship Division of NCAT in 2021.

**Sarofim, Elizabeth** LLB (Hons I) BSc (Molecular Biology) GAICD

General Member. Held senior roles in state and federal government regulatory agencies prior to moving to private commercial legal practice and a Partner. Practised at Ashurst, Baker McKenzie, HWL Ebsworth and Dentons as Head of the Competition practice. Appointed Australia's inaugural Food and Grocery Code Supervisor under the *Competition and Consumer Act 2010*. Sits on various Boards, is an Adjunct Associate Professor of law and business, and head of Competition and Regulation editorial at Thomson Reuters.

**Searson, Jean-Anne** BA (Hons) LLB (Hons) (USyd) GDLP (College of Law)

General Member. Admitted as a solicitor of the Supreme Court of NSW in 1999. Formerly a Legal Member of the NSW Mental Health Review Tribunal from 2021-2025. Practised as a solicitor in private practice in rural NSW and at Legal Aid NSW. Appointed as full-time general member in March 2025.

**Sheahan AO, Terence William** BA LLB FRSN

Principal Member. Served in the NSW Parliament 1973-1988, including as a Cabinet Minister 1980-1988, in a range of portfolios including Attorney General 1984-1987. Later served as a Judge of the NSW Land and Environment Court 1997-2019, and President of the NSW Workers Compensation Commission 2001-2007. Appointed as an Officer in the General Division of the Order of Australia in 2002. The citation referred to his service to the law, especially in the area of ADR, to the Parliament of NSW, and to organisations involved in health and aged care, education, human rights, and the environment.

**Shub, Oscar** BCom LLB

Senior Member. Solicitor with 45 years of experience as a litigator and partner in major law firms around the world. Recognised mediator having trained through LEADR and a former chair of LEADR. Former Chair, Health Practitioners Competence Assurance and now Principal Member, NCAT in the Occupational and Administrative and Equal Opportunity Divisions.

**Simmons, Frances** LLB (Hons I) BA (Hons I) LLM PhD

Senior Member. Part-time general member, Administrative Review Tribunal (2024-present). Part-time Senior Lecturer, University of Technology Sydney Law Faculty. Former member of the NSW Mental Health Review Tribunal, Administrative Appeals Tribunal, and Migration Review Tribunal and Refugee Review Tribunal. Previously worked as a solicitor in immigration law and at the Australian Human Rights Commission.

**Sindler, Michelle** BA (Hons I) LLM

Senior Member. Admitted as a solicitor in New South Wales (1985) and in all other Australian states and territories (1990) and in England and Wales (2007). Currently, an independent arbitrator working in Australia, the Asia-Pacific and in Europe. From 1990-2001, partner at Minter Ellison in Sydney; 2001-2007 partner of a major law firm in Switzerland; 2008-2010, partner of a major law firm in the UK; 2010-2013, Chief Executive Officer of the Australian International Disputes Centre (now the ADC) and Secretary-General of ACICA, the Australian Centre for International Commercial Arbitration.

**Slack-Smith, Gemma** BSW LLB

Senior Member. Degrees in law, social work and frontline management and a Churchill Fellowship recipient. Admitted as a solicitor in 2006. Extensive experience in child protection law. Significant experience working with, and for, disadvantaged clients with mental health, family violence and drug and alcohol challenges. Extensive litigation experience representing children and adults with physical, mental and intellectual disabilities. Member of the NSW Children's Legal Issues Committee. Legal Member with the Guardianship Division of NCAT since 2016.

**Smith, Holly** LLM

General Member. Admitted as a solicitor in 2005 with experience in community and government practice, working in various areas of law. Recent years have been working as Registrar of the Local Court.

**Smith, Jane LLB BSW**

Senior Member. Admitted as a solicitor in 2004. Practised as a government lawyer and has worked in private practice since 2011. Accredited Specialist in Children's Law.

**Smith OAM, Dr Margaret BA (Hons) MPsychol PhD FAPsS**

General Member. Qualified as a community psychologist in 1977, registered psychologist AHPRA Psychology Board of Australia and Fellow of the Australian Psychological Society. Currently, community psychologist working with non-government mental health advocacy groups and a part-time member of the Mental Health Review Tribunal. From 2000-2008 Associate Professor in criminology and social work at the University of Western Sydney. Advocacy and consultancy work in disability, mental health reform and women's health programs since 1980.

**Smith, Peter DipLaw (BAB)**

General Member. Admitted as barrister in 1988. From 1999 Member of Residential Tribunal; 2002, Member of Consumer, Trader and Tenancy Tribunal; 2014, Member of NCAT.

**Smith, Dr Stephen BA MHA (UNSW) LLM SJD (USyd)**

General Member. First career was in hospital management and took up law as a mature age student. After some years as solicitor in private practice went into academic work and took early retirement as a tenured senior lecturer at a city law school. Major interests were law and the health professions, administrative law and consumer law. Was for some years head of the university student law service. Was a part-time Member of the Fair Trading Tribunal and Consumer Trader and Tenancy Tribunal before appointment to NCAT.

**Spencer, Dr Margaret Certificate Nursing (State Registering Nursing) BTh BSW PhD CF**

General Member. Appointed to the Guardianship Division (2009). Senior Social Worker. Director of Field Education, University of Sydney (2014 -currently). Over 40 years of clinical experience working with individuals with cognitive impairment living in vulnerable and complex contexts. Recognised nationally and internationally as an expert on the support needs of families where a parent has intellectual disability.

**Stahel, Wendy BA (Psychology)**

General Member. Community Member in Guardianship Division since November 2021. Worked for public broadcasters for over 30 years (BBC, SBS & ABC). Volunteer currently working with agencies in Sydney LGA to assist clients being re-housed. Carer and advocate for dementia sufferers since 2014.

**Staples, Melissa BA (Hons) MPsychol**

Senior Member. Registered psychologist with specialist endorsement in the areas of neuropsychology and clinical psychology. Qualified as a psychologist in 1990. Currently, a private consultant. Has been a Professional Member of the Guardianship Tribunal since 2006.

**Stares, Glenda BA LLB GDLP**

Senior Member. Admitted as a solicitor in the NSW Supreme Court in 2006. Over 16 years' experience as a lawyer working with Legal Aid NSW and Shoalcoast Community Legal Centre as well as running own private practice. Many years of relevant experience acting as a separate representative and legal representative before the Guardianship Division and Mental Health Review Tribunal.

**Starke, Alana LLB (Hons) Executive MBA GAICD**

Senior Member. Admitted as a Solicitor in 1996. Worked in both the public and private sectors at an executive level and across a wide range of legal areas including litigation, child protection, GIPA, privacy, corporate governance and commercial law. Formerly General Counsel FACS, Sydney Water Corporation and Sydney Ferries (within Transport for NSW). Extensive previous experience at King & Wood Mallesons.

**Stathis, Jenny BCom LLB (UNSW) LLM (UNSW)**

General Member. Consumer and Commercial Division. Admitted as a solicitor in 1995. Specialist regulatory, litigation, competition and consumer lawyer in Federal government and top tier law firms. Currently a Principal Lawyer in the Regulatory Law Unit of the Australian Competition and Consumer Commission (ACCC). Previous senior roles in the ACCC's Competition and Consumer Law Unit and Enforcement Division, and the Australian Prudential Regulation Authority. Practised at Freshfields Bruckhaus Deringer, London, and Allens, Sydney (specialising in competition and consumer law). Longstanding member of the NSW Law Society's Government Solicitors and Business Law Committees.

**Steer, Charlotte BA LLB (USyd) GCULT (UNSW)**

Senior Member. NCAT Guardianship Division and Consumer and Commercial Division. Admitted as a lawyer in 1988. Associate to the Hon Michael McHugh AC KC on the High Court of Australia in 1989. Experience as a lawyer at Legal Aid in NSW and ACT, NSW Anti-Discrimination Board and Seniors Rights Service, and Conference Registrar at AAT. Teaching Fellow, UNSW Law and Justice, since 1996. Tribunal Member since 1997 on Residential Tenancies Tribunal, Residential Tribunal, Fair Trading Tribunal, Consumer, Trader and Tenancy Tribunal. Legal Member of the NSW Mental Health Review Tribunal since 2024.

**Stephens, Dr Amanda BA MBBS PhD**

Senior Member. Commenced tertiary education with a combined Arts/Law degree, completing Arts before completion of Medicine (University of Sydney) and then a PhD in Law focusing primarily on child protection. Has worked primarily in Emergency Medicine in Australia and the UK with a recent change to Virtual (telehealth) medicine for SLHD.

**Stevens, Rebekah LLB (Hons) BEc MRes GDIR**

General Member. Experienced policy adviser and senior manager in government across a range of portfolios. Admitted as a solicitor in 2018. Legal practice experience in social justice, immigration, employment and building and construction. Former sessional lecturer at Macquarie Law School.

**Stevenson, The Hon Acting Judge Jan BA/LLB (UNSW)**

Principal Member. NSW Barrister specialising in Family Law and Child Protection 1981-2001. Justice of the Family Court of Australia 2001-2021.

**Stewart, Leanne BSW (UNSW)**

General Member. Guardianship Division NCAT since 2001, and Appeals Panel since 2016. Currently, member of the Mental Health Review Tribunal. Previously, consultant in aged and community care in the commercial and not-for profit sectors. Senior management role in residential and community based aged care. Deputy Area Manager Sydney, Department of Social Security and social worker Moree and Sydney.

**Stubbs, Kerry BA (Hons2.1) MA (Hons I) Grad Cert Writing MAICD**

General Member. Currently non-Executive Director on a number of Boards, including Chair of Achieve Australia Ltd, Healthy North Coast Ltd and member of the Board of Trustees and Deputy Chancellor of Western Sydney University. Previous CEO of Northcott, a large disability services provider. Previous Executive Director of St Vincent's Hospital. Many years' experience in equal employment opportunity research and work, and in multicultural issues. Previous Chair of the National Accreditation Authority for Translators and Interpreters (NAATI). Member of NSW Government Domestic Violence and Sexual Assault Council and the Federal COVID-19 Disability Advisory Committee.

**Sullivan, Judy BEc LLB (ANU) LLM (USyd)**

Senior Member. Australian solicitor, principal of private practice since 2020. Former partner at King & Wood Mallesons and PwC, specialising in tax and litigation. Previous positions also include Tax Practitioners Board (member), ASIC Financial Services and Credit Panel (member), ACT Gambling & Racing

Commission (Deputy Chair), National Association of Visual Arts (Director).

**Sutherland, Stuart LLB GDLP LLM**

General Member. Admitted as a solicitor in 2003. Currently a Principal in a law firm based in Newtown. Worked extensively in private practice in commercial, consumer, conveyancing, mental health, family and criminal law. From 2005, Panel Member for Legal Aid NSW and co-author of 'Children Under the Family Law Act, Lawyers Practice Manual New South Wales', Redfern Legal Centre. 2013-2014, volunteer solicitor with the Intellectual Disability Rights Service. Previously a casual lecturer in criminal law at the University of Western Sydney.

**Sword, Donald**

General Member. Extensive experience in the delivery of services to people experiencing homelessness, and expertise in mental health and drug and alcohol services. Served as an Official Community Visitor appointed by the Minister for Disability Services, and as an Official Visitor to the hospital at Long Bay Correctional Centre. Member of the NSW Legal Aid Review Committee, the Justice Disability Advisory Council, and the State Parole Authority.

**Taylor, Susan BSocStud**

Senior Member. Qualified as a social worker in 1973. 1992-2015, worked on Marrickville and Canterbury Acute Care Mental Health Teams; 1988-1992, manager of service providing support for people with multiple sclerosis; 1996-2011, Member of the Social Security Appeals Tribunal; 2002-2006, Member of the Mental Health Review Tribunal; 1992 to date, Professional Member of the Guardianship Tribunal.

**Taylor, Victoria MA (Oxon)**

Senior Member. Admitted as a solicitor (England and Wales 2007, NSW 2017) with experience primarily as a government lawyer. In NSW, has had legal roles at Fair Trading, the Information Commission and the Department of Planning. Presiding chair of the Housing Appeals Committee.

**Tedeschi AM KC, Mark MA LLB**

Senior Member. Former Senior Crown Prosecutor for New South Wales, conducting some of the most significant trials in the State. Practised for some years as a private Barrister. Published true crime author and keen photographer, whose images are included in many public and private collections. Served on boards of educational institutions and the NSW State Library.

**Terceiro, Michael** BA LLB (Hons) (Macq) LLM (USyd) MDR (Hons) (UNSW) ProfCertArb (Adel)

General Member. Admitted as solicitor of NSW Supreme Court and High Court of Australia in 1998. Former Director Enforcement and Mergers and Asset Sales and National GST Enforcement Coordinator, Australian Competition and Consumer Commission 1993-2008; Private practitioner running own law firm since 2008; Deputy Chair, Mortgage and Finance Association Disciplinary Tribunal since 2010; Deputy Chair, SME Committee, Law Council of Australia since 2015; Expert Competition and Consumer Law Consultant to Lexis Nexis since 2018; General Editor of Australian Business Law Review since 2019; Expert Competition and Consumer Law Consultant to CCH/Wolters Kluwer since 2019; College of Law Assessor since 2022.

**Thew, Penelope** GAICD BA LLB (UNSW) GDLP MLLR (USyd) Advanced Advocacy Course (Oxford)

General Member. Admitted to the New South Wales Bar, 2005. Admitted as a solicitor of the Supreme Court of New South Wales, 2000. Currently practising at the New South Wales Bar. From 2000 -2005 worked as a solicitor in private practice and performed an Internship with the International Labour Organisation in Geneva, Switzerland; 1997-1999, worked with the former Human Rights and Equal Opportunity Commission. Graduate Member of the Australian Institute of Company Directors.

**Thompson, Dr Susan** MBBS FRANZCP RANZCP AIRS

Senior Member. Child, adolescent, adult and family psychiatrist working for many years in inpatient and outpatient public mental health settings, private practice and for Relationships Australia. Currently, Professional Member of NCAT's Guardianship Division and a Psychiatrist Member, Mental Health Review Tribunal.

**Thomson, Bruce** BA Dip FP FIAA

General Member. Independent consulting actuary with experience in risk management, investment, insurance and complaint mediation. Board and Committee member of charitable and local sporting associations. Former chair of a retirement village.

**Tibbey, Amanda** BJuris LLB LLM (UNSW) GradCertMgmt (UWS)

Senior Member. Admitted as Solicitor in 1987, called to the Bar in 2004 practising in equity, commercial and administrative law. 2014 to date, Senior Legal Member, NCAT Guardianship Division; 2015 to date, cross appointed to Administrative and Equal Opportunity Division and Commercial and Consumer

Divisions of NCAT, 2024 appointed to Appeals Division, NCAT. Nationally accredited mediator, appointed to Supreme and District Court panels of Mediators; Contributing author, Thomsons Civil Practice and Procedure, 2012 to date. 2024 to date Member Diversity and Equality Committee, NSW Bar Association; 2013-2014, Chair, Women Barrister's Forum; 2014-2016, Member, NSW Bar Association Professional Conduct Committee; 2007- 2008, Member, NSW Bar Association Human Rights Committee; 2020 to date Member of Advisory Committee, Francis Forbes Society for Australian Legal History; 2008 to date, Visitor, Australian University of Theology; 2012 to date, Executive Member, NSW Ecumenical Council; 2021 to date, Chancellor, Riverina Diocese, Anglican Church of Australia. 2023 to date Member, Church Law Committee, Anglican Church of Australia; 2023 to date Board Member SCEGGS Darlinghurst; mid 2024 to date, Director Anglican National Redress Scheme Ltd.

**Titterton OAM, Robert** BComm (UNSW) LLB (UNSW) MArtsMgt (UNE)

Senior Member. Former Principal Member of the Occupational, Administrative and Equal Opportunity and Consumer and Commercial Divisions of the Tribunal. Senior Member of the Administrative Review Tribunal (Cth). Former Deputy Chairperson of each of the Dental, Nursing and Midwifery, Physiotherapy, Podiatry, Psychology, Aboriginal and Torres Strait Islander Health Practice, Chinese Medicine, Medical Radiation Practice and Occupational Therapy Tribunals. Former member of the Administrative Appeals Tribunal (Cth), the Migration Review Tribunal-Refugee Review Tribunal (Cth) and the Consumer Trader and Tenancy Tribunal (NSW). Former Specialist Assistant Director of the Australian and Securities and Investments Commission and Director-Legal (Financial), Financial Services Regulatory Authority, Abu Dhabi Global Market.

**Toohy, Jill** BJuris LLB

Senior Member. Guardianship Division since 2019. Admitted as a barrister and solicitor in WA in 1981. Worked in private practice and community legal centres. Previous Tribunal experience includes Member and Registrar of the Refugee Review Tribunal; Senior Member, Human Rights, State Administrative Tribunal (WA); Senior Member, General Division of the Administrative Appeals Tribunal; Senior Member, Personal Injury Commission; Deputy Principal Member, Nauru Refugee Status Review Tribunal.

**Topolinsky, Vadim** BE (Structural) (UTS) FIEAust (NPER) FNIFI

General Member. Structural engineer and consultant with over 25 years' experience in structural, civil, forensic and remedial engineering. Engineering practitioner of many years with

experience in residential, commercial and industrial projects. He was a past accredited mediator with the Department of Fair Trading and LEADR, an Accredited Certifier (Structural and Civil) Environmental Planning and Assessment Act 1979 and a Member of the Accreditation Committee, Building Professionals Board (2009).

**Totoeva, Anastacia** BComms (PR) LLB (Hons1) LLM (International Law)

General Member. Admitted as a solicitor in 2009. Most recently, Senior Solicitor at the Australian Centre for Disability Law (2021-2024). Broad generalist, advisory and litigation experience as a Senior Solicitor at the NSW Crown Solicitor's Office (2016-2020), the Australian Human Rights Commission (2013-2016) and Clayton Utz (2009-2013). Currently also appointed as a Legal Member of the Mental Health Review Tribunal.

**Turnbull, Mark**

Senior Member. Admitted as a solicitor in 1996 and as a barrister in 2013. Prior to his appointment to NCAT, appeared before the Guardianship Division and its predecessor the Guardianship Tribunal both as a separate representative appointed by NSW Legal Aid and as a private legal representative. For 12 years, successfully operated a legal firm as a sole practitioner where the majority of his clients were first generation migrants from non-English speaking backgrounds. Legal Member Mental Health Review Tribunal since 2021.

**Tyson, Matthew** BCL (Oxon) (Hons I)

Senior Member. Barrister, 8 Selborne Chambers. Lieutenant-Commander, Royal Australian Navy.

**Ulman, Gary** LLB (Melb) LLM (USyd) MA (UNSW)

Senior Member. Admitted as a solicitor in 1975. Currently a solicitor in private practice, nationally accredited mediator, and Chair of The Law Society of NSW's Alternative Dispute Resolution Committee. Previously dispute resolution partner, Minter Ellison 1982-2016. Former President, The Law Society of NSW, and Chair of the Society's Professional Conduct and Litigation, Law and Practice Committees. Also, former Chair, Resolution Institute.

**Vrabac, Nick** BA LLB

Senior Member. 10 years' experience as a solicitor with the government and private practice. 2002-2010, Deputy Chairperson, Consumer Trader and Tenancy Tribunal. Volunteer with the Sydney Olympics and the World Youth Day. Secretary/Vice President of a National League Soccer Club for seven years.

**Walker, Emeritus Professor Geoffrey** LLB (Hons II) (USyd) LLM SJD (Penn) LLD (Qld)

Senior Member. Admitted to the Bar, 1965. From 2004-2009, Executive Deputy President, Administrative Appeals Tribunal; 2012-2014, Judicial Member, Administrative Decisions Tribunal; 2015 to date, Senior Member, NCAT. Translations of five major French historical works on Australia have been catalogued by the State Library of New South Wales and are available online for public use.

**Waterhouse PSM, Michael** BA (Hons) DipLaw DipBusAdmin

Senior Member. Led the legal team at the NSW Department of Education for 19 years. Prior to this, held a range of public policy and advisory roles. Practises as a lawyer, mediator, and legal educator and is involved in the not-for-profit sector.

**Watson, Margaret** BA (Welfare Studies) Cert Somatic Psychotherapy

General Member. 1972-1975 Welfare Manager at The Smith Family; 1982-1994 Member of the Social Security Appeals Tribunal; 1990-2018 NSW Guardianship Tribunal – Team Leader (full and part-time); 2002-2010 Member of Queensland Civil and Administrative Tribunal (QCAT); 2010-2015 Team Leader at ICare; 2008-current General Member of NCAT Guardianship Division; 2013-2022 Counsellor and Advanced Practitioner at the Post Adoption Resource Centre, The Benevolent Society.

**Watts AM, The Hon Acting Judge Garry** BA LLB

Principal Member. 1976-2005 senior partner in the largest private family law firm in Australia. Involved in many committees and working groups, for example as a member of the Family Law Council and as Chairman of the Family Law Section of the Law Council of Australia. Has regularly provided continuing legal education to the profession. In 2005 was appointed as a Justice of the Family Court of Australia and in 2018 as a permanent member of the Appellate Division of the Family Court. Retired from the court in 2022.

**West AM, Dr Carolyn** MBBS (Hons) DCH

Senior Member. Qualified as a medical practitioner in 1969. VMO Spina Bifida Service, RPAH, 1982-2018. Staff Specialist, The Children's Hospital at Westmead, Director, Spina Bifida Service, 1979 to 2011. Medical Advisory Committee, Allowah Children's Hospital, 1990 to 2016. Guardianship Tribunal, 1989 to the present. Member of Order of Australia for services to disability especially Spina Bifida, 2007.

**Willcox, Chris** BSc (Psych) (Hons) MPsych (Clinical) GCPSM

Senior (Professional) Member. Guardianship Division. Clinical Professor in the School of Psychology at the University of Newcastle where he teaches in the under and postgraduate psychology programs. Also previously taught into and been a psychotherapy educator for the HNET psychiatry training program. Deputy President of the Psychology Council of New South Wales. Member of the Psychology Board of Australia. Member of the Mental Health Review Tribunal. Clinical psychologist who worked in public mental health for over 30 years having been the Head of Psychology for the Hunter New England Mental Health Service and co-chair of the NSW Ministry of Health Psychology Advisory Network.

**Wilson, Lucinda** BCom (Hons) LLB (Hons)

Senior Member. Barrister for 10 years before being appointed full-time Consumer and Commercial Division Senior Member. Had a civil and criminal practice at the Bar and conducted jury trials as both Crown Prosecutor and defence counsel. Previously on the Equal Opportunity Committee of the Bar Association and on the board of various non-profit organisations and Community Legal Centres.

**Woods, Harry** BA (USyd) Dip Law (SAB)

Senior Member. Admitted to practise as a Solicitor of the Supreme Court of New South Wales in 1994. Practised as Barrister in New South Wales since 2000, regularly representing clients across a broad spectrum of commercial law matters, including general commercial disputes, building and construction, administrative law, employment and industrial law, consumer law and trade practices disputes, as well as insolvency and bankruptcy matters.

**Woolf, Dr Claudia** BPsych (Hons) MPsych (ClinNeuro) PhD

Senior Member. Project Coordinator for the Cognitive Intervention Implementation Working Group of the Australian Dementia Network Memory Clinic Initiative, The University of Sydney. Clinical Neuropsychologist at Prince of Wales Hospital. Clinical Neuropsychologist at St Vincent's Hospital Sydney. May 2013 – April 2015 Research Assistance with the Dementia Collaborative Research Centre, University of New South Wales. Australian Health Practitioner Regulation Agency professional membership.

**Wroth, Dr Melanie** MBBS (USyd) FRACP

Senior Member. Senior Staff Specialist Geriatrician at RPA Hospital managing acute inpatient medical care and providing a geriatrics consultation service throughout the hospital. Chief Clinical Advisor to Aged Care Quality and Safety Commission s 2019-2024. Member of the Medical Council of NSW for

hearings resulting from complaints about medical practitioners 2000-2019.

**Wylie, Dr Rachel** BSc (Hons) Biomed MBBS FRACGP

Senior Member. Experienced regional General Practitioner. Special interest in working with children and adults with intellectual disability and mental illness. Currently working with Regional Community Mental Health Team and Older Persons Acute Inpatient Psychiatric Unit.

**Yin, Edward** AMusA (AMEB) BMedSc (UNSW) LLB (UWS) LLM (UTS)

General Member. Admitted as a solicitor of Supreme Court of NSW and High Court in 2008; called to the NSW Bar in 2014; Notary Public since 2016. Worked as a solicitor in medium and boutique law firms in conveyancing, banking and finance, and litigation. Currently working as a barrister in all areas of commercial litigation, equity, family law, common law, and criminal law. Adjunct lecturer at College of Law since 2016, adjunct lecturer at Macquarie Law School 2020-2022, Fellow of Australian and New Zealand College of Notaries.

**Zammit, Peta** LLB BSocSc

General Member. Admitted as a solicitor of the Supreme Court of NSW in 2005. Accredited as a mediator by the College of Law in 2020. Principal areas in private practice were insurance and commercial litigation.

**Ziegler, Deborah** BA LLB

Senior Member. Appointed to NCAT's Administrative and Equal Opportunity Division, Appeal Panel and Consumer and Commercial Division. Admitted as a solicitor in 1996. Member of the Administrative Review Tribunal (Cth). Previous roles include in private practice at Freehills (now Herbert Smith Freehills Kramer) specialising in corporate and commercial law, forum facilitator with Forum Sentencing NSW, and member of the former NSW Consumer Trader and Tenancy Tribunal.

# Appendix 4

## NCAT Member Code of Conduct

---

1. This Code of Conduct is issued by the President of the NSW Civil and Administrative Tribunal pursuant to section 20 of the *Civil and Administrative Tribunal Act 2013* (the NCAT Act). It applies to all Members of the Tribunal, including occasional Members. The Code may be reviewed from time to time to ensure its relevance.

### Purpose

2. This Code seeks to provide guidance to Members in the performance of their statutory functions as Members of the Tribunal and to assist Members in identifying and resolving ethical issues as they may arise.
3. A further purpose of this Code is to provide Tribunal users with information by reference to which to assess Members' conduct.

### Upholding the Objects of the NCAT Act

4. The objects of the NCAT Act include:
  - ensuring that the Tribunal is accessible and responsive to the needs of all of its users;
  - enabling the Tribunal to resolve the real issues in proceedings justly, quickly, cheaply and with as little formality as possible;
  - ensuring that the decisions of the Tribunal are timely, fair, consistent and of a high quality;
  - ensuring that the Tribunal is accountable and its processes are transparent and open;
  - promoting public confidence in Tribunal decision-making and the conduct of Tribunal Members.
5. Members are to perform their duties and conduct themselves consistently with these objects.

### General Responsibilities

6. Tribunal Members have the following general responsibilities both in their activities as a Member and in their personal activities:
  - to uphold the law, including being aware of and complying with legislation dealing with privacy, discrimination and corruption;
  - to uphold the highest standards of integrity, truthfulness, and honesty.

### Tribunal Values

7. In performing their duties, Members should at all times strive to give effect to the following values (derived from 'A Guide to Standards of Conduct for Tribunal Members' issued by the Administrative Review Council).

### Respect for the Law

8. Members should, while acting as a Tribunal Member and while performing functions associated with membership, demonstrate respect for all aspects of the law.
9. In particular, Members should:

- at all times while performing Tribunal duties comply with the law in relation to the conduct of hearings, the determination of matters and interactions with other Members, Tribunal staff and Tribunal users;
- ensure that all decisions and determinations are legally well founded.

## **Fairness**

10. Fairness requires a Tribunal Member to make unbiased, impartial decisions and to give all parties the opportunity to put forward their positions.
11. More specifically, Members are to:
  - apply the law equally, and act in an impartial manner in the performance of their decision making functions, so that their actions do not give rise to a legitimate apprehension of bias or amount to actual bias;
  - advise the parties of any matter or circumstance which might give rise to bias or conflict of interest or a perception of bias or conflict of interest and determine whether in the circumstances it is appropriate to continue to conduct or determine the proceedings;
  - refrain, other than during a hearing or in exceptional circumstances, from any communication (either oral or in writing) or association during the course of proceedings with a party, legal representative or witness in the absence of the other party or parties or their representatives;
  - abide by the principles of procedural fairness, in particular, by ensuring that parties have a reasonable opportunity to present their case and to answer the case against them;
  - be aware of and address appropriately barriers such as language, cultural background, lack of literacy or disability which are likely to impede parties in presenting their case.
12. In addition, Members should:
  - if engaged in another profession, occupation or business, take care to ensure that those activities do not conflict with or undermine the discharge of their responsibilities as Members;
  - refrain from partisan political activity which is directly related to the work of the Tribunal or which may impinge upon the perception of impartiality of the Member or the Tribunal (including, for example, being a member of a registered political party).

## **Independence**

13. Tribunal Members are to perform their duties independently, free from external influence and free from the fear of adverse consequences.
14. Members should not allow themselves to be put in a position where their independence may be compromised or be perceived to be compromised.
15. Where part-time Members have a professional practice in addition to being Members of the Tribunal, they:
  - cannot appear before the Tribunal as a representative of a party or other person;
  - cannot advise individuals or bodies concerning Tribunal proceedings or potential proceedings involving those individuals or bodies; and
  - cannot act for or against or provide services to individuals or bodies who are litigants before them in the Tribunal.

## **Respect for Persons**

16. Members are to conduct proceedings in a manner that is patient, courteous and respectful of all parties, witnesses, representatives, staff and others with whom Members have to deal.

17. In particular, Members are to:

- demonstrate patience, courtesy and respect in their own conduct and demeanour;
- communicate in a clear, plain manner so as to be understood by the parties;
- control the proceedings in such a way as to create an environment in which participants can and are encouraged to treat other participants courteously and respectfully;
- be aware of and responsive to cultural and other sensitivities in relation to forms of address, conduct and dress.

18. The Tribunal recognises the importance of fairness, dignity and respect for others in the workplace. Each person in the workplace, including staff and Members, should have a safe and secure place in which to work. The Tribunal does not tolerate inappropriate workplace behaviour, which includes bullying, harassment, sexual harassment, other forms of unlawful discrimination, vilification and violence.

## **Diligence and Efficiency**

19. Members are to be diligent and timely in the performance of their duties. They should take reasonable steps to maintain and enhance the knowledge, skills and personal qualities necessary to the performance of their duties.

20. In particular, Members should:

- conduct proceedings and make decisions with due rigour, diligence and intellectual honesty;
- perform their duties in the Tribunal so as to resolve matters in a timely and appropriate manner with a view to ensuring that the Tribunal's proceedings are efficient, effective and inexpensive;
- provide oral reasons for decision where appropriate and deliver reserved decisions within the NCAT Divisional standards, except where the complexity or difficulty of the matter requires otherwise;
- undertake and participate in professional development and training programs to enhance relevant knowledge and skills;
- keep informed of developments in substantive and procedural matters within the jurisdiction of the Tribunal relevant to their duties;
- support and encourage, where possible, the professional development of colleagues;
- become proficient in the use of technology including the Tribunal's computerised case management system, digital provision of documents, the Tribunal's intranet, digital sound recording facilities, and other technological developments implemented by the Tribunal.

21. In order to promote the efficient conduct of proceedings, Members should:

- clearly identify the issues and orders in dispute;
- facilitate the resolution or narrowing of issues in dispute, where appropriate;
- adjourn proceedings only when necessary in the interests of justice and fairness;
- ensure that any interlocutory orders and applications do not unnecessarily delay the final determination of proceedings;
- ensure that evidence is confined by reference to the issues in dispute, and that it is given as concisely as is reasonably possible.

## **Integrity**

22. Members, in carrying out their duties as Members, are to act honestly and truthfully.

23. In particular, Members must:

- not knowingly take advantage of or benefit from information, not publicly available, obtained in the course of performing their Tribunal functions;
- not use their position as a Member improperly to gain or seek to gain any advantage or benefit for themselves or any other person;
- be scrupulous in the use of Tribunal resources;
- not disclose any confidential information otherwise than as permitted by law;
- refrain from conduct which would bring the Tribunal into disrepute.

## **Accountability and Transparency**

24. Members are accountable for their decisions and actions taken as Members and have a responsibility to be open and frank about their decisions, actions and inaction in relation to their duties.
25. In particular, Members are to:
- participate in performance evaluations conducted by the Tribunal;
  - co-operate fully in complaint investigations carried out by the Tribunal.

## **Responsibility of the Tribunal Head and Heads of Divisions**

26. It is the responsibility of the President together with the Heads of each of the Divisions to assist Members to comply with the Code of Conduct and to perform their responsibilities as Tribunal Members through the provision of appropriate training, leadership and support.

## **Particular Issues**

### **Gifts, Benefits and Hospitality**

27. Where gifts or benefits are offered, or social invitations extended, by parties or representatives in Tribunal proceedings, to Members in their capacity as such, these should, as a general rule, be declined.
28. If a gift is proffered to a Member, in his or her capacity as a Member, in circumstances where it cannot be or it is inappropriate for it to be declined, it should be handed to the Principal Registrar for inclusion in the Tribunal's gift register and appropriate disposition. Donating the gift to a charity, using the gift for the benefit of Members or staff generally or publicly displaying the gift in the Tribunal's premises may be appropriate, depending on the circumstances.

### **Corrupt Conduct**

29. If a Member becomes aware of an instance of behaviour that could be corrupt conduct, maladministration, or criminal conduct, relating to the Tribunal, the Member should report it promptly to the Principal Registrar or the President, and also, if appropriate, to the Independent Commission Against Corruption.

### **Post Service Conduct**

30. After ceasing to be a Member of the Tribunal it is expected that a former Member:
- would continue to behave in a way that upholds the integrity and good reputation of the Tribunal;
  - would not appear before the Tribunal as a representative where to do so would contravene the Barristers' Rules, the Solicitors' Rules or any other similar applicable professional rules;
  - would not use or take advantage of confidential information obtained in the course of his or her duties as a Member.

## Complaints

31. Complaints in relation to Members will be dealt with as outlined in *NCAT Policy 1 - Complaints*.

## Compliance with the Code

32. If a Member does not comply with the Code, the President may direct the Member to take specified action to rectify his or her conduct or determine that further work not be allocated to the Member until the breach is rectified. In cases of serious breach the President may refer a matter to the Attorney General or recommend that the Member not be reappointed at the expiration of their term. Whether such action will be taken will depend on factors such as the seriousness of the conduct in question, whether there is a pattern of such conduct, the intent of the Member concerned and the effect of the conduct upon the Tribunal or others.
33. The Code of Conduct does not stand alone but forms part of the accountability framework within which both the Tribunal and the Members operate. It is complementary to the Tribunal's procedures and policies, including the Member professional development framework and the Tribunal's complaints process.

# Appendix 5

## NCAT Expenditure Report

The following NCAT Expenditure Report applies to the period of 1 July 2024 to 30 June 2025.

<b>SALARY AND RELATED PAYMENTS</b>	<b>\$'000</b>
Salaries (staff and full-time members (comprising judicial officers and statutory appointees))	21,083
Statutory appointees (part-time members)	17,154
Contractors (agency temporary staff)	1,270
Annual leave and sick leave	2,991
Overtime	37
Long service leave	1,298
Superannuation	4,550
Workers compensation	471
Payroll tax	2,660
Fringe benefit tax	108
Other	2
<b>Subtotal</b>	<b>52,344</b>
<b>OPERATIONAL EXPENSES</b>	<b>\$'000</b>
Office accommodation	7,294
Postage and couriers	544
Telephones	383
Electricity gas	88
Minor computer purchases and consumables	388
Fees	(68)
Computer service costs	225
Training and development fees	108
Travel expenses	370
Printing	175
Interpreters	911
Publication	99
Insurance	132
Motor Vehicle	(36)
Maintenance	(167)
Minor miscellaneous	93
<b>Subtotal</b>	<b>10,539</b>
Depreciation	9,567
Ex-Gratia payments	0
Impairment on receivables – JusticeLink	9
<b>Total operational expenses</b>	<b>72,459</b>

**Note:** This appendix is based on information supplied by the NSW Department of Communities and Justice. The Audit Office had not completed the audit of the Department's financial statements when this information was supplied.

# Appendix 6

## Service Standards: Lodgement to Finalisation

The following tables show the service standards for the resolution of matters by each NCAT Division, as indicated from lodgement to finalisation, during the period of 1 July 2024 to 30 June 2025.

### Administrative and Equal Opportunity Division

LIST	SERVICE STANDARD	TARGET	MET TARGET %	TOTAL VOLUME	VARIATION TO TARGET
Administrative Review List	9 mths	80%	<b>84%</b>	<b>586</b>	4%
Community Services List	9 mths	80%	<b>73%</b>	<b>128</b>	-7%
Equal Opportunity List	9 mths	80%	<b>83%</b>	<b>168</b>	3%
Revenue List	9 mths	80%	<b>84%</b>	<b>138</b>	4%

### Consumer and Commercial Division

LIST	SERVICE STANDARD	TARGET	MET TARGET %	TOTAL VOLUME	VARIATION TO TARGET
Tenancy List					
<i>Termination</i>	4 wks	80%	<b>76%</b>	<b>13,929</b>	-4%
<i>Non-termination</i>	8 wks	80%	<b>74%</b>	<b>13,731</b>	-6%
Social Housing List					
<i>Termination</i>	4 wks	80%	<b>67%</b>	<b>8,448</b>	-13%
<i>Non-termination</i>	8 wks	80%	<b>82%</b>	<b>4,199</b>	2%
General List	12 wks	80%	<b>74%</b>	<b>4,657</b>	-6%
Home Building List					
<=\$30,000	16 wks	80%	<b>52%</b>	<b>112</b>	-28%
>\$30,000	18 mths	80%	<b>97%</b>	<b>2,049</b>	17%
Residential Communities List					
<i>Termination</i>	6 wks	80%	<b>74%</b>	<b>137</b>	-6%
<i>Non-termination</i>	20 wks	80%	<b>79%</b>	<b>162</b>	-3%
Community Land	24 wks	80%	<b>81%</b>	<b>31</b>	-8%
Strata Schemes List	24 wks	80%	<b>70%</b>	<b>1,278</b>	-8%
Motor Vehicles List	16 wks	80%	<b>76%</b>	<b>1,340</b>	-4%
Commercial List	16 wks	80%	<b>69%</b>	<b>843</b>	-11%
Retirement Villages List	16 wks	80%	<b>55%</b>	<b>47</b>	-25%

## Guardianship Division

LIST	SERVICE STANDARD	TARGET	MET TARGET %	TOTAL VOLUME	VARIATION TO TARGET
Risk Category 1	3 days	80%	<b>96%</b>	<b>241</b>	16%
Risk Category 2	20 days	80%	<b>90%</b>	<b>294</b>	10%
Risk Category 3	60 days	80%	<b>90%</b>	<b>10,818</b>	10%
Risk Category 4	100 days	80%	<b>54%</b>	<b>6,505</b>	-26%

## Occupational Division

LIST	SERVICE STANDARD	TARGET	MET TARGET %	TOTAL VOLUME	VARIATION TO TARGET
Administrative Review List	9 mths	80%	<b>84%</b>	<b>154</b>	4%
Health Practitioner List	12 mths	80%	<b>67%</b>	<b>101</b>	-13%
Legal Practitioner and Other Professionals List	12 mths	80%	<b>55%</b>	<b>22</b>	-25%

## Appeals

LIST	SERVICE STANDARD	TARGET	MET TARGET %	TOTAL VOLUME	VARIATION TO TARGET
Appeals	9 mths	80%	<b>96%</b>	<b>562</b>	16%

## Enforcement (Penalties and Contempt)

LIST	SERVICE STANDARD	TARGET	MET TARGET %	TOTAL VOLUME	VARIATION TO TARGET
Enforcement (Penalties and Contempt)	9 mths	80%	<b>92%</b>	<b>13</b>	12%

# Appendix 7

## Resolution Processes

---

NCAT has wide and flexible powers to resolve disputes other than by adjudication. These processes are referred to in the legislation as “resolution processes”. A resolution process is any process in which the parties to proceedings are assisted to resolve or narrow the issues between them. This is achieved through the application of appropriate dispute resolution strategies, which reflect the differing nature of disputes and the varying skills and knowledge of the parties.

In the Occupational Division, where the focus is on professional discipline, there is limited scope for the use of resolution processes beyond narrowing the issues in dispute. While resolution processes other than adjudication have been trialled in the Guardianship Division, the protective nature of proceedings in that Division means that special care must be taken. There is more scope for resolution processes to be used in the Administrative and Equal Opportunity Division where mediation is routinely used to assist parties resolve their issues.

Resolution processes such as expert conclaves, negotiation and conciliation are used extensively in the Consumer and Commercial Division.

### Conciliation

Conciliation is routinely used to resolve disputes in the Consumer and Commercial Division. It is a confidential process in which parties discuss the issues in an informal manner and explore options to settle the dispute.

Conciliation is closely linked to the hearing process. Agreements reached by parties during conciliation can be turned into enforceable consent agreements by the Tribunal.

### Mediation

Schedule 1 to the Civil and Administrative Tribunal Regulation 2022 (NSW) defines mediation as a structured negotiation process in which the mediator, as a neutral and independent party, assists the parties to a dispute to achieve their own resolution of the dispute.

Mediation is offered in suitable anti-discrimination matters, and applications to review government decisions regarding access to information, privacy and state revenue. It is a confidential, informal problem-solving process managed by an independent mediator. The mediator manages the process but does not take sides or give an opinion about the case.

### Conclave

A conclave is a joint meeting between experts engaged by the applicant and the respondent. This resolution method is used in the Consumer and Commercial Division’s Home Building List. During a conclave, the experts discuss the issues on which they have prepared reports, with a view to clarifying matters in dispute, reaching agreement where possible and narrowing the issues to be determined. Conclaves are usually held on-site and facilitated by a Tribunal Member.

### Case conference

In the Administrative and Equal Opportunity Division, some matters are listed for a preliminary session called a ‘case conference’, where the Tribunal Member explores ways to resolve the proceedings or narrow the issues in dispute. Case conferences are used in reviews of government decisions about access to information, privacy, and anti-discrimination matters.

## Directions hearings

Matters may be listed for directions hearings to prepare for the substantive hearing. They are usually short in duration and may be used to establish jurisdiction, identify issues in dispute, set a timeframe for the hearing or make directions for the exchange of evidence. All parties are required to attend directions hearings and to comply with procedural directions.

## Types of hearings

Matters are listed for hearing according to the type of application and nature of the dispute. Notices of Hearing are issued to parties in advance of their hearing. They provide information such as the type of hearing event they will be attending and what they need to do to prepare for their hearing.

### Group lists

A group list is where a number of Consumer and Commercial Division cases are listed together before a Tribunal Member. When both parties attend, they are encouraged to resolve their dispute through conciliation. If only one party appears, *ex-parte* orders may be made, or the application may be dismissed. If conciliation is unsuccessful, the matter proceeds to hearing. Matters may be adjourned if additional evidence is required or the hearing will take further time.

### Hearings

Hearings are listed for a specific length of time where the issues in dispute will be finally determined and a decision made. These hearings may last from one hour to several days depending on the complexity of the matter, the nature of the jurisdiction and the issues in dispute.

Matters are listed for hearing according to the type of application and nature of the dispute. Notices of Hearing are issued to parties in advance of their hearing. They provide information such as the type of hearing event they will be attending and what they need to do to prepare for their hearing.

The number of Tribunal Members hearing a matter depends on the Division in which the application was lodged. Hearings in the Consumer and Commercial Division are usually conducted before a single Tribunal Member, while the majority of applications in the Guardianship Division are before a panel of three Members. Some Tribunal Members are Community Members who represent community perspectives and provide knowledge and expertise relating to their area of work.

NCAT's hearings are open to the public unless a specific order is made closing the hearing. Public hearings ensure that the Tribunal's processes are transparent. NCAT's hearing lists are published on the NCAT website, with the exception of matters heard in the Guardianship Division.

## Internal appeals

The internal appeals process permits first instance decisions to be scrutinised and, where necessary, corrected without the expense or delay involved in bringing proceedings in the District Court or the Supreme Court. This scrutiny also improves the standard of decision-making and writing throughout the Tribunal.

Under section 32 of the NCAT Act, parties have a right to lodge an internal appeal from:

- Any decision made by the Tribunal in proceedings for a general decision or an administrative review decision
- Any decision made by a registrar of a kind that is internally appealable.

In most cases, internal appeals can be lodged as of right on any question of law. An appeal on other grounds can be lodged if the Appeal Panel grants leave, subject to the limitations on internal appeals against decisions of the Consumer and Commercial Division in clause 12 of Schedule 4 to the NCAT Act.

The Appeal Panel, which hears internal appeals, will in most cases be made up of two or three Members from

across the Divisions. At least one of the Members will be a lawyer.

Not all Tribunal decisions are internally appealable. Some matters NCAT's internal appeal jurisdiction does not extend to include:

- Decisions made in the Occupational Division relating to the following professions: medical practitioners, health professionals (nurses, psychologists, physiotherapists and similar professions), legal practitioners, veterinary practitioners, architects, registered surveyors, accredited certifiers
- Decisions made in the Occupational Division in relation to applications for dismissal of councillors from civic office
- Decisions in proceedings for the exercise of the Tribunal's enforcement jurisdiction
- Decisions of the Tribunal in proceedings for the imposition of a civil penalty in exercise of its general jurisdiction
- Decisions of an Appeal Panel
- Decisions of the Tribunal under the *Child Protection (Working with Children) Act 2012*.

Exclusions to internal appeals are set out in the Divisional Schedules to the NCAT Act and in some of the specific Acts or regulations giving jurisdiction to NCAT.

Some Divisional decisions that are not subject to an internal appeal may be appealed to the Land and Environment Court, the Supreme Court or the Court of Appeal. A decision of the Guardianship Division may be appealed either to the Appeal Panel or the Supreme Court, but not to both.

Information about lodging an appeal is provided in *NCAT Guideline 1 – Internal Appeals*. This Guideline and the application forms are available on the NCAT website. NCAT appeal decisions are generally published to the NSW Caselaw website and a selection are published in the *Appeal Panel Decisions Digest*.

The *Appeal Panel Decisions Digest* can be subscribed to for monthly keyword summaries of Appeal Panel decisions.

## Set aside or vary Tribunal decision

In some instances, a party to proceedings may apply to NCAT to set aside or vary a Tribunal decision after the matter is finalised. The grounds for an application to set aside or vary Tribunal decisions are contained in Part 3 of the Civil and Administrative Tribunal Regulation 2022 (NSW). Dissatisfaction with the decision is not a sufficient reason to request that the Tribunal decision be set aside or varied.

Applications to set aside or vary a Tribunal decision may be decided on the papers, that is in the absence of the parties and based on the information provided on the application form and any written submissions provided by the parties.

NCAT will not grant an application to set aside or vary a decision unless the other party has been notified, received a copy of the application and been given a reasonable opportunity to respond. The Tribunal will consider all responses before making a decision.

## Reinstatements

If an applicant or appellant fails to appear in proceedings and the matter is dismissed on that basis, NCAT may reinstate those proceedings if it considers that there is a reasonable explanation for that failure to appear.

An application for reinstatement must be made within 7 days of the orders made dismissing the proceedings, unless time is extended for the making of the application.

Reinstatement applications may be listed for hearing or decided on the papers based on the written material provided. Before making a decision, NCAT will send a copy of the application to the other parties seeking their view on having the original application or appeal reinstated.

# Appendix 8

## Fees and charges as at 30 June 2025

### Administrative and Equal Opportunity Division and Occupational Division

MATTER TYPE	STANDARD FEE	CORPORATION FEE	REDUCED OR CONCESSION FEE
<b>Administrative review application</b>	\$124	\$248	\$31
<ul style="list-style-type: none"> <li>required to be determined by 2 or more Members*</li> </ul>	\$258	\$516	\$65
<ul style="list-style-type: none"> <li>under the <i>Apprenticeship and Traineeship Act 2001</i></li> </ul>	No fee	No fee	No fee
<ul style="list-style-type: none"> <li>under the <i>Community Services (Complaints, Reviews and Monitoring) Act 1993</i></li> </ul>	No fee	No fee	No fee
<b>General application or external appeal</b>	\$124	\$248	\$31
<ul style="list-style-type: none"> <li>to be determined by 2 or more Members*</li> </ul>	\$258	\$516	\$65
<ul style="list-style-type: none"> <li>to be determined by Appeal Panel</li> </ul>	\$506	\$1,012	\$127
<ul style="list-style-type: none"> <li>under the <i>Aboriginal Land Rights Act 1983, Anti-Discrimination Act 1977, Local Government Act 1993, Legal Profession Uniform Application Act 2014, Public Notaries Act 1997 or Dormant Funds Act 1942</i></li> </ul>	No fee	No fee	No fee
<b>Health Practitioner List matters</b>	No fee	No fee	No fee

\* Refer to section 27 and relevant Divisional Schedules of the *Civil and Administrative Tribunal Act 2013* (NSW).

### Consumer and Commercial Division

MATTER TYPE	STANDARD FEE	CORPORATION FEE	REDUCED OR CONCESSION FEE
<b>Residential proceedings</b>	\$60	\$120	\$15
<b>General consumer or commercial proceedings</b>			
<ul style="list-style-type: none"> <li>Claims not more than \$10,000 (or no amount)</li> </ul>	\$60	\$120	\$15
<ul style="list-style-type: none"> <li>Claims over \$10,000 to \$30,000</li> </ul>	\$125	\$250	\$31
<ul style="list-style-type: none"> <li>More than \$30,000</li> </ul>	\$322	\$644	\$81
<b>Strata and community schemes</b>			
<ul style="list-style-type: none"> <li>General application</li> </ul>	\$125	\$250	\$31
<ul style="list-style-type: none"> <li>General application and interim orders when lodged at the same time</li> </ul>	\$250	\$500	\$63
<b>Retail leases</b>	\$124	\$248	\$31
<b>External appeal</b>	\$124	\$248	\$31
<b>Renewal of proceedings</b>	Same as original application	Same as original application	Same as original application

### Guardianship Division

MATTER TYPE	STANDARD FEE	CORPORATION FEE	REDUCED OR CONCESSION FEE
<b>Guardianship proceedings</b>	No fee	No fee	No fee

## Other application fees (all Divisions)

MATTER TYPE	STANDARD FEE	CORPORATION FEE	REDUCED OR CONCESSION FEE
Internal appeal	\$506	\$1,012	\$127
Set aside application	\$125	\$250	\$31
Reinstatement application	Same as original application	Same as original application	Same as original application

### Explanatory notes

**Corporation fee** – applies to all organisations defined as a corporation by section 57A of the *Corporations Act 2001*. Corporations that lodge an application with the incorrect fee will be contacted and will be required to pay the correct fee.

**Reduced or concession fee** – applies to eligible pensioners or individuals in receipt of a grant of legal aid or assistance from a community legal centre. The concession rate is set at 25% of the full fee (round up or down to the nearest whole dollar amount).

**Residential proceedings** – matters about tenancy, social housing, residential communities, retirement villages and boarding houses.

**General consumer or commercial proceedings** – matters about agent commissions and fees, agricultural tenancy, consumer claims, conveyancing costs, dividing fences, holiday parks, home building, motor vehicles, pawnbrokers and second-hand dealers, and uncollected goods.

### Other services

SERVICE	FEE
Copy of sound recording (for each hearing event)	\$50
Application for issue of a summons (for production of or to give evidence, or both)	\$55
Request for the production to Tribunal of documents held by court	\$64
Retrieval of any document or file from archives	\$98
Copy or certified copy of decision or written reasons	\$98
Request by a non-party to inspect public access documents	\$50
Photocopying of documents where a Tribunal staff member makes the copies	\$2.00 per sheet

# Payment of fee is applicable per finalised matter. Fee is for inspection only and is payable in addition to any charges for the photocopying of documents.

# Appendix 9

## NCAT Liaison Group and Divisional Consultative Forum Membership

---

### NCAT Liaison Group

Aboriginal Legal Service  
Community Legal Centres Group NSW  
Health Care Complaints Commission  
Health Professional Councils Authority  
Law Society of NSW  
Legal Aid NSW  
NSW Bar Association  
Real Estate Institute of NSW  
Redfern Legal Centre  
Synapse  
Tenants' Union of NSW

### Administrative and Equal Opportunity Division

Aboriginal Legal Service (NSW/ACT) Limited  
Anti-Discrimination NSW  
Association of Children's Welfare Agencies (ACWA)  
Crown Solicitor's Office (NSW)  
Information and Privacy Commission NSW  
Justice and Equity Centre  
Kingsford Legal Centre, UNSW Law - Community Legal Centres NSW  
Law Society of NSW  
Legal Aid NSW  
Local Government NSW  
NSW Bar Association  
NSW Department of Customer Service  
NSW Department of Education  
NSW Independent Liquor and Gaming Authority  
NSW Office of the Children's Guardian  
NSW Police Force  
NSW Trustee and Guardian  
Point to Point Transport Commission  
Revenue NSW  
Transport for NSW

### Consumer and Commercial Division

#### Tenancy Consultative Forum / Aboriginal Consultative Forum

Aboriginal Housing Office  
Aboriginal Legal Services  
Anaiwan Local Aboriginal Land Council  
Argyle Community Housing  
Birribee Housing (on behalf of NSW Aboriginal Land Council)  
Bungree Aboriginal Association  
Civil Law Service for Aboriginal Communities  
Common Equity NSW  
Community Housing Industry Association NSW  
Financial Counsellors Association of NSW Inc  
Home Building Advocacy Service (HoBAS)  
Housing Appeals Committee  
Inner Sydney Tenants' Advice & Advocacy Service, Redfern Legal Centre  
Inner Sydney Voice Regional Social Development Council  
Law Society of NSW – Indigenous Issues Committee  
LawAccess NSW  
Legal Aid NSW  
Justice and Equity Centre  
Murra Mia Tenant Advocacy Service  
National Property Group  
NSW Aboriginal Land Council  
NSW Department of Communities and Justice  
NSW Department of Customer Service  
NSW Fair Trading  
NSW Rental Commissioner  
Property Council Australia  
Property Owners Association of NSW  
Public Interest Advocacy Centre  
Real Estate Institute of NSW  
Redfern Legal Centre

Tenants Union of NSW  
The Shed  
Wesley Mission  
Western Sydney Community Legal Centre Limited

### **Commercial / General / Motor Vehicles Consultative Forum**

Australian Manufacturing Workers Union  
CHOICE  
Disability Council of NSW  
Financial Counsellors Association of NSW  
Financial Rights Legal Centre  
Institute of Automotive Mechanical Engineers  
Law Society of NSW  
LawAccess NSW  
Legal Aid NSW  
Motor Traders Association  
Multicultural NSW  
NSW Department of Customer Service  
NSW Fair Trading  
Property Owners Association of NSW  
Redfern Legal Centre  
Tenants Union of NSW  
Thomson Geer Lawyers

### **Home Building Consultative Forum**

Aubrey Brown Lawyers  
Australian Institute of Architects (NSW)  
Australian Institute of Building  
Bannermans  
Building Commission NSW  
Civil Contractors Federation  
Engineers Australia (Sydney)  
Home Building Advocacy Service  
Housing Industry Association  
Institute of Building Consultants NSW  
Institution of Engineers Australia  
Justice and Equity Centre  
Law Society of NSW  
LawAccess NSW  
Master Builders Association  
Master Painters Association  
Master Plumbers Association of NSW  
National Electrical and Communications Association of NSW  
NSW Department of Customer Service

NSW Fair Trading  
Paramonte Legal  
Property Owners Association of NSW  
Russo and Partners  
Strata Community Australia (NSW)  
Suncorp  
Swaab Attorneys  
Swimming Pool and Spa Association of NSW  
Western Sydney Community Legal Centre

### **Residential Communities Consultative Forum**

Affiliated Residential Park Residents Association (ARPRA)  
Aged and Community Care Providers Association  
Bungree Aboriginal Association Inc  
Caravan and Camping Industry Association NSW  
Combined Pensioners and Superannuants Association of NSW Inc.  
Home Building Advocacy Service  
Independent Park Residents Action Group of NSW  
LawAccess NSW  
NSW Department of Customer Service  
Tenants Union of NSW  
Tweed Residential Parks Homeowners Association  
Warrigal Care – Villages and Home Services  
Uniting NSW

### **Retirement Villages Consultative Forum**

Aged and Community Care Providers Association NSW-ACT  
Aged and Community Services Australia NSW-ACT  
Bougainvillea Retirement  
Justice and Equity Centre  
Law Society of NSW  
NSW Department of Customer Service  
NSW Fair Trading  
Retirement Villages Residents Association  
Seniors Rights Service  
Warrigal Care – Villages and Home Services  
Wesley Mission

### **Strata Consultative Forum**

Aged and Community Care Providers Association (ACCPA)  
Bannermans Lawyers  
LawAccess NSW

Law Society of NSW  
Marrickville Legal Centre  
National Property Group  
NSW Department of Customer Service  
NSW Fair Trading  
Owners Corporation Network  
Property Owners Association of NSW  
Strata Community Australia (NSW)

Law Society of NSW  
NSW Architects Registration Board  
NSW Bar Association  
NSW Department of Customer Service  
NSW Nurses and Midwives Association  
Office of Local Government  
Office of the Legal Services Commissioner  
Veterinary Practitioners Board of NSW

## **Guardianship Division**

Aged & Community Care Providers Association  
Aboriginal Legal Services (NSW/ACT)  
Dementia Australia  
Disability Advocacy Service, NSW Trustee and Guardian  
Disability Council NSW  
DCJ Legal - Child Protection Law  
First Peoples Disability Network (Australia)  
Intellectual Disability Rights Service  
Law Society of NSW  
Aged & Community Care Providers Association  
Legal Aid NSW  
Mental Health Coordinating Council  
Mental Health Review Tribunal  
Multicultural Disability Advocacy Association of NSW  
(MDAA)/NSW Network of Women With Disability  
National Disability Insurance Agency  
National Disability Services  
NSW Ageing and Disability Commission  
NSW Bar Association  
NSW Carers Advisory Council  
NSW Council for Intellectual Disability  
NSW Department of Communities and Justice  
NSW Ministry of Health  
Office of the Public Guardian  
People With Disability - PWD Australia  
Seniors Rights Service  
Synapse  
The Benevolent Society  
The Disability Trust

## **Occupational Division**

Australian Health Practitioner Regulation Agency  
(AHPRA)  
Australian Medical Association (NSW) Limited  
Health Care Complaints Commission  
Health Professional Councils Authority (HPCA)



**NCAT**  
NSW Civil and  
Administrative  
Tribunal

**T:** 1300 006 228

**W:** [ncat.nsw.gov.au](http://ncat.nsw.gov.au)

