



**Legislative Council
Standing Committee on Law and Justice**

Improving access to justice for tribunal users

The current tribunal system in New South Wales is complex and bewildering. The consolidation of tribunals should be pursued by the NSW Government to reduce this complexity and improve access to justice for tribunal users, according to a report released today by the Standing Committee on Law and Justice.

Committee Chair, the Hon David Clarke MLC, said, “There are numerous separate tribunals in New South Wales which exercise decision-making, arbitral or similar functions in relation to consumer and employment disputes, health, guardianship and administrative review matters.”

“We have recommended that the consolidation of these tribunals should be pursued by the NSW Government as it will indeed improve access to justice for the people of New South Wales and provide a ‘one stop shop’ for minor disputes and review of administrative decisions. This view is strongly supported by the experiences of other Australian jurisdictions” Mr Clarke said.

Mr Clarke continued: “We have recommended the appointment of an expert panel to undertake the necessary complex and detailed work required for such significant change in the administrative justice system. In its deliberations we ask that it consider the recommendations in this report as well as the key issues raised in this inquiry.”

“Some inquiry participants did raise concerns about potential impacts of consolidation. In response we have recommended the establishment of separate divisions within any consolidated tribunal that can focus on particular areas of law and draw on and implement specialist features of the existing tribunals. We have also asked that the expert panel give due consideration to the nature of the jurisdiction of existing tribunals and whether it is appropriate that their functions be exercised within a broader tribunal.” Mr Clarke stated.

“We also make recommendations to ensure that access to a consolidated tribunal and procedural fairness is a key focus for the NSW Government. These recommendations include increasing community awareness and online access, creating an internal appeals mechanism, consolidating existing facilities and providing user friendly forms, practices and procedures wherever possible.” Mr Clarke stated.

“It is hoped that with this approach, the most appropriate outcome will be found that will benefit the people of New South Wales, ensuring access to justice and that the tribunal system continues to offer a low cost and timely recourse for a variety of civil disputes and other matters.” said Mr Clarke.

A list of the Committee’s recommendations is attached. The report is on the Committee’s website: www.parliament.nsw.gov.au/lawandjustice. Hard copies are available on request.

*For further comment please contact the Hon David Clarke MLC,
Committee Chair, on 9230 2375*