

Application Package

Sessional Ordinary Members

OFFICIAL

Thank you for your interest in the role of sessional Ordinary Member with the South Australian Civil and Administrative Tribunal (SACAT).

SACAT is an independent tribunal that provides a single point of contact for the community for reviews, decisions and dispute resolution across a broad range of civil and administrative areas of law.

The main objectives of SACAT are to:

- promote the best principles of public administration;
- be accessible, easy to find and easy to access;
- be responsive to parties, especially people with special needs;
- ensure applications are processed and resolved as quickly as possible;
- be cost-effective;
- use straightforward language and procedures;
- use alternate dispute resolution (ADR) where appropriate.

SACAT uses technology and innovative practices to achieve these objectives and we are seeking high-calibre people to help us to achieve these goals. Members must be confident using digital technology including SACAT's case management system with minimal administrative support. Members must embrace innovative processes while having a strong commitment to procedural fairness.

SACAT is seeking to recruit Members with expertise and knowledge relating to the new and existing SACAT jurisdictions. Those who live or work in outer metropolitan or regional areas, as well as Aboriginal and Torres Strait Islander People and people with disability, are strongly encouraged to apply.

If this is a role for you, apply through the process outlined in the 'How to apply' section of this document.

Sessional Member appointments will be for a term of between three and five years. Applications will be accepted 11.30pm Sunday 25 May 2025.

For a confidential discussion about the role, please contact Anne Lindsay, Principal Registrar, SACAT on phone (08) 742 47160 or email governance@sacat.sa.gov.au

Introduction

This application package is intended to assist people to apply for appointment to the South Australian Civil and Administrative Tribunal (SACAT) as a sessional Ordinary Member.

This application package provides an overview of the purpose and operations of SACAT and details of the selection criteria and process for appointment.

The position of Ordinary Member is created by the *South Australian Civil and Administrative Tribunal Act 2013* (SACAT Act).

Applications are sought from qualified and experienced applicants who have the capacity to exercise authority and remain professionally independent in carrying out the role of an Ordinary Member on a sessional basis.

The successful applicants will be of the highest level of integrity and possess relevant experience and personal qualities. The recruitment process will have regard to the need for balanced gender representation and will reflect social and cultural diversity and the range of knowledge, expertise and experience required within the membership of the Tribunal.

SACAT is seeking to appoint a number of sessional Ordinary Members to add to the existing pool of sessional Members working across all of its Lists.

A person is eligible for appointment as an Ordinary Member if they are

- a legal practitioner of 5 years standing; or
- a person with extensive knowledge, expertise or experience relating to a class of matter for which functions may be exercised by the Tribunal.

Functions of SACAT

SACAT conducts hearings in the following Lists:

- Housing List – General (primarily residential tenancies);
- Housing List – Complex;
- Magistrates Court List (primarily residential tenancies with a federal diversity aspect. Can only be undertaken by a Magistrate or Judicial Registrar);
- Guardianship and Administration and Mental Health List – General;
- Guardianship and Administration List – Complex;
- Administrative and Disciplinary List (reviews of licence refusals, equal opportunity, disciplinary and more);
- Births, Deaths and Marriages List (primarily change of name or change of gender);
- Health Practitioners (disciplinary and appeals);

The SACAT Act also provides a mechanism for the Tribunal to conduct an “internal review” of decisions made in the original jurisdiction of the Tribunal. These internal review hearings are presided over by a Presidential or Senior Member of the Tribunal.

The objectives of SACAT are to provide a single, easy to find, easy to use, affordable body for fair and independent decision making and dispute resolution and for the review of administrative and disciplinary disputes.

SACAT is centrally located in the Adelaide CBD and provides services regionally, with hearings held face-to-face or conducted through the use of teleconference or videoconference facilities and advancing technology. The use of technology is a feature of SACAT operations and Members are required to manage their caseloads electronically.

Structure of SACAT

SACAT is led by a President, Justice Judy Hughes, who holds concurrent office as a Justice of the Supreme Court.

In addition to the President, SACAT has a Principal Registrar who undertakes responsibility for SACAT's registry and assists the President in the administrative management of the Tribunal.

The Tribunal is comprised of full-time, part-time and sessional Senior and Ordinary Members with specific expertise in particular fields as required for various types of matters.

Members are assigned to Lists for the purpose of allocating work and each List is administered by a senior member called a List Leader.

Reporting and Working Relationships

SACAT members have key working relationships with a range of stakeholders who include:

- the President and Deputy President;
- List Leaders;
- the Principal and Deputy Registrars;
- other Members of SACAT;
- Registry staff;
- Members of the public, including applicants, advocates, representatives, relevant interest groups etc;
- Government departments.

Responsibilities

Sessional Ordinary Members may be listed to hear and determine matters across SACAT's jurisdiction. Depending on the nature of the matters and the skills and background of the Member, may sit alone as a presiding member or together with one or more other Members.

The frequency that a Member sits on the Tribunal will vary according to the needs of SACAT and the member's availability and skills. The majority of current Sessional Members are listed on a part-day basis for one or more four-hour sessions per week. Some are listed as little as

one session per month and others are listed multiple days each week, depending on both SACAT's needs and Member availability. The listing of Members remains at the discretion of the President. Due to the unpredictable nature of the work conducted by SACAT, there is no guarantee that a Sessional Member will be rostered to conduct hearings with any particular frequency or at all.

In SACAT's high-volume Lists, hearings are often 30 to 45 minutes in duration and a Member will be assigned to hear several in succession and expected to make and communicate orders at the end of the hearing and then issue written orders electronically the same day.

Terms and Conditions

A Member's terms and conditions of appointment are uniform and determined in the instrument of appointment. A Sessional Member's remuneration is paid by reference to allocated sessions and paid monthly. Additional remuneration is payable for preparation or writing lengthy reasons in complex matters on application to the President via the Principal Registrar. Hearings of standard matters do not usually attract an entitlement to payment above the standard rate.

Training

General training is provided in the area of law a sessional member commences work in, and in the electronic case management system. Training is given over several sessions and new Members have the opportunity to observe some hearings and then be observed by a Senior Member.

Potential applicants are strongly encouraged to visit the Tribunal and observe hearings (which are generally open to the public) before interview to get a sense of the process, and may contact the Principal Registrar to arrange this in advance.

After training, Members will usually conduct hearings alone but have access to Senior Members to assist as questions arise.

Selection Criteria

Technical Expertise

A person is eligible for appointment as an ordinary member if they are:

1. a legal practitioner of at least 5 years standing; or
2. a suitable person who can enhance the specialist capacity of the Tribunal by virtue of extensive knowledge, expertise or experience relating to the class of matters for which functions are exercised by the Tribunal.

Personal Attributes, Expertise and Experience

Essential Expertise and Capabilities

- Impeccable personal integrity
- Demonstrable independence
- Leadership and effective management skills
- Deep understanding of procedural fairness and impartiality
- Professionalism
- Efficient case management practices
- Practical ability to use an electronic case management system
- Demonstrable ability to use technology to write and generate decisions
- Understanding of the needs of Tribunal participants.

In addition the successful applicant must be able to demonstrate:

- ability to work in a high-volume and complex case-driven work environment and resolve and determine matters effectively and expeditiously within limited timeframes
- the ability to conduct hearings in a manner which is informal and flexible but fair, with authority and confidence.
- understanding of and commitment to the use of alternative dispute resolution (ADR) techniques.
- understanding of the rules of procedural fairness and their practical application in a Tribunal setting.
- ability to perform the duties of a Tribunal member including conducting hearings and ADR sessions, as well as producing orders and other written documents, using

OFFICIAL

technology competently and proficiently and in a self-sufficient manner with minimal administrative support.

- ability and willingness to learn and develop professionally, to adapt to change and to work constructively with others.
- willingness to participate in training that the Tribunal requires in relation to the Member Code of Conduct, the Tribunal's values and behavioural standards.
- commitment towards the elimination of bullying, harassment and other inappropriate workplace behaviour.
- ability to identify vulnerable people, people from culturally and linguistically diverse backgrounds and those with special needs and ensure they are provided with appropriate supports to enable them to participate properly in the Tribunal process.
- excellent oral and written communication skills, including the ability to use straightforward language, the willingness to listen with patience and courtesy and an ability to explain procedure and decisions in a clear and succinct way.
- ability to run hearings independently and use an end-to-end digital process.

Key Attributes

- The capacity to exercise authority and remain professionally independent in carrying out the role of Ordinary Member.
- Impeccable personal integrity and a commitment to justice and fair treatment.
- Ability to analyse complex factual disputes, identify relevant issues, apply the law and arrive at a decision in a fair and objective manner.
- High level of computer literacy and a willingness to use and rely on other technology.
- Excellent interpersonal and negotiation skills including engaging constructively and collegially with the Tribunal leadership, members and staff.

Desirable Attributes

Accreditation as a mediator with the National Mediator Accreditation System or experience in ADR practices.

Who is this role suited to?

The Tribunal's membership includes barristers, solicitors, social workers, medical professionals, academics and those whose work has provided experience in making and writing decisions and applying legal principles to factual scenarios.

How to apply

Expressions of interest should take the form of a curriculum vitae and a covering letter (2 page maximum).

To apply, please visit:

<https://iworkfor.sa.gov.au/> and search "Ordinary Member" or reference number: 671391

Further information about SACAT can be found at www.sacat.sa.gov.au

Applications will be accepted up to 11.30pm Sunday 25 May 2025.