

Judge may toll the bell on VCAT's old ways

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VICTORIA'S legal dispute umpire could be set for an overhaul, with a new audit to examine whether it is providing the public accessible, low-cost and speedy justice.

Attorney-General Rob Hulls yesterday revealed that Supreme Court Judge Kevin Bell — a keen winemaker considered to have a strong commitment to social justice — will be the new president of the Victorian Civil and Administrative Tribunal.

His biggest task during his two-year appointment will be to conduct a review of the tribunal, to be delivered to the Government before the 2010 election.

Mr Hulls said it had been a decade since the tribunal was set up and it was time to consider its direction and effectiveness.

"After 10 years of operation, it is timely for an audit of the tribunal to take place," Mr Hulls said. "Justice Bell will look at VCAT's operations and assess its current directions and future needs."

Justice Bell, who will begin his term as president on March 31, has been told to examine how VCAT might improve access to justice, whether the use of technology and mediation has helped resolve disputes more quickly and whether the expansion of the tribunal to cover new roles has been appropriate.

"The Brumby Government wants to ensure that VCAT remains easily accessible to all Victorians, providing a low-cost, timely and flexible service," Mr Hulls said.

The tribunal has come under fire from resident action groups claiming it has favoured developers in local planning disputes.

A 2005 study by the Malvern East Residents Group examined almost 1500 medium and high density housing planning applications, and found the tribunal ruled in favour of developers 63% of the time.

Justice Bell has spent the past three years on the Supreme Court bench, after 20 years as a barrister and eight as a Queens Counsel. He is widely regarded as a skilled jurist, described as "meticulous and thorough".

Justice Bell replaces Justice Stuart Morris who retired as president last year.

Justice Morris was the subject of controversy following revelations that a developer had lodged an application to build a 92-unit retirement home costing \$21.5 million on land at Ivanhoe that he and his wife owned.