

ACT Courts and Tribunal

Complaints and feedback policy

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Definition of Terms

Term	Definition
ACAT	ACT Civil and Administrative Tribunal
ACT	Australian Capital Territory
ACTCT	ACT Courts and Tribunal
complainant	the person making the complaint or person on whose behalf the complaint is made
complaint	includes feedback and complaints
courts	includes all ACT Courts such as the ACT Supreme Court, the ACT Magistrates Court, ACT Childrens Court, ACT Industrial Court and the ACT Coroners Court
court and tribunal users	any member of the public using court and tribunal services including litigants, members of the legal profession, members of the public attending the court or tribunal proceedings, witnesses, jurors and members of the press
Judicial officer	a justice of the Supreme Court, an associate judge of the Supreme Court, or a magistrate of the ACT Magistrates Court
registrar	<ul style="list-style-type: none"> the registrar of the Supreme Court where a complaint relates to a complaint about the Supreme Court, the registrar of the ACT Magistrates Court for complaints concerning other courts, or a registrar of ACAT for a complaint concerning ACAT
respondent	the officer with responsibility for responding to a particular complaint
tribunal member	a person appointed to hear and determine applications to a tribunal and includes a registrar exercising the power of a non-presidential member

1. Purpose

This policy assists court and tribunal users to provide complaints and feedback about ACT Court and Tribunal (ACTCT) services, staff and facilities.

2. ACTCT Service Charter

The administration of the ACTCT aims to:

- provide high quality court and tribunal registry services,
- have well trained staff to provide accurate and timely information to court and tribunal users in a professional manner,
- encourage and capture feedback to support a culture of continuous improvement in the workplace, and
- investigate and respond to complaints in an impartial and fair manner.

A copy of the ACTCT **service charter** is available from our Court and Tribunal websites.

3. Complaints we can investigate

The ACTCT investigates complaints related to:

- administrative and registry services,
- facilities,
- staff of the ACTCT, and
- victims' rights.

4. Complaints we can't investigate

There are separate independent processes outlined in section 13 for complaints about:

- [decisions made by a court or ACAT](#),
- [judicial officers](#),
- [presidential members of ACAT](#),
- [legal practitioners](#), or
- [corruption](#).

5. Complaints about administrative or registry services, facilities and staff

Complaints about administrative or registry services, facilities and staff should be addressed to the Chief Executive Officer.

6. Complaints about deputy registrars or conferencing officers

Complaints about deputy registrars or conferencing officers should be addressed to the Registrar responsible for the relevant jurisdiction i.e. the Supreme Court Registrar, Magistrates Court Registrar, or ACAT Registrar.

7. Complaints about registrars and tribunal members

Complaints about registrars and tribunal members should be addressed to the applicable Head of Jurisdiction, i.e. the Chief Justice of the ACT Supreme Court, Chief Magistrate of the ACT Magistrates Court or President of the ACAT. The Head of Jurisdiction may refer complaints to the Chief Executive Officer for investigation.

8. Complaints about victims' rights

If you do not believe that ACT Courts and Tribunal has complied with a victim's right then you can:

- Complain to the ACT Courts and Tribunal using the procedures outlined in this policy.
- Raise a concern with the Victims of Crime Commissioner.
- Make a complaint to the Disability and Community Services Commissioner.
- Make a complaint to another relevant complaints body such as the Ombudsman of the Integrity Commissioner.

Further information is set out at the [ACT Victim Support website](#).

9. Where to send your complaint

Written complaints should be addressed to the 'Chief Executive Officer' (*or applicable person outlined in this policy*) and either:

- Emailed to feedback@courts.act.gov.au or acatfeedback@act.gov.au, or
- mail to PO Box 370, Canberra City 2601, or

- hand delivered to an ACTCT enquiry counter.

10. What to include in your complaint

Persons providing feedback or making complaints should include:

- their name, address, email address and contact telephone number;
- details of the situation, including the first name (if known), or position (if known) of any staff member involved;
- any relevant times and dates; and
- your expectations in relation to how your complaint might be resolved.

11. Complaints by telephone or face to face

Oral complaints can be made face-to-face or over the telephone. If a complaint is received orally, the officer receiving the complaint should try to resolve the complaint immediately. If the officer is unable to resolve the complaint, they should refer the matter to a senior officer who can resolve it.

Where the complaint is complex or cannot be immediately addressed, the officer may request the complainant to put the complaint in writing.

Officers can assist Court and Tribunal users to fill in a complaint and feedback form at the enquiry counter or record the details of the complaint over the telephone.

12. Response times

The ACT Courts and Tribunal endeavours to respond to complaints within 21 days and reviews within 14 days. If a response is going to take longer than our usual timeframes, we will inform you of the reason for the delay.

13. Complaint form (not compulsory)

A form is available to assist in capturing the details and nature of the complaint or feedback, however, it does not need to be used in order to lodge a complaint.

The form can be obtained from ACTCT enquiry counters, websites, or by emailing feedback@courts.act.gov.au. A copy is attached to this policy.

The form may be completed by the complainant, or a Court or Tribunal Officer on behalf of the complainant.

The form provides a description of the complaint or feedback, along with the details of the complainant. Where feasible, the form should be signed by the complainant.

14. Complaints outside the scope of this complaints policy

There are other bodies or processes that investigate complaints about legal proceedings, judicial officers, tribunal members, legal practitioners or corruption. These bodies and processes are outlined below.

14.1. Complaints about courts and tribunals in other jurisdictions

If your complaint refers to a Court or Tribunal in another State or Territory or Commonwealth Jurisdiction eg Federal Court, Family Court or High Court, please refer to that Court or Tribunal website for information about how to make a complaint to them.

14.2. Complaints about the outcome of a proceeding by a party

The ACT Courts and Tribunal administration does not review decisions or hear complaints regarding ACT Court or ACAT decisions. If a party to a court or ACAT decision wants to appeal the decision, they should read the information about appealing decisions available on our websites at www.courts.act.gov.au/appeal and www.acat.act.gov.au/appeal.

14.3. Complaints about the conduct of a judicial officer

The ACT Courts and Tribunal administration does not investigate complaints about judicial officers. Complaints about judicial officers need to be made to the ACT Judicial Council.

Information about the ACT Judicial Council is available at www.actjudicialcouncil.org.au or by contacting (02) 6276 0193 or emailing Principal.Officer@actjudicialcouncil.org.au.

14.4. Complaints about a presidential member of the ACAT

If the complaint relates to a presidential member of the ACAT it should be sent to the ACT Attorney-General and it will be considered in accordance with [Notifiable Instrument NI2017-416](#), Judicial Commissions (Complaints – ACAT Presidential Members) Approved Protocol 2017 (No 1) which is available from the ACT Legislation Register at www.legislation.act.gov.au. The email address for the ACT Attorney-General is available from www.parliament.act.gov.au.

14.5. Complaints about the conduct of a legal practitioner

The ACT Courts and Tribunal does not investigate complaints about legal practitioners. Complaints about legal practitioners should be made to the ACT Bar Association (www.actbar.com.au) where the complaint is about a barrister, or to the Law Society of the ACT (www.actlawsociety.asn.au) where the complaint is about a solicitor.

14.6. Complaints about corruption

Complaints about corruption should be made to the ACT Integrity Commission (www.integrity.act.gov.au).

14.7. Comments and views about court or tribunal proceedings

The ACTCT does not respond to personal comments, opinions or views received from members of the public regarding any court or tribunal matter.

14.8. Anonymous complaints

The ACTCT does not respond to anonymous complaints received by email. Complaints are required to provide a name and contact details for the complainant.

15. Request for a review of our response

If a complainant is not satisfied with the response received from the ACTCT, the complainant may request the complaint be elevated to a higher level for a further review. Requests for review are to be made in writing and are required to set out the basis for the complainant's dissatisfaction with the original response.

16. ACT Ombudsman

If you are not happy a review of our response set out in the above section, you may wish to contact the ACT Ombudsman. The ACT Ombudsman is independent, impartial and provide a free service.

The Ombudsman assesses complaints to see if a government agency has been unfair, discriminatory or unjust. This may include issues such as:

- taking an unreasonable amount of time,
- not following procedures,
- providing misleading or inadequate advice, or

- refusing to answer reasonable questions.

If you think the ACT Courts and Tribunal has been unfair in providing a response to your complaint, please contact the ACT Ombudsman at www.ombudsman.act.gov.au.

17. Withdrawal of complaints

A complaint may be withdrawn at any time in writing.

18. Confidentiality

Information concerning complaints must be kept confidential, subject to the need to disclose information in the proper investigation of a complaint.

Files containing information regarding complaints are subject to the *Freedom of Information Act 1987*, the *Territory Records Act 2002* and the *Information Privacy Act 2014*. Those Acts deal with disclosure of information contained in ACT court and tribunal files and records.

19. Reporting

Statistics regarding the number of complainants may be included in the ACTCT's annual performance reporting and/or published in accessible places such as the ACT Justice and Community Safety Directorate's Annual Report.

20. Legislative Framework

The ACT Courts and Tribunal operates in a framework governed by a range of laws available through the ACT Legislation Register at www.legislation.act.gov.au. These laws include:

- *Public Sector Management Act 1994*
- *Human Rights Act 2004*
- *Information Privacy Act 2014*
- *Territory Records Act 2002*
- *Work Health and Safety Act 2011*
- *Courts Procedures Act 2004*
- *Magistrates Court Act 1930*
- *Supreme Court Act 1933*
- *Civil and Administrative Tribunal Act 2008*
- *Judicial Commissions Act 1994*
- *Integrity Commission Act 2018*

Document information

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Amendment history

Version	Issue date	Details	Author
1.0	11 May 2017	First approved version	Manager, Policy and Projects
1.1	4 September 2017	Inclusion of additional Information to Section 5.2 re Judicial Commission Website and link to Notifiable Instrument. Amendments to change of name and logo.	Manager, Policy and Projects
2.0	September 2020	Review of policy. New information added related to the ACT Integrity Commission and ACT Ombudsman.	Manager, Policy and Projects
2.1	February 2024	Review of policy. New information added relating to ACT Victim Support. Updated to new template and branding.	Assistant Director, People and Governance Communications Officer

How to provide feedback or make a complaint

English

We welcome feedback or complaints about the services, staff or facilities provided by the administrative arm of the ACT Courts and Tribunal (ACTCT).

The ACT Courts and Tribunal aims to:

- provide high quality court and tribunal services,
- have well trained staff to provide accurate and timely information to court and tribunal users in a professional manner,
- encourage and capture feedback to support a culture of continuous improvement in the workplace, and
- investigate and respond to complaints in an impartial and fair manner.

Lodging feedback or a complaint

The attached complaint and feedback form is a guide only and does not have to be used to lodge a complaint or feedback.

If you're providing written feedback or complaints, you should include:

- your name, address and contact telephone number,
- details of the situation, including the names (if known) of any individual involved and any relevant times and dates, and
- your expectations in relation to how your complaint might be resolved.

For further information about the complaint process, please telephone 02 6207 1054 and ask to speak with the Complaints Officer.

Complaints and feedback can be lodged at our enquiry counters, emailed or sent by post.

By Post:

- In Confidence
Chief Executive Officer
ACT Courts and Tribunal
GPO Box 370
CANBERRA ACT 2601

By email:

- feedback@courts.act.gov.au or
acatfeedback@act.gov.au

Complaints and feedback policy

Please note there are different processes for complaints about legal proceedings, judicial officers, tribunal members, legal practitioners, or corruption – these are outlined in the Courts and Tribunal complaints and feedback policy.

The policy is available from our websites at www.courts.act.gov.au/feedback or www.acat.act.gov.au/feedback. You can also request a copy of the policy at our enquiry counters.

Complaint and Feedback Form

Your name:			
Date and Time of Incident/Event:			
Contact telephone:			
Email address:			
Address:			
Court or Tribunal reference, file number or matter name (if known/if applicable):			
Please indicate if this is a Complaint or Feedback? (please tick)		Complaint <input type="checkbox"/>	Feedback <input type="checkbox"/>
Do you expect a response? (please tick)		Yes <input type="checkbox"/>	No <input type="checkbox"/>
Description of Complaint or Feedback			
<i>Attach further pages as required</i>			
How do you expect your issue may be resolved?			
Signature			Date
Office Use Only	Receiving Officer: Date Received: Referred to:		