

# 2022 COAT VICTORIA CONFERENCE



## Navigating the sea of health and justice needs in the delivery of Tribunal services

Tribunals are responsible for making civil and administrative decisions about matters that intrude into every aspect of society and the lives of citizens. The significance of these decisions demands a high level of fairness. Tribunals have traditionally responded to questions about fairness by focusing on improving accessibility and providing low-cost proceedings with straight forward procedures. However, the community is increasingly asking tribunals to deliver services and to adopt an approach to decision-making that recognises and responds to the legal, health and psychosocial issues that parties experience.

### This conference will:

- explore the challenge of providing tribunal services that respond to the health justice needs of users
- reflect on and discuss the person-centred, collaborative, therapeutic and problem-solving approaches to decision-making that have been adopted by some tribunals
- examine the skills and training civil and administrative decision-makers need to meet the community's expectations of future tribunals.

The Council of Australian Tribunals (COAT) is a national body, through which tribunals come together to examine and compare ideas, working methods, organisation, and management with the aim of promoting and developing best practice models for tribunals; and, to provide a forum for education, research, and reform in the field of administrative justice.

The Victorian Chapter of COAT has a diverse membership across, both Commonwealth and State-based tribunals, including the Victorian Civil Administrative Tribunal, the Mental Health Tribunal, and the Administrative

### Date:

**Friday, 21 October 2022  
8:30 – 16:00**

### Where:

**Oaks Melbourne Market Hotel  
60 Market Street, Melbourne**

### Cost:

**\$190.00 (Member)  
\$220.00 (Non-member)  
\$150.00 (Students)**

### This will be an in-person event.

The full program and registration information will be available soon. In the meantime, mark the date in your diary

For enquiries – Please contact  
**[vicchapter@coat.asn.au](mailto:vicchapter@coat.asn.au)**

## FRIDAY 21 OCTOBER

0830

REGISTRATION AND TEA/COFFEE

### OPENING SESSION

#### SESSION ONE

0900

##### WELCOME AND INTRODUCTION

**Presenter: Matthew Carroll**

President COAT Victoria and President, Mental Health Tribunal

##### ACKNOWLEDGEMENT OF COUNTRY

#### SESSION TWO

0915

##### BETTER LAW FOR A BETTER WORLD: NEW APPROACHES TO LAW PRACTICE AND EDUCATION – THE INTERSECTION BETWEEN SOCIETY, HEALTH, AND THE LAW



**Presenter: Associate Professor Liz Curran**

Clinical Legal Education and School Research Impact Lead, Nottingham Law School, Nottingham Trent University (UK based) and Principal, 'Curran Consulting: Enhancing Justice & Human Rights' (ongoing).

**Overview:** Associate Professor Curran will provide (via video) an introduction to the conference outlining how the law can be improved through the development of health law partnerships as an overview of themes in her recently published book *[Better Law for a Better World: New Approaches to Law Practice and Education](#)*, Routledge UK, April 2021.

1015

MORNING TEA/ COFFEE

## SESSION THREE

### WHAT, WHERE, AND HOW OF HEALTH LAW PARTNERSHIPS – AN EXPLORATION FROM DIFFERENT PERSPECTIVES

**Overview:** Moderated discussion exploring what are health law partnerships and how they may assist tribunals to navigate decision making where parties are experiencing legal, health and psychosocial issues. The discussion will explore the role of tribunals in addressing health and legal inequalities for vulnerable members of our community such as those experience mental health issues, acquired brain injury and intellectual disability. Person-centred, collaborative, therapeutic and problem-solving approaches to decision-making that have been adopted by some tribunals will be discussed.

#### Presenters:



#### **Dr Tessa Boyd-Caine – CEO, Health Justice Australia**

Dr Tessa is the founding CEO of Health Justice Australia, established in 2016 as the national centre of excellence for health justice partnership. Originally a criminologist, she has worked in health, criminal justice and human rights organisations in Australia and internationally.



**Dr John Serry – Consultant Psychiatrist (retired) and Psychiatrist Member, Mental Health Tribunal**

Dr John Serry held consultant roles at the Royal Melbourne and Moorabbin Hospitals and was a clinical teacher at both Melbourne and Monash Universities over three decades. John's private practice in adult psychiatry ended in 2005 and he was appointed to the Mental Health Review Board in 2008, continuing in the Mental Health Tribunal as a sessional Psychiatrist Member sitting twice a week.

John's interests in psychiatry have been in liaison psychiatry, the doctor patient relationship and general psychiatry employing both medical and psychotherapeutic approaches.



**Matthew Swainson – Chief Counsel, National Disability Insurance Agency**

Matt Swainson was appointed Chief Counsel of the National Disability Insurance Agency (NDIA) in May 2022. Matt leads a division of over 200 people responsible for the operation of the NDIA's Legal Services and Administrative Appeals Tribunal function.



**Ms Tania Wolff – President, Law Institute Victoria; Director of Legal Services, First Step Legal; and Legal Member, Mental Health Tribunal**

Tania is the President of the Law Institute of Victoria (LIV) for 2021 and 2022. She has more than two decades of experience in the law, encompassing commercial law, in-house counsel roles (in Australia and internationally) and criminal law. She is a LIV Accredited Specialist in Criminal Law and has been a member of the LIV Council since 2016. Tania is also the Principal and Director of First Step Legal, a health justice partnership based in St Kilda which works to support those with mental health and addiction issues to help them to achieve better health and legal outcomes as well as address the issues underlying their offending behaviour. Tania is also a sessional Legal Member on the Mental Health Tribunal.

**Moderator: Ms Emma Montgomery – Secretary, COAT Victoria and Senior Legal Member, Mental Health Tribunal:** Emma has been a Senior Legal Member at the Mental Health Tribunal for eight years. Prior to her appointment, Emma led the review of Victoria’s *Mental Health Act 1986* following the introduction of the *Charter* and the subsequent legal policy reform culminating in the implementation of the *Mental Health Act 2014*.

1230

**LUNCH**

**AFTERNOON SESSION**

**SESSION 4**

1330

**BETTER DECISION-MAKING FOR YOUNG PEOPLE AND ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLE**



**Presenter - Ms Meena Singh Commissioner for Aboriginal Children and Young People, Commission for Children and Young People, Victoria**

Commissioner Singh, a Yorta Yorta woman, brings a wealth of skills and experience to this critical role – including as a Victoria Legal Aid lawyer representing children and young people in child protection and youth justice, together with multiple roles of key relevance to the Commission's work, including with the Victorian Aboriginal Legal Service, Human Rights Law Centre, and Aboriginal family violence support service, Djirra.

**Overview:** Commissioner Meena Singh will present on access to justice and decision-making issues from the perspective of her current role and her experience as an advocate and educator, providing information about inclusion for young people and those of Aboriginal background.

**Moderator - John Longo: Deputy President, COAT Vic and Senior Member, Administrative Appeals Tribunal**  
**John has been a member of the Administrative Appeals Tribunal (AAT)**

since amalgamation in 2015, having been assigned to both Social Services and Child Support Division and Migration and Refugee Division during this time. Prior to this, John was a full-time member of the Social Security Appeals Tribunal since 2007. John is currently a Senior Member in the Social Services and Child Support Division of the AAT.

**SESSION FIVE**

**DO NOT BE AFRAID! EMBRACE INNOVATION AND LIVED EXPERIENCE**

**Overview:** Moderated discussion on the need for modern Tribunals to embrace innovation and lived experience to achieve outcomes that are a positive intervention in people's lives. The panel will discuss how the COVID-19 pandemic has created opportunities to change accepted 'ways of doing' and to introduce innovative practices and perspectives that have the potential to transform the delivery of tribunal services.

## Presenters:



**Adjunct Professor Rob Hulls AM - Director, Centre for Innovative Justice, RMIT University, Restorative Justice Project**

In October 2012, Rob returned to the University to set up the Centre for Innovative Justice (CIJ) as a place to develop, drive, and expand the capacity of the justice system to meet and adapt to the needs of its diverse users. In the five years since it began the CIJ has produced groundbreaking work on issues concerning family violence, disability, justice systems and processes and human rights.



**Stan Winford - Associate Director, Open Circle, Centre for Innovative Justice, RMIT University**

Stan is a practising lawyer and justice system expert with experience in innovation and reform, including user-centred design and applications for restorative and therapeutic justice in criminal and civil law. Stan's work with the CIJ includes addressing the needs of victims of crime, improving justice responses for people with mental ill health and intellectual disability, and developing more effective approaches to reducing future offending. Open Circle is a restorative justice service within the CIJ at RMIT University.



**Dorothy Armstrong - Advisor and Peer Support Worker, Centre for Innovative Justice, RMIT University**

Dorothy Armstrong is working on the CIJ's Supporting Justice Project as an adviser and peer support worker. Dorothy was previously involved in the CIJ's Enabling Justice Project as a member of the Justice User Group. In 2018 Dorothy received a Victorian Disability Award for her advocacy work for people living with disability and trauma.

**Moderator - Peter Britten-Jones – Deputy President, Administrative Appeals Tribunal**

Peter has almost 30 years' experience as a lawyer since graduating from Adelaide University with a Bachelor of Laws and of Economics together with a Master of Laws attained later. Peter started his legal career as an Associate in the Supreme Court of South Australia. He was a partner in a commercial law firm before being called to the independent bar where he practised as a mainly commercial barrister for 12 years. In 2016 Peter became a part time Senior Member at the Administrative Appeals Tribunal and then a full time Deputy President in 2018. In March 2019 he was appointed as head of the General Division of the Administrative Appeals Tribunal. He continues in that role. Peter moved from Adelaide to Melbourne at the beginning of 2021 and is a Collingwood supporter.

1530

**SESSION SIX**

**CONCLUSION - DRAWING ON THEMES TOGETHER AND CLOSE**

**Matthew Carroll** - President VIC COAT and President, Mental Health Tribunal

1540

**AFTERNOON TEA**



1600

END OF PROGRAM