



Home Government Review of NSW Civil and Administrative Tribunal [NCAT]

## NSW Civil and Administrative Tribunal [NCAT] review: Corrupt government officials

**AdMich** of US  
A<sub>A</sub> Jan 12, 2017 4:00 pm EST Review updated: Oct 17, 2022

★ Featured review

NCAT stands for NSW Civil and Administrative Tribunal, sounds official except they are a really corrupt organisation.

As a builder I had the misfortune of dealing with a client who was doing everything in his power to scam me out of remaining monies owing on a renovation that was completed at his house to very high standards.

He not only owed me \$12, 000 he lodged an application to get refunded monies he had paid me sighting shoddy work & writing up a whole stack of lies. NCAT refused to assist me and side with the client without relying on facts, truth or even reason.

I found it impossible to be treated fairely through NCAT it was like I was dealing with an organisation who only support consumers, they were literally hopeless, disorgised, rude and rather blank in dealing with me. A group of 5 year olds would of had more intelligence or common sense- they were unhelpul and obstructive every step of the way!

its no wonder the home building industry is in so much trouble with builders refusing to do residential work anymore due to the scammy customers using s### organisations like NCAT to get away with murder.

Its time Australian politician did something to support business, or this country is going to go down the tube. They can start by SAVING public revenue and dismantling the totally useless NSW Civil and Administrative Tribunal.

I won the case but it took many wasted days and frustration, NCAT is nothing more than a group of corrupt, re#####ed half wits getting paid fat salaries for achieving no real justice - the IQ levels were incredibly low, they were careless, losing documentation and even covering up for the applicant, very very corrupt.

NSW Civil and Administrative Tribunal is a corrupt, unethical organisation that only works to justify its own useless and frankly harmful existence.

Time for government to get serious, and cut this waste out, we have so many more needy priorities where the money would better serve the public than a misguided group of re#####s pretending to be god & the law.

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**DDS8** of Sydney, AU

Oct 17, 2022 9:20 am EDT

Lot of references about problems with CTTT/NCAT have been published, including attempts to have Royal Commission.

This will stand out even more: bad news for any future NCAT Applicant. There is a simple trick that will guarantee respondent to win, no matter what evidence the Applicant has:

1. Respondent must hire a Solicitor as a first step.
2. Respondent then does not attend any mediation at Fair Trading NSW or Hearings at NCAT.
3. Solicitor, on behalf of Respondent, coerce the Tribunal to ignore Applicant's evidence due to fact that the Respondent did not read it and did not attend the Hearing to "defend themselves".

What is the proof of above statements:

CTTT/NCAT cases (SCS 12/32675 and SC 20/33352) which, based on Australian legal system, allow other parties to now use as valid defense. The two attachments show same Tribunal member making completely opposite decisions:

4. In NCAT case Ashlin-v-The-Owners-Strata-Plan-No-[protected]-NSWCATAP-413-21-December-2021 he highlighted problems with ignoring evidence.

5. In NCAT case SC 20/33352 he ignored evidence because the Respondent did not attend the Hearing which they were notified about four months in advance!

6. Even worse, in CTTT case SCS 12/32675, Solicitor persuaded the Tribunal member to strike out Motion because the Respondent was "overseas", whilst the same evening, as luck had it, the same Respondent was present at the general meeting. Tribunal and Solicitor were warned about this falsified statement: both parties stayed silent and took no action.

..., where a decision-maker... Neither party sought a...  
 case and contrary to an... expounding his compla...  
 the decision-maker, this i... he management of the...  
 WLR 725 at 728; *Pollarc*... corporation did not cross...  
 [62]-[63]; *Eadie v Harvey*... the owners corporation...  
 Mueller then made oral r...

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**J** **john fardell** of Sydney, AU  
 Jul 28, 2021 8:20 am EDT  Verified customer

I have attended hundreds of hearings in a professional and personal capacity for over 30 years.

1. The staff have very secure jobs and generally are helpful but many are just incompetent and could not care less about you or your case. These are the ones you see smoking on the footpaths during work times.
2. Tribunal Members vary considerably in their decisions on virtually the same type of cases, so no applicant can expect a result based on previous experiences. More so, bias and mood of the day is obvious.
3. Some decisions against landlords are just so outrageous it could be assumed that the Member hates landlords and must be behind in his own rent.
4. You get a verdict in your favour ! So what, all you have is a piece of paper but no money and a lot of work and expenses fixing your rental home. I have had to clean

out [censored], dead animals left stinking in homes that have been trashed after 3 adjournments have been granted for "being ill", flat tyre and could not get to hearing, because death in the family ( no body produced ) . An extra 6-8 weeks rent free and extra time to further wreck the dwelling.

5. Virtually any evidence from a rogue is acceptable but a plaintiff has to be on top of the game to be believed, even with the photo evidence and his own witnesses,

6. Forget the long winded appeal process. Do you really believe a Member is going to say a fellow Member got it wrong ? Seriously !

7. Beware of going to Adjudication. Chances are the Adjudicator has an "L Plate" on and you will get a long legalistic lot of waffle that has nothing to do with justice or plain common sense.

8. COVID. Great - no in-person hearings, no oaths to be given, heaps more time on paper work and months before you get a verdict. Staff hide behind closed doors and don't come out when you ring the "service" button.

HAVE FUN FOLKS !

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**A**

**Angry Ian** of US

Jan 12, 2022 2:10 am EST

Replying to [comment of john fardell](#)

I am disgusted with NCAT doing everything in their power to make it so difficult to expose NSW Police Corruption through a GIPA - FOI/ NCAT hearing. They work in with the Police. They need disbanding and dismissal. A COMPLETE WASTE OF YOUR VALUABLE TIME.

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**F**

**Francebinder** of US

Jul 22, 2021 6:37 am EDT

So extremely corrupt, they allow legal colleagues to represent parties with no good reason, i was even told by member moss i wasnt allowed to respond to the complaint against me by a corrupt abusive strata committee, against all laws in australia the right to respond! Member stuart sutherland couldnt read a basic wording in an order and i had to pay to appeal his inane and completely beyond the law judgement, an absolute joke, some corrupt others disturbingly stupid. Overall a complete waste of

tax payer money, they dont follow laws and procedure, in that sense a corrupt violating joke with lawyers rubbing the backs of colleagues allowin\* them leave with no good reason under the civil administrative act and against what ncat is for. corrupt disturbing behaviour and turning a blind eye to the conduct of their, equal colleagues with the registrars approval by denying and ignoring rights to the civil administrative act. A pathetic corrupt joke

Helpful?  0  0

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S

**Saku Diamond** of US

Oct 28, 2020 10:33 am EDT

The Equal and opportunity Division at NCAT is for the public agencies, NSW Ombudsman and the Police of NSW. Member does not order the corrupted Police to release the audit reports and COPS event report to conceal the misconduct.

Helpful?  0  0

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A

**Alysa Porter** of US

Aug 20, 2019 5:34 am EDT

According to ncat its fine for one party to submit a 270 odd page bundle of documents but not others...different rules apply for different people, no rules or based on anything other than the mood of the tribunal member knowing they can pretty much act in any way they like. Unsure why someone would be berated for a bundle of documents other than it prevented a short days work. Given the documents are necessary information, ie managers agreements which may be 50 pages long but which must be included as support material. What an absolute disgrace ncat is. Unit owners either live in something falling apart or live in lord of the flies where ncat enables bad behaviour outside of the strata schemes act by applying a different attitude on different people. Enabling those to continue breaking the strata schemes act since they dont question that behaviour. Unit owners have no rights to most legislation and acts others have rights to. When i state that the council says a bin bay must be accessible, they stated that a wheel chair must be able to access it, which is what they define as accessible, and the council differentiated between the accessible bin bay and the other in my support material, and when ncat rubbish argue accessible can mean anything, over a request to access common property which was the original fabric of the common property, then there is something very wrong with ncat.

Helpful?  0  0 Share Reply**A****Alysa Porter** of US

Aug 20, 2019 1:37 am EDT

Not just pro consumer, perhaps just random judgements based on being annoyed if the folder of support material is too big and may make them get out of the place later than 4pm. I was berated in a strata orders case requesting a key/use of common property requestor an elderly person with certified vision impairment for what was the accessible certified bin bay entrance under sepp65, since this had been padlocked even though it formed the original intent and was required by the strata building. Plus some other reasonable order requests. I got told i should have a lawyer yet the ncat information says it is an arena where lawyers are not encouraged. If i stated reasonableness, which is considered in all courts of law, i was told i needed to state a law, if i stated laws such as state building legislation i was told he didnt want to hear it, if i stated the strata schemes management acts that too meant nothing. I was also told i could have done something sooner when i had followed all fair trading directed me to do : mediation the other party deliberately delayed for 4 months, and that the strata roll i required for my submission but which the other party prevented me obtaining outside of actual strata schemes legislation via a paid for a records search, could have been obtained through a summons...not a word to the party breaking the legislation just me being berated for following directions correctly from fair trading. Then after mentioning the party had spent almost \$30000 on legal costs for a minor infringement which resulted in a special levy, the guy said they could have leave to have a lawyer to defend things such as request for a key for a vision impaired 82 yr old person for the accessible bin bay gate, required under sepp65 and the council, they had padlocked! The guy had not even read through my orders request since he also berated me for having things there I wasnt even seeking orders for plus telling me more or less that i was rehashing the past when i had never sought orders previously. So much for ncat directions and ethos of discerning the 'real reasons' for events occurring in order to keep them from returning and more expense to the tax payer. What a joke. Also the entire strata schemes management act seems to mean absolutely nothing to this strata forum in my opinion. Unit owners are not really protected by any laws, be it sepp 65 legislation or the strata schemes management act. NCAT should make it clear on their website that actually the strata schemes management act means nothing in preparing a strata case with them, from my experience, apparently its fine for people to break the strata schemes management act continually. Also dont bother creating a folder with support material some tribunal members take an immediate dislike to this. I was even berated by the tribunal member for having too many orders

to look at, wow 5 simple orders of things which have built up over a two yr time span. Nothing on the ncat form stating i should only submit one, but apparently since 'most people' only have one order I should have known better. The form itself which i had to pay to submit, doent say you must only have one order. NCAT should make it clear this annoys some tribunal members. Dont bother wasting your time and money when apparently, from my experience, those acting outside the strata schemes management act are enabled by this forum to continue to do so without so much as a word about that conduct just the person with too many orders requested...5...being berated for an entire directions hearing.

Helpful?  0  0

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**CMont of AU**

Apr 11, 2018 5:21 am EDT  Verified customer

Corruption Definately I agree .

Why in the hell has government body taken over legal proceedings why not be like other countrys have small claims courts at least you have a chance with a judge and some commonsense applied to the law.

Also solicitors .

Seriously as a property owner and also a former law enforcement background I found this process aboslutely one sided to the point of tribunal members fabricating evdience that wasnt even there for tenants ( looking for pictures which did not even exist ) whereas would dismiss property owners evidence and photos .

Also making jokes about property owners for tenants to laugh with him .

Threatening that his word is final?

There was also numerous reports submitted by proeprty owner ie insurance assessment report on approved malicious damages claim instead of looking at facts NCAT look for anyway to malign property owners evdience and dismiss it on any technicality like the author ie building / insurance assessor did not disclose his qualifications ? WTF seriously an insurance assessor is not going to be someone off the street? why would insurance process a non valid claim? IT is defiantly very non commonsense . I also had numerous times tribunal members these are persons suppose to have a high level of apptitude and commonsense to make judgement on legal matters . One would think ?

But no even had to explain to them why a 2.2 tonne 4wd can not be driven on a septic trench ? every bit of information every council every environmental management report on evaportaion pits state to be fenced and no vehicles driving on them not even a 400kg cow no livestock let alone cars which weigh 4 times that? It is just commonsense that plastic pipes 150mm under the soil and top grass level for

evaporation purposes can not have heavy objects on it its really a no brianer . So high aptitude i have not seen any nor commonsense applied to the law.

It is very irrational and it does basically feel like you are not only up against tenants but you are up against the tribunal members .

It is im sure a govt junket tribunal members can stay in this job till age of 85 yrs old . Also how do they get thier jobs friends of mates pollys ? i reckon so .they are on high wages hrly rates why would they want bad tenants to be accountable ? when they can just cycle them back out into the system and keep employed very legally lazy ( there is no way they even read your information sent you can 100% tell ).

If there was small claims courts you would have a chance imagine Judge Judy man she would deal with a case in 20 minutes very efficiently applying commonsense to the law, wheras NCAT would drag that sucker out for 10 court hearings at an hrly rate a govy junket 100% . tribunal members flying around from sydney, junket city.

Probably retire at huge pensions too . all on taxpayers money .

IT does need investigating .

trouble is NCAT only investigate NCAT .

waste of time even trying .

Secondly the local members will not even go there .

they rave about how good it is in handsart though but in reality none of them would know what actiually goes on if you read the code of conduct of tribunal members the reality of it is very opposite, as a whole . I have also done a bit of a study and yes gone and watched other hearings .

It is quiet disturbing if you have been to normal court where decisions are based on evidence not one sided Govy Junket .

It is disturbing and is a soul depleting process .

no wonder insurance premiums are so high there is no fair non prejudice recovery system . Plus if people get away with bad behvaiour its actually premoted by NCAT as a proeprty owner hows this i was told by a tribunal member SO you only had to use hydrochloric acid to clean the motor oil off your floors that only cost you the acid and your time ? Are you [censor] kidding me?

For one im using acid which is fatal if inhaled . it burnt my eye balls with saftey glasses on thats just vapours in the breeze when i opened the lid.

it took me hrs i bought safety gear masks, overalls, boots, gloves .

I also could not get the stains out or odours of motor oil and greese to this room it had 2x 80cm doorways what the hell are car motors doing in there to begin with?

I then employed painters who did 2 pack which cost thousands to hide the ugly repulsive blotch oil patches and vapour which would make you pass out it was very heavy odour. And why the hell and i cleaning up tenants [censor] mess? Is this even for real ?

So after hearing a tribunal member telling a property owner this basically making

excuses for grubs who damage peoples homes Tribunal member also said oh well you have insurance ?

Once again this is disgusting to say the least. Lets just premote disfunctional society with nil accountability cycle them back out there and keep tribunal members employed to the age of 85 . Yes more people need to stand up but stand up together so this dodgy organisation can be dismantaled .

IT is a failing system to the workers ie small bussiness and also property owners no wonder NSW has a housing accomodation shortage of course you only need to go through this once i would tell anyone waste of time dont bother you will never get anywhere never rent your home and public confedence 0 .

Really needs investigation but unless people stand together as many individual complaints to the nsw obudsmen will not be taken seriously . maybe lets ring and speak to radio stations ask for others with bad experiences to call in .

This is a system failing and definately is not the system the NCAT presidents praises and statements make out far far from it .

Maybe Current Affair ?

John Laws?

Definately the obudsmen, get your taped hearings send them in it is a plan anyways . I know by the time everyone is through the other side of this depleting time wasting process they are over it but changes will never happen if everyone just gives up they keep getting away with it .

Anyways food for thought for all us who have survived this process without being committed to a mental ward .

Helpful?  0  0

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**B**

**Builder63** of AU

Sep 10, 2017 7:00 pm EDT

I'm a builder also and discovered that the NCAT are pro the Consumer.

In the two Hearings the Members sided with the consumer.

In an Appeal Panel Hearing the two Members ask you to present your claims and supporting evidence, yet if you incorrectly quote info from your evidence they quickly intervene and accurately correct you by referencing the evidence. The Members know the truth of the matter yet will rule against you for the sake of finalising the matter. I'm in the process of applying to the ICAC and I know this will be a waste of time, however I will also present my clear and accurate evidence to the President of the NCAT.

I have also discovered that if you have all the correct evidence submitted, they either ignore it and place little weight on the evidence submitted.

Another interesting note, I sort advice from a solicitor, I was provided a list of solicitors from the NSW HIA and noticed that one solicitor was a Member of the NCAT. Thinking I would get a fairer and informed solicitor, that also proved to be a waste of time and money. In our initial consultation I explained what had occurred and the surprise on the NCAT solicitors face was amazing. I thought, great finally someone understands the situation and the failure of the Member in the Hearing. After they fluffed around for 3 weeks, they came back and said you've got not hope in your Appeal matter. They were right, even after submitting all the correct evidence, the Appeal Panel ruled in favour of the consumer. Here's the funny part, I have a copy of the the Hearing recording and the consumer mislead the Panel, yet the Panel knowing all the evidence did nothing.

Corruption? definitely...

Helpful?  0  0

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J

**john fardell** of Sydney, AU

Jul 28, 2021 8:32 am EDT  Verified customer

Replying to [comment of Builder63](#)

Not really corrupt but generally incompetent and a great job for many politically associated Lawyers who would survive if employed outside the public service.

Helpful?  0  0

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