

SACAT Hearings and Decisions

Access to SACAT Hearings and Decisions

Open Justice

Open justice is the principle that justice should not only be done but should be seen to be done.

The aims set out for SACAT in legislation include that the Tribunal should provide open justice whilst also ensuring appropriate confidentiality of information where required.

The two primary ways that SACAT achieves open justice are by allowing the public to attend hearings at SACAT to observe, and by making its decisions available to the public either on the internet or by application to the Registry.

Attending a Hearing

Most of SACAT's hearings are open to the public to attend, similar to court hearings.

You can access a list of SACAT's hearings which are updated daily on our website [here](#).

In some cases, SACAT is required to keep hearings closed by law. This is the case for hearings regarding guardianship and administration, and mental health matters. Any information disclosed in these types of matters must also remain confidential. Penalties apply for disclosure of information and non-compliance with a SACAT order.

Some SACAT hearings are closed by the Tribunal at its discretion. This means that only the people involved in that matter can attend the hearing. SACAT does this to protect the confidential nature of the evidence to be given or for any other reason SACAT believes is sufficient.

If you wish to attend a SACAT hearing you should contact the SACAT registry to ensure that you may attend, and so appropriate arrangements can be made where necessary.

If you have been sent a notice of hearing, you do not need to contact the registry. Some hearings are conducted by telephone and are not suited to observing.

You can contact SACAT on 1800 723 767 or at sacat@sacat.sa.gov.au.

Publication of Decisions

SACAT issues many thousands of decisions each year. People who are parties to SACAT proceedings will always be provided with a copy of the decision without charge.

SACAT publishes a small number of its decisions on www.austlii.edu.au which is free to access. The decisions we publish often relate to internal reviews (appeals) of earlier decisions, and more complex administrative review decisions. SACAT publishes the vast majority of its decisions concerning disciplinary proceedings against professionals.

The reasons for publishing a decision are to provide transparency in SACAT's decision-making, to provide guidance to the community about the interpretation and application of the law, and to contribute to public confidence in professional standards.

Members of the public and professionals such as journalists may also apply to access a copy of an unpublished SACAT decision or any material involved in a SACAT matter. If this material was provided in a hearing held in private, then the Tribunal may not provide permission for access to this material. You can make such an application by following the process set out on the SACAT website here: <https://www.sacat.sa.gov.au/applications-and-hearings/fees-and-charges/requesting-transcripts,-audio-or-other-documents>.

Anonymisation of SACAT Decisions

In some circumstances, SACAT will anonymise certain details in its published decisions. This is done to protect the confidential and sensitive information of people involved in SACAT matters, or as required by law. For example, a decision may anonymise a person's name, their address or any identifying details such as their age.

SACAT may do this on its own initiative or on the application of a person. You can do this by raising it at a hearing in your matter, by sending an email to sacat@sacat.sa.gov.au or providing a written request to GPO Box 2361, Adelaide SA 5001.

This request should include your SACAT reference number, state the details you want anonymised and why you think they should be anonymised.

All decisions regarding guardianship & administration, and mental health, are automatically anonymised as required by law.

Confidentiality and Non-Publication Orders

If you are a party in SACAT proceedings, you can request that SACAT not publish its decision.

You can do this by raising it at a hearing in your matter, by sending an email to sacat@sacat.sa.gov.au or providing a written request to GPO Box 2361, Adelaide SA 5001. This request should include your SACAT reference number and state why you do not want the decision to be published.

SACAT can also make orders that a hearing be held in private, that certain information is not published or excluding a person from a hearing. You may make an application for these orders in the same ways. It is important to make your request promptly before any action is taken.

Contact details

For further information and assistance in attending a SACAT hearing, accessing a SACAT decision, applying for anonymisation or confidentiality/non-publication orders, please telephone SACAT on 1800 723 767.

This Information sheet does not constitute legal advice and does not relate to the circumstances of any individual matter. If you wish to have legal advice you should seek that independently.