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We welcome the opportunity to provide this input.

VCOSS Submission to Remake of Victorian Civil and Administrative Tribunal fees

Executive Summary

VCOSS welcomes the opportunity to provide feedback to the Department of Justice and Community Safety (the Department) on government proposals to reform *The Victorian Civil and Administrative Tribunal (Fees) Regulations 2016* (the Regulations).

As the peak body for social and community services in Victoria, VCOSS recognises the critical role the Victorian Civil and Administrative Tribunal (VCAT) plays in Victoria's justice system, as a cheaper alternative to courts, including lower fees.

While VCAT resolves disputes under more than 150 Victorian Acts¹, the Residential Tenancies List is VCAT'S highest volume list, receiving an average of 45,000 new cases each year².

¹ Department of Justice and Community Safety 2026, 'Victorian Civil and Administrative (Fees) Regulations 2026', Victorian Government, <https://engage.vic.gov.au/vcat-fee-regulations>.

² Anika Legal 2025, 'Unrepresented: Improving VCAT and RDRV for self-represented renters', <https://anika-clerk.s3.amazonaws.com/documents/Unrepresented - Anika Legal - November 2025.pdf>.

VCOSS' annual Renting in Victoria reports consistently finds low-income and disadvantaged Victorians rely on VCAT to uphold their rights and safeguard them from eviction.

This underscores the critical role that VCAT plays in ensuring access to justice, a cornerstone of a fair and equal society. However, this can only be fully realised if key equity measures are built into the service model, including concessions and fee waivers.

We support the Victorian Government's initial review of VCAT fees which identified opportunities to strengthen equitable access to justice. We are pleased that the Regulatory Impact Statement (RIS) recognises the current Regulations provide insufficient fee waivers or reduced fee options for those with lower capacity to pay, specifically pensioners and veteran gold card holders. This is the central regulatory issue that the government should prioritise in this process.

To this end, VCOSS is strongly supportive of the proposed fee structure which expands access to justice for vulnerable Victorians, including expanding fee waivers to victims of crime and expanding concessions for people unable to access fee waivers.

VCOSS' key recommendation is that the concessional rate be extended to Seniors Health Care concession card holders.

The Proposed fee structure will strengthen access to justice for vulnerable Victorians, but there are further opportunities to broaden the concessions eligibility.

Recommendation 1: That the Victorian Government extend the concessional rate to Seniors Health Care concessions.

VCOSS strongly supports the principle that VCAT fees should be structured to enable access to justice for all parts of the community, including mechanisms such as concessions and fee waivers.

Both Option 2 and Option 3 propose a new fee structure which seek to strengthen access to justice by:

- Expanding waivers to include a review of applications by victims of crime to the Financial Assistance Scheme (FAS), so victims of crime do not face additional barriers.
- Expanding concession fee payer categories to include pensioner concession card holders and some veteran gold card holders, to better align with Commonwealth policies.

VCOSS is strongly supportive of the proposed fee waiver for victims of crime applying for review of FAS decisions, as well as the continuation of fee waivers for clients of Community Legal Centres, Victoria Legal Aid, and other not-for-profit legal providers.

However, while the expansion of eligibility to other concession card holders is a welcome improvement, we are concerned that the proposed regulatory changes will still exclude key groups including card holders of the means-tested Senior Health Care Cards.

VCOSS recommends extending concessional eligibility to Seniors Health Care holders to strengthen equitable access to justice.