

TOWARD THE HORIZON TRIBUNALS OF THE FUTURE

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The High Court's Decision in *Burns v Corbett*: Consequences, and Ways Forward, for State and Territory Tribunals

Dr Anna Olijnyk

Lecturer, Law School, The University of Adelaide

The High Court has confirmed, in *Burns v Corbett* [2018] HCA 15, that State tribunals cannot exercise judicial power in matters of the kinds identified in ss 75 and 76 of the Constitution. This includes matters between residents of different States; or involving Commonwealth laws; or in which a constitutional issue is raised. But, as this paper will explain, *Burns v Corbett* has practical consequences for the exercise of *any* judicial power by State (and, arguably, Territory) tribunals. This paper will outline those consequences, and introduce a range of reform options to address the effects of *Burns v Corbett* on State and Territory tribunals.