

THIRD ANNUAL AIJA TRIBUNALS CONFERENCE

Friday 9 June 2000

*The Chifley on Flemington,
5-17 Flemington Road, North Melbourne*

TRIBUNALS - SERVING THE COMMUNITY

A dominant theme of the third AIJA Annual Tribunals Conference is Tribunals - Serving the Community. Tribunals are designed to bring expertise to the resolution of disputes and to provide an efficient and cost effective means for dispute resolution. There is often a perception in the community that tribunals are unduly legalistic and that there is no great advantage to disputants in proceeding before a tribunal rather than a court. This perception may arise from a failure on the part of tribunals to communicate with their public and to provide the public with an understanding of tribunals and their work.

BACKGROUND

This is the third Annual Tribunals Conference organised by the AIJA to assist in the professional development of tribunal members and staff. The first Tribunals Conference took place in Melbourne in September 1998 and coincided with the Annual Court Administrators' Conference and AIJA Annual Conference. The second Conference took place in Sydney in September 1999.

PROGRAMME

- 8.30 am Registration, Tea and Coffee.
- 9.00 am **Opening and Welcome** by the Hon Justice Murray Kellam, President of the Victorian Civil and Administrative Tribunal (VCAT), Deputy President, AIJA.
- 9.05 am **SESSION ONE**
- Chair:** The Hon Justice Murray Kellam, President, VCAT, Deputy President, AIJA..

KEYNOTE ADDRESS

PROFESSIONAL EDUCATION FOR TRIBUNALS.

[Dr Kathryn Cronin](#), Deputy President, Australian Law Reform Commission.

In the recently issued Australian Law Reform Commission report on "Managing Justice" the Commission has reported on education and professional development for tribunal members.

Discussion.

9.50 am ***Powerpoint Display***
Ms Pamela O'Connor, Project Manager of the proposed Graduate Diploma of Tribunal Procedures.

10.00 am **SESSION TWO**

Convenor: Mrs Joan Dwyer, Senior Member, Commonwealth Administrative Appeals Tribunal.

THE EVOLVING STRUCTURE OF TRIBUNALS IN AUSTRALIA

His Honour Judge Terry Worthington, Chief Judge, District Court of South Australia

The Hon Justice Deirdre O'Connor, President, Administrative Appeals Tribunal

[The Hon Justice Murray Kellam](#), President, VCAT, Deputy President, AIJA

This session is designed to look at recent changes in the structure of tribunals in Australia and the implications which these have for the work of tribunals and their dealings with the public.

11.00 am Morning Tea.

11.30 am **SESSION THREE**

Convenor: Professor Greg Reinhardt, Executive Director, AIJA.

COMMON PROBLEMS ARISING IN TRIBUNAL HEARINGS

This session will deal with problems which arise in tribunal hearings and will involve the discussion, in workshops, of exercises which raise the following problems:

1. hearing management, including restricting the time available to the parties for examination and cross-examination of witnesses;
2. the relevance of the rules of evidence (this will stress the distinction between the informal nature of tribunal proceedings and the need to accord procedural fairness);
3. ethical matters which affect the conduct of tribunal hearings;
4. consistency in decision making;
5. expert evidence

It is proposed that each of the working groups report back in plenary session to the Conference.

A similar session was included as the final session on the programme for the second AIJA Annual Tribunals Conference held in Sydney. The view of participants was that it was desirable that this interactive session take place earlier in the programme but that the matters raised in the session were of importance to tribunal members.

1.00 pm Lunch.

2.00 pm **SESSION FOUR**

Convenor: Ms Anne Wallace, Deputy Executive Director, AIJA

COMMUNICATION WITH TRIBUNAL USERS AND INTEREST GROUPS

Ms Jane Fenton, Principal, Fenton Communications

Professor Stephen Parker, Dean of Law, Monash University

Mr Bruce Phillips, Director - Public Information, Federal Court of Australia

A short video of a small claims hearing will be included in this session.

3.30 pm Afternoon Tea.

4.00 pm **SESSION FIVE**

Convenor: Mr Graham McDonald, Chairperson, Superannuation Complaints Tribunal.

THE ROLE OF THE NON-LEGAL MEMBER IN THE WORK OF TRIBUNALS

[Professor Greg Reinhardt](#), Executive Director, AIJA

[Mr Tony Liston](#), Member, VCAT.

5.00 pm Close