

## PRACTICE DIRECTION 1: General – PLEASE READ FIRST

- 1.1** The Practice Directions of the Tribunal are made pursuant to Section 16 of the *Appeal Tribunal Act*.

They are to be complied with, unless a party has sought permission of the Tribunal to vary them (see *Practice Direction 3 - Procedures*).

- 1.2** The Tribunal's processes are legal proceedings which determine disputes having regard to the relevant law and the evidence presented by parties to those proceedings.
- 1.3** It is not a political process. Lobbying or weight of numbers is not a relevant factor in reaching a decision. You must not attempt to privately approach the Chairperson, Presiding Member or Members of the Tribunal Panel to discuss proceedings at any time.
- 1.4** The Tribunal is not an investigating body such as the Ombudsman or the Police, where a complaint is lodged and the matter is then investigated by that body of its own volition.
- 1.5** If you apply to become a party to proceedings before the Tribunal you are seeking to present a case to the Tribunal. You will be expected to comply with procedural requirements and actively present a case (preparing grounds of appeal, preparing evidence to present in the Tribunal and complying with all directions made by the Tribunal etc).
- 1.6** The Tribunal staff may not provide legal advice. They may only provide procedural assistance. If you have questions about the merits of your case, or seeking help in how to conduct your case, the Tribunal has a list of professional people who offer a free initial consultation of 15 minutes over the telephone to persons referred to them by the Tribunal.
- 1.7** At the end of legal proceedings the Tribunal must make an order regarding the costs that people incur as part of the appeal process. You should read *Practice Direction 15* regarding costs carefully and if necessary take advice. Apart from a filing fee the Tribunal does not charge the parties any costs or fees but orders may be made requiring one party to pay the costs of another party.
- 1.8** You must attend all appointments and hearings of the Tribunal which are listed during normal working hours. You may appoint representatives to appear on your behalf, however, you should read carefully the Practice Directions related to representation before the Tribunal (*Practice Direction 11: Representatives and Witnesses*) and comply with its requirements. A failure to attend any duly convened hearing may result in your proceedings being dismissed, your status as a party revoked and/or costs awarded against you.
- 1.9** Tribunal proceedings must be given priority. Holidays and work commitments are secondary to attending proceedings before the Tribunal and to complying with Tribunal directions. Only exceptional circumstances may give rise to variations to the hearing of proceedings (see *Practice Direction 3 – Procedures*).

- 1.10** All material submitted as part of your involvement in proceedings before the Tribunal are public documents and can be made available to the public for inspection.
- 1.11** Please note the Tribunal has a 90 day timeframe within which to hear and determine any appeal. See Section 16 (1) (f) of the Appeal Tribunal Act. As such the Tribunal will set directions on very short timeframes. The parties are expected and required to comply with those timeframes. Please note that in circumstances where a party may be denied natural justice, they may seek to vary those timeframes in accordance with the Tribunal's *Practice Direction 3*. However, there must be sufficient reasons to demonstrate why a variation should occur.