

Factsheet 6

Appearing at a Tribunal hearing

The Land and Resources Tribunal is an independent statutory body established under the *Land and Resources Tribunal Act 1999*. The Tribunal is a court of record although parties need not be legally represented but can appear in person or by an agent.

What is a hearing?

A hearing is a proceeding during which the Tribunal hears evidence and parties make submissions about the case. A Tribunal hearing is similar to a court hearing and is presided over by either a single Member or a panel of Members. The Tribunal must observe natural justice and act as quickly and with as little formality and technicality as is consistent with a fair and proper consideration of the issues before it. The Tribunal will assist unrepresented parties to understand procedures, but will not give any party legal advice about the matter.

Where will the hearing be held?

Hearings before the Tribunal are public and may be held in Brisbane or in regional cities and towns as required. Hearings may also be held wholly, or in part, by telephone or video link.

What should I prepare for the hearing?

It is important for an effective hearing that you are well prepared and able to present your case to the Tribunal in a concise and logical manner. It is advisable to make notes before the hearing about what you want to say and points you wish to raise. Bring all supporting evidence and documentation with you such as affidavits, statements, letters and receipts. Even if you do not feel an item is necessary, it is still advisable to bring all material relating to the matter with you.

Practice Directions

Directions are made by the President of the Tribunal as to how things can or should be done before the Tribunal. It is advisable to read each of these, before the hearing, on the LRT website.

Where do I sit?

When you enter the hearing room proceed to the bar table (the table that you speak from). Seat yourself on the right if you are the applicant or the left if you are the respondent. Do not proceed beyond the bar table unless instructed.

How does the proceeding begin?

When the proceeding starts a Tribunal Officer will ask everyone to stand as the Member/s take their place at the bench. You will then be asked to be seated. The same will apply when the Tribunal adjourns. The Presiding Member/s will then ask one of the parties to begin the presentation of their case. It is important to address the Tribunal clearly, succinctly and in a logical manner. While the other party is speaking do not interrupt. Members will ensure that each party has the opportunity to address all relevant issues.

What do I call the Members?

When addressing the Presiding Members refer to them as "President" or "Deputy-President" depending on who is talking to you. You should wait until the Members address you and you should stand when addressing them. Remember that the Members hold positions equivalent to judges and should be accorded the same respect.

When will the decision be made?

Once the Tribunal has heard the arguments of both parties a decision will be made. The decision may be announced at the end of the hearing or may be reserved in which case the Case Officer will contact you when it is to be handed down. The Tribunal gives reasons for all its decisions. The decisions will be made publicly available and can be accessed on the LRT website.

For further information

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Please note that the content of this factsheet is general information only.