



NCAT
NSW Civil &
Administrative Tribunal
Administrative & Equal Opportunity Division

Quote the number below for all enquiries
Case number 2017/00226200

Philip Charles Walker
cabalkarma@gmail.com

26 February 2018

NOTICE OF LISTING - DIRECTIONS

Case title	Philip Charles Walker v NSW Department of Premier & Cabinet Application under Government Information (Public Access) Act 2009
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The case is listed for Directions (GIPA and Privacy) on 27 February 2018 at 9:30 AM, John Maddison Tower Level 10, 86 - 90 Goulburn Street, SYDNEY NSW 2000.

Please arrive at least 15 minutes before the start of the listing. It is important that you are on time as the Tribunal may decide the case in your absence.

The decision made will be binding on you.

This matter is listed for a Directions hearing and not a Case Conference as previously advised.

Listing Enquiries

Listing details for cases are:

- published on the internet at http://www.ncat.nsw.gov.au/Pages/going_to_the_tribunal/hearing_lists.aspx on the afternoon before the case is listed;
- available on notice boards in the foyer of the Tribunal each morning.

Registrar

Directions List

A directions list is a group of cases that are listed before a Member at the same time. The Member will make directions as to what the parties need to do to resolve the case or prepare it for a hearing. The Member will set a timetable for the parties to give documents to the Tribunal and to the other party. Generally a hearing date is scheduled the first time the case is listed for directions.

Applying for a stay

You may be able to apply for the agency's decision to be suspended while you are waiting for the Tribunal's decision. This is called a 'stay'. You will need to fill out the form and post it or bring it to the registry. It cannot be faxed or lodged via the internet.

You need to give your reasons for asking for the decision to be suspended and bring any documents that you want the Tribunal to consider.

Tell us

Write to the Tribunal straight away if you:

- need an interpreter
- have any support requirements so we can discuss what assistance you may need
- want to participate by telephone because you live in a regional area or you are unable to attend for another reason
- have changed your address or phone numbers
- do not want to continue with the case and you are the applicant

What to bring:

- a list of the documents or witnesses you would like to summons. For more information read NCAT Procedural Direction 2 'Summonses' on the NCAT website.
- available dates for you and your witnesses for the hearing
- pen and paper to make a note of any directions and orders that the Tribunal Member makes

Can I represent myself?

Yes. The Tribunal's procedures are designed to help people who do not have a lawyer.

Can I have a lawyer or agent?

You have the right to be represented by a lawyer except for cases under the Community Services (Complaints, Reviews and Monitoring) Act 1993. You need to ask the Tribunal for permission to be represented by a person who is not a lawyer (an agent). Both you and the agent need to sign the Notice of Representation by Legal Practitioner or Agent Form and give it to the Tribunal. The form is available on the NCAT website.

What do I call the person hearing my case?

Each Tribunal Member will have their name plate in front of them. It is customary to address a Member as Your Honour if they are a Judge or Magistrate. Otherwise call them Mr, Mrs, Ms, Dr, Professor etc... and their last name.

What if I cannot participate?

If you do not participate the Tribunal Member may dismiss the case or make directions about giving and exchanging documents without you being there.

Applications for adjournment of a hearing are not encouraged and you should not expect that an adjournment will be granted even if all parties consent.

NCAT may refuse an adjournment if it considers that the adjournment is:

- not in the public interest
- prejudicial to the interests of one or more parties or the expeditious determination of the proceedings
- contrary to efficient case management, or
- otherwise unjust

Apply for an adjournment in writing attaching any supporting documents such as a medical certificate or travel bookings and the written consent of the other party, if it has been obtained.

Complying with the directions

All parties are expected to comply with the directions made by the Tribunal. If the directions are not complied with, the Tribunal may decide not to consider any material that is given late. If you are unable to comply with the directions you should write to the other party and ask them to agree to change the timetable. Whether or not they agree, you need to write to the Tribunal asking for the change and indicating whether the other party agrees or not.

Communicating with the Tribunal

All written communications including material to be given in proceedings must:

- be posted or delivered in hard copy to the registry (not faxed or emailed)
- be addressed to the Registrar (not an individual Tribunal Member)
- include the case number
- be copied to the other party (indicate that it has been copied to the other party by writing. *cc: name of party*, at the end of the letter)

Hearings are open to the public

Directions hearings are open to the public and are recorded. Most written decisions are published on the NSW Caselaw website www.caselaw.nsw.gov.au.

The Tribunal can make orders closing the hearing, suppressing a person's name or preventing disclosure of other information. See Administrative and Equal Opportunity Division's Procedural Direction 9: 'Publication, Anonymisation and Suppression' on the NCAT website.

Need more information?

Visit the NCAT website www.ncat.nsw.gov.au or contact NCAT on **1300 006 228**. For free legal information and assistance contact LawAccess on 1300 888 529.