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ARTICLES

Alternative dispute resolution at the AAT – *Hon Justice Garry Downes AM*

Alternative Dispute Resolution (ADR) is now widely used by the federal Administrative Appeals Tribunal (AAT). In this keynote address, the President of the AAT, the Hon Justice Garry Downes, discusses ADR options open to parties at the AAT. He points out how, at the AAT, use of ADR processes can have significant benefits both for them and for the Tribunal itself. He points out that not only may these processes successfully reduce costs but they can provide a setting which is less daunting for some parties than a formal hearing. He also mentions the work of the ADR Committee in monitoring the use of ADR at the Tribunal and says in that regard that comments and suggestions are welcome. 137

From allegation to outcome: The ACCC's decision-making process – *Graeme Samuel*

The Australian Competition and Consumer Commission's administration of the Trade Practices Act 1974 (Cth) means that its work touches many facets of Australian life. The ACCC seeks to maintain the public's faith in its processes by displaying a transparent, accountable and responsive regime which is open to wide scrutiny. Focusing on enforcement activity, this article examines the ACCC's decision making processes and review mechanisms. 140

University hearings: Student discipline rules and fair procedures – Bruce Lindsay

This article reports on research into student discipline procedures in Australian universities. As part of a research project into the quality of disciplinary decision-making, its object is to consider the question: are student discipline rules fair? It is an assessment that may be made in a comparison of student discipline rules operating at Australian public universities and the standards of procedural fairness operating at common law. In this study, discipline rules from 16 universities were examined in relation to elements generally viewed as central to standards of procedural fairness. They include the provision of a hearing, the provision of satisfactory notice, particulars and access to evidence, the right to cross-examination and representation, the provision of reasons for a decision, and the right to an appeal. 146

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