

TOWARD THE HORIZON TRIBUNALS OF THE FUTURE

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Has the Adversarial System Passed its Use-by Date?

Rob Hulls

Director, Centre for Innovative Justice, RMIT University

The adversarial system can trace its roots back to medieval times where disputes were settled by way of trial by combat: parties to a dispute fought in a single battle and the winner was proclaimed to be right, while the loser left with nothing.

While much may have changed in relation to the process, the "battle" continues in our courts and tribunals on a daily basis and it often leaves "combatants" feeling traumatised and disenfranchised.

The Restorative Justice work undertaken by the Centre for Innovative Justice, shows that there is a better way to repair the harm caused by crimes and to give those seeking "justice" better outcomes than the current processes.

This presentation will outline some of this work, in relation to sexual offences, culpable driving, family violence and workplace injuries.