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## WORKERS' COMPENSATION ARBITRATION SERVICE

### ARBITRATION PRACTICE NOTE

#### Correspondence with the Arbitration Service

##### Introduction

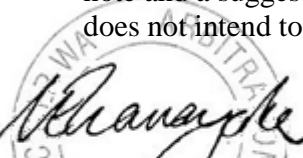
1. The Workers' Compensation Arbitration Service ("Arbitration Service") has noticed a recent increase in parties (or their representatives) corresponding with the Arbitration Service requesting that orders be made on a specific matter or agitating for changes to procedures more generally.
2. Where the correspondence relates to a specific matter, this may be inappropriate, as it does not allow other parties to the proceedings an opportunity to be heard. Where the correspondence is of a general nature, it is not an efficient use of Arbitration Service resources to respond to each query or request on an individual basis.
3. This practice note sets out the expectations of the Arbitration Service in relation to correspondence and the Arbitration Service's response to receiving such correspondence.

##### Practice and procedure relating to correspondence

4. In order to assist the efficient administration of the Arbitration Service, the following procedures should be adopted:
  - (a) Where a party seeks orders in relation to a specific matter, correspondence requesting that those orders be made (even if copied to the other parties) is not appropriate. Instead, a party should file an interlocutory application in accordance with the Workers' Compensation and Injury Management Arbitration Rules 2011 setting out the orders sought to be made or varied or, where possible, filing consent orders.
  - (b) Where correspondence relates to the practice or procedure of the Arbitration Service more generally, the appropriate process is for that matter to be referred to a member of the Dispute Services User Group to be discussed at its regular meetings. Information about the Dispute Services User Group and its membership can be obtained by contacting WorkCover WA's General Manager, Conciliation and Arbitration Services.

##### Correspondence not considered appropriate

5. For the avoidance of doubt, this practice note does not intend to suggest that there are no categories of correspondence that may be relevant and appropriate. For example, purely administrative correspondence, such as providing a party's unavailable dates for a hearing is entirely appropriate.
6. In the event that the Arbitration Service receives correspondence that falls into the categories identified at paragraphs 4(a) and (b) above, the likely response will be a reference to this practice note and a suggestion that an alternate course of action be undertaken. The Arbitration Service does not intend to engage in lengthy exchanges of correspondence.



Nilan Ekanayake  
Registrar  
Workers' Compensation Arbitration Service

24 November 2017