



The Private Rented Housing Panel

A Scottish Tribunal set up by the
Housing (Scotland) Act 2006

Shelter Conference June 2014



What is a tribunal?

‘A body which resolves disputes between citizen and state and between private parties by making binding decisions according to law, does so by a process of adjudication which is specialised, relatively informal and less adversarial as compared to the model of adjudication applied by the courts and is independent of both the executive and the legislature and of the parties appearing before it.’

Tribunal Reform in Scotland: A Vision for the Future - AJTC



Similarities with courts

- Settle disputes through legal judicial process
- Hear evidence and decide facts and outcomes
- Powers depend on jurisdiction
- Presided over by judges
- Comply with rules on fairness- Article 6 HRA



Differences from courts

- Specialist nature of tribunal judges and tribunal membership
- Relative informality of tribunal hearings as compared to court proceedings
- Less adversarial and more inquisitorial approach than encountered in the courts
- Fees and costs
- More enabling approach than typically is found in the courts



General Overriding Objectives

- Often specifically referred to in procedural regulations (e.g. HOHP)- typically
- Seek informal and flexible proceedings
- Proportionate proceedings considering complexity of issues
- Participation of parties
- Use specialism of committees effectively
- Avoid delay



Questions

