

Your arbitration hearing

The point at which the arbitrator hears the case and decides it. Depending on what you agreed at the preliminary conference, it may not involve a hearing at all.

THREE WAYS IT CAN RUN

On the documents

No hearing. The arbitrator reads the material and decides. Nobody attends, and neither of you gives evidence.

Documents and argument

The written material stands as the evidence. Your lawyers make submissions about what it means. You may attend, but you are not questioned.

A full hearing

You each give evidence and are cross-examined, as you would be in court. Used where the outcome turns on whose account is accepted.

IF THERE IS A HEARING, THIS IS HOW THE DAY RUNS

1	2	3	4	5
Opening	The applicant's evidence	The respondent's evidence	Experts	Submissions
Each side briefly explains what it says the issues are.	The affidavit is confirmed, then questions from the other side.	The same, in reverse.	Any valuer or other expert is questioned, if required.	Each side argues what the evidence establishes.

- **It is not a courtroom.** Usually a meeting room, or online. There is no public gallery and no robes.
- **Only the people involved are there.** The arbitrator, both of you, your lawyers, and any witness while giving evidence.
- **Bring nothing new.** The arbitrator has already read the material filed under the timetable.
- **You will not be interrupted or hurried.** The time was estimated and set aside at the preliminary conference.
- **Documents stay in the arbitration.** Material produced for it cannot be used elsewhere without the court's permission.
- **Nothing is said privately.** There is no separate conversation with the arbitrator at any point.

WHAT HAPPENS AFTERWARDS

The arbitrator does not announce a decision on the day. A written award follows within weeks, setting out what has been decided, the findings of fact, and the reasons for them.

Either of you can then apply to have the award registered with the court. Once registered it takes effect as a court order and can be enforced in the same way. A court can review a registered award only on a question of law, or set it aside in a small number of defined situations. There is no rehearing because one of you is unhappy with the result.