

Administrative Appeals Tribunal

# **ANNUAL REPORT** 2015–16

## **Contacting the AAT**

### By phone

You can call the AAT on **1800 228 333** from anywhere in Australia (calls are free from landline phones, however calls from mobiles may be charged).

Non-English speakers can call the Translating and Interpreting Service on 131 450 and ask them to call the AAT.

If you are deaf or have a hearing or speech impairment, contact us through the National Relay Service. For more information, visit www.relayservice.gov.au.

### In person, by email or by post

Visit our website to find our contact details, including your nearest registry: www.aat.gov.au/contact-us.

### Website

www.aat.gov.au

# **ANNUAL REPORT** 2015–16

## This report

An electronic version of this annual report is on the AAT's website at http://www.aat.gov.au/about-the-aat/corporate-information/annual-reports.

More information about the Tribunal is on the website, www.aat.gov.au.

© Commonwealth of Australia 2016



With the exception of the Commonwealth Coat of Arms and any third party material, this work is licensed under a Creative Commons Attribution 3.0 Australia licence (http://creativecommons.org/licenses/by/3.0/au/deed.en).

To the extent that copyright subsists in third party material, it remains with the original owner and permission may be required to reuse the material.

The terms under which the Coat of Arms can be used are detailed on the following website: http://www.itsanhonour.gov.au/coat-arms/.

Content from this publication should be attributed as: Administrative Appeals Tribunal, *Annual Report 2015–16*.

Enquiries regarding the licence, any use of this work or any other queries about this report may be sent to:

Assistant Director, Communications Principal Registry Administrative Appeals Tribunal GPO Box 9955 SYDNEY NSW 2001

Tel: 02 9276 5132 Fax: 02 9276 5599 Email: communications@aat.gov.au

ISSN 1035-8161 (Print) ISSN 2205-2836 (Online)

Designed by giraffe.com.au Printed by CanPrint Communications



Administrative Appeals Tribunal

28 September 2016

Senator the Hon George Brandis QC Attorney-General Parliament House CANBERRA ACT 2600

Dear Attorney-General

We are pleased to present to you the annual report of the Administrative Appeals Tribunal for the year ended 30 June 2016 in accordance with section 24R of the *Administrative Appeals Tribunal Act 1975* and section 46 of the *Public Governance, Performance and Accountability Act 2013.* The report includes information about the operation of the Tribunal's divisions and the Immigration Assessment Authority.

This report has been prepared in accordance with the requirements for annual reports prescribed by sections 17AB to 17AJ of the *Public Governance, Performance and Accountability Rule 2014.* 

The report includes:

- the annual performance statement for the Tribunal in accordance with paragraph 39(1)(b) of the Public Governance, Performance and Accountability Act 2013 and section 16F of the Public Governance, Performance and Accountability Rule 2014, and
- the annual financial statements for the Tribunal in accordance with subsection 43(4) of the Public Governance, Performance and Accountability Act 2013.

Yours sincerely

ζ. DUNCAN KERR

SIAN LEATHEM Registrar Accountable Authority

President

Level 6, 83 Clarence Street SYDNEY NSW 2000

ABN 90 680 970 626

GPO Box 9955 Sydney NSW 2001

T: 02 9276 5000 or 1800 228 333 F: 02 9276 5599 E: enquiries@aat.gov.au www.aat.gov.au National Relay Service www.relayservice.gov.au

## Contents

Chapter 1: The year in review	1
President's overview	2
Registrar's review	6
Chapter 2: Overview of the AAT	9
Chapter 3: Our performance	19
Chapter 4: Management and accountability	43
Chapter 5: Immigration Assessment Authority	55
Financial statements	59
Appendixes	105
Appendix 1: Members of the AAT	106
Appendix 2: Additional staffing statistics	124
Appendix 3: Resourcing tables	125
Appendix 4: Additional caseload statistics	127
Appendix 5: Other mandatory information	138
Appendix 6: Speeches, publications and other external activities	140
Appendix 7: List of requirements	146
End matter	153
Glossary	154
Index	158

# List of figures

#### Chapters

Figure 2.1 Organisational structure, 30 June 2016	12
Table 2.2 Tribunal membership, 30 June 2016	13
Table 2.3 Division Heads and Deputy Division Heads, 30 June 2016	14
Table 2.4 Senior Executive Service employees, 30 June 2016	14
Table 2.5 Applications relating to warrants, controlled operations and other functions, 2013–14 to 2015–16	17
Table 2.6 Examinations held under the Proceeds of Crime Act 2002, 2013–14 to 2015–16	18
Chart 3.1 Total applications lodged, finalised and on hand, 2013–14 to 2015–16	23
Chart 3.2 Applications lodged, finalised and on hand, 2015–16 – By division	24
Chart 3.3 Mode of finalisation of applications for review of decisions, 2015–16	25
Table 3.4 Caseload overview, 2015–16 – FOI, General, NDIS, Security, Taxation and Commercial and Veterans' Appeals Divisions	26
Table 3.5 Caseload overview, 2015–16 – Migration and Refugee Division	28
Chart 3.6 Refugee lodgements and finalisations by country of origin, 2015–16	29
Chart 3.7 Migration lodgements and finalisations by key visa categories, 2015–16	30
Table 3.8 Caseload overview, 2015–16 – Social Services and Child Support Division	32
Chart 3.9 Centrelink lodgements and finalisations by key payment types, 2015–16	32
Chart 3.10 Child support lodgements and finalisations by key decision types, 2015–16	33
Table 3.11 Court appeals lodged and finalised, 2015–16 – By division	35
Table 3.12 Performance against Service Charter standards, 2015–16	40
Table 3.13 Issues raised in complaints to the AAT, 2015–16	41
Table 4.1 Workforce profile	47
Table 4.2 Salary range and employment arrangements	48
Table 4.3 Trends in compensation claims, 2013–14 to 2015–16	52
Table 4.4 Total actual expenditure on consultancy contracts, 2013–14 to 2015–16	53
Table 5.1 Caseload overview, 2015–16 – Immigration Assessment Authority	57
Chart 5.2 Referrals to the IAA by country of origin, 2015–16	57

#### Appendixes

Table A1.1 Members of the AAT, 30 June 2016	106
Table A1.2 Number of Senior Members and Members assigned to each AAT division, 30 June 2016	118
Table A2.1 Staff by job classification, registry and gender, 30 June 2016	124
Table A3.1 AAT resource statement 2015–16	125
Table A3.2 Expenses for Outcome	126
Table A4.1 Applications lodged and applications finalised, 2015–16	127
Table A4.2 Outcomes of reviews by division and major areas of work within divisions, 2015–16	131
Subtable A4.2.1 General Division	131
Subtable A4.2.2 Freedom of Information, National Disability Insurance Scheme, Security and Veterans' Appeals Divisions	132
Subtable A4.2.3 Migration and Refugee Division	133
Subtable A4.2.4 Social Services and Child Support Division	134
Subtable A4.2.5 Taxation and Commercial Division	135
Table A4.3 Number of alternative dispute resolution processes, directions hearings and hearings, 2013–14 to 2015–16	136
Table A4.4 Court appeals lodged and finalised, 2015–16 – By division and major areas of work within divisions	137
Table A5.1 Environmental performance reporting, 2015–16	139
Table A6.1 Speeches and presentations, 2015–16	140
Table A6.2 Training and other engagement activities, 2015–16	143
Table A6.3 Publications, 2015–16	145
Table A6.4 Service on committees, 2015–16	145