



# Chapter

## 04

OUR USERS  
AND  
OUR RELATIONSHIPS

## OUR USERS

The principal users of the Tribunal are the parties to applications in the Tribunal, including individuals, organisations, government departments and agencies, and their representatives. This section reports on actions undertaken during the reporting period to meet Goal One in the Tribunal's *Strategic Plan 2011–2014*: to provide a high-quality independent merits review process that is fair, just, economical, informal and quick. These actions include:

- promoting and facilitating the use of appropriate alternative dispute resolution processes
- providing accessible and effective registry services
- maintaining effective communication and engagement with our users and the public.

## TRIBUNAL PRACTICE AND PROCEDURE

The Tribunal monitors the operation of the review process and seeks to identify ways in which practice and procedure can be improved to promote the effective and timely disposition of applications lodged with the Tribunal. The Practice and Procedure Consultative Group and the Practice and Procedure Committee oversee the Tribunal's management of applications made under the *Administrative Appeals Tribunal Act 1975*. The Consultative Group met in October 2013 and May 2014 and the Practice and Procedure Committee met in August 2013 and April 2014. For information about membership of these committees, see Chapter 2.

Significant developments in relation to practice and procedure during the reporting period are discussed below.

### Review of National Disability Insurance Scheme decisions

On 1 July 2013, jurisdiction was conferred on the Tribunal to review decisions made under the *National Disability Insurance Scheme Act 2013*. The Tribunal has developed a case management model that aims to ensure the review process is accessible, fair, informal and quick. Key features of the model are outlined in Chapter 2. The Tribunal issued a practice direction on 1 July 2013.

The Tribunal prepared for applications under the NDIS Act by:

- training members and staff in relation to disability and accessibility issues, the National Disability Insurance Scheme legislative framework and the Tribunal's case management approach
- locating and making arrangements for the use of accessible venues in trial sites for the conduct of alternative dispute resolution processes and hearings
- developing a range of procedural guides and checklists for staff which support the case management model, and
- conducting information sessions on merits review of National Disability Insurance Scheme decisions for disability advocates and other stakeholders in the trial sites with representatives of the National Disability Insurance Agency, the Department of Social Services, the disability advocacy agencies funded to provide support services to applicants and the legal aid commissions.

The Tribunal continued to work closely with key stakeholders on issues relating to the review process and monitored the operation of the case management model in the first applications for review lodged with the Tribunal.

### Practice and procedure in workers' compensation cases

Following consultation in 2012–13, the Tribunal implemented proposals in 2013–14 to promote the timely progress of applications in the workers' compensation jurisdiction and assist the Tribunal to meet its aim of finalising applications within 12 months of lodgement.

In September 2013, the Tribunal published a revised *Guide to the Workers' Compensation Jurisdiction* which sets out the Tribunal's procedures and its expectations of parties and their

representatives. The updated guide identifies more clearly the matters that represented parties must consider before the first conference, thereby ensuring the parties focus on the real issues in dispute and take steps to gather additional evidence as early as possible. The guide is supported by a standard notice issued to the parties at the commencement of each application which, in addition to outlining what parties are required to do, specifies the months in which the Tribunal expects any conciliation or hearing to take place so that the application is finalised within 12 months. This approach gives the Tribunal and the parties a framework within which to manage progress of the case.

The Tribunal also issued two new practice directions in 2013–14 which deal with practice and procedure issues that arise most commonly in workers' compensation cases.

The first practice direction, *Practice Direction relating to Release from the Implied Undertaking*, deals with the implied undertaking that a party must not, without the leave of the Tribunal, use a document that has been provided under compulsion in a Tribunal proceeding for any purpose other than the purpose for which it was given. The practice direction provides that, if the implied undertaking applies to documents in an application currently before the Tribunal and the Tribunal is dealing with one or more other applications involving the same applicant at the same time, documents provided to the Tribunal in one application may be used in each of the other applications, subject to any other direction that the Tribunal may make. This removes the need for any specific application to be made for release from the implied undertaking in applications of this kind. In any other circumstance, a party must apply in writing for leave to be released from the implied undertaking.

The second practice direction relates to the disclosure and use of video surveillance material in Tribunal proceedings. The *Practice Direction relating to the Use of Video Surveillance Material* requires any party intending to rely on video surveillance material to disclose its existence and make the content available to the other party and the Tribunal prior to the hearing. This is consistent with the Tribunal's general approach that all evidence to be relied on by a party should be disclosed in advance of any hearing and will also limit the extent to which it may be necessary to adjourn hearings to give the other party an opportunity to respond to that evidence, contributing to the timely finalisation of reviews.

### Practice Direction for the Expedited Review of Certain Decisions

On occasion, applications are made to the Tribunal which need to be dealt with urgently, most commonly in relation to regulatory decisions. During the reporting year, the Tribunal developed a draft practice direction aimed at clarifying how the Tribunal will manage applications of this kind. It outlined:

- what a party must do to request an expedited review
- how the Tribunal will respond to such requests, and
- the steps the Tribunal will take to expedite the review if it is satisfied that the application requires an urgent determination.

The draft practice direction was circulated to key stakeholders and made available on the Tribunal's website for comment in late 2013. The feedback received was positive. The President issued the *Practice Direction for the Expedited Review of Certain Decisions* on 1 July 2014.

### Access to information and privacy

During the reporting period, the Tribunal completed a review of its policies and procedures in relation to how it handles personal information and, more generally, about party and non-party access to information and documents in proceedings before the Tribunal.

The Tribunal is subject to the *Privacy Act 1988* in relation to all aspects of its operations. In anticipation of the introduction of the Australian Privacy Principles on 12 March 2014, the

Tribunal undertook an assessment of its practices in relation to managing personal information. To meet the requirements of the Principles, the Tribunal:

- developed and published on the website a privacy policy covering all aspects of the Tribunal's privacy practices
- updated a range of information products, including forms and standard correspondence, to provide information about how the Tribunal handles personal information, and
- trained all staff on their obligations under the Privacy Act.

The Tribunal made available on its website clearer information about:

- what information and documents may be made available to parties and to non-parties about an application, and
- how to request access to either information or documents.

### **Integrated dispute resolution**

The Tribunal's Plan on a Page 2011–2014 identified as a priority the further development of highly effective and integrated dispute resolution processes as part of ensuring our review process is of a high quality.

During 2013–14, the Tribunal commenced internal consultations on ways to do this, using the concept of integrated dispute resolution as a reference point for innovation. A survey of members and staff was conducted in March 2014 and workshops undertaken with registry staff in April and May 2014. Integrated dispute resolution was explored in detail in a session at the Tribunal's National Conference in May 2014. The consultations opened up valuable dialogue focusing on the contribution all roles make to the better resolution of disputes and opportunities for improved outcomes through the coordination of dispute resolution processes across the roles. Proposals arising out of these consultations are being evaluated with a view to implementation in 2014–15.

## **ALTERNATIVE DISPUTE RESOLUTION**

The Tribunal makes extensive use of alternative dispute resolution. It is a core element of the review process. Alternative dispute resolution contributes to a review process that is economical, informal and quick as well as fair and just by assisting the parties to reach agreement or narrow the issues in dispute. The following initiatives were pursued during 2013–14 to promote and enhance the use of alternative dispute resolution in the Tribunal.

### **Improved data on ADR performance**

The Tribunal started a program of analysing data relating to alternative dispute resolution processes at the Tribunal to improve the availability of performance metrics and give alternative dispute resolution practitioners more meaningful reports. New measures and data collection methods are being explored and include data on the number and duration of alternative dispute resolution events and surveying users at key stages during the review process. Early results on the number and duration of alternative dispute resolution events indicate that the alternative dispute resolution processes being used are efficient and economical for both the parties and the Tribunal.

During the reporting year, the Tribunal contributed to a data gap analysis project run by the Australian Bureau of Statistics which is discussed further below. The Tribunal also continued to participate in an independent study into the use and effectiveness of dispute resolution processes in tax disputes. The research is being conducted by the Australian Centre of Justice Innovation at Monash University, led by Professor Tania Sourdin who is a member of the Tribunal.

## Raising awareness of ADR

The Tribunal released two new guidelines relating to aspects of alternative dispute resolution processes at the AAT in 2013–14: *The Duty to Act in Good Faith in ADR Processes at the AAT* and *Confidentiality in ADR Processes*. They set out the high expectations of participants in alternative dispute resolution processes and offer practical guidance on meeting the relevant legislative and ethical standards.

To raise awareness of the Tribunal's approach to alternative dispute resolution processes, members and staff spoke at a number of external conferences and seminars: see Appendix 8 for more information. The Tribunal continued as an active member of the ADR Inter-Agency Group, a forum for Australian Government agencies which encourages sharing information and training resources for alternative dispute resolution. The Tribunal also initiated a pilot competition for university students, Negotiating Outcomes on Time, which focuses on alternative dispute resolution processes: see Tribunal competitions below for more details.

## Nationally accredited mediators

All Conference Registrars and members regularly involved in conducting alternative dispute resolution processes are accredited as mediators under the National Mediator Accreditation Standards. They participated in professional development activities during the reporting year to maintain the competencies required by the Standards. Maintaining accreditation is a key measure to ensure quality and consistency in mediation practice within the Tribunal. Conference Registrars also continued with peer review and performance appraisal processes developed in 2012–13.

The Tribunal is a Registered Mediator Accreditation Body and representatives attended the Annual General Meeting of the Mediator Standards Board in Brisbane. Mediators accredited by the Tribunal have been added to the national register maintained by the Board.

## eSERVICES

The Tribunal is committed to providing accessible and effective services to our users and the public. In 2013–14, it continued work on projects aligned with its Electronic Services and Information Management Programme, which is designed to support the delivery of more online services and improve the Tribunal's ability to manage its information digitally. The Tribunal successfully completed a pilot project with the Australian Taxation Office for the electronic notification of applications lodged with the Tribunal. This practice now applies across the Tribunal in the tax jurisdiction and has been extended to applications for review of National Disability Insurance Scheme decisions. Work is proceeding on applying the practice to other decision-making agencies in 2014–15.

Work on developing systems for the electronic lodgement of applications and the electronic lodgement and exchange of documents will continue in 2014–15 in consultation with the Migration Review Tribunal–Refugee Review Tribunal and the Social Security Appeals Tribunal in the context of the proposed amalgamation of Commonwealth merits review tribunals.

## COMMUNICATION AND ENGAGEMENT WITH TRIBUNAL USERS

The Tribunal uses a range of methods to engage with, and seek feedback from, its users in the services that it provides. It also communicates with its users in a variety of ways to assist their understanding of its role and procedures.

### Consultation with users

As part of its commitment to being an open and transparent organisation, the Tribunal met with regular users and other stakeholders during 2013–14.

Members and senior Tribunal staff met with representatives of the Department of Social Services and the National Disability Insurance Scheme to discuss a range of operational issues in the National Disability Insurance Scheme jurisdiction. District Registries arranged local liaison meetings with persons and organisations who appear regularly before the Tribunal – departments, agencies and other decision-makers, private legal practitioners, legal aid bodies, community legal centres and disability advocacy organisations. Some registries held meetings with users from all jurisdictions while others arranged jurisdiction-specific meetings. The meetings are a forum in which the Tribunal can inform users of changes to practice and procedure and users can give feedback on the service the Tribunal is providing.

### Agency Multicultural Plan

The Tribunal engages with many people from culturally and linguistically diverse backgrounds and strives to be accessible and responsive to their needs. The Tribunal's Agency Multicultural Plan sets out actions for the Tribunal to take in the two years from 1 July 2013 to 30 June 2015 to maintain and improve its performance in the provision of services to users from culturally and linguistically diverse communities. The Tribunal's aim is to ensure that good practices are embedded in the delivery of services.

Achievements for 2013–14 in relation to actions set out in the plan were:

- information about the plan and what the Tribunal has committed to do was included in the Tribunal's internal newsletter twice during the year
- the Tribunal reviewed and confirmed the list of languages most commonly used by parties in the Tribunal for the purposes of translating information products
- the Tribunal's brochures on hearings and decisions and the Tribunal's Service Charter were made available in a wider range of languages
- the Tribunal updated the information on its website about making a complaint or providing feedback, including a link to the Service Charter which is now available in 28 languages, and
- the Tribunal promoted and supported Harmony Day.

The Tribunal will continue work on a range of other strategies in 2014–15.

### Indigenous access to the Tribunal

The Tribunal is committed to improving access for Indigenous Australians. Among various initiatives, it has established an Indigenous Access Working Group which identifies and implements strategies in this area. A range of activities and projects were completed or progressed during 2013–14.

#### *Reconciliation Action Plan*

The Tribunal developed and published its *Reconciliation Action Plan 2014–2017* during the reporting year. The Tribunal seeks to show respect, develop relationships and increase opportunities for Aboriginal and Torres Strait Islander peoples through the implementation of a range of practical actions. The plan focuses on:

- ensuring the Tribunal and its personnel respond appropriately to the needs of Indigenous people
- gathering better information and engaging with Aboriginal and Torres Strait Islander people in relation to access and service delivery issues, and
- attracting and retaining Aboriginal and Torres Strait Islander employees.

The Tribunal will report on its progress in relation to the plan in the next annual report.

### **Outreach activities**

The Working Group has developed a program to promote communication and consultation with legal centres and advocacy organisations that deal with Indigenous clients, particularly in relation to the National Disability Insurance Scheme and social security issues. The aims of the outreach are to:

- increase awareness about the right to challenge decisions and provide information about the appeal process and where people can get help
- connect with community workers, giving them resources and information, and liaising with them on how the Tribunal could improve its accessibility for the community.

In May 2014, Conference Registrar Jennifer Lock participated in an outreach visit to the Anangu Pitjantjatjara Yankunytjatjara Lands with representatives from Centrelink, the Social Security Appeals Tribunal, the Welfare Rights Centre and the Brain Injury Network of South Australia, the disability advocacy organisation funded to provide support to applicants in the Tribunal's National Disability Insurance Scheme jurisdiction in South Australia and the Northern Territory. They visited four remote communities and met with elders, key service providers and members of the communities.

### **Internship opportunities**

The Working Group has engaged with law schools and other organisations to promote Indigenous internships and other work experience opportunities at the Tribunal. During the reporting period, placements were arranged with the Legal Services Commission of South Australia and the University of Newcastle.

### **Guide for working with Indigenous users**

In May 2014, the Working Group released the guide *Working with Aboriginal and Torres Strait Islander People at the Administrative Appeals Tribunal* which is designed to assist Tribunal members and staff to work effectively and respectfully with Aboriginal and Torres Strait Islander users and their communities. The guide will also help the Tribunal to build strong, culturally appropriate relationships with Aboriginal and Torres Strait Islander users of the Tribunal's services, and with their communities. Craig Eade, a Wemba Wemba man and intern from the University of Newcastle made a significant contribution to the development of the guide.

### **Information products**

The Tribunal published a new series of fact sheets in 2013–14 relating to its jurisdiction to review decisions made by the National Disability Insurance Agency. They provide information in plain English about applying to the Tribunal and the key steps in the Tribunal's review process, including conferences, conciliation and hearings. The Tribunal also made available a video message from the President about the new jurisdiction.

To coincide with the commencement of amendments to the Privacy Act, the Tribunal updated information about how it handles personal information in the general brochures about the AAT and the Small Taxation Claims Tribunal, and in the *Privacy and Confidentiality at the AAT* fact sheet.

The Tribunal developed new access guides for each of its registries which provide information about how to get to the Tribunal by car or public transport, the location of accessible parking and accessible facilities at the Tribunal, and how to contact the Tribunal, including the options available through the National Relay Service. Each of the guides includes a map that identifies key landmarks, as well as parking and transport options.

### **AAT Alerts and the AAT Bulletin**

AAT Alerts are emails to subscribers with information about Tribunal news and events. Seven AAT Alerts were issued over the course of the reporting year.

Subscribers can also elect to receive the *AAT Bulletin*, a weekly publication that provides information on recent Tribunal decisions and on appeals against these decisions, changes to the Tribunal's jurisdiction and other important developments.

During the year, the number of subscribers to AAT Alerts steadily increased, rising to 870 at 30 June 2014 compared with 750 a year earlier. At the same time there were 502 subscribers to *AAT Bulletin*, up from 370 a year earlier.

### Website

The Tribunal continues to expand the information on its website for users and other visitors. To ensure information is accessible to all Australians, the Tribunal makes core information relating to the Tribunal and the review process easy to read and understand, and available in multiple formats and languages.

Major developments to the website during the year included:

- publishing a range of new and updated brochures, fact sheets and guidelines
- revising the web pages relating to our information handling practices
- updating the contact information pages to include the maps and other access information for each registry as well as updated National Relay Service information
- trialling ReadSpeaker text-to-voice software to be introduced in 2014–15, and
- beginning a project to make the website easier to read and navigate on mobile devices.

During the reporting year, usage of the website continued to increase with around 54,900 visits per month, approximately 9,200 per month more than in the previous year. The number of unique visits for the year was 159,423, compared with 151,133 in 2012–13.

## OUR RELATIONSHIPS

This section reports on actions undertaken to meet Goal Four in the Tribunal's *Strategic Plan 2011–2014*: to engage effectively with Government, tribunals, the legal profession and other interested organisations in Australia and internationally. This includes:

- contributing to strategic discussions, reviews and forums dealing with administrative review and related issues in Australia
- establishing and maintaining cooperative and collaborative engagements with courts and other tribunals, and with our international counterparts, and
- promoting greater understanding of the Tribunal and its role within the broader context of the AAT as an agency aimed at improving the accountability and transparency of government and the quality of government decision-making.

### DEVELOPING AND ENHANCING LINKS WITH GOVERNMENT, OTHER TRIBUNALS, ORGANISATIONS AND INDIVIDUALS

The Tribunal maintained and developed its relationships with a range of departments and agencies, organisations and individuals during 2013–14.

#### Liaison with the Attorney-General's Department, other departments and agencies

The Tribunal worked closely with the Attorney-General's Department during the reporting year on a wide range of issues, including the Tribunal's membership, jurisdiction, legislation and budget. Information about the Tribunal's engagement with the Department in relation to the amalgamation of the Commonwealth merits review tribunals is set out below.

The Tribunal is a participant in the Civil Justice Evidence Base Project, a working group of stakeholders and data experts convened by the Attorney-General's Department, which is

developing a framework for the collection of a consistent set of data on the civil justice system. During the reporting year, the Tribunal worked with the Australian Bureau of Statistics who were engaged by the Department to commence a data gap analysis project in the federal jurisdiction.

The Tribunal also engaged with other departments and agencies in the context of reviews that relate to work undertaken by the Tribunal or in relation to proposals that may impact on the Tribunal. The Tribunal made two submissions to the Productivity Commission as part of that body's Inquiry into Access to Justice Arrangements. Liaison was also undertaken with:

- the Department of Regional Australia, Local Government, Arts and Sport in relation to the Tribunal's jurisdiction to review decisions under the Norfolk Island *Land Valuation Act 2012*, and
- the Department of Employment in relation to the workload implications of the proposal to broaden the range of corporations that may apply to be covered by the *Safety, Rehabilitation and Compensation Act 1988*.

### **Liaison with other Commonwealth tribunals and amalgamation of tribunals**

The Commonwealth merits review tribunals maintained their cooperative relationships in a range of ways during 2013–14, and particularly following the Government's announcement about the amalgamation of the Tribunal, the Classification Review Board, the Migration Review Tribunal–Refugee Review Tribunal and the Social Security Appeals Tribunal. Information about formal liaison arrangements is outlined below. There was also ongoing liaison between officers of the tribunals throughout the reporting period about matters such as learning and development activities, property and staff vacancies.

#### ***Commonwealth Tribunals Collaborative Forum***

The Commonwealth Tribunals Collaborative Forum – comprising the Principal Members and Registrars of the Tribunal, the Migration Review Tribunal–Refugee Review Tribunal, the Social Security Appeals Tribunal and the Veterans' Review Board together with representatives of their portfolio departments – was established in June 2012 following acceptance by the Australian Government of a recommendation in the *Report of the Strategic Review of Small and Medium Agencies in the Attorney-General's Portfolio*. The role of the forum was to:

- identify and support the implementation of efficiencies or improvements that might be achieved by cooperative or shared efforts between the tribunals, and
- help with the identification and adoption of best practice tribunal administration by, and increase cooperation between, all Commonwealth merits review bodies.

The forum met on three occasions during the financial year and progressed consideration of cooperative arrangements in relation to a range of matters, including property and technology projects. Its second report was provided to the Government in July 2013.

#### ***Commonwealth Heads of Tribunals***

The Commonwealth Heads of Tribunals is a forum comprising the Principal Members and Registrars of the Tribunal, Fair Work Commission, MRT–RRT, National Native Title Tribunal, SSAT and VRB. It provides an opportunity for the tribunals to discuss a wide range of matters of mutual interest and to hear from guest speakers on topics relevant to tribunal management. The forum met twice during 2013–14.

#### ***Amalgamation of tribunals***

On 13 May 2014, the Government announced its intention to amalgamate the Tribunal, the Classification Review Board, the MRT–RRT and the SSAT from 1 July 2015. It also announced that merits review of decisions under the *Freedom of Information Act 1982* would be transferred from the Office of the Australian Information Commissioner to the Tribunal from 1 January 2015.

The Attorney-General's Department is responsible for implementation of the Government's decisions. In relation to the amalgamation of tribunals, the Tribunal is a member of the Steering Committee convened by the Department and is also represented on working groups that have been established in the areas of finance, human resources, information technology and property. The affected tribunals are continuing to work together closely on a range of issues, including matters that had been progressed by the Collaborative Forum.

## Other forums

### *Administrative Review Council*

The President of the Tribunal is an *ex officio* member of the Administrative Review Council. The Council's role is to monitor, and provide advice to government on, the operation of the Commonwealth system of administrative law.

### *Australian Institute of Administrative Law*

The Tribunal participated in the activities of the Australian Institute of Administrative Law during the year, including the National Administrative Law Conference. Senior Member Professor Robin Creyke was an officer of the National Executive of the Institute and Member Regina Perton was a committee member of the Victorian Chapter.

### *Council of Australasian Tribunals*

The Tribunal is a member of the Council of Australasian Tribunals, an association for tribunals and those who work in, or have an interest in, tribunals in Australia and New Zealand. It consists of a National Council with local chapters, and was established to facilitate discussion and collaboration on matters relevant to tribunals.

The Tribunal continued its involvement in the Council during the year, participating in COAT conferences as well as other training and networking opportunities. Tribunal members and staff were active contributors to the work of the Council. Justice Kerr was the Treasurer of the National COAT Executive during 2013–14 until he was elected Chair in June 2014. Senior Member Anne Britton continued in her roles as the Secretary for the National COAT Executive and Convenor of the New South Wales Chapter throughout the reporting period. Deputy President Katherine Bean was the Secretary for the South Australian Chapter, and Member Regina Perton and District Registrar Susan Woodford were committee members of the Victorian Chapter.

## RESOURCE-SHARING ARRANGEMENTS

The Tribunal has cooperative arrangements with a number of courts and tribunals in relation to the provision of facilities and services either by the Tribunal or for the Tribunal. The arrangements that were in place in 2013–14 are listed below.

### **Federal Court of Australia**

The Tribunal and the Federal Court operated a joint registry in Hobart. Court staff provided registry services and conducted alternative dispute resolution processes for the Tribunal.

### **Migration Review Tribunal–Refugee Review Tribunal**

The Tribunal provided accommodation and hearing room facilities for Migration Review Tribunal–Refugee Review Tribunal members, including hearing room assistance and videoconferencing facilities. Tribunal staff in Adelaide, Brisbane and Perth receive applications and handle enquiries on behalf of the Migration Review Tribunal–Refugee Review Tribunal.

### **Social Security Appeals Tribunal**

The Tribunal provided hearing rooms and related facilities for the Social Security Appeals Tribunal in its Canberra Registry.

### **Supreme Court of Norfolk Island**

The Tribunal had an agreement with the Norfolk Island Administration for the Supreme Court of Norfolk Island to provide basic registry services in relation to applications made to the Tribunal.

### **Veterans' Review Board**

The Tribunal made facilities available in its registries in Adelaide, Canberra and Perth for the Veterans' Review Board to conduct hearings.

## **INTERNATIONAL RELATIONSHIPS AND DELEGATIONS**

### **International Association of Supreme Administrative Jurisdictions**

The Tribunal is a member of the International Association of Supreme Administrative Jurisdictions (IASAJ), an organisation for bodies that are empowered to adjudicate public law disputes. The association's purpose is to promote the exchange of ideas and experiences between jurisdictions. The IASAJ was founded in 1983, and the Tribunal has been a member since 2004.

### **International delegations**

The Tribunal regularly hosts visitors from international courts and tribunals, as well as other organisations and individuals interested in gathering information on the Tribunal and its operations. These visits also provide an opportunity for the Tribunal to learn about the public law systems of other countries and how similar organisations undertake their work.

In September 2013, the Tribunal welcomed a delegation from the Ombudsman of the Republic of Indonesia. The visit was organised by the Pacific Ombudsman Alliance.

## **BETTER UNDERSTANDING OF THE TRIBUNAL AND ITS ROLE**

The Tribunal undertook a range of activities aimed at promoting a better understanding of the Tribunal and its role in administrative law.

### **Tribunal participation in external conferences, seminars and other activities**

Members and staff gave presentations on the Tribunal and its operations at a number of external conferences, seminars and forums during the reporting period, helping to raise awareness of the Tribunal and its role in a variety of communities. These included a number of general information sessions conducted with other agencies and organisations about the availability of review for National Disability Insurance Scheme and social security decisions.

See Appendix 8 for more information on these activities.

### **Tribunal competitions**

The Tribunal offered two competitions for students during the year as a means of promoting understanding of administrative law and the Tribunal's role and processes. The National Mooting Competition gives students the opportunity to participate in an abridged version of a Tribunal hearing, while the new Negotiating Outcomes on Time Competition involves participation in an alternative dispute resolution process.

### ***Mooting competition***

The Tribunal's National Mooting Competition continues to grow. A record number of teams from Australian universities registered for the ninth competition that began in August and concluded with the grand final in the Brisbane Registry on 8 October 2013. Twenty-seven teams participated in the 2013 competition.

Over a series of rounds, students make submissions to Tribunal members about the facts and how the law should be applied in realistic scenarios drawn from the Tribunal's immigration and citizenship, social security, taxation, veterans' affairs and workers' compensation jurisdictions. The competition allows students to demonstrate their research and advocacy skills and promotes their understanding of practice in administrative law.

The grand final, adjudicated by the President Justice Kerr, Deputy President Philip Hack and Senior Member Egon Fice, was closely contested. The team from the University of Notre Dame, comprising Nathan Fawkes, Rodney Worth and Jarrod Goold, were declared the winners, ahead of the University of Queensland team of Elizabeth Stanley, Georgia Williams and Jessica Apel. Rodney Worth from the University of Notre Dame won the Best Orator Prize. The prizes were generously donated by the Law Council of Australia.

### ***Negotiation competition***

In May 2014, the Tribunal piloted a new Negotiating Outcomes on Time Competition, or Noot. The competition complements the National Mooting Competition by offering students a realistic insight into conciliation processes, promoting the importance of early settlement discussions and articulating the high standards expected of legal practitioners in alternative dispute resolution processes.

Eight enthusiastic teams of Queensland law students participated in the pilot which consisted of two rounds and a final. Students prepared for, and then participated in, conciliations conducted by Tribunal members and Conference Registrars based on fact scenarios drawn from a variety of the Tribunal's jurisdictions.

First place was awarded to Briony Driscoll and Rebekah Oldfield from the University of Queensland. The runners-up were Brenton Day and Chris Reese from the University of Southern Queensland. Rebekah Oldfield was awarded the Best Communicator prize.

Initial feedback has encouraged the Tribunal to seek to continue the Noot, and gradually expand it to other states and territories.

### **Sponsored work experience placements and student visits**

The Tribunal provides a range of opportunities for work experience candidates, creating meaningful opportunities for the students to develop an understanding of the Tribunal's role and processes.

The Adelaide Registry provided placements for two students under the University of Adelaide Public Law Internship Program. Three Indigenous law cadets also visited the Tribunal as part of a program run by the Legal Services Commission of South Australia. The Brisbane Registry hosted a visit from a local primary school and the Hobart Registry provided a placement for a student from the University of Tasmania. As in previous years, students from the Leo Cussen Centre for Law undertook a placement in the Melbourne Registry.

The Sydney Registry maintained its relationship with the University of New South Wales, offering work experience placements to ten students under the Law Faculty Public Interest Internship Program. The Tribunal entered into a similar agreement with the University of Newcastle in 2013–14 and accepted five students for placements. A secondary school student also undertook a work experience placement during the reporting year.