



Administrative
Appeals Tribunal

2015-16 AT A GLANCE

The Administrative Appeals Tribunal (AAT) conducts independent review of administrative decisions made under Commonwealth and Norfolk Island laws. We take a fresh look at the facts, law and policy relating to a decision and decide what is the correct or preferable decision.

The AAT was established by the *Administrative Appeals Tribunal Act 1975* and commenced operations on 1 July 1976. On 1 July 2015, the Migration Review Tribunal (MRT), Refugee Review Tribunal (RRT) and Social Security Appeals Tribunal (SSAT) were amalgamated with the AAT.

The AAT consists of the President who is a judge of the Federal Court of Australia and the other members who may be appointed as Deputy Presidents, Senior Members or Members. The Registrar and staff assist the AAT to carry out our functions. As a result of amalgamation, the AAT became a significantly larger entity with more than 300 members and over 500 staff.

We can review decisions made under more than 400 laws. The types of decisions we most commonly review relate to:

- child support
- Commonwealth workers' compensation
- family assistance and social security
- migration and refugee visas
- taxation, and
- veterans' entitlements.

We also review a wide range of other decisions, such as decisions about Australian citizenship, bankruptcy, civil aviation, corporations and financial services regulation, customs, freedom of information, the National Disability Insurance Scheme, paid parental leave, passports and security assessments by the Australian Security Intelligence Organisation.

Applications to the AAT are managed in one of eight divisions:

- Freedom of Information Division
- General Division
- Migration and Refugee Division
- National Disability Insurance Scheme Division
- Security Division
- Social Services and Child Support Division
- Taxation and Commercial Division, and
- Veterans' Appeals Division.

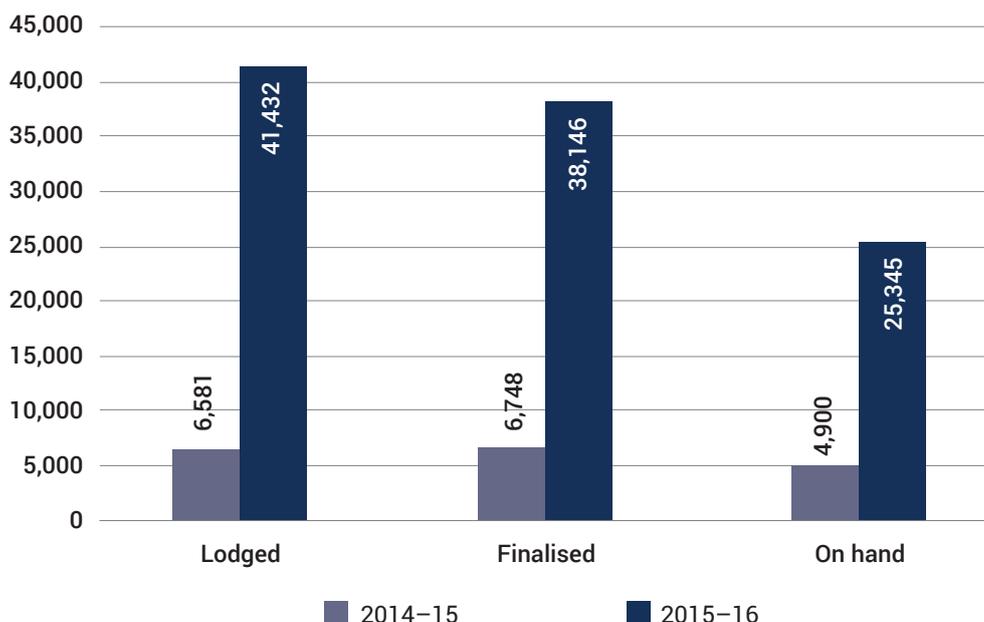
Applications previously made to the MRT and RRT are now dealt with in the Migration and Refugee Division. The Social Services and Child Support Division deals with applications that were previously made to the SSAT.

Key caseload statistics

The AAT received 41,432 applications and finalised 38,146 applications in 2015–16. There were 25,345 applications on hand at 30 June 2016.

As a result of the amalgamation, our caseload increased significantly from 1 July 2015 as shown in the following table.

Caseload overview, 2014-15 to 2015-16



The size of the AAT's caseload varies significantly between divisions as shown in the following table.

Lodgements, finalisations and cases on hand, 2015-16 – By division

DIVISION	LODGEMENTS	% OF TOTAL ^a	FINALISATIONS	% OF TOTAL ^a	ON HAND	% OF TOTAL ^a
Freedom of Information	37	<1%	57	<1%	60	<1%
General	5,460	13%	4,764	12%	3,556	14%
Migration and Refugee	18,929	46%	16,111	42%	16,764	66%
National Disability Insurance Scheme	48	<1%	33	<1%	27	<1%
Security	16	<1%	14	<1%	13	<1%
Social Services and Child Support	15,543	38%	15,534	41%	3,261	13%
Taxation and Commercial	1,057	3%	1,268	3%	1,331	5%
Veterans' Appeals	342	1%	365	1%	333	1%
TOTAL	41,432	100%	38,146	100%	25,345	100%

^a Percentages may not total 100% due to rounding.

Our review processes vary according to the type of decision we are reviewing. These differences reflect particular legislative requirements as well as particular strategies we use to manage the broad range of decisions we can review. Our procedures are designed to give an applicant and any other party to a review a reasonable opportunity to present their case.

In most cases in the Migration and Refugee Division and the Social Services and Child Support Division, the applicant and any other party is invited to attend a hearing. The decision-maker is not represented.

In other divisions, the decision-maker is an active participant in the review. We help the parties try to reach an agreed outcome, when possible, while ensuring cases are prepared for a hearing if they cannot be resolved by agreement. We use alternative dispute resolution processes in many of these cases, primarily conferencing and conciliation. Members hold directions hearings to manage some types of cases.

We also use directions hearings to manage child support cases in the Social Services and Child Support Division.

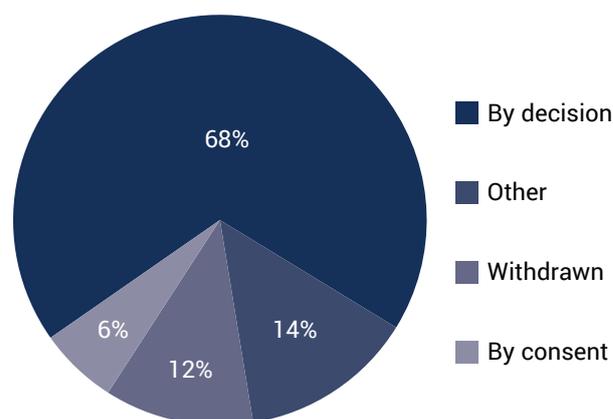
Number of alternative dispute resolution processes, directions hearings and hearings, 2014-15 to 2015-16

EVENT TYPE	2014-15	2015-16
Alternative dispute resolution processes (conferences, conciliations, case appraisals, mediations and neutral evaluations)	8,321	8,636
Directions hearings	1,721	2,788
Hearings	1,183	24,856

Applications made to the AAT may be finalised in different ways:

- by the Tribunal making a decision on the review, generally after conducting a hearing but also, where permitted, by making a decision on the papers
- in divisions other than the Migration and Refugee Division, by the Tribunal making a decision in accordance with an agreement reached between the parties
- by the applicant withdrawing the application
- by the Tribunal dismissing or otherwise finalising a review.

Mode of finalisation of applications for review of decisions, 2015-16^a



^a 'Other' includes applications in relation to which the AAT had no jurisdiction to review the decision or refused to extend the time for lodging an application, where applicable, and applications otherwise dismissed by the Tribunal.

The Tribunal changed the decision under review in 28 per cent of all applications finalised in 2015-16.

Performance

Timeliness

We aim to finalise 75 per cent of applications within 12 months of lodgement. This target was exceeded by five percentage points in 2015–16.



Judicial review outcomes

We aim to have less than five per cent of all decisions made set aside on judicial review. The number of appeals allowed by the courts in 2015–16 amounted to 3.3 per cent of all decisions made by the amalgamating tribunals in 2014–15 that could have been appealed to the courts.



User feedback

We engaged an independent research company to conduct a user feedback survey during May 2016. A sample of parties and representatives involved in cases finalised by the AAT between 1 July 2015 and 29 February 2016 were asked about their experiences in relation to our processes and services. Overall, parties and representatives were positive in their assessment of the AAT.

Key achievements in 2015–16

In 2015–16, we undertook a range of activities to establish the amalgamated Tribunal, while ensuring that we continued to provide excellent service to our users during this period of change.

We established a new senior management team and new governance arrangements, including key committees and groups to support the President and Registrar. The integration of corporate and other whole-of-tribunal functions in the amalgamated AAT's Principal Registry was undertaken as a priority.

We developed our Strategic Plan 2015–20, identifying four priorities that will guide our activities in the coming years:

- creating an integrated, national Tribunal
- improving how we work and maximising our use of technology
- nurturing relationships and partnerships, particularly with our members, staff and key stakeholders, and
- making the best use of our resources and building capacity to meet our statutory objectives.

On 1 July 2015, we inherited multiple accommodation holdings in each state capital city. We made considerable progress during the reporting year on our plan to move to one location in each city. We achieved this aim in Hobart and Sydney, and are well advanced in our planning to do the same in Adelaide, Brisbane, Melbourne and Perth.

Working groups were established to develop recommendations for harmonising and enhancing our operations in three critical areas: front-line services for parties and representatives, the provision of high-quality support to members and our approaches to managing proceedings. A client services team was formed in Sydney to provide integrated front-line services for all divisions in our new single office.

Significant advances were made in 2015–16 in relation to the development of our electronic systems. We implemented a new intranet and a single payroll system and further work was undertaken to unify our IT networks. We built a number of tools to consolidate information from our different case management systems. In relation to our online services, we launched an additional portal in April 2016 which means our users can now apply online for any type of decision the AAT can review. We also worked on revising our longer-term strategy for improving the digital services and tools we offer to members, staff and users.

During the reporting year, we developed a framework for engaging with the broad range of stakeholders who have an interest in the work of the AAT. Internally, we implemented a range of mechanisms for engaging and communicating with our members and staff, including a monthly newsletter.

We are committed to the professional development of our members and staff. We developed a revised Member Professional Development Program in 2015–16 and held the amalgamated AAT's first National Conference in May 2016. We conducted a comprehensive training needs analysis and delivered a wide range of activities to meet the learning needs of members and staff and to strengthen the capability of the AAT.

More detailed information about the AAT and our operations is set out in our 2015–16 Annual Report which is available on our website at <http://www.aat.gov.au/about-the-aat/corporate-information/annual-reports>.

www.aat.gov.au