



2017–18 At a glance

The Administrative Appeals Tribunal gives people the opportunity to obtain independent review of administrative decisions made under Commonwealth laws. We review decisions made by Australian Government ministers, departments and agencies and, in limited circumstances, decisions made by state and territory government and non-government bodies.

When we review a decision, we take a fresh look at the facts, law and policy relating to the decision. We consider all the material before us, including new information that was not available to the original decision-maker, and decide what is the correct or preferable decision in the case.

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 and Members. The Registrar and staff assist the AAT to carry out our functions.

Established more than four decades ago, the AAT can now review decisions made under more than 400 laws. We most commonly review decisions relating to:

- Australian citizenship
- child support
- family assistance and social security
- migration and refugee visas
- the National Disability Insurance Scheme
- taxation
- veterans' entitlements, and
- workers' compensation under Commonwealth laws.

We also review a wide range of other decisions, such as decisions about aged care, bankruptcy, child care services, civil aviation, corporations and financial services regulation, customs, education regulation, freedom of information, 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.

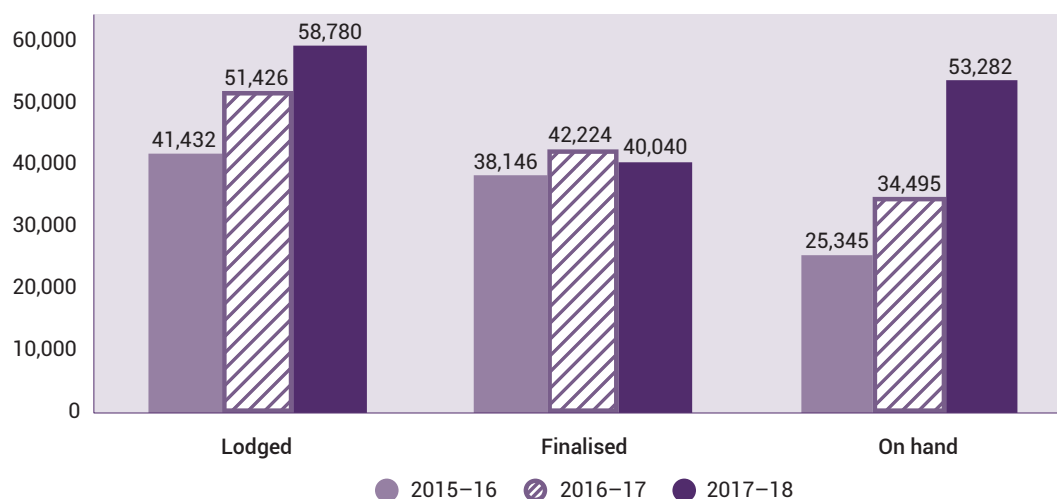
Key caseload statistics

The AAT received 58,780 applications and finalised 40,040 applications in 2017–18. There were 53,282 applications on hand at 30 June 2018.

The number of applications lodged in 2017–18 was 14 per cent higher than the number lodged in 2016–17, which was 24 per cent higher than the number of lodgements in the previous year. Finalisations in the reporting period fell by five per cent from the 42,224 applications finalised in 2016–17.

The overall number of applications on hand at 30 June 2018 was 54 per cent higher than at 30 June 2017.

Caseload overview, 2015–16 to 2017–18



The size of the AAT's caseload varies considerably between divisions as shown in the table below. The majority of applications made in 2017–18 were in the Migration and Refugee Division and the Social Services and Child Support Division.

Lodgements, finalisations and cases on hand, 2017–18 – By division

DIVISION	Lodgements	% of total ^a	Finalisations	% of total ^a	On hand	% of total ^a
Freedom of Information	47	<1%	50	<1%	63	<1%
General	5,300	9%	5,234	13%	3,819	7%
Migration and Refugee	37,933	65%	17,960	45%	44,436	83%
National Disability Insurance Scheme	802	1%	441	1%	515	<1%
Security	7	<1%	10	<1%	8	<1%
Social Services and Child Support	13,435	23%	15,075	38%	2,698	5%
Taxation and Commercial	895	2%	790	2%	1,325	2%
Veterans' Appeals	361	<1%	480	1%	418	<1%
TOTAL	58,780	100%	40,040	100%	53,282	100%

Our review processes vary according to the type of decision being reviewed. These differences reflect legislative requirements as well as particular approaches 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.

A key feature of merits review is the opportunity for the applicant and any other party to give us new information that was not available to the original decision-maker. At different stages of the review process, we may invite or direct a party to give us information that will be relevant to the case.

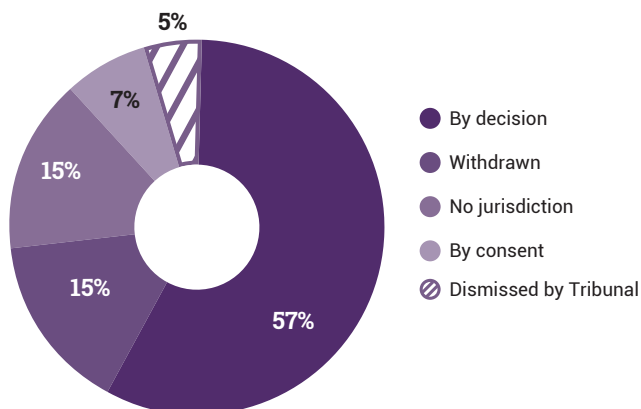
In some types of reviews, we hold conferences or directions hearings to talk to the parties about the issues and give directions about what the parties must do and by when to progress the case. When a review involves more than one party, we usually help them try to reach an agreed outcome without the need for a hearing while ensuring steps are taken to prepare for a hearing in the event it cannot be resolved by agreement. As well as conferences, we use other types of alternative dispute resolution processes to try to resolve cases by agreement. In some types of reviews, the case is listed directly for a hearing.

Number of alternative dispute resolution processes, directions hearings and hearings, 2015–16 to 2017–18

EVENT TYPE	2015–16	2016–17	2017–18
Alternative dispute resolution processes (conferences, conciliations, case appraisals, mediations and neutral evaluations)	8,636	8,826	9,154
Directions hearings	2,788	2,669	3,054
Hearings	24,856	26,638	22,004

Applications made to us may be finalised in different ways. In 2017–18, the majority of applications were finalised by the Tribunal making a decision on the review, generally after conducting a hearing.

Mode of finalisation of applications for review of decisions, 2017–18^a



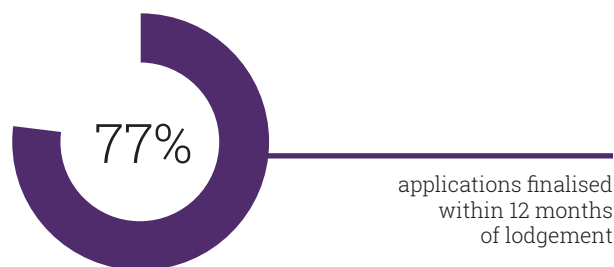
^a 'By decision' are applications finalised by a decision of the AAT on the merits under section 43 of the *Administrative Appeals Tribunal Act 1975* or section 349 or 415 of the *Migration Act 1958*. 'No jurisdiction' are applications finalised on the basis that the decision is not subject to review by the AAT, the applicant does not have standing to apply for a review, the application has not been made within a prescribed time limit, the AAT has refused to extend the time for applying for a review or the application fee has not been paid. 'By consent' are applications finalised in accordance with terms of agreement reached by the parties under section 34D, 42A(1) or 42C of the *Administrative Appeals Tribunal Act*. 'Dismissed by Tribunal' are applications dismissed for failure to appear before the Tribunal, failure to proceed with an application or comply with a direction of the AAT or on the basis that the application is frivolous, vexatious, misconceived, lacking in substance, has no reasonable prospect of success or is an abuse of the process of the AAT.

The AAT changed the decision under review in 23 per cent of all applications finalised in 2017–18 compared with 26 per cent in 2016–17. Decisions are commonly changed because of the new information that was available to the AAT but not available to the original decision maker. A change in the applicant's circumstances since the time of the original decision can also be relevant. The AAT may reach different conclusions when we apply the law and make a decision based on the information available at the date of the AAT hearing.

Performance

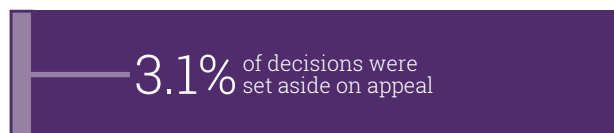
Timeliness

In 2017–18, 77 per cent of applications were finalised within 12 months of lodgement, two per cent above the target of 75 per cent.



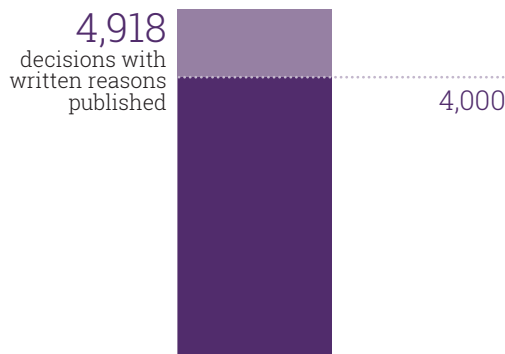
Judicial review outcomes

The AAT aims to have fewer than five per cent of all appealable decisions overturned by the courts. The number of appeals allowed by the courts in 2017–18 amounted to 3.1 per cent of all decisions made by the AAT in 2016–17.



Publication of decisions

The Tribunal published 4,918 decisions with written reasons in 2017–18, exceeding the target of 4,000 decisions.



Key achievements in 2017–18

In 2017–18, the AAT remained focused on delivering high-quality reviews of the wide range of administrative decisions that impact on people's lives. We also made substantial progress on the strategic objectives and priorities set out in our [Strategic Plan 2015–20](#), including the ongoing task of developing an integrated AAT following amalgamation with the Migration Review Tribunal, Refugee Review Tribunal and Social Security Appeals Tribunal in July 2015.

We continued to develop and trial new ways of managing different types of cases in 2017–18, particularly in the Centrelink, child support, migration and refugee caseloads. These variously involve early assessment of cases to select an appropriate pathway, improved communication with the parties about their review and enhanced preparation of cases for hearing which deliver efficiencies and assist to reduce backlogs.

We also worked on improving the information we make available to help people understand what we do and what they need to do during a review. We launched six new information videos explaining our role and processes which have been translated into a number of key community languages. We developed a new series of fact sheets for the most common types of migration cases to provide parties with clear information about the kind of issues and evidence that are relevant in these types of cases. We also developed an online tool designed for community workers to help their clients provide relevant information to the AAT in reviews of disability support pension decisions.

The AAT's statutory objective requires us to promote public trust and confidence in our decision-making. We took a number of steps in 2017–18 to improve access to information about our decisions as part of our broader strategy to provide accurate and timely information about the AAT to stakeholders and the wider community.

We implemented a revised decisions publication policy to increase the number and range of written decisions we publish and to enhance the transparency of our processes for publishing decisions, including how they are selected for publication. The AAT is now among the jurisdictions publishing the highest volume of decisions in Australia. We also launched a new monthly publication, *The Review*. It provides plain English summaries of a selection of decisions, offering an additional avenue for the public to learn about the role of the AAT.

We engaged with our users and other stakeholders in a variety of ways to obtain feedback on our services, learn about developments that may affect us and seek to develop cooperative relationships that facilitate the delivery of our services. We met with a wide range of people and organisations throughout the reporting year to discuss issues relating to the operations of the AAT. In May 2018, we conducted our second survey of parties and representatives about their experiences with the AAT to help us assess the extent to which we are meeting our statutory objective and to identify areas in which we may be able to improve our services.

Implementation of our digital strategy remained a priority in 2017–18. We improved our online lodgement processes for applications in the Social Services and Child Support Division. We also completed the final step in the integration of our online forms with our case management systems resulting in greater efficiency in processing applications.

In relation to our accommodation, the AAT was operating from multiple locations in most cities when we amalgamated. One of our major tasks since that time has been to consolidate our accommodation to make it easier for users to access our services and to help build a cohesive and collaborative culture among members and staff. This work was completed in the first half of the financial year with the co-location of our registry services in Brisbane and Melbourne. Registry services now operate from a single office in each city in which we are located.

The AAT continues to undertake a large program of work to further harmonise and integrate our operations while simultaneously dealing with a growing caseload. Building our capability and capacity is therefore critical to our success and we remained committed to the professional development of our members and staff in 2017–18. We commenced the development of a leadership capability framework and undertook a further training needs analysis to help inform future training programs for staff. We facilitated participation by members and staff in a wide range of learning and development activities, including the National Conference which offered a valuable opportunity for members and senior staff to come together to undertake training, share information and strengthen relationships, promoting the continued development of a unified culture within the AAT.

More detailed information about the AAT and our operations is set out in our **2017-18 Annual Report**, which is available on our website at <http://www.aat.gov.au/about-the-aat/corporate-information/annual-reports>.

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