
F O C U S

For the first time in five years a complete index has been prepared for Admin Review, containing information on cases reported and subject matter of articles. This index for all volumes including the current issue is included at pp. 24-36. For reasons of space a 'Focus' article is not therefore included in this issue.

R E G U L A R R E P O R T S

Administrative Review Council

REPORTS

Report No. 31, Review of Decisions under Industry Research and Development Legislation, was tabled in the Parliament on 13 December 1988. Copies of the report are available for purchase from AGPS outlets.

The Council's Twelfth Annual Report 1987-88 was tabled in the Parliament on 1 December 1988. Copies are available from AGPS outlets.

LETTERS OF ADVICE

Since the October 1988 issue of Admin Review the Council has provided the Attorney-General with several letters of advice. They address the following issues:

- . government response to the report of the Committee to Advise on Australia's Immigration Policies (CAAIP);
- . review of decisions under the Australian Heritage Commission Act; and
- . the administrative law package under ACT self-government.

CURRENT WORK PROGRAM - DEVELOPMENTS

Access to administrative review. In November 1988, as part of the Council's inquiries into the process leading from notification of a decision to the point of review, the President of the Council held a series of discussions with the Secretaries and other senior officers of government departments. The Secretariat is currently collating the data collected.

Review of the AD(JR) Act: redefining the Act's ambit. The Council's Committee has examined the submissions received on the Council's draft report released in mid 1988. The Council is currently preparing its final report, which it hopes to finalise in the first half of 1989.

Community Services and Health. The Council's Committee held public forums in Sydney and Melbourne in November 1988 to elicit community feedback on whether the present review procedures (if any) in this area are adequate, and to identify problems and issues on which the Council might concentrate in its project. The Committee has decided to focus on the following decision-making areas of the Department of Community Services and Health:

- the Supported Accommodation Assistance Program;
- medical, social and other assessments of individuals; and
- medical, scientific and other assessments of products.

The Committee is preparing a discussion paper which it expects to release for public comment in early 1989.

Migration. On 8 December 1988 the Minister for Immigration, Local Government and Ethnic Affairs announced in the Senate the government's response to the report of the Committee to Advise on Australia's Immigration Policies. The Cabinet has decided not to accept the CAAIP recommendation that it open the Migration Act to AAT review; and proposes instead to upgrade the current system of review by Immigration Review Panels.

Administrative Appeals Tribunal

NEW JURISDICTION

Since the last issue of Admin Review new jurisdiction has been conferred on the AAT under the following legislation:

Privacy Act 1988.

KEY DECISIONS

Use of 'DNA Fingerprinting' to establish familial relationship

In Thom Thi Nguyen and Department of Immigration, Local Government and Ethnic Affairs (6 December 1988) the Tribunal was requested to review decisions by the Department, under section 56 of the Freedom of Information Act 1982, refusing to amend documents relating to the applicant. The applicant's son had sponsored her entry to Australia in 1980, with her husband and five other children. The sponsorship and entry forms completed at that time by the sponsor in Australia and the applicant in Vietnam indicated that the applicant had six children. In 1987, however, the applicant sought to amend the forms relating to her entry to Australia, to show that she had two additional children, then living in Thailand and France. The applicant hoped by this means to establish that the Thai resident was her son and was therefore eligible to be sponsored by her to Australia.