

The apparent breadth of review must, of course, be read in the light of the decision in *Australian Broadcasting Tribunal v Bond* (1990) 170 CLR 321, which reduced the scope of the word 'decision' thereby reducing the scope for both merits and judicial review of decisions. For further discussion on this point, see the Focus Article in this issue. For an example of how the AAT's jurisdiction is diminished, see *Gallivan Investments Pty Ltd v ASC* [1991] *Admin Review* 40. Although the ASC believes that the AAT's power is too extensive, it remains to be seen what use will be made of the available rights of review and what impact the AAT will have on ASC decision-making. [GF]

Official Information

The first of five reports to be compiled as part of the *Integrity in Government* project being conducted by the Australian National University has been published. This report, entitled *Official Information*, deals broadly with issues relating to the handling, use and dissemination of information in the hands of government. It also deals with the controversial topic of whistleblower protection. The report is particularly useful because it covers the relevant law in each of Australia's jurisdictions.

If you are interested in obtaining a copy, you should contact the Law Department of the Research School of Social Sciences in the Australian National University, phone number (06) 249 2331.

TRIBUNAL WATCH

Immigration Review Tribunal: Annual Report 1990-91

This Report was sent to the Minister on 9 October 1991. The Report covers a range of matters including staffing, workload and important decisions. The 1990-1991 year represents the first full year of operation of the IRT. As the IRT is still new, there is not yet a clear picture of the workload that can be expected.

Planners for the IRT anticipated up to 2500 applications being lodged in 1990-1991; 814 applications were actually lodged. The difference between the anticipated number and the actual number may be due to several factors. There were fewer decisions made in cases where the applicant was able to seek review from the IRT than was estimated. Of those cases, which form the pool of potential applications to the IRT, a smaller percentage of cases went on to the IRT than expected.

The Tribunal is concerned about the rate of appeals and has embarked on a program of activities to publicise its work. The activities include:

- producing pamphlets in 15 community languages;
- conducting seminars with ethnic community groups, Migrant Resource Centres, Ethnic Communities' Councils, migration consultants and community workers; and
- advertising its role on ethnic press and radio.

The task the IRT faces in making its work known is complicated by the fact that many of the people who could use it are not in Australia at the time of their application. This is because many decisions capable of being reviewed by the IRT are made at overseas posts. [PG]

Social Security Appeals Tribunal: Annual Report 1990-91

This Report was presented to the Minister on 23 September 1991. One particularly noteworthy feature was an increase in workload. During the year, the SSAT received 7334 applications and finalised 7204 applications. The application rate increased by 20% in the last four months of the year. There was no clear reason for the increase apart from the difficult economic conditions.

During the year under review, the SSAT improved its performance on a number of indicators; reducing the average processing time from lodgement of application to completion and providing written reasons for decisions more quickly. In the previous year the average time to process an application was 14.2 weeks, in the reporting year the average time fell to 10.5 weeks. Likewise, written reasons for decision were provided in an average of 18.7 days previously and in the year under review in 10.4 days.

The SSAT continued to maintain a staff training program to ensure that its members

(who are mostly part-time) were aware of the numerous changes to the Social Security legislation. [PG]

Veterans' Review Board: Annual Report 1990-91

This Report was presented to the Minister on 13 September 1991. The year under review was one of steady progress for the VRB: 7302 applications were received and 8745 applications were finalised, leaving the number of applications outstanding at 7375. This figure represents a net reduction of 15.4% on the number of applications outstanding at the end of the previous reporting year. This result was achieved despite an increase in the number of applications.

In addition to achieving that result, the VRB did so more cheaply, as the average cost per application was \$829, compared with a cost per application of \$918 in the previous year.

The main operational problems for the VRB during the year were the high lodgement rate of applications for review and the continued inability of some advocacy organisations and advocates to prepare cases and present them for hearing in sufficient numbers to meet the VRB's capacity to hear them.

To reflect the VRB's ongoing workload the numbers of members remained fairly constant at 49 versus 52 the previous year. A number of additional appointments were made as full-time Senior Members and Members but these appointments were balanced by retirements. [PG]

Administrative Appeals Tribunal: Annual Report 1990-91

This report was presented to the Attorney-General on 19 September 1991. It covers the first full year in which Justice O'Connor was President. The report deals with matters including: administration, membership, the procedures and work of the Tribunal and social justice issues. During the year under review, the Tribunal directed resources into reviewing the preliminary conference procedures with the aim of reducing delay and cost.

The Tribunal also instigated a pilot scheme which may lead to the introduction of a mediation stream into procedures. This would enable parties to reach their own resolution.

Recognising that many parties who come before the Tribunal are from a non-English-

speaking background, the Tribunal established an Access & Equity Committee. The Committee has developed a plan of action to address some of the problems faced by these people in seeking fair and effective access to review. The plan includes:

- training for Members and staff of the Tribunal on the correct use of interpreters and translators and general multicultural issues;
- conducting information sessions for ethnic community workers; and
- using the electronic media within ethnic communities. [PG]

Report: Review of the Administrative Appeals Tribunal

This report was presented to the Attorney-General on 29 November 1991. It concluded a process of review that commenced in 1989, under the late President, Justice Hartigan. Following the appointment of Justice Deirdre O'Connor as President of the Tribunal, on 25 June 1990, a steering committee, including the President, was formed to conduct the review.

Justice O'Connor opened the review process by consulting with a wide range of groups and individuals who have dealings with the Tribunal, including Commonwealth agencies, legal and medical practitioners, community legal centres and community interest groups. Some of these bodies made submissions to the steering committee.

The report has over 200 recommendations ranging over every aspect of the Tribunal and its work.

- Some of the key recommendations include:
- that the Tribunal encourage the establishment and/or continuation of Tribunal and user groups liaison committees in each of its registries;
 - improved information about the Tribunal be provided to the public;
 - members and senior staff of the Tribunal be active in promoting the Tribunal, its work and procedures;
 - legislation be enacted to ensure that a party to or a witness in proceedings in the Tribunal who does not have adequate English language skills be entitled to an interpreter at any proceeding;
 - the Tribunal's membership include a number of experts in environmental law and science adequate to ensure prompt expert attention to