

(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

matters coming before it requiring such expertise;

- the Tribunal's procedures for dealing with environmental matters as complex and unusual cases be kept under constant review;
- the Administrative Review Council examine the issue of the review of environmental decisions;
- preliminary conferences in the one matter be conducted by the same person wherever possible;
- pending development of long-term case management time standards, interim time standards be applied in the bulk of cases, including:
  - receipt of application to dispatch of notice - 2 working days
  - first conference to last conference - 16 weeks
  - receipt of application to final disposal - 12 months
- uniform national policies on all significant practices and procedures be developed with input from members and staff;
- the AAT Act be amended to allow two-member hearings with a right to a rehearing

by a three-member Tribunal where the two members fail to reach agreement;

- suitable applicants for appointment to membership of the Tribunal be interviewed by an advisory committee including the President or his or her nominee, if he or she should so wish, and a nominee of the Minister;
- criteria be used to measure the relative merits of applicants;
- the establishment of a joint registry with the Federal Court and/or other Commonwealth review bodies be considered in each location where the lodgement is consistently less than 350 per annum;
- fees payable in Tribunal proceedings continue to be lower than those applying in the Commonwealth Courts;
- the AAT Act be amended to give power to the Registrar or Deputy Registrar to waive or remit any fees in some cases; and
- Tribunal fees paid be recoverable from a respondent if the application is successful.

There has not yet been any response from Government. [PG]

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