

TRIBUNAL WATCH

Amalgamation of Merits Review Tribunals

On 20 March 1997 the Attorney-General and Minister for Justice, the Hon Daryl Williams AM QC MP, issued the following News Release

“Reform of Merits Tribunal

Cabinet has agreed in principle, to amalgamate the Administrative Appeals Tribunal, the Social Security Appeals Tribunal, the Veterans’ Review Board, the Immigration Review Tribunal and the Refugee Review Tribunal into a single tribunal, the Administrative Review Tribunal.

The amalgamation would streamline administrative structures and enhance operations.

It is envisaged that separate divisions of the proposed ART would develop and maintain flexible, cost-effective and non-legalistic procedures relevant to their jurisdictions.

An interdepartmental committee comprising senior Commonwealth officers will devise a strategy for implementing the amalgamation.

The basis and scope of administrative review, designed to reduce the number of applications, the overall costs of merits review and excessive legalism, will be examined.

Detailed implementation of the recommendations for improvements to process and procedures of merits review tribunals contained in the *Better Decisions* Report of the Administrative Review Council will also be considered.”

Proposal for an Administrative Decisions Tribunal for New South Wales

The New South Wales Attorney-General’s Department have advised the Council Secretariat that it is expected that legislation to establish an Administrative Decisions Tribunal will be introduced into the New South Wales Parliament in early June. It is hoped that the legislation can be passed in the current session of

the Parliament (which runs until the end of June).

In the preparation of its legislation, the Department has been consulting with a number of experts and says that the proposals have advanced considerably from those raised in early discussions last year.

United Kingdom: The Annual Report of the Council on Tribunals for 1995/96

The United Kingdom Council on Tribunals is an independent advisory body which was established in 1958. Its functions, as set out in the *Tribunals and Inquiries Act 1992*, include keeping under review the constitution and working of a large number of tribunals and advising on administrative procedures relating to certain statutory inquiries. The Council on Tribunals has a Scottish Committee with direct responsibility for supervising tribunals set up under Scottish legislation.

The Annual Report of the Council on Tribunals for 1995/96 was released in December 1996. Matters in the Annual Report which may be of interest to *Admin Review* readers include:

- Consultation with the UK Council on Tribunals

The UK Council on Tribunals notes that while its primary function, as it relates to tribunals, is to keep under review the constitution and working of specified tribunals, much of its time is taken up with giving advice to Government Departments about proposed legislation to establish new tribunals and new appeal procedures.

The Council on Tribunals notes that a very helpful device for drawing the Council’s existence to the attention of legislation developers within Departments is the *Code for Consultation with the Council* which the Council agreed with UK Government some years ago. The Code explains the desirability of Departments consulting the Council at an early stage in the formulation of proposals requiring new adju-