

## SUBMISSIONS AND LETTERS OF ADVICE

Since the publication of *Admin Review* 51, the Council has provided advice or made submissions to:

- the Australian Law Reform Commission, commenting on the Discussion Paper on the review of the federal civil justice system;
- two letters to the Assistant Secretary, Information Law Branch, Attorney-General's Department, giving Council's views on the issue of privacy in the private sector;
- the Attorney-General and the Minister for Agriculture, Fisheries and Forestry, giving Council's views on merits review of certain fisheries decisions;
- three letters to the Assistant Secretary, Administrative and Procedural Justice Branch, Attorney-General's Department, commenting on aspects of the draft Administrative Review Tribunal Bill;
- the Assistant Secretary, Information Law Branch, Attorney-General's Department, commenting on the draft Freedom of Information Amendment Bill;
- the Attorney-General, regarding the proposed implementation of several recommendations from the Guilfoyle Report on the social security review and appeals system;
- the Legal, Constitutional and Administrative Review Committee (QLD) in relation to Council's views on the application of freedom of information legislation;
- the Attorney-General, regarding the operation of section 13 of the *Administrative Decisions (Judicial Review) Act 1977* in respect to a decision maker's failure to provide reasons;
- the House of Representatives Standing Committee on Legal and Constitutional Affairs regarding the Privacy Amendment (Private Sector) Bill 2000; and
- the Joint Standing Committee on Migration, giving the Council's views on the Migration Amendment Bill (No. 2) 2000.

## CURRENT WORK PROGRAM

Further information on any of the projects discussed below can be obtained from the Council's Secretariat on (02) 6250 5800.

## **Internal review of agency decision making**

The Council will shortly publish a Report and Best Practice Guide on Internal Review of Agency Decision Making. The project is aimed at identifying the needs that Commonwealth agencies seek to satisfy in those internal review systems. In turn, the extent to which those systems meet those needs, and the values and principles of administrative law, was examined. It is hoped that the Best Practice Guide will offer practical help by enabling agencies to re-examine their internal review systems with a view to improving them.

The project is partly based on interviews conducted with officers of five Commonwealth agencies (Centrelink, Australian Customs Service, CRS Australia, the Therapeutic Goods Administration and the Department of Veterans' Affairs).

## **Professional standards for tribunal members**

The Council is currently examining the ethical responsibilities, accountability, and personal and professional standards of members of merits review tribunals.

The aim of this project is to discuss the issues in a forum that will be of assistance to tribunal members, tribunal managers and tribunal users, including: members of the public, government departments and relevant professionals.

## **Coercive powers of Commonwealth regulatory agencies**

The Council will be undertaking a project to examine the coercive powers available in legislation to be used by Commonwealth regulatory agencies. The project will concentrate on powers used by those agencies regulating business and commercial entities, and will aim at producing a model set of coercive powers for those agencies.

## **Use of technology in administrative decision making**

The Council is taking an interest in the issue of the use of technology in administrative decision making, in particular the use of rulebase or expert decision support systems.

## **MEMBERS' NEWS**

### **Appointment of new members**

Two new members were appointed to the Administrative Review Council on 8 December 1999, for a period of three years. Robin Creyke is a Reader in Law at the Australian National University. Stephen Gageler is a barrister in private practice at the New South Wales Bar.

Robert Cornall, the Secretary of the Attorney-General's Department, was appointed to the Administrative Review Council on 7 June 2000, for a period of three years.