

ADMIN LAW WATCH

TRIBUNALS REFORM IN THE UNITED KINGDOM

The Lord Chancellor in the United Kingdom gave the Keynote Address to the Council of Tribunals Spring Conference on 18 May 2000. During this speech he announced a wide-ranging, independent review of tribunals. This initiative was prompted by developments such as the modernisation and reform programs of the Government, recent radical constitutional reforms and the implementation in England and Wales, by the Human Rights Act of 1998, of the European Convention on Human Rights.

The Lord Chancellor considers that the review should ensure that tribunals are seen to be entirely independent of Government, are wholly impartial, are responsive to the needs of society, and provide an effective control on the implementation of Departments' policies and service management. Sir Andrew Leggatt, a former Lord Justice of Appeal, has been appointed to conduct the review, and is expected to report to the Lord Chancellor by March 2001.

ALRC REPORT NO 89 : MANAGING JUSTICE - A REVIEW OF THE FEDERAL CIVIL JUSTICE SYSTEM

The above report was presented to the Attorney-General in January 2000. This lengthy and detailed report (743 pages) made a number of recommendations of relevance to the Commonwealth system of administrative review. These included recommendations that:

- Every federal review tribunal should have an effective professional development program, and set performance standards for its members;
- A Council of Tribunals should be established as a national forum for tribunal leadership to develop policies, secure research and promote education on matters of common interest;
- The Senate Scrutiny of Bills Committee and the Senate Standing Committee on Regulations and Ordinances should be directed, when considering new legislation, to have regard to the likely impact of the proposed legislation, ordinance or regulation on the cost, complexity and volume of litigation or administrative review;
- The Administrative Appeals Tribunal should focus development of its case management processes on reducing case duration in all review jurisdictions and on engendering a culture of compliance with directions; and