

Background

The National Convener of the SSAT resigns

Anne Coghlan, the National Convener of the SSAT has been appointed a full-time member of the Victorian Administrative Appeals Tribunal. She resigned from the SSAT on 17 June 1994. Anne was appointed to the SSAT as the National Convener in November 1988 at the time the SSAT gained its new determinative powers. She was responsible for introducing new procedures which allowed the SSAT to exercise its new powers in a just, quick and economical manner. For example, initially very few papers were provided to the applicant, generally a copy of the decision only, while the SSAT had access to the Department's file. Now the applicant is provided with the same papers as the SSAT. Procedures have been implemented to insure that third parties are joined where appropriate, and that parties are fully informed of their rights and what will happen at the hearing, before they appear before the SSAT.

Anne has also encouraged the development of an outreach program. The SSAT regularly sits in country centres in all States. It runs training programs for non-legal advocates who appear before the Tribunal, and regularly visits DSS offices to explain the role of the SSAT in the decision-making process. In the period Anne has been the National Convener, the SSAT has grown to over 200 members based in every State and Territory.

The SSAT deals with applications for review more efficiently. The average time for an appeal to be finalised from the date of registration of the appeal, is 11.4 weeks. Nationally the SSAT sets aside the DSS decision in approximately 40% of cases. In a similar number of cases the DSS decision is affirmed. The remaining cases include withdrawn and dismissed cases.

The new National Convener should be appointed by the end of August. That person will face new challenges with respect to the future direction of the SSAT. The Administrative Review Council is presently conducting a review of the specialist Commonwealth tribunals.

Restructure of tribunals?

At a recent conference held by the Australian Institute of Administrative Law, three possible models for restructuring the tribunal system were advanced. The first model suggested that most existing tribunals be abolished and be replaced by two tiers of a new administrative review tribunal. The first tier would be a general division and the second tier a review division. The second model suggested the retention of the specialist tribunals as well as a two tier AAT – a general division which would act like a specialist tribunal and a review division. The third suggested a cluster or federation of specialist tribunals. The AAT would cease to be a general tribunal and would become a second tier review tribunal. It has also been suggested that the SSAT should be combined with other Commonwealth welfare tribunals to create a new welfare tribunal.

The report on specialist tribunals should be finished by the end of the year. Hopefully interested parties will be given an opportunity to comment on any proposed changes to the existing review structure. The SSR will keep readers informed.

[C.H.]

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