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Submission by Assistant Professor Narelle Bedford to the Statutory Review of the Amalgamated Administrative Appeals Tribunal

Bedford, Narelle

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Administrative Appeals Tribunal (the Tribunal) Statutory Review

Terms of Reference

July 2018

A review is to be commenced, in accordance with section 4 of the Tribunals Amalgamation Act 2015 (TA Act), to consider the operation of the amendments made by the TA Act to the Tribunal. The review shall consider:

- whether the objectives of the TA Act have been achieved;
- the extent to which the Tribunal operates as a truly amalgamated body, and whether any existing levels of separation are necessary and appropriate;
- whether the Tribunal is meeting the statutory objectives contained in section 2A of the Administrative Appeals Tribunal Act 1975, with particular regard to:
 - the objective to promote public trust and confidence in the decision-making of the Tribunal, including:
 - the extent to which decisions of the Tribunal meet community expectations; and
 - the effectiveness of the interaction and application of legislation, Practice directions, Ministerial Directions, guides, guidelines and policies of the Tribunal;
- the degree to which legislation, processes, grounds, scope, and levels of review in, and from, the Tribunal promote timely and final resolution of matters;
- whether the Tribunal's operations and efficiency can be improved through further legislative amendments or through non-legislative changes; and
- whether the arrangements for funding the operations of the Tribunal are appropriate, including ensuring consistent funding models across divisions.

The written report of the review is to be provided to the Attorney-General by 31 October 2018.