

From: Sian Leathem
Sent: Thursday, 7 October 2021 6:32 PM
To:
Subject: Response to questions on notice relating to members [SEC=OFFICIAL]

OFFICIAL

Dear Member [redacted],

As you might be aware, The AAT appeared before the Senate Legal and Constitutional Affairs Legislation Committee for Budget Estimates in late May 2021. We were asked a number of questions by Senator Carr about members, including a question about members who took more than 4 weeks of paid recreation leave in 2018/19, 2019/20 and 2020/21.

The AAT submitted a Public Interest Immunity claim (PII claim) in July 2021 in relation to these questions asked by Senator Carr. The grounds on which the AAT claimed a PII included that the disclosure of the information sought which identifies individual members would be an unreasonable disclosure of personal information and have an adverse impact on the proper and efficient conduct of the operations of the Tribunal; and disclosure of information such as number of finalisations and benchmarks would not give a complete or accurate representation of a member's work.

On 28 September 2021 the AAT received advice from the Senate that the committee rejected the AAT's PII claim and that the AAT must provide answers to the outstanding questions on notice by 8 October 2021. As such, we have prepared responses to the outstanding questions on notice. We are providing these responses tomorrow with the following qualifiers: the AAT has compiled data for the purpose of preparing the response, but in the time available to prepare this response, it has not been possible to thoroughly review the data nor validate it for accuracy.

Our records indicate you took leave during the period in question. We propose to provide your name and the following leave information in response to this question:

Paid recreation leave	MEMBERS		
	2018–19	2019–20	2020–21
More than 7 weeks			[redacted]

If you have any concerns about the possibility of adverse comments being made about you in Parliament after the information is provided to the Committee, you should be aware that there is a process for making a reply should you wish to do so. This is discussed in section 5.7 of the [Government Guidelines for Official Witnesses before Parliamentary Committees and Related Matters](#).

Regards,

Sian Leathem
Registrar

Administrative Appeals Tribunal
Principal Registry, Brisbane
Executive

www.aat.gov.au

The Administrative Appeals Tribunal acknowledges the traditional owners and custodians of country throughout Australia and acknowledges their continuing connection to land, waters and community. We pay our respects to the people, the cultures and elders past and present.

IMPORTANT:

Please refer to the AAT website for information about temporary changes in place to respond to the impact of COVID-19 on services, including special measures practice directions: <http://www.aat.gov.au/impact-of-coronavirus-covid-19-on-our-services>

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