

Thank you, \_\_\_\_\_, for your reply at such a busy time of the year.

In answer to your query I have no objections to my submissions being published. I would welcome it.

Indeed, there is no Commonwealth Integrity Commission to scrutinise misbehaviour while in public office within the parliamentary, judicial or public service areas.

I have not sighted any advertisement that there was to be a Senate Inquiry into **The Performance & Integrity of Australia's Administrative Review System**- inviting former AAT Members (& viz others) to make their submissions. If there was any such all- encompassing national advertising campaign it must have been very restricted in capturing all interested parties.

The description of a Senate Inquiry into the Commonwealth's Administrative Review System without mentioning the AAT in its title is **misleading and deceptive**. The AAT **is** currently the Commonwealth's **actual** administrative review system. The review's terms of reference make this abundantly clear.

Significantly, the AAT did not, itself, directly invite me to make any submissions on that inquiry as it did with the Additional Estimates Senate Committee when it is a matter of public record, while at the Tribunal, that I made multiple substantial and well-founded criticisms regarding issues, amongst others, including member independence, *member performance*, transparency in the member appointment process, unacceptable senior public sector interference in member independence and how these in the long term ultimately leads to a compromised Member appointment system including specifically promotional appointments.

Whilst at the AAT I never received replies to my criticisms.

Keep in mind I was well positioned to make such criticisms given that I had headed up my own state Tribunal and in that capacity as a District Court Judge.

Most of my criticisms of the AAT and its related problems associated with issues of integrity, member selection transparency and public service interference came long before the **Callinan Statutory Review of the AAT in 2018**. Significantly the report made similar, if not, identical criticisms in its final report to government in the same year. The report unhappily, concluded there was **friction** at the Tribunal. That is certainly an understatement.

Given the above, I request that the **Senate Inquiry into the Performance & Integrity of Australia's Administrative Review System** be re-opened.

I request that I be specifically notified in the event the review is re-opened to avoid any allegations against parliament that this

inquiry was largely fictional.

I request that the **AAT be specifically described in its title** so there is no misunderstanding as to what is being actually reviewed.

I request that it be properly and genuinely nationally advertised for submissions across all interested parties, including **specifically former AAT members**, and not just government entities, special interest and lobby groups. Confidentiality and indemnity should be offered for those who do not automatically qualify for it.

Regards

Geraldine Hoeben  
23 December 2021

**From:** (SEN) **On Behalf Of** Legal and Constitutional, Committee (SEN)  
**Sent:** Monday, 20 December 2021 5:09 PM  
**To:** Gerry Hoeben  
**Cc:** Legal and Constitutional, Committee (SEN)  
**Subject:** RE: Submission by Geraldine Hoeben to the Senate Standing Committee On Legal & Constitutional Affairs-Additional Estimates - AAT - 2020-2021

Dear Ms Hoeben,

Your correspondence has been received by the secretariat.

As estimates is a public process, It is possible that the documentation you provided will be made public, subject to committee decision. Please let the secretariat know if there is anything contained within it that you do not want to be made public and that will be put to the committee. The ultimate decision, however, lies with the committee.

Sincerely,

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Standing Committee on Legal and Constitutional Affairs  
Department of the Senate  
Phone  
[www.aph.gov.au/senate](http://www.aph.gov.au/senate)



*Standing Order 37 prevents the disclosure of committee documents or their contents unless authorised by the committee. For further information, please contact the secretariat.*