

**MRT-RRT Principal Member's Opening Address
Senate Legal and Constitutional Affairs Committee**

Additional Budget Estimates Hearing

23 February 2015

Opening statement

The tribunals last appeared before the committee in October and so it is opportune to update you on some matters that have occurred since then.

Caseload statistics

The tribunals have reviewed close to 14 000 cases so far this financial year. This puts us in a good position to realise a strong result for the full year of around 21 000 cases. This is less than last year because we are concentrating on the more complex caseloads.

MRT decisions were highest in the student refusal, partner refusal, and temporary work case categories, while for the RRT decisions were highest for applicants from China, India and Sri Lanka.

Two key strategy objectives of the tribunals are to reduce the number of active cases and to reduce the age of those cases. Active cases are those for which an application for review has been lodged with the tribunals and remains undecided. As a result of the strong performance our active caseload has reduced since the start of the year by around 10 per cent to 15 500 cases, and processing times for MRT cases have improved, in some cases significantly. These are both very good outcomes.

This means that we remain on track to meet our objective to reduce the active caseload over the next three years to an ongoing level of about half of annual lodgements in most categories. Achieving and maintaining that level of cases on hand will result in a significant improvement in average processing times by 2017.

What these numbers mean for our applicants is that they are receiving a consistently high level of service and speedier finalisation of their cases.

The dedicated staff and members of the tribunals have achieved these outcomes by adopting a range of new work practices like expanding the hearing list format in the MRT caseload, continued use of member specialisation, and changes to decision writing. An online lodgement facility launched in 2014 is now the most preferred mode of lodgement for new applications.

Further innovations and efficiencies are being pursued in 2015, with initiatives including extending the use of hearing lists to new parts of the caseload, greater electronic communication with applicants, and increasing the functionality of the online lodgement facility, and updating our case management system.

Legislative changes

To enhance its operations, the tribunals also support new powers that are proposed in the Migration Amendment (Protection and Other Measures) Bill 2014. These powers would amend the Migration Act to include the dismissal of applications for review in circumstances where the applicant fails to appear; and the ability to give oral statements of reasons without the need for a written statement except where requested. We consider that these and other proposed changes will assist us in achieving our statutory objectives of providing fair, just, economical, informal and quick merit reviews.

Amalgamation

I am sure you will be aware of the proposed amalgamation of the MRT-RRT with the Administrative Appeals Tribunal and the Social Security Appeals Tribunal, that was announced in the last Federal Budget and is planned to take effect on 1 July 2015. The Tribunals Amalgamation Bill was introduced into the Senate in December. If passed the Bill would merge the three tribunals into a single amalgamated tribunal established under the Administrative Appeals Tribunal Act.

The MRT-RRT will become a Division of the new tribunal and be known as the Migration and Refugee Division. Most of the procedures that currently apply to the MRT and RRT will apply to the new Migration and Refugee Division and, with some exceptions, the Migration Act 1958 will remain as the legislation setting out the processes, including the code of procedure.

Planning for the amalgamation is being co-ordinated by the Attorney General's Department and is progressing well. The amalgamated tribunal is expected to be in a position to commence operations by 1 July. The focus of planning to this point has been on human resources, finance, property, Information Technology and on the drafting of legislation. Not everything will be integrated by that date but it is hoped that the bulk of corporate activities will be consolidated.

My colleagues and I are happy to elaborate on any matters that I have just highlighted, or answer any other questions the committee may have.