

Principal Member's Opening Address
Senate Legal and Constitutional Affairs Committee
Additional Estimates Hearing

February 2013

Opening statement

The Migration Review Tribunal and the Refugee Review Tribunal last appeared before the committee in October last year. This is my second appearance before the committee since commencing as the Principal Member of the tribunals on 20 August 2012. By way of opening, I would like to highlight the more significant developments since October:

Caseload statistics

The tribunals' workload continues to increase. Senators may be aware that the tribunals had an overall increase of 30 per cent in applications in 2011-12. That trend is continuing with lodgements up 43 per cent in the first six months of this financial year. The categories of cases experiencing significant increases in lodgements are the skill linked refusal, permanent and temporary business refusal, partner and nomination/sponsor approval refusal cases in the MRT. For the RRT, significant increases in lodgements are by applicants from Afghanistan, Sri Lanka, and Iran.

To date this financial year the tribunals are keeping up with the incoming workload and are on track to complete significantly more cases than in 2011-12. 57 per cent more cases were decided in the year to 31 December 2012 than in the same period in 2011-12.

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By: Ms Kay Ransome, MRT-RRT

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IPAO and IMA transition

As you are aware, the Independent Protection Assessment Office, or IPAO, became a part of the tribunals on 1 July 2012. This followed the Minister's earlier announcements that a single protection visa process would apply to offshore and onshore applicants, and that the reviews for offshore entry applicants who had not had their primary interview by 24 March would be undertaken by the RRT.

The tribunals took over management of the remaining IPAO caseload from 1 July. This caseload was finalised on 17 December 2012 with 659 cases finalised.

Since 24 March 2012 the RRT has received applications from 1072 irregular maritime arrivals seeking review of decisions to refuse a protection visa. These cases are treated as priority matters and as at 31 December 335 cases had been decided with 81.5% being decided within 90 days. The primary countries of origin of applicants are Afghanistan, Iran, Iraq, Sri Lanka and Pakistan.

Case management efficient improvements

The tribunals have in place and are developing further mechanisms to deal with the increase in workload. These include various case management strategies to streamline hearings and decision making:

- We have implemented a model of specialisation in case allocations whereby members located in Sydney and Melbourne are assigned to specialist teams led by a senior member who acts as a practice leader for their caseload. Members in Brisbane, Adelaide and Perth are part of a mixed team and specialise in particular types of cases depending on the available caseload.

An interim review of the specialisation model was undertaken in December 2012 and January 2013. It found that the specialisation model is delivering improved productivity and has provided greater opportunities for the development of more efficient caseload approaches, particularly for the MRT.

- We have implemented a new operational structure in the New South Wales and Victorian registries to support member specialisation and end-to-end case processing. The registries are developing nationally consistent procedures and our country advice service has adopted a national structure.
- Several trials implementing a hearings list model will be completed by early this year. If successful, national procedures for the use of hearing lists in selected MRT caseloads will be developed and implemented using the lessons learned from these trials.

I would like to conclude by highlighting that the RRT will celebrate 20 years as a statutory body on 1 July this year. We are planning events to celebrate this anniversary and the contributions that the RRT has made over this period to refugee status determination in this country and internationally.

My colleagues and I are happy to elaborate on any of these matters or answer any questions the committee may have.