

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

May 2013

Opening statement

The Migration Review Tribunal and the Refugee Review Tribunal last appeared before the committee in February this year. By way of opening, I would like to highlight the more significant developments since then:

Caseload statistics

I am pleased to say that there has been a very large increase in cases decided this financial year by the tribunals. 14,975 cases were decided in the financial year to 30 April 2013. This represents a 74% per cent increase in decisions in the same period last year. Significantly in each of the last 4 months we have decided more cases than have been lodged with the tribunals. We are on track to decide more than 18,000 cases compared to 10,800 last year.

The increase in decisions this year has been due to a combination of additional members, the return of members who had been undertaking independent protection assessment work, and the introduction of specialist teams and new practices.

Senators may be aware that the tribunals had an overall increase of 30 per cent in applications last year in 2011-12. That trend is continuing with lodgements again up 30 per cent in the period to 30 April. The categories of cases experiencing significant increases in lodgements are the skill linked refusal, permanent and temporary business refusal, family refusal, 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.

IMA transition

Since 1 July 2012 the RRT has received applications from 1510 irregular maritime arrivals seeking review of decisions to refuse a protection visa. These cases are treated as priority matters and as at 30 April 876 cases had been decided with 57% being decided within 90 days. The primary countries of origin of applicants are Sri Lanka, Afghanistan, Iran, Pakistan, and Iraq.

Case management efficient improvements

There is considerably more work to do over the next year or two to reduce the large numbers of cases that remain on hand and to be able to return to our target processing times. The tribunals have in place and are developing further mechanisms to achieve this. 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 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. A more comprehensive review of specialisation has now commenced.

- New operational structures in the New South Wales and Victorian registries to support member specialisation and end-to-end case processing were finalised in March. The two registries now operate in a national environment and are producing nationally consistent procedures. Our country advice service has adopted a national structure too.
- Several trials implementing a hearings list model were completed this year. National procedures for the use of hearing lists in selected MRT caseloads will be developed and implemented this year using the lessons learned from these trials.

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