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**ATTORNEY-GENERAL
CABINET SECRETARY
MEMBER FOR ISAACS**

Recruitment of Members for the new Administrative Review Tribunal

Today the Australian Government is commencing the search for Members of the new Administrative Review Tribunal (ART) – the body that will replace the Administrative Appeals Tribunal (AAT).

This is an opportunity for appropriately qualified individuals to make a significant contribution to the most important reform of the federal system of administrative review in decades.

A central feature of the ART will be transparent, merit-based selection processes for the appointment of all non-judicial members.

The process the Government is announcing today relates to the recruitment of Members. In the coming months, the Government will announce further recruitment processes for Senior Members and non-judicial Deputy Presidents.

Current and former Members of the AAT who are interested in serving on the new Tribunal are welcome to apply.

Information about the role of Member and how to apply is available on the Attorney-General's Department website.

The new Administrative Review Tribunal

Before the end of the year, the Government will introduce legislation to abolish the AAT and replace it with the ART. Key features of the legislation will include:

- enhanced powers and procedures to enable the ART to respond flexibly to changing caseloads;

- a transparent and merit-based selection process for all members, informed by the operational needs of the ART;
- clear and delineated roles and responsibilities for those who hold leadership positions in the ART, including the President and Registrar;
- a simplified membership structure with clear qualification requirements and role descriptions for each of the four levels of membership – President, Deputy President, Senior Member and Member;
- greater powers for the President to manage the performance, conduct and professional development of ART members;
- a user-focused design, including simpler and more consistent application processes, an emphasis on non-adversarial approaches to resolving applications and safeguards to ensure representatives comply with their obligations; and
- clear mechanisms for the ART to identify, escalate and report on systemic issues in administrative decision-making.

Subject to the passage of legislation through the Parliament, the Administrative Review Tribunal will commence operations in 2024 as a non-corporate Commonwealth entity, accountable to the public through the Parliament.

The legislation to establish the ART will be informed by the outcomes of public consultation undertaken in 2023, and guidance from the Administrative Review Expert Advisory Group, chaired by former High Court Justice the Hon Patrick Keane AC KC.

Work on developing the legislation is continuing, with the details of measures outlined above and other key policy settings being refined through the drafting process. The Government also continues to consider the full range of issues raised in public submissions.

The importance of independent merits review

The existence of a strong, user-focused administrative review body is critical to protecting the rights and interests of individuals, particularly the rights and interests of the most vulnerable members of our community.

As noted in the Report of the Royal Commission into Robodebt:

Effective merits review is an essential part of the legal framework that protects the rights and interests of individuals; it also promotes government accountability and plays a broader important role in improving the quality and consistency of government decisions.

The Albanese Government is committed to restoring trust and confidence in Australia's system of administrative review – beginning with the establishment of a new administrative review body that is user-focused, efficient, accessible, independent and fair.

29 September 2023