



2023–24 At a glance

At the Administrative Appeals Tribunal (AAT), we offer individuals and organisations the opportunity to have administrative decisions independently reviewed. We review decisions made by Australian Government ministers, departments, and agencies. In limited circumstances, we review decisions made by state and territory governments and some non-government bodies.

Our role

The types of decisions the AAT most commonly reviews relate to:

- Australian citizenship
- child support
- family assistance and social security
- migration and refugee visas
- the National Disability Insurance Scheme
- taxation
- veterans' entitlements
- workers' compensation under Commonwealth laws.

We can also review a variety of other decisions but only if the relevant law permits it.

We strive to ensure that our review processes are accessible, fair, just, economical, informal, quick and proportionate.

We manage our workload in 9 divisions:

- Freedom of Information (FOI) Division
- General Division
- Migration and Refugee Division
- National Disability Insurance Scheme (NDIS) Division
- Security Division
- Small Business Taxation Division
- Social Services and Child Support Division
- Taxation and Commercial Division
- Veterans' Appeals Division.

Leading the AAT is our President, the Hon Justice Emilios Kyrou AO, a judge of the Federal Court of Australia. The Tribunal consists of other members appointed as Deputy Presidents, Senior Members and Members. The President is responsible for managing the administrative affairs of the AAT with the assistance of Deputy Presidents, who are appointed as Division Heads, and the Registrar, Michael Hawkins AM.

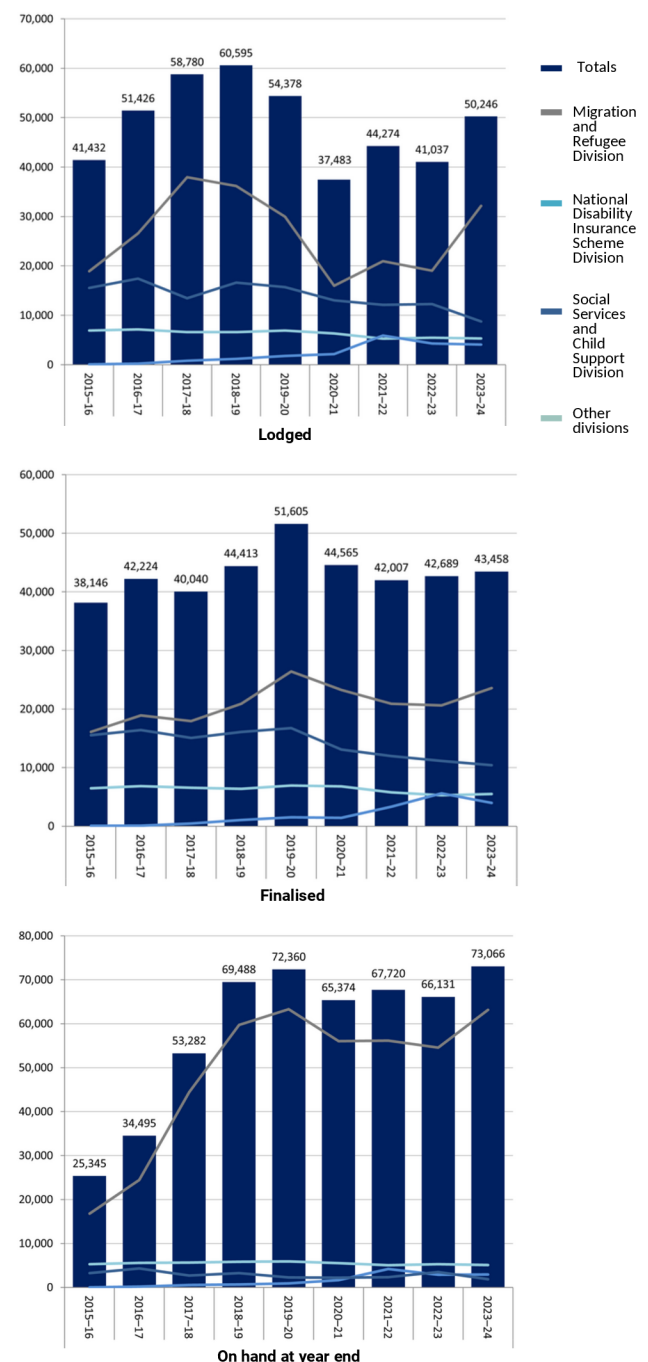
We also oversee the Immigration Assessment Authority (IAA), a separate office within the Migration and Refugee Division, which provides a fast track review process in relation to certain decisions to refuse protection (refugee) visas.

2023–24 was the final full year of operations for the AAT, ahead of it being replaced by the Administrative Review Tribunal in October 2024.

Key caseload statistics

The AAT received 22% more applications in 2023–24 than in the previous reporting period, while finalising 1.8% more applications than in 2022–23. The increase in lodgements overall was because we received around a third more applications for review in the Migration and Refugee Division than we had in the previous reporting period. The number of applications on hand at 30 June 2024 was nearly 10% higher than the number on hand at 30 June 2023. The tables below show our key caseload statistics for 2023–24 and the preceding 8 years.

AAT caseload overview, 2015–16 to 2023–24



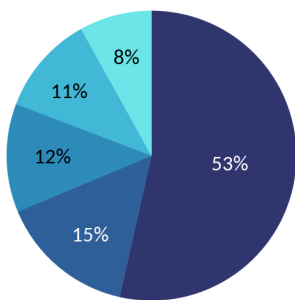
Applications lodged, finalised and on hand, 2023–24 – By division

Division	Lodged		Finalised		On hand at year end	
	No	% of total	No	% of total	No	% of total
Freedom of Information	135	>1%	126	>1%	175	>1%
General	4,021	8%	3,966	9%	2,721	4%
Migration and Refugee	32,134	64%	23,584	54%	63,177	86%
National Disability Insurance Scheme	4,068	8%	3,952	9%	2,953	4%
Security	2	>1%	31	>1%	2	>1%
Small Business Taxation	218	>1%	372	1%	526	1%
Social Services and Child Support	8,740	17%	10,400	24%	1,829	3%
Taxation and Commercial	788	2%	877	2%	1,521	2%
Veterans' Appeals	140	>1%	150	>1%	162	>1%
Totals	50,246	100%	43,458	100%	73,066	100%

The way we review decisions depends on the type of decision being reviewed. We take into account differences in legislative requirements as well as specific approaches developed to deal with the broad range of decisions that we review.

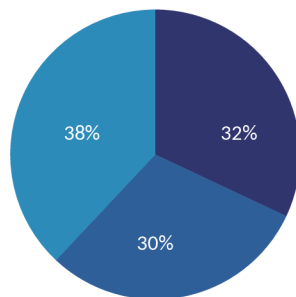
As well as the different ways we can manage decisions, applications to the AAT may be finalised in a range of ways. This reporting year, we finalised more than half of all applications by making a decision, often after conducting a hearing. Methods of finalisation are set out below.

Mode of finalisation of applications for review of decisions, 2023–24



■ By decision
■ Withdrawn
■ No jurisdiction
■ By consent
■ Dismissed by Tribunal

Outcomes of applications for review of decisions, 2023–24



■ Decision affirmed
■ Decision varied or set aside
■ Dismissed/ No jurisdiction/ Withdrawn

* 'By decision' includes applications finalised by a decision of the AAT on the merits under section 43 of the *Administrative Appeals Tribunal Act 1975* or section 349 or 415 of the *Migration Act 1958*. 'No jurisdiction' includes applications in relation to which the AAT cannot review the decision. 'By consent' includes applications finalised in accordance with terms of agreement reached by the parties.

IAA key caseload statistics

The IAA received more referrals in 2023–24 than in the previous reporting year.

In most cases, the IAA affirmed the decision under review (191 cases), with the decision remitted to the Department of Home Affairs for reconsideration in 22 cases. Ten cases were referred to the IAA in error.

IAA caseload overview, 2022–23 to 2023–24

	Finalisations	On hand at year end	Median time to finalise (weeks)
2022–23	158	173	9
2023–24	214	223	6

The top 5 countries of reference of referred applicants in 2023–24 were Sri Lanka, Iran, Iraq, Pakistan and Afghanistan.

Our performance

Number of finalisations

The number of cases finalised reflects the scale of activity undertaken by the AAT and IAA in carrying out our function of reviewing decisions. In 2023–24, we finalised a substantial number of applications and referrals, but fell short of our target by 14.7 percentage points.

Target: 50,637

43,681
cases finalised

Timeliness

This measure is an indicator of the extent to which the AAT and IAA are providing a mechanism for a review that is quick. The overall target of finalising 75% of cases within 12 months of lodgement was not reached in 2023–24.

55%

applications finalised within 12 months of lodgement

Clearance ratio

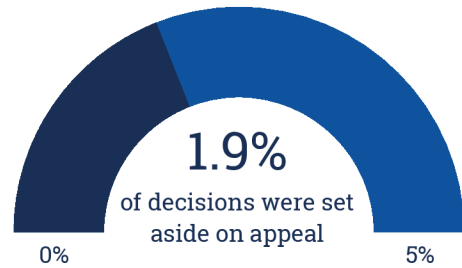
The clearance ratio is a measure of how many AAT applications and IAA referrals were finalised in the reporting year in relation to how many were received. This reporting year, we did not achieve our clearance ratio target by 13 percentage points.

Received: 50,460

Finalised: 43,681

Judicial review outcomes

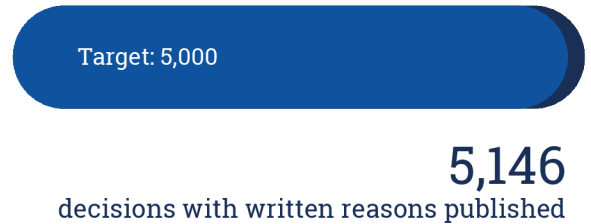
Our decisions may be appealed to the courts, and the appeal may be allowed if there was an error of law in relation to how the review was conducted or in reaching a decision. We aim to have fewer than 5% of appeals against our appealable decisions allowed by the courts. During the reporting year, 389 appeals of decisions made by the AAT and IAA were allowed against the number of decisions that could have been appealed. This was under target at 1.9%.



Publication of decisions

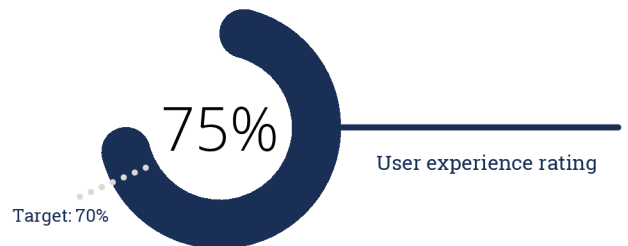
We publish statements of reasons for many of the decisions we make to promote public trust and confidence in our decision-making. We exceeded our 2023–24 target to publish at least 5,000 decisions, with 5,146 decisions published at the time of preparing our Annual Report.

Our decisions are published on the Australasian Legal Information Institute website (www.austlii.edu.au).



User feedback rating

The user experience rating measures the extent we provide a mechanism of review that is accessible, fair, informal and quick. During the reporting year, we surveyed our users for their views on a range of aspects and their perceptions of the process overall. Parties and representatives continue to rate our services positively with the AAT receiving a rating of 75% in our 2023–24 survey, exceeding our goal of 70%.



Key achievements in 2023–24

During the reporting year, our main focus was to ensure that the AAT continued to provide high quality merits review while preparing for the commencement of the Administrative Review Tribunal. While working on transitioning to the new Tribunal, we also had the unique opportunity to address issues that have impacted our ability to meet our key objectives and improving accessibility to our services.

Throughout the reporting year, we remained committed to our statutory objectives, enabling numerous individuals and organisations to exercise their right to challenge administrative decisions, and contributing to government accountability and transparency.

We progressed our case management solution project, including building a cloud-based data platform and initial case management workflow capabilities. This work will provide the groundwork in establishing systems to improve our users' experiences of our digital services. We have designed our systems to be flexible and agile to allow for legislative changes.

Our people are key to delivering high-quality merits review. In 2023–24, we ensured that members and staff were provided with appropriate skills to perform their work through professional development and ongoing support. We also prioritised the health and wellbeing of our members and staff and encouraged positive work cultures.

More detailed information about the AAT and our operations can be found in our 2023–24 Annual Report, available on the Australian Government Transparency Portal (www.transparency.gov.au).