

[1987] Admin Review 47

The Council is concerned to monitor the effect of the introduction of this filing fee on the AAT and on the system of administrative review generally. A comparison of the numbers of applications lodged in March 1986 with those lodged in March 1987 seems to indicate that the filing fee has greatly reduced the numbers of applications lodged. A summary of the non income maintenance figures appears below.

	SA	QLD	ACT	VIC	WA	NSW	TAS	TOTAL
March 1986	3	3	6	14	2	17	-	45
March 1987	-	-	-	8	8	2	1	19

Social security appeals statistics

Mr Derek Volker, Secretary of the Department of Social Security, visited the April Council meeting (see [1987] Admin Review 29) and, among other things, spoke about the appeal system in the social security area. He provided the Council with statistics to illustrate the points he made at the meeting. Some of these statistics are set out below.

Number of clients of Department of Social Security (at 30 June 1986)

Pensioners	2 052 433
Beneficiaries	641 020
Family allowance recipients (number of families)	<u>2 153 670</u>
TOTAL	<u>4 847 123</u>

[1987] Admin Review 48

Number of decisions (1 July 1985 - 30 June 1986)

	Grants	Claims disallowed	Terminations	TOTAL
Pensions	298 219	47 743	278 666	624 628
Benefits	1 053 007	na	1 059 000e	2 112 007e
Allowances	223 500e	na	248 761 (family allowance only)	472 261e
TOTAL	1 574 726e	47 743	1 586 427e	<u>3 208 896e</u> say <u>3 209 000e*</u>

na not available
e estimated

* Total does not include adjustments/variations to rates payable, reviews or decisions to raise overpayments

Number of appeals (1 July 1985 - 30 June 1986)

	Non-medical (including assets test)	Medical	TOTAL
Lodged	5645	1787	7432
Conceded (pre-SSAT)	1656	680	2336
Upheld	1165	581	1746
Dismissed	2223	639	2862
Withdrawn/lapsed	1517	247	1764
Total finalised	6561	2147	8708

Percentage of client population that lodged appeals in 1985-86

$$= \frac{7\ 423}{\text{say } 4\ 840\ 000} = 0.15\%$$

Percentage of clients whose appeals were successful (ie either conceded, pre-SSAT hearing, or upheld following hearing), excluding those cases where the appeal was withdrawn or lapsed

$$= \frac{2336 + 1746}{8708 - 1764} = \frac{4082}{6944} = 58.8\%$$

Rate of number of appeals to total number of decisions

$$= \frac{7\ 432}{3\ 209\ 000e} = 0.23\%$$

Rate of decisions overturned on appeal to total client population

$$= \frac{4\ 082}{\text{say } 4\ 840\ 000} = 0.08\%$$

Rate of decisions overturned on appeal to total number of decisions

$$= \frac{4\ 082}{\text{say } 3\ 209\ 000} = 0.13\%$$

R E C E N T P U B L I C A T I O N S

Aitken, L.J.W.

'Minister's duty continues' (1986) 7 Legal Reporter 7-11

Ardagh, Anne

'FOI: the walls of secrecy are going up again' (1987) 12 Legal Service Bulletin 21-4

Bates, Frank

'Industrial action and unemployment benefits' (1986) 60 Australian Law Journal 554-62

Boyle, Alan E.

'Political broadcasting, fairness and administrative law' (1986) Public Law 562-96

Bradley, A.W.

'Openness, discretion and judicial review' (1986) Public Law 508-14

Brennan, J

'The purpose and scope of judicial review' (1986) 2 Australian Bar Review 93-113

Cameron, Peter

'Censorship and the Video Recordings Act' (1986) 7 Journal of Media Law and Practice 93-98

Cathro, Grant

'Recent amendments to the taxation objections and appeals procedure' (1986-87) 21 Taxation in Australia 415-20

Clothier, Michael

'Howzat! Appeals and migration practice are not all cricket' 1987 Law Institute Journal 186-89