



Administrative
Appeals Tribunal

Corporate Plan

2024–28



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I, as the accountable authority of the Administrative Appeals Tribunal, present the 2024–28 Administrative Appeals Tribunal corporate plan, which covers the period of 1 July 2024 to 30 June 2028, as required under paragraph 35(1)(b) of the *Public Governance, Performance and Accountability Act 2013*.



Michael Hawkins AM
Registrar
Administrative Appeals Tribunal

20 August 2024

Our purpose

The Administrative Appeals Tribunal (AAT) is the primary Commonwealth tribunal. It provides independent merits review of a wide range of administrative decisions made under the laws of the Commonwealth of Australia and of Norfolk Island. The Immigration Assessment Authority (IAA), a separate office within the AAT, provides independent merits review of certain visa decisions.

The AAT must pursue the objective of providing a mechanism of review of administrative decisions that:

- is accessible
- is fair, just, economical, informal and quick
- is proportionate to the importance and complexity of the matter, and
- promotes public trust and confidence in the decision-making of the Tribunal.¹

The IAA must pursue the objective of providing a mechanism of review that is efficient, quick and free of bias.²

The AAT and the IAA provide administrative justice for individuals and organisations by reviewing decisions in accordance with the *Administrative Appeals Tribunal Act 1975* (AAT Act) and the *Migration Act 1958* and, more broadly, contribute to improving the quality of government decision-making.

Our key activities

The key activities of the AAT and the IAA, which are directed at achieving our purpose, are to undertake merits review of administrative decisions in accordance with the AAT Act and the Migration Act respectively.

Merits review of an administrative decision involves considering afresh the facts, law and policy relating to that decision. We decide what is the correct or preferable decision based on the material before us and may affirm or vary the decision, set aside the decision and substitute a new decision, or remit the matter to the decision-maker for reconsideration.

The AAT's work is organised in the following divisions:

- Freedom of Information Division
- General Division
- Migration & Refugee Division
- National Disability Insurance Scheme Division
- Security Division
- Small Business Taxation Division

¹ Section 2A of the *Administrative Appeals Tribunal Act 1975*.

² Section 473FA(1) of the *Migration Act 1958*.

- Social Services & Child Support Division
- Taxation & Commercial Division
- Veterans' Appeals Division.

The IAA, located within the Migration & Refugee Division, conducts fast track reviews of decisions to refuse to grant certain persons a protection (refugee) visa. When a decision is made to refuse to grant a visa to a fast-track applicant, the case is referred to the IAA automatically.

Our review processes vary according to the type of decision under review. Differences reflect the procedural requirements in the AAT Act, the Migration Act and social services legislation, as well as the case management approaches adopted to deal with the broad range of decisions we review. Our procedures are intended to give an applicant, and any other party to a review, a reasonable opportunity to present their case. Parties can represent themselves or may be represented or assisted by a lawyer, a migration agent, an advocate or another person.

In all cases, the decision-maker must give us a copy of the decision and all the documents they hold that are relevant to the review. A copy is given to the applicant and any other party, either automatically, or upon request. The Tribunal invites or directs parties to give us additional information that is relevant to the case.

In some types of cases, the AAT uses pre-hearing processes (such as case management conferences, other alternative dispute resolution processes and directions hearings) to talk to the parties about the issues in dispute, give directions about what the parties must do, and by when, to progress the case, in an attempt to resolve cases by agreement. Hearings are held to give the applicant and any other party an opportunity to provide evidence and present arguments about the decision under review.

In most cases, the IAA reviews decisions on the papers. In exceptional circumstances, it may accept new information, including in writing or at an interview.

Unless an application or referral is withdrawn or otherwise resolved, the AAT or IAA will make a decision on the review and give reasons for that decision. The decision may be published.

Applicants and other users can access the AAT through registries in each of the state capital cities and in the Australian Capital Territory, and through arrangements for the provision of registry services in the Northern Territory and on Norfolk Island.

Our operating context

Environment

There are a range of factors in our operating environment that may impact on us achieving our purpose. The most significant, discussed below, are those that impact on our workload and our ability to deal with it effectively and efficiently.

New system of federal administrative review

On 16 December 2022, the Australian Government announced it would abolish the AAT and replace it with a new federal administrative review body. The pieces of the package of legislation to establish this new body, the Administrative Review Tribunal (ART), were introduced in the Australian Parliament in late 2023 and early 2024. By mid-2024, the complete package had passed the Parliament and received Royal Assent. The ART will commence operation on 14 October 2024, at which time both the AAT and the IAA will cease to exist.

The Hon Justice Emilios Kyrou AO was appointed as AAT President on 9 June 2023. Justice Kyrou will lead the AAT until its abolition and then become the inaugural President of the ART. The AAT Registrar, Michael Hawkins AM, has been appointed as the inaugural Chief Executive Officer and Principal Registrar of the ART; he was appointed for a 5-year term, commencing on 14 October 2024.

Other than Judicial Deputy Presidents, member positions in the ART were required to be filled through a merit-based process. A number of members selected through this process commenced their appointment with the AAT or were reappointed to the AAT to ensure service continuity until the commencement of the ART. These members will transition to the ART for the remainder of their terms together with ongoing and non-ongoing APS staff employed by the AAT. All current matters before the AAT will continue as usual, automatically transitioning to the ART on its commencement.

The abolition of the AAT and its replacement with the ART provides a layer of complexity to the AAT achieving its purpose. We are playing a significant role in assisting the Attorney-General's Department to implement the legislation establishing the ART and to ensure the transition to the new Tribunal is a seamless experience for our users. The AAT was provided with funding for 2023–24 to support our critical transition work – \$6.3 million operating and \$0.3 million capital budget. The ART implementation work is in addition to providing business-as-usual merit review services to AAT users.

While implementing this reform adds to the complexity of us achieving our purpose, it has also provided a unique opportunity to address, or work towards addressing, the impact of longstanding challenges the AAT has faced in its operating environment. These challenges have particularly impacted our ability to provide a quick review mechanism and to operate more effectively and efficiently. The work includes the harmonisation of operational processes, technical solutions to establish a consolidated case management solution, and establishment of a fit for purpose funding arrangement.

Size and composition of the caseload

The AAT, including the IAA, is a demand-driven organisation. A complex set of factors determines the types and volume of applications and referrals made to us. They include:

- government policy decisions that set the AAT's jurisdiction to review decisions
- the volume of primary decision-making activity, driven by the number of applications, claims or requests made to the organisations whose decisions we review, as well as their decision-making priorities, strategies and resourcing

- the availability of mechanisms of internal review or review by another body before an application can be made to the AAT, and
- the multifaceted set of considerations that inform whether a person or organisation will apply for a review.

Over several years, the AAT has not had the resourcing required to manage the volume of applications for review lodged with the Tribunal, resulting in a significant on-hand caseload. During 2023–24, we received 50,460 applications and referrals and finalised 43,681 cases resulting in 73,083 cases remaining on hand at the end of that financial year. All our on-hand cases will transition to the ART on 14 October 2024.

While we seek to anticipate and plan for changes in application and referral numbers, including through liaison with decision-making organisations, our ability to respond to fluctuating caseloads is limited. Challenges can arise in responding to increases due to constraints on our ability to easily adjust member and staffing levels within our existing financial resources. The ART funding arrangement seeks to address these challenges. With flexible, demand-driven funding based on lodgements, the ART will be better able to manage its resources to enable timely decision-making across all parts of its jurisdiction and resolve the applications it receives. However, the large on-hand caseload the ART will commence operating with presents a substantial ongoing challenge.

Membership and staffing

The AAT consists of the President and members appointed by the Governor-General for terms of up to 7 years as Deputy Presidents, Senior Members and Members. Deputy Presidents assigned as Division Heads assist the President in managing the AAT's business. The Registrar, who is a statutory appointee, and staff, primarily employed under the *Public Service Act 1999*, assist to carry out the functions of the AAT and the IAA.

We regularly review our membership needs and provide advice to Government about those needs. However, decisions relating to the appointment of members are ultimately a matter for Government. These decisions impact our ability to provide merits review services and achieve our purpose.

Our *Workforce Strategy 2022-25* provides a strategic and integrated approach to attracting, developing, and retaining staff and members. This helps us prioritise initiatives, including our employee value proposition, as we transition to the ART to address key challenges attracting and retaining appropriately skilled staff. This is relevant in data and technology roles where significant shortages exist across both public and private sectors. This is of particular significance in relation to supporting our legacy case management systems while also prioritising the development of a new case management solution.

With the commencement of the ART, an opportunity arises to promote the Tribunal as a good place to work, with strategies planned across the employee lifecycle. This includes initiatives to further build our high-performance culture focussed on developing our staff and members, embedding Tribunal-specific values into the work we do, and reframing our funding arrangement to ensure we have the capacity and capabilities to support delivery of our statutory objective, strategic priorities, critical functions and business objectives.

Funding

As part of the federal administrative system reform process, the AAT worked closely with the Attorney-General's Department to develop a funding arrangement aimed at ensuring the financial sustainability of the ART for consideration by Government.

The ART will be supported by a sustainable and demand-driven funding arrangement. The arrangement enables resourcing to be set at projected demand based on the most recent 12 months of applications lodged. This is a welcome change to the previous funding arrangements in place for the AAT and the IAA, which were out of step with our changed operating environment and impacted our ability to achieve our purpose.

The AAT will receive an additional \$47.3 million in 2024–25 to ensure the ART is established on a financially sustainable footing. AAT resources will transfer to the ART on establishment.

Capability

While still delivering on our statutory objective, our key strategic priorities for the short period in which the AAT will operate in 2024–25 are to:

- manage our large and diverse caseload, including ensuring the continued delivery of high-quality services to our users
- prepare for the transition to the ART, including the ongoing development of the case management solution, and
- support our members and staff during the period of transition.

Aligned with our priorities are several key strategic initiatives the AAT is focused on for our transition to the ART. Critical initiatives will be delivered for the commencement of the ART, and others will continue to be developed and implemented progressively after the ART commences.

Manage our large and diverse caseload, including ensuring the continued delivery of high-quality services to our users

The strategic planning process we undertook in 2023–24 set the AAT up to prioritise and focus on what needed to be done in that financial year and the next to transition to the ART, while at the same time managing our large and diverse caseload and delivering high-quality services to our users.

We continue to address the large on-hand caseload, primarily in the Migration & Refugee Division, assisted by approximately 100 new members appointed during 2023–24. These members were appointed as part of an investment of \$63.4 million over 2 years to address existing backlogs and reduce wait times while the ART is set up, and a further investment of \$9.5 million over 3 years included in a protection system reform package. However, the attrition rate of existing members during 2023–24 was higher than anticipated. This attrition, combined with the time required to bring new members up to speed, has meant the impact on our on-hand caseload of the new members has been less than forecast.

In 2024–25, we are committed to inducting more new members as quickly as possible after Government makes the appointments. The seamless introduction of a substantial number of new members as well as the retraining of existing members who have been reappointed and who will also transition to the ART is a significant challenge. We have set up a dedicated Member Training and Professional Development Team, which sits in the reporting line of the President’s Chambers. The Team is well placed to succeed, leveraging the learnings from the onboarding and induction of the members appointed in 2023–24.

While we focus our efforts on ensuring new members are appropriately trained and ready to address our high number of on-hand cases, we remain committed to exploring opportunities for innovation and improvement in managing our caseload that will align with the objectives and future operation of the ART. Our key strategic initiatives related to the management of our caseload are:

- a whole-of-ART annual caseload strategy
- a whole-of-ART listings-based approach to the allocation of cases to members, managed by a dedicated national team
- a more consistent and effective member support model for the ART, and
- a whole-of-ART approach to the new case related powers of registrars.

In the 2024–25 Budget, the AAT was provided \$9.6 million over the forward estimates, and \$1.0 million per year ongoing from 2028–29, to improve access to its services. This funding will provide improved access to merits review for regional, rural and remote communities, and includes:

- \$2.5 million over 2 years for a User Experience and Accessibility Team to improve accessibility for all users, and
- \$2.6 million over two years to pilot a First Nations Liaison Officer program.

The approach to improving accessibility will be underpinned by an accessibility strategy, which is being developed during the transition period to the ART.

Prepare for the transition to the ART, including the ongoing development of the case management solution

Following on from our strategic planning process in 2023–24, the AAT established a Transition Committee and a Transition Team to facilitate a seamless transition to the ART. The Transition Committee, comprising of the President, the Registrar and the Chief Operating Officer, provides strategic direction and oversight of the ART transition. The Transition Team coordinates and oversees the large program of work required for the AAT to be ready to commence operating as the ART. This large program of work is divided into a number of inter-related workstreams and projects, in some cases involving personnel from relevant departments, such as Home Affairs and Social Services.

We are taking a flexible approach to the change required to transition to the ART and working together to make it a success. Our focus is on getting ready for the first day of operation of the ART with the primary focus of ensuring a seamless experience for our users. We acknowledge that the changes required to fully realise the objectives of the ART will continue after the new Tribunal commences. The Transition Committee and the

Transition Team will provide continuity in the delivery of the transition-related program of work.

The key strategic initiatives for transition due to be delivered by, or shortly after, the commencement of the ART include the caseload related initiatives listed above as well as an ART organisational design and an accessibility strategy. This is in addition to other critical work, such as the development of new practices and procedures, branding and a website for the ART.

In the longer term, a new consolidated case management solution is a critical requirement for the ART. The AAT's legacy case management systems are no longer fit for purpose, having exceeded their end of life and operating without external vendor support. A new case management solution will support the objectives of the new Tribunal by providing secure and accessible services to external users, and supporting efficient and consistent case management processes and decision making. The AAT is continuing work on the multi-year Case Management Solution (CMS) Program. Total funding for the CMS Program is \$29.64 million from 2022–23 to 2026–27.

Support our members and staff during the period of transition

The AAT remains focused on supporting our members and staff to perform their roles during the period of transition to the ART and to manage this significant change. The President and Registrar are committed to broad consultation with as many members and staff on as many topics as possible.

The AAT will continue to be open and transparent in informing members and staff of decisions affecting the Tribunal throughout the transition period, including through online forums hosted by the President and the Registrar and email updates from them. The AAT will also continue to operate channels where members and staff can provide feedback to, and ask questions of, senior leaders. Consultation forums and other opportunities to engage with senior leaders in person, and to provide feedback on key workstreams and projects, will continue to be provided for members and staff as required. The President and Registrar will also continue their regular in-person visits to all registries.

Our new Change Team, sitting within the Transition Team, is developing and driving effective change management strategies and implementing targeted change management activities to support the transition to the ART. This includes empowering our people to plan and implement change management activities, establishing a change network, and monitoring and responding to change risks.

We have a dedicated ART Transition intranet page as a central repository of information about the Transition Committee, the Transition Team, the ART legislation, workstreams and projects, consultation opportunities, and change management. The intranet page includes links to messages from the President and the Registrar, relevant media releases from the Attorney-General and updates from the Attorney-General's Department, a form for staff and members to make suggestions, provide feedback or ask questions (which can be done anonymously), and a frequently asked questions and answers resource.

The AAT continues to regularly promote access to its employee assistance program for staff and members. Using our increased Average Staffing Level, we have sought to move labour hire staff who wish to do so to APS positions. We remain committed to engaging our staff on an ongoing basis. This aligns with the APS Strategic Commissioning Framework, and provides certainty for staff who wish to transition to the ART.

Risk

The AAT is committed to managing and overseeing risk effectively in accordance with section 16 of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act), the Commonwealth Risk Management Policy and other relevant standards and guidelines. We have a variety of arrangements in place to ensure risks are identified, analysed, managed, and reviewed. The appropriateness of our arrangements is reviewed by the AAT Audit and Risk Committee. The arrangements include:

- an Enterprise Risk Management Framework supported by an Enterprise Risk Register, risk awareness sessions, and external expert advice as appropriate
- regular monitoring of risk issues by senior leaders, and a Chief Risk Officer and Risk Manager who reports directly to the Registrar
- a 3-year internal audit plan and regular internal audit activity which is linked to identified risks
- Accountable Authority Instructions issued by the Registrar
- a Fraud and Corruption Control Plan and a Fraud and Corruption Risk Assessment and Register
- security policies, procedures, focused training sessions and reviews, and
- business continuity and disaster recovery plans.

The table below outlines some of the key risks for the AAT as we transition to the ART and detail about how we are managing those risks, to the extent matters are within our control.

Risk	Key risk mitigation strategies
Failure to progress implementation of a new case management solution, resulting in ongoing reliance on unsupported legacy systems, risk of significant service interruptions and delayed realisation of improvements to operational effectiveness and efficiency	<ul style="list-style-type: none"> • Engage with Government in relation to funding and staffing arrangements • Ensure the case management program and projects are prioritised for maximum return on investment • Develop risk mitigation plans as required for legacy arrangements and systems
Failure to attract and retain skilled staff, resulting in high turnover, loss of corporate knowledge and low morale	<ul style="list-style-type: none"> • Implement the Workforce Plan and a new performance appraisal system

Risk	Key risk mitigation strategies
Failure to finalise as many applications as we are receiving resulting in a growing backlog, delay and user hardship and dissatisfaction	<ul style="list-style-type: none"> • Engage regularly with Government in relation to member appointments, funding arrangements, and legislation and policy changes • Liaise with agencies in relation to, and plan for, future workload changes and related budget impacts • Monitor and review the efficient allocation of members and staff to different areas of work • Review our ways of working and the tools we use to improve effectiveness and efficiency
Failure to develop the knowledge and skills of members and staff in a changing environment leads to diminution of consistency and quality of service	<ul style="list-style-type: none"> • Maintain and amplify workforce development planning • Maintain effective performance management frameworks and learning and development programs • Provide appropriate resources, tools and other supports for members and staff
Failure to have in place robust governance arrangements results in inability to meet statutory objectives and strategic priorities	<ul style="list-style-type: none"> • Keep the governance framework under review for consistency with better practice • Maintain sound strategic and operational planning processes and risk management processes, including internal audit and compliance monitoring
Insufficient change management techniques for implementing the new review body, resulting in a failure to effectively manage internal and external expectations of the reform program and deliver business-as-usual services as well as diminished member and staff morale	<ul style="list-style-type: none"> • Liaise and coordinate closely with the Attorney-General's Department • Continue effective communication plan, including regular updates, assurances to staff, offers of support and opportunities for change engagement • Continue the work of Transition Committee and Team, consultative committees, focus groups and surveys to manage change

Cooperation

The AAT engages with, and relies on, a diverse range of people and organisations to achieve our purpose.

In the context of individual cases, the actions of the following people and organisations play a key role in the efficiency and effectiveness of the review process:

- the individuals, businesses and other organisations who seek review of decisions or are otherwise parties to a review
- the agencies, organisations and other people whose decisions we review, and
- people and organisations who represent or assist parties involved in reviews, which includes legal practitioners, disability and veterans' advocates, migration agents and tax agents.

Parties and representatives are required by section 33 of the AAT Act to use their best endeavours to assist the AAT to fulfil its statutory objective. This reflects the significance of the contribution others make to our work.

We liaise regularly with stakeholders to discuss issues relating to our operations and explore opportunities to improve the delivery of our services, including:

- peak bodies such as the Law Council of Australia, bar associations, law societies and migration agent professional bodies
- organisations whose decisions we review such as the Australian Taxation Office, Comcare, the Department of Home Affairs, the Department of Veterans' Affairs, the National Disability Insurance Agency and Services Australia, and
- other national and local stakeholders who represent parties or are otherwise involved in relation to aspects of the review process such as legal aid commissions, community legal centres, and disability representative organisations.

The overall operation of our review processes is significantly enhanced through cooperation. The AAT remains committed to engaging with stakeholders in a purposeful and coordinated way as we transition to the ART, to assist us to implement key elements of the reform, achieve the purpose of the ART, and maintain and build cooperative relationships into the future.

Our performance

This section describes what the AAT plans to do and how success will be measured for the short period in which we will operate in 2024–25. The ART will develop and publish a corporate plan as soon as practicable after it commences operation, as required by the PGPA Act. The AAT's final Annual Performance Statement will be included in the first Annual Report of the ART.

What will the AAT do?

The AAT is a single-outcome and single-program entity.

Outcome 1: Provide correct or preferable decisions through a mechanism of independent review of administrative decisions that is accessible, fair, just, economical, informal, quick and proportionate.

Program 1.1: The AAT and IAA review decisions to provide administrative justice for individuals and organisations and, more broadly, contribute to improving the quality of government decision-making.

How will the AAT measure success?³

Performance measure 1: Number of applications and referrals finalised

Description:	The number of AAT applications and IAA referrals finalised in a financial year.										
When:	Measurement occurs annually after the end of the financial year in relation to that financial year.										
Method:	Quantitative data measurement.										
Rationale:	<p>This measure identifies the scale of activity undertaken by the AAT and IAA in the year and is related to the extent to which the AAT and IAA are providing mechanisms of review that are quick.</p> <p>The number of cases the AAT and IAA are able to finalise in any given year depends on the volume and complexity of the workload but also the financial and human resources available, particularly the number of members, reviewers and other staff, and how effectively they have been employed.</p> <p>The AAT component of the targets are estimates based on the past year's performance, activity and trends in our broader operating environment and information relating to the resources that will be available.</p>										
Target:⁴	<p>The estimated number of finalisations for the next four financial years is as follows:</p> <table border="1"> <thead> <tr> <th></th> <th>2024–25</th> <th>2025–26</th> <th>2026–27</th> <th>2027–28</th> </tr> </thead> <tbody> <tr> <td>Number of finalisations</td> <td>50,300</td> <td>47,000</td> <td>41,000</td> <td>41,000</td> </tr> </tbody> </table>		2024–25	2025–26	2026–27	2027–28	Number of finalisations	50,300	47,000	41,000	41,000
	2024–25	2025–26	2026–27	2027–28							
Number of finalisations	50,300	47,000	41,000	41,000							
Previous results:	2019–20: 53,336 (target of 48,756); 2020–21: 45,353 (target of 52,040); 2021–22: 43,084 (target of 47,944); 2022–23: 42,862 (target of 42,024); 2023–24: 43,681 (target of 50,637)										

³ All performance measures, other than the AAT user experience rating, cover the work of both the AAT and the IAA.

⁴ The figures provided extend beyond the life of the AAT. The targets for the number of cases to be finalised in 2026-28 do not include any IAA finalisations as the IAA is not currently funded to operate in those years.

Performance measure 2: Clearance ratio

Description:	The ratio of AAT applications and IAA referrals finalised in a financial year to the number of AAT applications and IAA referrals received in the same year, expressed as a percentage.
When:	Measurement occurs annually after the end of the financial year in relation to that financial year.
Method:	Quantitative data measurement.
Rationale:	<p>This measure identifies the extent to which the number of cases the AAT and IAA have on hand has increased or decreased during the reporting period. It is an indicator of the extent to which the AAT and IAA are providing mechanisms of review that are quick.</p> <p>The measure may be affected by a range of factors, including changes in lodgement rates, the resources available to deal with cases and how cases are managed. The results must be considered within the wider context of trends in lodgements and finalisations over time such as the significant backlog that has developed in the AAT over recent years.</p> <p>A target of 100% has been adopted to reflect our aim of finalising at least as many cases as are received so that the on-hand caseload does not increase.</p>
Target:	The clearance ratio is at least 100% in each financial year.
Previous results:	2019–20: 95%; 2020–21: 118%; 2021–22: 95%; 2022–23: 104%; 2023–24: 87%

Performance measure 3: Proportion of applications and referrals finalised within 12 months of lodgement or receipt

Description:	The proportion of AAT applications and IAA referrals finalised within 12 months of lodgement or receipt in a financial year.
When:	Measurement occurs annually after the end of the financial year in relation to applications finalised in that financial year.
Method:	Quantitative data measurement.
Rationale:	<p>This measure is an indicator of the extent to which the AAT and IAA are providing mechanisms of review that are quick.</p> <p>The AAT and IAA review a wide range of decisions. The time taken to finalise cases varies for different types of cases based on a range of factors, including the nature and complexity of the cases, differences in the procedures that apply to the review of decisions, the priority given to certain types of cases and the overall level of resources available to deal with applications and referrals.</p> <p>The 75% target has been derived taking into account these variations and reflects a benchmark for the AAT and IAA as a whole.</p>
Target:	In each financial year, 75% of applications are finalised within 12 months of lodgement.
Previous results:	2019–20: 60%; 2020–21: 54%; 2021–22: 60%; 2022–23: 61%; 2023–24: 55%

Performance measure 4: Number of decisions published

Description:	The number of AAT and IAA decisions made during a financial year that are published.
When:	Measurement occurs annually after the end of the financial year in relation to that financial year.
Method:	Quantitative data measurement.
Rationale:	<p>This measure is an indicator of the extent to which the AAT and IAA are providing mechanisms of review that are accessible and promote public trust and confidence in our decision-making.</p> <p>The AAT and IAA are authorised to publish decisions that are made and the reasons for them, subject to the requirement not to publish information the disclosure of which is prohibited or restricted by legislation or by an order of the Tribunal.</p> <p>In accordance with our decisions publication policy, the AAT generally publishes a proportion of written decisions made in:</p> <ul style="list-style-type: none"> • the Freedom of Information, General, National Disability Insurance Scheme, Security, Small Business Taxation, Taxation & Commercial, and Veterans' Appeals Divisions • certain types of cases in the Migration & Refugee Division and proportions of written decisions made in cases in higher-volume areas of the Division's jurisdiction, and • child support cases in the Social Services & Child Support Division. <p>The IAA publishes a representative sample of decisions.</p> <p>The target represents the estimated minimum number of written decisions the AAT and IAA expect to publish each financial year.</p>
Target:	At least 5,000 decisions made in each financial year.
Previous results:	2019–20: 6,265; 2020–21: 5,860; 2021–22: 5,357; 2022–23: 5,032; 2023–24: 5,146

Performance measure 5: AAT user experience rating

Description:	The average positive ratings derived from the results of an independent survey of parties and representatives about their experience at the AAT.
When:	Measurement occurs annually after the completion of the survey conducted in relation to cases finalised in that financial year.
Method:	Quantitative data measurement. Data is collected using independently administered online surveys, invitations for which are sent to all parties and representatives involved in a case finalised within a defined period for whom the AAT has an email address or mobile telephone number. The survey asks users to rate the quality of their experience of various aspects of the review process from lodgement to finalisation and their perceptions of the process overall. The user experience rating is calculated by computing the average positive ratings (i.e. 'strongly agree' and 'agree' ratings) given in responses to questions relating to the accessibility, fairness, informality and timeliness of the AAT's mechanism of review.
Rationale:	This measure is an indicator of the extent to which the AAT is providing a mechanism of review that is accessible, fair, informal and quick. Relying on the results of the first survey conducted in 2017–18 as a baseline, an average positive rating of at least 70% has been adopted as a suitable minimum target for the AAT.
Target:	The user experience rating is at least 70% in each financial year.
Previous results:	2019–20: 72%; 2020–21: 77%; 2021–22: 74%; 2022–23: 72%; 2023–24: 75%

Performance measure 6: Proportion of AAT and IAA decisions set aside by the courts on appeal

Description:	The number of appeals against AAT and IAA decisions allowed by the courts as a proportion of all AAT and IAA decisions that could have been appealed to the courts.
When:	Measurement occurs annually after the end of the financial year in relation to appeals allowed in that financial year against AAT and IAA decisions that could have been appealed to the courts made in the previous financial year.
Method:	Quantitative data measurement. The number of appeals allowed in the financial year is divided by the number of AAT and IAA decisions that could have been appealed to the courts made in the previous financial year.
Rationale:	<p>This measure is an indicator of the extent to which the AAT and IAA are providing mechanisms of review that are fair and just and that promote public trust and confidence in decision-making.</p> <p>The AAT and IAA must make the correct or preferable decision when reviewing a decision. Decisions may be appealed to the courts and an appeal may be allowed if the AAT or IAA has made an error of law in relation to how the review was conducted or in reaching the decision.</p> <p>This measure uses the total number of AAT and IAA decisions that could have been appealed to the courts as the base for the target as only a proportion of those decisions are appealed. The measure looks at the number of appeals that were allowed by the courts in the most recent financial year against the number of appealable decisions made by the AAT and IAA in the previous year. For appeals lodged in relation to decisions made in a year, the largest proportion of successful appeals are finalised in the following year.</p> <p>A target of less than 5% has been adopted to reflect that the proportion of AAT and IAA decisions set aside for legal error should be low.</p>
Target:	In each financial year, the number of appeals allowed is less than 5% of all AAT and IAA decisions made in the previous year that could have been appealed.
Previous results:	2019–20: 4.4%; 2020–21: 2.3%; 2021–22: 1.9%; 2022–23: 2.1%; 2023–24: 1.9%