

Corporate Plan 2025–26

Covering reporting period
2025–26 to 2028–29



Contents

Acknowledgement of Country	iii
Introduction	1
Our purpose, key activities and structure	2
Structure	3
Key activity 1: Undertaking merits review of administrative decisions	4
Key activity 2: Improving the transparency and quality of government decision-making	5
Key activity 3: Promoting public trust and confidence in the Tribunal	6
Our operating context	7
Environment	7
Capability	8
Risk	9
Cooperation	11
Subsidiaries	12
Our performance	13
Performance framework	13
Performance measures and targets	14

Acknowledgement of Country

The Administrative Review Tribunal acknowledges the Traditional Owners and Custodians of Country throughout Australia. We acknowledge their continuing connection to land, waters and community. We pay our respects to the people, the cultures and the Elders, past and present.

Introduction

As the accountable authority of the Administrative Review Tribunal, I am pleased to present the Tribunal's Corporate Plan 2025–26, which covers the four-year period to 2028–29, as required under paragraph 35(1)(b) of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act).

The Tribunal commenced operation on 14 October 2024, replacing the former Administrative Appeals Tribunal (AAT). During 2024–25, we completed a comprehensive program of work to support the transition to a new body and put in place foundational pieces to position the Tribunal to fully realise its purpose. These included implementing a new governance framework and functional organisational structure, strengthening the leadership role of our Senior Executive Service officers and their engagement with our staff and members, implementing new case management powers and a framework to identify and notify systemic issues, and operationalising the Guidance and Appeals Panel. The year also saw us recruit a significant number of new staff and induct all members to the Tribunal.

The President and I greatly appreciate the efforts and commitment of our staff and members to get the Tribunal to where it is today in only a short period of time. This corporate plan articulates the significant work still to be done and how we will achieve it.

Looking ahead, the next four years will be a time of both challenge and opportunity for the Tribunal. Notably, this period will be set within the context of the Tribunal dealing with unprecedented levels of new applications and a resulting on-hand caseload exceeding 110,000 cases while responding to resourcing limitations and ageing case management systems.

As we work to identify opportunities and solutions to deal with our caseload efficiently and effectively, we are also continuing to refine our organisational structure to best support Tribunal operations. This includes uplifting the capacity and capability of our staff (including using the new case management powers in the *Administrative Review Tribunal Act 2024*) and progressively implementing our new case management system while managing our legacy systems until they can be decommissioned.

The way we will deliver the Tribunal's purpose through our key activities will be guided by our key focus areas for 2025–26 and our core values of respect, integrity, collaboration and fairness.

The President and I remain fully committed to a unified and cohesive Tribunal that delivers its purpose, providing our users with exceptional service and developing a reputation as a tribunal of excellence. We are confident that, working together with our staff and members, we will meet community expectations and enhance the public trust and confidence in the Tribunal.



Michael Hawkins AM

Chief Executive Officer and Principal Registrar

Our purpose, key activities and structure

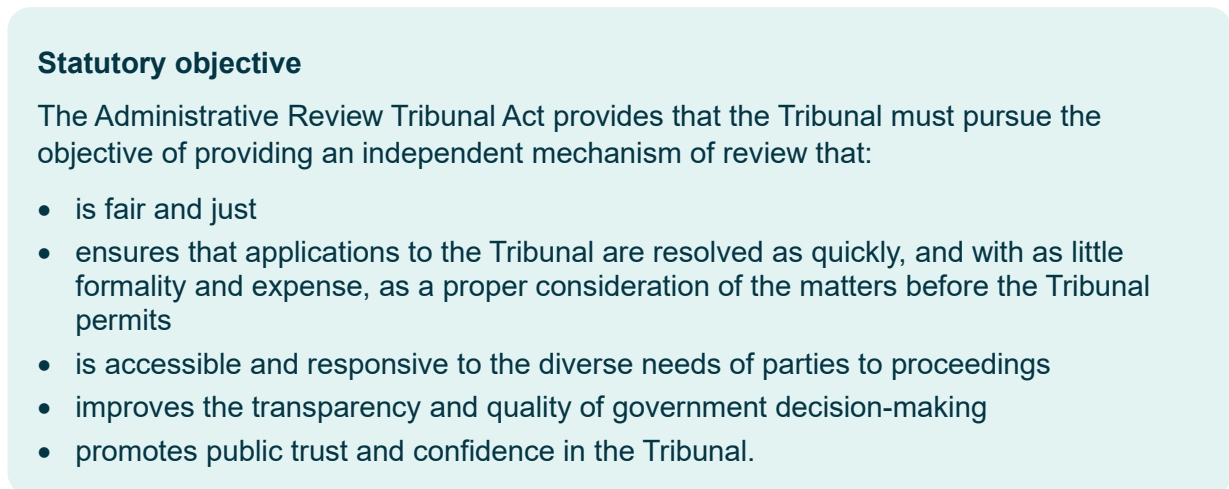
The Administrative Review Tribunal provides an important service to members of the community by reviewing decisions made by Australian Government ministers, departments and agencies and, in limited circumstances, decisions made by state government and non-government bodies. The Tribunal also reviews decisions made under Norfolk Island laws.

Our purpose and the 3 key activities we will undertake to achieve our purpose are below (figure 1).

Figure 1: Purpose and key activities



Our purpose and key activities are informed by the Tribunal's statutory objective and functions, and our outcome and program, as set out in the Portfolio Budget Statements (PBS).



PBS 2025–26

Outcome: Provide correct or preferable decisions through a mechanism of independent review of administrative decisions that is fair and just, quick, informal, accessible and responsive, contributes to improving the quality of government decision-making, and promotes public trust and confidence in the Tribunal.

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

Structure

The President is responsible for managing the business of the Tribunal and ensuring it operates efficiently and effectively while pursuing its statutory objective. He is assisted by 4 Deputy Presidents appointed as Jurisdictional Area Leaders. The Chief Executive Officer (CEO) and Principal Registrar assists the President in managing the Tribunal's administrative affairs and provides the Tribunal's corporate and registry services.

Our functional organisational structure aims to put our users first, promote consistency, and support national ways of working. It places the delivery of reviews to users at the heart of the way we organise ourselves and design our processes.

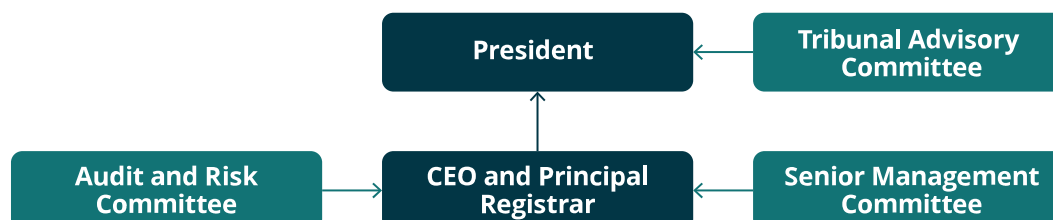
Our governance framework (figure 2) supports the Tribunal, the President, and the CEO and Principal Registrar to meet our purpose.

The Tribunal Advisory Committee, established under the Administrative Review Tribunal Act, provides oversight of the Tribunal's caseload and performance, promotes member professional development and provides advice to the President on a range of issues. It promotes collaboration between the decision-making and administrative arms of the Tribunal and provides a forum for strategic discussion.

The Senior Management Committee assists the CEO and Principal Registrar to meet his responsibilities as the Tribunal's accountable authority under the PGPA Act.

The Audit and Risk Committee provides advice to the CEO and Principal Registrar on key aspects of operations.

Figure 2: Administrative Review Tribunal Governance Framework 2025–26



Key activity 1: Undertaking merits review of administrative decisions

Merits review of an administrative decision involves a Tribunal member considering afresh the facts, law and policy relating to that decision. The member decides what the correct or preferable decision is based on the material before them 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.

In accordance with the Administrative Review Tribunal Act, we must provide an independent mechanism of review that, among other things:

- is fair and just
- ensures applications are resolved as quickly, and with as little formality and expense, as a proper consideration of a matter permits
- is accessible and responsive to the diverse needs of parties to proceedings.

Our priority initiatives for 2025–26 and the forward years relating to key activity 1 are detailed in table 1.

Table 1: Key activity 1 – Priority initiatives for 2025–26 and the forward years

Priority initiatives	Description
First Nations Liaison Officer Program	<ul style="list-style-type: none">• During 2025–26, our newly established team of First Nations Liaison Officers will continue to develop partnerships with First Nations communities and their representatives to improve awareness of what the Tribunal does.• The team will pilot a case support program for First Nations applicants and build the cultural capability of our staff and members.
Whole-of-Tribunal Caseload Priority Framework	<ul style="list-style-type: none">• Our first whole-of-Tribunal Caseload Priority Framework establishes a shared understanding of priorities across the Tribunal's varied caseloads based on agreed principles.• During 2025–26 and each of the forward years, we will periodically review the priorities set in our Caseload Priority Framework and adjust the allocation of resources as needed in response to caseload trends, changes in resourcing and caseload management initiatives.
Service level standards for users	<ul style="list-style-type: none">• In 2025–26, we will introduce key service level standards as part of our channel management strategy with the aim of improving the timeliness of our responses to users.• Service level standards will provide clear expectations for users and our staff and support the efficient allocation of resources and continuous improvement going forward.
Registrar powers	<ul style="list-style-type: none">• To fully realise the potential for efficiencies and service improvements arising from the Administrative Review Tribunal Act, we will continue to implement the President's authorisations for registrars to perform certain functions, including some functions previously performed by members.• We will define case pathways for certain case types, develop practices and procedures, and build the capability of our staff through the implementation of a professional development framework, training materials and key performance indicators.

Priority initiatives	Description
Case Management Solution (CMS) Program	<ul style="list-style-type: none"> The Tribunal is building a CMS to replace our multiple case management systems, provide secure and accessible services to external users, and support efficient and consistent case management processes and decision making. In 2025–26, we will build out the remaining common, core capabilities on the platform and commence the development of a new user portal. Over the forward years, we will continue to build the platform and begin to manage our cases on the CMS.

Key activity 2: Improving the transparency and quality of government decision-making

The Administrative Review Tribunal Act provides the Tribunal with powers and functions to support the promotion of transparent and high-quality government decision-making. These include:

- the function of the President to inform relevant ministers, relevant Commonwealth entities and the Administrative Review Council of identified systemic issues
- oversight by the Tribunal Advisory Committee, which is comprised of the President, the CEO and Principal Registrar, and jurisdictional area leaders, of trends and patterns across, and systemic issues in, the jurisdictional areas
- the Guidance and Appeals Panel (GAP), which provides a mechanism for escalating significant issues and addressing material errors in Tribunal decisions
- an obligation to publish GAP decisions and any other decision that involves a significant conclusion of law or has significant implications for Commonwealth policy or administration.

Our priority initiatives for 2025–26 and the forward years relating to key activity 2 are detailed in table 2.

Table 2: Key activity 2 – Priority initiatives for 2025–26 and the forward years

Priority initiatives	Description
Guidance and Appeals Panel	<ul style="list-style-type: none"> During 2025–26, we will focus on developing staff capabilities to support the operation of the GAP. We will deliver training for new GAP registry staff, deliver training to registrars to promote the early identification of issues of significance to administrative decision-making, and conduct refresher training for front-of-house registry staff.
Identification and notification of systemic issues	<ul style="list-style-type: none"> During 2025–26, a new register of significant matters will be developed to support the collection and use of data relating to these matters. Training will also be delivered to Tribunal staff to ensure compliance with the protocol for the notification of significant matters to the President.

Key activity 3: Promoting public trust and confidence in the Tribunal

The Administrative Review Tribunal Act includes a number of provisions supporting the Tribunal to achieve its purpose of promoting public trust and confidence. Relevant provisions include:

- the requirement for the President to make and publish a Code of Conduct and a Performance Standard for non-judicial members
- the ability for the President to direct members, investigate conduct and temporarily restrict the duties of a member if there is concern about their conduct or performance
- the ability for the Governor-General to terminate a member's appointment for serious breaches of the Code of Conduct or Performance Standard, serious misconduct, or conviction for an indictable offence
- clear roles and qualification requirements for senior leadership of the Tribunal, including requirements to consider any stakeholder views in advising the President and the CEO and Principal Registrar on key decisions
- scope to publish Tribunal decisions
- requirements for disclosing, avoiding and managing conflicts of interest
- the opportunity to refer Tribunal decisions to the GAP if there may have been a material error
- requirements for reporting on how the Tribunal is meeting its statutory objective.

Our priority initiatives for 2025–26 and the forward years relating to key activity 3 are detailed in table 3.

Table 3: Key activity 3 – Priority initiatives for 2025–26 and the forward years

Priority initiatives	Description
Accessibility & Inclusion Strategy	<ul style="list-style-type: none">• An area of focus in 2025–26 and beyond will be the development of an Accessibility & Inclusion Strategy and a supporting program of work guided by our Commitment to Accessibility and Inclusion.
Performance Standard for Non-Judicial Members	<ul style="list-style-type: none">• We will promote compliance with the Performance Standard for Non-Judicial Members through the provision of reporting, data and information resources for members.• During 2025–26 we will monitor and adjust reporting, procedures and other documentation to ensure they operate effectively to support compliance with the Standard.

Our operating context

Environment

In 2024–25, we completed critical transition-related work, including establishing our new organisational structure, practice directions, procedures and website. During 2025–26, the Tribunal's first full year of operation, we will build upon this transition work, focussing on the additional procedures, templates and training required to support our people to succeed in their roles in the Tribunal.

We will maintain our commitment to fully realising the Tribunal's purpose, in particular increasing the accessibility and timeliness of our services, including by expanding the use of registrars to effectively manage our caseload.

A critical and ongoing challenge for the Tribunal is the size of our on-hand caseload and the volume of incoming applications, which impacts our ability to achieve our purpose. We commenced with an on-hand caseload of approximately 83,500 applications transferred from the AAT. We received an unprecedented number of new applications throughout 2024–25 and ended the financial year with more than 110,000 cases on hand. Increased applications in our migration, protection and National Disability Insurance Scheme (NDIS) jurisdictional areas have been the main drivers of caseload growth.

To the extent possible, we seek to anticipate and plan for changes in the number of applications we might receive, including through regular liaison with decision-making agencies. Engagement with relevant decision-making agencies suggests that high levels of applications relating to student visas, protection visas and the NDIS will be sustained during 2025–26 and potentially beyond. The likelihood of significant increases in social security and child support applications during 2025–26 has also been signalled.

The Tribunal's funding is based on a demand-driven funding arrangement. This arrangement aims to make the Tribunal financially sustainable and to give it greater flexibility to manage its resources and respond to fluctuating caseloads. During 2025–26, we will work closely with relevant government departments, in particular the Attorney-General's Department and the Department of Finance on funding arrangements, to manage our substantial on-hand caseload and the anticipated continued increase in new applications.

The Tribunal continues to use the multiple case management systems that were in place at the AAT. These case management systems are past their end-of-life and are no longer fit for purpose. We acknowledge the impact these legacy case management systems have on our ability to achieve our purpose effectively and efficiently, and especially on the wellbeing of our staff and members. The multi-year CMS Program aims to replace these legacy systems with a single, fit-for-purpose case management solution. As the CMS continues to be implemented over the coming years, we expect to find efficiencies in how we work, and deliver a better user experience for our users, staff and stakeholders. Importantly, the expectation that the CMS Program will deliver efficiencies has been factored into our funding arrangements, which include efficiency savings over the forward years.

Capability

As part of planning processes, we have identified 4 key focus areas for 2025–26 that will drive our capability and enable us to deliver our key activities. These are:

- enhancing the user experience
- investing in our people
- improving business systems and processes
- building our CMS.

People

Our members and staff are critical to successfully delivering the Tribunal's functions and achieving our key activities. By investing in our people and working together, we will ensure the Tribunal develops a reputation for excellence and meets its purpose.

The Tribunal will continue to build its Australian Public Service (APS) workforce in line with our staffing budget and to induct the members appointed by the Government.

We are developing a new workforce strategy that will provide a strategic and integrated approach to attracting, developing and retaining staff and members. An area of focus in 2025–26 is building our workforce's data and business intelligence capability. This is essential to strengthening the capability of our Data Management Section and Business Intelligence Section.

We provide specialised training to support staff in undertaking their roles, including on updated policies and procedures following the changes in legislation under the Administrative Review Tribunal Act. The Act places significant emphasis on the training, education and professional development of members to support them to make high-quality decisions. The Member Capability and Development team is located in the President's Chambers to ensure the President is closely involved in shaping our work in this area, in conjunction with the Tribunal's General Counsel and the Tribunal Advisory Committee. Member learning does not end after their induction program. Our members have an ongoing training and professional development program. Going forward, we will continue to review our training to ensure it remains fit for purpose and supports our staff and members.

The Tribunal operates in line with the APS Strategic Commissioning Framework. Our core work is done in-house in most cases, and any outsourcing of this work is minimal and aligns with the limited circumstances permitted under the framework.

Consistent with its distinct legislative and organisational features, the Tribunal is developing its own culture. An important step in building a positive culture is articulating and promoting values that reflect how our members and staff aspire to go about their work. Drawing on input from staff and members, the Tribunal has developed a set of four core values: respect, integrity, collaboration, and fairness. These values will underpin our organisational culture moving forward. An important first step in embedding the values into the way the Tribunal works is including them in new performance agreements for staff.

Information and communication technology

Throughout most of the 4 years of this plan, the Tribunal will continue to build a CMS to replace our existing multiple case management systems. The CMS is being delivered over a series of phases through the CMS Program. It is subject to central oversight by the Digital Transformation Agency under the Digital and ICT Investment Oversight Framework and the Department of Finance under the Gateway Review Process. Total funding for the CMS Program is \$29.64 million.

In 2024–25, our focus was on developing a solution to support the operation of the GAP and improving our external portal for users, both of which were ready for day one of the Tribunal's operation and commencing the receipt of the first cases (NDIS) onto the new platform. In 2025–26, the focus is on continuing to process new NDIS applications on the new platform, building out the remaining common, core capabilities and commencing the development of a new externally facing portal. Over the forward years, we will continue to build the platform and process more of our cases on the CMS.

Our corporate systems and applications must also be reliable, secure and adaptable to meet our future business requirements and support us to achieve our purpose. As part of the Tribunal's work to improve our business systems and processes, in 2025–26 we will continue to review the aging corporate systems and applications the Tribunal inherited from the AAT and look for opportunities for improvement.

Risk

Risk oversight and management systems

The Tribunal manages risk in accordance with the Commonwealth Risk Management Policy and our Enterprise Risk Management Framework, which is based on 5 key principles:

- All members and staff have a role in risk management.
- Risk management is integrated into business activities and systems.
- Risk should be the responsibility of those best able to control or manage it.
- Risk management will be applied at both strategic and operational levels throughout the Tribunal to ensure we operate within an environment of continuous improvement.
- Control activities are periodically tested and reviewed by staff and auditors to ensure the identification of significant weaknesses or deficiencies.

Our Chief Risk Officer plays a central role in advising on risk management matters, building organisational capability and administering the Framework, supported by dedicated APS staff.

The Senior Management Committee supports the CEO and Principal Registrar to meet his statutory function to manage the administrative affairs of the Tribunal and acquit his statutory duties, which include risk oversight and management.

Our Audit and Risk Committee provides independent advice to the CEO and Principal Registrar regarding the appropriateness of the Tribunal's risk oversight and management arrangements.

Key risks and management actions

Table 4 sets out the key risks for 2025–26 together with the key actions we are undertaking to manage them. They are drawn from the Tribunal's enterprise risk register.

Table 4: Key risks and management actions

Key risk	Key management action
Failure to progress implementation of the new CMS – resulting in ongoing reliance on unsupported legacy systems and associated risk of significant service interruptions, delayed realisation of improvements to operational effectiveness and efficiency, and reduced morale of staff and members	<ul style="list-style-type: none"> • Ensure the CMS Program and projects are prioritised and supported for maximum return on investment. • Maintain governance and oversight including fortnightly Project Control Board meetings with regular review of project plans and risks, and assurance measures.
The number of appointed members does not match the number of funded members – resulting in the Tribunal being unable to finalise as many applications as it is funded for and contributing to the growing on-hand caseload	<ul style="list-style-type: none"> • Engage regularly with the Attorney-General's Department on the appointment of members. • Induct new members efficiently and effectively.
Extensive delays in the finalisation of certain reviews due to a surge in applications – resulting in a growing on-hand caseload, hardship, dissatisfaction and frustration for users, increased pressure on and reduced morale of staff and members, and reputational damage	<ul style="list-style-type: none"> • Implement the Tribunal's Caseload Priority Framework for prioritisation and resource allocation. • Liaise regularly with the agencies whose decisions the Tribunal reviews and communicate regularly with stakeholders through different channels. • Review the Tribunal's way of working and the tools used to improve the effectiveness and efficiency of operations. • Implement health, wellbeing and skill-based training programs.
Failure to attract and retain skilled staff – resulting in high turnover, loss of corporate knowledge, and low morale	<ul style="list-style-type: none"> • Develop a people strategy, including workforce planning, diversity and inclusion, talent management, and learning and development. • Promote our values and implement our APS Employee Census Action Plan and related activities to drive the Tribunal's culture. • Implement a new Talent Management System and Workplace Health and Safety Management System.
Failure to develop the knowledge and skills of members and staff in a changing environment – leading 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 implement learning and development programs. • Provide appropriate resources, tools and other supports for members and staff including consistent information management governance, practices and controls.

Key risk	Key management action
Failure to have in place robust governance structures and arrangements – resulting in an inability to meet our statutory objective and strategic priorities, and to operate effectively	<ul style="list-style-type: none"> • Regular review of governance frameworks and structures to ensure consistency with better practice and effectiveness. • Governance Section to focus on uplifting strategic and operational planning, risk management, stakeholder engagement, and complaints management processes. • Raising profile, awareness and compliance with privacy obligations and promoting a proactive integrity culture across the Tribunal.

Cooperation

The Tribunal engages with and relies on a diverse range of people and organisations. This engagement occurs in relation to both individual cases, and more broadly the operation of our merits review service. It assists us to ensure our service meets the needs of our broad range of users and promotes our aim to be a tribunal of excellence.

Decision makers and their representatives as well as other parties and their representatives have an obligation under the Administrative Review Tribunal Act to use their best endeavours to assist the Tribunal to achieve its statutory objective.

The actions of the following people and organisations play a key role in the efficiency and effectiveness of the review process for individual cases:

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

We regularly engage with stakeholders about the operation of our merits review services, including discussing issues and exploring opportunities to improve service delivery. These stakeholders include:

- peak bodies such as the Law Council of Australia, bar associations, law societies and migration agent professional bodies
- departments and agencies 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
- 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.

We also engage closely with the Attorney-General's Department, including in relation to initiatives within the portfolio of the Attorney-General, legislative reforms affecting the operation of the federal system of administrative review, and statutory appointments.

In 2025–26 we will focus on maturing our approach to stakeholder engagement while enhancing the user experience. We will put in place a structured approach to engagement and seek opportunities to further improve how we engage with stakeholders. We aim to foster a broader relationship with Tribunal users, in particular people who apply for review of decisions. Our approach will be informed by our Commitment to Accessibility & Inclusion. Engaging with those who bring lived experiences will deepen our understanding and approach to the delivery of our services going forward. Our Accessibility & Inclusion Strategy will be developed in 2025–26.

Subsidiaries

The Tribunal does not have any subsidiaries.

Our performance

Performance framework

As a relatively new entity, the Performance Framework in figure 3 below represents a starting point for how we will measure and assess our performance in achieving the Tribunal's purpose. The Tribunal will continue to evolve and enhance our performance framework, informed by the PGPA Act requirements and guidance.

Figure 3: Administrative Review Tribunal Performance Framework

Our purpose, PBS outcome and program			
	↓		
Performance measure	Key activity 1 Undertake merits review of administrative decisions in accordance with the Administrative Review Tribunal Act	Key activity 2 Improve the transparency and quality of government decision-making	Key activity 3 Promote public trust and confidence in the Tribunal
1. Finalisation of 100% of applications for which the Tribunal has been funded to finalise in the financial year	●		
2. Proportion of applications finalised within a time standard	●		
3. Proportion of decisions set aside by the courts on appeal	●		●
4. Proportion of substantive decisions delivered in the financial year within the applicable decision delivery benchmark	●	●	●
5. User satisfaction with the Tribunal's review process	●		●

Performance measures and targets

The Tribunal has 5 performance measures that measure our performance against our key activities and purpose. These measures were also included in our PBS 2025–26¹ and are detailed over the following pages.

Performance measure 1: Finalisation of 100% of applications for which the Tribunal has been funded to finalise in the financial year

Measure	2025–26 target	2026–27 to 2028–29
Finalisation of 100% of applications for which the Tribunal has been funded to finalise in the financial year	59,045	Target to be adjusted each year to reflect funding provided

Related key activity: 1. Undertake merits review of administrative decisions in accordance with the Administrative Review Tribunal Act.

Rationale: This measure identifies the scale of activity undertaken by the Tribunal in the year and is related to the extent to which the Tribunal is providing a mechanism of review that is efficient. Under our funding arrangement, funding is based on the number and type of lodgements received in the most recent 12-month period, up to a capped level. The Tribunal may also receive additional funding for specific measures (e.g. funding for members appointed for 2-year terms to deal with the on-hand caseload of migration and protection cases). The funding level will inform the target that is set for this performance measure each financial year.

Methodology: Data will be based on individual cases that have been finalised within the financial year.

Data source: The Tribunal's case management systems.

¹ The PBS 2025–26 performance measure *Proportion of decisions set aside by the Guidance and Appeals Panel* has been discontinued following the Tribunal's annual review of performance measures.

Performance measure 2: Proportion of applications finalised within a time standard

Measure	2025–26 target	2026–27 to 2028–29
The proportion of applications finalised within a time standard according to case type:		
Social security cases	90% within 6 months	As per 2025–26
	99% within 12 months	As per 2025–26
NDIS cases	85% within 12 months	As per 2025–26
Migration and protection cases	75% within 18 months	As per 2025–26
General and other cases	80% within 12 months	As per 2025–26

Related key activity: 1. Undertake merits review of administrative decisions in accordance with the Administrative Review Tribunal Act.

Rationale: This measure is an indicator of the extent to which the Tribunal is providing a mechanism of review that is timely.

The Tribunal reviews 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. The size and age of our on-hand caseload also has an impact on the time taken by the Tribunal to finalise applications.

The case type finalisation targets aim to take account of these factors.

Methodology: Data will be based on individual cases that have been finalised within the financial year.

Data source: The Tribunal’s case management systems.

Changes since PBS 2025–26: The case categories for this measure have been updated to align with current jurisdictional areas.

Performance measure 3: Proportion of decisions set aside by the courts on appeal

Measure	2025–26 target	2026–27 to 2028–29
Proportion of decision set aside by the courts on appeal	Less than 5%	As per 2025–26

Related key activities:

1. Undertake merits review of administrative decisions in accordance with the Administrative Review Tribunal Act.
3. Promote public trust and confidence in the Tribunal.

Rationale: This measure is an indicator of the extent to which the Tribunal is providing a mechanism of review that is fair, just and promotes public trust and confidence in the Tribunal.

The Tribunal 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 Tribunal has made an error of law in relation to how the review was conducted or in reaching the decision.

This measure aims to use the number of Tribunal decisions in the previous period that could have been appealed to the courts as the base for the target, as only a proportion of those decisions are appealed. It excludes applications that are withdrawn, decisions made with the consent of the parties and decisions subject to 44(1A) of the AAT Act.

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 Tribunal in the previous year. This recognises that most appeals to the court are not finalised in the same year as the Tribunal’s decision. A target of less than 5% has been adopted to reflect that the proportion of Tribunal decisions set aside for legal error should be low.

The Tribunal will review this measure during 2025–26 given its validity is affected by court processing timeframes.

Methodology: The number of appeals against decisions allowed by the courts as a proportion of all decisions that could have been appealed to the courts. The number of appeals allowed in the financial year is divided by the number of Tribunal decisions that could have been appealed to the courts made in the previous financial year. Data from 2024–25 will include AAT and Immigration Assessment Authority decisions, in addition to Tribunal decisions, as part of the decisions that could have been appealed.

Data source: The Tribunal’s case management systems.

Performance measure 4: Proportion of substantive decisions delivered in the financial year within the applicable decision delivery benchmark

Measure	2025–26 target	2026–27 to 2028–29
Proportion of substantive decisions ² delivered in the financial year within the applicable decision delivery benchmark	At least 85%	As per 2025–26

Related key activities:

1. Undertake merits review of administrative decisions in accordance with the Administrative Review Tribunal Act.
2. Improve the transparency and quality of government decision-making.
3. Promote public trust and confidence in the Tribunal.

Rationale: This measure is an indicator of the extent to which the Tribunal is providing a mechanism of review that is timely, improves the transparency and quality of government decision-making, and promotes public trust and confidence in the Tribunal.

A target of 85% has been set to reflect the Performance Standard for Non-Judicial Members, which provides that ‘a member must not exceed the Applicable Decision Delivery Benchmark in more than 15% of cases finalised by the Member each financial year’, noting that cases for which there is an approved reason for not meeting the applicable decision delivery benchmark are not counted for this purpose.

The applicable delivery decision benchmark is the timeframe set for the delivery of a decision by a member following a hearing or other case event requiring the delivery of a decision. The Performance Standard Guideline sets different applicable decision delivery benchmarks for different types of cases.

Methodology: This measure will consolidate the number of decisions made by members during the financial year and assess whether decisions have been handed down within the time standard required for each list.

Data source: The Tribunal’s case management systems.

Changes since PBS 2025–26: The title for this measure has been amended to improve clarity.

² A substantive decision means a decision referred to in section 105 of the Administrative Review Tribunal Act.

Performance measure 5: User satisfaction with the Tribunal’s review process

Measure	2025–26 target	2026–27 to 2028–29
User satisfaction with the Tribunal’s review process	At least 70%	As per 2025–26

Related key activities:

1. Undertake merits review of administrative decisions in accordance with the Administrative Review Tribunal Act.
3. Promote public trust and confidence in the Tribunal.

Rationale: This measure is an indicator of the extent to which the Tribunal is providing a mechanism of review that is accessible, fair, informal and quick, and promotes public trust and confidence in the Tribunal.

Methodology: The average positive ratings derived from the results of an independent survey of parties and representatives about their experience at the Tribunal. 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 Tribunal has contact details.

Data source: User experience survey.

Changes since PBS 2025–26: The title for this measure has been amended to improve clarity.