

Subject: dysfunctional operation of the Administrative Review Tribunal

From: Bob Buckley <convenor@a4.org.au>

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To: Hon Michelle Rowland MP <Michelle.Rowland.MP@aph.gov.au>

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Dear The Hon. Michelle Rowland MP, Attorney General

Please find attached a letter concerning the dysfunctional operation of the Administrative Review Tribunal. I sent you this letter because complaints to the ART are pointless - they are not properly considered, and its operation just gets worse.

However, the problem is much bigger than just recusal processes. Public perception about the NDIS part of the ART is rapidly declining: many people have lost faith in Australia's legal systems (we now lack a Justice System).

There is a lot you could do to improve the ART ... but the biggest improvement would be an NDIS that does not send increasing numbers of decisions for non-review (to be remade) by the ART who do not have the training and skills to adjudicate complex clinical issues around early intervention for the most vulnerable children with disability. As I have indicated repeatedly, the government needs an approach like it took with the HCA's advice in *Bushell v Repatriation Commission [1992] 175 CLR 408* with the creation of an appropriate expert decision authority - see <https://clik.dva.gov.au/book/export/html/18988>.

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website: <http://a4.org.au/>

A4, a recognised disability representative organisation (DRO), advocates for autistic people, their families, carers and associates. A4 is internet based so that Australians anywhere can participate in and contribute to A4's advocacy for autistic people, their carers and allies.

A4 recognises the Traditional Owners of lands in Australia; we respect their elders past, present and emerging. Sovereignty was never ceded.

Recipients of correspondence from A4, especially politicians and government officials, are all subject to A4's policy on unanswered questions: see <http://a4.org.au/node/1419>.

The autism issue is that autistic people just don't deliver on the plans, dreams and expectations in other peoples' heads.

— Attachments: _____

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