

Senate Legal and Constitutional Affairs References Committee
**THE PERFORMANCE AND INTEGRITY OF AUSTRALIA'S ADMINISTRATIVE
REVIEW SYSTEM**

Attorney-General's Department

Question date: 18 January 2022

Question type: Written

Senator the Hon Kim Carr asked the following question:

In relation to Question 4 of the set of questions on the AAT Appointments Protocol, the Department has ignored the following part of the question: "Does the Department acknowledge that this was a breach of the protocol? If not, why not?"

The Department should provide a response to those questions as soon as possible. More generally, the Department should answer all questions asked on notice in full -- it is not open to the Department to ignore, or to refuse to answer, questions unless the Minister makes a public interest immunity claim.

The response to the Senator's question is as follows:

The department acknowledges that the absence of an expression of interest process in 2020 is not consistent with the text of the *Protocol for Appointments to the Administrative Appeals Tribunal 2019*.