

MIGRATION REVIEW TRIBUNAL AND REFUGEE REVIEW TRIBUNAL

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MIGRATION REVIEW TRIBUNAL AND REFUGEE REVIEW TRIBUNAL

Section 1: Agency overview and resources

1.1 STRATEGIC DIRECTION

The key strategic priorities for the Tribunals are to meet their statutory objectives through the delivery of consistent, high-quality reviews and timely and lawful decisions. The Tribunals aim to improve their professionalism and operational performance, to meet government and community expectations and to develop more effective working relationships with stakeholders. These priorities are reflected in the Tribunals' Plan.

In 2008-09 the Tribunals aim to review more than 10,000 applications for review. The Tribunals operate in a high-volume decision-making environment where case law and legal requirements are very complex and technical. In this context, fair and lawful reviews are dependent on a number of factors, including adequate resources and Member competence, expertise and professional development, and skilled staff support services. Each review has to be conducted in a way that ensures, as far as practicable, that an applicant understands the issues and has a fair opportunity to respond to any matters which might lead to an adverse outcome.

Key risks include the potential for volatility in the Tribunals' caseloads, the availability of sufficient skilled Members and case law complexity. As operational challenges have changed significantly since the last resourcing review of the Tribunals in 2004, a review of the Tribunals' resourcing agreement is being undertaken with the Department of Finance and Deregulation. This is expected to be completed during 2008-09.

1.2 AGENCY RESOURCE STATEMENT

The Agency Resource Statement details the resourcing for the MRT-RRT at Additional Estimates. Table 1.1 outlines the total resourcing available from all sources for the 2008-09 Budget year, including variations through Appropriation Bill No. 3.

Table 1.1: Agency resource statement – Additional estimates for 2008-09 as at Additional Estimates December 2008

	Estimate as at Budget ⁺	Proposed Additional Estimates ⁼	Total Estimate at Additional Estimates	Total Available Appropriation
	2008-09 \$'000	2008-09 \$'000	2008-09 \$'000	2007-08 \$'000
Ordinary Annual Services				
Departmental outputs				
Departmental outputs	39,791	(2,278) ¹	37,513	37,639
Total	39,791	(2,278) ¹	37,513	37,639
Administered expenses				
Outcome 1	-	-	-	-
Total	-	-	-	-
Total Available Annual Appropriations	39,791	(2,278) ¹	37,513	37,639
Total net resourcing	39,791	(2,278)	37,513	37,639

1. Appropriation Bill (No. 3) 2008-09.

1.3 AGENCY MEASURES TABLE

Table 1.2: Agency Measures since Budget

There have been no measures for the MRT-RRT since the 2008-09 Budget. For this reason Table 1.2 has been omitted.

1.4 ADDITIONAL ESTIMATES AND VARIATIONS

Table 1.3: Additional estimates and variations to outcomes from measures since 2008-09 Budget

There have been no measures for the MRT-RRT since the 2008-09 Budget. For this reason Table 1.3 has been omitted.

Table 1.4: Additional estimates and variations to outcomes from other variations

	Output Group Impacted	2008-09 (\$'000)	2009-10 (\$'000)	2010-11 (\$'000)	2011-12 (\$'000)
Outcome 1					
Increase in estimates (departmental)					
	1.1	46	-	-	-
Total Increase for Outcome 1 (departmental)					
		46	-	-	-
Decrease in estimates (departmental)					
	1.1	2,324	-	-	-
Total Decrease for Outcome 1 (departmental)					
		2,324	-	-	-
Total Net Impact for Outcome 1 (departmental)					
	1.1	(2,278)	-	-	-

1.5 BREAKDOWN OF ADDITIONAL ESTIMATES BY APPROPRIATION BILL

The following tables detail the Additional Estimates sought for the MRT-RRT through Appropriation Bill (No. 3).

Table 1.5: Appropriation Bill (No. 3) 2008-09

	2007-08 available (\$'000)	2008-09 Budget (\$'000)	2008-09 revised (\$'000)	Additional estimates (\$'000)	Reduced estimates (\$'000)
DEPARTMENTAL OUTPUTS					
Outcome 1					
To provide visa applicants and sponsors with fair, just, economical, informal and quick reviews of migration and refugee decisions.	37,639	39,791	37,513	-	(2,278)
Total	37,639	39,791	37,513	-	(2,278)

Table 1.6: Appropriation Bill (No. 4) 2008-09

The MRT-RRT has no Appropriation Bill (No. 4) items. For this reason Table 1.6 has been omitted.

Section 2: Revisions to agency outcomes and planned performance

2.1 OUTCOMES AND PERFORMANCE INFORMATION

OUTCOME 1

Table 2.1: Performance information for outputs groups — outcome 1

There are no changes from the PBS 2008-09.

Output Group 1.1: Final independent merits review of decisions concerning refugee status and the refusal or cancellation of migration and refugee visas	
Key results from this output which contribute to the achievement of the outcome are: <ul style="list-style-type: none"> ▪ the extent to which the MRT and the RRT contribute to the quality and consistency of administrative decision making ▪ the extent to which there are professional and effective working relationships with stakeholders. 	
Key performance indicators	2008–09 target
MRT cases decided.	7,500 cases
RRT cases decided.	3,050 cases
Outcome of appeals against Tribunal decisions.	Less than 5% of Tribunal decisions are set aside by judicial review.
Number of complaints received.	Less than 5 complaints per 1,000 cases decided.
Extent to which time standards are met.	70% of bridging visa (detention cases) decided within 7 working days. 70% of RRT cases decided within 90 calendar days. 70% of MRT visa cancellation or revocation cases decided within 150 calendar days. 70% of general MRT cases decided within 320 days.

Section 3: Explanatory tables and budgeted financial statements

3.1 EXPLANATORY TABLES

3.1.1 Estimates of special account flows

Table 3.1.1: Estimates of special account flows

The MRT-RRT has no special accounts. For this reason Table 3.1.1 has been omitted.

3.1.2 Estimates of variations to Average Staffing Level

Changes in Average Staffing Level (ASL) are presented in the Portfolio Additional Estimates Statements at the whole of agency level to demonstrate any movements since Budget. The ASL figures for Budget were reported in the Department of Immigration and Citizenship PBS 2008-09 in each Outcome Resourcing Table.

Table 3.1.2: Average Staffing Level (ASL)

	2008-09 Budget	2008-09 Revised	Variation
Outcome 1			
To provide visa applicants and sponsors with fair, just, economical, informal and quick reviews of migration and refugee decisions.	333	325	(8)
Total	333	325	(8)

3.2 BUDGETED FINANCIAL STATEMENTS

3.2.1 Analysis of budgeted financial statements

The only change from the PBS 2008-09 has been the reduction of appropriation.

3.2.2 Budgeted financial statements

Table 3.2.1: Budgeted departmental income statement (for the period ended 30 June)

	Actual 2007-08 \$'000	Revised budget 2008-09 \$'000	Forward estimate 2009-10 \$'000	Forward estimate 2010-11 \$'000	Forward estimate 2011-12 \$'000
INCOME					
Revenue					
Revenues from Government	37,815	39,837	40,430	40,867	42,145
Total revenue	37,815	39,837	40,430	40,867	42,145
Gains					
Other	56	60	60	60	60
Total gains	56	60	60	60	60
Total income	37,871	39,897	40,490	40,927	42,205
EXPENSE					
Employees	29,823	28,729	28,970	29,284	31,156
Suppliers	8,473	9,000	9,200	9,400	9,600
Depreciation and amortisation	1,687	2,027	2,210	2,165	1,407
Finance costs	167	141	110	78	42
Write-down of assets and impairment of assets	235	-	-	-	-
Total expenses	40,385	39,897	40,490	40,927	42,205
Net surplus or (deficit) attributable to the Australian Government	(2,514)	-	-	-	-

Table 3.2.2: Budgeted departmental balance sheet (as at 30 June)

	Actual 2007-08 \$'000	Revised budget 2008-09 \$'000	Forward estimate 2009-10 \$'000	Forward estimate 2010-11 \$'000	Forward estimate 2011-12 \$'000
ASSETS					
Financial assets					
Cash and cash equivalents	188	244	276	231	292
Receivables	13,588	10,388	10,088	9,788	8,588
Total financial assets	13,776	10,632	10,364	10,019	8,880
Non-financial assets					
Land and buildings	2,396	1,935	1,474	1,013	552
Infrastructure, plant and equipment	757	2,036	2,767	3,374	3,869
Intangibles	2,977	2,532	2,052	1,741	2,300
Other	238	238	238	238	238
Total non-financial assets	6,368	6,741	6,531	6,366	6,959
Total assets	20,144	17,373	16,895	16,385	15,839
LIABILITIES					
Payables					
Suppliers	673	674	674	674	674
Other payables	2,324	-	-	-	-
Total payables	2,997	674	674	674	674
Interest bearing liabilities					
Leases	2,830	2,382	1,904	1,394	848
Total interest bearing liabilities	2,830	2,382	1,904	1,394	848
Provisions					
Employees	5,330	5,330	5,330	5,330	5,330
Total provisions	5,330	5,330	5,330	5,330	5,330
Total liabilities	11,157	8,386	7,908	7,398	6,852
Net Assets and Liabilities	8,987	8,987	8,987	8,987	8,987
EQUITY*					
Contributed equity	10,876	10,876	10,876	10,876	10,876
Reserves	384	384	384	384	384
Retained surpluses or accumulated deficits	(2,273)	(2,273)	(2,273)	(2,273)	(2,273)
Total equity	8,987	8,987	8,987	8,987	8,987
Current assets	14,014	10,880	10,242	9,547	7,958
Non-current assets	6,130	6,493	6,653	6,838	7,881
Current liabilities	7,365	5,500	5,500	5,500	5,500
Non-current liabilities	3,792	2,886	2,408	1,898	1,352

* Note: 'equity' is the residual interest in assets after deduction of liabilities.

Table 3.2.3: Budgeted departmental statement of cash flows (for the period ended 30 June)

	Actual 2007-08 \$'000	Revised budget 2008-09 \$'000	Forward estimate 2009-10 \$'000	Forward estimate 2010-11 \$'000	Forward estimate 2011-12 \$'000
OPERATING ACTIVITIES					
Cash received					
Appropriations	37,639	37,513	40,430	40,867	42,145
Other cash received	1	-	-	-	-
Total cash received	37,640	37,513	40,430	40,867	42,145
Cash used					
Employees	29,247	28,729	28,970	29,284	31,156
Suppliers	9,958	8,940	9,140	9,340	9,540
Net GST paid	22	-	-	-	-
Other cash used	(3,861)	(3,200)	(300)	(300)	(1,200)
Total cash used	35,366	34,469	37,810	38,324	39,496
Net cash from or (used by) operating activities	2,274	3,044	2,620	2,543	2,649
INVESTING ACTIVITIES					
Cash used					
Purchase of property, plant and equipment	1,689	2,400	2,000	2,000	2,000
Total cash used	1,689	2,400	2,000	2,000	2,000
Net cash from or (used by) investing activities	(1,689)	(2,400)	(2,000)	(2,000)	(2,000)
FINANCING ACTIVITIES					
Cash used					
Repayments lease principal	588	588	588	588	588
Total cash used	(588)	(588)	(588)	(588)	(588)
Net cash from or (used by) financing activities	(588)	(588)	(588)	(588)	(588)
Net increase or (decrease) in cash held	(3)	56	32	(45)	61
Cash at the beginning of the reporting period	191	188	244	276	231
Cash at the end of the reporting period	188	244	276	231	292

Table 3.2.4: Departmental statement of changes in equity — summary of movement (Budget 2008-09)

	Accumulated results \$'000	Asset revaluation reserve \$'000	Other reserves \$'000	Contributed equity/ capital \$'000	Total equity \$'000
Opening balance as at 1 July 2008					
Balance carried forward from previous period	(2,273)	384	-	10,876	8,987
Income and expense					
Net operating result	-	-	-	-	-
Estimated closing balance as at 30 June 2009	(2,273)	384	-	10,876	8,987

Table 3.2.5: Schedule of budgeted income and expenses administered on behalf of government (for the period ended 30 June)

	Actual 2007-08 \$'000	Revised budget 2008-09 \$'000	Forward estimate 2009-10 \$'000	Forward estimate 2010-11 \$'000	Forward estimate 2011-12 \$'000
INCOME ADMINISTERED ON BEHALF OF GOVERNMENT					
Revenue					
Non-taxation					
Other sources of non-taxation revenues	10,244	13,800	14,100	14,300	14,300
Total non-taxation	10,244	13,800	14,100	14,300	14,300
Total revenues administered on behalf of Government	10,244	13,800	14,100	14,300	14,300
Total income administered on behalf of Government	10,244	13,800	14,100	14,300	14,300
EXPENSES ADMINISTERED ON BEHALF OF GOVERNMENT					
Write down and impairment of assets	1,970	2,600	2,600	2,600	2,600
Other	3,756	5,400	5,500	5,700	5,700
Total expenses administered on behalf of Government	5,726	8,000	8,100	8,300	8,300

Table 3.2.6: Schedule of budgeted assets and liabilities administered on behalf of government (as at 30 June)

	Actual 2007-08 \$'000	Revised budget 2008-09 \$'000	Forward estimate 2009-10 \$'000	Forward estimate 2010-11 \$'000	Forward estimate 2011-12 \$'000
ASSETS ADMINISTERED ON BEHALF OF GOVERNMENT					
Financial assets					
Cash and cash equivalents	26	26	26	26	26
Receivables	236	236	236	236	236
Total financial assets	262	262	262	262	262
Total assets administered on behalf of Government	262	262	262	262	262
LIABILITIES ADMINISTERED ON BEHALF OF GOVERNMENT					
Payables					
Other payables	-	-	-	-	-
Total payables	-	-	-	-	-
Total liabilities administered on behalf of Government	-	-	-	-	-

Table 3.2.7: Schedule of budgeted administered cash flows (for the period ended 30 June)

	Actual 2007-08 \$'000	Revised Budget 2008-09 \$'000	Forward estimate 2009-10 \$'000	Forward estimate 2010-11 \$'000	Forward estimate 2011-12 \$'000
OPERATING ACTIVITIES					
Cash received					
Rendering of services	8,249	11,200	11,500	11,700	11,700
Total cash received	8,249	11,200	11,500	11,700	11,700
Cash used					
Other (Refunds)	3,756	5,400	5,500	5,700	5,700
Total cash used	3,756	5,400	5,500	5,700	5,700
Net cash from / (used by) operating activities	4,493	5,800	6,000	6,000	6,000
FINANCING ACTIVITIES					
Cash received					
Cash from Official Public Account	3,756	5,400	5,500	5,700	5,700
Total cash received	3,756	5,400	5,500	5,700	5,700
Cash used					
Cash to Official Public Account	8,239	11,200	11,500	11,700	11,700
Total cash used	8,239	11,200	11,500	11,700	11,700
Net cash from / (used by) financing activities	(4,483)	(5,800)	(6,000)	(6,000)	(6,000)
Net increase or (decrease) In Cash held					
Cash at beginning of reporting period	16	26	26	26	26
Cash at end of reporting period	26	26	26	26	26