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Investment to reduce migration backlog welcomed

The Law Council welcomes the Australian Government's investment of \$58m in the Administrative Appeals Tribunal (AAT) and the Federal Circuit and Family Court of Australia (FCFCOA) to increase the capacity of those bodies to deal with significant Protection visa and other migration-related caseloads.

"We have been concerned about the impact of visa processing backlogs, and backlogs at the merits and judicial review stages. These delays impede expeditious entry of migrants into Australia, are a disincentive to skilled migrants, and can leave migrants awaiting resolution of their matters vulnerable to poverty and exploitation," Law Council of Australia President, Mr Luke Murphy said.

"The AAT has an active migration caseload of more than 50,000 matters, and at the end of the last financial year, the FCFCOA's pending migration caseload was larger than its pending final order family law caseload for the first time.

"The Law Council has argued that in order to address this backlog, a whole-of-system approach is required.

"Investment in the AAT, without investment in the FCFCOA, would be ineffective because an increase in AAT finalisations will result in an increase in appeals to the FCFCOA. We commend the Government on providing additional funding to both bodies."

The funding announced yesterday provides for an additional 10 Members for the AAT – above the 93 new Members already announced – and an additional 10 FCFCOA judges.

"Equally, measures to reduce these backlogs will increase the need for legal assistance services," Mr Murphy said. "People navigating the merits and judicial review system must be able to access advice and support.

"Therefore, we were pleased by the decision to direct \$48m towards boosting essential legal assistance services to support applicants through the application and review processes."

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