

s47F s47F

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**From:** s47F, s47F  
**Sent:** Monday, 18 October 2021 3:52 PM  
**To:** GRIGGS, Ray  
**Subject:** FW: Letter from Justice Thomas - President of the AAT [SEC=OFFICIAL]  
**Attachments:** 2021-10-18 Letter to Secretary, Dept of Social Services.pdf

**Follow Up Flag:** Follow up  
**Due By:** Monday, 18 October 2021 4:00 PM  
**Flag Status:** Flagged

s47F s47F  
Executive Assistant to the Secretary | Ray Griggs AO CSC  
Office of the Secretary  
Department of Social Services  
**P:** s47F **E:** s47F **M:** s47F

The Department of Social Services acknowledges the traditional owners of country throughout Australia, and their continuing connection to land, water and community. We pay our respects to them and their cultures, and to Elders both past and present.

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**From:** s47F <s47F>  
**Sent:** Monday, 18 October 2021 3:50 PM  
**To:** s47F s47F <s47F>  
**Cc:** s47E  
**Subject:** Letter from Justice Thomas - President of the AAT [SEC=OFFICIAL]

**OFFICIAL**

Dear Ms s47F

Please find attached a letter from Justice Thomas addressed to Mr Ray Griggs.

Kind Regards,

s47F

Executive Assistant to the Hon Justice D G Thomas  
President of the Administrative Appeals Tribunal  
Judge of the Federal Court of Australia

**Administrative Appeals Tribunal**

s47E

F: 07 3052 3230

E: s47F

[www.aat.gov.au](http://www.aat.gov.au)

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Administrative  
Appeals Tribunal

PRESIDENT'S CHAMBERS  
The Hon Justice D G Thomas

18 October 2021

Mr Ray Griggs AO CSC  
Secretary, Department of Social Services  
By email: s47F  
CC: s47E

Dear Mr Griggs

Thank you for your letter of introduction of 11 October 2021 in which you propose a meeting to discuss the Department's interactions with the Tribunal.

I would be pleased to meet with you and/or your senior representatives to discuss issues of shared concern and would like to include AAT Registrar, Sian Leathem; Social Services and Child Support Division (SSCSD) Head, Deputy President Karen Synon, and Practice Leader, Second Tier Review, SSCSD, Senior Member Kate Miller. Given the geographic disparity of my team, I would like to propose meeting virtually via Microsoft Teams.

To finalise a suitable meeting time, please invite your office to contact s47F  
Executive Advisor to the Registrar, on s47E or s47F

I look forward to speaking with you.

Yours Sincerely,

Justice D G Thomas



Australian Government  
Department of Social Services

Ray Griggs AO CSC  
Secretary

Ref: EC21-001612

**The Hon Justice David Thomas**  
President of the Administrative Appeals Tribunal  
GPO Box 9955  
Sydney NSW 2001

Justice.Thomas@aat.gov.au

Dear Justice ~~Thomas~~ *Judge*,

I have recently been appointed to the position of Secretary of the Commonwealth Department of Social Services and head of the Social Services portfolio more broadly. As you are probably aware the portfolio is responsible for a diverse range of policies, payments, programs, and services that improve the wellbeing of people and families in Australia. We fund services and payments that assist families, children and older people, provide a safety net for those who cannot fully support themselves, enhance the wellbeing of people with high needs, assist those who need help with care, and support a diverse and harmonious society.

I am concerned if any negative impression has been left in the Administrative Appeals Tribunal (AAT) following recent events regarding Social Services portfolio.

I wish to assure you that I see the AAT as a crucial part of the overall system of checks and balances that must operate in a democratic system. I welcome scrutiny of the portfolio's operations whether that be by the Parliament, the Auditor-General or relevant courts and tribunals to ensure that fairness and integrity of the social security system is maintained.

I also take very seriously my ongoing statutory obligation to assist the AAT to arrive at appropriate outcomes, in accordance with the Commonwealth's model litigant guidelines. Importantly, I expect those who exercise delegations in my name to have a similar approach.

I would welcome the opportunity to meet with you to gain any insights you may have regarding the portfolio's interactions with the AAT. Particular areas where I am focused on ensuring process improvement and appropriate resource allocation are what I can do to support efficient processes for social security matters in the Tribunal, and how I can best ensure the overriding obligation to assist the AAT is fulfilled, especially in the context where applicants are often self-represented.

Please let me know if you would like to do so, and we can arrange a suitable time.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Ray C. King". The signature is written in a cursive style with a large initial "R" and a distinct "C" and "K".

(( October 2021

s47F s47F

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**From:** s47F s47F  
**Sent:** Tuesday, 19 October 2021 11:38 AM  
**To:** s47F  
**Subject:** RE: s47F contact details [SEC=UNOFFICIAL]

Thank you very much s47F

Should Justice Thomas prefer to meet earlier, we could certainly accommodate this. The Secretary will be attending Senate Estimates on 28 October and as such is not available on that or the 27<sup>th</sup>, however we could certainly look at availability on other dates.

I look forward to hearing from you soon.

Kind regards

s47F s47F  
Executive Assistant to the Secretary | Ray Griggs AO CSC  
Office of the Secretary  
Department of Social Services  
P: s47F E: s47F M: s47F

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**From:** s47F s47F  
**Sent:** Tuesday, 19 October 2021 11:28 AM  
**To:** s47F s47F <s47F>  
**Subject:** s47F contact details [SEC=OFFICIAL]

**OFFICIAL**

Good morning s47F

Great to speak to you on the phone this morning, hopefully this email has made its way to you! As discussed, I will investigate availability for a meeting in early November and will get back to you with potential dates asap.

Thanks again

s47F

s47F  
Executive Advisor to the Registrar  
**Administrative Appeals Tribunal**  
**Principal Registry, Brisbane**  
Strategy, Communications & Governance  
T: s47E  
E: s47F

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s47F s47F

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**From:** s47F s47F  
**Sent:** Thursday, 21 October 2021 11:40 AM  
**To:** s47F  
**Cc:** Secretarys Office  
**Subject:** RE: Secretary meeting with President of AAT [SEC=OFFICIAL]

Hi s47F,

Thank you for your time on the phone. I can confirm 11:30 (AEST)/12:30 (AEDT) works for both Secretary Griggs and Services Australia CEO, Rebecca Skinner. I am happy to send the invitation to all attendees. Could you please confirm that MS Teams works for your office and advise the correct email addresses of your staff. Thank you very much for all your assistance coordinating this meeting.

Kind regards

s47F s47F  
Executive Assistant to the Secretary | Ray Griggs AO CSC  
Office of the Secretary  
Department of Social Services  
**P:** s47F **E:** s47F **M:** s47F

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**From:** s47F <s47E>  
**Sent:** Thursday, 21 October 2021 11:18 AM  
**To:** s47F s47F <s47F>  
**Subject:** Secretary meeting with President of AAT [SEC=OFFICIAL]

**OFFICIAL**

Good morning s47F

I'm apparently still having some issues with external emails but I'm hoping this makes its way to you. I've confirmed availability on my end for 12.30pm Brisbane time on Tuesday 9<sup>th</sup> of November. Could you confirm if this works from your end? If so, I'll send through meeting invites.

Thank you

s47F

s47F  
Executive Advisor to the Registrar  
**Administrative Appeals Tribunal**  
**Principal Registry, Brisbane**  
Strategy, Communications & Governance  
**T:** s47E  
**E:** s47F



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**From:** WORSWICK, Bronwyn  
**Sent:** Monday, 8 November 2021 1:11 PM  
**To:** GRIGGS, Ray  
**Subject:** FW: Meeting with AAT President - 9 Nov 21 [SEC=OFFICIAL:Sensitive]

**Follow Up Flag:** Follow up  
**Due By:** Monday, 8 November 2021 9:30 AM  
**Flag Status:** Flagged

Sorry - you could also address him as "Your Honour".

**From:** WORSWICK, Bronwyn <[Bronwyn.WORSWICK@dss.gov.au](mailto:Bronwyn.WORSWICK@dss.gov.au)>  
**Sent:** Monday, 8 November 2021 1:05 PM  
**To:** GRIGGS, Ray <[Ray.GRIGGS@dss.gov.au](mailto:Ray.GRIGGS@dss.gov.au)>  
**Cc:** Legal Services Group <s47E [REDACTED] s47F [REDACTED]>  
**Subject:** Meeting with AAT President - 9 Nov 21 [SEC=OFFICIAL:Sensitive]

Dear Secretary

s47C [REDACTED] or ease  
of reference, a copy of your letter to Justice Thomas is attached.

**Note:** The appropriate mode of address for Justice Thomas is "Judge".

S 47C

Kind regards  
Bronwyn



**Australian Government**  
**Department of Social Services**

**Ray Griggs AO CSC**  
**Secretary**

Ref: EC21-001612

**The Hon Justice David Thomas**  
President of the Administrative Appeals Tribunal  
GPO Box 9955  
Sydney NSW 2001

Justice.Thomas@aat.gov.au

Dear Justice ~~Thomas~~ *Judge*,

I have recently been appointed to the position of Secretary of the Commonwealth Department of Social Services and head of the Social Services portfolio more broadly. As you are probably aware the portfolio is responsible for a diverse range of policies, payments, programs, and services that improve the wellbeing of people and families in Australia. We fund services and payments that assist families, children and older people, provide a safety net for those who cannot fully support themselves, enhance the wellbeing of people with high needs, assist those who need help with care, and support a diverse and harmonious society.

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I would welcome the opportunity to meet with you to gain any insights you may have regarding the portfolio's interactions with the AAT. Particular areas where I am focused on ensuring process improvement and appropriate resource allocation are what I can do to support efficient processes for social security matters in the Tribunal, and how I can best ensure the overriding obligation to assist the AAT is fulfilled, especially in the context where applicants are often self-represented.

Please let me know if you would like to do so, and we can arrange a suitable time.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Ray Cross". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

|| October 2021

s47F s47F

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**From:** Secretarys Office  
**Sent:** Tuesday, 9 November 2021 11:07 AM  
**To:** GRIGGS, Ray  
**Cc:** Secretarys Office; s47F  
**Subject:** FW: Agenda - AAT / DSS meeting 9 November 2021 [SEC=OFFICIAL]  
**Attachments:** AAT DSS meeting agenda - 9 Nov 2021 (003).docx

Hi Ray

Please see attached agenda from AAT ahead of today's meeting (1230).

I have added to your OneNote and have forwarded a copy to Bronwyn asking if there is any further information / background required noting the agenda items.

Warm regards,

s47F

s47F

**Executive Support Officer**

Secretary Office

Department of Social Services

P: s47F M: s47F E: s47F

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**From:** s47F s47F  
**Sent:** Tuesday, 9 November 2021 10:46 AM  
**To:** Secretarys Office s47E  
**Cc:** s47F <s47F>  
**Subject:** Agenda - AAT / DSS meeting 9 November 2021 [SEC=OFFICIAL]

**OFFICIAL**

Good morning,

As discussed, please find attached the agenda for this morning's meeting.

Please let me know if you require anything further in advance of the meeting.

Thank you

s47F

s47F

Executive Advisor to the Registrar

**Administrative Appeals Tribunal**

**Principal Registry, Brisbane**

Strategy, Communications & Governance

T: s47F

E: s47F

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**Administrative  
Appeals Tribunal**

**AAT / DSS introductory meeting**

Tuesday, 9 November 2021, 11.30 am – 12.30 pm AEST / 12.30 pm – 1.30 pm ADST

MS Teams – please see email invitation for link to join via the web;

or

join by telephone by dialling s47E(d) followed by 570 519 366#

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**AGENDA**

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**AAT Participants** Justice David Thomas, President  
Sian Leathem, Registrar  
Karen Synon, Deputy President and Division Head, SSCSD  
Kate Millar, Senior Member, SSCSD

**DSS Participants** Ray Griggs, Secretary  
Rebecca Skinner, CEO of Services Australia  
Kathryn Haigh, Chief Counsel Legal Services of Services  
Australia

**Secretariat** s47F Executive Adviser to the Registrar

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<b>ITEM</b>	<b>SPEAKER</b>
1 Welcome and introductions	Justice Thomas
2 Workload projections	
3 T-documents in first tier reviews	
4 Upcoming policy proposals	
5 Department liaison meetings	

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s47F s47F

**From:** WORSWICK, Bronwyn  
**Sent:** Tuesday, 9 November 2021 12:06 PM  
**To:** GRIGGS, Ray  
**Subject:** FW: URGENT Agenda - AAT / DSS meeting 9 November 2021 [SEC=OFFICIAL]  
**Attachments:** AAT DSS meeting agenda - 9 Nov 2021 (003) - Chief Counsel comments.docx

**From:** WORSWICK, Bronwyn  
**Sent:** Tuesday, 9 November 2021 12:03 PM  
**To:** Secretaries Offices s47E  
**Cc:** Legal Services Group <s47E>  
**Subject:** URGENT Agenda - AAT / DSS meeting 9 November 2021 [SEC=OFFICIAL]

Dear s47F  
In the limited time available s47C  
Apologies – this is quite rushed but I have been caught up on other matters.  
Kind regards  
Bronwyn

**Bronwyn Worswick**  
Chief Counsel  
Privacy Champion  
Legal Services Group  
Department of Social Services  
P: s47E E: [bronwyn.worswick@dss.gov.au](mailto:bronwyn.worswick@dss.gov.au) M: s47F



\* Need guidance on what to do when a privacy breach has occurred?  
\* Planning a project or initiative, including stakeholder consultations, that involves new or changed ways of handling personal information?  
\* Unsure how to complete a Privacy Threshold Assessment or if a Privacy Impact Assessment is needed?  
\* Need general privacy advice or training for staff?  
If you cannot find what you need on the department's Privacy intranet page [here](#), please email us at [privacy@dss.gov.au](mailto:privacy@dss.gov.au) or call one of the Privacy team members for assistance.

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**From:** Secretaries Office s 47E(d) [redacted]  
**Sent:** Tuesday, 9 November 2021 10:54 AM  
**To:** WORSWICK, Bronwyn <Bronwyn.WORSWICK@dss.gov.au>  
**Cc:** Secretaries Office s 47E(d) [redacted]; Legal Services Group <s47E [redacted]>  
**Subject:** FW: Agenda - AAT / DSS meeting 9 November 2021 [SEC=OFFICIAL]  
**Importance:** High

Hi Bronwyn,

Please see attached agenda received not long ago from AAT for today's meeting.

s47C [redacted]

s47C [redacted]

Many thanks,

s47F [redacted]

s47F [redacted]

**Executive Support Officer**

Secretary Office

Department of Social Services

M: s47F [redacted] E: s47F [redacted]

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**From:** s47F [redacted] <s47F [redacted]>  
**Sent:** Tuesday, 9 November 2021 10:46 AM  
**To:** Secretaries Office s 47E(d) [redacted]  
**Cc:** s47F [redacted] <s47F [redacted]>  
**Subject:** Agenda - AAT / DSS meeting 9 November 2021 [SEC=OFFICIAL]

**OFFICIAL**

Good morning,

As discussed, please find attached the agenda for this morning's meeting.

Please let me know if you require anything further in advance of the meeting.

Thank you

s47F [redacted]

s47F [redacted]

Executive Advisor to the Registrar

**Administrative Appeals Tribunal**

**Principal Registry, Brisbane**

Strategy, Communications & Governance

T: s47F [redacted]

E: s47F [redacted]

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Administrative Appeals Tribunal

**AAT / DSS introductory meeting**

Tuesday, 9 November 2021, 11.30 am – 12.30 pm AEST / 12.30 pm – 1.30 pm ADST

MS Teams – please see email invitation for link to join via the web;

or

join by telephone by dialling s47E(d) followed by 570 519 366#

**AGENDA**

**AAT Participants** Justice David Thomas, President  
Sian Leathem, Registrar  
Karen Synon, Deputy President and Division Head, SSCSD  
Kate Millar, Senior Member, SSCSD

**DSS Participants** Ray Griggs, Secretary  
Rebecca Skinner, CEO of Services Australia  
Kathryn Haigh, Chief Counsel Legal Services of Services Australia

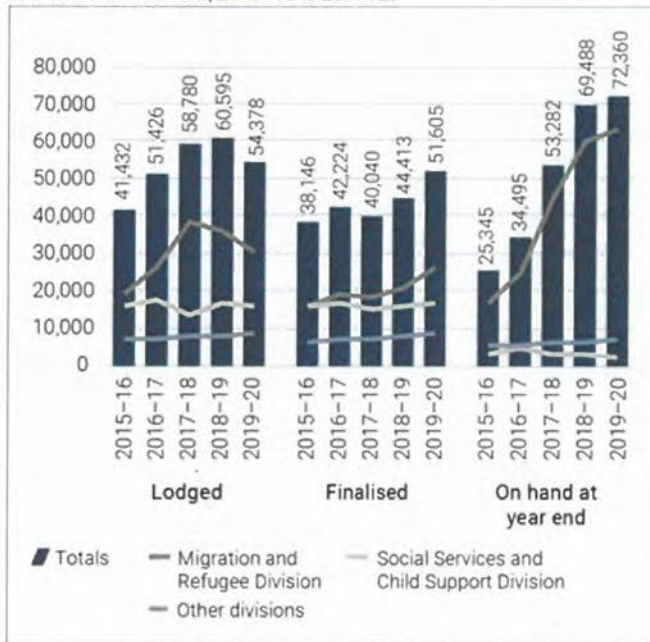
**Secretariat** s47F Executive Adviser to the Registrar

ITEM	SPEAKER
1 Welcome and introductions	Justice Thomas
2 Workload projections	
3 T-documents in first tier reviews	
4 Upcoming policy proposals	
5 Department liaison meetings	

s 47C

more than in 2018–19. The number of applications on hand at 30 June 2

AAT caseload overview, 2015–16 to 2019–20



The size of our caseload varies significantly between divisions. The Migr despite a drop in lodgements in the latter part of the year as a result of tl

s47F s47F

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**Subject:** AAT meeting with Secretary DSS [SEC=OFFICIAL]  
**Location:** Microsoft Teams  
**Start:** Tue 9/11/2021 12:30 PM  
**End:** Tue 9/11/2021 1:30 PM  
**Recurrence:** (none)  
**Meeting Status:** Accepted  
**Organizer:** Sian Leathem  
**Categories:** Phone call

OFFICIAL

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Microsoft Teams meeting

**Join on your computer or mobile app**  
[Click here to join the meeting](#)

**Join with a video conferencing device**  
s47E(d)  
Video Conference ID: 137 638 996 3  
[Alternate VTC instructions](#)

**Or call in (audio only)**  
s47E(d) Australia, Sydney  
Phone Conference ID: 570 519 366#  
[Find a local number](#) | [Reset PIN](#)



**Administrative  
Appeals Tribunal**

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**From:** GRIGGS, Ray  
**Sent:** Thursday, 11 November 2021 1:29 PM  
**To:** s47F s47F  
**Subject:** RE: Amended time: Meeting with Mr Ray Griggs AO CSC - 23 November 2021 [SEC=OFFICIAL]

Lets see if Martin is available

---

**Ray Griggs**  
Secretary  
Department of Social Services

**P:** s 47E(d) **E:** [ray.griggs@dss.gov.au](mailto:ray.griggs@dss.gov.au)

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**From:** s47F s47F <s47F>  
**Sent:** Thursday, 11 November 2021 1:25 PM  
**To:** GRIGGS, Ray <Ray.GRIGGS@dss.gov.au>  
**Subject:** RE: Amended time: Meeting with Mr Ray Griggs AO CSC - 23 November 2021 [SEC=OFFICIAL]

Hi Ray,

The AAT have reached out for a follow-up discussion with yourself and NDIA on 23 November. 0900-1000 will work for you.

Would you like me to reach out to Martin Hoffman's office in relation to this, or did you wish to discuss this with Martin first?

s47F s47F

Executive Assistant to the Secretary | Ray Griggs AO CSC  
Office of the Secretary  
Department of Social Services

**E:** s47F **M:** s47F

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**From:** s47F <s47F>  
**Sent:** Thursday, 11 November 2021 1:23 PM  
**To:** s47F s47F <s47F>  
**Subject:** Amended time: Meeting with Mr Ray Griggs AO CSC - 23 November 2021 [SEC=OFFICIAL]

**OFFICIAL**

Dear s47F

Apologies as I have provided the incorrect time for the proposed meeting in my earlier email.

Can I amend it anytime between 9 to 11am AEST (which is 10-12pm AEDT) on 23 November. I would suggest an 1 hour timeframe but happy if you think otherwise.

Happy to discuss,

Kind Regards,  
s47F

s47F

Executive Assistant to the Hon Justice D G Thomas  
President of the Administrative Appeals Tribunal  
Judge of the Federal Court of Australia

**Administrative Appeals Tribunal**

s47F

F: 07 3052 3230

E: s47F

[www.aat.gov.au](http://www.aat.gov.au)

**From:** s47F

**Sent:** Thursday, 11 November 2021 12:10 PM

**To:** s47F

**Subject:** Meeting with Mr Ray Griggs AO CSC - 23 November 2021 [SEC=OFFICIAL]

**OFFICIAL**

Dear s47F

Following on from the meeting that took place on 9 November 2021, I have been asked to arrange a meeting between the President, Registrar and Deputy President Fiona Meagher (who is the Division Head for the National Disability Insurance Scheme Division) and the Secretary, Mr Ray Griggs. My understanding is that the proposed meeting would include a representative from the National Disability Insurance Agency, let me know if that can be arranged from your end or if I need to make some enquiries from mine.

The proposed date for the meeting is Tuesday, 23 November 2021 at 11am AEST subject to the availability of the Secretary and the NDIA representative.

Happy to discuss further if that assists.

Kind Regards,  
s47F

s47F

Executive Assistant to the Hon Justice D G Thomas  
President of the Administrative Appeals Tribunal  
Judge of the Federal Court of Australia

**Administrative Appeals Tribunal**



s47F

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s47F s47F

**From:** s47F <s47F>  
**Sent:** Monday, 22 November 2021 11:18 AM  
**To:** s47F s47F  
**Subject:** For review/comments - Notes AAT/DSS meeting 9 Nov 2021 [SEC=OFFICIAL]  
**Attachments:** AAT DSS meeting - Action items 9 Nov 2021.docx

**Categories:** Meetings

**OFFICIAL**

Hi s47F

Please find attached the notes from the meeting between the AAT and DSS on Tuesday, 9 Nov 2021.  
s 47C

Many thanks

s47F

Executive Advisor to the Registrar

**Administrative Appeals Tribunal**  
**Principal Registry, Brisbane**  
Strategy, Communications & Governance  
T: s47F  
E: s47F

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s47c

s47c

s47c

s 47C

s47F s47F

**From:** s47F <s47F>  
**Sent:** Monday, 22 November 2021 11:22 AM  
**To:** s47F s47F  
**Subject:** RE: AAT/DSS/NDIA meeting Tues 23 Nov [SEC=OFFICIAL]  
**Categories:** Meetings

**OFFICIAL**

Absolutely. In the meantime, attendees from AAT are:

Justice David Thomas, President  
Sian Leathem, Registrar  
Deputy President Fiona Meagher, NDIS Division Head

**From:** s47F s47F <s47F>  
**Sent:** Monday, 22 November 2021 10:21 AM  
**To:** s47F s47F  
**Subject:** RE: AAT/DSS/NDIA meeting Tues 23 Nov [SEC=OFFICIAL]

**EXTERNAL EMAIL**

"Do not click any links or open any attachments unless you trust the sender, are expecting this email and know the content is safe."

Thank you s47F. We would appreciate receiving this as soon as possible in order for attendees to be adequately prepared for the discussion.

Kind regards

s47F s47F  
Executive Assistant to the Secretary | Ray Griggs AO CSC  
Office of the Secretary  
Department of Social Services  
P: s47F E: s47F M: s47F

The Department of Social Services acknowledges the traditional owners of country throughout Australia, and their continuing connection to land, water and community. We pay our respects to them and their cultures, and to Elders both past and present.

**From:** s47F s47F  
**Sent:** Monday, 22 November 2021 11:19 AM  
**To:** s47F s47F <s47F>  
**Subject:** RE: AAT/DSS/NDIA meeting Tues 23 Nov [SEC=OFFICIAL]

**OFFICIAL**

Hi s47F,

Thanks so much, I'll amend the agenda accordingly. The draft is currently with the President and I'll forward it onto you as soon as it's cleared on my end.

Many thanks again!

s47F

From: s47F s47F <s47F>  
Sent: Monday, 22 November 2021 10:13 AM  
To: s47F s47F  
Subject: RE: AAT/DSS/NDIA meeting Tues 23 Nov [SEC=OFFICIAL]

**EXTERNAL EMAIL**

"Do not click any links or open any attachments unless you trust the sender, are expecting this email and know the content is safe."

Hi s47F

I can confirm that Bronwyn Worswick (DSS Chief Counsel) and Christine (Chris) Burke (NDIA Chief General Counsel). I would be grateful if you could please confirm attendees from AAT and provide an agenda for the meeting. Thank you.

Kind regards

s47F s47F  
Executive Assistant to the Secretary | Ray Griggs AO CSC  
Office of the Secretary  
Department of Social Services  
P: s47F E: s47F M: s47F

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From: s47F s47F  
Sent: Monday, 22 November 2021 10:53 AM  
To: s47F s47F <s47F>  
Subject: AAT/DSS/NDIA meeting Tues 23 Nov [SEC=OFFICIAL]

**OFFICIAL**

Good morning s47F

Could you confirm the participants for tomorrow's meeting for me please? I have Ray Griggs (Sec, DSS) and Martin Hoffman (CEO, NDIA). Will anyone else be joining from your side?

Many thanks

s47F

s47F  
Executive Advisor to the Registrar  
**Administrative Appeals Tribunal**  
**Principal Registry, Brisbane**  
Strategy, Communications & Governance  
T: s47F  
E: s47F



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s47F s47F

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**From:** Legal Services Group  
**Sent:** Monday, 22 November 2021 12:21 PM  
**To:** s47F s47F  
**Cc:** Secretarys Office; COO; Legal Services Group  
**Subject:** RE: Briefing Request: Meeting with AAT 23 November [SEC=OFFICIAL]  
**Attachments:** AAT Briefing Notes - Secretary mtg with CEO NDIA and President AAT 231121.docx

Hi s47F

Apologies for the delay. Please find attached the brief requested ahead of tomorrow's AAT meeting.

s 47F

**From:** s47F  
**Sent:** Wednesday, 17 November 2021 11:06 AM  
**To:** WORSWICK, Bronwyn <Bronwyn.WORSWICK@dss.gov.au>  
**Cc:** Secretarys Office s 47E(d) COO s 47E(d)  
**Subject:** Briefing Request: Meeting with AAT 23 November [SEC=OFFICIAL]

Hi Bronwyn,

I have just forwarded you the invitation from the AAT for next week's meeting with the Secretary and NDIA. Could you please provide a briefing for this meeting covering NDIA AAT matters. I would be grateful if you could ensure this is with the Secretary by 0900 Monday morning. Thank you.

Kind regards

s47F s47F

Executive Assistant to the Secretary | Ray Griggs AO CSC  
Office of the Secretary  
Department of Social Services

P: s47F E: s47F M: s47F

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**MEETING WITH PRESIDENT OF ADMINISTRATIVE APPEALS TRIBUNAL**  
**SECRETARY DSS AND CEO NDIA**  
**23 November 2021**

**National Disability Insurance Scheme Division – key points**

- Applications concerning NDIS are managed by the AAT in a separate division.
- The NDIS Division of the AAT comprises a small but steadily increasing proportion of the overall AAT caseload: 1% in 2017–18, 2% in 2018–19, 3% in 2019–20 and 6% in 2020-21.
- The NDIS Division was able to finalise 85% of AAT applications within 12 months of lodgement during FY20-21, median number of weeks to finalisation increased from 18 to 23 weeks.
- The majority of all AAT applications relate to participant plans.
- A large proportion of NDIS applications in the AAT continue to be finalised without a substantive hearing.

**Data from AAT Annual Report 2020-21**

TABLE 10: APPLICATIONS LODGED, FINALISED AND ON HAND, 2020–21 – BY DIVISION

DIVISION	LODGED		FINALISED		ON HAND AT YEAR END	
	No	% of total	No	% of total	No	% of total
Freedom of Information	78	<1%	47	<1%	110	<1%
General	4,775	13%	5,208	12%	3,558	5%
Migration and Refugee	15,969	43%	23,246	52%	56,036	86%
National Disability Insurance Scheme	2,160	6%	1,448	3%	1,631	2%
Security	21	<1%	3	<1%	27	<1%
Small Business Taxation	552	1%	418	<1%	453	<1%
Social Services and Child Support	13,013	35%	13,088	29%	2,186	3%
Taxation and Commercial	718	2%	897	2%	1,151	2%
Veterans' Appeals	197	<1%	210	<1%	222	<1%
<b>TOTAL</b>	<b>37,483</b>	<b>100%</b>	<b>44,565</b>	<b>100%</b>	<b>65,374</b>	<b>100%</b>

Table 2.1.3.1. NDIS caseload, 2019–20 to 2020–21 – by decision type

DECISION TYPE	LODGED			FINALISED			ON HAND AT YEAR END		
	2019-20	2020-21	% change from 2019-20	2019-20	2020-21	% change from 2019-20	2019-20	2020-21	% change from 2019-20
Access to scheme	797	421	-47%	604	486	-20%	461	386	-16%
Plans	980	1,725	76%	918	957	4%	460	1,233	168%
Other	3	14	367%	5	5	0%	1	10	900%
<b>TOTAL</b>	<b>1,780</b>	<b>2,160</b>	<b>21%</b>	<b>1,527</b>	<b>1,448</b>	<b>-5%</b>	<b>922</b>	<b>1,631</b>	<b>77%</b>

**The NDIA's annual external legal spend (AAT matters):**

Year	AAT
2017-18	Not available
2018-19	\$9,409,686
2019-20	\$13,446,056
2020-21	\$17,342,578

- NDIA uses external lawyers for advocacy in the AAT as opposed to in-house advocates.

**Key themes and areas of criticism identified in media reporting concerning NDIA's AAT cases**

*Use of expensive external lawyers to defend matters in the AAT:*

- While the NDIA is reducing plan values, it is spending money on multiple lawyers to represent the NDIA in AAT hearings.

*AAT prevents persons with disability being supported for AAT cases:*

- Participants cannot afford lawyers to review NDIA decisions, and the AAT will not allow their support coordinators to attend hearings with them.

*Bullying and legalistic approach in AAT processes:*

- There are cultural issues with the AAT process – bullying and legalistic behaviour and participants cannot understand and do not have supports to help them.

*Participants have an information disadvantage:*

- Participants are at a disadvantage – they cannot present their information the way the NDIA can.

*Participants without legal representation:*

- Only 20% of people with disabilities have legal representation.

*NDIA has established 'pre-hearing practices':*

- After meeting with the NDIA and its legal team, 27% of people withdraw and 61% settle.
- By setting up the pre-hearing practices, the NDIA has set up a structure where representation becomes important because they're not in front of a neutral member who is asking for the evidence.

s47F s47F

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**From:** s47F s47F  
**Sent:** Monday, 22 November 2021 12:36 PM  
**To:** GRIGGS, Ray  
**Subject:** Briefing - Meeting with AAT 23 November [SEC=OFFICIAL]  
**Attachments:** AAT Briefing Notes - Secretary mtg with CEO NDIA and President AAT 231121.docx

Hi Ray

Please find attached briefing for tomorrow's meeting with the AAT. They have not yet provided an agenda for the meeting, but I am expecting it this afternoon. Briefing is in your OneNote.

s47F s47F

Executive Assistant to the Secretary | Ray Griggs AO CSC  
Office of the Secretary  
Department of Social Services

**P:** s47F **E:** s47F **M:** s47F

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**MEETING WITH PRESIDENT OF ADMINISTRATIVE APPEALS TRIBUNAL**  
**SECRETARY DSS AND CEO NDIA**  
**23 November 2021**

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- By setting up the pre-hearing practices, the NDIA has set up a structure where representation becomes important because they're not in front of a neutral member who is asking for the evidence.

s47F s47F

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**From:** s47F <s47F>  
**Sent:** Monday, 22 November 2021 1:13 PM  
**To:** s47F s47F  
**Cc:** Sian Leathem; Justice Thomas; Fiona Meagher; s47F  
**Subject:** Agenda - AAT/DSS/NDIA meeting - 23 November 2021 [SEC=OFFICIAL]  
**Attachments:** AAT NDIA meeting agenda - 23 Nov 2021.docx

**OFFICIAL**

Good morning s47F,

Please find attached the agenda for tomorrow's meeting. Please get in touch if you have any questions/concerns.

Thank you

s47F

s47F

Executive Advisor to the Registrar

**Administrative Appeals Tribunal**  
**Principal Registry, Brisbane**  
Strategy, Communications & Governance  
T: s47F  
E: s47F

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**Administrative Appeals Tribunal**

**AAT / DSS introductory meeting**

Tuesday, 23 November 2021, 9.30 am – 10.30 am AEST / 10.30 am – 11.30 am ADST

MS Teams – please see email invitation for link to join via the web;

or

join by telephone by dialling s47E(d) followed by 624 076 185#

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**AGENDA**

---

**AAT Participants** Justice David Thomas, President  
Sian Leathem, Registrar  
Deputy President Fiona Meagher, NDIS Division Head

**DSS Participants** Ray Griggs, Secretary  
Bronwyn Warswick, Chief Counsel

**NDIA Participants** Martin Hoffman, CEO NDIA  
Christine (Chris) Burke, Chief General Counsel

**Secretariat** s47F, Executive Adviser to the Registrar

ITEM	SPEAKER
1 Welcome and introductions	
2 Lodgement trends and current workload - AAT	
3 Forecasts/future trends - NDIA	
4 Proposed policy and legislative change – DSS & NDIA	
5 Role of disability advocates - AAT	
6 NDIA structuring and resourcing for AAT matters - NDIA	

s47F s47F

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**From:** s47F s47F  
**Sent:** Monday, 22 November 2021 1:45 PM  
**To:** GRIGGS, Ray; 'martin.hoffman@ndis.gov.au'  
**Cc:** s47F WORSWICK, Bronwyn  
**Subject:** FW: Agenda - AAT/DSS/NDIA meeting - 23 November 2021 [SEC=OFFICIAL]  
**Attachments:** AAT NDIA meeting agenda - 23 Nov 2021.docx

Dear Martin/Ray,

Please find attached the agenda for tomorrow's meeting with the AAT.

Kind regards

s47F s47F

Executive Assistant to the Secretary | Ray Griggs AO CSC  
Office of the Secretary  
Department of Social Services

P: s47F E: s47F M: s47F

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**From:** s47F s47F  
**Sent:** Monday, 22 November 2021 1:13 PM  
**To:** s47F s47F <s47F>  
**Cc:** Sian Leathem <Sian.Leathem@aat.gov.au>; Justice Thomas <Justice.Thomas@aat.gov.au>; Fiona Meagher <Fiona.Meagher@aat.gov.au>; s47F <s47F>  
**Subject:** Agenda - AAT/DSS/NDIA meeting - 23 November 2021 [SEC=OFFICIAL]

**OFFICIAL**

Good morning s47F

Please find attached the agenda for tomorrow's meeting. Please get in touch if you have any questions/concerns.

Thank you

s47F

Executive Advisor to the Registrar

**Administrative Appeals Tribunal**  
**Principal Registry, Brisbane**  
Strategy, Communications & Governance  
T: s47F  
E: s47F

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**AGENDA**

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Sian Leathem, Registrar  
Deputy President Fiona Meagher, NDIS Division Head

**DSS Participants** Ray Griggs, Secretary  
Bronwyn Warswick, Chief Counsel

**NDIA Participants** Martin Hoffman, CEO NDIA  
Christine (Chris) Burke, Chief General Counsel

**Secretariat** s47F Executive Adviser to the Registrar

ITEM	SPEAKER
1	Welcome and introductions
2	Lodgement trends and current workload - AAT
3	Forecasts/future trends - NDIA
4	Proposed policy and legislative change – DSS & NDIA
5	Role of disability advocates - AAT
6	NDIA structuring and resourcing for AAT matters - NDIA

s47F

**From:** s47F, s47F  
**Sent:** Tuesday, 7 December 2021 4:41 PM  
**To:** GRIGGS, Ray  
**Cc:** Secretarys Office  
**Subject:** FW: Draft meeting notes - AAT / DSS / NDIA - 23 Nov 2021 [SEC=OFFICIAL]  
**Attachments:** AAT DSS NDIA meeting summary - 23 Nov 2021.docx

Hi Ray,

Please see attached meeting summary from the latest AAT discussion. I'll provide a copy to Martin and Bronwyn for their review.

s47F s47F

Executive Assistant to the Secretary | Ray Griggs AO CSC  
Office of the Secretary  
Department of Social Services

P: s47F E: s47F M: s47F

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**From:** s47F s47F  
**Sent:** Tuesday, 7 December 2021 10:27 AM  
**To:** s47F s47F <s47F>  
**Cc:** Sian Leathem <Sian.Leathem@aat.gov.au>; Fiona Meagher <Fiona.Meagher@aat.gov.au>; s47F <s47F>  
**Subject:** Draft meeting notes - AAT / DSS / NDIA - 23 Nov 2021 [SEC=OFFICIAL]

**OFFICIAL**

Good morning s47F ,

Please find attached the draft meeting summary from the AAT/DSS/NDIA meeting held on 23 November 2021. Could you please acknowledge receipt s 47C  
s 47C

Many thanks and please let me know if you have any questions or concerns.

s47F

s47F

Executive Advisor to the Registrar

**Administrative Appeals Tribunal**  
**Principal Registry, Brisbane**  
Strategy, Communications & Governance  
T: s47F  
E: s47F

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s 47C

s 47C



s 47C

**s 47C**

**s 47C**

**s 47C**

s47F s47F

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**From:** s47F, s47F  
**Sent:** Tuesday, 7 December 2021 4:37 PM  
**To:** s47F  
**Subject:** RE: For review/comments - Notes AAT/DSS meeting 9 Nov 2021 [SEC=OFFICIAL]  
**Attachments:** AAT DSS meeting - Action items 9 Nov 2021 - DSS & SA edits.docx

Hi s47F

s 47C My sincere apologies for the delay in getting these back to you.

s47F s47F

Executive Assistant to the Secretary | Ray Griggs AO CSC  
Office of the Secretary  
Department of Social Services

**P:** s47F **E:** s47F **M:** s47F

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---

**From:** s47F s47F  
**Sent:** Monday, 22 November 2021 11:18 AM  
**To:** s47F s47F <s47F>  
**Subject:** For review/comments - Notes AAT/DSS meeting 9 Nov 2021 [SEC=OFFICIAL]

**OFFICIAL**

Hi s47F

Please find attached the notes from the meeting between the AAT and DSS on Tuesday, 9 Nov 2021.

s 47C

Many thanks

s47F

Executive Advisor to the Registrar

**Administrative Appeals Tribunal**  
**Principal Registry, Brisbane**  
Strategy, Communications & Governance

T: s47F

E: s47F

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s47c

s47c



s47c

**s 47C**

s47F s47F

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**From:** s47F <s47F>  
**Sent:** Wednesday, 8 December 2021 3:45 PM  
**To:** s47F, s47F  
**Cc:** Sian Leathem  
**Subject:** RE: For review/comments - Notes AAT/DSS meeting 9 Nov 2021 [SEC=OFFICIAL]  
**Attachments:** FINAL - AAT DSS meeting - Action items 9 Nov 2021 .pdf

**OFFICIAL**

Hi s47F

Thank you for sending these through, s 47C  
If you could circulate on your side I'd appreciate it.

Thank you again.

s47F

**From:** s47F s47F <s47F>  
**Sent:** Tuesday, 7 December 2021 3:37 PM  
**To:** s47F s47F  
**Subject:** RE: For review/comments - Notes AAT/DSS meeting 9 Nov 2021 [SEC=OFFICIAL]

**EXTERNAL EMAIL**

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Hi s47F

s 47C . My sincere apologies for the delay in getting these back to you.

s47F s47F

Executive Assistant to the Secretary | Ray Griggs AO CSC  
Office of the Secretary  
Department of Social Services

**P:** s47F **E:** s47F **M:** s47F

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**From:** s47F <s47F>  
**Sent:** Monday, 22 November 2021 11:18 AM  
**To:** s47F s47F <s47F>  
**Subject:** For review/comments - Notes AAT/DSS meeting 9 Nov 2021 [SEC=OFFICIAL]

**OFFICIAL**

Hi s47F ,

Please find attached the notes from the meeting between the AAT and DSS on Tuesday, 9 Nov 2021.  
s 47C

Many thanks

s47F

Executive Advisor to the Registrar

**Administrative Appeals Tribunal**  
**Principal Registry, Brisbane**  
Strategy, Communications & Governance  
T: s47F  
E: s47F

[www.aat.gov.au](http://www.aat.gov.au)

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Administrative Appeals Tribunal

**AAT / DSS meeting**

Tuesday, 9 November 2021, 11.30 am – 12.30 pm AEST / 12.30 – 1.30 pm AEDT  
MS Teams

**OUTCOMES**

Participants: Justice David Thomas (DT)  
Sian Leathem, Registrar (SL)  
Karen Synon, Division Head, SSCSD (KS)  
Kate Millar, Senior Member, SSCSD (KM)  
Ray Griggs, Secretary, DSS  
Bronwyn Worswick, Chief Counsel, DSS  
Rebecca Skinner, CEO, Services Australia  
Kathryn Haigh, Chief Counsel, Services Australia

Secretariat **s47F** Executive Advisor to the Registrar

ITEM	OUTCOMES
1 Welcome and introductions	<p>The group discussed the intersection of work between agencies and agreed there is a shared interest in ensuring consistent, quality decision making with a primary focus on the citizen and their needs.</p>
2 Workload projections	<p>DSS welcomed insights into how to improve processes and ensure primary decision makers apply proper processes and make thoughtful decisions, and what might be done to better fulfil the Secretary's obligation to assist the AAT as a model litigant.</p> <p>Services Australia has the second largest caseload behind MRD in the AAT, with 8,381 first tier review matters last financial year. Of those, 24.5% (just over 2,000) decisions were changed on review. Tier 2 matters are more complex, with 40.5% of decisions on Secretary reviews changed by the AAT</p> <p><b>Action 1 - Table of statistics on number of Tier 1 and 2 reviews to be shared by Services Australia.</b></p> <p>AAT noted the nature of review means changed circumstances are considered, meaning changed decisions may not reflect a different view to the Department, rather the influence of new/additional information. The increasing formality, but not complexity, of</p>

ITEM	OUTCOMES
	<p>proceedings was also noted as reviews proceed from Tier 1 to 2. Also noted that T-documents provided in Tier 2 matters tend to have a greater degree of formality and accuracy than those provided in Tier 1 matters.</p> <p>AAT discussed planning challenges arising from the varying workload and requested ongoing contextual information from DSS/Services Australia that may impact – e.g. movement of staff to pandemic focused work impacted workload (fewer decisions requiring review made in this period), but return to business as normal will see an upswing from hereon in.</p> <p>DSS noted that the NDIS caseload has not reduced during Covid, rather it has increased and will likely continue to do so.</p> <p>AAT would also like to explore the percentage of SME decisions as there can be jurisdiction issues at the lower level of stakeholder liaison and applicants often request information about this.</p> <p><b>Action 2 – Karen Synon and Kathryn Haigh to continue offline conversation on SMEs and section 37 documents</b></p> <p>AAT noted many applicants report a loss/lack of trust in the system and there is much work we can do together to meet the aim of positive outcomes for applicants. Requested liaison point the AAT can utilise to share concerns of members that may reflect national trends.</p> <p><b>Action 3 – Regular liaison meetings between Services Australia and AAT on Tier 2 matters are being reintroduced. Next meeting 12 November 2021.</b></p>
3	<p>Diversion from Tier 2 applications</p> <p>Services Australia indicated interest in exploring patterns in matters proceeding to Tier 2 review and whether the AAT has any mitigation measures in place.</p> <p>AAT noted applicants commonly report a lack of personal interaction with decision makers. The lack of accessibility to program support for the Disability Support Pension (DSP) was specifically referenced. It was suggested that a sample of matters be taken and a best-case pathway be created – i.e. identify factors that indicate which pathway is best (hearing/conferencing) and how this can be</p>

ITEM	OUTCOMES
4	<p>Policy projects</p> <p>used to correlate each agency's responsibilities.</p> <p>AAT outlined recent engagement about DSP at a policy level and meetings with the Royal Australian College of GPs. The College has developed a liaison group and plans to deliver training on program support to GPs via online modules. The aim is to ensure GPs have an adequate understanding of what requirements must be met for a successful DSP application. These conversations have also included staff from DSS and Services Australia and have been thus far been very productive.</p> <p>DSS indicated interest in further involvement, including potential funding provision given the potential significant impact if the program goes ahead.</p> <p><b>Action 4 – AAT/KS to provide RG/DSS with contact details of College representative. Further conversation regarding the creation of a working group is required.</b></p>
5	<p>Ongoing liaison</p> <p>Group agreed there is value in ongoing, consistent liaison. Agreed to meet several times a year, in addition to at level conversations.</p> <p>In the interests of maintaining a holistic view of the portfolio, DSS indicated an interest in including NDIS in further conversations. Noted that post-election (regardless of the result), the NDIS outlook in terms of increased workload is not overly positive and that an incoming Government may identify a need for changes to the scheme in order to ensure ongoing sustainability. It is inevitable that any work carried out from a policy perspective will flow through to the NDIS caseload.</p> <p>AAT confirmed interest in including the NDIS head, Fiona Meagher in a similar future meeting. DSS will ensure relevant representatives are available to attend, including Chief Counsel.</p> <p><b>Action 5 – AAT to contact DSS early 2022 to survey landscape and plan next meeting.</b></p>

*Next meeting: TBC – Early 2022, most likely post federal election*



s47F s47F

---

**From:** s47F s47F  
**Sent:** Thursday, 9 December 2021 9:01 AM  
**To:** CEO.OFFICE; WORSWICK, Bronwyn  
**Cc:** Secretarys Office; GRIGGS, Ray  
**Subject:** DSS/AAT Meeting Notes - 9 Nov 21 meeting [SEC=OFFICIAL]  
**Attachments:** FINAL - AAT DSS meeting - Action items 9 Nov 2021 .pdf

Good morning,

Please find attached the final cleared notes from the 9 November meeting with the AAT.

Kind regards

s47F s47F

Executive Assistant to the Secretary | Ray Griggs AO CSC  
Office of the Secretary  
Department of Social Services

**P:** s47F **E:** s47F **M:** s47F

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Administrative Appeals Tribunal

AAT / DSS meeting

Tuesday, 9 November 2021, 11.30 am – 12.30 pm AEST / 12.30 – 1.30 pm AEDT  
MS Teams

**OUTCOMES**

Participants: Justice David Thomas (DT)  
Sian Leathem, Registrar (SL)  
Karen Synon, Division Head, SSCSD (KS)  
Kate Millar, Senior Member, SSCSD (KM)  
Ray Griggs, Secretary, DSS  
Bronwyn Worswick, Chief Counsel, DSS  
Rebecca Skinner, CEO, Services Australia  
Kathryn Haigh, Chief Counsel, Services Australia

Secretariat s47F Executive Advisor to the Registrar

ITEM	OUTCOMES
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ITEM	OUTCOMES
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ITEM	OUTCOMES
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*Next meeting: TBC – Early 2022, most likely post federal election*

s47F s47F

**From:** s47F  
**Sent:** Thursday, 9 December 2021 12:22 PM  
**To:** s47F s47F; WORSWICK, Bronwyn  
**Subject:** RE: Draft meeting notes - AAT / DSS / NDIA - 23 Nov 2021 [SEC=OFFICIAL]  
**Attachments:** AAT DSS NDIA meeting summary - 23 Nov 2021.docx

Hi s47F

Please find attached s47C

Many thanks

s 47F

s47F  
Executive Officer to Martin Hoffman, CEO  
**National Disability Insurance Agency**

Direct line s47F

Mobile s47F

Email s47F



**From:** s47F s47F <s47F>  
**Sent:** Thursday, 9 December 2021 9:56 AM  
**To:** WORSWICK, Bronwyn <Bronwyn.WORSWICK@dss.gov.au>; Hoffman, Martin <Martin.Hoffman@ndis.gov.au>  
**Cc:** s47F s47F  
**Subject:** FW: Draft meeting notes - AAT / DSS / NDIA - 23 Nov 2021 [SEC=OFFICIAL]

Dear Martin and Bronwyn,

Please find attached draft meeting summary from your discussions with the AAT on 23 November. s 47C  
Thank you.

Kind regards

s47F s47F  
Executive Assistant to the Secretary | Ray Griggs AO CSC  
Office of the Secretary  
Department of Social Services  
**P:** s47F **E:** s47F **M:** s47F

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From: s47F <s47F>  
Sent: Tuesday, 7 December 2021 10:27 AM  
To: s47F s47F <s47F>  
Cc: Sian Leathem <Sian.Leathem@aat.gov.au>; Fiona Meagher <Fiona.Meagher@aat.gov.au>; s47F <s47F>  
Subject: Draft meeting notes - AAT / DSS / NDIA - 23 Nov 2021 [SEC=OFFICIAL]

**OFFICIAL**

Good morning s47F ,

Please find attached the draft meeting summary from the AAT/DSS/NDIA meeting held on 23 November 2021. s 47C

Many thanks and please let me know if you have any questions or concerns.

s47F

Executive Advisor to the Registrar

**Administrative Appeals Tribunal**  
**Principal Registry, Brisbane**  
Strategy, Communications & Governance  
T: s47F  
E: s47F

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s47c

s47c

**s47c**

s47C

s47c

s47C

**From:** Sian Leathem <Sian.Leathem@aat.gov.au>  
**Sent:** Tuesday, 14 December 2021 3:05 PM  
**To:** Jones Katherine (AG); GRIGGS, Ray; martin.hoffman@ndis.gov.au  
**Cc:** Jamie Crew; s47F  
**Subject:** RE: Workload of the NDISD and AAT [SEC=OFFICIAL]

**OFFICIAL**

Thanks for your email Katherine.

I welcome the opportunity to discuss in the new year and can confirm that our National Director Tribunal Services, Jamie Crew, will participate on behalf of the AAT.

Regards,

Sian

**Sian Leathem**  
Registrar

**Administrative Appeals Tribunal**  
**Principal Registry, Brisbane**  
Executive  
T: s47E(d) M: s47F  
E: [sian.leathem@aat.gov.au](mailto:sian.leathem@aat.gov.au)

[www.aat.gov.au](http://www.aat.gov.au)

**From:** Jones, Katherine <Katherine.Jones@ag.gov.au>  
**Sent:** Tuesday, 14 December 2021 1:54 PM  
**To:** ray.griggs@dss.gov.au; Sian Leathem <Sian.Leathem@aat.gov.au>; martin.hoffman@ndis.gov.au  
**Subject:** Workload of the NDISD and AAT [SEC=OFFICIAL]

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**OFFICIAL**

Colleagues

I am writing regarding the increased pressure on the workload of the National Disability Insurance Scheme Division (NDISD) of the Administrative Appeals Tribunal (AAT).

I understand there are a number of challenges facing the NDISD, including a significant rise in caseload, an unexpected complexity of cases, and a need for specialist knowledge to hear those cases.

I note the Minister responsible for the NDIS, Senator the Hon Linda Reynolds CSC, wrote to the Attorney-General in September 2021 acknowledging the pressures facing the NDISD and indicating that the National Disability Insurance Agency is working on options to improve the early resolution of complex cases to reduce workflow to the AAT.

I propose we meet to discuss this issue early in the new year. I am keen to ensure that we work together to identify long term solutions to the issues in the NDIS to allow it to continue to produce high quality decisions in a timely manner. Should you agree, my office will reach out to arrange this.

I am aware there have been various preliminary meetings between our respective agencies on this issue to date. I would also like to suggest that a regular roundtable with representation at the SES Band 2 level be established between our agencies to continue working through issues. Should you agree to the establishment of this roundtable, please advise Mr s47F s47F Principal Legal Officer, AAT Section, (s47F s47F ) of the relevant point of contact (SES2) within your agency by 20 December 2021.

Ms Tamsyn Harvey, First Assistant Secretary, Families and Legal System Division will be the relevant Attorney-General's Department representative. I envisage an introductory/discovery Band 2 level meeting will be scheduled by the Attorney-General's Department for January 2022 to ensure work on this important matter will commence as quickly as possible.

I am committed to seeing this issue resolved and I look forward to working with you.

Regards

Katherine

**OFFICIAL**

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**From:** GRIGGS, Ray  
**Sent:** Tuesday, 14 December 2021 5:07 PM  
**To:** Jones, Katherine  
**Subject:** RE: Workload of the NDISD and AAT [SEC=OFFICIAL]

Hi Katherine, could we have a chat about this, there is some context this from a Social Services portfolio that might be useful. I have just kicked off a process of engagement with the AAT which is proving very useful both from NDISD and Social security perspective.

Cheers  
Ray

---

**Ray Griggs**  
Secretary  
Department of Social Services

**P:** s 47E(d) **E:** [ray.griggs@dss.gov.au](mailto:ray.griggs@dss.gov.au)

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**From:** Jones, Katherine <Katherine.Jones@ag.gov.au>  
**Sent:** Tuesday, 14 December 2021 2:54 PM  
**To:** GRIGGS, Ray <Ray.GRIGGS@dss.gov.au>; sian.leathem@aat.gov.au; martin.hoffman@ndis.gov.au  
**Subject:** Workload of the NDISD and AAT [SEC=OFFICIAL]

**OFFICIAL**

Colleagues

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Regards

Katherine

**OFFICIAL**

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s47F s47F

---

**From:** s47F s47F  
**Sent:** Thursday, 16 December 2021 10:40 AM  
**To:** 'martin.hoffman@ndis.gov.au'; GRIGGS, Ray; WORSWICK, Bronwyn  
**Cc:** s47F Secretarys Office  
**Subject:** NDIA/DSS/AAT meeting summary - Final [SEC=OFFICIAL:Sensitive]  
**Attachments:** FINAL AAT DSS NDIA meeting summary - 23 Nov 2021.docx

Good morning,

Please find attached the final meeting summary for the 23 November meeting with the AAT.

Kind regards

s47F s47F

Executive Assistant to the Secretary | Ray Griggs AO CSC  
Office of the Secretary  
Department of Social Services

**P:** s47F **E:** s47F **M:** s47F

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# Administrative Appeals Tribunal

## AAT / DSS / NDIA meeting

Tuesday, 23 November 2021, 9.30 am – 10.30 am AEST / 10.30 am – 11.30 am AEDT  
MS Teams

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### OUTCOMES

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Participants: Justice David Thomas (DT)  
Sian Leathem, Registrar (SL)  
Fiona Meagher, Deputy President, NDIS Division Head (FM)  
Ray Griggs, Secretary, DSS  
Bronwyn Worswick, Chief Counsel, DSS  
Martin Hoffman, CEO, NDIA  
Christine Burke, Chief General Counsel, NDIA

Secretariat **s47F** Executive Advisor to the Registrar

ITEM	OUTCOMES
1	<p>Welcome and introductions</p> <p>The group acknowledged that today's conversation flows on from the previous meeting between the AAT, DSS and Services Australia in early November and is an opportunity to continue the conversation about individual agency goals and the alignment of perspectives and planning across agencies.</p>
2	<p>Lodgement trends and current workload - AAT</p> <p>The AAT outlined that the NDIS division has experienced rapid growth in lodgements, particularly since March 2021. NDISD matters are resource intensive, partly due to the fact that some applicants in the NDISD require greater outreach and support. For most of last year, the caseload was stable (between 100/150 lodgements a month) then from March 2021 lodgements almost doubled. It is now tracking between 680 and 750 lodgements for November alone. There are also a substantial number of matters on hand, with around 75% of these less than 6 months old.</p> <p>The NDIA was pleased to note the AAT's comments about improvements in the standard of information provided to the AAT at review. The NDIA confirmed that they had been focussing on the internal review decisions</p>

ITEM	OUTCOMES
	<p>which are required before an application may be made to the AAT and the standard of these has improved significantly over the last 3 years. The AAT confirmed a focus on ensuring a judicious use of conferencing, to ensure matters can proceed to ADR quickly where appropriate. There is also an ongoing focus on streamlining processes to ensure participants receive an outcome as quickly as possible.</p> <p>The NDIA explained caseload growth primarily reflects growth in the scheme. Applications to the AAT as a percentage of participants have been relatively steady at around 0.4% of participants for the last four years, but from around mid-2021, application growth began to exceed participant growth. From July 2020 to June 2021, there were 2,113 applications while this financial year to date (i.e. end October 2021), lodgements are 1,761 and could total around 5,500 - 6000 by the end of the financial year.</p> <p>The NDIA attribute these changes to a reduction in the rate of increase of plan values at review point. The most recent quarterly report shows plan to plan inflation was tracking at up to 20/25% for the last 3 years, but for the last 3 quarters has been 0%. When the relatively subjective nature of plan decision-making under the NDIS Act and Rules, and participant right to review are factored in, growth results.</p>
3	<p>Forecasts/future trends – NDIA</p> <p>Regular conversations between agency representatives indicate that current lodgement numbers are likely to continue to grow, which will result in a significant increase over the next 6 months. It was also acknowledged by the AAT and NDIA that as decision making and information provision at the planning and internal review stages at the NDIA improves, the AAT will continue to experience a reduction in the number of matters proceeding to resolution/conciliation and an increase in the number and complexity of matters proceeding to hearing.</p>

ITEM	OUTCOMES
	<p>The NDIA suspects these trends in lodgements and number of matters proceeding to hearing will continue until at least the middle of next year, but as decisions filter through and appeals proceed to the Federal Court, the level of community understanding around decision making should improve. However, the NDIA does not expect a rapid cessation of the levels of growth in the near future.</p> <p>The NDIA also noted that the number of participants in the scheme is now greater than originally anticipated so previous growth predictions are likely inaccurate and strong growth is expected to continue.</p>
4	<p>Proposed policy and legislative change – DSS &amp; NDIA</p> <p>To allow processes to continue without delays, the AAT has requested additional resources to support ongoing member needs. More senior members are required within the AAT to take up leadership positions around the country and there will need to be additional staff to support them, including conference registrars.</p> <p>DSS acknowledged a similar request for support for NDIS participants to appeal decisions and another for additional support for NDIA. One has not been positively received while the other is still outstanding.</p> <p>Both agencies acknowledged the ongoing need for additional resources and the difficulty in being more prescriptive in requests to government given the unpredictable nature of growth and change in the area. DSS noted they will highlight the resourcing needs of the AAT in future communications about resources (i.e. factor in flow on costs to AAT). This will ensure shared needs remain central to these conversations as they directly impact participant ability to move to resolution. NDIA stated it would consider doing the same.</p> <p>The NDIA noted the current Bill may be presented to the House this week which will simplify/expedite to some extent the handling of matters. However, it will not do anything to reduce the flow of new matters.</p>

ITEM	OUTCOMES
5	<p data-bbox="335 168 702 246">Role of disability advocates – AAT</p> <p data-bbox="742 168 1324 459">DSS outlined its funding of disability advocates and acknowledged the importance of advocacy under the Act and how it parallels with the advocate's duty to support the AAT when appearing before it. DSS acknowledged the challenge in managing advocates' support of participants and broader/unrelated agendas which do not directly support the participant.</p> <p data-bbox="742 504 1332 1220">The AAT acknowledged the issue and queried whether training is offered to advocates and whether they are aware of their obligations and the role they play before the tribunal. NDIA agreed the challenges can be significant and acknowledged it is difficult to appropriately address them. Questioned if some funding could flow through to Legal Aid who have a better understanding of court like processes and responsibilities. Conversations around this have begun but there is no resolution as yet. AAT noted Legal Aid's potential resourcing issues as around a third of substantive matters going to hearing at the Tribunal involve Legal Aid representation, but it is unlikely funding will keep pace. There are similar challenges in other divisions that have been addressed by training advocates through the responsible department (e.g. Veteran's Affairs), but it may not be an appropriate solution to this issue.</p> <p data-bbox="742 1265 1332 1814">The AAT further acknowledged it is currently unable to confirm how many people in the NDISD are self-represented as they may appear with different representation/support at different stages of the review process. However, discussions with Legal Aid have begun about creating national equity around, for example, all applicants having access to at least one appointment with legal aid prior to review. 50% of NDISD applications are also for children and an emerging issue around advocacy and support was noted – i.e. parents often represent children but are accompanied by an advocate, support co-ordinator or supplier of other services (e.g. allied health specialists).</p> <p data-bbox="742 1848 1284 1892">It was agreed that overall, all agencies must</p>

ITEM	OUTCOMES
	<p>focus on value for money for participants in the scheme and ensuring they are properly assisted throughout the process. The importance of considering the different needs of participants at review level (particularly as more matters proceed to hearing) was highlighted.</p>
6	<p>NDIA structuring and resourcing for AAT matters - NDIA</p> <p>DSS highlighted that conversations about resourcing can be challenging given the overall costs of the Scheme and the challenge in obtaining bipartisan perspectives on its operation.</p> <p>The NDIA flagged their need to be able to increase resourcing as required and consider processes and workload when developing costings and the continued development of a service delivery model. The AAT indicated that it would reflect NDIA structuring and resourcing for a larger workload in future conversations with the Attorney about resourcing.</p> <p>The NDIA also acknowledged the growth of participants with psychosocial disabilities and the lack of a clear dividing line between these and mental health issues/illnesses. This is another driver of the complexity and increased volume of applications to the AAT and will likely be further affected by changes to the Act clarifying episodic and fluctuating psychosocial disability can still meet the permanence test when considering applications for access.</p>
7	<p>Additional comments</p> <p>The NDIA acknowledged the good relationship with the AAT despite the challenges discussed and reiterated their commitment to acting as a model litigant and supporting the best outcomes for participants. It acknowledged that timings have been missed/information not provided in a limited number of cases during the review process, and confirmed an ongoing commitment to improving in that regard, subject to resourcing as discussed.</p> <p>The NDIA provided feedback that it had experienced some issues, for example, due to a lack of consistency and communication between AAT registries, but acknowledged this is nothing the AAT is not aware of and prepared to deal</p>



ITEM	OUTCOMES
	with. The AAT confirmed the integrated CMS project is well underway and that it hopes the NDISD will move onto that soon.

*Next meeting: TBC* – Agreed should occur in the next 6 months. Participants will remain available in the meantime to deal with emerging issues

s47F s47F

**From:** Jones, Katherine <Katherine.Jones@ag.gov.au>  
**Sent:** Monday, 20 December 2021 6:41 PM  
**To:** GRIGGS, Ray; Hoffman, Martin; Leathem, Sian(AAT)  
**Cc:** s47F; PICKERING, Karen; MITCHELL, Debbie; s47F s47F s47F, s47F  
**Subject:** RE: Workload of the NDISD and AAT [SEC=OFFICIAL]

OFFICIAL

Thanks Ray – noted. We'll set a meeting up for later in January. Regards, Katherine

OFFICIAL

**From:** GRIGGS, Ray <Ray.GRIGGS@dss.gov.au>  
**Sent:** Monday, 20 December 2021 6:18 PM  
**To:** Jones, Katherine <Katherine.Jones@ag.gov.au>; Hoffman, Martin <Martin.Hoffman@ndis.gov.au>; Leathem, Sian(AAT) <sian.leathem@aat.gov.au>  
**Cc:** s47F <s47F> PICKERING, Karen <Karen.PICKERING@dss.gov.au>; MITCHELL, Debbie <Debbie.MITCHELL@dss.gov.au>  
**Subject:** RE: Workload of the NDISD and AAT [SEC=OFFICIAL]

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Likewise Katherine. Karen Pickering will be DSS rep. Just to note we have our own portfolio engagement with the AAT including Sec DSS/CEO NIAA forum with Pres AAT every six months, this is an important new engagement activity which I would see continuing (it of course would not address the structural and policy issues that lie in the AGD remit).

Cheers  
Ray

Ray Griggs  
Secretary  
Department of Social Services

P: s 47E(d) E: [ray.griggs@dss.gov.au](mailto:ray.griggs@dss.gov.au)

The Department of Social Services acknowledges the traditional owners of country throughout Australia, and their continuing connection to land, water and community. We pay our respects to them and their cultures, and to Elders both past and present.

**From:** Jones, Katherine <[Katherine.Jones@ag.gov.au](mailto:Katherine.Jones@ag.gov.au)>  
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**Cc:** s47F s47F  
**Subject:** RE: Workload of the NDISD and AAT [SEC=OFFICIAL]

OFFICIAL

Thanks Martin – much appreciated. Katherine

OFFICIAL

**From:** Hoffman, Martin <[Martin.Hoffman@ndis.gov.au](mailto:Martin.Hoffman@ndis.gov.au)>  
**Sent:** Monday, 20 December 2021 9:22 AM

1

To: Jones, Katherine <[Katherine.Jones@ag.gov.au](mailto:Katherine.Jones@ag.gov.au)>; [ray.griggs@dss.gov.au](mailto:ray.griggs@dss.gov.au); Leathem, Sian(AAT) <[sian.leathem@aat.gov.au](mailto:sian.leathem@aat.gov.au)>

Cc: s47F

Subject: RE: Workload of the NDISD and AAT [SEC=OFFICIAL]

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Dear Katherine

I'll be very pleased to meet in the new year with you all.

Likewise, very happy to establish the ongoing SESB2 roundtable. I will let s47F and Tamsyn know of our names.

It's a challenging issue, especially in the context of the unprecedented \$26 Billion estimates variation announced in MYEFO last week.

If you would like any background in advance please feel free to call me at any time – s47F

Kind regards  
Martin

**Martin Hoffman**  
Chief Executive Officer  
**National Disability Insurance Agency**  
Email [martin.hoffman@ndis.gov.au](mailto:martin.hoffman@ndis.gov.au)



**From:** Jones, Katherine <[Katherine.Jones@ag.gov.au](mailto:Katherine.Jones@ag.gov.au)>  
**Sent:** Tuesday, 14 December 2021 2:54 PM  
**To:** [ray.griggs@dss.gov.au](mailto:ray.griggs@dss.gov.au); [sian.leathem@aat.gov.au](mailto:sian.leathem@aat.gov.au); Hoffman, Martin <[Martin.Hoffman@ndis.gov.au](mailto:Martin.Hoffman@ndis.gov.au)>  
**Subject:** Workload of the NDISD and AAT [SEC=OFFICIAL]

**OFFICIAL**

Colleagues

I am writing regarding the increased pressure on the workload of the National Disability Insurance Scheme Division (NDISD) of the Administrative Appeals Tribunal (AAT).

I understand there are a number of challenges facing the NDISD, including a significant rise in caseload, an unexpected complexity of cases, and a need for specialist knowledge to hear those cases.

I note the Minister responsible for the NDIS, Senator the Hon Linda Reynolds CSC, wrote to the Attorney-General in September 2021 acknowledging the pressures facing the NDISD and indicating that the National Disability Insurance Agency is working on options to improve the early resolution of complex cases to reduce workflow to the AAT.

2

I propose we meet to discuss this issue early in the new year. I am keen to ensure that we work together to identify long term solutions to the issues in the NDIS to allow it to continue to produce high quality decisions in a timely manner. Should you agree, my office will reach out to arrange this.

I am aware there have been various preliminary meetings between our respective agencies on this issue to date. I would also like to suggest that a regular roundtable with representation at the SES Band 2 level be established between our agencies to continue working through issues. Should you agree to the establishment of this roundtable, please advise Mr s47F s47F Principal Legal Officer, AAT Section, (s47F s47F) of the relevant point of contact (SES2) within your agency by 20 December 2021.

Ms Tamsyn Harvey, First Assistant Secretary, Families and Legal System Division will be the relevant Attorney-General's Department representative. I envisage an introductory/discovery Band 2 level meeting will be scheduled by the Attorney-General's Department for January 2022 to ensure work on this important matter will commence as quickly as possible.

I am committed to seeing this issue resolved and I look forward to working with you.

Regards

Katherine

OFFICIAL

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\*\*\*\*\*

s47F s47F

**From:** s47F s47F <s47F>  
**Sent:** Tuesday, 25 January 2022 2:50 PM  
**To:** s47F  
**Cc:** s47F, s47F  
**Subject:** RE: AGD / DSS / NDIA / AAT - Meeting Request [SEC=OFFICIAL]  
**Attachments:** RE: Workload of the NDISD and AAT [SEC=OFFICIAL]

**OFFICIAL**

Hi s47F

I've just spoken with the Secretary and I'll resend an email with alternate date/time options after Estimates.

I believe the original request was for Secretary ADG, Secretary DSS, CEO NDIA and Registrar AAT to meet in advance of a Band 2 roundtable that will be arranged following this one. Jamie Crew is attending as acting Registrar following Sian Leatham's resignation.

Once this initial meeting has occurred then the relevant teams can move forward to arrange a mutually suitable time and date.

I'm optimistic about finding a suitable time after Estimates and will send through an email to all later this afternoon.

Regards,

s47F

Attorney-General's Department, 3-5 National Circuit BARTON ACT 2600

P: s47F

E: s47F | W: [www.ag.gov.au](http://www.ag.gov.au)

**OFFICIAL**

**From:** s47F s47F  
**Sent:** Tuesday, 25 January 2022 2:36 PM  
**To:** s47F s47F s47F  
**Cc:** s47F s47F <s47F>  
**Subject:** RE: AGD / DSS / NDIA / AAT - Meeting Request [SEC=OFFICIAL]

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Hi s47F

Have reduced the "to" field. If Jamie is attending shouldn't our two Counsel's attend? Can you please advise so we can ensure the right people are in the meeting as it will determine meeting times?

I would have also thought if Katherine, Ray and Martin can make the time available then other attendees should as well. Next week is going to be busy for everyone given Estimates is the following week.

Happy to discuss.

Thanks

s47F

From: s47F <s47F>  
Sent: Tuesday, 25 January 2022 10:27 AM  
To: s47F, s47F <s47F>; s47F s47F s47F s47F  
Cc: s47F  
Subject: RE: AGD / DSS / NDIA / AAT - Meeting Request [SEC=OFFICIAL]

**OFFICIAL**

Good morning everyone,

Unfortunately 10 Feb won't work for Jamie, he has estimates prep for most of that day.

s47F

From: s47F s47F <s47F>  
Sent: Tuesday, 25 January 2022 8:33 AM  
To: s47F s47F <s47F s47F> s47F s47F  
Cc: s47F <s47F>; s47F <s47F>  
Subject: RE: AGD / DSS / NDIA / AAT - Meeting Request [SEC=OFFICIAL]

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"Do not click any links or open any attachments unless you trust the sender, are expecting this email and know the content is safe."

Hi s47F

Unfortunately the Secretary is unavailable on the 2<sup>nd</sup> and 4<sup>th</sup>. We could rearrange existing meetings to make him available from 10:30-11:30 on 10 February, or between 2:00-3:00 that day if that works for attendees.

Kind regards

s47F s47F  
Executive Assistant to the Secretary | Ray Griggs AO CSC  
Office of the Secretary  
Department of Social Services  
P: s47F E: s47F M: s47F

The Department of Social Services acknowledges the traditional owners of country throughout Australia, and their continuing connection to land, water and community. We pay our respects to them and their cultures, and to Elders both past and present.

From: s47F s47F <s47F>  
Sent: Monday, 24 January 2022 3:44 PM  
To: s47F s47F  
Cc: s47F s47F >; s47F s47F <s47F>  
Subject: RE: AGD / DSS / NDIA / AAT - Meeting Request [SEC=OFFICIAL]

**OFFICIAL**

Hi s47F

Thank you, I'll wait to see DSS availability prior possibly seeking an alternate date/time. The following week is Senate Estimates for most Departments so reluctant to look at a date week 14 February. Noting the Secretary's request and agreement by other participants to have the meeting early in the year I'm disinclined to look any later in February.

Currently have confirmation for AAT for with Wednesday 2 or Thursday 4 February. Fingers crossed we won't have to seek a time outside of business hours. Thank you.

Regards,

s47F

s47F

Attorney-General's Department, 3-5 National Circuit BARTON ACT 2600

P:

E: s47F

W: [www.ag.gov.au](http://www.ag.gov.au)

**OFFICIAL**

From: s47F

Sent: Monday, 24 January 2022 12:48 PM

To: s47F s47F <s47F> s47F s47F <s47F>

s47F

Cc: s47F

Subject: RE: AGD / DSS / NDIA / AAT - Meeting Request [SEC=OFFICIAL]

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Hi All

Sorry but Martin isn't available at any of the times provided and the meetings are unable to be moved.

I can make him available, on the dates provided at these times:

- Friday 4 Feb – between 10 am and 1.30 pm
- Thursday 10 Feb – 9 am or between 12 pm and 5 pm

Many thanks

s47F

s47F

Executive Officer to Martin Hoffman, CEO  
**National Disability Insurance Agency**

Direct line s47F

Mobile s47F

Email s47F



From: s47F

Sent: Monday, 24 January 2022 12:42 PM

s47F

Cc: s47F

Subject: AGD / DSS / NDIA / AAT - Meeting Request [SEC=OFFICIAL]

**OFFICIAL**

Good Afternoon,

I'm seeking a mutually agreeable time to arrange the meeting as agreed at the attached correspondence. Prior to the Band 2 roundtable being established the intent was for Secretary Griggs, CEO NDIA Martin Hoffman and AAT, Jamie Crew (as acting/rep for Sian Leathem) to have a preliminary discussion.

Suggested a hour in the diaries, however could be 45mins. Time allocations below, if you could please advise of availability and then I'll send out an invite pending best fit. I'll also include in the invitation a link to a Teams invite.

	Wednesday, 2 February 4pm-5pm	Friday, 4 February 3pm-4pm	Thursday, 10 February 10am-11am or 11am-12am
Ray Griggs			
Martin Hoffman			
Jamie Crew			

Thank you for your consideration.

Regards,

s47F

s47F

Attorney-General's Department, 3-5 National Circuit BARTON ACT 2600

s47F

E: s47F

W: [www.ag.gov.au](http://www.ag.gov.au)

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\*\*\*\*\*

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**IMPORTANT:**

Please refer to the AAT website for information about temporary changes in place to respond to the impact of COVID-19 on services, including special measures practice directions: <http://www.aat.gov.au/impact-of-coronavirus-covid-19-on-our-services>

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\*\*\*\*\*

s47F s47F

**From:** Jones, Katherine <Katherine.Jones@ag.gov.au>  
**Sent:** Monday, 20 December 2021 6:41 PM  
**To:** GRIGGS, Ray; Hoffman, Martin; Leathem, Sian(AAT)  
**Cc:** s47F; PICKERING, Karen; MITCHELL, Debbie; s47F s47F s47F  
**Subject:** RE: Workload of the NDISD and AAT [SEC=OFFICIAL]

**OFFICIAL**

Thanks Ray – noted. We'll set a meeting up for later in January. Regards, Katherine

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**Sent:** Monday, 20 December 2021 6:18 PM  
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**Cc:** s47F; PICKERING, Karen <Karen.PICKERING@dss.gov.au>; MITCHELL, Debbie <Debbie.MITCHELL@dss.gov.au>  
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Cheers  
Ray

**Ray Griggs**  
Secretary  
Department of Social Services

**P:** s 47E **E:** [ray.griggs@dss.gov.au](mailto:ray.griggs@dss.gov.au)

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**To:** Hoffman, Martin <[Martin.Hoffman@ndis.gov.au](mailto:Martin.Hoffman@ndis.gov.au)>; GRIGGS, Ray <[Ray.GRIGGS@dss.gov.au](mailto:Ray.GRIGGS@dss.gov.au)>; Leathem, Sian(AAT) <[sian.leathem@aat.gov.au](mailto:sian.leathem@aat.gov.au)>  
**Cc:** s47F  
**Subject:** RE: Workload of the NDISD and AAT [SEC=OFFICIAL]

**OFFICIAL**

Thanks Martin – much appreciated. Katherine

**OFFICIAL**

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**Sent:** Monday, 20 December 2021 9:22 AM  
**To:** Jones, Katherine <[Katherine.Jones@ag.gov.au](mailto:Katherine.Jones@ag.gov.au)>; [ray.griggs@dss.gov.au](mailto:ray.griggs@dss.gov.au); Leathem, Sian(AAT) <[sian.leathem@aat.gov.au](mailto:sian.leathem@aat.gov.au)>  
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**Subject:** RE: Workload of the NDISD and AAT [SEC=OFFICIAL]

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It's a challenging issue, especially in the context of the unprecedented \$26 Billion estimates variation announced in MYEFO last week.

If you would like any background in advance please feel free to call me at any time – s47F.

Kind regards  
Martin

**Martin Hoffman**  
Chief Executive Officer  
National Disability Insurance Agency  
Email [martin.hoffman@ndis.gov.au](mailto:martin.hoffman@ndis.gov.au)



**From:** Jones, Katherine <[Katherine.Jones@ag.gov.au](mailto:Katherine.Jones@ag.gov.au)>  
**Sent:** Tuesday, 14 December 2021 2:54 PM  
**To:** [ray.griggs@dss.gov.au](mailto:ray.griggs@dss.gov.au); [sian.leathem@aat.gov.au](mailto:sian.leathem@aat.gov.au); Hoffman, Martin <[Martin.Hoffman@ndis.gov.au](mailto:Martin.Hoffman@ndis.gov.au)>  
**Subject:** Workload of the NDISD and AAT [SEC=OFFICIAL]

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I understand there are a number of challenges facing the NDISD, including a significant rise in caseload, an unexpected complexity of cases, and a need for specialist knowledge to hear those cases.

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I propose we meet to discuss this issue early in the new year. I am keen to ensure that we work together to identify long term solutions to the issues in the NDISD to allow it to continue to produce high quality decisions in a timely manner. Should you agree, my office will reach out to arrange this.

I am aware there have been various preliminary meetings between our respective agencies on this issue to date. I would also like to suggest that a regular roundtable with representation at the SES Band 2 level be established between our agencies to continue working through issues. Should you agree to the establishment of this roundtable, please advise Mr s47F s47F Principal Legal Officer, AAT Section, (s47F ; s47F ) of the relevant point of contact (SES2) within your agency by 20 December 2021.

Ms Tamsyn Harvey, First Assistant Secretary, Families and Legal System Division will be the relevant Attorney-General's Department representative. I envisage an introductory/discovery Band 2 level meeting will be scheduled by the Attorney-General's Department for January 2022 to ensure work on this important matter will commence as quickly as possible.

I am committed to seeing this issue resolved and I look forward to working with you.

Regards

Katherine

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\*\*\*\*\*

s47F s47F

---

**From:** s47F  
**Sent:** Friday, 4 February 2022 1:58 PM  
**To:** s47F  
**Cc:** s47F s47F  
**Subject:** RE: AGD / DSS / NDIA / AAT - Meeting Request - 2nd Pass [SEC=OFFICIAL]

**Categories:** Meetings

To assist with rearranging:  
Martin is totally out at any other time on 21 Feb.  
22 Feb – not available  
23 Feb – not available but I could rearrange things from 3 pm onwards  
24 Feb – not available  
25 Feb – not available.

Thanks

s47F

**From:** s47F  
**Sent:** Friday, 4 February 2022 1:54 PM  
**To:** s47F  
**Cc:** s47F  
**Subject:** RE: AGD / DSS / NDIA / AAT - Meeting Request - 2nd Pass [SEC=OFFICIAL]

Hi s47F

s47F will return to work on Tuesday and will be in touch to explore other options.

Thanks

s47F

s47F

Senior Executive Adviser to Katherine Jones  
Ph: s47F

**From:** s47F  
**Sent:** Friday, 4 February 2022 1:52 PM  
**To:** s47F  
**Cc:** s47F  
**Subject:** RE: AGD / DSS / NDIA / AAT - Meeting Request - 2nd Pass [SEC=OFFICIAL]

Hi s47F

Unfortunately Secretary Griggs will now be unable to meet on the 21<sup>st</sup> due to another commitment at this time. My apologies for the inconvenience this causes. Can we please look at other options for this meeting after the 21<sup>st</sup>. Thank you.

s47F s47F

Executive Assistant to the Secretary | Ray Griggs AO CSC  
Office of the Secretary  
Department of Social Services

P: s47F E: s47F M: s47F

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From: s47F s47F <s47F  
Sent: Friday, 28 January 2022 4:43 PM  
To: s47F s47F <s47F >; s47F <s47F s47F  
<s47F >  
Cc: s47F  
Subject: RE: AGD / DSS / NDIA / AAT - Meeting Request - 2nd Pass [SEC=OFFICIAL]

**OFFICIAL**

Afternoon,

Invite will be sent for Monday, 21 February from 4:00pm-5:00pm. Thank you and have a great weekend.

Regards,

s47F  
s47F  
Attorney-General's Department, 3-5 National Circuit BARTON ACT 2600

P: s47F  
E: s47F | W: [www.ag.gov.au](http://www.ag.gov.au)

**OFFICIAL**

From: s47F  
Sent: Tuesday, 25 January 2022 4:40 PM  
To: s47F  
Cc: s47F  
Subject: RE: AGD / DSS / NDIA / AAT - Meeting Request - 2nd Pass [SEC=OFFICIAL]

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Hi all,

Please see below for Secretary Griggs' availability.

s47F s47F  
Executive Assistant to the Secretary | Ray Griggs AO CSC  
Office of the Secretary  
Department of Social Services  
P: s47F E: s47F M: s47F

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From: s47F <s47F>  
Sent: Tuesday, 25 January 2022 4:33 PM  
To: s47F  
>  
Cc: s47F  
Subject: RE: AGD / DSS / NDIA / AAT - Meeting Request - 2nd Pass [SEC=OFFICIAL]

**OFFICIAL**

Hi all,

Jamie's preference is Wed 23 (thought it would be easier to go off Martin's limited availability as indicated below).

Thanks

s47F

From: s47F <s47F>  
Sent: Tuesday, 25 January 2022 3:25 PM  
To: s47F s47F <s47F> s47F s47F <s47F> s47F  
s47F  
Cc: s47F  
Subject: RE: AGD / DSS / NDIA / AAT - Meeting Request - 2nd Pass [SEC=OFFICIAL]

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Thanks s47F See below for Martin the times I can move things to accommodate. Not many options due to Board commitments and he is travelling and meeting providers.

Thanks

s47F

s47F  
Executive Officer to Martin Hoffman, CEO  
**National Disability Insurance Agency**

Direct line s47F

Mobile s47F

Email s47F



From: s47F s47F <s47F>  
Sent: Tuesday, 25 January 2022 4:21 PM  
To: s47F

Cc: s47F [redacted] s47F [redacted]

Subject: AGD / DSS / NDIA / AAT - Meeting Request - 2nd Pass [SEC=OFFICIAL]

**OFFICIAL**

Afternoon,

Thank you all again for your patience in establishing this meeting.

Prior to Estimates proved difficult for the diaries, however the intent of the original request was for Secretary ADG, Secretary DSS, CEO NDIA and A/g Registrar AAT to meet in advance of a Band 2 roundtable that will be arranged following this discussion.

Appreciate if the table below could please be populated and when an agreeable time arises, I'll send through a **MS Teams** invitation. The time slots are broad, I figure whatever meetings I have in the diary I'll make amendments to make this meeting fit 😊

Date/Time	Ray Griggs	Martin Hoffman	Jamie Crew
Friday, 18 February 9:00am through to 12:00pm	Not available	Not available	
Friday, 18 February 2:00pm through to 5:00pm	Not available	Not available	
Monday, 21 February 3:00pm through to 5:00pm	Available 4:00-5:00 only	4.30 pm to 5.30 pm only	
Tuesday, 22 February 1:00pm through to 5:00pm	Available 1:30-2:30	Not available	
Wednesday, 23 February 12:00pm through to 5:00pm	Not available	3 pm onwards only	
Thursday, 24 February 8:30am through to 2:30pm	Not available	Not available	
Friday, 25 February 1:00pm through to 5:00pm	1:00-2:00	Not available	

Thank you again for your consideration.

Regards,

s47F [redacted]

s47F [redacted]

Attorney-General's Department, 3-5 National Circuit BARTON ACT 2600

P: [redacted] s47F [redacted]

E: s47F [redacted] | W: [www.ag.gov.au](http://www.ag.gov.au)

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\*\*\*\*\*

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s47F s47F

---

**From:** s47F s47F  
**Sent:** Wednesday, 9 February 2022 2:08 PM  
**To:** s47F  
**Subject:** RE: AGD / DSS / NDIA / AAT - Meeting Request - 3rd Pass [SEC=OFFICIAL]

OK. I'll send something through for 11:30 – just need to move a couple of things first.

s47F s47F

Executive Assistant to the Secretary | Ray Griggs AO CSC  
Office of the Secretary  
Department of Social Services

**P:** s47F **E:** s47F **M:** s47F

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---

**From:** s47F s47F  
**Sent:** Wednesday, 9 February 2022 2:00 PM  
**To:** s47F s47F <s47F  
**Subject:** RE: AGD / DSS / NDIA / AAT - Meeting Request - 3rd Pass [SEC=OFFICIAL]

Sounds good. Unfortunately not. Martin could do any time between 10.30 and 2 pm that day.

**From:** s47F s47F <s47F  
**Sent:** Wednesday, 9 February 2022 1:58 PM  
**To:** s47F s47F  
**Subject:** RE: AGD / DSS / NDIA / AAT - Meeting Request - 3rd Pass [SEC=OFFICIAL]

Hi s47F

The Secretary would like a discussion with Martin ahead of this meeting. Does Martin have availability for a teams meeting on 4 March at 0930?

s47F s47F

Executive Assistant to the Secretary | Ray Griggs AO CSC  
Office of the Secretary  
Department of Social Services

**P:** s47F **E:** s47F **M:** s47F

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---

**From:** s47F s47F  
**Sent:** Wednesday, 9 February 2022 10:04 AM  
**To:** s47F

Cc: s47F <s47F> s47F s47F  
Subject: RE: AGD / DSS / NDIA / AAT - Meeting Request - 3rd Pass [SEC=OFFICIAL]

Morning all

See below in regard to Martin. I've also commented on s47F additional time options.

Many thanks  
s47F

s47F  
Executive Officer to Martin Hoffman, CEO  
National Disability Insurance Agency

Direct line s47F  
Mobile s47F  
Email s47F



From: s47F s47F <s47F>  
Sent: Wednesday, 9 February 2022 9:35 AM  
To: s47F s47F <s47F>; s47F s47F; s47F  
s47F  
Cc: s47F <s47F> s47F s47F  
Subject: RE: AGD / DSS / NDIA / AAT - Meeting Request - 3rd Pass [SEC=OFFICIAL]

Hi s47F

Thank you for those times. Unfortunately Secretary Griggs is likely to be travelling on both 3 and 8 March so is currently unavailable on both dates. However should this change any of the times listed would work. At this stage, 10 March works best for the Secretary's schedule.

s47F s47F  
Executive Assistant to the Secretary | Ray Griggs AO CSC  
Office of the Secretary  
Department of Social Services  
P: s47F E: s47F M: s47F

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---

From: s47F s47F s47F  
Sent: Wednesday, 9 February 2022 9:20 AM  
To: s47F s47F <s47F> s47F <s47F> s47F  
s47F  
Cc: s47F <s47F> s47F s47F  
Subject: RE: AGD / DSS / NDIA / AAT - Meeting Request - 3rd Pass [SEC=OFFICIAL]

**OFFICIAL**

Good Morning,

Grateful for availability below. Thank you.

Date/Time	Ray Griggs	Martin Hoffman	Jamie Crew
Thursday, 3 March 2:00pm-3:00pm	Unavailable	Unavailable	
Thursday, 3 March 3:00pm-4:00pm	Unavailable	Unavailable	
Thursday, 3 March 4:00pm-5:00pm	Unavailable	Available	
Friday, 4 March 9:00am-10:00am	Available 9:30-10:30	Unavailable	
Friday, 4 March 10:00am-11:00am	Available 11:30-12:30	Available Not available 11.30 to 12.30	
Monday, 7 March 11:00am-12:00am	Available 11:30-12:30	Available 11:30-12:30	
Tuesday, 8 March 3:00pm-4:00pm		Unavailable	

Tuesday, 8 March 4:00pm-5:00pm		Available	
Thursday, 10 March 11:00am-12:00pm	Available	Available	
Thursday, 10 March 12:00pm-1:00pm	Unavailable	Available	
Thursday, 10 March 1:00pm-2:00pm	Available	Available	
Thursday, 10 March 4:00pm-5:00pm	Available	Available	

Regards,

s47F  
s47F  
Attorney-General's Department, 3-5 National Circuit BARTON ACT 2600

P: [Redacted] s47F [Redacted]  
E: s47F [Redacted] | W: [www.ag.gov.au](http://www.ag.gov.au)

**OFFICIAL**

From: s47F [Redacted]  
Sent: Friday, 4 February 2022 1:54 PM  
To: s47F [Redacted]  
Cc: s47F [Redacted]  
Subject: RE: AGD / DSS / NDIA / AAT - Meeting Request - 2nd Pass [SEC=OFFICIAL]

Hi s47F

s47F will return to work on Tuesday and will be in touch to explore other options.

Thanks

s47F

s47F

Senior Executive Adviser to Katherine Jones

Ph: s47F

From: s47F, s47F <s47F

Sent: Friday, 4 February 2022 1:52 PM

To: s47F

Cc: s47F

Subject: RE: AGD / DSS / NDIA / AAT - Meeting Request - 2nd Pass [SEC=OFFICIAL]

Hi s47F

Unfortunately Secretary Griggs will now be unable to meet on the 21<sup>st</sup> due to another commitment at this time. My apologies for the inconvenience this causes. Can we please look at other options for this meeting after the 21<sup>st</sup>. Thank you.

s47F s47F

Executive Assistant to the Secretary | Ray Griggs AO CSC

Office of the Secretary

Department of Social Services

P: s47F

E: s47F

M: s47F

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From: s47F

Sent: Friday, 28 January 2022 4:43 PM

To: s47F

Cc: s47F

Subject: RE: AGD / DSS / NDIA / AAT - Meeting Request - 2nd Pass [SEC=OFFICIAL]

**OFFICIAL**

Afternoon,

Invite will be sent for Monday, 21 February from 4:00pm-5:00pm. Thank you and have a great weekend.

Regards,

s47F

s47F

Attorney-General's Department, 3-5 National Circuit BARTON ACT 2600

P: s47F

E: s47F

W: [www.ag.gov.au](http://www.ag.gov.au)

**OFFICIAL**

**From:** s47F s47F <s47F  
**Sent:** Tuesday, 25 January 2022 4:40 PM  
**To:** s47F  
**Cc:** s47F s47F  
**Subject:** RE: AGD / DSS / NDIA / AAT - Meeting Request - 2nd Pass [SEC=OFFICIAL]

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Hi all,

Please see below for Secretary Griggs' availability.

s47F s47F  
Executive Assistant to the Secretary | Ray Griggs AO CSC  
Office of the Secretary  
Department of Social Services  
**P:** s47F **E:** s47F **M:** s47F

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**From:** s47F s47F  
**Sent:** Tuesday, 25 January 2022 4:33 PM  
**To:** s47F <s47F s47F s47F <ss47F s47F  
s47F <s47F  
**Cc:** s47F s47F  
**Subject:** RE: AGD / DSS / NDIA / AAT - Meeting Request - 2nd Pass [SEC=OFFICIAL]

**OFFICIAL**

Hi all,

Jamie's preference is Wed 23 (thought it would be easier to go off Martin's limited availability as indicated below).

Thanks

s47F

**From:** s47F s47F  
**Sent:** Tuesday, 25 January 2022 3:25 PM  
**To:** s47F s47F <s47F s47F s47F <s47F s47F  
<s47F  
**Cc:** s47F s47F  
**Subject:** RE: AGD / DSS / NDIA / AAT - Meeting Request - 2nd Pass [SEC=OFFICIAL]

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Thanks

s47F

s47F

Executive Officer to Martin Hoffman, CEO  
National Disability Insurance Agency

Direct line s47F

Mobile s47F

Email s47F



From: s47F

Sent: Tuesday, 25 January 2022 4:21 PM

To: s47F

Cc: s47F

Subject: AGD / DSS / NDIA / AAT - Meeting Request - 2nd Pass [SEC=OFFICIAL]

**OFFICIAL**

Afternoon,

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Tuesday, 22 February 1:00pm through to 5:00pm	Available 1:30-2:30	Not available	

Wednesday, 23 February 12:00pm through to 5:00pm	Not available	3 pm onwards only	
Thursday, 24 February 8:30am through to 2:30pm	Not available	Not available	
Friday, 25 February 1:00pm through to 5:00pm	1:00-2:00	Not available	

Thank you again for your consideration.

Regards,

s47F

s47F

Attorney-General's Department, 3-5 National Circuit BARTON ACT 2600

P: s47F

E: s47F | W: [www.ag.gov.au](http://www.ag.gov.au)

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s47F s47F

**From:** s47F  
**Sent:** Wednesday, 2 March 2022 8:52 AM  
**To:** s47F s47F ; s47F  
**Cc:** s47F  
**Subject:** RE: 10 March 2022 Meeting [SEC=OFFICIAL]

**OFFICIAL**

Morning,

Thank you all for getting back to me so quickly. Invite has been updated.

Regards,

s47F  
s47F

Attorney-General's Department, 3-5 National Circuit BARTON ACT 2600

P: s47F  
E: s47F | W: [www.ag.gov.au](http://www.ag.gov.au)

**OFFICIAL**

**From:** s47F  
**Sent:** Wednesday, 2 March 2022 8:49 AM  
**To:** s47F  
**Cc:** s47F  
**Subject:** RE: 10 March 2022 Meeting [SEC=OFFICIAL]

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**OFFICIAL**

Hi s47F,

All good from the AAT end to keep the meeting at the original time.

Thanks!

s47F

**From:** s47F  
**Sent:** Tuesday, 1 March 2022 8:30 PM  
**To:** s47F  
**Cc:** s47F  
**Subject:** 10 March 2022 Meeting [SEC=OFFICIAL]  
**Importance:** High

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**OFFICIAL**

Evening,

Apologies for the late email, however I thought it best to provide advice at the first opportunity regarding the meeting which was changed on the 10 March.

We have received advice tonight that the Secretaries meeting that was to be rescheduled is no longer required to change due to a cancellation. The original timing of this meeting between AGD/DSS/NDIS/AAT is still available if all agree to the amendment I'll send through an update in the morning.

I acknowledge arrangements of this meeting and timing has been less than ideal and I again apologise and appreciate your offices flexibility.

Invite will be updated to the original time of Thursday, 10 March at 11:00am-12:00pm AEST. I'm available on the numbers below should you wish to discuss, thank you again.

Regards,

s47F

s47F

Attorney-General's Department, 3-5 National Circuit BARTON ACT 2600

P: s47F

E: s47F | W: [www.ag.gov.au](http://www.ag.gov.au)

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s47F s47F

---

**From:** s47F s47F  
**Sent:** Monday, 7 March 2022 1:33 PM  
**To:** Legal Services Group  
**Cc:** Secretaries Office; DC Executive; s47F s47F  
**Subject:** RE: BRIEFING REQUEST: Meeting with AAT/AGD/DSS/NDIA - 10 March [SEC=OFFICIAL]

Hi s47F,

The meeting will be attended by agency heads, at the request of Secretary Jones. I am unaware of any sensitivities – the purpose is to discuss the AAT workload for NDIS appeals and a way forward.

s47F s47F

Executive Assistant to the Secretary | Ray Griggs AO CSC  
Office of the Secretary  
Department of Social Services

**P:** s47F **E:** s47F **M:** s47F

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---

**From:** Legal Services Group <s47E>  
**Sent:** Monday, 7 March 2022 1:30 PM  
**To:** s47F s47F <s47F>  
**Cc:** Secretaries Office s47E(d); s47E s47F  
<s47F> Legal Services Group  
s47E  
**Subject:** RE: BRIEFING REQUEST: Meeting with AAT/AGD/DSS/NDIA - 10 March [SEC=OFFICIAL]

Hi s47F

Thank you for sending this tasking through – I can confirm that the PDR for this item is EC22-000455.

We were hoping to understand a little more about the meeting to better inform our brief, are you able to let us know:

- who is attending the meeting
- what prompted the meeting
- any key issues or sensitivities we should be aware of?

Kind Regards

s47F

A/g Executive Officer  
Legal Services Group  
Department of Social Services

**P:** s47F **M:** s47F

**E:** s47F

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**From:** s47F  
**Sent:** Monday, 7 March 2022 9:49 AM  
**To:** WORSWICK, Bronwyn <Bronwyn.WORSWICK@dss.gov.au>  
**Cc:** Secretarys Office s47E(d) DC Executive <s47E>  
**Subject:** BRIEFING REQUEST: Meeting with AAT/AGD/DSS/NDIA - 10 March [SEC=OFFICIAL]  
**Importance:** High

Hi Bronwyn,

Please see below briefing request. My apologies for the short notice.

<b>Subject</b>	Meeting with AAT/AGD/NDIA/DSS – 10 March
<b>Due Date</b>	0900 - 09 March
<b>For action</b>	Please prepare a background brief on National Disability Insurance Scheme matters before the AAT
<b>Attachments</b>	
<b>Next steps</b>	<ul style="list-style-type: none"><li>• Please action accordingly.</li><li>• Create a PDMS record if required.</li><li>• Advise SO of any delays or adjustments needed.</li><li>• Please complete a SO Cover Sheet.</li><li>• It is expected that the Deputy Secretary will clear responses unless delegated to GM. Please advise who has cleared on the SO Cover Sheet.</li></ul>
<b>PDMS record</b>	<ul style="list-style-type: none"><li>• Please advise the PDMS record as soon as possible by responding to this email.</li></ul>
<b>Additional Information</b>	Meeting has been scheduled by AGD to discuss the significant rise in caseload, unexpected complexity of cases and to discuss options to address the workload. Please liaise with Disability and Carers stream and NDIA on this matter.

Kind regards

s47F

s47F s47F

---

**Subject:** 1400-1430 - NDIA AAT matters [SEC=OFFICIAL]  
**Location:** MS Teams

**Start:** Tue 8/03/2022 2:00 PM  
**End:** Tue 8/03/2022 2:30 PM

**Recurrence:** (none)

**Meeting Status:** Meeting organizer

**Organizer:** GRIGGS, Ray  
**Required Attendees:** 'Martin.hoffman@ndis.gov.au'

**Categories:** Phone call

Hi Martin,

The Secretary would like a discussion ahead of the meeting with AAT and AGD on 10 March.

---

## Microsoft Teams meeting

**Join on your computer or mobile app**

[Click here to join the meeting](#)

[Learn more](#) | [Meeting options](#)

---

Kind regards

s47F s47F

Executive Assistant to the Secretary | Ray Griggs AO CSC

Office of the Secretary

Department of Social Services

**P:** s47F **E:** s47F **M:** s47F

The Department of Social Services acknowledges the traditional owners of country throughout Australia, and their continuing connection to land, water and community. We pay our respects to them and their cultures, and to Elders both past and present.

s47F s47F

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**Subject:** AGD / DSS / NDIA / AAT - Meeting Request [SEC=OFFICIAL]  
**Location:** Teams  
**Start:** Thu 10/03/2022 11:00 AM  
**End:** Thu 10/03/2022 12:00 PM  
**Recurrence:** (none)  
**Meeting Status:** Accepted  
**Organizer:** Jones, Katherine  
**Categories:** External

**OFFICIAL**

Adjusted due to Secretary level meeting. If this new time isn't suitable a representative is required. Thank you.

Regards,

s47F

s47F

Attorney-General's Department, 3-5 National Circuit BARTON ACT 2600

P: s47F | M: s47F

E: s47F | W: [www.ag.gov.au](http://www.ag.gov.au)

Microsoft Teams meeting

**Join on your computer or mobile app**

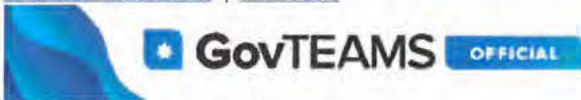
[Click here to join the meeting](#)

**Or call in (audio only)**

s47E(d) # Australia, Canberra

Phone Conference ID: 535 808 776#

[Find a local number](#) | [Reset PIN](#)



[Learn more](#) | [Meeting options](#)

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Invitation as requested via the attached correspondence.  
Location/Virtual option will be provided.

Regards,

s47F

s47F

Attorney-General's Department, 3-5 National Circuit BARTON ACT 2600

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**From:** GRIGGS, Ray  
**Sent:** Friday, 8 April 2022 4:00 PM  
**To:** Jones, Katherine  
**Subject:** RE: NDISD Roundtable Work Plan [SEC=OFFICIAL]

Hey, could we just make it clear that taking any reforms, NPPs, leg change proposed would be prosecuted through the relevant portfolio.

Cheers

Ray

---

**Ray Griggs**  
Secretary  
Department of Social Services

**P:** s 47E(d) **E:** [ray.griggs@dss.gov.au](mailto:ray.griggs@dss.gov.au)

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**From:** Jones, Katherine <Katherine.Jones@ag.gov.au>  
**Sent:** Friday, 8 April 2022 3:16 PM  
**To:** GRIGGS, Ray <Ray.GRIGGS@dss.gov.au>; Crew, Jamie <Jamie.Crew@aat.gov.au>; martin.hoffman@ndis.gov.au  
**Subject:** NDISD Roundtable Work Plan [SEC=OFFICIAL]

**OFFICIAL**

Colleagues

Thank you for our recent meeting to discuss how we can work together to identify solutions to address the increasing caseload of National Disability Insurance Agency review matters within the National Disability Insurance Scheme Division of the AAT.

Following our meeting, I asked relevant officers in my department to prepare the **attached** draft workplan to guide the work of an SES Band 2 roundtable with representatives from DSS, NDIA and the AAT, chaired by the Attorney-General's Department. I understand the first meeting has been scheduled for 19 April where this workplan can be discussed and finalised.

I am sure you will encourage relevant officers from your agencies to engage in this work and I look forward to reporting back to you on the outcomes of this meeting.

Regards

Katherine

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# National Disability Insurance Scheme Division Roundtable Workplan

## Background

On 10 March 2022, the Secretaries and Agency Heads of the Attorney-General's Department, the Administrative Appeals Tribunal (AAT), the Department of Social Services (DSS) and the National Disability Insurance Agency (NDIA) met to discuss the increasing caseload pressures facing the National Disability Insurance Scheme (NDIS) and the substantial flow-on impacts this has on the National Disability Insurance Scheme Division (NDISD) within the AAT.

At this meeting it was agreed that a Roundtable at the SES Band 2 level should be established to develop possible options to resolve this issue.

## Purpose

The purpose of the roundtable will be to develop a comprehensive understanding of the current NDIS landscape and key pressure points, and develop solutions for consideration by government.

## Deliverables

The work of the Roundtable will explore key themes identified during the Agency Heads meeting, as well as any additional themes identified as this work progresses. These themes are outlined in **Attachment A**.

The Roundtable will develop a map representing the NDIS client journey from NDIS application, through to finalisation of AAT review. The map will indicate key pressure points and opportunities for improvement throughout the lifespan of an NDIS matter.

In response to identified pressure points, the Roundtable will deliver a suite of possible legislative, policy, resourcing, and/or administrative options for the Government to consider to facilitate the effective and efficient management of NDIS matters.

## Term

The NDIS client journey map should be developed within an 8 week 'sprint' from the date of the first Roundtable meeting, which should occur in early April. Agreed options should be presented to government in July, with a view to seeking any funding, if required, in the 2022 MYEFO.

Members of the Roundtable will be responsible for keeping their respective Secretaries and Agency Heads informed of the development of this project.

## Membership

- Ms Esther Bogaart, A/g FAS, Families and Legal System, AGD (Chair)
- Ms Toni Pirani, FAS Legal Services Policy, AGD
- Ms Karen Pickering, DSS (Tarja Saastamoinen acting while Ms Pickering is on leave)
- Mr Andrew Maitland, General Manager Operations and Support, NDIA
- Mr Chris Burke, Chief Counsel, NDIA
- Mr Jamie Crew, A/g Registrar, AAT

# National Disability Insurance Scheme Division (NDISD) Roundtable Workplan

## Themes

Mapping the journey of clients from application to appeal	AAT Practices and Procedures	Legislative Amendments	Guidance, Advocacy and Third-party Providers	Funding Arrangements
<ul style="list-style-type: none"><li>&gt; Understand and map the main pathways that lead to AAT appeals.</li><li>&gt; Assess the relationship between NDIS Plans and the increasing AAT NDISD caseload.</li></ul>	<ul style="list-style-type: none"><li>&gt; Understand the AAT's current and emerging practices for managing NDISD matters from application to finalisation.</li><li>&gt; Consider accessibility matters such as facilities and technological innovations to streamline appeals processing.</li><li>&gt; Assess what other improvements can be made.</li></ul>	<ul style="list-style-type: none"><li>&gt; Identify options for legislative amendments, with particular regard to the NDIA's administering legislation.</li></ul>	<ul style="list-style-type: none"><li>&gt; Identify gaps in NDIA and AAT appeals guidance for NDIS clients, including early information to manage expectations about Plan eligibility and AAT processes.</li><li>&gt; Explore gaps in services provided by legal services, advocates and third-party providers and develop options for remedies.</li></ul>	<ul style="list-style-type: none"><li>&gt; Understand current funding arrangements underpinning the: AAT NDISD, NDIS Appeals Program and legal services and support providers.</li><li>&gt; If required, develop funding options for consideration by Government, to remedy issues identified with current funding arrangements.</li></ul>

**From:** Jones, Katherine <Katherine.Jones@ag.gov.au>  
**Sent:** Wednesday, 13 April 2022 1:35 PM  
**To:** GRIGGS, Ray  
**Cc:** Harvey, Tamsyn  
**Subject:** RE: NDIS Roundtable Work Plan [SEC=OFFICIAL]

**OFFICIAL**

Hello – yes of course – that’s a given. Katherine **OFFICIAL**

**From:** GRIGGS, Ray <Ray.GRIGGS@dss.gov.au>  
**Sent:** Friday, 8 April 2022 4:00 PM  
**To:** Jones, Katherine <Katherine.Jones@ag.gov.au>  
**Subject:** RE: NDIS Roundtable Work Plan [SEC=OFFICIAL]

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Ray

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Department of Social Services

**P:** s 47E(d) **E:** [ray.griggs@dss.gov.au](mailto:ray.griggs@dss.gov.au)

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**To:** GRIGGS, Ray <[Ray.GRIGGS@dss.gov.au](mailto:Ray.GRIGGS@dss.gov.au)>; Crew, Jamie <[Jamie.Crew@aat.gov.au](mailto:Jamie.Crew@aat.gov.au)>; [martin.hoffman@ndis.gov.au](mailto:martin.hoffman@ndis.gov.au)  
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