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<u>Jurisdiction</u>	<u>No. of Applications to AAT</u>			
	Oct/Dec 1983	Jan/Mar 1984	Apr/June 1984	June/Sep 1984
Social Security	204 (41.05%)	180 (35.57%)	175 (40.98%)	180 (37.19%)
IPTAAS	111 (22.23%)	144 (28.46%)	102 (23.88%)	84 (17.36%)
FOI	63 (12.68%)	43 (8.50%)	27 (6.32%)	77 (15.91%)
Compensation	67 (13.48%)	74 (14.62%)	55 (12.88%)	59 (12.19%)
Other	52 (10.46%)	65 (12.85%)	68 (15.93%)	84 (17.36%)
<b>TOTAL</b>	<b><u>497</u></b>	<b><u>506</u></b>	<b><u>427</u></b>	<b><u>484</u></b>

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Commonwealth Ombudsman

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Greek Conspiracy Case

After several years of investigation including a delay of about 12 months by reason of the Kavvadias cases (see [1984] Admin Review 9 and below) the Ombudsman has completed a report on the so-called 'Greek conspiracy case'. The report is receiving attention within the Department of Social Security

Privacy of Investigations : Disclosure of Draft Report under FOI (Round Two)

The Federal Court has resolved, largely in favour of the Ombudsman, the question whether a complainant has a right of access under the FOI Act to a draft report of the Ombudsman. Justice Sheppard held that the draft report was an internal working document and that, except for purely factual material, disclosure would be contrary to the public interest for the reason that the document contained criticisms of

official action which ultimately might not be maintained (Kavvadias v Commonwealth Ombudsman (1984) 54 ALR 285).

### Representation in the Northern Territory

Since 1980 the Commonwealth Ombudsman has been represented in the Northern Territory by a part-time investigation officer. The Commonwealth and Northern Territory Governments have now agreed that the Northern Territory Ombudsman and his staff will henceforth represent the Commonwealth Ombudsman in the Territory, receiving and investigating (under delegation) complaints Territorians may wish to lodge about the activities of Commonwealth bodies in the Territory.

### International Ombudsmen in Australia

Australia is to be the host country for the Fourth International Ombudsman's conference to be held in 1988. This was decided in July during the final business session of the third of such conferences, held in Stockholm, Sweden.

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## The Courts

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### Discretion to Refuse Relief

The Federal Court's discretion under paragraph 10(2)(b)(ii) of the AD(JR)Act to refuse relief for the reason that adequate provision is made elsewhere for review by the Court or by another court, tribunal, authority or person was invoked in Beck v Thornett (31 August). The case involved an application for an order of review in respect of a decision finding the applicant guilty of a disciplinary offence under the Public Service Act and a recommendation that she be dismissed from the service. The tribunal concerned was a Disciplinary Appeal Board established under section 63D of the Public Service Act 1922.

### Use of Statement of Reasons

The use which may be made of a statement of reasons obtained under section 13 of the AD(JR)Act was commented upon in Minister for Immigration and Ethnic Affairs -v- Arslan and Another (Full Court, 17 August 1984). The Court expressed the view that an applicant may extract from a section 13 statement such statements as are admissions in his favour but the officer or Minister whose decision is being reviewed cannot use the statement as evidence of the facts contained therein in a self-serving way. In other words, the making of a decision is not evidence of the facts that may underlie the