

# AUSTRALIAN JOURNAL OF ADMINISTRATIVE LAW

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JUDICIAL REVIEW OF ADMINISTRATIVE ACTION AGAINST MEMBERS OF THE AUSTRALIAN DEFENCE FORCE: CAN A WARRIOR WIN IN COURT?

**Mitchell Jones**

This article seeks to question the relevance of judicial review as an appropriate avenue of review against adverse administrative decisions that affect the careers of members of the Australian Defence Force. It highlights the conservative approach of Australian courts in such cases and the lack of any real remedy in the limited cases where an Australian Defence Force member has been successful. The article seeks to address, albeit in a modest way, a lack of attention by authors to this subject in recent times. The article covers the command nature of the Australian Defence Force, the prerogative of the Crown, case law studies and legislative reforms. ....	8
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WESTERN AUSTRALIA STATE ADMINISTRATIVE TRIBUNAL: A LONG TIME COMING – WORTH THE WAIT

**Laurene Dempsey BJuris LLB LLM**

The Commonwealth Administrative Appeals Tribunal conducts only merit review of primary decisions made by executive government. But since the mid-1990s, Australian States have moved to the single, generalist tribunal model of multiple jurisdiction which also makes primary administrative decisions and adjudicates civil disputes between citizens. On 1 January 2005, Western Australia’s State Administrative Tribunal finally opened its doors, now leaving only Queensland to follow this trend. Focusing on the State Administrative Tribunal’s role in merits review of administrative decisions, this article critically analyses key features identified as achieving optimal standards of merits review and assesses whether, and to what extent, the State Administrative Tribunal achieves these standards. ....	47
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