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**Address to the Administrative Appeals Tribunal on the Occasion of Its Final Sitting** – *Tom Brennan SC*

On Friday 11 October 2024 the Administrative Appeals Tribunal (AAT) held its final sitting ahead of the inaugural sitting of the Administrative Review Tribunal on Monday 14 October. This address to the final sitting of the AAT recognises its achievements in conducting merits review of thousands of decisions each year since the mid-1980s, providing to persons affected by government decisions the opportunity to tell their story and be heard by the tribunal member who personally determined the review. By conduct of those reviews the AAT made a singular contribution to improving the quality of primary decision-making and respect for the law. The address highlights the AAT's contribution to law and policy on the relationships between impairment, disability and economic engagement; and to the development across the Australian legal system of a sophisticated understanding and deployment of inquisitorial methods in tandem with more traditional adversarial approaches. .... 134

**The Application of Administrative Decision-making Principles to Defence Procurement** – *Daniel Mendoza-Jones*

The Department of Defence's procurement activities often receive media and public attention due to their scope, risk and value. Military capability may be compromised if procurement risks have been inappropriately managed. If procurement costs exceed initial estimations, questions are raised as to whether value for money has been achieved. Although military procurement relies on a complex process of government decision-making, the relevance of administrative law principles is often overlooked. This article assesses the extent to which those administrative law decision-making principles apply to Defence procurement decisions. It does so by providing an overview of Defence procurement, assessing the application of administrative decision-making principles as a matter of law, examining the relevance of concepts relating to procedural fairness and, finally, considering the administrative character of legal review and remedies. The article draws the conclusion that the public interest is well served if the rules under which Defence procurement decisions are made remain strongly analogous to administrative legal principles. .... 142

**Reforming the Commonwealth’s Model Litigant Obligations: Addressing Challenges and Enhancing Ethical Litigation – *Dr Jason Donnelly***

Despite obligations to act with the highest integrity, fairness, and professionalism, the Commonwealth of Australia’s role as a model litigant faces significant limitations. This article critically examines these challenges, highlighting issues such as the unenforceable nature of the model litigant rules, ambiguities causing inconsistent application, conflicts between fair conduct and protecting state interests, insufficient training for legal practitioners, lack of penalties for breaches, and difficulties in monitoring compliance. To enhance effectiveness, the article proposes reforms including enforcing penalties for non-compliance, clarifying guidelines, mandating training for legal representatives, improving monitoring and reporting mechanisms, emphasising alternative dispute resolution, establishing a complaint process for aggrieved parties, and addressing power imbalances in litigation involving the state. By implementing these recommendations, the Commonwealth can better fulfil its role as a model litigant, ensuring ethical conduct, reinforcing public trust in the legal system, and promoting more equitable dispute resolution. .... 154

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