

# THE AUSTRALIAN LAW JOURNAL

Volume 98, Number 12

December 2024

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## **ARTICLES**

### **The State of the Australian Judicature in 2024 – Stephen Gageler**

In his first “The State of the Australian Judicature” address, Chief Justice Gageler takes stock of the Australian Judicature. The sum of its many and varied parts is defined and described, quantitatively and qualitatively, and gauged where appropriate against international benchmarks or available comparators. This snapshot of the Australian Judicature accentuates its essential unity to provide a national framework to consider more closely issues of common concern and their possible responses. To that end, Chief Justice Gageler announces an Australian Legal Convention to be held in November 2025 under the auspices of the Council of Chief Justices of Australia and New Zealand the purpose of which will be to bring together representatives of organisations within the Australian legal system with a view to identifying and exploring co-ordinated responses to current and emerging issues. .... 885

### **The Administrative Review Tribunal: A Big Step in Tribunal Justice, 50 Years in the Making – Matthew Groves**

The Commonwealth Administrative Review Tribunal (ART) commenced operation on 14 October 2024. The new ART replaces the Administrative Appeals Tribunal (AAT), which operated for almost 50 years. In many ways, the ART appears to replace and continue the AAT but a close inspection reveals that the new tribunal is much more than a rebranding of the one it replaces. The ART represents a far-reaching reform of the federal tribunal system. The ART legislation introduces many structural and procedural innovations that will significantly change merits review at the federal level. The establishment of the AAT led the states and territories to mimic and build upon the innovations of the Commonwealth. If the

same is true of the ART, the new Commonwealth tribunal may spark considerable reform in other jurisdictions. This article explains key innovations contained in the Administrative Review Tribunal Act 2024 (Cth) and those key concepts developed under the previous legislation which will continue. The article also details the different mechanisms built into the new ART which are aimed to create an environment of continuous oversight and reform. .... 902

**Judicial Education and Judicial Learning Styles: Are Judges Different to Other Learners? – Andrew Henderson**

In its report on judicial impartiality, Without Fear of Favour, the Australian Law Reform Commission (ALRC) declined to recommend that judicial education should be mandatory. Theories of education and learning suggest that, like other adult learners, motivating judicial officers to engage in judicial education voluntarily means the education must be attractive. Theories of learning indicate that one method of increasing the attractiveness of education is to align it with learners’ preferred approaches to learning. However, there is no empirical data on Australian judicial officers’ preferred approaches to education. This article presents the results of a survey of preferred judicial learning styles among Australian judicial officers. It finds that Australian judicial officers’ preferences are diverse, but there are consistent patterns among respondents according to their jurisdiction and experience. The results guide courts and judicial education bodies in fostering the culture of engagement in judicial education proposed by the ALRC. .... 915

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