

APPENDIX B: INFORMATION SHEET (2 pages)

Merits Review of Government Decision-Making Research Project

We are studying processes by which information about merits review and the work and decisions of the Administrative Appeals Tribunal (AAT) are disseminated to relevant decision-makers within your department. We anticipate that this phase of the research will lead to a second phase in which we investigate levels of knowledge and awareness of relevant rules, principles and practices of merits review amongst front-line decision-makers within your department. This research is being undertaken by researchers at the Australian National University and is part of a project funded by the Australian Research Council.

Why are we carrying out this research?

Merits review is an important method of regulating government decision-making. The AAT is the primary merits review tribunal in Australia. Since it came into operation in 1976, the AAT has reviewed administrative decisions made in many government departments, involving a wide array of issues. We are conducting this research to find out more about the nature and effectiveness of processes for disseminating information about merits review and, particularly, decisions of the AAT, in various government departments.

We hope that the information we obtain from this research will deepen our understanding of processes of dissemination of legal information within government departments. We also hope that it will lay the groundwork for later research into the impact of merits review on administrative decision-making. This research is part of a larger project, which seeks to provide a clearer picture than we currently have of the theory and practice of merits review. Our preliminary view is that understanding what decision-makers know about merits review and how they acquire that knowledge is needed before any serious attempt to assess the impact of merits review can be made. This research and the larger project are directly relevant to on-going debates about accountability and effectiveness of government decision-making.

In short, our aim is to identify, and evaluate the effectiveness of processes for the dissemination of legal knowledge about merits review within Commonwealth government departments.

What does the research involve?

We have selected you as a potential participant because, by virtue of your role and responsibilities within your department, you are likely to be able to assist us in realizing the objectives of the research. Participation in the project is purely voluntary, and there will be no adverse consequences if you decide not to participate.

If you agree to participate in this research project we will ask you to take part in an interview with one of the researchers, which is envisaged to last no more than one hour. The interview can be at the ANU, or at your office at a mutually convenient time. If you agree, we may record the interview on audio tape. In preparation for the interview, you will be sent a list of questions indicating the issues to be covered.

You may withdraw from participation in the project at any time, and you do not need to provide any reason to us. If you decide to withdraw from the project we will not use any of the information you have provided.

The results of this study will be reported to the Australian Research Council and may be published in academic journals or books. However, the names of individual officers or position titles will not be reported in connection with any of the information obtained in

interviews without written consent of the individual(s) concerned. We will provide you with the results of the research when published.

Are there any risks if I participate?

We do not intend to seek any information in interviews which is particularly sensitive or confidential within government. It is possible that because those persons with relevant responsibilities and roles within departments are relatively few, others may be able to guess the source of information provided in interviews, even if it is not attributed to any person. Accordingly, it is important that you do not tell us information which is of confidential status, or which is sensitive or defamatory.

Below you will find contact names and phone numbers in case you have questions or concerns about the study.

Contact Names and Phone Numbers.

If you have any questions or complaints about the study please feel free to contact:

Professor Peter Cane, Law Program, Research School of Social Sciences,
Australian National University, Tel: (02) 6125 4162; Email:
Peter.Cane@anu.edu.au

If you have concerns regarding the way the research was conducted you can also contact the ANU Human Research Ethics Committee:

Human Ethics Officer, Human Research Ethics Committee, Australian National
University. Tel: 6125 7945.
Email: Human.Ethics.Officer@anu.edu.au

APPENDIX C: CONSENT FORM
Merits Review of Government Decision-Making Research Project

Researchers: Professor Peter Cane, Ms Zoë Guest and Ms Bonnie Allan, ANU.

1. I(please print) consent to take part in the Merits Review of Government Decision-Making Research Project. I have read the information sheet for this project and understand its contents. The information provided explains the nature and purpose of the research project, so far as it affects me, to my satisfaction. My consent is freely given.
2. I understand that if I agree to participate in the research project I will be asked to take part in an interview, which should last for no more than hour; and that in preparation for the interview I will be sent a list of questions indicating the matters to be discussed.
3. I understand that while information gained during the research project may be published in reports to the Australian Research Council, and in academic journals or books, my name and position title will not be used in relation to any of the information I have provided, unless I explicitly consent in writing to be identified when quoted.
4. I understand that personal information, such as my name and work contact details, will be kept confidential so far as the law allows. This form and any other identifying materials will be stored separately in a locked office at the Australian National University. Data entered onto a computer will be kept in a computer accessible only by password by a member of the research team.
5. I understand that although any comments I make will not be attributed to me in any report or publication without my written consent, it is possible that others may guess the source of information, and that I should avoid disclosing information to the researchers which is of confidential status within government or which is defamatory of any person.
6. I understand that I may withdraw from the research project at any stage, without providing any reason and that this will not have any adverse consequences for me. If I withdraw, the information I provide will not be used by the project.

Signed Date

Audio taping

I consent to have my interview (if any) audio-taped by the interviewer. I understand that the tapes will be stored securely at the Australian National University and will be erased at the conclusion of the study.

Signed.....Date.....