

# AUSTRALIAN JOURNAL OF ADMINISTRATIVE LAW

Volume 21, Number 4

August 2014

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**Exploring the parameters of judicial discretion in migration judicial review proceedings** – *Yvonne Lipianin*

A Federal Court case in 2012 revisited the issue of the exercise of judicial discretion in migration judicial review proceedings. In particular, the case concerned the court's discretion to deny relief in circumstances where the applicant has been deemed to have acted in bad faith, in this case by lying at an early stage of the protection visa application process. While the case ultimately did not turn on the issue, the judgment makes clear that in the migration context, it would only be in rare circumstances that it would be lawful for a court to exercise its discretion to deny an applicant relief on the basis of an act of bad faith. .... 196

**Considering “proper, genuine and realistic”** – *Anya Poukchanski*

The formula requiring a decision-maker to give “proper, genuine and realistic consideration” when discharging their duty has become a recurrent feature of Australian administrative law. Yet the language has been strongly criticised, most recently in the High Court, for its propensity to encourage improper merits review. This article charts the development of the formula in State and federal jurisdictions in order to clarify its meaning and tenacity. It finds that “proper, genuine and realistic consideration” has expanded far beyond its initial purposes. Nonetheless, its persistent use is instructive in the impact of judicial language in setting the boundaries of permissible review. .... 201

**A right to reasons: Osmond in light of contemporary developments in administrative law** – *Bruce Chen*

In *Public Service Board (NSW) v Osmond* (1986) 159 CLR 656 the High Court established the proposition that there is no common law right to reasons in administrative decision-making. This article does not propose to retread that familiar ground. Rather, it will examine several contemporary developments in administrative law which have impacted on the findings in *Osmond*, such that, it will be argued, Australia has reached a stage where a general right to reasons ought to be recognised at common law. .... 208

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