

Senate Community Affairs Legislation Committee

SUPPLEMENTARY BUDGET ESTIMATES – 23-24 OCTOBER 2014 ANSWER TO QUESTION ON NOTICE

Department of Human Services

Topic: Child Support

Question reference number: HS 140

Senator: Xenophon

Type of question: Written

Date set by the committee for the return of answer: 12 December 2014

Number of pages: 2

Question:

Referring to a Child Support Program matter that has involved proceedings in the Family Court, anonymised as “Pedrana and Pedrana and [Child Support Registrar]”:

- a) What is the total amount that Department of Human Services have been invoiced by the Australian Government Solicitor (AGS) in relation to all aspect (direct and incidental) of this particular Change of Assessment including, but not limited to:
 - 1) Change of Assessment;
 - 2) Review on Objection;
 - 3) Social Security Administrative Tribunal Review;
 - 4) Ombudsman Review;
 - 5) Office of the Australian Information Commissioner Reviews;
 - 6) proceedings initiated by the Child Support Registrar; and
 - 7) proceedings initiated by either of the parents to which the Child Support Registrar was a party.
- b) Of that total invoiced by the AGS, what cost is attributable to AGS submissions opposing the paying parent’s December 2012 Freedom Of Information request for it to disclose its external legal costs in relation to the matter?
- c) On what basis did the Department seek to oppose the paying parent’s December 2012 Freedom Of Information request for it to disclose the Department’s external legal costs in relation to the matter?
- d) What are the Department of Human Services’ total internal legal costs in relation to dealing with this particular Change of Assessment including, but not limited to:
 - 1) Change of Assessment;
 - 2) Review on Objection;
 - 3) SSAT Review;
 - 4) Ombudsman Review;
 - 5) Office of the Australian Information Commissioner Review;

- 6) proceedings initiated by the Child Support Registrar; and
 - 7) proceedings initiated by either of the parents to which the Child Support Registrar was a party.
- e) What was the difference between:
- 1) the original Change of Assessment decision 'assessed annual child support amount'; and
 - 2) the Review on Objection decision 'assessed annual child support amount' for the period centred about the date of the original Change of Assessment decision?
- f) With respect to the length of this Change of Assessment:
- 1) What was the month and year of the original Change of Assessment Application?
 - 2) Has the matter been resolved to finality yet?
 - 3) If the matter has not been resolved to finality, when does the Child Support Registrar expect it to be?
 - 4) What is the average time period between a Child Support Change of Assessment Application being received and the assessment being resolved to finality?
 - 5) What is the longest time period between a Child Support Change of Assessment Application being received and the assessment being resolved to finality?
- g) How many times throughout this process did the paying parent ask for alternate dispute resolution to be used in preference to litigation?

Answer:

- a) – e), f)(1) – f)(3) and g): In the absence of an authority from all parties involved, the department cannot release this information.
- (f)(4) and (5): It is not possible to establish with certainty the average or the longest period of time between a Child Support assessment application and the assessment being resolved to finality. Intervening processes and issues often raise complex issues and a range of review processes that mean establishing when an assessment application reaches 'finality' is not possible.