

Senate Standing Committee on Economics

ANSWERS TO QUESTIONS ON NOTICE

Treasury Portfolio

Budget Estimates 2012

30 May 2012

QUESTION: BET 13

Topic: ATO occupation groups (ATO)

Hansard Page: 101

Senator BUSHBY asked:

Senator BUSHBY: ... The next question I will direct to the tax office. The 2010-11 annual report notes that there are 15 occupation groups within the ATO. Auditing is the largest occupation group by number. Debt collection and law are fourth and fifth. Would you take on notice to provide the numbers of staff and their employment or APS level whose main function or duty is to work in auditing, debt collection and law? In relation to law, would you break down the data by reference to the specific activities—prosecutions, litigation, alternative dispute resolution and legal services branch.

Mr D'Ascenzo: We will take that on notice, Senator, but we would not have all those differentiations. For instance, alternative dispute resolution, which is on a wide continuum from formal to less formal approaches, would not be a separate category in its own right.

Senator BUSHBY: Could you make it clear in your response that this is an assessment and the basis on which it was done. The annual report noted expenditure of around \$34 million on internal legal services. That included expenditure on legal services branch and internal legal services.

Answer:

Table 1 below details the number of ATO staff whose main work function is auditing, debt collection or law.

Table 1: ATO staff involved in auditing, debt collection and law, as at 31 May 2012

Job family	APS classification									Total
	APS1	APS2	APS3	APS4	APS5	APS6	EL1	EL2.1	EL2.2	
Auditing	0	6	680	1,270	819	1,313	1,094	373	87	5,642
Debt collection	67	118	927	242	82	159	46	0	0	1,641
Law	0	0	75	343	272	508	616	249	133	2,196

Figures provided in table 1 include the data provided in tables 2 and 3.

ATO systems do not support the calculation of the number of staff involved in prosecutions and alternative dispute resolution. However, the number of staff within the Legal Services branch of the ATO is provided in table 2 below, as well as details of staff involved in litigation within that branch in table 3.

The Legal Services Branch provides specialised in-house legal services to the ATO and its staff. Most litigation concerns the interpretation of the various tax laws or the recovery of unpaid tax. Criminal prosecutions are handled by the Commonwealth Director of Public Prosecutions with the simpler matters handled by the ATO's in-house Prosecutions team. Legal Services Branch officers are located in most capital cities.

Table 2: Legal Services Branch: Number of staff as at 31 May 2012

	Work area		Total
	Litigation	Admin	
No. of full time equivalent staff	248	35	283

Figures provided in table 2 are included in the data provided at table 1.

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Table 3: Legal Services Branch: Litigation staff by APS classification as at 31 May 2012

	APS classification							Total
	APS4	APS5	APS6	EL1	EL2.1	EL2.2	SES Band 1	
No. of full time equivalent staff	45	33	50	55	35	26	4	248

Figures provided in table 3 are included in the data provided at table 1.