



Australian Government



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Alistair Sands
Committee Secretary
Senate Finance and Public Administration Committee
Department of the Senate
Parliament House
CANBERRA ACT 2600

14 July 2005

Dear Mr Sands

I am writing to notify you of an error in a Question on Notice Centrelink provided following the February Additional Estimates hearings.

In March this year Centrelink responded to Question On Notice HS44 from the Additional Estimates hearings. During the Budget Estimates hearing Senator Evans asked that the information be updated. While compiling the current information it became apparent that two errors had been made in the answer to HS44.

The first error was on page 5. In the answer to question 4 the heading in the second cell of the table read "Less than \$5000" when it should have read "Less than \$15000".

The second error was on page 6. In the answer to question 6 the two figures in the second column were transposed. The first figure in the original response shows as "735" and should have read "833". The second figure shows as "833" and should have read "735".

Both of these errors occurred during formatting and editing of the answers and have been corrected in the answer to HS89 from the May hearings. A corrected copy of HS44 from the February hearings is attached.

I apologise for any confusion this error has caused.

Yours sincerely

Jeff Whalan
Chief Executive Officer

Senate Finance and Public Administration Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Human Services Portfolio

Department of Human Services

Additional Estimates February 2005

Question: HS44

Outcome 1, Output 1.1 - Effective delivery of Australian Government services to eligible customers

Topic: Impact of 'marriage-like' relationships on payment recipients.

Hansard Page/Written Question on Notice: Written

Senator Evans asked on 15 February 2005:

(1) Can Centrelink supply data over the last two financial years, about the number and type of payments that have been cancelled and suspended as a result of a decision to find a person living in a 'marriage-like' relationship?

(2) Could we have data on the number of Original Decision Maker (ODM) reviews into 'marriage-like' relationships, and the number of ODMs where the original decision being changed?

(3) Could we have data on for the last two financial years of the number of reviews lodged at each stage (Authorised Review Officer (ARO), Social Security Appeals Tribunal (SSAT) and Administrative Appeals Tribunal (AAT)) and the outcome of the review? Could we have a further breakdown for each state?

(4) Could we be provided with some categorisation of 'marriage-like' relationship debts raised by dollar amount i.e. how many debts are under \$15,000 or \$15,00 to \$30,000 or are over \$30,000?

(5) Are decisions finding a 'marriage-like' relationship made at the same rates in each state?

(6) How many Centrelink referrals are made to its in-house prosecutions team for 'marriage-like' relationship consideration and then, separately, how many consequential further referral to the DPP and what are the prosecution outcomes?

(7) Is it the case that some clients have a permanent warning on their Centrelink screen that if they move in with 'X', an investigation is triggered? If this is so, how is this warning used so as to not bias the investigation and rights of the client involved?

(8) How much is spent on domestic violence training by Centrelink of its staff who deal with marriage-like relationship matters?

(9) And what about debt recovery compliance and prosecutions staff?

(10) Could the committee be provided with copies of any electronic reference of other training material or other reference material on this subject matter?

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(1) The data requested is not readily available.

(2) The following table shows the original decision maker decisions made during the relevant financial year. Decisions relating to lodgements made may not necessarily occur in the same financial year as the lodgement was made.

Marriage-Like Relationship Cases – Original Decision Maker					
	Lodgements	Decisions	Affirmed	Set Aside / Varied (Changed)	Withdrawn
2002-03	1,584	1,514	1303	207	4
2003-04	1,997	1,986	1,660	318	8

(3) The following tables show the Authorised Review Officer, Social Security Appeals Tribunal and Administrative Appeals Tribunal decisions made during the relevant financial year. Decisions relating to lodgements made may not necessarily occur in the same financial year as the lodgement was made.

2002 - 03

Marriage-Like Relationship Cases - Authorised Review Officer (ARO)					
	Lodgements	Decisions	Affirmed	Set Aside / Varied	Withdrawn
NSW	297	295	146	132	17
ACT	50	51	24	24	3
QLD	308	291	171	110	10
VIC	283	272	157	106	8
WA	119	119	74	44	1
SA	136	136	88	44	4
TAS	26	27	11	15	1
NT	16	21	9	12	

2003 - 04

Marriage-Like Relationship Cases - Authorised Review Officer (ARO)					
	Lodgements	Decisions	Affirmed	Set Aside / Varied	Withdrawn
NSW	331	321	172	133	16
ACT	50	42	14	27	1
QLD	402	408	261	125	22
VIC	320	325	176	140	9
WA	93	100	47	49	4
SA	196	193	114	69	10
TAS	42	36	20	16	
NT	10	13	9	4	

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2002 - 03

Marriage-Like Relationship Cases - Social Security Appeals Tribunal					
	Lodgements	Decisions	Affirmed	Set Aside / Varied	Withdrawn
NSW	64	71	26	35	6
ACT	8	8	3	5	
QLD	74	76	37	27	6
VIC	53	48	18	25	3
WA	32	32	12	17	1
SA	30	25	10	14	
TAS	2	6	3	3	
NT	1	9	3		6

2003 - 2004

Marriage-Like Relationship Cases - Social Security Appeals Tribunal					
	Lodgements	Decisions	Affirmed	Set Aside / Varied	Withdrawn
NSW	69	59	18	22	9
ACT	7	9	1	8	
QLD	99	93	42	38	9
VIC	87	68	36	28	4
WA	19	22	3	14	2
SA	53	49	21	22	4
TAS	8	7	3	4	
NT	7	6	2	4	

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2002 - 03

Marriage-Like Relationship Cases - Administrative Appeals Tribunal					
	Lodgements	Decisions	Affirmed	Set Aside / Varied	Withdrawn
Customer Appeals					
NSW	7	6	5		
ACT	-	-			
QLD	15	6	2	2	1
VIC	4	7	2		4
WA	5	1			
SA	8	7		4	1
TAS	2	-			
NT	-	1		1	
Secretary Appeals					
	Lodgements	Decisions	Affirmed	Set Aside / Varied	Withdrawn
NSW	5	4			4
ACT	-	-			
QLD	4	2	1		1
VIC	6	1		1	
WA	2	1			
SA	-	1		1	
TAS	-	-			
NT	-	-			

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2003 - 04

Marriage-Like Relationship Cases - Administrative Appeals Tribunal					
	Lodgements	Decisions	Affirmed	Set Aside / Varied	Withdrawn
Customer Appeals					
NSW	9	3	1	1	
ACT	-	-			
QLD	16	12	6	3	3
VIC	9	5	-	1	
WA	4	6	1	3	1
SA	8	7	1		2
TAS	1	2	2		
NT	-	-			
Secretary Appeals					
	Lodgements	Decisions	Affirmed	Set Aside / Varied	Withdrawn
NSW	10	6	5		1
ACT	-				
QLD	2	1	1		
VIC	3	3	1	2	
WA	2	4	1		3
SA	1				
TAS	1				
NT	-				

Source of data: Centrelink APL system, as at 2/3/2005 (by Data Analysis & Reporting - Service Recovery Team)

(4) The following table provides the number of debts raised by dollar amount .

	Less than \$15000	\$5000-\$30000	More than \$30000
2002-03	2673	139	84
2003-04	3488	177	124

(5) There is no specific data available, however, appeal data supplied above is relevant.

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(6) The following table shows the number of marriage-like relationship cases referred to Centrelink fraud investigators (in-house prosecution teams) and the number of cases considered by Centrelink fraud investigators for referral to the Commonwealth Director of Public Prosecutions.

	Centrelink Assessments	Cases Referred to the DPP
2002-2003	833	192
2003-2004	735	176

The outcomes of cases referred to the Director of Public Prosecution for prosecution action may not necessarily occur in the same financial year as the case was referred. The following table shows the prosecution outcomes for those cases prosecuted in the years shown. There is not necessarily a direct relationship with cases referred in that year.

Prosecution Outcomes – marriage-like relationships			
	Prosecuted	Convicted	Dismissed
2002-2003	100	98	2
2003-2004	113	111	2

(7) No. It is not Centrelink policy for specific cases to have a permanent warning recorded on a customer's record relating to the triggering of an investigation.

All Centrelink fraud investigations are carried out in accordance with the procedures set out in the Centrelink Investigation and Prosecutions Manual, which is based on the Australian Government Investigation Standards (AGIS). These procedures require that investigators document the customer's electronic record with details of the progress and outcome of any investigation undertaken.

In order to minimise any subsequent action which may result in an overpayment, the record of the investigation may also include further recommendations or notes regarding the customer's ongoing circumstances.

(8) and (9) The data requested is not available.

(10) The training material requested is not in a format that is readily available to be provided. Training and other information is readily available to Centrelink staff via the Centrelink intranet through various links to relevant pages.

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Number: HS44
Date asked: 15/02/2005

Cleared by:

Name: Margaret Browne
Position: General Manager
Branch/Division: Business Integrity, Centrelink
Date: 11/03/2005
Phone (w): (02) 6244 7597

Cleared by:

Name: Paul Conn
Position: Acting General Manager
Branch/Division: Participation, Centrelink
Date: 11/03/2005
Phone (w): (02) 6244 7808

Contact Officer:

Name: Danny Jones
Phone (w): (02) 6244 7058

Minister

The attached proposed answer is submitted for clearance.



Jeff Whalan

18 March 2005

Date

Secretary

Date

Cleared for Tabling

Adviser
Minister's Office

Date

Minister for Human Services

Date