

Senate Finance and Public Administration Standing Committee
ANSWERS TO QUESTIONS ON NOTICE
BUDGET ESTIMATES – 28 May 2009

Human Services Portfolio

Department/Agency: Medicare Australia
Outcome/Output Group: Outcome 1/Output Group 1
Topic: Compliance

Senator: Bernardi

Question reference number: HS16

Type of question: Hansard F&PA 105, 28 May 2009

Date set by committee for the return of answer: 10 July 2009

Senator BERNARDI—The media release by the Minister of 4 September 2008 also said that 74 individuals had been referred to the Commonwealth Director of Public Prosecutions. I am interested in how many of those people were actually taken to court and/or have been convicted or have results still pending. I would like to know how many individuals have been referred so far in 2008–09 and I would like you to compare that over the last, say, five years. Can you take all that on notice and provide it to me.

Mr Bridge—Yes

Senator BERNARDI—I want to establish a pattern of where you are going with this.

Mr Bridge—Yes, we can provide all that data.

Answer

The outcome of the 74 cases referred to the Commonwealth Director of Public Prosecutions (CDPP) in 2007-08 was:

Convicted	Closed	Pending	Total
41	13	20	74

The number of referrals to the CDDP over the last five years:

	Referred	Successfully Prosecuted
2008-09 to 31 May 2009	32	38
2007-08	74	51
2006-07	79	56
2005-06	65	32
2004-05	51	42

Due to the time taken to prosecute matters in court the above annual figures may not always align (i.e. a referral in one year may not be finalised until a following year).

The number of referrals to the CDPP made in 2008-09 is lower than previous years and even when end of year figures are available, they will still remain low in comparison to the last 5 years.

Medicare Australia's analysis and selection processes have recently been enhanced to allow cases where the likelihood of a successful prosecution is uncertain to be referred in the first instance to a compliance officer for preliminary assessment.

Where the likelihood of prosecution success is assessed as high following this preliminary work, the matter is referred to the CDDP. Where the likelihood of successful prosecution is low, Medicare Australia now undertakes other forms of action, such as recovery, rather than referral to the CDPP.

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