

## Senate Standing Committee on Finance and Public Administration

### BUDGET ESTIMATES – 27 MAY 2010 ANSWER TO QUESTION ON NOTICE

#### Human Services Portfolio

**Topic:** Litigation

**Question reference number:** HS10 (a-c)

**Senator:** FIFIELD

**Type of question:** Hansard, F&PA page 95

**Date set by the committee for the return of answer:** 9 July 2010

**Number of pages:** 2

#### **Question:**

**Senator FIFIELD**—There have been 313 recourses to court.

**Ms Godwin**—Yes.

**Senator FIFIELD**—Out of those 313, how many were successful?

...

**Ms Godwin**—Indeed. I want to see if I have the table that shows that. As well as that, at the time that we arrive at the court some customers enter into an arrangement, so we do not actually go into the court. Then, of course, there are some that actually go through the court process.

...

**Ms Godwin**—Sorry, I thought we had this here, but we do not. So I will need to take the breakdown on notice, if that is okay with you.

...

**Senator FIFIELD**—So you will get that information?

**Ms Godwin**—Yes, we can get that.

**Senator FIFIELD**—I forgot to ask this before. What was the cost of those 313-odd prosecutions?

**Ms Godwin**—I do not have the figure with me. The actual cost of litigation I would have to take on notice.

**Senator FIFIELD**—When getting those figures, could you also obtain the cost of any external legal advice or counsel retained?

**Ms Godwin**—Sure.

#### **Answer:**

- a) During the 2008-09 year Child Support Program (CSP) initiated 222 enforcement proceedings and finalised 540 matters. During the period 1 July 2009 to 30 April 2010 the CSP has initiated 174 enforcement proceedings and finalised 313 matters.

Details of the enforcement activities conducted during the period 1 July 2009 to 30 April 2010 are:

- The CSP has issued 457 Letters of Demand:
  - 283 of these customers came to satisfactory arrangements which prevented the need for Court action;
  - 171 of these customers required Court action with the Courts making orders for payment; and
  - 3 of these customers required Court action with the Courts but were dismissed without orders being granted.
  
- b) During the period 1 July 2009 to 30 April 2010 the cost of the Litigation program (excluding legal expenditure) was \$2,896,975.
  
- c) During the period 1 July 2009 to 30 April 2010 year total legal expenditure was \$2,310,374. Costs recovered in this period year were \$571,602. This gives a net legal cost of \$1,738,772 for this period.