

To:

Committee Secretary
Senate Legal and Constitutional Affairs Committee
Department of the Senate
PO Box 6100
Parliament House
Canberra ACT 2600
Australia

**Re: Inquiry into the Families, Community Services and Indigenous Affairs and Veterans' Affairs
Legislation Amendment (2006 Budget Measures) Bill 2006**

Submission.

I have worked for the Department fo Social Security and Centrelink for 23 years.

I am alarmed at the prospect of Centrelink staff having search and seizure powers.

In my time working for DSS/Centrelink I have been exposed to and been involved in the fraud control and customer visitation and interview processes.

In my experience, these processes have been significantly compromised in a number of ways.

Culture.

The DSS/Centrelink culture that has developed as regards to the investigation and assessment of fraud has, in my view, been characterised as extremely adversarial. Many staff involved in such matters have taken the initial view that the customer involved is untrustworthy and guilty and have taken a subjective view of any evidence. Many such staff have negative attitudes towards single parents, the disabled, some migrant groups and the indigenous and make assumptions based on their own preconceived views about such customers. The types of staff most likely to be interested in the fraud investigation work seem to be the least empathetic and understanding of the diversity of cultures and behavioural norms within our society.

If such staff were to have search and seizure powers I fear that such processes may be conducted unprofessionally and without due regard for citizen's rights.

Training.

Over the past 10 years the quality of training of Centrelink staff has significantly diminished. Most staff recruited to Centrelink over recent years have received only very basic training regarding the Social Security legislation that they are expected to administer. In addition, the amount and quality of training in matters such as; investigative skills, interviewing skills, interpersonal skills, communication skills and cultural awareness has been ad hoc, very basic, unreinforced and untested. All of these skills would need to be developed to a very high level in order to undertake the work involved in any search and seizure processes. I have little confidence that Centrelink would provide the required level of skilling for its staff to carry out the duties appropriately.

Staff Selection.

As mentioned above the staff who have an interest in fraud related work tend to hold negative attitudes

towards certain customer groups and tend to be prejudiced and judgemental. In my experience, many staff who have these attitudes are the ones who tend to apply for and be selected to perform work involving these duties. In my view, if search and seizure powers were to be used by staff with these characteristics the risk of negative consequences for innocent customers and the investigation itself would be high.

In my view, the appropriate body to have the search and seizure powers is the Australian Federal Police. The risk of devolving such responsibility to an organisation that lacks the culture, training ethos and personnel to capably use such powers carries unacceptable risks for the vulnerable in our society.

In addition, the risks of failure to use such powers responsibly and effectively exposes Centrelink and its staff with the development of a reputation of being a powerful, authoritarian weapon against the poor. While such a reputation may satisfy some segments of our society if it generates further animosity towards Centrelink and its staff as a whole the consequence is likely to be the development of an unnecessary wariness amongst some disadvantaged people in dealing with Centrelink and perhaps a higher level of antagonism by those who already resent Centrelink's authority leading to higher levels of abuse and violence towards its staff.

As a Centrelink worker I know that we already have levels of abuse and violence that are too high in our offices. I also know that many current staff who have many years of experience working for Centrelink would find it difficult to accept further negative effects on their working conditions brought about by increased stress during their working day and further reductions in respect for the organisation for whom they work. Many are already leaving, more will surely follow.

Yours faithfully,

Stephen Lindsay Fuller
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