

**Questions on Notice**  
**Families, Community Services and Indigenous Affairs and Veterans' Affairs**  
**Legislation Amendment (2006 Budget Measures) Bill 2006**

*Question 1: Senator Ludwig, p. 4 of Transcript*

**Mrs Fleming**—It is fair to say that a not insignificant proportion of Centrelink complaints relate to issues where there is an exercise of discretion by Centrelink officials, especially in the marriage-like relationship area. A number of submissions have raised concerns that these powers might be used by Centrelink to discern whether there is a marriage-like relationship. In a number of those cases, it is the decision on which we receive the complaint and in others it is the conduct of the officials making those inquiries.

**Senator LUDWIG**—Could you elaborate on that issue of the conduct of the officials? Are you able to say what percentage of your complaints relate to those types of incidences? I know this might be asking too much on the short notice, but you may have already looked at this area.

**Mrs Fleming**—I thought you might ask that question this morning and I was unable to get anything readily. I can see whether we can break some figures down and provide that to the committee secretariat, perhaps. But I do not have a percentage.

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**Answer:**

A manual examination of data relating to Centrelink complaints indicates that the Commonwealth Ombudsman receives at least four to five complaints each week about the conduct of Centrelink officials. It is likely that this figure is an underestimate in that complaints made about other issues such as payment cancellation and suspension or debt raising and recovery can often also involve issues relating to the conduct of Centrelink officials.

The following example, outlined at page 107 of the Ombudsman's 2005-06 Annual Report, highlights the types of issues commonly received with respect to Centrelink's investigations and decision-making in the area of marriage-like relationships.

*Centrelink had repeatedly investigated Ms F's circumstances to determine whether she was a member of a couple. In her complaint to our office, Ms F alleged that Centrelink officers had deliberately falsified her record and threatened and intimidated her. The relationship between Ms F and the agency had deteriorated to the point where she viewed even the most helpful actions by Centrelink officers, such as suggesting that she claim a more beneficial payment, as ill-intentioned.*

*We investigated the complaint and explained the policy behind some of Centrelink's actions. We were able to ensure that Ms F's electronic record was corrected and that she received the full payment to which she was entitled. Centrelink provided several written apologies to Ms F. Other aspects of the complaint are still being investigated.*