

Senate Community Affairs Legislation Committee

ADDITIONAL BUDGET ESTIMATES - 16 FEBRUARY 2012 ANSWER TO QUESTION ON NOTICE

Human Services Portfolio

Topic: Member of a Couple

Question reference number: HSW17

Senator: Siewert

Type of question: Written

Date set by the committee for the return of answer: 29 March 2012

Number of pages: 4

Question:

For periods 1 July 2010 to 30 June 2011 and 1 July 2011 to 31 December 2011 in relation to "Members of a Couple" (MOC) determinations provide the following data:

1. How many reviews were undertaken?
2. How many investigations were undertaken by Centrelink's Serious Non-Compliance Team?
3. How many "tip-offs" were received in relation to MOC? What were the outcomes of these "tip-offs"? For example:
 - a. how many and what percentage warranted no action;
 - b. how many and what percentage led to an overpayment being raised, how many payments being cancelled;
 - c. how many and what percentage led to payment reductions;
 - d. how many and what percentage were deemed to be "vexatious"; and
 - e. how many and what percentage led to successful prosecutions by the CDPP.
4. How many overpayments were raised? What was the total value of these overpayments? Can you provide a breakdown of the range of debts raised?
5. For the nominated periods, how many 'member of a couple' decisions were appealed to:
 - a. the Original Decision Maker;
 - b. the Authorised Review Officer;
 - c. the Social Security Appeals Tribunal; and
 - d. the Administrative Appeals Tribunal.

Provide details of the review outcomes at each stage of the appeal process (with numbers and percentages).

Answer:

1. 1 July 2010 to 30 June 2011:
 - 1,102 MOCA compliance reviews; and
 - 37,195 MOCA assessments which form part of the new claim determination.1 July 2011 to 31 December 2011:
 - 662 MOCA compliance reviews; and
 - 16,287 MOCA assessments which form part of the new claim determination.
2. 1 July 2010 to 30 June 2011 - 901 MOC investigations.
1 July 2011 to 31 December 2011 - 246 MOC investigations.
3. 1 July 2010 to 30 June 2011 – 11,004 tip-offs relating to MOC.
1 July 2011 to 31 December 2011 - 11,707 tip-offs relating to MOC.
 - a. 1 July 2010 to 30 June 2011; 8,306 or 75.5 per cent.
1 July 2011 to 31 December 2011; 11,400 or 97.4 per cent.
 - b. 1 July 2010 to 30 June 2011, 1,346 or 12.2 per cent of these tip-offs have resulted in overpayments and 593 or 5.4 per cent have resulted in payment cancellations. \$5,527,218 has been raised as debts.
1 July 2011 to 31 December 2011, 217 or 1.9 per cent of these tip-offs have resulted in overpayments and 41 or 0.47 per cent have resulted in payment cancellations. \$1,251,872 has been raised as debts.
 - c. 1 July 2010 to 30 June 2011; 2,100 or 19.1 per cent.
1 July 2011 to 31 December 2011; 205 or 1.8 per cent.
 - d. The department does not keep records on the number of tip-offs considered to be vexatious.
 - e. 1 July 2010 to 30 June 2011 the department referred 11 MOC cases to the Commonwealth Director of Public Prosecutions.
1 July 2011 to 31 December 2011, the department referred 24 MOC cases to the Commonwealth Director of Public Prosecutions.
These figures include all MOC type cases referred, not just those originating from tip-offs. Data on the number of successful prosecutions for MOC cases arising from tip-offs during these periods is not readily available.
4. For the period 1 July 2010 to 30 June 2011:
 - 1,388 overpayments raised; and
 - \$5,715,382 debts raised.For the period 1 July 2011 to 31 December 2011:
 - 259 overpayments raised; and
 - \$1,796,288 debts raised.It is not possible to provide a breakdown of the range of debts raised.
5. The tables at Attachment A contain the Member of a Couple decisions that have been appealed.

ATTACHMENT A

Members of a Couple (MOC) Appeals 1 July 2010 to 30 June 2011

* % of total appeals includes all MOC and NON-MOC appeals

		MOC TOTAL	% of total appeals*
ODM	Appeals Received	3560	2.16
	Appeals Decided	3658	2.17
	Affirmed	2369	2.62
	Set Aside	843	1.67
	Varied	297	1.67
	Withdrawn/Dismissed	149	1.52
ARO	Appeals Received	3,221	5.13
	Appeals Decided	3,437	5.51
	Affirmed	1,909	4.97
	Set Aside	1,030	7.65
	Varied	343	5.15
	Withdrawn/Dismissed	155	3.98
SSAT	Appeals Received	837	7.73
	Appeals Decided	789	8.55
	Affirmed	343	6.53
	Set Aside	300	11.74
	Varied	13	4.69
	Withdrawn/Dismissed	133	11.59
AAT (Customer Appeal)	Appeals Received	174	8.98
	Appeals Decided	185	9.32
	Affirmed	37	10.51
	Set Aside	27	25.23
	Varied	1	4.35
	Settled/Decision by Consent,	63	10.50
	Withdrawn/Dismissed	57	8.91
AAT (Secretary Appeal)	Appeals Received	1	3.13
	Appeals Decided	1	2.44
	Affirmed	0	0.00
	Set Aside	1	6.25
	Varied	0	0.00
	Settled/Decision by Consent	0	0.00
	Withdrawn/Dismissed	0	0.00

Members of a Couple (MOC) Appeals 1 July 2011 to 31 December 2011

* % of total appeals includes all MOC and NON-MOC appeals

		MOC TOTAL	% of total appeals*
ODM	Appeals Received	1,376	2.01
	Appeals Decided	1,389	1.98
	Affirmed	846	2.19
	Set Aside	361	1.85
	Varied	124	1.72
	Withdrawn/Dismissed	58	1.21
ARO	Appeals Received	1,294	3.23
	Appeals Decided	1,304	3.42
	Affirmed	681	2.84
	Set Aside	442	5.58
	Varied	90	2.68
	Withdrawn/Dismissed	91	3.14
SSAT	Appeals Received	291	5.56
	Appeals Decided	323	6.98
	Affirmed	148	5.43
	Set Aside	97	8.06
	Varied	1	1.54
	Withdrawn/Dismissed	77	12.26
AAT (Customer Appeal)	Appeals Received	76	9.22
	Appeals Decided	57	6.67
	Affirmed	6	4.26
	Set Aside	12	21.82
	Varied	0	0.00
	Settled/Decision by Consent	25	7.37
	Withdrawn/Dismissed	14	4.46
AAT (Secretary Appeal)	Appeals Received	0	0.00
	Appeals Decided	1	4.00
	Affirmed	0	0.00
	Set Aside	1	25.00
	Varied	0	0.00
	Settled/Decision by Consent	0	0.00
	Withdrawn/Dismissed	0	0.00