

Senate Community Affairs Legislation Committee

SUPPLEMENTARY BUDGET ESTIMATES – 22 OCTOBER 2015 ANSWER TO QUESTION ON NOTICE

Department of Human Services

Topic: WA Enforcement Case

Question reference number: HS 159

Senator: Xenophon

Type of question: Written

Date set by the committee for the return of answer: 11 December 2015

Number of pages: 1

Question:

Referring to this matter discussed at hearing:

Senator XENOPHON: For obvious reasons we are careful. An assessment and a quick summary; the agency assessment was \$17,800, the father offered to pay, in writing, \$6,619. The judge heard the matter because the proceedings were issued by the agency. The registrar's assessment was that he pay about \$5,900. Are we on the same page? It relates to the June question on notice HS37. As I understand, the father had to incur his own costs. He had to go through a court process when he had offered an amount over the amount that was assessed by the registrar. Are there any cost consequences in respect to that? In civil courts if you make an offer and you get less than that offer there are cost consequences. Are there any consequences, as a matter of course, in child-support matters?

Ms Musolino: To be clear in this matter: the total debt amount was \$17,481.30, and that was made up of \$13,236.16 in child support arrears and \$4,245.14 in late payment penalties. The customers were in settlement discussions with the Department through its external lawyers.

Senator XENOPHON: Wasn't there a registrar's assessment of \$5,900 after the father made an offer in writing to pay \$6,619?

Ms Musolino: That is not the information I have. I could take it on notice, but the information I have is that that was the debt amount.

Can the Department confirm that the total debt the Registrar had on its records was \$17,481.30 and that the father, who disagreed with respect to the amount, made a written offer to the Department to pay \$6,619?

Answer:

The father referred to in this question had Legal Enforcement initiated on 22 April 2015. At that time, the debt was \$17,825.79 broken down as follows:

- \$15,815.36 Child Support.
- \$2,010.43 in Penalties.

In settlement discussions with the Australian Government Solicitors (AGS) on 19 May 2015 the father offered to pay \$6,619 in full and final settlement of their outstanding child support liability.