

## Senate Community Affairs Legislation Committee

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

#### Department of Human Services

**Topic:** Medicare Fraud

**Question reference number:** HS 183

**Senator:** Cameron

**Type of question:** Hansard pages 120-121

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

**Number of pages:** 2

#### **Question:**

Senator CAMERON: That is interesting. What is the geographic spread of the 369 cases?

Mr Withnell: I think we are getting into details there of a New South Wales police investigation, and that may—

Senator CAMERON: No, I am asking you to tell the Senate: what are the demographics, the spread, of these claims?

Mr Withnell: Which claims, Senator?

Senator CAMERON: The reported cases of fraud. The claims that there is identity theft.

Senator Payne: Senator Cameron, Mr Withnell is being appropriately cautious, if I may say so. The department, as I am advised, has been assisting the authorities with an investigation in this regard. The department is very careful to maintain appropriate levels of confidentiality and integrity around that information to ensure that an investigation is not compromised, and—

Senator CAMERON: I am asking for macro level information.

Senator Payne: I do not actually believe that asking for an indication of geographic spread is a macro level piece of information. If an investigation is being carried out by law enforcement authorities, pertinent to that will be a range of things which may include geographic location.

Senator CAMERON: Quite frankly, Minister, neither you nor Mr Withnell can use that as an argument not to provide evidence to this Senate estimates committee.

Senator Payne: It is not a question of being able or not to use it as an argument, Senator. It is the case that the department, as part of the government, will not be a party to compromising a police investigation.

Senator CAMERON: So you are claiming public interest immunity?

Senator Payne: I will take advice on that, Senator, but I am saying that it would be very constructive of you to participate in this conversation in a way that does not compromise a police investigation.

Senator CAMERON: Don't lecture me, Minister. Mr Withnell, are you claiming public interest immunity on this?

CHAIR: It is not up to Mr Withnell to claim public interest immunity, as you know.

Senator CAMERON: Yes, an officer can claim public interest immunity.

CHAIR: No, that is not how it operates. It will be done by a minister if it is to be claimed.

Senator Payne: And I said I will take advice.

Senator CAMERON: No, it can be done by the secretary as well.

CHAIR: And Minister Payne has indicated that she will take advice on that.

**Answer:**

Eighty per cent of the cases in New South Wales. The other cases are spread across the remaining States and Territories.