

Review of Government Compensation Payments

Terms of Reference

The administration and effectiveness of current mechanisms used by federal and state and territory governments to provide discretionary payments in special circumstances, or to provide financial relief from amounts owing to governments, namely:

- state statutory schemes relating to children in care;
- payments made under 'defective administration' schemes, such as the Commonwealth Scheme for Compensation for Detriment caused by Defective Administration;
- act of grace and ex gratia payments; and
- waiver of debt schemes.

The committee notes that several Senate committees have previously conducted inquiries in relation to Forgotten Australians, Stolen Generation Compensation and Indigenous Stolen Wages. In light of previous opportunities for detailed consideration of these issues, the primary focus of the current inquiry will be a legal, principles-based comparison between relevant payment schemes relating to children in care and other government schemes providing for discretionary payments.

INTRODUCTION

Please keep my submission anonymous. For sometime I have lived here. I have two Masters Degrees and one recently in Education.

I have dealt with Centrelink off and on for twenty years. Quite simply based on the state models, we need an Independent anti-Corruption Commission.

I have had little help lately from politicians, some from Ombudsman, a lot from Tribunals and advisors who act as witnesses. However, I told Centrelink Executive they are too authoritarian and tyrannous. I then encountered real difficulties and denial of service unfairly. They have cut off my Newstart benefits three times for periods of up to three months and this is presently the case.

COMMON GOOD is the goal

THE STATE EXISTS TO HELP EVERYONE-caps for emphasis. This is Catholic belief and many others perhaps. However, there is too much decentralised power at Centrelink and a review system that is too slow with no due process for compensation as many cannot afford the Federal Court. Centrelink seemingly can make decision after decision and tie one in never-ending circles. Then they can agree with no penalty to themselves. Basically, even having their recorded records, faxing them or posting to them registered does little to affect this massive bureaucracy. In fact, I likened them to an infamous historical regime as they require you to phone them to discuss possible penalties that are immediate if their investigation so shows. This is not justice and puts my other comments in context re moral needs and compo. No one should have their right to shelter and food cut off. No one should be tried in absentia or without charges in writing. Centrelink can impose fines of up to about \$2000 this way. Any removal of even a day's wages for the person concerned is serious.

I was a public servant too so I know economies of scale but I feel that Centrelink's functions are contradictory. They also are not proactive and seem to allow persons to not be paid their due perhaps to save the government funds.

ONE OF THEIR SERIOUS MISTAKES

I have asked for compensation for having my medical records grossly wrong for about 15 years. This has resulted in much harassment and poor service, I SUGGEST. The claim for compo has now been initially addressed according to the CEO.

How is this relevant? - Because I am like a reverse Cornelia Rau. I have been told I have a psychological problem and do not. Someone falsified the medical certificate and entered it wrongly. I have told them about this and other mistakes for the last five months with no acknowledgement. Likewise, re my comp request faxed last year – not acknowledged as never received seemingly by Centrelink.

SUGGESTION

My suggestion is that their authority and service functions are not really compatible. As a result, they are not efficient or compassionate enough. I am not aware of the penalties system for poor service in our federal public service. However, if someone makes such mistakes as cutting benefits off for any period and it is wrong- penalties should be imposed. Coincidental with this penalty, an exgratia or other relevant payment- however small - should be made on application on a standard form to the CEO's branch or to a state or federal head office. There needs to separation of powers of a person having to go back to someone who has given such gross injustice and disservice.