

Senate Community Affairs References Committee

Questions on notice
Public hearing, 10 April 2017
Education Development Centre, Adelaide

Legal Services Commission

Questions on Notice

Question 1

Hansard page reference: 18

Hansard extract:

Senator DUNIAM: Chair, given the fact that we have the ombudsman's report at this late stage, would it be out of order to ask witnesses, if we sent them a copy of the recommendations, to give us a response? It is unfair for me to sit here and ask these questions now. Would that be okay, Mr Boundy?

Mr Boundy: Certainly.

CHAIR: That would be great, actually, because we do not even know what questions to ask yet, because we have not had a chance to read it.

Senator DUNIAM: Based on Mr McNamara's evidence noting that the government have indicated that it accepts the recommendations in the ombudsman's report—there are eight of them, and they are set out very simply in the executive summary in the concluding paragraphs—would the commission be able to give us a view of that on notice? That would be great.

Ms Simpson: Yes.

CHAIR: That would be appreciated.

The Legal Services Commission is broadly supportive of the eight recommendations made by the Acting Commonwealth Ombudsman, Mr Richard Glenn in his report on Centrelink's automated debt raising and recovery system:

'A report about the Department of Human Services' online compliance intervention system for debt raising and recovery', April 2017.

Question 2

Hansard page reference: 20-21

Hansard extract:

CHAIR: To put that into the actual letter when it goes out—yes. You may not be able to answer this, but perhaps you might be able to take it on notice: one of the issues that we have been dealing with is the errors that Centrelink makes. We touched on that slightly in my questions earlier. Centrelink have acknowledged that they do not actually keep a record of the number of errors that they have made, so we do not know what percentage of the debt notices are because of errors made by Centrelink—whether it is a failure to record information. In your work, do you have any indication of how many debts may be related to Centrelink errors?

Ms Simpson: It is difficult to say. Again, in the small sample of four I referred to earlier, all—bar one, which is before the AAT, so three—had errors in the calculations. With respect to the other Centrelink work that we do, we do come across instances where the debt was raised as a result of error by Centrelink. In terms of proportion, it is difficult to say, because this new program is only just filtering through to us. It is difficult to give a general statement, bar those three.

CHAIR: In terms of the matters that the specialist advisor is dealing with at the moment, of which you have said there has been a significant increase, would it be possible to ask her, firstly, if she can provide—

Ms Simpson: Her sense of it.

CHAIR: her sense of it, or if she has in fact got any data on it?

Ms Simpson: Certainly.

CHAIR: That would be appreciated.

Further examination of the case matters has revealed only that they were debt disputes with Centrelink. It has not been possible to establish the origins of those disputes with sufficient certainty to establish a basis for suggesting that there has been a recent significant rise in the rate of disputation based solely upon the introduced system of automated data matching.