

Senate Standing Committee on Community Affairs

INQUIRY INTO CENTRELINK'S COMPLIANCE PROGRAM

ANSWER TO QUESTION ON NOTICE

Services Australia

Topic: AAT Decisions

Question reference number: IQ20-000194

Member: Deborah O'Neill

Type of question: Written

Date set by the committee for the return of answer: 9 October 2020

Number of pages: 2

Question:

With reference to the Administrative Appeals Tribunal, and noting that Centrelink / Services Australia was a party to each of the relevant proceedings, please provide a copy of each of the following decisions by the Administrative Appeals Tribunal (with any necessary redactions in relation to personal information):

1. the decision by Member Dr King of 17 February 2017 in proceeding 2016/M102583
2. the decision by Member P White of 21 February 2017 in proceeding 2017/B105503
3. the decision by Member Webb of 8 March 2017 in proceeding 2016/A103546
4. the decision by Member Horsburgh of 15 March 2017 in proceeding 2016/S103893
5. the decision by Member Pickard of 30 March 2017 in proceeding 2016/B103477
6. the decision by Member J Strathearn of 4 April 2017 in proceeding 2017/A109142
7. the decision by Member M Baulch of 4 April 2017 in proceeding 2017/H107549
8. the decision by Member Carney of 6 April 2017 in proceeding 2017/P105366
9. the decision by Member Jensen of 11 April 2017 in proceeding 2016/B104819
10. the decision by Member N Campbell of 11 April 2017 in proceeding 2017/M108103
11. the decision by Member M Martellotta of 19 April 2017 in proceeding 2017/P105452
12. the decision by Member J Leonard of 20 April 2017 in proceeding 2017/S106288
13. the decision by Member J Leonard of 24 April 2017 in proceeding 2017/S105317
14. the decision by Member Millar of 25 April 2017 in proceeding 2017/A105466
15. the decision by Member H Schuster of 27 April 2017 in proceeding 2017/S107168
16. the decision by Member F Hewson of 4 May 2017 in proceeding 2017/M105766
17. the decision by Member P White of 8 May 2017 in proceeding 2017/B105731
18. the decision by Member E Cornwell of 8 May 2017 in proceeding 2017/S107116
19. the decision by Member M Horsburgh of 18 May 2017 in proceeding 2017/S105621
20. the decision by Member S Letch of 22 May 2017 in proceeding 2017/S105981
21. the decision by Member E Cornwell of 23 May 2017 in proceeding 2017/S105887
22. the decision by Member Smith of 26 May 2017 in proceeding 2016/M194661
23. the decision by Member Benk of 26 May 2017 in proceeding 2016/S105081
24. the decision by Member S Letch of 29 May 2017 in proceeding 2017/B106946
25. the decision by Member P White of 5 June 2017 in proceeding 2017/B109918
26. the decision by Member J Longo of 6 June 2017 in proceeding 2017/H106797
27. the decision by Member E Cornwell of 7 June 2017 in proceeding 2017/A107570
28. the decision by Member N Foster of 7 June 2017 in proceeding 2017/S107916

29. the decision by Member R Bradley of 12 June 2017 in proceeding 2017/B106630
30. the decision by Member Webb of 15 June 2017 in proceeding 2017/A107427
31. the decision by Member J Longo of 15 June 2017 in proceeding 2017/M107369
32. the decision by Member Harvey of 28 June 2017 in proceeding 2017/A106746
33. the decision by Member A Grant of 28 June 2017 in proceeding 2017/M107477
34. the decision by Member W Budiselik of 10 July 2017 in proceeding 2017/P107899
35. the decision by Member Halstead of 12 July 2017 in proceeding 2017/S109944
36. the decision by Member J Bakas of 18 July 2017 in proceeding 2017/A107867
37. the decision by Member A Smith of 18 July 2017 in proceeding 2017/M109929
38. the decision by Member T Hamilton-Noy of 21 July 2017 in proceeding M107426
39. the decision by Member Treble of 21 July 2017 in proceeding 2017/M108123
40. the decision by Member Horsburgh of 26 July 2017 in proceeding 2017/S108616
41. the decision by Member N Foster of 27 July 2017 in proceeding 2017/B108461
42. the decision by Member N Campbell of 7 August 2017 in proceeding 2017/H108271
43. the decision by Member P Jensen of 8 August 2017 in proceeding 2017/B108136
44. the decision by Member Leonard of 10 August 2017 in proceeding 2017/S110085
45. the decision by Member J Forgan of 11 August 2017 in proceeding 2017/A110355
46. the decision by Member Halstead of 16 August 2017 in proceeding 2017/S109162
47. the decision by Member A Schiwy of 17 August 2017 in proceeding 2017/M110831
48. the decision by Member S Letch of 21 August 2017 in proceeding 2017/B112924
49. the decision by Member H Schuster of 21 August 2017 in proceeding 2017/M109470
50. the decision by Member Smith of 22 August 2017 in proceeding 2017/S111844
51. the decision by Member J Nalpantidis of 22 August 2017 in proceeding 2017/M110256
52. the decision by Member Horsburgh AM of 30 August 2017 in proceeding 2017/S111003
53. the decision by Member N Campbell of 1 September 2017 in proceeding 2017/M111025
54. the decision by Member Campbell of 19 September 2017 in proceeding 2017/M109711
55. the decision by Member N Foster of 11 October 2017 in proceeding 2017/H113566
56. the decision by Member M Baulch of 16 October 2017 in proceeding 2017/H113531
57. the decision by Member F Hewson of 16 November 2017 in proceeding 2017/M115323
58. the decision by Member Dordevic of 28 November 2017 in proceeding 2017/S115070
59. the decision by Member Horsburgh of 5 December 2017 in proceeding 2017/S114722
60. the decision by Member T Hamilton-Noy of 28 November 2017 in proceeding 2017/M112748
61. the decision by Member Halstead of 14 February 2018 in proceeding 2017/S116516
62. the decision by Member S Cullimore of 2 March 2018 in proceeding 2017/A117356
63. the decision by Member Kannis of 2 March 2018 in proceeding 2018/P118203
64. the decision by Member Nalpantidis of 9 March 2018 in proceeding 2018/M118320
65. the decision by Member Aumndsnen of 22 March 2018 in proceeding 2018B118942

Answer:

To provide a copy of each of the 65 decisions by the Administrative Appeals Tribunal would require each decision to be manually reviewed to identify and then make relevant redactions, along with subsequent quality checking that the correct redactions have been made. This would require an unreasonable diversion of agency resources.

Senate Standing Committee on Community Affairs

INQUIRY INTO CENTRELINK'S COMPLIANCE PROGRAM

ANSWER TO QUESTION ON NOTICE

Services Australia

Topic: AAT Compliance Decisions

Question reference number: IQ20-000195

Member: Deborah O'Neill

Type of question: Written

Date set by the committee for the return of answer: 9 October 2020

Number of pages: 1

Question:

Note: The questions below relate only to debts that were purportedly raised under the PAYG Manual Compliance Intervention program, the Online Compliance Intervention program, the Employment Income Confirmation program or the Check and Update Past Income program.

- a) Between 1 January 2017 and 31 December 2017, how many times did the Administrative Appeals Tribunal find that Centrelink / Services Australia could not raise a debt on the basis of extrapolations of fortnightly earnings from ATO annual income figures?
- b) In respect of each of those decisions, please provide the proceeding number.
- c) Between 1 January 2018 and 31 December 2018, how many times did the Administrative Appeals Tribunal find that Centrelink / Services Australia could not raise a debt on the basis of extrapolations of fortnightly earnings from ATO annual income figures?
- d) In respect of each of those decisions, please provide the proceeding number.
- e) Between 1 January 2019 and 31 December 2019, how many times did the Administrative Appeals Tribunal find that Centrelink / Services Australia could not raise a debt on the basis of extrapolations of fortnightly earnings from ATO annual income figures?
- f) In respect of each of those decisions, please provide the proceeding number.

Answer:

Services Australia estimates that there were approximately 50,000 decisions made by the Social Services and Child Support Division of the Administrative Appeals Tribunal between 1 January 2017 and 31 December 2019 which name the Chief Executive Centrelink or the Child Support Registrar as a party.

Each of those decisions would need to be manually retrieved from multiple databases, and then opened and searched in order to determine the number of times the Administrative Appeals Tribunal found that a debt could not be raised on the basis of extrapolations of fortnightly earnings from ATO income figures, as compared to other decisions that did not reference the raising of debts on the basis of extrapolations of fortnightly earnings from ATO income figures, and those that noted that fortnightly earnings from ATO income figures could be used in raising a debt.

This would require an unreasonable diversion of agency resources.