

**Inquiry into Centrelink's compliance program: TasCOSS's Response to specific questions on notice**

Question 1. Hansard page 3

**Senator HUGHES:** *So they haven't made improvements? Maybe you could take it on notice for me—where the people that are talking to you—*

**Ms Goodes:** *I can provide you with some lived experience examples.*

**Senator HUGHES:** *I would also like to know the years when they were receiving letters and when the contacts were. The new system—I don't have the date on hand at the moment. Chair, you and I have been doing a few of these.*

**Response:** Please refer to TasCOSS's submission at page 4. TasCOSS has heard from dozens of Tasmanians who received debt notices who experienced profound distress and hardship as a result of the Centrelink compliance system.

See, for example, our written submission:

I spent an entire nine months on Newstart alone last year (2018) and ended up having to take some money out of my superannuation to live off. A fortnight after Centrelink had approved that, they hit me with a \$4,800 Robodebt from 2011 which thankfully after six solid months of arguing and tribunals was waived. That was a very nasty and unnecessary stress and waste of time. (Northern Tasmania)

I am treated like I have been defrauding the Commonwealth and that I have to prove otherwise. In 2016 I was issued a robodebt for 2012/2013. I did 2 appeals. One resulted in it going down, the other in it going up. I tried to do the maths but didn't have the information to do so. No one could explain to me how they got that figure. I asked but no one could tell me. I don't know... In the end I give up. I started on \$80 per fortnight repayments but talked them down to \$15 per fortnight. The worst thing is that they took out the remaining from my tax refund this year [2019]. I was expecting/planning on a refund at the end of the year but this year they took it all \$1100 for the debt. I had no idea. (Northern Tasmania)

From what tasCOSS has heard through our consultations, the Government's intended improvements have not had a positive effect on how Centrelink recipients experience the compliance system. The quotes above demonstrates the continued hardship people are subjected to by confusing debt notices and the power of Centrelink to garnish tax returns without explanation.

## Question 2. Hansard page 7

**Senator URQUHART:** *We've heard this morning particularly about the level of the housing crisis in Tasmania. Has your organisation been in contact with anyone who's received a robo-debt notice who is homeless or about to become homeless?*

**Ms Goodes:** *We haven't personally, but our member organisations have given us many examples of that. Housing Connect providers often also deliver emergency relief, and they will have people presenting with a whole range of challenges, including, 'I've got all these letters,' and they note them down.*

**Senator URQUHART:** *That's part of that.*

**Ms Goodes:** *It is part of that.*

**Senator URQUHART:** *Are you able to provide on notice a bit more detail around that?*

**Response:** TasCOSS is a member-based organisation that does not work in front line service delivery. As a consequence, we cannot provide this information directly. The best organisations to provide this evidence would be Housing Connect providers (Housing Tasmania, Centacare Evolve Housing, Community Housing Limited, Housing Choices Tasmania, Mission Australia Housing) as well as organisations providing financial counselling such as Anglicare.

## Question 3. Hansard page 8

**CHAIR:** *One more question before I hand back over. This is a supplementary one to that one: if you have any further information in terms of garnishing, could provide that?*

**Ms Goodes:** *Definitely. I'm happy for us to email out to our members around a couple of the questions that have come up to say, if you've got some documents or people or evidence, we will try and capture that.*

**Response:** It has not been possible to obtain additional member input in this regard. TasCOSS notes that many other organisations, such as Victoria Legal Aid, have provided advice and representation to many recipients of Centrelink who have had raised debts against them garnished. The Committee may be assisted by their report, found at <https://www.legalaid.vic.gov.au/about-us/strategic-advocacy-and-law-reform/challenging-centrelinks-robo-debt-system/robo-debt-client-stories#david>. These stories and others are included in the National Legal Aid Submission.<sup>1</sup>

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<sup>1</sup> Rethink Robo-debt: Building a fair and accurate system people can trust. Submission to the Senate Community Affairs References Committee Inquiry into Centrelink's Compliance Program, 27 September 2019

## Question 4, Hansard page 9

**Senator POLLEY:** *Thank you, as always, for your evidence. I know this may be an issue, more so in other states, but I'm wondering if you have any statistics or data on the amount of people where English is their second language and the impact that's having on those communities when they receive such a letter—so, (a) English is not their first language, and (b) their level of language skills doesn't enable them to understand and causes anxiety and stress. I've had a case put to me where even the son, who was born here and educated here, found it very difficult to be able to comprehend the letter and what there was to do.*

**Ms Goodes:** *Absolutely; there are both language and cultural barriers for people when English isn't their first language. I could access the figures for you on how many people in Tasmania who fit that criteria are on a payment. Equally, I could probably ask the Migrant Resource Centre Tasmania. They have a range of staff working there who have a range of different language skills. Again, they are absolutely acting, I guess, as a critical friend in supporting people who present to their service with any letter really from a government agency that they're very unsure of—and culturally that can be very frightening for them as well.*

**Senator POLLEY:** *Thank you for that. Any additional information would be greatly appreciated.*

**Response:** According to the 2016 Census, 11.7% of Tasmanians and 6.5% of Tasmanian households speak a language other than English at home; in total, 4,338 Tasmanians spoke English not well or not at all, of whom 2310 appear to have arrived in Australia between 2006 and August 2016.<sup>2</sup> Other languages spoken at home include Mandarin, Nepali, German, Greek and Italian.<sup>3</sup> Of Tasmanians speaking English not well or not at all, 44% -- 1,907 people -- had personal annual incomes of less than \$20,800.<sup>4</sup>

Front line service delivery organisations are best placed to provide additional stories. For example, Yvette Cehtel, Chief Executive Officer of Women's Legal Service Tasmania – which is a TasCOSS member -- gave evidence immediately following TasCOSS. See Hansard, pages 10-11:<sup>5</sup>

Sally has been working part time or casually for years. She received Newstart but updates Centrelink regularly about her income to make sure she's paid the correct amount. About 10 years ago, she received a notice from Centrelink stating that she had been overpaid by \$12,000 over a period of two years. According to the notice, she had been paid almost double her entitlement. She was a relatively recent immigrant to Australia, and English was her second language. The prospect of receiving advice and pursuing options to dispute the debt was too overwhelming, and she simply agreed to enter into a repayment plan with Centrelink, reducing her already limited income. That goes to the question you asked, Senator Polley, about the experience of people from different backgrounds. Recently, though, she received another notice from Centrelink saying that she had again been overpaid an amount of \$14,000. The notice simply outlined the years and the amount. With her improved English, Sally this time contacted Centrelink to question the source of the debt. She insisted that she

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<sup>2</sup> ABS Census 2016.

<sup>3</sup> ABS Census 2016.

<sup>4</sup> ABS Census 2016.

<sup>5</sup> Friday, 8 November 2019 Senate Page 11 COMMUNITY AFFAIRS REFERENCES COMMITTEE

had not in fact received the overpayment from Centrelink and that she had diligently updated Centrelink as to her income to ensure no such overpayment was made. Centrelink staff told Sally she would need to provide bank statements for the 2010 to 2012 period. However, Sally's bank told her that they don't hold statements for longer than seven years.

In the meantime, Sally has been receiving calls from Centrelink after hours and on the weekends to demand payment of the debt. Sally sought legal advice and was informed of her right to request a review and ultimately go to the AAT. She feels angry that she is required to provide bank statements she can't access to prove the debt does not exist, while Centrelink has provided nothing further than a computer generated statement with the years and the amount, demanding payment. So there's that case.