



## Social Security Appeals Tribunal

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24 June 2013

Senator Claire Moore  
Chair  
Senate Community Affairs Legislation Committee  
Parliament House  
CANBERRA ACT 2600

Dear Senator,

### **Clarification and amplification of evidence to Estimates Hearing 3 June 2013**

I am writing in relation to several aspects of my evidence to the Committee during its examination of the Department of Families, Housing, Community Services and Indigenous Affairs portfolio in relation to cross portfolio issues.

#### *Workload trend*

In answering a question from Senator Cash about whether there was an increasing or decreasing trend in the workload of the Social Security Appeals Tribunal, I mistakenly said that the Tribunal's child support jurisdiction commenced in the 2008 calendar year. That jurisdiction commenced on 1 January 2007.

The workload data for the Tribunal for the previous three financial years is in Tables 4 to 6 on pages 11 and 12 of the SSAT's Annual Report 2011-2012. The workload data for 2008-2009 is included in Tables 2 to 4 on pages 8 and 9 of the SSAT's Annual Report 2010-2011.

#### *Statistics in relation to appeals from the SSAT*

In response to a question from Senator Cash about appeals from the SSAT to other tribunals, I referred to page 18 of the SSAT's Annual Report 2011-2012, which shows the fall in applications to the Administrative Appeals Tribunal (**AAT**) for review of decisions of the SSAT for the three financial years from 2009-2010 to 2011-2012.

The number of applications for review by the SSAT of Centrelink decisions fell 12% in 2010-2011 but the number for applications for review by the AAT of the SSAT's decisions fell by 21% (page 14 of the SSAT's Annual Report for 2010-2011).

The number of applications for review by the SSAT of Centrelink decisions rose 1.4% in 2011-2012 but the number for applications for review by the AAT of the SSAT's decisions fell by 13% (pages 11 and 19 of the SSAT's Annual Report for 2011-2012).

#### *Qualifications of members*

Senator Cash asked whether all members of the Tribunal are legally qualified. My response did not point out that the Tribunal is much assisted by also having members who are medical practitioners when dealing with medical questions (such as in reviews involving qualification for disability support pension); members who are qualified accountants when dealing with complicated financial arrangements (such as in some child support reviews and some social security reviews turning on income and assets); and members with qualifications in the social sciences in conducting hearings with some very disadvantaged applicants.

#### *Reappointment process*

Senator Cash asked if a reappointment was a Ministerial appointment. Some words appear to be missing from my response in *Hansard*. However, all appointments of members of the SSAT, which include reappointments, are made by the Governor-General as required by clause 3(1) of Schedule 3 to the *Social security (Administration) Act 1999*. A recommendation for appointment, including a recommendation for a reappointment, is made to the Minister after the processes described in my responses to the Senator.

Yours sincerely



Jane Macdonnell  
Principal Member