

Senate Community Affairs Legislation Committee

BUDGET ESTIMATES – 3 JUNE 2015 ANSWER TO QUESTION ON NOTICE

Department of Human Services

Topic: Administrative Appeals Tribunal – Merit Review Outcomes

Question reference number: HS 41

Senator: Siewert

Type of question: Written

Date set by the committee for the return of answer: 24 July 2015

Number of pages: 3

Question:

- a) How many appeals have been lodged by:
 - i) clients; and
 - ii) the Secretary;for 2010-11, 2011-12, 2012-13 and 2013-14?
- b) Provide the outcome of these appeals.
- c) What is the cost of:
 - i) client appeals; and
 - ii) Secretary appeals;in 2013-14?
- d) For each month from 1 July 2014 to 30 June 2015, how many appeals have been lodged by:
 - i) clients; and
 - ii) the Secretary?
- e) What is the cost of:
 - i) client appeals; and
 - ii) Secretary appeals;over the period 2014-15 (to date)?

Answer:

a)

	2010–11	2011–12	2012–13	2013–14
AAT - Customer/Client applications	1,975	1,633	1,919	1,924
AAT - Secretary applications	33	32	48	45

- b) For customer/client applications to the AAT, a decision outcome is ‘unchanged’ when the AAT has affirmed the decision of the department. For customer/client applications to the AAT, a decision outcome is ‘changed’ when the AAT has overturned or varied an earlier decision made by the department.

For Secretary applications to the AAT, a decision outcome is ‘changed’ when the AAT has changed the SSAT’s decision and agreed with the decision of the department. For Secretary applications to the AAT, a decision outcome is ‘unchanged’ when the AAT has affirmed the SSAT’s decision that overturned or varied an earlier decision made by the department.

	Unchanged Decisions				Changed Decisions			
	2010–11	2011– 12	2012– 13	2013–14	2010–11	2011–12	2012–13	2013–14
AAT— Customer/ Client applications	68.5% (1,456)	70.2% (1,131)	92.5% (1,651)	75.2% (1,416)	31.5% (668)	29.8% (479)	7.5% (134)	24.8% (468)
AAT— Secretary applications	42.9% (18)	74.4% (32)	57.1% (28)	73.3% (22)	57.1% (24)	25.6% (11)	42.9% (21)	26.7% (8)

- c) The total legal costs incurred for external legal providers to undertake AAT work for the 2013-14 financial year were \$2,453,185.64 (GST inclusive). This amount includes the costs of Secretary applications and the costs of customer applications. To apportion this amount between Secretary applications and customer applications would require an examination of individual invoices over the period requested. This process would be an unreasonable diversion of the department’s resources.
- d) Merit Review Applications to the Administrative Appeals Tribunal for July 2014 – 31 May 2015

Month/Year	Customer/Client AAT Applications	Secretary AAT Applications
July 2014	166	9
August 2014	137	4
September 2014	163	6
October 2014	197	2
November 2014	162	2
December 2014	169	5
January 2015	184	6
February 2015	126	6
March 2015	207	4
April 2015	161	12
May 2015	191	7

- e) The legal costs incurred for external legal providers to undertake AAT work for the 2014-15 financial year to date are \$3,166,978.14 (GST inclusive). This amount includes the costs of Secretary applications and the costs of customer applications. To apportion this amount between Secretary applications and customer applications would require an examination of individual invoices over the period requested. This process would be an unreasonable diversion of the department's resources.