

**Senate Committee: Education and Employment**

**QUESTION ON NOTICE  
Budget Estimates 2015 - 2016**

**Outcome: Agency: ASQA**

**Department of Education and Training Question No. SQ15-000300**

Senator Carr, Kim asked on 15 June 2015, Proof Hansard page 49

***ASQA: number of prosecutions or briefs taken to DPP***

**Question**

Senator KIM CARR: .... How many prosecutions or briefs have you taken to the DPP?  
Mr Robinson: I am not exactly sure, but I will give you that on notice.

**Answer**

The Australian Skills Quality Authority (ASQA) has provided the following response.

- ASQA has submitted one brief of evidence to the Commonwealth Director of Public Prosecutions (in 2014) which resulted in an individual being charged and convicted of five offences of fraud (relating to certificates/qualifications) pursuant to section 137(2).1 of the Commonwealth *Criminal Code 1995*. The individual was fined \$2,000.00 and received a bond. Secondary charges under the *National Vocational Education and Training Regulators Act 2011* were not proceeded with by the CDPP.
- ASQA has also provided three briefs of evidence to the Australian Government Solicitor to consider placing the matters before the Federal Court. The allegations involve issuing qualifications without adequate training and assessment, issuing statements of attainment whilst not a registered training organisation and providing all or part of a VET course without registration.
- In 2015, the Australian Government has given ASQA the power to issue infringement notices, in addition to its powers to suspend or revoke approvals, and to undertake court proceedings.