

**SENATE EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION
LEGISLATION COMMITTEE**

**2003-2004 ADDITIONAL ESTIMATES HEARING
19 FEBRUARY 2004**

EMPLOYMENT AND WORKPLACE RELATIONS PORTFOLIO

QUESTIONS ON NOTICE

Outcome: Agencies

Question Number: W325-04

Question:

Senator Harradine asked in writing:

Of the total number of claims made to Comcare for which Comcare makes a determination to not accept or not to continue to accept liability, how many of these are appealed and how many of these appeals are successful - please provide a breakdown for the last five years of claims rejected and successfully appealed?

Answer:

Table A shows the volume of new claim rejected and outcomes post appeal, Table B relates to discontinued or “ceased” claims. The claims data below where a decision is made in favour of a claimant at the Administrative Appeals Tribunal level represents and includes decisions arising from matters “set aside” by the AAT at hearing and favourable outcomes settled through either conciliation conferences or matters settled prior to a formal hearing occurring.

Table A

Year Claim Received	Claims Rejected	Appealed	Claims where decision reconsidered and varied in favour of claimant at first level of appeal	Claims where decision made in favour of claimant at second level of appeal (AAT)
1998/1999	936	436	111	99
1999/2000	838	373	98	119
2000/2001	820	371	90	114
2001/2002	949	447	127	95
2002/2003	717	348	106	18
2003/2004	260	53	20	0
Totals	4,520	2,028	552	445

Data as at end January 2004

Table B

Year Claim Received	Claims which were originally accepted and then ongoing access to benefits ceased post review via a formal determination	Appealed	Claims where decision reconsidered and varied in favour of claimant at first level of appeal	Claims where decision made in favour of claimant at second level of appeal (AAT)
1998/1999	641	104	36	26
1999/2000	597	95	28	27
2000/2001	396	90	25	16
2001/2002	413	86	30	4
2002/2003	173	33	12	0
2003/2004	21	1	0	0
Totals	2,241	409	131	73

Data as at end January 2004