



NATIONAL
WELFARE RIGHTS
NETWORK

National Welfare Rights Network Inc

Annual Report

July 2013 to June 2014

Prepared for the 2014 Annual General Meeting

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About National Welfare Rights Network

National Welfare Rights Network (NWRN) Committee

The office bearers elected for the 2013/14 year were:

President	Maree O'Halloran, Director, Welfare Rights Centre Ltd (Sydney)
Vice President	Kate Beaumont, Executive Officer, Welfare Rights & Advocacy Service (Perth)
Secretary	Ian Turton, Solicitor, Illawarra Legal Centre (Wollongong)
Treasurer	Peter Horbury, Coordinator of Advice and Information Service, Social Security Rights Victoria (Melbourne)
Committee Member	Mark Leahy, Manager, Welfare Rights Centre (Adelaide)
Committee Member	Danny Shaw, Senior Caseworker, Welfare Rights Centre (Sydney)
Committee Member	Georgina Warrington, Director, Welfare Rights Centre Inc. (Brisbane)

Secretariat

Amie Meers	Executive Officer
Gerard Thomas	Policy and Media Officer
Alice Jones Rabbitt	Administrative Officer

National Liaison Officer

Prior to the establishment of the Secretariat, the NWRN engaged a National Liaison Officer hosted by a member centre.

Ian Turton from the Illawarra Centre undertook the role of National Liaison Officer until December 2013. We thank Ian for his great contribution.

President's Report

The National Welfare Rights Network (NWRN) is the peak body for community legal centres across Australia who offer welfare rights services. Welfare Rights solicitors and caseworkers provide legal advice, casework and representation, within their Centre casework guidelines, for people who need assistance with social security, family assistance law or Centrelink administration. Many of our member centres also provide advice for clients experiencing difficulties with their employment service providers.

We also offer Associate Membership for legal services who have an interest in our area of expertise or who practice in the area. We are currently fortunate to have regular engagement with the Central Australian Aboriginal Legal Aid Service (CAALAS) and The North Australian Aboriginal Justice Agency (NAAJA) as Associate Members.

NWRN member centres undertook significant amounts of advice and casework in 2013-14. For more details please see the reports of each centre. Many thousands of individuals and families experiencing poverty and disadvantage were assisted by dedicated staff and volunteers. In July 2014 we met with the Principal Registrar of the Social Security Appeals Tribunal (SSAT), who recognised the valuable contribution of Welfare Rights solicitors, caseworkers and advocates who appear at the SSAT.

Welfare Rights services have, for example, helped numerous people have their Centrelink debts waived or be found not to exist. This year the previously reported upswing in the number of people seeking assistance with respect to claiming the Disability Support Pension, or seeking review of Centrelink decisions to reject their claims, has continued. The services have also worked with people facing lengthy compensation preclusion periods and no means of support as well as with people who are unemployed.

This year has also marked a change in the Department of Human Services' approach to Freedom of Information requests. The result appears to be a heavily legalistic and cumbersome bureaucratic approach which has impeded the release of information critical for our Member Centres to comprehensively advise clients about their legal rights and prospects of success. The NWRN, along with its members, have questioned this approach on behalf of our client base and will continue to seek a proper release of information.

Our services across Australia provide public value as well as important assistance to individuals and families. I commend the tremendous work of the member centres, the details of which can be found in the body of this annual report.

NWRN advocates for law and public policy reform at a national level, makes media comment in accord with the principles and policies of the organisation and seeks additional funding for service provision. The NWRN bases its advocacy and submissions on the experience of the caseworkers and clients of its member centres across Australia. It is this direct experience with a large client base which provides NWRN with the depth of understanding and technical expertise with respect to Australia's social security system.

As can be seen from the Policy and Engagement section of this report, the NWRN has been very active across the gamut of social security and family assistance issues. A list of the numerous submissions to government and parliamentary inquiries is detailed in the policy section of this report. The number and high quality of the NWRN's submissions are recognised by the Senate Committees we appear before, other community organisations and government agencies generally.

NWRN's campaign priority continues to be a significant increase in the payment rates of Newstart and other Allowances as well as an increase and better indexation for Rent Assistance. Unfortunately, in the face of the 2014 Federal Budget which seeks to undermine Australia's social security system in fundamental ways, the NWRN has had to maintain a defence of the beneficial aspects of the social security system and a rights-based approach to the delivery of the system. By way of example, the Federal Budget proposes to restrict people under the age of 30 from obtaining access to unemployment benefits. The proposal is, with certain exemptions and reductions, a six month waiting period every 12 months. In the meantime full employment policies at the macro-level and government Job Guarantees are not being considered as policy responses to unemployment, particularly youth unemployment. I believe that high levels of youth unemployment is one of the most critical issues facing our nation, but punishing people for the lack of jobs and reducing social security benefits which will force people further into poverty is not the solution.

In addition to the Federal Budget, the NWRN has responded to the Federal Government's Commission of Audit Report and the McClure Welfare Review. The Government has also released the Forrest Review into Indigenous Welfare. Taken together, the NWRN is greatly concerned that the result of the reviews may be a weaker social security system with more penalties and less support. Compulsory income management has been mooted in the Forrest Report for all social security recipients except for people receiving the Age Pension. The Prime Minister, Tony Abbott, has rejected this proposal at the current time but appears to have left it open for the future.

Arising from the McClure Review, it is possible that access in the future to the Disability Support Pension would be restricted to people with the capacity to, for example, work eight hours or less per week. (It could also be some other measure of work capacity as the McClure Review is still taking submissions at the time of writing). The NWRN will be monitoring and responding to this issue carefully and on the basis of our members' casework experience. Unfortunately, the rate of the Newstart Allowance is now so low in comparison to the pension rate, that governments in cost-cutting mode look to save money by forcing working age people from the pension to the manifestly inadequate rate of the Newstart Allowance.

The NWRN has a high level of engagement with government and relevant government agencies and departments as we seek to influence policy-makers on behalf of our client base. We maintained our regular biannual delegation to Canberra to meet with the Department of Human Services and we now also meet biannually with the Department of Social Services which is very welcome.

This year also saw the grant of Secretariat funding to the NWRN for the first time. I would like to pay testament to Gerard Thomas for his work garnering third party support for our secretariat funding submission and to Gerard and Danny Shaw for their work writing the submission. It is also important to acknowledge the foresight of people in the NWRN over the years who laid the groundwork for the secretariat by their credible advocacy and the incorporating of our organisation that we were able to establish a secretariat.

The Secretariat has been bedded down in this past year and is now flourishing. The appointments of Amie Meers as Executive Officer, Gerard Thomas as Policy and Media Officer and Alice Jones Rabbitt as Administrative Officer have been excellent and the team is working well. The Secretariat has already achieved PBI charity status and DGR (deductible gift recipient status) and the NWRN is now in a position to directly employ its own staff. In addition, two pieces of research have already been commissioned; one about proposed Budget changes to the Disability Support Pension and one about the engagement of our member centres with their client base and the public value that they add. Congratulations to everyone in the Secretariat team.

I am looking forward to the great Conference we will have in Alice Springs this year and would also like to commend all the people who worked on the fabulous Brisbane Conference in July 2013. The Conferences are a highlight of our year and in Alice Springs this year we are fortunate to have speakers from the Administrative Appeals Tribunal as well as the Department of Human Services.

I would like to thank Kate Beaumont, Vice President, and all the members of the Committee for their commitment. The current Committee Members are Kate Beaumont, Peter Horbury, Ian Turton, Mark Leahy, Danny Shaw and Georgina Warrington.

I will be standing down as President this year after four years in the role and I would like to thank the members for the opportunity I had to engage at this peak body level. I know that with a strong Committee and Secretariat and member engagement the NWRN will go from strength to strength.

Thank you
Maree O'Halloran AM
President

Due to the timing of the 2014 NWRN conference and Annual General Meeting, the Financial Report is unavailable. This is because there has been insufficient time since the end of the financial year to complete the independent audit. The financial report is currently with the auditor. It will be dealt with in a separate special general meeting once the audit is complete.

Key achievements in 2013-14

Policy Meetings and Stakeholder and Community Engagement

In the 2013-14 financial year, NWRN participated in extensive levels of community and stakeholder engagement on policy and service delivery as highlighted by the many meetings attended. The topics we have engaged on are varied, and include housing, homelessness, employment income support. The list included meetings with Government departments, working groups, reference groups and advisory bodies, as well as meetings with community agencies.

July 2013

- 1 July 2013, ACOSS Launch of Community Organisations' Survey results, Sydney.
- 4 July 2013, ACOSS Election Webinar, Sydney.
- 3 July 2013, Settlement Services International Opening of new premises, Sydney.
- 11 July 2013, ACOSS Social Security and 2013 Election Webinar, Presentation on income management, Sydney.
- 12 July 2013, Better Solutions Fund – Minister for Human Services, Minister McLucas, Bankstown.
- 12 July 2013, Speaker at Sydney Alliance Event, Sydney.
- 18 July 2013, Feedback to Department of Human Services on their Annual Report.
- 18 July 2013, Speaker at IPAA (public servants) conference, Sydney.
- 19 July 2013, Speaker at Advocacy in the third sector, Blacktown.
- 21-23 July 2013, National Welfare Rights Network National Conference, Brisbane.
- 29 July 2013, Launch of ACOSS Reconciliation Plan, National Centre of Indigenous Excellence, Redfern, Sydney.
- 30 July 2013, Speaker at Northern Institute of TAFE Access & Equity Conference, Sydney.

August 2013

- 4 August 2013, Aged Care Awards, Sydney.
- 7 August 2013, *Department of Human Services link up*, Non-Digital users – how can we help?
- 8-9 August 2013, *ACOSS Board Meeting*, Melbourne.
- 12 August 2013, Australian Youth Clearing House Webinar speaker, Link Up.
- 19 August 2013, Catalyst & Whitlam Institute seminar about the future of democracy, Sydney.
- 22 August 2013, Public Education Foundation event with Belvoir St Theatre, Sydney
- 28 August 2013, National Stop TAFE cuts meeting at NSW Parliament House, Sydney.
- 30 August 2013, Disability Support Services and TAFE, Sydney.

September 2013

- 3 September 2013, Australians for Affordable Housing Meeting.
- 12 September 2013, Australians for Affordable Housing Meeting.
- 18 September 2013, Department of Human Services Homelessness Reference Group NSW, Sydney.
- 20 September ACOSS Post-Election link up, Sydney.
- 26-28 September, Jobs Australia National Conference, Manly.

October 2013

- 3 October 2013, Progressive Breakfast, Sydney.
- 4 October 2013, Meeting with researchers and academics on collaboration on research, Social Policy Research centre, UNSW.
- 4 October 2013, Meeting with Italian Welfare Organisation re: Associate Membership of the NWRN.
- 11 October 2013, Meeting with ACOSS Media adviser on strategy and planning, Sydney.
- 14 October 2013, Preparations for NWRN/DHS Biannual Delegations, Canberra.
- 15 October 2013, NWRN/DHS Biannual Delegations, Canberra.
- 21 October 2013, Meeting with CPSU on Centrelink services.
- 29 October 2013, *CHOICE Shonky Awards, Dawes Point, Sydney.*
- 29-30 October 2013, *Annual Conference Combined Pensioners and Superannuants Association of NSW, Sydney,*
- 31 October – 1 November 2013 Committee participation in 5th National Disability Advocacy Conference (DANA) Brisbane.
- 31 October 2013, *Working with the new Government: prospects and priorities*, Meeting with Australian Council of Social Service Deputy CEO, Senior Policy Officer, Policy Manager and NWRN Policy Officer, Sydney.
- 31 October 2013, *Social Determinants of Health Alliance Public Forum, Social determinants – Where to from here?* Adelaide.
- 31 October 2013, *Social Determinants of Health Alliance Committee Meeting*, Adelaide.

November

- 5 November 2013, Department of Human Services & Department of Employment Quarterly Forum with Employment Service Providers, DHS Offices, Sydney.
- 10 November 2013, Meeting with Chinese delegation on income support for women and Australia's social security system, Sydney.
- 11 November 2013, ACOSS Board Meeting, Sydney.
- 11 November 2013, NWRN Committee meeting, link-up.
- 11 November 2013, NWRN Members Meeting, link up.
- 12 November 2013, ACOSS Board Meeting, ACOSS Child Poverty Forum, Sydney.
- 12 November 2013, ACOSS Annual General Meeting, Sydney.
- 14 November 2013, ACOSS Members Forum: Input to the Commission of Audit, link up.
- 15 November 2013, Meeting with Professor Rosalind Croucher and colleagues, Australian Law Reform Commission on inquiry into legal barriers faced by people with disability, Sydney.
- 19 November 2013, Department of Human Services, Sydney Mental Health Advisory Forum, Sydney.
- 29 November 2013, Meeting with Colin Neave, Commonwealth Ombudsman, Sydney.
- 29 November 2013, Australian Council of Social Services Social Security Teleconference on welfare reform options.
- 21 November 2013, Prepared a briefing *summary for stakeholders of major discussion and policy issues arising from Senate Estimates Hearings*, Community Affairs Legislation Committee, Department of Social Services

December

- 3 December 2013, NWRN, along with a broad range of community organisations endorsed a letter to the Attorney-General urging the Federal Government not to repeal important protections against racial vilification in the *Racial Discrimination Act*.
- 5 December 2013, Meeting with the Department of Human Services and the Department of Social Services on 'program of support' rules, Canberra.
- 11 December 2013, Commonwealth Ombudsman Roundtable on complaints, Sydney.

January

- 14 January 2014, Meeting with Adviser to Senator Rachel Siewert.
- 24 January 2014, ACOSS Social Security Teleconference on welfare reform, Sydney.
- 16 & 30 January 2014, Link-up with Australian Youth Advocacy Committee on development of a survey re: young people and Centrelink services.
- 30 January 2014, Meeting with Shelter NSW on Rent Assistance Project with NWRN and WRC. This project will likely extend to National Shelter as well.

February

- 6 February 2014, link up with the Social Security Appeals Tribunal about a joint outreach program with our Member Centres.
- 7 February 2014, Meeting with Opposition Spokesperson for Families, Disability and Indigenous Affairs, Jenny Macklin, Sydney.
- 26 February 2014, Income support for single parents and Pensioner Education Supplement, Pensioner Concession Card and the National Council of Single Mothers and Their Children, via phone.
- 26 February 2014, Income support for single parents and Pensioner Education Supplement, Pensioner Concession Card and Department of Human Services, via phone.
- 26 February 2014, Discussion with Office of Commonwealth Ombudsman, re: Department of Human Services, appeals, letters, various issues, via email and phone.
- 24-25 February 2014, ACOSS Board Meetings, Sydney.
- 25 February 2014, ACOSS Civil Society Forum, Sydney.
- 26 February 2014, Meeting with Frances Lynch, ACOSS President, Sydney.

March

- March 2014, Development of agenda for Biannual Meeting between the NWRN and Department of Social Services, via email and phone.
- March 2014, Development of agenda for Biannual Meeting between the NWRN and Department of Human Services, via email and phone.
- 7 March 2014, Blind pension recipient re: assistance, discrimination, eligibility for financial support, complaints about Centrelink services, via phone.
- 7 March 2014, Blind pension recipient re: assistance, discrimination, eligibility for financial support, complaints about Centrelink services, via phone.
- 11 March 2014, Data on 'place-based' Income Management, Brisbane WRC, via email.
- 11 March 2014, Pension portability changes, Combined Pensioners' & Superannuants Association of NSW, via phone.
- 6 March 2014, Meeting with Louise Gulliaume, PHD research student on DSP, NDIS and 'partial capacity to work', Sydney.
- 11 March 2014, Meeting with NWRN and NSW Shelter on Rent Assistance report, Sydney.

- 21 March 2014, Biannual Delegations meeting with NWRN and the Department of Social Services with Gary Knox, Alyson Essex, Liz-Heffren-Webb, Laura Purdy, Emma Schmid, Canberra.
- 21 March 2014, Meeting with Patrick McClure, Chairperson Welfare Review Taskforce, Paul McBride, Group Manager, Social Policy Group, Department of Social Services and Brendan Darcy, Chief of Staff for Minister for Social Services Kevin Andrews and the National Welfare Rights Network, Canberra.
- 26 March 2014, Meeting with Mental Health Council of Australia on the Review of mental health services and programs by the National Health Commission.
- 24 March 2014, Launch of *10 Stories of Single Mothers* at Parliament House Canberra with Andrew Wilkie, Senator Rachel Siewert, Jenny Macklin, Senator Nick Xenophon, Clive Palmer, Bob Katter and Cathy McGowan, Canberra.
- 25 March 2014, Meeting with Russel Broadbent, Federal Member for McMillan, and Terese Edwards, COE, National Council of Single Mothers and their Children and various single parents on welfare reform and income support issues, Canberra.
- 26 March 2014, Consultation with National Mental Health Council in response to the National Mental Health Commission's review of mental health programs and services – seeking NWRN perspectives on improvements, Sydney.
- 11 March 2014, Response to DHS and DSS re: Action Item Follow up from 5 December 2013 Meeting on DSP and 'program of support' changes, via email.
- 17 March 2014, Discussion with Australian Green's Adviser to Senator Rachel Siewert on the *Social Security Employment Participation Bill 2014* and options for the 26 week penalties, via phone.
- ACOSS Media Conference: New OECD report on poverty in Australia, 19 March 2014, Sydney.
- 19 March 2014, Feedback on ACOSS Sector Briefing on Welfare Spending: statistics and trends, Sydney.
- 28 March 2014, ACOSS Social Security Telco, Discussion with Peter Davidson, Senior Policy Officer, ACOSS, via phone.

April

- 3 April 2014, Response to UNSW research student on 1 January 2013 changes to single parents, via phone.
- 3 April 2014, *ACOSS Members Briefing Telco Link-up: Update on threats to Indigenous funding, services and organisations.*
- 3 April 2014, ACOSS Members Telco link-up: Social Security.
- 3 April 2014, *Talk on expansion of income management: Progressive Breakfast*, Sydney.
- 3 April 2014, Meeting with Prem Aleema, *Director, Social Services Team, Social Services, Indigenous and Public Interest Disclosure Branch*, Commonwealth Ombudsman and George Masri, *Senior Assistant Ombudsman, Social Services, Indigenous and Public Interest Disclosure*, Sydney.
- 14 April 2014, *ACTU Community Conversation – Forum on the role of Government*, Sydney.
- 30 April 2014, Shelter NSW Conference Launch, Presentation by NSW Minister for Housing, Gabrielle Upton.
- 30 April 2014, Shelter NSW Conference, Presentation by Maree O'Halloran.
- 29 April 2014, Policy discussion with Ben Phillips, Principal Research Fellow, NATSEM.
- 30 April 2014, Policy discussion on Ombudsman's Report on Centrelink services, with Prem Aleema, Officer, Commonwealth Ombudsman, Investigations Branch, Department of Human Services.

- Policy discussion with Rose Newbery-Freeman, Adviser Senator Rachel Siewert of Australian Greens on a range of issues, including debts, Indigenous overpayments, SEAM and Income Management and future welfare reforms.

May

- 1 May 2014, Progressive Breakfast, Talk on Income Management in NSW, Sydney
- 1 May, 2014, NSW Community Conference on Civil Society and Big Society, Sydney
- Presentation/briefing on Welfare Rights involvement in campaign for breaches and penalties, NSWCLC Law Symposium, Sydney
- 5 May 2014, Meeting with ACOSS, disability organisations and Minister for Social Services and Chief of Staff, Melbourne
- 14 May 2014, Meetings with ACOSS, National Council of Single Mothers and Their Children, Canberra
- 14 May 2014, Meeting with Minister for Social Services and Adviser, Andrew Baker, Parliament House, Canberra
- 19 May 2014, Young Lawyers Forum with Attorney General, Just Deficit
- 21 May 2014, ACOSS Community Sector's Lunch, Sydney – NWRN asked the Treasurer a question
- 22 May 2014, Talk at UNSW Australian School of Business Forum on the Federal Budget
- 23 May 2014, HESTA Budget Briefing, Sydney

June

- 1 June 2014, Lakemba Greek Community Association, Federal Budget Forum, Sydney
- 3 June 2014, Australian Council of Social Service (ACOSS) Board meeting, Sydney
- 11-12 June 2014, Australian Council of Social Service (ACOSS) 2014 National Conference, Brisbane, NWRN question was put to Minister for Social Services on 12 June 2014
- 26-27 June 2014, National Welfare Rights Network Committee Planning Day, Sydney,
- 20 June 2014, Briefing to the Association of Superannuation Funds of Australia on income nil rate periods and early release of superannuation provisions
- Briefing to National Welfare Rights Network Members on DSS Budget Briefing
- Meeting with NWRN FOI Subcommittee representative from Perth in Sydney on access to information issues
- Briefing to NWRN members on ministerial declaration of subclass 449 visas for Special Benefit

Sector capacity-building and engagement

Below we highlight a cross-section of examples which illustrate the extremely diverse range of issues and organisations that we deal with on a regular basis.

Speaker at Welfare Review and Disability Support Pension (DSP) Roundtable organised by People with Disability Australia

The NWRN attended a Welfare Review and DSP Roundtable organised by People with Disability Australia on 12 February 2014. A broad range of stakeholders and community organisations

attended, including: ACOSS, the AIDS Council of NSW, Homelessness NSW; Tenants' Union of NSW, Eva Cox (Commentator/Researcher); NSW CAG – Mental Health; (Positive Life) and People with Disability Australia.

The NWRN, along with the ACOSS representative, was asked to provide a briefing to the community and consumer participants at the roundtable on key issues and challenges and options for welfare reform.

Engagement with the Mental Health Council of Australia

NWRN was approached by the Mental Health Council of Australia for feedback regarding the impacts of the September 2011 and January 2012 reforms to Disability Support Pension (DSP), and how they have affected people with mental health issues. They sought our experiences of dealing with people claiming the DSP, and subsequently being rejected, and of people's experiences with the 'program of support' rules, etc.

Disability Employment

NWRN is currently examining the supports that people with disabilities need to find employment, and the Department of Social Services. We have received assistance with data on employment from Director, Program Management – Participants, Disability Employment Services Program Branch, Department of Social Services.

Addressing single parents' confusion over eligibility for concessions

NWRN was contacted by the National Council of Single Mothers and Their Children (NCSMC). They are funded to provide the Government with feedback on single parents' engagement with employment and services and supports. NCSMC sought clarification regarding the eligibility for the Pensioner Concession Card (PCC) for Newstart Allowance (NSA) Principal Carers and the 1 January 2014 changes. NWRN also raised this matter with the Community Sector Branch, and urged them to assist with better information, noting that the initial transition to the NSA for single parents in early 2013 was marred by poor communication and complex and confusing letters with respect to eligibility for the PCC.

Engagement with Catholic Social Services on 'welfare reform'

We engaged with the staff from Catholic Social Services on welfare reforms being considered by the Federal Government, and the Disability Support Pension. Other issues that were discussed included reasonable travel times and the adequacy of employment assistance for people with disabilities. Catholic Social Services sought to brief NWRN on their experiences with Indigenous job seekers, in particular, the impacts of the compliance system on Indigenous job seekers, who are over-represented in the numbers of participation failures that are imposed by the Department of Human Services.

Extending income management to NSW public housing tenants

Woodville Community Services provides support to vulnerable people in their community and is located in the Bankstown area, and is interested in developments in the policies of 'place-based' income management. NWRN briefed their Executive Officer on recent developments in income

management, including the numbers of people subject to income management in the five locations, and how the profile of those under income management had changed since 1 July 2013, when more young people became subject to the 'vulnerable welfare recipient' category.

We advised that before 1 July 2013, there were just 501 people subject to income management in the five trial sites, and over 90 per cent were voluntary participants. By November almost 2,000 people were subject to income management in the trial sites, and 74 per cent were involuntary participants. The growth had occurred among young people. NWRN also briefed the Centre on the mooted proposal by the NSW Minister to extend income management to public housing tenants at risk of eviction, and explained the history of proposals to introduce compulsory rent deductions, as highlighted in the 2013 draft legislation for the Housing Payment Deduction Scheme by the former Department of Families, Housing, Community Services and Indigenous Affairs.

Work with ACOSS

In 2013, Gerard Thomas, as a nominee of the National Welfare Rights Network, was returned to the ACOSS Board for a further, third term. Gerard continues in his role as ACOSS policy adviser on social security and employment. Recently, we have advised ACOSS on a diverse range of income support issues including support for seniors, employment assistance, housing, income and assets testing and family payments.

At a number of levels, the NWRN works very closely with ACOSS, pursuing many joint interests. Over the Christmas break, NWRN and ACOSS did a joint media statement, as well as two opinion pieces on the Disability Support Pension.

On 24 January 2014 NWRN participated in a teleconference convened by ACOSS to discuss challenges and possible responses for the Welfare Review Taskforce.

National Multicultural Advisory Group

The National Multicultural Advisory Group meeting was held in Canberra on the 15 and 16 August 2014. The National Welfare Rights Network was represented by Danny Shaw from the Sydney Welfare Rights Centre.

The main issues discussed were the impact of proposed budget changes to social security law and policy on vulnerable groups as well as how Centrelink is using technology to improve its service delivery.

A number of policy issues were raised by community members. However given that the Department of Human Services is not a policy body it advised it would raise the relevant issues with the Department of Social Services. In future we requested that a representative from DSS conduct a session so that relevant issues may be raised with the policy department.

Community members of the forum discussed that in the future the NMAG meeting should be held over one day and that community members should hold a meeting (phone link up) about a month before the NMAG meeting to raise and discuss issues that should be on the agenda. This will provide community members with greater control of the agenda.

Production and distribution of a regular Welfare Rights Policy and Media Alert

A key task of the Secretariat is to ensure that our members and key stakeholders are kept well informed on Government announcements, media releases, and of community debates around key issues of welfare, employment, homelessness, housing, disability, mental health and Centrelink services. To this end, a Welfare Rights Policy and Media Alert is assembled and distribution of a regular media bulletin for members of the National Welfare Rights Network on welfare rights and related policies and information of interest, from Australia and overseas.

Resources

The secretariat maintains a national website with access to plain English factsheets about social security, family assistance and employment services produced by member centres. Members also have free access to the Independent Social Security Handbook online which is updated quarterly by the Welfare Rights Centre (NSW). The secretariat also publishes a quarterly newsletter which contains policy issues and de-identified case studies from member centres.

Media articles and related coverage

- 23 July 2013, *Welfare group scrambles to avoid policy lock-out*, The Australian.
- 23 July 2013, Interview on adequacy of Newstart Allowance for unemployed people and single parents, ABC Radio, 702 Sydney.
- 29 July 2013, Interview on New Zealand on the social impacts and consequences and impacts of the 2001 Social Security Agreement, with Radio New Zealand.
- 29 July 2013, *Study finds no clear evidence income management works*, ABC World Today.
- 31 July, 2013, *Fiddling with criteria to hide unemployed*, The Australian.
- 31 July 2013, *63 investigations found to be in breach of Australian Public Service Code of Conduct*, The Australian.
- 28 August 2013, *National Welfare Rights Network calls for wage subsidy for the young*, The Australian.
- 30 August 2013, *Call for subsidies after jobless spike*, The Australian.
- 5 September 2013, *Incentive for hiring over-50s*, The Australian.
- 6 September 2013, Australian Greens Policy on Disability Support Pension, The Greens
- 24 September 2013, *NWRN Brochure for 2013 Jobs Australia Conference*, Sydney.
- 27 September 2013, *Single mums priority in welfare overhaul*, The Australian.
- September 2013, *Housing, employment and participation*, Shelter NSW newsletter, *Around the House No. 94*, p.12.
- 1 October 2013, *Coalition bid to expand welfare quarantining*, The Australian.
- 2 October 2013, *Welfare carrot, stick and card – Editorial* – The Australian.
- 4 October 2013, *Expat's crew helps struggling Kiwis*, New Zealand Herald.
- 6 October 2013, *Shutting down debate expedient, but not healthy*, The Sun Herald.
- 7 October 2013, *Shorten wants national rehab strategy*, News Limited Network.
- 7 October 2013, *Shorten calls for national rehabilitation strategy*, The World Today, ABC Program.
- 8 October 2013, *Kick-starting government can send the wrong message*, The Drum, ABC.
- 15 October 2013, *Reforms to disability pension falling short*, The Australian.
- 21 October 2013, *Centrelink faces customer services crisis*, Sydney Morning Herald.
- 27 October 2013, *Jobless families forced to sleep in cars, new data shows*, News Limited Network.

- 30 October 2013, *Centrelink is more than just a transactional service*, A Statement by the National Welfare Rights Network.
- 31 October 2013, *Don't pass the Centrelink parcel*, Letter in *Australian Financial Review* by Maree O'Halloran, National Welfare Rights Network.
- 2 November 2013, *Howard welfare expert asked back to reform system*, The Australian.
- 4 November 2013, Article for SEARCH Magazine, *What do the new Government's policies mean for people living in poverty?*
- 23 December 2013, *DSP reform not about savings and will cost of in the short term says Kevin Andrews*, The Australian.
- 23 December 2013, *Coalition disability pension overhaul may create two tier system*, The Guardian.
- 23 December 2013, *Minister flags overhaul of disability support pension*, ABC Radio.
- Comments by NWRN on SBS Radio, 2WSFM Radio and ABC New Radio, 1 January 2014, and on Darwin Mix FM Radio on 6 January 2014.
- 1 January 2014, *10 Stories of Single Mothers: The Facts*, National Council of Single Mothers and Their Children – film.
- 1 January 2014, *Shock, schoolkids bonus used for school costs*, poll, Single Mums website.
- 14 January 2014, *Coalition ponders split up of Newstart*, The Australian.
- 14 January 2014, *'Super agency' for social services as Coalition eyes merger*, The Australian.
- 14 January 2014, *Feds Flag Social Services Merger*, ProBono News.
- 21 January 2014, *Welfare must be reined in, says Kevin Andrews*, The Australian.
- 21 January 2014, *Welfare groups welcome review, but want Newstart increase*, World Today, ABC Radio.
- 21 January 2014, *Welfare lobby welcomes review*, AM ABC Radio.
- 21 January 2014, *Minister flags overhaul of the Disability Pension*, AAP, various.
- 23 January 2014. *Welfare groups urge care with crackdown*, SBS Radio.
- 27 January 2014, *Abbott set to revive and expand 'work for the dole' schemes*, – All News Limited papers, (Daily Telegraph, etc).
- 27 January 2014, *NFPs to shoulder burden from work for the dole*, ProBono News.
- 27 January 2014, *Coalition plan sparks renewed debate about effectiveness of work for the dole schemes*, The Guardian.
- 2UE Drive and 2GB News. On 26 January 2014, 2SM Radio, NSW and 6PR Perth. On 29 January, 4ZZZ Brisbane.
- 27 January 2014, *Problem is lack of jobs, not dole bludgers*, Green Left Weekly.
- 28 January 2014, *Jobless face no dole if they ditch work*, Cairns Post.
- 28 January 2014, *Work for the dole needs 'fleshing out'*, The Australian.
- 27 and 28 January 2014, *Local MP rejects attack on 'work for the dole' scheme*, Shoalhaven News.
- 29 January 2014, *Minister for social services alarmed by growth in mental health pensions*, The Australian.
- 29 January 2014, Interview with ABC Perth Radio on DSP and mental health
- 29 January 2014, *Who deserves the DSP?* – ABC Ramp Up.
- 31 January 2014, *Welfare Network Appeals for Better Job Services*, ProBono News.
- 31 January 2014, *Rise in dole outstrips disability*, The Australian.
- 31 January 2014, Interviews on 2UE, 2SM and SBS Radio.
- 7 February 2014, Karvelas, P. *Single parents work on dole, but struggle*, The Australian.
- 20 February 2014, Karvelas, P. *Call for review of age pension*, The Australian.
- 25 February 2014, Karvelas, P. *PR push increases reports of illness*, The Australian.
- 3 March 2014, ProBono News, *Govt Must Step Up Employment of People with Disabilities*.
- 4 March 2014, Westacott, B. *Bandt bill targets PS jobs for minorities*, Canberra Times.

- 8 March 2014, Maiden, S. *Grey Army in sights of Tony Abbott's Commission of Audit*, Sunday Telegraph.
- 14 March 2014, Karvelas, P. *Income control hits record high*, The Australian.
- 31 March 2014, ProBono News, *Rent Assistance Recipients Suffer 'Housing Stress'*.
- 28 March 2014, Clarence Valley Daily Examiner, *Half a million Australians under housing stress*.
- 28 March 2014, Karvelas, P. *Action urged as rent scheme fails poor*, The Australian.
- 28 March 2014, The Chronicle, *Half a million Australians under housing stress*.
- 17 March 2014, Sunshine Daily Coast, *Welfare Payment quarantine increasing around the country*.
- 25 March 2014, Knott, M. *Turnbull expands on post office rescue*, Sydney Morning Herald.
- 7 March 2014, AAP, *Fears disabled will end up on the dole*, Sunshine Coast Daily.
- 7 March 2014, Ireland, J. *Budget savings should not be found at the expense of Australians with disabilities*, Sydney Morning Herald .
- 10 April 2014, Karvelas, P. *Centrelink reviews in crisis*, The Australian.
- 22 April 2014, Karvelas, P. *Welfare groups warn Tony Abbott against asset test cocoon*, The Australian.
- 28 April 2014, Karvelas, P. *'Higher pension age unfair to Aboriginals'*, The Australian, p. 2.
- 29 April 2014, Karvelas, P. *Funding boost for income management*, The Australian, p. 4.
- 29 April 2014, ABC radio news re Federal Budget,
- Various radio interviews about social security issues
- April 2014, NWRN charts and analysis were reprinted in the ACOSS *Policy Snapshot: Indexation*.
- 2 May 2014, *Commission of Audit- welfare cuts* – Radio National Interview with NWRN.
- 3-4 May 2014, *No dole before 25: youth will have to earn or learn*, Karvelas, P, The Weekend Australian.
- 6 May 2014, *Report questions audit commission plan to make job seekers move to high employment areas*, Ireland, J, Sydney Morning Herald.
- 9 May 2014, *Disability advocates call for more jobs if pension restricted*, AM Program, ABC Radio.
- 13 May 2014, *Drop in working disabled numbers*, Karvelas, P, The Australian.
- 14 May 2014, Radio interviews with ABC AM, Ratio National, 2DayFM and MMM regarding Federal Budget.
- 14 May 2014, *Heavy impact on vulnerable, welfare groups, doctors warn*, Berkovic, N, The Australian.
- 14 May 2014, *Cutting-off dole to young people 'could lead to surge in crime'*, Jabour, B. The Guardian.
- 14 May 2014, *Community and welfare groups respond to the Federal Budget*, Judith Ireland.
- 15 May 2014, *Needy spared dole blitz, but others must 'learn or learn'*, Karvelas, P, The Australian.
- 16 May 2014, *'Victim blaming' cuts for newly jobless criticised*, Crowe, D, The Australian.
- 16 May 2014, *NWRN Budget Media Release included in Crickey Budget Response*.
- 21 May 2014, *More than 100,000 will lose dole*, The Age, Ben Schneiders.
- 21 May 2014. *Canberra moves to make people wait a week for welfare*, Judith Ireland, Sydney Morning Herald,
- 27 May 2014, *Disability in Budget 2014, Budget causes unnecessary, long term welfare pain*
- 27 May 2014, *Radio Interview on Budget 2014* on 2UE.

- 29 May 2014, *Pensioners \$1,600 study aid to be axed*, The Australian.
- 11 June 2014, *Jobless pregnant women face months without income support*, Jabour Bridie, The Guardian.
- 2 June 2014, *Welfare Rights Network criticises work for the dole*, Pro Bono News.
- 24 June 2014, *Welfare backing for single payment*, Karvelas, P. The Australian.
- 30 June 2014, Radio Interview with ABC AM on McClure Report
- 1 July 2014, *Spending controls 'a waste', says welfare groups*, Judith Ireland, Sydney Morning Herald.
- 25 July 2014, *Hockey's welfare mum 'may not' exist*, Karvelas, P. The Australian.
- 28 July 2014, *Work for the dole scheme 'punishing'*, Illawarra Mercury, Glen Humphries.
- 28 July 2014, *\$10 an hour under Abbott's new work for the dole*, Max Chalmers, Mew Matilda.
- 28 July 2014, *Govt work for the dole a social disaster: Labor*, AAP (various outlets), The Australian.
- 30 July 2014, *Job seekers could be forced to turn to crime, experts say*, Anna Patty and Dan Harrison, Sydney Morning Herald.
- 29 July 2014, *Business says work for the dole program not enough*, Sydney Morning Herald.
- 29 July 2014, *Jobs reforms to end 'languishing on welfare'*, Karvelas, P, and Owens, J. The Australian.

Television

- 7 September 2013, *A Current Affair: Disability Crackdown*.
- 16 January 2014, *Disability*, A Current Affair, Channel 9.
- 27 January 2014, *Work For The Dole*, Channel 9 National News,
- 6 May 2014, *Levy, welfare, infrastructure – Abbott Government's first Budget takes shape*, Sabre Lane, ABC 7.30 Report.
- 14 May 2014, NWRN cited on ABC 24, Budget Response.
- 28 May 2014, *Work for the Dole Returns, Welfare group claims scheme ineffective*, SkyNews.

Media Releases

- 7 August 2013, *Centrelink bill-paying system told to lift its game*, NWRN Media Release.
- 28 August 2013, *Federal Election Checklist for Social Security and Welfare Policies*, NWRN Media Release.
- 5 September 2013, *Social Security and Welfare Policies Election Checklist: Where the major parties stand*, NWRN Media Release.
- 11 September 2013, *New welfare payment increases show fault lines developing*, NWRN Media Release.
- 1 January 2014, *The good, the bad and the ugly – new social security changes begin today*, Australian Council of Social Service and National Welfare Rights Network, NWRN Media Release
- 31 January 2014, *More people living on just 35 a day: time to raise Newstart and improve the employment services system*, NWRN Media Release
- 7 February 2014, *Spotlight on single parents on Newstart: 1 year after ground zero*
- 25 February 2014, *Governments must step up employment of people with disabilities*

- 7 March 2014, *Disability leaders and community sector representatives unite in push to address jobs crisis for people with disability, amidst growing speculation about possible cuts to income and service supports*, Doorstop Interview
- 28 March 2014, *Half a million Australians in 'housing stress'*.
- 10 April 2014, *Centrelink's review system at breaking point*, NWRN Media Release.
- 24 April 2014, *Pension changes will hit vulnerable most vulnerable the hardest*, NWRN Media Release
- 4 May 2014, *Audit report a recipe for poverty and inequality*, NWRN Media Release
- 14 May 2014, *Budget causes unnecessary, long term welfare pain*, NWRN Media Release
- 28 May 2014, *Better options than 'work for the dole' needed to move unemployed people into work*, NWRN Media Release
- 29 May 2014, *Budget cuts hits people with disabilities, single parents and carers*, NWRN Media Release
- 29 June 2014, *National Welfare Rights Network Responds to McClure Welfare Report*, NWRN Media Release

Opinion Pieces

- 31 January 2014, *Disability pensioners do want to work, they just need a chance*, Daily Telegraph and News Limited papers.
- December 2013, *Jobs not Newstart the key to disability pension reform*, Opinion Piece by Dr Cassandra Goldie, Australian Council of Social Service, Maree O'Halloran, National Welfare Rights Network and Craig Wallace, People with Disability Australia, Sydney Morning Herald,
- 30 June 2014, *Dear Tony Abbott, hurting the most vulnerable in not genuine welfare reform, but cruelty*, Fairfax Media, incl. Sydney Morning Herald, The Age, Courier Mail.

Submissions, letters and discussion papers

Below, we highlight any submissions, letters or policy papers that were completed in the 2013-14 financial year.

- Briefing on Australia's response to the UN Committee of the Rights of People with Disabilities.
- Briefing on income and earnings and the Disability Support Pension for journalists.
- NWRN also provided a briefing on activities of the National Welfare Rights Network for the Annual Report of the National Association of Community Legal Centres, August 2013.
- NWRN produced a briefing paper, *Whither the Disability Support Pension?* This was a background paper for the 2013 National Conference of the NWRN.

Submissions

- Briefing on Australia's response to the UN Committee of the Rights of People with Disabilities.
- Briefing on income and earnings and the Disability Support Pension for journalists.
- August 2013, NWRN also provided a briefing on activities of the National Welfare Rights Network for the Annual Report of the National Association of Community Legal Centres,
- 21 March 2014, NWRN Briefing to the Welfare Review Taskforce,
- 26 March 2014, NWRN Submission to Senate Economics Committee Inquiry into affordable housing,
- 28 March 2014, NWRN Report, *The impact of Rent Assistance on housing affordability for low income renters: Australia*

- April 2014, Joint Briefing paper: Key income support issues for Aboriginal Australians in the Northern Territory, produced by Welfare Rights Outreach Project workers in the NT. This was a briefing paper prepared with input from North Australian Aboriginal Justice Agency (NAAJA), the Central Australian Aboriginal Legal Aid Service (CAALAS) and the Darwin Community Legal Centre (DCLS) and endorsed by the National Welfare Rights Network
- 28 March 2014, NWRN Briefing: *Key Facts on Rent Assistance, Australia*
- 17 March 2014, NWRN Member Briefing on *the Social Security Legislation Amendment (Increased Employment Participation) Bill 2014*
- 14 March 2014, NWRN Briefing, *State of Play: Income Management in 2014*
- 26 March 2014, NWRN Members Briefing –Notes on Meeting with McClure and Welfare Review Reference Group held
- 2 April 2014, NWRN Members Briefing Note: *Reforming Work for The Dole*
- 3 April 2014, NWRN Members Briefing: DSP, activity testing and compliance
- 21 May 2014, Submission to Productivity Commission Inquiry into Access to Justice
- 11 June 2014, Family Assistance Legislation Amendment (Child Care Measures) Bill 2011
- 17 July 2014, Submission on the *Social Security Legislation Amendment (Stronger Penalties for Serious Failures) Bill 2014*
- 11 June 2014, Submission on *Family Assistance Legislation Amendment (Child Care Measures) Bill (No.2) 2014*
- Submission on *Family Assistance Legislation Amendment (Child Care Measures) Bill (No.2) 2014*, 18 July 2014
- Submission on the *Social Services and Other Legislation Amendment (2014 Budget Measures No. 1) Bill 2014* and the *Social Services and Other Legislation Amendment (2014 Budget Measures No. 2) Bill 2014*, 1 August 2014
- Comments on social security issues to Australian Law Reform Commission Report, *Equity, Capacity and Disability in Commonwealth areas of the law Australian Law Reform Commission on Disability*, submission by the National Association of Community Legal Centres, 26 June 2014.

Letters and correspondence

- 19 July 2013, Letter on adequacy of the Newstart Allowance and support for single parents: copies to the Prime Minister, Senator Wong, Senator Carr, Minister Macklin and five other key ministers and members of parliament.
- 17 January 2014, Minister for Social Services, Kevin Andrews, on DSP and welfare reform review.
- 24 January 2014, Chief of staff to Minister for Social Services on a meeting in the Welfare Review Taskforce.
- 17 March 2014, Letter to Senator Marise Payne, Minister for Human Services, meeting follow up
- 26 March 2014, Letter to *Senate Economics Committee Inquiry into affordable housing*
- 31 March 2014, Letter to Department of Social Services, FOI Coordinator, Freedom of Information Request for Evaluation of place-based income management by Access Economics
- 14 April 2014, Email to ACOSS CEO, Cassandra Goldie to indicate NWRN support for key Indigenous organisations that were experiencing threats to funding and to their capacity for policy advocacy
- 30 April 2014, Letter to Assistant Minister for Employment, the Hon Luke Hartsuyker on compliance arrangements and people with disabilities
- 30 April 2014, Minister for Employment, Senator the Hon Eric Abetz, on compliance arrangements and people with disabilities

- 30 April 2014, NWRN was a co-signatory to Open Letter on the reforms to s18C of the *Racial Discrimination Act*
- 2 May 2014, Letter to Minister for Employment, Luke Hartsuyker on Employment Relocation and Bonus policies, and job seeker penalties
- 2 May 2014, Signatory to ACOSS letter to Minister Kevin Andrews, Minister for Social Services, meeting follow up
- 28 May 2014, Invitation to NWRN Conference to Minister for Social Services,
- 28 May 2014, Invitation to NWRN Conference to Opposition spokesperson for Families and Disabilities, and Indigenous Affairs, Jenny Macklin
- 29 May 2014, Letter to Kevin Andrews, Minister for Social Services, on planned review of the 2012 Impairment Tables
- 24 June 2014, Letter to all Senators on problems with the six-month waiting period for job seekers under 30
- Letter to Ms Susan Ryan, AM, Acting Disability Discrimination Commissioner on disability employment roundtable and attitudes to people with disabilities

NWRN Background Papers

- Briefing paper on Australian Community Sector Survey 2013 National Report ACOSS Paper 202 for NWRN members, 1 July 2013
- Briefing on Income Management: update on current issues, 7 July 2013
- Report to NWRN Members on work with ACOSS, 10 July 2013
- Briefing on election policies on social security payments, 10 July 2013
- Briefing Paper on the DSP for NWRN members, 10 July 2013

NWRN Member Centre Reports

Adelaide - Welfare Rights Centre (SA) Inc.

Staff

Mark Leahy	Manager
Margaret Riley	Principal Solicitor
Amanda Tsoundarou	Outreach/HLC Coordinator
Stephaney Leggett	Caseworker/Outreach worker
Mark Shepley	Administrator/Caseworker
Andrew Prince	I.T./Data Entry
Bill Manallack	Fundraiser
Freya Sinickas	NBP Project Officer (until April 2014)

Total number, under the Welfare Rights funding program, of the following:

Clients	1470
Advice	1027
Cases	680
CLE	25
SSAT	107
AAT	83
PC	109
CDDA	4
Acts of Grace	4

Brief summary of casework trends

Looking back at our 2007 Annual Report we were reporting 650 clients. In the past two years that figure rose to 1200. This year it rose by another 270. Disability Support Pension (DSP) is, by far, our major casework issue, representing around 80 per cent of our case load. Debts, Member of a Couple and Youth Allowance are also major issues. DSPs are time-consuming cases, due to the complex issues they present and the need to obtain medical evidence. We have encountered long delays in

the Authorised Review Officer (ARO) process (not uncommon for them to take nine months), with a number of clients being pressured by Centrelink to not proceed through the triage process.

Regional Issues and Engagement

We have been developing a comprehensive outreach program this year. Jointly, with the Social Security Appeals Tribunal (SSAT) and the Wyatt Foundation, two WRC workers visited Port Lincoln, Port Pirie, Port Augusta and Kadina. We focused on engaging with community workers, promoting our service, explaining the review and appeals process and giving participants an information package containing factsheets and leaflets. Around 40 workers attended each session. We followed this up with a trip to the Anangu Pitjantjatjara Yankunytjatjara (APY) lands, which was very successful and we identified a number of Centrelink issues endemic to the area. For example, many Indigenous clients did not know how to use the Basics Card and had thousands of dollars in their accounts without knowing it.

We also have presented a number of Community Forums, where we invited community workers in the area to attend a session where we present a case study and a panel of people from agencies such as Centrelink, the SSAT, the Administrative Appeals Tribunal (AAT), the Energy and Water Ombudsman etc. explain their roles and what they could do to help in the case which is presented. Centrelink and both tribunals have been very keen to work co-operatively on these forums.

We also developed an outreach service in the Willunga area via Skype, funded through the National Broadband Project. While this service was developing successfully, the project was not renewed by the Federal Government.

Future Directions

At the beginning of the next financial year we lose the \$60,000 we were given to fund our outreach activities. If we cannot attract grant money to support this program we will have to make cuts to the services we provide. Bill, our fundraising officer, is trying to get funding from various bodies to support our outreach work. We are trying to put a positive spin on the issue by treating it not simply as a funding cut but an opportunity to raise funds to support a successful program.

Brisbane - Welfare Rights Centre Inc (QLD)

Staff

Georgina Warrington	Director (part time)
Patrick Cranitch	Senior Solicitor
Andrew Davison	Solicitor (part time)
Bryony Walters	Advocate
Georgina Lawson	Policy and Communications Officer

Total number, under the Welfare Rights funding program, of the following:

Clients	1332
Advices	1794
Matters	1167
Cases (closed)	164
CLE activities	14

Brief summary of casework trends

Problem types are very consistent with last year. Eligibility issues made up 46 per cent of the problem types, with Disability Support Pension (DSP) rejections forming the majority of these. Our cases are taking longer; we attribute this to increasing complexity of DSP cases. Our client demographics are consistent with last year. 65 per cent of our clients were aged between 35-64 years and 62 per cent of our clients identify as having a disability.

Regional Initiatives and Engagement

The Centre publishes a *DSP for Doctors* factsheet and DSP flow chart which are available at www.wrcqld.org.au.

The Centre is conducting more Community Legal Education (CLE) in regional areas, with the aim of improving access to assistance regarding social security, either via local community workers for basic matters, or via referring clients to WRC for more complex matters. WRC is collaborating on a CLE project with Aboriginal and Torres Strait Islander Legal Service (ATSILS). ATSILS is presenting on dealing with financial problems and WRC is presenting on dealing with Centrelink problems.

Future Directions

The Centre is pursuing closer ties with Indigenous services and communities. This is underway with the CLE collaboration project between WRC and ATSILS.

WRC is rebranding with the aim of improving our possibilities for partnering with private firms and/or obtaining sponsorship. WRC is also expanding the regional CLE activities.

Opportunities/plans for Centre

The Queensland Government has granted the Centre funding until the end of 2016-2017. This is roughly half of WRC's recurrent funding. This gives the Centre a firmer footing in Queensland from which to seek other funding and/or sponsorships.

Threats to the Centre

These will be similar for all NWRN members. Uncertainty remains regarding Commonwealth funding after 2014-2015 year and public opinion is being stoked against our client bases, in particular jobseekers. The Centre will lose the extra \$70,000 per annum received from the previous Federal Government at the end of 2014-2015. This equates to a four days/week position and will result in a reduction in services.

Canberra - Welfare Rights and Legal Centre Ltd (ACT)

Staff (Social Security & Tenancy Service)

Anya Aidman	Solicitor
Genevieve Bolton	Co-ordinator/Principal Solicitor
Vanessa Faulder	Senior Solicitor
Naomi Gould	Solicitor
Hilary Russell	Solicitor
Anne Yuille	Advice Line Co-ordinator (part time)

Total number, under the Welfare Rights funding program, of the following:

Advices	836
Cases (Opened)	86

Our services

We provide four services:

- Social Security and Tenancy Service (SS&T): which specialises in the areas of Social Security Law (for clients in the ACT and surrounds) and tenancy law (for public housing and low income earners in the ACT);
- Disability Discrimination Legal Service (DDLs) which specialises in the area of disability discrimination law (for people with disability and their associates, carers etc in the ACT and surrounding regions);
- Street Law: an outreach service aimed at people who are homeless or at risk of homelessness in the ACT and surrounding region; and
- The Night Time Legal Advice Service (NTLAS) which provides one off general legal advice and some limited advocacy.

We are seeing a large variety of issues in our Centrelink practice often involving a fair bit of research to provide comprehensive advice.

The types of Social Security matters coming through SS&T included:

- Social Security debts
- Income and Asset test issues
- Portability issues
- Member of a couple assessments
- Family Tax Benefit non lodger issues
- Compensation preclusion periods and other waiting periods

Future Directions

Later in the year, the Centre will be rebranding and changing its name to Canberra Community Law. The rebranding includes a new website together with new Centre and service logos and graphics.

Darwin - Darwin Community Legal Service (NT)

Staff

Caitlin Perry	CEO
Gary O'Sullivan	Principal Solicitor
Shelley Eder	Welfare Rights Solicitor
Vicki Toong	General Solicitor
Priscilla Lavery	Homelessness Solicitor
Abhi Jain	Tenancy Solicitor
Evan Mansell	Tenancy Solicitor
Mary Hawkins	Disability Discrimination Lawyer

Brief summary of casework trends

We have assisted many clients with appeals against rejections and cancellations of disability support pension claims. We expect to continue to receive a high number of requests for assistance in this area due to changes in the way Centrelink conducts medical reviews.

Other common issues include debts, customer compensation and portability and residency issues. This year DCLS has a good track record resolving appeals that have been lodged at the AAT through settlement agreement with Centrelink.

Regional Initiatives and Engagement

This year we were invited to do TEABBA radio spots in regards to Centrelink debts and income management issues. The segments were broadcast over a large area including remote indigenous communities.

We took part in a joint CLE seminar with Legal Aid directed at key members of the migrant community and also worked with other lawyers at DCLS to compose and deliver the full day Law Week Training workshop that was well attended and received.

Future Directions

The WRS program has become increasingly busy with appeal work towards the middle of 2014. We try to stay as engaged as possible with NWRN policy initiatives at a time of potentially very dynamic change. We don't expect any threats to the service for 2014/2015, but do the trend for increasing demand for our services to continue.

Geelong - Barwon Community Legal Service (VIC)

Barwon Community Legal Service Centre (BCLS) in Geelong has an integrated practice model with lawyers providing advice and casework in all areas that BCLS covers. Those areas are General Law, Child Support, Social Security (Welfare Rights), Family Violence Intervention Orders, Family, Tenancy, Elder law and some Criminal law.

As it is not viable for one person to have extensive knowledge in all these areas, we have nominated one person to be practice lead in each of the main practice areas. Jeanette Parrott is the Social Security (Welfare Rights) practice lead and updates and assist colleagues and provides community legal education. BCLS assists in Social Security matters throughout Victoria. Advice is flexible and can be by drop-in, telephone or by appointment.

Staff

Nick Hudson	Manager
Mandi Hyland	Principal Lawyer
Elsie Stokie	Community Lawyer
Geordie Konieczka	Community Lawyer
Jeanette Parrott	Community Lawyer
Simon Pitman	Community Lawyer
Mikala McIntyre	Community Lawyer
Sam Hawkins	Community Lawyer
Grace Forrest	Administration Officer
Charmaine Floyd	Administration Officer
Jillian Chapman	CLE Worker
Liz Flynn	Administrative Assistant

Total number, under the Welfare Rights funding program, of the following:

Clients	90
Advices	83
Matters	49
Cases	51
CLE Activities	10

Brief summary of casework trends

The trends for this year were rejections of Disability Support Pension (DSP) especially for people with mental health conditions, cancellations of DSP, Austudy cancellations, large debt matters and many small to medium debt matters.

In the 2013/14 financial year over \$40,000 was saved or obtained via arrears, debt waivers, compensation etc. by BCLS on behalf of our clients.

Policy work and Community Legal Education

Locally, Jeanette Parrott continues to convene the Barwon Centrelink Liaison Group. We meet quarterly at different community agencies venues with the current Centrelink Managers and Team Leaders and community agencies to build closer more positive relationships. The group discusses local issues and changes to Social Security legislation and continue to provide relevant and up to date community legal education. Community agencies and groups present new and relevant programmes in the region to further assist each other to assist our clients and the community.

BCLS has provided community workers and the general community with up-to date legal education in seminars and by half day workshops.

Law reform

BCLS provided a submission to the Senate Select Committee into the Commission of Audit and contacted Ministers, Senators and local federal members by letter regarding the effect of changes to Social Security on our clients and community. The centre requested interested community workers and community members add their voice to inform government of the importance of providing adequate payments for our most vulnerable and disadvantaged.

Disability Support Pension kit

BCLS continue to strive to assist those living with disability to understand the increasingly complex eligibility criteria and onerous evidentiary requirements for DSP.

The service utilise the DSP kit which was created with others in the NWRN, to simplify the complicated DSP criteria for the benefits of our clients, their medical practitioners and the community. The DSP Kit includes an overview of medical evidence needed for DSP and letters for clients to bring to their doctor/s regarding DSP medical evidence.

BCLS law reform work has been assisted by wonderful, enthusiastic and dedicated volunteer students throughout the year. Thanks to Joy, Jess and Stephen.

Opportunities and plans for Service

BCLS are continuing to provide advice and casework to individuals in need of legal advice. The Service will inform the Commonwealth Parliament on the inadequacy of allowances and the effect on our clients and community. The Service will continue to advocate for our clients in relation to the proposed sweeping changes to Social Security and other areas as informed by our casework.

Threats to the Service

As usual in the community sector, the major threat to the Service is the yearly funding structure and the possibility of reduced funding in the future. BCLS continues to provide free independent legal advice to service our large catchment area and look positively to the future.

Hobart - Hobart Community Legal Service (TAS)

The Hobart Welfare Rights Advocacy Service (WRAS) has had a number of staffing changes over the last 12 months, which has changed the way we operate during this period. For the most part we had two part-time solicitors (Irene Tiang, Buewat Keo) covering this service but we have recently transitioned to three part-time solicitors (Chris Rice, Irene Tiang, Henry Pill).

Staff

Bunewat Keo

Henry Pill

Chris Rice

Irene Tiang

Brief summary of casework trends

The service continued to be well accessed during the year, representing over 100 clients (19 were repeat clients whilst 25 were existing clients) and providing advice and information to several hundred others, including advice to other community groups. WRAS schedules regular meetings with other community groups to facilitate the best possible referral system for our mutual clients.

As a result of reducing the number of clients represented at the Tribunal level we have been fortunate enough to provide advice to a much wider range of clients. However, we have still attended over 40 hearings and conferences in the Social Security Appeals Tribunal (SSAT) and the Administrative Appeals Tribunal (AAT) with a large degree of success.

- SSAT Hearings: 28
- AAT Conferences: 13
- AAT Hearings: 2

Due to the changes in staffing, WRAS has been evaluating the merits of each case more thoroughly and only providing advice at first instance. This has resulted in a reduction in the number of files opened during the 2013/2014 period, which has allowed WRAS to significantly reduce its caseload to a more manageable level. In turn, this has allowed an increased number of advices and information to be conducted and referrals to be performed.

Referrals from other community groups, the SSAT, Members of Parliament, Commonwealth Ombudsman and Centrelink staff, provide an ongoing source of clients. The AAT also continued to refer unrepresented clients to the service. As a result of the AAT referrals we continue to receive a disproportionate number of overseas clients due to the Centrelink Call Centre and Overseas Pension Branch both being located in Hobart.

WRAS in Tasmania is also fortunate in that it continues to enjoy a good working relationship with Centrelink Legal Services in Hobart, namely Mr Brian Sparkes. The close working relationship has seen some excellent outcomes achieved for our clients.

The range of work spanned the spectrum of Centrelink decisions and included a number of successful claims for compensation. Debt cases accounted for a large proportion of work undertaken and points to ongoing systemic issues in the social security law and its administration. We also saw an increase in the number of clients being assessed as a Member of a Couple; with a number being alleged same sex relationships.

As with most previous years, perhaps our busiest area has been in providing support for those with a disability. We have taken on a large number of matters at all levels of appeal involving rejection of Disability Support Pension (DSP). In the majority of cases we are successful in assisting our clients to obtain the relevant medical information for their claim to be approved or a new claim to be lodged.

Regional Initiatives and Engagement

Recently we attended the University of Tasmania to present a Welfare Rights Seminar for the Student Legal Service. The Information Seminar covered the following areas:

- Basic entitlements for University students (including rates, living away from home, rent assistance, full time study loads etc)
- Associated reporting requirements (income and failure to accurately report)
- Relationships and how they affect entitlements
- Appeal rights against Centrelink decisions
- Fraud (consequences of providing false/misleading information to Centrelink)

Moreover, we attended an open meeting by Headway rebuilding lives Disability Employment Service to discuss our service and how best for them to make appropriate referrals to us. Headway deals with clients who have a disability and who are either:

- on a DSP and have approached them on a voluntary basis seeking help in gaining work; or
- on Newstart Allowance, DSP or Youth Allowance and are 'activity tested' by Centrelink.

Launceston – Launceston Community Legal Service Inc. (TAS)

Staff

Nicky Snare	CEO
Jessamy Downie	Principal Solicitor
Sarah House	General Civil Solicitor
Ryan West	Disability Discrimination Solicitor
Elizabeth Clippingdale	Employment Law Solicitor
Elise Whitmore	Family Law Solicitor
Beylara Ra	Legal Literacy Coordinator
Susan Quinn	Administration Officer
Emma Smith	Welfare Rights Advocate

Total number, under the Welfare Rights funding program, of the following:

During the course of the last financial year the Centre handled a total of 74 individual client matters. Most issues were resolved at the initial stages of appeal with the Authorised Review Officer (ARO), with only a very small portion heading on to the Social Security Appeals Tribunal (SSAT) or Administrative Appeals Tribunal (AAT).

Clients	74
Advices	251
Cases (Closed)	19
CLE Activities	3

Brief summary of casework trends

The Welfare Rights Service (WRS) run by the Launceston CLC Inc. was a part time service operating 0.70FTE per week from July 2013 until January 2014, when it resumed full time service operations by one (1) person, at 38 hour per week, for the north of Tasmania. There are currently no (0) volunteers assisting with this service.

Clients living in any areas outside the Launceston 7250 zone can access our service via telephone for information or advice. The Centre maintains a state wide toll free number that is readily available to our clients.

Regional Initiatives and Engagement

The WRS has conducted several presentations to vulnerable community members in this last financial year. Some of the Community Legal Education Sessions that we hold include 'Welfare Rights and You', 'Compensation and Centrelink', and 'Appealing Centrelink Debts'. These services are provided free of charge to community groups, community health centres, and neighbourhood houses.

Melbourne - Social Security Rights Victoria Inc (VIC)

Social Security Rights Victoria (SSRV) provides independent information and assistance in relation to social security law. Social Security Law is principally issues related to Centrelink and its benefits. The issues people contact us in relation to includes (but is not limited to):

- Whether someone is or could be eligible for a payment;
- Circumstances where someone would normally not be eligible;
- Cancellation or refusal of application;
- Membership of couple issues;
- Income and assets;
- Debts and repayment issues.

SSRV begins its work with telephone or email intake and then further assistance may be provided depending on people's situations. This includes assistance with the preparation of both internal appeals (at Centrelink) and external appeals (at the Social Security Appeals Tribunal).

Other SSRV services

SSRV also provides community legal education including talks and publications. The talks are usually given to community groups (such as Carer's groups) and other community organisations.

SSRV produces two regular publications: 'Red Tape' a quarterly newsheet available in soft or hard copy (subscriptions are free) and 'Red Tape Alert is' an email bulletin sent usually once a month.

SSRV is involved in the law reform program of the National Welfare Rights Network which includes regular submissions on issues related to social security law and reform in Australia.

SSRV also contributes to the public debate about social security law in Australia, with special focus on Victorian issues.

Perth - Fremantle Community Legal Centre (WA)

The Fremantle Community Legal Centre (FCLC) provides a wide range of legal and paralegal services to the community including legal advice and limited representation in matters such as: Family law, Restraining Orders, Criminal Injuries Compensation and minor civil/criminal matters. The Evening Legal Service program offers one off legal advice on a range of legal issues. Specialised Services covers: Financial Counselling, Tenancy and Welfare Rights. The present report refers to the Welfare Rights Service.

Staff

Judy McClean	Co-ordinator/Principal Solicitor (F/T)
Gary Mack	Family Solicitor (P/T)
Aoning Li	VRO Solicitor (P/T)
Amy Pepper	DV Solicitor (P/T)
Clea Turner	Evening Legal Service (P/T)
Jenny Cecil	Financial Counsellor (F/T)
Lauren Moore	Tenant Advocate (F/T)
Antonio Gonzalez	Welfare Rights Advocate (F/T)

Total number, under the Welfare Rights funding program, of the following:

Matters	261
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Casework Issues and Trends

In the past year Welfare Rights focused on responding to clients' needs by way of providing advice, advocacy, casework and written or direct Tribunal representation. The demand for assistance has been higher than previous year. A total number of 261 clients' matters were attended. Priority has been given to clients without income and those in hardship. Direct advocacy and negotiation with Centrelink has proven effective in resolving clients' presenting problems – especially those who were without income at first contact. Likewise, many appeals were successfully resolved within the internal review process up to the Authorise Review Officer (ARO) level. Fewer matters proceeded to the Social Security Appeal Tribunal (SSAT) and Administrative Appeals Tribunal (AAT) this year.

Problem types

The problem types presented throughout the past year involves a wide ranges of issues. A brief summary of these include rejection of claim, non-payment periods, participation issues (suspensions/exemptions), overpayments/debt recovery, residency/portability, income and assets and general eligibility criteria. The breakdown per CLSIS codes is as follows:

Code	Number of Matters	Percentage (%)
3910	108	41
3990	104	40
3920	29	11
3930	20	8
Total	261	100

Payment types

Although the request for assistance in the past year affects a whole range of payment types, Disability Support Pension (DSP) issues ranked the highest, followed by Family Tax Benefit. Age Pension, Newstart Allowance (NSA) and student issues remained high. Parenting Payment and Carer's issues were equally significant.

Disability Support Pension (DSP)

DSP issues have continued to rise in the past year and constituted the largest proportion of the workload. The reasons for the continual increase may be attributed to eligibility, rejection of claim and cancellation of existing DSP payment following medical reviews. Medical appeals have proven most challenging for the majority of the clients, especially where condition(s) were likely to improve. Similarly, a number of clients with several conditions were not able to meet the full criteria because they had not done or completed the Program of Support requirements, even though some of these clients had a combined rating of 25 or more points.

Family Tax Benefit (FTB)

FTB related issues have remained high throughout the year with many illiterate clients requiring assistance with completing a paper claim as they were unable to access online services. Other presenting FTB problems related to change/loss of care, share care and conciliations debts.

Participation Payments

The number of NSA and Youth Allowance (YA) clients having participation issues has remained steady during the past year. Meeting activity tests, exemptions, suspensions and eight week non-payment periods have been some of the issues confronting these clients. Many of these clients were clearly disadvantaged by medical issues, homelessness and barriers to comply. Some of these clients had unsuccessfully tested their eligibility for DSP. An increasing number of clients with disabilities having participation requirements have been noted.

Students' Issues

More students' issues have been noted this year. Issues at claim stage, long delays in processing payment, enrolment in an approved course, study load and student debts have been some of the presented problems.

Policy work/issues

Welfare Rights has participated in a number of national link ups including a special joint linkup between NWRN and Department of Human Services representatives in Canberra to discuss DSP issues in relation to the Program of Support (PoS). Welfare Rights has also contributed, as time permitted, with input and feedback and case studies in support of the NWRN's policy work and law reform submissions.

Community Legal Education (CLE)

In the past year Welfare Rights has provided a series of community legal education targeted to Indigenous people, women, grand carers and the public in general. Key topics included: dealing with Centrelink, appeal rights, Parenting Payment/FTB issues for grandparents, participation issues, preventing eight week non-payment periods, debt prevention and appealing Centrelink decisions. Presentations were conducted at Ottey Family Centre, Wanslea Grand carers, City of Fremantle and service providers at the Spearwood Centrelink Office. In addition, a wide range of Centrelink information and Welfare Rights factsheets were distributed to the general public at FCLC 'Law Week' and 'Wellness Day' events at King's Square.

Networking

Welfare Rights continues with regular involvement at the local forums including Fremantle/Spearwood DHS Community Forum, the DHS Consultative Committee in Perth and liaison meetings with Welfare Rights Advocates and the SSAT.

Perth - Welfare Rights & Advocacy Service (WA)

Staff

Kate Beaumont	Executive Officer/Welfare Advocate
Chris Belcher	Welfare/Tenant Advocate
Jeanie Bryan	Welfare Advocate
Christine Carr	Admin/Bookkeeper
Sue Chadwick	Tenant Advocate
Catherine Eagle	Solicitor
Paul Harrison	Tenant Advocate
Zara Spencer	Solicitor
Lorilee Yu	Solicitor

Volunteers

Hannah Flynn, Isabelle Flynn, Megan Healy, Lisa Mcanearney, John Rome, Hugo Seymour

Total number, under the Welfare Rights funding program, of the following:

Clients	529
Advices	654
Matters	492
Cases	143
CLE Activities	14

Brief summary of casework trends

Welfare Rights & Advocacy Service (WR&AS) has had an overall increase in demand for service across its main areas of Social Security, Tenancy and Social Security Prosecution matters in the last year. The numbers of clients has increased by 10 per cent in the most recent year and the numbers of advices has increased by 7 per cent in that same time.

The main casework trend in 2013/2014, making up 34 percent of Welfare Rights assistance provided, has continued to be related to those with Disability Support Pension (DSP) issues. The issues clients have presented with include those trying to access DSP (including those who do not have the Program of Support requirement and clients regarded as not having been fully diagnosed treated and stabilised), those subject to review and cancellation of DSP, and in relation to severe disability for portability of payment.

An unfortunate trend in the most recent year has been increasing numbers of clients accessing the service because claims for payment have not been processed. Authorised Review Officer (ARO) delay has continued to be an issue for clients who are at times waiting for months to be allocated to an ARO, let alone having a review finalised. This is made more difficult for clients who experience problems accessing Department of Human Services (DHS) by telephone due to long wait times and then in turn access local service centres only to be put on the phone within the office to wait or told to do things on line when they may not have access or the skills to use the internet. Whereas in the past it was easier for the agency to advocate on behalf of clients with local service centres and ARO teams, increased centralisation of processing across DHS in “virtual teams” has made this a fruitless exercise.

Similar to the previous year the agency has had fewer clients with overpayment issues although many of the clients assisted have had significant debts and have been at risk of prosecution for Social Security offences. In relation to assistance for those at risk of prosecution for Social Security offences, the agency has continued to undertake this work from its Welfare Rights program, as we see this as a priority area even though the agency did not receive project funding in the most recent year to continue its Prosecution Project. A major impediment to the work undertaken in this area over the last year has been the continued issues with DHS Freedom of Information (FOI) and our inability to get Centrelink files under FOI. Without access to FOI documents it is problematic for proper legal advice to be provided to clients. Significant energy from the agency and its Principal Solicitor has been expended on complaints to DHS, the Office of the Australian Information Commissioner (OAIC) and the Commonwealth Ombudsman’s Office in relation to this issue. Until this issue is resolved by DHS or through the Administrative Appeal Tribunal, WR&AS will continue to pursue this issue as a priority in 2014/2015.

Regional Initiatives and Engagement

Although not in the Welfare Rights area the agency over the last 12 months has provided assistance in the establishment of a new specialist tenancy community legal centre in Western Australia. Tenancy WA was the successful tenderer for Central Resource Unit funding from the Department of Commerce. WR&AS hosted the project worker for a four month period and provided tenancy support to tenant and community advocates under a sub contract arrangement for a four month period during the establishment phase of the new service. Recently Tenancy WA have been advised by Commonwealth Attorney Generals Department that they will receive Community Legal Services Program (CLSP) funding from 1 July 2014.

Threats to the Centre/Service

Unfortunately the agency was informed on Budget Day 2014 that the additional funding provided by the Commonwealth Attorney General’s Department for a four year period is to cease from 30 June

2015, which will mean that the agency will have to closely review its structure in the coming year. Prior to this notification WR&AS had recently employed an additional two lawyers in the service on a contract basis up to October 2014. These lawyers were employed to work across our Welfare Rights and Tenancy programs. Although our CLSP contract has been extended for a further year to 30 June 2015, it has brought with it the bar on the agency using its Commonwealth funding for law reform advocacy. Welfare Rights & Advocacy Service is still able to use its state CLSP funding to do some law reform work, however this is only about \$16,000 per annum received from this source. Additionally the Productivity Commission review of the entire legal service program, is likely to have major implications on funding of this service beyond this financial year and into the future.

Opportunities/plans for Centre/Service

The agency has recently applied for funding to complete Strategic Planning in the coming year and is hopeful of receiving funding from Lotterywest for this purpose. Welfare Rights & Advocacy Service is also about to finalise its new website shortly.

Perth - Sussex Street Community Law Service (WA)

Sussex Street Community Law Service Inc is a 'non-profit' non-government community based organisation that provides access to accountable, non-judgemental and effective legal services to low income people in the community

Services Available are:

- Legal advice in Family, Civil and minor Criminal Law
- Financial Counselling
- Welfare Rights Advocacy
- Tenancy Advocacy
- Disability Discrimination
- Individual Disability Advocacy

Sussex Street Community Law Service Inc gratefully acknowledges the support and assistance provided by the following without which we would not be able to provide the valuable services to the community.

The Welfare Rights Unit assists people who are having problems with Centrelink matters. Assistance provided ranges from information, advocacy and representation. If you think that Centrelink have made a wrong decision you have the right to ask for the decision to be reviewed

Sydney – Welfare Rights Centre Ltd (NSW)

Staff

Matthew Butt	Principal Solicitor
Alice Jones- Rabbitt	Administration Officer
Carolyn Odgers	Solicitor
Maree O'Halloran	Director
Jessica Raffal	Solicitor
Danny Shaw	Senior Caseworker
Sharissa Thirukumar	Caseworker
Gerard Thomas	Policy and Media Officer

On behalf of the National Welfare Rights Network Inc Secretariat, the Centre also employed the following staff:

Amie Meers	Executive Officer
Gerard Thomas	Policy and Media Officer
Alice Jones-Rabbitt	Administration Officer

In addition the Centre engages Trinity accounting company on a fee for service basis.

The Centre also farewelled a number of staff in the past 12 months: Anh Le, Melissa Michael, Katie Wrigley and Hannah Vieira.

Total number, under the Welfare Rights funding program, of the following:

Clients	2580
Advices	4841
Cases (Opened)	828
Cases (Closed)	794
CLE Activities	35

Brief summary of casework trends

The Centre provides advice and representation with respect to all aspects of social security and

family assistance law. This extends from assistance to vulnerable clients in dealing with Centrelink prior to or at the time of original decision, to representation at all levels of internal and external appeal. The Centre also provides assistance to clients facing prosecution by conducting administrative review and making representations to the Commonwealth Department of Public Prosecutions in certain cases.

The practice is integrated, in the sense that all caseworkers advise and represent at all levels of appeal, which feeds back into the quality of advice and representation to clients.

A telephone advice service is available 4 days per week, for 3.5 hours per day. There is a toll free number to facilitate access for outer-metro and outside Sydney clients and a TTY. There is a nationwide toll free number for clients referred by HESTA.

Caseworkers decide, in accordance with guidelines, which cases to take on for further assistance (either minor assistance, such as providing help with preparing evidence or writing submissions, or representation). Cases are triaged in accordance with guidelines which aim to focus our additional assistance and representation on cases where legal help makes a substantial difference to the outcome. Exceptions are made for vulnerable clients or where we believe there is a public interest in the issue. This results in the following broad profile of our casework:

- member of a couple debts over \$10,000, with most of our casework focussed on debts between \$50,000 and \$150,000;
- income related debts, with most of our casework focussed on debts which are being prosecuted, or where there are reasonable prospects on administrative review (eg existence of administrative error, major mental health or capacity problems);
- student debts arising from loss of qualification;
- compensation preclusion period cases;
- waiting period cases, usually income maintenance periods and newly arrived residents waiting periods; and
- Youth Allowance Unreasonable to Live at Home cases.

As Legal Aid NSW provides advice and representation in disability support pension matters at Social Security Appeals Tribunal (SSAT) and Administrative Appeals Tribunal (AAT), we have a limited service in this area, focussing on appeal rights and sending self-help resources, unless the person is not in receipt of Newstart Allowance.

Tribunal Representation

Most tribunal representation was at the SSAT. These cases were generally in the priority areas identified above. The Centre regularly appears at the AAT, either appealing from an unfavourable SSAT decision or in cases where the client first contacted at that level.

The Centre does not represent in cases where only a commercial settlement is likely to be achieved (eg a 20-30 per cent commercial offer to reduce a debt), but regularly provides advice and assistance to clients with reasonable prospects about this.

In other cases, the main area of appeal in 2013-2014 was compensation preclusion period cases. In most of these cases, favourable settlements were achieved with the Department and the Department took a reasonable approach to settlement. It is not clear whether this will continue in the coming year under a new government.

In terms of cases which raised wider issues, we had a good win in establishing that “constant care” does not require seven days per week of care, showing implicitly that Centrelink’s longstanding policy is unlawful. (<http://www.austlii.edu.au/au/cases/cth/AATA/2014/129.html>).

Other trends

The main areas of work remained consistent with previous years, especially:

- large debts, especially student and member of a couple debts; and
- compensation preclusion periods.

In terms of new trends in casework, the Centre ran a series of cases intended to establish unlawful or unduly narrow aspects of Centrelink’s approach to income maintenance periods.

This casework gave rise to some successful SSAT appeals in a traditionally difficult area, where the SSAT took a wider view of reasonable expenditure in light of a person’s individual circumstances. It also disclosed the Department’s continued adherence to a policy expressly disapproved in the Federal Court – a matter now subject to an Ombudsman investigation.

Community and stakeholder engagement

During 2013-14, the Welfare Rights Centre (NSW) participated in many activities, including:

- Bankstown Local Solutions Community Projects Launch, Bankstown, 18 July 2013
- Speech at Conference – Advocacy in the Third Sector, Blacktown 19 July 2013
- Launch of ACOSS Reconciliation Plan, Redfern, 29 July 2013
- Department of Human Services, Zone Meeting on Service Delivery issues, 6 August 2013
- Participation in NWRN/DHS Bi-Annual Delegations, 15 October 2013

- Combined Pensioners' and Superannuants Association of NSW Annual Conference, 30 October 2013
- Meeting with Chinese women's delegation on Australia's social security system, 10 November 2013
- Commonwealth Ombudsman Roundtable on complaints, 11 December 2013
- Speech to Worker's Compensation Conference on Disability Support Pension issues, February 2014
- Meeting with Opposition Spokesperson for Families, Disability and Indigenous Affairs, Jenny Macklin, Sydney, 7 February 2014
- Unions NSW Link up on Responses to the G20 and Civil Society, March 2014
- Meeting with NSW Shelter on Rent Assistance report, 11 March 2014
- Talk on expansion of income management: Progressive Breakfast, 3 April 2014
- Meeting with Prem Aleema, Director, Social Services Team, Social Services, Indigenous and Public Interest Disclosure Branch, and George Masri, Senior Assistant Ombudsman, *Social Services, Indigenous and Public Interest Disclosure*, 3 April 2014
- Presentation/briefing on Welfare Rights involvement in campaign for breaches and penalties, NSWCLC Law Symposium, Sydney
- Brief comments at Young Lawyers Forum with Attorney General, Just Deficit, 19 May 2014.
- Talk at UNSW Students Forum on the Federal Budget, 22 May 2014

The Centre also regularly attends the following local meetings:

- NWRN committee and members meeting teleconferences
- Department of Human Services NSW Homelessness Reference Group
- Department of Human Services NSW Mental Health Advisory Group
- Department of Human Services Sydney Employment Engagement Meeting
- CLC NSW Co-ordinators' meetings
- NSW Community Homelessness Alliance
- Progressive Breakfast
- FONGA (organised by NCOSS).

Other Centre activities in 2013-14

- Five staff from our Centre attended NWRN Conference in Brisbane, 21-23 July 2013.
- Letter to NSW Minister for Fair Trading about Park and Village Service and the Older Persons Tenant's Service, 25 October 2013.
- Speech to NSW Shelter Conference, 30 April 2013.

In addition to contributing to NWRN policy submissions and reports, and taking part in Parliamentary inquiries into proposed legislation, the Centre worked with Shelter NSW in a project about Rent Assistance in NSW. On 28 March, the Welfare Rights Centre and Shelter NSW released *The impact of Rent Assistance on housing affordability for low income renters: NSW*. WRC and Shelter NSW issued a joint media release: *173,000 people in NSW are living in housing stress, after Rent Assistance*.

The Centre also undertook a survey that examined our client's experiences with housing affordability.

Media and information to the community

The Centre also took opportunities to highlight our concerns through the media. We also wrote articles for a number of community agencies' newsletters, including Shelter NSW, Carers NSW,

Combined Pensioners, Search and St Vincent de Paul Society. The Centre's work was highlighted in a number of articles in the media, on issues such as Disability Support Pension, overpayments, housing and rent assistance and Centrelink waiting periods. Of note was a feature article on the experiences of people from New Zealand living in Australia who are denied income support.

Other significant media by the Centre is highlighted below.

- AAP, *Fears disabled will end up on dole*, Sunshine Coast Daily, 7 March 2014
- Ireland, J. *Budget savings should not be found at the expense of Australians with disabilities*, Sydney Morning Herald, 7 March 2014
- Patty, A. *Growth in minimum house prices leaves minimum wage earners out in the cold*, Sydney Morning Herald, 25 March 2014 Centrelink

Community Legal Education and Liaison

In 2013-2014 the Centre continued to target disadvantaged groups for education, by delivering education to those groups directly and by providing targeted social security training to community workers that support disadvantaged groups.

Particular focus was given this year to expanding our outreach to regional and remote areas of NSW.

The Centre travelled to Bourke to provide social security training as part of the Adult Aboriginal Literacy Campaign's (AALC) post-literacy course which is managed by the University of New England. We returned to Bourke later in the year to provide intensive advocacy training to some of the graduates of the AALC to enable them to assist other members of their communities with Centrelink problems.

We also provided training sessions to community workers in Bourke and Dubbo, and participated in the Financial Literacy Roadshow in Broken Hill and surrounding towns with the Financial Rights Legal Centre and a number of other services.

The Centre provided several training sessions to Centrelink staff, and delivered some specialist legal education to lawyers from Salvos Legal and Legal Aid NSW.

Throughout 2013-2014 the Centre continued to participate in the National Multicultural Advisory Group (on behalf of NWRN), NSW Centrelink Homelessness Reference Group, the NSW Homelessness Community Alliance and the ACOSS Board.

Volunteer Workers

Our volunteer program continued with approximately 20 volunteers at any point in time. They provide an invaluable service to the Centre.

Policy work/issues

During the 2013-14 financial year, the Welfare Rights Centre (NSW) engaged in policy and media activities, including contributing to the policy and media work of the National Welfare Rights Network. The Centre contributed to the preparation of reports, publications, policy briefings and papers for the NWRN, and participated in broader policy work. We met with members of the Government and engaged with the Sydney offices of the Commonwealth Ombudsman. The Centre's

policy officer continued to be a policy advisor on income support and employment to the Australian Council of Social Service (ACOSS).

Opportunities and plans for Centre

The Centre has decided to undertake more rural and remote outreach and place more emphasis on Community Legal Education. This year we have conducted a number of outreaches with the SSAT and also with the University of New England.

As a result of this change of direction, we are reducing the number of publications at the Centre. The Independent Social Security Handbook will now be our sole publication. The quarterly updates enable us to continue to add public value based on our casework experience. We are also running a new blog call Welfare Writes.

The Centre has also closely reviewed its factsheets and has decided to move to a number of self-help guides and reduce the number of factsheets.

Threats to the Centre

The ongoing threat is the issue of funding.

Townsville - Townsville Community Legal Service Inc (QLD)

Staff, under the Welfare Rights funding program

Aaron Finn Acting Coordinator (Welfare Rights Caseworker until November 2013)

Michael Murray Welfare Rights Caseworker (since November 2013)

Total number, under the Welfare Rights funding program, of the following:

Clients 74

Advices 23

Matters 65

Cases (Closed) 51

CLE Activities 1

Brief summary of casework trends

Disability Support Pension (DSP) appeals have again been the largest area of casework, with very few other presenting issues. For a long time, TCLS was not seeing many debt matters (particularly Member of a Couple determinations) but has seen more variety in recent months.

Opportunities and plans for Service

Due to a change in casework guidelines and service priorities, Townsville now has more Welfare Rights Service capacity. We will also institute an outreach in the near future, most probably by Skype, to outlying communities and with a particular emphasis on federal law including Social Security matters and employment law.

Threats to the Service

Commonwealth funding for TCLS's Welfare Rights Service remains at \$73,844, and is reliant on support from other funding streams (including state funding) to maintain its viability. TCLS is concerned that any Commonwealth/State demarcation in funding with respect to Commonwealth/State areas of law will threaten the Welfare Rights Service's viability.

Wollongong - Illawarra Legal Centre (NSW)

The Illawarra Legal Centre is a generalist community legal centre that in addition to operating a welfare rights service has a generalist legal service, a children's court assistance project, a child support project, a tenancy service, a financial counselling service, employs an aboriginal legal assistance program worker and employs a Community Legal Education (CLE) coordinator.

Staff

Liz Turnbull (P/T)

Ian Turton (P?T)

Total number, under the Welfare Rights funding program, of the following:

Advices 219

Cases 74

Casework Issues and Trends

Over the course of 2013/14, the project opened 74 new cases and provided advice in 219 matters. Types of matters include debt, compensation preclusion, assets test (hardship provisions) and Disability Support Pension (DSP) qualification. Welfare Rights continues to provide assistance at all levels of appeal including Authorised Review Officer (ARO), Social Security Appeals Tribunal (SSAT) and Administrative Appeals Tribunal (AAT).

The project has also successfully negotiated a number of AAT settlements and this reflects the good working relationship we have with DHS Legal Services. The project also has a good dialogue with local Centrelink offices and this helps in resolving many issues quickly.

The project was also successful in an Act of Grace claim to the Department of Finance.

Community Legal Education (CLE)

The project has undertaken many CLE workshops including:

- TAFE students (community welfare);
- Barnardos SUPPS program;
- LGBTI workshop for community workers;
- Macedonian Womens Welfare Association;
- Family Support Services;
- St. Vinnies regional staff;
- Residential accommodation workers; and
- Panel with SSAT at Shoalhaven Council.

The project brochure was also updated.

Policy

The project has continued to play an active role in the NWRN and contributed to various submissions/reports including on rent assistance, DSP (Program of Support) and FOI. Ian was elected as Secretary of the NWRN and was also employed during the latter half of 2013 as the National Liaison Officer (NLO).

Opportunities and plans for the Centre

The project has experienced increased requests for casework assistance from Shoalhaven region and the Far South Coast and therefore hopes to enhance service delivery in the region. The project is investigating the possibility of accessing Cooperative Legal Services Delivery Program (CLSD) funding to provide face to face casework services and CLE in this region.

The project plans to enhance its local profile by strengthening relationships with local community organisations and community workers. For example, the project will participate in relevant Illawarra Forum meetings and attend interagency meetings such as the Southern Suburb Taskforce.

Threats to the Centre

The Illawarra Legal Centre is concerned about the impact of the variations to funding agreements that has removed law reform from core activities. It is unclear at this stage how this may impact the work of the project.

Associate Members

In 2013-14, the NWRN had three Associate Members. They were:

- Central Australian Aboriginal Legal Aid Service (CAALAS);
- Northern Australian Aboriginal Justice Agency (NAAJA);
- Victorian Aboriginal Legal Service (VALS).

Our association with these agencies is greatly valued.

Case studies

Collated case studies from NWRN Members

Jane - Disability Support Pension (DSP); medical issues

Jane made an appointment with the Port Adelaide Outreach Clinic. She had been rejected for DSP on the basis that she did not meet the requirements to receive 20 points for her medical conditions, namely osteoarthritis in knees and spine, adjustment disorder, hypertension, hyperlipidaemia and hyperthyroidism. Centrelink advised that they considered the osteoarthritis in the knee was not fully treated, nor the adjustment disorder. Jane saw us after she had received her Authorised Review Officer's decision, but before her Social Security Appeals Tribunal (SSAT) hearing. Our advice was that based on the information she had provided and the medical reports, we would represent her at the SSAT.

WRC prepared doctor's letters to get advice from Jane's doctors, however, we were unable to get these before the hearing. Based on our submissions, the SSAT adjourned whilst we gathered further evidence. We sought a letter from Jane's psychologist, and her former Job Services Providers to put to the SSAT. Centrelink had stated that even if Jane did meet the medical requirements she would fail on the Program of Support requirement. WRC needed to counter this argument also. Jane had participated in Job Services programs for several years and completed at least two TAFE courses aimed to get her back into the workplace.

The SSAT accepted our submissions and the extra evidence, Jane was given 30 points and was thus medically qualified for the DSP. They also accepted that Jane had a continuing inability to work, and thus was fully qualified for the DSP. She received backpay from July 2012 as the appeal had been going on for so long. This has greatly assisted her as her husband is currently undergoing intensive cancer treatment and they were struggling financially. Jane was very grateful for the assistance from WRC.

This case study was provided by the Welfare Rights Centre (SA)

Alfred – Newstart Allowance and Disability Support Pension; debt

Alfred contacted WRC in relation to a debt recently raised by Centrelink for overpayment of Newstart Allowance (NSA) and Disability Support Pension (DSP), as they considered that he had income that had not been disclosed to them. The original debts were approximately \$55,000, representing his entire payments over several years, because there were unidentified deposits in Alfred's bank account. Alfred had sought an internal review of the decisions, and eventually the debts were reduced to approximately \$26,000, however there was also an internal fraud investigation pending. At that time, Alfred dropped the SSAT appeal until 2013 when it appeared the investigations ceased. WRC took on the matter and represented Alfred at the SSAT. Centrelink, in the words of the Tribunal, identified data, formed presumptions about that data, asked Alfred to rebut the presumptions and then refuse to accept the rebuttal. WRC laboriously went through 1600 pages of bank records, credit card records and statements to match the information with the client's story. After the initial SSAT hearing, the matter was adjourned to ask for Centrelink to please explain

the calculations and to justify the presumptions being made. These were then given to WRC to explain on the client's behalf. The question was ultimately what is income for Social Security Law purposes? Home equity conversions, explicitly excluded under the legislation had been included in this debt calculation. Deposits from one bank account into another had also been included. There was also an element of cultural insensitivity as Alfred was doing things for his sons that would normally be accepted in his culture, but are different in Centrelink culture. Ultimately, the SSAT found that the debt had been so badly calculated and the assumptions that Centrelink had made were unfounded and the debt was found not to exist. The SSAT also noted and formally acknowledged the efforts of the advocate from WRC in this matter and the assistance we provided the SSAT.

This case study was provided by the Welfare Rights Centre (SA)

Michael - DSP debt; living overseas

Centrelink had raised a debt of \$28,000 as Michael had been receiving DSP whilst living in a country with which Australia does not have an international agreement. On investigation WRC realised there was much more to the story and good prospects of waiver.

In defiance of serious congenital disabilities Michael worked as a taxi driver for thirty years. Michael's legs end just below the knees, one arm ends just below his elbow, the other has one finger and one pincer-like thumb. Eventually Michael's arthritis became too painful to continue work; he was granted Disability Support Pension and became his elderly father's carer.

After his dad died, Michael decided to pursue his lifelong dream of sailing up the Queensland coast. He sold his home, informed Centrelink of his plan and set off for USA, where boats were cheaper, expecting to return in a few months.

Transporting his yacht back home proved problematic and Michael spent two years living on the boat in Panama, trying to arrange things.

When Michael's sister told him he'd received a letter about transferring to Age Pension, he contacted Centrelink, where upon his payment was cancelled. Michael returned to have his payment restored, but a debt of \$28,000 was raised as Michael had been living in Panama, with which there is no international arrangement. Michael was unaware of this rule. Since returning Michael had to sell his boat at a substantial loss, leaving him with little cash remaining.

WRC successfully argued at the SSAT for waiver of \$26,000 still outstanding on the basis of special circumstance that he did not intend to deceive Centrelink and would have complied with DSP rules, if he had known them, as he couldn't afford not to. Now Michael will be able to keep his car and retain his mobility.

This case study was provided by the Welfare Rights Centre (Brisbane)

Nick – Disability Support Pension eligibility; back pay

Nick suffered a brain injury in an accident and, as is quite common with brain injuries, he lacked insight into the effect his injury had on his brain function. For several years he attempted jobs but

never lasted more than a month or two in any one position. He then spent all of his savings trying to set up a lawn mowing business, which he was unable to manage.

It wasn't until four years after his accident that Nick finally saw a doctor who helped him to understand it was as a consequence of his brain injury that he had difficulty maintaining employment and this medical problem would likely continue. This doctor helped him apply for DSP which he was granted.

Nick came to Welfare Rights Centre after appealing for back pay to the SSAT. With the help of a Brain Injury Specialist, our solicitor argued that due to his brain injury Nick had not understood that he should have applied for DSP much earlier. Welfare Rights Centre was able to successfully convince the AAT to award Nick back pay (of the difference between Disability Pension and Newstart Allowance, worth about \$250/fortnight) for 2.5 year period prior to his DSP application.

This case study was provided by the Welfare Rights Centre (Brisbane)

Disability Support Pension; medical issues

A client had been on Disability Support Pension (DSP) for over 15 years and has a diagnosis of treatment resistant schizophrenia. The client's payment was cancelled after a review found that he no longer had the requisite points under the Impairment Tables. The Social Security Appeal Tribunal (SSAT) overturned the decision to cancel DSP on the basis of evidence from the client's mental health caseworker and psychiatrist.

This case study was provided by Illawarra Community Legal Centre (NSW)

Samantha - Carer Payment; debt

Samantha cares for her two young children who both have severe development disorders. She also works part-time in the evenings. Samantha receives carer payment and she and her husband receive family tax benefit. When Samantha first claimed carer payment, she gave Centrelink copies of her payslips, which showed that she was working and that her earnings varied from fortnight to fortnight. Centrelink should have put her on fortnightly reporting to make sure she wasn't overpaid, but it did not. Samantha also told Centrelink how much she and her husband earned every year when she reported for family tax benefit. Centrelink paid Samantha carer payment as though she was earning no money at all for several years. When Samantha called to check how her payment would be affected if she worked a few more hours a week, Centrelink told her it didn't know she was working at all. Centrelink then continued to overpay Samantha for almost another full year before raising a debt. When Samantha asked for review of the debt, Centrelink said that although it made mistakes, its letters to Samantha should have made her aware of their mistakes, and on that basis it refused to waive all but a small fraction of the debt. Samantha, whose life was already highly stressful, began to suffer extreme stress, anxiety and depression as a result of the debt.

We represented Samantha at the Social Security Appeals Tribunal (SSAT). We argued that the entire debt should be waived on the basis that it was solely attributable to Centrelink's error, and that Centrelink's letters were misleading and confusing. Centrelink should have taken into account Samantha's variable earnings, and it should have made it clear to Samantha that the reports of her

income for family assistance purposes were not being taken into account for the purpose of her carer payment.

The SSAT agreed, and found that the debt was entirely Centrelink's fault. It ordered that the whole of the debt be waived, including a refund of the amount Samantha had already paid off. The SSAT also noted that although it did not need to consider Samantha's circumstances, they were special and uncommon and it would have considered waiving the debt on the grounds of special circumstances as well.

This case study was provided by the Welfare Rights Centre (NSW)

Michael - Compensation Preclusion Period

Michael received a lump sum compensation payment after being injured at work which resulted in him losing both hands. Michael has a history of traumatic brain injury and bipolar disorder. After receiving his lump sum payment, he incurred another brain injury after an assault and suffers from post-traumatic stress disorder.

Michael was not in the right physical or mental position to find employment. His decision making capacity was greatly affected by his most recent brain injury. He was taken advantage of by people close to him after he received his lump sum payment and his expenditure reflected his need for security and safety. Michael left home at age 15 and does not have any family or close friends to support him. After a few years, as the money was running out, he applied for Disability Support Pension (DSP) but was rejected because of his compensation preclusion period. He appealed this decision to an Authorised Review Officer who recognised his financial hardship but did not have any evidence to prove this.

Michael contacted the Welfare Rights Centre NSW after he had served almost 80 per cent of his compensation preclusion period. An appeal was lodged to the Social Security Appeals Tribunal (SSAT). We gathered evidence from his landlord that he was in rent arrears of six months. Also we obtained evidence from his psychologist and GP about his PTSD and bipolar and how this affected his decision making capacity in relation to his ability to control his spending. A neuropsychological report was also provided to the SSAT, which detailed the extent of his brain injuries.

We submitted that this amounted to special circumstances, which warranted a reduction to the preclusion period. By not reducing the preclusion period, he would be in further rent arrears, be evicted and have no money for food and medication. However to have a preclusion period reduced due to special circumstances is very difficult and the appeal was not successful at the SSAT.

We lodged an appeal with the Administrative Appeals Tribunal (AAT). Within a few days, Michael was scheduled to a psychiatric intensive care unit due to a manifestation of his mental health issues. With these new circumstances plus the evidence we provided to the SSAT, Centrelink's legal advocate agreed to settle the matter. This means that the preclusion period was ended and Michael was granted DSP.

This case study was provided by the Welfare Rights Centre (NSW)

Compensation

We had a number of successful claims for compensation due to defective administration. One claim saw payment to our client, as we were able to demonstrate that Centrelink had failed in their duty to act in our client's best interests, as set out in their own guidelines, when appointing him a nominee. The complainant came to Australia as a refugee and spoke little English and had a history of mental illness. A Centrelink Officer appointed a nominee who in turn withdrew the funds for their own use.

Another successful claim for compensation due to defective administration saw our client secure compensation in the amount of 13 week's payment of Disability Support Pension (DSP). We were able to establish that Centrelink erred in canceling our client's DSP, as soon as she went overseas. The Centrelink CSO provided the advice that our client's DSP payment was not portable and would be cancelled immediately, rather than after the 13 weeks it was in fact portable (at the time). Our client was out of time with regard to lodging an appeal through the normal channels.

WRAS had a significant win in the Social Security Appeals Tribunal (SSAT) for a single mother who the Secretary had determined was living in a marriage-like relationship with her ex-husband and thus cancelled her Parenting Payment and raised a substantial overpayment. The SSAT held that our client was not living in a marriage like relationship and set aside the Authorised Review Officer's decision. As a result the \$33,259.90 of Parenting Payment and Family Tax Benefit debts raised against our client were waived. The Commonwealth did not appeal the decision of the SSAT.

These case studies were provided by Hobart Community Legal Service (TAS)

Family Tax Benefit; debt

In this case Centrelink raised Family Tax Benefit (FTB) debts of approximately \$10 000 on the basis that our client had failed to take reasonable maintenance action in respect of her children.

Our client was a single parent to five children. She had a troubled history of domestic violence, housing insecurity plus a disadvantaged educational background. Our client had moved to New Zealand in her late teens where she had married and had her children. Later she had fled to Australia to escape domestic violence at the hands of her ex-husband. Following her ex-husband's refusal to return one of her children after a short holiday with him, our client returned to New Zealand to regain custody of her child, during which time she began to receive New Zealand income support payments and also began a Child Support case with the relevant New Zealand authority. The New Zealand authority had contacted the Australian Child Support Agency and requested that they close her case in Australia but due to maladministration this did not occur.

Our client subsequently returned to Australia and reclaimed Social Security payments including FTB payments. However because the Child Support Agency had not closed her case of their system there was no trigger for Centrelink to alert our client to the need to take reasonable maintenance action.

We argued before the Social Security Appeals Tribunal that the general statements about child support and its possible effect on FTB in various Centrelink letters were not sufficient to alert our client to her specific obligations to seek a child support assessment for her children and the

consequences of not doing so. Furthermore, due to the Child Support error, our client had not been put on notice of her obligation to do so.

The Tribunal accepted our submissions finding that on both of the interconnected grounds of Child Support maladministration and inadequate Centrelink notification it was not reasonable to expect our client to take maintenance action. The FTB debts were set aside. Representation has enabled the client to improve or prevent deterioration of personal circumstances.

This case study was provided by the Welfare Rights and Legal Centre (ACT)

Parenting Payment - Single (PPS); Member of a couple debt and cancellation

Our client was a single parent with dependent children. She was an extremely vulnerable client with a history of trauma and self-harm. Prior to the current investigation which had led to the raising of the debt and cancellation of our client's (PPS) Centrelink had undertaken several prior investigations all of which had concluded that there was insufficient evidence that our client was a member of a couple. All the investigations had been triggered by drop-ins from family members the history of which suggested that they were maliciously motivated. Despite there being no compelling evidence and the investigating officer finalising the case on the basis that there was no member of a couple relationship, this decision was overruled by a senior Centrelink officer who recorded on the critical decision record: 'stop payment. Partner them and let them appeal.'

Our client was devastated by the decision which plunged her into crisis leaving her with no money to support her family. WRLC was able to quickly act to lodge an appeal against the decisions and get her PPS payments restored pending the outcome of the appeal.

We subsequently lodged detailed submissions with the Authorised Review Officer (ARO) in support of the appeal against Centrelink's decision to treat her as a member of a couple.

During the appeal, due to significant concerns for our client's mental health and wellbeing as a result of the Centrelink investigation and the raising of the debts WRLC had also worked with the client's psychologist to put in place a safety plan in the event that the ARO appeal was not successful.

Fortunately the ARO appeal was successful with all the debts being set aside and a determination that our client was not in a member of a couple relationship.

This case study was provided by the Welfare Rights and Legal Centre (ACT)

Miss C – Youth Allowance; Unreasonable to Live at Home

Miss C is an 18 year old born in Ethiopia and studying Year 11. Miss C and her twin sister were thrown out of the family home of her adopted father and step mother on Christmas Day and told not to come back. Miss C lodged a claim on line with Centrelink on 30 December 2013 as she had no means of support. Miss C had approached her adopted father about returning home, however her step mother said that she was not permitted to. Miss C also approached community members to intervene and make approaches to her parents but there was refusal on their part. Miss C was referred to WRAS by DHS as her application for payment at the Unreasonable to Live at Home (UTLAH) rate had been unsuccessful. Miss C's request for review by an ARO had also been unsuccessful and there had been a refusal to consider third party verification.

The agency initially advocated with DHS about their consideration of the third party information provided, as it verified that Miss C was qualified for the UTLAH rate. Their advice was for Miss C to lodge a new application, however she was advised the claim would not be backdated and it would take at least 8 weeks for the UTLAH claim to be processed. Miss C was assisted to lodge an urgent appeal with the SSAT. The agency provided written submissions and represented Miss C at her appeal.

The SSAT found that Miss C was eligible to receive the UTLAH rate and it was backdated to the date of the original claim in December 2013. The centre negotiated with DHS Legal Services for urgent scrutiny and implementation of the decision. Miss C received payment within three days of the SSAT decision.

Without the assistance of our service it is likely that Miss C would have had to make a new claim for UTLAH and missed out on payments from the date of claim and waited longer for the claim to be processed. Miss C's continued participation in education was also facilitated because she was provided with appropriate levels of income support.

This case study was provided by the Welfare Rights and Advocacy Service (WA)

Mrs D – Carer; debt

Mrs D is a 45 year old woman, who initially came to Australia as a refugee from the former Yugoslavia. She had come to the agency because she was having her Carer Allowance (CA) and Carer Payment (CP) payments reviewed and had been told by Centrelink that her payments were going to be cancelled and that a debt for the preceding 8 years was to be raised. In the course of the review it became apparent that she was not qualified for the payment as her severely disabled child was living in a care facility and had been from the commencement of payment and she was not providing the requisite level of care to qualify for CP.

Mrs D had told Centrelink from the outset that her child was living in a care facility and had never been told by Centrelink that she had to care for her child for a particular amount of hours per day. Mrs D was also waiting for the finalisation of a compensation claim as she had been involved in a motor vehicle accident.

Mrs D's CA and CP were initially suspended and then cancelled one month later. Three months after the initial review interview Mrs D had a debt in the amount of \$97,000 raised against her. The full debt would have been \$130,000 however an amount equivalent to three years Parenting Payment-Single was offset against the debt as the Original Decision Maker determined that the client had not knowingly provided false or misleading information. Subsequently Mrs D's compensation claim was finalised and DHS garnisheed an amount of \$35,000 from the settlement.

The agency assisted Mrs D by providing advice about the eligibility criteria for CA and CP and outlining alternative income support payments. Mrs D was assisted to obtain her files under Freedom of Information (FOI) from the Department. It was clear from the FOI documentation provided that Centrelink were aware that Mrs D's child was staying at a care facility overnight and was attending school during the day. Apart from the application for CA and CP there had also been a claim for Isolated Child's Allowance lodged with Centrelink on the same day which was separated and sent for processing at another Centrelink outlet.

The agency advocated to Centrelink in relation to the garnishee action taken by Centrelink. The agency also provided a written submission to the Authorised Review Officer (ARO). The ARO found that Mrs D had knowingly provided false information to Centrelink and increased the debt to \$130,000 as the portion that had been waived could not be. Mrs D was assisted to appeal to the Social Security Appeals Tribunal (SSAT).

The SSAT waived the entire debt. The SSAT found that the initial portion of the debt should be waived due to administrative error as Centrelink had information on the initial claim and their follow up contact that Mrs D was never entitled to CA and CP. The SSAT found that once there was a change in circumstances when her child went to hospital then there was a notifiable event. The remainder of the debt was waived due to Special Circumstances.

As a result of the decision, Mrs D was refunded the amount which had been recovered by Centrelink which included the amount of the garnishee. The Department did not appeal the SSAT decision.

With the assistance of the agency Mrs D did not have to pay a substantial debt to Centrelink. She was also able to utilise the compensation payment for ongoing treatment for her various health issues.

This case study was provided by the Welfare Rights and Advocacy Service (WA)

Newstart Allowance; debt

A client from a non-English speaking background had received a substantial Centrelink debt. The client was on Newstart Allowance and in financial hardship. Centrelink had made a decision to continue to recover this debt after he had been discharged from Bankruptcy. We represented the client at the Social Security Appeals Tribunal (SSAT). The SSAT decided that Centrelink had made a mistake meaning they had to stop recovering the debt and refund all moneys recovered in error.

This case study was provided by Darwin Community Legal Service (NT)

Disability Support Pension; eligibility

Our client had been living overseas for a long period and had returned to Australia and applied for a Disability Support Pension (DSP). Although Centrelink agreed the client had serious medical conditions, they did not agree about the time the conditions arose and the period the client had resided in Australia. We assisted this client obtain medical information from overseas and other further information regarding residency. We represented the client at the SSAT where the appeal was unsuccessful. We appealed this decision further to the Administrative Appeals Tribunal (AAT). Lawyers for the Department of Human Services eventually conceded that the client had been eligible and the matter was settled in her favour meaning she received her pension entitlements.

This case study was provided by Darwin Community Legal Service (NT)