

NATIONAL

*Welfare
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NETWORK

National Welfare Rights Network Inc.

Annual Report

July 2006 to June 2007

Prepared for 2007 Annual General Meeting

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National Welfare Rights Network (NWRN) Committee

- ◆ President: Michael Raper, Director, Welfare Rights Centre, Sydney
- ◆ Vice President: Kate Beaumont, Executive Officer, Welfare Rights and Advocacy Service, Perth
- ◆ Secretary/National Liaison Officer: Genevieve Bolton, Supervising Solicitor, Welfare Rights and Legal Centre, Canberra
- ◆ Treasurer: Peter Horbury, Coordinator, Welfare Rights Unit, Melbourne
- ◆ Committee Member: Mark Leahy, Manager, Welfare Rights Centre, Adelaide
- ◆ Committee Member: Samantha Purcell, Welfare Rights Advocate, Welfare Rights Centre, Geelong
- ◆ Committee Member: Liz Turnbull, Welfare Rights Advocate, Illawarra Legal Centre Inc

President's Report

1. Perseverance and growth in the face of challenge

Four full years

The National Welfare Rights Network Inc has just completed its fourth full year as an incorporated organisation. In many ways it is definitely stronger and more capable now than at incorporation but in other ways it is not. The enthusiasm of infancy have faded and pressures on Member organisations increasingly focus energies on clients and important individual needs leaving less for the preventative policy ambitions of the Network.

Negative and challenging trends

As with our clients, all the trends we confront as Welfare Rights services and workers are negative and challenging. Over at least 15 years, there has been a concerted shift in the balance of risks and responsibilities in the Australian Social Security system. Responsibilities have been systematically shifted away from the system and onto individual recipients. Centrelink can be 99% negligent in causing a large debt, but it cannot be waived if 1% contributory error can be apportioned to the recipient.

This trend has been accompanied by similar shift in the balance of risks, most of which is now squarely on the individual as little is carried by the system. Not only in the area of debts is this evident but also through the new compliance regime with its 240% increase in the number of eight week no payment penalties over the first year of the so called "Welfare to Work" scheme.

An increasingly complex, nit picking system, increased levels of agitation through discredited "Work First" activity requirements, a 240% increase in the number of eight week no payment penalties, annually increased levels of compliance and prosecution activity by Centrelink, far higher numbers of Centrelink "customers" having debts raised and substantially increased levels of departmental appeals to the AAT all contribute significantly to this shift in the balance of risks and responsibilities in the system.

Resource constraints

Both Network members and the NWRN itself have had to face these issues with no additional resources. Indeed, in the case of the NWRN we have not even had the modest Scully Fund money of the previous three years and have only the Member levy money to rely on. As a result, we have not been able to implement the decision on last annual conference to commit resources towards a part-time NWRN policy officer capacity.

Increasingly, over the next few years, we must dedicate ourselves to not only addressing this trend as it affects our clients but also to reversing it and rebalancing the risk and responsibility equation so that both the Government of the day and Centrelink carry their fair share of the load. We must also dedicate ourselves to the pursuit of the resources to enable the NWRN to tackle this critical issue.

Reliance on contributed services and the NLO

In the absence of these resources, the NWRN is still relying heavily on the “contributed services” of its Members. This not only places an additional responsibility on the Office Bearers, Committee members and Sub-committee members, but it means that we remain heavily dependent on the National Liaison Officer position (which is actually only a half day a week position) and in particular the overwhelming dedication and out of hours and weekend resources of Genevieve Bolton, who continues to give far more of herself to the work of the Network than most of us realise and any of us can expect.

On behalf of the National Welfare Rights Network I place on record our sincere thanks to Genevieve and our wholehearted appreciation of her dedication and massive contribution.

Strategic Plan

These are all issues which we must confront and embrace in the 2007–2010 Strategic Plan, a draft of which is before the Network for determination at the 2007 Annual Conference. The drafting of this document, up to the point it is now, and the process of providing full opportunity for Member organisation participation in its formulation, has been another significant, if challenging, achievement of this year.

2. Policy activities, achievements and challenges

Welfare to Work – first year

Despite all the trends, the difficulties and the resource issues outlined above, the National Welfare Rights Network did not back away from the challenges thrown up throughout the year and, as the rest of this report indicates, has had a particularly active and productive, if taxing, year.

We have just completed the first year of the “Welfare to Work” regime and so we have spent an enormous amount of time with Centrelink, the Department of Human Services and Job Capacity Assessment providers attempting to iron out the numerous implementation problems, whereas the focus in the previous year had largely been on DEWR – trying to influence the design of the legislation and policy Guide.

Challenges of the new compliance regime

Undoubtedly, the sharp end of the implementation problems, and the biggest challenge for both our clients and caseworkers, has been the new compliance and penalties regime. In the first year these harsh new penalties took \$27.2 million out of the pockets of 15,509 of the most vulnerable jobseekers in the system. In 2005-06, under the previous system, only 6,432 jobseekers lost all payments for eight weeks, which in itself was bad enough.

For Indigenous Australians the picture is even worse. Only 658 lost all of their payments for eight weeks in 2005-06, compared with 1,644 Aboriginal people losing payments for eight weeks under the first year of the Welfare to Work compliance system.

Additional challenges were posed by the fact that Centrelink is operating under a flawed and dubious policy whereby it places a “hold” on a person’s payments until it gets around to making a determination as to whether it should or should not impose an eight week no payment penalty. NWRN members recently publicly exposed Centrelink for taking up to 11 weeks to make a decision about whether or not to impose an eight week no payment penalty.

The NWRN has challenged this practice at the highest levels within Centrelink and we expect that it will be stopped very soon. This is classic case of the damage that can be caused simply through administrative practice, without any legal or policy authority, and **the importance of the Network and its members as a critical early warning system and systemic whistleblower.**

DEWR appeals

Network members have also been confronted by the dramatic increase in the level of departmental appeals to the AAT against SSAT decisions, particularly by the Department of Employment and Workplace Relations since the Machinery of Government changes in October 2004. With seemingly unlimited resources and little regard for the “model litigant” role of the Commonwealth Government and its departments, **our clients and their advocates are facing a far more adversarial system of appeal and review which drains enormous resources.**

In 2004 -05, there were a mere 99 departmental appeals to the AAT. In 2005 -06, this climbed significantly to 260. However in 2006-07, the number of departmental appeals to the AAT was a staggering 468 representing a massive 372% increase over 2004-05 levels.

Whilst there has been little explanation and even less response from DEWR to the concerns we have raised, we must continue to expose this indulgent practice and highlight its waste, extravagance and unfairness.

Persistence pays in Budget positives

The Budget has increasingly become an instrument to “crack down” even further on Social Security recipients and a time of little joy or reward for the NWRN. However, this year, **at least some of our persistent advocacy paid off.** Surprisingly, there were a number of very positive measures in the Budget – some of which the Network has been pushing for many years. In particular:

- Crisis Payment was extended to ABSTUDY recipients (about 500 people per year to be assisted),
- Rent Assistance was extended to Austudy Payment (around 7,000 people will be assisted each year), and
- Crisis Payment has also been extended to Humanitarian refugees.

However, the Budget also laid the ground work for the “soon-to-be-announced” assault on the Northern Territory. This will prove to be **one of the greatest challenges over the next 12 months**, not only (although especially) for Aboriginal and Torres Strait Islanders in the Northern Territory, but also for Civil Society in Australia more broadly and for NGOs specifically, including the NWRN.

NT “Emergency Response”

In the Government’s so called “Northern Territory Emergency Response” everyone is tarred with the same brush. The laws that were rushed through the Commonwealth Parliament in early August, with just a cursory glance on their way through a one day Senate Inquiry (with only three days notice) and made operative from 17 August, will affect more than 40,000 Australians directly, and, millions more of us indirectly. The legislation is not about the few communities in the far outback where law and morality have broken down. Every Aborigine in the Northern Territory who is not living in the suburbs of a major town could be caught by this legislation.

The rapid and largely unscrutinised passage of the Families and Community Services and

Indigenous Affairs and Other Legislation Amendment (Northern Territory Emergency Response and Other Measures) Bill 2007 **demonstrates just how far the democratic process can be compromised and abused when the Government of the day also controls the Senate.** This is something the National Welfare Rights Network confronts with every Parliamentary sitting and every Social Security amendment Bill.

Despite the attempts of Opposition, Greens and Democrats Senators to genuinely tease out real issues in the legislation by questioning those appearing before the Inquiry, Government Senators showed no interest in either the legislation or the concerns raised and simply rammed the process through as fast as it thought it could get away with.

Far reaching provisions

In addition to taking control of welfare payments, the Northern Territory Emergency Response also:

- exempts the legislation from the operation of the Racial Discrimination Act;
- removes from Aboriginal people in the NT the right to appeal to the SSAT and the AAT in relation to “income management” decisions of Centrelink;
- brings the Community Development Employment Project (CDEP) to an end;
- places former CDEP participants onto Newstart Allowance with activity test responsibilities and exposure to the eight week no payment penalties system;
- removes the remote area activity test exemptions;
- anticipates placing most Newstart Allowance recipients in the NT on continuous “Work for the Dole” programs;
- abolishes the permit system (which controls access to Aboriginal communities) on which “remote police rely as an important policing tool”, thus risking easier access for “more grog runners and shonky art dealers” (Combined Aboriginal Organisations of NT); and
- compulsorily ends Aboriginal leases over all Aboriginal townships and hands these over to the Commonwealth Government for five years.

It is essential that this Report record the fact that, notwithstanding the “corrupt” process of the Inquiry and passage of the legislation, **the NWRN nevertheless placed its analysis of, and firm opposition to, the proposed legislation on the national record** by way of a rapidly prepared submission to the so called Senate Inquiry. Over the next 12 months, we will need to monitor and analyse the actual experience on the ground and lend our support to the Darwin Community Legal Centre, ACOSS, the Northern Territory Combined Aboriginal Groups and any other organisation that needs assistance in confronting the impact of this racist and ill-conceived piece of legislation.

Equity in our national response to climate change

In March 2007, the National Welfare Rights Network along with the Australian Conservation Foundation, the Brotherhood of St Laurence (BSL) and the Climate Institute Australia undertook a significant first in conducting a conference on “Equity in our national responses to climate change” in Melbourne. This proved to be a very significant event in that:

- it brought together the enormous but non-intersecting expertise of both the community welfare sector and the environmental sector to address a very important emerging policy

issue;

- it produced significant commissioned research on the actual likely impact of a carbon price (in whatever form- carbon tax or emissions trading scheme – ETS) on low income and Social Security households relative to high income households; on what is happening in Australia (very little) and on what has already been done and is to be done in the UK (a decade ahead of Australia); and
- it fired up many in the community welfare sector to become involved in the emerging equity issues confronting Social Security recipients and other low income earners and gave some basic information and clear direction for policy advocacy.

Subsequently, the NWRN joined with the BSL again and Catholic Social Services Australia to prepare a submission on these equity issues to the Prime Minister's Task Group on Emissions Trading.

I am very grateful that the NWRN Committee and Members backed and supported the NWRN involvement in this extremely important, but nevertheless, novel piece of policy advocacy. Whilst some did not immediately see the direct connection with Welfare Rights advocacy, **they nevertheless supported the NWRN playing an initiating and leadership role in an emerging area of enormous policy significance for Social Security recipients as low income earners whose lives and financial capacities could be dramatically affected**, not only by climate change itself, but also by the imposition of a price on carbon (in whatever form) as part of our national policy response to climate change and global warming.

It is also a tribute to the NWRN that other major church charities and conservation organisations, of enormous standing within the Australian political scene and with significant reputations to protect, were keen to work publicly with the National Welfare Rights Network.

I do not see the need for a major ongoing role for the NWRN in this issue. We have helped to “kick it off” and already enormous amounts of follow-up research and policy development work is being undertaken by many of the conference participant organisations. We should however, continue to examine the potential Social Security compensation issues particularly as both the Government (reluctantly and eventually) and the Opposition have committed themselves to the introduction of an Emissions Trading Scheme.

3. Acknowledgements and thanks

Office bearers and Committee members

In addition to my thanks to Genevieve in section 1 above, I would like to acknowledge the special efforts of Vice-President Kate Beaumont throughout the year, especially when filling in as Acting President whilst I have been away. Likewise Peter Horbury our “mighty fine” Treasurer, (who not only keeps us informed but entertained) and the three amigo **Committee members** Sam Purcell, Mark Leahy and newcomer Liz Turnbull, all of whom have put in both for monthly Committee meetings and additional duties on behalf of the Network consistently throughout the year.

Delegations delegates

One of our most concentrated and valuable endeavours each year are the “**delegations**” to Canberra, which require an enormous preparatory and follow-up effort from both Genevieve and Gerard Thomas. For credibility and impact, the delegations themselves require on the ground experience and casework knowledge from around the country and this role has recently been,

filled by both Sam Purcell and Catherine Eagle to whom I also express great gratitude on behalf of the Network.

Sub-committee members.

Some Sub-committees are born of great need and interest and work enthusiastically to produce research, analysis and policy directions. Others might seem like they plod along, but in retrospect have clearly added enormous value to the Network. Some seem like a really good idea at the time, but never quite make it when the reality of the work load back home kicks in. Nevertheless, to all those who have contributed time and effort to any Sub-committee, we are grateful as these Sub-committees are a vital part of the NWRN structure and have overwhelmingly been beneficial to our work.

Michael Raper

August 2007

NWRN Policy Activity Register: January – June 2007

The following register of activities provides a good indication of the range and constancy of policy related work undertaken by, and on behalf of, the NWRN in just the last six months.

January

- 4 January, article, *The Australian*, 5000 cut off dole in blitz on jobless
- 18 January, NWRN Prosecution Sub Committee Meeting
- 19 -21 January, discussion with DEN providers, Centrelink and DEWR on participation requirements and Personal Support Program clients
- 23 January, Meeting with Simone Casey, Jobs Australia Policy Officer
- 24 January, Meeting with Advisers to Tania Plibersek, Opposition Spokesperson for Human Services
- 25 January, Comments on evaluation of Centrelink's Welfare to Work Training
- 26 January, Submission to Senate Inquiry into Department of Employment and Workplace Relations (Vocational Rehabilitation and other Welfare to Work Measures) Bill, 2006
- 29 January, Richard Glover, 702, ABC Radio, Political Forum
- 30 January, Appearance at Senate Inquiry into Department of Employment and Workplace Relations (Vocational Rehabilitation and other Welfare to Work Measures) Bill, 2006
- 30 January, Meeting with Senator Andrew Bartlett, Australian Democrats

February

- 1 February, Supplementary Submission to Senate Inquiry into Department of Employment and Workplace Relations (Vocational Rehabilitation and other Welfare to Work Measures) Bill, 2006
- 2 February, letter to Centrelink Community Sector Relationships Branch on problems with access to Centrelink Participation Record booklet
- 2 February, NWRN meeting with Catherine Rule, Manager, Centrelink Compliance and Review, Sydney
- 7 February, Meeting with Karen Curtin, Privacy Commissioner, on Access Card, Sydney
- 9 February, meeting with NSW Nurses Association on Welfare to Work changes, Sydney
- 12 February, Questions for Senate Estimates
- 13 February, Participation in SPRC meeting with UK Work and Pensions Minister, Sydney
- 15 February, NWRN Members meeting
- 16 February, Anti-poverty Week Meeting, Sydney

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- 19 February, Presentation to Western Australia Mental Health Association on Welfare to Work, Perth
 - 19 February, letter to Julia Gillard, Deputy Opposition Leader re: Welfare Rights funding
 - 19 February, NWRN Media Release, *CDEP: Don't throw baby out with the bathwater*
 - 23 February, Welfare Rights meeting with National Participation Solutions Team Manager, Centrelink Participation and Compliance Managers
 - 26 February, NWRN Media Release, *Indigenous Australians hit hard by eight week Centrelink penalties*
 - 26 February, Letter to HREOC re: inquiry into Indigenous penalties
 - 26 February, Equity and Climate Change meeting
 - 27 February, Meeting with Senator Penny Wong, Opposition Spokesperson for Workforce Participation, Canberra
 - 28 February, Meeting with Deputy CEO, Centrelink, Aurora Andruska, on privacy breaches, e-references, etc.
 - 28 February, Meeting with Tanya Plibersek, Opposition Spokesperson for Human Services, Canberra
 - 28 February, Launch of Disadvantage by Postcodes, Catholic Social Services, Canberra
 - 28 February, Meeting with Hank Jongen, General Manager, Marketing and Communications on Centrelink "Colbeck Letters Review", Canberra

March

- 1 March, ACOSS Board Meeting, Sydney
- 1 March, Presentation on Welfare to Work, Salvation Army Conference, Sydney
- 2 March, Keynote paper to NSW Mental Health Coordinating Conference on Welfare to Work and mental health
- 5 March, Equity and Climate Change, preparatory meeting
- 6 March, ACOSS pre-election strategy, link up
- 9 March, Meeting with Senator Penny Wong, Opposition Spokesperson of Workforce Participation, Sydney
- 9 March, LMHU Talk on Welfare to Work and Work Choices
- 15 March, ACOSS Seminar on Welfare to Work, Training and Education
- 15 March, NWRN Members Meeting
- 22 March, Meeting with Japanese academics on Social Security policy
- 26 March, NWRN, BSL, ACF and CIA Roundtable on Equity in Response to Climate Change, Melbourne
- 26 March, Letter to Centrelink on Participation Team and penalty issues

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- 27-28 March, Centrelink Disability Reference Group, Canberra
 - 30 March, Presentation on Welfare to Work, Salvation Army Conference, Sydney

April

- 2 April, Interview on Radio National on Equity in response to Climate Change
- 2 April, NWRN Committee Meeting
- 4 April, Talk to UTS Disability Network on Welfare to Work and Education, Sydney
- 12 April, Meeting with Job Capacity Assessment Branch, Department of Human Services
- 12 April, ACOSS National Member Organisation Meeting, Sydney
- 16 April, Meeting with HREOC on UN Disability Discrimination Convention, Sydney
- 19 April, Melbourne Institute Seminar, Canberra
- 19 April, Lecture on Policy and Advocacy, ANU
- 19 April, NICRI Meeting, Canberra
- 19 April, NWRN Members Meeting, link up
- 19-20 April, Centrelink Multi cultural Reference Group, Canberra
- 24 April, Equity and Climate Change, link up
- 24 April, Letter the CEO, Centrelink, on quality of Centrelink letters
- 26 April, Anti-poverty Week Meeting, link up
- 26 April, NWRN submission to PM Task Group on Climate Change
- 27 April, ALP Conference, National Shelter, housing policy launch, Sydney
- 29 April, Talk on Welfare to Work, ALP Fringe Presentation, part of CLC presentation, Sydney
- 30 April, NWRN Committee Meeting, link up
- 39 April, Letter to Mal Brough re: Guide and “change of circumstances” provisions
- 30 April, ABC radio Political Forum, Sydney

May

- 3 May, Meeting with NSW Nurses Association on Welfare to Work, Sydney
- 3 May, Meeting with researchers on Welfare to Work and mental health issues
- 5 May, Submission to Prime Ministers Task Group on Emissions Trading (along with Brotherhood of St Laurence & Catholic Social Services Australia)
- 8 May, Federal Budget analysis
- 8-10 May, Conduct of Social Security and Social Protection Forum, Jakarta
- 9 May, Presentation on Comparative Analysis of Social Security in Australia, Indonesia and Malaysia in the context of the World Bank and ILO models
- 11 May, Letter to Mal Brough on New Zealanders residency and access to payments

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- 15 May, Meeting with DEWR on Disallowable Instruments on Vocational and Rehabilitation Act (2007)
 - 15 May, *Work's Mother Load*, Daily Telegraph article
 - 16 May, Interview on Social Security recipients and income inequality on Today Show, plus five other media interviews
 - 16 -17 May, Centrelink Older Person's Reference Group, Canberra
 - 17 May, NWRN Members Meeting
 - 18 May, Centrelink Participation Reference Group Meeting, Canberra
 - 24 May, Meeting with Australian National Audit Office on Centrelink debt recovery, Sydney
 - 24 May, Meeting with staff from Commonwealth Ombudsman's Office
 - 24 May, Article, *The dole bludgeoned, Centrelink admits cruel errors*, Daily Telegraph
 - 28 May, NWRN Committee meeting
 - 28 May, Feedback to Centrelink Participation Section on information to parents and deficiencies in material
 - 29 May, Request for detailed information on Indigenous penalties strategy, etc, from Centrelink
 - 29 May, Article in The Australian, *10 week wait for welfare money*

June

- 1 June, Social Policy Research Centre Advisory Council Meeting, Sydney
- 1 June, ACROSS, CHOICE and ACF Meeting on climate change and Social Security, Sydney
- 1 June, Feedback to Paul Cowan, Manager, Centrelink OPRG, on Reference Group and content of News For Seniors
- 1 June, Follow up list of questions to Catherine Rule, Centrelink Review and Compliance, on MLR meeting
- 5 June, Centrelink Multi cultural Advisory Forum
- 7 June, Presentation to Participation Solutions Team and APST conference, Sydney

Vice President's Report

Without a clear position description in my inaugural year as the Vice President of NWRN I have endeavoured to fill the ample shoes of Mark Leahy although on no occasion have I attempted to usurp his role as the Quizmaster to the Network.

I have discovered the uses of a Vice President and continue in that quest. As a relative newcomer to the Network six years ago I have seen the organisation transition through its plans to incorporate to its current work on developing a Strategic Plan for the Network which will set the scene for the Network in coming years. It will be an exciting opportunity to collaborate and contribute with other member centres in fleshing out this map for the future at the conference in Brisbane this year.

I must extend my thanks to Genevieve, Gerard and Michael and my fellow committee members for the support they have provided to me over the last year and the generosity with which their assistance has been given.

Kate Beaumont

Vice President

National Liaison Officer's Report

Like other years, the primary work undertaken has been to liaise with Centrelink, relevant Government Departments and politicians to organise delegations and to facilitate NWRN's policy agenda.

Rather than providing a shopping list of tasks completed during the year which are evident from the minutes of members and committee meetings, this report concentrates on the Network's delegations.

Since the last report NWRN has undertaken three rounds of delegations (Nov, Feb and July) in addition to numerous other meetings and discussions with officers from Government Departments, Centrelink, the Ombudsman, the Australian National Audit Office and a various array of politicians.

November 2006 Delegations:

The November 2006 delegations focused on meetings with the Department of Employment and Workplace Relations and Centrelink. NWRN also met with The Australian National Audit Office to discuss their audit on Centrelink's Customer Feedback Systems. Post the implementation of the first part of the Government's Welfare to Work agenda, the meetings with DEWR and Centrelink focused on highlighting serious issues of concerns which had been drawn from NWRN members' casework experience post 1 July and putting forward several proposals to address these shortcomings. NWRN pointed out the key disincentives in the system for Disability Support Pensioners to voluntarily test their work capacity, the deficiencies in the Job Capacity assessment process, the ongoing difficulties caused by the narrow and inflexible Carer Payment (child) criteria and the culture of fear that had developed within Centrelink regarding the grant of activity test exemptions. The other major issue discussed was Centrelink's internal review processes (including the recent development of DEWR ARO's) and the impact of the substantial increase in Departmental appeals. NWRN also tabled its briefing paper on prosecution issues at the Centrelink Biannual Meeting. The Centrelink Biannual Meeting generated an action list of 18 items for follow up, most of which were Centrelink actions and have been completed.

February 2007 Delegations:

Further delegation meetings took place in February 2007. Some of these meetings were held in Sydney in early February and another round of delegations held in Canberra on 27 and 28 February. The delegations included meetings with Senator Wong and Tanya Pilbersek which enabled NWRN to discuss and comment on the ALP's discussion paper on Australia's workforce participation issues. NWRN also put forward the case for the increased funding of the Network. NWRN met with Centrelink in Sydney to discuss ongoing issues of concern regarding the assessment and decision making process for marriage like relationship matters. Further meetings were also held with Centrelink in Canberra later in the month to discuss and provide input into Centrelink's Review of Letters project and Centrelink's consultation processes, and also to raise our concerns regarding the progress of E reference and the issues arising out of findings that Centrelink staff had inappropriately accessed client records. Key outcomes included Centrelink committing to ongoing consultation with NWRN regarding the letters project, a timetable for the release of E-reference material and an interim measure to provide E-reference materials to the Network within 24 hours of the request being made.

July Delegations:

The first part of these delegations took place in July this year. The biannual meeting was funded by Centrelink and notwithstanding some logistical difficulties due to changes in Centrelink staff and changes in their funding guidelines, it finally went ahead.

NWRN raised a myriad of issues around the operation of the Participation Solution Teams and Centrelink's administration of the compliance regime which resulted in it agreeing to take action to address the issues raised. The delegation also raised ongoing issues with Centrelink around their investigation and fraud unit processes and practices. Its response to NWRN's prosecution paper has been disappointing and it is clear that a lot more work is required on the part of the Network to address these issues with Centrelink. The internal review and appeals process was also discussed. Whilst Centrelink reported that it was unable at this stage to implement the model recommended by its Internal Review and Appeals Project due to funding constraints, its revision of the ODM reconsideration process was welcomed by NWRN. The second part of the delegations will focus on meetings with a raft of politicians in the lead up to the election to advocate a 12 point action plan for a better balanced Social Security system in Australia.

Acknowledgments:

Once again I would like to acknowledge the efforts, hard work and significant contributions of all those who bravely put up their hands and participated in the delegations. The delegates' good humour, patience and unwavering support when things did not quite go to plan was greatly appreciated

Genevieve Bolton

National Liaison Officer

Townsville Community Legal Service Inc.

1. Staff

The TCLS currently operates with a full time staff of seven (7) workers:

Anne Lewis	Coordinator
Bill Mitchell	Principal Solicitor and Registered Migration Agent
Stacey Bain	Reception and Administration
Saskia ten Dam	Financial Counsellor
Sian Thomas	Solicitor
Anna Cody	Solicitor – Senior’s Legal and Support Service
Kay Dodd	Social Worker - Senior’s Legal and Support Service

TCLS provides advice in a range of areas:

- General legal information, advice and representation
- Welfare rights
- Immigration and refugee law and policy
- Financial counseling
- Senior’s legal and support services

2. Casework Trends

The service client numbers were substantial given that our new solicitor started in the last week of August 2007 and the Senior’s team only commenced talking clients in May 2007. Prior to this, the service had been operating with one solicitor since November 2006.

The numbers are:

- Over 1600 client contacts, information occurrences and referrals
- Almost 900 clients
- Over 450 cases opened

The service worked across many problem type areas throughout the year and once again had the spread of commonly encountered welfare rights matters.

The service treats welfare rights work as an integral part of the holistic practice and whilst its welfare rights funds are not sufficient to staff a full-time legal practitioner, the TCLS commits as much of its resources as are needed to address the needs of clients with welfare rights issues.

This means that all of the casework staff of the service take on welfare rights matters, whether they are debt negotiations from our financial counselor, tribunal advocacy from one of our solicitors or specialist senior's cases.

Commonly encountered areas of work included:

- Debt recovery / non-recovery
- Marriage-like relationships
- Disability support pension qualification
- Austudy / Abstudy qualification

The location of the service in Townsville to some extent defines our clients and their issues. Some examples include:

- Homeless persons moving between the north and south of the State of Qld
- Indigenous people from Aboriginal, Torres Strait Islander and South Sea Islander communities
- Members of the armed services and / or their families
- University students
- Those involved in primary industries (farming, fishing etc)

Our specialist services generate some particular types of work.

The *Immigration and Refugee Legal Service* throws up welfare rights issues that tend to centre on particular payments and / or issues:

Some examples of particular payments include:

- Special benefit
- Parenting payment
- Family tax benefit
- Child care benefit

Some examples of particular issues include:

- Waiting periods for newly arrived migrants
- Assurances of support
- Access to Centrelink by domestic violence visa applicants
- Access to Centrelink by New Zealanders and other pacific islanders
- Portability of payments
- Medicare

The *Senior's Legal and Support Service* raises issues for those over 65 years of age including those affected or at risk of elder abuse or financial exploitation. Some examples include:

- Age pension qualification
- Exploitation of nominee arrangements
- Qualification for rent assistance in senior's accommodation arrangements

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- Assessment, deprivation and control of income and assets
 - Financial exploitation of payments by family, carers, friends and advisers

The *Financial Counselling Service* regularly unearths welfare rights issues including:

- The intersection between the *Social Security Laws*, the *Family Assistance Laws* and the *Bankruptcy Act*
- Debt recovery and / or non-recovery
- Particular payments such as crisis payment, special benefit, rent assistance, advances of payment
- Centrepay and payment processing issues

3. Policy work/issues

The service contributed to the work of the Network when resources permitted. This was mostly limited to contributing to the work of the Prosecutions sub-committee.

4. Projects/publications

5. Future Directions – the next 12 months

In second semester 2007 and first semester 2008, the service will run a *Clinical Legal Studies Program* where 12 final year law students operate morning and evening advice clinics for clients. Students regularly advise in welfare rights matters and assist clients to prepare for tribunal matters.

6. Other news to tell?

The service moved premises in early 2007 to house the newly funded Senior's Legal and Support Service. The move allowed us to find premises that are centrally located, accessible and best of all new!

Brisbane – Welfare Rights Centre

1. Staff

Bronwyn Wex	Policy and Research Officer (0.2)
Gail Middleton	Co-ordinator
John Stannard	Principal Solicitor
Larry Laikind	Disability Discrimination Solicitor (.6)
Nicole O’Keane	Office Administrator
Patrick Cranitch	Social Security Solicitor
Sue McComber	Finance Administrator (.3)
Susan O’Shea	Social Security Solicitor

EBA

Our EBA was registered which was a consolidation of policy and procedures including; paid parenting leave, study leave, Christmas closure, TOIL for level 6 and above, Leave Loading paid twice per year and on termination, Pro Rata Long service leave after 7 years, expiry date links to CLSP to assist in future negotiations and access to counselling and support services. Wage rates linked state wage indexation.

2. Casework Trends

Clearly busier than previous years. Additional 164 advices and 145 cases based on last years figures. Being busier meant we had to review casework guidelines. We now offer initial advice to all callers but casework is limited to the most vulnerable clients with merit or matters of public interest.

Vulnerable defined as:

Relationships – does the person have stable natural relationships in their lives or are they supported by paid staff or experience violence in their relationships.

Identity – Does the person see themselves as being part of a community that is labeled by the dominant society; ie Aboriginal and Torres Strait Islanders or with Muslim beliefs.

Political – Does the person see themselves as being part of a community that is politically suppressed.

Power - does this person have control over their own life or has this power been taken away from them; ie prisoners.

Financial – Does this person have the capacity to pay for legal assistance.

Problem Type

More of the same problems are being presented although there was a three fold increase on matters relating to non payment periods. Process and complaint issues was the biggest increase with last year only 3 matters being recorded and this year there was a massive 54 or

5% of our matters were relating to complaints about Centrelink and/or Job Network Members.

Client Type

- We have had a significant drop in young people using the service. 16-24 year olds are just 6% of our clients.
- Only 25% of our clients have dependent children.
- Location of our clients is very similar to previous years and we have 16% rural and remote compared to 30% coming from Brisbane.

Source of Referral

- Centrelink referrals nearly doubled this year.
- Lower level of referrals from the SSAT but same as 2004/2005 year.
- Significant increase from education institutes which has been put down to the loss of Student Welfare officers in the universities.

3. Policy Law Reform work/issues

The major achievement for us was the employment of our Policy and Research Officer. This was achieved through a slight reshuffling of job roles and because our admin staff have taken on more responsibilities.

The majority of our work in this area has been through our participation in state and national networks including; Queensland Association of Independent Legal Services, Queensland Public Interest Law Clearing House, ACOSS, QCOSS and NWRN.

Projects for the year included:

- Report and representation to the QIRC into the Impact of Work Choices on Queensland Workplaces, Employers and Employees enquiry.
- Public submission to the ALP independent inquiry
- Presentation at public forums on the nexus between IR and W2W
- Joint Projects with local Universities
 - . Prosecution
 - . Financial Case Management
 - . MLR Project
 - . Long term cost shifting of W2W to state Government services including NGO's

4. CLE/publications

Work for the year included:

- Distribution of Welfare to Work handbooks
- Development of a DSP Self Help kit
- Production of Disability Discrimination in Employment booklet

5. Future Directions – the next 12 months

(a) opportunities/plans for the Centre/Service

- Development of electronic case management system IT systems are of a high standard given the work and one off grants obtained over the past three years.
- Revamping of our promotional graphics
- Regional Tour
- Members, volunteer and student engagement

(b) threats to the Centre/service

- Disruption of moving
- Recurrent funding levels
- Welfare Reform
- Data Collection and gathering evidence of our value

Sydney – Welfare Rights Centre

1. Staff

The Centre employed the following staff in 2006-2007:

Dianne Anagnos	Solicitor/Caseworker
Melissa Coad	Education & Community Liaison Officer
Lua De Burgh	Administrative Secretary (part-time)
Jackie Finlay	Principal Solicitor
Linda Forbes	Casework Coordinator
Catalina Loyola	Administrator
Amie Meers	Caseworker/ Handbook Researcher
Michael Raper	Director
Danny Shaw	Publications Officer
Gerard Thomas	Policy and Media Officer
Sam Trinity	Financial Administrator (part-time).

2. Casework trends

The Centre's casework service comprises a telephone advice service, research, assistance with self-advocacy, written advocacy on behalf of clients and written or personal representation before the Social Security Appeals Tribunal (SSAT), the Administrative Appeals Tribunal (AAT), or the Federal Court in some cases. Advice is given on all aspects of Social Security and Family Assistance law and appeals.

Telephone advice is provided daily for a four hour period. The Centre has a toll free number to facilitate access for clients in country and outer-metropolitan areas and a TTY for people with hearing impairments. Initial advice is generally provided by telephone, however, the Centre has an access and equity policy to ensure that people unable to obtain assistance by telephone are not disadvantaged.

2.1 Number of clients

From July 2006 to June 2007 the Centre provided assistance to 3,111 clients. We provided clients with advice on 4,080 different matters and provided advocacy for 633 clients. This advocacy included representation of clients in internal Centrelink reviews and with appeals to the SSAT, the AAT and the Federal Court. 55 cases closed over the period involved formal Tribunal or Federal Court representation.

The most common payment types for matters over the period were:

- Disability Support Pension 20.8%

-
- Newstart Allowance 20.3%
 - Parenting Payment (single) 11.6%
 - Age Pension 10%
 - Youth Allowance 7.8%

A comparison of CLSIS statistics for the last six months (1 January to 30 July 2007) shows a 26% increase in advice activities, and a 23% increase in cases being opened, compared to the same period last year.

2.2 Casework during 2006-2007

The most resource-intensive issue for our advice and casework service continues to be related to the raising and recovery of Social Security and Family Tax Benefit debts - particularly where the client is at risk of criminal prosecution in respect of their debt.

Debts

This year the Centre focused on Parenting Payment, Disability Support Pension and Carer Payment debts caused by the non-assessment of income, where our clients were overpaid despite the fact that their income was properly assessed by Centrelink for the purpose of determining Family Tax Benefit entitlement. These debts are extremely unfair as our clients have notified Centrelink of their earnings, and changes to their earnings, and believe that Centrelink will use this to assess their entitlement to ALL their payments. They generally do not have any understanding of the differences in the income tests for payments/pensions and Family Tax Benefit.

Debt waiver

A few years ago the Centre began tallying the amount of Social Security and Family Tax Benefit debts waived by Centrelink, the SSAT and the AAT, with advocacy assistance from Welfare Rights Centre caseworkers'. In the first half of 2007 the Centre closed files where, with the caseworkers' advocacy assistance, recovery of a total of \$579,599 of debts has been waived. We are on target for another \$1,000,000 year as was the case in 2005/2006.

Suspension of payments

Since the new penalty regime was implemented the Centre's caseworkers have spent considerable time advocating on behalf of clients who have had their payments "suspended"/ "blocked" while Centrelink undertakes an investigation into whether they should be serving an eight week no payment penalty period. In these cases Centrelink staff have maintained "no decision has been made", notwithstanding the fact that our clients are not receiving payments, and sometimes have not received payments for over eight weeks. This has proved extremely frustrating, as we are unable to lodge appeals and seek payment pending review for our clients, until a decision has been made.

Prosecution and debt waiver

The Centre is regularly contacted by clients who need advice as they have been asked to attend a Centrelink prosecution interview, or because their matter is being referred to the Director of Public Prosecutions, or because they received a Court Attendance Notice. If there is a chance that their debts could be waived the Centre will generally assist these clients, in the hope that

criminal proceedings will be dropped (although this is not always the case). What is distressing is that many of our clients cannot be assisted through administrative review but need experienced representation before the criminal courts, and this is often not available or affordable. It highlights a major gap in our Welfare Rights service that we are attempting to remedy in 2007 /08 .

Marriage-like relationship debts

“Marriage-like relationship”/“member of a couple” cases are some of the most resource intensive matters run by the Centre. Each year we continue to assist large numbers of mainly women clients appealing against decisions to raise large debts (often between \$30,000 and \$80,000). In some cases the debt has been raised because Centrelink has effectively changed its mind about a client’s situation - the client having informed Centrelink that they were “living under the one roof” as an ex-partner/father of the children from day one. The officer considering their claim concludes that the client is living as a single person and payment is made. Years later, with no new facts coming to light, Centrelink (ie, a different officer, with a different view of the situation), decides that the person was never entitled to Parenting Payment Single as they are deemed to have been in a “marriage-like relationship”.

Asset test issues

Increasingly the Centre is noticing perverse results from the application of the assets test. In particular, the Centre has had a number of older clients who allow their children to obtain a mortgage over their home (for the children’s business, or for the children to purchase their own home). In return the children make the mortgage repayments and our clients have nothing further to do with the matter. Under Social Security law, the amount borrowed against the house is treated as a “loan” from our clients to their children, and the amount unpaid is treated as a “financial asset”. This is despite the fact that our clients get no financial advantage in these situations. They are disadvantaged as their fortnightly pension payments are reduced, and often debts are raised for past periods because our clients do not recognize the mortgage over their home as an “asset” that they need to declare to Centrelink.

Department of Employment and Workplace Relations (DEWR) appeals

Again this year the Centre has noticed a further increase in the number of DEWR appeals to the AAT. Further, DEWR is increasingly briefing the matters out to the Australian Government Solicitor, who in turn briefs counsel (and even Senior Counsel in one AAT matter). In our opinion this has had the adverse effect of increasing formality and delays in proceedings before the AAT.

3. Policy work/issues

3.1 Introduction - work shared with National Welfare Rights Network

Most of the Centre’s policy advocacy is done in conjunction with, and often for and on behalf of the NWRN. Most of this work has been summarised in the special Policy Report that is attached to the President’s Report in the NWRN Annual Report. Set out below is therefore just a brief summary of some of the highlights of the policy work that Sydney was particularly involved in.

3.1 Papers and presentations

In 2006-2007, the Centre addressed and/or presented papers at the following conferences.

- When Welfare to Work and Work Choices Collide: Welfare To Where? Conference,

University of Queensland;

- Jobs Australia Conference: Compliance and Welfare to Work;
- Public Forum, Welfare to Work, Marrickville Council;
- Politics in the Pub – Welfare to Work;
- Welfare to Work, Evatt Foundation;
- Welfare to Work, TAFE Outreach Coordinators;
- Work Choices and Welfare to Work, NACLIC Conference, Illawarra;
- Disability Employment Network Conference: Social Security for Beginners;
- UTS Disability Network: Welfare to Work;
- Melbourne Institute of Applied Economic and Social Research, Economic & Social Outlook conference;
- Welfare to Work and Salvation Army Conference;
- Current issues with the Personal Support Program, NEESA Conference;
- Mental health and Welfare to Work: Western Australia Mental Health Association;
- NSW Mental Health Coordinating Conference on Welfare to Work and Mental Health;
- NWRN, BSL, ACF & CIA Roundtable on Equity in Response to Climate Change;
- Melbourne Institute Seminar, Canberra; and
- National and Area Participation Solutions Team, Sydney about eight week no-payment penalties.

3.2 Submissions

The Centre contributed to the preparation and presentation of a number of submissions to various Senate Inquiries about:

Search and seizure legislation; and

Department of Employment and Workplace Relations (Vocational Rehabilitation and other Welfare to Work Measures) Bill, 2006.

3.3 Liaison with Government agencies and departments and community agencies

Over the year the Centre contributed to the Network's delegations meetings where we met with representatives from a range of Government departments and agencies, including Centrelink; Department of Employment and Workplace Relations and the Job Capacity Assessment Branch of the Department of Human Services.

3.4 Media

We spoke to the media about a wide variety of Centrelink and income support issues, with the most consistent topics being the new compliance regime, eight week no payment penalties and Centrelink privacy breaches.

3.5 Other policy issues

The first year of the Welfare to Work changes has resulted in a busy and challenging time for the Welfare Rights Centre. Highlights of major policy work undertaken by the Centre, mostly in

conjunction with the NWRN, included: Financial Case Management; Social Security compliance regime and penalties; Disability Support Pension eligibility in the face of the new JCA regime; and mental illness in the context of DEWR's "work first" activity test approach.

3.6 Projects

Milena Heinsch, a 4th Year Social Work Placement from the University of Newcastle undertook intensive casework at the Centre and wrote a draft submission on Indigenous Australians and Social Security penalties.

4. CLE and publications

4.1 Community education

In 2006-2007, the Centre continued with the aim of targeting the most disadvantaged groups for community education. The Centre held over 50 training seminars for community organisations, including youth centres, Migrant Resource Centres, women's refuges, accommodation services, hospitals, youth and migrant interagency meetings, financial counselors and TAFE colleges. Information was provided about the rights and entitlements of Social Security recipients and the role of the Welfare Rights Centre. More in-depth training about specific Social Security payments and issues was also provided to youth organisations, and financial counselors in particular as well as to a network of Legal Aid and CLC lawyers.

4.2 Volunteer Program

The Centre's volunteer program has continued but with a number of modifications.

Previously the Centre's Volunteer Workers were responsible for interviewing clients, recording the relevant details on our contact sheets and, after consultation with the supervisor, providing the relevant advice directly to the client. In cases where we provided one off advice, a client would rarely speak to a paid full-time worker.

In recognition of the increasing complexity of Social Security law and its implementation, we have modified the way in which we provide advice. We have trialed a number of methods and currently we are utilizing a method where Volunteer Workers interview the client and record the relevant details, but in each case the advice is given by the full-time paid worker.

This ensures that Volunteer Workers still have the opportunity to develop a variety of skills but also ensures that the caseworker/advisor can talk to the client to ensure that the facts are correct before giving the relevant advice. So far we have noticed an increase in the amount of lengthy conversations that caseworkers/advisors have with clients and an increase in the number of Social Security matters that we identify. We believe that this method is improving the quality of advice that we provide to clients. However, it has workload and sustainability implications for caseworkers.

We have had a number of full-time student placements at the Centre who have provided invaluable assistance.

We also have about five Volunteer Workers per week who provide administrative assistance to the Centre.

4.3 Publications

The Centre's overall publication goals are: "To produce and distribute clear, informed, effective and targeted, information and policy advocacy material designed to:

-
- increase accessibility to the Social Security system;
 - educate and empower the community about Social Security issues, payments and rights; and;
 - improve the Social Security system in Australia.”

In pursuit of these goals, the key publications for 2006-2007 were:

“rights review”

We published four editions of “rights review” in 2006-2007.

Independent Social Security Handbook ONLINE

We updated the ONLINE Handbook four times during 2006-2007 to take into account changes to Social Security law and policy. We also added a chapter on AUSTUDY. The Handbook ONLINE continues to be available free to community workers in NSW, Western Australia, Tasmania, Queensland and South Australia due to arrangements made between the Centre and the relevant state government welfare departments in each state.

Factsheets

The Centre updated the 30 Factsheets on the website to take into account changes to Social Security/ law and policy.

Website

The Centre continued to update the website as required and has rebuilt the website completely and moved it to a new Internet Service Provider.

5. Future Directions – the next 12 months

5.1 Opportunities/ plans for the Centre

The Centre is planning, subject to funding from the Law and Justice Foundation of NSW a 6th hardcopy edition of the Independent Social Security Handbook in February 2008 for publication before the end of the financial year.

We are also intent on completing a submission, already discussed with the Law and Justice Foundation, that would enable us to employ a criminal law solicitor who would specialise in Social Security prosecution matters. The aim is to enable us, for a period of at least two years, to expand our service to represent clients in Social Security/ criminal prosecution matters. We would also undertake research on the justice issues that flow from these matters and the fact that almost 100% of people prosecuted for alleged Social Security fraud are unrepresented.

5.2 Threats to the Centre/service

The Centre is under some financial pressure in the next 12 months to two years as a result of our office move and a consequent 30% increase in rent, the impact of which will hit fully next financial year.

6. Other news to tell?

The new office, just around the corner from our old one of 16 years, has windows!!

Wollongong – Illawara Legal Centre Inc

1. Staff

The Welfare Rights Service is funded by the Community Legal Service Program of the Commonwealth Attorney General's Department.

The project funds a caseworker position for 9 days a fortnight. In the last 12 months there has been many changes to staffing arrangements for the project. For the first 6 months of the financial year Jillian Chapman and Sue Leppan continued as part-time locum workers with Julia Priest providing expertise in the convening of casework meetings. Since December 2006 Julia has no longer been involved in the project due to her commitments at the Social Security Appeals Tribunal. The Project also sadly said goodbye to Jillian Chapman in December 2006 and Sue Leppan in January 2007 who both moved on to take up other opportunities.

Angela Melouney, Generalist Solicitor, worked in the project one day a week until March 2007 when Liz Turnbull commenced as a locum worker covering the 9 days. Angela Melouney has continued involvement in the project through casework meetings and in the conduct of an Administrative Appeals Tribunal matter.

2. Casework Trends

Welfare rights has continued to provide advice and casework assistance in a broad range of Centrelink matters. In the 2006-2007 financial year we assisted 192 clients, an increase on the previous financial year.

Debt matters, including Family Tax Benefit, Marriage-like relationships, Youth Allowance continue to make up a large percentage of our workload. A number of these matters have associated prosecution proceedings and it can be difficult ensuring clients receive timely and appropriate criminal advice

MLR matters continue to be complicated and resource intensive with ODM's fixating on obscure relatively trivial 'evidence'. Departmental appeals against SSAT decisions were also an issue. In July 2006, Jillian Chapman represented a client at the AAT in a MLR matter. The client had been successful at the SSAT. FACSIA did not appeal the decision in relation to the finding there was no FTB debt, however, DEWR did appeal the decision in relation to the finding there was no PPS debt. An absurd decision, highlighting the inconsistent approach of DEWR and FACSIA. The AAT found for our client.

We are also seeing a steady increase in casework as a result of W2W, particularly participation penalties and JCA assessments. The link between industrial relations changes and W2W has been highlighted in a number of cases involving alleged 'misconduct' as the basis for dismissal.

3. Policy work/issues

Throughout the year the project continued to undertake CLE and media around the W2W changes and monitor casework trends in this regard.

From a local perspective the W2W Contact Model and the reduction of services at the local

Centrelink office has meant extra burdens on the most disadvantaged people in the area with an increase in transport costs and associated transport fines. The project met with local Centrelink staff and concerned community organisations and undertook media on this issue. However, the situation has not been satisfactorily resolved and further work needs to be done.

The disciplinary action taken against Centrelink staff for inappropriately accessing customer records garnered the project front-page interest locally. The high unemployment rate in the Illawarra, in particular youth unemployment was also the basis of comment to local media. Youth social security issues are ongoing concern for the project and will be a focus in the coming year's strategic plans.

The project continued to have involvement in the NWRN through general meetings, Committee meetings & the MLR sub-committee.

4. Projects/publications

The Centre updated and printed a further run of the booklet '*Relationships & Centrelink: Frequently Asked Questions*' that provides information regarding a person's rights and obligations when being investigated by Centrelink.

5. Future Directions – the next 12 months

1. opportunities/plans for the Centre/Service

- Continue to monitor impact of W2W, in particular the implications of participation penalties;
- Focus on Youth WR issues – will present at South Coast Youth Conference;
- Considering the need for a FTB brochure in relation to shared care. Need to discuss with our child support solicitor in the context of child support changes in 2008.

2. threats to the Centre/service

As always limited resources. The project is unable to meet the demands of casework and community legal education and effectively contribute to law reform and policy with one worker 9 days per fortnight. The service will review its direction following the Federal election outcome to determine whether the political context has changed.

Canberra – Welfare Rights and Legal Centre Limited

1. Staff

Centre Administration

Administrator:	Liz O'Brien
Administrative Support (part time):	Pat Wilkinson and Alison Creet
Librarian (part time):	Yen Musgrove

Legal Practice Staff

Supervising Solicitor:	Genevieve Bolton
Telephone Advice Co-ordinator/Caseworker:	Anne Yuille
Caseworker:	Annabel Pengilley
Solicitor/Clinical Legal Education Co-ordinator:	John Alati
Solicitor (part time):	Jaleh Johannessen
DDLS Solicitor (part time):	Helen Dalley
Community Development Officer/Caseworker:	(new position yet to be filled)
NTLAS Supervising Solicitor:	Jan Moerkerke

The Centre specializes in four areas of law: social security, residential tenancy, public housing administrative law and disability discrimination. The Night Time Legal Advice Service provides a one-off generalist advice service on Tuesday evenings. The Centre provides legal supervision to the Tenants Advice Service which, following a planned handover, is now managed by the Tenants Union (ACT).

2. Casework Trends

2.1 Overview:

In 2006/07 the Centre provided 3592 advices/services in all problem types of which 456 were specially Centrelink related problems. The Centre opened 69 Centrelink files (135 total files for the year). This compared to 2005/06 figures of 5624 advices/services, with 454 specifically Centrelink related problems and 45 Centrelink files were opened (147 total files for the year). The advices are lower for 06/07 because the Tenants Advice Service advices are no longer included in our Centre's figures. From the middle of June 2007, the Centre introduced a minor assistance category. These are matters coming through the advice line where some ongoing advocacy is required (usually a short and sharp intervention) but not of a quantity or complexity of work that it needs to go to the Centre's Legal Practice Meeting for case allocation.

Files opened for Centrelink matters represent just over 51% of the total casework of the Centre. (compared to 30% in 05/06). Files opened represent those matters where the problem could not be adequately dealt with through the telephone advice service and needed further work such as

extensive correspondence, analysis of FOI documents, representation in the internal and external review process, complex advice. Public housing and residential tenancy matters continue to dominate the Centre's overall work. The Centre undertakes a significant amount of Tribunal and Court litigation in respect of tenancy and public housing matters.

The Centre operates its telephone advice service for public housing, tenancy and social security matters 4 mornings per week between 9.30 – 1pm. In addition the Centre provides 2 telephone advice sessions for disability discrimination matters. The Centre has a toll free number to facilitate access for clients in country and outer metropolitan areas and a TTY for people with hearing impairments. The Centre does not operate a 'drop in service' as such but has an access and equity policy to ensure that a face to face advice appointment is offered when it is the appropriate response taking account of the circumstances.

The Centre's geographical area for social security is aligned to the Centrelink's Area South West and includes Orange, Bowral, Batman's Bay, Eden, Deniliquin, Griffith, Cowra, Albury and Wagga Wagga.

The most common problem types for social security matters over the period were:

- Social Security debts
- Pension/Allowance eligibility issues
- Compliance related matters/ participation failures

2.2 Prosecution issues

The Centre has recently settled on a series of protocols with ACT Legal Aid which we hope will improve the quality of legal advice and assistance given to clients at risk of prosecution.

2.3 Supreme Court litigation

The Centre was criticised for conducting a matter before the Full Court of the Supreme Court on an important aspect of the Residential Tenancies Tribunal's powers in respect of breaches other than for failure to pay rent. After the Court handed down its decision, the practical effect of which was that our client was not evicted, extensive commentary, opinion and analysis was offered both in public and private discussions to the effect that the decision had made it easier for the Tribunal to evict tenants, because it was now unable to give them a second chance or had left the Tribunal with fewer choices for saving a tenancy when faced with such breaches. This is simply inaccurate. Much of the public discussion that ensued was ill informed and based on a misreading of the law.

3. Policy work/issues

3.1 Social Security Policy:

During the reporting period, the Centre again hosted the National Liaison Officer role for the National Welfare Rights Network and through this role was able to contribute to the considerable law reform and legal policy work undertaken by NWRN.

3.2 Housing Policy:

In July 2006 a new Public Housing Rental Assistance Program (PRHAP), the delegated legislation regulating housing assistance applications and allocations, commenced in the ACT.

The object of the Program was altered from providing housing assistance to people unable to afford adequate and appropriate housing, to those who are in 'extraordinary need'. Reflecting this, an eligibility criterion was tightened by dropping the income threshold (the consequence of which is to exclude applicants forced into low paid jobs through the Welfare to Work changes) and imposing more onerous criteria such as residency requirements. The Program also purported to exclude certain decisions from review. No transitional provisions were put in place to cover arrangements for those negatively affected by the impact of the abrupt changes, the result of which was that all applicants were reassessed and cancelled from the waiting lists if ineligible against the new criteria.

The Centre prepared extensive submissions to the Minister of Housing, the ACT Attorney General and the Law Reform Commission highlighting the retrospective legal arguments raised by the new program and the undesirability of such an outcome. The Centre is also currently conducting Supreme Court litigation in respect of two applicants who were adversely affected by the retrospective nature of the changes.

Further changes have also been announced by the ACT Government aimed at dismantling security of tenure. The Centre has been participated in the campaign against these changes and is currently involved in discussions with the taskforce regarding the drafting of policy guidelines in an attempt to ameliorate the effects of the changes.

4. Projects/publications:

4.1 Narrabundah Long Stay Caravan Park

The Centre has been involved in the fight to prevent the eviction of 102 residents from the Narrabundah Long Stay Caravan Park. In February 2006 all residents were issued with eviction notices following a change of ownership from a charity to a private property developer. Some had lived in the park for many years, others had just bought their homes for substantial sums – all found themselves with a virtually worthless and unsaleable asset and facing the prospect of homelessness. The Centre's work included the preparation of an extensive brief to Counsel on residents' rights against the current and former owners, advice to individual residents and support with their campaign activities.

After an intense political campaign by residents, a land swap is currently being arranged by the ACT Government to secure the future of the park. Throughout the process, the Centre has, in conjunction with other community agencies, provided advice and advocacy for individual tenants and to the collective Residents Action Group on their legal rights, including substantial input during the drafting of occupancy agreements between residents and the park's interim management, Housing ACT.

4.2 Community Law Clinical Program:

The Centre continued to run its clinical program in conjunction with the ANU College of Law. 2 courses took place during the reporting period. Each course had an intake of 6 students. The clinical program offers law students the opportunity to be involved in all facets of the legal practice. Students participating in the program spend 2 days per week at the Centre. In that time, all students are rostered on the phone advice line 1 morning a week, assisted by a supervisor, and in the afternoons assist caseworkers and solicitors with client case work. The casework undertaken by students under close supervision includes trawling through FOI documents, preparing client chronologies, interviewing clients, drafting correspondence, submissions etc. In

addition to the onsite course work, students are also required to attend an intensive orientation program and weekly tutorials.

4.3 Pro Bono Clearing House:

The Centre continues to be involved in the management and running of the Pro Bono Clearing Housing in the ACT. The Pro Bono Clearing House is not funded and relies on the voluntary support of ACT Law Society, the private profession, Legal Aid and the ACT CLC group. The Centre is represented on the Management Committee and also sits once a month on the panel responsible for assessing and referring matters for assistance.

4.4 Housing ACT Fact Sheets/ Shared Housing Booklet:

The Centre updated its Housing ACT factsheets to take into account major changes in ACT Public Housing law, policy and administrative arrangements. During the reporting period, the Centre also assisted the Tenants' Union with the writing, editing, and production of an information booklet on Shared Housing in the ACT. Credit for the title: 'Crowded House' goes to John Alati.

4.5 Social Security Reporter:

The Centre contributed to the Social Security Reporter through the write up of AAT/Federal Court case summaries.

4.6 Other contributions:

The Centre wrote articles for the Tenants Union and ACT Shelter newsletters during the year on public housing issues and the Welfare to Work changes. We also conducted a social security workshop as part of Law Week.

5. Future Directions – the next 12 months

5.1 Opportunities/plans for the Centre/Service:

At a planning day held in March 2007, it was agreed that the Centre needed to focus on undertaking community development work, being more responsive to addressing systemic failures in legal policy at a local level and in delivering a planned community education program. At the time of writing, an appointment process is underway to fill the new position of Community Development Officer/Caseworker which will over the next 12 months adopt a work plan aimed at addressing the gaps.

5.2 Threats to the Centre/Service:

There is currently a review of tribunals in the ACT under way. Whilst we do not consider the proposal to consolidate the ACT Tribunals is itself a threat to our clients, the Centre is very mindful of the need to ensure that any proposed changes to the structure of ACT Tribunals are well thought through and takes into account the needs of our clients.

Melbourne – Welfare Rights Unit

Unit Staff

- Dale Nelson (CLE officer)
- Sally Allman (Caseworker)
- Gayathri Paramasivam (Solicitor)
- Liz Flynn (CLSI Stats)
- Joan Thong (Caseworker)
- Kimberly Johnson (Caseworker)
- Cam Shilton (Campaigns)
- Marilyn Summers (Publications)

2006/7 Highlights

The Unit's 20th anniversary

On the 27th of March a large group of Unit members, previous staff and members of the community and community legal sectors celebrated the Unit's 20th anniversary at the Royal Australasian College of Surgeons in Melbourne. The State Attorney-General Rob Hulls was the guest speaker who launched the Unit's 20th anniversary history book as well as a number of 'Welfare to Work' factsheets. The attendees were also able to hear from three of the Unit's clients who spoke of their trials and tribulations (and in most cases ultimate successes) in dealing with Centrelink. The proceedings were hosted by the Unit's Chair Collette O'Neill and there were old Unit publications, photos and pictures for folks to peruse. Overall very good feedback was received from all the attendees.

Copies of the Unit's history are available for any centre desiring one.

Work continues on the 'Welfare to Work' factsheets including a greater number of factsheets and reviews of those already circulating.

Casework continued to have a significant role in the Unit's work. As usual about one thousand clients were assisted at various levels. The increase of client appeals is a disturbing trend, often in cases of 'opinion' particularly '*Membership of Couple*' type cases. The greater resources of the client department leaves clients at a very great disadvantage.

Regular casework meetings are held with Samantha Purcell, our esteemed colleague from Geelong.

The Unit continued its significant work in community education and have begun an on-going partnership with 'Victorian Relief + Foodbank' in providing CLE services to community workers in drought affected areas of Victoria.

There were four editions of the Unit's newsletter 'Red Tape' distributed to members and interested parties during the year.

Dale Nelson continued his role as the NWRN's representative on Centrelink's Disability Customer Reference Group.

Launceston – Community Legal Centre

staff

Rose Diamond WELFARE RIGHTS ADVOCATE (4 DAYS PER WEEK)

Casework trends

The WRAS service has experienced an increased workload in 2006/7. There has been a significant increase in DEWR appeals and there has been a trend for DEWR to appeal all successful WRAS client SSAT decisions. There has also been much less room for negotiations with DEWR in relation to AAT matters and for DEWR to proceed to hearing at the AAT rather than settling matters through negotiation.

The service has been predominately assisting clients with overpayment, MLR, DSP, preclusion period and fraud investigation issues. W2W changes have now begun to impact on the WRAS case workload, however not to the extent anticipated. Eight-week non-payment period reviews have been laborious and time consuming with poor communication between local and National Participation Failure team officers whereby due process has been neglected causing considerable delays to appeal processes. CSO's have also displayed poor response times to WRAS enquires resulting in decisions being made by ODM/AROs prior to clients being given the opportunity to present evidence which may clarify a client's circumstances for a participation failure.

The service has successfully assisted a number of MLR clients to have PP(S) debts reduced, and assisted one particular client with an ARO appeal to have a debt of approximately \$120,000 reduced to zero. We have found that being directly proactive with Centrelink at the early stages of MLR investigations and the appeal process improves the chances of a client being successful with his/her appeal. By informing a client of his/her rights at the ODM or ARO stage has proved crucial to a client having a fair outcome in relation to MLR allegations. There has also been a trend for Centrelink to find those individuals with disabilities and/or being cared for by a person of the opposite sex as being in MLRs.

WRAS assisted the residents of the St Helen's area in the north east of Tasmania with Centrelink related issues following the devastating bush fires in December 2006, which saw the destruction of many homes. Although Centrelink's General Manager and the Prime Minister himself assured residents on television and in person that they would receive assistance, the situation was quite the opposite for some. The WRAS service assisted a couple successfully appeal a decision by Centrelink to apply the deeming rules to their insurance compensation payment after their house was destroyed in the fires. The centre worked with the local Federal Member and after much resistance from Centrelink WRAS secured a good outcome for the clients after repeatedly referring them to the Social Security Guide which outlined deeming rule exceptions eg. Where a bush fire has destroyed a house and the insurance payment is kept in an account until the client can rebuild, no deeming rules should apply to the payout for a minimum of 12 months.

Projects/Publications

LCLC assisted the Social Action and Research Centre at Anglicare with research in relation to the experiences of Centrelink clients with overpayment debts. A number of clients were interviewed about their experiences in relation to the overpayments. The aim of the project was to look at why so many people have Centrelink debts and how debt recovery processes and prosecutions are affecting Centrelink clients and their families. The project looked specifically at whether the system of recovery was fair and just. The project's findings shall be published in the near future.

Future directions – the next 12 months

Opportunities/Plans for the Centre/Service

WRAS is working with other community welfare organizations in regional areas of the north of the state and has plans to conduct regular CLEs and clinics in conjunction with our centre's Generalist Solicitor.

Threats to the Centre/Service

The WRAS service is currently extremely under funded and as a consequence it has been unable to conduct fortnightly visits to regional areas in the north of Tasmania due to a lack of resources. The service is also experiencing an increase in its casework load and is finding it difficult to cope with the increase as a four-day a week service. Subsequently the service has needed to be resourceful in relation to its casework load capacity and to overcome the limitations has increased its phone advice sessions.

Hobart – Welfare Rights Advocacy Service

The last year has been extremely busy for the Hobart Community Legal Services (HCLS). We represented 63 clients at the Social Security Appeals Tribunal, had 51 conferences and 3 direction hearings before the Administrative Appeals Tribunal and 9 hearings before the Administrative Appeals Tribunal. Interestingly, approximately 70% of our successes at the SSAT were appealed to the Administrative Appeals Tribunal.

With increased success at the AAT it is now only a question of when we are off to the Federal Court. Unfortunately, a number of unsuccessful cases at the AAT that we advised to appeal to the Federal Court amounted to nothing as the clients felt both disempowered with both the process and the potential liability of a costs order being made against them.

There has once again been an increase in our workload from the previous year however we continue to have an excellent working relationship with Centrelink Legal Services in Hobart (Brian Sparkes, John Barnett and Allison Devine) and as a result almost all debt cases were able to be settled. A number of Disability Support Pension cases were also able to be settled in favour of the client.

Due to the increased workload, the HCLS made a decision about eighteen months ago to employ another lawyer to assist with Welfare Rights. It has been a difficult decision financially and has meant that salaries have had to be kept tight but simply put, without the second lawyer we would be struggling to keep up with the demand. Chris Rice has been employed as the HCLS's second Welfare Rights lawyer following the departure of Georgina Munday to the Department of Justice and David Sikk to Legal Aid.

Following on from our campaign last year in which we extracted \$350 000 in waivers, part waivers, successful Act of Grace payments and compensation for detriment caused by defective administration (CDDA) claims, we have continued on with this campaign and were able to achieve a similar figure for the 2006-2007 financial year.

Finally, we have been assisting Ms Camilla Hughes a research officer with Anglicare Tasmania with a project looking at the causes and impact of Centrelink debt among Centrelink welfare recipients. We were able to liaise with our clients about whether they wanted to participate in the project and a significant number of them agreed to be interviewed. The projects findings should be released later this year.

Geelong - Welfare Rights Service

Staff

Samantha Purcell

Casework trends

The second half of the year saw a sharp increase in 8 week non-payment periods, particularly for serious failures. Many of the penalty decisions took weeks to be finalised, while clients waited without payments.

A resurgence of marriage like relationship cases has occurred, with many matters clearly having been the subject of significant (and presumably extremely costly) investigations, on spurious grounds.

DSP rejections and non-acceptance of medical certificates have been constant issues arising out of advice sessions, as has dissatisfaction with Job Capacity Assessments.

As always, lots of debts of all shapes and sizes

Policy issues

Lengthy suspensions of payments pending participation failure decisions.

Decision making process for DEWR with debts over \$20000.

Future Directions – next 12 months

a) Geelong Community Legal Service has secured ongoing funding for one full time solicitor position. While the worker won't do Welfare Rights work, it is a fabulous addition to our small casework team. Welfare Rights will remain separate, however all generalist, family violence and child support caseworkers (carer and liable parents) will be performing as a multi-discipline team, rather than working exclusively in their specialised teams.

b) As always the main threat to our service is the high levels of demand, the overwhelming casework load and the isolation of having one Welfare Rights worker. It is absolutely invaluable to be part of the NWRN, and also to have attended some of the casework meetings of the Welfare Rights Unit in Melbourne.

Adelaide – Welfare Rights Centre

1. Staff

Mark Leahy	Manager (9 days per fortnight)
Jo Harmer	SSAT/Volunteer Co-ordinator (4 days per week)
Margaret Riley	AAT Co-ordinator (2 days per week)
Mark Shepley	Administrator (3 days per week)
Andrew Prince	Data Entry (1 day per week)
Bill Manallack	Housing Legal Clinic Co-ordinator (3 days per week)
Amanda Tsousondarou	Shift supervisor (1 day per week)

+ 50 volunteers

2. Casework Trends

- Number of clients: 854
- Advice/Information Activity: 827
- Cases: 309
- SSATs 39
- AAT 61 cases (71 PCs, 5 Hearings)
- CDDA/Act-of-Grace: 35
 - . DEWR are continuing to appeal a large number of our SSATs.
 - . MLRs remain a constant issue
 - . A high level of DSP rejections/cancellations
 - . 8-week suspensions
 - . Student issues (e.g. period of study)

3. Projects/Publications

The Housing Legal Clinic has received another year's funding from the State Government. An independent evaluation has recommended three-year funding. We now have five law firms and six agencies; over the last year, approximately 75 lawyers contributed \$1 000 000 worth of *pro bono* advice and representation. The Clinic assisted around 260 people.

4. Other

We provided a written submission to the South Australian Inquiry into the Impact of Workchoices, articulating the linkages between Workchoices and Welfare-to-Work.

We celebrated our 20th anniversary this year. The event was launched by the SA Minister for Family and Community Services, Jay Weatherill.

We provided evidence at the ALP's Inquiry into the Impact of Welfare-to-Work Changes. Other consultations with politicians include: Kate Ellis, Andrew Bartlett, Anne McEwen, and Julia Gillard.

The espresso machine is continuing to do well :)

Perth – Welfare Rights and Advocacy Service

1. Staff

Kate Beaumont – Executive Officer/Welfare Advocate	(F/T)
Catherine Eagle – Solicitor	(P/T)
Chris Belcher – Welfare Advocate	(P/T)
Marilyn Marvelli – Welfare Advocate	(P/T)
Jeanie Bryant – Welfare/Tenant Advocate - Service WA Drug Court	(F/T)
Susie Byers – Youth Welfare Rights Advocate	(P/T)
Paul Harrison – Tenant Advocate	(P/T)
Tracey Pope – Administrative Officer	(P/T)
Yvonne Mulder – Administrative Officer	(P/T)

2. Casework Trends

Welfare Rights assistance provided by our centre over 2006/2007 financial year includes:

Total Number

Advices:	807
Face to Face:	72
Telephone:	717
Mail:	11
Email:	7
Opened cases:	267
Closed cases:	247

In terms of casework undertaken the agency has completed a similar level of both advices and cases opened by the centre in 2006/2007 to the previous year. The key emerging issue in the last year has been an increase in the numbers presenting with issues which relate to the Welfare to Work changes implemented in July 2006 and greater numbers who have had serious participation failures and whose payments have been stopped. The other major issues for presenting clients of the agency continue to be marriage like relationships, overpayments and prosecution matters with many having an interrelationship between all three issues. A significant proportion of the marriage like relationship matters presenting have had large debts raised by Centrelink and correlating with the quantum of debts these clients were at some risk of prosecution. The approaches used by Centrelink in investigating and making decisions in relation to marriage like relationships has not

improved over the last twelve months and it appears that despite assurances of additional training and attempts to effect cultural change within Centrelink in relation to the way in which marriage like relationships matters were dealt with this has not occurred through our casework activities in this area.

Within the casework undertaken by the agency the area of prosecutions for Social Security offences continues to take up a considerable amount of the agency's casework resources as Welfare Rights & Advocacy Service has a part time solicitor who deals with such matters. There continue to be concerns about the numbers of smaller debts referred to the Commonwealth DPP and the significant delays (in some cases three years) from the raising of debts or the consideration of prosecution action before the matter is referred to the Commonwealth DPP for prosecution. It is pleasing that the Commonwealth DPP considered submissions made by our solicitor in relation to individual matters and decided not to lay charges or on occasions, has decided to withdraw charges.

3. Policy work/issues

Over the last year the agency has continued in its work relating to the Prosecutions Project for which we have been given funding for the employment of a solicitor, Catherine Eagle to work with those facing prosecution for Social Security offences. Catherine Eagle has continued as the convener of the Prosecutions Sub Committee of NWRN who have developed a position paper which has been provided to Centrelink. Catherine Eagle has also participated in two NWRN Delegations in the last year where Centrelink prosecutions have been discussed.

Staff of Welfare Rights & Advocacy Service participate in a number of the NWRN Sub Committees which address specific policy/law reform issues and include: MLR Sub Committee, Youth Sub Committee, Prosecutions Sub Committee and Indigenous Sub Committee. At a local level staff of the agency are involved on a regular basis with the local Centrelink Community Consultative Meeting, Centrelink Mental Health Consultative Meeting, Centrelink Aboriginal Consultative Meeting, Linking Offenders to Services Meeting, local Welfare Rights Sub Committee and other forums as they arise. Additional to these activities Kate Beaumont has continued to be a member of the Executive of the NWRN and participate in Members Meetings through the year. During the last year Catherine Eagle has participated in a number of the NWRN Delegations to Canberra to meet with Centrelink in relation to the issues of the network. This participation could not have occurred without the support of the staff and Management Committee of Welfare Rights & Advocacy Service who saw this participation as an opportunity to provide casework examples from Western Australia to illustrate the impacts of government policy on those within our community.

The agency conducted 23 Community Legal Education activities throughout the year which included singular and multiple sessions conducted at: Bandyup Women's Prison, Boronia Women's Prison, Balga Young Mum's Project, Genesis, Crossroads, Ruah Women's Refuge, Perth Women's Centre, CPSU, Financial Counsellors Conference, Legal Aid WA, Aboriginal Legal Service, Murdoch University Law students, Southern Community Legal Advice Service, Curtin University of Technology Social Work students, and WACOSS Emergency Relief Forum.

4. Projects/publications

Prosecution and Women in Prisons Project

The agency has been successful in receiving funding for a fourth year to employ a lawyer three

days per week funded through the Public Purposes Trust of the Law Society of Western Australia and our funding has been continued in the current year. The project is in collaboration with Women's Law Centre where another lawyer works one day per week with our project specifically in the women's prisons in Perth. Catherine Eagle continues to provide advice and assistance to clients contacting in relation to Centrelink prosecution matters but does not represent in court due to time constraints. Catherine Eagle has also completed a number of Community Legal Education activities in relation to prosecution matters with solicitors and other Legal Aid WA staff and students at Murdoch University during the year, as well as sessions with women prisoners relating to avoiding future problems with Centrelink. Catherine Eagle has been a great assistance to paralegals that work in the centre who have been able to provide additional casework assistance in challenging debts administratively where the client is at risk of prosecution for social security offences.

Welfare and Tenancy Support to clients referred by the Court Assessment and Treatment Service of the Department of Corrective Services

Over the last six years the agency has had a full time advocate, Jeanie Bryant employed to work with clients who participate in the Drug Court of Western Australia. Over that time funding of this position has passed from the Drug and Alcohol Office to the Department of Justice and then to the Department of Corrective Services and we have been contracted for the next two years to continue to provide these services working with offenders and ex offenders.

Youth Welfare Rights Advocate

Over the last year the agency has been funded by the Legal Contribution's Fund as part of a project identified to met the unmet legal need of young people in accessing assistance to challenge Centrelink decisions. As a result of this project the agency has a part time Youth Welfare Rights Advocate, Susie Byers employed three days per week. As part of this project it has been a priority to connect with young people and those who work with young people. As such Susie Byers has explored outsourcing options and provided services at day centres in the inner city area and developed good working relationships with workers from various youth support services who have become regular referral points for young people to Welfare Rights & Advocacy Service. Funding for this project is to continue for the next two years.

Tenant Advocate – Over a number of years the centre has provided tenancy assistance to the northern suburbs of Perth in collaboration with another centre with a tenant advocate working at Welfare Rights & Advocacy Service two days per week. Recently the funding for this service has increased and as a result the agency's tenancy assistance has increased up to four days per week.

5. Future Directions – the next 12 months

5.1 opportunities/plans for the Centre/Service

The agency is hopeful of completing some building renovations over the next twelve months due to our rising damp.

5.2 threats to the Centre/service

There is the potential that there may be some threats to ours and other centres as a result of the recent review of CLCs conducted by the Commonwealth Attorney General's Department. We

remain hopeful that the new contractual agreements with the Commonwealth from 2008 will not constrain the range of work conducted by our centre. Any reduction or loss of funding for our Prosecution Project from the Public Purposes Trust of the Law Society of Western Australia, which is currently subject to an annual grant process, would have a significant impact on the services Welfare Rights & Advocacy Service would be able to provide in relation to Prosecution matters in the future.

Perth – Sussex Street Community Law Service Inc

1. Staff

General Manager	
Principal Solicitor	Louellyn Gane
Assistant Manager	Denise Beer
Family and Civil Solicitor	Karen Bond
Belmont Solicitor	Katrina Leonard
Disability Discrimination & CLE Worker/Solicitor	Cheryl Collier
Tenancy Advocate	Lee McLeay
Welfare Rights Advocate	Penny Robbins
Disability Advocacy Coordinator	Rose Ngoga
Financial Counsellor	Iris Watt
Administration/Finance Officer	Steen Johansen
Administrative Staff	Shirley Newington Karen Bird Yikai Hoe
Night Legal Service Liaison Officer	Marise Resuggan

Students/Volunteers 4

There is one solicitor employed as a Welfare Rights Advocate, Penny Robbins.

The position is staffed for 30 hours a week.

There are currently no volunteers providing assistance to the Welfare Rights Advocate.

2. Casework Trends

Data from CLSIS shows the following for 2006/2007:

Total Advice Activities	419
Total Information Activities	59

Total number of clients	105
Cases open at beginning of period	11
Cases opened during period	21
Cases closed during period	21

Client demographics:

ATSI	4%
CALD	8%

The Centre continues to deal with a range of issues, primarily overpayments across all payment types. Investigation of MLR matters by Centrelink continues to be an issue for many clients, in particular those who share care of children. Other casework issues have included FTB disputed shared care, CDDA claims, assets test eligibility, debt recovery negotiations and participation failures. The service has seen a few clients on non-payment periods.

The service has updated its intake sheet and Emergency Relief forms in order to collect data on the Welfare to Work Changes and in particular non-payment periods. The Financial Counsellor has seen a small number of clients seeking emergency relief due to being on 8 week non-payment periods, although we have seen comparatively few clients compared to the numbers who the NWRN know to have had non-payment periods imposed.

3. Projects/Publications

Publications

The SSCLS welfare rights brochure was updated and distributed to various agencies and Centrelink offices during the year.

CLE

SSCLS held a public information session during Law Week in May 2007. Welfare Rights information, including fact sheets were distributed and appointments booked for clients.

Other CLE included sessions with Social Work Students from Curtin University and Emergency Relief workers.

Our aim for 2007/2008 is to increase the number of CLE delivered.

4. Future Directions – the next 12 months

- The Centre's plans for renovating to alleviate the accommodation shortage continue to be a priority. It is hoped that work will commence within the next 12 months.
- It is proposed that the Welfare Rights Advocate role will be split between two solicitors during the next 12 months.
- The Centre will celebrate its 30th Anniversary in March 2008! We are planning a celebration function and are currently seeking the whereabouts for past staff, board members and volunteers of the Centre.

Fremantle – Community Legal Centre

1. Staff

Centre Co-ordinator

Administrative Assistant

Principal Solicitor

Part-time Solicitor (Family Law)

Part-time Solicitor (Restraining Orders)

Tenancy Advocate/Part-time Financial Counsellor

Part-time CLE/ELS Co-ordinator/Part-time Financial Counsellor

Welfare Rights Advocate

2. Casework Trends

In 2006/2007 Welfare rights work involved the provision of information, advice, advocacy, casework and representation before the Social Security Appeals Tribunal and Administrative Appeals Tribunal. About 212 clients have been assisted in one form or another. Debts of all kinds and meeting eligibility criteria for payments were by far the dominant themes. An increase trend of tip off investigations, prosecutions and MLRs has been noted. Welfare to Work issues are beginning to show in casework.

2.2 Centrelink Debts

Wide range of debts including PPS/PPP, DSP and Age Pension. A sharp increase on data matching debts involving many years and sheer volume of paperwork and complex calculations have been noted. Clients may have several overpayments each – currently one has up to 30. Student and FTB debts have remained about the same. Over \$50,000 worth of student debts were waived through special circumstances including Re *PAK & DEST 2007*. A number of other debts were also resolved in favour of clients including one of up to \$33,000.

2.3 Welfare2Work

The number of clients inquiring or requiring assistance with the new W2W rules are increasing and are represented as follows: 40 Job Capacity Assessment related issues; 14 participation failures resulting in 8 weeks non payment and 12 Job Network Members. A significant number of the JCAs clients were concerned or anxious because they feared that they could lose their DSP. In fact, some of them did, but many retained their entitlement under the old rules. A couple whose DSP was rejected were successful on appeal and after further medical evidence was provided. The JCAs to assess DSP qualification under the new rules have been more challenging.

The majority of the 8 weeks non payment penalties were successfully resolved following reconnection and compliance. In other cases, a more detailed explanation of the individual's

circumstances was required – especially where the person is put at risk of becoming homeless or has real barriers to comply - the penalties were revoked. Payment pending review has not been possible in cases where clients got the penalty and were not in receipt of payment but it has worked in other cases. Currently have one at ARO level and may proceed to SSAT.

Most complaints about JNMs were due to enormous pressures put on clients, rigidity in organising appointments without checking the person's availability and/or the lack of options to change to another provider. Some of these providers have shown a lack of understanding of the difficulties faced by clients.

3. Policy Work/Issues

On going liaison with regional Centrelink key staff and Centrelink Consultative Committee as well as the Area Manager has been maintained. Some of the issues canvassed have been the impact of the W2W on vulnerable clients; the propensity of young people to 'opt out' without income support because they may not have the skills to deal with the complexities of the claim process and compliance requirements. Recently, liaising with ICSSO's about how to assist Indigenous clients who can no longer participate in CDEP activities as these programmes ceased to operate in major urban areas.

Liaison with welfare agencies in the region with a view to raise awareness about the impact of W2W policies and appeal rights has prompted an increase in the number of inquiries on behalf of their clients including referrals.

4. CLE/information sessions

A series of information sessions were conducted for community groups including: grandparents, single young mothers, indigenous youth, women's group and homeless people. Debt prevention, new W2W participation requirements and appeal rights were the main topics. An array of WR factsheets including new W2W were also distributed to the general public during "Law Week" at "The Law in the Stores". This is a project that is organized every year by the Centre where Lawyers from FCLC and volunteers from private firms provide free legal advice to the community on a range of legal matters.

5. Networking

Attended W2W Training provided by Centrelink in Perth; Workshop on Mental Health Forum in Perth (with Michael Raper as Keynote Speaker) and recently attended the WA CLC Conference. From time to time participated in NWRN link ups and WA WR Subcommittee meetings.

Darwin - Darwin Community Legal Service Inc. Welfare Rights Service

1. Staff

Cathy Davies 18 hrs/week increased to 21 hrs/week post November 2006

Ian Tranthem Principal Solicitor

2. Casework Trends

No clear trends appear to have emerged this year.

We have continued to make efforts to generate casework from indigenous clients, the lack of which has always concerned us given the NT's demographic.

3. Policy work/issues

Continued involvement with:

- NWRN
- MLR and Prosecutions Subcommittees
- Centrelink Community Youth Reference Group

4. Projects/publications

Cathy prepared a submission to the Senate carers inquiry

5. Future Directions – the next 12 months

(a)opportunities/plans for the Centre/Service

- Continued involvement with MLR and Prosecutions Subcommittees
- Continued work towards a NT funded CLC program
- Continue ongoing discussions with NAAJA and NTLAC re prosecutions
- Continue to develop the relationship between Welfare Rights and NAAFVLS, particularly Community Legal Workers (CLW's) and work with them to:
 - . further develop a role as referees of welfare rights matters to us, and
 - . advise and inform us about impacts of the Commonwealth's "Indigenous Rescue Package" in their communities.

(b)threats to the Centre/service

BURNOUT !

6. Other news to tell?

Another wonderful "dry" season.

Subcommittee Reports

Administrative Review

1. Terms of Reference

- To monitor developments in administrative review processes and prepare NWRN submission on any Bill that seeks to change the process
- To identify key issues of concern impacting on administrative review processes and practices that NWRN considers ought to be addressed and to propose relevant solutions to each
- In particular identify and propose strategies to hold Departments accountable to complying with the model litigant guidelines and countering the increased numbers of Departmental appeals and use of Counsel.

2. Membership

Catherine, Bill, Linda, Penny, Antonio, Jackie, John and Genevieve

3. Convenor

Bill

4. Report on activities

The Subcommittee did not undertake any specific work this year but was ready (as was its brief) to respond if any systemic issues around administrative review rights arose. In previous years the Subcommittee has responded to law reform discussion papers, parliamentary inquiries and Departmental reviews.

5. Recommendation

It is the Subcommittee members' view that it should remain a standing committee of the Network. It is proposed that the Subcommittee would maintain a watching brief on administrative review and administrative law rights and respond where appropriate.

Family Tax Benefit

1. Terms of Reference

1. Consider implications arising from child support taskforce recommendations and the establishment of Family Relationship Centres and report issues of concern to NWN with proposals for action and reform
2. Develop proposals for alternative approaches to assessment of FTB entitlement in particular when a client repartners
3. Monitor Centrelink's administration of the FTB payments system, identify issues of concern and make recommendations to address these problems

2. Current Membership: Darwin, Aime, Gerard, Annabel

3. **Activities to Date:** Nil. Julia Priest "pressed ganged" the previous conference to set up the subcommittee. Julia ceased working as an advocate at the Illawarra Legal Centre soon after the 2005-06 NWRN conference and there was no driving force (or energy) to continue with the subcommittee.
4. **Future of the Sub Committee:** That the FTB subcommittee be disbanded.

Indigenous Issues Subcommittee

Terms of Reference:

Specific Terms of Reference: Adopted at: Conference August 2006

1. To explore ways of engaging effectively with Indigenous people to ensure access to the income support review and appeal system
2. To explore and identify issues relating to income support for Indigenous people in particular the issue of Crisis Payment for people on ABSTUDY
3. To undertake research of Indigenous debt (such as ABSTUDY and CDEP) and develop a NWRN paper in order to enable the NWRN to raise issues with relevant Government agencies and departments
4. To investigate the possibility of an NWRN project relating to the conduct of an income support audit in a remote Aboriginal community

2. Current Membership

Chris Belcher, Ian Trantham, Lua deBurg, Linda Forbes, Bill Mitchell, Gerard Thomas

Initially Chris Belcher was the convener of the Sub Committee, however due to the changing priority and breadth attached to this area Gerard Thomas, as the defacto NWRN Policy Officer joined this Sub Committee and became the convener.

3. Activities to Date

The Sub Committee met twice during the year.

The Sub Committee discussed changing the name of the Sub Committee to the Aboriginal Issues Sub Committee in line with the views held by Aboriginal people in other organizations that this is the preferred title. The Sub Committee regarded that it was important for them to seek out the views of Aboriginal people and organizations and for them to identify the key issues that were impacting on Aboriginal people and what should be the priorities for NWRN action. The Sub Committee attempted to convene a meeting with each member inviting a local Aboriginal community member to participate and discuss relevant issues for their communities. In this process it became apparent that the NWRN may need to forge stronger relationships with Aboriginal organizations within their communities.

Chris Belcher developed an issues paper in relation to the major changes to CDEP which was tabled at one of the meetings and also formed the basis of discussions between Michael Raper and others and for a Media Release which was issued in February 2007.

Issues identified for further action by the Sub Committee and the NWRN were:

- CDEP and associated issues with closure of program;
- Aboriginal debt (including Native Title and Abstudy);
- Welfare to Work and Participation issues particularly for PPS and younger persons.

There was some discussion of the suggestion of completing an audit of an Aboriginal community, however it appeared that this may have duplicated work already conducted in Western Australia by the Office of Women's Policy and that there may have been audits in other states.

Due to the changing agenda with the Federal Government and the introduction of their NT legislation the urgency and the magnitude of the announced changes these issues were escalated and have required immediate responses from the NWRN.

4. Future of the Subcommittee (including recommendation as to whether the Subcommittee should continue and whether changes if any are required to the terms of reference)

In light of recent Government changes the priority for this Sub Committee is even more necessary. It appears that the terms of reference need to reflect these changes and that it needs to be given greater priority in the coming year.

Marriage Like Relationships

1. Terms of Reference:

1. To investigate issues of marriage like relationship with a view to documenting evidence and case studies in relation to the issues and providing proposals for dealing with these.
2. In particular to deal with:
 - 2.1 Centrelink's interpretation of the legislation, including policy considerations
 - 2.2 Centrelink's investigation practices
 - 2.3 Centrelink's decision making processes, and
 - 2.4 Whether the current statutory criteria is the most appropriate for determining entitlement to payment.

TOR; Adopted at NWRN conference, August 2004; affirmed 2005 and 2006.

2. Current Membership:

Ben, Sam, Ian, Cathy, Gerard, Di, Catherine, Bill and Liz.

Convenor; John.

3. Activities to Date:

- The main activity of the committee would seem to have been that of Godot-proportion waiting. For whatever reason, the Own Motion report remains unpublished, as we reported this time last year. Centrelink has also taken the long route to release of its long-requested MLR e-ref material, which finally came out in July 07.
- There has also been waiting for fresh stats, released just in time to mention their existence in this report, and for implementation of Centrelink's internal changes to MLR processing. The main outcome of the Stats, thanks Di!, is that, after climbing from 13% in 2002-03 to 27% in 2005-06, the set aside rate for ODMs remains out of line and significantly below the other levels of review (ARO and SSAT), suggesting a possible problem with ODM ownership of decisions or perhaps an e-ref interpretation problem, perhaps depending on when the e-ref changes were implemented.
- A February 2006 addendum to the Centrelink Prosecutions Manual covering how to do an MLR investigation has been commented on by the sub-committee. It includes such suggestions as ensuring the target is not alerted until a critical mass of evidence has been gathered, and which lines of investigation in which locations are more likely to tip off a client that Centrelink are investigating than others. This is in line with a move to meld MLR and prosecutions at both a policy and initial investigations level, the outcome of which is most concerning, and could well justify another complaint to the Ombudsman.
- It seems that the big dollar items of Centrelink renewal or pilot implementation are now shelved, while the affordable internal restructuring, including a re-write of the abovementioned E-ref, has gone ahead.

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- The sub-committee is currently in the process of formulating a response to Centrelink regarding the content of the MLR E-references provided to it in July 2007.

4. Future of the Subcommittee (including recommendation as to whether the Subcommittee should continue and whether changes, if any, are required to the terms of reference).

- As reported last year, NWRN has achieved a considerable impact on MLR decision making inside Centrelink. There is ongoing interest from the Ombudsman and the academic community. As noted above, there have been roadblocks and as also noted in last year's report, there is work to be done and the NWRN can contribute more to the debate. The TOR reflect the subcommittee's work.
- The Commonwealth Ombudsman's Own Motion report remains in limbo. The sub-committee should follow up on the Reports findings and recommendations. Last year this report noted there was a 'long phase of negotiations' ongoing between Centrelink and the Ombudsman. This continues and is now approaching 18 months of admitted negotiations.
- The Senate estimates work for the sub-committee is ongoing. This is in terms of seeing what the set-aside rates for MLR decisions are like over time and what is being done by Centrelink to improve the quality of decisions. The set aside rate is still unacceptably high, and ownership of decisions at ODM level would appear to be problematic from the stats.
- Centrelink now has specialist MLR decision makers and has done a re-write of the E-ref guidelines, and MLR forms are also acknowledged as part of the problem. Review of the effectiveness of this is current.

The recommendation of the current subcommittee is that it continue.

Prosecutions

1. Current Terms of Reference

1. liaise with Legal Aid, the Commonwealth Director of Public Prosecutions, Centrelink, the Department of Employment and Workplace Relations, the Department of Family, Community Services and Indigenous Affairs and private solicitors regarding issues of concern to NWRN;
2. obtain, analyse and disseminate a range of data on prosecutions;
3. respond to Government announcements on prosecutions where appropriate;
4. address training issues with state governments and legal aid commissions; and;
5. examine casework advice in relation to prosecution matters.

2. Current Membership

Catherine Eagle

Ian Tranthem

Di Anagnos

Gerard Thomas

Bill Mitchell

Penny Robbins

3. Activities to Date

The NWRN paper, 'A briefing paper to Centrelink on NWRN issues of concern in relation to prosecution matters November 2006' was presented to Centrelink at the delegations on 7 November 2006 following discussion of the draft paper at the NWRN conference in 2006. A response was received from Centrelink on 23 July 2007 at the delegations.

Our subcommittee met via PLU three times over the year- the first time was to discuss finalisation of the paper so that it could be provided to Centrelink; the last time was to discuss the response from Centrelink and where to from here. In between we discussed the other terms of reference and allocated tasks which are still to be completed (we are all really busy?!)

4. Future of the Subcommittee (including recommendation as to whether the Subcommittee should continue and whether changes if any are required to the terms of reference)

We recommend that the subcommittee should continue. Its first task will be to coordinate the NWRN response to Centrelink's response and also to take up both the issues raised in the paper and the Centrelink response with legal aid and DPP

Welfare to Work Implementation Sub Committee

1. Specific Terms of Reference:

To generally oversee the implementation of the Welfare to Work Legislation and in particular to assist the NWRN to:

1. Identify issues arising out of the legislation that can/need to be addressed through departmental policy and the Guide
2. Propose directions and/or solutions to address these issues
3. Monitor the implementation of the legislation and policy post 1 July 2005 and report to the next NWRN conference
4. Identify the data needed for public scrutiny and assessment of the Welfare to Work package
5. Identify issues and proposals relating to the role of the Job Network and CWCA providers

2. Current membership

Dale, Gerard, Gail, Cathy, Jeanie and Antonio

3. Activities to date

The sub committee held three meetings over the year. We discussed data requirements, though we recognised that in the current environment we were unlikely to get any. We examined parent contact and income reporting requirements and this issue was subsequently taken up with policy and service delivery departments. We undertook an analysis of the first year of Welfare to Work regime and discussed issues with Job Capacity Assessments.

4. Future of the Sub committee

Discussions were held with two members of the sub-committee about the future of the W2W sub committee and views were canvassed by email from others. Views were divided over whether it should continue or not. Two members felt that the issues around W2W were NWRN's main work and activity over the year, and that there had been widespread input and interest from NWRN members generally. Another felt that a separate Sub committee caused additional administration requirements and that alternate ways and processes of including all members into discussion and decision making should be developed instead of facilitating a separate Sub committee. That the recommendation that the Welfare to Work sub committee cease be discussed by the membership in the reports on sub committees.

Recommendation

That the recommendation that the Welfare to Work sub committee cease be discussed by the membership in the reports on sub committees at Conference.

Youth

1. Specific Terms of Reference:

1. To identify issues with Centrelink policies and practices in assessing YA UTLAH claims
2. To monitor numbers of participation failures among young people, appeal rates, access to case management
3. To provide support to NWRN nominee on Centrelink Youth Reference Group

2. Membership:

Melissa, Sam, Susie, Ian

3. Activities to date

The sub committee had a couple of link ups and work has been commenced on a UTLAH issues paper which is yet to be finalised.

4. Future of the committee

The second two of the term of reference were unable to be met. Number two because DEWR has not released officially either numbers of participation failures nor a breakdown in terms of age and number three as Centrelink (despite undertaking to do so) has yet to establish a Youth Reference group.

We recommend that unless a specific youth issue is raised at the conference which needs the consideration of a sub committee the reference group be disbanded and youth issues continue to be raised via other sub committees where relevant.

Reports from NWRN nominees on outside bodies

Centrelink Disability Customer Reference Group

1. Frequency of Meetings in 2005-06

There were two DCRG meetings for the 2005-06 financial year, held in September and March.

2. Membership of the Reference Group

The organisations represented in the reference group for 2005-06 is listed below.

Community Sector Representatives

- ACE National Network
- Disability Advocacy Service, Alice Springs
- National Association of People Living with HIV/AIDS
- Brain Injury Australia
- Mental Health Council of Australia
- ACROD
- Blind Citizens Australia
- Royal Victorian Institute for the Blind
- Australian Association of the Deaf
- National Welfare Rights Network
- Physical Disability Council of Australia
- National Ethnic Disability Alliance
- Women with Disabilities Australia
- National Council on Intellectual Disability
- Carers Australia
- National Indigenous Disability Network

3. Role of the Group

The role of the Disability Customer Reference Group has been discussed extensively. Its role is to advise Centrelink on service delivery matters, and somewhat more controversially, to monitor and report on the impact of policy on Centrelink's service delivery.

The Disability Customer Reference Group provides advice in some key areas:

- Centrelink staff training
- The experience of people with disabilities when dealing with Centrelink
- Employment assistance service delivery
- Activity-testing & compliance for people with disabilities
- Job Capacity Assessments
- Centrelink communication

Secretariat: Centrelink provides all secretariat services, and meets the basic travel and accommodation costs of members as required.

4. Issues Explored

• Welfare to work

Of primary interest to community members over the last twelve months has been the DEWR decision to subject DSP recipients to a Job Capacity Assessment, should they wish to volunteer for government-funded labour market support and assistance. To date, DEWR has not changed its mind on this issue.

• Job Capacity Assessments

These are turning out to be a huge concern to community members over the last twelve months. Members are experiencing incompetent assessments performed by inexperienced and ignorant personnel. Members are continuing to lobby for specialist personnel, particularly in areas where there have always been problematic assessments ie intellectual disability, mental illness, brain injury, and episodic illness.

• The new compliance regime

Members have expressed concern about the apparent lack of knowledge and data about the effect of breaching on people with disabilities, particularly in the context of new and increasing numbers of people being subject to a harsher activity-testing regime. This particularly needs to be viewed in light of a reluctance to grant activity test exemptions, even given compelling medical evidence provided by recipients' doctors, and the prevalence of Centrelink decision-makers deciding to overrule this evidence and impose difficult activity test requirements, in turn further exposing individuals to increased risk of breaching.

5. Work Ahead

The above-mentioned issues will occupy the Group for at least the next twelve months..

Dale Nelson

NWRN Nominee

Centrelink National Multicultural Reference Group (NMRG)

Frequency:

The NMRG met in October 2006 and April 2007. A phone link up was held in January 2007 for the community members of the NMRG to determine agenda issues for the April meeting.

Participants:

A range of community organisations and peaks representing multicultural perspectives are members of the group. Representatives of FACSIA, DEWR, DIMA and Centrelink were also present.

Major issues:

Presentations over the two meetings were given on a number of issues including

- Access card
- Centrelink standard service delivery model
- Centrelink multicultural servicing in rural areas
- Job Capacity Assessments
- Welfare to Work
- Centrelinks refugee servicing teams

Reports were provided to the reference group on the work of Centrelink's African Liaison Unit and the DEWR Humanitarian and Refugee Entrant Job Seeker Project. The findings of the work of the African Liaison Unit highlighted specific needs of the newly arrived African communities and led to Centrelink altering a number of its procedures and information provision to newly arrived refugees.

Community members raised numerous issues many relating to Job Network, JCA's and Welfare to Work issues for multicultural clients.

After community members raising at a previous meeting the requirement for newly arrived refugees and humanitarian entrants to undergo a JCA on their second day in Australia DEWR and DHS agreed that this was unnecessary and altered the policy such that most JCA's would now be undertaken around 12 weeks after arrival.

Melissa Coad

NWRN Nominee

Centrelink Participation Reference Group

Only three meetings of the group were held in the past year. Meetings were held on 21 July 2006, 9 December 2006 and 18 May 2007. The frequency of the meetings was a topic of significant discussion and passion between Reference group members and Centrelink over the period. Previously, these meetings had been held about every six weeks, yet when Centrelink was on the verge of introducing some of the biggest changes (in terms of parent's affected by new activity requirements), the frequency of the meetings was almost non-existent.

NWRN argue strongly that if greater communication and discussion over the implementation of the parent changes were to take place, then the changes could go much smoother. Instead, we have Centrelink publications sent to 223,000 parents which misinformed them about aspects of Welfare to Work, and the information also failed to inform parents of critical information, such as child disability activity test exemptions and the \$25 a week "financial suitability" job test.

At our insistence Centrelink arranged a link up between relevant community groups and Centrelink's parent's team, but by then it was all a bit too late.

The future of all of Centrelink's "reference groups" is up for review, and this was an area of interest to participants at the meeting.

As usual, a number of useful presentations were provided at the meetings, particularly in relation to Job Capacity Assessments.

There were a number of staff changes in the Community Sector Relationships Branch, which also did not assist in terms of good communication between all parties. A new system was established for community organisations to deal with Centrelink which essentially involved setting up a mail box (email) where we would send our queries. While Welfare Rights uses this system and it works well at times, we have raised some concerns about it and hope to have these clarified soon.

Gerard Thomas

NWRN Nominee

Treasurers Report

In the absence of any real external funding in the 2006-7 financial year, the Network has survived on its reserves accumulated in previous years. At the end of this financial year, the Network finished with an amount of \$9000 in reserve. Most items were below budget or within 10% of projected expenditure except 'Network Development' and items which were added to the budget during the year.

National Welfare Rights Network End of Financial Year (June) 2007	Annual Budget	Actual YTD
Balance brought forward from previous year	\$22,577.00	\$22,577.00
Income		
Levy from NWRN members	\$12,260.00	\$12,458.00
Memberships	\$260.00	\$280.00
Grant from Scully Fund	\$0.00	\$0.00
NACLC reimbursement	\$660.00	\$660.00
Conference Registrations	\$2,700.00	\$1,584.00
BAS Refunds	\$1,700.00	\$1,995.00
Interest	\$1,300.00	\$1,541.72
Admin recoveries	\$0.00	\$0.00
DEWR et al reimbursements	\$0.00	\$705.88
	\$18,880.00	\$19,224.60
Expenditure		
Staffing Costs - NLO etc	\$11,000.00	\$12,100.00
Communications (Website etc)	\$12,000.00	\$7,000.00
Travel & Accom (Delegations etc)	\$10,000.00	\$3,620.19
Network Development	\$1,000.00	\$2,033.27
Administration	\$550.00	\$344.91
Annual Conference	\$5,500.00	\$5,111.58
Climate Change stuff	\$0.00	\$1,183.01
BAS Costs	\$1,000.00	\$1,232.00
	\$41,050.00	\$32,624.96
Cash budget status	-\$22,170.00	-\$13,400.36
Overall financial status	\$407.00	\$9,176.64

P Horbury (Treasurer)
23-Aug-07

Peter Horbury
Treasurer

9.0 Auditor's report

Auditor's Report

Dalton Williamson & Company
Chartered Accountants

4/1004 Doncaster Road
P O Box 1063
Doncaster East, Vic. 3107
Tel. 9842 6766

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INDEPENDENT AUDIT REPORT TO THE MEMBERS OF
NATIONAL WELFARE RIGHTS NETWORK INC.

Scope

We have audited the financial report, being a special purpose financial report, of National Welfare Rights Network Inc. for the year ended 30th June, 2007. The Committee is responsible for the financial report and has determined that the accounting policies used are appropriate to meet the requirements of the Associations Incorporation Act 1991 Australian Capital Territory and are appropriate to meet the needs of the members. We have conducted an independent audit of this financial report in order to express an opinion on it to the members of National Welfare Rights Network Inc. No opinion is expressed as to whether the accounting policies used are appropriate to the needs of the members.

The financial report has been prepared for the purpose of fulfilling the requirements of the Associations Incorporation Act 1991 Australian Capital Territory. We disclaim any assumption of responsibility for any reliance on this report or on the financial report to which it relates to any person other than the members, or for any purpose other than that for which it was prepared.

Our audit has been conducted in accordance with Australian Auditing Standards.

The audit opinion expressed in this report has been formed on the above basis.

Audit Opinion

In our opinion, the financial report of National Welfare Rights Network Inc. presents a true and fair view of the financial position of National Welfare Rights Network Inc. as at 30th June, 2007 and the results of its operations for the period ended 30th June, 2007.

DALTON WILLIAMSON & COMPANY
Chartered Accountants

HAROLD HERBERT DALTON
Partner

Melbourne
24th August, 2007