



National Welfare Rights Network Inc.

Annual Report

July 2012 to June 2013

Prepared for 2013 Annual General Meeting

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National Welfare Rights Network Committee

The office bearers elected for the 2012/13 year were:

President:	Maree O'Halloran, Director, Welfare Rights Centre (Sydney)
Vice President:	Kate Beaumont, Executive Officer, Welfare Rights & Advocacy Service (Perth)
Secretary:	Ian Turton, Solicitor, Illawarra Legal Centre (Illawarra)
Treasurer:	Peter Horbury, Coordinator, Social Security Rights Victoria (Melbourne)
Committee Member:	Mark Leahy, Manager, Welfare Rights Centre (Adelaide)
Committee Member:	Dale Nelson, Community Legal Education Worker, Social Security Rights Victoria (Melbourne)
Committee Member:	Georgina Warrington, Director, Welfare Rights Centre Inc (Brisbane)

National Liaison Officer

Recognising the need for deeper engagement with members and stakeholders, the NWRN also seconds a person to undertake the role of National Liaison Officer.

Cass Wong from the Sydney Centre and then Ian Turton from the Illawarra Centre took on the role of National Liaison Officer during the 2012/13 year. The role is approximately one day per week.

President's Report

The National Welfare Rights Network (NWRN) is the peak body for welfare rights services across Australia. The Member and Associate Organisations of the NWRN provide legal and early intervention services for people who need assistance with social security, family assistance law or Centrelink administration. Many of the Centres also provide advice for clients experiencing difficulties with their employment service providers.

NWRN member centres undertook significant amounts of successful casework in 2012-13. For more details please see the reports of each centre. Many thousands of individuals and families experiencing poverty and disadvantage were assisted by dedicated staff and volunteers. In June 2013 we met with the Principal Registrar of the Social Security Appeals Tribunal, who recognised the valuable contribution of Welfare Rights solicitors, caseworkers and advocates who appear at the SSAT.

Welfare Rights services have, for example, helped numerous people have their Centrelink debts waived or be found not to exist. This year has seen a particular upswing in the number of people requesting assistance with respect to claiming the Disability Support Pension or seeking review of Centrelink decisions to reject their claims. The services have also worked with people facing lengthy compensation preclusion periods and no means of support as well as with people who are unemployed. Our services across Australia provide public value as well as important assistance to individuals and families. Details of the work of the members of the NWRN can be found in the body of this annual report.

NWRN advocates for law and public policy reform at a national level, makes media comment in accord with the principles and policies of the organisation and seeks additional funding for peak body activities and for service provision. The NWRN bases its advocacy and submissions on the experience of the caseworkers and clients of its member centres across Australia. It is this direct experience with a large client base which provides NWRN with the depth of understanding and technical expertise with respect to Australia's social security system. The result is that for a small peak body with no government secretariat funding, we have been a credible and reliable voice in the public domain.

Despite our excellent achievements and successes which are outlined in this Annual Report, it is becoming increasingly difficult for the NWRN to continue to rely solely on the goodwill of staff at Member Centres to undertake our extensive national work. Accordingly, in 2012-2013 we sought third party support for our request for secretariat support from the Commonwealth. The response from other welfare and community organisations has been overwhelming, reflecting their respect for our history and our work. Many organisations rely on our engagement government departments and agencies with respect to social security and family assistance issues.

This aspect of our role was particularly evident with respect to consultation about the impact of the Federal Government's unwinding of the "grandfathering" provisions which had protected some single parent families from the 2006 changes. Those changes prospectively pushed single parents off Parenting Payment (Single) and onto the Newstart Allowance, which is paid at a much lower rate, when their youngest child turned eight years of age. In the 2012 Federal Budget, the current Federal Government removed the "grandfathering" provisions as of 1 January 2013. Despite a huge campaign supported by many disparate organisations and members of the community, the Government could not be dissuaded from its path. Not only was the NWRN at the forefront of the campaign with ACOSS and the National Council of Single Mothers, but it also played an important role connecting relevant organisations with the Department of Human Services to attempt to smooth the implementation as far as possible in the interests of the client base we represent.

As can be seen from the Policy and Engagement section of this report, the NWRN has been very active across the gamut of social security and family assistance issues. We have also been active about the importance of people being engaged in the paid workforce where possible and have strongly supported, for example, the Federal Government's wage subsidy programs.

The NWRN's campaign priority this year was to achieve an increase in the Newstart and other Allowances. We worked

in coalition with ACOSS on this campaign. While we were not successful in achieving a much needed \$50 per week increase to the Allowances, the 2013 Federal Budget did increase the \$31 per week income free threshold to \$50 per week as of 1 January 2014. We were instrumental in mounting the arguments for this increase. Other major priorities this year included arguing for targeted and tailored investment to help people with disabilities and people who are unemployed into the workforce. The NWRN also continued to reject compulsory income management as counter-productive, discriminatory and costly.

A list of all the numerous submissions to government and parliamentary inquiries is detailed in the policy section of this report. The number and high quality of the NWRN's submissions are recognised by the Senate Committees we appear before, other community organisations and government agencies generally.

The NWRN has a high level of engagement with government and relevant government agencies and departments as we seek to influence policy-makers on behalf of our client base. We maintained our regular biannual delegation to Canberra to meet with the Department of Human Services. A new Human Services Council to establish high level strategic directions for the Federal Department of Human Services was established by the then Minister for Human Services, Senator Kim Carr and held its first meeting on 7 June 2013. As President of the NWRN I have been appointed to the Council and hope it continues to meet after the federal election this year.

I am looking forward to the great Conference we will have in Brisbane this year and would also like to commend all the people who worked on the fabulous Adelaide Conference in October 2012. The Conferences are a highlight of our year and in Brisbane we are fortunate to have the Minister for Human Services, Senator Jan McLucas and the Shadow Minister for Families, Housing and Human Services at our Conference as well as other interesting speakers.

I would like to thank Kate Beaumont, Vice President, and all the members of the Committee for their commitment. The current Committee Members are Kate Beaumont, Peter Horbury, Ian Turton, Mark Leahy and Georgina Warrington. Dale Nelson from Social Security Rights Victoria was also a valued member of the Committee during 2012-13.

Finally, there have been many departures of staff and volunteers from our Member Centres over the past year and I thank them for their contribution to our cause. In particular, I would like to recognise Catalina Loyola and Dale Nelson. Catalina has been a loyal and untiring supporter of the NWRN since its inception and undertook the desktop publishing and website administration for the Network on top of her duties as the Office Manager at the Sydney Centre. Dale worked as a Committee Member and a great contributor to the NWRN debates and work over many years.

Maree O'Halloran

Vice President's Report

As Vice President in the current year, Kate participated in Members Meetings and Committee Meetings through the year. She also continued to undertake media activities on behalf of the network where the President has been unavailable. In particular, over the New Year period Kate engaged in a lot of media activity to highlight the changes to Parenting Payment.

Kate continued to be the NWRN representative on the DHS Service Delivery Advisory Group (SDAG) which was the peak consultative forum for the Centrelink arm of that organisation until it was disbanded in early 2013. There were two meetings of the SDAG in 2012/2013 in July and November 2012 the first of which was a joint meeting with the Consumer Consultative Group (CCG). This was the Medicare equivalent of the SDAG and the latter meeting including only SDAG Members.

Kate Beaumont is the Vice President of the NWRN.

Policy and Engagement Activities

One of the main roles of the National Welfare Rights Network as a peak body is to seek beneficial changes in social security, family assistance and employment assistance policies within an economically sound framework and to contribute to broader campaigns aimed at reducing poverty, inequality and hardship in Australia.

The NWRN seeks to engage the Federal Government, relevant Federal Departments and Agencies and all Members of Parliament and Senators. The NWRN also works in conjunction with other welfare groups to lobby for reform to social security law and its administration.

The NWRN undertakes systemic advocacy and engages with the media as appropriate to achieve the strategic goals of the organisation and to the benefit of the client base of our member and associate centres.

The NWRN policy and engagement activities in 2012-13 are outlined in this section as follows:

- Key achievements in 2012 -13
- Submissions
- Appearances at Parliamentary Inquiries
- Media releases/ Opinion Pieces
- Correspondence with Ministers and Departments
- Meetings/Consultations/Conferences
- Working with Government and key stakeholders

Key achievements in 2012-13

NWRN raised significant numbers of policy and service delivery issues over 2012 -13. It was undeniably a difficult political environment with a minority government and a lot of focus on individual personalities as opposed to policy positions. The fiscal situation has also been challenging for Australia. As the following policy highlights and achievements show, the NWRN has had significant in drawing attention to the major issues facing low income and disadvantaged people in Australia.

Along with many others, we threw our support behind the transformation and promise of a better deal for Australians with significant disabilities and supported the National Disability Insurance Scheme with a submission to the parliament.

NWRN members worked alongside other key community sector organisations to achieve many significant improvements over the past 12 months.

We collaborated closely with the Australian Council of Social Services in the ‘\$35 a day is not enough’ campaign seeking a \$50 per week increase to the single Newstart Allowance.

We garnered extensive and reliable media coverage of the inadequacy of Newstart and increased community awareness of the difficulties experienced by unemployed people.

We worked tirelessly opposing the Parliament’s plans to move 150,000 single parents onto the Newstart Allowance from 1 January 2013, leaving families worse off by between \$60 and \$100 per week.

We were among the first to highlight the magnitude of losses for single parents and the impacts of the loss of Pensioner Concessions Card and limited access to the Pensioner Education Supplement.

NWRN facilitated the creation of a Centrelink Parenting Payment implementation working party of community stakeholders that provided feedback and advice, including advice on letters.

NWRN participated in the first ever inquiry by the Joint Parliamentary Human Rights Committee in Australia, which focussed on the adequacy of the Newstart Allowance, particularly for single parents and their children. With Australia's leading welfare and faith-based organisations, we wrote to the United Nations Social Raconteur about the single parent payment cuts and the denial of a decent level of income support.

NWRN was particularly strong in calling for the doubling of the Wage Connect subsidy scheme to 20,000 per annum. The Network was impressed with and drew media attention to the scheme's success, with almost one in two long-term unemployed people still employed after scheme ended.

Despite no increase to Newstart in the 2013 Federal Budget, we did see the introduction of three major income support changes in the Budget: the increase in the income free area to \$100 per fortnight (to be indexed from 1 July 2015); access to the Pensioner Education Supplement to Newstart Principal Carer recipients, and, increased access to the Pensioner Concession Card for 12 weeks in limited circumstances.

We joined with the Australian Youth Affairs Coalition to highlight inadequacies of Youth Allowance, which had been increased by less than \$100 over the past decade.

The NWRN also participated in the Senate Education and Employment References Committee inquiry into the adequacy of Newstart Allowance. As a result of the efforts of all individuals and organisations who made submissions and gave evidence to the inquiry, the Committee acknowledged that \$35 per day was inadequate for anyone who remains on the payment for more than a short period of time to live on with the Committee's report stating: "NSA does not allow people to live at an acceptable standard in the long term".

NWRN received widespread media coverage for the report; *How Rent Assistance is Failing Many Low Income Australians*, regarding the Government's Rent Assistance program.

From 1 July 2013, the Liquid Assets Waiting Period threshold was doubled after many years of campaigning by the NWRN.

We highlighted income support and payment issues relevant to growing problem of insecure work and related problems of Centrelink overpayments.

The NWRN drew attention to the surge in rejections of new claims for the Disability Support Pension, with one in two rejected, saving over half a billion in 2012-13.

We urged caution around any further changes to eligibility conditions for the Disability Support Pension, and successfully argued for the payment to be kept separate from the discussion about the provision of disability care and support.

Centrelink responded positively to problems identified by the NWRN in the 'program of support' changes to the disability support pension which came into effect on 1 September 2011.

The NWRN supported legislation for the new \$210 annual supplementary low income bonus, the first real increase in payments for unemployed people in almost 20 years.

We also highlighted huge blowout in wait times for people calling Centrelink via the telephone. Welfare Rights and the Financial Counsellors Australia released a joint media statement about Centrelink staffing. Government responded to widespread delays and criticism about services at Centrelink by agreeing to hire an additional 600 staff. We also worked with Centrelink and the Minister for Human Services to ensure that people using the Participation Solutions Team lines had access to new "place in queue" technology, reducing call costs for jobseekers.

The NWRN Annual Conference in Adelaide on the 24th to the 26th of August, with keynote speech from Dr Cassandra Goldie, ACOSS CEO and attended by Centrelink and FAHSIA, with a presentation from the 'Every Australian Counts' / NDIS campaign.

In September 2012 and April 2013 biannual meetings with Department of Human Services were held regarding service delivery improvements. We formalised new Terms of Reference for the engagement.

Welfare Rights worked with Centrelink to update service delivery guidelines on dealing with aggression, while ensuring people get the help they need, and improved information for older people about Centrelink Statement changes.

We highlighted negative impacts of cuts to social workers.

Centrelink responded to problems with investigations into member of a couple allegations, especially in relation to greater cultural awareness.

We critiqued the Government's latest plans to introduce a compulsory rental deduction scheme for public housing tenants and hopefully delayed the scheme permanently.

We highlighted inadequate and confusing letters and deficient information sharing arrangements relating to Family Tax Benefits and income support payments which can lead to overpayments.

Welfare Rights members around Australia took part in information sessions with new DHS staff from the serious non-compliance branch undertaking Certificate IV Training.

Partly in response to representations by Welfare Rights, Centrelink established a DHS inter- departmental working party to examine alternative sanctions to social security prosecution.

Centrelink agreed to improve their telephone service for people with overpayments who want to end arrangement with private debt recovery agencies.

The number of people prosecuted for fraud decline substantially in 2012-13. As at 31 March, DHS had undertaken 2,461 investigations, with only 971 cases being referred to the Director of Public Prosecutions.

Meetings held with DHS, Minister's office on Income Support and Family Assistance Office on debts and the poor quality of letters and correspondence.

Meetings with DHS Serious Non-compliance branch on Current Investigation Selection, Case Selection, Governance and Procedures, Intervention & Prevention, and Appeals.

Centrelink continues to focus on initiatives to reduce overpayments, and the numbers of debts falls by around 15 per cent in 2012-13.

NWRN submissions to various Parliamentary inquiries were consistently cited by various Parliamentary Committees reporting on proposed new policy and legislation.

We drew attention to high rates of debts, compliance penalties and low rates of appeals by Indigenous income support recipients.

Centrelink responded to paper about problems for Indigenous people in the Northern Territory. DHS revised letters and correspondence on Schooling Education and Attendance Measure and agreed to promote exemptions from income management and to provide more information in the correspondence about reviews and appeals.

We responded to Evaluation of New Income Management in the Northern Territory and the Australian National Audit Office reports on income management

We opposed the application of income management/quarantining from the Basics Card to the new Allowance supplementary payment of \$210 per annum for people on Allowances.

We highlighted the ‘opportunity cost’ of administering income management in the Northern Territory was between \$6,600 and \$7,900 – 62% of the annual rate of the Newstart Allowance.

With ACOSS and St Vincent de Paul, we highlighted the impact of six years of the failed intervention in the Northern Territory.

We drew attention to the 1 July 2013 changes to income management affecting young people and we facilitated a more flexible approach, which may benefit some young people.

Submissions

Submission to Parliamentary Joint Committee on Human Rights Examination of legislation in accordance with the Human Rights (Parliamentary Scrutiny) Act 2011 Social Security Legislation Amendment (Fair Incentives to Work) Act 2012 Final Report, Fifth Report of 2013, 21 March,

Submission to Grey Areas: Age Barriers to Work in Commonwealth Laws, Australian Law Reform Commission Information Paper 41 2012, July 2012. Our policy proposals included in the Australian Law Reform Commission (ALRC) discussion paper Grey Areas – Age Barriers to Work in Commonwealth Law, and both submissions were cited extensively in final report by the Commission.

Submission to the Department of Education, Employment and Workplace Relations References Committee Inquiry into the adequacy of the Newstart Allowance and other issues, August 2012.

Centrepay – a good idea that has lost its way, a report by the Financial Counsellors Association (endorsed by NWRN), November 2012.

Submission to Grey Areas: Age Barriers to Work in Commonwealth Laws, Australian Law Reform Commission Discussion Paper 78 2012, December 2012.

Submission to the Senate Community Affairs Committee Legislation Inquiry on the Social Security NDIS Bill 2012, February 2013.

Submission to Independent inquiry into Centrepay. March 2013.

Submission to Senate Community Affairs Legislation Committee inquiry into Social Security and Other Measures Amendment Bill 2013, 18 March 2013.

Submission to Minister for Employment Participation on 2015 Employment Services Review, 22 March 2013.

Submission to Minister for Employment Participation on Job seeker compliance and the 2015 Employment Services Review, March 2013.

Submission to Families, Housing, Community Services and Indigenous Affairs Housing Payment Deduction Scheme (Exposure Draft), NWRN, 23 April 2013,

Home on the range or a home out of range: How Commonwealth Rent Assistance is failing many low income Australians, NWRN May 2013.

Submission on Funding National Secretariat Support in the National Welfare Rights Network to Minister for Families, Housing, Community Services and Indigenous Affairs, Jenny Macklin, May 2013.

The 2013-14 Federal Budget – A National Welfare Rights Response, 16 May 2013.

Submission to Senate Education, Employment and Workplace Relations Legislation Inquiry into Social Security Amendment (Supporting More Australians into Work) Bill 2013. June 2013.

Special Benefit – Social Exclusion and Poverty Traps, December 2012

Appearances before Parliamentary Inquiries

During 2012-13 the National Welfare Rights Network has appeared before a number of Senate inquiries during the past year, allowing members to provide additional evidence to support our written submissions:

- Joint Parliamentary Committee on Human Rights inquiry into Senate Education, Employment and Workplace Relations Reference Committee inquiry into the Social Security Legislation Amendment (Fair Work Incentives) Bill 2012;
- Senate Education, Employment and Workplace Relations Reference Committee Inquiry into the adequacy of the allowance system for job seekers and others, the appropriateness of the allowance system as a support for work and the impact of the changing labour market; and
- Senate Education, Employment and Workplace Relations Reference Committee inquiry into the Social Security Legislation Amendment (Fair Work Incentives) Bill 2012.

Media Releases/Opinion Pieces

- 1 July 2012, 1 July heralds many social security changes.
- 28 June 2012, Income management policies wrong direction, ACOSS, NWRN and various community organisations.
- 6 August 2012, Media Release, Boost to Centrelink call centre staff a welcome relief, NWRN and Financial Counsellors Australia
- 9 October 2012, Government and Opposition shun single parents and their children.
- 22 October 2012, Spending priorities for tough times.
- 30 October, 2012, NWRN/ACOSS Media Release, Radical redesign coupled with increase in low payments needed for broken employment services.
- 29 November 2012, Senate report could be a roadmap for Australians locked out of work.
- 1 January 2013, No happy new year for people hit by benefit changes, ACOSS and NWRN.
- 6 February 2013, Bonus Payment welcome small first step.
- 6 March 2013, Opinion Piece in The Australian on cuts to single parents income support
- 7 March 2013, Not an ‘either-or’: Newstart must be lifted to raise rowing poverty in Australia, Joint Statement: ACOSS, NWRN and NCSMC.
- 22 March 2013, ACOSS Media Release, Wake up call for the nation: More than 620,000 people living in poverty.
- 3 April 2013, Young & Neglected – Youth Allowance increased by less than \$100 in a decade, NWRN and Australian Youth Affairs Coalition.
- 2 May 2013, DisabilityCare will transform lives.
- 8 May 2013, Allowing jobseekers to keep more of their income is good news.
- 10 May 2013, New report: Rent Assistance failing many Australians.
- 13 May 2013, Lack of Action on Newstart fails the most disadvantaged, ACOSS, NWRN and NCSMC Media Statement.
- 13 May 2013, Calls to increase Newstart Allowance remain while welfare changes welcomed.
- 15 May 2013, Income Support and the 2014 Federal Budget: A Briefing by the National Welfare Rights Network.
- 17 May 2013, Media Release, Opposition flags an unnecessary and mean Budget cut.
- 18 June 2013, Finally, a Senate Committee supports an increase to the Newstart Allowance.
- 21 June 2013, Six years of Income Management six years too long, Joint Release: ACOSS, NWRN and St Vincent de Paul

Articles/media

- 30 June 2012, Young hit under social security reforms, The Australian.
- 8-9 August 2012, Low dole 'prods jobless to work', The Weekend Australian.
- 15 August 2012, Dole in a dole cheat to beat the queue, The Australian.
- 18 August 2012, Scores of jobless Victorians spend decades on the dole and bleed millions from taxpayers, Herald Sun.
- 24 August 2012, Bill Shorten holds the line on parenting payments, The Australian.
- 25 August 2012, Move-for-a-job plan not always working, The Australian.
- 11 September 2012, Centrelink staff report record abuse over welfare, The Australian.
- 21 September 2012, Budget hole looms as MPs want dole for single mums delayed, The Australian.
- 22 September 2012, Single-mother cuts hit hardest in PM's seat, The Australian.
- 8 October 2012, Welfare cuts to hit single parents, ABC Radio National interview.
- 10 October 2012, Funds cut to single parents, Warwick Daily News.
- 10 October 2012, Julia Gillard fights off welfare revolt, The Australian.
- 12 October 2012, Dole reforms for disabled fail to deliver, The Australian.
- 13 October 2012, No special deals for single mums, The Australian.
- 22 October 2012, Welfare groups support Shorten support on Newstart reform, The Australian.
- 23 October 2012, 'Mean, nasty' cut an attack on poor and bigger families, The Australian.
- 23 October 2012, Gap between dole and pension too great, The Australian.
- 21 October 2012, Cleaners rally to demand better pay, AAP.
- 22 October, 2012, Welfare Groups welcome Shorten's support on Newstart payment reform, The Australian.
- 23 October 2012, 'Mean, nasty' cut an attack on poor and bigger families, The Australian.
- 29 October 2012, Working Single parents hit, Sun Herald and The Age.
- 1 November 2012, Ombudsman 'can't cope with levels of angst over Centrelink, The Australian.
- 4 November 2012, Worry over jobless families. Herald Sun, Courier Mail.
- 4 November 2012, One in seven kids live in a welfare family. Sunday Telegraph.
- 12 November 2012, Pensioners balk at Labor's work push, The Australian
- 14 November 2012, Single-parent families could lose all income in January, Sun Herald.
- 15 November 2012, Carr gives ground on dole push for single mums, The Australian.
- 16 November 2012, Centrelink says 3000 single mothers will be better off, The Australian.
- 17-18 November 2012, Work the key in bid to avoid dole rise, Weekend Australian.
- 19 November 2012, Newstart needs a sweetener, or at least a major review, The Punch.
- 21 November 2012, How the new Centrelink Newstart changed affect you, single mum.com.au.
- 22 November 2012, Centrelink complaints leap 28pc to new high, The Australian.
- November 2012, Centrelink clients unhappy, as services pushed to call centres, ABC Radio, The World Today.
- 24 -25 November 201 Welfare cycle broken as 6000 look for work, The Weekend Australian.
- 27 November 2012, Hard-up mothers told to try charities, The Australian.
- 29 November 2012, Push for rise after dole surge, The Australian.
- 18 December 2012, Centrelink saves \$37 million in overpayment crackdown, ABC Radio, World Today.
- 18 December 2012, Centrelink cutting overpayments with new approach, ABC Radio, World Today.
- 1 January 2013, Find a job, Jenny Macklin tells single parents whose benefits are being slashed, The Australian.
- 2 January 2013, Macklin saying she could live on dole sparks welfare anger, AM, ABC Radio.
- 2 January 2013, Minister riles welfare groups, Sydney Morning Herald.
- 2 January 2013, I could live on Newstart: Macklin, The Age.
- 2 January 2013, Macklin dole gaffe 'a mistake', Daily Telegraph, Courier Mail, Herald Sun, etc.

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- 4 January 2013, Push for \$50 jump in the dole for singles, Daily Telegraph, & News Ltd.
 - 4 January 2013, Cuts hit parents, 7.30 Report and ABC TV News.
 - 5 January 2013, Greens claim \$2 b will fix Newstart poverty, Sydney Morning Herald.
 - 5 January 2013, Greens claim \$2 b will fix Newstart poverty, The Age.
 - 10 January 2013, Pension card sop for mums, The Australian.
 - 14 January 2013, Dole increase 'can't be ducked', The Australian.
 - 20 January 2013, Struggling to see the benefit in welfare shift, Newcastle Herald Sun.
 - 2 February 2013, Families in financial crisis, 2UE.
 - 4 February 2013, Income control 'costs more than it's worth', The Australian
 - 6 February 2013, Dole numbers up 10 per cent in 12 months, The Australian.
 - 16 March 2013, Payrise for dole makes sense, Canberra Times.
 - 18 March, Karvelas, P. Baby bonus cuts attract little concern, The Australian.
 - 21 March 2013, Half of disability claims rejected, The Australian.
 - 21 March 2013, Single parent cuts 'breach' human rights, The Australian.
 - 22 March 2013, Quarter of disabled people living below poverty line, ABC Radio.
 - 28 March 2013, Disabled poverty figures 'shameful', SBS TV and Radio
 - 30 March 2013, Welfare advocates support super cuts, ABC AM Program.
 - 24 April 2013, One missed date a threat to dole, The Australian.
 - 8 May 2013, Concerns over no rise in welfare payments, AAP.
 - 9 May 2013, Rights group to accept 'phase-in' dole increase, The Australian.
 - 10 May 2013, Two in five on income support in 'housing stress', The Australian.
 - 10 May 2013, Rental system failing Newstart Allowance, AAP.
 - 10 May 2013, AM, Welfare groups call for increase in rental subsidies, ABC Radio.
 - 14 May 2013, PM Budget Special, ABC Radio.
 - 14 May 2013, Welfare and foreign aid Budget losers, ProBono Media.
 - 14 May 2013, Welfare groups not happy over dole, The Australian.
 - 14 May 2013, Budget leaves families 'on a cliff's edge', AAP.
 - 15 May 2013, Sky News Budget Analysis
 - 31 May 2013, Wage subsidy scheme hailed as up to half of recipients maintain jobs, The Australian.
 - 31 May 2013, Centrelink calls in debt collectors to chase 99-year-old, Herald Sun.
 - 7 June 2013, Barriers impede job seekers, The Australian.
 - 1. 21 June 2013, Howard plan used to help homeless kids, The Australian.
 - 2. 26 June 2013, Rent Reduction hope for tenants appears lost, The Australian.

Correspondence with Ministers, Shadow Ministers and Departments

NWRN contacted the Government, the Opposition and Government Departments on a wide range of matters during 2012-13. Some of the correspondence is listed below:

- Ministers Macklin, Shorten and Carr on response to letter re: minimising FTB and income support debts and proposal for a Disallowable Instrument, 22 October 2012.
- Letter on older carers and Newstart Allowance to the Senate Education, Employment and Workplace Relations References Committee on the adequacy of the Newstart and other allowances, November 2012.
- Various Ministers on Centrelink debts and overpayments. October 2012.
- Various letters to Government members re: Parenting Payment changes and single parents on Newstart, October 2012.

- The Hon. Kevin Andrews MP, Opposition Spokesperson on Families and Human Services, on meeting and NWRN conference, April 2013,
- Minister for Employment Services, Kate Ellis, on Employment Services Review and Compliance, April 2013.
- Minister for Human Services, Senator Jan McLucas, on responses to meeting with Welfare Rights, 28 April 2013,
- Minister for Human Services, Senator Jan McLucas, on Department of Human Services subscription for the Social Security Reporter, 29 May 2013,
- Letter to Judy Moylan, MP. 26 June 2013.

Meetings, consultation and conferences

- 2 July 2012, Income Management Vigil, Bankstown Centrelink,
- 24 July 2012, Stronger Futures Legislation link up, Human Rights Commission, Sydney.
- 11 July 2012, Meeting re: Indigenous cadetship.
- 12 July 2012, ACOSS Social Security Tele-conference, link up.
- 13 July 2012, NACLS teleconference re community law media campaign teleconference.
- July 2012 Address to the National Conference of United Voice in Canberra
- 31 July 2012, DEEWR Augmented Job Services Australia meetings, link up.
- 2 August 2012, Teleconference with Department of Human Services on changes to Centrelink Statement processes.
- 27 August 2012, NWRN Bi-annual Delegations with the Department of Human Services.
- 28 August 2012, Evidence to Senate inquiry into the Newstart Allowance inquiry.
- 28 August 2012, Link up with Australian Council of Trade Unions.
- 12 September 2012, Link up with CPSU on client aggression at Centrelink
- 12 September 2012, NWRN/DHS Delegations planning meeting.
- 13 September 2012, ACOSS telco on social security policy issues.
- 14 September 2012, Meeting with ACOSS on Newstart Allowance Campaign strategy.
- 25 September 2012, Augmented Job Services Advisory Group, link up.
- 3 October 2012, meeting with Adviser to Minister for Human Services on minimising
- 11 October 2012, Meeting with Department of Human Services on Special Benefit payment reform.
- 12 October 2012, Meeting with Adviser to Minister for Education, Employment and Workplace Relations, Bill Shorten and officials from DEEWR.
- 14 October 2012, launch of ACOSS Poverty Report, Sydney.
- 14 October 2012, Launch of ACOSS Report, Poverty in Australia:2012, Cabramatta.
- October 2012, NWRN participation in visits with local MPs/community sector campaign to increase the Newstart Allowance, week 19-23 November 2012.
- October 2012, Follow up re: Action Items from 27 September NWRN/DHS Delegations.
- October 2012, Liaison with Department of Human Services re: arrangements for release of regular sets of data on income support recipients by selected characteristics (eg. payment type, age, gender, state, Indigenous status).
- 24 October 2012, Department of Education, Employment and Workplace Relations Job Services Australia Quarterly Augmentation Income Support Meeting, link up.
- 29 October 2012, meeting with Australian Law Reform Commission on response to Inquiry into mature age participation discussion paper, Sydney.
- 31 October 2012, Meeting with Australian National Audit Office investigation of Department of Human Services and external debt collection agencies.
- 1 November 2012, Meeting with Department of Human Services Serious non-compliance branch on member of a couple issues.
- 1 November 2012, Jobs Australia National Conference, Sydney.
- 2 November 2012, Memo/response re: NWRN presentations at training sessions of DHS investigators undergoing Certificate IV Training,

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- 5 November 2012, ACOSS Energy Prices and the Impact Community Sector - workshop, Sydney.
 - 14 November 2012, Department of Human Services link up with welfare/community agencies on implementation of changes affecting single parents.
 - 15 November 2012, ACOSS Board Meeting, Sydney.
 - 16 November 2012, ACOSS Policy Forum and ACOSS Annual General Meeting, Sydney.
 - 19 November 2012, Meeting with staff from the office of the Commonwealth Ombudsman, Sydney.
 - 26-27 November 2012, Department of Human Services and CSIRO: Innovation and Information in Service Delivery Conference, Canberra.
 - 27 November 2012, Launch with Minister for Education and Youth, Peter Garrett, Beyond Earn and Learn, Australian Youth Affairs Council, Canberra.
 - 29 November 2012, Link up with Department of Human Services on FTB/PPS overpayments, etc.
 - 30 November, 2012, ACOSS Social Security Tele-conference link up.
 - 11 December 2012, Meeting with Financial Counsellors Association and adviser to Minister Carr on Centrepay.
 - 1 February 2013, Meeting on Parenting Payment letters with community organisations, NCSMC, Catholics' Australia and Brenda Parkes from the Department of Human Services.
 - 5 February 2013, Meeting with financial counsellors, welfare rights on Centrepay Review
 - 7 February 2013, Meeting with Bhavana Kaul, Jill McNabb, Department of Human Services, on debts, income support payments and Family Assistance Office.
 - 8 February 2013, Presentation by Mark Withnall and Mark Brown, Serious Non-compliance Branch, Department of Human Services, Sydney.
 - 14 February 2013, Meeting with Sally Sara, ABC media, Sydney.
 - 15 February 2013, ACOSS Board Meeting, Sydney.
 - 5 March 2013, Australians for Affordable Housing Committee Meeting, Canberra.
 - 6 March 2013, Meeting with Bhavana Kaul, NWRN Delegations, link up.
 - 13 March 2013, Meeting with Kathryn Campbell and Barry Sandison, Department of Human Services, Canberra.
 - 13 March 2013, Stakeholder Consultation on 2015 Employment Services, Canberra.
 - 13-14 March 2013, ACTU Community Job Security Forum, Canberra.
 - 22 March 2013, ACOSS launch of 2012 poverty statistics, People with Disabilities, Sydney.
 - 22 March, Meeting with People with Disabilities Australia on Budget, 2013 election and campaign issues.
 - 25-26 March 2013, Presentations, ACOSS Conference, Adelaide.
 - 27 March 2013, ACOSS Media Workshop – The Federal Election & Beyond, Adelaide.
 - 12 April 2013, Meeting/NWRN link up with Department of Human Services, on Serious non-compliance processes, Sydney.
 - 16 April 2013, NWRN/Department of Human Services Bi-Annual Delegations, Canberra.
 - 17 April 2013, Meeting with Senator Jan McLucas, Minister for Human Services, Sydney.
 - 29 April 2013, Seminar: Realising the Human Right To Social Security: An Australian Story Unfolding, Presenter at Forum held by The Australian Human Rights Centre, UNSW.
 - 1 May 2013, Meeting with Department of Families, Housing, Community Services and Indigenous Affairs and 20 welfare and community contacts on 1 July 2013 Income Management changes, Sydney.
 - 2 May 2013, Meeting with Lisa Newman, CPSU on service delivery issues and Centrelink cuts, Sydney.
 - 2 May 2013, Meeting with Tarina Russell, Commonwealth Ombudsman Indigenous Issues Program, Income Management, Sydney.
 - 5 May 2013, Department of Human Services, Meeting, General Manager, Serious Non-compliance, Approaches to Debt Prevention, NWRN national link up.
 - 13 May 2013, FACHSIA/stakeholder link up on revisions to Housing Payment Deduction Bill scheme, link up.
 - 14 May 2013, Federal Budget Lock Up, Canberra.

- 16 May 2013, Meeting with Department of Human Services on DSP/Program of Support Reforms and Issues.
- 17 May 2013, Meeting with Department of Human Services on Programs for Prevention of Debts, Sydney.
- 21 May 2013, Coalition of Non-Government Associations on Mental Health (CONGO).
- 23 May 2013, Treasurer ACOSS Post-Budget Lunch Briefing, Sydney.
- 27 May, 2013, ACOSS Board Dinner, Sydney.
- 28 May 2013, ACOSS Board Meeting, Sydney.
- 31 May 2013, Department of Human Services, Meeting, General Manager, Review and Appeals, NWRN national link up.
- 7 June 2013, Department of Human Services, Innovation Collaboration, Canberra.
- 12 June 2013, Meeting with Jane McDonnell, Principal Solicitor, Social Security Appeals Tribunal, Melbourne.
- 13 June 2013, Business Council of Australia Roundtable, Melbourne.
- 22 June 2013, Speaker, Say No To Income Management – 6th Anniversary Rally, Bankstown

Working with Government and key stakeholders

As can be seen from the list above, NWRN undertook many meetings with Government agencies during this financial year. It is important to note that we met with the National Audit Office and the Commonwealth Ombudsman during 2012-13. We also had two delegations to Canberra to meet with DHS officials to raise issue son behalf of our client bases.

NWRN also hosted a community link up and meeting with Independent consultants charged with undertaking the 2013 Independent Centrepay Review.

Key recent service delivery issues of engagement between NWRN and the Department of Human Services have been:

- the enhanced appeals and reviews system;
- income management communication, letters and exemptions;
- client aggression guidelines;
- overpayments;
- ‘member of a couple’ decision making;
- Special Benefit policy problems;
- review of Centrelink statements;
- cultural issues in member of a couple investigations;
- serious non-compliance and alternatives to criminal prosecution;
- implementation of 1 January 2013 changes to Parenting Payment (Single);
- letters and correspondence to single parents about welfare changes;
- income support and Family Assistance Office information sharing processes;
- availability of data sets on income support recipients;
- the independent Centrepay Review;
- presentations to new Investigations staff undertaking training for Certificate 1V investigations;
- using s192 to assist vulnerable clients;
- emerging issues from new DSP “program of Support” rules, and
- 1 July 2013 and new Income Management arrangements.

NWRN Representation on working parties

Welfare Rights members across Australia often engage with their local Centrelink office, or participate in local advisory committees or working parties on topics such as homelessness, Indigenous issues, carers issues or mental health.

The table below details NWRN Representation on Government Advisory Bodies and Working Parties for 2012-13. A reduction in the range and number of stakeholder forums/meetings has been evident for a number of years. NWRN has been concerned for some time over this reduction in advisory forums and meetings related to certain client groups that deal with Centrelink/Department of Human Services/FACHSIA.

Advisory (or reference) groups are currently operational to respond to the needs of people from a culturally diverse linguistic background, students, carers, older people and gay and lesbian background. However, there are no separate opportunities for people with disabilities, parents, unemployed people and young people or Indigenous people.

Name of Committee	Department	Status
Department of Human Services	Service Delivery Advisory Group	Disbanded
Department of Human Services	Mental Health Service Delivery Working Party	Disbanded
Department of Human Services	Council on Strategy and Innovation	Ongoing
Department of Human Services	National Multicultural Advisory Group	Ongoing
Department of Families, Housing, Community Services and Indigenous Affairs Disability Support Pension	Advisory Group	Under Review
Department of Education, Employment and Workplace Relations	Augmented Job Services Australia Working Group	Ongoing
Department of Education, Employment and Workplace Relations	Income Support Quarterly Discussion	Under Review

NWRN Member Centre Reports

Adelaide - Welfare Rights (SA)

Key Staff

Mark Leahy	Manager
Margaret Riley	Principal Solicitor
Amanda Tsoundarou	Outreach Coordinator/Housing Legal Clinic Coordinator
Stephany Del Canto	Casework Supervisor
Frey Sinickas	NBN Outreach Project Coordinator
Bill Manallack	Fundraiser and Relationship Building

Casework trends

- Approximately 1200 clients
- Approximately 80 SSATs
- 74 AAT cases opened
- 92 PCs
- 2 Hearings
- 1 CDDA
- 4 Acts of Grace

DSPs comprise around 80% of our casework at the moment. We have to liaise with doctors, who are not very good at filling out forms. We have had some successes at getting Program of Support retrospectively approved (e.g. Workcover courses).

Projects/publications

Outreach

We have doubled in size of our Outreach this financial year, with three new outreaches put in place, including our first Youth specific Outreach. We now cover the Northern suburbs under the Income Management system with some funding to assist in the Playford council district. Stephany has been employed partly to look after this outreach but also present talks and information sessions on the Income Management system, appeal rights and obligations. Amanda has added Rostrevor in the inner North East through Uniting Communities (formerly UnitingCare Wesley Adelaide) on Monday afternoons which is steadily increasing in numbers. As well as the new ones, we have also been attending Port Adelaide and Christies Beach whilst running the odd clinic at the Inner Southern Homelessness Service on Marion Road when the need arises. We have seen approximately 50 clients through the outreaches, and provided approximately 20 information sessions to various community groups. The main issues we have seen are Disability Support Pension rejections and debts. Several of these have ended up in the SSAT, one is at the AAT currently.

We are looking at furthering the Outreaches by doing larger community forums in the regions. We had planned a road trip to visit 6 regional and remote towns earlier in the year, however after some tragedy on the APY lands we needed to curtail the trip somewhat. In 4 days we presented 4 community talks, visited 3 Centrelink offices, provided an impromptu talk to a regional Job Network Providers meeting and generally gave a lot of information on Centrelink, in conjunction with the SSAT and Wyatt Benevolent Trust.

Future directions – next 12 months

We hope to extend our regional outreach work. While we have allocated some funds towards this, but the extent of the outreach will be determined by the success or otherwise of funding applications.

Brisbane - Welfare Rights Centre Inc (Qld)

Key Staff

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

Welfare Rights Centre Qld has a Social Security Advice and Advocacy Service, and a small Disability Discrimination Advocacy Service.

The Centre has experienced a stable year in terms of staffing

- Georgina Warrington was officially appointed as Director of the Centre and there have been no staff changes.
- WRC has become more involved with the state community legal service sector, with the Director being a member of QAILS (Queensland Association of Independent Legal Services) management committee.
- WRC has now received NAALC Accreditation.

Casework Trends

During the financial year to end of May, WRC closed 195 social security cases and gave 1454 social security advices.

Of the 195 cases:

- 22% of the clients had no income at the time they contacted (up from 15%)
- 66% of our cases were eligibility issues (up from 55%). Of these, 75% related to DSP rejections (these DSP cases are 49% of our total casework numbers, up from 37% last year)
- Overpayments made up 12% of the caseload
- 20% of our cases were rate reduction issues
- Our casework numbers have continued to reduce from previous years due to a combination of factors; we have fewer caseworker hours available to us, and we are handling more complex cases which require a greater investment of time (7 more cases this financial year that have taken more than 20 hours); in particular, DSP rejections.
- 70% of our representations at the SSAT were successful
- 77% of our AAT representations were completed without going to the full hearing
- 14% of our casework clients indicated they would be able to maintain their housing as a result of our intervention and 11% able to seek medical treatment.

Non-Casework - Policy & CLE

WRC Qld made four independent submissions to Commonwealth government reviews and appeared before the public hearings for the Inquiry into the Social Security Legislation Amendment and Adequacy of Allowance Payments.

- We provided a number of social security community legal education sessions to Centrelink, Legal Aid, mental health sector, welfare officers at local universities and other community organisations in the financial year and information sessions to students.

-
- A quarterly e-bulletin has been produced and distributed to a wide range of stakeholders.
 - Three Fact Sheets have been produced to respond to emerging advice issues; Income Maintenance Periods, Indefinite Portability of Pensions & Former Residents and Reporting your Income.
 - We have participated in a number of community events including Homeless Connect, Anti-Poverty Week and Law Week
 - Income management continued to be a significant local issue with the Centre providing support/information to organisations and networks in the region.
 - We spoke at Qld Newstart Campaign event in collaboration with Qld Greens and Salvation Army
 - Our outcomes Database developed to record higher level of detail from casework

Future directions – next 12 months

Opportunities/plans for the Centre

- Further development of our Outcomes Database, to record more thoroughly the results of our casework and provide direction as to client needs and how to improve client outcomes including legal, financial and social outcomes.
- Using the outcomes data to promote the value of WRC to funders.

Threats and challenges to the Centre

- Funding pressures continue to be an issue for the centre and may result in contraction of services. This threat has been increased by the new state Government defunding a number of community legal services and introducing changes to the way funding is allocated.
- Managing increasing client demand, particularly in light of the above.

Canberra - Welfare Rights and Legal Centre (ACT)

The 2012-13 financial year has been another big year for Welfare Rights and Legal Centre (WRLC).

Highlights include:

- Our Street Law program receiving a “highly commended” recognition at the National Homelessness Awards for excellent in the prevention of, or early intervention in homelessness.
- Gaining Accreditation and Certification under the NACLAC Accreditation Scheme.
- ACT Government Budget Funding to establish a CLC Hub by the end of the year.
- Obtaining philanthropic funding to establish a Social Worker pilot project.

Staff:

Key staff in 2012-2013:

- Genevieve Bolton, Co-ordinator/Principal Solicitor
- Derek Emerson-Elliott, Advocate
- Vanessa Faulder, Senior Solicitor and NTLAS Supervising Solicitor
- Anusha Goonetilleke, Street Law Supervising Solicitor (part time)
- Parastou Hatami, Disability Discrimination Legal Service Senior Solicitor (part time)
- Ella Kucharova, Solicitor

Centre Data for the period 1 July 2012 to 31 May 2013:

WRLC’s service data across all its programs during this period was as follows:

- Total Number of Clients: 877
- Total Information Activities: 87
- Total Advice activities: 1019
- Total cases open (including MA matters): 437
- Total cases closed (including MA matters): 278

The common Centrelink issues encountered by WRLC during this period included:

- Debts and waiver issues
- Member of a couple issues
- Compensation preclusion periods
- Disability Support pension – qualification issues

Cases of interest

Those who were at least year’s NWRN conference will recall Derek’s presentation on Mrs Monaghan’s case. We are pleased to report that the case was ultimately successful before the AAT (see *Monaghan v Secretary, Department of Education, Employment and Workplace Relations and Anor* [2012] AATA 98).

Monaghan – Member of a Couple – AAT decision

In this case, Centrelink raised a debt of approximately \$100,000 against an indigenous woman who had separated from

her husband in December 1993. The basis of the decision was that our client and her husband had ‘looked out for’ each other over the years since 1993, had assisted each other when one or the other was in difficulty (including our client taking her ex-husband into her home when he was seriously ill with a kidney disease in 2010), and that this behaviour indicated that they had always been ‘members of a couple.’

The decision was crushing for our client. She had separated from her husband because she could not stand the degree of control which he exercised over her. Following the separation, she had taken charge of her life and accepted care of several generations of small children, mainly but not exclusively extended kin. When Centrelink ruled that our client was a member of a couple with her ex-husband in 2010, she not only incurred a massive overpayment debt, but also lost entitlement to all her pension and benefit entitlements due to the fact that he had a reasonably substantial income. This abruptly deprived our client of any income whatsoever and she became completely dependent on her ex-husband.

We assisted our client in applications for review by an ARO and by the SSAT. Both applications were unsuccessful, and we therefore represented our client at an appeal to the AAT. Our strategy was to show that our client’s continued support for her ex-husband was not the result of a ‘couples’ relationship, but had been dictated by cultural imperatives. We sought and received pro bono assistance from Emeritus Professor Diane Bell, who appeared at the hearing and gave evidence that our client’s upbringing and the cultural environment in which she lived made it impossible for her to refuse to help anyone within her community who needed help (described by Professor Bell as a ‘symmetrical obligation’).

There were some inconsistencies in our client’s evidence, which we argued were the result of the realities of life in an indigenous community. In this regard, Professor Bell gave evidence that financial, housing and job uncertainty, together with suspicion about the intentions of those in authority, has bred a need by some members of the indigenous community to present an ‘acceptable’ face to the world that was not always consistent with reality.

The AAT (Member Simon Webb) used the principle in *Carman McDonald v Director-General of Social Security* (1984) 1 FCA at 358 to find that he could not reach the statutorily required level of satisfaction to overturn the original decision that our client was not a member of a couple. The appeal was therefore upheld, and our client is awaiting payment of substantial pension entitlements.

Child Care Benefits Eligibility (AAT matter)

Our client had a turbulent relationship with his ex-wife and the mother of his children. He sought assistance from us to recover Child Care Benefits (CCB) relating to a period during which he had paid his share of child care directly into his wife’s bank account pursuant to an order of the Federal Magistrates Court. Centrelink had refused to grant CCB on two grounds: firstly, that his name was not on the account rendered by the child care provider, and secondly because his application was rendered ineffective as it fell within two financial years and was therefore caught by s.49J(2)(a) of the A New Tax System (family Assistance) (Administration) Act 1999.

Our client had appealed the decision to refuse CCB to the SSAT, which found that while his payments pursuant to the Federal Magistrate’s Court order met the necessary requirement to prove ‘payment’, his claim was frustrated by s.49J(2)(a).

Our client was out of time for an appeal to the AAT. We sought leave from the AAT to appeal out of time, and this was granted, essentially on the grounds of the strength of our client’s case and because the case raised issues of public importance (see *Magain and Secretary DEEWR* [2012] AATA 195).

During the substantial hearing, it became apparent that Centrelink had incorrectly found that our client’s claim fell into two financial years (he had in fact made two separate claims). However, they argued that the failure by our client to provide an invoice from the child care provider in his name frustrated his claim because it infringed an administrative requirement for such documentation. We argued that the ‘administrative requirement’ was not supported by legislation and was therefore invalid. The AAT (Professor Creyke) supported our submission and DEEWR promptly conceded

(presumably to avoid the establishment of a precedent). Our client was paid his CCB entitlement under appropriate terms of settlement.

Complaint against Member of a Couple investigation and decision making process

WRLC has lodged a complaint into Centrelink’s handling of an investigation which resulted in a substantial debt being raised against an extremely vulnerable client with a history of trauma and self-harm. Prior to the current investigation, Centrelink had undertaken several prior investigations, all of which had concluded that there was insufficient evidence that our client was a member of a couple. All the investigations had been triggered by dob-ins from family members, the history of which suggested that they were maliciously motivated. Despite there being no new compelling evidence and the investigating officer finalising the case on the basis that there was no member of a couple relationship, this decision was overruled by a senior Centrelink officer who recorded on the critical decision record: “stop payment. Partner them and let them appeal.” The decision was overturned by an ARO on appeal.

We are waiting the outcome of our complaint.

Law Reform and Policy work

During the reporting period, WRLC provided active feedback and submissions on:

- Draft Guidelines for the Community Work and Social Development Programs and Voluntary Community Work Orders in relation to the new fines system
- Housing Payment Rental Deduction Scheme and Public Housing Tenants’ Support Bill 2013
- Exposure Draft Homelessness Bill 2012
- Commonwealth Government’s Proposed Consultation of Commonwealth Anti-Discrimination Laws

Work continues on WRLC’s submissions to the review into the Residential Tenancies Act 1997 and a briefing paper on Housing ACT’s debt management practices.

Projects

Rebranding project

WRLC is working with CRE8IVE, a Canberra based design and rebranding company to establish a new name, visual style and direction for the Centre and its programs. The rebranding project also includes the development and launch of a new website.

The rebranding of the Centre has been timed to coincide with our relocation to new premises around November this year.

Social Work Pilot Project

WRLC is currently recruiting for a Social Worker for this project which will commence at the end of July. This project is partly funded through a grant received from a philanthropic family trust in Canberra.

The project will enable social work services to be delivered in tandem with legal services to provide a more integrated approach to service provision. In particular, the project will focus on supporting clients to access services that can help them deal with the social and health problems that were leading to their evictions and homelessness.

Legal Needs Assessment Framework

WRLC undertook a Legal Needs analysis project in the second half of 2012 supported by the NACLC Strategic Planning Framework. Under the excellent stewardship of Katie Fraser, the project has shed a great deal of light on where the Centre's services are being most acutely felt and how the Centre might better respond to that need. The findings of the project have informed the development of an evidence based strategic plan.

Some key project outcomes include:

- A new WRLC Strategic Plan for 2013-2016
- Client intake sheets revised to improve our data collection
- Case Study database established
- Funding obtained for pilot Social Worker project
- Improved awareness of WRLC and its services

We have also decided to establish a specialist Social Security Solicitor position and to split what is currently known as the Social Security and Tenancy service into two specialist services

- Housing Law
- Social Security Law.

Historically, solicitors and caseworkers have undertaken a combination of public housing, tenancy and Social Security matters. We believe that this restructure will enable the Centre to have a sharper focus on the Social Security side of our legal practice and develop a greater level of expertise in this area.

We will be presenting a session at the NACLC conference in Cairns on our experience using the NACLC Strategic Planning Framework.

Darwin Community Legal Centre (NT)

Key Staff

Caitlin Perry	CEO
Legal/Advocacy	
Gary O’Sullivan	Principal Solicitor
Tammy Wong	Community Solicitor
Priscilla Lavery	Community Solicitor (Homeless outreach)
Shelley Eder	Welfare Rights Solicitor

Casework trends

We assisted in a number of cases from general advice through to representation at SSAT and AAT hearings. We negotiated settlement of a high proportion of matters at the AAT and have developed a strong working relationship with our counterparts in Legal Services at the Department of Human Services (Brisbane).

We continue to manage a large amount of casework arising from residency and related decisions. We have also dealt with a number of clients in hardship as a result of adverse residency decisions or other rejections. We have assisted access to urgent reviews in these circumstances.

Much of our casework arises from debts or administrative delay attributable to miscommunication. Darwin has a high proportion of residents from culturally and linguistically diverse backgrounds and we have found that Centrelink obligations are not being adequately explained in many circumstances. Other casework issues included DSP, assets assessment for pensions and aged care, and payment issues.

Policy work/issues

The NT continues to be at the forefront of ‘policy experimentation’ in social security delivery, including income management and SEAM. WRS attends regular Legal Services meetings coordinated by NAAJA and attended by Welfare Rights Advocates throughout the Territory as well as representatives from FAHCSIA, Human Services and other stakeholders. The meetings facilitate feedback and information sharing about local policy issues.

DCLS made submissions on Commonwealth and Territory issues including the Housing Payments Deduction Scheme, Mandatory Sentencing for Assaults against Workers Bill, Victims of Crime amendments and Disability Transport Standards Review.

Projects/publications

The Welfare Rights Service printed and distributed our ‘Income Management in the Northern Territory’ handbook and have kept it updated with amendments. We have also been active in the community promoting review rights and our service- in particular to newly arrived migrants and their caseworkers. We have given a number of Community Legal Education seminars in this area.

DCLS legal staff delivered the ‘Identifying Legal Issues for your Clients’ workshop for law week 2013. The seminar was directed at community organisation employees and caseworkers working with disadvantaged people. The seminar was well attended and received.

Future directions – next 12 months

The Welfare Rights Service at DCLS is expecting to continue as usual. We continue to improve our relationship with local Centrelink offices and are receiving increased referrals from them as a result. DCLS has established a regular presence at Bagot Community and WRS is planning to do some outreach service delivery to this community.

More generally, the Centre has commenced delivery of the ‘Human Rights are Aussie Rules’ program to primary school children. The program engages children in thinking about human rights in a practical sense and links in with the classroom curriculum.

Threats to the Centre

As it stands, we are unaware of any current threats specific to the Welfare Rights Service. For the Centre generally, there is still some uncertainty regarding the amount of funding for our Tenancy Service, although it appears that the service itself is confirmed.

Geelong - Barwon Community Legal Service Centre Report (Vic)

Key Staff

Nick Hudson	Manager
Mandi Hyland	Principal Lawyer
Jeanette Parrott	Community Lawyer (Welfare Rights)

Barwon Community Legal Service Centre (BCLS) in Geelong has a partially integrated practice model with lawyers providing advice and casework in multiple areas that BCLS covers.

Those areas are General Law, Child Support, Social Security (Welfare Rights), Family Violence Intervention Orders, Family, Tenancy, Wills and Estates and Elder law.

Jeanette Parrott is the Social Security (Welfare Rights) practice lead, undertakes advice and casework and updates and assist colleagues and provides community legal education. Simon Pitman, Sam Hawkins, Elsie Stokie and Mikala McIntyre also provide advice and casework assistance in Social Security matters.

BCLS assists in Social Security matters throughout Victoria.

Advice is flexible and can be by drop-in, telephone or by appointment.

Social Security Casework trends

The trends for this year were overwhelmingly cancellations of Disability Support Pension upon review and rejections of new applications for Disability Support Pension, there were also many debt matters both large and small.

In the 2012-2013 financial year over \$17,000 was saved or obtained via arrears, debt waivers, compensation etc. by BCLS on behalf of our clients.

Law reform

BCLS continues to lobby Ministers, collect personal client and community stories, do print and radio media to generate awareness in the community to advocate for an increase in Newstart Allowance to an adequate level. We advocate for the effect of changes to Parenting Payment and Disability Support Pension criteria to be ameliorated for our most vulnerable and disadvantaged.

BCLS has begun a project related to Carer Allowance. The Care needs self-assessment form does not adequately reflect the care needs provided by some carers of children, we are currently collecting client stories in relation to this.

Community Legal Education

Locally, we continue to convene the Barwon Centrelink Liaison Group. We meet quarterly with and at different community service providers and agencies and the current Centrelink Managers and Team Leaders to build closer more positive relationships. We address Federal and local issues and changes to Social Security legislation. We continue to provide

up-to-date community legal education. Community agencies and groups present new and relevant programs to further assist each other, our clients and the community.

Future directions – next 12 months

We are continuing casework and social security law reform work on the inadequacy of Newstart Allowance, changes to Parenting Payment, Carer Allowance assessment and any new areas of need caused by Federal government legislative changes and informed by our casework and community. We also continue to strive to assist those living with disability to understand the increasingly complex eligibility criteria and evidentiary requirements for Disability Support Pension.

Threats to the Centre

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

Launceston – Launceston Community Legal Service Inc. (TAS)

Key Staff

CEO	Nicky Snare
Principal Solicitor	Jessamy Downie
Welfare Rights	Emma Smith

The Welfare Rights program run by the Launceston CLC is a part time service operated by one person, four (4) days a week, for the north of Tasmania. There are currently no volunteers assisting with this service.

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

The service has enjoyed a year of stability with one staff member, Emma Smith, employed for the duration of the 2012/2013 financial year.

The WRS clients continue to seek advice and information in relation to a range of matters including, but not limited to, Disability Support Pensions, compensation enquiries, overpayments/debts, and income and assets assessment. The overwhelming majority of our clients come to us for assistance with Disability Support Pension application rejection appeals processes.

During the course of the last financial year the Centre handled a total of 75 individual client matters. Most issues were resolved at the initial stages of appeal with the Authorised Review Officer, with only a small portion heading on to the Social Security Appeals Tribunal or Administrative Appeals Tribunal. Of the 75 matters, a total of 41 were DSP application rejection appeals.

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

Melbourne - Social Security Rights Victoria Inc (Vic)

Staff

The last 12 months has been a period of significant change for Social Security Rights Victoria (SSRV). A number of staff have resigned and SSRV has undergone a restructure resulted in further staffing changes.

Current Staff

Deborah Itzkowic	Director/Principal Solicitor (commenced February 2013) (part time)
Peter Horbury	Advice and Information Coordinator (commenced November 2012) (SSRV Coordinator until November 2012)
Vacant	Senior Solicitor/Clinical Supervisor
Joan Thong	Office Administrator (Volunteer)

SSRV currently has 20 volunteers who operate our telephone and advice line under supervision and whose contribution is invaluable to our small center. SSRV will host 8 law students from Melbourne University during Semester 2, 2012 as part of a pilot Clinical Legal Program.

Previous Staff

Dale Nelson	Community Legal Education and Policy Worker until June 2013
Sally Allman	Caseworker until April 2013
Claire Carroll	Volunteer Coordinator until April 2013
Rini Krouskos	Volunteer Supervisor/Training officer until October 2012
Joanne Carlton	Supervising Solicitor until March 2013

We would particularly like to thank Dale Nelson and acknowledge his dedicated commitment to SSRV over the past 20 years. His policy expertise will be particularly missed and we wish him the best of luck in the future.

Casework trends

SSRV's casework comprises a telephone advice service, assistance with self-advocacy, written advocacy on behalf of clients and written or representation at SSAT. Our telephone advice service is available from Monday to Friday for 4 hours in the morning.

From July 2012 to June 2013 SSRV provided assistance to 1138 clients. We provided 1231 advice activities and opened 117 new cases in the period.

The following matters make up the main aspects of our casework:

- Disability Support Pension applications and appeals. This makes up approximately one-third of the work due to issues with new impairment tables and ‘active participation’ in a program of support’
- Continuing work with compensation preclusion periods
- Income maintenance issues, particularly in relation to redundancies.
- Debts continue to be a problem

Policy work/issues

SSRV has a lead role in a Victorian Legal Assistance Foundation (VLAf) initiative to develop cooperative referral and collaborative relationships between Centrelink Offices in Victoria and Victorian legal center (including VLA and community legal centers)

Projects/publications

We have undertaken significant professional development community legal education for Financial Counselors and generalist community legal centres. With these workshops we not only aim to increase understanding of key Centrelink issues, we also aim to raise awareness about our services and develop more formal referral protocols.

- We have redeveloped our website which is expected to launch in July 2013.
- We continue to publish our quarterly newsletter “Red Tape”.

Future directions – next 12 months

SSRV is partnering with Melbourne University Law School to undertake a pilot Clinical Legal Education Program in Semester 2, 2013 (July to November). It is hoped that this program will allow SSRV to increase its capacity to undertake casework, advocacy and policy work.

SSRV will continue to operate its volunteer program beyond its original funding undertaking basic advice and triage. This service will provide referrals to our legal practice. Currently have twenty volunteers working one shift per fortnight.

SSRV will undertake a major policy project, currently named “Jobseeker Opinion”. This project will provide web based advice/referral and advocacy service and an accountability mechanism to address services provided by Job Network Australia providers (including Disability Employment Services) to jobseekers receiving a social security payment who use these services.

Opportunities/plans for the Centre

- We are hoping to develop an outreach clinic in partnership with the Social Security Appeals Tribunal. A pilot program is in place in NSW with the SSAT and VLA. The SSAT is keen to trial this partnership in Victoria.
- SSRV aims to formalise a partnership with Financial Counsellors to provide training as part of their ongoing professional development requirements.

Threats to the Centre/Service

We are challenged by the high volume of calls from people seeking advice and assistance. The staff and volunteers work hard to ensure that we can provide assistance to as many people as possible.

As always, our biggest threat is to ensure sufficient ongoing funding

Perth

Fremantle Community Legal Centre (WA)

Key Staff

Kirstine Forestier	Coordinator/Principal Solicitor (F/T)
Helen Lawrence	Senior Solicitor (P/T)
Antonio Gonzalez	Welfare Rights Advocate (F/T)

Fremantle Community Legal Centre (FCLC) offers a range of services to the community covering legal advice and limited representation in matters such as: Family law, Restraining Orders, Criminal Injuries Compensation and minor civil/criminal matters. Specialist services include: Financial Counselling, Tenancy and Welfare Rights. This report relates to the Welfare Rights Service.

Casework Issues and Trends

In the past year Welfare Rights focused on responding to clients' needs by way of providing advice, advocacy, casework and written or direct Tribunal representation. The demand for assistance has remained high throughout the year. Priority has been given to clients without income and those in hardship. Up to the end of May 2013, a total of 220 clients' matters were attended. Strong advocacy and direct negotiation with Centrelink continues to be very effective in solving clients' difficulties at the ground level and/or within the internal review process. Only 19 matters proceeded to the SSAT and AAT stages.

Problem types

The presented problems ranged from rejection of claims, suspension of payment, no payment periods, eligibility, compensation preclusion, overpayments and debt recovery issues, residency/portability and income and assets issues among others. The proportion of problem types is as follows:

- 38% of the problem type relates to 3990;
- 36% of the problem type relates to 3910;
- 15% of the problem type relates to 3920;
- 11% of the problem type relates to 3930.

Payment types

Throughout the year queries and request for assistance were from a wide range of Centrelink payments. However, the most common payment types were as follows:

- Disability Support Pension;
- Family Tax Benefits;
- Parenting Payment Single/Partner;
- Age Pension;

-
- Newstart Allowance &
 - Youth Allowance

Disability Support Pension

Since the changes to the Impairment Tables the number of DSP matters has continued to increase, particularly during the past year. A great deal of time has been devoted to explaining appellants the new legislative requirements, assisting them with organising the required medical evidence and supporting their appeal through the appeal process. The test under the new rules is unreasonably high. Meeting the 20 points on a single table or having to have participated in a program of support for, at least, 18 months is proving to be very difficult for the majority of the appellants.

Participation Payments

An increased of suspension of payments and/or 8 weeks non-payments has been noted in the past year, particularly among Indigenous Youth. These vulnerable clients, often in hardship, facing eviction or homelessness, experience periods of non payment due failing to keep up with appointments. Through advocacy with Centrelink and PST, the majority of these cases got their payment reinstated and some got arrears. Support and encouragement has proven useful to enable them comply with their participation requirements and remain on payment.

Policy work/issues

Welfare Rights continues to participate in the NWRM link ups every now and then as time permits including joint link ups with DHS representatives. Also continues to support the Network's work in policy and law reform activities by contributing with case studies and feedback in a number of areas such as: delay with ARO reviews, parenting payment changes, one contact attempt for jobseekers, DSP issues and Program of Support among others.

CLE/Information

During the reporting period Welfare Rights provided community legal education targeted to Indigenous Youth and people on participation payments. One of the presentations was conducted at the HALO Leadership Group in Spearwood. This presentation focused on how to meet participation obligations to prevent payment cuts and promote appeal rights. The other session was conducted at the "Solid Women Group" at the Ottey Family Centre focussed on dealing with Centrelink and promoting appeal rights. Welfare Rights factsheets and Centrelink information about payments and appeal rights were distributed to the public during the FCLC "Law Week" presentation at the Woolstores Shopping Centre.

Networking

Networking with fellow community agencies in the region occurs from time to time. Welfare Rights continues to attend regular meetings at the Fremantle/Spearwood Centrelink Community Forum, the Centrelink Consultative Committee in Perth and liaison meeting with WR Advocates and AAT.

Perth –

Welfare Rights & Advocacy Service (WA)

Key Staff

Kate Beaumont	Executive Officer/Welfare Advocate
Catherine Eagle	Solicitor
Chris Belcher	Welfare/Tenant Advocate
Marilyn Marvelli	Welfare Advocate
Jeanie Bryant	Welfare Advocate

Casework Trends

The agency provides assistance in relation to Welfare Rights, Social Security Prosecution and Tenancy matters. In the current year the agency provided 1118 advice activities, 331 information and referral activities and opened 274 cases and closed 238 cases during the period. There has been a 30% increase in the advice activities undertaken during this latest year in comparison with the previous year. In the most recent year Welfare Rights & Advocacy Service has provided significant welfare rights and tenancy assistance to individuals who are not within the geographic catchment area serviced by the agency.

Similar to previous years there continues to be high levels of debt matters which have included some large member of a couple, gambling and other entitlement debts. The agency continues to be the only Welfare Rights service within the country which employs a lawyer specifically for assistance with Social Security Prosecution matters. As a result of the casework undertaken in this area the agency lawyer has made representations on behalf of clients to Centrelink and the Commonwealth DPP (CDPP) which has resulted in matters not being referred to CDPP or alternatively the CDPP not proceeding with prosecution action. In some of these matters the agency has assisted clients to successfully challenge the debt decision administratively.

The agency continues to have large numbers of clients seeking assistance in relation to issues relating to new and existing eligibility for Disability Support Pension (DSP). The most significant increase relates to the new Disability Impairment Tables introduced in January 2012 and the Program of Support requirements introduced in September 2011. The agency has also had an increase in the numbers seeking assistance in relation to Severe Disability in order for DSP to be portable on a permanent or indefinite basis.

The most worrying issue for the casework assistance provided by our welfare rights service is the recent manner in which Centrelink are dealing with requests for Freedom of Information (FOI) documents. Over the last two months FOI requests for documents on behalf of clients are being routinely rejected on the basis that the request will exceed 40 hours for the provision of documents. Even in instances where the agency has asked for 40 hours of documents to be provided there has been a refusal as it would take 60 hours for this to be done. The inability to obtain Centrelink FOI documents will significantly impede the ability of the agency to provide legal advice to clients in relation to their Administrative and Criminal Prosecution matters. This will have a further impact on casework assistance and representation at the various

tribunals. Already the Social Security Appeals Tribunal (SSAT) are restricted in that the file papers provided are prepared by the Authorised Review Officer (ARO) who made the decision which is being appealed to the SSAT. Lack of access to the FOI documents or open access to the entire file including on line computer documents by the SSAT may hamper that tribunal from making the preferable decision.

Within the agency's tenancy program there has been a continued dramatic increase in the numbers facing eviction by the Department of Housing under their three strikes Anti-Social Behaviour Policy. Changes to the Western Australian Residential Tenancies Act provided community housing (including Public Housing) the means to evict tenants more easily. The agency has also taken on the role of Tenant Advocate Support for the WA Local Service Units following the closure of the Tenants Advice Service in October 2012.

Policy work/issues

Staff of Welfare Rights & Advocacy Service have participated in a number of ad hoc linkups with the Department of Human Services on a range of issues including Serious Non Compliance and Program of Support.

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, Centrelink Homelessness Consultative Meeting, CLCA WA Meetings, CLCA WA State PII and CPD Committee, local Tenancy Network Meeting and other forums as they arise. Catherine Eagle has continued as the WA State Representative on the NACLIC PII Committee and is now the National Convenor of the NACLIC PII Committee. The agency has had participation in a number of external meetings in the most recent year. The agency has also continued to have regular meetings with the senior Managers of the Serious Non Compliance Team in Western Australia which has resulted in an improved working relationship with this unit within Centrelink.

The agency conducted 15 Community Legal Education activities throughout the year which included singular and multiple sessions conducted at a variety of settings and delivered to both clients and workers in community organisations. The agency also conducted training of staff in the Serious Non Compliance Team in relation to the work undertaken by welfare rights centres as part of a national collaboration. In the most recent year a session was also conducted in Port Hedland during a visit of the Legal Aid Commission Board to that centre. The agency recently organised a State Tenancy Conference in WA for the 15 local service units which provide tenancy assistance in this state including metropolitan and RRR delegates.

Projects/publications

Prosecution and Women in Prisons Project – The agency had been successful in receiving funding for a seventh year to employ a lawyer three days per week funded through the Public Purposes Trust of the Law Society of Western Australia. Previously funding was provided on an annual basis, however with the introduction of three year funding rounds this agency was successful and at this stage our funding will continue until June 2013. Unfortunately the agency was not successful in obtaining funding to conduct the project beyond 30 June 2013. The project was a collaborative project with Women's Law Centre

Future Directions – the next 12 months

In October 2012 Welfare Rights & Advocacy Service was in a position where it needed to reduce its staffing in its welfare rights program as additional CLSP funding had not been provided. Staff within the agency agreed to a reduction in hours across the welfare rights program rather than making a position redundant. The recent refusal of funding by the

Public Purposes Trust put in further jeopardy staffing for the current year as our Principal Solicitor has been funded by this project. It was likely that the agency would need to make a welfare rights position redundant in order to pay for the Principal Solicitor from our core CLSP funding. It was pleasing that the agency has been advised that some additional one off funding has been provided which will negate the need to further reduce staffing in the welfare rights program.

Threats to the Centre/service

The current issue relating to Centrelink Freedom of Information if not resolved will significantly impact on the manner in which the agency is able to provide legal advice and casework assistance in Welfare Rights and Social Security Prosecution matters.

Sydney

Welfare Rights Centre Ltd (NSW)

The Welfare Rights Centre in Sydney has had a year of achievements but has also lost a significant amount of funding from the NSW Government. The year was spent conducting all of our regular casework, community legal education and law reform work as well as campaigning to have the funding restored.

We published the seventh edition of the Independent Social Security Handbook which was a great achievement particularly under the circumstances.

As all members of the Network would be aware, the Sydney Centre is very sad to have lost the services of Catalina Loyola after 25 years. Her contribution and commitment to the Sydney Centre and the NWRN will be sadly missed.

Staff

The Centre employed the following staff at the end of June 2013 as well as our invaluable receptionists who are employed on a casual basis:

Matthew Butt	Litigation Solicitor
Amie Meers	Caseworker/Education Officer
Carolyn Odgers	Solicitor
Maree O'Halloran	Director
Danny Shaw –Senior	Caseworker
Gerard Thomas	Policy and Media Officer
Katie Wrigley	Principal Solicitor

The Centre also sadly saw the loss of a number of staff in 2012-13 including Catalina Loyola, Lee Hansen, Cass Wong, Karen Lau and Melissa Michael.

Casework trends

The Centre's casework comprises a telephone advice service, 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 impairment. Initial advice is generally provided by phone. The Centre has an access and equity policy to ensure that people unable to obtain assistance by telephone are not disadvantaged.

The Centre maintains a nation-wide toll-free number for HESTA clients.

Number of clients

From July 2012 to June 2013 the Centre provided assistance to 2,259 clients. We provided 4,739 “advice activities” and opened 748 new cases (both major and minor) in the period. Advocacy included representing clients in internal Centrelink reviews and with appeals to the Social Security Appeals Tribunal (SSAT) and Administrative Appeals Tribunal (AAT).

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

- Disability Support Pension 1417
- Newstart Allowance 841
- Age Pension 420
- Parenting Payment 345
- Youth Allowance 238
- Family Tax Benefit 291
- Carer Payment 228
- Special Benefit 121

Casework issues during 2012 – 2013

Tribunal Representation

The Centre represented approximately 44 people at the Social Security Appeals Tribunal and 10 people at the Administrative Appeals Tribunal during 2012-2013. Cases included large member of a couple debts (\$200,000), to Youth Allowance (unreasonable to live at home criteria) and compensation preclusion periods. In making a decision to represent, the Centre applied its casework guidelines as to the merits of the case, the material difference involvement from the Centre could add, and the client’s ability to self-advocate effectively. For this reason, representation often took place for clients with intellectual and physical disabilities, clients who are very young or very old, clients experiencing mental health problems, from Aboriginal communities, from cultural and linguistically diverse backgrounds, and experiencing homelessness or other life crisis.

Debts

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 assistance payments debts. In particular the Centre assisted numerous clients with member of a couple debts which proved to be very resource intensive. From appeals run with the intervention of our Centre, we were successful in having \$1,300,000 of debt found not to exist in the 2012/2013 financial year. What is of particular concern in these cases is that Centrelink raise the debt, often covering a period of many years, even though the client had been keeping Centrelink informed of their living arrangements throughout the relevant period. During the debt period Centrelink often reviewed the person’s living arrangements and decided the person was entitled to the single rate of payment. Despite this the decision maker invariably failed to take into account previous decisions by Centrelink, where it accepted that the person was single. The retrospective nature of these decisions is of significant concern.

The Centre also provided assistance to many students who had debts raised on the basis that they were not undertaking full-time studies. Many of these students were enrolled in OTEN or TAFE courses. The Centre prepared a discussion paper about the way in which the letters our clients received from the Department of Human Services significantly contributed to the occurrence of overpayments by TAFE and OTEN students.

Many of the cases we examined where the debt arose due to Centrelink failing to take into account the person's income when calculating their rate of social security highlighted that Centrelink error often plays a significant part in the causation of the debt. This is particularly the case where the person advises the FAO of their income but that income is not used to assess the person's social security payment.

Compensation preclusion periods

We continue to see a large number of cases about "compensation preclusion periods". These are cases where our client has been precluded from social security payments, often for many years, because they have received a compensation payout. This year our Centre has had some great success in getting lengthy preclusion periods reduced and assisting clients in hardship to get onto appropriate social security payments.

People with illnesses and disabilities

Approximately 25% of the people who contact the Centre are seeking assistance in relation to the rejection or cancellation of disability support pension. Due to the level of demand of this advice the Centre generally restricts its service to the provision of advice. In 2013/2014 the Centre will be initiating a Disability Support Pension advice clinic on Wednesdays to cope with the demand for advice on this payment type and to provide advice about medical rejection appeals.

The Centre continued to advise a large number of clients on activity tested payments, such as Newstart Allowance or Parenting Payment, who have either an illness or disability or caring responsibilities. A difficulty in this area is that these matters are often not taken into account when the person is presented with their Employment Pathway Plan and our experience is that the person can agree to activities which then conflict with their caring responsibilities or are not possible bearing in mind their medical condition.

Education and community liaison

In 2012-13, the Centre continued to target disadvantaged groups for education. We continued to provide targeted social security training to community workers and organisations that support disadvantaged groups.

With funding assistance from the Law and Justice Foundation of NSW, we conducted a two day training and advice clinic in the regional town of DUBBO. Training and advice were provided to members of the Aboriginal community, and community workers servicing the community.

Particular focus was given this year to ATSI financial counsellors and FCAN financial counsellors.

In early 2013 we provided training on behalf of the NWRN to Serious Non-Compliance Teams, the benefits of which have been apparent in our subsequent dealings with Centrelink Investigators.

Throughout 2012-13, the Centre continued to participate in the National Multicultural Advisory Group (on behalf of NWRN), the NSW Centrelink Homelessness Reference Group, the NSW Homelessness Community Alliance, and the ACOSS Board.

Policy work/issues

The Sydney Centre undertakes the majority of its policy and media work in conjunction with the Network to facilitate a strong national presence. Please see the policy and media section of the Network report for details about submissions produced, inquiry hearings attended, community engagement and other work undertaken by Sydney staff working within the Network.

Media releases

Sydney responded to issues as they arose, but also sought to raise broader issues facing people living on low incomes. A great deal of effort went into briefing journalists and explaining income support policies and their impacts upon individuals

- 15 April 2013, NSW Community Services axed Welfare Rights Centre, Media Release.
- 29 April 2013, Welfare Rights Centre is not a political football, WRC Media Release.
- 2 May 2013, Media Alert: Let Them Eat Cake! Rally to defend the Welfare Rights Centre, Sydney.
- 3 May 2013, Rally Against De-funding Welfare Rights centre, Sydney, WRC Media Release.
- 10 May 2013, NSW Government must reverse cuts to Welfare Rights Services, WRC Media Release.
- 10 May 2013, New report: Rent Assistance failing many Australians, WRC and NWRN, Media Release.

Liaison with Government agencies and the community

Staff members have attended many meetings with NSW and Federal Government agencies as well as within the community sector. The Welfare Rights Centre, Sydney also regularly attended the following engagements during the 2012-13 year:

- NWRN committee meeting teleconferences
- Community Legal Centre NSW Co-ordinators' meetings
- the NSW Community Homelessness Alliance
- Federation of Non- Government Agencies (organised by NCOSS).

The Welfare Rights Centre, Sydney regularly attends a variety of local meetings to consult with the Department of Human Services on service delivery issues. These meetings include:

- the Department of Human Services Homelessness Advisory Group (NSW)
- the Department of Human Services Mental Health Advisory Group (NSW)
- the Department of Human Services Employment Services Advisory Group (NSW)
- the Department of Human Services Aboriginal Advisory Group (NSW).

Finally, the Centre took part in the NWRN biannual delegations in Canberra. Sydney's Policy and Media Officer continues to be on the ACOSS Board. He is also the Employment and Social Security policy adviser to ACOSS.

Submissions and Reports

- March 2013, Submission on Child Support NSW Department of Family and Community Services, Welfare Rights Centre, Sydney
- 10 May 2013: A home on the range or a home out of range: How Rent Assistance is failing low income Australians, Welfare Rights Centre and the NWRN.
- 17 June 2013, Emergency Submission to the NSW Treasurer, Media release, Welfare Rights Centre, Sydney.

Policy Papers

- Special Benefit – Social Exclusion and Poverty Traps, December 2012
- Problems with member of a couple decisions, September 2012.
- Issues paper: Failure to consider cultural and religious background in investigations into relationship status of Arabic speaking single mothers, October 2012.
- Student Payments and OTEN: Centrelink service delivery issues, May 2013.
- A home on the range or a home out of range: How Commonwealth Rent Assistance is failing many low income Australians, May 2013.

Publications

The Centre's key publications for 2012-2013 were:

- Rights Review quarterly newsletter
- Independent Social Security Handbook ONLINE
- Social Security Reporter
- Factsheets
- Website on behalf of the Network as a whole

Rights Review

The Centre published four issues of "Rights Review" in 2012-2013, reporting every three months on changes to Social Security law and administration, raising awareness of Social Security matters, policy reform and assisting community workers to help their clients.

The Independent Social Security Handbook

The seventh edition of the Handbook was published this year.

Social Security Reporter

The Centre produced four editions of the Social Security Reporter (SSR) in 2012-2013. The purpose of the SSR is to provide a useful ready reference for Social Security practitioners and others with a particular interest in this area of the law, in particular important case law developments.

Factsheets and brochures

The Centre has over 30 Factsheets available to assist and inform people about Social Security matters. In 2012 -2013 we updated a number of Factsheets to reflect the changes to the law.

National Welfare Rights Network Website

The NWRN website, which is hosted by the Welfare Rights Centre, Sydney, continued to be updated and maintained.

Volunteer Workers

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

Future Directions – the next 12 months

The Centre will have to reduce its service provision in the next 12 months and re-orient the remaining service with a greater emphasis on outreach and community education and a reduction in telephone advice.

The Centre is also looking to relocate.

Threats to the Centre/service

The ongoing threat is the issue of funding.

Townsville - Townsville Community Legal Service Inc (Qld)

Staff

The Townsville Community Legal Service (TCLS) currently has seven (7) staff members, consisting of the following positions:

Principal Solicitor

Coordinator

Financial Counsellor

Seniors Legal and Support Service solicitor

Seniors Legal and Support Service social worker

General Solicitor, and

Receptionist.

Most positions are full-time, but unfortunately due to stagnant funding, our Financial Counselling Service was reduced to a four day a week service in late 2012.

The Welfare Rights service is funded for a nominal 1.0 FTE position, although the funding reality is that it closer to a 0.8 FTE position. The work is divided between the Principal Solicitor and the General Solicitor.

Welfare Rights work is one part of the TCLS's holistic service which includes:

- A general law service, including weekly Thursday night advice service staffed by volunteer lawyers
- A Financial Counselling Service
- A Seniors Legal and Support Service
- The Welfare Rights Service
- An immigration service, focusing on humanitarian visas.

Casework trends

Our work predominantly concerns refusal of applications, usually at the initial claim. We have noted a reduced number of advices and casework concerning overpayments. Clients usually make first contact with us when they seek review of a decision in the SSAT.

Policy work/issues

The TCLS has not been active in policy work over the last year.

Projects/publications

The TCLS has not undertaken any projects or released any publications in the last year.

Future directions – next 12 months

The TCLS's catchment area stretches from Sarina (south of Mackay) to Cape York, and west to the Northern Territory border.

The majority of our Welfare Rights clients do not live in the Townsville region. As a result, our primary means of communication with clients is by telephone. TCLS Welfare Rights workers find that they never meet a large number of their clients on a face-to-face basis.

Hearings are generally conducted by telephone out of the Brisbane SSAT and AAT registries. Almost all of our work is at the SSAT level. The number of videoconferences in SSAT matters has significantly dropped in the last 12 months, particularly in DSP matters where they were traditionally arranged as a matter of course, and those hearings are now arranged as single member telephone hearings.

Given the number of services offered by the TCLS and the unpredictability of when and from where a client may seek assistance, there is no capacity for outreach.

As mentioned last year, the TCLS will connect to the now-available National Broadband Network within the next few months, hopefully giving increased meaningful face-to-face contact with clients, and the capacity to gather documents during the course of the initial appointment, rather than by post, fax and email.

Threats to the Centre/Service

As the TCLS is a holistic service made up of five different services, the 0.8 FTE Welfare Rights Service would be impacted by other services losing funding.

A reduction or loss of state Generalist Service funds would have a significant impact on current staffing arrangements for the Welfare Rights position.

The ongoing uncertainty with the cessation of the Tenant Advice and Advocacy Service (Queensland) program means that we anticipate high demand for tenancy advice and assistance in 2014. This may require further consideration of the mix of general civil law and welfare rights work undertaken at the TCLS.

Wollongong

Illawarra Legal Centre (NSW)

Project Staff Ian Turton, (Liz Turnbull on parental leave)

The Illawarra Legal Centre is a generalist community legal centre which operates a generalist legal service, a children's court project, a child support project, a tenancy service which covers the South Coast of NSW, a regional financial counselling service, employs an aboriginal legal assistance program worker, and operates a welfare rights service. In addition to this the centre employs a CLE coordinator.

This report relates to the Welfare Rights Service. The Welfare Rights project employs two staff on a job share basis. Liz Turnbull has been on maternity leave over the course of the last year which means that Ian Turton has worked on a full-time basis within the project. Since January 2013 Ian has also worked as the party-time National Liaison Officer for the National Welfare Rights Network.

Casework Issues and Trends

In the past year Welfare Rights focused on client advocacy increasing representation at an SSAT and AAT level. Indeed DHS legal and the AAT have referred clients to the Centre for assistance in a number of complex matters where the client has appealed without the assistance of representation. The project has extended its collaboration with Legal Aid Nowra, often using its office for the interviewing of clients from the South Coast.

Until the end of May 2013, the project opened cases and provided advice on matters. The project has also represented clients in nine cases before the AAT over the last year, successfully finalising five matters. A particular highlight was obtaining payment for a homeless client who was subject to a compensation preclusion period as well as payments for a retrenched steelworker who was subject to an income maintenance period. In the latter instance the matter went on to contested hearing with DHS legal calling two witnesses and using a team of two solicitors in an unsuccessful attempt to defeat our client's claim.

The project has also built a strong working relationship with peak community organisations within the region, in particular the Illawarra Advocacy Network (which provides individual case work for people with disabilities) and various multi-cultural community organisations, in particular the Macedonian Community which is the largest CALD community within the region. Through the advocacy network I have accessed house bound clients taking instructions in a number of matters in the client's lounge room.

It is likely that opportunities will arise in the context of the NDIS for the Legal Centre to diversify its client service delivery. In this context a strong working relationship with existing disability advocacy networks is vital.

Disability Support Pension

Changes in the law governing the disability support pension meant that the project decided to increase the level of assistance which it to clients seeking the disability support pension. Appellants have been represented at the SSAT and AAT, with successful outcomes being achieved at each level. Much of the work relates to the marshalling of evidence relevant to the conduct of hearings or to establish basic entitlement for the pension, as well as making representations to the Tribunal as to our client's compliance with the program of support requirements.

Policy

Ian was elected as secretary of the National Welfare Rights Network in August 2013 and commenced work one day per week as National Liaison Officer based out of Sydney Welfare Rights Centre. Over the course of the last year I have variously contributed to multiple submissions and delegations to DHS. The breadth of this work ranges from submissions and policy contributions in relation to, changes in the disability support pension, in particular, the program of support, as well as submissions relating to the Federal Budget, Rent Assistance, the Centrepay, and the NDIS.

Other Member Centres

Hobart Community Legal Centre in Tasmania and Sussex Street Community Law Service in WA were also Members Centres of the NWRN in 2012-13.

Associate Members

In 2012-13, the NWRN had three Associate Members. They were:

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

Our association with these agencies is greatly valued.

ACOSS Board Report

The Australian Council of Social Service (ACOSS) is the national voice for the needs of people affected by poverty, disadvantage and inequality in this country. ACOSS is the peak council for the community services sector. ACOSS Board members are elected for two year terms and Gerard Thomas, Policy and Media Officer at the Welfare Rights Centre Sydney and member of the National Welfare Rights Network (NWRN) was a member of the ACOSS Board over the 2012-13 year.

In 2013, ACOSS held a highly successful National Conference in Adelaide. Board meetings were held in Sydney on 12 November 2012, 15 February, and most recently on 28 May 2013.

This year The National Welfare Rights Network strengthened our already close relationship with ACOSS on strategic policy work.

The main policy priority for both organisations was addressing the growing gaps in our social security system, in particular, the low and unsustainable rate of the Newstart Allowance. We took part in workshops on the media, climate change, social security, and took part in launches of the ACOSS 2012 poverty report, and later, the Report on Poverty and People with a Disability.

We joined in opposition to harsh budget cuts impacting on single parents, and with ACOSS, NWRN made history by placing the inadequacy of social security in Australia as the first matter to be addressed by Australia's new joint Parliamentary Human Rights Committee. We also worked closely on issues around income management and employment services.

Gerard Thomas, Policy Officer at the Welfare Rights Centre, is also an adviser to ACOSS on income support and employment issues. In addition participating in regular ACOSS Social Security Tele-conferences during 2012-13, he also provided feedback of various policy papers and submissions during 2012-13.

Department of Human Services (DHS) National Multicultural Advisory Group

The National Welfare Rights Network continued contribute to the Department of Human Services (DHS) National Multicultural Advisory Group meetings in 2012-13; with Amie Meers from the Welfare Rights centre participating in most meetings of this committee.

National Multicultural Advisory Group meetings took place on 21 and 22 in Canberra, followed by a meeting in Sydney on 6 December 2012. A further meeting was held at Marrickville in March 2013.

A regular discussion topic at meetings over the year was access to appropriate and accessible employment assistance for people of CALD backgrounds and for refugees.

The changes to portability rules for the Disability Support Pension, from 13 to six weeks, was also discussed

NMAG members also took part in special stakeholder forum to discuss the extension of income management, with particular reference to people of CALD backgrounds and refugees.

The NMAG meetings regularly focussed on recent service delivery changes within DHS, including wait times, and the impacts and barriers for 'self-service' options for people from CALD backgrounds, were also discussed in detail.

The meetings also discussed recent Welfare Rights policy papers on the need for greater cultural awareness when dealing with clients from CALD backgrounds when investigations were being conducted into 'member of a couple' allegations/ and/or overpayments.

Other issues for discussion at the NMAG meetings included: community services and supports for settlement asylum seekers, the report of the recent 'expert group' on asylum seekers, access and the impacts of the National Disability Insurance Scheme, and the new Centrelink Apps.

Financial Statements

The NWRN Conference in 2013 is being held in July. As a result of the early timing of the Conference, the Financial Statements are not contained in this Annual Report. Instead, they will be considered at a Special General Meeting of the NWRN to be held later in 2013.