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HOUSE OF REPRESENTATIVES

STANDING COMMITTEE ON COMMUNITY AFFAIRS

(**Reference:** Social Security advice on pensions and benefits
CANEERRA)

Wednesday, 18 May 1988

(**OFFICIAL HANSARD REPORT**)

CANBERRA

HOUSE OF REPRESENTATIVES
STANDING COMMITTEE ON COMMUNITY
AFFAIRS

Members:

Mr O'Keefe (Chairman)

Mr Connolly (Deputy Chairman)

Mr Blunt

Mr Johns

Mr Cadman

Mr Katter

Mr Dubois

Ms McHugh

Ms Fatin

Mr Sciacca

Mrs Harvey

Mr Wilson

The Committee is to inquire into and report to the Parliament on:

1. The effectiveness of current methods of providing information to clients and potential clients of Social Security entitlements;
2. the effectiveness of methods currently used by the Department of Social Security to provide face to face contact with clients and potential clients; and
3. any proposals to enhance awareness and 'take-up' of entitlements by persons who qualify for assistance under Social Security programs.

(SUBMISSIONS AND INCORPORATED DOCUMENTS ARE CONTAINED IN A
SEPARATE VOLUME]

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HOUSE OF REPRESENTATIVES
CANBERRA
Wednesday, 18 May 1988

STANDING COMMITTEE ON COMMUNITY AFFAIRS
(Subcommittee)

(Reference: Social Security advice on pensions and benefits)

Present

Mr O'Keefe (Chairman)

Mr Dubois

Mr Johns

Mr Katter

Ms McHugh

Mr Sciacca

The Subcommittee met at 9.16 a.m.
Mr O'KEEFE took the chair.

TOMLINSON, Mr John Richard, Director, ACT Council of Social Service, PO Box 195, Civic Square, Australian Capital Territory, made an affirmation and was examined.

CHAIRMAN – Welcome to the Committee, Mr Tomlinson. The Committee has received your submission and has authorised its publication in a separate volume of submissions. Do you wish to make a short statement further to that contained in the submission, or do you wish to make any amendment to the submission?

Mr Tomlinson – I would like to make an apology for the repetition on page 1 about the existing system of income securities imbued with sexism, ageism, racism, and urbanism. I know it is an important point, but that is probably going over the top.

CHAIRMAN – You wish to delete the second use of that text?

Mr Tomlinson – Yes. The other thing that is important, coming after this morning's evidence from the Department, is that I noted that the Department's improved office procedures for the office counter staff were a major point of discussion. The officer from the Department said that it is now planning five days of training and that it also had 4,000 pages of manuals. Even if only one quarter of those related to benefits, I cannot conceive how you could hope to make counter staff competent in those sorts of basic manual issues. That is perhaps central to the very thrust of our submission, that is, the complexity of the system and the interrelationships between that system's complexity and the other five departments that also are involved in income maintenance delivery. The other things that flowed from that were issues such as the suggestion that the offices were full because people spent their days sitting around in them when they did not have any reason to be there. I know of no person who is homeless who would do that – if you had nowhere else to sleep you might sleep in a library, a hospital or an office somewhere where you can sit down – and that seemed a very strange suggestion to me. On the issue of how you handle people who are aggressive, when I worked in the Department, mainly in the Brisbane office----

CHAIRMAN – You are a former employee?

Mr Tomlinson – Yes, I am a former employee of the Department. I worked probably a total of about six years with that Department. I was a social worker. We would get people brought up or sent up from downstairs, but by the time we got to see them the situation was one of real crisis. You get all those sorts of aggressive things happening at the counter and that puts a lot of pressure on counter staff because they do not understand the system. They cannot give answers effectively. I think these were the issues that Mr Katter was raising this morning about age. I do not accept Mr Volker's assurance that if you send some young people to pensioner organisations, they will suddenly say, 'What nice people – they probably have grandmothers, too'. Old people can be stropky, they feel they have a right to be stropky and they want someone who has some knowledge of the world when they are talking to them.

CHAIRMAN – The point has been made to us by the Australian Pensioners Federation that it is not just having skilled people, but also having people who are mature, and who are seen to be mature. Do you think that is important, particularly when dealing with the older groups?

Mr Tomlinson – Yes, and particularly while they cannot give direct answers that delegitimises them in the eyes of anybody they see. The other thing that I would like to comment on is the rural area. One of the problems is that in Australia there are over

240 Aboriginal languages or dialects – depending on how they are classified. At Elcho Island there are 19 clan groups. You could not produce a video, or any other form of information, that would take in those 19 languages. The video this morning was for Aurukun. You have people at Aurukun who have come there all the way from Normanton right up to Bamaga and Thursday Island. So that would solve the problem of one group of people, but the problem of multilingual staff is a real problem.

When the Northern Territory Education Department decided to adopt multilingualism, it operated at Maningrida in Barada because it had had an anthropologist who is a linguist who had studied the Barada language and who had written it down in a form. The problem was that the traditional owners at Maningrida in the Northern Territory were people of the Gungavidgi clan and they found that a tremendous insult to have another language as the official language in the school. So multicultural issues in Aboriginal communities are very complex. It is only a part of the solution to present it in one language in that community. The more complex the system is, the less functionally literate people are, the more difficult it is for people to understand, generally.

The other thing that came up this morning was the Tennant Creek office with two people. That is a good 300 kilometres from Papunya. There are 800 people in the surrounding area of Papunya and another 500 surrounding Kintore, which is even further out near the Northern Territory-Western Australian border. If you have a problem at Kintore, or even at some of the out-stations near Papunya, and you are waiting for the Aboriginal liaison officer to come out, you might wait for three months or six months. The liaison officer has to come in at least 300 and maybe 600 kilometres. Those things are real problems for those officers. No matter how effective those officers are, they cannot understand 4,000 pages of manuals. There are 127 different income maintenance programs operating in this country. It may be more appropriate for them to go to another department than to go to Social Security anyway. The system is just so complex that it is horrific. When you put that together with other language or functional literacy problems, you have real issues that need to be addressed. The only way that I can conceive of their being addressed is by way of simplicity.

Mr Volker referred to the Cass review – the Social Security Review – and said that he hoped that would simplify things. I would like to just give you our review of the 300-odd pages of the Cass review on unemployment, in which she suggests a number of different categories inside the unemployment benefit category, which will make the system far more complex.

CHAIRMAN – Could I just interrupt there for a second. I want to make the point for the record that Mr Tomlinson has tendered to the Committee the response of the ACT Council of Social Service to the Social Security Review. I should point out, just for the record, that this Standing Committee does not have a brief in policy determination or policy areas. We will be touching on these areas, and to the extent that your response touches on administrative processes, we can take account of it. Other than that, we can certainly ensure that the Minister is aware of the points you raise.

Mr Tomlinson – Has he received a copy of that?

CHAIRMAN – The Committee has received that as an exhibit.

Mr Tomlinson – It was particularly the relevance of the suggestion that the review would make life simpler for recipients. Those recommendations, if they were accepted, would not, and that is the importance of it.

CHAIRMAN – You might like to comment on the point that

Mr Volker did make the claim that for time immemorial, so to speak – 'for the last 20 years' I think were his words – that successive Ministers and secretaries of the Department have set off with the ambition of making the system simpler. It would appear to me that specially targeted benefits actually make it more complex all the time. Have you, as a former employee and now in your present capacity, any ideas for – at least from the client's perspective – making the system simpler? Do you have any suggestions in that area?

Mr Tomlinson – Yes. I would take the suggestion of Bill Hayden on 15 March 1973 when he indicated that the Government was about to introduce a guaranteed minimum income. That was also a suggestion that arose out of the Henderson poverty inquiry. Don Grimes, when he was in the shadow ministry, declared his support for guaranteed income, Minister Howe, on the day he took up his appointment as Minister for Social Security, also said that he was interested in guaranteed income. To some extent, the family assistance supplement is a form of guaranteed income – admittedly, only for those with families. It is very similar to the Nixon HR1 proposal that was defeated in the US Senate. I see no other way than to remove the income maintenance process from the social needs process.

The similarities between a widow and a supporting parent who is female are tremendous, yet we have two different provisions. The distinction between someone who is 50, Aboriginal and unemployed and someone who is 50, Aboriginal and on an invalid pension – both are probably in rural areas and are likely to do hard labouring – is very small. They cannot do lighter work often because of functional literacy problems. In order to get unemployment benefit you have to be ready, fit, able and willing to work. To get sickness benefit you have to be 85 per cent incapacitated temporarily. To get an invalid pension you have to be 85 per cent incapacitated permanently. You can get people who fall into those gaps. No school of medicine teaches invalidity on a percentage system. The Marr report which was done by the Department and Alan Jordan's own work with the development branch of the Department show the stupidity of the invalid pension processes. Those people often have very great similarities in a whole range of areas, yet they are paid quite different benefits. That is because of the backlog of issues about whether someone is an invalid.

In 1908 and 1909, when that was introduced, age and invalidity were the two forms of benefit that were seen as important to introduce at the Commonwealth level. Those have been extended in different ways. They have grown in an ad hoc fashion. People have pointed out gaps and governments have tried to plug them – to use the words of Don Grimes or Margaret Guilfoyle – 'to create a safety net which people will not fall through'. There are many people who do fall through. The only time I can see it operating is when we have a guaranteed income that is based simply on financial capacity to support oneself. If the income level is set at the pension level, you then have to have a rate of withdrawal tied hopefully to the tax system so that it is fully integrated, you abolish means testing and you just have a tax rate. At the moment you have people on unemployment benefit who, after they earn \$70, do not get another cent from working until they pass \$150. You have at least a 100 per cent tax rate there. If you had a system with a clear rate of withdrawal right the way through, that would advantage everybody.

The major group of people who would not be covered by that, who have no other income, would be those who live with someone who has an income and who are deemed to be dependent on them. I would argue, and my Council would argue, for a system based on the individual and not on the family, for a number of reasons. One

reason and not the least, is the problem that the bona fide domestic basis has raised for the Department. It has never solved that. The suggestions by Meredith Edwards and others for a living alone allowance have not solved that. If you have a system which financially disadvantages people living apart, it is a financial incentive to break up a family home. There has been a lot of talk about support for the family which is ill-founded. I want to see families supported because I see that as a major way we can cheapen a whole range of things. But I have seen families destroyed by the social security system when it was the only way that women and children could be supported – a man had done things which had got him offside with either the law or Social Security and had gone off so that his family could be supported on a supporting parent benefit. If we are really going to be serious about supporting families then we have to pay individuals in the same way as the tax system operates, from an individual structure. There are some complications with the dependent spouse rebate, which needs to be eliminated and put towards paying people as individuals.

CHAIRMAN – We have probably gone a lot beyond our brief; a lot of the things you have addze6Bed, albeit sensible administratively, are also major policy considerations. But it is probably worthwhile for members of the Committee to talk to you in those terms anyway.

Ms McHUGH – I think we have a bit of a problem because you are very anxious to talk about policy direction and your submission directs itself mainly to that. If we try to say that that is a policy matter rather than the brief of the Committee, which is an inquiry into pensioner and beneficiary information, you will of course say that it is all tied up and that the very complexity of it makes the delivery of information more difficult. I think that you and the Committee are going to have a bit of a problem in separating the two, but I am still going to ask you to try to separate them. I would like to ask you for a start why you think it is that, if a guaranteed minimum income assistance scheme would be a so much simpler system and would so simplify the giving of information, and when it has received over the years so much support from so many different people, many of whom you have quoted, the schema has not been brought in. I put to you that it might be that it is not as simple as it looks. I was a member of a policy committee in the State Labor Party which grappled with how you would bring it in and the complexities of it for about 18 months before we gave it away. I put it to you that that may be the reason, rather than that the current Minister is guilty of all the things you have chosen to accuse him of – lack of vision, forgetting his ideological commitment, and so on. I throw that back to you because I think you have made a most unjustified personal attack on the Minister, as well as using a very problematical way of discussing the issue at hand, which is the provision of information. I think it is fair enough for me to ask that because that really is the tenor of your submission.

Mr Tomlinson – When I last talked at any length with the Minister about the reasons why he was not moving in the direction of a GMI, particularly moving to the individual as an income unit, was in 1985. He said that it would cost at least another \$5 billion.

Ms McHUGH – Do you think by that he meant to bring the guaranteed minimum income to the level that people are able to obtain through a specific pension?

Mr Tomlinson – Yes, and covering all those who are now dependent spouses of people who have income from non-social security sources. There are other problems with an income guarantee based on the individual; the public generally has accepted

the rhetoric about families without looking at the implications of adopting the family as the unit of payment.

Ms McHUGH – Why do you think that? Why do you dismiss the Social Security Review? Why do you think the Henderson review of poverty was enough and 25 years later should still be enough? Why do you so easily dismiss the review?

Mr Tomlinson – I dismiss the review as a result of discussions I have had with several officers of the review, including Professor Bettina Cass and her reluctance to look at the issue of guaranteed income, separating income from the other issues which surround the social welfare system. The other issues about a guaranteed income would mean, if it was done the way I want it done, that the Department of Social Security would cease to exist and it would be paid through the tax system.

Ms McHUGH – With an identity number I think you said or----

Mr Tomlinson – Yes.

Ms McHUGH – Do you wish we had gone ahead with the ID card?

Mr Tomlinson – I certainly do, but only on the basis that it was part and parcel of a guaranteed income. I said to the Minister at the time that I thought I was the only secretary or previous secretary of a Council of Civil Liberties that would come out and support that, but I told him what the price of my support was.

Ms McHUGH – I think you probably were.

Mr Tomlinson – I was concerned that there were many people forced to become liars and cheats on the system because of the way the system is structured, and often because they do not understand. The information that gets to them they do not understand. They do not know if they are just over the line when they are a long way over the line, or whether they are on the right side of the line.

Ms McHUGH – So it is all relating back to the provision of information and the ability to have information about the system.

CHAZRMAN – Mr Tomlinson, it is worth you knowing that Ms McHugh is the chairperson of the Government's caucus policy committee in this area. There are no Opposition members around there, but this is on the record, that is right. Many of your approaches are worthy of discussion with Ms McHugh privately as I am sure you will find that you share a lot more common ground than you may feel, but that is not for me to say.

Ms McHUGH – Did I sound too hostile?

CHAZRMAN – Yes, but anyway----

Ms McHUGH – I am sorry.

CHAZRMAN – Albeit that the Government of the day has in place a targeted system, and that does require the officers of the Department to have specific knowledge, I personally question the need for applicants to come along having that specific knowledge about what it is they are supposed to be applying for. In concept anyway I see no reason why a person should not be able to come to the Department of Social Security and say, "This is my difficulty. I need money because...How can you help?". That would mean a simplified application process and you would be relying then on the officers of the Department to find the most appropriate targeted benefit: for the person. That is an idea.

We have received a number of submissions which have said to us that people have come to the Department thinking, for instance, they should be applying for unemployment benefit when they qualified instead, say, for sickness benefit and therefore got some extra benefits. They have been sent away because they did not qualify for unemployment but then someone else has said to them two weeks later,

'You had better go and apply for sickness'. So we have had submissions put that ask that question of who should be sorting out how you qualify----

Mr Tomlinson – When I first went to work with the Department the senior social worker in the Brisbane branch at the time – who later became the senior Australia-wide social worker, Ella Webb – said to me, 'Now John, we can only assist people in this office who are beneficiaries of the Department or potential beneficiaries. If anyone ever comes through this door and you do not assist them then I will have your hide'. She said, 'Everybody in financial need must be able to be got onto something'.

CHAIRMAN – Right.

Mr Tomlinson – Now that then puts the onus on the workers to find that system that can pay them. That is okay, but what is happening is that people are now going away as you said. They do not qualify for this benefit because of this one thing or they do not qualify for that or something else. They do not understand why they have gone away or why they have not got it. When I had paranoid clients who were applying for an invalid pension I used to suggest they read Franz Kafka's *The Trial*, where Joseph K. is accused of some crime but it is never specified what it is and he has to establish his innocence. Trying to get someone with a psychiatric disability onto an invalid pension is very much a Kafkaesque nightmare.

CHAIRMAN - Can I intervene there for a second. To some extent bear in mind also the truth of the submission to us by the Department this morning. It has a large range of clients. It handles a lot of benefits and people such as yourself in the forefront of the access agencies are in fact helping the most disadvantaged. As politicians, we have to evaluate what is the reality and what is focusing us the chief problem. You tend to see the problem areas all the time, and that builds up a perspective that there are all these problems all the time. How would you evaluate what you heard this morning from the senior policy and administrative heads and their perception that the changed processes are filtering through and starting to occur at the regional office level? Are you seeing evidence of those changes taking place? I would assume that if it was anywhere, it would be here in the Australian Capital Territory.

Mr Tomlinson – I am in the process of area management that they are moving onto. One of the people who was working to implement that process at a fairly senior level has been blowing in my ear about that for some four years and about what a brilliant scheme it is. I think to some extent it does get rid of some obstacles to a proper service for clients. I do not want to appear to be hostile to the Department. I think it is probably the one department that I have worked in where everyone tries to do the right thing within the limits of their capacity. I am saying the Department is given a job to do which is too difficult. I am not hostile to Brian Howe. I think he is doing an extraordinarily difficult job, too, in a system that is forcing him to make decisions. But having said that, I think there is and there has been for at least 10 years an effort to increase the training in that department for its staff to try to ensure that people got the benefits that they were entitled to. I have been critical of Mr Pat Lanigan in other circumstances but I have never doubted his commitment to training and trying to ensure that most people get: the benefits they are entitled to.

Ms McHUGH – Unless you are a Greek with a back injury.

Mr Tomlinson – You mean the Greek conspiracy----

CHAIRMAN– You saw the experience of that in Sydney, did you not? Ms McHugh was making the point that the Department adopted a pretty hostile attitude towards the Greek population in Sydney which led to that whole inquiry, the Greek conspiracy thing. Is that still ongoing, Ms McHugh?

Ma McHUGH – It is all over; of course it is all over now. I just could not help making the remark. I should not have, but I just intervened, jokingly, except that it was no joke at the time, about Pat Lanigan. That is all.

Mr Tomlinson – That is the kind of thing about which I have been most critical.

Ms McHUGH – That is a context in which you would be extremely critical.

Mr Tomlinson – I have been most critical, yes.

CHAIRMAN – Your comments are almost at odds in some ways with fairly significant views put to us – and strongly held views put to us – by groups we met with in Sydney last week. Where you are saying that the general attitude within the Department is one of trying to assist, they were saying their perception is that people have this view that it is their money and they are not letting it out unless they have to, and you really have to prove your right to it before you get a cent of it. Again, that is--

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Mr Tomlinson – I certainly hold the view that the Department attempts to get people benefits in line with their entitlements, with the exception of the Greek community at that period of time and with the exception of Karen Green, the school-leaver about whom I have also been critical of the role of the Department. But what I am saying is that the Department also, on page 99 of its annual report last year, stated that there were more unemployed people, but fewer people on unemployment benefit. It has achieved that simply by taking away by legislation people's right to payment. It has lengthened the time that people have to wait. It has put in place a whole range of administrative processes which have limited the number of people who actually receive benefit.

CHAIRMAN – A qualifying period.

Ms McHUGH – When was that statement?

Mr Tomlinson – That statement is on page 99 of the Social Security annual report of last year.

CHAIRMAN – It is making the point that because of the qualifying period you will have people in periods of unemployment who would have got benefits before. At any one time they are there, they should be getting benefits if there was not that qualifying period. They will not get them now and, in fact, they may even get a job before they get them.

Mr Tomlinson - On page 70 of that same report you will see a graph which shows the Department of Social Security expenditure rising to 1983 and dropping since that time. That is not only because the number of unemployed has dropped but also because the number of people entitled to unemployment benefit has been restricted by administrative and legislative changes which have acted against the interests of the unemployed people.

Short adjournment

Mr Tomlinson – To go back to an issue which you raised and which we were discussing while you were out of the room, perhaps the Department should accept its obligation, if someone came in and established an income below a certain point, to find that person the appropriate payment rather than to make the statement, 'No, you do not qualify for that benefit or that pension'. The suggestion was that perhaps a special benefit might do that and certainly a special benefit would catch a lot of people who are currently rejected, who may not know about it and who might take some time to get informed about that. There are some problems with the structure of the special benefit because it was set up as a discretionary payment.

CHAIRMAN – Yes.

Mr Tomlinson – As I understand the legislation and the number of rulings that have flown from that, it is not possible for the Department to say, 'We will pay everybody whose income falls below that in these categories'; it has to make a specific determination in relation to an individual. However, the Department certainly could undertake to guarantee that it would not just send out a notice saying, 'You do not qualify', but would ask people to come in and would set aside officers who were across Education, Aboriginal Affairs, Veterans' Affairs and Primary Industries and find the appropriate payment for them. Some department needs to do that – there needs to be some coordination.

CHAIRMAN – I think that at least in our minds there is a temptation to say, 'Do we need the Department of Social Security to do these things? Should Aboriginal Affairs do them? Should Ethnic Affairs do them?'. Then you come to the logistics of just how you provide the service across Australia. Obviously, the one-stop shop is the most sensible approach, if we can do it and the DSS is trying to be that. I certainly take the point that there is probably merit in us looking at benefits being available through other departments. Are they?

Mr DUBOIS - Yes.

CHAIRMAN – I know the expertise resides in those departments, does it not? But, for instance, can the Department of Aboriginal Affairs authorise payment to anyone for anything through itself?

Mr Tomlinson – And Primary Industries, Education and Veterans' Affairs.

Ma McHUGH – Education has Austudy.

CHAIRMAN – Yes, but did that not go over to DSS? Is it the Austudy authorities or is it just DSS that makes the payment? I thought Susan Ryan lost the payment process to Social Security last year, because there was a debate about it at one stage, was there not? I have just been informed that it is totally authorised by Education. In that case, there may be a case to say that the whole payment process ought to go through the one-stop shop and that ought to be resourced with more people with broader knowledge. I am just teasing that as an idea.

Ms McHUGH – I think it is a problem, is it not? It is like a guaranteed minimum income concept, if you like. It sounds as if it would be so much simpler and easier if it was just a one-stop shop, as you said, but there would be terrible complexities and perhaps unfairnesses within in. I remember when the Government was trying to solve the problem or to look at the idea of a common age-related allowance, with the best of ideological motives, to try to encourage people to stay at school, to try to avoid any discrepancies between those on unemployment benefit and those at school, to try to provide incentives and do away with disincentives, and so on. But it became extremely difficult. We used to sit down there with the bureaucrats from the Education Department and welfare department bureaucrats to come up with an idea, and then the bureaucrats would go away and work out how many winners there would be under this scheme and how many losers there would be under this scheme. It is extremely difficult, even with something that sounds as simple as a common age related allowance,

CHAIRMAN – I think there is a prospect too that, with the on-line benefits processing or whatever it is called that was described this morning, we ought to be able to come to a formula where, for instance, an interviewing officer could key in some basic information like your name, your age and so on and to the question, 'Why are you here?' The answer would be, 'Because I have been away from work sick and I have no money'. The program ought to be able to search out the options that fit a person like that.

Mr Tomlinson – I think the problem with that is that the on-line computer program being talked about simply has people's history of claims of benefit, their addresses and details of dates of births and relationships they have been in.

CHAIRMAN – Is it a client file rather than a resource base?

Mr Tomlinson – Yes. There is nothing stopping the development of a resource base except 4,000 pages of manuals in Social Security and probably 3,000 in Education and Aboriginal Affairs. It is a huge problem but you could take the situation where a department said, 'We will undertake to ensure that nobody who is below a level of income will not be found the appropriate benefit'. That would then mean that you could set up anywhere, Canberra or somewhere else, the people who were the experts in the field. The difficult cases could have all that referred to Canberra by telex or fax machines or whatever, and you could get answers back within minutes. The technology is there to do that.

CHAIRMAN – So you are saying that, compared with the number of people that come to the counter, there are not so many of these cases. I was thinking that you would have to have your counter staff familiar with all the benefits but you are saying no, we should work by the general rather than by the exception and treat the exceptions separately.

Mr Tomlinson – We just say that for those that do not qualify here----

CHAIRMAN – We will find something,

Mr Tomlinson – We will find something for them, and those details get transferred to a central clearing place.

CHAIRMAN – Do you feel that that process and attitude would change the perception of the Department from the client's point of view?

Mr Tomlinson – That would certainly be seen as a helpful action, instead of just getting a rejection notice saying, 'You do not qualify for that benefit'. I would argue that if you have a determination to get somebody a payment, with the exception of someone who is in an industrial dispute or someone who is in a relationship with a person who has income there is no person in Australia that I could not get a form of payment for.

Ms McHUGH – What about someone waiting for permanent residence status?

Mr DUBOIS – He gets a special benefit.

Ms McHUGH – We actually took that away from them last year.

Mr Tomlinson – Yes, you took that away last year.

Ms McHUGH – We did try to bring it back in certain circumstances, particularly for refugees who were left absolutely with nothing. There was absolutely nothing that could be got for people who, say, had been rejected and were appealing. We did amend it and we put in a safety clause because what was happening to certain individuals was just appalling. They are not citizens and they have no status of any kind; they have been rejected and they are on appeal. We took the special benefit from them but we have given it back in certain circumstances. I am just adding that as another case of someone who was specifically excluded. We had some very sad cases in our office of people who were literally destitute, and the only hope they had was from agencies like the Salvation Army or St Vincent de Paul or, in some cases, their own ethnic groupings if they had community organisations who could help. But they cannot help forever.

Mr Tomlinson - Yes, that is certainly another category.

Ms McHUGH – It is a difficult one to cover by a guaranteed minimum income, by the way. I too would support the idea of a guaranteed minimum income if it could be implemented fairly.

Mr Tomlinson – It is in the Labor Party platform.

Ms McHUGH – It is in the Labor Party platform to keep looking at it. This comes up every year and, as I say, many people have looked at it but there would be unfairnesses in it too. That may be an example.

CHAIRMAN – We came across this proof of identity problem. For instance, in Sydney it was raised with us in real examples at the counter. As Mr Volker said to us this morning, there are procedures. In the submission they have set out what are the relaxed procedures. But the real life tales to us of what those relaxed procedures mean, as interpreted at that particular Sydney office, were that very sensible identifiers or personal referees were discarded and people were sent around on wild-goose trails looking for JPs and people like that who did not know them. They could not establish themselves that a JP, a police constable or someone like that in authority could verify their identity. That is an example of a gap between the information and understanding at the senior levels and what actually happens on the ground.

Mr Tomlinson – I would argue that that is a problem which could be solved very simply by saying, 'We will pay for a period of two weeks and we will work with you to determine those sorts of things'. The amount of money involved is insignificant and the feeling that a client gets from the Department is one of help. You need people to sit down with them. Aboriginal people lose their identification all the time. I have run around and, chased up people who could come in and say, 'Yes, this is Freddy, I went to school with him', and that sort of thing. I had a copy of the stud book, which was supposed to be destroyed. I had instructions to destroy it.

CHAIRMAN – What is the stud book?

Mr Tomlinson – That was what the Department of Territories or the Department of the Interior, whichever it was at the time, published on Aboriginal people born in the Territory. It was supposed to be destroyed. I did not destroy my copy because it was very useful. I could ask people whether they knew the skin name of someone and they would tell me. That clearly established that he was there at that time in that community, so I would sign declarations that I could identify him.

CHAIRMAN – So you are really saying that, with a will, there is a way to----

Mr Tomlinson – With that other exception: people who are specifically excluded and who do not have permanent residency status, people who are in industrial disputes or people who live with someone who has an income.

CHAIRMAN – Having worked in the Department, do you have any comments about the view that was put to us on the problem of the counter staff versus assessment staff behind the walls? Do you feel that the move to reclassify the industry that is being negotiated to allow multi-skilling and more flexible use of people around an office is a move in the right direction?

Mr Tomlinson – Yes. The counter staff always felt hostile. They were the ones who got their heads punched in and some assessor could sit back there, sucking his cigarette and drinking his coffee, and say, 'No, do not pay him until he produces so-and-so'. They were the poor bunnies who had to go out and say, 'You have to come back with this or that or the other thing'. For people who do not have a quid in their pocket and who have spent their time and effort getting to the Social Security office, it is not a matter of calling up a cab and saying, 'Would you run me home? I seem to have forgotten my passport'. I think that puts tremendous pressure on the people at the interface. Certainly anything that gives them the right to make decisions and to break down that wall that hides that is a good thing.

It was the same sort of mentality that allowed people to apply electric shocks beyond a point which would kill people. There was an experiment in America in

which a professor of psychology said to people, 'These people have done terrible things and I want you to apply what you think is a fair shock'. They would turn the machine up beyond a point that would kill people because they could not see them. He did the same experiment with a glass petition and an actor pretending he was getting shocks. They stopped applying the shock a lot sooner when they could actually see the person they were supposed to be hurting.

CHAIRMAN – Do you feel that there is scope in the system for more use of the special benefit – that might be a way to describe it. You were saying that we should be paying someone an amount and continuing it subject to their coming back with that information, or something like that?

Mr Tomlinson – And helping them. If you look at the people who create the problems, they are usually the poorest people who lead the most disorganised lives. If you tell many of the people I know that they have two weeks to find their birth certificate, they will not find it. In two weeks time they will be in exactly the same crisis. But they have got to be helped, and for some people you may have to get it for them. Those sorts of things could be done. It would create a whole different atmosphere between them and us. It would be some sort of togetherness.

You said this morning that your Petrie office got only a few complaints. The point needs to be made that the level of competency and determinations should be determined not by the level of complaints, but by the level of accuracy. The Auditor-General's reviews of the Department of Social Security reveal quite considerable discrepancies between what people should get and what people do get.

Mr JOHNS – But how does the Auditor-General test it, I wonder.

Mr Tomlinson – Originally, the Auditor-General's Office was called in to look at the suggestion that the Department was paying too many dole bludgers who were actually working. It went in to do that and found that certainly some people continued to get benefits after they had started work. But then the people from Auditor-General's looked at a whole range of claims to see how accurately people had got the benefits and the level of payments, and they found that there were some people who were not paid enough and some people who were paid too much. I think that is a more accurate measure of the level of determination competency. I do not blame the officers who made those mistakes because, again, it is very hard for them to get the information, let alone to get it across to people. As the waiting time has increased, people do not quite know when their payments are due to start or finish, and most of the things that the Auditor-General picked up were a matter of a week over or a week under.

Mr JOHNS – It was not a matter of someone getting the wrong benefit---

Mr Tomlinson – I do not think the Auditor-General had the competence to determine that. He would have been going on

written records. If you look at the determination of invalid pensions, the chances of getting an inadequate determination are extremely high because of the variations in number of grants in particular States, number of grants between different doctors, and the different appeal rates in different places. Alan Jordan summed it up when he said that there are people who get an invalid pension for a condition they deny having, but who get refused a pension for a condition they claim to have. It is just a mess. If the doctors who are given the right to make that determination cannot be given adequate information, then how does Joe Blow ever expect to know that. That is why you need some sort of office of last resort where claims from those people who do not have an income at least are picked up and sorted through to see whether or not they do have an

entitlement to something. You might come to the conclusion that their only hope is the Smith Family or the Salvation Army, but at least the decision would be made by competent people.

When I rang the benefits control headquarters here in Canberra about a young woman who had been refused social security and asked whether her entitlement was through Austudy or the Department of Social Security, I was told that it was Austudy. I asked whether they were sure, because Austudy had said that it was through Social Security. The person I spoke to went to check with somebody else, and came back and said that I was quite right, and that it was Social Security. That was an expert in the field. How can the person at Tennant Creek, Port Augusta, Broome, Derby or Kununurra be expected to know those sorts of questions?

CHAIRMAN – Mr Tomlinson, I will ask you when we formally conclude to give the reference to the Secretary of that Auditor-General's report – we are interested in tracking that down. On behalf of the Committee, I thank you for making the presentation to us and the submission, act for enlarging on it in the way you did. I suggest you might like to take up the discussion of the specific policy issues with various people, as suggested.

Resolved:

That, pursuant to the power conferred by paragraph 14 of the Committee's resolution of appointment, this Subcommittee authorises the publication of the evidence given before it at public hearings this day.

Subcommittee adjourned at 4.17 p.m.