**People with disabilities WA Statement 21st of April 2017**

**Executive Director Samantha Jenkinson**

***Senate Inquiry hearing - Design, scope, cost-benefit analysis, contracts awarded and implementation associated with the Better Management of the Social Welfare System initiative.***

Thank you for the invitation to attend the public hearing here today as a witness. People with disabilities WA is the peak disability consumer organisation representing the rights, needs, and equity of all Western Australians with a physical, intellectual, neurological, psychosocial, or sensory disability via individual and systemic advocacy. We provide access to information, and independent individual and systemic advocacy with a focus on those who are most vulnerable. We partner with Advocacy South West and Sussex St Community Law Service to provide individual disability advocacy in regional WA.

PWdWA is run by and for people with disabilities and aims to empower the voices of all people with disabilities in Western Australia.

As an advocacy organisation we have not had people with significant disability coming to us in relation to automated debt recovery from Centrelink, nor have our advocacy partners. The majority of cases that come to us on Centrelink issues are referred to the Welfare Rights and Advocacy Service. However there are a number of people who are not eligible for the DSP and are on NewStart who may have a psychosocial disability or acquired brain injury, or are now on Newstart due to the review of the DSP that has been occurring and the tightening of the eligibility criteria and impairment tables. We have some serious concerns about how the Department knows that someone is a vulnerable person with a disability and so how they will know not to use the automated system with those people, given that it has been stated that the automated debt recovery process is not used for people who are vulnerable.

We have a number of clients who have had issues with Centrelink specifically around the use of electronic data collection and needing to put in forms and fill in paperwork via MyGov or other electronic means. For some of our clients the issue has been that they do not have regular access to the computer or the Internet due to the cost and also due to disability such as intellectual disability, learning disability, or other cognitive disability. For other people there may be issues around fear or that it is triggering for their psychosocial disability and so they don’t use electronic format. Some of these will be people who are currently on Newstart. Are the Centrelink staff entering the data that they get from people who do not like to use the Internet in a timely manner? This whole process is predicated on people having access to the Internet to be able to provide the extra information or dispute claims of debt, and also receiving documents in a timely manner to their correct address. I personally have gone through missing mail from the ATO and then getting a text from a debt recovery service which I immediately thought was a scam and so ignored. It does not surprise me at all that there are issues here.

People have provided information to Centrelink based on what they were asked to provide. Are Centrelink checking that they have the information before sending out potential debt letters? Are Centrelink checking the communications they have already had?

I am sure that you may have heard already today about some of the issues. I would like to share with you some examples of where people with disability have had to deal with the debt recovery process prior to the system being in place and why it concerns us that there is no clear way to know whether a person with a disability may be at the receiving end of this process.

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Anne is the parent of a young man with an intellectual disability who gets a small amount of casual income from work that is not consistent. They believe they just skirted ahead of the automated debt recovery process. The issue was that after putting in her sons first ever tax return it showed she had unintentionally underreported his income for $600 for the year. So they arranged to have $100 taken out of his DSP each fortnight until the debt was recovered, which wasn’t a problem luckily for him with the extra parental support. The problem is that her son isn’t able to reliably report his income each fortnight so it is his mum who has to do this. She doesn’t feel comfortable getting a paid assistant to do this personal and serious thing. In the end they came to an arrangement with his employer to pay the same each week so that she wouldn’t have to do that paperwork each fortnight. The upshot of this is that her son probably misses out on some Centrelink payments. The system is just not friendly for a person with intellectual disability. For someone who is on the ‘fringe’, that is they may have a mild intellectual disability that means that they can do some part-time work and they can live on their own and can do lots of things, but they may not be able to do this process, or to understand this process well enough to do it properly.

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My other example is from a couple who have been accused of scamming, that’s their words, the DSP because it seems that a person had not checked the box on the screen in Centrelink that they should have. In this example the couple has needed to go through massive processes of freedom of information, they have been told different things by different people when they have called up. Essentially because at one point they were told that a box that should have been ticked was not ticked and then they didn’t get a follow-up till over three months later to actually find out what the problem was and the debt had accrued in that time. Apparently there is a box of the screen that needs to be checked for people to report their income and the person at Centrelink had not checked that box even though the person with a disability and their carer had provided all the information to Centrelink. There was limited correspondence from Centrelink on the issue and again the layers of bureaucracy that need to happen to address the issue is having a massively detrimental toll on the mental health of the person who should be receiving support.

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Again we would ask how might Centrelink know who is vulnerable and so wouldn’t be on the automated process if they are currently receiving New start and not the DSP?

In regards to when people have needed to go through an appeal process with Centrelink, All of our evidence through our advocacy work shows people spending months going through processes and appeals which is time-consuming and expensive in relation to FOI requests, needing to access things online, et cetera. The workload within the Department of Human Services must be huge with multiple forms, assessments and processes that each reassessment goes through. With the high number of cases that we have had over the last six months with people being reassessed from the DSP onto NewStart, we are extremely concerned that people with disability will not be picked up as not being part of the automated debt collection process.

In summary:

* We are concerned there are many vulnerable people who are not on the DSP and will be caught up in automated processes.
* The current system of reporting income is onerous for people with disability and their families, it contributes to the disincentive to work.
* People with disabilities who are struggling to find work are more likely to be in casual or episodic work, which means there is ongoing report where mistakes can be made.
* The ATO assesses income for tax differently to the way Centrelink assesses income against benefits so unintentional mistakes are easily made. Plus if it is so complex you need an accountant or expert to help you through the process for Centrelink then the system is not working and is costly to everyone, person and government.
* There is no transparency on the part of Centrelink to show what information they already have and what communication they have already made without going into FOI.

I can be contacted on [samantha@pwdwa.org](mailto:samantha@pwdwa.org) if further clarification is required.