

Attachment 1

About the National Welfare Rights Network

Our work

The National Welfare Rights Network (NWRN) is a network of 17 community legal centres members and three Aboriginal Legal services which specialise in social security law and its administration by the Department of Human Services (DHS). Our Members are located across Australia. As activity and participation requirements have been extended to greater numbers of people receiving income support, Welfare Rights has responded to the needs of those seeking information and assistance to access employment services and support. The Network also develops policy and advocates for beneficial law reform.

NWRN member organisations provide casework assistance to their clients. NWRN members also conduct training and education for community workers and produce high quality information and publications to help Social Security recipients and community organisations understand the system. The NWRN also engages in research and policy analysis and works to improve the current Social Security system and its administration.

Our aim

NWRN member organisations and services throughout Australia, aim to reduce poverty, hardship and inequality in Australia by:

- providing casework advice and assistance to individuals to ensure they can exercise their rights, fulfil their obligations, meet their responsibilities and maximise their entitlements under the Australian social security system; and
- advocating for the maintenance of a social security system that has rights and responsibilities, detailed under and protected by law.

Our principles

The NWRN advocates that the Social Security system in Australia should be characterised by an uncompromising recognition of the following rights:

- the right of all people in need to an adequate level of income support which is protected by law;
- the right of people to be treated with respect and dignity by Centrelink and those administering the social security system;
- the right to accessible information about social security rights and responsibilities;
- the right to receive prompt and appropriate service and social security payments without delay;
- the right to a free, independent, informal, efficient and fair appeal system;
- the right to an independent complaints and appeals system; and
- the right to independent advice and representation.

Legal Assistance for people who need to challenge Centrelink decisions

Finally, we turn to the economic and social benefits of providing free and independent legal assistance to people who need to challenge a Centrelink decision or have difficulties with the complexity of social security and family assistance law.

A 2009 report by the Department of the Attorney-General's *Access to Justice* report concludes that "services that can be described as early intervention services, such as advice and minor assistance, legal information and community legal education...deliver substantial benefit to the community".¹

Each year, Welfare Rights caseworkers assist thousands of people with Centrelink problems. Welfare Rights services are cost-effective and efficient.

Below we highlight some of the benefits of Welfare Rights legal services provision to Government, its agencies, and individuals and families across Australia.

- Solving problems at the earliest opportunity with Centrelink at the Original Decision Maker or Authorised Review Officer level means less expense in comparison to taking matters to the Social Security Appeals Tribunal (SSAT) or Administrative Appeals Tribunal (AAT).
- For income support recipients, early resolution represents much quicker access to justice. In addition to being more efficient the experience for individual recipients and their families and carers is less demanding, as many lack the emotional resources and do not have the capacity to pursue their appeals to more formal levels.
- The process is significantly fairer for Centrelink clients as most are unrepresented at SSAT hearings. Of those appeals involving a Centrelink matter only around 3% of applicants per cent are represented by a legal representative.
- Improving access to social security information will help to reduce homelessness and to prevent it from occurring in the first place. Access to legal and other support services are essential elements in an effective response to the challenge of homelessness. *The Road Home: A National Approach to Reducing Homelessness* nominates the existence of a Centrelink dispute as one of the most frequent and pressing legal issues facing people who are homeless.
- Better access to information and advice about social security rights and responsibilities will result in lower levels of Centrelink overpayments and consequent debts owed to the Commonwealth.
- Depending on an individual's circumstances and family situation, the financial costs of people being denied access to income support for both State and Federal Governments is considerable. For example, there may be costs (and potential savings) to state

¹ Attorney-General, *Access to Justice Report*, 2009.

juvenile justice systems, health and hospital services, emergency services, courts and prisons, homeless support services, state housing authorities, emergency services and child protection authorities.

- Centrelink practices can be improved if its decision making processes are tested and challenged by knowledgeable and well-informed individuals and community advocates.
- Social Security law is becoming increasingly complex and working age-payment recipients are required to have more regular contact with both Centrelink and employment service providers.
- Additionally, as the responsibility on people to engage has increased, so too have reporting requirements become more onerous and complicated. Changing patterns of employment, with an increase in part-time and casual work, often with multiple employers, creates significant challenges for income support recipients in ensuring that they accurately report changes and events which can impact upon their level of entitlements.
- The problem for individuals and community workers alike in understanding how the system works is made even more difficult as a result of numerous and regular policy reforms and changes to social security and family assistance legislation.

The Economic Benefit of Welfare Rights Services

The NWRN is the peak body for welfare rights services across Australia. The primary role of its member organisations is to provide legal services to people who need help dealing with Centrelink.

These welfare rights organisations work in a complementary way with other service providers, such as State Legal Aid bodies, but ultimately we provide a specialist legal service, helping people deal with the complexities of Centrelink and meet their obligations, as well as giving advice and representing people in complex matters and through the appeal process. This specialisation makes us a unique service. Thousands of clients are helped each year.

The clients of the NWRN member organisations are among the most vulnerable people in Australia. A large percentage of our clients suffer from a mental health disorder, or have a disability, are homeless or have literacy problems. Most have low levels of formal education. They fall into the category of people who often need help in dealing with government departments with basics matters, let alone complex legal matters. We advocate on behalf of our clients where they have complex legal matters that they are unable to handle themselves.

Member organisations help people to understand and meet their obligations by, for example, explaining how to report income. We focus on early intervention, aiming to resolve issues where possible without the need for a formal appeal and helping people supply relevant information to Centrelink. Overall, this reduces demand on Commonwealth resources.

The Commonwealth has consistently recognised the value of these welfare rights services by funding them, primarily through the Commonwealth Legal Services Program jointly with the States. For a relatively small investment, the Commonwealth gets a significant return from welfare rights organisations, supporting thousands of vulnerable clients to access their social security entitlements and meet their obligations.

The legal services provided by our organisations provide the basis for our legal education, publications as well as our policy and law reform work.

The value and contribution of the work performed by the NWRN has been recognised by the OECD who said in a recent report that the NWRN's "input into policy formulation process, informed by feedback from their street-level operations, give society a good return on a relatively small investment."²

² OECD, *Activating Job Seekers: How Australia Does It?*, 20120, pp. 68-69.