

SOCIAL SECURITY

Reporter

Number 3 October 1981

Editorial

ARE WE DOING THE RIGHT THING?

This is the third issue of the *Social Security Reporter*. Readers of the *Legal Service Bulletin* will know something about our objectives in publishing the *Reporter*; but, for the sake of those who did not read the editorial in the April 1981 *Bulletin*, let me explain why I am editing, and the *Legal Service Bulletin* is publishing, this *Reporter*.

Over the past seven years, social security law has gradually been recognized as both important and complex. It is important to the millions of Australians who rely on social security for financial support; and it is complex because of its 'needs-based' and categorical nature, the wide range of discretions given to the Department of Social Security and the patch-work nature of the *Social Services Act*.

The *Legal Service Bulletin* has been committed, for several years, to opening up the complexities of the Australian social security system, and increasing access on the part of claimants and their advisers to information on their rights. We have chosen to do this through a reporting system—that is, reporting (in what we hope is a relatively straight-forward style) social security appeal decisions of the Administrative Appeals Tribunal.

These decisions (the first were handed down in December 1980) will explore, stabilize and publicize the wide range of complicated problems involved in Australia's social security system. We can expect that the AAT decisions will have a real impact on the administration (by the DSS) of social security and on claimants' rights, provided that information about those decisions is made widely available.

None of the existing information systems was (or is) likely to achieve that wide publicity and distribution: the DSS has a very limited budget for information services

(and has not impressed most observers with its commitment to freedom of information); the AAT does not have the resources to distribute its decisions widely; and the *Administrative Law Service*, published by Butterworths, is expensive, covers too wide a field for readers whose real interest is social security, and must be highly selective in the social security cases which it reports.

So, with the assistance of a number of organizations, we have begun this reporting service: copies of all social security decisions are forwarded to us by the AAT's principal registry in Canberra; statistical, legislative and other technical information is supplied on a regular basis by the Legislation and Review section of the DSS; and 'seeding' funds have been provided by the NSW and Victoria Law Foundations.

The AAT decisions are not, of course, published *verbatim*: there is a substantial editing task in summarizing, re-arranging and selecting critical quotations. The aim of this exercise is to produce a concise account of each decision which is both intelligible and accurate: sometimes a very difficult compromise. The *Reporter* is intended to give people accurate and practical information about social security law; and, regretably, this is impossible without some degree of technicality. But we hope that the *Reporter* doesn't sacrifice too much clarity in order to achieve accuracy.

So far, the *Reporter* has concentrated (although not exclusively) on AAT decisions. We are anxious to hear whether readers are satisfied with our reporting of these decisions (are our reports too short, too long, too complex, too simplistic?); and with the balance of materials (what other material should we include?). Please write and tell us.

PETER HANKS

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AAT appeals—statistics

The following statistics have been compiled from information supplied by the Department of Social Security.

	May 1981	June 1981	July 1981	August 1981
Applications for review lodged	64	63	86	55
Decided by AAT	0	5	6	10
Withdrawn by applicant	0	3	6	5
Conceded by DSS	4	1	0	12
Awaiting decision at end of month	193	240	313	340

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