

## The Robodebt Rogues Gallery

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*If ever there was an instance of such a hideous failing in government policy and its cowardly implementation by the public service, Australia's cruel, inept and vicious Robodebt program would have to be one of them.*

Robodebt was a scheme developed by the Department of Human Services (DHS) and submitted as a budget measure by the then Minister for Social Services, **Scott Morrison**, in 2015. Its express purpose: to recover claimed overpayments from welfare recipients stretching back to the 2010-11 financial year. The automated scheme used a deeply flawed "income averaging" method to assess income and benefit entitlements, yielding inaccurate results. Vitally, the assumption there was that recipients had stable income through the financial year. The scheme also failed to comply with the income calculation provisions of the *Social Security Act 1991 (Cth)*.

The results were disastrous for the victims in receipt of crude, harrying debt notices. The scheme induced despair and mental ruin. It led to various instances of suicide. It saw a concerted government assault on the poor and vulnerable. A remorseless campaign was waged by such unwholesome types as the former human services minister, Alan Tudge, ever keen to libel the undeserving. Media outlets such as *A Current Affair* were more than happy to provide platforms for the demonising effort. "We will find you," [he told](#) the program, "we will track you down, and you will have to repay those debts, and you may end up in prison."

The grotesque policy eventually caught the ire of the courts, which ruled the scheme unlawful. That, along with a change in government, eventually led to the establishment of a Royal Commission, [whose findings](#) by **Commissioner Catherine Holmes** were released on

July 7. They make for grim reading.

While it will take time to wade through a report running over 1,000 pages, it is fitting to single out a few of the rogues who played starring roles of lasting infamy in the robodebt drama. Who better to start with than the former Prime Minister, Scott Morrison, whose relationship with the truth continues to be strained and estranged.

In December 2014, Morrison was appointed Minister for Social Services. He immediately wanted to impress with his promised scalping of alleged welfare cheats and scroungers. Wishing to make an impression he, unusually, held direct meetings with the secretary of the DHS, **Kathryn Campbell**, to tease out what would become the robodebt proposal. Concern from legal officers and senior staff within the Department of Social Services (DSS) about the legal compliance of the program were ignored or dismissed.

The Commission duly rejected “as untrue Mr Morrison’s evidence that he was told that income averaging as contemplated in the Executive Minute was an established practice and a ‘foundational way’ in which DHS worked.” The New Policy Proposal (NPP) that arose was utterly at odds with the legal position of the Department of Social Services stating that legislative change was required to implement the new income averaging approach.

Morrison assiduously ignored making any inquiries as to the reasons for that reversal. He “allowed Cabinet to be misled because he did not make that obvious inquiry.” The necessary information – that the scheme would require legislative and policy change to permit the use of income averaging – was not supplied. He accordingly “failed to meet his ministerial responsibility ... to ensure that [the scheme] was lawful.”

Tudge comes in for special mention for the “use of information about social security recipients in the media”. This could only be regarded as an abuse of power. After knowing that the scheme had claimed the lives of at least two people from suicide, the minister also “failed to undertake a comprehensive review of the Scheme, including its fundamental features, or to consider whether its impacts were so harmful to vulnerable recipients that it should cease.”

**Christian Porter**, who also occupied the position of Minister for Social Services, “could not rationally have been satisfied of the legality of the Scheme on the basis of his general knowledge of the NPP process, when he did not have actual knowledge of the content of the NPP, and had no idea whether it had said anything about the practice of income averaging.”

The government services minister holding the robodebt reins in its final days also cuts a less than impressive figure. In Stuart Robert’s mind, he was a moral man coming late to a policy he wished to end, despite praising it publicly and using false figures. The Commission found that Robert had not unequivocally instructed the secretary of human services in November 2019 “to cease income averaging as a sole or partial basis for debt raising.” It was “reasonable to suppose that Mr Robert still hoped to salvage the Robodebt Scheme in some respects.”

The public service, supposedly famed for providing the frank and fearless advice treasured by ministers, also yields its clownish and cowardly rogues. The officers of the DSS and DHS, the Commissioner finds, failed to give Morrison “frank and full advice before and after the development of the NPP”, the result of “pressure to deliver the budget expectations of the government and by Mr Morrison, as the Minister for Social Services, communicating the

direction to develop the NPP through the Executive Minute.”

Kathryn Campbell, Secretary of the DHS, is a true standout. “Her response to staff concerns, including those about income averaging and debt accuracy, was not to seek external assurance, or even to make inquiries about the matter with her chief counsel or other departmental lawyers.” What took place, instead, was a communication on January 25, 2017 to staff that there would be “no change to how we assess income or calculate and recover debts”.

The DHS also receives a stinging rebuke in its approach to the media’s coverage of the scheme’s evident defects. In 2017, when robodebt came under withering scrutiny, the department responded “to criticism by systematically repeating the same narrative, underpinned by a set of talking points and standard lines.” The policy of bureaucrats was to act as “gatekeepers” keen on “getting it [the media criticism] shut down as quickly as possible”.

The names of the robodebt architects and apologists should be blazoned upon a monument of execration for time immemorial. Even now, its perpetrators are resorting to extravagant acts of hand washing, gleefully claiming they have not been named as subjects of potential criminal or civil prosecution. Campbell, in a time-honoured tradition showing that gross failure rewards, continues to receive money from an advisory role in the Defence Department specific to implementing the AUKUS security alliance with the United States and the United Kingdom.

The opposition leader, Peter Dutton, can only concede that “mistakes” had been made. Labor’s Minister for Government Services, Bill Shorten, had “politicised” the issue. But for the string of coalition governments whose existence only came to an end in May 2022, the politics and ideology of punishing welfare recipients remained central and, in the end, pathological.

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