



SENATOR DAVID LEYONHJELM

Leader of the Liberal Democrats

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ATO's unbridled power condemned

Liberal Democrats Senator David Leyonhjelm has condemned the actions of the Australian Taxation Office and its Commissioner following revelations made in today's media.

"As taxpayers we are at the mercy of an entity with unparalleled power to act as investigator, prosecutor, judge, appeal judge and sentencer," Senator Leyonhjelm said.

"The ATO assesses what an individual or business must pay and it's too bad if that assessment is wrong. The current system demands the taxpayer to pay up anyway, then go through the courts to seek justice.

"Those with deep pockets can send in the big legal guns but there are myriad examples of small businesses and individuals who have either been sent to the wall fighting their case or simply paid up because they know to take on the ATO would financially ruin them."

Senator Leyonhjelm said his Judiciary Amendment (Commonwealth Model Litigant Obligations) Bill 2017, introduced into the Senate last year, would help prevent government agencies such as the ATO from taking advantage of a claimant's lack of resources when litigating a dispute that reaches the court.

"The Productivity Commission has already recommended that state and federal governments should impose enforceable model litigant obligations on its agencies, given governments' power, resources, 'frequent-player status' and role of acting in the public interest," he said.

"There are too many stories of the ATO getting it wrong and leaving a trail of devastated businesses and individuals in its wake, and offering paltry financial compensation that is too little too late as its only redress.

"The modus operandi of the ATO is a prime example of why the Senate must pass my Bill."

Media: Kelly Burke 0408 734 586