



Australian
Human Rights
Commission

The adequacy of the allowance payment system for
jobseekers and others, the appropriateness of the
allowance payment system as a support into work and
the impact of the changing nature of the labour market

**AUSTRALIAN HUMAN RIGHTS COMMISSION
SUBMISSION TO THE SENATE EDUCATION,
EMPLOYMENT AND WORKPLACE RELATIONS
REFERENCES COMMITTEE INQUIRY**

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1 Introduction

1. The Australian Human Rights Commission makes this submission to the Senate Education, Employment and Workplace Relations References Committee *Inquiry into the adequacy of the allowance payment system for jobseekers and others, the appropriateness of the allowance payment system as a support into work and the impact of the changing nature of the labour market.*
2. This submission is divided into two parts. **Part A** of this submission focuses on the allowance payment system as it impacts on older jobseekers and older carers; a growing demographic with specific requirements and challenges.
3. **Part B** of this submission focuses on the impact of Newstart Allowance and other allowances on families with dependent children.

2 Recommendations

4. In light of the particular challenges for older jobseekers and jobseekers with dependent children, the Australian Human Rights Commission makes the following recommendations:

Recommendation 1: The Newstart Allowances and supplements should be increased so that they accurately reflect the costs of living, job-seeking and skill development activity.

Recommendation 2: The earning threshold of the Newstart Allowance should be increased to bring it in line with the Age Pension *Work Bonus Scheme*.

Recommendation 3: People who have reached pension eligibility age should be given the choice to move to the Age Pension or remain in the labour-market on Newstart Allowance. (This option assumes that the Newstart Allowance achieves parity with the Age Pension).

Recommendation 4: The *Mature Age Participation: Job Seeker Assistance* program should be reviewed after 12 months to (a) consider its application to Newstart Allowance recipients who are aged 45 and older and (b) to expand its operation to all locations.

Recommendation 5: Newstart Allowance recipients aged 45 and older should have access to relevant components of Jobs Services Australia *Streams 2, 3 and 4*.

Recommendation 6: A program similar to the *Mature Age Participation – Jobseeker Assistance* program should be made available for families where both parents are unemployed. This should provide voluntary opportunities to participate in intensive support to find a job, including job-specific training and participation in paid work trials.

Recommendation 7: A program similar to the *Mature Age Participation – Job Seeker Assistance* program should be made available for families where the parent with primary custody of children is unemployed. This should provide voluntary opportunities to participate in intensive support to find a job, including job-specific training and participation in paid work trials. This should also include family support and flexibility for those with sole carer responsibilities.

Recommendation 8: Newstart Allowance recipients with dependent children undertaking approved training and education should have access to fully-funded child care services for the duration of their course. This is particularly relevant for sole parent families, acknowledging that these parents are solely responsible for the care of their children.

PART A

3 Older jobseekers

5. Australia's ratification of the *International Covenant on Economic Social and Cultural Rights* (ICESCR) brings with it obligations to ensure that all citizens have rights to:
 - social security
 - work
 - technical and vocational guidance and training programmes.¹
6. Australia has also indicated its support for the United Nations *Principles for Older Persons* which mirror the rights contained in ICESCR. They include the right of the older person to independence, participation, care, self-fulfilment and dignity. The *Principles for Older Persons* were developed with the support of Australian governments,² providing that:
 - Older persons should have the opportunity to work or to have access to other income generating opportunities.
 - Older persons should be able to participate in determining when and at what pace withdrawal from the labour force takes place.
 - Older persons should have access to appropriate educational and training programmes.³
7. Australia's labour market is ageing and as a result there is an emergence of a growing and vulnerable group of older jobseekers who have particular interactions with the tax and transfer systems.
8. The labour force participation rates of people aged 45–64 years have increased steadily since the 1980s. In 1983, 56% of 45–64 year olds were in the labour force. By 2003, participation had increased to 69%.⁴ By June 2010, 71% of 55–59 year olds were in the labour force and 51% of 60–64 year olds.⁵

9. The proposed increase in the qualifying age for the Age Pension will expand the labour force participation of older workers beyond age 65. Beginning in 2017, the qualifying pension age will increase incrementally to age 67 by 2023. This will increase the number and age of older Australians in the labour market.
10. Currently, the high rates of insecure employment and prevailing discriminatory attitudes towards older workers mean that a large proportion of older jobseekers are finding difficulty in obtaining work and many are long-term unemployed.
11. A significant number of long-term unemployed jobseekers require re-skilling or up-skilling in order to be competitive in the labour market. Many require workplace flexibility because they have caring responsibilities of older parents and grandchildren.
12. The statistics show that people over 55 who are unemployed are more likely to be long-term unemployed than those in younger age groups. In 2010–11, 33% of unemployed people aged 55–64 years were long-term unemployed, compared with 22% of those aged 35–44 and 13% of those aged 15–24.⁶
13. In effect, one out of three unemployed people aged between 55 and 64 years was long-term unemployed in 2010–11.⁷
14. Of the age discrimination complaints received by the Commission, 69% relate to employment and they are increasing. Over the last year the Commission has had a 44% increase in all age-related complaints.
15. There are particular impacts of long-term unemployment on older workers. Research shows that unemployment can lead to a major depressive episode. A national survey of depression in Australia found the following:

The strongest correlates for reported current major depression include being unemployed, smoking, having a medical condition, followed by being in mid-life, previously married, and female.⁸ (Emphasis added)
16. Without appropriate supports and opportunities to re-enter the workforce, people who are long-term unemployed may ultimately become eligible for the Disability Pension rather than Newstart Allowance.
17. Many older Australians also have caring responsibilities for their elderly parents. In fact, nearly 46% of all carers receiving the carer's allowance are aged between 50 and 65.⁹ This sets up a complex interaction between work and family responsibilities. Caring responsibilities can impact on the individual's capacity to engage with the workforce on a full-time basis and may limit the type and amount of work that a person can do.
18. There is also evidence that older Australians are increasingly vulnerable to poverty.¹⁰ The 2006 Australian Census shows that more than 18,000 people aged 55 or older were homeless on Census night in 2006.¹¹ People aged over 55 make up 17% of the homeless population of Australia.¹² Women make up roughly 30% of homeless people aged over 55 with men making up the other 70%.¹³

19. Australia's human rights obligations require governments to ensure that older people are protected from poverty by providing social security income. Article 25(1) of the *Universal Declaration of Human Rights* makes specific reference to the right of older people to an adequate standard of living and security in old age.¹⁴
20. Governments are also required to ensure that older workers are provided with employment training options. ILO conventions contain provisions relating to the rights of all people to career guidance and training without discrimination.¹⁵
21. In Part A of this submission, the Commission argues that the Australian Government should increase the overall income levels of the Newstart Allowance for jobseekers. The Commission also argues for initiatives to support re-entry into the workforce; especially in the area of re-training and up-skilling of older workers.
22. Intensive support should be provided in the early stages of unemployment and not when older jobseekers are long-term unemployed. Pro-active, positive and intensive support for older jobseekers may prevent situations where older workers become long-term unemployed.

4 Adequacy and appropriateness of Newstart Allowance

23. The Commission finds that Newstart Allowance is not adequate to provide a reasonable standard of living for jobseekers. Article 9 of the *International Covenant on Economic, Social and Cultural Rights*, 'recognize(s) the right of everyone to social security, including social insurance'.¹⁶ The current rate of Newstart Allowance is below the Henderson Poverty Line.
24. The amount of Newstart Allowance available to an individual will depend on income and assets. The maximum amounts available, effective as of 20 March 2012 are (fortnightly):
 - \$489.40 – single, no children
 - \$529.80 – single aged 60 and over after 9 month on payment
 - \$442.00 – partnered (each)
 - \$648.50 – single principal carer.¹⁷
25. Newstart Allowance recipients are eligible for rent assistance on a case-by-case basis.
26. People receiving the Age Pension receive a significantly higher allowance than people on Newstart Allowance. The Age Pension rate is \$695.30 for a single person and \$542.10 per person for couples fortnightly. The Pensioner Supplement is also available at a maximum of \$60.20 for a single person, and \$90.80 for couples per fortnight (combined).¹⁸
27. Both Newstart Allowance and Age Pension are designed for cost of living expenses. While they serve different purposes, it seems reasonable to assume that there should be a level of equity in these provisions. The cost of living does

not necessarily increase with retirement, nor do food, housing, health, travel and utility expenses.

28. According to the Melbourne University Institute of Applied Economic and Social Research, the updated Henderson Poverty Line is as follows (per fortnight):

- \$762.80 for a single person, no children (including housing costs);
- \$1080.50 for a couple, no children (including housing costs);
- \$455.16 for a single person, no children (excluding housing costs);
- \$742.30 for a couple no children (excluding housing costs).¹⁹

29. Currently the Age Pension allowances are almost at parity with the Henderson Poverty Line when they include the supplements. Newstart Allowance benefits are well below this benchmark.

30. According to the Economic and Social Council, governments must take effective measures within 'maximum available resources' to fully realize the right to social security. The Economic and Social Council also finds that social security measures should be periodically revised.²⁰

31. The Economic and Social Council enumerates the core obligations of governments in relation to social security as being a level of benefits that will enable acquisition of:

at least essential health care, basic shelter and housing, water and sanitation, foodstuffs, and the most basic forms of education.²¹

32. The Commission acknowledges that governments operate within resource constraints. Article 2 of the *International Covenant on Economic, Social and Cultural Rights* outlines the principle of progressive realisation, acknowledging that some rights may be difficult to achieve in a short time period and that states may be subject to resource constraints.²²

33. The Commission supports increases to Newstart Allowance so that it accurately reflects the cost of living and the cost of job-seeking and/or education and training requirements.

34. **Recommendation 1:** The Newstart Allowances and supplements should be increased so that they accurately reflect the costs of living, job-seeking and skill development activity.

5 Insecure work and the interaction with Newstart Allowance

35. The ABS reports that that almost one quarter of all employees in Australia (23.9% or 2.2 million workers) are engaged in casual and/or insecure employment.²³

36. The ACTU *Inquiry into Insecure Work* found that casual and ad hoc employment has been increasing over recent decades, from 15.8% in 1984 to around 27.7%

in 2004.²⁴ The Inquiry found that insecure work is synonymous with weaker rights and entitlements, poorer career development opportunities and lower job satisfaction.

37. The Inquiry also found that insecure work is a particular issue for mature aged workers who may need to work more flexible hours but sometimes have to trade their job security for additional flexibility.
38. There is some flexibility for older jobseekers who are claiming Newstart Allowance. Most Newstart Allowance recipients must meet the income and assets tests as well as the *activity test*. The *activity test* includes job search, work experience and training or study. However, people aged 55 and older are able to undertake volunteering or part-time work, or a combination of these for 30 hours per fortnight to fully meet the *activity test* requirements.
39. People over 55 who are participating in this 'full time' volunteering/work option may elect to withdraw from other programs such as job search activity. The Commission commends this initiative and acknowledges that volunteering work contributes significantly to Australia's workforce and economy. People in this age group should however be encouraged to access support on resume presentation and participate in relevant training.
40. Newstart Allowance recipients can earn up to \$62 per fortnight before the payment is affected. Income above \$62 and up to \$250 per fortnight reduces fortnightly payments by 50 cents in the dollar. Income above \$250 per fortnight reduces payment by 60 cents in the dollar. Partner income that exceeds the earning thresholds also reduces payment by 60 cents in the dollar.²⁵
41. The extremely low earning thresholds accompanied by the high rates of tax on Newstart Allowance appear to be penalties rather than incentives for people to work. In effect, low income earners on Newstart Allowance are paying a higher marginal tax rate than highest income earners who pay 45 cents in the dollar.
42. The \$62 limit on 'before tax' earning acts as a specific disincentive to part-time or casual work. The administrative complexity of the system coupled with uncertainty about a steady income stream, may prevent Newstart Allowance recipients from taking up short-term or part-time work.
43. In comparison, Age Pension recipients have an 'income free' threshold for employment income of up to \$250 earned each fortnight through the Work Bonus Scheme. The \$250 earnings do not affect pension payments.²⁶
44. A Work Bonus Balance is also accumulated for any unused amount; between \$0 and \$250 in a single fortnight. The Work Bonus Balance can accumulate to a maximum of \$6,500, which is then used to offset any future employment income earned that exceeds the \$250 threshold.²⁷
45. The Work Bonus Scheme is a simpler and more generous initiative than the Newstart Allowance scheme. The more generous earning threshold may encourage people take part-time or casual work. This should be the intention of the Newstart Allowance scheme. Part-time and casual work can be an entry point to more secure or long-term employment. The current thresholds of the

Newstart Allowance system do not encourage work participation and may in fact do the opposite.

46. **Recommendation 2:** The earning threshold of the Newstart Allowance should be increased to bring it in line with the Age Pension *Work Bonus Scheme*.

6 Interaction between Newstart Allowance and the Age Pension

47. To be eligible for Newstart Allowance, individuals must be under Age Pension age. Pension eligibility age for men is 65 years and currently 64.5 years for women who are yet to turn 65. By July 2013, women's pension eligibility will align with men at age 65.
48. The age cut off point of eligibility for Newstart Allowance may push some people into retirement before they are ready. Many Australians choose to remain in the workforce into their late 60s and beyond. While the pension age is necessary for many Australians who are ready to retire, there will be those people who would benefit from remaining in the labour market.
49. Australian Government policy aims to keep people in the workforce for as long as they are willing and able. The Newstart Allowance system should mirror this objective and give older people every opportunity to remain in the labour market if they so choose. Remaining in employment is a protective factor against poverty.
50. Giving people the option to claim Newstart Allowance beyond the notional 'retirement age', gives them access to the return-to-work initiatives that are part of the Newstart Allowance system. It may also provide a sense of dignity to people who want to remain working for as long as they are willing, fit and able.
51. **Recommendation 3:** People who have reached pension eligibility age should be given the choice to move to the Age Pension or remain in the labour-market on Newstart Allowance. (This option assumes that the Newstart Allowance achieves parity with the Age Pension).

7 Job search assistance, retraining and up-skilling programs

52. According to the Treasury's *Intergenerational Report 2010*, retraining and up-skilling mature age workers are key public policy priorities for Australia.²⁸ The Commission supports this position and emphasises that sufficient supports and resources should be available to people who require training to re-enter the workforce. Developing skills in job search is one component of the re-skilling process. Other work-specific skills may also be necessary for jobseekers.
53. The Australian Government provides all Newstart Allowance recipients with assistance in job search through Job Services Australia (JSA). All jobseekers are eligible for *Stream 1* support which includes access to resume services, help with job search and face-to-face progress meetings. Additional *intensive* support is offered through *Streams 2, 3 and 4*. These streams are available to people with particular requirements or specific barriers to work.

54. The Commission notes that older jobseekers may not fit the eligibility criteria for *Streams 2, 3 and 4*, and therefore miss out on intensive job search assistance. This is of concern given that older workers are experiencing high levels of discrimination in recruitment processes.
55. According to 2010 ABS data, one in five older Australians aged 55 years or older, who were actively looking for more hours claimed that their age was a major preventative factor, explaining that they were considered 'too old' by employers.²⁹
56. The ABS reports that for unemployed people aged 45 years and over, the main difficulty in finding work (accounting for 18% of cases) was reported as being 'considered too old by employers'.³⁰
57. The *Consultative Forum on Mature Age Participation* found that private recruitment agencies are increasingly playing a role as intermediaries between jobseekers and employers.³¹
58. Private recruitment agencies operate under contractual arrangements with individual employers and are driven by targets, timeframes and parameters. In some instances, recruitment agencies are reluctant to put older workers forward to employers, especially if they have pressing targets. In other instances, the employer may specify a preference for younger recruits.
59. Evidence of these practices is not well-documented, but they are reflected in the complaints received by the Australian Human Rights Commission.
60. The Commission commends the Australian Government for the development of the *Experience+* initiative. Most of the focus of this strategy is to assist older workers who are already employed or to provide incentives for employers to take on older workers. Part of the initiative includes a payment of \$1000 to employers who offer an ongoing employment opportunity to an eligible job seeker aged 50 or over.³²
61. One strand of *Experience +* provides intensive support for jobseekers over 55 years. This is the *Mature Age Participation: Job Seeker Assistance Program*. From 1 January 2013, the new program will provide eligible jobseekers aged 55 and over with a peer-based environment in which to develop their IT skills, undertake job-specific training and prepare for work. This program provides 'intensive support', and it is the only strand of the initiative that provides training for older jobseekers.
62. At this stage, the *Mature Age Participation: Job Seeker Assistance Program* is only available in targeted locations and these are yet to be determined.³³ Given the difficulties that older jobseekers are experiencing in recruitment processes, it may be necessary to extend the program to all locations.
63. It may also be necessary to expand the program to people aged 45 and older as evidence suggests that discrimination begins for people in their 40s. People in their 40s may need training in digital technologies, especially if their previous employment role did not require these skills.

64. Training opportunities should not be limited if people already have a level of qualification. Job-seekers may have to develop skills to meet the requirements of different industries. For example, there has been a contraction in the manufacturing industries, but an expansion in mining and associated industries. Therefore, job-specific training should be available to all Newstart Allowance recipients regardless of their previous education.
65. **Recommendation 4:** The *Mature Age Participation: Job Seeker Assistance* program should be reviewed after 12 months to (a) consider its application to Newstart Allowance recipients who are aged 45 and older and (b) to expand its operation to all locations.
66. **Recommendation 5:** Newstart Allowance recipients aged 45 and older should have access to relevant components of Jobs Services Australia *Streams 2, 3 and 4*.

PART B

8 Newstart and families with children

67. Part B of this submission focuses on the effects of the Newstart Allowance payment system on families with dependent children. The Commission's recommendation that Newstart Allowances and supplements should be increased is particularly relevant for families with children. The Commission makes particular reference to these recipients because of the compound disadvantage that unemployment bestows on their dependent children. The Commission also notes that Australia has one of the highest rates of family unemployment amongst the world's wealthy nations.³⁴
68. The Commission acknowledges that individuals and families with dependent children are eligible for the Family Tax Benefit and Rent Assistance in addition to Newstart Allowance. These additional forms of assistance go some way towards alleviating the financial burden on families with children.
69. However, the financial and emotional burden is particularly acute in situations of couple families where both parents are unemployed and for single parent families headed by an unemployed parent. In these situations, children may experience increased vulnerability and are more at risk of reduced life opportunities.
70. In 2007, Australia had the fourth highest proportion of children under the age of 15 living in unemployed families in the Organisation of Economic Cooperation and Development (OECD) countries, behind the United Kingdom, New Zealand and Turkey.³⁵ The proportion of children growing up in unemployed families is widely regarded by the OECD as a key indicator of the wellbeing of societies because of the risk of poverty to children in these families.³⁶
71. Over 2009–10, there were 667,000 dependent children (12%) living in families without an employed resident parent, with 568,000 dependent children (11%) living in a household where no one was employed.³⁷ In Australia, almost 70% of poor children live in jobless families – the highest share in the OECD.³⁸ These

data demonstrate that lack of paid employment is a primary cause of child poverty in Australia.

72. According to the Australian Institute of Family Studies:

The personal and social impacts of unemployment in families include poverty and financial hardship, debt, homelessness or housing stress, family tensions and breakdown, boredom, alienation, shame and stigma, increased isolation, crime, erosion of confidence and self-esteem, the atrophy of work skills, and ill health. The Life Chances Study found that in families where there was no employed parent, mothers reported poorer health of their young children, serious health problems for themselves, serious disagreements with a partner, serious financial problems, and serious problems with housing, more often than mothers in families who had an employed parent.³⁹

73. Evidence suggests that when families have no parent employed for a long period of time, the compounding disadvantage leads to multiple and entrenched barriers to employment.⁴⁰

74. The long-term impact of family unemployment is said to further include the intergenerational transmission of welfare dependence and overall diminished life outcomes.⁴¹ This disadvantage can continue, and become exacerbated, into adulthood and can be reflected in intergenerational unemployment and diminished life chances.⁴² Many of these risk factors are mutually reinforcing and circular, such as poor health leading to poor work outcomes, and poor work outcomes leading to poor health.⁴³ This would suggest that the negative effects of unemployment are experienced by children in both the short and longer term.

75. Australia's human rights obligations specifically require that the social security system is adequate and accessible for everyone,⁴⁴ with a particular emphasis on the rights of children to social security.⁴⁵

76. Australia's human rights obligations further require that special attention be given to individuals and groups who traditionally face difficulties in exercising the right to social security, 'in particular women, the unemployed ... [and] children'.⁴⁶ The Economic and Social Council has stated that benefits for families are crucial for realising the rights of children.⁴⁷

77. It is clear that the right to social security is interrelated and interdependent with other economic, social and cultural rights. In particular, family unemployment has significant impacts on the achievement of the right to an adequate standard of living, including the right to food and the right to housing, the right to work, and the right to protection of the family.

78. Part B of this submission argues that the Australian Government should make specific provisions to address the difficulties faced by families with dependent children. This includes adequate and appropriate allowances and intensive support initiatives to assist parents to re-enter the workforce; especially re-training and up-skilling, and carer support.

9 Focused intervention for families with dual unemployment

79. The Commission has particular concern regarding the inadequacy of the Newstart Allowance for families where both parents are unemployed and reliant on government benefits. Many of these individuals are also long-term unemployed. In 2010, 52% of all unemployed families had been unemployed for three years or more. Once families are unemployed for one year, about half of them remain unemployed over the next two years.⁴⁸
80. Long-term, dual unemployment of family breadwinners puts at risk the futures of the children affected and heightens their vulnerability to compounding and intersecting forms of long-term disadvantage. Many of these children will experience long periods of financial deprivation, as well as long periods without a direct role model in employment. For many of these children, their education will suffer and impact on their future employment prospects. An intergenerational dynamic is thus created where the educationally disadvantaged children of the currently unemployed will themselves be disadvantaged on entering the labour force.⁴⁹
81. The Commission acknowledges the additional support available for the long-term unemployed, including the Connections Interviews initiative and job seeker workshops. However, it is clear that more intensive assistance is needed which addresses the particular difficulties faced by families experiencing dual unemployment.
82. **Recommendation 6:** A program similar to the *Mature Age Participation – Jobseeker Assistance* program should be made available for families where both parents are unemployed. This should provide voluntary opportunities to participate in intensive support to find a job, including job-specific training and participation in paid work trials.

10 Support for unemployed single parent heads of families

83. In Australia, poverty rates among unemployed single parents are ten times higher than for lone parents in paid work.⁵⁰ This indicates that the risks of poverty are much higher in single parent families headed by an unemployed parent.
84. It is also the case that single parent headed families make up a large proportion of the long term unemployed. In 2007, 20% of lone mother families were unemployed for five years, and close to 30% of children in lone mother households experienced family unemployment during all five years.⁵¹
85. Compared to employed single parent families, unemployed single parent families are much more likely to be headed by a parent under the age of 30, have no post school qualifications and/or have Year 10 or below as their highest level of school education.
86. **Recommendation 7:** A program similar to the *Mature Age Participation – Job Seeker Assistance* program should be made available for families where the parent with primary custody of children is unemployed. This should provide

voluntary opportunities to participate in intensive support to find a job, including job-specific training and participation in paid work trials. This should also include family support and flexibility for those with sole carer responsibilities.

11 Additional support for unemployed families where adults are recipients of financial benefits

87. Statistics show that families with children face difficulties accessing child care services where either or both parents are unemployed. This has obvious impacts on the capacity of parents with caring responsibilities to obtain regular and consistent employment.
88. According to the Henry review, 'assistance with child care costs recognises that child care is a cost of employment and thereby reduces the disincentives to participate that are created by the tax and transfer system. Access to quality child care also plays a role in early childhood development, particularly of children from families experiencing, or at risk of, social exclusion.'⁵²
89. Under the *Convention on the Rights of the Child*, Australia has an obligation to provide appropriate assistance to parents in the performance of their child-rearing responsibilities.⁵³
90. **Recommendation 8:** Newstart Allowance recipients with dependent children undertaking approved training and education should have access to fully-funded child care services for the duration of their course. This is particularly relevant for sole parent families, acknowledging that these parents are solely responsible for the care of their children.

¹ *International Covenant on Economic, Social and Cultural Rights*, 1966, art 6(1)(2) and art 9.

² Human Rights Law Centre, *National Human Rights Action Plan*, 2011. At <http://www.humanrightSACTIONPLAN.org.au/nhrap/focus-area/older-people> (viewed 7 August 2012).

³ *United Nations Principles for Older Persons*. Adopted by General Assembly resolution 46/91 of 16 December 1991, arts 2-4.

⁴ Australian Bureau of Statistics, *6105.0 – Australian Labour Market Statistics, Oct 2004* (October 2004). At <http://www.abs.gov.au/AUSSTATS/abs@.nsf/Previousproducts/6105.0Feature%20Article11Oct%2004?opendocument&tabname=Summary&prodno=6105.0&issue=Oct%202004&num=&view=> (viewed 3 August 2012).

⁵ Australian Bureau of Statistics, 'Older People and the Labour Market', *4102.0 – Australian Social Trends, Sep 2010* (September 2010). At <http://www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/4102.0Main+Features30Sep+2010> (viewed 3 August 2012).

⁶ Australian Bureau of Statistics, 'Long-term Unemployment', *4102.0 – Australian Social Trends, Sept 2011* (September 2011). At <http://www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/4102.0Main+Features20Sep+2011> (viewed 3 August 2012).

⁷ Australian Bureau of Statistics, 'Long-term Unemployment', *4102.0 – Australian Social Trends, Sept 2011* (September 2011). At

<http://www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/4102.0Main+Features20Sep+2011> (viewed 3 August 2012).

⁸ K Wilhelm, P Mitchell, T Slade, S Brownhill and G Andrews, 'Prevalence and Correlates of DSM-IV Major Depression in an Australian National Survey' (2003) 75 *Journal of Affective Disorders* 155. At https://docs.google.com/viewer?a=v&q=cache:hJdhgYnDagYJ:www.stvincents.com.au/assets/files/pdf/C/c4%2520wilhelm%2520mitchell%2520andrews%25202003.pdf+unemployment+clinical+depression&hl=en&gl=au&pid=bl&srcid=ADGEEESgFdfIct9l67C8UxqHSDmXGBeiP6zY3mtmERi82ZHMLUzX409KLd-hn9ycZ_KjM2BkM9YEOdCyN5bXKt1c5nTcylZTsm5qqGahV0HMqyW33TkAl16m2BDE4RiDxJk_HIXjB6suk&sig=AHIEtbQI0hMWes2wFfaKqyJUrg80usXwxA (viewed 3 August 2012).

⁹ Australian Government Department of Families, Housing, Community Services and Indigenous Affairs, *Income Support Customers: A Statistical Overview 2011*, Statistical Paper No. 10, Commonwealth of Australia (2012), pp 19–20. At <http://www.fahcsia.gov.au/about-fahcsia/publications-articles/research-publications/social-policy-research-paper-series/statistical-paper-no-10> (viewed 2 August 2012).

¹⁰ R Tanton, Y Vidyattama, J McNamara, QN Vu and A Harding, *Old, Single and Poor: Using Microsimulation and Microdata to Analyse Poverty and the Impact of Policy Change among Older Australians*, National Centre for Social and Economic Modelling, University of Canberra (2008), p 1.

¹¹ Department of Families, Housing Community Services and Indigenous Affairs, *The Road Home: Homelessness White Paper* (2008). At <http://www.fahcsia.gov.au/our-responsibilities/housing-support/programs-services/homelessness/a-national-quality-framework-to-support-quality-services-for-people-experiencing-homelessness/submissions-from-stage-one/national-quality-framework-submission-the-australian-psychological> (viewed 3 August 2012).

¹² Department of Families, Housing Community Services and Indigenous Affairs, *The Road Home: Homelessness White Paper* (2008), unpublished table from ABS Census 2001 and 2006 data. At <http://www.fahcsia.gov.au/our-responsibilities/housing-support/programs-services/homelessness/a-national-quality-framework-to-support-quality-services-for-people-experiencing-homelessness/submissions-from-stage-one/national-quality-framework-submission-the-australian-psychological> (viewed 3 August 2012).

¹³ Department of Families, Housing Community Services and Indigenous Affairs, *The Road Home: Homelessness White Paper* (2008), unpublished table from ABS Census 2001 and 2006 data. At <http://www.fahcsia.gov.au/our-responsibilities/housing-support/programs-services/homelessness/a-national-quality-framework-to-support-quality-services-for-people-experiencing-homelessness/submissions-from-stage-one/national-quality-framework-submission-the-australian-psychological> (viewed 3 August 2012).

¹⁴ *Universal Declaration of Human Rights*, 1948, art 25(1).

¹⁵ *Human Resources Development Convention C142*, 1975, arts 1, 2, 3.

¹⁶ *International Covenant on Economic, Social and Cultural Rights*, 1966, art 9.

¹⁷ Department of Human Services, 'Payment Rates for Newstart Allowance' (6 August 2012). At <http://www.humanservices.gov.au/customer/enablers/centrelink/newstart-allowance/payment-rates-for-newstart-allowance> (viewed 6 August 2012).

¹⁸ Department of Human Services, 'Payment Rates for Age Pension' (12 July 2012). At <http://www.humanservices.gov.au/customer/enablers/centrelink/age-pension/payment-rates-for-age-pension> (viewed 3 August 2012).

¹⁹ Melbourne Institute of Applied Economic and Social Research, *Poverty Lines: Australia* (March 2012). At <http://melbourneinstitute.com/miaesr/publications/indicators/poverty-lines-australia.html> (viewed 3 August 2012).

²⁰ Economic and Social Council, *General Comment No. 19, The right to social security (art. 9)*, Committee on Economic, Social and Cultural Rights, Thirty-ninth session, 5-23 November 2007, p. 2. At www.unhcr.org/refworld/pdfid/47b17b5b39c.pdf (viewed 6 August 2012).

²¹ Economic and Social Council, *General Comment No. 19, The right to social security (art. 9)*, Committee on Economic, Social and Cultural Rights, Thirty-ninth session, 5-23 November 2007, p. 16. At www.unhcr.org/refworld/pdfid/47b17b5b39c.pdf (viewed 6 August 2012).

²² *International Covenant on Economic, Social and Cultural Rights*, 1966, art 2.

²³ Australian Bureau of Statistics, *6359.0 – Forms of Employment, November 2011* (April 2012). At <http://www.abs.gov.au/ausstats/abs@.nsf/mediareleasesbytitle/7F849D8157174167CA2575D2002B1C98?OpenDocument> (viewed 3 August 2012).

- ²⁴ Australian Council of Trade Unions, *Lives on Hold: Unlocking the Potential of Australia's Workforce*, Independent Inquiry into Insecure Work in Australia (2012). At <http://www.actu.org.au/Publications/Other/LivesonHoldUnlockingthepotentialofAustraliasworkforce.aspx> (viewed 3 August 2012).
- ²⁵ Department of Human Services, 'Newstart Allowance Income and Assets Test' (28 June 2012). At <http://www.humanservices.gov.au/customer/enablers/centrelink/newstart-allowance/newstart-allowance-income-and-assets-test> (viewed 3 August 2012).
- ²⁶ Department of Human Services, 'Work Bonus' (30 July 2012). At <http://www.humanservices.gov.au/customer/services/centrelink/work-bonus> (viewed 3 August 2012).
- ²⁷ Department of Human Services, 'Work Bonus' (30 July 2012). At <http://www.humanservices.gov.au/customer/services/centrelink/work-bonus> (viewed 3 August 2012).
- ²⁸ Department of the Treasury, *The Intergenerational Report 2010: Australia to 2050 – Future Challenges*, Commonwealth of Australia (2010). At <http://archive.treasury.gov.au/igr/igr2010/default.asp> (viewed 3 August 2012).
- ²⁹ Australian Bureau of Statistics, 'Older People and the Labour Market', *4102.0 – Australian Social Trends, Sep 2010* (September 2010), p 5. At <http://www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/4102.0Main+Features30Sep+2010> (viewed 3 August 2012).
- ³⁰ Australian Bureau of Statistics, 'Older People and the Labour Market', *4102.0 – Australian Social Trends, Sep 2010* (September 2010). At <http://www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/4102.0Main+Features30Sep+2010> (viewed 3 August 2012).
- ³¹ National Seniors Productive Ageing Centre, *Ageing and the Barriers to Labour Force Participation in Australia*, prepared on behalf of the Consultative Forum on Mature Age Participation (2011), p 18. At [https://docs.google.com/viewer?a=v&q=cache:FjaNYL9K5wJ:www.deewr.gov.au/Employment/Programs/ExpPlus/Documents/AgeingandBarriersLFP.pdf+National+Seniors+Productive+Ageing+Centre,+Ageing+and+the+Barriers+to+Labour+Force+Participation+in+Australia+\(2011\),+prepared+for+Consultative+Forum+on+Mature+Age+Participation,+18.&hl=en&gl=au&pid=bl&srcid=ADGEESif1gPyjIJ2FLL3qNxE4Bp7ECGT693yWwgPB8p9KImMF6fbUiBt9Q76U9Z8vdD35S3Mn6InT9hCVBB0Q8j7gOEKe8WYLhcdEJf2gFFsGoAzC2XdXVndr01HshlrX3WHKLzJ8PR2&sig=AHIEtbTKgnTAXnlVuBvMpPM8dT DfOVs5jw](https://docs.google.com/viewer?a=v&q=cache:FjaNYL9K5wJ:www.deewr.gov.au/Employment/Programs/ExpPlus/Documents/AgeingandBarriersLFP.pdf+National+Seniors+Productive+Ageing+Centre,+Ageing+and+the+Barriers+to+Labour+Force+Participation+in+Australia+(2011),+prepared+for+Consultative+Forum+on+Mature+Age+Participation,+18.&hl=en&gl=au&pid=bl&srcid=ADGEESif1gPyjIJ2FLL3qNxE4Bp7ECGT693yWwgPB8p9KImMF6fbUiBt9Q76U9Z8vdD35S3Mn6InT9hCVBB0Q8j7gOEKe8WYLhcdEJf2gFFsGoAzC2XdXVndr01HshlrX3WHKLzJ8PR2&sig=AHIEtbTKgnTAXnlVuBvMpPM8dT DfOVs5jw) (viewed 3 August 2012).
- ³² Department of Education, Employment and Workplace Relations, 'Experience+' (2011). At <http://www.deewr.gov.au/Employment/Programs/ExpPlus/Pages/supportformatureagejobseekers.aspx> (viewed 3 August 2012).
- ³³ Department of Education, Employment and Workplace Relations, 'Experience+' (2011). At <http://www.deewr.gov.au/Employment/Programs/ExpPlus/Pages/supportformatureagejobseekers.aspx> (viewed 3 August 2012).
- ³⁴ P Whiteford, 'Family Joblessness in Australia', Social Policy Research Centre (May 2009), p 1. At <http://www.sprc.unsw.edu.au/media/File/NL102.pdf> (viewed 2 August 2012).
- ³⁵ Australian Social Inclusion Board, *Addressing Barriers for Jobless Families*, Australian Government (2011), p 15. At <http://www.socialinclusion.gov.au/sites/www.socialinclusion.gov.au/files/publications/pdf/addressing-barriers-for-jobless-families.pdf> (viewed 2 August 2012).
- ³⁶ Australian Social Inclusion Board, *Addressing Barriers for Jobless Families*, Australian Government (2011), p 15. At <http://www.socialinclusion.gov.au/sites/www.socialinclusion.gov.au/files/publications/pdf/addressing-barriers-for-jobless-families.pdf> (viewed 2 August 2012).
- ³⁷ Australian Bureau of Statistics, *4442.0 – Family Characteristics, Australia, 2009–10* (May 2011). At <http://www.abs.gov.au/ausstats/abs@.nsf/Latestproducts/4442.0Main%20Features22009-10?opendocument&tabname=Summary&prodno=4442.0&issue=2009-10&num=&view> (viewed 2 August 2012).
- ³⁸ P Whiteford, 'Family Joblessness in Australia', Social Policy Research Centre (May 2009), p 4. At <http://www.sprc.unsw.edu.au/media/File/NL102.pdf> (viewed 2 August 2012).
- ³⁹ T Gilley, 'What Chance a Job? The Employment Experiences of Parents with Young Children', Brotherhood of St Laurence (1993) as cited in A McClelland, 'Families and Financial Disadvantage', Australian Institute of Family Studies (April 1994). At <http://www.aifs.gov.au/institute/pubs/fm1/fm37am.html> (viewed 2 August 2012).

⁴⁰ Australian Social Inclusion Board, *Addressing Barriers for Jobless Families*, Australian Government (2011), p 18. At

<http://www.socialinclusion.gov.au/sites/www.socialinclusion.gov.au/files/publications/pdf/addressing-barriers-for-jobless-families.pdf> (viewed 2 August 2012).

⁴¹ Australian Social Inclusion Board, *Addressing Barriers for Jobless Families*, Australian Government (2011), p 10. At

<http://www.socialinclusion.gov.au/sites/www.socialinclusion.gov.au/files/publications/pdf/addressing-barriers-for-jobless-families.pdf> (viewed 2 August 2012).

⁴² Australian Social Inclusion Board, *Addressing Barriers for Jobless Families*, Australian Government (2011), p 18. At

<http://www.socialinclusion.gov.au/sites/www.socialinclusion.gov.au/files/publications/pdf/addressing-barriers-for-jobless-families.pdf> (viewed 2 August 2012).

⁴³ Australian Social Inclusion Board, *Addressing Barriers for Jobless Families*, Australian Government (2011), p 18. At

<http://www.socialinclusion.gov.au/sites/www.socialinclusion.gov.au/files/publications/pdf/addressing-barriers-for-jobless-families.pdf> (viewed 2 August 2012).

⁴⁴ Committee on Economic, Social and Cultural Rights, *General Comment 19 – The Right to Social Security*, UN Doc E/C.12/GC/19 (2008), paras 9, 22–23. At

<http://www2.ohchr.org/english/bodies/cescr/comments.htm> (viewed 2 August 2012).

⁴⁵ *Convention on the Rights of the Child*, 1989, art 26; *International Covenant on Economic, Social and Cultural Rights*, 1966, art 9.

⁴⁶ Committee on Economic, Social and Cultural Rights, *General Comment 19 – The Right to Social Security*, UN Doc E/C.12/GC/19 (2008), para 31. At

<http://www2.ohchr.org/english/bodies/cescr/comments.htm> (viewed 2 August 2012).

⁴⁷ Committee on Economic, Social and Cultural Rights, *General Comment 19 – The Right to Social Security*, UN Doc E/C.12/GC/19 (2008), para 18. At

<http://www2.ohchr.org/english/bodies/cescr/comments.htm> (viewed 2 August 2012).

⁴⁸ Australian Social Inclusion Board, *Addressing Barriers for Jobless Families*, Australian Government (2011), p 10. At

<http://www.socialinclusion.gov.au/sites/www.socialinclusion.gov.au/files/publications/pdf/addressing-barriers-for-jobless-families.pdf> (viewed 2 August 2012).

⁴⁹ A McClelland, 'Families and Financial Disadvantage', Australian Institute of Family Studies (April 1994). At <http://www.aifs.gov.au/institute/pubs/fm1/fm37am.html> (viewed 2 August 2012).

⁵⁰ P Whiteford, 'Family Joblessness in Australia', Social Policy Research Centre (May 2009), p 4. At <http://www.sprc.unsw.edu.au/media/File/NL102.pdf> (viewed 2 August 2012).

⁵¹ P Whiteford, 'Family Joblessness in Australia', Social Policy Research Centre (May 2009), p 4. At <http://www.sprc.unsw.edu.au/media/File/NL102.pdf> (viewed 2 August 2012).

⁵² Department of Treasury, *Australia's Future Tax System: Final Report, Part 1: Overview, Chapter 9: The transfer system*. At

http://www.taxreview.treasury.gov.au/content/FinalReport.aspx?doc=html/publications/papers/Final_Report_Part_1/chapter_9.htm (viewed 6 August 2012).

⁵³ *Convention on the Rights of the Child*, 1989, art 18(2).