

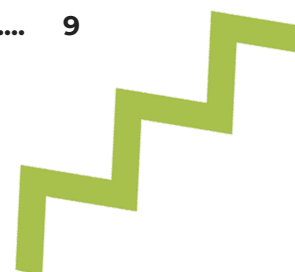
Impact of Law, Legislation and Regulation on Women's Health in Southern Melbourne Region

Supplement to the
WHISE Environmental Scan



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Introduction

Improving the health outcomes for women across our region remains a significant priority for Women's Health in the South East (WHISE). Our region covers an expansive area where great diversity exists in terms of income, access to housing and employment, safety and equity. In addressing women's experiences and their health outcomes, therefore, it is crucial to examine the underlying social, cultural, environmental, epidemiological, and economic determinants of health. We know that women's experiences of health (and everyday experiences) do not stand alone, nor are they impervious to the wide ranging legal reforms that arise through state and federal legislature and regulations.

This scan provides an overview of various legal and regulatory changes that have taken place in the last twelve months. The focus is on Family Violence reform; Gender Equality; Sexual and Reproductive Health; Disability; Housing and Income Support. Understanding the various legal and regulatory changes impacting on women's health will help inform the work of WHISE in its future planning.

We would like to acknowledge the valuable work of Women's Health West (WHW) and their Environment Scan: September – December 2019. The scan by WHW has paved the way in highlighting the role and impact of key legislative reforms on women's health and safety.

This scan is designed to complement the WHISE Environmental Scan of Women's Health in the South East which provides comprehensive data and information on the demographic, economic and social drivers of health for women in our region.



A. Sexual & Reproductive Health

Abortion Law - States

Victoria

After more than 100 years, 'The Abortion Law Reform Act (2008)' decriminalised abortion in Victoria in 2008. The Act enabled a woman to "access abortion up to a gestational limit of 24 weeks. Beyond that, a medical practitioner can provide an abortion if another medical practitioner agrees that an abortion is appropriate in all the circumstances. While medical practitioners who object to abortion do not have to provide information to a client, they are required to refer the client to another doctor who can provide information" (Victorian Law Reform Commission, 2020).

New South Wales

In October 2019, abortion was decriminalised in New South Wales (NSW). This reform amended the Crimes Act 1900 to repeal the provisions of that Act relating to termination of pregnancy and to abolish the common law offences relating to termination of pregnancy.

Safe Access Zones

Several states have passed laws relating to safe access zones around abortion clinics. Queensland, Victoria, Tasmania and the Northern Territory (NT) have passed laws restricting protest within 150 metres of an abortion service. In 2019, the High Court "rejected a claim by anti-abortion advocates that they have a right to protest outside abortion clinics" (Visentin, 2019). In its judgment, the High Court "unanimously dismissed two appeals to Victorian and Tasmanian laws which prescribe 150-metre "safe access zones" around abortion clinics. In doing so, a majority of the Court rejected the argument that Victoria's law unnecessarily burdened the implied freedom of political communication in the Constitution, while the seven Justices unanimously dismissed this argument concerning Tasmania's law" (Visentin, 2019).

Other states

Abortion has been legal in most parts of Australia with several States decriminalising abortion in the last ten years. Amongst these include Queensland who passed the Termination of Pregnancy Bill in December 2018 and Tasmania who decriminalised abortion in 2013. It's worthwhile noting that abortion laws do vary across states and territories particularly in relation to second term pregnancies. Marie Stopes explains "Second term or second trimester abortion in particular can be very difficult to access [in some states and territories]. Whether or not you can receive the care you need, in a timely manner, at a price you can afford, depends very much on where in Australia you are seeking an abortion" (Marie Stopes Australia, 2020).

Medication Abortion

The decriminalisation of abortion throughout Australia is a significant step towards improving access for women throughout Australia.

Nevertheless, it is still the case that access for women in rural and remote areas remain limited as "medical and surgical abortion services remain concentrated in capital cities and major regional centres... so rural women must travel – often at great expense – to seek a medical or surgical abortion" (Tomnay, 2019). Even the subsidization of mifepristone and misoprostol in 2013 on the Pharmaceutical Benefits Scheme (PBS) used in medication abortion, have not necessarily created greater access for women in rural or remote locations.

Several barriers have been identified preventing General Practitioners (GP's) from offering medication abortion. While GP's can access free online training to be able to provide an early medical abortion, costs associated with consultations, lack of support from colleagues or hospitals in the event something goes wrong, as well as biases around abortion often prevent doctors from providing medication abortion (Tomnay, 2019). Importantly, pharmacists also require training to be able to dispense the medicine required to undertake a medication abortion.

B. Family Violence: Victorian Laws/Regulations

The Rolling Action Plan 2017 to 2020

The Rolling Action Plan (RAP) 2017 to 2020 is the next step towards implementing all 227 recommendations of the Royal Commission into Family Violence (State of Victoria, 2020). The last 12 months has seen several recommendations implemented. The most significant of these has been the implementation of Specialist Family Violence Courts.

Specialist Family Violence Courts (SFVCs) Plan 2017 to 2020

The Royal Commission recommended that SFVCs be established at 14 courts in total. So far funding has been allocated for the first five court locations. Some of the remaining nine courts already have aspects of the specialist family violence model operating, such as specialist family violence staff.

Shepparton

Victoria's first SFVC was opened in Shepparton in October 2019 (State of Victoria, 2019).

Ballarat

Victoria opened its second SFVC in Ballarat in December 2019. The specialist court has a separate court entrance and a safe waiting space with amenities for applicants and their children, helping to support people living with family violence (State of Victoria, 2019).

Moorabbin

The Moorabbin SFVC was due to open in March 2020, but has been delayed due to COVID-19 (Ilanbey & Towell, 2020).

Frankston

The Frankston court (alongside the Heidelberg court) was due to open in November 2020. However, delays due to the building program and COVID-19, mean that these courts will not be ready.

Remote Hearings Trial

A trial offering remote hearings commenced in July 2019 in Geelong allowing victims to give their statement in a different and confidential location away from the court where the judge and perpetrator are located. This is a particularly useful model for our region. The Southern Metropolitan Region (SMR) is comprised of ten municipal councils spread across an expansive area. The availability of remote hearings will enable greater access and a safer environment for victims to give evidence. Remote hearings aim to reduce the risk of violence at court, minimise the trauma associated with face-to-face interactions and increase the choice available to victim-survivors as to how they participate in the court process. In the first three months of the trial, three out of four of all victims in self-initiated matters took up the option of a remote hearing (Family Violence Reform Impl. Monitor, 2020).

Online Family Violence Intervention Order Online

In 2019, the Heidelberg and Broadmeadows Magistrates' Courts provided the option of Family Violence Intervention Order (FVIO) online applications for the first time in Victoria. This means that Affected Family Members (AFMs) can now apply for an FVIO online reducing the stress and trauma of going into a court initially. The Neighbourhood Justice Centre also has an online FVIO application process, which they implemented in 2015.

Other courts across the state are also progressively moving towards online FVIO applications (Magistrate's Court of Victoria, 2020). This initiative will be very useful for victims in the SMR. It is hoped that courts in Moorabbin and Frankston will be able to provide this capacity as well. As mentioned above, the SMR is a large area covering many councils. The ability to apply for an FVIO online allows for greater autonomy and greater access enabling more victims to seek redress and protection.

Strengthening the Foundations: First Rolling Action Plan 2019-22

The first of three Rolling Action Plans (RAPs) was launched in November 2019. The RAPs work towards achieving the long-term vision for the workforces that intersect with family violence, as outlined in Building from Strength: 10 Year Industry Plan for Family Violence Prevention and Response. The plan outlines work to build Victoria's specialist family violence, primary prevention and mainstream workforces over the next three years.

The areas of focus are:

- Building workforce capability
- Enhancing training architecture
- Recruiting and retaining specialist workforces
- Strengthening leadership in the specialist sectors
- Prioritizing health, safety and wellbeing
- Building sector and organisational capability
- Working in a connected and cohesive system.

(State of Victoria, 2019)

Women's Refuges

A family violence refuge under construction in Morwell is one of 17 being redeveloped across the state to provide privacy and safe homes for women and their children.

The Andrews Labor Government tells us that more than \$70 million has been invested to upgrade refuges and build two new Aboriginal family violence refuges, following recommendations from the Royal Commission into Family Violence. These will include new refuges in the northern metropolitan region that are currently under construction (State of Victoria, 2019).



Essential Services Commission

Following the Royal Commission into Family Violence, the Essential Services Commission has developed a 'Better Practice in Responding to Family Violence Guide', which explores ways that energy and water retailers can provide family violence assistance that is safe and effective. This guide was released in May 2019 (Essential Services Commission, 2018). Furthermore, in January 2020, the Energy Retail Code (the code) was updated to strengthen protections for residential and small business customers of energy retailers affected by family violence. These protections form part of our implementation of recommendation 109 of the Victorian Royal Commission into Family Violence. This recommendation involves amending water and energy codes to ensure support for utility customers who may be facing family violence (Essential Services Commission, 2019).

In addition to the above, Yarra Valley Water's Customer Service Team has been trained to assist customers who are victim-survivors of family violence and who have been left a debt or have been put in a difficult situation with their bills. The team have received family violence training and can proactively protect customer information as well as provide a flexible response to victim-survivors. Workers can also ring on behalf of a victim-survivor.



C. Family Violence: Federal

COVID-19 funding for family violence

The Commonwealth Government contributed an extra \$150 million to assist family and domestic violence response during COVID-19. An initial \$150 million was provided to support those experiencing family and sexual violence. Funding was provided to a number of services including; counselling support for families affected by, or at risk of experiencing family violence including men's behaviour change programs, 1800RESPECT, the national domestic, family and sexual violence counselling service, Mensline Australia, the national counselling service for men that provides support for emotional health and relationship concerns for men affected by or considering using violence. (Prime Minister of Australia, 2020)

The Fourth Action Plan

The Fourth Action Plan of the National Plan to Reduce Violence against Women and their Children 2010-2022 was launched in August 2019. It was endorsed with the following priorities (Dept of Social Services, 2019):

- Primary Prevention is key
- Support Aboriginal and Torres Strait Islander women and their children
- Respect, listen and respond to the diverse lived experience and knowledge of women and their children affected by violence
- Respond to sexual violence and sexual harassment
- Improve support and service system response.

Inquiry into domestic violence with particular regard to violence against women and their children

An inquiry into domestic violence with particular regard to violence against women and their children was referred by the Senate to the Legal and Constitutional Affairs References Committee on 26 February 2020 (Parliament of Australia, 2020). A report was scheduled for 13 August 2020.

Surprisingly, the inquiry “has been curtailed [three] months ahead of schedule, without seeking any submissions or holding public hearings” (Smee, 2020). Instead, the 44-page final report released in May 2020 “reviews four previous inquiries and poses a series of questions left unanswered” according to an ABC report (Speers, 2020).

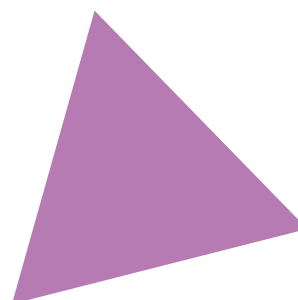
White Ribbon

White Ribbon closed in October 2019 after a turbulent period, which saw the departure of four directors. Mr Cowdery resigned as the chair of the White Ribbon board in 2018 after he made sexist comments. Recently, Communicare “finalised a contract of sale to acquire White Ribbon Australia’s intellectual property and remaining assets” (White Ribbon Australia, 2020). Communicare has delivered a range of services across Perth and regional Western Australia.

Funding for the National Family Violence Prevention and Legal Services Forum

The Federal Government informed the National Family Violence Prevention and Legal Services Forum (NFVPLS) its funding would not be renewed past June 2020. The National Family Violence Prevention Legal Services Forum was formally established in May 2012. It is comprised of thirteen member organisations across Australia who are service providers under the Family Violence Prevention Legal Services (FVPLSs) Program. FVPLSs provide specialist, culturally safe legal services and supports to Aboriginal and Torres Strait Islander victim/survivors of family violence across Australia.

Since making this announcement, the Federal Government has offered to distribute the funding across each of the 14 FVPLS providers (FVPLS, 2019).



D. Federal Family Law Reforms

National Family Law System Enquiry

A Joint Select Committee on Australia's Family Law System was announced in September 2019 (Parliament of Australia, 2019). However, this decision has been criticised by a number of organisations. Following the establishment of the inquiry, a joint statement was launched "by over 100 peak bodies and practitioners working to prevent and respond to violence against women and children rejecting the legitimacy of the Government's new Family Law Inquiry" (AWAVA, 2019) citing a number of concerns including calling for better protection of victims and women. In fact, "there have already been two very recently: the 2017 House of Representatives inquiry into a 'better family law system to support and protect those affected by family violence', which made 33 recommendations, and the Australian Law Reform Commission inquiry released just this year, which made 60 recommendations to the government" (Kaye & Wangmann, 2019).

Interestingly, in March 2020, the Law Council of Australia reversed its earlier position supporting the inquiry, instead of taking a position consistent with the advice of women's safety experts including AWAVA in calling for the abandonment of the inquiry, citing concerns that the hearings are 'being used for political purposes' to undermine domestic violence claims made by women (Smee, 2020).

Family Law Act

Amendments to the Family Law Act 1975 have been made that protect victims of family violence who are cross-examined as part of family law proceedings. From 10 September 2019, personal cross-examination was banned in family law proceedings in certain circumstances where allegations of family violence had been raised.

Under the scheme, cross-examination will now be conducted by legal representatives.

The scheme is funded by the Commonwealth Government, who will provide \$7m, over three years, to legal aid commissions to provide legal representation to parties subject to the ban (Family Court of Australia, 2019).



E. Gender Equity: Victoria

Gender Equality Legislation

Victoria was the first state to introduce a Gender Equality Bill, an important step in closing the gender pay gap, improving gender equality and all levels of the public sector workforce, and reducing workplace sexual harassment. The Bill requires public sector organisations, universities and local councils to develop and implement Gender Equality Action Plans (GEAPs) every four years. The Gender Equality Act 2020 was enacted on 25 February 2020.

It will also see monitoring systems established to investigate performance in areas like flexible work, pregnancy, parental leave and superannuation in public organisations. (Source: Premiers Media Centre, 21/2/20). The Act aims to improve workplace gender equality across the Victorian public sector, universities and local councils. It will also lead to better results for the Victorian community through improved policies, programs and services. The Act applies to certain organisations that have 50 or more employees, including:

- public service bodies
- public entities
- special bodies (as defined by section 6 of the Public Administration Act 2004)
- local government
- universities
- Court Services Victoria
- the Office of Public Prosecutions
- Around 300 organisations are covered by the Act.

Organisations are required to develop a GEAP every four years. GEAPs will include strategies for improving gender equality in the workplace. Organisations are expected to report publicly every two years on their progress.

In certain circumstances, the Public Sector Gender Equality Commissioner can take steps to ensure defined entities comply with their obligations under the Act (State of Victoria, 2020) (State of Victoria, 2020).



F. Discrimination

The Religious Discrimination Bill 2019 (Federal)

Broadly, the Religious Discrimination Bill prohibits discrimination in certain areas of public life on the ground of religious belief or activity. Although the bill does not “define protected religious ‘activity’, the explanatory notes confirm it has a broad meaning including religious observance, dress and expression of religious belief” (Karp, 2019). In addition, the bill prohibits both direct discrimination, treating others less favourably based on religion, and indirect discrimination where an apparently neutral condition has the effect of disadvantaging people based on religion.

While the Bill prohibits discrimination based on religion, the bill also protects a religious institution, for example, to discriminate on the grounds of religion where their conduct is “in good faith, [and] may reasonably be regarded as being in accordance with the doctrines, tenets, beliefs or teachings of their religion”. This section, in particular, has sparked wide ranging criticism as proponents argue that this could, for example, prevent doctors or other professionals from undertaking specific procedures or duties based on religious belief. This can be seen in regards to abortion access where a G.P. can conscientiously object to providing a service (like abortion) because of religious views that may prohibit this.

A submission from Family Planning Victoria (FPV) highlights the importance of providing family planning services free of discrimination. Family Planning Victoria explains, “FPV is concerned that aspects of the second exposure draft of the Religious Discrimination Bill 2019 will constrain the effectiveness of sexual and reproductive health services in Victoria; impede our capacity to ensure all people have access to sexual health clinical care and relevant information; and result in groups of Victorians being discriminated against in relation to sexual and reproductive health care access, information, treatment, education and rights.” (Family Planning Victoria, 2020).

Racial and Religious Tolerance Amendment Bill 2019 (The Anti-Vilification Bill) (State)

In 2019, Fiona Patten sought to amend the Racial and Religious Tolerance Amendment Bill. The amendment was pursued to “attempt to target hate speech and trolling on social media, particularly against women” (Elphick, 2019). The main purpose of this Amendment Bill is to amend the Racial and Religious Tolerance Act 2001 to include protections from vilification based on the 5 following attributes— (a) gender; (b) disability; (c) sexual orientation; (d) gender identity; 10 (e) sex characteristics (Parliament of Victoria, 2019).

In light of changes to Federal laws as outlined in the Religious Discrimination Bill (2019), tightening state laws that better protect vilification of vulnerable groups has been seen to be a necessary action by many including MP Fiona Patten.

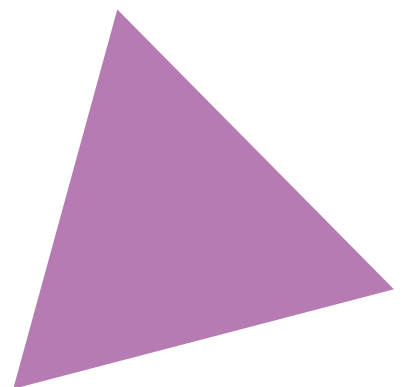
Respect@Work: National Inquiry into Sexual Harassment in Australian Workplaces

In 2018, the Australian Human Rights Commission was tasked with a National Inquiry into Sexual Harassment in Australian Workplaces (Inquiry). The Commission's task was to "review and report on workplace sexual harassment and make recommendations in relation to":

- its prevalence, nature and reporting in Australian workplaces;
- the role of technology;
- its drivers, including risk factors for particular population groups or in different workplace settings;
- the current legal framework
- existing measures to address it and examples of good practice
- Its impacts on individuals and businesses, including its economic impact (Australian Human Rights Commission, 2020).

The report 'Respect@Work' (Australian Human Rights Commission, 2020) outlines the Commission's findings and recommendations. It outlines the high prevalence rates of sexual harassment across many workplaces throughout Australia. The Commission's most recent survey conducted in 2018 and used for this inquiry "showed that sexual harassment in Australian workplaces is widespread and pervasive. One in three people experienced sexual harassment at work in the past five years" (Australian Human Rights Commission, 2020). While women are more likely to be victims, the report finds that men can also be subject to sexual harassment in the workplace. The report also reveals the difficult nature of reporting sexual harassment and the barriers in place preventing action being taken.

This is a timely report and highlights several key recommendations. The Commission recommends "a new model that improves the coordination, consistency and clarity between the anti-discrimination, employment and work health and safety legislative schemes" (Australian Human Rights Commission, 2020) to enable better reporting and protection of employees across all workplaces.



G. Mental Health

The Royal Commission into Victoria's Mental Health System (State)

In November 2019, an interim report from the Royal Commission into Victoria's Mental Health System was released. In early 2019, the Commission was "tasked with providing a comprehensive set of recommendations on how to best support Victorians with mental illness, including Victorians at risk of suicide" (RANZCP, 2019). Submissions from the public as well as interest groups and organisations highlighted the challenges facing the mental health system. The mental health system was described as 'broken', 'in crises and 'needing transformation'. The interim report reveals many of these harrowing stories and experiences (State of Victoria, 2018-19).

H. Disability

The Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability

The Royal Commission was established in April 2019 in response to community concern about widespread reports of violence against, and the neglect, abuse and exploitation of, people with disability. These incidents might have happened recently or a long time ago.

The Disability Royal Commission has investigated a range of issues including:

- preventing and better protecting people with disability from experiencing violence, abuse, neglect and exploitation
- achieving best practice in reporting, investigating and responding to violence, abuse, neglect and exploitation of people with disability
- Promoting a more inclusive society that supports people with disability to be independent and live free from violence, abuse, neglect and exploitation.

The Disability Royal Commission has investigated and reported on experiences and conditions in all settings and contexts, including:

- schools
- workplaces
- jails
- group homes or boarding houses
- family homes
- hospitals
- day programs

A final report is due on 29 April 2022. In this report, the Royal Commission will recommend how to improve laws, policies, structures and practices to ensure a more inclusive and just society. A progress report is currently available (Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, 2019).

NDIS

In November 2019, the government's plan to improve the NDIS was released. Since its inception in 2013, the NDIS has been dogged with problems and difficulties. Several issues have been identified including (but not limited to):

- Excessive bureaucracy and red-tape and insufficient flexibility
- Top-down centralised approaches to the preparation of individual plans
- Lack of person-controlled technology to assist participants to self-direct
- Disregard for family carers as the primary unit of care
- (DDWA, 2019)

The reforms and improvements to the NDIS announced in November 2019 hope to address some issues including:

- quicker access and quality decision making
- increased engagement and collaboration
- market innovation and improved technology
- a financially sustainable Scheme
- equitable and consistent decisions
- Improving long term outcomes for people with disability, their families and carers. (NDIS, 2019)

I. Aged Care

The Royal Commission into Aged Care Quality and Safety (Federal)

In October 2019, the interim report from the Royal Commission into Aged Care and Safety was released. It found the aged care system was failing to meet the needs of its older, vulnerable, citizens. Significantly, it was found that "It does not deliver uniformly safe and quality care, is unkind and uncaring towards older people and, in too many instances, neglects them" The aged care system was described by the Commissioners as "a shocking tale of neglect" (Royal Commission into Aged Care Quality and Safety, 2019).

National Plan to Respond to the Abuse of Older Australians (Elder Abuse) 2019–2023 (Federal)

In March 2019, the 'National Plan to Respond to the Abuse of Older Australians (Elder Abuse) 2019-2023' was launched. Developed in "collaboration with state and territory governments, the National Plan provides an overview of the issues that all governments need to act on as a priority. It sets out a framework for ongoing cooperation, action and monitoring against five key priority areas".

These include:

- Enhancing
- our understanding
- Improving
- community awareness and access to information
- Strengthening
- service responses
- Planning
- for future decision-making
- Strengthening
- safeguards for vulnerable older adults

(Council of Attorneys General, 2019)



'Respect Older People: Call it Out' Campaign

During 2019 'Respect Victoria' delivered a behaviour change campaign specifically designed to challenge social norms and attitudes towards older people. The campaign 'Respect Older People: Call It Out' sought to highlight the need to respect older people in the community and stem the drivers that enable elder abuse (Respect Victoria, 2019). At the same time of the launch of the campaign, the Victorian State Government also announced funding to develop Victoria's first Elder Abuse Prevention Framework to help promote awareness of elder abuse through workshops and education. (Minister for Prevention of Family Violence, 14 June 2019)

J. Child Care

Child Care Subsidy

A new Bill which aimed to simplify the legislation that governs the Child Care Subsidy (CCS) was introduced to Parliament in September 2019 and after its third reading, passed through the Senate. The Bill, known as the Family Assistance Legislation Amendment (Building on the Child Care Package) Bill 2019, sought to address unintended consequences resulting from the implementation of the CCS in July 2018, make policy refinements and also address a number of clarifying and technical inconsistencies (Roberts, 2019).

Child Care and COVID-19

On 2 April 2020, the Government announced new funding arrangements for the early childhood education and care (ECEC) sector in response to the coronavirus (COVID-19) pandemic and its impact on child care enrolments and attendance. The new arrangements make child care services fee-free for families. The changes took effect on 6 April 2020 and will remain in place until 28 June 2020. The new system will be reviewed after one month and an extension will be considered after three months.

Under the new funding arrangements, the CCS system is suspended and child care services will receive a weekly 'business continuity payment' equivalent to 50 per cent of fees charged (up to the CCS hourly fee cap) for sessions of care in the fortnight preceding 2 March 2020 (17 February 2020 to 28 February 2020). The payment for vacation care services will be based on the first fortnight of revenue in the school holidays between Term 3 and 4 of 2019 (Parliament of Australia, 2020).

On June 8 2020, it was announced that free child care would cease on July 12. According to an ABC report, this means that "parents will go back to paying for their children's care, with the reintroduction of the Child Care Subsidy, but the Government will loosen the criteria for subsidised care for families hit by the economic downturn" (ABC News, 2020).



Paid Parental Leave Amendment Bill 2020

The Morrison Government introduced the Paid Parental Leave Amendment (Flexibility Measures) Bill 2020 ("Bill") as a mean to afford employees flexibility up to 18 weeks government funded parental leave. The Bill is due to come into effect from July 1, 2020 and will apply to all eligible parents who have given birth or adopted a child from this date forward.

What is changing?

The Bill will amend the Paid Parental Leave Act 2010 (Cwth) and will require employers provide greater flexibility to employees taking the government funded paid parental leave.

In accordance with the Bill, eligible employees may access up to 18 weeks paid parental leave. The rules for the first 12 weeks of the 18-week government funded parental leave will remain unchanged. However, a flexible approach can be taken to the remaining 6 weeks which can be taken at any time after the initial 12-week period, but within two years of the birth or adoption of the child.

The paid parental leave entitlement is entirely funded by the government, regardless of whether employers make the payment to their employee. The entitlement to Dad and Partner pay has not changed. Employees are entitled to 2 weeks Dad and Partner Leave (Victorian Chamber of Commerce and Industry, 2020).

K. Income Support

Inquiry into Adequacy of Newstart and Related Payments

On 25 July 2019, the Senate referred an inquiry into the adequacy of Newstart and related payments and alternative mechanisms to determine the level of income support payments in Australia to the Senate Community Affairs References Committee for inquiry and report by 27 March 2020. A number of organisations made submissions to the Inquiry calling for an increase to Newstart payments.

COVID-19 propelled a rise to Newstart or Jobseeker payments in March 2020. Jobseeker payments increased markedly as a response to the economic challenges facing so many people due to COVID-19 shutdowns which left many people out of work and no income. One media source explained, "Jobseekers will get a \$550 boost to their fortnightly welfare payments for six months in one of the largest increases to social security benefits in Australia's history, as the government seeks to shield the unemployed ahead of a looming recession." The increase described as a "mammoth but 'time limited' increase to unemployment benefits" far exceeds the most recent call from welfare groups for a permanent, \$95- a-week boost to the dole (Henriques-Gomes, 2020). While the surge in income support for jobseeker's is a significant move, the issue remains regarding more long term support beyond COVID-19 and the significantly lower amounts that recipients may have to return to.

Centrelink's Compliance program

On 31 July 2019, the Senate referred an inquiry into Centrelink's compliance program to the Senate Community Affairs References Committee for inquiry and report by 4 December 2019. As of April 2020, a number of significant developments have taken place including:

- on 19 November 2019, Services Australia announced that it would no longer raise compliance debts based on averaged income data, and that it would suspend its debt recovery process while it reviewed debts based on averaged income data;
- in November 2019 the Government agreed to orders by the Federal Court of Australia in *Amato v the Commonwealth* that the averaging process using ATO income data to calculate debts was unlawful;
- a class action is currently underway relating to raising debts based on averaged income data;
- public interest immunity claims have been made by the Government; and
- Debt recovery processes have been suspended during the COVID-19 pandemic.

An interim report is due in August 2020 (Parliament of Australia, 2020)

L. Housing

Inquiry into Homelessness in Victoria

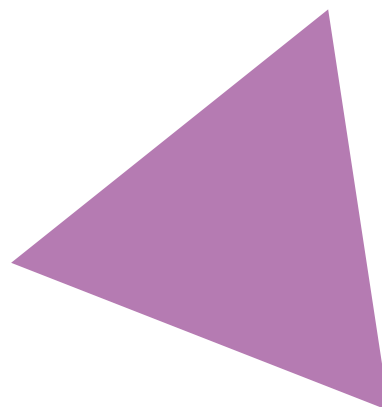
In June 2019, an inquiry into the state of homelessness in Victoria was commenced. The inquiry has solicited submissions about the state of homelessness in Victoria. As a number of commentators have stated, “Victoria’s homelessness crisis is getting worse every year and this Parliamentary Inquiry cannot come soon enough” (Council to Homeless Persons, 2019).

Homelessness is a significant issue that intersects a number of areas including family violence, mental health and poverty. Access to secure and affordable housing must be a priority particularly for those most vulnerable in our society.

Inquiry into the Public Housing Renewal Program

In May 2019, the Victorian Government tabled its response to the Standing Committee on Legal and Social Issues Inquiry into the Public Housing Renewal Program (PHRP) which aimed to redevelop a number of inner suburban public housing estates. Despite the optimism of the program, a number of criticisms have been given. In particular, as an RMIT report outlines, “the redevelopment entails the relocation of residents, the demolition of the existing buildings and the redevelopment of each site by a private developer in partnership with a community housing provider. This raises significant concerns about the effectiveness of the policy in delivering housing in a time of severe housing crisis, the impact of displacement on residents and communities, and the assumptions underpinning the PHRP and the real estate model it deploys” (Kelly & Porter, 2019).

The concerns raised considers the reduction Australia has seen in terms of public housing availability. Indeed, “State and territory governments have presided over the loss of more than 20,000 public housing units in a decade, marking a “considerable change” as control over social housing is increasingly handed to non-profits” (Henriques-Gomes, 2019).



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