



Committee Secretary
Community Affairs Legislation Committee
By email: community.affairs.sen@aph.gov.au

9 November 2023

Economic Justice Australia submission to Inquiry into Economic Inclusion Advisory Committee Bill 2023 [Provisions]

About Economic Justice Australia

Economic Justice Australia (EJA) is the peak organisation for community legal centres providing specialist advice to people on their social security issues and rights. Our members across Australia have provided people with free and independent information, advice, education and representation in the area of social security for over 30 years.

EJA provides expert advice to government on social security reform to make it more effective and accessible. Our law and policy reform work:

- Strengthens the effectiveness and integrity of our social security system;
- Educates the community; and
- Improves people's lives by reducing poverty and inequality.

ACOSS submission to this Inquiry

We have read the Australian Council of Social Services (ACOSS) submission to this inquiry and endorse its comments and recommendations.

We make the additional recommendations set out below from our perspective as the peak for community legal services providing expert advice and representation to people among cohorts affected by systemic barriers to accessing social security rights and entitlements.

Contents of Committee reports: further proposal regarding Clause 8(2) of the Bill

In our submission to the Senate Standing Committees on Community Affairs inquiry into the extent and nature of poverty in Australia, EJA called for action to address the longstanding need to substantially boost basic rates of JobSeeker and other working age payments. We also outlined aspects of Australia's social security policy framework that can completely exclude particular cohorts from income support, either through exclusions prescribed by legislative

qualification criteria and waiting periods, or resulting from pervasive systemic barriers to accessing and maintaining payments. Such exclusions often arbitrarily prevent the most vulnerable in our community from accessing payments needed for survival. These include:

- Special Benefit access barriers
- Disability Support Pension inequities
- Services Australia staffing issues
- Increasing digitisation of servicing
- Unmet need for social security legal help.

Given the fundamental importance of ensuring that the work of the Committee includes a focus on how best to enhance equitable access to social security rights and entitlements, we propose that that Clause 8(2) of the Bill be amended to require that its reports include detailed analysis of key social security data.

There is also a need to ensure that the work of the Committee supports the Government in addressing fundamental issues brought to light in the Robodebt Royal Commission report regarding increasing use of automated processes in decision-making and servicing.

➤ **Recommendation:**

- That Clause 8(2) of the Bill be amended to require that Committee reports set out the following for each working age social security income support payment:
 - o information and research in regard to the sufficiency of the payment
 - o the acceptable standard of living for recipients of the payment /cohorts to which the payment is targeted – such as people with disability, carers and single parents and whether the current level of the payment provides adequate support to meet that standard
 - o Data and analysis on the suspension and cancellation of payments as a consequence of failure to meet mutual obligation requirements
 - o the number of social security debts raised and the number of debts appealed for each income support payment – disaggregated by age, gender and geographic area (metropolitan/regional/remote/very remote)
 - o data on the key points of disengagement from the social security system, including income support payment cancellation data for Aboriginal and Torres Strait Islander people living in remote/very remote communities, and for people known to be homeless/at risk of homelessness;
- That Clause 8(2) of the Bill be amended to empower the Committee to report on compliance of social security administration with public law principles and human rights standards, including regarding the use of artificial intelligence / automated decision-making and the digitisation of service provision.

Committee composition: further proposal regarding Clause 11(2) of the Bill

Clause 11(2) of the Bill provides that the Committee must include at least one of each of the following:

- (a) an academic expert in social security;
- (b) an economist;

- (c) a representative of an organisation which advocates, or which consists of individuals with lived experience, in relation to a matter relevant to the performance of the Committee's function;
- (d) a representative of the community sector involved in assisting or supporting persons who are economically disadvantaged;
- (e) a representative of a trade union or a peak trade union body;
- (f) a representative of an employer or business association or a peak employer or business association.

EJA's member community legal centres assist people every day whose income support payments do not cover the basic costs of living, undermining efforts to pursue appropriate and viable employment opportunities. This includes clients who have been impacted by the multiple crises of COVID-19 and natural disasters, and who need stable financial support as a foundation to rebuild from.

We propose that clause 11(2) of the Bill is lacking in that it fails to ensure that the Committee includes a representative of an organisation with expertise regarding structural and systemic issues affecting access to social security rights and entitlements.

Although sub-clause (c) provides for inclusion of an organisation which advocates "in relation to a matter relevant to the performance of the Committee's function", this is too broad. That "matter" need not necessarily be in respect of social security policy; and there is no guarantee that the Committee will include an advocacy organisation, as (c) may be satisfied by inclusion of a representative from an organisation consisting of people with lived experience. There is certainly a need to include organisations consisting of people with lived experience on the Committee but this should not preclude inclusion of an advocacy organisation.

We note that the Bill's Explanatory Memorandum's opening paragraph states:

'... The Committee will bring together a diverse range of experts to give advice to Government on policy settings, systems and structures that may help to address complex social problems and entrenched disadvantage in new and innovative ways. This will assist in putting forward solutions to deal with the systems and structures that are barriers for those facing disadvantage.'

It is essential that the EIAC includes a member with the background and expertise to assess the actual and potential impacts of structural and systemic issues affecting access to social security rights and entitlements on economic inclusion.

➤ **Recommendation:**

- That Clause 11(2) of the Bill be amended to insert a new (c):
 - (c) a representative of a peak advocacy organisation with expertise in social security law
 - (d) a representative of an organisation which consists of individuals with lived experience of poverty and economic exclusion (with amendment as per ACOSS's recommendation)
 - (e) a representative of the community sector involved in assisting or supporting persons who are economically disadvantaged (as per current (d) - just renumbered).

Contact

Linda Forbes
Senior Adviser
Economic Justice Australia
0448 007 428
linda@ejaustralia.org.au