

Federal Budget Submission 2025-26

About Economic Justice Australia

Economic Justice Australia (EJA) is the peak organisation for community legal centres providing specialist advice to people about 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
- improves people’s lives by reducing poverty and inequality.

Overview

Australia’s social security system provides a vital safety net. It keeps people clothed, housed and fed, while providing some stability to retain engagement in the community and plan for the future.

The Robodebt Royal Commission (RRC) called for politicians to lead a change in attitudes towards people who access social security support, “including abandoning the simple narrative of the taxpayer versus the welfare recipient”.¹ Social security is not a matter of us-versus-them. Many Australians have relied, or will need to rely, on income support at some point in their lives, whether it’s while studying, caring for people, recovering from injury, looking for work, etc. It is essential that the system is robust in its structure and administration.

Strengthening the social security safety net will require funding to:

- fund specialist social security legal assistance in addition to base allocations over the life of the National Access to Justice Partnership (NAJP)
- improve social security law and policy to address specific weaknesses in the system
- provide fair and effective administration of payments by Services Australia so that vulnerable people can access payments without external assistance.

¹ Government Response – Royal Commission into the Robodebt Scheme, Australian Government, November 2023, p.6.

Summary of recommendations

Funding for CLC social security specialists

Recommendation 1: Increase funding to EJA member centres, which provide specialist social security legal assistance and programs, through a designated social security funding stream under the NAJP in the amount of an additional \$5 million per year on top of baseline funding over the life of the agreement.

Recommendation 2: Allocate ongoing additional funding through DSS to support EJA's core functions, with an emphasis on capacity to provide timely and expert analysis to inform Parliament and key departments' considerations of social security law and policy.

Recommendation 3: Provide permanent core disaster response to ensure EJA members are able to undertake crucial resource and relationship development, and have the capacity to address current and pending need for specialist social security legal assistance related to natural disasters.

Recommendation 4: Fund EJA member centres to have capacity to provide legal advice to clients pre-Administrative Review Tribunal (ART) hearing, and to establish a system whereby unrepresented clients can access a duty lawyer.

Improvements to social security law and policy

Recommendation 5: Increase social security income support payment rates to provide parity with pensions, with indexation linked to both inflation and wages.

Recommendation 6: Increase the maximum threshold for Commonwealth Rent Assistance by 60 per cent.

Recommendation 7: Abolish the Liquid Assets Waiting Period and Ordinary Waiting Period and replace it with a comprehensive means test.

Recommendation 8: Increase and index the Remote Area Allowance to reflect living costs in remote communities.

Recommendation 9: Introduce a Disability Supplement to offset the cost of treatment, transport, aides and other costs associated with managing a disability, injury or chronic illness.

Recommendation 10: Establish a Digital Allowance (i.e. reworking and expanding Telephone Allowance) to assist all people receiving income support to afford mobile phones and data.

Recommendation 11: Permanently abolish the Newly Arrived Residents Waiting Period (NARWP) for Special Benefit, so that people in severe financial hardship have equitable access to the social security safety net.

Recommendation 12: Provide all New Zealand citizens living in Australia on Special Category Visas access to Special Benefit.

Recommendation 13: Extend the list of visa sub-classes that attract Special Benefit, with coverage extended to:

- Bridging Visas, all sub-classes

- Student Visa
- Temporary Resident (Skilled Employment) Visa
- Temporary Work (International Relations) Visa
- Temporary Graduate Visa

Recommendation 14: Amend s737(1) of the *Social Security Act* to enable full-time students to access Special Benefit.

Recommendation 15: Develop a model social security response with capacity to assist all people in Australia affected by an emergency or disaster, including people on bridging visas, student visas and skilled/seasonal work visas.

Recommendation 16: Amend section 10161JH of the *Social Security Act*, broadening the definition of 'home' to reflect the broad range of situations in which people live, and repeal the requirement that a person has or intends to establish a new home.

Recommendation 17: Amend the relevant legislation to allow access to special circumstances debt waiver provisions where 'the debt did not result wholly or partly from the debtor or another person knowingly and willingly' making a false statement, representation or omission (s 1237AAD of the *Social Security Act 1991*, s 101 of the *A New Tax System (Family Assistance) Act 1999*, and s 43F of the *Student Assistance Act 1973*).

Recommendation 18: Amend the relevant legislation to allow access to special circumstances debt waiver provisions where the debt results from a false statement by a perpetrator who has lied to Centrelink without the victim's knowledge or under threat of violence (s 1237AAD of the *Social Security Act 1991*, s 101 of the *A New Tax System (Family Assistance) Act 1999*, and s 43F of the *Student Assistance Act 1973*).

Recommendation 19: Reintroduce a limitation of six years on debt recovery of social security debts, with the six-year period commencing on the date of overpayment.

Recommendation 20: Amend DSP qualification criteria outlined in section 94 of the *Social Security Act* to remove the program of support requirement; or include clear criteria for exempting a person from the requirement.

Recommendation 21: Reintroduce the Treating Doctor Report as part of the DSP claim package, ensuring it is billable under Medicare, which requires introduction of a new Medicare item number.

Recommendation 22: Ensure adequate funding to accelerate efforts to deliver comprehensive reform based on the recommendations of the Workforce Australia Inquiry.

Recommendation 23: Develop social security legislation outlining mutual obligations activities, ensuring decision-making is delegated to appropriately trained Services Australia officers, with decisions fully appealable.

Recommendation 24: Pending abolition of the Targeted Compliance Framework (TCF), introduce a non-punitive approach to mutual obligations developed in consultation with people directly affected by the system, peak bodies and experts, allowing decision-makers to consider the full set of circumstances informing individuals' ability to comply.

Recommendation 25: Develop a system to replace points-based reporting through an

inclusive design process involving people directly affected by the system and policy advocates.

Recommendation 26: Suspend the current points-based system until such time as a new system is implemented.

Recommendation 27: Cease the Work for the Dole program and reallocate that funding to provide ongoing wage subsidies for people experiencing long-term unemployment

Recommendation 28: Reinstate Sickness Allowance.

Recommendation 29: Review the current Disability Support Pension legislative framework to enable people with disability or chronic debilitating health conditions who are extremely-long-term unemployed to be granted Disability Support Pension.

Recommendation 30: Implement mutual obligation pauses during extreme weather events and following natural disasters.

Recommendation 31: Allocate funding to undertake detailed review of the current operation of Centrepay and the effective design of policies and process, informed by community consultations – particularly Aboriginal community-led organisations – to ensure Centrepay’s objective to empower financial capability and prevent financial abuse is met.

Recommendation 32: Immediately transition all existing Compulsory Income Management regimes to Voluntary Income Management regimes to ensure that the core principles of choice and self-determination are central to any reforms.

Recommendation 33: Immediately transition Enhanced Income Management to a voluntary, opt-in regime with no provision for designated bodies to refer participants to any forms of Compulsory Income Management.

Recommendation 34: Design policies and processes related to Income Management with an emphasis on the people they are meant to serve, consistent with recommendation 10.1 of the Robodebt Royal Commission.

Recommendation 35: Review exemption and exit policy and procedural guidelines, with a view to identifying and removing barriers to applying for exemption/exit; and to ensuring equitable application of exemption and exit policies and enhancing access to internal review and appeals.

Recommendation 36: Amend the *Social Security Administration Act* to revoke the Ministerial discretionary power to extend the Enhanced Income Management regime to new regions/jurisdictions via instrument.

Recommendation 37: Introduce sunset clauses to all current Compulsory Income Management arrangements, with all future delegated legislation under Part 3AA of the *Social Security Administration Act* subject to sunset clauses.

Recommendation 38: Review sections 11A(9A), 11A(9B) and 1118(1) of the *Social Security Act* to provide greater consistency of principal place of residence and insurance ‘assets’ time limits.

Recommendation 39: Make legislative amendment to allow for an unoccupied principal place of residence (or vacant land that was the site of the principal place of residence) and sale proceeds to be exempt from the asset test for ‘a longer period determined by the Secretary’, in line with insurance payout exemption extensions.

Adequate administrative process and service provision

Recommendation 40: Ensure adequate funding to speed up implementation of the recommendations of the Robodebt Royal Commission in full.

Recommendation 41: Allocate additional funding to enable Services Australia to employ more Centrelink social workers, also locating more social workers in Centrelink offices.

Recommendation 42: Allocate additional funding to enable Services Australia to employ more Indigenous Service Officers and Multicultural Service Officers, and establish additional Mobile Service Centres.

Recommendation 43: Allocate additional funding to Services Australia to extend the Community Partnership Program, particularly outside metropolitan areas.

Recommendation 44: Allocate additional funding to boost SA PLO servicing in custodial settings, to enable comprehensive pre-release servicing (including face-to-face servicing where required) and to facilitate Centrelink claims and referrals to community organisations to assist with travel and accommodation requirements.

Recommendation 45: Allocate additional funding to get more Services Australia staff onto the frontline, so that vulnerable people can access face-to-face support.

Recommendation 46: Allocate funding to employ and train additional staff, particularly senior staff, to assist with claims and appeals.

Recommendation 47: Allocate funding to the development of Services Australia's IT systems to enable preparation of fit-for-purpose correspondence with Centrelink recipients that meets legal standards.

Recommendation 48: Allocate funding to enable Services Australia to establish a permanent and well-resourced Advocates Channel for community legal centre solicitors/caseworkers to communicate directly with Centrelink staff regarding client matters.

Recommendation 49: Allocate funding to deliver a scalable community service provider contact system (comparable to the Advocates Channel) to enable community workers to communicate directly with Centrelink staff in a timely manner regarding client matters.

Recommendation 50: Allocate funding to establish a Customer Experience Reference Group, to streamline insight to government regarding the experiences of people accessing income support.

Recommendation 51: Establish advisory and oversight bodies comprising people who are using employment services or who are unemployed to provide feedback on the design and operation of employment services.

A) Funding for community legal centre social security specialists

1. The social security system is complex and difficult for individuals to navigate. Many people are left in crisis after:
 - being unable to access the system and left with no income support
 - remaining on the wrong payment despite repeated attempts to claim the correct payment
 - having a debt raised which is wrong or for the wrong amount
 - being unable to access the review/appeals system.
2. Lack of access to legal assistance can have serious long-term consequences. For the most vulnerable, barriers to accessing Centrelink entitlements and appeal rights can contribute to a snowballing of issues that can become catastrophic. Yet we know that many people are unable to get through to EJA member centre advice lines or are being turned away due to lack of resources.
3. Despite the broadly recognised value of our members' work, successive changes to the legal assistance funding framework have reduced the capacity of community legal services to deliver specialist social security legal advice and representation, limiting access to justice and undermining the integrity of the social security system.
4. Our member centres' capacity is critical given:
 - There is no private sector equivalent where people can seek legal advice. Legal Aid does not provide representation for internal Centrelink appeals in any state or territory, and there is limited or no assistance for Administrative Review Tribunal (ART) appeals in most jurisdictions.
 - Successive budget cuts reducing staff numbers and training, the introduction of IT systems which have undermined effective interactions with staff, and the long-term effects of the COVID response and fall out from Robodebt have undermined Services Australia's provision of effective services. This has increased the need for legal assistance to effectively access social security for many vulnerable members of the community.
5. Additional funding is required to service the high unmet demand for specialist social security legal assistance, noting our members also perform an important public interest role. For example, EJA's advocacy, which draws from member centre research, resulted in important recent changes to the *Social Security Guide* to assist people experiencing family and domestic violence relationships. This proactive work by member centres was largely unfunded but has had a significant systemic impact (as recognised by the Robodebt Royal Commission).

Increase funding to the National Access to Justice Partnership (NAJP)

6. We are seeking increased funding and a designated funding stream for social security legal work under the NAJP to address urgent need for specialist social security legal assistance and programs provided by our member centres. That includes additional funds required to address the dearth of specialist legal assistance available to people outside metropolitan areas. It is also essential that Government recognise the

importance of the public interest role played by our members (in line with Recommendation 12.4 of the Robodebt Royal Commission), and increase funding to allow EJA and members to fulfill that role.

- **Recommendation 1:** Increase funding to EJA's member centres providing specialist social security legal assistance and programs through a designated social security funding stream under the NAJP in the amount of an additional \$5 million per year over the life of the agreement.

This recommendation is in line with recommendation 12.4 of the Robodebt Royal Commission. Further, this recommendation would enable EJA to fulfil its role as recommended at 12.3.

Provide ongoing funding to EJA through the Department of Social Services

7. The Department of Social Services (DSS) provided EJA with one-off additional funding of \$200,000 for the 2023-24 financial year. This was in addition to the core funding received pursuant to our grant under the Families and Communities Service Improvement Program.
8. This additional funding made a significant difference to EJA's operation - consolidating internal administrative functions, boosting the timely broadcasting of important changes to social security policy and process to members, and increasing our capacity to engage with member centres to ensure analysis of their on-the-ground experiences informs development of social security policy and service delivery. Importantly, this funding supported our capacity to engage closely with DSS and Services Australia to provide input on proposed policy and service delivery changes.
 - **Recommendation 2:** Allocate ongoing additional funding through DSS to support EJA's core functions, with an emphasis on capacity to provide timely and expert analysis to inform Parliament and key departments' considerations of social security law and policy.

This recommendation is in line with recommendation 12.4 of the Robodebt Royal Commission. Further, this recommendation would enable EJA to fulfil its role as recommended at 12.3.

Fund the Social Security Disaster Response

9. There is a direct relationship between disasters and legal issues relating to social security payments. Problems extend beyond access to emergency payments and short-term increased demand in specific locations to include issues arising from domestic dislocation, trauma, family violence, mental and physical health challenges, and isolation. Further, disasters create newly vulnerable cohorts, including people who have never previously interacted with the social security system.
10. As the number of disasters intensifies, EJA's poorly funded member centres are struggling to meet demand, both during the disaster and addressing issues that continue for months and years afterwards. Examples of such work include that

undertaken by EJA member centres responding to the 2019/20 Victorian “Black Summer” bushfires, the 2022 NSW Northern Rivers floods, and the 2022/23 Ex-Tropical Cyclone Ellie in the Kimberley region of WA.

11. EJA supports the proposed “pre-agreed off-the-shelf recovery packages”; however, this arrangement falls short of supporting our members to provide sustainable and effective community-led responses to guarantee appropriate post-disaster income support.
12. EJA seeks permanent core disaster response funding for specialist social security legal assistance to support our members in developing and implementing comprehensive disaster preparedness programs, conducting immediate post-disaster outreach, and providing continuous legal support to affected communities – which would guarantee faster and better results. Permanent core disaster funding is particularly important to ensure we have specialist social security caseworkers available when disasters occur.
 - **Recommendation 3:** Provide permanent core disaster response funding to ensure EJA members are able to undertake crucial resource and relationship development, and have the capacity to address current and pending need for specialist social security legal assistance related to natural disasters.

Ensure access to legal advice at the Administrative Review Tribunal (ART)

13. The complexity of social security legislation, and the preponderance of discretionary provisions, result in evidence requirements that can only be met if they are understood. In practice, most people do not, or simply are not able to, access legal advice before appealing to the ART. Consequently the first tier is often the first time they are provided a clear and detailed reason for Centrelink’s adverse decision.
14. It is vital that applicants can access legal advice pre-ART hearing so they understand the issue being argued, the evidence required, and how to go about collecting that evidence.
 - **Recommendation 4:** Fund EJA member centres to have capacity to provide legal advice to clients pre-ART hearing, and to establish a system whereby unrepresented clients can access a duty lawyer.

B. Improvements to Social Security Law and Policy

15. A robust social security system requires law and policy that is responsive to current social needs.
16. This submission seeks reform to a number of specific areas of social security law and policy to address areas in which the system is failing to offer adequate social protection.

Address rate inadequacy

17. The current cost-of-living crisis highlights the need to raise the rate of working-age social security payments, including JobSeeker Payment, Youth Allowance, Parenting Payment and Special Benefit. Many people on income support report struggling to pay rent and utility bills while being forced to cut down on essential food and medicines. The

cost-of-living crisis is critically impacting people who receive social security payments over extended periods because they are more likely to experience the long-term consequences of living in poverty, which compound barriers to re-engaging in the workforce.

18. EJA has long advocated for the level of income support in Australia to be consistent with the right to social security and an adequate standard of living in compliance with Australia's obligations under Articles 9 and 11 of the *International Covenant on Social, Economic and Cultural Rights*. We will continue to advocate for the rate of working-age income support payments to be raised to a level that affords basic dignity.
19. Jobseeker now sits at just 43 per cent of the minimum wage, and only 56 per cent of the pension. EJA endorses the ACOSS 2025 Budget proposal to lift base rates of working-age payments to the current pension rate. Increasing income support payments to at least \$80 a day would reduce the number of people in crisis and increase the number of people able to afford the basics, including items such as phone plans and train/bus passes that are essential for meeting their social security obligations. It would also make a positive contribution to the economy, noting that during the COVID-19 pandemic our members saw their clients pour the Coronavirus Supplement straight back into basic goods and services.² Importantly, the rate increase should be indexed to both inflation and wages, so that payments retain spending power, with rates increasing twice each year to equal the higher of the two.
 - **Recommendation 5:** Increase social security income support payment rates to provide parity with pensions, with indexation linked to both inflation and wages.

Introduce/Update supplementary payments to address cost of living

Increase the threshold for Commonwealth Rent Assistance

20. Further attention is required to Commonwealth Rent Assistance (CRA), with the current low CRA threshold doing little to address the cost of ever-increasing rents in many locations; an expense compounded by significant increases in the cost of living generally. EJA endorses the ACOSS position that a significant increase is required to provide genuine cost-of-living relief.
 - **Recommendation 6:** Increase the maximum threshold for Commonwealth Rent Assistance by 60 per cent.

Abolish the ordinary waiting period and liquid assets test waiting period

21. EJA continues to seek revocation of the ordinary waiting period and the liquid assets waiting period, given the impact of delayed start dates for certain social security income support payments. These delays force people with modest savings to expend all their savings, leaving them without any financial buffer to meet significant ongoing costs, such as utility bills and car registration, which are extremely difficult to cover on basic

² Klein E, Cook K, Maury S, Bowey K. An exploratory study examining the changes to Australia's social security system during COVID-19 lockdown measures *Aust J Soc Issues*. March 2022, 57(1), pp.51-69.

income support payments.

- **Recommendation 7:** Abolish the Liquid Assets Waiting Period and Ordinary Waiting Period and replace it with a comprehensive means test.

Address increasing poverty in remote Australia

22. The Remote Area Allowance (RAA) is not indexed and has lost significant value since it was last increased in 2000. Simultaneously, the cost of fuel, food and rent have significantly increased. Currently set at \$9.10/week for a person who is single, and \$7.80/week for a person who is a member of a couple, RAA does little to address the cost of living remotely, including the significantly greater cost of food.
23. Government and community service delivery has also shifted to an increasing reliance on technology including computers, internet and smartphones. This has placed greater pressure on people with very low incomes to incur technology-related expenses, including purchasing phones and computers that can access myGov, phone and internet credit, and/or traveling to places where such systems are available.
24. Two thirds of people receiving RAA are First Nations People. The high cost of living and high rates of poverty in remote areas, particularly in remote First Nations communities, make it essential that the RAA is reassessed. EJA endorses the ACOSS position that the Allowance should be increased to address loss of value over time and indexed.
 - **Recommendation 8:** Increase and index the Remote Area Allowance to reflect living costs in remote communities.

Recognise and assist people struggling with increasing medical costs

25. Many people who have a disability, are injured or have chronic health conditions are not able to access Disability Support Pension (DSP) despite limited work capacity. Many of those people additionally face specific costs associated with their condition, which compounds the difficulty of living long-term on low rates of working-age payments such as JobSeeker Payment. This includes people who have enough points to qualify for DSP on the Impairment Tables but cannot qualify for 18 months until they have completed a program of support.
26. EJA calls for the introduction of a Disability Supplement for working-age payments to offset the cost of managing medical conditions (consistent with ACOSS' call for the introduction of a similarly targeted payment).
 - **Recommendation 9:** Introduce a Disability Supplement to offset the cost of treatment, transport, aides and other costs associated with managing a disability, injury or chronic illness.

Tackle growing digital exclusion and associated technology-related barriers

27. Poverty remains a significant factor in digital exclusion, with EJA research into automation and digitisation in social security service delivery revealing many Centrelink recipients are trying to access Services Australia from old phones and devices on which

they are unable to install current versions of software. Further, Centrelink recipients' phone access is regularly critically affected by their ability to afford a phone plan, internet plan or pay-as-you-go data.

28. The cost of information and communications technology drastically undermines Centrelink recipients' ability to maintain reporting requirements (including changes in income, changes in circumstances and mutual obligations), which causes distress as people genuinely struggle to access and retain social security income.
29. While the Telephone Allowance can be paid to people on a few select payments, the current rate of \$35.60/quarter does little to meet the cost of even the cheapest mobile phone or internet service plan. EJA calls for the introduction of a digital allowance.
 - **Recommendation 10:** Establish a Digital Allowance (i.e. reworking and expanding Telephone Allowance) to assist all people receiving income support to afford mobile phones and data.

Improve access to Special Benefit

Abolish the Newly Arrived Residents Waiting Period

30. The cost-of-living crisis has highlighted the precarious position of newly arrived migrants, who lack access to income support due to the four-year Newly Arrived Residents Waiting Period (NARWP) that applies to most income support payments.
31. Although encouraged to come to Australia to address skills shortages, recently arrived permanent residents are effectively without a safety net if they lose employment. That includes being excluded from Special Benefit for four years despite it being considered the social security payment of "last resort", with an associated low rate of payment and harsh income test.
32. Under the *Social Security Act*, qualification for Special Benefit is restricted to people in severe hardship for reasons beyond their control. While the four-year NARWP may be waived if the person has "suffered a substantial change of circumstances beyond [their] control" after arriving in Australia, in practice it is very difficult to satisfy the "substantial change of circumstance" criteria. Our members assist many people in dire circumstances who have been unable to navigate the complex process by themselves.
33. During the COVID-19 pandemic, the four-year NARWP applying to Special Benefit was suspended for nine months to alleviate the financial crisis experienced by many permanent residents who could not work. EJA members continue to see people in dire situations who are unable to work but are locked out of income support by the NARWP.
34. EJA calls for the abolition of the NARWP for Special Benefit, noting qualification for Special Benefit is already restrictive and can only be paid to those in financial hardship for reasons beyond their control, with a dollar-for-dollar income test deduction applying to all earnings.
 - **Recommendation 11:** Permanently abolish the Newly Arrived Residents Waiting Period (NARWP) for Special Benefit, so that people in severe financial hardship have equitable access to the social security safety net.

Extend eligibility to additional visa categories

35. The COVID-19 shutdowns also revealed the severe financial hardship faced by people who, despite having resided legally in Australia for some time (often years), were ineligible for social security income support – including Special Benefit – due to their visa sub-class.
36. Often people had lost employment and could neither work due to public health restrictions nor leave Australia for financial and practical reasons, including travel restrictions and closed borders. These were people our members could not assist despite being in desperate straits, relying on ad-hoc charitable relief amidst uncertainty about how long lockdowns and travel restrictions would last:
 - New Zealanders, who continued to be treated with particular harshness by Australia’s social security system as a byproduct of the default Special Category Visa through which they enter Australia.
 - People on Student Visas and Temporary Graduate Visas, who had been invited to study in Australia, bolstering our tertiary sector, who found themselves unable to work or return home.
 - People on Temporary Resident (Skilled Employment) Visas and Temporary Work (International Relations) Visas, many of whom were encouraged to live and work in Australia to address labour shortages, and who pre-pandemic had self-supported and contributed to the economy over many years.
 - People on Bridging Visas, i.e. people intending to reside in Australia long term given their Bridging Visa related to processing of a substantive long-term visa.
37. EJA seeks the development of improved emergency response models, noting a variety of models introduced by other governments internationally, including New Zealand’s Emergency Benefit which was paid to eligible holders of temporary work, student and visitor visas.
 - **Recommendation 12:** Provide all New Zealand citizens living in Australia on Special Category Visas with access to Special Benefit.
 - **Recommendation 13:** Extend the list of visa sub-classes that attract Special Benefit, with coverage extended to:
 - Bridging Visas, all sub-classes
 - Student Visa
 - Temporary Resident (Skilled Employment) Visa
 - Temporary Work (International Relations) Visa
 - Temporary Graduate Visa
 - **Recommendation 14:** Amend s737(1) of the *Social Security Act* to enable full-time students to access Special Benefit.
 - **Recommendation 15:** Develop a model social security response with capacity to

assist all people in Australia affected by an emergency or disaster, including people on bridging visas, student visas and skilled/seasonal work visas.

Improve the domestic and family violence response

38. EJA commends the Government on recent changes to the *Social Security Guide* that have greatly improved capacity of Centrelink staff to recognise and respond to victim-survivors of family and domestic violence. However, we remain concerned about the operation of Crisis Payment.
39. The *Social Security Act* states that a person may qualify for Crisis Payment if they:
 - remain in their home following removal of a family member due to domestic or family violence (1061JHA); or
 - experience extreme circumstances forcing their departure from home (1067JH).
40. Unfortunately, the nexus of Crisis Payment with the family home can have unintended consequences. The *Social Security Guide* outlines (at 3.7.4.20) that:

‘home’ is taken to be the person’s house or other shelter that is the fixed residence that the person would have lived in for the foreseeable future. Fixed residence includes a house, apartment, on-site caravan, long-term boarding house or moored boat. A home is not a refuge, overnight hostel, squat or other temporary accommodation.
41. That means it excludes victims of family and domestic violence who are living in substandard accommodation or are experiencing homelessness even though they may be the most vulnerable of claimants and in crisis. For example, our members have seen people denied Crisis Payment because they have been living in a tent when the incident occurred, with no alternative accommodation available to them.
42. Eligibility for Crisis Payment requires that a victim-survivor of family and domestic violence has not only left their home but has established, or intends to establish, a new home. The requirement is unnecessary given section s1061JH of the *Social Security Act* already requires that a person cannot return to their home and it is unreasonable to expect them to do so. It also denies the fact that many victim-survivors are forced out of their home and in crisis but hope to reconcile with their partner. Further, s1061JH requires evidence that a person has or is looking for new permanent accommodation – which is completely out of reach of many, especially given the current housing crisis.
43. Such exclusions do not reflect the policy intention of Crisis Payment, which is to provide urgent support to people who are trying to escape family or domestic violence and are forced to leave the place they reside or are in a situation where the perpetrator has left that place.
 - **Recommendation 16:** Amend section 1061JH of the *Social Security Act*, broadening the definition of ‘home’ to reflect the broad range of situations in which people live, and repeal the requirement that a person has or intends to establish a new home.
44. EJA’s research report, *Debts, Duress and Dob-ins: Centrelink compliance processes and*

domestic violence,⁹ found that victim-survivors of family and domestic violence are unfairly being held responsible for social security debts, including debts that are a direct result of the actions of their abusers.

45. As outlined in the report, the most effective means of guaranteeing victim-survivors are not held responsible for such debts is to ensure that domestic violence is a specific consideration when determining if “special circumstances” exist to warrant waiving recovery of a debt under section 1237AAD of the *Social Security Act* and section 101 of the *Family Assistance Act*.
46. The special circumstances waiver provisions currently require that recovery of a debt may only be waived in the special circumstances of the case if the overpayment was not “knowingly” incurred, either by the debtor or “another person”. This wording limits victim-survivors’ access to debt waiver even where it is clear that the debt was incurred as a result of duress or coercion.
47. These provisions are contrary to current understanding of domestic violence, particularly coercive control, which were not within the purview of Parliament when the relevant social security special circumstances waiver provisions were introduced. They are also contrary to understandings of domestic violence which form the basis of the *National Plan to Prevent Violence against Women and Children*.
48. EJA seeks the Government’s attention to this issue. We have previously recommended adding a requirement that special circumstances consideration should only be disallowed if the debt has arisen both willingly and knowingly. This re-wording would enable waiver of a victim-survivor’s debt where their false statement was made under duress or as the result of coercion by the perpetrator. This change would require amendment to section 1237AAD of the *Social Security Act* and section 101 of the *Family Assistance Act*.
 - **Recommendation 17:** Amend the relevant legislation to allow access to special circumstances debt waiver provisions where ‘the debt did not result wholly or partly from the debtor or another person knowingly and willingly’ making a false statement, representation or omission (s 1237AAD of the *Social Security Act 1991*, s 101 of the *A New Tax System (Family Assistance) Act 1999*, and s 43F of the *Student Assistance Act 1973*).
49. A victim-survivor of family and domestic violence may also be liable for a debt directly incurred by the perpetrator of violence if a perpetrator makes false statements to Centrelink regarding the victim’s payments, even when the victim had no knowledge of those false statements. This means a victim of violence remains liable for a debt when a perpetrator has lied directly to Centrelink without the victim’s knowledge, and the money has been paid to the victim but spent by the perpetrator.
50. EJA seeks changes to section 1237AAD of the *Social Security Act* and section 101 of the *Family Assistance Act* which preclude waiver where the debt was caused by a false statement, misrepresentation, or failure to comply by “another person”, so that victim-survivors of family and domestic violence are not forced to repay debts that are the direct result of abuse.
51. The wording of those sections should be amended to ensure that access to special

circumstances provisions is not precluded by conduct that is not authorized by the debtor.

- **Recommendation 18:** Amend the relevant legislation to allow access to special circumstances debt waiver provisions where the debt results from a false statement by a perpetrator who has lied to Centrelink without the victim's knowledge or under threat of violence (s 1237AAD of the *Social Security Act 1991*, s 101 of the *A New Tax System (Family Assistance) Act 1999*, and s 43F of the *Student Assistance Act 1973*).

Re-introduce time limit on social security debts

52. There is no time limit on when the Commonwealth may seek to raise or recover an old (alleged) social security debt. This practice makes it almost impossible for individuals to appeal old debts given difficulty recalling and recovering evidence.
53. EJA extends in-principle support for the *Robodebt Royal Commission Report* recommendation that the Commonwealth:
 - repeal s 1234B of the *Social Security Act* and reinstate the effective limitation period of six years for the bringing of proceedings to recover debts under Part 5.2 of the Act formerly contained in s 1232 and s 1236 of that Act, before repeal of the relevant sub-sections by the *Budget Savings (Omnibus) Act (No 55) 2016 (Cth)*.
54. For consistency across the social security system, this recommendation should be extended to section 42B of the *Student Assistance Act*, section 93B of the *A New Tax System (Family Assistance)(Administration) Act 1999*, and section 192A of the *Paid Parental Leave Act*.
55. EJA argues that time limitation would more effectively mandate six years from the time of the overpayment, rather than the date on which "an officer became aware, or could reasonably be expected to have become aware, of the circumstances that give rise to the debt" (s 1232 *repealed*). Services Australia's systems should be rigorous enough to identify an overpayment within six years, and the concept of "reasonably expected" is not easily understood or applicable.
56. This recommendation is particularly pressing given the public's loss of faith in the social security debt recovery process as a result of Robodebt, which arguably has been exacerbated by the recent findings of the Ombudsman into the unlawfulness of income apportionment.
57. It is unacceptable that no action has been taken to reinstate the six-year time limit on social security debts almost 18 months after the *Robodebt Royal Commission Report* recommendation was handed down, and a year after the government accepted the recommendation in principle.
 - **Recommendation 19:** Reintroduce a limitation of six years on debt recovery of social security debts, with the six-year period commencing on the date of overpayment.

Abolish the Disability Support Pension – Program of Support

58. EJA commends the 2023 changes to the Disability Support Pension (DSP) Impairment Tables but remains very concerned about the operation of the DSP-associated Program of Support (POS) as set out in the Ministerial Instrument, the *Social Security (Active Participation for Disability Support Pension) Determination 2014* (the Instrument).
59. A person who is assessed as having an impairment rating of at least 20 points under the Impairment Tables is considered to have a “continuing inability to work” if they score at least 20 points under a single Impairment Table, or they score at least 20 points but not 20 points from a single table AND they have actively participated in a POS for at least 18 months over the previous three years.
60. Consequently, a person who has scored 20 points or more across more than one Impairment Table but not 20 points from any single table will generally not qualify for DSP until they meet the POS requirement.
61. EJA has long argued there is no rational basis for differentiating a person who scores an impairment rating of 20 or more under the DSP Impairment Tables from someone with multiple impairments that, in combination, are equally if not more severe in functional impact.
62. Many people do not find out about the POS requirement until they have spent many months on a protracted DSP claim resulting from the need to gather specific medical evidence and delays in Services Australia processing. When added to the POS requirement this means that, despite qualifying with 20 points, it can take more than two years for a person to be granted DSP.
63. In fact, there is no actual program (or funding allocation) named Program of Support. The requirement is met by engaging with a government-funded employment services provider.
64. Rather than finding the POS supportive, many people experience it as unproductive and find the process distressing, particularly when they are in pain yet routinely need to turn up to appointments for 18 months. Further, they find the long wait for DSP frustrating and demoralising.
65. There is provision under the Instrument to terminate a POS and to excuse a person from having to complete a POS for DSP eligibility if “the person was unable, solely because of his or her impairment, to improve his or her capacity to prepare for, find or maintain work through continued participation in the program”.
66. Unfortunately, our members find it difficult or impossible to get employment service providers to release individuals from their POS (including when they fit the criteria or their condition has actually deteriorated and they are very ill), noting there is no economic incentive for service providers to do so. This leaves people trapped undertaking a POS despite there being no possibility of their being able to undertake paid work at the end of the 18-month period.
 - **Recommendation 20:** Amend DSP qualification criteria outlined in section 94 of the *Social Security Act* to remove the program of support requirement; or include clear criteria for exempting a person from the requirement.

67. Many people struggle to understand the evidence requirements associated with claiming DSP, including healthcare practitioners who are asked to supply evidence. Incomplete or mistargeted medical evidence results in delays in claims being processed and valid claims being rejected.
68. Often healthcare practitioners are reluctant to provide evidence, given doing so can be time-consuming and their work is not billable through Medicare. Many people trying to claim DSP are not able to pay for a private medical report.
 - **Recommendation 21:** Reintroduce the Treating Doctor Report as part of the DSP claim package, ensuring it is billable under Medicare, which requires introduction of a new Medicare item number.

Improve employment services

Accelerate structural reform

69. In 2024, EJA welcomed the recommendations of the House of Representatives Joint Committee on Workforce Australia in *Rebuilding Employment Services – Final report on Workforce Australia Employment Services*. Unfortunately, reform has been modest to date. While EJA understands that reform of employment services is a complex public policy operation, action is urgently needed, noting more than 700,000 people are currently required to engage with employment services.
 - **Recommendation 22:** Ensure adequate funding to accelerate efforts to deliver comprehensive reform based on the recommendations of the Workforce Australia Inquiry.

2024–25 Budget integrity and compliance measures

70. 2024–25 Budget measures to strengthen the integrity of the compliance system and develop a robust complaints process were welcomed by EJA, as they should reduce payment suspensions rates and provide higher levels of fairness, transparency and accountability in employment services.
71. EJA particularly welcomes changes to the time limit on medical certificates that will take effect from January 2025, and urges the government to engage in robust communications to ensure that people affected by the policy change, as well as their medical practitioners, understand the change.
72. EJA notes there will need to be careful application of the new policy change to people undertaking a POS for DSP, to ensure they are not adversely affected by the change via an inadvertent increase to the 18-month requirement.
73. EJA also welcomes the increase in the payment suspension resolution period from two to five days (addressed below).

Improve mutual obligations compliance mechanisms

74. The Targeted Compliance Framework (TCF) is problematic given its operation as a

punitive model reliant on payment suspensions and demerit points that do not support people into employment. Instead, EJA seeks a legislated compliance framework developed in consultation with people directly affected by the system, peak bodies and other experts – to ensure the effective operation of a new framework.

75. That framework should be firmly located within the *Social Security Act* and *Social Security Administration Act*, with decision-making delegated to appropriately trained public servants who operate according to administrative law so that due process is routinely followed.
76. The quality of decision-making and access to adequate right of review is fundamental, which is why this area of government responsibility should be moved back into the public service.
77. The new framework should ensure no decision is fully automated, and that all suspensions and other penalties are fully appealable.
 - **Recommendation 23:** Develop social security legislation outlining mutual obligations activities, ensuring decision-making is delegated to appropriately trained Services Australia officers, with decisions fully appealable.
 - **Recommendation 24:** Pending abolition of the Targeted Compliance Framework (TCF), introduce a non-punitive approach to mutual obligations developed in consultation with people directly affected by the system, peak bodies and experts, allowing decision-makers to consider the full set of circumstances informing individuals' ability to comply.
78. The Points Based Activation System (PBAS) is a major cause of payment suspension, constituting almost half of all payment suspensions in Workforce Australia. There are many reasons why a person may have difficulty meeting or reporting requirements, not all of which are within their control. Practical factors such as homelessness, lack of access to a mobile phone or the internet, system outages or personal issues such as mental illness are not always considered a 'reasonable excuse' under current arrangements, with decision makers allowed limited discretion.
79. More needs to be done to improve PBAS given 41 per cent of people are unable to complete their points target every month. The points system is not working and should be replaced with something far simpler.
 - **Recommendation 25:** Develop a system to replace points-based reporting through an inclusive design process involving people directly affected by the system and policy advocates.
 - **Recommendation 26:** Suspend the current points-based system until such time as a new system is implemented.

Abolish Work for the Dole

80. Work for the Dole is a punitive program that costs approximately \$40 million dollars per annum but does not improve employment outcomes. The evidence that Work for the Dole is ineffective has been demonstrated throughout the Workforce Australia Inquiry.

- **Recommendation 27:** Cease the Work for the Dole program and reallocate that funding to provide ongoing wage subsidies for people experiencing long-term unemployment

Address the absence of, or reduced, work capacity

81. EJA supports Workforce Australia Inquiry Committee Recommendations 32 and 33 to reinstate Sickness Allowance and to enable people who are extremely-long-term unemployed to be granted a Disability Support Pension.

- **Recommendation 28:** Reinstate Sickness Allowance.
- **Recommendation 29:** Review the current Disability Support Pension legislative framework to enable people with disability or chronic debilitating health conditions who are extremely-long-term unemployed to be granted Disability Support Pension.

Take account of natural disasters and extreme weather

- Following a natural disaster, mutual obligations are often paused for a short period (commonly four weeks) for people in specific local government areas. These short pauses regularly barely scratch the sides of the longer-term disruption that individuals face, while entire communities scramble to recover housing, essential services and infrastructure. In some instances people can seek extensions, but the onus remains on (often traumatised) individuals who are without access to their normal resources.
 - Instead, mutual obligation extension periods should be based on realistic assessment of post-disaster recovery, with decision makers able to make discretionary decisions that extend well beyond the current powers of the Secretary to make determinations re: exempt classes of people and the limited list of factors that can be considered a 'reasonable excuse' for failing to fulfil mutual obligations.
 - EJA asserts that just a little more flexibility and compassion exercised to a small group of income recipients during times of disaster will do nothing to undermine or destabilise the system as a whole.
 - **Recommendation 30:** Implement mutual obligation pauses during extreme weather events and following natural disasters.
82. EJA has earlier provided detailed submissions relating to employment services in our 2025-26 Federal Budget Submission to DEWR, and the [EJA Submission on the New Specialist Disability Employment Program](#). Please refer to these for more detailed information.

Fix Centrepay

83. EJA supports the Government's recent announcement to improve Centrepay policies and processes to meet its objective "to assist customers in managing expenses that are consistent with the purposes of welfare payments and reducing financial risk".
 84. Services Australia has allocated significant time and resources towards identifying key priorities for reform. This has been done in consultation with EJA as well as other key consumer advocate stakeholders.
 85. It is imperative that the Government now implements these reforms and invests necessary resources to ensure a smooth transition for Centrepay users as reforms are implemented.
 86. These reforms include:
 - Removal of non-essential services and additional conditions on some services
 - Clear and accessible records of purchase
 - Clear and specific obligations and sanctions regarding business compliance that can be enforced through strengthened contractual frameworks
 - Compliance and complaints processes to embed customer protections and assurance of Centrepay businesses.
- **Recommendation 31:** Allocate funding to implement reform of Centrepay, as identified in consultation with key stakeholders – particularly Aboriginal community-led organisations – to ensure Centrepay's objective to empower financial capability and prevent financial abuse is met.

Abolish Compulsory Income Management

87. EJA has provided detailed direct input to consideration of the *Social Security (Administration)(Enhanced Income Management Regime - State Referrals and Commonwealth Referrals and Exemptions) Determinations 2023 Bill* via [submission](#), and the recent Parliamentary Joint Committee on Human Rights Inquiry into Compulsory Income Management via [submission](#).
88. EJA supports implementation of all recommendations from the Parliamentary Joint Committee's Report.
89. EJA reiterates the recommendations found in our above-named submissions, noting these are consistent with those of the Australian Income Management Network:
 - **Recommendation 32:** Immediately transition all existing Compulsory Income Management regimes to Voluntary Income Management regimes to ensure that the core principles of choice and self-determination are central to any reforms.
 - **Recommendation 33:** Immediately transition Enhanced Income Management to a voluntary opt-in regime with no provision for designated bodies to refer participants to any forms of Compulsory Income Management.

- **Recommendation 34:** Design policies and processes related to Income Management with an emphasis on the people they are meant to serve, consistent with recommendation 10.1 of the Robodebt Royal Commission.
 - **Recommendation 35:** Review exemption and exit policy and procedural guidelines, with a view to identifying and removing barriers to applying for exemption/exit; and to ensuring equitable application of exemption and exit policies and enhancing access to internal review and appeals.
 - **Recommendation 36:** Amend the *Social Security Administration Act* to revoke the Ministerial discretionary power to extend the Enhanced Income Management regime to new regions/jurisdictions via instrument.
90. Further, we recommend the introduction of a sunset clause on Compulsory Income Management arrangements:
- **Recommendation 37:** Introduce sunset clauses to all current Compulsory Income Management arrangements, with all future delegated legislation under Part 3AA of the *Social Security Administration Act* subject to sunset clauses.

Improve the social security disaster response

91. EJA members have been at the forefront of social security legal assistance provision to communities during and after disasters for more than 30 years.
92. Drawing on that experience, EJA has recently raised a number of pressing policy issues, noting the commendable work done by the Department of Social Services in deliver improvements to the *Social Security Guide*, including changes to section 6.7.3.40 which names 'disaster' as a possible 'special circumstance' for debt waiver, and changes to sections 2.2.5.30 and 2.2.5.50 which recognise some former partners who are not living as a 'member of a couple' may co-habit (and co-parent) post-disaster due to very limited housing supply.
93. Other issues remain, including people being stuck in limbo while systemic disaster recovery, reconstruction and resilience responses (including state government buy-back schemes) are slowly rolled out amidst chronic building labour shortages.
94. Simultaneously, many people are unaware they are subject to critical Principal Place of Residence (PPR) time limits that could result in their income support payments being cut off.
95. There are currently effectively three PPR assets tests in operation, depending on whether a person:
- Sold their home before 1 Jan 2023 (1 year + 1 year)
 - Sold their home after 1 Jan 2023 (2 years + 1 year)
 - Temporarily left their home (1 year + 1 year)
96. Shorter time periods apply to the period in which a person must have made reasonable

efforts to purchase, build, repair or rebuild their home for the above time limits to be relevant, depending on whether they:

- Later sold their home before 1 Jan 2023 (6 months)
- Later sold/sell their home after 1 Jan 2023 (1 year)
- Temporarily left their home (6 months)

97. There is also an anomaly regarding insurance payment, which are exempt assets indefinitely as long as a person intends to use the money for repairs, noting income deeming provisions may apply after two years.
98. We have received clear feedback from members working with community workers in disaster-affected areas that most people are not aware of these time limits. Those workers are also concerned about how a person might demonstrate they have previously made “reasonable efforts” to remedy their housing issues in an environment where people haven’t taken specific actions in the short term because “everyone knew there were no builders and no houses for sale. It was all over social media. It was all anyone talked about”.
99. Importantly, PPR asset test exemptions are available for an unlimited period where an individual is outside Australia and unable to return due to reasons beyond their control. We seek extension of this same generosity to people who are unable to return to their PPR post natural disaster through no fault of their own.
- **Recommendation 38:** Review sections 11A(9A), 11A(9B) and 1118(1) of the *Social Security Act* to provide greater consistency of principal place of residence and insurance ‘assets’ time limits.
 - **Recommendation 39:** Make legislative amendment to allow for an unoccupied principal place of residence (or vacant land that was the site of the principal place of residence) and sale proceeds to be exempt from the asset test for ‘a longer period determined by the Secretary’, in line with insurance payout exemption extensions.

C) Adequate administrative process and service provision

100. The Government has committed “to restore the public’s trust and faith in government and its institutions – reforms that put people at the centre and promote integrity”.³ That commitment requires additional resourcing to improve service provision.
101. The social security system has evolved over more than 100 years in response to changing economic conditions and social values. Successive reforms to better target payments have resulted in a complex system of requirements that is beyond the grasp of most, requiring substantial systems to enable access and maintain accurate payments.
102. Our member centres see thousands of people each year who are locked out of the system for weeks or months because they are unable to navigate claim or appeals requirements. Many others are unable to get through member centres’ advice lines or

³ Government Response to the Royal Commission into the Robodebt Sceme, p. 5.

are turned away due to lack of adequate resourcing.

103. The recommendations below address fundamental issues of access, noting the *Social Security (Administration) Act* requires regard to “the delivery of services under the law in a fair, courteous, prompt and cost-efficient manner” (Section 8, (a)(iii)).
104. EJA is aware the Government has taken action to address systemic service delivery issues, and welcomes the significant 2023 funding to increase frontline Centrelink services, noting consequent reductions in processing and call wait times. Clearly there is still some way to go. Lengthy call wait times, hang ups and the dropping out of calls from Services Australia’s telephone system remain a source of immense frustration, contributing to distrust of government services and acting as a barrier to people claiming payments, meeting appeal time limits and fulfilling their legal reporting obligations.
105. While reduced processing and call wait times are a credit to Services Australia staff, they remain problematic – particularly the lack of a clear goal to reduce call wait times to a reasonable time, which arguably would be a few minutes.
106. This submission seeks additional funding and recommends targeted spending to address fundamental access issues and improve consistency of advice to people – particularly vulnerable people – trying to establish their Centrelink entitlements.
107. Implementation of these recommendations will:
 - Reduce stress on vulnerable people who are often distressed by their dealings with Centrelink and feel failed by the system
 - Reduce burden on Services Australia staff tasked with dealing with frustrated, upset and angry people
 - Reduce costs of staff undertaking the time-consuming processes of review and appeal where problems have arisen
 - Reduce demand on EJA member centres who are struggling with demand to assist with basic issues of access, at the expense of legal advice to others who cannot get through.
108. This submission does not argue against effective digital systems but it is worth noting that the push towards automation and IT-based solutions has come at significant cost to many individuals. It has also failed as a straightforward strategy to reduce government spending. While Centrelink recipients cry out for efficient telephone services and more face-to-face services, Robodebt and the write-off of the welfare entitlement calculator alone have cost hundreds of millions of dollars.
109. It is essential that the Government implement policies and processes with an emphasis on the people they are meant to serve. This means facilitating easy and efficient engagement with online, in-person and telephone communication which is sensitive to the particular circumstances of the client cohort, including itinerant lifestyles, lack of access to technology, lack of digital literacy and issues arising from rural and remote living.

Implement the Robodebt Royal Commission Recommendations

110. EJA welcomed the Federal Government's response to the Robodebt Royal Commission and its commitment to treat people on income support with respect. While progress is apparent in relation to some, it is not apparent in relation to others. Almost 18 months later, we are still waiting for implementation of many of the 56 recommendations.
111. EJA recognises that full implementation of the Royal Commission's recommendations will require significant funding and calls on the Government to ensure adequate provision is made in the 2025-26 Budget.
 - **Recommendation 40:** Ensure adequate funding to speed up implementation of the recommendations of the Robodebt Royal Commission in full.

Increase access to Centrelink social workers

112. Centrelink social workers are uniquely equipped to work with clients who have complex needs, helping vulnerable people and those in crisis to access correct payments, avoid debts and access appeals processes. Their input also removes the burden from frontline staff struggling to manage heightened behaviours of people who are angry or in distress.
113. For example, EJA notes that access to DSP can be particularly problematic for people with psychosocial disability across already vulnerable cohorts - including people in remote First Nations communities and refugees. While a person may have strong claims for DSP, without access to support to navigate the claims process many are effectively relegated to JobSeeker Payment or other activity-tested payments indefinitely or until they reach Age Pension age. They can also be at high risk of payment suspensions and non-payment penalties due to an inability to comply with mutual obligation requirements.
114. EJA research into the experience of women escaping domestic violence⁴ clearly indicates better outcomes for clients when they have timely access to Centrelink social workers. Unfortunately, our members report many people in crisis struggle to access Centrelink social worker support, often waiting two to three days to speak to a social worker even when appointments are offered during initial Centrelink contact.
115. EJA applauds the creation of 50 additional social worker positions and attention to which service centres would most benefit from in-house social work support.
116. Face-to-face interviews increase the likelihood of disclosure of difficult or traumatic issues given workers are better able to build rapport than during a telephone call. Further, local Centrelink social workers are well-placed to make warm referrals to relevant local community support organisations. EJA calls for ongoing expansion of social work services, including re-establishment of Centrelink office social work units, staffed to respond to local needs.
 - **Recommendation 41:** Allocate additional funding to enable Services Australia to employ more Centrelink social workers, also locating more social workers in

⁴ EJA, Debt, Duress and Dob-Ins: Centrelink Compliance Processes and Domestic Violence, 2021.

Centrelink offices.

This recommendation is consistent with recommendation 13.4, and also recommendations 10.1 and 13.3, of the Robodebt Royal Commission.

Expand specialist access staff services: Indigenous Service Officers, Multicultural Service Officers and Mobile Service Centres

117. Similar to the critical role played by social workers, our members consistently see how the involvement of Indigenous Service Officers, Multicultural Service Officers, and staff from Mobile Service Centres make a critical difference – establishing basic access for people with complex needs who are otherwise locked out of the system, and making appropriate referrals to address urgent issues including family and domestic violence and homelessness.
118. Spending in this area has the potential to provide targeted engagement with disadvantaged clients at critical points, including addressing issues before they escalate into legal problems. Ultimately, these services provide a streamlined mechanism to help people struggling with Centrelink's systems to claim and maintain correct payments.
 - **Recommendation 42:** Allocate additional funding to enable Services Australia to employ more Indigenous Service Officers and Multicultural Service Officers, and establish additional Mobile Service Centres.

This recommendation is consistent with recommendations 10.1 and 13.3 of the Robodebt Royal Commission.

Extend the Community Partnership Pilot

119. EJA recognises the success of the Community Partnership Pilot and welcomes expansion of the Pilot into a larger project, co-locating Community Partnership Specialist Officers in community services. These officers have proven invaluable in addressing questions regarding social security eligibility for people in very difficult circumstances, including people who are homeless.
120. We have seen great results from the partnership model, which has provided the type of wraparound service required to support clients in quite desperate straits.
121. EJA seeks ongoing review of the program with a view to establishing additional services where they may provide considerable benefit, particularly services outside metropolitan areas.
 - **Recommendation 43:** Allocate additional funding to Services Australia to extend the Community Partnership Program, particularly outside metropolitan areas.

This recommendation is consistent with recommendations 10.1 and 13.3 of the Robodebt Royal Commission.

Expand Services Australia Prison Liaison Officer Services

122. People leaving prison often require assistance to secure income security upon release, which is essential for a successful transition from prison back into the community. This support needs to be commenced prior to release to organise the claiming of Centrelink payments, engagement with employment service providers, and referral to community organisations for essential services.
123. Services Australia's Prison Liaison Officers (PLO) program provides valuable support to prisoners via phone prior to release. However, phone services are often not as effective as face-to-face services, which have become difficult to access.
124. Further, our members are seeing clients who have not been offered pre-release support. This has resulted in payment delays that were entirely predictable as people had not been informed that, in order to claim a Centrelink payment, they require:
 - Proof of identity documents
 - A contact address
 - A bank account (which they cannot open as they lack proof of identity).
125. Such rudimentary issues are preventing claims being lodged or assessed and leaving people who have just been released from prison with absolutely no money, with consequent flow-on effects.
126. We note the need for targeted PLO services for First Nations people given higher rates of incarceration but also mutual obligation suspensions and penalties, disability, chronic illness, general disengagement from the social security system, and homelessness.
127. We are concerned that the dropping away of Services Australia's presence in custodial settings over recent years is placing highly vulnerable people at risk of homelessness and triggering long-term issues regarding resettling into the community and re-engaging in work, with further knock-on effects.
 - **Recommendation 44:** Allocate additional funding to boost SA PLO servicing in custodial settings, to enable comprehensive pre-release servicing (including face-to-face servicing where required) and to facilitate Centrelink claims and referrals to community organisations to assist with travel and accommodation requirements.

This recommendation is consistent with recommendations 10.1 and 13.3 of the Robodebt Royal Commission.

Increase frontline services

128. As outlined above, nothing is more effective than face-to-face engagement with clients who are vulnerable, distressed and/or experiencing a crisis. Face-to-face engagement often gets people on payment quicker and increases the likelihood of people being paid the correct payment because they feel more comfortable disclosing their full circumstances.
129. Putting people back at the centre of Centrelink service provisions requires increased accessibility to expert staff in local Centrelink offices as well as increased outreach to

vulnerable members of the community. As recommended by the Robodebt Royal Commission, “more ‘face-to-face’ customer service support options should be available for vulnerable recipients needing support”.

- **Recommendation 45:** Allocate additional funding to get more Services Australia staff onto the frontline, so that vulnerable people can access face-to-face support.

This recommendation is consistent with recommendations 13.3, and also recommendation 10.1, of the Robodebt Royal Commission.

Build staff expertise

130. Social security is inordinately complicated, and most people do not understand the system of payments administered by Centrelink or the many specific conditions attached to their payments. Consequently, the role of Centrelink officers is critical to people accessing and maintaining correct payments.
131. As the Government has recognised, more investment in Centrelink staffing is required. Training thousands of staff to expertly fulfil their role no doubt poses enormous challenges but is an issue requiring utmost priority. EJA supports the Robodebt Royal Commission recommendation to establish a ‘Knowledge College’ within Services Australia, or similar, to provide much-needed training.
132. Particular effort is required to boost the capacity of Authorised Review Officers (AROs). EJA member centres are seeing long delays in completion of internal reviews and time-pressured AROs making hasty review decisions that fail to address all relevant issues. Further, the quality of decisions remains an issue, including decisions not always reflecting types of decisions made at the Administrative Appeals Tribunal (now Administrative Review Tribunal) and decision letters which are sometimes quite opaque.
133. Poor internal decision-making standards inhibit procedural fairness for individuals and point to rule of law issues on a systemic level. They also reduce faith in the system and leave people uncertain about whether Centrelink decisions are correct, including whether they are receiving correct payment.

- **Recommendation 46:** Allocate funding to employ and train additional staff, particularly senior staff, to assist with claims and appeals.

This recommendation is consistent with recommendation 23.5, and also 10.1, of the Robodebt Royal Commission.

Ensure correspondence meets legal standards

134. Services Australia’s social security debt letters have undergone a number of improvements over the last few years, but urgent investment is required to address IT systems constraints which appear to be the main factor preventing social security debt notices from meeting legislative requirements.
135. At the very least, notices need to meet the requirement prescribed by s 1229 of the *Social Security Act*: that a debt notice specify “the reason the debt was incurred,

including a brief explanation of the circumstances that led to the debt being incurred". This standard applies regardless of whether the debt notices are generated by a person or an automated system.

136. Current debt notices regularly fail to provide even a brief explanation of the circumstances that led to a debt.
137. EJA member centres have observed that clients receiving debt notices are often bewildered and upset as they cannot understand why they have a debt, so cannot work out what to do next: whether to accept they owe a legal debt; whether to appeal the quantum; or whether to seek waiver of recovery on the grounds of administrative error and/or special circumstances.
138. Further, debt notices are so opaque that expert caseworkers and lawyers at our member centres are often unable to understand the reason for a client's debt, despite being expert in social security law. EJA member centres see hundreds of debt letters each year, and spend time with their clients to talk through specific circumstances that may have led to the debt. Consequently, they are regularly unable to advise their clients of the best means to proceed. Current debt notices are not fit-for-purpose.

- **Recommendation 47:** Allocate funding to the development of Services Australia's IT systems to enable preparation of fit-for-purpose correspondence with Centrelink recipients that meets legal standards.

This recommendation is consistent with recommendation 10.1 of the Robodebt Royal Commission.

Continue the Advocates Channel

139. EJA applauds the Government's adoption of the Robodebt Royal Commission recommendation to create a "national advocate's line". Thanks is due to Services Australia for their considerable effort in ensuring the Advocates Channel has become a success, enabling rapid resolution of complex cases and those involving highly vulnerable clients. We seek ongoing funding to ensure the continuation of the Advocates Channel into 2025/26.

- **Recommendation 48:** Allocate funding to enable Services Australia to establish a permanent and well-resourced Advocates Channel for community legal centre solicitors/caseworkers to communicate directly with Centrelink staff regarding client matters.

This recommendation is consistent with recommendation 12.1 of the Robodebt Royal Commission.

Provide an effective means of contact for non-EJA member service providers into Services Australia

140. EJA has just completed research into barriers to social security for women in regional, rural, remote and very remote Australia. During wide-ranging interviews with more than 100 service providers, one of the most common issues to be raised was workers'

frustration at not being able to access Centrelink staff in a timely manner, particularly when they were with the client. Workers reported they are generally required to ring a Centrelink payment number, then spend an hour or more on hold or are cut off.

141. Often the client's issue would be simple to resolve with a single piece of information, but delays caused by the inability to contact Services Australia in a timely manner meant resolution could take weeks, with clients' vulnerability increasing significantly in the meantime.
142. This possibility offers enormous benefits to Services Australia, given a community worker will have an established relationship with a client, will have drawn relevant details from long and complex histories, will manage a client's challenging behaviours, and will support a client to understand/implement information provided by Services Australia.
143. It is also important because EJA member centres are already at absolute maximum capacity and cannot handle more clients being referred in only because otherwise competent community workers cannot get their client's matter through to Services Australia.

- **Recommendation 49:** Allocate funding to deliver a scalable community service provider contact system (comparable to the Advocates Channel) to enable community workers to communicate directly with Centrelink staff in a timely manner regarding client matters.

This recommendation is consistent with recommendation 12.1 of the Robodebt Royal Commission.

Establish a Services Australia Customer Experience Reference Group

144. The Government has agreed that "service design should respond to community need, and the methods of service delivery should be as effective and efficient as possible".⁵
145. EJA is aware that Services Australia is working to obtain timely community feedback to inform effective service delivery strategy through the trialing of a customer experience reference group.
146. EJA supports development of customer input, but stresses the importance of Services Australia providing clarity regarding the role, focus and membership of this group to ensure its effectiveness. Numerous other government, private and peak organisations now have similar lived experience reference bodies, providing important models for consideration.
147. EJA's position is that members must be paid appropriately to reflect the responsible nature of, and expertise they bring to, their work.
148. Further, EJA supports the development of mechanisms to ensure representative organisations and peak bodies, including EJA and ACOSS, are able to access information provided by the customer reference group, and also to provide input to Services

⁵ Commonwealth of Australia, Department of the Prime Minister and Cabinet, Royal Commission into the Robodebt Scheme – Government Response, November 2023.

Australia based on the “customer experience” of EJA members’ clients.

- **Recommendation 50:** Allocate funding to establish a Customer Experience Reference Group, to streamline insight to government regarding the experiences of people accessing income support.

This recommendation is consistent with recommendation 12.2 of the Robodebt Royal Commission, noting inclusion of EJA on the Customer Experience Reference Group would also be in line with recommendations 11.4 and 12.3.

Establish an Employment Services Customer Reference Group

149. Building services around the needs of users is fundamental to ensure these services are fit for purpose, requiring input to the work of the Department of Social Services, Department of Employment and Workforce Relations, and Services Australia. It is essential that Government recognise the importance of experienced, skilled and trusted advocacy organisations to support people with lived experience to engage with consultative bodies.

- **Recommendation 51:** Establish advisory and oversight bodies comprising people who are using employment services or who are unemployed to provide feedback on the design and operation of employment services.

This recommendation is consistent with recommendation 12.2 of the Robodebt Royal Commission

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