

MEDIA RELEASE

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Access to Disability Support Pension blocked for vulnerable cohorts of people with disability

Economic Justice Australia (EJA) gave evidence this week at the Senate Inquiry into the purpose, intent and adequacy of the Disability Support Pension, explaining how it has come about that many people who should be eligible for Disability Support Pension (DSP) are stuck on JobSeeker Payment or not receiving any income support at all.

Leanne Ho, Chief Executive Officer of Economic Justice Australia, said:

“Apart from struggling to survive on the lower rate of payment, people with severe impairment who can’t get onto DSP struggle with mutual obligations and the risk of having their payments suspended if they can’t comply. The income support system is not working as intended to support people with disability”.

DSP eligibility rules – recipe for confusion

DSP is a social security payment with complex eligibility criteria that few people understand. DSP is intended to provide income security for people with disability who are unable to work more than 15 hours a week; however, many people with disability who have limited or even no work capacity cannot access DSP because the claim processes and evidence requirements are so complex and confusing.

“These barriers to accessing DSP can be insurmountable for some of the most vulnerable people in our community”, said Ho.

DSP eligibility is assessed by applying the DSP Impairment Tables. Claimants are asked to provide medical reports for each of their medical and psychiatric conditions. Centrelink assessors then identify which Tables are relevant for each condition, and assess ratings under each. For a condition to be assigned a rating it must be **‘fully diagnosed’, ‘fully treated’, and ‘fully stabilised’**.

If the person receives a rating of 20 points under a single Table they will qualify for DSP. A person who has scored in excess of 20 points across more than one Impairment Table but did not score in excess of 20 points under any single Table, will only qualify for the DSP if they have actively participated in a **‘Program of Support’** for at least 18 months over the previous three years. (A program of support means a Commonwealth funded program, usually an employment services provider, designed to assist a person find or prepare for work.)

“Fully” diagnosed, treated and stabilised requirement problematic

EJA’s new research report, [Barriers to Disability Support Pension access for people with psychiatric impairments and their experiences on Jobseeker Payment](#), found that the “fully” diagnosed, treated and stabilised criterion is problematic.

“The requirement that a condition be ‘fully diagnosed’, ‘fully treated’, and ‘fully stabilised’ to be assessed, creates a lot of confusion among DSP claimants and their treating doctors, as well as Centrelink decision-makers and even the Administrative Appeals Tribunal members who

consider the many appeals on this issue. For many conditions, “fully” doesn’t make sense for example when a serious psychiatric condition is unstable or episodic in nature, ‘full’ stabilisation of symptoms may be impossible. ‘Fully’ should be removed from this requirement”, said Ho.

Program of Support requirement creates a DSP holding bay

EJA’s research also recommends abolishing the Program of Support requirement because it can mean that people with severe disability can be indefinitely relegated to activity tested payments, generally JobSeeker Payment. Often this is purely because they could not obtain the medical reports needed to attract a 20 point rating under a single Impairment Table.

“The Program of Support Requirement can mean that a person with multiple conditions, resulting in an overall high impairment rating of, say, 50 points will not qualify for DSP until they have met the Program of Support requirement – an absurd situation when it is clear that the person has a permanent inability to work and will qualify for DSP in 18 months to three years’ time”, said Ho.

Medical evidence barriers

DSP claimants are generally in the dark about what medical evidence to provide to Centrelink and many claims fail only because the evidence is inadequate. A simple solution to assist in ensuring that Impairment Table assessments are fair and realistic, would be to bring back mandatory Treating Doctor Reports as a part of the DSP claim package – to make it easier for people to get reports to support their application for DSP.

“People with psychiatric impairments experience particular barriers to obtaining medical evidence, and difficulty ensuring that the evidence gathered complies with all the rules. Complicated evidence requirements which are difficult for both applicants and doctors to understand can mean that people with severe psychiatric disability are forced to appeal to the Administrative Appeals Tribunal to establish qualification for DSP, while many others struggle on JobSeeker Payment indefinitely”, said Ho.

Mutual obligations – people set up to fail

EJA’s research findings also highlight the significant problems experienced by people with psychiatric impairments in meeting JobSeeker Payment mutual obligations. It was found that many people with psychiatric impairments were unable to meet their mutual obligations, and experienced problems negotiating appropriate job plans and temporary medical exemptions from mutual obligations, even where their employment services provider was aware of the impact of their poor mental health on their capacity to comply with requirements.

“In many cases, people who were unable to comply with their mutual obligations as a result of their psychiatric condition were penalised with periods of non-payment, leading to financial hardship – and many actually experienced an exacerbation of their psychiatric condition”, said Ho.

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