

Women's Electoral Lobby (Australia) Inc

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WEL Australia Policy Statement February 2012

WEL is a political lobby group, which aims to influence power holders, such as politicians, union leaders, and bureaucrats, to adopt policies that help improve the position of women in society. We focus on policies that most affect women. The release of this policy statement coincides with the 40th anniversary of the founding of WEL in February 1972.

The Statement sets out WEL's policy recommendations for a number of key areas as follows:

1. Employment
2. Affordable Housing
3. Aged Care
4. Children's Services
5. Tax Reform and Superannuation
6. National Disabilities Insurance Scheme
7. Income Management and Transfer Payments
8. Anti-discrimination Policy Reform
9. Clean Energy
10. Problem Gambling

During this 40th Anniversary year WEL will advocate strongly on these policies and on other emerging policy issues that impact on women. In doing so WEL will work closely with other women's organisations including other members of the Equality Rights Alliance (ERA).

Helen L'Orange AM
Chair, WEL Australia

Think



before you vote



1. Employment

1.1 Equal Remuneration

The current proceedings relating to equal remuneration for employees in the social and community services sector have been before the Full Bench of Fair Work Australia (FWA) since April 2010. The Full Bench accepted that there has not been equal remuneration for these employees, and on 1 February 2012 it decided to make an equal remuneration order setting percentage increases of between 19% and 41% for employees covered by the modern industry award. The percentage additions at each wage level and the further 4 per cent loading to recognise impediments to bargaining in the industry are to be introduced in nine equal instalments on 1 December in each of the years 2012 to 2020.

The pay rises are for employees in the Social and Community Services classifications and the Crisis Accommodation classifications of the Social, Community, Home Care and Disability Services Industry Award 2010 (the SACS modern award).

State support for the equal remuneration case and for implementing FWA's decision has slipped in those States that have changed from Labor to Coalition Governments since proceedings started. At the same time the Federal Government has made a strong commitment to implement FWA's final orders. It will be important to lobby States to ensure that FWA's final equal remuneration order is fully implemented at State level as well as by the Commonwealth, and that State NGOs also comply.

Recommendations

1. WEL very strongly commends the Federal Government for its commitment to fund the Fair Work Australia decision, and recommends that state and territory governments and state NGOs fully implement the Fair Work Australia decision.
2. WEL strongly advocates for equal remuneration for early childhood and aged services sector workers.

1.2 Revisions to the Equal Opportunity for Women in the Workplace Act 1999 (the EOWA Act)

The EOWA Act is undergoing revision. Issues have been raised about the possible shape and limitations of the new Act.

Recommendation

1. That the Federal Government consult with WEL and other women's organisations on proposed developments with the revised EOWA Act.



1. Employment (cont.)

1.3 Longer Term Strategic Goals – workforce policies and practices

While WEL accepts the benefits of access to paid work for both the individuals concerned and the wider community, we are concerned with some aspects of the current policy focus. Two issues are:

- The need for jobs to offer acceptable work, pay and working conditions: more than 40% of Australian workers are in “non-standard” and non-permanent forms of employment, including casual work, fixed-term work, seasonal work, contracting and labour hire. Women predominate in casual employment in sectors which are often insecure and underpaid. Current pressures in income support policies for recipients to take on paid work do not take these issues adequately into account. Expectations placed on sole parents, in particular, show that paid work, if casual and poor quality, will not improve later job chances and may undermine parental roles and capacities.
- Policies need to recognise a reasonable balance between the time demands of paid work and other obligations such as care for children and others: There has been an extension of working hours in Australia, after the reduction of hours gained around the 35hr week. While the increase has slowed, many full time jobs are well over the 35 or even 49 hours per week. WEL suggests that the terms part time and full time work are no longer useful and often undervalue those doing shorter hours in workplaces. In many jobs productivity is no longer clearly tied to hours and there is some evidence that shorter working hours can increase productive output levels. New technologies have also led both to more intervention by work into out of hours times, and also less need to be emphasise being physically present at the worksite, as communications from various sites improves.

Recommendations

1. That a more appropriate balance be recognised between parental and other responsibilities and the obligation to seek paid work.
2. That paid work and productivity should begin to be defined by means other than hours worked.
3. That the terms ‘part time’ and ‘full time’ be replaced by better measures to be explored by the Productivity Commission.
4. That the above policy positions are incorporated in the terms of reference for a Productivity Commission Inquiry.



2. Affordable Housing

Background

WEL believes that the availability of affordable, suitable and secure housing for all Australians is critical for achieving social justice and cohesion. It is of particular concern for women who are disproportionately represented amongst lower income earners and as the victims of domestic and family violence, and who are more likely to be responsible for the upbringing of children. There is also a higher rate of poverty among older women living alone or needing aged care. Yet a significant number of Australians, mainly low to moderate income earners, are suffering from housing stress or homelessness.

Some issues of concern are:

- Over one million families in Australia are estimated to be in housing stress ie paying more than 30% of their gross income in housing costs and their income is in the bottom 40% of households.
- Home ownership which has previously accounted for nearly 70% of households is being adversely affected by the rise in house prices which have risen more rapidly than incomes for the last 50 years and especially in the last decade, creating high barriers to home ownership for low income households. The AAH Report revealed that over the last 10 years, house prices in Australia have risen by 147 %, while incomes have only risen by 57 %.
- 75,000 Australians live in boarding house and caravan park accommodation.
- The growth in the gap between underlying demand and supply of housing nationally is predicted to grow significantly from 186,800 in 2010 to 640,000 in 2030. (National Housing Supply Council Report, December 2011.)
- The National Housing Supply Council has estimated that there is a shortage of 493,000 rental properties nationally that are affordable and available to low income households, that is on the lowest 40% of incomes.
- In June 2010, the waitlist for social housing in Australia was 248,419.
- About 105,000 Australians are estimated to be homeless. There is increasing evidence that rising rents, family breakdown and the current economic conditions are pushing more women, especially older women, into homelessness. Since 2007/8, women over the age of 45 outnumber older men in government funded shelters. In 2010-11, 65,400 people used homelessness services in NSW.
- Barriers to accessing affordable housing mean that women escaping from domestic violence continue to rely heavily on emergency accommodation, and for longer periods of time. This situation increases the risk of long term homelessness or return to a violent situation. One study has indicated that women are increasingly facing lengthy and fragmented processes when attempting to obtain safe, secure and affordable housing

Recommendations

1. WEL strongly endorses ERA's call for more gender based metrics in relation to how women are impacted by the shortage of affordable housing, such as gender disaggregated data in relation to the outcomes of the National Affordable Housing Agreement, National Partnership Agreements, National Rental Affordability Scheme, and Social Housing Initiative.



2. Affordable Housing (cont.)

2. WEL therefore supports the ERA project which will:
 - Provide a **gender analysis** through gathering data, information and case studies to illuminate the position of women of all ages in the housing market.
 - Expand **access to affordable rental housing** through exploring options to improve and expand the Federal NRAS and other schemes which would increase development of accessible affordable rental housing and lead to increased security for long term rental arrangements.
3. WEL NSW further joins Australians for Affordable Housing, Shelter & other advocacy groups in calling for the Federal Government to form a National Housing Strategy as a priority in the 2012-13 Budget as a sustainable framework for the supply of affordable housing into the future.
4. That the 2012-13 Federal Budget should include an immediate \$2.5 billion stimulus payment to deliver 8,300 social housing properties.
5. As proposed by ERA, WEL supports the implementation of Recommendation 14 of the Henry Tax Review to reduce capital gains tax exemption. This could provide additional funding for increased expenditure on affordable housing programs. For every 10% reduction in the capital gains tax exemption, tax revenue would increase by \$1b. By reducing the capital gains tax exemption from 50% to 40%, unless the gain is in relation to affordable and social housing through approved entities, Government could invest an additional \$1b per year in the National Rental Affordability Scheme, or other affordable housing programs.
6. That the Federal Government Ministers responsible for Homelessness, the Australian Bureau of Statistics, the Status of Women and Families redefine primary homelessness to include equally the experiences of men and women to enable accurate data to be obtained. A revised definition could be one that combines the primary and secondary levels as follows:
 - **Primary Homelessness:** People without conventional accommodation and those moving between various forms of temporary shelter.
 - **Secondary Homelessness:** People living in single rooms in private boarding houses on a medium or long-term basis without their own bathroom, kitchen or security of tenure.



3. Aged Care

3.1 Recognising Gender Issues in Developing Aged Care Services

In Australia, the majority of older people and carers are women. As at June 2011 there were:

- 3.1m Australians 65 years and over - 1.677m women; 1.426m men.
- 2.15m Australians 70 years and over - 1.1967m women; 954,000m men.
- 1.42m Australians 75 years and over - 820,000 women; 600,000 men.

Nine out of 10 of the 1.4m Australians aged 90 and over have a disability. Of these 88,000 are women and 38,000 are men.

Dementia is the leading single cause of disability in older Australians (aged 65 years or older) and is more prevalent in older women than men - almost two-thirds of older people with dementia (65 per cent) are female.

The users of aged care services are drawn from the total aged population, with very old women most likely to use formal care services:

- Women account for 70% of all community care package clients.
- In residential aged care homes, 70% of permanent residents were women in 2011. Although women aged 85 and over account for only 8.6% of the total population aged 65 and over, those women make up 44% of all permanent residents of facilities.

For a better system, the Government needs to be far more gender sensitive and comprehensive than the Productivity Commission (PC), as demonstrated in the PC's Report *"Caring for Older Australians"*. The changes proposed by the PC seem to be primarily concerned with justifying a user pays system for aged care.

Recommendations

1. That the Government take more account of the reality and needs of ageing women and carers than is evident in recommendations of the Productivity Commission's Report *"Caring for Older Australians"*. In this policy area, it is crucial that all policies are analysed from a gendered perspective.
2. That governments and service providers acknowledge that aged care services are very much women's issues and that gender analysis be routine during the design and implementation stages of the Reform package.

3.2. Type and Affordability of Aged Care Services

Most ageing Australians will continue to be cared for by family members and informal and formal aged care services in community settings.



3. Aged Care (cont.)

WEL challenges the PC statement that *'The older population themselves will on average be more affluent and are likely to expect higher quality care and greater choice over how they live their lives and the care and support they receive'*.

Retirement for many single women is an inevitable slide into poverty. There are nearly 3 times more single female aged pensioners than there are men, with the majority of women having little in the way of housing wealth, savings and superannuation.

Under the Government-backed Australian Aged Care Credit Scheme proposed by the PC (recommendation 8.1), eligible individuals would receive a Government-backed line of credit secured against their principal residence, or their share of that residence. WEL opposes this proposal, given its doubtful viability and its adverse effects on carers and the next generation (who will be poorer than the current cohort).

Recommendations

1. That any Aged Care Credit Scheme (reverse mortgage) be limited to apply only to fully owned houses, valued at \$1.5 million and above.
2. WEL endorses the National Aged Care Alliance view that aged care reform that does not have a strong focus on dementia will not be successful. Dementia can no longer be considered an issue affecting a small population of older adults in aged care. Rather, it must be at the core of both residential and community aged care service provision.
3. That close attention be paid in the design and implementation stages, as to how people with complex needs - predominantly women and including those with dementia - will fare in the new system. This must include gender analysis. It will be a challenge to enable people to stay at home longer and access the high-quality and flexible services they need.
4. WEL endorses the NFAW's request that the Department of Health and Ageing engage the Australian Institute of Health and Welfare to compile a report on gender differences in use of aged care services to provide an accurate and realistic analysis of the factors associated with higher use of services by older women and their capacity to contribute to the cost of their care.

3.3 Quality of Care

Quality of both residential aged care facilities (RACF) and aged care services to the community are a concern to WEL. The PC recommends maintaining the existing quality system and that these arrangements primarily be strengthened by creating an independent Australian Aged Care Commission (AACC), separate from the Department of Health and Ageing. AACC would be responsible for all regulatory activity including accreditation, quality improvement and the national complaints scheme.

PC Recommendation 14.1 proposes that the Australian Aged Care Commission, when assessing and recommending scheduled care prices, should take into account the need to pay fair and competitive wages



3. Aged Care (cont.)

to nursing and other care staff delivering approved aged care services and the appropriate mix of skills and staffing levels for the delivery of those services.

Recommendations

1. WEL supports establishment of an independent Australian Aged Care Commission (AACC), and seeks that gender analysis be integral to the design and implementation stages of the AACC.
2. WEL expresses concern that the proposed AACC's pricing powers may diminish the role of Fair Work Australia.

3.4 Access to /availability of aged care services

WEL is concerned to see more incentives for informal and formal carers. Under the current aged care system, service providers are funded to provide beds in residential facilities and services in the community. The number and location of beds and the types of services that can be offered are restricted (113 beds or community care packages per 1,000 of the population aged 70 or older).

Older people have limited choice and control over the services they receive and over service providers. Access, particularly to residential aged care, can be difficult in some regions where the demand exceeds the number of services funded through planning ratios.

Recommendation

WEL endorses the PC recommendation for removal of the rationing of services. The removal of this restriction is needed to enable a necessary increase in the provision of residential services to those in regional areas, the old and those with complex needs including dementia and severe mobility problems. Providers rightly expect the Government response will enable training for staff and will provide funding that takes account of the true cost of providing dementia care and respite care.

3.5 Carers

Access Economics Research commissioned by Carers Australia in 2010 revealed the increasing value of carers to our economy. In 2010, the annual 'replacement value' of informal care exceeded \$40 billion per annum. Carers continue to play a crucial role in our society and to make a significant economic contribution, often at great personal expense.

In 2009, there were around 2.6 million informal carers providing assistance to disabled and older Australians according to the Australian Bureau of Statistics (ABS Survey of Disability, Ageing and Carers, ABS 2011b). Around 750 000 of these informal carers were primary carers, of which 352 000 cared for people aged 65 years and over. 71.5% of informal providers are women and 64.7% of informal providers of transport are women.

Despite the enormous contribution that carers make, benefits are grossly inadequate.



3. Aged Care (cont.)

In relation to those employed to work in aged care, there are just over 300,000 aged care workers in Australia - 200,000 work in residential aged care facilities (RACF) whilst 100,000 provide aged care services in community settings. The Department of Health and Ageing anticipates that by 2050 more than 500,000 additional workers, that is a total of 800,000, will be required to meet the needs of the ageing population.

In future years, the number of older Australians needing care will increase faster than the number of carers available to support them. The National Aged Care Alliance (The Alliance) argues that there “*is also some evidence that in general family members’ willingness to provide care is diminishing*”.

Recommendations

1. That the National Carer Strategy be implemented in tandem with the Government’s Aged Services Plan arising from the PC’s report.
http://www.fahcsia.gov.au/sa/carers/pubs/national_carer_strategy/Pages/default.aspx
2. That the Government increase carers’ allowances and payments to a level commensurate with the value of their work.
3. WEL endorses Carers Australia call for a doubling of the carer’s supplement from \$600 per annum to \$1,200 per annum
4. WEL endorses NFAW’s call that the Commonwealth reject the Commission’s recommendation that the provisions for “protected persons” be abolished in taking the former residence into account in applying the proposed income and asset test (recommendation 7.7). This recommendation is likely to have a highly inequitable impact on women. The great majority of current protected persons are women who are co-resident carers, including many daughters themselves in late middle age who have no other home and who have given years of care to a frail parent. Requiring these individuals to accumulate a debt against the family home though the Australian Aged Care Home Credit scheme is a perverse penalty for years of unpaid work and contribution to community welfare.

3.6 Health Reform and Aged Care

Primary care is in difficulties in Australia, including GP’s and nurses availability to residents of aged care facilities. There are very few trained staff in nursing homes. This is reported to be nearing danger point.

The bulk billing fee for doctors is \$35.60. There is decreasing interest in becoming a GP and few incentives are in place. The shortage of GPs is greatest in rural regions. Older people - particularly those living in residential aged care facilities - face difficulties in getting timely access to quality, appropriate medical care services. This results in inadequate care that is often delivered in unsuitable settings, such as hospital emergency departments. There are a number of underlying factors that contribute to this, such as workforce issues (low remuneration, inappropriate skills mix) poor care coordination (insufficient assistance with, or systems for, navigating the health system) and inadequate information about services.



3. Aged Care (cont.)

Australia is currently undergoing significant health reform including establishing local healthcare organisations called 'Medicare Locals' (MLs). The ML role should help to identify gaps in services across the aged care sector and should develop locally-tailored primary health care solutions to address those gaps. The PC has also made a number of recommendations to help address medical and health care issues for older people.

WEL urges that any proposed reforms should ensure that health and aged care systems work in harmony to provide quality, seamless, timely and appropriate care to all older people based on their needs - not on where they live or what they can afford to pay. WEL supports a shift to a health system which focuses on prevention, reablement and health promotion to support older people to live healthier, more independent lives for as long as possible.

Recommendations

1. WEL welcomes the PC's health-related recommendations. The current health reforms, including establishing Medicare Locals, offer an opportunity to provide better coordinated care for older people. However, strong intervention will be necessary to ensure that a medically inspired treatment focus will not continue to dominate. Significant increases are needed in target based funding, constant monitoring and follow-up to achieve change. It will also require mechanisms for community contribution and involvement because effective primary health care (in contrast with primary medical care) has been shown to depend heavily on community input and ownership. Therefore, governance models adopted by Medicare Locals are central to success.
2. That the proposed Gateway Centres be adequately funded, including to enable employed 'experts' to visit ageing people in their homes. Getting to a centre if you are old and sick is especially difficult in regional areas.
3. That a nationally consistent approach to advanced care directives be agreed by state and territory governments and that ongoing comprehensive training be part of the implementation.
4. That the Government actively promote the use of the MBS Domiciliary Medication Management Review and the Residential Medication Review.

Contributions to WEL aged care policy position:

Dr Sonia Laverty Ph.D. Older Women's Network (OWN)

Dr Gwendolyn Gray Ph.D. Australian Women's Health Network (AWHN)

National Foundation to Australian Women (NFAW)

National Aged Care Alliance. The Alliance has published Aged Care Reform Information Sheets:

<http://www.naca.asn.au/publications.html> proposals



4. Children's Services

Background

The questions of concern to users of services include the costs of services, the availability and distribution of services and the appropriateness to meet demands.

The costs of care have risen substantially and further increases are possible as further regulatory changes are made. There are shortages of services in some areas and particular shortages for some age groups, including OOSC services for older children (9-14). Costs are paid out of the lower earners' pay and so can be a disincentive. While the government is claiming that costs as a proportion of income have dropped, its estimates are based on an unstated average fee. As fees in Sydney, for example, go from around \$65 per week (rare) to \$120 plus, averages are not good indicators of costs to many individuals.

Another issue is supply with the withdrawal of councils and schools as providers of services.

Recommendations

1. That the Government take into account the findings of the forthcoming (March 2012) workshop on strategies to expand the pool of Out of School Hours service providers. This workshop is being co-sponsored by ERA, Security for Women and National Foundation for Australian Women (NFAW).
2. That in the short term in 2012-2013 extra funds should be made available:
 - To cover establishment grants for new OOSC services both targeted for older children, and, where demand exceeds supply in identified areas, for younger children.
 - To offer extra subsidies for low income families to reduce the gap fees to no more than \$8 per day or \$30 per week for families on less than \$50,000 per annum, and a sliding scale above this.
3. That WEL endorses the position of ERA and NFAW as put forward in their submission to the 2011 Tax Forum, "Women's Voices" as follows:
 1. Parents using out of school care (OOSC) and vacation care services should be entitled to benefits on the same basis as approved child care services on condition that the person supervising the child(ren) holds appropriate qualifications and the daily cap should be adjusted to reflect the hours of care.
 2. The programs offered in OOSC for older children (9 – 14) should be reviewed to ensure they are appropriate for the target age group.
 3. Parents using child care services in the home should be entitled to benefits on the same basis as approved child care services on condition that the person caring for the child(ren) holds appropriate qualifications and immigration status, and that all relevant industrial relations and Occupational Health and Safety obligations are met.
 4. The fringe benefits tax exemption for child care benefits provided by an employer is currently very restrictive, and only available to a limited number of employees. The options are:
 - The current FBT exemption for child care be extended to include payments to approved child care providers outside the employer's premises, but the exemption be capped equivalent to CCR; or
 - Alternatively the existing FBT exemption should be removed.



5. Tax Reform and Superannuation

WEL endorses ERA's recent Pre Budget Submission on this issue, which states:

Background

Most women do not have adequate superannuation in retirement because the system is based on workplace earnings, impacted by caring responsibilities or other barriers to paid work. By 2019-20 women will hold \$600 billion, or one third of total projected superannuation assets of \$1,800 billion. ASFA quotes a projected real average superannuation balance for women of \$77,000 in 2019, and \$121,000 for men.

One issue is the Superannuation Guarantee Charge threshold. Participants in consultations by the NFAW in 2010 gave examples of women being employed by several different employers with each employer limiting the hours so that the worker remains under the monthly threshold. Removing the \$450 per month limit would entitle all workers to some superannuation. However, this must be implemented in such a way that employers do not reduce wages for workers who already have low pay.

Tax concessions mean high income earners receive a substantial public subsidy to their retirement income. The top 12% of income earners currently receive more than 50% of at least \$15b in tax concessions on superannuation contributions, and the top 20% of income earners receive more in tax concessions over their lifetimes than they would have received if paid the maximum rate of Age Pension. Retirees who have little or no super face difficulties in managing any extra capital costs. An extra funding system could be introduced to assist with small capital needs for these mainly female Age Pensioners. This should be funded by a superannuation surcharge. The superannuation surcharge of 10% on those with income over \$99,000pa raised revenue of \$1,289m in 2005-06. A Fair Retirement Supplement program, funded by a superannuation surcharge on the top 12% of income earners, could deliver small grants to Age Pension recipients for capital expenses such as house repairs. This would provide some relief to retirees on low incomes, without reducing the incentive for most Australians to contribute to superannuation.

There have been many reports on the effect of affordable access to quality child care on women's workforce participation. Calculation of Child Care Benefit (CCB) entitlement and Child Care Rebate (CCR) is extremely complex, requiring consideration of income and work tests, type of care, number and ages of children. This complexity makes it more difficult for women to understand the financial net effect of returning to paid work. Combining CCB and CCR into a single benefit that takes into account the variable cost of child care in different areas will enable more women to participate in the paid workforce.

ERA Recommendations endorsed by WEL

1. Remove the threshold below which employers are not required to make superannuation contributions, managed in a way that does not reduce the wages of low paid workers.
 2. A surcharge of 10% on the superannuation contributions of the top 12% of income earners to fund a Fair Retirement Supplement program.
- Estimated investment and revenue: \$750m in 2013-14 funded through superannuation surcharge.



5. Tax Reform and Superannuation (cont.)

3. Implement recommendation 99 of the Henry Report, combining CCB and CCR into a single benefit, without reducing child care benefits to low income households.

The combined benefit must be work tested to prioritise access enabling parents to work, study, or attend training; and means tested to ensure that the contribution from low income families does not exceed 10% of the actual cost to the child care provider of providing care.

The combined benefit should take into account local variations in child care costs without encouraging fee gouging.



6. National Disabilities Insurance Scheme

Background

The Productivity Commission's [Disability Care and Support](#) Inquiry report was released on 10 August 2011. Central to its recommendations is a three tiered National Disability Insurance Scheme (NDIS). The Prime Minister responded on the same day announcing \$10 million for work on the design of the NDIS. It will be at least seven years before the NDIS is fully implemented.

WEL joins Women With Disabilities Australia (WWDA) in welcoming the establishment of a national disability system which is better resourced and reliable over people's lifetimes and which aims to support women and men in the ways each person wants to live. This is a vast improvement on the current fractured and inadequate systems in each state and territory.

WEL agrees with WWDA that the development and implementation of the National Disability Insurance Scheme (NDIS) needs to integrate the lived experiences which arise from gender, with attention to the perspective of women and girls. There is a real opportunity to build in gender responsiveness from the start of the NDIS through its foundational principles and assumptions, and in its implementation, so that the disability system recognises and addresses the issues for women and girls with disabilities.

At this stage of the design of the NDIS the issue of who is defined with "severe and profound" disability has been referred to the NDIS Scheme Advisory Group. The Productivity Commission Report (p 168 Volume 1) raises a gender specific issue when discussing the ABS definition of severe and profound. The report states:

"A further limitation of adopting an ABS-based definition of 'severe and profound' relates to the expected duration of the disability. The current definition of disability covers people whose limitations have lasted, or are expected to last, more than six months, and so would include people with disabling conditions that last for relatively short periods. For example, the ABS classifies around 2000 women with a menopausal disorder as having a disability (ABS 2004). However, this condition tends to be relatively short-lived, with symptoms lasting from several years to a month.

Not only has the Australian Government indicated that it intends for the NDIS to address long-term support needs, characterising people with shorter-term core activity limitations as 'disabled' can pose problems. Labelling a condition a disability and treating it as such might prolong recovery. A number of studies have found that positive expectations about recovery are associated with better health outcomes for a number of conditions, even after controlling for symptom"

Recommendations

1. WEL endorses the position of Women With Disabilities Australia (WWDA) and Women with Disabilities Victoria on the establishment of a National Disabilities Insurance Scheme, namely that:
 - Gender is explicitly mentioned as part of the overall framing and conceptualisation of the NDIS.



6. National Disabilities Insurance Scheme (cont.)

- Gender and acknowledgement of the needs of women with disabilities are explicitly mentioned as part of describing how the NDIS will enable the access to, and collaboration with, mainstream services.
 - The NDIS employment strategy reduce disadvantage experienced by women with disabilities in gaining employment and in the workplace.
 - Women with disabilities have the same access to mainstream services and supports as women in general.
 - People with disabilities who have additional ancillary health support needs are subsidised on an ongoing basis.
 - Gender considerations, the specific needs of women with disabilities, is explicitly mentioned as part of describing the NDIS assessment processes and tier 3 responses.
 - Assessors for the NDIS are trained in relation to family and relationship violence when working with women and girls.
 - The assessment of family and informal context recognises women's roles as *givers and* receivers of informal support
2. WEL is concerned about the lack of clarity about who is included and who is not. The eligibility criteria and parameters for the NDIS need to be developed with a gender lens firmly in place. Of particular concern to WEL is the approach taken to duration of disability as it applies to the 2,000 women with a menopausal disorder (ABS 2004). The latest ABS data should be obtained and this issue should be drawn to the attention of the Advisory Group.

See also:

Women with Disabilities Australia

<http://www.wwda.org.au/contents.htm>



7. Income Management and Transfer Payment

Background

The current Government commitment to further forms of conditional welfare is based on negative assumptions about the capacities of those claiming government payments - including that working age income support recipients require control and punishments to change their presumed errant ways. This fails to recognise diverse social and economic contributions made in ways other than by paid work, and ignores the prejudices and structural barriers that can exclude many potential workers.

It particularly affects stigmatised groups such as sole parents and Aboriginal communities in the NT and has the strongest impact on women, who are most vulnerable to low paid work or joblessness.

Newstart must be adequate to cover basic living expenses and be tapered in ways that encourages part time work that also allows for other responsibilities. This is important for sole parents, part time carers and those who have other difficulties managing full time work

Compulsory income management will make the lives of many women (and men) much harder for no good reason. The stated intentions of the original income management program, as part of the Northern Territory Emergency Response and the more recent reviewed version were to improve family functioning by controlling spending on food etc. However, various surveys offer no evidence of actual benefits.

A recent ERA survey on the impact of income management on women in the NT showed nearly all the 180 women in their survey were not happy to be on income management. Most women said the quarantining of their income had little or no effect on what they bought, and said the card added to the difficulties and costs of paying for goods and services. Very significantly, nearly three quarters of women said they do not feel safer because of the card. Instead they felt a loss of dignity and respect and felt disempowered. Also concerning were some participants' comments that they were not seeking Centrelink assistance to exit an abusive relationship because they did not want to be placed on income management.

Together with other data on increased crime rates and no better safety data or school attendance, the program should not continue let alone be extended to five new sites in NSW, Victoria, SA and Queensland.

It is a core feminist principle that women have autonomy over their lives, finances and income. Compulsory income management programs disempower and disenfranchise women, denying them their dignity.

Recommendations

1. WEL opposes the imposition of conditional welfare policies such as variations of compulsory income management, unless court ordered, as these undermine the dignity of recipients and there is no proof they protect individuals or families. WEL recommend that all forms of compulsory income management, unless ordered by court or tribunal, be abolished.



7. Income Management and Transfer Payment (cont.)

2. WEL opposes the Government's proposed roll out of income management in further communities throughout Australia.
3. That Newstart be raised to the same level as the pension as job seeking also costs money
4. That income support rates and conditions must recognise the social value of many other activities such as care for others, and allow adequate income for people who are effectively 'employed' in non-economic ways.
5. That there is a change of policies to recognise individual rights to payments and the abolition of involuntary official cohabitation decisions, where people share housing.

The study by the Equal Rights Alliance (ERA) is available at: <http://www.equalityrightsalliance.org.au> .



8. Anti-discrimination Policy Reform

Background

The Commonwealth Government is currently considering amalgamating all anti-discrimination legislation into one document.

WEL strongly urges that no current conditions are lost in any rewriting of legislation and that any changes to legislation will strengthen, and not weaken, the rights of all women. Furthermore, WEL has long argued for stronger Government action in implementing and interpreting the Sex Discrimination Act. This initiative provides an opportunity for stronger implementation of anti discrimination provisions.

WEL also supports the elimination, or weakening, of current exemptions for religious bodies.

Recommendations

1. WEL urges that any changes to legislation ensure that:
 - Legislation should prohibit sex discrimination and sexual harassment in any area of public life.
 - Legislation should remove the elimination of automatic exceptions for religious and other bodies from all anti-discrimination legislation, and that if exceptions are made that they be limited to a two-year period, with no automatic extension of exemptions.
 - There should be provisions to address the removal of systemic discrimination in employment by enabling the Sex Discrimination Commissioner to inquire into instances of discrimination, and by requiring employers to take action to review and address possible systemic discrimination in their workplaces.
 - This form of equality duty would place the legal responsibility for promoting gender equality and eliminating sex discrimination on public and private bodies in respect of employment, the provision of services and policy making. In respect of employment, an equality duty would require an employer to identify and address systemic disadvantage regardless of whether any complaint was received.
 - The ambit of the equality duty would need to be delineated in the context of the Workplace Gender Equality Act, proposed to replace the Equal Opportunity for Women in the Workplace Act 1999 (EOWW Act) in 2012. The objects and definitions of the new Gender Equality Act should be recast to take in the same definitions of discrimination, including systemic discrimination, as are proposed for the positive duty more generally, and the requirements put in place by the new Gender Equality Act should also be goal oriented, action based and progressive. The Government has already foreshadowed that the new Act will cover smaller as well as larger employers, although smaller employers will not be required to report annually to the new Gender Equality Agency.
2. WEL reaffirms the recommendations made in WEL Australia's submission to the Legal and Constitutional Affairs Committee's inquiry into the effectiveness of the Commonwealth Sex Discrimination Act 1984 in eliminating discrimination and promoting gender equality, 1 August 2008.
3. WEL support the Equality Rights Alliance submission to the Attorney-General's Consolidation of Commonwealth Anti-Discrimination Laws (December 2011), including the addendum of 1 February 2012,



10. Anti-discrimination Policy Reform (cont.)

which clarifies the intersection of the proposed amendments to sex discrimination and to equal opportunity legislation.

4. WEL would welcome the opportunity to make a further submission in relation to proposed changes to anti-discrimination legislation, including any proposed revisions to EOWW Act (as retitled).

Refer also to:

WEL Australia submission to the Legal and Constitutional Affairs Committee's inquiry into the effectiveness of the Commonwealth Sex Discrimination Act 1984 in eliminating discrimination and promoting gender equality, 1 August 2008.

http://www.aph.gov.au/Parliamentary_Business/Committees/Senate_Committees?url=legcon_ctte/sex_discrim/submissions/sublist.htm



9. Clean Energy Policy – Equity in Household Assistance

Background

There is a need for equity in household assistance proposed in the Australian Government's Clean Energy Future Plan for unemployed people, sole parents and students as for recipients of the Age Pension in comparable situations.

The Australian Government is providing household assistance to compensate for the impact of the carbon price. More than half the revenue raised will be paid in the form of tax cuts, higher family payments and increases in pensions and allowances (See *Securing a Clean Energy Future – A Climate Change Plan*). The assistance is designed to ensure that the impact of the carbon price can be managed by low and middle income households. There are inequities, however, embedded in the social security system resulting in gaps between payments to aged pensioners as compared with unemployed people and sole parents and those on a Youth Allowance.

These differences in current base rates for some recipients will mean that household assistance under the Clean Energy Future Plan will be inadequate for unemployed people, sole parents and those in receipt of a Youth Allowance. (See detailed analysis and tables in ACOSS Paper 177 – *The Clean Energy Future package, households on low incomes and the community services sector*. August, 2011. www.acoss.org.au)

This inequity should be addressed as a matter of urgency, either in the carbon package itself, by implementing the \$50 per week increase in Allowance payments recommended in the Henry Tax Review, or by extending the \$10 per week Utilities Allowance to those social security recipients who are currently ineligible.

WELA welcomes the provision by the Government of the greatest assistance for those on low incomes, but it is not fair or equitable that unemployed people, sole parents and students do not receive the same level of assistance as pensioners in comparable situations due to the decision that existing social security payments will be increased by 1.7% across the board when there are differences in base levels of payments.

Recommendation

1. That inequities in proposed household assistance be addressed by implementation of an increase of \$50 per week in allowance payments (Newstart and Youth Allowance) OR by extending the \$10 per week Utilities Allowance to those social security recipients who are currently ineligible.



10. Problem Gambling

Background

Problem gamblers in Australia lose about \$5 billion each year on poker machines. Women account for 64 per cent of the use of poker machines, which in turn accounted for 74 per cent of the growth in gambling in Australia in recent years. Research (Lee UQ 2010) shows that compared to men, women were found to have a more rapid progression into problem gambling.

Yet there has been little gender analysis of problem gambling in the public debate.

We note that the Federal Government is proceeding with the trial in the ACT of a pre-commitment system for gamblers. We also note that a Ministerial Expert Advisory Group on Gambling has been formed to advise the Government, chaired by Professor Peter Shergold, who leads the Centre for Social Impact at the University of New South Wales.

Recommendation

That the federal Government implement national legislation for **either** a mandatory pre-commitment system which will require poker machine players to set limits on the amount of money they're prepared to lose **or** require \$1 betting limit on poker machines.

Dr Timothy Lee UQ 2010

<http://www.uq.edu.au/news/?article=20644>

Refer also to:

WEL Victoria Submission 1998

http://www.pc.gov.au/_data/assets/pdf_file/0006/49911/sub070.pdf