



AASW
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**Australian Association
of Social Workers**

Submission to the Senate Community Affairs

Legislation Committee:

*Social Services Legislation Amendment (Welfare
Reform) Bill 2017*

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National Office – Melbourne
Level 7, 14–20 Blackwood Street
North Melbourne 3051
PO Box 2008
Royal Melbourne Hospital Vic 3050
T 02 6199 5000
F 02 6199 5099
E social.policy@asw.asn.au
www.asw.asn.au

Enquiries regarding this submission can be directed to:

Angela Scarfe
AASW Social Policy & Advocacy
03 9320 1016
angela.scarfe@asw.asn.au

Dr Sebastian Cordoba
AASW Social Policy & Advocacy
03 9320 1099
sebastian.cordoba@asw.asn.au

INTRODUCTION

Who we are

The Australian Association of Social Workers (AASW) is the professional body representing more than 10,000 social workers throughout Australia. We set the benchmark for professional education and practice in social work, and advocate on matters of human rights, social inclusion, and discrimination.

The social work profession

The social work profession is committed to pursuing social justice and human rights. Social workers aim to enhance the quality of life of every member of society and empower them to develop their full potential. Principles of social justice, human rights, collective responsibility and respect for diversity are central to the profession, and are underpinned by theories of social work, social sciences, humanities and Indigenous knowledges. Professional social workers consider the relationship between biological, psychological, social, and cultural factors and how they influence a person's health, wellbeing and development. Social workers work with individuals, families, groups and communities. They maintain a dual focus on improving human wellbeing; and identifying and addressing any external issues (known as systemic or structural issues) that detract from wellbeing, such as inequality, injustice and discrimination.

RESPONSE

Our submission

The AASW welcomes the opportunity to contribute to the inquiry into the Social Services Legislation Amendment (Welfare Reform) Bill 2017. Social workers practice with a range of people and across a range of social contexts, and our members have extensive experience with people across all life stages, as well as people with complex health needs related to their use of alcohol and other drugs. Our particular commitment to promoting the human rights of people who are experiencing disadvantage informs our response to four of the schedules in this proposed bill.

Schedule 9 – Changes to activity tests for persons aged 55-59

Our position is that older age should provide all people with opportunities to live healthy, productive lives, connected to and participating in the community. These opportunities should be complemented by economic and social policies which recognise that the contribution of older Australians creates significant benefits for the entire community.¹

The Australian Human Rights Commission takes a similar approach to the question of older people's participation in paid work. Its Willing to Work report emphasises the importance of a non-discriminatory policy towards the older paid workforce, highlighting the advantages that flow to individuals, organisations and the general economy. It also demonstrates that despite official government policy,

¹ Australian Association of Social Workers *Ageing in Australia*. Canberra: Australian Association of Social Workers, 2013.2013) Australian Association of Social Workers.

many older people continue to be excluded from paid work, largely because of negative attitudes to older people in the workforce.²

We believe that the government's policy toward volunteer work by older Australians should take account of this age-based discrimination, which is beyond the control of the individuals affected. Further, the government should recognise what many older Australians have themselves recognised: that in the absence of opportunities for paid work, unpaid work has multiple benefits for themselves, the economy and the community.

Recent statistics have demonstrated that at least 43% of Australians aged 55 to 64 volunteer in some capacity outside their homes³. They provide an expanded skill set and experience to the organisations they work with and they bring increased social capital and wisdom to the people they meet through their volunteer work. In the case of many not-for-profit organisations and community groups, their contribution in the form of life experience, interpersonal skills and social connections form a necessary element of the organisation's service delivery model. The Australian Bureau of Statistics has quantified the wealth created by the voluntary workforce, with its NPI Satellite report indicating voluntary work provides at least \$17 billion annually to our economy.⁴

While we acknowledge the value of a non-discriminatory workforce, we argue that voluntary work provides great social, community and economic benefits to our nation. If the government is to tighten activity test requirements in such a way that searching for paid work is to replace unpaid work, it has a corresponding responsibility to intervene in the job market to assist older people to find paid employment. In the absence of such a measure, limiting the volunteering of older people merely denies their potential contribution to organisations and society.

As well as representing a short-sighted approach to the economy, this proposal breaches the human rights of older Australians. The United Nations Principles for Older Persons require governments to develop national programs that ensure independence, participation, care, self-fulfillment, and dignity. Of particular relevance are the amendments which oblige governments to allow older persons to determine the time and the pace of their withdrawal from the labour force, to participate through means such as volunteering, and exercise the right to be valued independently of economic contribution.⁵

Our conclusion is that the proposal in this schedule is short-sighted because it does not recognise the social and economic value of voluntary work; and it contravenes the rights of older people to manage their own transition out of the paid workforce. We recommend that this amendment should not proceed.

² Australian Human Rights Commission. *Willing to Work: National Inquiry into Employment Discrimination Against Older Australians and Australians with Disability 2016*. Sydney: Australian Human Rights Commission, 2016.

³ Volunteering Australia. *Key Facts and Statistics About Volunteering in Australia*. Melbourne: Volunteering Australia, 2015.

⁴ Australian Bureau of Statistics. *5256.0 - Australian National Accounts: Non-Profit Institutions Satellite Account, 2012-2013*. Canberra: Australian Bureau of Statistics, 2015.

⁵ United Nations General Assembly. *International Covenant on Civil and Political Rights*. United Nations, 1966.

Schedule 12 – Establishment of a drug testing trial

The AASW believes that the proposal for a trial of mandatory drug testing, accompanied by a possible reduction in income support payments, has serious conceptual and ethical flaws.

The Australian National Council on Drugs have noted there is no evidence that drug use is more prevalent among unemployed people than among employed people, nor that drug use is the most significant cause of unemployment. There is no evidence that mandatory drug testing of people living on income support payments is effective. Overseas trials have shown that this approach did not lead to those people finding employment and did not result in decreased drug use by those tested.⁶

People who are struggling with drug and alcohol use require treatment; and denying income support to these people is not a form of treatment. If the government are concerned to reduce the use of drugs, we expect to see an increase in the availability and accessibility of drug treatment services.

The proposal is philosophically unacceptable because it jeopardises our ability to meet our human rights obligations to create a society in which everyone has the opportunity to realise their fullest potential. The income support system was originally intended to create the basis for political and social cohesion by enshrining a commitment to fairness and equality. By contrast, both fairness and equality are missing from the measures in this proposed schedule. We have written elsewhere of our concerns about the current level of income support payments. Income support payments are currently so low that that people are unable to save money between payments, meaning that people who are living on income support payments do not have any resources to call on if payments cease or are suspended. Denying people income support payments will lead to destitution, increased homelessness and ill-health among people who already experience poverty.

A commitment to fairness is based on recognition of the dignity and inherent value of each person. This is central to social work, but is missing from this proposal. Already, the current welfare compliance regime requires the constant, close monitoring of people who rely on income support payment and the imposition of compulsory activities. Mandatory testing for drug use will constitute an invasion of privacy of information. The logistics of enforcing mandatory drug testing will constitute an invasion of bodily privacy and exacerbate a humiliating and punitive experience for already vulnerable Australians. Given that there is no relationship between drug use and employment status, there can be no human rights based justification for testing people on the basis of their employment status.

⁶ Australian National Council on Drugs. *Position Paper: Drug Testing*. Canberra: 2013, Australian National Council on Drugs

The Australian National Council on Drugs conducted a review of drug testing in 2013. It concluded:

“There is no evidence that drug testing welfare beneficiaries will have any positive effects for those tested or for society ... in addition there would be serious ethical and legal problems in implementing such a program in Australia. It should not be considered”.⁷

We recommend that the government follow this advice.

Schedule 13 – Removal of exemptions for drug or alcohol dependence

And

Schedule 14 – Changes to reasonable excuses

The AASW believes that the removal of exemptions from the activity test and participation requirements in circumstances directly attributable to drug or alcohol misuse is based on a simplistic understanding of the nature of addiction. Our members with expertise in working with people with substance abuse know that episodic relapses are common. Instead of being the result of a calculated decision, they can be in response to an unexpected obstacle or crisis, and they are often short-lived. Therefore there is no preventative or therapeutic value in denying income support to people on the basis of a relapse.

We have written above about the ineffective nature of mandatory testing. In the context of schedules 13 and 14, it must be added that mandatory screening of income support recipients is an inappropriate pathway into a specialist service such as drug treatment. Our members’ experience is that this requires an informed decision by specialists, not Centrelink staff. This process requires an assessment of physiological, psychological and social factors, including the capacity and willingness of the recipient. Unsurprisingly, mandatory participation does not provide a sound base for successful treatment.

CONCLUSION

The AASW acknowledges that the government has a duty to manage Australia’s economy responsibly. Alongside this economic responsibility, the government has a social responsibility: to promote the health, respect the dignity, encourage the inclusion and recognise the contribution of every member of the community. The measures proposed in this bill do not meet those goals. In the absence of any evidence base to justify them, the measures described above are short-sighted, and needlessly punitive. We recommend that they do not proceed.

Submitted by and on behalf of the Australian Association of Social Workers Pty Ltd

⁷ *ibid*



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T 02 6199 5000

F 02 6199 5009

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Level 7, 14-20 Blackwood Street,

North Melbourne, Vic, 3051

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Level 7, 14–20 Blackwood Street

North Melbourne 3051

PO Box 2008

Royal Melbourne Hospital Vic 3050

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F 02 6199 5099

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www.aasw.asn.au

Incorporated in the ACT

ACN 008 576 010 / ABN 93 008 576 010