

Parliamentary Joint Committee on Human Rights

Parliament House, Canberra ACT 2600

4th May 2021

human.rights@aph.gov.au

Dear Committee,

We thank you for the invitation to make a submission regarding the ParentsNext: examination of Social Security (Parenting payment participation requirements – class of persons) Instrument 2021.

Who We Are

An organisation dedicated to single mothers and a platform whereby both the community and the Government can communicate. The National Council of Single Mothers & their Children Inc (NCSMC) can comment on policy and legislation and ensure that the lived experience is heard. NCSMC provides information, referrals, and assistance to single mothers through our electronic platforms. In the past year we have responded to tens of thousands individual requests whilst our information post can reach up to 100,000+ per week. One of our greatest strengths is our expertise and commitment in working with and for the advancement of single mother families who are affected by poverty, hardship, and/or domestic violence.

Most succinctly, NCSMC are seeking that the Parliamentary Joint Committee on Human Rights (PJCHR) confirms the incompatibility of Australia's human rights obligations and that ParentsNext program. A remedy can be found in the recommendations below.

Recommendations

1. That the Committee recommends the ParentsNext program to immediately cease in its current form and all funds be redirected into a brokerage style service.
 - Such a service would be voluntary and provide quality career advice and financial support for participants to complete further education, including assistance with living costs.
 - Where requested, it would facilitate warm referrals to specialist support services.
 - Such a service would replicate the style of assistance our research shows is deemed most valuable to single mothers.

Moreover, job preparation and job ready outcomes occurred when the coronavirus supplement of \$550 per fortnight provided enhanced financial capacity throughout a six-month period. Illustrating that it is financial capacity that is missing rather than a willingness to seek out a more financially secure future.

National Council for Single Mothers and their Children Inc.

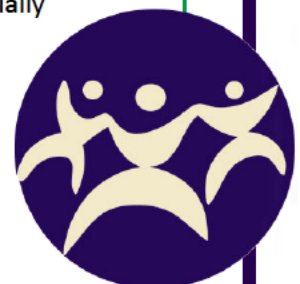
Eliminate and respond to violence, hardship and inequality for single mothers and their children.

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2. If the first recommendation is not accepted, we ask the Committee to recommend that the **Targeted Compliance Framework** (TCF) be removed, and the program become voluntary. Providing an opportunity for providers to demonstrate their connection with the community and the value of their unique service.

- The expansion of the ParentsNext program was based upon the findings of an “evaluation”. It is important for the Parliamentary Joint Committee on Human Rights to be aware that that evaluation was conducted prior the inclusion of the Targeted Compliance Framework (TCF) which is the most controversial and harmful element of the program.
- The National Council of Single Mothers and their Children Inc attended that conference on 14th & 15th June 2018, which herald the rollout of the ParentsNext Program. At the end of the conference, the Department unveiled the inclusion of the Targeted Compliance Framework (TCF) and the management/ operation of compliance and suspension. Effectively, moving the program from a soft touch pre-employment program to one that mirrors the Job Network, but with an eligibility age of 6 months (at that time). The response from providers gave the impression that they did not know in advance of the TCF framework.

Flawed Beginnings

The rollout of the ParentsNext program commenced from a flawed position and all the tweaking and or window dressing undertaken has not altered the fundamentals or mitigated our concerns. The National Council of Single Mothers & their Children Inc (NCSMC) trusts that the Parliamentary Joint Committee on Human Rights (PJCHR) will find that the program should not continue in its current form, and that it is not compatible with Australia’s human rights commitments.

Most notably NCSMC points to the following:

Convention on Economic, Social and Cultural Rights

Article 9

The right to social security.

Article 11

The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for him (and her) self and his(her) family, including adequate food, clothing, and housing, and to the continuous improvement of living conditions.

Convention on the Rights of the Child

Article 27

1. States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.

2. The parent(s) or others responsible for the child have the primary responsibility to secure, within their abilities and financial capacities, the conditions of living necessary for the child's development.

3. States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.

4. States Parties shall take all appropriate measures to secure the recovery of maintenance for the child from the parents or other persons having financial responsibility for the child, both within the State Party and from abroad. In particular, where the person having financial responsibility for the child lives in a State different from that of the child, States Parties shall promote the accession to international agreements or the conclusion of such agreements, as well as the making of other appropriate arrangement.

Convention on the Elimination of Discrimination Against Women

Article 2

States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:

(d) To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation.

(f) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs, and practices which constitute discrimination against women.

By suspending income support from single parents, the clear majority of whom are women, the Australian government has indirectly discriminated against this group of women. Under the Convention on the Elimination of Discrimination Against Women, Australia has committed to *take all appropriate measures to eliminate discrimination against women* in the field of employment. Most critically, *the right to social security*. NCSMC reminds the PJCHR that the Australian Government is under a current investigation by the United Nations relating to the *Social Security Legislation Amendment (Fair Incentives to Work) Bill 2012*. This Bill denied access to the higher Parenting Payment (Single) and replaced it with the lower unemployment benefit when their child turned 8 years, more than 90% affected at that time were women and it remains a policy injustice. If the former Government had upheld our human rights obligations, and that the warnings contained in the PJCHR report were accepted, it would not have had necessitated NCSMC seeking the involvement and scrutiny of the United Nations.

The hallmarks of that discrimination and the breach of human rights for single mothers are replicated in the ParentsNext program. Furthermore, NCSMC also points out that the women who are harmed by the ParentsNext program have a high level of financial disadvantage.

In 2015, around 1 in 3 single parent families (30 per cent) with dependent children

under 5 years were in severe financial stress

Poverty rates for this group were also higher, with 51 per cent of families and 56 per cent of children in poverty in 2017ⁱ.

Single-parent families have, since 2010, had the highest poverty rate of all the family types and that between 2016 and 2018 poverty among single-parent families increased from 15% to 25%.ⁱⁱ

The Inquiry undertaken in March 2019 by the Community Affairs References Committee known as *Inquiry into ParentsNext, including its trial and subsequent broader rollout*. The Committee's first recommendation was "*the committee recommends that the ParentsNext program should not continue in its current form*". Moreover, NCSMC would like the Parliamentary Joint Committee on Human Rights to be aware that many reputable organisations [called](#) for the outright abolishment of the ParentsNext programme including the Australian Human Rights Commission. Unfortunately, the government chose to ignore recommendations, and the harm through suspension of payment and control continues. NCSMC attends the ParentsNext Stakeholder Working Group, and we value our inclusion and engagement. However, during a meeting held in February 2021, NCSMC was informed that 33% of *instances* **did not** result in suspension. Thus, presenting the prospect that 64% of participants who had a breach resulted in a suspension of income support. Payment suspension is completely unjustified and a dangerous precedent.

Key issues remain unresolved.

1. A pre-employment programme offering "support and assistance" should not be underpinned by the Targeted Compliance Framework (TCF). Essentially, vulnerable families with babies and young children can and do have their incomes suspended, reduced, or cancelled, leaving them without the only source of income to provide for their children.
2. Suspension of payment can occur because of the mistakes made by providers.
3. If the provider is not accessible over the five-day period during a suspension, the participants cannot reconnect. It is not acceptable to have calls answered only by an automated service when payments are suspended.
4. It has taken enormous advocacy for the management of domestic violence to be moved from "a matter of discretion undertaken by individual providers" to an automatic suspension of 16 weeks. Despite the policy change, family and domestic violence is poorly understood, managed and or supported by ParentsNext providers. Women continue to speak about the retraumatising, and a retriggering process associated with obligation and compliance processes, a dynamic that replicates power and control as experienced in the context of domestic violence. NCSMC still hear from women who have been referred to a provider, despite Services Australia knowing that they are affected by family and domestic violence. More often the onus is up on victim/ survivor of violence to try and navigate the system without support or knowing the rules.

- a. NCSMC questions the validity a 16-week exception, which includes a burden of proof and review as a remedy for women affected by family and domestic violence. NCSMC is yet to meet one mother who has 'recovered' within 16 weeks.
5. A further and recent policy amendment has been the capacity for Services Australia to exit participants. Previously it was a function only allowed by ParentsNext providers and therefore women, despite their ineligibility, continued to attend for fear of breaches and subsequent payment suspension. Notwithstanding this change, women still speak about getting "stuck" between Services Australia and the ParentsNext provider. Eligibility and exiting are still problematic.

In conclusion NCSMC unequivocally and emphatically states that the ParentsNext program is a cause for harm, duress, and financial insecurity. Women's autonomy and their parenting decisions are undermined. Parent's decisions must be "endorsed", along with the constant surveillance serves to undermine their autonomy instead of increasing their work readiness. Signalling the message that "poor" women cannot parent. Furthermore, it is costing the government significant money to continue this harm to single parent families, money that could be spent to genuinely improve family's wellbeing and long-term financial outlook. Moreover, continued requests for a process that readdress the power imbalance between participants and service providers have been ignored and the power imbalances remains.

We thank the members of the Parliamentary Joint Committee on Human Rights for the opportunity to present a submission and trust that NCSMC we be provided with an opportunity to appear before the Committee. To assist with your deliberations, we ask that the Committee take the time to read the rich insights gained from the lived reality of participants of the ParentsNext program.

Warm Regards,

Terese Edwards
CEO

Participants Voices

An insight into the single mother's frustration with the lack of understanding of the realities of their life shown by ParentsNext providers:

Totally useless... try having an ADHD autistic suspected child who has seen and watched multiple DV scenes, that now act irrationally at school and being a single mother.... they forced me into studying Cert III Disabilities because they think that is best for me because I have experience in it.... but my son gets sent home from school at 11:30am everyday because he cannot handle school and lashes out! I have no support and now that the course has finished, I wasted their time and resources... I am sorry my youngest is 3 yrs old, my eldest is 7 with disabilities that I need to attend to first. Leave me alone. Working/studying is NOT my priority right now - my children are.

It absolutely does not consider DV, being a recognised carer of a child with a disability, mental illness, having 100% care of multiple children and full-time study. All of which I live with/have experienced. The people employed to deliver it have no idea what to do. They are left stumbling over their words when you lay out everything to them. I had payments cut off for forgetting to report, even though I was engaged in full-time study and doing what I had to. Now that my youngest is 6, I am expected to work. Again, lay everything out in front of them, and they have no idea what to do because they acknowledge that finding work right now is not feasible. Why are they not being taught how complex single parenting is?

I live in (please remove area as I do not want any push back), there was delay in getting a letter from the hospital, I could not make it happen any quicker. I was breached and my payment was suspended. I phoned the provider, and no one was there, they only have an answering machine.

It is Saturday morning and I have just received a text to tell me that my payment has been suspended. I am so stressed I am cancelling all our stuff including the kids sports over the weekend because I am worried about petrol and money. It is not my fault I sent them a picture and confirmed that I did what I was meant to do on Friday.

What the hell, I was breastfeeding my baby and missed a call, can you tell me the rules my baby is 6 weeks old.

I do not understand why I am vulnerable. I am doing part-time study, but I still must go to these stupid meetings, and it cost me money in time.

Yep, it helped, when I got me some money as that was what was stopping me from studying.

They expect me to drive to the area where are left because of abuse, to keep myself and kids safe. It takes me about 40 minutes to get there, it adds a cost to our family, I feel sick before and after the meetings.

It worked during covid, it was there, and I could think about stuff, but I was not forced to go to the meetings. Always at ridiculous times. It felt more like help than punished.



Sole Parent Family Network



ⁱ Phillips B and Narayanan V, April 2021 Financial Stress and Social Security Settings in Australia
ANU Centre for Social Research and Methods, Australian National University

ⁱⁱ From Hilda 2020 report p35: "Consistent with the approach of the Organisation for Economic Cooperation and Development (OECD) and other international bodies, we define relative income poverty as having a household income below 50% of median income."