



people with disability
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NGO in Special Consultative Status with the
Economic and Social Council of the United Nations

2 March 2016

Committee Secretary
Senate Standing Committees on Community Affairs
PO Box 6100
Parliament House
Canberra ACT 2600

Dear Committee Secretary:

Social Services Legislation Amendment (Miscellaneous Measures) Bill 2015

I am writing to outline concerns held by People with Disability Australia (PWDA) with regard to the Social Services Legislation Amendment (Miscellaneous Measures) Bill 2015. Although the submission closing date has past, PWDA would like to request that you consider our concerns within your Inquiry. These concerns focus on the potential significant harm to people with disability that will arise as a result of the proposed amendments to the rules governing income management periods and special benefit.

People with Disability Australia (PWDA) is a national peak disability rights, advocacy and representative organisation of and for all people with disability, which strives for the realisation of a socially just, accessible and inclusive community. The strength of our representation comes from lived experiences, consultations and a strong commitment to upholding the views of our membership and constituents. PWDA believes it is essential for people with disability to have a direct voice in public policy development, rather than this voice being filtered through other stakeholder groups. PWDA is part of the Australian Cross Disability Alliance, which is funded by the Department of Social Services (DSS) to provide representation of people with disability across Australia.

PWDA believes that the proposed changes to eligibility for special benefit in this legislation remove the discretionary nature of the payment in regard to income maintenance periods, potentially leading to hardship and poverty. This will disproportionately impact on people with disability.

Current Centrelink requirements mandate that an income maintenance period (IMP) applies to anyone who receives a redundancy, compensation or termination payment upon leaving employment. During this period, the person is not able to receive any Centrelink payments unless they have had unreasonable expenses.

People with disability who receive large payouts, for example as compensation for an injury, may not have, or may no longer have the skills to manage such a large amount of money, nor be sufficiently informed about the IMP duration, given they are unlikely to know about IMP until they apply for Centrelink support. Their IMP may continue for years, whether their payout has been sufficient to cover their expenses during this time.

Special benefit is designed to ensure that when all other income support payments are excluded, and if a person is in a dire financial position with no other prospect of supporting themselves, they are able to access this payment. Eligibility for special benefit is significantly tighter than for other income support payments. This benefit recognises that there are some instances where the discretion to assist ensures that people with no support are not further financially disadvantaged. The proposed amendments would mean that this special benefit is no longer available to people in these specific circumstances, including people with disability.

In light of our concerns, PWDA broadly supports the proposed reforms to the IMPs outlined in the National Welfare Rights Network submission on this legislation, particularly in relation to people with disability and the need for more support and financial skills development.

However, while the current IMP regime is in place, the availability of special benefit, and the discretion to approve the payment for people in severe financial hardship, must remain to ensure that people do not fall through the gaps into poverty, homelessness and hardship.

We ask that you reconsider this amendment in Schedule 1, to ensure that the flexibility remains in regard to special benefit, to take into account the circumstances of people with disability.

Yours sincerely

THERESE SANDS
Co-Chief Executive Officer