

Chapter 2

Labor Senators' Report

2.1 Labor members of the committee have considered the provisions of the Social Security Amendment (2007 Measures No.2) Bill 2007, and the issues raised by the organisations that made submissions to this inquiry.

2.2 At the outset, we wish to record our deep appreciation of the efforts made by those organisations who submitted to this enquiry at such short notice.

2.3 A number of concerns were raised in these submissions which lead Labor Senators to provide this report.

Disability Support Pension impairment tables

2.4 Labor members are aware of the many criticisms of the Government's job capacity assessment process, both raised in the context of this inquiry, and more generally. In particular, strong concerns were raised by the Australian Federation of Disability Organisations, the Physical Disability Council, the Mental Health Council and the Australian Council of Social Service in their submissions to this inquiry.

2.5 The concerns primarily relate to the appropriateness of utilising non-medical practitioners to provide impairment points ratings for the purpose of assessment of entitlement to the Disability Support Pension (DSP). Labor members of the committee are concerned with the consequences of removing medical practitioners from this assessment function. We note that these amendments would remove an important aspect of the assessment process in which medical opinion is currently required. In our view these provisions ought not proceed.

Recommendation

Labor Senators recommend that amendments relating to the Disability Support Pension impairment tables be opposed.

Legislative instrument

2.6 Labor members of the committee note the concerns raised in submissions regarding the content of the guidelines and consequent possible limitations on review proceedings.

2.7 Labor members believe the Government should commit to public consultation process prior to tabling and should ensure that DSP applicants have fair and reasonable opportunity to appeal decisions relating to job capacity assessments.

Scope of proposed participation exemptions

2.8 Labor members of the committee consider that these exemptions are overdue, and welcome the Government's belated response to community concerns on this issue.

2.9 Labor members of the committee have considered the concerns raised by the National Council on Intellectual Disability (NCID), and the National Council for Single Mothers and their Children (NCSMC) regarding the scope of the proposed exemptions. We do not consider the response in the Government Senators' report, focusing on the possibility of ad hoc exemptions, deals sufficiently with the issues raised. We consider the government should investigate more closely the issues raised by the NCID and NCSMC. In particular, we draw the Government's attention to the concerns raised by NCID as to the status of parents who are principal carers of children in receipt of carer allowance.

Recommendation

Labor Senators recommend that the bill be passed with amendments.

**Senator Gavin Marshall
Deputy Chair**