

# A Submission

## Evaluation of *jobactive* System

### *Compliance or Democracy?*

### The Right to Conscientious Objection to Corruption



Prepared for:

## Senate Inquiry

September 28, 2018

*"The poverty of being unwanted, unloved and uncared for is the greatest poverty..."*  
(Mother Theresa)

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Poem: The Unemployment Trap: Is it Better to Stand on Your Feet than to Live on Your Knees?

## **APPENDICES (attached)**

## 1.0 SENATE INQUIRY PURPOSE

On 15 August 2018, the Senate referred the inquiry into the appropriateness and effectiveness of the objectives, design, implementation and evaluation of *jobactive* to the **Education and Employment References Committee** for reporting by 5 December 2018.

The purpose of the inquiry is to investigate:

- The appropriateness of objectives
- Effectiveness of the objectives
- Design
- Implementation and
- Evaluation of *jobactive*

The appropriateness and effectiveness of the objectives, design, implementation and evaluation of *jobactive*, with **specific reference** to:

- a. the **nature and underlying causes** of joblessness in Australia;
- b. the **methods** by which Australians gain employment and their relative effectiveness;
- c. the extent of **consultation and engagement** with unemployed workers in the design and implementation of *jobactive*;
- d. the ability of *jobactive* to provide **long-term solutions** to joblessness, and to achieve social, economic and cultural outcomes that meet the needs and aspirations of unemployed workers;
- e. the **fairness** of mutual obligation requirements, the *jobactive* Job Plan negotiation process and expenditure of the Employment Fund;
- f. the **adequacy and appropriateness of activities** undertaken within the Annual Activity Requirement phase, including Work for the Dole, training, studying and volunteering programs and their effect on employment outcomes;
- g. the **impacts and consequences** of the job seeker **compliance framework**;
- h. the **appeals process**, including the lack of an **employment services ombudsman**;
- i. the funding of *jobactive*, including the adequacy of the '**outcome driven**' **funding model**, and the adequacy of this funding model to address barriers to employment;
- j. **alternative approaches** to addressing joblessness; and
- k. any other related matters.

## 2.0 PREAMBLE

The author of this submission is a conscientious objector to the Job Provider system and has direct experience as a long term unemployed experiencer of the system and as a citizen who has attempted to raise concerns about key problems with the system, undermining of democratic principles and no access to advocacy. This has been met with no response.

In respect of the terms of reference it is acknowledged that submissions are directed to the Education and Employment References Committee which would appear to be investigating from the perspective of employment and education rather than including the constitutional right to welfare, the rights of recipients to object to losing their rights in a system that is unquestioning supportive of the business economic growth paradigm. It is evident that welfare is now conditional on recipients indicating they are 'work ready' as they are labelled by legislation as "job seekers" rather than welfare recipients. Changes in legislation in relation to the Social Services Legislation Amendment (Welfare Reform) Bill 2018 makes clear the shift from Social Security as welfare to Social Security as conditional on meeting job criteria. This is evident in wording changes from New Start allowance, benefits to job seeker payment. The latter clearly is transactional and embeds a 'mutual obligation' philosophy rather than a government obligation to its citizens to pay welfare under the Australian Constitution.

In the view of the author of this submission, who is a former market analyst, economist with expertise in conflict resolution and peace education, there are complex issues that have not been addressed that underlie the work for welfare ethos. The government agenda to privatise the public sector and corporatize welfare appears influenced by the United States economic rationalist model which is criticised as exploitative and detrimental to the poorest people.

The context for this submission must start with the philosophical underpinnings that are changing the way welfare is perceived and managed and the reality of what welfare actually is.

Historically, Australia had one of the most sophisticated social welfare systems in the world, most notably free health care and education. Trades Hall in Melbourne was the epicentre of the 8/8/8 rule of eight hours work, leisure and rest. Australia is viewed as a friendly, prosperous nation based on egalitarianism. Social policy was considered the corner stone of equality to ensure a balanced socio-economic society. Economics is the basic design allocating efficiently resources on the basis of demand and supply. The purpose was to serve social needs and wants, not the other way around. The economic system evolved from basic exchange, barter, small business, mercantilism (trade), national companies to multinational corporations. The economist Adam Smith (influenced Liberal/conservative policy) wrote the book the 'Wealth of Nations' and coined the term 'invisible hand' referring to free market forces in response to demand and supply signals to optimise price. What many do not know was this free market design was in response to growing mercantilist rigid prices and market control. He freed the market to bring prices down to ensure fair prices for society. John Maynard Keynes known as 'Keynesianism' in theory (influenced democratic, Labor policy) regarded the importance of government intervention as necessary to stabilise market failures. This was influenced by the Great Depression where market forces were unable to generate a recovery. Market failure described the inability of the market to prevent negative consequences (externalities) such as pollution, price fixing, collusion and deception. The welfare state was invented to empower the poor largely through the rise of unions and the political left. To prevent externalities government regulations were legislated to ensure safety, fairness, arbitration and coordination of policy to restrain excessive concentrations of power.

Governments use fiscal policy (spending, taxation) and monetary policy (bonds, interest rates) as levers to adjust demand and supply. In economics deficit spending is normal as distinct

from accounting 'balance sheet' rationales which cut spending in order to balance the books. It is important to note that welfare spending pump primes the local economy as expenditure is on basics (rent, food, fuel, health, education, energy) and is likely to remain in Australia with good policy. Welfare spending is not a drain economically, it is a stimulant. On the contrary, globalisation (liberalisation of global markets), foreign multinational companies and luxury expenditure flows out of the country. The invisible hand was considered seriously flawed given greed was considered 'good' in this rationale (economic growth).

Riane Eisler in the book 'The Real Wealth of Nations' introduces an expanded vision beyond the flawed economic models of "the market" to include the non-monied sectors of the unpaid community economy, household economy and natural economy (ecological) as the foundation of a functional democracy. She is not proposing forced volunteering or mothers going to work or organising Green brigades to Work for the Dole as a free service, she is proposing a different philosophy that moves from dominator economics (directive, compliance) to partnership economics (collaborative, participatory).

Dominator economics have features of:

- primary motivations of work are fear of pain and scarcity;
- people cannot be trusted;
- "soft" qualities and activities are inappropriate for social and economic governance;
- Caring and caregiving are impediments to productivity, or at the best irrelevant to economics;
- Selfishness will lead to the greater good for all.

Partnership economics features:

- *Caring economics*: meets basic human needs;
- *Hierarchies of actualisation*: mutual respect, caring relations, accountability and respect;
- *Individual*: material sustenance, meaningful work and lives;
- *Organisational*: Need for competent and creative people;
- *Social*: need for caring values and policies;
- *Environmental*: need for natural resources protection.

When I studied economics I was aware that models were pointers and insufficient to address complex social dynamics and activity. Moreover, it worked on the theory of infinite growth in a closed system which was incongruent with ecological limits. It is a guide but does not contain theory to address social impacts, social-emotional responses, diminishing values, meaninglessness, powerlessness nor ensure a fair level playing field of equal opportunity for all. Marketing cultivates preferences on the basis of price and quality signals rather than real needs and wants for self-actualisation thus generating a false economy of economic growth designed into the system within finite ecological limits. This is exemplified by built in obsolescence, subliminal advertising with repeated exposures, materialism, poor quality foods, denuded environment, class divisions, unequal access and emerging IT online tracking, personalisation and privacy breaches. This reflects market forces unresponsive to the real social needs and welfare of people. To simply 'get a job' is not the panacea for social stability and real wealth.

Globally, the capitalist market economy is fear based, scarcity oriented, hierarchical, rational, multinational and of the dominator design. Thus, the gradual influence of business interests are taking the shape of globalisation sculptured by external influencers and opinion leaders. Globalisation is a philosophy of market driven economies, opening domestic markets to foreign goods and services, abolishing tariffs and subsidies, free trade zones, downsizing the public sector, privatisation, competition policy and deregulation of financial and labour markets.

The real concern is the loss of national sovereignty as corporate strategies co-opt the tax base and influence the diminishment of citizens' rights. Corporate interests, think tanks and associations dominate the economic/social agenda behind closed doors without accountability. This influence has bipartisan political support where each vies for corporate donations and pre-selection on the basis of favourable corporate welfare and profit maximising policies. The hierarchical and authoritarian style of corporate governance is incompatible with democratic, inclusive, community orientated, self-organising and non-monied sectors of society. Business interests espouse a narrative of economic growth as an unquestioned religion without sufficient expertise in rebalancing complex social impacts, community breakdown, mental health and the diverse real needs in a multicultural society. The unpaid community, household and natural (ecological) sectors are not intrinsically valued as productive for wellbeing and ignored in Gross Domestic Product (GDP) calculations of wealth.

Riane Eisler indicates GDP does not measure or value non-monied activities. Thus, the real emotional, psychological needs and wants that reflect wellbeing such as caring for friends, elderly, children and activities that improve the quality of life and happiness, are ignored. Instead GDP includes activities that can worsen wellbeing – toxic spills and clean ups, arms industry, chemicals, energy, cancer treatment costs, mental health costs and productivity diminishing ecological support systems. The "soft" societal needs of caring, caregiving, family harmony, community activities are subsumed by business material, structural processes justified by the provision of jobs as the mainstay of social stability and prosperity. Hence, Social Security delivered originally by government as a social service funded by the taxpayer was reformed and increasingly corporatized and privatised through contractors seeking to profit from the welfare sector in a dominator model of delivery. Thus the priori is serving corporate profit maximisation and influence not serving social wellbeing and happiness. This is the key issue.

The business ethos is a philosophical framework based on accounting principles conceptualising the economy similarly to a corporate balance sheet highlighting revenue, productive and non-productive assets, liabilities and expenses. Under this rationale, social welfare is perceived as a cost to the economy rather than a social responsibility given diverse social needs, changing circumstances and human rights. Moreover, from an economics theoretical perspective social welfare is a form of social stabilisation when basic needs are met citizens do not resort to steal food or agitate social unrest. It is not a pool of free or potential labour to be exploited using fear, they are human beings with wide ranging needs who have dreams and are seeking happiness.

Interestingly, the very roots of Australian colonial society originated from brutal class divisions and inequality which criminalised the poor on the basis of culture, ethnicity, religion and class. The Australian national identity culture and spirit is defined as the Aussie battler, a friend in need, fairness and a somewhat rebellious attitude to authority is associated with injustice residing in the collective memory of a gentrified Britain.

Today we are witnessing an amplification of class divisions, inequality, the diminishment of rights in an underclass of those unemployed and homeless driven by a compliance doctrine within a corporate framework.

Homelessness is included in this submission as the author was a designated a "job seeker" and became a conscientious objector to inequality, forced compliance, superfluous activities unrelated to work, ineffective outcomes, mental health (suicide) challenges, unwarranted surveillance and corruption of Job Providers falsifying records for financial gain without any penalty. The conscientious objection is to the removal of the democratic right to 'opt out' (contract) or say 'no' to process, activities, attitudes and corrupt practices that are illegal and unethical and do not promote individual or collective best interest. The consequence of non-compliance with corruption a punitive cancellation of the Newstart benefit rendering her homeless with no income or support. Non-engagement with Centrelink removes all access to free medical, concessions or access to homeless services. This situation with no avenue for respect or resolution has continued for a year.

What is deeply concerning is the fact that a designated "job seeker" does not have rights or equality and is in fact threatened into compliance with penalties for breaches which renders them homeless with no recourse for independent Appeal or access to justice (equality before the law). Ironically, the Job Provider caught rorting are not sanctioned or penalised by revoking the contract, but instead ignored as a trade-off to ensure no negative press affects the national agenda for privatisation of Social Security as influenced by foreign interests.

In addition, "job seekers" with basic education are unaware of their constitutional rights and nervously comply with repressive toxic approaches as they feel to get off Social Security as soon as possible. This is a key objective in a dominator approach. This is a secondary agenda of government to minimise the perceived cost of Social Security by making the process coercive, undermining and uncomfortable for citizens positioned at the entry level stage, in between jobs, re-entering the workforce or in another category.

Negative media influences society and families to continually victim blames the unemployed as 'bludges' not contributing to the economy embedded in the protestant work ethic. Psychological pressure is reflective in the statement "get a job" and the shame and exclusion associated with unemployment. Economic participation is viewed as the *only contribution* that has value rather than the wide range of contributions that are typically relegated as the 'feminine' such as caring, humanitarian/ecological pursuits, creativity and exploring/questing in life. This contrasts with the Job Providers who are private businesses primed for profitability, who contribute to the economy as part of competitive model encouraging profit maximisation which undermines the unemployed in respect of self-determination, democratic rights and serving real needs. The current design leads to illegality and corruption in order to maximise profits (without penalty) in a apportioned geographically segmented market where each must compete for clients/customers/consumers/job-seekers. This system is designed from a neo-conservative, economic rationalist philosophy that asserts fundamentally that the market is more efficient than government. This is a misnomer and an ineffective design in respect of meeting real social welfare needs that genuinely serves the people without the expectation of business being served as "job seekers" become objectified as a cheap or free resource or input into production. Moreover, it is noted that the word "unemployment" has been replaced by "joblessness" implying a move away from employment with conditions to casualization labour without regard to housing affordability, mortgages, dependents, cost of living, exhaustion, child neglect to ensure a real social safety net is provided. It has been argued that declining economic conditions require a flexible labour market design, this is a misnomer in an environment where for example \$200 billion is allocated to defence not welfare. It is reflective of an ideological conservative corporate agenda that regards welfare as a cheap pool of labour without any social policy responsive to the duty of government as representation of the people by the people. No rights reflect the reality of this. This is the pink elephant in the room.

The unconscious bias of corporate policy implies that working and profitability are a 'social good' and unemployment and non-productivity is a 'social bad'. Welfare recipients are viewed as entitled by getting money for nothing. In addition there is a power imbalance on the basis of the unemployed regarded as 'needing help' in order to get a job as they have failed or are unsuccessful. There are fears of generational welfare or long term unemployed as a justification for Work for the Dole and being job 'active'. The wording of 'failure', 'bludger', 'loser', 'unsuccessful' victim blames and disempowers a person which perpetuates dependency rather than empowerment. The overall focus ignores the wide range of complex social issues around the need for welfare which is not necessarily work oriented but socially caused. Moreover, the desirability to work worsens given the removal of national consistent wage fixing regimes to ensure fairness and parity e.g. the former National Wage case set fair wages across all job classifications and industries. Later under the Accord system wages growth was traded off for superannuation savings for retirement. As a result real wages fell (lower than the 1980's). It is evident wages growth is further eroded by this portfolio now Jobs and Small Business sending a clear message that the unemployed can expect to be directed into low paying jobs rather than assistance from a range of options to further career progression. This contrasts with the professional recruiters who secure excessively high salaries for the professional classes unwittingly exacerbating class divisions and ghettoising those accessing unemployment within the Job Provider system. This drives to the heart of the biased value placed on work as highlighted in the dominator/partnership approaches.

Self-esteem and confidence declines as jobs are difficult to find, menial, rote and for some way below their skill set. The trend of diminishing rights through funding cuts to advocacy, de-unionisation and enterprise bargaining serve to weaken civil rights which is the real cost to Australian society. In addition the trend to casualization, foreign visas, poverty wages and signing non-disclosure agreements (risk management strategies) weaken freedom of speech and reporting of abuses such as: overworking, no payment, unfairness, bullying (power issues), sexual assault/harassment and mental health issues (1:4). This is not discussed in respect of Job Providers as the expectation is to "get a job" regardless of real needs or wants. From a caring/partnership economics perspective real needs, reframing real value of work and offering pathways to empowerment would be central to what is truly in the public interest for the country and its people.

In respect of education across all levels is the vocational priority to serve business interests based on the belief of the national good being served by economic growth rather than social progress in hierarchies of actualisation enlightening civilisation to solve current intractable problems. The vocational aspect of training is the primary purpose. This ignores natural talents, interests, personal dreams of what a person desires to do and to become. A vocation focus re-orientates them towards jobs, income, wealth and status rather than personal happiness and fulfilment. This is not questioned. The inherent talent in people (real wealth of the nation) is ignored in favour of fitting into prescribed work practices and jobs dictated by the few to the many. In respect of apprenticeships or internal training, which was the *modus operandi* 10-20 years ago, the current trend is to shift the cost of training burden onto the individual. This means that they must fund their own training in a US model which narrows their opportunities of retraining or exploring a range of areas through free training and higher education. It provides an advantage to those who have resources to access training and universities thus creating class divisions in respect of actualising ability. This deepens the class divide, resentment and removes egalitarianism which is the mainstay of the Australian identity. Inequality is the basis of the capitalist system ensuring a supply of uneducated, cheap or free workers in environments of scarcity which minimises the ability to speak up.

If this division increasingly absorbs the middle class due to economic contraction then the emergence of extremism masking frustration, anger and exclusion will manifest as fascism, racism, discrimination targeting 'the other' perceived as crowding out jobs. It will exacerbate dissent.

The failure of society to nurture human needs, talents, opportunities and expanding intellectual frontiers is reflected in a cost minimisation (online) business ethos of the corporatisation of education. Therefore, curriculum design and funding favours business interests over the intellectual, cultural, social, emotional, creative, innovative intelligences that expand the potential of our civilisation as a 'clever country' to solve complex problems of which many are caused by corporate excess, over consumption and externalities (negative consequences). This is not in the public interest and impacts citizens current and future wellbeing and happiness.

The discussion is framed unquestioningly commencing with what is good for business not the real social welfare of the people. The unquestioned belief in profit over people or economic growth (GDP) as the only measure of wealth, is limited. Real wealth encompasses other sectors of the economy where there is caring, creativity and community as not factored into GDP equations. In fact GDP is not a good measure of a country's wellbeing given externalities such as pollution, genetic manipulation, repression, ecological imbalance, social disconnection, mental health, unhappiness and excessive materialism undermining life supports. There is no discussion around real wealth in respect of Gross National Happiness. Instead business-as-usual focuses on profits at the expense of wellbeing as the real measure of progress.

The entry of multinational companies in the social welfare sector is problematic given some they are conglomerates focused on profit not social obligation as is the responsibility of government. The shifting of public sector services to the private sector renders their behaviour as unaccountable to citizens thus privacy is not secured (hacking), and there is a lack of responsiveness to the real needs of vulnerable people. What is very concerning is that some of these companies run detention centres and prisons. They can also hide ownership through subsidiaries. They can avoid legal exposure given diversification and geographic location. They are attracted to secure markets and the tax base given allocated market share and compliance approaches which render vulnerable people powerless. This exposes citizens to potential abuses given non-compliance or advocacy. Corporate neglect and abuse is documented by human rights groups in the case of offshore detention. In effect refugees are also unemployed people of no economic value and their treatment reflects powerlessness, removal of rights and psychological indifference to suffering. The Trans Pacific Partnership is another area that is unlikely to be discussed at this Senate hearing, however it has future implications in respect to delving into abuses and human rights violations as this agreement means that government contracts can't be cancelled without legal penalty. The purpose is to protect business income and any dissent can be breached or criminalised on the basis of it impacting economic interests as articulated by MP Andrew Wilkie. This is a clear sign that corporations through contracting are increasingly controlling the public agenda and rendering government unaccountable to the public. The very basis of democracy is what is at stake. This is reflective in the Job Provider system modelling a repressive regime and human rights violations on the basis of vulnerability. These are trial programs designed to maximise corporate profit at the expense of public welfare rights. Importantly, contracts such as Job Plans actually excise constitutional rights as the job seeker unwittingly signs away the government's obligation to ensure welfare for the most vulnerable. This is increasingly problematic as global conditions weaken and the temptation to create free labour (slave labour) is cleverly enshrined as a program marketed as working for the dole. The outcomes of this makes it clear that job seeker development is not the aim but

to train vulnerable people to accept slave labour under the guise of preparation for work to many who have worked their entire lives.

To find meaningful, fulfilling work and to be paid a fair wage is the expectation of every citizen and is their right to choose in a democratic society. Those on this Committee would expect the same. To make welfare conditional on working for free or actively seeking work ignores the diversity of real needs in Australian society. The state (like a parent) decides that the person must take any job as their choice for self-determination is irrelevant. The jobs are predominantly offering the lowest wages, some beneath the poverty line as employers are predominantly small business. The changing Department responsibilities reflect changing policy, for example Department of Employment, Education and Workplace Relations (DEEWR) was replaced by the Department of Employment and then Jobs and Small Business. It is evident education and employment is removed to a narrower focus on jobs not secure employment. There is more stress on job seekers and lower wage outcomes given weakening economic conditions and small business vulnerability to collapse. This lowers expectations of decent work, devalues skills and offers minimum wages given small business casualised/seasonal positions and low pay. Therefore, *jobactive* is not about assisting into work but using vulnerable people to fill gaps in the lowest strata of jobs not in demand and with no career path. Thus the focus is cheap labour not the rights of unemployed people as equal citizens.

This submission will address the specific issues that frame this inquiry. Those persons charged with the responsibility to evaluate the *jobactive* system have a responsibility to the community to reveal the reality of a system designed with a specific ideological agenda to corporatize the public sector services and exploit the most vulnerable people in our community as a likely test case. The imperative is to look into a possible future of what will unfold for our community as a whole if a conservative corporate compliance framework replaces a democratic inclusive rights based constitutional system of government due to the corporatisation of government by powerful business interests. This is a very realistic possibility given the trend to corporatize and privatise all public assets thus removing government accountability from public taxpayers. This fits the agenda of small government but with excessive controls. Therefore, the issues with Job providers mask larger agendas that the public are unaware of. It has real implications for future generations, and as a trained economist and former analyst in my view it will not produce a sustainable, functional, adaptable and happier society responsive to change. In its current trend and formulation it is more akin to an emerging Brave New World scenario for the 21<sup>st</sup> century removing all civil rights to maximise profit for the few.

This submission incorporates information from my report 'Compliance or Democracy' submitted to Centrelink in 2016. This information provides greater depth and insights into the philosophy driving this system and the implications to citizens and the future of Australian sovereignty.

### 3.0 BACKGROUND OF THE FORMER WELFARE RECIPIENT

This submission overviews the author's experience in the Job Provider system as a long term unemployed person seeking work for approximately a decade. This case exemplifies the 'unemployment trap', few options, no real support, indifference to a person's skills and needs. The system diminishes confidence and disempowers using coercive compliance frameworks that rather than assist people into jobs renders them increasingly disempowered and vulnerable to exploitation, personal crisis and homelessness. It is indeed a toxic unproductive system.

The longevity of unemployment was not due to insufficient skills, lack of effort or any physical or emotional barriers. I have extensive experience in 400 companies spanning a decade in a wide range of sectors: insurance, banking, law, medical, television, police, record company, banks, councils, public relations, foundries, submarine base, military, manufacturing, wholesale, media, film production, architects, government, unions, human resources, artists etc. A further decade of experience in a professional capacity included: research, consultant, employer, industry expert and a public speaker. A further career change ushered in a humanitarian focus exploring peace education, conflict resolution, workplace bullying, wellbeing training, clowning, humanitarian projects, radio producer, publishing, author, Rotary peace fellow and delivering innovative education in primary schools.

The longevity of no secure work was due to the career change in the peace/conflict resolution area offering innovative education. An arts based educational design coupled with lack of support for new entries into the education market coupled with crowded curriculum and insufficient understanding of peace education posed significant barriers. Issues of gender were apparent, the arts are not taken seriously, capital barriers, inability to find professional networks and moving due to poverty prevented traction in a potential enterprise that could have impacted the future of children. Refer [www.worldpeacefull.com](http://www.worldpeacefull.com)

The Job Provider system was set up in a model more suited to assist young people seeking their first job and providing blue collar work at low rates of pay. Moreover the Job Providers were either not skilled or interested in matching actual skills with appropriate jobs. Thus, being forced to take any job obviates them of this responsibility. Operating in weak market conditions and rapidly changing technology ensured jobs were hard to get, many were competing for the same job and complying with onerous Centrelink requirement of applying for 20 jobs every 30 days. This flooded job advertisers with applicants fulfilling compliance obligations rather than genuinely applying for a wanted job. This makes business sceptical. The continual no response or rejection sets job seekers up to fail as this process becomes rote, depressing and disempowering.

The forced Job Plan makes clear that the Job Service Providers are not there to assist the job seeker but to force activities upon them as the incentive is to make profits. Superfluous activities of weekly supervised job search, job clubs, micromanagement of applications, forced Work for the Dole and volunteering creates resistance as it is evident personal rights and self-determination is ignored. There are clearly attitudinal issues with consultants who have to deal with resistant candidates feeling forced and applying policing compliance styles to breach job seekers. The culture is in the mode of a parent to a child which is demeaning. The process is uninspiring and quickly demoralises job seekers as they realise they have no rights, power or interest.

It is evident that Job Providers also face a compliance regime and have little discretion to flexibly help job seekers and motivate them to not give up. Pushing unwilling workers is a stressful job exacerbated by increasing administrative contact and compliance processes.

In this job seekers experience there are a wide range of discouraging issues from the management side of work that mirror the compliance framework that need to be addressed to make work attractive to potential and current employees. Worksafe and Comcare have produced significant guidance documentation on poor management practices, toxic workplaces inclusive of bullying, health and safety inclusive of mental health. Issues include:

- Poor management or leadership capacity;
- Toxic cultures;
- Low wage bargaining power and unspoken rule to not ask;
- Changing or combining roles with no clear HR criteria without agreement from staff;
- Overworking and overloading staff and unrealistic expectations;
- Presenteeism and absenteeism;
- Working in stressful conditions with no say or way to release stress;
- Hierarchical structures of top/down directives with no democratic or consultative processes to involve employees as equal participants in a workplace. In essence these are autocratic structures that are non-democratic which increase powerlessness and health issues;
- Communication is often poor, inadequate or inconsistent;
- Emails as communication are either not responded to, inadequately communicated and monitored;
- Lack of expertise in conflict resolution leading to unresolved conflict and suppression;
- Bullying as control and personal power is unchecked given few counter balances;
- Physical issues such as sitting for long periods at keyboards is not monitored but expected. Problems include: back and neck injuries, RSI, stress, tiredness, depression, eye strain, lack of exercise, obesity and depression etc.
- Organisational politics and cliques;
- Surveillance of online activity and workplace cameras are intrusive without knowledge;
- Management (unquestioned) mentalities of ownership of staff and the belief that what they say goes; differences of opinion can be viewed as argumentative, challenging or disruptive.
- Non existent democratic principles in a workplace given hierarchical lines of control and no self determination. This can curtail exercising freedom of speech and choice.
- Corporate policies and procedures and risk management overruling compliance frameworks as the modus operandi in business. Compliance is the norm not human rights;

- Duty of care whilst stipulated by OH&S guidelines and legislation is not internalised in organisations given work pressures and attitudes. Work is increasingly a place of powerlessness and suppressed needs and wants. Resentment, bullying and health issues increase in disconnected, disinterested workplaces particularly when task oriented;
- Tea breaks are self-directed and lunch breaks are often not taken given workloads. Management has allowed this as they have pressures to complete deadlines.
- Work/life balance is discussed in human resource documentation however staff feel powerless to assert that right given contracts, no representation and fear of not completing tasks given key performance indicators. They put work first and wellbeing second.

It is surmised that perhaps the purpose and real work of this conscientious objector was to experience the system and report back in the public interest.

## 4.0 EXECUTIVE SUMMARY

The Senate Inquiry has set as its terms of reference as the appropriateness and effectiveness of the Objectives, Design, Implementation and Evaluation of *jobactive*. It is noted that the word “jobless” is used instead of “unemployed” which could suggest a narrowing of the actual unemployment reality which encompasses social ills and stigmatisation. In addition, the *terms* do not include assessment of the political rationale, intent and context out of which *jobactive* was developed as this impacts short term and long term outcomes (means to an end). Moreover, it is not clear if there is an intention to investigate the job seeker perspective whom are impacted by the system and can experientially convey outcomes. Importantly, there is no philosophical and practical inquiry into the loss of rights by those categorised in the lowest quartile of income in a democracy. The latter point is in the public interest and has socio-political implications for national identity.

The **nature and underlying causes** of joblessness in Australia;

- a. the **methods** by which Australians gain employment and their relative effectiveness;
- b. the extent of **consultation and engagement** with unemployed workers in the design and implementation of *jobactive*;
- c. the ability of *jobactive* to provide **long-term solutions** to joblessness, and to achieve social, economic and cultural outcomes that meet the needs and aspirations of unemployed workers;
- d. the **fairness** of mutual obligation requirements, the *jobactive* Job Plan negotiation process and expenditure of the Employment Fund;
- e. the **adequacy and appropriateness of activities** undertaken within the Annual Activity Requirement phase, including Work for the Dole, training, studying and volunteering programs and their effect on employment outcomes;
- f. the **impacts and consequences** of the job seeker **compliance framework**;
- g. the **appeals process**, including the lack of an **employment services ombudsman**;
- h. the funding of *jobactive*, including the adequacy of the ‘**outcome driven**’ **funding model**, and the adequacy of this funding model to address barriers to employment;
- i. **alternative approaches** to addressing joblessness; and
- j. any other related matters.

The Senate Inquiry criteria is summarised in this executive summary overleaf.

## 4.1 Evaluation of Appropriate & Effectiveness of the Job Provider system

The appropriateness and effectiveness of the Job Provider system is highlighted below. Note that welfare recipient is the appropriate term which has been legislatively changed by the words 'job seeker' to commercialise welfare and normalise welfare as a unproductive labour pool for industry. Historically, Social Security was designed as a safety net for those in poverty (hardship) given changing market conditions, personal crisis, diversity, disability and the elderly. From the author's experience as a market analyst and trained economist, it is the sign of a civilised society to provide welfare rather than overlaying a business doctrine that perceives it as drain on the public purse. Welfare payments pump prime the local economy, those not working often support and contribute to community. There are several economies as discussed in this report that are not market based.

### 4.1.1 The Appropriateness of Objectives

- The appropriateness of privatisation of Social Security introduces a competitive quasi-market into a service that was designed to ensure a safety net for those most at risk of vulnerability. This system is inappropriate because it places profit before people. It forces outcomes without agreement, it breaches the most vulnerable who can't or won't comply with what they regard as processes taking away their rights to self-determination.
- It is inappropriate because there has been no community consultation given the transformative shift from government provision to private contractors who are not accountable.
- The Job Provider system has increased vulnerability given creaming, parking and breaching life supporting income that translates into the ability to buy basics and the ability to pay rent. It is highly exploitative and coercive impacting mental health.
- The system is contestable, it is allocated geographically and the government can reallocate job seeker share on the basis of performance. The use of regression analysis is inappropriate given it is theoretical conditions far removed from actual conditions. The reallocation forces Job Providers to increase profits (performance) which leads to rorting given weak employment conditions coupled with the reluctance of employers to be involved and reliance of 'job seekers' (welfare recipients) to find their own jobs.
- The compliance framework is anti-democratic as it removes the rights of welfare recipients to opt out of a system that is not benefiting them. Moreover, it breaches as a punishment/consequence to force vulnerable people to show a willingness at an interview and not state the truth that they are not interested in the job (the right to choose), to force 'job seekers' to accept jobs that may be inappropriate for them (wages, roles) and to claim for jobs they had no part in finding is corruption. The use of bribes for signatures of those working, is illegal.
- It is inappropriate to use vulnerable people on welfare to generate profits for private enterprise.
- It is inappropriate to revoke welfare recipient rights as equal citizens and inhumane to use breaches to reduce income that is life supporting. The fear and anxiety generated by authoritative coercion that threatens survival produces mental health issues such as: depression, anxiety, powerlessness and suicidal feelings. This is why people turn to alcohol and drugs, they are unable to cope with life. There is clear evidence of covert and overt bullying which is violence. It is illegal in Victoria. It is completely inappropriate.

### 4.1.2 Effectiveness of the Objectives

- The objectives of the privatisation of Social Security were formulated by the Howard Government and are designed on the basis of market dominant ideologies with the underlying belief that privatisation is more efficient than government service provision. Moreover, the political orientation was Christian right wing conservative which influences policy direction. The neo-conservative dictum favours the competitive model, excessive bureaucratic compliance frameworks, tolerates rorting and coercive treatment to force job seekers into superfluous activities has served to undermine the integrity of the system.
- The effectiveness of the objective of Job Providers assisting 'job seekers' to find and retain work is clearly not working as force is viewed as intrusive, human rights are ignored, democratic choice is set aside and referred to only as a feature of which Job Provider rather than a real choice to opt out altogether if it is an oppressive approach that harms 'job seekers' mental health and human happiness. The interview with the Consultant indicated there was no care at all for the 'job seekers'. Importantly, compliance is anti-democratic when job seekers do not have the right to say 'no'. The lack of genuine interest in helping job seekers find work places them in a position of being set up to fail, forced into activities that do not produce effective results and psychologically distresses them as they are unable to say no.
- Evidence of corruption in the system given the profit motive is not dealt with effectively. Moreover, falsification of claims is common practice and clearly not registering accurate results (outcomes) that reflect competency in finding jobs and placing 'clients' in jobs. The pressure to place people without respecting their wishes encourages abuses. Moreover, the revenues reward false or bonifide placement thus distorting normal market function driven by the threat of reallocating business share. Rorting is rewarded by marginal or no action as identified by the ABC 7.30 Report.
- The government interference in the quasi-market is based on profit maximisation as part of a larger strategy to privatise all government functions and is the primary reason why corruption is not dealt with effectively. The system design is detrimental to fair and ethical competition and reallocation is unrealistic in weak market conditions and job skill demand. In competitive markets companies will not enter the market if it is not profitable. To create a false market by forcing welfare recipients to find jobs distorts real supply and demand. This ineffectiveness is also driven by government success measured by economic growth. Therefore the attractiveness to enter the market was due to referrals by Centrelink of 'job seekers' that are forced to access a Job Service Provider. Another distortion is related to the welfare recipient who would not necessarily choose to seek work given their situation and abilities. Those seeking work may be interested in a recruiter that is effective and has significant expertise in their field or to provide opportunities for first entry of young people seeking work or older mature persons returning to work.
- Clearly a compliance framework imposed on both the Job Providers and 'job seekers' is counterproductive and ineffective given all feel coerced (pressured) to generate outcomes that impact how the government is perceived and ideologically validated. The ineffectiveness refers to mind-sets of control rather than allowing a free commercial and labour market to optimise outcomes. The fact that the market cannot falsly generate employment growth is to realise the government cannot falsify or affect market conditions (incentives) to force employment when commercial markets are weakening. It is far better policy to adapt to changing market conditions.

### 4.1.3 Design

- The design of rewarding Job Providers for placements sets up a design similar to sales commission when outcomes are achieved. This lays the basis for forced compliance which impacts on 'job seekers' mental health. They feel they have no control or self determination (disempowerment) over their lives and what they actually want. This is how the system design sets people up to fail as they experience continual failure. Rewards on the basis of placement encourages corruption given falsification of claims, higher profits for long term unemployed in steam 4 (parking) with the policing ability to breach noncompliance of the most vulnerable if they do not comply due to claiming their own rights and freedom.
- The contact system between Job providers and 'job seekers' is not consensual or equal. The 'job seeker' has no right to say 'no' if they want to eat and have shelter, as they find themselves forced into volunteering in areas they do not choose, or Work for the Dole over periods of time closer to full time work or engaged in activities that are onerous.
- The design is not responsive to real needs of welfare recipients nor does it provide any feedback mechanism to assess how the most vulnerable are affected and what they want. There is no duty of care. Occupational Health and Safety of welfare recipients is not applicable in respect of bullying and harassment as they are not workers. Legal Aid are selective. There is no advocacy for the unemployed or homeless to redress abuses. There is no apparent information about an Appeal's process or any access to independent complaints handling. The Ombudsman appears to pass on grievances but not act and considered it fine that Human Services don't provide a letter explaining their position in writing, thus no evidence trail to provide two sides.
- In the absence of work or a significant other, there is no way to exit the system unless a 'job seeker' decides to willingly become homeless. This is what the author of this report has done and has had no income for nearly 1 year or a home since June 2017.
- There is absolutely no design that supports welfare recipients in what they want to empower them to participate rather than contribute in a society for their own wellbeing rather than the profit of a few and the agendas of those in Government.
- The competitive design is focused on private enterprise profiting at the expense of the poorest people. The design is highly exploitative and violates human rights as it encourages a toxic culture of compliance devaluing the rights of vulnerable citizens.

#### 4.1.4 Implementation

The system implementation is bogged down by compliance costs on the one hand and reluctance of 'job seekers' on the other within economic conditions that are weak (despite economic reports). Many Job Providers have very little time to work with the 'job seekers' needs or find creative ways to empower, access training and encourage them to follow their goals. It becomes one of checking compliance, asking about jobs, placing people on limited training programs, Work for the Dole or breaching if the 'job seeker' is unable to comply. This creates resistance and it is evident that both sides are forced participants. This renders implementation onerous as many Consultants are overworked as the pressure is to get more clients and more placements. This makes work very stressful and unhappy. I've spoken to many women my age working in this area and they are severely understaffed, they have too much to do (compliance tasks) and have to manage unhappy welfare recipients who pretend they are interested when they are not.

#### 4.1.5 Evaluation of *jobactive*

As a person who has been through the experience it was insulting to arrive at a premises that had poor quality furniture, a hot water urn with no coffee or milk, a desk with no receptionist (redundant) and waiting in an aisle for the Consultant who was never on time. It is evident you are not valued at all. If a 'job seeker' is late it is looked upon as unreliable, if a Consultant is late it is fine. There is no respect or sense of equality as you might experience in a professional recruitment office. They appear poor and inadequately resourced and staffed. It is disempowering immediately. The online questionnaire is repeated from a hard copy and is onerous. It could be exciting to look for work and opportunities but this system is policed as if a person is not to be trusted and must be controlled to reach objectives. The contract Job Plan is farcical as it is a clear imbalance of power designed to legally force compliance. Even if as a welfare recipient I raise issues or objections with superfluous job search activities on a weekly basis, or forced to apply for blue collar work or entering Work for the Dole which was not related to job skills at all, if I raise issues there is nowhere on the Job Plan it can be deleted or an opt out. This sends the signal of 'do as we say'. This is not a democracy. It is all about forced compliance to profit the organisation with no regard for real needs and wants of the welfare recipient. So much money is wasted when it could be handed to those who need it, to at the very least, get parity in respect of living conditions. Instead political agendas are occurring behind the scenes and the welfare recipient is used to enable others to profit. It is the welfare recipient who loses dignity, rights and suffers distress from this toxic unfair system.

For those of us from professional backgrounds, it is demeaning, embarrassing and it is ineffective as the Consultants have a lower education and skill set to be able to find work in specialised areas. It is pointless asking a market analyst to go for a reception job. To contest this, as I have, with my report 'Compliance or Democracy' is to have this met with silence from those in Centrelink, Social Security and Human Services, as if you do not exist. It has the hallmarks of psychological abuse, covert bullying and subtle removal of democratic rights.

The unspoken disrespect of the unemployed as 'losers' or in a weaker position is evident as you cannot affect change as a vulnerable person. You are viewed as a failure that needs help. The longer you are out of the system the harder it is to re-engage. The opportunity cost of the failure of *jobactive* and the Federal Government's naïve ideological propositions, in my case is approximately \$600,000 in lost earnings and psychological impacts of continual

disempowerment, unheard, disrespect, bullying, disconnection from the community, loneliness, financial barriers (less access to goods and services) and a spiralling unemployment trap.

There is a zero care factor for those on welfare. They are seen as statistics not people with hopes and dreams. There is a psychological indifference to their suffering which I now understand to be a systemic induced form of narcissism common in governance. People are objectified and boxed, they are not responded to as humans, it is dehumanisation and it is no wonder drugs becomes a channel to find some relief from harsh social judgements. There are incredibly powerful prejudices for those not working. They are regarded by the media as 'bludgers', 'losers' and this all comes from the British *protestant work ethic* which states 'get a job'. Even in my own family, members have distanced as a result of how I am perceived not who I am. This is unconscious bias and it breaks down family support in a culture that regards self-reliance as responsibility and receiving benefits as living off society. There is no understanding of global market conditions, human resource rigidities, tightened criteria, qualification barriers, self-funding of training and 16:1 competition for jobs where skills vary. Society is made up of diverse people with diverse needs.

A job focused system without social welfare expertise ignores the social problems (externalities) that increase due to dysfunctional social conditioning and class distinctions based on unequal access to quality education and networks. Community breaks down, families break down, social isolation increases, loneliness impacts, friendships diminish (no status), no access to any goods or services where users pay applies. A single person in poverty means living in substandard/illegal dwellings reinforcing lower status and low worth. It is indeed the structural violence of inequality which produces winners and losers rather than equal opportunity.

From a personal experiential perspective there are enormous social and commercial barriers to generate work or re-enter the workforce. In my case I have significant skills and talents inclusive of non-traditional areas and pioneering projects. I am a peace educator having produced high quality programs without the resources to effectively market this work. The educational system is not receptive to solo educators. I have a 'giving' orientation rather than 'profit' motivation and note the feminine ethos is not compatible with a masculine commercial acumen. I am trained in conflict resolution coupled with anti-bullying skills and trained in small business via the NEIS program. However, with low income you can't join business groups and if your work is unique it is evident that investment must be made in raising awareness to those who would purchase what you offer. You must be seen as a validated expert not a pioneer. If you have travelled then networks are not established. If you are female there are definitely gender barriers and few role models to access. My approach is more humanitarian so I don't fit the traditional box designated by Human Resource practitioners, so I am left to the side rather than utilised as a highly skilled person with a great deal to offer. I have kept focused on serving society when not job searching (superfluous activity) and know I have produced work of significant benefit, published books, developed progressive ideas to build resilience in a world in transition. Yet if others are not interested in supporting what I can offer, nor even understanding the benefit to society, then I just survive until the tide turns for me. I have offered my skills in peace education, conflict resolution, wellbeing and anti-bullying to the Job Providers as I could empower welfare recipients to believe in themselves and to integrate values and trust the life process.

In addition, I have offered my skills to Centrelink and Human Services as a trainer for free or paid to simply gain a foothold. There is no response which indicates they are not interested in empowerment or what works. I know they are not interested at all in my gaining employment as I am a statistic with no right to have a say.

In my work I taught values, therefore it is not possible for myself to participate in the *jobactive* system given the sorting of Job Providers. I asked Minister Keenan to write to me and assure me I am wrong, he didn't. In addition, I was not interested in engaging with Job Providers as they didn't find me work for the many years I was on Centrelink. I knew they didn't have the expertise. I was undergoing training but a bullying situation occurred, at the same time a housing eviction given the Council viewed the dwelling I rented as substandard. So I became homeless. There was absolutely no support from Centrelink. I did notify them of the situation and discovered later I have received a debt. This means they can bring in ASIO and debt collectors to surveil me, which they have. So I regard *jobactive* as a mechanism of using vulnerable people as a pool of free labour to profit commercial interests on the basis of conservative market based ideologies that regard welfare as a waste of money. There is no regard or understanding of the real needs of those on welfare. The agenda is to fully privatise the public sector to enable commercial access to the tax base as a profitable market rather than funds earmarked to ensure social stability and welfare. This clearly reflects the shift of government representation and priority from public service to serving the private sector.

The reality is people are on welfare as they have insufficient income to survive. The money is allocated for their welfare or wellbeing it was not to be used as a business incentive. Society is conditioned to believe working is the only contribution based on *dominator economics*. The reality is that the non-profit caring, non paid, humanitarian sector is undervalued and peripheral organised by those oriented towards serving society, this is predominantly women. They are the most vulnerable and judged as a drain on the public purse rather than part of a productive unpaid sector that is the very foundation to a functional society. *Jobactive* emerges from a mentality that everyone should work and that economic growth is security and profit is status. In respect of earth systems on the verge of ecological collapse it is an illusionary economic paradigm that is not responsive to real needs of society or seriously sustainable and is definitely destined to fail. It is in the process of collapsing which is why Smart cities and 21<sup>st</sup> century IT education (compliance based) has been created as a last bastion of profit making and social control perceived in an unlimited market/consumer cyber commons. Yet this strategy is not grounded as the basis of the real economy remains dysfunctional. The basis of the real economy is in meeting human needs e.g. nurturing, creativity, human rights and community.

The real work is empowerment of people to find what inspires them, to be supported in following their interests and talents with strong social ethics and values. The suggestion of a global basic income would provide an egalitarian foundation for the real wealth of a nation to be incubated. A global basic income will remove inequality which is a significant barrier. To force anyone into work they do not want causes 1:4 mental health issues, increases unhappiness and breaks down communities. Most workers work to live not live to work. That has to be contemplated by those who seek real productive change inducing real wealth.

**The bottom line is no-one is interested in welfare recipients** highest interests in respect of their potential, whether they wish to gain work or how to maximise their happiness, they are only interested in profiting from powerless people as they seek to access funds from the tax base increasingly by foreign multinational companies who are not accountable to the public. Privatisation appears to be the real purpose of the Job Provider system. Australia is the first country in the world to **allow private interests to attain significant access to public sector activities and seek to commercialise in their interests not the public interest**. The Trans Pacific Partnership Agreement (TPPA) is a regional agreement designed to lower export costs and garner access to markets. A MNC can potentially criminalise any contesting that may impact a MNC profits. MP Andrew Wilkie has spoken publicly about the criminalising of protest by MNC if the TPPA is breached. This has implications for MNC engaged in public sector contracts in respect of corruption.

## 4.2 Other Critical Issues and Questions

The key issues and questions are as follows:

- Australian Constitution:
  - The Australian Constitution Act, Section 51, sub-section xxiiiA indicates a Government obligation to provide Social Security re: unemployment benefits and does not authorize any form of civil conscription, has this been deliberately excised by using the Job Plan contract system excluding civil rights to say no?
  - If not on a Job Plan, outside of contract and conscientiously objecting to corruption in the *jobactive* system, does constitutional rights have precedence?

Constitution Section 51, sub-section xxiiiA :

*"the provision of maternity allowances, widows' pensions, child endowment, **unemployment**, pharmaceutical, sickness and hospital benefits, medical and dental services (but not so as to authorize any form of **civil conscription**), **benefits** to students and family **allowances**";*

- Is Work for the Dole a form of civil conscription given it is forcing people to work in non-military projects?
  - This question equally applies to volunteering with fixed hours. Force, from a job seeker perspective, is unequal power where a person can be directed without recourse, in respect of Job Providers and Government. The coercion forms around the threat of having their income support cut off threatening their basic survival a threat. It raises security fears. There is a sense of no choice as the positions are of unequal power.
- How are changes to the Legislation Social Services Legislation Amendment (Welfare Reform) Bill 2018 changing and negating constitutional rights? Is this Welfare Reform Bill changing welfare benefits to job seeker without public consent?
- Does the contract Job Plan negate the Australian Constitution in respect of authorising civil conscription? Is this legal when welfare recipients are not informed they are signing away their constitutional rights?
- Specifically is the contract Job Plan a true agreement or coerced given the power imbalance between the two contracting parties? Thus one party will lose a constitutional safety net if they do not agree;
- Is forced coercion given life support needs negating democratic rights?
- Given the weak job market and the differing volume of employers given expertise, qualifications and skills, is 20 job contacts per month too onerous and ineffective over a longer period of time if it is not yielding job interviews? Albeit, it is not working to achieve the goal of gaining employment. Why do Job Providers not follow up and look at alternative approaches to assist the job seeker to find work in another way?
- If Job Providers do not care about the needs of job seekers then the system is not working for 'job seekers', thus it is ineffective?

- Why job seekers are contractually forced to come into the Job Providers office for 2 hours every week for supervised job search. In the case of this job seeker she was not supervised? So why is this forced? Moreover, this activity is demeaning it assumes that a person is not responsible, thus a form of distrust and coercion to job search. Research has revealed that the purpose is to create contact to justify Job Provider fee income if successful regardless of whether the Job Provider found the job or not;
- Given 60% of unemployed receiving Newstart are long term unemployed, why are creative cooperative strategies not engaged in to understand individual job requirement needs? Why do providers not evaluate their current skills, experience and any gaps that may block job opportunities? Why is there no Job Plan outlining strategies to optimise work opportunities and personal potential? Every industry is different and requires creativity, flexibility and tailoring to optimise choices and opportunities;
- If strategies are not working this serves to disempower job seekers rather than empower them to believe they can get work. For example the job seeker has experienced force compliance to apply for a job with the consultant indicating 'you have to put your CV' forward' for a job indicated by the Job Provider from a list. Questions of who is the company were met with non-disclosure and to put in the CV and then decide. Issues of income were raised as the pay was only \$17.55 per hour, this was regarded as appalling by the job seeker, who was paid \$20 per hours in the mid 1980's. Why are job seekers forced to put their CV forward without knowing who the organisation is? Similar to a parent/child relationship if they do not comply then non-compliance is deemed. Is this fair or forced? What of rights?
- When working in organisations unpaid is there any protection under OH&S laws? What are the protections given the person is not an employee? What if high level skills are used and not paid for? What of working additional hours? None of this information is made available beforehand. Rights and parameters are not mentioned;
- Is volunteering truly volunteering if the job seeker is forced to volunteer? Even if this person has volunteered for 18 years in her background. Is this ethical?
- Research has indicated the privatisation of Centrelink, rorts in the Job Provider system given profit motives; Social security legislation amendment (Forrest Review) that in part indicates cashless welfare. Moreover, there is the issue of Job Providers being given powers to issue on-the-spot fines for non-compliance – failing to sign Job Plan, perceived inappropriate behaviour, failing to attend Work For the Dole or training (\$55). What if they have a mental illness or have democratic differences of opinion? Other research reveals that jobs are not there and that these processes do not provide work. Is this ethical?
- Is there a conflict of interest in respect of an employer Andrew Forrest<sup>1</sup> given his mining interests on a Review group, responsible Indigenous<sup>2</sup> and training reform influencing Social Security Legislation amendments that appear to decrease job seeker power? Is this ethical? What of other employers inputting into policy?
- Are Job Agencies bullying through compliance and the threat of losing payments, is this illegal?

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<sup>1</sup> [https://en.wikipedia.org/wiki/Andrew\\_Forrest](https://en.wikipedia.org/wiki/Andrew_Forrest)

<sup>2</sup> <http://www.aes.org.au/forrest-review-response/>

- Is it fair to force compliance and if this is refused, based on conscientious and ethical objection, then cut benefits rendering a person homeless?
- Is it illegal to cut payments for conscientious objection to corruption when rorting is considered to be widespread?
- Is it ethical for Human Services to not provide a letter to assist a homeless person without income to access Early Release of Superannuation in the knowledge this person is long term unemployed and in desperate financial difficulty and suicidal?
- Is it ethical to contract the Probe Group to surveil a homeless woman and film her at a location? Is this a breach of privacy? Are there other motives?
- Is it appropriate for a Centreline Officer to indicate a 'job seeker' is not in equal partnership within Centrelink but an equal citizen outside?
- Is it appropriate to refuse a second medical certificate (before being asked) when a person is on a mental health plan? What right does Centrelink have to state this?
- Is it appropriate to allocate a debt for rent assistance (one week after leaving tenancy) when Human Services is aware of eviction, homelessness, suicidal, cancer and displaced? Given the debt is small why apply this when a person is distressed?
- Should the Government appoint an independent body to hear grievances?
- Should cash jobs be allowed given welfare payments are beneath the poverty line and rental property prices are unaffordable?
- Is it true that debts are administrative errors or are they used to justify surveillance given Digital Transformation. Is 21<sup>st</sup> century Smart Cities technology being tested on the unemployed and homeless given they are unable to say no?
- Will the Government evaluate the toxic coercive culture in respect of bullying and harassment laws?
- Will the Government institute better communication systems inclusive of letters when requested to ensure welfare recipients are fully informed and questions answered?
- Will the Government re-examine matching 'job seekers' with small business given exploitative jobs, casualised with no career path? Are the unemployed being used for cheap or free labour rather than finding work that benefits them?
- Will the Government evaluate administrative practices, staff attitudes, compliance frameworks impacts on mental health on welfare recipients?
- Over and above the unemployment situation there are ethical concerns about the unquestioned belief in economic growth and its impact on undermining the natural environment. Is the unquestioned belief in economic growth undermining life support systems and can the Government envisage better, healthy and sustainable futures?

## 5.0 OVERVIEW OF THE JOB PROVIDER SYSTEM

*"A mark of democracy, we maintain, is that information flows freely. It is totalitarian authority that must choke off alternative views and suppress contrary facts: Censorship seems the social equivalent of a defense mechanism. Now that cognitive psychology is showing how easily our civilization can be put at risk by burying our awareness of painful truths, we may come to cherish truth and insight, more than ever before, as the purest of goods."*

New York Times review of Daniel Goleman  
Vital Lies, Simple Truths

The Section offers 1) excerpts sourced from a submission to the *Productivity Commission Inquiry into Human Services Identifying Sectors for Reform by Jobs Australia*. 2) An Interview testimonial from a Job Service Provider Consultant 3) Evaluation using terms of reference parameters.

### 5.1 Historical Overview of Government Employment Services

Australia's public employment service was delivered by the Commonwealth Employment Service (CES) until 1998. In 1996, during the Howard Government Federal Budget (Liberal) the Minister for Employment, Education, Training and Youth Affairs, Amanda Vanstone announced that the CES would be outsourced. **Nowhere in the world had such services been comprehensively contracted out.** The contracts were awarded to public, private and community sector providers through a comprehensive tender. This tender process ran in three stages evaluating on price and quality at the first stage, narrowing to price in the second stage and then evaluating on quality on the last stage. It was to obtain the lowest price at the highest quality. Out of 1,000 tenderers, 300 were selected which comprised for profit/commercial enterprises, non-profit organisations and a public provider known as Employment National.

In 2009, the Labor Rudd Government changed the name to **Job Services Australia**. In 2015, the Abbott government rebranded the system to **jobactive**. Throughout, the basic structure and administrative arrangements of the system remained the same.

Historically, it is noted that there were contracts in relation to the transport of **convicts to Australia**. The arrangement with the Navy Board was firstly a flat rate per month deal. The second voyage was contracted to the lowest bidder in a competitive tender who was a slave trader. The contract paid a flat rate per convict embarked which shifted risk of delays onto the contractor who attempted to get to Australia quickly but with few alive as they did not stop to allow convicts to recover from scurvy, one third died. The third voyage was undertaken with reputable contractors and paid per passenger embarked and bonus for landing safely with surgeons on board. This was lauded for its attention to the health of the convicts.

This is evaluated as accountability not able to be contracted out. Contract design if wrong can lead to perverse outcomes with contractors behaving in ways consistent with the contract but adverse to the public interest. Moreover, it is in the design of a contract where health and welfare are first that they can successfully fulfil the objective. What is noteworthy, is that human rights have to be enshrined in a contract for human wellbeing to be assured it is not naturally by conscience, empathy or compassion. This is still the issue today. **The real problem is in the absence of values** not system design. Systems only become important in respect of design and outcomes, when values are absent.

## 5.2 Legislative Amendments from Welfare to Work

The Social Services Legislation Amendment (Welfare Reform) Bill 2018 was passed this year. Notes are provided below. The legislation is difficult to understand from a lay person's perspective and requires explanatory notes so that a person with a year 8 level of education can understand what the legislation actually means. Most citizens do not understand legislation and when it is quoted it is not meaningful.

The notes were documented to attempt to understand what the legislation meant. It appears to be changing welfare benefits into jobseeker payments and appears to narrow rights.

Social Security Legislation Amendment (Welfare Reform) Bill 2018 appears to be changing Social Security which was designed for those disadvantaged to a jobseeker payment requiring people to be work ready if they are to receive payments, this appears to change the constitutional right to welfare as a safety net to forced compliance of work related activities. Thus the question arose - is this Bill eroding of societal rights and disconnecting from constitutional rights. It appears to be creating the job seeker payment.

Note: substitute "*with*" was added for clarity.

- Legislation replaces Newstart allowance for job seeker payment (farms)
- Social security benefit replaced by job seeker payment (like an employer)
- Social security entitlement becomes job seeker payment
- Social security recipient status
- Note is this how business 'payments' create 'obligation to work' rather than an entitlement as a member of a society with a range of needs?
- Does this legislation enable **excluding those who do not seek jobs** – legislated discrimination?
- You have to qualify for job seeker payment. Does this means anything that doesn't meet the qualifier is off loaded to the non-government sector?
- Does this move from government obligation to societal job obligation (work for free)?
- Omit partner getting pension or allowance to partner getting pension or benefit. Why change?
- Jobseeker payment not payable if person fails to attend interview etc. in certain circumstances
- Subdivision G—Situations where jobseeker payment not payable (administrative breaches)
- 631 Situations where jobseeker payment not payable for failure to comply with certain requirements
- Subdivision H—Other situations where jobseeker payment not payable
- Division 4—Rate of jobseeker payment
- Subdivision B—Continuation of jobseeker payment rate after death of child
- Death of child—continuation of jobseeker payment rate for 14 weeks
- Jobseeker payment recipients
- Omit "Newstart allowance", substitute *with* "special **benefit**".
- Jobseeker payment, youth allowance or parenting payment recipients
- Jobseeker payment, youth allowance, disability support pension and parenting payment recipients
- Section 1047 (paragraph (c) of the definition of designated Social Security payment) Repeal the paragraph, substitute *with* (c) jobseeker payment; or
- Formula for maximum amount of advance: benefit PP (partnered), 3 youth allowance, austudy payment or jobseeker payment

- Subsection 1061JU(4) (subparagraph (f)(i) of the definition of maximum basic rate): Repeal (i) jobseeker payment;
- The allowance", substitute *with* "the payment **or** allowance".
- Maximum basic rate for certain jobseeker payment recipients
- Incapacity for work—jobseeker payment 1068-D2 this point applies to a person if the person is receiving jobseeker payment and the person is, under Subdivision BA of Division 1 of Part 2.12, exempt from the activity test
- Jobseeker payment recipients who have a partial capacity to work or are principal carers
- Repeal the point, substitute: 10
- Reference to payment or allowance
- 1068-G7D A reference in point 1068-G7B or 1068-G7C to a payment or an allowance is a reference to a payment or an allowance the rate of which is calculated under this Rate Calculator.
- Ordinary income reduction for certain recipients of jobseeker payment
- Point 1071A-4 (subparagraph (a)(i) of the definition of allowable income) Omit "Newstart allowance", substitute *with* "jobseeker payment".
- Social Security (Administration) Act 1999 (same deal)
- Subsection 106B(4) (subparagraph (a)(ii) of the definition of listed automatic issue health care card) Repeal the subparagraph, substitute *with*: (ii) jobseeker payment;
- Section 123TC (paragraph (b) of the definition of category E welfare payment)
- Repeal the paragraph, substitute *with*: (b) jobseeker payment; or .....etc..

From a citizens perspective people should be consulted about significant changes to Social Security as it impacts millions of people and is a cornerstone of Australia as this welfare system is one of the best in the world. Given my own difficult experience in the *jobactive* system I have concerns about forced compliance and working for free. I have witnessed slave labour and no rights in other countries, young people volunteering in professional jobs (not paid) in the UK and I am aware of foreign visas issued for labour in the mining industry rather than employing local workers with fair entitlements. I have concerns that vulnerable persons are exploited as free labour under the premise of 'Work for the Dole' or 'volunteering' rather than placing the needs of welfare recipients first. There are stereotypes in welfare such as *lazy bludgers* which is untrue. There needs to be more research undertaken from the perspective of citizens engaged in a system that works for them. Find out what they think of *jobactive*? Strengths and weaknesses? How they think it can be changed or improved? What they would like to see happen to empower their lives?

Life is not about work, it is about living to one's full potential. The author of this submission is a self starter, highly motivated and not motivated by money but serving humanity for their highest good. People have dreams and talents that are latent as job roles are task oriented without imagination to expand potential. Typically jobs are not innovative or creative and at the lower levels experienced as rote and physically demanding with low income. Work becomes a chore rather than an exciting opportunity. The author chose to follow experience not money. She undertook college at 21 years and then put herself through university completing a Business Degree. She travelled extensively, volunteered as a community media producer, ran a business, , market analyst, mentored business entrepreneurs, public speaker, performer and trained in peace and conflict studies and early childhood. This path arose out of pursuing interests. She worked in 400 companies in virtually every industry. Choice is critical for success and happiness. If people are breached and forced they will resist the system rather than embrace it.

### 5.3 The Job Provider/Government Process

The process is described as follows:

- Potential Providers compete for contracts via a tender, successful companies are awarded contracts with a defined 'business share' (market share). This business share is a percentage of job seeker referrals from Centrelink in a specific geographical area;
- Providers compete to attract additional job seekers (providers can exceed case load allocation by 30%);
- Providers are paid for defined 'outcomes', generally a combination of short and long term employment outcomes.
  - Providers that achieve **higher performance** receive greater payment.
  - The more disadvantaged job seekers attract **higher** payments.
  - A Questionnaire (Job Seeker Classification Instrument) assesses the level of **disadvantage** and allocate job seekers to a 'stream'.
  - Higher streams receive higher levels of **support and funding**.
- Performance is measured by a **star ratings system** comparing actual outcomes achieved (and other performance indicators) compared to expected performance based on regression analysis that factors in caseload and local labour market characteristics.
- At **set points** in the contract, the Department **reallocates** business share from low performing providers to high performing providers.

The providers compete not only at the time of the tender but throughout the contract to:

- 1) **maximise** payments
- 2) avoid business share being **reallocated** by the Department and
- 3) increase their chances of securing subsequent contracts.

This design is known as '**quasi-market**' because it mimics the market whilst maintaining a very high degree of **government control** and accountability *for performance* to the government.

A single Department is responsible for:

- designing policy settings;
- overseeing their implementation;
- policing the conduct of providers;
- determining penalties for non-compliance;
- and evaluating and reporting on system performance.

In contrast many other systems for government funded services provide for an **independent regulator** (e.g. education and health systems)

## 5.4 Issues with Competition

Issues with competition in the job network commenced with outsourcing in 1998. The intention is alleged to introduce competition and user choice creating a new market of 'employment placement enterprises' (EPEs)

- Job seekers were **not referred** to EPEs;
- EPEs **competed** for job seekers to fill vacancies;
- The National vacancy database was the **prime mechanism** for job seekers and EPEs to attract job seekers as clients;
- Job seekers were **encouraged** to approach a number of EPEs for assistance in their job search efforts;
- The Agency could be authorised to provide their **personal details** directly to the EPEs of their choice;
- Desirable for a regional labour market to be serviced by a **number** of EPEs;
- Maximise benefits of competition to **reduce the dependence** of job seekers on the performance of any single EPE in the market;

The Productivity Commission (PC) published its **Independent Review of the Job Network** identifying a range of issues with competition and user choice, as follows:

- **Lack of real user choice.** Rather than exercise choice most job seekers continued to accept a referral. If they chose it was based on location rather than quality of service. Competition was on the basis of location closest to Centrelink;
- **Perverse behaviour** in the market included creaming, parking, job splitting and other claims:
  - Creaming is allocating greater resources to job seekers most like to achieve an outcome and
  - Parking is little assistance to the hardest to place;
  - Job splitting is arranging with an employer to 'split' one vacancy into two part-time roles for two outcomes to be claimed
  - Job provider claimed outcomes for employing job seekers in its own company.
- **Mixed evidence on quality of service** with surveys by DEWR showing 80% of job seekers were 'satisfied' or 'very satisfied' whilst qualitative evidence in workshops was less satisfactory;
- **Poor engagement with employers** was revealed in surveys that few employers used the service.
- Too **much focus on compliance** increases the administrative burden, contract variations were one sided and ongoing monitoring extensive with the potential to reduce flexibility and innovation.

The Productivity Commission identified the **risk of over-specification** of administrative requirements and recommended licensing. The commission recommended an *independent* Job Network agency to address significant problems of transparency, accountability, power imbalance between DEEWR and providers.

## 5.5 Competition in Job Services Australia and the Transition to *jobactive*

Contracts are still awarded through competitive tenders, performance is still measured through Star Ratings and the payment model includes a mix of up-front payments and outcome-based payments.

Problems are identified as:

- Administrative complexity increasing. **Nous Group** engaged by Jobs Australia to advise on how best to reduce **red-tape** and administrative compliance burdens;
  - Nous Group found front-line staff in Employment Service Providers spent 50% of their time with job seeker **administration and compliance**, 30% on unnecessary administration duplicated with Centrelink;
- Hon. Kate Ellis appointed panel of experts to review administrative requirements in Job Services Australia. Panel known as **Advisory Panel on Employment Services Administration and Accountability (APESAA)** found that:
  - Department had tendency to **hyper-specification of administration**, culture of risk aversion, mitigating risk through **electronic surveillance** of increasing levels of data input, storage and retrieval of providers
  - The **complexity of Programs** is likely to weaken accountability for performance and outcomes, and to have constricted innovation
  - And establishing an **accreditation scheme** for providers would help ensure that **services** are delivered at or above consistent standard of quality;

APESAA recommendations were implemented in the 2015 contract including **longer** contract terms an accreditation system for providers.

- An independent review into **erroneous claims** of particular outcome payment, the Provider Brokered Outcome payment found that **over-claiming was widespread** and in some cases, **fraudulent**
- 2015, **ABC Four Corners reported allegations of a Provider making fraudulent outcome claims** under a Job Services Australia contract.

The design of *jobactive* reflects competing priorities in respect of administrative complexity constraining efficiency and quality on the system. There is evidence that providers would take advantage of any increase in flexibility.

It was maintained that changes include:

- Larger contract regions (5 years);
- Simplified payment model reduced job seeker streams from 4 to 3;
- Few payment types;
- Less up-front funding and;
- More funding attached to outcomes intended to reduce complexity and more flexibility
- Accreditation requirements but with no reduction in auditing, monitoring or other requirements which has led to increases in administrative requirements rather than a reduction expected by APESAA.

## 5.6 Job Seeker Requirements

**Service requirements for job seekers** were increased with the *jobactive* contract including requirements around frequency of contact with job seekers, job plans, number of job applications that a job seeker must agree to, providing for mandatory activities such as Work for the Dole.

**In 2016-17 Budget** the Federal Government announced **mandatory training program for all Stream A** job seekers. For job seekers, the system is largely focused on **monitoring compliance** with increasingly **specific mutual obligation** requirements.

The design of *jobactive* contracts resulted in significant reduction in the number of providers. The number have reduced from **300 to 44 organisations** awarded *jobactive* contracts.

Fewer providers means **less choice** for job seekers and **highly specified** requirements mean the system remains highly constrained and **unresponsive to the needs of users**.

## 5.7 Alternatives

Jobs Australia developed the idea for a **licensing** based system for employment services. **Job's Australia's Blueprint for Reform** proposed licensing for providers, market entry and exist at any time, removal of allocated caseload share, putting a proportion of funding in the hands of the job seekers. Some functions by the Department could be transferred to an independent regulator.

Features from this report include:

- Giving clients real choice is the key to unlocking potential of competition and driving improvement to services
- New licencing
- Independent accreditation of providers by a regulator
- Generalist and specialist licences
- Licences granted at the level of an established service area or region;
- Minimum service standards and financial position required for a licence;
- Code of conduct
- Licences do not include any ceilings on caseload;
- Caseloads would be contestable, no need for contracts and no allocated market share;
- Caseload depends on the ability to attract job seekers and place them in to jobs, this enhances competition by allowing new providers to seek accreditation and enter the market any times, rather than tender rounds and ensures success in the market depends on performance;
- Licences automatically renewed, subject to the achievement of performance standards, licences automatically renewed.
  
- To retain licences providers need to:
  - Maintain caseload above a small, minimum threshold
  - Maintain their performance measured by reference to outcomes via star ratings system, above a minimum threshold (eg. above 2 stars)
  - Adhere to a set of minimum service standards
  - Stay within other rules, prohibitions against repugnant provider behaviour

- Ensures Regulator has powers to ensure integrity of the system. The minimum caseload allows for the removal of services that become too small for the Regulator to ensure compliance, but the threshold should be low so there is room in the market for small providers or niche specialist services.
- Service standards should specify a minimum frequency of face-to-face contact with clients, minimum requirements for physical premises and other minimum conditions for a basic level of servicing but leave room to compete on service level and quality.
- Regulator can revoke a licence
- Cost of licences would be very low and not a barrier to entry
- Accompanied by audit procedures all providers subject to audit by independent Regulator

## 5.8 Interview with Former Job Services Provider Consultant

This interview was conducted privately with a former Job Provider Consultant with nearly a decade of experience. Please note his identity is private. Below are the notes taken.

### ***What is your background?***

This interview below was undertaken in 2018 with a former Consultant who shared his experience working in the industry for 8 years. He worked in disadvantaged areas in the East of Melbourne in the areas of: Yarra Valley, Rowville, Pakenham, Brighton, Cranbourne, Berwick

- Fitness trainer
- Tyre fitter
- Occupational therapist
- Health and safety in fitness
- Youth work – juvenile justice. Job was about being a prison guard not a counsellor
- Employment service – Job Placement Employment Plus training
- Homeless issues with kids

### *Homeless experience?*

- Worked with young people 15-21, plus pets, fish, cat
- Worked in Yarra Valley, Rowville, Lilydale and Wantirna
- Lot out there self inflicted – drugs and alcohol (80%)
- Kicked out (small percentage)

### *Why drugs?*

- Peer pressure, depends on person, mother and father doing it, influenced by others
- Depends on circumstances
- Not full time work, not busy
- Needed hobbies, need focus, bored
- Cool thing, hang out in train station
- Didn't want to work, not get up, no hobbies, no goals, aimless and lost
- I exercise (provides structure, team)
- Lots of kids are lost, parents divorced, separated
- Not many mothers and fathers
- Disruption in the family (70%)
- Step father kicked them out
- Not many parents together

- Worked between 2006 and 2014 in the industry
- 4 years Job Provider Employment Consultant – disability
- Depends on situation
- Yarra Valley, Rowville, Pakenham, Brighton, Cranbourne, Berwick
- Took Job at Prahan Mission for 4 years
- Homeless are sent to different programs
- Uniting Care – housing issues
- Programs – Harrisons (Uniting Church)
- Anchor
- Melbourne City Mission
- Connected Wesley – Ringwood, King Street
- Viza Centre (Richard Pratt) – immigration and homeless

#### *Solutions?*

- Mental health
- Parenting
- Friendships
- Drugs – anxiety
- Changed in 2 years (out of industry)
- Those 55 – get no help

#### *Work for the Dole?*

- Doing something 16-19 years who have never worked
- Autism, enjoy, puffing billy program
- Work experience
- Hospitality, retail, horticulture (The Chapel)
- Participation – if not then a breach
- Activity agreement – contract
- If exploitation then talk to the Job Provider

#### ***What do you think of Social Security system? Probe: How does it work?***

- Job provider network
- Centrelink (top of mind)
- We need Social Security
- Social security - unemployment benefit, necessary
- DHS – child protection (*he didn't regard DHS as Social Security*)
- Homeless is non-profit
- Worked for Ames – made redundant in 7 weeks. Looking for work placements (*for the company*), 10 placements (jobs) a week, (*he placed*) normally 4-5
- (*he was*) Unemployed after Christmas, didn't want to go to Centrelink, too proud, had a inheritance
- Eventually went to Centrelink – everyone I know is there. Have to do paperwork.
- Job network provider – said you've been one of us. I laughed. They wouldn't help.
- I went to 20 employers, phoned them. (*independently of the Job Service Provider, no help*)
- I didn't tell them where I was working (*when got job*), as they (*Job Services Provider*) want money, no placement for them
- They would have claimed it.

***What do you think of Job Services Australia?***

- Friends are saying it is not good, horrible, push push (pressure, selling), busy
- 5-6 appointments per day increased to 20 appointments (growth, pressure)
- Where do you find time to find jobs?
- Increased paperwork, computer systems changed
- Job Service Provider paid placement fee
- Employment consultant (EC) are on a hourly rate

***What are the key issues with the Job Provider system?***

- They don't look for work (*Job Service Providers*)
- They didn't do anything
- Make placements (sign up)
- Put in job skills
- Different levels
  - Stream 1: self-reliant, no assistance
  - Stream 2: some issues, housing
  - Stream 3: drugs
  - Stream 4: wheel chair, full help (higher payments from government to JSP)
- Help stream 4 given higher income \$\$, discriminate
- Help depends on the Job Provider willingness
- Client gets no help
- Client is put in job search groups
  - Help with resume
- Clients in a group with 20-30 people, search for jobs which is income for Job Provider
- Job Services Australia
  - Job access – login clients, help improve, special services for special needs

***Process***

- Client referred by Centrelink or self referral
- Manager is EC (*Employment Consultant*)
- Sit down induction pack, bank details, checks job history, resume
- Allocated EC
- Set next appointment
- Manager login details
- Centrelink button pushed, placement fee
- Via Job Network Australia (Job Access)

***What are the strengths of the Job Provider system?***

- None
- Changed, not caring and Sharing
- Government changes

***What are the weaknesses?***

- Used to be helpful
- Not getting jobs
- Reverse marketers – backed off, not any more, used to go to employers e.g. truck washing
- Depends on client
- RTO's corrupt (*he went on jury duty listened to case*)
- Fake placements
- Boss lodged claim before deadline e.g. person drops out at 24 weeks, if job kept for 26 weeks (rule) then there is a fee to the Job Providers (EC's boss)

***Corruption***

- Change dates
- Change signatures – employers signature forged, depends
- Say they haven't met client at workplace, they say they saw them - fraud
- Happens a lot, Job Provider takes credit
- Client doesn't want their help, don't want employment provider to come to workplace
- Job provider gives to ex client movie tickets, fuel, work boots, uniform, forklift training for signature

***Are there any problems with the Job Provider system?***

- No attendance (1 time or 3 times) then breach, pay cut
- To motivate client with sweeteners, get them involved
- No caring at all
- No counselling and support
- Youth worker - nothing
- Job provider, if EC Indian may say 'why no job?', payment cut (*referring to culture black and white*)
- Good people are gone

***How can this be solved? (improved)***

- Change the government
- Job Provider Employment Training (JPET) plus peer support program (Government, Job Future was good)
- Falsifying
- Little companies go (*out of business*), Prahan Job Supply Personnel – caring
- Uniting Care linked to Wesley (they don't care), 25 clients – no support, sink or swim
- Competition (problem)
- Clients can go where they want
- Couple of months they can move (problem)

***What are the rights of job seekers?***

- Contract – to get pay
- Commitment
- Get job – employment
- Paying taxes – government, person to find work
- Seek (online) – send ID number to Government
- Depends on EC, they don't ask what you want to do. I can't do that, they force a person into a job
- No rights
- I am creative – I treat people as I would want to be treated (treat client)

**Any other comments (experience, thoughts etc.)**

- Rent (issue)
- Breaches
- Drugs
- War veterans problems
- Mental health
- Lose job
- No support
- Who looks after single mum and children
- Housing full – refugees on waiting list to get there
- Melbourne City Mission
- Harrison's - people in front between 8-9am (*seeking a bed*)
- I go with a client to housing, they get a house for 6-12 months
- House, bungalow
- Harrisons may not be able to get them a house as they have nothing to spend, no budget
- Hard
- Spider web – Harrison's
  - 1<sup>st</sup> priority: Single mum (baby)
  - 2<sup>nd</sup> priority family – split up
  - 3<sup>rd</sup> priority couple, different refuges
- Depends on June-July funding

***Placements***

- Employer – factory, 3-4 clients
- Bonus to the employer, Centrelink gives bonuses
- Job network provider (*receives*):
  - 12 weeks if over 50 (*years of age*),
  - after 12 months, get \$10,000
  - 12 weeks in 20's \$1,500
  - 24 weeks \$2,400

***Breach***

- Non attendance
- Not looking for work
- If have to take pet to vet and appointment clashes, won't accept that cut payment
- EC signs up for course – if not go to course (breach)

## 5.9 The TPPA and MNC Job Providers Can Influence Policy, Regulation, Employment, Rights and *Jobactive*

Anis Chowdhury, former Professor of Economics from the University of Western Sydney indicates in the paper 'The Trans-Pacific Partnership Agreement: Some Critical Concerns' the following:

- Additional trade from TPPA will be modest or in the case of Australia stands to gain nothing;
- TPPA restricts trade of non-members through process of 'cumulative rules of origin' as free trade turns into preferential trade;
- The TPP is projected to cause employment losses overall, with a total of 771,000 jobs lost with employment in Australia contracting by 39,000 jobs.
- Exports may be less labour-intensive with adverse consequences for employment while more imported inputs for export-oriented production will reduce national linkages and multiplier effects compared to domestic production. Businesses may seek to become more competitive by cutting labour costs. This will negatively affect income distribution.
- Real incomes for employees, especially the less skilled, are likely to be further depressed, as in recent decades, due to greater international competition following trade liberalization. The TPP, thus, will likely lead to higher inequality due to declining labour shares of national incomes. This will in turn weaken domestic demand.
- The TPPA will strengthen monopolistic Intellectual Property Rights (IPRs), well beyond the already onerous provisions of TRIPS, especially for big pharmaceutical, media and information technology companies. The TPPA will allow 'Big Pharma' longer monopolies on patented medicines, keep cheaper generics off the market for longer, and block the development and availability of 'similar' new medicines. The treaty is likely to shut out cheaper generic manufacturers and prevent subsidy programs that keep drugs affordable in Australia.
- The collective drafting of the TPPA was 'assisted' by about seven hundred official advisers to the US Trade Representative (USTR), mostly from the US corporate sector. The TPPA will mainly advance **certain politically influential US corporate interests** by strengthening foreign investors' influence, intellectual property rights (IPRs) and financial liberalization while **constraining instruments of national economic policy and the public interest**. Not surprisingly then, the only US government study of likely TPPA impacts has been largely ignored in favour of the PIIIE's.
- Instead of promoting growth and employment through trade liberalization, the TPPA is mainly about imposing new rules favoured by large multinational corporations. For example, there are concerns that **Article 25.8: Engagement with Interested Persons** – "The Committee shall establish appropriate mechanisms to provide **continuing** opportunities for interested persons of the Parties to provide input on matters relevant to enhancing regulatory coherence" – can be interpreted to mean that foreign investors will be able to **influence national legislation**. While this chapter is not enforceable via state-state dispute settlement, there are equivalent provisions in other TPPA chapters that are enforceable.

- The TPPA goes much further into **shaping** the role and functioning of governments than is needed for trade liberalization. There are concerns that its provisions will serve to further **reduce the costs to, and increase the earnings** of, transnational or multi-national Businesses, with little commensurate gain for host countries. As they also undermine and compromise the 'integrity' of trade agreements, serious advocates of free trade and trade liberalization have sharply criticized the inclusion of such non-trade provisions in ostensible FTAs.<sup>11</sup> The Investor State Dispute Settlement (ISDS) provisions of TPPA will strengthen **foreign investors' rights at the expense of local businesses and the public interest**. The TPPA's ISDS system can thus oblige governments to **compensate** foreign investors for losses of expected profits due to national regulations following binding private arbitration. ISDS has been and can be invoked even when rules are non-discriminatory, or **profits come from causing public harm**.
- In the US, the libertarian Cato Institute has **denounced** the TPPA as a tool of corporate lobbyists. Like many other recent bilateral and plurilateral economic agreements, the TPPA has little to do with liberalizing trade, but instead advances the interests of powerful foreign business interests.
- **Loss of Labour's Bargaining Power:** Capital account liberalization affects the relative bargaining power of companies and workers, as **capital** is generally able to move across national borders more easily than labour. The threat of more easily relocating production abroad weakens workers' bargaining power and hence, **labour's share of income declines** following capital account liberalization. The impact of the loss of bargaining power may be more **severe** for workers in advanced economies than in emerging market economies for two reasons. Companies in advanced economies may be in a better position to make a credible threat to relocate abroad – where **wages are lower**.
- **Reconsider TPPA in Public Interest:** More careful consideration through more informed public discussion of the TPPA's many provisions can only help. According to a mid-2015 Pew Research Center survey<sup>12</sup>, the strongest support for the TPP was in Vietnam, where 89% of the public backed it, while the weakest support was in Malaysia (38%) and the US (49%). The greatest **opposition** was in Canada (31%), **Australia (30%)** and the US (29%).
- The greatest support for deeper economic ties with China, by contrast, was in Australia (50%) and South Korea (47%).
- The peoples of the TPP countries are at a **critical crossroads** with the TPPA. They can either make serious efforts to thoroughly evaluate its provisions' costs and benefits, in order to do the right thing, or simply amend laws in order to implement the TPPA, **condemning present and future generations** to its consequences. We need to carefully evaluate the TPPA and its many implications for present as well as future generations of Australians before changing national legislation to meet TPPA commitments.
- **Costs and Risks of TPPA:** The distribution of benefits and costs has not been much analysed in these exercises. If the gains mainly go to a few influential big corporations, with losses borne by many others, e.g. consumers paying for more expensive pharmaceutical medicines, etc., or workers experiencing **downward wage and employment pressures**, or **national treasuries obliged to compensate foreign corporations**, the TPPA could exacerbate **inequalities** at both national and international levels.
- Even if a more comprehensive and balanced assessment of the costs and risks of TPPA provisions found the potential for improved net economic welfare for all in TPP countries,

- TPPA measures would not compensate losing participating economies and stakeholders. Needless to say, the TPPA does not include any mechanisms for international compensation.
- Furthermore, the US International Trade Commission (USITC) analysis does not seem to consider **public health risks and consumer welfare losses** due to higher prices, and reduced access due to broader, stronger and longer **patent and copyright** protection – although **higher prices** for pharmaceutical medicines, software and other intellectual property will impose substantial **costs** on the public and governments.
- There is growing evidence that IPRs do little to promote research, and may actually impede or delay innovation. Contemporary IPR regimes not only impede innovation, but most certainly undermine public health and consumer welfare by limiting competition and raising prices.
- **Investor-State Dispute Settlement (ISDS):** Most importantly, Chapter 9 grants aggrieved investors a **private damages remedy** directly against the host nation and access to an international arbitral tribunal—rather than the respondent state’s home courts—as the forum to resolve those claims. The ISDS provisions in trade and investment agreements have effectively created a powerful, privileged system of protections for foreign investors that often undermines domestic law and institutions.
- ISDS in the TPPA will **allow foreign corporations to sue governments** for causing them losses due to legal or regulatory changes. ISDS cases are decided by extrajudicial tribunals composed of three corporate lawyers. Although ISDS has existed for decades, the TPPA would greatly broaden its scope and the bases for ISDS claims and the number of foreign investors who can sue TPP governments. Its impact will be exacerbated by the very broad coverage of the TPPA’s Investment and Services chapter, which provides for a ‘negative list’ approach to exclusion. One major effect will be to **constrain** the policy and regulatory space for government initiative to promote desired investments and technological innovation.
- As there is **no cap** on the amount of awards in the TPP, claims and awards can be huge as foreign corporations can seek damages on future profits indefinitely. The system is dominated by **unaccountable** corporate lawyers. Lawyers acting as advocates in one case can be arbitrators in other cases.
- Recent ISDS decisions have involved significantly greater delegation of authority to arbitrators in interpreting and applying the agreements concerned, **without** any meaningful **review** or opportunity to **appeal** the arbitrators’ decisions. There is no guarantee that tribunals will interpret treaty provisions in ways consistent with governments’ understandings of what treaty obligations mean. (Article 9.25.3 (Governing Law) of the investment chapter provides the ostensibly strongest safeguard, which is **negated** by the nature of the Commission itself: “A decision of the Commission on the interpretation of a provision of this Agreement under Article 27.2.2(f) (Functions of the Commission) shall be binding on a tribunal, and any decision or award issued by a tribunal must be consistent with that decision.” ISDS also allows **investors to challenge the actions of officials at any level of government** – local, state, and federal – as well as conduct by any branch – executive, legislative and judicial. A measure entirely **consistent with domestic law is no defence against liability**. ISDS thus **empowers private arbitrators** to decide on cases that are essentially matters of domestic constitutional and administrative law, but are presented as treaty claims.

- Instead of national judicial institutions, with ISDS, foreign investors will be able to ask a panel of appointed international arbitrators to determine 'proper' administrative, legislative and judicial conduct. Since many legal decisions involve matters of **interpretation**, it makes a great deal of difference to have **non-national judges** deciding on 'national' issues. It greatly helps foreign investors if they can bring their claims against a government before international arbitrators, and **not domestic courts**. Because:
  - *There is no provision for meaningful appeal.*
  - *ISDS decision makers are **not** required to be **independent and impartial** with the high ethical standards expected of judges.*
  - *If a domestic court issues a decision inconsistent with legislative intent, the legislature can correct it through domestic legislation, but it has **no power to override an ISDS decision**.*
  - *Procedural rules and remedies are **significantly different** depending on whether an investor claim is through ISDS or domestic courts, with significant consequences for the TPP government's potential **exposure** to claims and liability.*
  - *The law is not the same, even it may look similar, implying that similar sounding legal texts may be interpreted very differently in different contexts.*
  - *The threat of **supranational adjudication** has many, often complex legal and policy implications*
- In recent years, ISDS has increasingly provided a means for investors to make money by **speculating on lawsuits**, winning huge awards and **forcing foreigners to pay**. Financiers have **purchased corporations** able to bring winnable ISDS claims to use such claims profitably.
- They have sometimes used '**shell companies**' to pursue cases. Some hedge funds and private equity firms finance ISDS cases as third parties. Thus, ISDS has become the raison d'être for such investments. Such 'third-party funding' of ISDS claims has been expanding quickly, according to a '**litigation finance**' pioneer. If financing such claims was not worthwhile, the industry would not have boomed so quickly in recent years.
- ISDS will **inadvertently dilute constitutional protections, weaken the judiciary**, and '**outsource**' national legal systems to a system of private arbitration **devoid** of essential checks and balances in most national judicial systems. In short, ISDS is an extreme, discriminatory and unnecessary form of supranational adjudication that will have undue negative effects on national law and institutions.
- **TPPA's Real Focus NOT Trade Liberalization:** Instead of being the regional FTA it is often portrayed as, the TPPA seems to be "a **managed** trade regime that puts **corporate interests first**", as suggested by many critics such as Nobel laureate **Joseph Stiglitz**. Thus, the supposed benefits from trade liberalization constitute the thin edge of a wedge which will fundamentally **challenge the national and public interest**.
- **TPPA Politically Driven:** It is no secret that the main US motive for the TPP has been to **confront China**. In President Obama's stirring words in his last State of the Union address, "With TPP, China does not set the rules in that region, we do". This has to be seen against the background of American efforts to check the rise of China ever since the collapse of the Soviet Union and the Russian economy during Boris Yeltsin's first presidential term. Broad support for the China-mooted Asian Infrastructure Investment Bank (AIIB) in 2015, even from traditional US allies, was a major embarrassment which the White House was desperate to overcome.

## 6.0 CONSCIENTIOUS OBJECTION TO JOB PROVIDERS

The following cases of interactions between Susan Carew and Job Providers from 2013-2017. Please note homelessness has been intermittent since 2010 and permanent since June 2017. This is due to housing affordability, low income, no employment and conscientious objection blocking access to constitutional rights in respect of welfare.

### 6.1 Case 1: Transferring Providers, Community First, WA

In Perth I was registered with Community First in Fremantle. In this case I overview key issues.

On May 16, 2013 I write to Mark Davidson the Manager of Community First enquiring about why a staff member advised me not to contact Centrelink about volunteering which culminated in a breach that cut payments. The email discussion raises issues of communication, accuracy, standard replies from the Job Provider. It is evident he doesn't answer what has been asked, he provides a standard reply and the job seeker is given inaccurate information from both sides. This is frustrating and affects mental health as the person is told to contact a number or fill out forms to find a referral back to the Job Provider. The process is disempowering and not respectful of how the job seeker feels. In a professional setting a person would be apologised to and the matter dealt with swiftly but in the case of job seekers no-one cares what the person goes through.

Refer [Appendix 1](#) for Email exchange between Susan Carew and Mark Davidson, Community First

Key issues are as follows:

- Complicated system of Job Providers, Centrelink and Departments;
- Processes are unclear and can be contradictory;
- Directives rather than collaborative arrangements;
- Issues of poor client service of Job Providers;
- Providing incorrect information with no apology;
- No acknowledgement of mistakes or responsibility;
- Communicating without addressing by name or basic courtesy;
- Not communicating clearly addressing issues raised;
- Discrimination of long term unemployed as a waste of money, refused by other Job Providers;
- Inconvenience of hand delivery of transfer to another Job Provider subject to agreement then told this is not the process;
- Job providers may refused as understaffed
- No consideration regarding job seeker time and money;
- Lack of respect and response from Job Providers;
- Lack of respect and response from Centrelink;
- 40 minute wait times and credit issues;
- Breaches due to incompetence of Job Providers;
- Use of words such as 'failure' is blaming and accords mistakes when irrelevant;
- Threats of loss of payment if an action is not taken by a certain time;
- Request rights and inquire about Ombudsman, no response;
- Issues of homelessness.

## 6.2 Case 2: Work for the Dole, Sarina Russo, Victoria

This case refers to the compliance activity 'Work for the Dole' and 'Volunteering'. The statement by the consultant with Sarina Russo who stated the job seeker had to comply with the activity of Work for the Dole. There is no choice. Why is the activity changed if there is no choice?

The following are the key issues for **conscientious objection** to Work for the Dole and volunteering for a fixed number of hours, both of which will not lead to employment. The Job Plan Agreement originally was signed with the hand written proviso that activities were *ethical*. Work for the Dole is considered not ethical. Refer Appendices:

Appendix 2.1 for Correspondence to Centrelink, Social Security and Sarina Russo

Appendix 2.2: Report Democracy or Compliance.

Work for the Dole - Key issues:

- The position offered is to make Christmas presents. Given the job seekers prior experience this position is **not going to further her skills**. This type of activity, whilst job like is not a reasonable form of work that would further the job seek in terms of gaining an actual paid job;
- The time allocation of 30 hours a fortnight is **not appropriate**, it is equivalent to one full weeks work a fortnight in a job that would be akin to a sheltered workshop and is considered a waste of time that could be spent looking for viable work;
- The issue of forced compliance through the threat of losing income support is coercion and not democratic, that is, providing alternative choices;
- Research suggests that Work for the Dole is unethical, exploitative and not in the interests of job seekers as **only 2% of participants** have had opportunities as a result of this activity. Clearly it would be the same outcome for volunteering as simply using another name for the same process;
- The job seeker does **not have equal power** nor is an equal participant given their status as a job seeker and dependency on the government to meet basic survival needs;
- A letter was given to the Job Provider on 22 April, 2016 listing the following issues:
  - *The Job Plan Agreement was signed with my hand written proviso that activities were ethical. I consider **Work for the Dole unethical**.*
  - *The position offered is to make Christmas presents. This type of position is not going to further my chances of finding paid work.*
  - *The time allocation of **30 hours a fortnight over 6 months is not appropriate**, it is equivalent to one full weeks work a fortnight in a job that is superfluous to my gaining actual employment. My preference is to spend the time looking for work;*
  - *The issue of forced compliance through the **threat of losing income support is coercion and not democratic**, I have the right to better options and to refuse this as it is deemed exploitative. I feel concern that I do not have an equal power relationship whereby myself and the agency work collaboratively in order to gain appropriate employment.*

- *Work experience is typically no more than 4 weeks why is this 6 months? again it appears **exploitative** and focused on activity for the sake of activity;*
- *Research (see attached documents – cited in this report) has raised issues that Work for the Dole is **ineffective** in leading to paid work. Moreover, there are issues raised about exploitation of unemployed people and beliefs that the unemployed are blamed for their inability to find work. The issue of wage supported partnerships with employers offering paid work over a period of time would be more effective in actualising part-time or full-time work;*
- ***Constitutional issues** indicate that civil conscription is unconstitutional, that is to organise people into conscripted work without their approval or consent. This has the hallmarks of moving people into exploitative areas in which I have a strong conscientious objection and refuse to participate.*
- *In addition, I have been coming to the agency for **supervised job search** I would like to make clear that I see this activity as **superfluous**, as I am 51 years old have worked my whole life and are quite capable of looking for work without supervision. Where I could be best supported given my professional background is through networking with local employers where my skills could be put to good use. It would be helpful to gain contacts in the Council, local business groups, job clubs incubating projects, connected through a directory to others in business and related occupations so that I can engage with the local community better. I am happy to be paid at a subsidised rate so that employers can see my skills, I can then update my referees and apply for appropriately paid work. I have strong principles about ethics and that people should be paid a fair days pay for a fair days work. I am deeply concerned how unemployed people are treated and the societal judgements around unemployment which renders them as failures and blamed for structural issues in the economy and constantly changing demands from employers for qualifications as they shift responsibility for training to external providers.*

- A letter was sent to Centrelink, extract as follows:

- On 19th April I wrote a letter to Centrelink as follows:

*[online] "...I was informed today that I have to undertake Work for the Dole. I told the service provider that I object to this as it is not furthering my job skills and I object with being forced to undertake an activity that in my view is not productive nor in alignment with my experience. I was told to contact Centrelink for further information. Best wishes, Susan'*

*I received an online letter from Mark O'Brien from Heidelberg Centrelink on 2 May dated 28 April which I am responding to. An excerpt as follows:*

*"...Our records show that you may **not have met one of the conditions** for receiving your payment. If you do **not have a reasonable excuse** for your actions you may lose your payment. We have not been able to contact you and we need to talk to you about this. Please call us on 1300 306 325\* as soon as possible (call charges may apply)."*

*I am unsure if the online letter is related to my online message or in response to the Job Provider as there is **no mention** of Work for the Dole? I have **not received any contact** from Centrelink and I have not received further information about Work for the Dole which I **requested**.*

*On my job plan (see attached) I have stipulated a proviso of 'ethical'. I have no issue with job seekers being assisted to get work experience and be helped to find work. My contention is that I am **forced to take a job** that is not furthering my skills. I have many skills but it seems my age may well be the problem, as I am 51. I do not agree to do work that is not furthering my skills. Moreover, after some research I have learned that any **civil conscription is against the Australian Constitution**. I have concerns that unemployed people will be used as free labour rather than a genuine program to help them find work. I believe in a democratic society where the government represents the people, government serves its citizens and citizens should have choices. Social Security originated to assist those in need to help them and **ensure their basic needs are met**, this is a sign of a civilised society and an acknowledgement that there is not full employment. The issue of **mutual obligation** is contentious by welfare advocates and there is now a Facebook page that is revealing the **abuses of Work for the Dole**. I have strong ethical reasons which I will replicate for Social Security. I have appended my letter I sent to the Job Provider, Sarino Russo."*

- As a result of raising concerns with Work for the Dole on Wednesday 11/5/16 my payment was due but I did **not receive payment**. I went into the Centrelink office on the same day and spoke to a consultant there who said there were **technical issues** but it would be fine. By Friday when getting petrol and defaulting on my card (no funds), I realised I had **not been paid**. On Sunday 15/5/16 I received a call from Centrelink. I don't know if the call was **recorded**. My understanding is that they believed I **hadn't spoken to an Officer at Centrelink, when I had**. I told Centrelink my ethical concerns and what had happened. I was asked if I would do **voluntary** work? I said I was happy to and she indicated I needed to approach those organisations on the list. I asked for the list but was told I **cannot access** it, I have to find those who are covered by Work for the Dole by contacting then asking, this appeared an onerous expectation. I tentatively indicated I would be interested in CERES Environmental Park or Australian Conservation Foundation as they are working for a better future. **I didn't realise that another Centrelink Volunteering form would come to me again forcing compliance to volunteer which appears the same thing as Work for the Dole**, the only difference appears that I can choose the organisation. The essential point I am making is **forced compliance**. I have philosophical differences as I believe it is **unethical in a democratic society**. I believe **my rights as an equal citizen are being restricted by the status** of myself as unemployed with a perception that I **owe society** when I do not owe given the Constitution's stated obligations, being a taxpayer and 18 years of voluntary service to society. I have fully contributed to my society far more than most people, mostly voluntarily. However, I see that as a moot point, the reality is everyone contributes all the time by simply transacting in an economy and serving in a multitude of ways.

- In addition the **Job Plan was altered** by the Consultant from Sarina Russo on 17/5/16 to specifically outline –
  - I agree to participate in Work for the Dole for 30 hours per fortnight from 28/4/2016 to 31/10/2016. In lieu of WFD I will lodge Request for Organisation Approval and Verification of Voluntary Work SU4611405 to Centrelink by 31/5/2016 together with Verification of Voluntary Work SU4621507 to meet my Mutual Obligation and provide Timesheets.
  - I agree to attend and fully participate in job search skills activities with Sarina Russo Job Access Heidelberg from 25/9/2015 to 30/9/2016. I will attend on Friday between 11am to 1pm. I agree to attend each and every week on Friday between 11-1pm and if I cannot attend I will notify my consultant.
- Questions:
  - **Why is Work for the Dole included** in the contract when it is clear I have concerns about the ethics of this program? These concerns are not alleviated as I **did not receive information** as requested, nor any discussion about my letter to Sarina Russo. Why is *in lieu* added given I was told it was mandatory. Why lodge Request for Organisation Approval and Verification of Voluntary Work...? I did indicate in a verbal phone call with Centrelink that I am interested in volunteering but it appears to me that **Work for the Dole wording is simply exchanged for Volunteering when in truth I am still forced to work for free** and I am **not clear about my rights** in this type of environment nor do I agree to 15 hours a week. I do not agree to a 6 month period. I prefer to make my own decisions on what is in **my own best interests** and societies. If I am not working it does not automatically follow that I am the cause of that. Given I already am seeking to raise awareness of nonviolence, peace and attempting to engage in training work that would assist society. Preferably paid as I have significant experience and much to offer society.
  - I specifically stated to Sarina Russo in writing that **I do not agree** with coming in each week for **job supervision**. That activity has been deliberately added to the contract which indicates my views are not taken into account, this was not discussed, my view was overlooked. In truth, **I did not agree** but signed with a proviso ***\*ethical and constitutional as I have to pay my rent.*** I have a meeting with the Department of Education on 31/5/16 which I want to focus on. I **do not believe the Job Provider is working in my interests** to find work and the activities have not helped at all. This has not been addressed or resolved in person or in writing as **equal parties**. They appear unable to assist as they regard themselves as **simply there to ensure compliance** with Government.
  - **I do not feel my main contentions are heard** and believe my freedoms are being curtailed due to the **compliance approach of Social Security, the Mutual Obligation ethos and my status as an unemployed person**. The freedom is the right to say **'no' without punishment** or to have the freedom to arrange my own voluntary hours if I so choose, which I do anyway in the peace and nonviolence area. In addition, I do not understand why it is important for myself to be supervised in job search once a week, when I am not supervised. I wish to understand the belief of why this is necessary? To-date it has not increased my opportunities in finding work.

I typically look regularly anyway but do **object to being forced** to look or implied to be someone that needs to be supervised.

- I have stipulated on the contract that I agree if *ethical and constitutional*. I am still investigating this. At the moment I consider the arrangements unethical, however I have to sign in the short term until I can **find a way to survive without a home and the ability to find food given I have fundamental differences with this type of system**. I believe I have a duty as a citizen to raise issues around democracy as it is clear power sharing is not understood.

**Thus this job seeker is a conscientious objector and has a moral obligation to refuse to Work for the Dole/forced volunteering** as it is not ethical as research indicates and is not in any way improving chances of gaining employment. Moreover, there is no offer of viable or commensurate alternatives which leads to coercion and raises concerns in respect of the potential of exploitative labour. If a person is not happy with a job then eventually they will be sacked/resign and end up back on benefits. Isn't it efficient to ensure they are **happy** with the job they apply for? Does the **provider financially benefit** when a person takes a job? Does commission create a **bias** in favour of the Job Provider?

The job seeker has in her work history worked as a contractor in **400 companies** and has sufficient skills, she doesn't require on-the-job training in most areas although she would be open to re-training area e.g. counselling, Occupational Health and Safety or circus skills. She has professional skills in management, market research, economics, journalism, training (bullying/wellbeing), program development, IT, public speaking and publishing. She has indicated to the consultant given the longevity of unemployment that **she will take any paid job** (providing it is ethical). Her preference is that it is in alignment with her previous experience; however she would consider ethical part-time or full-time work to be able to exit the social welfare system, as her preference is self-determination.

Given she has **considerable skills** the question is - why is she unemployed? Clearly this has nothing to do with the job seeker skill base, job search activity and efforts to network, clearly there are structural issues in the system creating barriers to return to work. She is neither irresponsible nor incapable, so why is it that she is to be coerced given these barriers? This creates unnecessary stress and resistance rather than cooperation for a win/win. She is beginning to feel resistant to coming into the Job Provider.

She has **applied over the years for at least 1,000 jobs** and has not been given one job interview. She has no personal social problems, mental health issues or hygiene issues. She is a normal person who is work ready. In addition, she has visited potential employers, networked, joined LinkedIn, business groups, colleagues, searched on-line in an endless search for employment. So what are the real barriers in a competitive job market? Barriers include changes in skill set requirements as skills quickly become dated as technology changes. Most job seekers are aware they have to have certificate qualifications in even the most menial jobs. The over-qualification of jobs creates barriers, this is a result of the training industry profiting from unemployment and industry requesting training to be shifted from internal staff training to external tax deductible costs in an effort to minimise costs to production and generate tax benefits. In addition, from the job seeker perspective the personal cost of training becomes a barrier increasingly as users-pay doctrines apply in TAFE colleges and universities. Moreover, job agencies appear to not offer basic training to assist job seekers to change professions. This has been requested and denied.

Other important **barriers** concern changes in Human Resource Management in terms of criteria for jobs which has become more complex and screened over the years, you cannot just walk into a job and learn on the job. Twenty years ago a recruiter would send a contract person to a job without sending their curriculum vitae/resume. Today they send the C.V. and this is now compared to 20 or more other C.V.'s which makes it competitive (employer perspective) and superfluous for the job seeker as some cannot state they have recent experience. This creates a barrier to continuity in work. Contract work was an excellent way to gain referees and updated experience. As this market becomes competitive it acts as a barrier in returning to work and making contacts. As time goes on job seekers become technically long-term unemployed and referees lapse, it appears the skills set whilst relevant, is not as important as having worked in the precise job that a job seeker is applying for. They **do not fit the box**, this is a structural issue. Moreover, the application process, particularly for professionals is convoluted, detailed and highly competitive. It is onerous and not straightforward. The flexibility is written in so that the job can expand which means an employee cannot use the criteria to ensure they are not overworked or deployed into more work pressures unsettling work/life balance. Employers seldom state wages or hourly rates and it is an unspoken norm that job seekers don't ask how much they will be paid as to not dissuade the employer. This clearly highlights a power imbalance. This is a **structural issue**.

In this job seekers experience it is virtually **impossible** to get an interview, particularly at 51 years of age given HR barriers, age barriers, over qualified, training certificates, a variety of jobs, history, lapsed referees, no recent experience and a focus on humanitarian not economic interests.

The process of **continual job search and continual rejection quickly disempowers and demoralises job seekers** as they start to lose hope that they will ever get a job. It becomes a negative process as it is forced compliance not a desire to apply for a job. It is an **additional burden on employers** as the job seeker is not interested and the employer is inundated with applications and equally uninterested, they **seldom reply** or if they do they all use the word 'fail'. It is incredible to send this message to job seekers; it mirrors the belief in the wider society. For the government bureaucrats to believe that improving employment chances is a numbers game is incorrect and naive. Whilst it is important to not give up, to apply for jobs that are relevant, the repeated knock backs becomes stressful and disempowering, overtime it works against job success and creates a victim mentality within the job seekers which becomes a psychological barrier. They no longer visualise success or self-worth as they have clearly been rejected by society. This point is very important to understand. When they give up it is unlikely they will get work.

There reality in society is that there are **strong underlying beliefs that job seekers are to blame for unemployment** that they are: lazy, living off the system, dole bludgers, not helping themselves, not self-reliant and a drain on society. These unquestioned beliefs have their roots in earlier traditions that have remained embedded in the collective psyche. This philosophy is very negative and does not capture the reality, for those in judgement have not found themselves without work and experienced the social **stigma** that ultimately excludes them from **equality of access** that other citizens enjoy. In reality job seekers through the very system of forced job search and other activities find themselves psychologically under pressure, constantly **setup to fail** as rejection continues, experiencing the disempowering effects of a power imbalance with consultants rather than strategic partners assisting in finding work. Albeit the **job agencies are understaffed** so this would not be feasible unless they invest ironically in more staff. Some job seekers may come from **dysfunctional families** where self- esteem is low and they feel like failures before they start. This is reflected back to them by society whom in ignorance disapproves of them.

In reality **structural unemployment factors** are the unseen factors that are not talked about such as: global and national economic downturns, poor management practices, HR rigidities, technology replacing labour, continual demand for skills upgrades or further qualifications, minimum university degree qualifications, contracting overseas companies to recruit cheaper staff and the high number of other job seekers competing for the same job. The true needs of job seekers are seldom met and they are seldom asked what they need or what will work for them. Surely it is far better to build self-esteem, enthusiasm, cooperation and training that will not only provide work but a sense of fulfilment, otherwise why are we living? At times this latter part of the question is seriously questioned.

This job seeker suggests other **innovative ways** which provides experience with appropriate employers, connections to relevant networks and mentoring in the specific areas she wants to work, as there is a community need for her expertise, yet she does not fit the boxes. She is indeed prepared to move from her field to gain employment if it is a last resort, providing it is ethical.

Moreover, is it **ethical** for her to click **YES** to meeting the Job Plan activities if she feels coerced and that it is not ethical? Thus it is **not true** for her, even though she complies, she does this to pay for food and rent not because she agrees with the contract. Is this right?

Overall evaluation of Sarina Russo, key points compiled at the time, listed as follows:

- *My experience as Sarina Russo has been standard. In that I have **not found any work** through the efforts of the agency.*
- *I have been asked if I would like the consultant to **find me a job**, I said no at one stage. Later on she asked again and I said I would take anything, she tried and nothing happened.*
- *There is an **attitude that I am fortunate** to get Centrelink and in other countries they don't. However, this is a wealthy country and I am not fortunate I have a **right to welfare** given changes in economic activity, management practices, HR processes and the competition for jobs. As people can apply electronically there are more applicants and naturally a employer is going to go for the person with **recent experience** and a track record in that field, they are not going to employ innovative, courageous people who have colourful careers and a desire to **serve humanity**. Moreover, I am 51 and **ageism** is a definite barrier. It is not going to happen. I have to find ways to be innovative and proactive if I want to serve society, mostly I find I have to **work for free** as I am not paid for pioneering peace education with the arts nor am I a NGO where I can access grants. So this stagnates my ability to make money. I am mindful of my mental health and I know that work that is akin to slavery will depress me and I am not going to risk my mental health. Some **workplaces** are extremely toxic and a risk to health and safety.*

- *I have asked for **re-training** I was hoping to do Early Childhood to work with children, but that is not available. No training is available it seems. Interestingly Sarina Russo in her recorded voice message to employers indicates that they do all the training. I have not seen evidence of that. Note: in 2017 I found a flier about training and was able to enrol.*
- *I have **not found the agency effective** at all in finding me work at the minimum and anything in a professional capacity is out of their parameters. The agency appears focused on **blue collar work** which is not compatible with professional workers. There is **no mentoring or coaching** to get back into the industry and in particular, **networking**.*
- *There is information available on the walls but it is not appealing or inspiring. The feeling is **disempowering**. I feel that whenever I have to come in but I try to make the most of it and utilise it as an opportunity to keep trying.*
- ***The secretary was made redundant**. Her and I were friends and she told me she was flat out every day. She wanted to retire as the workload was intense. They **retrenched** her and didn't replace her. The **consultancy staff have to take up the workload**. They have made another desk closer to the staff at the end of a hallway. The consultant has to notice someone is there. The chairs line the corridor, it is **unprofessional** and onerous on staff. I was informed there was **low morale in the staff and that they were not valued**. It was all about the **money** I was told.*
- *The physical **environment** at Sarina Russo is ordinary, the furniture is second-hand. There is coffee making facilities with foam cups but **no milk**, no one seems to use them. Even the foam cups convey **cheap**. There are **no toilets** within the building that anyone can access, people can be **waiting** over 1 hour or they may attend a **supervised job search** and be there for up to 3 hours. It appears an uninspiring environment with cheap furniture. It conveys an unspoken message of simply a place where job seekers can come but there is a **feeling of lower standards and low expectations**. They speak to people as clients but in truth they are job seekers and the **power imbalance** is clear, it is a compliance culture. The job seekers are there to comply with whatever the staff says, if they don't there are **threats** of payments cut (survival threat) and advised they can take it up with Centrelink.*
- *The consultant I've dealt with I do have a rapport with and she has been **respectful** to me and conveyed her **hands are tied** in that she must comply with legislation and has no choice.*
- *I am on an activity to come in for 2 hours once a week to do a supervised job search, the message it sends is that you are **not trusted** to job search or not capable. This is not empowering of job seekers.*
- *I am a former manager and professional, I am **not needing supervision**, I am active in my own way but I know it is **difficult to return to work** as I don't have the connections, that for me is the key issue for employment. There is no way I can compete through applications, it is a **superfluous process** as my c.v. is outdated and no current referees. I am overqualified and diverse and **do not fit the boxes** many HR professionals are looking for. I have been told **they won't look at my c.v.** as I have not been in current employment. So the **5 jobs a week** process is a **waste of time** and in the many years I've been on/off welfare payments I have **never received***

**a job interview.** *The interesting part is that I am keen to work, I am highly skilled yet no work. So I believe the recruitment process in the **HR industry** is the key problem not the job seeker. Yet the job seeker is put through simplistic processes that do not work, it is a **waste of tax payers money.***

- *Spoke to the Consultant who said I have to go to **Work for the Dole**. She showed me a list of jobs – gardening, admin, Christmas presents making. The last one was the only one available. I told her I **objected** to making Christmas presents. I said I had no problem with working for an organisation related to **servicing the community** but I am not going to do that job.*
- *I asked her if I could **use another NGO** as I know of the Stephanie Alexander Kitchen Garden Foundation which places gardens into schools, the children learn to cook. It would be in harmony with my peace education work. She said the **government stopped alternative NGO's** as people were getting friends to sign them off.*
- *She gave me until Friday 22 to talk to Centrelink then I would have to start. There were no other options.*
- *Message on 20 April:*
  - REMINDER: Your Work for the Dole activity begins tomorrow. If you do not attend this activity your payments may be affected. Sarino Russo Job Access
- *Rang the consultant and she said that the message was wrong and that we are meeting on Friday as she gave me an extension to work something out.*

### 6.3 **Case 3: The Right to Refuse to Participate in Corruption**

This case is highly complex and will highlight critical issues in respect of: Australian Constitutional issues, government accountability, privatisation, democratic rights, discrimination (treatment), mental health, medical certificate limits, non-response to direct requests, excessive texts ignoring responses, non-autonomous review process, surveillance, tracking, debt recovery, homelessness and vulnerability, superannuation etc.

This section highlights my assertion to the right to refuse to participate in the Job Provider system given it is ineffective and evident corruption. This experience overtime has revealed serious contravention of the Australian Constitution in respect of the illegality of civil conscription. It has been made clear that Work for the Dole and Volunteering are not permitted by the Australian Constitution Section 51, sub section xxiii(a). Moreover, the onerous and superfluous activities have clearly been designed to ensure the job seeker has contact with the Job Provider as they profit from this connection and they can take credit for any successful jobs. Moreover, they gain profit from Work for the Dole and activities. It is therefore not designed to help job seekers but to use them in order for a private company to profit. This is not only unconscionable it is exploitative and what is devastating is that the job seeker is treated with discrimination on the basis of their unemployment status and vulnerability to having life supports removed. The threats in this system are against the law in Victoria as it is a form of covert bullying to force a person into providing free labour against the will of the job seekers. Most comply as they do not know their rights as citizens. As mentioned earlier, I have been told by Centrelink officers that I am not in equal partnership, this is definitely an imbalance of power and it means that contracts are not agreements but coerced agreements, this is corruption.

I spent 7 weeks on a Mental Health Plan dealing with another bullying issue where my rights were revoked and my wellbeing held in contempt. When this medical certificate expired I was informed that I was not permitted to apply for a legitimate second medical certificate. I then returned to Melbourne to deal with the bullying matter.

### 6.4 **Refusal of Re-Allocation to Another Job Provider**

I received a voice mail from Job Prospects on 15/9/17 when I crossed the Victorian border. I was instructed that I had an appointment with them. I did not know them, I was not in any contract yet expected with one day's notice to go. In any workplace or civil society interaction this would be considered outrageous. In Human Services/Centrelink it is a culture that assumes that a person not working has not rights given their vulnerability to control. It is assumed they are unreliable. This is why one day is given. It is to make job seekers attend. It is disrespectful.

I left a voice message immediately stating I had not agreed to join them and I would not be attending given my concerns about corruption in the Job Provider system. There was no response.

Note my situation was homeless, suicidal dealing with a bullying issue and concerned about the Job Provider system. I am still homeless on writing this report due to non-resolution.

## 6.5 Suspension of Payments Due to Conscientious Objection

In late October 2017, I sent Centrelink an online complaint/feedback summarising the issues and including my communications with Job Prospects, as follows:

Service type  
 Job Seekers  
 Service detail  
 Newstart Allowance  
 I have a complaint about  
 The Rules  
 Complaint detail  
 Policy or procedure  
 Feedback details

*I wrote to Centrelink (upload) on 23 October 2017 to communicate my concerns about the ethics of Job Providers, the fact I've never had an interview when I am highly skilled and the rorts reported in the media. Moreover, in my letter to Centrelink I have raised concerns about inequality in respect of not in an equal partnership, insensitivity regarding my homelessness and desire to end my life. I have recently come back to Melbourne to deal with a bullying issue and do not intend to reside here permanently, only until the issue is resolved. I consider the Job Provider system unequal and clearly Centrelink regards me as not an equal partner as was indicated in my phone conversation with Centrelink staff discussing my homeless situation. On my way to Melbourne I received a call from Job Prospects indicating an appointment the next day. I did not agree to them as a provider and I had not informed anyone of my return to Melbourne as this was a recent decision. I responded to this message with a voice mail explaining I am not in agreement, I have signed no contract with this private organisation and have ethical issues with the way they undertake their services. They did not respond to my voice message but chose to send text messages indicating I had not come to an appointment when I had responded with reasons as to why. They then sent me another message. Centrelink then backed it up with suspending my payments. Then I receive multiple messages from the Job Provider. Again, I am not heard at all as if I have no rights or a voice whatsoever. I believe in democracy not compliance, I will not engage in a system that is one of enforcement rather than service to actually serve people (tax payers) in their search for employment. I regard the process as one that is slowly taking away democratic rights to choice. It seems akin to the way prisoners are treated. I note that call centres are being taken over by a foreign multinational that has a very poor reputation for human rights and contracts to prisons. This is inappropriate. Moreover, the jobs go off shore, Centrelink is not employing an Australian company and it removes accountability. I have real concerns as a citizen about what is really happening and accountability for tax payers money. This is why I am not wishing to participate in a system that does not value me as a human being or truly seek to assist me. I am not receiving income at this time, I have no permanent address but I refuse to take money from a system that treats me as if my life has no value. This disempowers me. I am pasting the emails between myself and Job Prospects. I await a letter from Centrelink in response to my real concerns. Note: Gmail is minimised below, provided in section 6.5.1.*

Gmail contact with Job Prospects Thomas M <ThomasM@jobprospects.com.au> Oct 24 (2 days ago) to me Good Morning, Just a quick message wondering why you haven't re-engaged with your provider. Thanks you, Thomas M Employment Officer Job Prospects Level 2 104 Burgundy Street Heidelberg VIC 3084 Telephone: 03 9455 3910 Email: ThomasM@jobprospects.com.au jobprospects.com.au / SPEAK UP <worldpeacefullempowerment@gmail.com> Oct 24 (2 days ago) to Thomas <ThomasM@jobprospects.com.au> Dear Thomas, I responded to your first message of an appointment with a voice message. I have said that I have not agreed to join your Job Provider as I am in Melbourne temporarily dealing with a bullying issue. I was astounded that you sent a message to Centrelink indicating I had not complied with an appointment. The fact you invited me with one day's notice indicates no interest in whether that is convenient to me or if I indeed wish to join your agency. I have not agreed nor do I have a contract with Job Prospects and I would like to know how my file came to you and how you have the authority to cut off my payments when I am homeless and not affiliated with your agency. Can you please explain why this happened? I have no source of income and I do not wish Job Prospects to manage my case. I have written to Centrelink and explained my situation and my perspective. Regards, Susan Carew WorldPeacefull Thomas M <ThomasM@jobprospects.com.au> 1:51 PM (18 hours ago) to me Centrelink will automatically assign you with a Job Provider that will assist you with looking for work. This is one of the requirements of being on a new start allowance. when you don't come to an appointment then we have to inform Centrelink that you have not completed part of your mutual obligations. While you do not have to be connected to us at job prospects you are free to chance to another provider. If you have any further questions please call and I would be happy to answer any questions. SPEAK UP <worldpeacefullempowerment@gmail.com> 8:11 AM (27 minutes ago) to Thomas Dear Thomas, I understand the process and have written to Centrelink. I have not found the Job Provider system effective and I have issues with Job Providers rorting the system. I have found this not only through the media but through people I have spoken to. I believe it is unethical and ineffective. I did not gain one interview and I am highly experienced. I am not saying there are not ethical people in organisations such as yours but ethically the system is problematic and the rights of job seekers have been curtailed by contracts. I believe in democracy and I know I am being treated as a second class citizen. I have been informed that I have the same rights outside of Centrelink as every other citizen but in the system I am considered not an equal partner in respect of job searching. This is untenable to me. It is up to Centrelink to answer my request. I have asked them to write to me to address my concerns. I do not have any form of income and do not have a permanent home. Ethically I cannot accept money from a system that regards me as less. That goes against my values and sense of dignity. Best wishes, Susan Carew postmaster@syc.net.au via au-smtp-delivery-223.mimecast.com 8:12 AM (27 minutes ago) to me Delivery has failed to these recipients or groups: Thomas M (thomasM@jobprospects.com.au) The recipient's mailbox is full and can't accept messages now. Please try resending this message later, or contact the recipient directly. The following organization rejected your message: EX02.syc.net.au.

### 6.5.1 Timeline Job Prospects, Centrelink, Human Services and Ombudsman

- 26/7/17 (Centrelink) re: notified several times re: rent assistance, medical certificate
- 15/9/17 received a phone message from Job Prospects. I rang them immediately and left a voice message saying I had not agreed to join them. I was given one day notice to go to an appointment (16/9/17). I was driving to Melbourne at the time to deal with a bullying issue.
- 23/9/17 I raised the issues together with my report, letter (23/9/17) directly to Lucas in Queensland in November 2017.
- 25/9/17 2 text messages from *jobactive* stating:
  - (1) **Hi Susan, you are set to transfer to Job Prospects Heidelberg in 14 days for a fresh employment outlook. To pick a different provider you must logon to [jobactive.gov.au](https://jobactive.gov.au), call your current provider on 131559 or call 1800805260. Visit <https://jobsearch.gov.au/mtt>**
  - (2) **obactive.gov.au, call your current provider on 131559 or call 1800805260. Visit <https://jobsearch.gov.au/mtt>**
- 28/9/2017 (Centrelink) re: Mental health
- 15/10/17 **Susan, just a reminder of your appointment with us tomorrow 16/10/17 at 10.00am. Job Prospects Heidelberg 0394553910.**
- 16/10/2017 Job Prospects contacted me by text stating **Hi Susan, Pls call us ASAP on 0394553910 as you missed an apt and your Centrelink payment has been suspended under law.** They are aware I am homeless and have been suicidal. They did not ring me personally to see what happened. Just cut off. This is a form of coercion and did not respect my rights as a citizen.
- I have been sent **14 text messages from Job Prospects** since this date asking for me to call.

**Hi Susan, Pls call us ASAP on 0394553910 as you missed an apt and your Centrelink payment has been suspended under law**

I made myself clear in the voice message that I am not engaging with them or agreeing to. The dates of the messages are: 15, 16, 17, 18, 19, 20, 21, 23, 24, 25, 26, 27, 28, 30 (October) about missed appointment.

- 23/10/2017 I sent a **letter to Centrelink** (uploaded) re: Suspended payment. I explained my reasons for non-engagement and that I am a conscientious objector to the system (and report). (ID 8030449253)
- 24/10/2017 **Job Prospects rang** to say to ring them. I have already told them.
- 24-25/10/2017 Sent **emails to Job Prospects** (refer Section 6.5.1)
- 26/10/2017 Sent email via online **complaints to Centrelink**.re: Job Prospects
- 9/11/17 Sent online request to **Ombudsman** about not receiving any response Human Services.
- 16/11/2017: Human services sent me an email saying they had tried to contact me. They had not.
- 29/11/2017 email saying to ring **Lucas Human Services** Brisbane (07) 55628354
- 1/12/2018 Rang out of my own volition and spoke to **Adam at Job Prospects** to discover they did not have a record of my voice mail or emails.
- 14/11/2017 message from Geoff **Commonwealth Ombudsman**
- 4/12/2017 Spoke with **Lucas** from Human Services. Later saw car in drive filming.
- 7/12/2017 **Probe** Group rang on behalf of Human Services (to recover debt)
- 15/12/2017 (Centrelink) re: **Review**
- 11/1/2018 (online Centrelink)
- 25/1/2018 (Centrelink) re: no response on **Review**, suggest email
- 12/2/2018 (Centrelink) Human Services) Mr Rees re: **Review**, Decision, stated there were attempts to contact via phone. They were informed to email.

**The Commonwealth Ombudsman**

- 14/11/2017 (3.48) message from Geoff Commonwealth Ombudsman ref 2017710855, ph 1300362072

*Geoff didn't read the letter. He said it was inappropriate to have Centrelink write a letter which I found concerning. Mutual obligation comes to mind. He will tell them the key issues of my concerns about the Job Provider system, their lack of concern (duty of care) regarding mental health, no rights to say no. He informs me the Constitution points to what government does – is that true? I thought it was a legal document. He is arranging for Centrelink to call me.*

**Private Number/Unknown calls**

Private number (7)

11/4/18, 18/4/18, 1/5/18, 8/5/18, 10/5/18, 1/6/18, 17/6/18

Unknown caller (6)

27/2/2018, 6/3/18 (2), 9/5/18 (2), 29/6

## 6.5.2 Emails Between Job Prospects and Susan Carew

The emails were included in my online complaint to Centrelink late October.

**Gmail contact with Job Prospects Thomas M <ThomasM@jobprospects.com.au> Oct 24 (2 days ago) to me**

Good Morning,

Just a quick message wondering why you haven't re-engaged with your provider, Thanks you,

Thomas M Employment Officer  
Job Prospects Level 2 104 Burgundy Street Heidelberg VIC 3084  
Telephone: 03 9455 3910  
Email: ThomasM@jobprospects.com.au jobprospects.com.au

**SPEAK UP <worldpeaceful empowerment@gmail.com> Oct 24 (2 days ago) to Thomas <ThomasM@jobprospects.com.au>**

Dear Thomas,

I responded to your first message of an appointment with a voice message. I have said that I have not agreed to join your Job Provider as I am in Melbourne temporarily dealing with a bullying issue. I was astounded that you sent a message to Centrelink indicating I had not complied with an appointment. The fact you invited me with one day's notice indicates no interest in whether that is convenient to me or if I indeed wish to join your agency. I have not agreed nor do I have a contract with Job Prospects and I would like to know how my file came to you and how you have the authority to cut off my payments when I am homeless and not affiliated with your agency. Can you please explain why this happened? I have no source of income and I do not wish Job Prospects to manage my case. I have written to Centrelink and explained my situation and my perspective.

Regards,

Susan Carew  
WorldPeacefull

**Thomas M <ThomasM@jobprospects.com.au> 1:51 PM (18 hours ago) to me**

Centrelink will automatically assign you with a Job Provider that will assist you with looking for work. This is one of the requirements of being on a new start allowance. When you don't come to an appointment then we have to inform Centrelink that you have not completed part of your mutual obligations. While you do not have to be connected to us at job prospects you are free to chance to another provider. If you have any further questions please call and I would be happy to answer any questions.

Thomas M Employment Officer  
Job Prospects Level 2 104 Burgundy Street Heidelberg VIC 3084  
Telephone: 03 9455 3910  
Email: ThomasM@jobprospects.com.au jobprospects.com.au

**SPEAK UP <worldpeacefullempowerment@gmail.com> 8:11 AM (27 minutes ago) to Thomas**

Dear Thomas,

I understand the process and have written to Centrelink. I have not found the Job Provider system effective and I have issues with Job Providers rorting the system. I have found this not only through the media but through people I have spoken to. I believe it is unethical and ineffective. I did not gain one interview and I am highly experienced. I am not saying there are not ethical people in organisations such as yours but ethically the system is problematic and the rights of job seekers have been curtailed by contracts. I believe in democracy and I know I am being treated as a second class citizen. I have been informed that I have the same rights outside of Centrelink as every other citizen but in the system I am considered not an equal partner in respect of job searching. This is untenable to me. It is up to Centrelink to answer my request. I have asked them to write to me to address my concerns. I do not have any form of income and do not have a permanent home. Ethically I cannot accept money from a system that regards me as less. That goes against my values and sense of dignity.

Best wishes,

Susan Carew

Message bounced:

*postmaster@syc.net.au via au-smtp-delivery-223.mimecast.com 8:12 AM (27 minutes ago) to me Delivery has failed to these recipients or groups: Thomas M (thomasm@jobprospects.com.au) **The recipient's mailbox is full and can't accept messages** now. Please try resending this message later, or contact the recipient directly. The following organization rejected your message: EX02.syc.net.au.*

### 6.5.3 Letter 29/9/17 re: Mental Health and Powerlessness

In May 2017 I communicated with Tina Kirby from Sarina Russo the difficulties I was having. Letter as follows:

22 May 2017

Tina  
Sarina Russo  
106 Burgundy St  
Heidelberg VIC 3084

RE: CANCELLATION OF PLACEMENT

Dear Tina

I am letting you know that I had to cancel the placement as I am dealing with a bullying and sexual harassment matter that has escalated into a legal dispute.

I have been seeing a psychologist about this matter as I have been suicidal over this matter. With the court escalation it has catalysed sleeplessness and trauma. I've been to the doctor last week as I was unable to overcome the distress. She will refer me to a psychiatrist to assist me in dealing with the trauma.

I have a medical certificate from the doctor requesting to not continue with job search or other activities from 17/5/2017 until 16/6/2017. The problem is that I am not sleeping most nights and becoming unwell and I can't go into a Centre with children. So it has been difficult for me to do the hours I need to – only 120. However, I would like Ashley Institute to provide a letter acknowledging that I have completed the academic side of the Certificate III and when this matter concludes (in two months) and if I am able, I would like to continue with a new placement and complete this program.

It has been extremely difficult time.

**The next letter was written as I had wanted to end my life the night before.** I was experiencing psychological injury due to powerlessness from the bullying situation. I came to realise **severe distress** is catalysed by a sense of powerlessness. In the peace literature Johann Galtung speaks of structural violence, this is violence inherent within structures that exclude, ignore and diminish the value of a person to the point they have no say in what happens to their life. This is why refugees self-harm, young people suicide and those bullied experience trauma, they all feel powerlessness and believe there is nothing they can do. People feel they have no say or self-determination as their rights are completely ignored. It is a form of psychological repression or oppression. Those in the lower socio economic demographic are particularly prone to feeling this as their worth in a commercial society is assessed by their income, education, age, gender, class and status.

**Given my own distress I had to resolve the issue** I faced and the best way I know is to research to solve the problem. I wrote another report on Psychological Abuse in Disputes and I referred to Comcare re: workplace bullying. The issues I've confronted reflect: silent treatment/stonewalling, lack of awareness, disrespectful behaviour, toxic adversarial attitudes, authoritarian not inclusive, critical and negative interactions, no consultation, exclusion/isolation (non response), refusal to action complaints handling, ineffective Ombudsman, no external checks and balances, ideologically driven, no natural justice, win/lose style of leadership and no duty of care to those harmed.

**Toxic cultures are detrimental to mental health.** This is how the 'victim' experience arises as a person feels they have no power to affect change in their own life. This impacts a primitive part of the brain that feels threatened and survival is triggered. That is why psychological injury is a real phenomenon and many people suicide every year.

I have noted in the literature that the **perception of how to handle the unemployed** is to use models of **behavioural change**. This has been a strategy to change non-conforming behaviour utilised traditionally in parenting, schools, policing and prisons. However, progressive thinking is developing wellbeing as: socio-emotional skills, non-violent communication, values training, conflict resolution, emotional intelligence, problem solving and empowerment to feel a sense of empowerment over one's life. Depression is felt when emotions are suppressed continuously in environments intolerant to expressing feelings. In order to action change people need: a sense of self-esteem rather than suppression, to experience success rather than repeated failure, to be encouraged to try new activities gently rather than forced compliance and guided in the direction of where a person is best suited, what talents they have and to action their dreams in a Job Plan that is aligned with a Life Plan. Sometimes to recover from social isolation and self-loathing a person may need to take small steps to feel they are capable and grow their confidence. The insensitive, aggressive model of judging a person as lazy, inept, bludging does considerable damage to their ability to recover from trauma, apply for jobs and engage life. **Negative behavioural control impacts performance.** Texan educator Jane Elliott's 'Blue Eyed Brown Eyed series' focuses on **discrimination** and when people are treated as 'less' they start to behave as if they are and underperform (self-fulfilling prophecy). **Many carry trauma's** and if we recognise these deeper impediments we will change how people are treated and show more respect, empathy and understanding when they are in hardship. This would project as therapeutic interventions which heal rather than policing compliance approaches which victim blame and punish.

**The Positive Thinking practitioners** have had real success in teaching positive envisaging. I have never had anyone mention this to me whilst unemployed. I recall when I clowned with Dr. Patch in Russia he had us learn unconditionally loving service. He made clear that all dis-ease is due to *loneliness* primarily and the many hurts, pain and trauma's in a person's life. This is where illness forms. When we clowned in hospitals with the sick and dying we used humour to help distract, to emotionally connect to generate healthy happy interactions. This is what gives a will to live, the body generates endorphins (happy hormones) which in my view speed up healing as belief is very powerful. I have also visited the most vulnerable people in the world in: HIV orphanages, deaf schools, abandoned women, bonded labourers, leprosy colony, refugee camps, slums, mental health units, tribal people, disabled etc. We brought joy as it transforms how they see themselves and feel a sense of being loved and valued. One kind word can change a person's future that is how important kindness is. It is incredibly important for the human spirit, something not understood in our society. **The Inca and Indus civilizations** built their societies on **egalitarianism**. This is the basis of social harmony, stability, progress and happiness. When a person is happy they believe they can do anything. Gross National Happiness is an important consideration if innovative growth and wise progress is the desired real outcome.

**Healthy cultures** reflect: inclusivity, delegation, responsibility, empowerment, compassion, shared benefit win/win, respect, empathy, honesty, consultative, checks and balances, natural justice, human rights and leadership that is service oriented. I have taught about workplace bullying and harmonious communities and have developed an expertise through my own experience as I have sought to understand why I wanted to suicide when I was not mentally unbalanced. I realised that I believed I was powerless. The structures reinforce this powerlessness by refusing to answer, to be visible, to allow choice specially to opt out if it is toxic and affecting mental health.

**The letter below outlines** the key issues in respect of mental health. It is important to note that Job Prospects kept texting me and Centrelink **cut my payments** on the 16 October 2017 well aware I was **suicidal and feeling not fit to work** and as mentioned below I was told by a Centrelink Officer I cannot get a second medical certificate. This highlights Centrelink are not responsive to mental health trauma and indifferent to suffering in a compliance framework where there is no training in mental health. I write this section on **R U Okay day** in the awareness that the majority of people do not ask and when they know, do nothing. In the case of homelessness they not understood unless it's experienced.

Note in the letter I mentioned that the **best way to contact me is via email**. In 2018 they stated they tried to call me even though I had mentioned this a few times. Moreover, for those without a phone it can be very difficult to engage with Centrelink and Human Services.

28 September 2017

Centrelink  
c/- Head Office  
CANBERRA ACT 2601

Dear Sir/Madam,

**RE: Update of Circumstances and Mental Health, CRN 403142935X**

I am writing to Centrelink to just update you on my situation and give feedback as well.

Last night I wanted to end my life again. I am not mentally unwell it is that I am dealing with a bullying situation that escalated and I have experienced real trauma. I did visit a psychologist in Melbourne and I didn't find this helped much other than document it. I have actually had no help or real support and the homeless situation I am in leaves me in a situation where I feel displaced.

I did speak to an Officer from Centrelink over the phone in July regarding the medical certificate a doctor issued and homelessness. I told her my situation and she indicated that I could not gain another mental health certificate from a doctor. I was really astounded to hear this in a democratic country. I hadn't planned to gain another certificate as I was dealing with distress but I noted later that this would never have been said in a job situation. I noted the inequality and it concerns me greatly. There was no compassion in her voice or assistance given my suicidal feelings and homelessness. I can't recall the exact words but I am sure you have a recording. The message I received is that I should be near a populated area for work. We discussed the Centrelink and recipient relationship which is clearly not client based, I was told this is not an equal partnership. I made a point that I am an Australian citizen and that I am equal. I was told outside of this arrangement I am equal but not within this situation. It was suggested in the phone discussion that I visit a Centrelink psychologist however I do not want to do this as I find the intent is not to help me but to monitor me as a case.

Another Officer rang me in Brisbane indicating he needed a postal address. I explained I didn't have one. He explained that under legislation he had to have one. He then went silent for considerable time. This felt like a form of coercion. I can only assume he didn't

believe me. I assured him I was telling the truth. He didn't seem to understand the situation I am in.

I found the attitudes, with respect to the persons involved, ignorant and unaware of what I was going through and it was clear they didn't have training on how to deal sensitively with this type of trauma of homeless situation. It required respect and empathy and a gentle approach to compliance requirements. I understand there are structures and processes in Centrelink but there has to be flexibility as we are human not boxes. I know it is not easy given the varied people Centrelink staff deal with but it can mean life and death for some people if they are feeling desperate. From my own perspective I cannot put myself psychologically in a situation where I may be further distressed by attitudes of control without any compassion outside of democratic principles. It deeply disempowers and affects my mental health.

The covert bullying and harassment issue I've dealt with has affected my life as I was confronted by dysfunctional attitudes and behaviours detached from a duty of care or any sense of humanity. The psychological injury I have sustained is in the form of trauma and is directly related to denial of bias in complaints handling, sexual harassment, denial of human rights, psychological abuse (stonewalling), deception, demonization, inequality and powerlessness. I have submitted a complaint to the Human Rights Commission and am awaiting their response.

I have a strong sense of equality and fairness having been raised in a country that told me I was equal.

I have discovered equality is not the case in a Centrelink arrangement. I am a conscientious objector and submitted a report outlining the corruption in the system and the ineffective outcomes with Work for the Dole. I found the experience ineffective and the ethos of forced labour underpaid and deeply unethical. I have real concerns about the disregard for the real needs of job seekers and their rights as equal persons and citizens. There is extensive evidence supporting this rationale which was highlighted in my report. I can send you another copy of it on request. My report and conscientious objection was never responded to. I cannot engage in activities I regard as unethical or corrupt as is my human right as a citizen of this country. In my professional and personal experience I would say that if you want people contributing you have to inspire and empower them. It is to problem solve the real issues and barriers that are occurring and work on dismantling what doesn't work. Is it true that people are responsible for not gaining work or is it a structural matter in relation to the business community, declining economic conditions and processes that disempower? In empowered structures, Richard Branson is a case in point, people will go far beyond what you ask if they feel a sense of belonging, respect, purpose and that their welfare is truly the intent of a task. The right to say no must be enshrined and respected as this is fundamental democratic right.

So my current situation is that I am housesitting and this ends in October. Currently I am outside of mobile coverage. I am seeking another longer term housesitting place to live as rents are unaffordable. Rooms in private dwellings are now being rented out as hotel rooms (Airbnb). This is too expensive. Given my desire to end my life I do not want to live with other people as I need to cry alone and work through the trauma I am experiencing. I am a peace educator and I am using techniques to help myself release trauma and the sense of powerlessness. The conflict I had was never resolved and has definitely affected my ability to gain work.

Therefore, I do not feel fit to work at this time. On the days I feel good I will still go about trying to gain appropriate employment as I do desire to work but it has to be in a situation that is positive for my mental health otherwise I won't be able to stay. I need to

determine that, not a Job Provider who does not know what is best for me. I do not wish to register with a Job Provider for the reasons I explained above and given I have no permanent place to live. I find the process with Job Providers disempowers my ability to find work. I note that there are no programs to build self esteem, envisaging what people want to do and creating job clusters where people with like skills could get together in entrepreneurial ways. The job market is changing and the global economic system is collapsing together with extreme climate change. It would be wise to start developing innovative approaches to work and community.

I would be willing to do a Counselling course if that was made available to me. It would help me deal with the deep issues I have experienced and at the same time become qualified to help others. I have extensive skills in conflict resolution, anti-bullying and peace education and I know many people are suffering like I am. I could be utilised to help unemployed people regain their sense of self respect and dignity as described above. I wish to teach respect, compassion, empathy, listening, equality and community through my future work. I wish to inspire people that they have great talent and value in society no matter who they are. I would like to contribute my skills in a positive proactive way. If there is a course that I could enrol in please let me know. I could then look for a house sit in the area and start to rebuild my life. It would give me real hope and I believe I can really serve society.

My work over nearly 20 years has been in the peace education and anti-bullying area. You are welcome to go to my website [www.worldpeacefull.com](http://www.worldpeacefull.com) or <http://biz.worldpeacefull.com>. It has not been a going concern but it has great potential if I am supported. If Centrelink could provide me with opportunities to teach anti-bullying, communication skills, empathetic listening, conflict resolution for Centrelink staff who haven't been unemployed, suicidal or disempowered, I could serve the staff there. I have taught staff in government and business workshops in anti-bullying and empathy. There is much I can give and share if an opportunity opens up for me. I believe this would be really good for me. It could help me get back on my feet again. Once you have a current track record it is much easier to gain work. I would feel empowered if I could use my skills. I am entrepreneurial.

If you wish to make **contact the best way is via email** as I cannot receive calls given no mobile coverage.

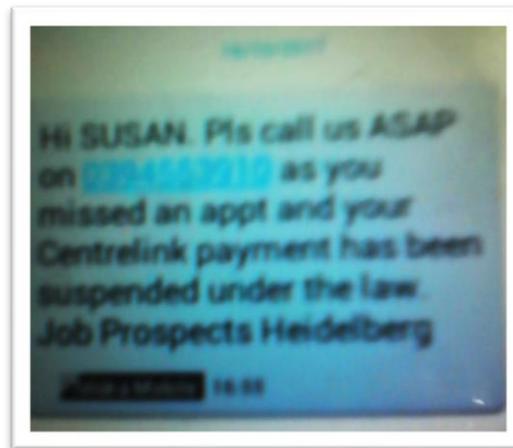
Best wishes,

Susan Carew

### 6.5.4 Cancellation of Payments and debt

I regarded suspension of payments as 'stopped payments' given I was unable to comply with a system that is not in my interests, wellbeing or ethical.

There was a SMS notification that payments had been suspended on the **16 October 2017** for failing to attend an appointment when I had made clear my position. The issue here is being breached/punished for non-compliance with a private firm I have no relationship or contract with inclusive of Centrelink/Human Services.



On October 16 Centrelink sent an online letter to indicate that I had missed an appointment and that I did not contact them with a suitable reason why I did not attend. I left them a voice mail when they contacted me on 15/9/17 and explained to Centrelink a week later in a letter dated 23/10/17 my reasons concerning corruption, I believe this is to be suitable reason.

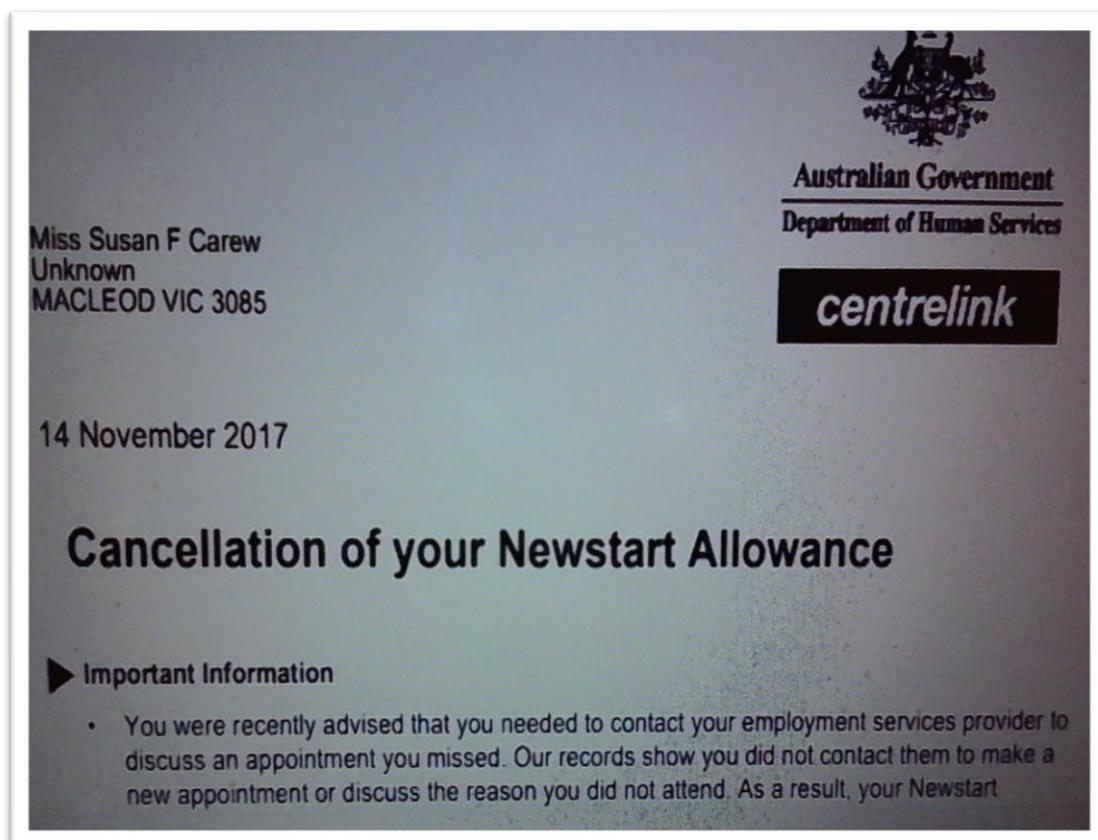


**On November 14, 2017 Centrelink sent a letter** to my online account stating that I was advised that I needed to contact my employment services provider to discuss an appointment I missed. Their records state I did not contact them to make a new appointment or discuss the reason I did not attend. As a result Newstart was cancelled.

This is **untrue** between 23/10-26/10 I had contacted Job Prospects and Centrelink. On the 9/11/17 I contacted the Commonwealth Ombudsman.

This message highlights how job seekers are treated and ignored. I have raised concerns of misconduct and corruption, it is a very serious matter.

It is asserted that the system is ineffective, corrupt and unconstitutional.



### 6.5.5 Letter to Centrelink 23/10/17 re: Suspension, Constitution, Privatisation, Welfare Rights and Exploitation

In the letter of 23 October 2017 sent to Centrelink I address many of the points already raised but further explain the issues in respect of the constitution, mutual obligation, privatisation and the demonization of non-working people. Interestingly, the debt was dated the 23/10/17. I have recently considered if the issuing of the debt was not about the debt but providing an avenue for surveillance given my political views and critique of the system and philosophies driving it. I postulate this as recently I was informed the debt was an administrative error. It has been waived.

Refer Appendix 2.3 for full letter.

Notable excerpts are as follows:

*...The issue of **diminishment of government responsibility for Social Security** is highly concerning as they appear no longer accountable to the public whose taxes they use. This includes non working people who pay GST. I object to the increasing privatisation of Social Security as an Australian citizen and I believe that abuses and the diminishment of human rights will result. **I will not place myself in a system of abuse** or comply with it as it is against my ethics and values. **It is non democratic.***

*It appears this **move to privatisation** is a way to disconnect, via the contract law system, its obligations under the Australian Constitution. My understanding is that under Section 51 sub section xxiii(a) indicates that Social Security is a duty of government to those who are vulnerable. The section as follows:*

*Section 51 of the Australian Constitution grants the commonwealth legislative power. Prior to this amendment the only social services provision was s51(xxiii) that gave power to legislate for invalid and old-age pensions. This amendment introduced s51(xxiiiA), which reads: *The provision of maternity allowances, widows' pensions, child endowment, **unemployment**, pharmaceutical, sickness and hospital benefits, medical and dental services (but not so as to authorise any form of civil conscription), benefits to students and family allowances**

***It does not mention mutual obligation** that is a Liberal Government philosophical position on the basis of users pay (selling off public goods and shrinking free public space). This becomes a **pressure on low income people** who cannot afford to park, travelling on public transport, narrowing of bulk billing and selective Legal Aid criteria. This marginalises people. The business philosophy says if we pay you - you must do something in return (conditional) it is a business ethos not humanitarian.*

*In my report 'Compliance or Democracy' it states:*

*"...the policy **relies on the belief that a selected group of Social Security recipients are not trying sufficiently hard to be self-reliant and, when left to their own devices, will 'free-ride' on the backs of the rest of the community...**" (p41)*

*Moreover true mutuality provides the option to **opt out** of exploitative contracts, as follows (p44): ...A fundamental requirement of a contract is that the **potential for exploitation** is checked by a broadly equal balance of duties and obligations. Parties entering a contract are usually strongly encouraged by legal advisers and others to protect themselves from exploitation by ensuring an approximate equality of power and*

*symmetrically of dependence and vulnerability. Thus, for true mutuality to exist, dependency and vulnerability must be approximately equally shared between contracting parties and each must have the option to withdraw from, or not to enter, a contract if the possibility for exploitation is present...*

*Hence I was informed I **do not have equal citizen's rights** whilst within the gamut of Centrelink (Human Services) or considered equal in this relationship. I do not agree with this on the basis of symmetrically and the importance of withdrawing when it is potentially exploitative.*

*Social security and welfare is the mark of a **civilised society** and directly affects social stability and equity.*

(changing definitions)

**Welfare means:**

*"...The health, happiness, and fortunes of a person or group"*

**Social security means:**

*"...A government program that provides economic assistance to persons faced with unemployment..."*

**Wording from 'Welfare' to 'Job seeker' changes the intent** of government provision to one of an **obligation to seek for work**. The deck chairs have been subtly changed to **remove government social welfare obligations** to a business framework of risk management and coercion citing breaches for non-compliance in a privatised contract system. The job seeker is defined as :

*"...a person who is unemployed and looking for work..."*

*Therefore if a person is unemployed inherent within this is that they are not employed (rejected) or cannot seek for work due to psychological, physical, age or some other reason for their inability to work. This perceived failure is where forced compliance has come in. It does not take into account extraneous issues that may affect a person's ability or willingness to seek work or reasons outside of the working paradigm. **Thus discrimination occurs and vulnerability to homelessness and extreme poverty arises.***

*The **demonisation** of unemployed people or what I term non-working people (inclusive of those who do not want to work for whatever reason) and the disempowerment through directives and contracts actually **sets people up to fail**. They experience a **loss of personal power** and they resent intensely being told they have no power or rights and then expected to get work. Some will, given their age and experience, others will not, fit the box. The Job Provider system is **not a service** to help them into work and to make choices around what they would like to do but **blames** them if they don't get work **justifying forced compliances** as they perceive they may become idle or lazy. The Work for the Dole scheme was about getting them into a work ethic. Whilst I understand that complacency may render people feeling they cannot get work, or lose confidence. I understand that if this is done with fairness and consent, it could be helpful as a short term strategy to practice going to work, schedules, tasks, following directives, learning skills and to feel a sense of belonging. However, if it becomes **longer term** it raises real issues of **exploitation**, working for free (discrimination), **inequality** (not paid the same) and forced to work in an area they may find **unrelated** to their skills or employability. I experienced being told to*

make Christmas cards, this I objected to. This has the potential to be exploitative as part of a longer term strategy of creating **cheap or free workforce** of vulnerable people with diminished rights. No working person would allow someone to dictate where they work or have the price of labour imposed. They choose as this is a democracy. The problem with a **business ethos imposed over welfare** is that it makes it sound fair and reasonable to employ free labour and call this work experience. In truth it is not, as work experience was short term for young people and apprenticeship was a paid form of training. So the costs shifts from business to the taxpayer.

What I have observed is that it is a **system of compliance that forces people to work without any regard to their rights or mental health**. Job seekers may be offered mental health plans but the idea is to get them back to working, not their welfare. There is a difference in intent. One approach sees unemployment as a cost the other recognises that there is no full employment and the welfare of people must be supported as the sign of a civilised society. All the people I have spoken to are very concerned about the system, the young ones have even had someone come with them to drop off a c.v. They have felt controlled, bullied and pressured. Older ones felt forced into menial jobs way beneath their pay rate (blue collar) and treated as teenagers going for their first job. Another indicted they got their own job and they were contacted at their work by the agency and the agency took credit for their job success gaining payment. Others felt desperate to get off Centrelink as they felt disempowered which is not the sign of a system designed to serve or represent its community. All of which pay taxes. It reflects a mentality that unemployment is a burden and their lives are made difficult so they have to comply. This is a form of **bullying which is illegal in Victoria** and there are issues in respect of the **Australian Human Rights Commission**. They are **forced to sign contracts** (coercion) and not given an option to say no if it is unethical or concerning. If they say no they believe they do not have a right to Social Security. So they feel they have no choice. This is how democracy disappears. It raises questions about circumventing **the Australian Constitution**. This I definitely cannot ascribe to. The Constitution is the legal framework of governments. It defines their **legal obligations**. Contracts appear to circumvent the original legislative intent...

(bullying, victim blaming) What I have seen is that those unemployed are **blamed** for their situation but I know as an **economist** they are in a market that is not full employment, constant technological changes, labour force changes and facing human resource management criterion which weeds out those without immediate experience (references) and not a fit for the criterion. So if **referees are lapsed** you **chances of invitation to a job interview are virtually nil** no matter your talent. In addition, we are facing economic and environmental collapse due to a infinite growth economic system that has no planning, social policy or awareness of environmental impacts. The very system that demands workers is the same system undermining life support systems across the planet. I have a real issue with **supporting a system that is destroying the climate and distracting people from entering areas that will serve society in a meaningful way** given the profit motive rather than a humanitarian imperative. My intention and vocational calling is to serve society and humanity, which I have done for 19 years now. My preference is to either do this for free or be paid for it so I can continue what I am doing. I do not care about making money I only care about using my skills to assist others to reach their full potential and craft a society that is nonviolent and peaceful. That is my desire..

*In my view it is far better to focus job seekers on empowerment, self esteem, values, communication skills, community building, innovation, education, entrepreneurial incubators (cluster like minded talents) and guiding them to focus on what they feel they would like to do and then have government provision of training to enable this. **Willing participants become willing workers** and are more likely to be employed than those reluctant and in a pattern of applying for jobs with the expectation of rejection. The rejection becomes a self fulfilling prophecy that you are not wanted by society and this is where the spiral of depression and perceived failure occurs. It is very tough to be isolated from society, living on barely enough to survive and the impacts on social life, relationship and a future envisaging prospects.*

***I know how to help the unemployed as I have been there and I have the skills to empower them.*** *I could help a lot of people find their way if I was given an opportunity by Centrelink and Human Services...*

*The employers are **underpaying** employees hence exploiting their desperation for work. We see the dismantling of penalties and hard fought worker's rights to rebalance power to create industrial harmony within a democratic framework. What we are witnessing today is a compliance workforce that has no rights and can be replaced due to a contract system. This is akin to **dictatorship** (force) rather than democracy (choice). There is no loyalty from employers and the so called 'flexible market' is in relation to employers having this power to dismiss, set wages at will and not provide commensurate power to the workforce to ensure fairness and wellbeing. I recall the National Wage Case being dismantled which set wages across all industries so all are paid the same rate for the same job. I recall the Accord system trading off pay increases for superannuation (which has not been effective). Moreover, under Work Choices the implementation of the enterprise/contract system forcing employees to negotiate wages with powerful employers to the exclusion of some unions or in the absence of unions to oversee their rights. **The argument is that lower wages means more work.** This is **not true** as our trading partners are mostly at equal wage rates. Overworking and technology replacing employees are strategies to maximise profits at the expense of fairness or social obligation. **The inadequacy of management and wise decision making creating innovative industries that place Australia in a unique position has not eventuated.***

*If the answer is compliance then I will find ways to survive and I will fend for myself as it isn't in alignment with my values or sense of democracy. My dignity and self respect is more important. I actually don't want to live in a world that cares nothing for my wellbeing or rights. I cannot be a slave for the sake of money in a system that is toxic to people and the planet. **I have no other forms of income or help and am reliant on Centrelink but I am willing to go without money and see what happens.** That is a choice as I vote for a democracy not a compliance approach to welfare.*

*I am a conscientious objector.*

## 6.6 Complaint 4/12/17 Referral to Lucas from Human Services

I had spoken to a Human Services Officer Lucas in Brisbane 4 December 2017 who spoke at length with me about my situation, my options and a review.

- I discussed with Lucas all the issues I raised in my letter. Key points as follows:
  - Eviction from Macleod
  - Informed by a Centrelink staffer that I was not in equal partnership in Centrelink;
  - Bullying issue: desire to suicide
  - 7 week Mental health plan: informed I could not get 2nd medical certificate if I decided I needed one
  - Told by Centrelink staff I would have to live in a city. There was no understanding or compassion or practicality of finding any shelter re: homelessness
  - The Job providers were inappropriate in respect of job matching, attitudes towards the unemployed, rorting in the Job Provider system re: 7.30 Report and the fact they are still operating. I pointed out the unfairness in respect of job seekers breaching contrasted with no accountability of Job Providers. I considered it unethical.
  - Lucas informed that Newstart was cancelled due to *jobactive* nonattendance and suspended payment
  - I explained I had left a voice mail and email exchange
  - I explained that I didn't agree with joining Job Prospects and have concerns about rorting
  - I spoke about the attitude towards the unemployed, treated like children given the 'one day notice' to attend an appointment
  - I explained I was not in agreement with mutual obligation
  - I was not in contract as it expired therefore I cannot technically breach. I had been on a mental health plan for 7 weeks and returned to Melbourne. Job Prospects were not known to me but they set up an appointment which I didn't agree with.
  - I told him I wrote to the Commonwealth Ombudsman, I mentioned that the Ombudsman said it was not appropriate for me to ask for a letter from Centrelink which I was perplexed about
  - I explained I'd been on Centrelink a long time but never had a job interview
  - I had confusion about who I was dealing with – Centrelink, Human Services and Department of Employment and how it works
  - I informed him I had received a pathology report for cancer
  - I informed him I had seen a psychologist but that didn't help
  - I also didn't want to be labelled by an assessment given my work and the fact I don't have a mental health issue but am dealing with a dispute confronting values very different from my own. My peace skills helped me deal with it
  - I asked about the Constitutional as my right to welfare and conscientious objection
  - The only pathway it seems was to seek a review in respect of the cancellation of my payment. I was not eligible for disability and unable to comply with the system on conscientious objection grounds.

- The discussion with Lucas is summarised below:
  - He regarded the issues around health and the Job Provider.
  - He hadn't read the letter I had sent in.
  - He didn't appear to take any action on my issues around **not being in equal partnership** he referred to the expectation of professional conduct of staff.
  - He didn't respond to my claims about corruption in the Job provider system and the unfairness in respect to job seekers breached but companies not breached.
  - He focused on technical issues such as the non-attendance report and didn't appear to act on the fact that I had informed Job Prospects, thus removing the breach even though there is **no Job Plan** contract or agreement technically to be breached.
  - The possible **illegality of cutting payments for conscientious objection** status as distinct from a breach was not discussed. There was no awareness of citizens' rights and the seriousness of ignoring corruption.
  - There was the suggestion that I should engage and ask Job Providers if they are ethical. I mentioned that I can't know which Job Providers are ethical behind closed doors. It is not possible to determine who is ethical and who is not.
  - I was advised to contact the Department of Employment in respect of the Job Providers and given a number. I didn't follow up as I have reported my concerns.
  - There was no comment around my **Constitutional right** to conscientiously object
  - He stated he couldn't change the situation and advised re-engagement with a Job Provider.
  - He clearly wasn't hearing me in respect of my ethical conscientious objection to corruption. It appears I have no rights to say 'no' as I was advised repeatedly to engage or get back on payment to seek another pathway e.g. disability, options or services.
  - He then turned to my **health** to find out if I had diagnosis as a form of medical evidence. This was in regard to the bullying and harassment, suicidal and cancer.
  - I spoke of my concern around **diagnosis** as labelling and the bullying issue. I had a psychologist who did report in a letter my conflict and the fact I was suicidal. I wouldn't enter disability as I don't have a mental health issue.
  - He did check if I had considered **suicide** recently. I told him yes but I live with it. He inquired about support. I explained I don't have a much support and no professional support other than the psychologist I did visit who was ineffective.
  - I did reiterate to him that the real point is entering a system where I am treated as a second class citizen, not matched with appropriate jobs and serious allegations of rorting in the media and other reports. As a citizen I just can't reengage as it gives tacit consent to corruption. I saw my **conscientious objection as a duty**.
  - He spoke of doing an **assessment** to get a different referral outcome. It was clear he was looking for ways to reengage me.
  - He did speak of **policy and legislation** and that Human Services do not make it.
  - The issue was not about policy and legislation it was about corruption and my needs not met, my rights revoked and being cut off payments due to a conscientious objection to a system not in the public interest. It is a very serious matter.
  - I was advised of my **right to a review** but I would have to demonstrate looking for work and to be connected to a Job Provider. I did reiterate that I can't ethically reengage. I wasn't confident about the review. He indicated that a subject matter officer would review the case in respect of cancellation that it can take 7 days and then if dissatisfied to an authorised review officer which can take 50 days. (*Note my letter of 12 February 2018 I indicate that Mr Rees had said that even if I took it further the decision would not change, there appeared no further action I could take*).

- He indicated he won't assess unless there is a medical certificate. I did point out earlier that Centrelink had **refused a second medical certificate**. He did not think that was appropriate. The question of why an officer would negate any future medical certificate when a person is homeless and suicidal should be acted on.
- The **Commonwealth Ombudsman** in response to my question about Centrelink not providing a letter, indicated he felt it was inappropriate for me to ask.
- I asked Lucas about receiving a letter and he explained that **I won't receive anything in writing**. I find this concerning given the information I have received has not been consistent and they cannot be held accountable if there is no evidence trail. Yet ironically, they themselves can track, monitor and ask for information. This to me is a power imbalance and unfair. It is not representation but authoritarianism.
- I did raise the issue of the **Australian Constitution section 51 xxiii** and the issue of the government's obligation to pay benefits given I am not on contract. I asked if it was advisory? He said he couldn't answer as he didn't have the expertise.
- I wanted to know if the government is obligated under the Constitution to provide welfare. Lucas referred to claims and used terms like 'requirements'. He indicated mutual obligation is a requirement. He linked payments to legislation which I didn't understand in relation to the Constitution. The focus was employment not welfare. I actually feel that the Job Provider system is not healthy, in fact compliance is toxic and a form of bullying. So I feel my welfare is not protected in the system but with this constant focus on work it **ignores the public's real welfare needs**.
- **The only right** it appears I have is to transfer between providers but **not exit or opt out** of a corrupt system that is not operating in my best interests. This is my core question **do I have a democratic right to say 'no' or even a Constitutional right to receive welfare payments given I am unemployed?**
- He did indicate the sanctions were based on contracts. Again, I wasn't on contract, that was not dealt with.
- Lastly he sought to check my postal address. I told him I am at no fixed address (homeless). He wondered about myself being notified I suggested pdf, my email or online account. He said they would send a text to ring a number. The problem for me is that it is not understood that I am homeless with no income. So phone credit is not possible now. Again, they seek to avoid email or any evidence trail clearly.

I came off the phone very uncertain and no real sense of a pathway to resolve the issues I am confronting to date. I was not confident about the review. The matter was not resolved. I did note an expensive car came into my drive that day and **filmed**. It took off when I moved the curtain. I wondered if I was **tracked** whilst speaking on the phone to Lucas. A few days later I had a call from the **Probe Group** indicating that Human Services were chasing a debt. I was so surprised given they knew I had no money and was homeless. I was upset as the money spent on the investigator could be used to help me find accommodation. It is this attitude of suspicion that really bothers me. It places people like myself in a category criminals, that we are out to rot the system when it is evident that the reality is the other way around.

The lack of rights and accountability is a key issue.

## 6.7 Letter to Human Services 12/2/18 re: Review, Cancellation of Payments, Conscientious Objection and Rorting

This letter is in response to Mr Rees contacting myself indicating the Review of cancellation of my payments given my conscientious objection to Job Provider rorting, was upheld. None of my questions were answered which indicates this is not an equal relationship and I don't even have a right to be answered, thus I am unheard. This reveals unaccountability and lack of transparency. This is why people do not trust the Government.

12 February 2018

Department of Human Services  
Centrelink  
Locked Bag 7834  
CANBERRA BC, ACT 2610

Ref: 403142935X/Q351/ARP620/TMO

Dear Mr Rees,

### **RE: Review and Cancellation of Payments in Respect of Conscientious Objection to Inequality, Job Agencies corruption and ineffective outcomes**

I was contacted recently regarding the decision to refuse Centrelink payment given my 'conscientious objection' status in respect of Job Provider rorting in the Job Services Australia system. I understand there were attempts to contact me via phone after the decision but my phone number has changed. **I explained email would reach me.**

As I explained on the phone it is unfair that job seekers should be cut off benefits when it means the difference between a meal or not and a wealthy company who rorts the system and is allowed to continue to provide job services without penalty or compliance breach given its contract with Government. This scenario is deeply concerning to me as a citizen. I do not agree with the decision.

Articles reporting this issue are as follows:

<http://www.abc.net.au/news/2015-02-23/government-recovers-millions-after-rorting-of-jobs-scheme/6193022>

<http://bilbo.economicoutlook.net/blog/?p=30248>

<https://www.theaustralian.com.au/national-affairs/indigenous/job-provider-accused-of-using-dead-people-prisoners-to-inflate-numbers-audit/news-story/bb4914c12d328580ccb8ac9278a800b7>

I appreciated speaking with you and recall you **indicated that the decision would not change** even if I chose a further review. In addition, you indicated that according to legislation nothing can be done.

I've since spoken to the **social worker** and have been really deeply reflecting. I have under \$200 to live on, that is the savings from my seven weeks house sitting, I have nothing else. I cannot earn until after March as I am dealing with a bullying issue that is related to dishonesty and corruption, **I have to speak up in this situation as to do nothing would give a green light to abuses.**

I have questions that I would like to have answered in writing so I can understand.

1. What **legislation** exactly was referring to? Can you point out where it states I am not entitled to a benefit so I understand the rationale?
2. It is true that under the **Constitution** that the Australian people are entitled to benefits under Section 51, subsection 23a when unemployed?
3. Why when I am **homeless** has there been no attempt to assist me to find a place to live or show me where I can find food? Lucas did mention finding a place but there was no further communication about that. He did refer me to a social worker who was constructive.
4. Why are people **not paid whilst a review is happening** to ensure their wellbeing given they live off this money? Does this not dissuade them from asking for a review? Is this fair?
5. I am a woman on my own over 50 with no assets, **would you consider me vulnerable?**
6. Why is the **Probe Group** still sending me texts to recover the overpayment Centrelink made when I was evicted and homeless. Given I have been suicidal, had cancer and am still homeless and dealing with a bullying issue, why would you continue to send the Probe Group when it is not possible to pay anything as payments stopped and I am in crisis? I told Probe to stop contacting me and explained my situation, they are still contacting me on Human Services request. I was very concerned to see a car across my friend's drive and the window half down, it appeared they were filming. I find this very concerning. Why has this question not been answered?
7. I would like to **know the review process** (fact sheet). Who does the review and on what basis are decisions made? Is an investigation undertaken? I would like to know more details of the process. I have accessed this link <https://www.humanservices.gov.au/individuals/enablers/reviews-and-appeals-centrelink-decision#a> but it provides no information on the process or what actual rights are.
8. I would like to know what the **official response to my letter and report 'Compliance or Democracy'** is given it is detailed and raising issues that are definitely in the **public interest?**
9. I want to know why Human Services/Centrelink indicate that I must comply with the Job Provider system in light of the rorting that has been investigated and the fact the companies cited in the 7.30 Report are still involved in the Job Services Australia network. This appears to send a signal that the **companies can rort but job seekers can't**. I do not agree with either doing this. Is this ethical? Is it appropriate to force me to comply if I want to eat? Is this democratic?

I have had a quick look at the **Department of Human Services Report** and note some information that relates to some questions above.

## Community Engagement Officers

Community Engagement Officers (CEOs) provide targeted assistance to vulnerable people, including those experiencing homelessness. These officers work to ensure that vulnerable people maintain access to payments and associated services, as well as increasing their ability to self-manage their business with the department and other organisations.

## Suicide

Social workers provide support and intervention to people at risk of suicide or self-harm. This includes ensuring the person is safe, making referrals for further assistance, and supporting service officers engaging with people who are at risk.

In 2016–17 social workers responded to 6,341 referrals for people at risk of suicide, and 49,872 referrals for people experiencing mental health issues. In 2016–17 all departmental social workers undertook suicide risk assessment and intervention training, which supported increased identification and assistance for individuals at risk.

## Debt recovery

When a person is no longer receiving payments and has failed to make or maintain a repayment arrangement, the department may use a contracted External Collection Agent to recover a debt with commission only paid on the recovered amount. The department also has a dedicated area with investigative and intelligence capability to locate people who have large debts and the capacity to pay them. If necessary, legal action may be taken to recover the amounts owed.

## Optical surveillance

Optical surveillance involves observations of people, vehicles, places or objects. The department continued to use optical surveillance when other types of investigation techniques were unsuccessful and when there was a reasonable suspicion of fraud, serious cases of child support avoidance or income minimisation.

I am concerned about surveillance as I feel I am being investigated and to be honest, I felt **afraid** when I saw a man in a car filming. I was staying temporarily with a friend so I had a roof over my head. I am not receiving any income from anywhere. It is a difficult time right now.

I would like to know under the **Freedom of Information Act** if this has happened. I would like to know of any correspondence about myself in relation to surveillance and my homeless situation. I would like to know why I have not been helped given my situation, hence any correspondence about my genuine needs. This would be in the spirit of full disclosure. I have been honest with Human Services and I know my background has job experience but I have genuinely had difficulty finding work and the bullying situation I have experienced has affected my emotional wellbeing. I do not desire to be on benefits in reality but it has only been through necessity that I have had to.

To overcome rorting from the perspective of recipients in my view is to teach ethics, values and community responsibility. It is to transform a poverty mentality into one of empowerment and self reliance. We don't have strong social networks so community is not helping, people are very isolated and disconnected. Technology amplifies this. It is to research why they are rorting? What is the insecurity they feel? What are their needs and fears? Are there other ways that the needs can be met without money? It is important not to criminalise poverty but to find ways to reward honesty. In some cases they may be seriously underfunded and desperate on their basics, there must be flexibility in the system to provide stop gap measures. To surveil them turns them into the

'other' and there is a predisposition to pursue people as dishonest when it would be wise to reward honesty and show they can solve their problems. If they are dishonest, then they have to be accountable. I would create community service or activities that replace Work for the Dole. So there is a consequence, they learn they pay one way or the other. That is my feedback. I do not wish to wake up in a Brave New World, my preference is a just a kinder one that rewards values and ethics.

On the positive side I appreciated speaking to officers who I felt seemed to care. I felt not so alone when I spoke with Lucas and then the social worker. Both did attempt to find a way. The social worker did offer practical suggestions and indicated that a more intensive classification would assist me more. I did explain I would love to train in social work as my workplace bullying work could develop once I have a basic income as a social worker. I do have a many skills. She indicated finding a Job Provider that meets with my values. I appreciated the hope I felt.

I also note in the letter of Cancellation of Newstart that it was asserted I needed to contact the employment provider and missed it. This did not acknowledge what I had said and the letter I uploaded to Centrelink with emails. Clearly it was not kept on record. I explained clearly my reasons in writing and verbally for not contacting the Job Provider that was not of my choice. Even the Job Provider when I spoke directly to the man involved, had no record of my voice recording or emails. This is how recipients feel unheard and disempowered.

The cancellation of my health care card is unfair and makes me more vulnerable given I have no income and then to expect me to reapply for a low income card of 30 pages rather than extend the Health Care Card. That doesn't make sense to me. Again, no consideration to my situation of homelessness. I request the health care card to be reinstated as I am eligible. I do not agree with the decision made. I believe that consenting to unethical practices in a system is wrong, I want to reengage but I just can't as I feel a sense of social responsibility. I don't know what I can do.

My questions have not been answered. I was informed by yourself that 'nothing that can be done' given the legislation. I don't understand that and would like that explained. The fact I've been denied payments as the most vulnerable of citizens worries me that others are falling through the cracks. There appears no real help or concern for those who are in absolute poverty unless they go to a non government provider who in turn depend on donations. This raises questions about Government and its side given mutual obligation to the public it represents and via taxes paid for services. I request a letter to address my questions and if you can't answer questions just state you can't answer that question otherwise refer me to someone else. I would like to be fully informed as I can't consent to this decision at this point until I know the full facts. I need to feel confident that it is ethical.

I would like to know my obligation in respect of the contractual relationship with the Government (Human Services, Centrelink) and how the Constitution works and what this means for Social Security. I would like a web link to the actual legislation so I can view the laws. Is there a review process and/or code of conduct that reflects what I should expect as a citizen as I haven't been informed. I want to understand why I am not entitled to a basic benefit which is the right to life when I have no income. I am willing to work and contribute (even in kind) but not willing to engage in Job Services Australia if it is not penalised when it allows job agencies to rort the system without penalty. Are they being surveilled and investigated? This reflects possible corruption in the system and the public will lose trust. The monies involved are much higher than the individual welfare recipient, I would imagine even collectively. I cannot accept that as a responsible citizen. The status of contentious objection needs to be explained. What are my rights?

I am asking these questions not to be difficult or to get a free ride, I am more than happy to pay my way even if society can utilise my skills. I have to ask questions because my background is about values, peace, conflict resolution, anti-bullying and empowerment. I cannot move ethics aside, I feel my questions are important. I am not seeking to have my life dependent on benefits but for the moment I have no income and no support. I do choose self reliance. I am very keen to provide training in peace education, conflict resolution and anti-bullying and in the short term re-train in social work to become self sufficient but presently I have no money to pay for a course and I have no funds to generate work. So that is my dilemma.

I look forward to hearing back from you. I have truly valued what Centrelink and Human Services does, I am sure it is not easy your end either. I am grateful for those you do help and I have felt deep gratitude for the help I received. I've never taken it for granted.

My hope is we don't become a compliance society and lose our democracy in the process of digitisation, automation and expediency. I hope my letter at the least starts a constructive conversation to truly assist those in the greatest need, that is my hope. Thank you.

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What is evident is inequality, bias, misconduct with no independent appeal process. The balance of power is not in favour of the individual. It is essential that this inquiry investigates:

1. Why welfare recipients are not answered in writing when requested?
2. Why is there a standard line of an attempt to call when that is not always the case and a request to email ignored?
3. Why welfare recipients are not fully informed of the review process?
4. Why there is no further independent appeal process available?
5. Why the reporting issue is ignored?
6. Why welfare recipients are not paid whilst a review is in process?
7. Why the wellbeing needs of a homeless person without income is unaddressed?
8. Why when suicide is mentioned is there no direct help as urgent?
9. Why conscientious objection to corruption by those on welfare is punished given companies reporting are not?
10. When cut off Centrelink why does all access to services and superannuation cease?
11. Why is there no emergency or crisis payments to ensure survival?
12. Why was there no response to my Freedom of Information request?
13. Why is debt recovery initiated when the debt was waived 3 August 2017 and then reinstated 23 September 2017 enabling surveillance to take place?
14. Why is surveillance allowed in cases that are not criminal but due to overpayments which is the error of the Department. How is an invasion of privacy permissible?
15. Are we moving into an era of Digital Transformation that normalises surveillance, digital tracking (mobile, computer) and illegal gathering of data on citizens, trialled on the most vulnerable? If so, there must be a public debate about this as each and every one of us can be surveilled without our knowledge. Given ethics in Parliament is under the spotlight, can government officials and politicians be trusted to act ethically or is public disagreement or dissent regarded as a threat?

## 6.8 Contacting Centrelink re Debt, Rorting, Super and Constitutional Rights

The issue of the debt is another area of possible illegality given my circumstances at the time of my eviction on 14 June 2017, deep distress, suicidal and homelessness. However, I did contact Centrelink several times about my circumstances. What concerns me is a debt being applied as a reason to appear to legally track people rather than help them. I regard this as part of a mindset that is policing/compliance rather than therapeutic and service oriented. Outside of an alleged debt it would be deemed stalking which is against the law in Victoria. Moreover, it enables external agencies such as the Probe Group and ASIO to gather intelligence on vulnerable people presumably seeking for criminality or gather data. This is surveillance is without a warrant and increasingly concerning as technology such as Stingray (used by police) can gather phone and computer data within a specific area. The issue of privacy and data protection is central. My refusal to reengage with Centrelink given corruption in the Job Provider system means that this **debt is outstanding** and can accumulate interest imposed on people who do not have much money to even live on. It is noted in the online feedback below that I did ask Minister Keenan to write to me to say there is NO rorting in the Job Provider system, but I did not receive a reply. I consider that a YES.

This message below was sent to Centrelink on the 9 August 2018 via the Online feedback.

*"I am notifying you that I have received a **overpayment invoice**. I didn't know it was here. I did not receive the 5/2/18 sms as I am homeless and my phone credit expired. I would prefer my regular email to have been used. I asked the Minister Kennan for **debt relief** on this overpayment as I was evicted at the time, suicidal and had experienced bullying. I did make **multiple attempts** to contact Centrelink to cancel rent assistance. Finally it was cancelled. I am a **contentious objector of the Job Provider system in respect of rorting, not an objector of Job Providers**. I want to make clear I was cut off Centrelink as I would not participate in a system that I believe has corrupt business entities. None of my questions were answered. I would be in the category of extreme poor. I have been unable to access **superannuation**. I've brought this up with Minister Keenan and MP Michael Sukkar and the Superfunds with no outcome. I am still in a financial crisis and have no idea what I can do. I have **asked Minister Keenan to send me a letter assuring me there is NO rorting in the system but no response**. I am in an ethical dilemma as a citizen. I cannot give tacit consent given job seekers are breached for minor issues and cut off if they say 'no' in my case to concerns about dishonesty and corruption. I ask for debt relief."*

The Department of Human Services sent this email message. I responded online below:

Please DO NOT REPLY by email as this mailbox is not monitored. This message is from the Department of Human Services. We are writing to you about the enquiry you submitted through our website. **We tried to call you** to provide assistance but were unsuccessful. If you still need assistance, please call us on 1800 076 072 (call charges may apply).

This online message was sent to Centrelink on **9 August 2018**:

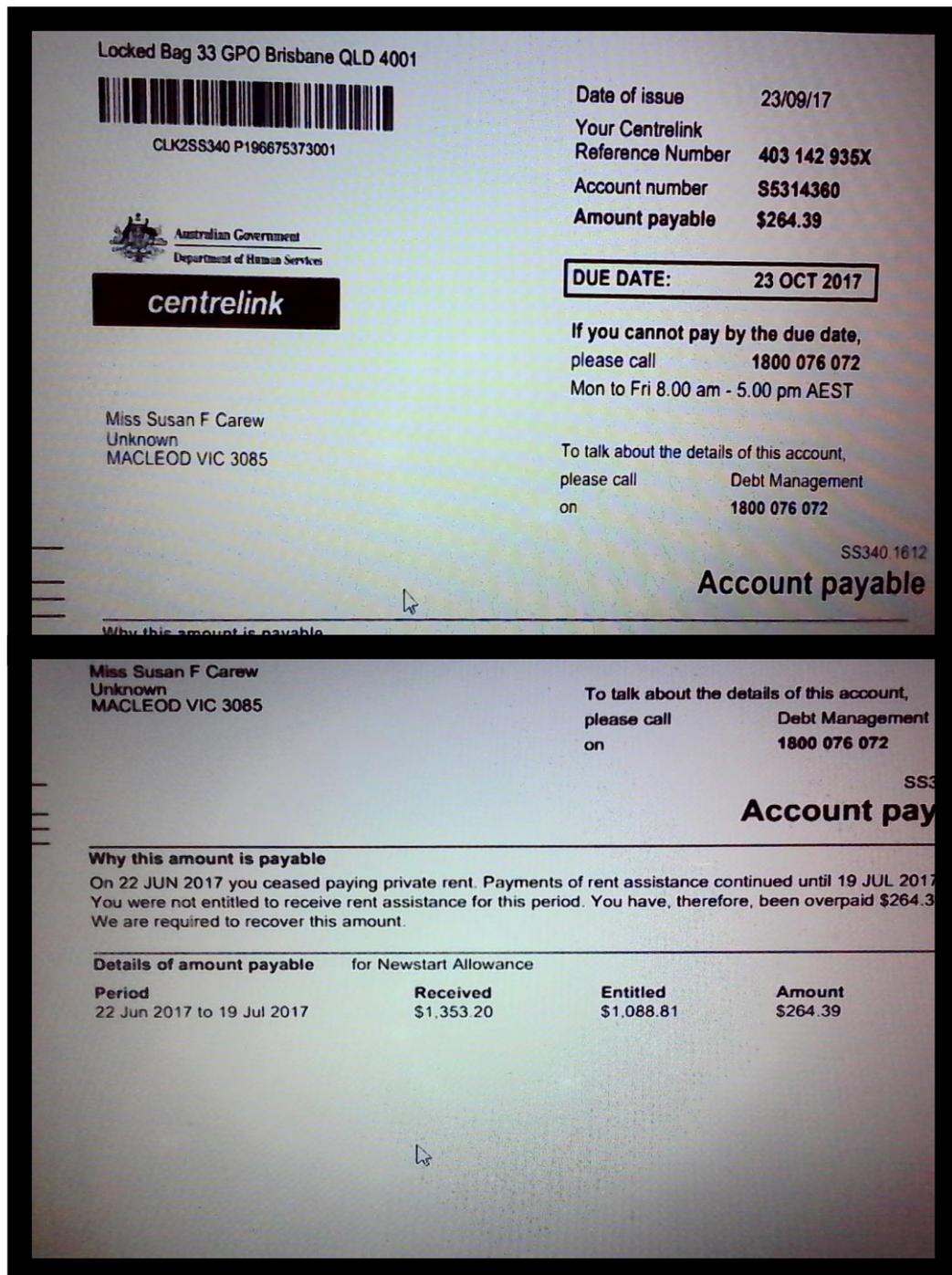
*I received this message below today. I did indicate that I don't have a mobile in my second messages (as no place to say no mobile). So the only way to contact me is via email. Just send me a message and I'll reply. (so ignore mobile below the system force me to put it in)*

I followed up with this online message on the same day.

*Please note in previous message that I had to put an old mobile in as your system does not allow me to write anything. I no longer have a mobile. I find the emailing process very confusing.*

### 6.8.1 Centrelink Debt 23/9/17, Probe Group, Debt Recovery and Surveillance

On 23 October 2017 and online invoice was provided in respect of the rent overpayment. They state on the invoice that it was issued on the 23 September 2017 which was prior to my payment suspension. It is stated on the invoice that on 22 Jun 2017 I ceased paying private rent and that rent assistance continued until 19 July 2017. They state I have been overpaid \$264.39. This is an untrue statement. I notified them on the 22 June that I had ceased paying rent. I was evicted on the 14 June 2017 and went to Canberra. I was in a state of distress and suicidal due to bullying issue, only one week had lapsed. So this is not an automated robo debt it is clearly Centrelink not stopping rent assistance and then transferring responsibility onto myself rather than taking responsibility.



This email to Sarina Russo Job Provider below verifies that I made contact with Centrelink. This would have been reported to Centrelink.

from: SPEAK UP <worldpeaceful empowerment@gmail.com>  
to: Tina Kirby <KirbyT@sarinarusso.com.au>  
date: Jun 26, 2017, 12:15 PM  
subject: Centrelink

Hi Tina,

I've sent a message to Centrelink regarding my situation. I am presently with family but planning to go north to look for work.

Thank you for giving me some time with the appointment. I did need it. I have been very unsettled by what happened in Melbourne. I actually went to Parliament last week to really contemplate democracy and how people treat one another. I have contemplated whether to complete the placement here but the rents are too high and I don't think Ashley [*Institute*] is in Canberra. I could possibly go onto do a Diploma which would roll in the Certificate III. Will have to see how I go.

I am seeking possibilities with the International Red Cross. Ideally I'd like to teach peace around the world so hopefully I gain a foothold.

Thank you for being such a lovely person to deal with. You made a difference to me. Wish me luck.

It is noteworthy the debt was issued online **on 23 September 2017 before I was cut off Centrelink on the 16 October 2017** (not June-August 2017). Centrelink were well aware of my contentious objection given communications to Job Prospects mid-September. I raised issues together with my report, letter (**23/9/17**) directly to Lucas in Queensland in November 2017 and wrote to Centrelink on 28 September explaining my mental health issues re: suicide and homeless challenges.

I am not certain when the invoice was actually uploaded. The debt due date is exactly the same date as my letter written on 23/10/17. This letter outlines a significant complaint about Centrelink officers conduct, distrust, suggesting to live in a city (homeless), inequality, the issue with Job Prospects and rorting and my sense of being bullied by many text messages, no respect and the complaint about suspension of payments from a Job Provider I had no contract with. I also referred to my report sent to Centrelink entitled '*Democracy or Compliance*' submitted May 2016 in respect of my concerns about Work for the Dole and corruption of Job Providers. I asserted they don't care what we think. I raised the issue of the Australian Constitution and no mention of mutual obligation and no opt out. I also challenged the removal of social obligation and calling it non-compliance. I raised significant issues of the exploitation and demonisation of non-working people. I raised issues of bullying and mental health. I asked to be responded to in writing. I made clear I **couldn't comply** but realise in this analysis it is likely Centrelink were annoyed.

I assert the possibility of vilification for my complaints and non-compliance by using the debt system to justify surveillance so they can investigate myself for conscientious objection. Therefore, the Probe Group debt collectors were requested by Human Services to **recover \$264.39 from a person they know to be homeless without the ability to pay**. It is stated in the Human Services Report (reproduced in my letter of 12 February 2018 in this submission) that under Debt Recovery, Human Services use **investigative and intelligence capabilities to locate people who have large debts and the capacity to pay them**. Legal action can be taken to recover the amounts owed. They

indicate optical surveillance to observe people and use this when other investigative techniques are unsuccessful and when reasonable suspicion of fraud etc.

The fact I saw a person filming across my friend's drive way on the same day Lucas from Human Services rang raises questions about **privacy and phone surveillance and tracking**. It is evident the person filming is verifying where I lived through tracking my phone for allegedly a small amount, with no ability to pay. Serious questions need to be asked about why debt overpayment is used.

I believe I was issued this debt to justify surveillance as I would have been perceived as a critic and potential whistleblower highlighting exploitation and corruption. If this is the case then this is a form of vilification in respect of covert bullying (silence as non response), stalking and contravention of privacy laws.

The media article overleaf refers to robo debt (automated debt) and describes there are issues of high numbers of inaccurate Centrelink debts based on data matching and tax records. Noteworthy, in my case, again it was not automated or cross referenced to tax as I had not earned income. It was deliberately sent given it was issued 3 months later and **after the debt was waived on 3 August 2017**.

The articles overleaf provide information about robo debt and public concerns:

- The high numbers of debt wiped were associated with a review
- Wrongly or unlawfully raised (debt) against them
- Shifting the onus to disproving the debt on to vulnerable Australians
- Shifted people to use a new online tool to prove their entitlement to welfare, often forcing people to find pay slips that were up to six years old
- A longer period of non-response would see the debt referred to an external debt collector
- Falsely accusing people of things, and sending them letters, and particularly some of our most disadvantaged people
- Senator Doug Cameron described as a deliberate targeting of the poor and vulnerable
- Minister Tudge made them feel frightened, anxious and like criminals
- There is a clear plan to do comprehensive data matching of every silo of government, Lane said. "It's tracking, you're tracking your citizens"
- Sharing of data en masse should also cause significant privacy concerns for Australians
- Guardian Australia last week spoke with a Centrelink whistleblower, who works in the compliance area. The source said only about 20 of the hundreds of cases they had reviewed turned out to be legitimate debts
- (Opposition) We say suspend the system, do the analysis, do a proper check on what is being asked of individuals.

## 6.8.2 Letter 15/12/17 re: Ombudsman, Work for the Dole, Lucas, Probe Surveillance

I wrote to Centrelink on the **15 December 2017 and received no response**. In this letter I submitted the online complaint inclusive of Job Prospects emails. I sent a message to Centrelink: *This letter was submitted on 15/12/2017 but I have not had a response. I am uploading today 11/1/2017. I would appreciate a response via email as **my phone is out of credit**. Thanks*

15 December 2017

Centrelink  
Human services  
CANBERRA ACT 2601

Attention: Lucas, Queensland Office, (07) 55628354

To whom it may Concern

I am writing this letter as I have concerns and have not received any response regarding a **review of my case** as my payments have been cancelled.

I contacted the **Commonwealth Ombudsman 9 and 23 November, 2017** as I had not had a response to a few online communications to the complaints team (14/11/17) regarding my conscientious objection to the roting of the Job provider system as mentioned on The 7.30 Report. I was unable to comply with the requirements as I do not have trust in the Job Providers. Moreover, I had not been assisted into work for many years and I found that this process had not worked for me. The corruption by Job providers is deeply concerning to me as job seekers are cancelled from receiving payments if they do not comply honestly. Their situation is more dire as it is about survival. I regard the companies that have been roting still in contract to the government as deeply concerning.

I have uploaded a **report about Work for the Dole** and the rationale of this form of system and a letter dated 23 October outlining my concerns.

I received an email asking me to **contact Lucas** in Queensland. We had a productive conversation about the issues and he indicated that I could have a review. I have requested a review but have not heard back from anyone.

In the meaning time I have had many phone calls and text messages, to the point of harassment, from the **Probe Group** who have told me they are contacting me at the request of Human Services. It is to do with debt recovery.

I wish to submit a complaint about being **hounded** by the Probe Group and possible **surveillance**. The issue is to do with my **homelessness** from 1 Wungan Street, Macleod. My landlord breached Council laws and I had to leave. I had nowhere to go and became homeless. I did contact Human services several times online, but the time it took to change my status was due to Human Services not responding in a timely fashion. Moreover, I expressed to Centrelink officers that I was **suicidal** and really struggling. I subsequently raised my concerns about how have been **treated by Centrelink staff** in a phone call – not equal and insensitivity to homelessness and the key issues.

I also had **uploaded a report** from my profile about Work for the Dole. This report has never been acknowledged or responded to (submitted in **2016**). I raised the issues together with my report, letter (23/9/17) directly to Lucas in Queensland in November 2017.

Since September I have not received any payment due to my conscientious objection. Lucas did refer my complaint and correspondence to a Review and indicated I think between 7 days and a few weeks. I haven't heard anything.

After my phone call with Lucas I noticed an **expensive car parked outside** my friends driveway. It had the window down, perpendicular to the drive. It appeared the person may have been **filming**. As (I) moved the curtain to look through the window the car sped off immediately. This happened after my call with Lucas and I am concerned about this. I am aware **mobile phones can easily be tracked** and wondered if the person had traced my phone. I did not give permission for Human Services to **pass my personal details** to a private company Probe Group, who is a debt collector (mobile). I can only assume it was this organisation.

1. *I request to know can I gain **emergency payments** given I have no income?*
2. *I request to know when the **review** will be finalised.*
3. *I request to know **where from here if I cannot get any income?** Where I can go to talk to others about this problem in order to resolve it?*

Regards,

Susan Carew,

Attachments: Centrelink Process

Online and email correspondence with Job Prospects who I do not wish to take on my file as I do not have faith in the Job Provider system.

Note: there was no response to this letter.

**Centrelink texts:**

10/4/17: reporting, 2/8/17 : enquiry, 10/8/17: enquiry, 31/8/18: electronic messaging  
1/9/17: self service? 16/10/17: payment stopped, 5/2/18: counselling.

### 6.8.3 Official Letter 19/6/18 from Minister Keenan re: ERSB and Conscientious Objection

The letter below was received via email from Stephen Jury (Assisting MP Sukkar) in response to my questions regarding the Early Release of Superannuation Benefit (ERSB) and my conscientious objection to the Job Provider rorting. The wording in the letter removes 'conscientious' and refers to my objection to using Employment Service Providers. He cites that I am not on income support not referring to the Department cancellation of payment or the fact I am long term unemployed. He indicates he cannot provide a letter and that the superannuation funds are responsible for the final say. They indicated they have to follow legislation and compassionate grounds and financial hardship does not include homelessness with no income. He encourages re-engagement ignoring my reasons for not engaging due to widespread rorting. The letter is as follows:



#### THE HON MICHAEL KEENAN MP

Minister for Human Services  
Minister Assisting the Prime Minister for Digital Transformation

MC18-002204

- 2 MAY 2018

The Hon Michael Sukkar MP  
Assistant Minister to the Treasurer  
Member for Deakin  
PO Box 232  
MITCHAM VIC 3132

Dear Assistant Minister *Michael*

Thank you for your correspondence on behalf of Ms Susan Carew about Early Release of Superannuation Benefits (ERSB) and her objection to using Employment Service Providers.

The Department of Human Services' (the Department's) only role in ERSB on the grounds of severe financial hardship is to provide a confirmation letter that a person is receiving a qualifying income support payment and has received that payment for a continuous period of 26 weeks. As Ms Carew is no longer receiving an income support payment, the Department cannot provide her a confirmation letter. For more information, please see regulation 6.01(5)(a)(i) of the Superannuation Industry (Supervision) Regulations 1994, and regulation 4.01(5)(a)(i) of the Retirement Savings Account Regulations 1997.

Ms Carew can apply to her superannuation fund for ERSB without a letter of confirmation from the Department, as superannuation funds are responsible for making the final decision on ERSB due to severe financial hardship. Depending on Ms Carew's circumstances, she may be eligible for ERSB on compassionate grounds. Ms Carew's eligibility for ERSB on compassionate grounds does not depend on her being on a current income support payment, however specific circumstances do apply. Eligibility requirements can be found on the Department's website at: [www.humanservices.gov.au/individuals/services/centrelink/early-release-superannuation](http://www.humanservices.gov.au/individuals/services/centrelink/early-release-superannuation)

I encourage Ms Carew to re-claim an income support payment and engage with an Employment Services Provider. The Department can refer Ms Carew to a provider of her choice in her area. Employment Services Providers are administered by the Department of Jobs and Small Business. If Ms Carew is unhappy with her provider, she can make a complaint by contacting that department's National Customer Service Line on 1800 805 260, or by email at: [nationalcustomerserviceline@jobs.gov.au](mailto:nationalcustomerserviceline@jobs.gov.au)

Alternatively, if Ms Carew would like to consider further education or re-training, she may be eligible to receive Austudy payments. More information about Austudy, including eligibility requirements, can be found at: [www.humanservices.gov.au/individuals/services/centrelink/austudy](http://www.humanservices.gov.au/individuals/services/centrelink/austudy)

The Department's social work service is committed to providing services to vulnerable people. This service is provided both face-to-face and through telephone channels across the country. A social worker from the Department can provide counselling, support and information to help Ms Carew through this difficult time. Social workers can also direct her to other supports and services that may assist. Ms Carew can ask to speak to a social worker by telephoning 132 850 or by visiting her local service centre.

I trust this information is of assistance to you and Ms Carew.

Yours sincerely



Michael Keenan

I am advised to consider re-training when this is not the issue. I have already told Centrelink I was interested in social work. He refers to Austudy which I doubt I could afford in any case. I am also homeless and he doesn't understand that a person's life cannot get back on track until you have a stable home.

It is acknowledged I am vulnerable and he advises to use social workers, which I have already done earlier in the year. They do not assist vulnerable people outside of Centrelink. I don't know what a local service centre is.

It is important to note that the letter I have reproduced here was sent again by Patrick Cremen and date stamped 2 May 2018. The **original letter** emailed to me via Stephen Jury **had no date stamp**. It was emailed on 19/6/18. This letter has taken 6 weeks to be emailed to me. That seems to me an extraordinarily long period of time given it was written and signed and an email takes moments.

The letter is of no assistance to me at all. I am still in the exact same situation today.

The following page highlights my superannuation from AMP and their comments.

### 6.8.4 Superannuation Not Released to the Homeless with No Income

As indicated the Minister refers myself to the Superfunds as the final arbiters. Stephen Jury refers myself to the ATO then Treasury. AMP and Ausfund indicate that they must abide by legislation. The provisions highlighting compassionate grounds and severe financial hardship do not apply to those homeless or with no income. I have informed Human Services I have \$1.23 in my bank account. According to Human Services these are the grounds for ERSB:

"...You normally can't use your super until you reach preservation age. In rare cases your super fund may let you have some of the money early...You can apply for early release of super for the following reasons.

I would be eligible in respect of not being able to pay immediate living costs and compassionate grounds.

<p>You're in severe financial hardship</p>	<p>You must:</p> <p>be unable to pay reasonable and immediate family living costs get an income support payment have been on this payment for at least 26 weeks in a row not get ABSTUDY, Austudy or Youth Allowance</p> <p>There are different rules if you're over preservation age and haven't retired. You must:</p> <p>still be out of retirement - this might mean you're looking for work, studying or working part time or full time have reached preservation age plus 39 weeks not get ABSTUDY, Austudy or Youth Allowance have been getting an income support payment</p> <p>You must also have been on an income support payment for at least 39 weeks in total since you reached preservation age. You could still be getting the payment, or you may no longer be getting it.</p> <p>If you get ABSTUDY, Austudy or Youth Allowance you can't apply for early release of superannuation, even if you're in severe financial hardship.</p> <p>If you're in severe financial hardship but don't meet these criteria, contact us to see how we can help.</p>
<p>You have a terminal illness</p>	<p>You must have a terminal illness.</p>
<p>You are a temporary resident</p>	<p>You must:</p> <p>be a temporary resident about to leave Australia, and not planning to live here again</p>
<p>You have less than \$200 in superannuation</p>	<p>You must have less than \$200 in your superannuation fund.</p>
<p>There are compassionate grounds</p>	<p>You must be able to prove that you have compassionate grounds for needing early release of superannuation.</p>

This is the AMP Statement. They denied my request on hardship/compassionate grounds.



10 September 2018



Ms Susan Carew

019



**Your contacts**

PFG Financial Services Pty Ltd  
03 9375 5100  
a.panella@pfg.com.au

E askamp@amp.com.au

W amp.com.au

T 131 267 (131 AMP) F 1300 301 267

AMP Life Limited  
PO Box 300 PARRAMATTA NSW 2124

**Your details**

**ACCOUNT NAME**

Susan Carew

**ACCOUNT NUMBER**

936039695

**TAX FILE NUMBER (TFN)**

Supplied

**AMP Retirement Savings Account**

**Member statement 1 July 2017 to 30 June 2018**

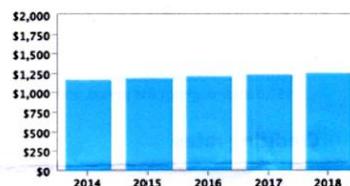
ACCOUNT BALANCE AT 30 JUNE 2017	FUNDS IN*	NET INVESTMENT EARNINGS	FUNDS OUT* (Includes Govt. Taxes and Fees)	ACCOUNT BALANCE AT 30 JUNE 2018
\$1,228.69	\$0.00	\$16.39	\$0.00	\$1,245.08

\*Refer to the **transaction summary** for the breakdown of these amounts.

**Account summary**

Account start date	29/06/2007
Death benefit	\$1,245.08
Your personal net rate of return (annual)	1.33%

**Change in your account balance**



**Important information**

Please refer to the [annual report](http://amp.com.au/edocs) (available at [amp.com.au/edocs](http://amp.com.au/edocs)) for details about your superannuation product. The most recent annual report will be available for you. These are updated annually before 31 December.

**Make paper statements a thing of the past**

With My AMP you can view your statements and manage your accounts online. Log in at [amp.com.au](http://amp.com.au) and change your preferences today.

Account number: 936039695  
437000512|122566411.123159

02179

Page 1 of 6

**From:** peacefull@worldpeacefull.com ▶ Add to Whitelist  
**To:** media@amp.com.au ▶ Add to Address Book  
**Sent:** Jul 22 '18 15:54  
**Subject:** Please pass on to CEO Mike Wilkins re: AMP hardship

Please pass on to CEO Mike Wilkins.

RE: 936039695

Dear Mike,

I was in touch with AMP earlier this year seeking to cash in my Super as I am in hardship. I am still on no income and homeless. I wrote to Human Services and the Prime Minister and have been seeking answers as I was on Centrelink for many years and told them I was a conscientious objector to corruption of Job Providers. I was cut off as a result, since then I've been trying to gain help to access my Super. Finally, I was sent a letter by the Minister who states the final decision is with the Super Fund. So I have returned to AMP. I am writing as I can't afford to print and postage.

I have sent all the paper work in earlier this year and ask you to send me a copy for my records.

I am happy to send a affidavit and bank statement to prove I am in serious financial hardship. I am requesting release of my Super without fees as I need every cent.

Best wishes,

Susan Carew

PREVIOUS LETTER:

8 February 2018  
c/- [peacefull@worldpeacefull.com](mailto:peacefull@worldpeacefull.com)  
AMP Life Limited  
PO Box 300  
PARRAMATTA NSW 2124

Dear Sir/Madam,

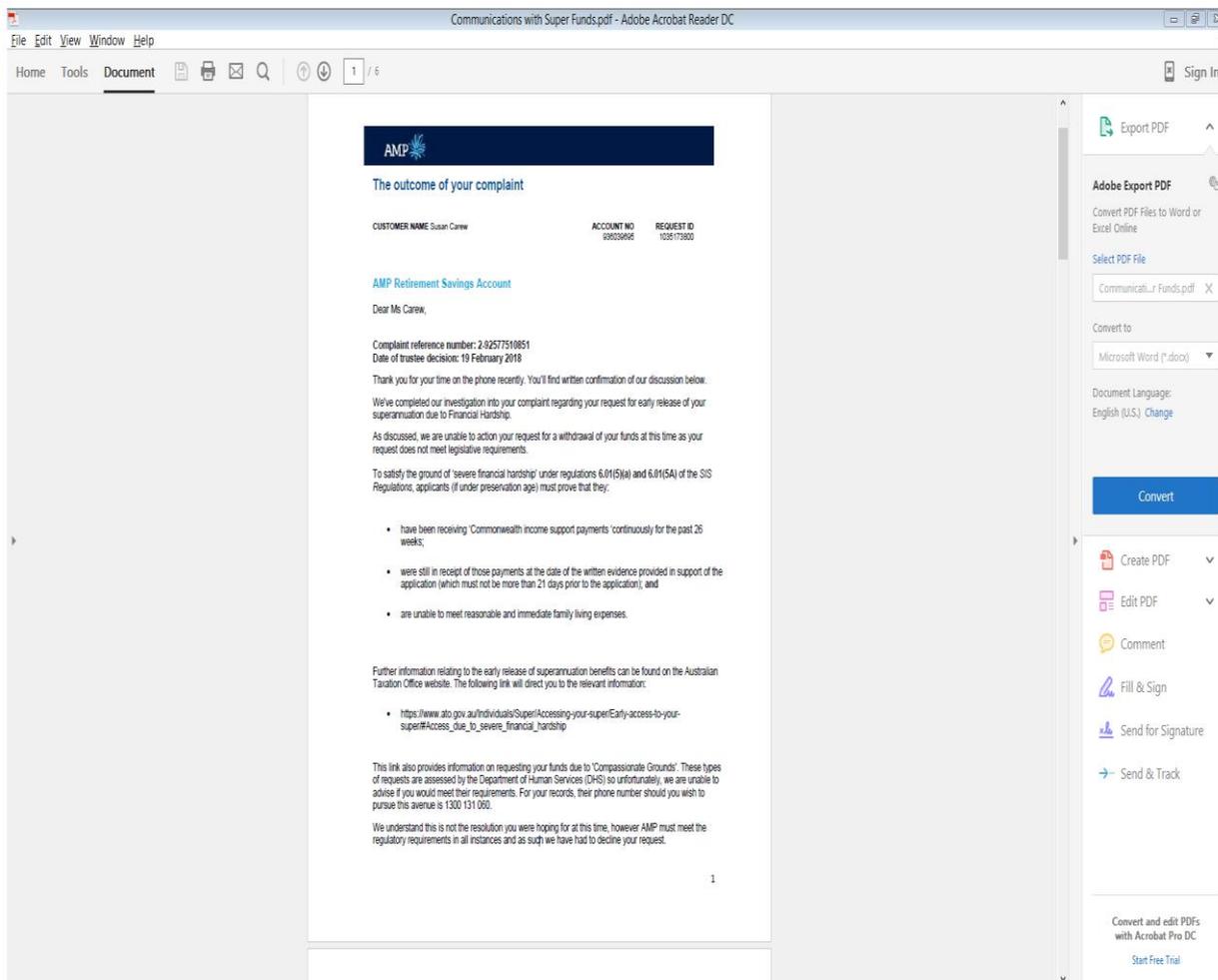
AMP Account: 936039695

I spoke to the person responsible for hardship cases and early exit from the Superfund. I explained that I have been cut off Centrelink (see attached) due to a conscientious objection to corruption in the Job Provider system. I am unable to take money as I feel a social responsibility to say no as taxpayers money is being rorted (see 7.30 report) <http://www.abc.net.au/4corners/the-jobs-game/6247206>. As a result I am seriously in financial hardship. I have found work very difficult as I am 53.

I have requested to have my funds cashed in as I require money for food, shelter, petrol and basic living. I am asking for the 22% fee to be waived given it is a lot of money for me in poverty and homeless. I have enclosed a Statutory Declaration as requested, a bank statement and ID licence. I did not receive the paper work that was to be sent to me in Emerald and am moving to a temporary place next week. So I ask this letter suffice.

My bank account is:  
Commonwealth Bank

This is the response from AMP. Zoom in to read clearly. I am unable to meet reasonable living expenses. I was long term unemployed on Centreline and was cut off due to conscientious objection to corruption. Human Services know I am long term, they know I have no assets, no income and in desperate poverty.



Application for release of benefit due to severe Financial Hardship. I provided Ausfund with a Statutory declaration and bank statement showing I have no income and am in severe financial hardship.

**Application for release of benefit due to severe Financial Hardship**

Please read all this information before completing the application

Generally you can only access your super when you permanently retire. However, in some circumstances, including severe financial hardship, you may be allowed early access.

To apply to AUSfund for a benefit on the basis of severe financial hardship you must first meet the following age-based criteria:

**If you are under preservation age plus 30 weeks, you must:**

- Provide a letter from Centrelink confirming that you have been continuously receiving Commonwealth Income Support for the 26 weeks immediately prior to your application.
- Prove that you are unable to meet "reasonable and immediate family living expenses".
- Complete the attached Application for release of benefit due to severe Financial Hardship.

**If you are over preservation age plus 30 weeks you must:**

- Provide a letter from Centrelink confirming that you have been continuously receiving Commonwealth Income Support for the 30 weeks after reaching your preservation age.
- Not currently be gainfully employed part-time or full-time.
- Complete the attached Application for release of benefit due to severe Financial Hardship.

**What is your preservation age?**

Under Federal legislation, your super benefits must be set aside (preserved) to fund your retirement. This means they must be retained within a complying super or rollover fund until a condition is met for a benefit to be paid (or 'released' under the preservation rules).

If you were born	Your preservation age is
Before 1 July 1960	55
1 July 1960 – 30 June 1961	56
1 July 1961 – 30 June 1962	57
1 July 1962 – 30 June 1963	58
1 July 1963 – 30 June 1964	59
After 30 June 1964	60

**Centrelink letter**

You must provide a current Centrelink letter which is dated no earlier than 21 days before the date of your financial hardship benefit application is signed. If you do not provide a current letter, the AUSfund Administrator may need to contact Centrelink to confirm your current details. If you do not agree to the AUSfund Administrator taking this action please phone the Administrator on 1300 361 798 or email [admin@ausfund.com.au](mailto:admin@ausfund.com.au) to discuss your options.

**Customer Reference Number (CRN)**

You need a CRN to do your business with Centrelink. You will need to provide this so we can confirm your current details with Centrelink.

**How much can you apply for?**

You can only claim up to \$10,000 (including any tax payable) once in any year. The maximum amount that you can be paid from AUSfund also depends upon:

- How much you have in your AUSfund member account.
- Your income and expenses included in your application.
- The amount of tax that AUSfund is required to deduct from any benefit paid to you.

**Statutory Declaration**

Part of the claims process requires that you complete a statutory declaration that all of the information you supply in the application form is true and correct. A list of persons who may witness your declaration is on page 2.

**Provide all requested information**

If you require your application to be quickly assessed, you must ensure that all information requested in this application form is provided. If you are unsure about how to answer any question or need any further information in order to understand your entitlement please contact us on 1300 361 798 or email [admin@ausfund.com.au](mailto:admin@ausfund.com.au).

**Payment**

Payment will only be made into a bank, credit union or building society account. This would usually be the account into which your Centrelink payments are made.

**Tax File Number (TFN)**

Under the Superannuation Industry (Supervision) Act, 1993, AUSfund is authorised to collect your TFN, which will only be used for lawful purposes. These purposes may be changed by future legislation. Your TFN may be disclosed to another superannuation provider if your benefits are being transferred, unless you request in writing that your TFN is not to be disclosed to any other trustee.

You do not have to disclose your TFN and it is not an offence not to do so. But, providing your TFN has a number of advantages including a lower tax rate on contributions and income.

**Privacy**

Personal information which you provide on the Application is subject to the terms of the Privacy Statement applying to AUSfund. A copy of this statement is available at [ausfund.com.au](http://ausfund.com.au).

**Mail your application**

We cannot accept faxed or emailed application forms. Application Forms must be mailed to:

AUSfund Administrator  
Locked Bag 5132,  
Parramatta NSW 2124

Page 1

This is the response from Ausfund.

**AUSFund Admin**

to me

Jul 30, 2018 (4 days ago)

Dear Susan

**We need your help to complete your request**

**Member Number: 11594569**

Thank you for your email and **Minister's** letter in regards to early release of superannuation on the grounds of financial hardship.

Please be advised that the trustee had reviewed your claim and **unfortunately** it has not been approved.

As the requirement/eligibility for any types of claim must be met before any benefit payment can be made, and the trustee has very **limited discretion** in deciding whether the evidence provided to support a specific claim type is satisfactory. **Until your eligibility is approved by DHS**, we are unable to proceed further with your financial hardship claim.

**For more information**

If you require any further information or assistance regarding this matter, please contact the

AUSfund Customer Service Centre on **1300 361 798** or email [admin@ausfund.com.au](mailto:admin@ausfund.com.au). You may

also like to visit our website at [ausfund.com.au](http://ausfund.com.au).

Yours sincerely,

**AUSfund Administration**

Locked Bag 5132

Parramatta NSW 2124

Telephone: 1300 361 798

Email: [admin@ausfund.com.au](mailto:admin@ausfund.com.au)

Website: [www.ausfund.com.au](http://www.ausfund.com.au)

Industry Funds Investments Limited (IFI) ABN 17 006 883 227 AFSL 229881

Trustee of Australia's Unclaimed Super Fund ABN 85 945 681 973

### 6.8.5 Letter 23/8/2018 Human Services re: Debt, Rorting and Entitlements

The letter below is questioning the debt and the income I have foregone due to being cut off for conscientiously objecting to the rorting of the Job Provider system.

In economics income foregone is called 'Opportunity Cost' which is income support forgone calculated to be **\$13,142**. I have provided evidence that the corruption in the Job Provider system is widespread.

It was reported in The Australian (31/10/17, refer *Illegality, Failing job sites branded 'a mess'*) that Agencies are handed **incentive payments** four weeks after a client starts a job and again at three months and cumulatively can get up to **\$13,750** at six months if the client stays in the job. This is equivalent to **nearly 1 year's unemployment payment** to live on.

Is it a reasonable policy for a Job Provider **rorting** the system to pay incentives for a person working (regardless of whether they got them the job) as compared to an unemployed person stating **conscientious objection** to corruption is cut off Centrelink losing the equivalent money and being plunged into homelessness?

Is this working in the best interests of a private Job Provider or the unemployed person?

Other issues refer to Centrelink or Human Services stating that they have attempted to call you when it is clear they have not. There is no SMS record, missed call or no phone.

If Centrelink expects honesty and integrity it must itself operate by those standards.

23 August 2018

NO FIXED ADDRESS

No mobile

Email: [peacefull@worldpeacefull.com](mailto:peacefull@worldpeacefull.com)

Human Services/Centrelink

My Gov Online

Dear Sir/Madam,

I have recently been in touch with Centrelink indicating I had not received this invoice as my last payment was 12 October 2017 and Newstart was cancelled on 17 October 2017 because I couldn't reengage given my corruption concerns. Had I reengaged the debt would not be active. I have missed out on 24 payments (until today) of which I believe I have a constitutional right given I am unemployed and entitled to welfare payments and the right to say no to corruption. The amount is approximately \$13,142.40 which I believe Human Services has underpaid me due to the government obligation under the Australian Constitution to provide welfare payments (Section 51, sub section 23a).

My concerns about corruption have been validated by statements in the Productivity Commission report titled

SUBMISSION: PRODUCTIVITY COMMISSION INQUIRY INTO HUMAN SERVICES – IDENTIFYING SECTORS FOR REFORM

A key quote is as follows:

“...Meanwhile, an independent review into erroneous claims of a particular outcome payment, the Provider Brokered Outcome payment, found that over-claiming was widespread and possibly, in some cases, fraudulent (Butterworth 2012). In 2015, the ABC’s Four Corners also reported allegations that a provider had been making fraudulent outcome claims under a Job Services Australia contract (Four Corners 2015)...” (pages 8,9)

Refer [https://www.pc.gov.au/\\_data/assets/pdf\\_file/0019/205129/sub268-human-services-identifying-reform.pdf](https://www.pc.gov.au/_data/assets/pdf_file/0019/205129/sub268-human-services-identifying-reform.pdf)

I have since asked the Minister Keenan via Stephen ~~Law~~ Jury (MP Sukkar) to send me a letter assuring me the corruption is not happening. I have had no response. So what do I do?

In respect of MyGov letters and SMS. I have mentioned before to Centrelink that I did not receive the SMS re: appointment with Centrelink.

I was not aware of the debt invoice but have recently cited this debt to Centrelink online. I realised a debt had occurred as I reported to Human Services that a car had been filming the house I was staying at. I was very concerned by this given I am homeless (and still am homeless). It was the Probe group who told me Human Services had instructed them to recover the debt knowing full well that I had no income and was homeless. This has deeply concerned me as it seems to me they are suspicious and I would ask – of what? I am a conscientious objector of the Job Provider system and there is absolutely no way I will reapply for Centrelink as I believe the system is toxic, bullying through compliance and that corruption is happening.

Ethically I have high principles and I will not be subject to abuse. I’ve already experienced abuse and the suicidal matter is related to it. I cannot subject myself to this type of toxic system.

I have expertise in anti-bullying and I am deeply aware of how the system itself is detrimental to health and safety. I have stated before that the Job Provider system doesn’t work and the obligations are onerous and I have come to realise it is about making profits for these companies not helping people such as myself. I am deeply disappointed by this.

I have been in touch with Stephen Law assisting MP Michael Sukkar (member for Blackburn) and informed them of a debt asking questions about relief and if there is interest given I am homeless with no income. Only recently, I contacted Centrelink when I noticed the actual debt invoice which I was unaware of. Centrelink stated they had attempted to call me (via SMS email) as they clearly did not see my second online message stating I don’t have a phone and email is the best method. I was forced by the online form to put one in as it will not process otherwise. So I used an old number which again I informed Centrelink about. I do not visit MyGov as I am not on Centrelink I have asked for advice on this from MP Sukkar’s office but have had no answer. They have not been helpful at all. I have asked if there is interest on it and for this debt to be relieved. There is no response. I recall around the time I did inform Centrelink of my house eviction June/July 2017 and to stop rent assistance, there was no response. I wrote several times to inform them. I was experiencing deep distress at the time, I felt suicidal, my home was evicted and I had real concerns about where to go. I had a bullying incident and some months later a cancer situation. The delay is due to no response and my own distress. I do not believe I owe Centrelink anything. Welfare recipients are already on incomes under the poverty line yet they are aggressively pursued. I am deeply concerned about this type of process as I am sure it will send people over the edge who are already in difficult circumstances. I have not found anyone compassionate or sympathetic about my personal plight or basic fairness.

I definitely appeal this but I have found through past appeal’s I get no-where. I am not going to the Administrative Appeals Tribunal as I am still feeling distressed and am still in a desperate financial situation I cannot afford to go into the city. I have attempted so many times to have my

superannuation released under compassionate grounds. Minister Keenan wrote to me and indicated that the super funds have the final say. AMP indicates the ATO and Ausfund states 'no', that clearly homelessness and no income does not warrant the title 'compassionate grounds'.

I find the situation with Centrelink and Human Services detrimental to mental health and I am not being adequately informed or answered in order to know where I stand. I actually feel I am being **persecuted by Human Services for my contentious objection**. This is a legal statement it is not an objection to Job Providers per se, it is a stance to not participate in activities I believe are illegal. Rather than respect this as a democratic right it is viewed as non-compliance which is completely untrue. **I have a duty as a citizen to say no to corruption and abuse**. I believe there is no duty of care and that people like myself in this situation are viewed as either compliant or non-compliant.

I was not on any contract with any Job Provider when I returned to Melbourne in last year. Job Prospects, a private company, had no right to demand that I attend an appointment when there is no agreement between us. They appeared to not hear me say not only on a voice message but via email that I do not agree to join them. I was not in an agreement with any Job Provider at the time. This is a fact that no-one addresses I have a right as a citizen to say no to a private company that I do not want their services. I have not breached the contract I am concerned about corruption.

I regard the debt pursuit as a form of criminalisation given my vulnerability as I cannot pay it, I cannot pay it off as I am still in a desperate situation that no-one is responding inclusive of the Human Services Minister Keenan and MP Sukkar. I have been informed I am not in an equal partnership with Centrelink and am personally concerned at the **inequality as this means 'no rights'**.

I request formally this debt be removed on the grounds that I did attempt to notify Centrelink at the time, the fact I was suicidal, homeless and deeply distressed are important factors that should be taken into account in an administrative decision by the Minister rather than forcing people to go to the AAT which most vulnerable people will be fearful of, **most will submit which is not justice or fairness**. The amount is small (\$264) which is to do with overpayment of rent assistance which in truth should be available given homelessness is far more expensive than rent as you have to find places to live.

The lack of understanding and the ignorance around homelessness is evident. I am aware you cannot know this unless you lose everything yourself and go through it.

I am concerned about surveillance as the bullying issue I was subject to was in response to my asserting my rights and going through unbelievable difficulties. **I have a real issue with surveillance as it distresses me as a woman and I feel unsafe when I know the intention behind it is to not help me but to harm me**. I am an honest person and my life has been dedicated to values and peace. I ask for any surveillance to stop and to not use this debt to justify intrusive surveillance **which I do not believe is about repayment**. I am concerned at vilification. If it is still occurring I would like to be notified so I am aware otherwise it is a breach of my privacy, this includes digital monitoring of my online activity. I do not give consent to profiling, tracking on any level. The digital landscape I believe is a massive breach of citizens' rights and privacy.

I would like a formal response to my request via my personal email for debt relief and if I am being surveilled in any way as a result of this debt and if this ever ends. If it is not struck out I am requesting reasons given homelessness and \$1.23 in my bank account with **no income at all** and no assets. I would like to know why I can't get a letter from Human Services to confirm my hardship to give to the Super funds given my constant contact about homelessness and the fact the Department is aware of my desperation. I can easily prove no money my bank account is evident. How am I surviving? A friend is bringing me food and I am house sitting. I have no

income. I require **resolution to this matter** as the longer it goes on I do at times experience emotional turmoil as I feel so isolated. I experience uncertainty over my future. I believe I have a write to Social Security and superannuation as a citizen for the reasons I have mentioned, with respect.

My nature is a positive one, I am a person that will do anything for anyone and will always meet in the middle. I believe in a just, kind and fair Australia that is grounded in democratic principles where we all work together to improve our country for everyone. I have done my best in so many areas to make positive contributions but I find it is so difficult to gain a foothold, to gain any assistance that is respectful and to have my privacy and rights protected. Sometimes it gets too much and I really don't want to be here. However, I have to push through and keep positive believing good people are in this system who will stand up for those of us who advocate for decency, democracy and constitutional rights.

Best wishes

Susan Carew

## 6.8.4 Official Letter 11/9/18 from Patrick Cremen on behalf of Minister Keenan

The letter was emailed to myself from Mr Jury on 11/9/18 and dated 24/8/18 (3 weeks later). It states the debt was waived on the 3 August 2017 and that it is an administrative error. The invoice was issued on 23 September 2017 and note there is no robo debt ATO tax matching. The invoice was issued after it was waived to use debt to justify surveillance. I have stated to Mr Jury that I have no phone to call Treasury and asked for an email which was refused. I noted the signatory is not the same person. I asked again for superannuation to be released on financial hardship grounds.



I have emailed Stephen Jury assisting MP Michael Sukkar on 12 September 2018 outlining misinformation and no action taken to actually release my superannuation. I have not received a response to my distress. I am not eligible on compassionate grounds given criteria and clearly **I am eligible as I cannot meet family living expenses**, as follows:

From: peacefull@worldpeacefull.com Add to Whitelist  
To: Jury, Stephen (M. Sukkar, MP) <Stephen.Jury@aph.gov.au>  
Sent: Sep 12 '18 17:22  
Subject: RE: A few more questions

Dear Stephen,

This is the information on the ATO site, it is the **same information I have accessed** in the past several times. The problem is **homelessness is not cited nor perceived as severe financial crisis**. I have already explained the super funds said no. The Minister said no given I am not on Centrelink. I have been sent back to the superfunds, they sent me to the ATO and now this last letter sends me to Treasury and you then send me back to ATO again. It is the same problem. I can't access as I am not on Centrelink and my situation does not *fit criteria far less* than my situation.

This is distressing.

[Pasted]

Access on **compassionate grounds**

You may be allowed to withdraw some of your super on compassionate grounds. Compassionate grounds include:  
paying for medical treatment for you or a dependant  
making a payment on a loan to prevent you from losing your house  
modifying your home or vehicle for the special needs of you or a dependant because of a severe disability  
paying for expenses associated with a death, funeral or burial of a dependant.

To find out more about the eligibility criteria to access your super on compassionate grounds refer to Access on compassionate grounds - in detail.

See also:

How tax applies to your super – in detail

Access due to severe **financial hardship**

You may be able to withdraw some of your super if you have received eligible government income support payments continuously for 26 weeks and are unable to meet reasonable and immediate family living expenses.  
A super withdrawal due to severe financial hardship is paid and taxed as a super lump sum.

The minimum amount that can be paid is \$1,000 (unless your super balance is less than \$1,000) and the maximum amount is \$10,000. You can only make one withdrawal from your super fund because of severe financial hardship in any 12-month period.

There are no cashing restrictions under severe financial hardship if you have reached your preservation age plus 39 weeks and you were not gainfully employed on a full-time or part-time basis at the time of application.

Contact your super fund to request access to your super due to severe financial hardship.

It is interesting to note that superannuation is taxed and exit fees applied which is hard to reconcile when in severe poverty. The monies should be immediately forthcoming without charges. Clearly, I have contacted my superfund and was refused even after I submitted a bank statement and affidavit to them and Human Services.

The problem I face is I cannot even access homelessness services as I am NOT on Centrelink. So those without income support cannot access any short term or crisis funding, there is no support or referrals to ensure a person's wellbeing.

### 6.8.5 Official Letter 13/9/18 re: Department Jobs and Small Business

This letter below I have just received at the completion of this submission. I will include the email I sent to the author who has no name and a signature that seems obscure. What I have found curious is that I am unable to download this letter (failed network error) which is the same issue I had when I sought to download my letters from MyGov. Not one would download. This prevents welfare recipients from keeping an electronic copy. I can screenshot this file and reproduce here for the inquiry (zoom in). The onus is on myself providing specific information as if the general public outcry is not enough. It does not inspire trust and avoids responsibility and transparency.



The following is the email that was sent with the letter and my email response.

-----Original Message-----

From: Employment - Webmaster\_PaLS\_Employment

Webmaster\_PaLS\_Employment@jobs.gov.au>

To: peacefull@worldpeacefull.com <peacefull@worldpeacefull.com>

Subject: MC18-002726 – Correspondence from the Department of Jobs and Small Business  
[SEC=UNOFFICIAL]

Sent: Sep 26 '18 13:13

Unofficial

Dear Ms Carew,

Please find attached correspondence from the Department of Jobs and Small Business.

You will be unable to respond to this email; please contact the original recipient of your sent email should you have any further queries or comments.

Department of Jobs and Small Business

The above email has been sent without my request. I do not understand what the message means. I do not know what it means that I am unable to respond, I sent an email and it went through. Moreover, who the original recipient is I have no idea as the signature does not reveal any name. What I see here is just another buck passing exercise, no real person to communicate with and no respect. There is no consideration whatsoever as to the amount of trouble they put me to, to continue writing endlessly and receive no answers. The letter makes clear it is up to me to prove.

My email response is overleaf.

From: peacefull@worldpeacefull.com  
To: Employment -Webmaster\_PaLS\_Employment  
<Webmaster\_PaLS\_Employment@jobs.gov.au>  
Sent: Sep 27 '18 11:04  
Subject: Re: MC18-002726 – Correspondence from the Department of Jobs and Small Business  
[SEC=UNOFFICIAL]

**Attachments:** productivity commission.pdf (735.16 KB)  
ABC Four corners transcript 23rd February 2015.docx (47.80 KB)

I have just received a letter from who I have no idea as the signature is not clear nor the person who has written it, I would like to know who has corresponded. I have explained very clearly to Minister Keenan and MP Sukkar that the issue is the general rorting of the Job Provider system, my treatment as a person homeless and without income and the inequality in the system which is clearly evident. I made clear that I have not received a job interview and that all my questions have not been answered by Centrelink, Human Services, Social Security, DEEWR and now the Department of Jobs and Small Business. Again, the onus is on myself to provide information not the other way around. This is the very inequity I am communicating about.

I have asked for an assurance from the Minister Keenan that there is no rorting in the system, it is a simple case of providing a letter assuring me. The onus of proof is not on myself as the Productivity Commission Report (which was cited to Centrelink) has made clear the rorting is widespread. That is a fact. So given this I am not confident that the system is ethical and I am certain my needs are definitely not a consideration.

This process of making the job seeker provide information is not good enough when it is evident there is a clear evidence base provided by a range of community organisations, job seekers and even Job Providers. The onus is on the Government to make clear to citizens that the Job Providers are engaged in ethical behaviour and that they have stopped the rorting. I noted Ors is still in contract. I have undertaken the research provided a report to Centrelink on 'Compliance or Democracy' making the case clear. You only need access my file to know my views.

The fact that the Department of Employment has changed to Department of jobs and small business makes clear that job seekers are matched with the lowest paying jobs and casualised. The problems run so deep that I can't bare to discuss this again as I have written a great deal. The system does not work for citizens and it is unequal and unethical.

The fact that no-one has answered my questions does not encourage me to enter dialogue with yet another person. All I require is evidence that there is no rorting and that my needs will be met rather than myself having to fit the needs of a Job Provider. I am not interested in helping them make profits at my expense.

Attached is the 7.30 Report information which is still relevant. The Productivity Commission Report makes it clear.

Regards,

Susan Carew

## 6.8.6 Media Articles:

### 6.8.6.1 Centrelink scandal: tens of thousands of welfare debts wiped or reduced

Data shows 7,456 debts were reduced to zero and another 12,524 partially reduced between July last year and March

[Christopher Knaus @knausc](#)

Wed 13 Sep 2017 09.23 AEST Last modified on Wed 14 Feb 2018 15.14 AEDT

Newly released figures show high numbers of inaccurate Centrelink debts in areas of western Sydney, Bundaberg, Mackay, Toowoomba and the NSW central coast. Photograph: Matt King/Getty Images

At least 20,000 [Centrelink](#) debts were either wiped or reduced in a nine-month period, newly released figures show.

The data, tabled in parliament this week, confirms what was already known about extent of [problems with the so-called “robo debt” system](#).

It shows **7,456 debts were reduced to zero** and another **12,524 were partially reduced** but not wiped entirely, between July last year and March.

For the first time, the data gives a **geographic** understanding of where debts were issued. It shows high numbers of inaccurate debts in areas of western Sydney, Bundaberg, Mackay, Toowoomba, the New South Wales central coast and around Cranbourne in Melbourne’s south-eastern fringes.

Outer suburbs of the Gold Coast, Hervey Bay and Ipswich in Queensland were also listed in the top 20, as were Ballarat and Werribee in Victoria.

But lawyers have warned the statistics do not give a complete picture. The data only reflects **debts where a review or appeal took place**.

Victoria Legal Aid’s executive director of civil justice, Dan Nicholson, said the most vulnerable and disadvantaged groups were **less likely to have appealed**.

“I think on the face of it, it’s a shocking number of **wrong debts** to be alleged but in fact the most concerning thing is the very large number of people who would **not have challenged** their debts, and would now be paying back debts that were wrongly or **unlawfully** raised against them,” Nicholson said.

“We know those people are most likely to be the **most disadvantaged** in the community, and therefore the people that it may affect the most.”

The human services minister, Alan Tudge, has insisted the system is capable of calculating debts fairly. He pointed to the [ombudsman’s report earlier this year](#), which made a string of criticisms of the system but found it was able to accurately raise a debt, so long as it was provided with the **proper information**.

“Of course, if someone provides new accurate information, then a different debt figure is calculated. This has always been the case,” Tudge said. “The percentage of online compliance system debts subsequently reduced to zero after the welfare recipient has provided further information is almost identical to under the old manual system – about 3%.”

Criticism of the system [began just before Christmas last year](#). From July last year, the government introduced a new way of clawing back debts from welfare recipients.

It removed a layer of human oversight from an automated data matching process, which compares an individual’s **tax records** with the earnings they have reported to Centrelink.

Where previously compliance teams would manually check discrepancies in tax and Centrelink records, the new system immediately sent a letter to the welfare recipient.

That shifted the onus to [disproving the debt on to vulnerable Australians](#). It also allowed the government to significantly ramp up the scale of its **debt recovery program**.

It shifted people to use a [new online tool to prove their entitlement to welfare](#), often forcing people to find payslips that were up to six years old.

Thousands of letters were sent to the wrong address. Others were either ignored or not understood.

If **no response** was received, a debt was raised against the individual. A longer period of non-response would see the debt referred to an **external debt collector**.

“The [online compliance intervention] project effectively **shifted complex fact-finding and data entry functions from the department to the individual** and its success relied on its usability,” the [ombudsman’s report found earlier this year](#).

The process also led to **flaws** in the calculation method.

If no response was received, Centrelink would use an “income averaging” method to calculate the debt.

The method takes an individual’s **annual** income and averages it over Centrelink’s 26 fortnightly reporting periods, thereby assuming an individual had worked for the entire year and was ineligible for welfare.

“The obligation on Centrelink is not to raise a debt unless it is satisfied it exists in the relevant amount,” Nicholson said. “Its job is to use its powers fairly and accurately, not to go on a fishing expedition and expect people to do hours work to correct Centrelink’s basic mistakes.

“We think there are real doubts about the **lawfulness** of the approach they have used.”

In a joint statement, the shadow human services minister, Linda Burney, and the Labor MP Steven Georganas called on Tudge to apologise to the 20,000 individuals.

“These are absolutely shocking results and reveal the extent to which Mr Tudge has fudged the management of the **robo-debt** debacle,” they said. “**Minister Tudge made them feel frightened, anxious and like criminals, and he should apologise.**”

### 6.8.6.2 Centrelink and Big Data

It is noteworthy to consider the issue of **big data**. This connects to **Digital Transformation and 21<sup>st</sup> century Smart Cities**. The Smart Cities project has come from the United States Government (Clinton) and IT industries, premised on Silicon Valley of IT technologies used to run city functions and interconnectivity. In Australia, a brief flirtation with the Multi-Function Polis plan was attempted in South Australia and to be funded by the Japanese. The Smart Cities initiative is not about a knowledge society but rather an information revolution of data capture, personalisation and tracking. The National Broadband Network (NBN) means no data is lost (Malcolm Turnbull stated) as data gathering is possible with IT technologies which can monitor across a full spectrum of devices. There is evidence that technologies can scoop up data in proximity to a device replicating an tower e.g. StingRay is an example and is commercially available. StingRay is used by police, private investigators, security and companies. There are major privacy and data protection problems with Digital Transformation which has not had appropriate oversight or public scrutiny. Digital Transformation is in the Human Services portfolio, and given my experience of being tracked and surveilled when homeless with no breach or crime, surveillance can be used to invade privacy and investigate persons of interest (POI's). I have concerns that the debt was initiated due to conscientious objection and my letter of 28/9/17 critiquing the entire Job Provider system and raising significant concerns of corruption. Now if a debt means that the government is justified in surveillance to recover debt, inclusive of ASIO, then it can be used for political purposes. That is my concern given my community journalism and peace pro-activism perceived as 'left' wing. Intrusive investigations not based on any crime but more a risk management threat or negative worldview. This is particularly the case if dissent or whistleblowing leads to legal implications and potential criminalisation. Thus, Digital Transformation can become the basis for a police state which Andrew Wilkie (former intelligence officer, Office of National Assessment) has raised recently in the media. Concerns for corruption have not been responded to effectively in the Job Provider system as the companies who were breaching as highlighted in the ABC 7.30 Report are still active. This raises questions as to why? **If welfare recipients are not heard when they raise issues or responded to by actioning some form of misconduct policy, it means that corruption will not be investigated or acted upon.** This, combined with a surveillance capacity and use of debt notices, can create an environment of **no checks and balances**, independent oversight and the potential for serious abuse of power, bullying and vilification. The privacy of welfare recipients must be protected by law, parliament and a vigilant civil society.

The welfare sector represents the poorest people who are not paid enough to live with their basic needs met (under poverty line). Further questions must be raised about **cash jobs in respect of trying to make ends meet**. People may take on extra cash jobs to pay electricity bills, to pay skyrocketing rents and food. Of note historically, the convicts who came to Australia were those who stole because they were desperately poor. This was criminalised in Britain and they were sent to the colonies. I would like to think we are able to evolve past primitive thinking that targets and victim blames the poor. Why can we not develop empowering systems that exploit the potential of people? That monitors for opportunities? That gives incentives to encourage civics and citizenship? Imagine that type of world.

I have **offered Centrelink my services** to empower those who feel: marginalised, to develop their self-esteem, values, skills and positivity, but this was not responded to or acted upon.

## Centrelink debt notices based on 'idiotic' faith in big data, IT expert says

[Christopher Knaus @knausc](#)

Fri 30 Dec 2016 05.49 AEDT Last modified on Wed 14 Mar 2018 03.33 AEDT

Lawyers, Privacy advocates and Data experts join calls for Centrelink's data-matching system to be suspended

We've all got bank accounts, we've all got tax returns, we've got people on Centrelink ... you touch the government all the time,' says Kat Lane from the Australian Privacy Foundation.

Centrelink's error-prone debt recovery system has been slammed for **placing blind faith in big data** and prioritising "efficiency over human welfare", as lawyers, privacy advocates and data experts join calls for it to be suspended.

Labor has continued to press the Coalition to stop Centrelink's automated debt recovery system, which senator Doug Cameron described as a **deliberate targeting of the poor and vulnerable**.

The government's automated compliance system, which began in July, has been the subject of repeated complaints, which stem from its [comparison of income reported to Centrelink](#) and information held by the Australian Taxation Office.

It has been accompanied by [threats of jail for those who do not pay](#), a **joint police-Centrelink** campaign targeting geographic areas, the imposition of a **10% debt recovery fee** and plans to charge interest on welfare debts and remove the **six-year statutory limit** on retrieving overpayments.

### 6.8.6.3 A crackdown on welfare while the richest pay no tax? It's one promise the Liberals kept

*Van Badham*

Legal Aid Victoria, the Australian privacy foundation, the Australian council for social service, and [independent Andrew Wilkie](#) have all raised serious concerns, urging the human services minister, Alan Tudge, to intervene.

IT and data expert Justin Warren – who has worked for IBM, ANZ, Australia Post and Telstra, among others – said Centrelink's system appeared to rest on the "idiotic" assumption that **"big data was magic"**.

"It's not. It's a messy, complex, statistical system that is wrong a lot," Warren said. "All models are wrong, but some are useful. It's the choice of how you deal with when the system is wrong that reveals **how you view the world**."

Once a discrepancy is detected by the automated data-matching process – currently occurring at a rate of **20,000 a week** – the onus then falls on welfare recipients to prove they were entitled to claim benefits, often forcing them to find payslips and employment information from up to six years ago.

"What the department has done, however, is placed all the work of proving an error exists on the humans **they are supposed to serve** (the clue is in the name)," Warren said. "The humans have to do a bunch of paperwork to prove the machine is wrong."

"Prioritising efficiency over human welfare is just one choice among many. I don't think it's the ethical choice."

The Australian [Privacy](#) Foundation described the system as a "clusterfuck", that wrongly assumed the initial data matching was accurate and then **abandoned procedural fairness**.

“There’s so much that can go wrong here that it’s astounding,” the foundation’s chair, Kat Lane, said. “And **falsely accusing** people of things, and sending them letters, and particularly some of our most disadvantaged people ... you’d want to make sure you got it absolutely right before doing that.”

Lane said the **sharing of data en masse should also cause significant privacy concerns** for Australians.

“This is just the thin edge of the wedge, there is a clear plan to do comprehensive data matching of every silo of government,” Lane said. “It’s tracking, **you’re tracking your citizens**. You can’t live under a rock, we’ve all got bank accounts, we’ve all got tax returns, we’ve got people on [Centrelink](#) ... you touch the government all the time.

“But what they want to do is track you, they want to gain efficiencies by tracking you.”

The government has continued to express its confidence in the compliance system, saying customers are given the opportunity to dispute discrepancies they believe to be incorrect.

The vast majority of disputes, they say, are resolved without the need for individuals to obtain payslips or letters from their old employers.

But [Guardian Australia last week spoke with a Centrelink whistleblower](#), who works in the compliance area. The source said only about 20 of the hundreds of cases they had reviewed turned out to be legitimate debts

Victoria Legal Aid said there were real problems with using such an imprecise method of comparison.

The organisation’s civil justice, access, and equity executive director, Dan Nicholson, said it was inconceivable that such a flawed approach would ever be used to levy tax debts to corporations.

“So it’s hard to understand why it’s acceptable for Centrelink to do so,” he said.

“I agree with Acss that the system should be suspended until concerns are addressed.”

Nicholson called on those who felt they had been wrongly billed to consider challenging the decision.

He said most people who did so had a good chance of winning, but warned that many would simply pay without bothering to check if the debt was justified.

The opposition renewed calls on Thursday for the system to be suspended.

Cameron said the system should not be relying on a “robot” to deliberately target the poor.

“It’s deliberate, the cross-matching is a deliberate decision by the government to target welfare recipients. A deliberate targeting of some of the most vulnerable people in the community with a crude, inaccurate system,” Cameron said.

“We say suspend the system, do the analysis, do a proper check on what is being asked of individuals.”

## 7.0 HOMELESSNESS AND NO ACCESS TO ESSENTIAL SERVICES

The privatisation of welfare has had the impact of removing citizens' rights and government accountability for abuses and corruption. Moreover, the toxic nature of the system, the lack of interest in the needs and wants of the unemployed, the human rights violations (form of slavery) of Work For The Dole without any opt out, no right to a fair or independent hearing and the primary goal of profit making for private companies can culminate in homelessness if a person objects to illegality.

The challenges experienced by the unemployed and those who become homeless is lack of understanding of the reality experienced. In my experience I have had to explain to many people that I am homeless and I have no income to have this met with no response, no involvement, no referral and no genuine interest. I am trained as a peace educator and conflict resolution specialist (Rotary in Bangkok) and I have training programs on communications and building empathy. I am very aware that people have selective attention and that they don't even realise they filter out what is being said or they find it uncomfortable so suppress their discomfort or do not know what to say or do. I have come to understand the indifference or inability to respond is due to no personal experience in these areas or it is normalised as part of a collective inexperience where poverty and homelessness are not understood. Thus ignorance is evident. The communications when dealing with those who have life difficulties is inadequate and problematic given people may be on the edge of suicide. It is a serious issue largely ignored as there is a low skill base in dealing with the reality of despair, depression and dislocation in society. Yet these skills must become a priority in Human Services, Centrelink, Social Security and the Departments who are responsible for policy. The transfer of public sector welfare services to the private sector is extremely concerning given some of the multinationals have been responsible for the refugee detention centres and their lack of compassion and empathy for the most disadvantaged people is documented by Human Rights Watch, the United Nations, UNICEF etc. Welfare is not a profit making business but funded by the community to assist those in disadvantage, not all of those are interested in work or capable of work. This is a narrative that is ignored.

Below are excerpts from my time in Perth with Community First and Sarina Russo where I indicate my difficult circumstances and Centrelink letting people know my homeless situation, as follows:

- **Community First (Job Providers may not accept job seekers given longevity):**

Email on Wednesday, 17 April 2013 10:02 PM: *"...This is not personal Mark in anyway, I am doing my best on the job front but this transfer business is becoming a problem in that I am house sitting as I cannot afford rent, at the moment I am in the North of Perth, on Friday I am given a bed in the Hills and then after that who knows. It is hard enough keeping a roof over my own head let alone having to deal with service providers for one reason or another refusing to take me. That is not a fair process..."*

(no response to poverty)

- **Letter to Social Security, 3 May 2016 (re: homelessness):**

*"... I am prepared, as indicated in my letter to the Job Provider, to live in my car, as I won't be able to pay rent if my payments are stopped, I have no other income support. I believe strongly in democracy and activities that will further my chances of gaining employment. I am keen to utilise my skills for the benefit of our society. I hope there may be other pathways you can assist me with. For example training in OH&S Certificate IV could be very helpful in gaining me access to work in companies in the OH&S area with a specific focus on training in workplace bullying. Is there funding available?..."*

(no response to distress)

- **Online Centrelink (late October 2017)**

*"I wrote to Centrelink (upload) on 23 October 2017 to communicate my concerns about the ethics of Job Providers, the fact I've never had an interview when I am highly skilled and the reports reported in the media. Moreover, in my letter to Centrelink I have raised concerns about inequality in respect of not in a equal partnership, insensitivity regarding my homelessness and desire to end my life. I have recently come back to Melbourne to deal with a bullying issue and do not intend to reside here permanently, only until the issue is resolved. I consider the Job Provider system unequal and clearly Centrelink regards me as not an equal partner as was indicated in my phone conversation with Centrelink staff discussing my homeless situation*

SPEAK UP <worldpeacefullempowerment@gmail.com> Oct 24 (2 days ago) to Thomas <ThomasM@jobprospects.com.au>

Dear Thomas,

*I responded to your first message of an appointment with a voice message. I have said that I have not agreed to join your Job Provider as I am in Melbourne temporarily dealing with a **bullying issue**. I was astounded that you sent a message to Centrelink indicating I had not complied with an appointment. The fact you invited me with one day's notice indicates no interest in whether that is convenient to me or if I indeed wish to join your agency. I have not agreed nor do I have a contract with Job Prospects and I would like to know how my file came to you and **how you have the authority to cut off my payments** when I am **homeless** and not affiliated with your agency. Can you please explain why this happened? I have **no source of income** and I do not wish Job Prospects to manage my case. I have written to Centrelink and explained my situation and my perspective.*

*Regards,*

*Susan Carew  
WorldPeacefull*

Thomas M <ThomasM@jobprospects.com.au> 1:51 PM (18 hours ago) to me

*Centrelink will automatically assign you with a Job Provider that will assist you with looking for work. This is one of the requirements of being on a new start allowance. When you don't come to an appointment then we have to inform Centrelink that you have not completed part of your mutual obligations. While you do not have to be connected to us at job prospects you are free to chance to another provider. If you have any further questions please call and I would be happy to answer any questions.*

Thomas M Employment Officer, Job Prospects Level 2 104 Burgundy Street Heidelberg VIC 3084

Telephone: 03 9455 3910

Email: ThomasM@jobprospects.com.au jobprospects.com.au

(no response to my messages, bullying, homelessness, no explanation, no income, [not heard])

- **Letter to Centrelink, 28 September 2017**

*"...Last night I wanted to end my life again. I am not mentally unwell it is that I am dealing with a bullying situation that escalated and I have experienced real trauma. I did visit a psychologist in Melbourne and I didn't find this helped much other than document it. I have actually had **no help or real support and the homeless situation I am in leaves me in a situation where I feel displaced...***

*I did speak to an Officer from Centrelink over the phone in July regarding the medical certificate a doctor issued and homelessness. I told her my situation and she indicated that I **could not gain another mental health certificate from a doctor**. I was really astounded to hear this in a democratic country. I hadn't planned to gain another certificate as I was dealing with distress but I noted later that this would never have been said in a job situation. I noted the inequality and it concerns me greatly. There was no compassion in her voice or assistance given my suicidal feelings and homelessness... I found the attitudes, with respect to the persons involved, **ignorant and unaware of what I was going through and it was clear they didn't have training** on how to deal sensitively with this type of trauma of homeless situation. It required respect and empathy and a gentle approach to compliance requirements."*

(no response, no response to suicidal feelings or action taken, no support or duty of care)

- **Letter to Human Services 23 August 2018**

*"...I was not aware of the debt invoice but have recently cited this debt to Centrelink online. I realised a debt had occurred as I reported to Human Services that a car had been filming the house I was staying at. I was very concerned by this given I am homeless (and still am homeless). It was the Probe group who told me Human Services had instructed them to recover the debt knowing full well that I had **no income and was homeless**. This has deeply concerned me as it seems to me they are suspicious and I would ask – of what? I am a conscientious objector of the Job Provider system and there is absolutely no way I will reapply for Centrelink as I believe the system is toxic, bullying through compliance and that corruption is happening..."*

(no response, no response to surveillance, no income, homeless, conscientious objector, corruption)

- **Complaint and phone interview with Lucas 4 December 2017:**

He (the Centrelink officer) indicated he won't assess unless there is a medical certificate. I did point out earlier that Centrelink had refused a second medical certificate. Lucas did not think that was appropriate. The question of why an officer would negate any future medical certificate when a person is **homeless and suicidal** should be acted on. Lucas sought to check my postal address. I told him I am at no fixed address (homeless). He wondered about myself being notified I suggested pdf, my email or online account. He said they would send a text to ring a number. The problem for me is that it is not understood that I am homeless with no income. So phone credit is not possible now. Again, they seek to avoid email or any evidence trail clearly.

(Lucas was responsive, inquired about suicide and was concerned about 2<sup>nd</sup> medical certificate issue. I did feel some relief. However, you cannot be sure it goes anywhere, was it followed up? )

- **Phone call from Centrelink Officer (July 2017)**

Received a phone call from Centrelink staff on route to Brisbane. Told by Centrelink staff I would have to live in a city. There was no understanding or compassion or practicality of finding any shelter re: homelessness. I was told on this call I was not in an equal partnership when I contested this it was acknowledged outside of Centrelink I am. I regard this as prejudice inside of Centrelink and I would say these beliefs are normalised as the unemployed are in a policing form of compliance and it is evident they have no rights. Thus it is true to say it is unequal. Yet I do not agree to this as a citizen. It was evident no empathy or training in homelessness.

(no training in homelessness, crisis, empathy, communications, stated inequality and no rights)

- **Phone call from Centrelink, Brisbane, July, 2017**

Centrelink Officer, Brisbane called and in part requested...

He sought to check my postal address. I told him I am at no fixed address (homeless). He paused a long time. He then wondered about myself being notified I suggested pdf, my email or online account. He said they would send a text to ring a number. The problem for me is that it is not understood that I am homeless with no income. So phone credit is not possible now. Again, they seek to avoid email or any evidence trail clearly.

(no understanding of homelessness, asking for a postal address and pausing relayed distrust, there was no response to my crisis or offer of help)

I am going to try again and express the reality of homelessness. As I contemplated this I felt tears. For myself the real issue is the feeling of no-one caring about my wellbeing, my happiness and safety. I am 53 years old, I am a confident person and I am accomplished in my life. When I became homeless I was evicted and had a court matter where I had faced the same indifference to my rights and a disdain for my wellbeing. At that time I was extremely anxious as I felt stalked and fearful of being set up for raising sexual harassment. I wanted to end my life so many times over the years, in excess of 100 times. Again, I would stress this is not a mental health problem as I am mentally healthy. It was to do with confronting toxic attitudes and indifference. I am a kind and sensitive person and emotionally am responsive to every person. I've clowned all over the world and been to the most disadvantaged people on earth. I felt compassion and deep love for every person I met. So I would be classified as an empath. My feeling state is my dominant intelligence. That is why the peace area attracted me as I feel the unhappiness in people and sought to bring comfort, inclusivity and peace to others. So when confronted with indifference, no care for my wellbeing, no response to my questions it impacts my sense of wellbeing. The desire to suicide I recognised was due to a constant sense of powerlessness as I was unable to affect change in those who were indifferent. I was unable to release the conflict as I had concerns for other people. I feel a deep sense of social responsibility and duty of care on behalf of others. So these feelings coupled with displacement in my own country give rise to this sense that no-one cares, you are just a number. It is deeply saddening when I think of how strong my desire to contribute to my society has been over many years and how this potential is stunted by systems that disempower, by communications that assert failure rather than potential, by those in the system seeking to profit rather than facilitate opportunities it is evident it is not working, it is negative and my life has no value. This is not the type of society I want to live in.

## 8.0 EXTERNAL ADVOCACY RE: MP SUKKAR AND PRIME MINISTER

I have sought external advocacy from the Commonwealth Ombudsman, legal centres (to no avail), Social Security associations, MP Sukkar, Minister Keenan and the Prime Minister.

What is important to recognise is that a homeless person is not based in any electorate. If you have no money you have no legal rights, as you cannot access Legal Aid given their selectivity and the cost of courts. I resided temporarily in Blackburn and this is why I contacted MP Michael Sukkar, who did not personally represent me I noted but had his assistant Stephen Jury communicate on his behalf. My preference would be to deal directly with the MP elected.

To have someone to talk to was important, Stephen was polite but I could see he didn't understand homelessness nor poverty and suicide. He didn't seem to know to refer me for real help. Instead he conferred with Michael Sukkar and contacted the Minister who provided a letter that was not of any assistance and exhibited standard communication style rather than leadership.

This focus on legislation not people is evident. I have noticed in the past it is used to not address social issues or realities on the ground. What I found was that the legislation is often narrow, it is watered down and is non responsive to socio-emotional issues, human crisis or human rights issues. It is written by lawyers not social workers and it is evident that there are too many lawyers in the political spectrum who have no training in socio-emotional, values based areas as we are becoming more aware of given critiques on ethics and community disengagement from government not only here but around the world. Legislation is merely a set of rules that if you do not fit you are not responded to. Many will say they can't do anything. It seems to be a deliberate bureaucratic response to dissuade people from questioning or obtaining rights. Yet questioning is essential if you want to get to the truth of a matter. I am persistent, I have skills and for the moment a roof over my head and food. I feel determined to resolve this as I know there are 1.312 million Australians unemployed (9.8% of the workforce) and approximately 116,000 homeless people in Australia. With speculative investment in housing and rising prices, many could find themselves in crisis in the future. I feel a real concern at their circumstances, particularly, if like me they are not able to access income support given technical reasons not real compassionate or hardship grounds.

I am a trained economist and the short comings of economics is that it provides a simple framework to analyse how markets work but it does not have any content to deal with the societal aspect of the community interfacing in an economic/capitalist system. Capitalism is not social democracy and this focus on business provides disproportionate power to their voices and ignores the needs of the society at large as policy makers do not have the training or awareness of real wealth. I knew this when I was training and I am aware of the dismantling of the welfare state which will fuel discord, social unrest and unhappiness. Social stability is not economic growth it is social wellbeing.

I will provide below my email trail with Stephen Jury highlighting the many issues I have raised. It is noteworthy to observe the emails and how they are handled in respect of responsiveness to real needs. I also provide online contact with the Prime Minister (Prime Minister and Cabinet) who in the first instance passed my communication to Human Services and in the second case, nothing happened. I was not impressed as I was aware the Prime Minister had publicly spoken about helping those in need at Easter, yet he himself was unresponsive. This appears to be PR without any real understanding of hardship of ordinary Australians. This is the real political disconnect that is unrepresentative of the Australian public. You have to live it to know it.

## 8.1 Stephen Jury on Behalf of MP Michael Sukkar Communications

There were approximately 23 emails in search of resolution to homelessness, conscientious objection, Superannuation funds, surveillance and desperation. The emails are instructive on how problems are not resolved but a lot of energy expended in seeking to be heard, to assert rights and explain the reality of homelessness. This was a 6 month process where I was clearly refused superannuation in order to survive, I was refused the right to conscientiously object to corruption and I was offered no crisis assistance given homelessness and no income. So, where to from here? Perhaps the Senate Inquiry explores this as the result of **welfare to homelessness not work**. This is from the latest to the earliest emails.

From: peacefull@worldpeacefull.com

To: Jury, Stephen (M. Sukkar, MP) <Stephen.Jury@aph.gov.au> (Added to Address Book)

Sent: Sep 12 '18 17:22

Subject: RE: A few more questions

Dear Stephen,

This is the information on the ATO site, it is the same information I have accessed in the past several times. The problem is homelessness is not cited nor perceived as severe financial crisis. I have already explained the super funds said no. The Minister said no given I am not on Centrelink. I have been sent back to the superfunds, they sent me to the ATO and now this last letter sends me to Treasury and you then send me back to ATO again. It is the same problem. I can't access as I am not on Centrelink and my situation does not fit criteria far less than my situation.

This is distressing.

Access on compassionate grounds

You may be allowed to withdraw some of your super on compassionate grounds. Compassionate grounds include: paying for medical treatment for you or a dependant making a payment on a loan to prevent you from losing your house modifying your home or vehicle for the special needs of you or a dependant because of a severe disability paying for expenses associated with a death, funeral or burial of a dependant.

To find out more about the eligibility criteria to access your super on compassionate grounds refer to Access on compassionate grounds - in detail.

See also:

How tax applies to your super – in detail

Access due to severe financial hardship

You may be able to withdraw some of your super if you have received eligible government income support payments continuously for 26 weeks and are unable to meet reasonable and immediate family living expenses. A super withdrawal due to severe financial hardship is paid and taxed as a super lump sum.

The minimum amount that can be paid is \$1,000 (unless your super balance is less than \$1,000) and the maximum amount is \$10,000. You can only make one withdrawal from your super fund because of severe financial hardship in any 12-month period.

There are no cashing restrictions under severe financial hardship if you have reached your preservation age plus 39 weeks and you were not gainfully employed on a full-time or part-time basis at the time of application. Contact your super fund to request access to your super due to severe financial hardship.

From: peacefull@worldpeacefull.com  
To: Jury, Stephen (M. Sukkar, MP) <Stephen.Jury@aph.gov.au>  
Sent: Sep 12 '18 16:55  
Subject: RE: A few more questions  
Attachments:  
S Carew Affidavit Conscientious Objector and Poverty.pdf (231.63 KB)  
S. Carew Latest Bank account.pdf (17.74 KB)

Dear Stephen,

I have no money to drive anywhere, email for the moment is my only means of communication. In the letter it is stating that policy is Treasury and advice about ERSB is administered by the Treasury not ATO. I require advocacy as I am not getting anywhere with this.

When I keep getting different information I find it confusing. Why am I being asked to go to the Treasury when the Minister says only the superfunds make the final decision? Patrick Cremen is stating the Treasury is the place to go, I am given a number which I can't call. I uploaded a letter to Centrelink stating I cannot be contacted by phone as I don't have money for credit. I prefer it in writing as I at least have a record if I am given the wrong information then someone is accountable for that and I can address it.

Human Services states its only role is a letter provided I am on Centrelink. Yet the government knows I am in dire poverty with no income for nearly a year now as I have been in constant touch and can verify my situation. I would be classified as in a living situation equivalent to the third world in a first world country.

It is extraordinary that this is acceptable at the political level. There is talk in parliament about values and bullying the two areas I have expertise in. I could teach your colleagues how to integrate values and stand firm no matter what people say. If our roles were reversed I would do everything in my power to help you. I would keep in touch with you to make sure you are okay. I would ring welfare agencies to find a free bed, I would put together discussion groups to work out short gap solutions. I would raise the issue in parliament that we have to solve this as there are 116,000 homeless people. To me that is what representation looks like, it is not formal letters to ensure bases are covered and ignoring the key issues put to government. What I've raised is incredibly important and in the public interest. As leaders politicians have to unlearn politics and really step into ethical leadership and lead by example to deal with crisis which I am in right now. In my experience no-one gets it or cares. It becomes a bureaucratic soulless process, where I have to keep writing to be heard which just makes me feel more disempowered as my emails are not read properly and I can see I am probably a burden or a threat given the issues I have raised. I am neither, I am just honest. I just want enough to live on and what I am entitled to which I earned. I am actually independent and self-reliant but to get work is very hard at my age. When you are in a job it is easier as you have a network, colleagues, connections and they can offer you something. In my case I am outside the system for a long time and I have no support or contacts which is why I am homeless. I have no partner to help me out, no family support, few friends who I can ask for help.

I can't compromise my ethics, my life and work is dedicated to teaching values, truth is one of the values I teach. I am not able to just give in and say oh well this is the way it is. It is not the type society I want to live in or will vote for. I want one responsive to me as a citizen (not unemployed person or woman) without discrimination and with an attitude of service rather than compliance. I want to be able to talk to people and be heard. If I need help to actually make sure I am okay. I write a lot as I am very upset again.

I went to Centrelink last Friday as I had read that I can access a emergency crisis one off payment. To my amazement I was made to wait an hour and then told at Centrelink that I cannot access this payment unless I am on Centrelink. My petrol was very low at the time. That could have been stated with intake. I then found out from a local council about Anchor homeless service and visited them last week to get emergency food and accommodation. I am told I cannot access homeless services as I am not on Centrelink. I have to pay for them. I was shocked. They took my details and showed me the door. I now know why the homeless are on the street. I am not far from it. My house sit ends Saturday.

When I get letters from the government they keep referring to 'objection'. I want to make clear this is no an objection it is a conscientious objection that is a very specific legal right I am asserting as a citizen, recognised in university policies I note. It means as a conscientious person it runs against my ethics, spirituality and values to take money when I know that the Job Providers are rorting the system. This has an evidence base. I know they are not acting in my best interests as the longevity on Centrelink revealed with no job interview. It is not possible for me to

reengage when it is clearly corrupt. I have no choice but to stay in this void until something or someone changes to respond to real need.

I am requesting from Minister Keenan as a leader to enact special circumstances in recognition of my genuine financial crisis and to issue a letter acknowledging this situation and requesting the superannuation fund to pay my money to me so I can live on it given there are no other services I can access. I have learned recently of a class action that the superfunds have been corrupt as well, my heart just sinks. So much greed and so little honesty, refusing to release funds to the homeless people is outrageous and not honest.

I am attaching a affidavit that I had signed by the police stating this is the truth. It is to replace a healthcare card as I can't access free health care either or concessions on transport (not that I can pay now). The commonwealth bank has suspended my fees as there is no income on the grounds of financial hardship. I am not earning any money from any source other than the occasional kindness. If this is not sufficient I can get another affidavit or statement.

I require my superannuation released on severe financial hardship grounds. I ask the Minister to intervene and make a decision to write a letter to enable me to extract what is mine from the superfunds so I can live on it.

All the best,

Susan

> -----Original Message-----

> From: Jury, Stephen (M. Sukkar, MP) <[Stephen.Jury@aph.gov.au](mailto:Stephen.Jury@aph.gov.au)>  
> To: 'peacefull@worldpeacefull.com' <[peacefull@worldpeacefull.com](mailto:peacefull@worldpeacefull.com)>  
> Subject: RE: A few more questions  
> Sent: Sep 12 '18 13:52

> Hi Susan

>

> I don't have any further information than you do regarding the  
> signature on the letter. It does not alter the substance of the  
> response.

>

> With respect to the Australian Taxation Office, they are the  
> department responsible for this issue on behalf of Treasury.  
> Unfortunately I am unable to provide you with an email address for  
> them as this is not a standard way in which this interaction can take  
> place with them unfortunately. If you are unable to phone them, you  
> may wish to visit their office at one of the locations listed below  
> and see someone in person:

>

> <https://www.ato.gov.au/about-ato/about-us/contact-us/visit-us/#Victoria>

>

>

> Best regards

>

> STEPHEN JURY

>

> OFFICE OF MICHAEL SUKKAR MP | FEDERAL MEMBER FOR DEAKIN

>

> 5/602 Whitehorse Road, Mitcham, VIC 3132

>

> PH (03) 9874 1711 | FAX (03) 9874 0599

>

> R1.50, Parliament House, Canberra, ACT 2600

>

> PH (02) 6277 4847 | FAX (02) 6277 4862

>

> EMAIL [stephen.jury@aph.gov.au](mailto:stephen.jury@aph.gov.au) | WEB [www.michaelsukkar.com.au](http://www.michaelsukkar.com.au)

>

>

-----Original Message-----

> From: [peacefull@worldpeacefull.com](mailto:peacefull@worldpeacefull.com)  
> [mailto:peacefull@worldpeacefull.com]  
> Sent: Wednesday, 12 September 2018 1:20 PM  
> To: Jury, Stephen (M. Sukkar, MP)  
> Subject: RE: A few more questions

>  
> Hi Stephen,

>  
> The signatory on the letter is 'per' and a different name. That is why  
> I asked. I don't think you read my email properly. What I was saying  
> is the letter indicated Treasury not ATO. I don't have phone credit  
> hence I can't call. So I require a email and contact person. I was  
> asking for your help there.

>  
> Thanks,

>  
> Susan

>  
> > -----Original Message-----

>  
> > From: Jury, Stephen (M. Sukkar, MP) <[Stephen.Jury@aph.gov.au](mailto:Stephen.Jury@aph.gov.au)>  
>  
> > To: 'peacefull@worldpeacefull.com' <[peacefull@worldpeacefull.com](mailto:peacefull@worldpeacefull.com)>  
>  
> > Subject: RE: A few more questions  
>  
> > Sent: Sep 12 '18 12:07

> > Dear Susan

> > As I am not involved in the processing of correspondence from the  
>  
> > Department, I am not aware as to what caused the delay in us being  
>  
> > able to send this to you.

>  
> > In terms of the response, it has been signed by Mr Patrick Cremen  
> from the Department of Human Services.

>  
>  
> > In terms of following up the broader issue of you being able to  
>  
> > discuss with someone from the relevant section of the ATO concerning  
>  
> > your superannuation account, I'd encourage you to make  
> arrangements to phone their superannuation phone line on 13 10 20. More  
> information on this topic is available on their website at the following link:

> <https://www.ato.gov.au/individuals/super/accessing-your-super/early-access-to-your-super/>  
>

> > Thank you once again for your further email.

> > Best regards

>  
> > STEPHEN JURY

>  
> > OFFICE OF MICHAEL SUKKAR MP | FEDERAL MEMBER FOR DEAKIN

From: peacefull@worldpeacefull.com Add to Whitelist  
To: Jury, Stephen (M. Sukkar, MP) <Stephen.Jury@aph.gov.au> (Added to Address Book)  
Sent: Sep 12 '18 08:38  
Subject: RE: A few more questions

Dear Stephen,

Thank you. I just want to know why the letter took 3 weeks to come to me. I note it is dated 22 August. It seems the letter is on behalf of the minister but signed by another party, who signed the letter? I note ERSB is now the Treasury, not the ATO or the Superfunds. This is incredibly confusing. Who in the Treasury do I contact?

I will need to email as I don't have credit for my phone. As you know I am still homeless without income. Can you ask them who I can email with questions regarding the letter.

This is minor point, I am not a Miss. Not that married status or single matters, Ms or Susan is accurate.

Thanks,

Susan

> -----Original Message-----  
> From: Jury, Stephen (M. Sukkar, MP) <Stephen.Jury@aph.gov.au>  
> To: 'peacefull@worldpeacefull.com' <peacefull@worldpeacefull.com>  
> Subject: RE: A few more questions  
> Sent: Sep 11 '18 16:56  
>  
>  
>  
> Dear Susan  
>  
> Please find attached, correspondence from the Department of Human  
> Services, concerning the issue that's been raised here. I note that  
> in the letter, the Department have stated that they've reviewed the  
> matter further and agreed to waive the debt.  
>  
> Best regards  
>  
> STEPHEN JURY  
>  
> OFFICE OF MICHAEL SUKKAR MP | FEDERAL MEMBER FOR DEAKIN  
>  
> 5/602 Whitehorse Road, Mitcham, VIC 3132  
>  
> PH (03) 9874 1711 | FAX (03) 9874 0599  
>  
> R1.50, Parliament House, Canberra, ACT 2600  
>  
> PH (02) 6277 4847 | FAX (02) 6277 4862  
>  
> EMAIL [stephen.jury@aph.gov.au](mailto:stephen.jury@aph.gov.au) | WEB [www.michaelsukkar.com.au](http://www.michaelsukkar.com.au)

**From:** peacefull@worldpeacefull.com  
**To:** Jury, Stephen (M. Sukkar, MP) <Stephen.Jury@aph.gov.au>  
**Sent:** Aug 03 '18 18:02  
**Subject:** Ausfund have responded

Dear Stephen,

I am sending you Ausfund's response, as you can see it is different from AMP, no reference to the ATO. I am confused about this. Even their first line doesn't make sense and then they refer back to DHS. DHS say they have the final decision. Can you see the dilemma I am in. I have \$10 in my purse. That's it.

Best wishes,

Susan

AUSFund Admin  
Attachments Jul 30 (4 days ago)  
to me

Dear Susan

We need your help to complete your request

Member Number: 11594569

Thank you for your email and Minister's letter in regards to early release of superannuation on the grounds of financial hardship.

Please be advised that the trustee had reviewed your claim and unfortunately it has not been approved.

As the requirement/eligibility for any types of claim must be met before any benefit payment can be made, and the trustee has very limited discretion in deciding whether the evidence provided to support a specific claim type is satisfactory.

Until your eligibility is approved by DHS, we are unable to proceed further with your financial hardship claim.

For more information If you require any further information or assistance regarding this matter, please contact the AUSfund Customer Service Centre on 1300 361 798 or email [admin@ausfund.com.au](mailto:admin@ausfund.com.au). You may also like to visit our website at [ausfund.com.au](http://ausfund.com.au).

Yours sincerely,  
AUSfund Administration

Locked Bag 5132  
Parramatta NSW 2124  
Telephone: 1300 361 798  
Email: [admin@ausfund.com.au](mailto:admin@ausfund.com.au)  
Website: [www.ausfund.com.au](http://www.ausfund.com.au)

Industry Funds Investments Limited (IFI) ABN 17 006 883 227 AFSL 229881  
Trustee of Australia's Unclaimed Super Fund ABN 85 945 681 973

This information is of a general nature and does not take into account your personal objectives, situation or needs. Before making a decision about AUSfund, consider your financial requirements and refer to the relevant Product Disclosure Statement.

**From:** peacefull@worldpeacefull.com  
**To:** Jury, Stephen (M. Sukkar, MP) <Stephen.Jury@aph.gov.au>  
**Sent:** Jul 27 '18 13:10  
**Subject:** Probe Group

Dear Stephen,

In my previous email I didn't mention that I was contacted by Probe Group by text and on the day I spoke with Luke from Human Services, I saw a car in the driveway filming. I was alarmed as I wasn't sure who it was. Probe told me Human Services had instructed them to pursue the \$200. I was shocked given my circumstances and made a comment in my letter that I would have preferred someone help me into emergency housing rather than spend significant money on an private investigator to film me. I found it bizarre to be honest and makes you feel like you are not trusted.

I raised this concern in my letter which I passed to you when I first made contact with your office. I explained in the letter to Human Services my concerns about surveillance as I am not breaking any law I am just homeless. I have been completely transparent to all. I literally have no savings or assets.

These concerns were raised when I realised I was tracked on my return to Melbourne around 10 September 2017 as I received a text on route from Job Prospects indicating I had an interview the next day. I called them citing I didn't agree to join them, this was left on a recorded message. I also responded to an email from Job Prospects (which Centrelink have) where I reiterated my concerns about rorting in the Job Provider system as my reason for not reengaging were ignored. I then received more texts citing reengagement. Job Prospects cut me off payments as I was non compliant. They appeared to have the right to cut me off payments as a private company who I was not contracted to, hence my request of Human Services to clarify my contractual relationship with government (no response to this). Later I contacted Job Prospects by phone and it appears none of my messages (phone, email) were recorded. I recall my last email bouncing. I believe this was deliberate to basically ignore me. It appears I do not have a right to say no if I believe something is corrupt and that is my core concern as a citizen. That is why I asked recently for the Minister to assure me there is no rorting as a solution so I can reengage. Alternatively I have sought early release of my Superannuation so I can have something to live on in the short term (it is only \$1,500). I haven't had any response from the Super funds re the Ministers letter. So I am still in the same situation.

As this goes on without resolution I am concerned that I am tracked rather than helped which I completely disagree with as I have done nothing wrong just gone through crisis. I am worried that given the contentious objections and concerns I have raised I may be regarded as problematic rather than a person homeless with concerns. The debt of \$200 gives justification for tracking, according to the Human Services report, which I feel deeply concerned about in a democracy.

The fact I have no means to pay back since September last year are the reasons I request debt relief. I am just surviving at the moment. I am not taking hand outs, I prefer an opportunity to get my work going but I find it hard to get back on my feet when I am surviving and trying to find places to stay. I believe my age works against me and my length of time out of work. Unaffordable housing is an impossibility for me with no income.

This all said my ability to repay an overpayment of rent assistance now cited as a debt keeps me in this situation where my privacy is breached. I value my privacy highly as an older woman alone and in crisis. That is my dilemma.

I was shocked that Human Services would do this given they knew my situation. It is beyond me why they would send a debt collector. Was it harassment or suspicion? Was I not believed as homeless? Are they simply looking for the money and care nothing for my situation. That is what has upset me the most and still does.

How many emails to your office now? I am no further today then I was when I first asked for help. I feel completely unsupported as if my life is worth nothing. That is why people want to suicide. I want you to understand this. I am crying right now again in a library.

Susan

**From:** peacefull@worldpeacefull.com ▶ [Add to Whitelist](#)  
**To:** Jury, Stephen (M. Sukkar, MP) <Stephen.Jury@aph.gov.au> ▶ (Added to Address Book)  
**Sent:** Jul 26 '18 17:18  
**Subject:** RE: A few more questions

Thanks Stephen,

It is to do with when I was evicted 16 June last year given my Landlord broke Council by-laws. I was experiencing a bullying incident and feeling suicidal. I had to leave Melbourne. I believe I sent two emails online to Centrelink at the end of the rent period I had paid up to notifying them that I had left the place, they kept paying me. I then sent them a letter as there was no response. So the \$200 is to do with a rent assistance overpayment.

Best wishes,

Susan

> -----Original Message-----  
> From: Jury, Stephen (M. Sukkar, MP) <[Stephen.Jury@aph.gov.au](mailto:Stephen.Jury@aph.gov.au)>  
> To: 'peacefull@worldpeacefull.com' <[peacefull@worldpeacefull.com](mailto:peacefull@worldpeacefull.com)>  
> Subject: RE: A few more questions  
> Sent: Jul 26 '18 15:43  
>  
>  
> Dear Susan  
>  
> **Your email of the 21st of June has been provided to Minister Keenan.**  
>  
> What is the \$200 debt with probe relating to?  
>  
> Kind regards  
>  
> STEPHEN JURY  
>  
> OFFICE OF MICHAEL SUKKAR MP | FEDERAL MEMBER FOR DEAKIN | ASSISTANT  
> MINISTER TO THE TREASURER  
>  
> 5/602 Whitehorse Road, Mitcham, VIC 3132  
>  
> PH (03) 9874 1711 | FAX (03) 9874 0599  
>  
> R1.36, Parliament House, Canberra, ACT 2600  
>  
> PH (02) 6277 4847 | FAX (02) 6277 4862  
>  
> EMAIL [stephen.jury@aph.gov.au](mailto:stephen.jury@aph.gov.au) | WEB [www.michaelsukkar.com.au](http://www.michaelsukkar.com.au)  
>  
>

**From:** peacefull@worldpeacefull.com ▶ [Add to Whitelist](#)  
**To:** Stephen.Jury@aph.gov.au ▶ (Added to Address Book)  
**Sent:** Jul 22 '18 16:10  
**Subject:** Re: Debt and Centrelink

Dear Stephen,

I haven't heard back yet. I have given some thought to a possible solution to the debt issue. If I could gain an letter from the Minister to state that there is no corruption in the Job Provider system then I would be fine to go back onto Centrelink. The debt could be paid through payments as it is only \$200.

I have to be honest as well, my concern is the electronic tracking justified by a debt, I do not want my privacy breached. I saw the man in my friend's drive and the Probe Group told me Human Services had lodged this debt in the knowledge I was homeless. To be honest it made me very uneasy as I hadn't done anything wrong other than speak my truth to Human Services and Centrelink as I have real concerns.

I understand I have challenged with my questions and documentation (report) but I believe in being upfront and honest. I may be wrong but I live in a democracy and openness i would think is important. I am very open to talk to anyone about this situation and give any information that is required to resolve this. If I am wrong please tell me and inform me.

Note I have passed the Minister's letter to the Superfunds to let them know the final decision is theirs and await their decision so at the very least I can live on these funds.

I apologise for all the emails but my situation demands I communicate as I do need to resolve this matter. I would appreciate my questions answered. I am sorry if this puts you in a difficult position, I hope you understand.

Best wishes,

Susan Carew

-----Original Message-----

> From: [peacefull@worldpeacefull.com](mailto:peacefull@worldpeacefull.com)  
> [mailto:peacefull@worldpeacefull.com]  
> Sent: Thursday, 12 July 2018 4:16 PM  
> To: Jury, Stephen (M. Sukkar, MP)  
> Subject: A few more questions  
>  
> Hi Stephen,  
>  
> 1. Can you let me know which email you forwarded to the Minister?  
>  
> 2. I have been told I have a \$200 debt and Probe group contacted me. I  
> did inform Centrelink when I was evicted from my place last year. I  
> had no funds. I would like to know given my situation if I can have  
> debt relief or is there an interest rate on this?  
>  
> Thanks,  
>  
> Susan  
>

**From:** peacefull@worldpeacefull.com ▶ [Add to Whitelist](#)  
**To:** Jury, Stephen (M. Sukkar, MP) <Stephen.Jury@aph.gov.au> ▶ (Added to Address Book)  
**Sent:** Jul 12 '18 16:16  
**Subject:** A few more questions

Hi Stephen,

1. Can you let me know which email you forwarded to the Minister?
2. I have been told I have a \$200 debt and Probe group contacted me. I did inform Centrelink when I was evicted from my place last year. I had no funds. I would like to know given my situation if I can have debt relief or is there an interest rate on this?

Thanks,

Susan

**From:** peacefull@worldpeacefull.com ▶ [Add to Whitelist](#)  
**To:** Jury, Stephen (M. Sukkar, MP) <Stephen.Jury@aph.gov.au> ▶ [Add to Address Book](#)  
**Sent:** Jul 04 '18 14:10  
**Subject:** RE: RE: AMP, Super and Human Services

Dear Stephen,

I requested my Super to be released when I came off Centrelink and it was evident that I had been in receipt of income support for more than 26 weeks. I have written to the Super funds giving them information on my situation and I did ask for compassionate grounds but still didn't fit the criteria. They cite legislation as to why they can do nothing. The Department of Human Services cites 26 weeks on continuous payment. This is the technicality that is not practical. It is not hard for Human Services to look over my record to see I am long term unemployed. It is not hard to prove I have no income. It is not hard to do an affidavit. It is evident I have been writing to the Department since I came off. I have spoken to a social worker and it is clear my situation has been difficult with cancer, suicide and the bullying issue.

Common sense would solve the problem. I am fortunate a friend is giving me food and shelter, what of someone else less fortunate than me? Put yourself in their shoes or even mine.

This is the treadmill that most people get on with the Government, it is counter productive and clearly all appear hamstrung by legislation rather than ensuring legislation has an 'opt out' to allow for initiative or executive decisions so people can be helped in need as a humanitarian response at the very least. The reality of poverty is not understood in Government nor in the Super funds. The slow response, lack of response, refusal to act only perpetuates the problem.

The Prime Minister or Minister could intervene and release the funds. I am sure initiative would enable this.

Thank you for passing on my email.

Best wishes,

**From:** Jury, Stephen (M. Sukkar, MP) <Stephen.Jury@aph.gov.au> ▶ [Add to Address Book](#) ▶ [Add to Whitelist](#)  
**To:** 'peacefull@worldpeacefull.com' <peacefull@worldpeacefull.com>  
**Sent:** Jul 03 '18 18:14  
**Subject:** RE: RE: AMP, Super and Human Services

Dear Susan

Thank you for your further email. As requested, we can pass this onto the Minister. As I mentioned last week, I have been speaking with the Department of Human Services (Centrelink) about your situation. As the Minister's letter states, under the law, the only way that early release of super can be approved is for a person to be undergoing financial hardship. In order to prove that this is the case, the individual must be in receipt of income support payments from the Department of Human Services. As this is not currently the case, they cannot provide justification to your fund for this early release.

It would therefore seem to be the case that at this point in time, we cannot do anything further for you other than to encourage you to return to the Department in order to move this process forward.

Thank you once again for your further email.  
Best regards

**Stephen Jury**

**From:** peacefull@worldpeacefull.com ▶ [Add to Whitelist](#)  
**To:** Jury, Stephen (M. Sukkar, MP) <Stephen.Jury@aph.gov.au> ▶ [Add to Address Book](#)  
**Sent:** Jul 01 '18 15:04  
**Subject:** RE: Homelessness in Melbourne

Thank you Stephen, me too.

> -----Original Message-----  
> From: Jury, Stephen (M. Sukkar, MP) <[Stephen.Jury@aph.gov.au](mailto:Stephen.Jury@aph.gov.au)>  
> To: 'peacefull@worldpeacefull.com' <[peacefull@worldpeacefull.com](mailto:peacefull@worldpeacefull.com)>  
> Subject: RE: Homelessness in Melbourne  
> Sent: Jun 29 '18 18:40  
>  
>  
> Thanks for sending, Susan - I appreciate the information.  
>  
> Stephen  
>

**From:** peacefull@worldpeacefull.com ▶ [Add to Whitelist](#)  
**To:** Jury, Stephen (M. Sukkar, MP) <Stephen.Jury@aph.gov.au> ▶ [Add to Address Book](#)  
**Sent:** Jun 29 '18 18:07  
**Subject:** Homelessness in Melbourne

**Attachments:**  [Welcome to Crisis Help Network.docx \(41.31 KB\)](#)

Dear Stephen,

I just saw this and felt to share with you FYI. Homelessness is a major problem and the response is inadequate across the board. It is a crisis actually. I don't agree with the definition as I have felt homeless in that I have no idea where to go if my friend decides I have overstayed my welcome. It is a balancing act. You don't want to impose but you have no choice as you have to eat and it is cold. I don't want to go into the non profit system as I want my independence and self determination. I don't feel comfortable accessing these services. I just need enough to live on so I can get back on my feet financially as my work is needed in the community. I have no savings, nothing.

It is easy to say to people you can get a job just get out there, when you have been through crisis it is very difficult, you lose confidence, you need time to heal and you lose networks and disconnection from friends and colleagues. I am not a business person per say as I prefer to give than make it all about money. That is why business has been hard for me. The work I produced over all these years is in service to society and it came from a deep sense of love and compassion. What I have experienced when I was in need was indifference, I worry for others how they feel. Apart from my friend who says 'I can't watch people go without', the attitudes are without any real sense of awareness. I am very grateful to her as she literally is keeping me off the street, I considered my car but it is too cold.

It is humiliating and disempowering for many to ask for help. That is why your response and the Department's response matters outside of technical/professional language. To follow up with a sense of care for people actually makes a difference as the person feels valued and heard. It is about kindness and putting yourself in the shoes of others. One day it could be you. That is how easy it is to fall between the cracks.

I am also open to other viewpoints. I send this to you with a sense of respect and sharing.

Regards,

Susan Carew

**From:** peacefull@worldpeacefull.com ▶ [Add to Whitelist](#)  
**To:** Jury, Stephen (M. Sukkar, MP) <Stephen.Jury@aph.gov.au> ▶ [Add to Address Book](#)  
**Sent:** Jun 29 '18 17:29  
**Subject:** RE: Conscientious Objection FYI

I am staying with a friend in Blackburn and she has told me not to give out her address for privacy.

Best wishes,  
Susan

> -----Original Message-----  
> From: Jury, Stephen (M. Sukkar, MP) <[Stephen.Jury@aph.gov.au](mailto:Stephen.Jury@aph.gov.au)>  
> To: 'peacefull@worldpeacefull.com' <peacefull@worldpeacefull.com>  
> Subject: RE: Conscientious Objection FYI  
> Sent: Jun 29 '18 17:20  
>  
> Thank you for your further email.  
>  
> In order to follow this matter up further with the department, we will  
> need a copy of your residential address. I don't believe that you  
> have provided this to us in your correspondence so far.  
>  
> Kind regards  
> STEPHEN JURY OFFICE OF MICHAEL SUKKAR MP | FEDERAL MEMBER FOR DEAKIN | ASSISTANT

**From:** peacefull@worldpeacefull.com ▶ [Add to Whitelist](#)  
**To:** Stephen.Jury@aph.gov.au ▶ [Add to Address Book](#)  
**Sent:** Jun 29 '18 17:17  
**Subject:** Conscientious Objection FYI

Dear Stephen,

I've have pasted a definition of conscientious objection. Spiritually I cannot engage in anything corrupt. I am in the peace area and this is fundamental to who I am and the work I hope to do in the future. I have to be ethical and truthful.

Conscientious Belief Is defined as an individual's genuine and sustained inward conviction of what is morally right or wrong, uninfluenced by any consideration of personal advantage or disadvantage either to oneself or others. A Conscientious Belief can be linked to ethical, religious, or cultural values.

If put to the test a person holding such a belief would ordinarily be willing to act according to the particular conviction although this may involve personal discomfort or suffering or material loss.

Best wishes,  
Susan Carew

**From:** peacefull@worldpeacefull.com ▶ [Add to Whitelist](#)  
**To:** Jury, Stephen (M. Sukkar, MP) <Stephen.Jury@aph.gov.au> ▶ [Add to Address Book](#)  
**Sent:** Jun 29 '18 16:48  
**Subject:** RE: RE: AMP, Super and Human Services

Dear Stephen,

When you indicate you didn't forward my email it sends a signal of no respect for my wishes. I would like my email to be forwarded to the Minister. I don't mind a short delay if you need to follow up with the Department first but keep me in the loop so I am informed what is happening on my behalf as a matter of respect, as you would any business person. Then please let me know when you forward my email so I know I have been represented.

The core issue is that it shouldn't be this hard to gain early release of superannuation, an affidavit and bank account statement should suffice. Moreover there should be provision to gain instant cash (coupons in this case of drug/alcohol affected persons) for food, short term accommodation and a case worker in contact regularly to resolve short term issues and offer real support. Calls, letters or occasional emails referring to legislation, is not realistic when a person is homeless. I have been asking since September last year.

What I am experiencing is that there is no understanding of this situation and it conveys lack of care for people as I've mentioned in other emails. A letter from the Minister sending me back to the Super fund shows clearly he has not understood that this had been done and they have refused, it is pointless to go over the same track. He has not dealt with the conscientious objection issue. It is not just a objection or a complaint, I am a conscientious objector, I fundamentally will not go on Centrelink given my values and concerns about the Job Provider system as these systems are linked and breaches are likely given my stance, this would cause further distress to me. To refer me back means he is not interested in my conscientious objection or does not understand the gravity of my concerns.

I am an Australian citizen, the government states it represents people on the basis of collecting taxation and has obligations to its citizens based on the Australian Constitution put in place with royal assent to enact the rules, rights and responsibilities of government to its citizens and visa versa.

Citizens must have a right to opt out of anything that is deemed corrupt, if there is evidence of this, or in some way causing harm or not effective (efficient). Given the issue is not with one provider but the allowance of rorts without consequence that appears unchanged and I am claiming the right to say 'no' in a democracy. It is not valid to refer myself to the Department of Jobs and Small Business as I do not wish to make a complaint about a specific provider, I am conscientious objector to the system and in my experience it doesn't work.

I noted there was no response to my concerns about Work for the Dole which I made clear in a report I wrote in 2016. My concerns surround a policy of transferring Social Security government responsibilities to the private sector for profit which clearly removes citizens rights given privatisation. That is a problem when real help is needed and accountability for corruption is required.

I have lost faith in the ability of Job Providers and the compliance culture that breaches job seekers if they don't comply but doesn't breach or penalise Job Providers if there is evidence they are rorting. In addition there are barriers and rigidities in the system regarding employing people in their 40's and 50's given HR criteria and a flat job market. I was not offered one job interview over all the years I was on Centrelink, I applied for thousands of jobs, it was onerous, disempowering and uninspiring given my considerable ability. I even offered my skills to Centrelink to get a break as I have expertise in anti-bullying and wellbeing, this was not even answered or a thank you offered as clearly I am wanting to work. I have worked previously in 400 companies and am highly skilled.

There are additional concerns with contracts awarded to multinationals like Serco who are reported on their website to be involved in the business of outsourced public services around the world. I am aware they are involved in prison services, welfare e.g. call centres, disability etc. They are a US multinational, they are not Australian. There have been a range of critiques and problems as follows:

<https://www.serco.com/news/media-releases/2018/serco-group-plc-full-year-results-2017>

<https://www.theguardian.com/australia-news/2018/apr/23/outsourcing-ndis-contact-centres-to-serco-an-accident-waiting-to-happen>

<https://www.theguardian.com/australia-news/2017/oct/14/serco-run-prison-asks-inmates-to-donate-for-national-poverty-week>

<https://nakedsecurity.sophos.com/2012/05/25/serco-reports-123000-us-government-employees-personal-information-stolen/>

Another critical issue above is if Serco is corrupt on some level or loses customer records and the government decides to cancel their contract, how is this affected under the Trans Pacific Agreement where apparently they can sue the government for loss of profits? Under the Espionage and Foreign Interference Act Andrew Wilkie MP is stating right to protest is criminalised if it impacts economic profits/interest. Clearly a cancelled contract would be in this category. So this is the real issues that concerns me as a citizen. Foreigners do not care about the Australian people they just see in terms of economic interests. It seems that public goods are transferred to the private sector and even if those business interests are corrupt they can continue trading but if a job seeker breaches they lose income and their life is in turmoil. Does that seem fair to you? Or just? If I say nothing then it is tacit consent, when I do not agree with corruption in the public interest. This is why Government is the best provider of social services as people's vulnerabilities should not be a place for profiting particularly by foreign multinationals and with TPP and EFIB.

I have explained clearly my perspective in my previous emails, letters and report to Centrelink and Human Services. I have also requested in my letter to the Department (which you have a copy of) under FOI Act to be given access to information about myself. This was ignored. This is concerning given by law I have a right to my own information. It is clear I have no money so this information should be forthcoming so, I, at the very least understand why I am not being helped, I am still a citizen.

I am asking for my Super so I can live on it until I can get my own work up and running. I am not going back onto Centrelink. There was reference to Austudy, I am not seeking to study. I have plenty of skills and this does not remove the barriers that already exist. The only study I would be interested in would be social work so I can be effective in helping others. If this could be done without any contact with a Job Provider I would agree to it.

Best wishes,

Susan Caerw (Carew)

> -----Original Message-----

> From: Jury, Stephen (M. Sukkar, MP) <[Stephen.Jury@aph.gov.au](mailto:Stephen.Jury@aph.gov.au)>  
> To: 'peacefull@worldpeacefull.com' <[peacefull@worldpeacefull.com](mailto:peacefull@worldpeacefull.com)>  
> Subject: RE: RE: AMP, Super and Human Services  
> Sent: Jun 28 '18 17:36

>

>

>

> Dear Susan

>

> I am following the matter up further with the Department of Human  
> Services before running going back to the Minister himself.

>

> Will let you know when I hear further from them.

>

> Kind regards

>

> STEPHEN JURY

>

> OFFICE OF MICHAEL SUKKAR MP | FEDERAL MEMBER FOR DEAKIN | ASSISTANT  
> MINISTER TO THE TREASURER

>

> 5/602 Whitehorse Road, Mitcham, VIC 3132

> PH (03) 9874 1711 | FAX (03) 9874 0599

> R1.36, Parliament House, Canberra, ACT 2600

> PH (02) 6277 4847 | FAX (02) 6277 4862

> EMAIL [stephen.jury@aph.gov.au](mailto:stephen.jury@aph.gov.au) | WEB [www.michaelsukkar.com.au](http://www.michaelsukkar.com.au)

From: peacefull@worldpeacefull.com  
To: Jury, Stephen (M. Sukkar, MP) <Stephen.Jury@aph.gov.au>  
Sent: Jun 21 '18 22:55  
Subject: RE: AMP, Super and Human ServicesThanks Stephen,

What I don't understand is that I have already spoken with Human Services and they sent a letter saying Centrelink had ceased. They know from Centrelink Records at the time of my contact that I had recently gone off payments but had been long term unemployed. I have indeed approached both super funds, both say they cannot release under legislation. I tried for compassionate grounds and there was a 'no'.

It is akin to being stuck between a rock and a hard place given I am in hardship but it seems no-one can hear me calling for help. I am not going back to the Super fund to ask the same questions. They referred it back to Centrelink. This has been my situation since September last year, I am still just surviving.

Why can't human services look at my records, recognise I have been asking for help for 9 months with no release of Super. I have explained very clearly in my letter to Human Services which was given to your office as well why I am a conscientious objector. My reasons are because I do not want to participate in a Job Provider system that is roting the taxpayer. I cannot engage with corruption. This is not answered by anyone. My questions were not answered.

This response is not adequate and the long wait is concerning given my situation. I ask you to please forward this email back to Michael Keenan. I am requesting workable answers to my questions from my letter to Human Services and in response to this email. I need advocacy so I can access the \$1,500 that I have which is minimal so I can keep going. A letter from the Minister to the Superfund would enable that to happen. I have sent in the Superfund details. There is no way the Superfund will give me access given I have clearly no power or influence and it seems homelessness is not a good enough reason if I am not on Centrelink.

Thank you for being prompt this time, I am grateful. Just understand this is not easy, unfortunately unless people are in the same situation they seem unable to understand the urgency. It does not send a message of real care.

Best wishes,

Susan Carew

-----Original Message-----

> From: Jury, Stephen (M. Sukkar, MP) <[Stephen.Jury@aph.gov.au](mailto:Stephen.Jury@aph.gov.au)>  
> To: 'peacefull@worldpeacefull.com' <[peacefull@worldpeacefull.com](mailto:peacefull@worldpeacefull.com)>  
> Subject: RE: AMP, Super and Human Services  
> Sent: Jun 19 '18 19:54

**Attachments:** [180619 Susan Carew.pdf \(613.65 KB\)](#)

> Dear Susan  
>  
> Thank you for your further email.  
>  
> Please find attached, a response from the Minister for Human Services  
> concerning the issues you've raised.  
>  
> Best regards  
>  
> STEPHEN JURY  
>  
> OFFICE OF MICHAEL SUKKAR MP | FEDERAL MEMBER FOR DEAKIN | ASSISTANT  
> MINISTER TO THE TREASURER>  
> 5/602 Whitehorse Road, Mitcham, VIC 3132  
> PH (03) 9874 1711 | FAX (03) 9874 0599

From: peacefull@worldpeacefull.com  
To: Stephen.Jury@aph.gov.au  
Sent: Jun 19 '18 18:06  
Subject: Fw: AMP, Super and Human Services

Dear Stephen,

I have had no response as to the outcome of your contact with Human Services. I require a response please.

Susan Carew

From: peacefull@worldpeacefull.com Add to Whitelist  
To: stephen.jury@aph.gov.au Add to Address Book  
Sent: Apr 30 '18 13:09  
Subject: AMP, Super and Human Services

Dear Stephen,

I haven't had a response to this email below. I found this email from AMP which reviewed my request for Super, it comes back to Human Services in their view. Please note this comment from AMP:

"This link also provides information on requesting your funds due to 'Compassionate Grounds'. These types of requests are assessed by the Department of Human Services"

It is incredible to me that a homeless person cannot release Superannuation if they are not on Centrelink for whatever reason.

Why is this taking so long to gain real answers and direction on what to do in my situation? I have had no response regarding the rorting in the Job provider system, my relationship with government re: my letter to Human Services, no assurances that the rorting is not happening given the 7.30 report. It seems I cannot find answers.

Regards,  
Susan

The outcome of your complaint

CUSTOMER NAME Susan Carew

AMP Retirement Savings Account

Dear Ms Carew,  
ACCOUNT NO 936039695 REQUEST ID 1035173800

Complaint reference number: 2-92577510851  
Date of trustee decision: 19 February 2018

Thank you for your time on the phone recently. You'll find written confirmation of our discussion below.

We've completed our investigation into your complaint regarding your request for early release of your superannuation due to Financial Hardship.

As discussed, we are unable to action your request for a withdrawal of your funds at this time as your request does not meet legislative requirements.

To satisfy the ground of 'severe financial hardship' under regulations 6.01(5)(a) and 6.01(5A) of the SIS Regulations, applicants (if under preservation age) must prove that they:

- have been receiving 'Commonwealth income support payments' continuously for the past 26 weeks;
- were still in receipt of those payments at the date of the written evidence provided in support of the application (which must not be more than 21 days prior to the application); and
- are unable to meet reasonable and immediate family living expenses.

Further information relating to the early release of superannuation benefits can be found on the Australian Taxation Office website. The following link will direct you to the relevant information:

- [https://www.ato.gov.au/Individuals/Super/Accessing-your-super/Early-access-to-your-super/#Access\\_due\\_to\\_severe\\_financial\\_hardship](https://www.ato.gov.au/Individuals/Super/Accessing-your-super/Early-access-to-your-super/#Access_due_to_severe_financial_hardship)

This link also provides information on requesting your funds due to 'Compassionate Grounds'. These types of requests are assessed by the Department of Human Services (DHS) so unfortunately, we are unable to advise if you would meet their requirements. For your records, their phone number should you wish to pursue this avenue is 1300 131 060.

We understand this is not the resolution you were hoping for at this time, however AMP must meet the regulatory requirements in all instances and as such we have had to decline your request.

Access to information

You have the right to access the documents and information we relied on to make our decision. So let us know if you want us to send you copies of any information. If we can't provide you with certain information you ask for, we'll explain why.

Your options

If you're not satisfied with our response, you can escalate it to our internal complaint review process by calling 131 267 (131 AMP) or emailing [askamp@amp.com.au](mailto:askamp@amp.com.au).

Or you can speak with the Superannuation Complaints Tribunal about your concerns.

The tribunal helps superannuation funds and their members to resolve complaints. Their contact details are:

Superannuation Complaints Tribunal

Locked Bag 3060

MELBOURNE VIC 3001 AUSTRALIA

Phone:

Phone:

Fax:

Email: 1300 884 114 (if calling in Australia)

61 3 8635 5580 (if calling from overseas)

03 8635 5588

[info@sct.gov.au](mailto:info@sct.gov.au)

Understanding and providing information

If you're having difficulty understanding the information we've given you or providing anything we've asked for, please let

us know straight away so we can help you.

We're here to help

Thank you again for contacting us. If you have any questions about this outcome, you can contact Jennifer Hanna on 131

267 or email [askamp@amp.com.au](mailto:askamp@amp.com.au).

**From:** peacefull@worldpeacefull.com ▶ [Add to Whitelist](#)  
**To:** Jury, Stephen (M. Sukkar, MP) <Stephen.Jury@aph.gov.au> ▶ [Add to Address Book](#)  
**Sent:** Apr 20 '18 16:52  
**Subject:** RE: The homeless man

Dear Stephen,

Thank you for responding, I do appreciate it. I am going to go through the email below with CAPS so you can see what I am saying and for clarity.

> -----Original Message-----

> From: Jury, Stephen (M. Sukkar, MP) <[Stephen.Jury@aph.gov.au](mailto:Stephen.Jury@aph.gov.au)>  
 > To: 'peacefull@worldpeacefull.com' <[peacefull@worldpeacefull.com](mailto:peacefull@worldpeacefull.com)>  
 > Subject: RE: The homeless man  
 > Sent: Apr 20 '18 10:26

>

> Dear Susan

>

> Thank you for your further email.

>

> If you wish to receive support from the Department of Human Services,  
 > then you will need to make an appointment with them concerning the  
 > most appropriate payment which your circumstances would entitle you  
 > to. Without knowing more about this, I cannot give any advice in this  
 > area.

>

I HAVE SPOKEN TO AN OFFICER IN BRISBANE 3 TIMES ON THE PHONE, A SOCIAL WORKER TWICE. THE ADVICE I RECEIVED WAS THAT I HAD TO REGISTER FOR CENTRELINK AGAIN AND GO TO A JOB PROVIDER. THE STICKING POINT BETWEEN US IS THE RORTING WITH THE JOB PROVIDERS, NO REPERCUSSIONS FOR THEIR BEHAVIOUR AND THE BASIC INJUSTICE FOR JOB SEEKERS WHO BREACH AND LOSE INCOME SUPPORT (WHICH IS SERIOUS). THESE COMPANIES DID NOT LOSE THEIR CONTRACTS AND ARE CONTINUING. THE FURTHER ADVICE I RECEIVED WAS TO ASK THE JOB PROVIDER IF THEY ARE RORTING, AN UNREALISTIC STATEMENT AND CLEARLY THEY ARE GOING TO SAY NO. I WAS TOLD BY CENTRELINK STAFF LAST YEAR THAT I WAS NOT EQUAL WHILST ON CENTRELINK. I WAS ALSO TOLD BY ANOTHER OFFICER IN BRISBANE THAT I HAD TO PROVIDE AN ADDRESS WHEN I COULDN'T AS LITERALLY I DIDN'T HAVE A PERMANENT ONE. I WAS STAYING WITH FRIENDS TEMPORARILY, THE MAN WAS SILENT AS IF I WAS LYING. I DON'T LIKE THIS ATTITUDE OF SUSPICION. THE APPROACH I HAVE ENCOUNTERED IS NOT ONE OF ASSISTANCE. I FEEL I DO NOT HAVE RIGHTS OR THAT I AM DISCRIMINATED AGAINST ON THE BASIS OF THIS STATUS. MOREOVER, IN MELBOURNE HUMAN SERVICES SENT A CAR TO FILM ME WHEN I WAS AT A FRIENDS PLACE WHICH I AM VERY UPSET ABOUT AS I AM NOT DISHONEST AND HAVE A RIGHT TO MY PRIVACY. I WAS ALSO ALARMED BY THIS AS A WOMAN AS I WASN'T SURE WHO THEY WERE UNTIL THE PROBE GROUP INFORMED ME. I TOLD THEM I DO NOT HAVE A FIXED ADDRESS WHICH IS TRUE. MY FRIEND WANTS HER PRIVACY WHICH SHE HAS A RIGHT TO. WHAT REALLY UPSET ME ABOUT THIS IS THE MONEY SPENT TO SEND AN INVESTIGATOR WHICH COULD BE UTILISED TO FIND ME ACCOMMODATION OR PROVIDE FOOD. IT APPEARS JOB SEEKERS ARE UNDER SUSPICION IF THEY ARE HOMELESS. I BELIEVE THIS IS JUSTIFIED BECAUSE OF AN OVERPAYMENT CENTRELINK MADE OF \$200 WHICH JUSTIFIES SURVEILLANCE. THIS OCCURRED WHEN I BECAME HOMELESS. I DID INFORM THEM OF MY SITUATION. THERE IS NO UNDERSTANDING OR COMPASSION.

MY UNDERSTANDING IS IF I DO NOT COMPLY WITH THE SYSTEM I AM NOT ENTITLED TO ANYTHING. I AM QUESTIONING THE CONSTITUTION AS I BELIEVE THE GOVERNMENT HAS AN OBLIGATION. MY LETTER THAT YOU HAVE A COPY OF HAS NOT BEEN ANSWERED. I ASKED FOR A LETTER AS I WANT IT IN WRITING BUT THEY GO SILENT. THIS DOES NOT BUILD TRUST OR A SENSE OF CITIZENSHIP OR EQUAL RIGHTS. I AM ASKING FOR YOUR ASSISTANCE AS I HAVE NO RESPONSE FROM A GOVERNMENT DEPARTMENT CHARGED TO REPRESENT PEOPLE ON WELFARE AND IN CRISIS. I HAVE REAL CONCERN THAT THOSE ON LOW INCOME ARE BEING TREATED VERY BADLY AND I WORRY FOR THOSE HOMELESS LIKE MYSELF. I WAS THINKING LAST NIGHT OF HOW TO FIND A PLACE TO SLEEP IF THIS TEMPORARY PLACE DOESN'T WORK. I AM CONTEMPLATING GOING ON THE STREET AND WONDERING HOW I WILL KEEP WARM. I AM NOT GOING TO ASK ANYONE FOR MONEY AS I AM INDEPENDENT. I DO NOT WANT THE HUMILIATION OF BEING SEEN AS A BLUDGER, LOSER ETC. WHEN IN TRUTH

I AM ETHICAL AND WORKING FOR SOCIETY IN MY OWN WAY FOR FREE.

- > With respect to the early release of superannuation, as I have
- > mentioned earlier, the Department provides a list of circumstances
- > which would deem a person to be eligible for this, some of which you
- > have outlined below. Again, you would need to discuss your
- > circumstances with them as to how this could occur. Upon doing this,
- > if you wish to provide your address and customer ID number with the
- > Department, to us, then we can follow this up from there.

THE DEPARTMENT GAVE ME A LETTER THAT STIPULATED THAT I WAS OFF BENEFITS, THE IDEA WAS TO SHOW THAT I HAD BEEN ON BUT WAS OFF NOW GIVEN CONSCIENTIOUS OBJECTION. I WROTE A STAT DEC WHICH WAS SENT TO AMP TO RELEASE THE FUNDS. THEY TOLD ME THEY CANNOT, NOT EVEN ON COMPASSIONATE GROUNDS. I DO NOT FIT CRITERIA. THIS MUST BE CHANGED FOR THOSE IN REAL CRISIS. IT IS NOT ABOUT LEGISLATION IT IS ABOUT HUMAN RIGHTS TO FOOD AND SHELTER AND MY OWN FUNDS. HUMAN RIGHTS WATCH WOULD BE VERY CONCERNED AT HOW THOSE ON THE LOWEST SOCIO ECONOMIC RUNG ARE TREATED. I WANT TO NOTE FOR THE RECORD, THE REFUGEES ON MANUS ISLAND, CHRISTMAS ISLAND AND NAURU EXEMPLIFY THAT THE GOVERNMENT DOESN'T CARE ABOUT PEOPLE WHO ARE VULNERABLE AND HAS SHOWN CRUELTY TO THEIR PLIGHT, THUS NO EMPATHY. I AM DEEPLY CONCERNED ABOUT THIS. IT APPEARS THE VALUES ARE NOT THE SAME AS THE AUSTRALIAN VALUES THAT ARE PRONOUNCED BUT NOT LIVED, NOTABLY FAIRNESS, SHARING ETC. I WANT TO BELIEVE IN THE GOVERNMENT, I REALLY DO BUT I AM SO UPSET BY MY OWN EXPERIENCE AND THE LACK OF TRACTION OR ACTION TO ALLEVIATE GENUINE CRISIS. I ACTUALLY FEEL LIKE CRYING TO BE HONEST WITH YOU, I AM IN A PUBLIC LIBRARY SO CAN'T. I AM REALLY SADDENED AT WHAT HAS BECOME OF MY OWN COUNTRY'S ETHICS.

THEY HAVE MY CUSTOMER ID AND AGAIN I AM NOT AT A PERMANENT ADDRESS BUT I CAN RECEIVE MAIL C/- EMERALD POST OFFICE, FOR HOW LONG I DON'T KNOW. THE NUMBER IS 403142935X.

- >
- > Finally, concerning the gentleman in question, without knowing his
- > personal circumstances, it's hard to give any advice however if he
- > also were to be referred to the Department of Human Services, they
- > would be able to make sure he is receiving payments that he is
- > entitled to as well as refer him to the most appropriate local, crisis
- > accommodation centre. Please feel free to encourage him to go down
- > this path or to contact our office directly concerning this.

WHAT NEEDS TO BE DONE IS FOR YOUR OFFICE TO DEVELOP A LISTING OF ORGANISATIONS, NAMES, ADDRESSES, EMAILS, CONTACT NUMBERS OF CRISIS PLACES THAT YOU CAN PDF. THEY NEED TO BE LOCAL. OR YOU CALL THEM AND ARRANGE FOR SOMEONE TO RING ME OR THE MAN. FIRST STEP FOR A CRISIS. ALTERNATIVELY I COULD HAVE THEN PASSED A LISTING TO HIM. I COULD FOLLOW UP. YOUR NARRATIVE IS BASED ON PROCEDURES BUT I FEEL, WITH RESPECT, YOU HAVE NO IDEA OF THE REALITY ON THE GROUND. HE COULD HAVE MENTAL HEALTH ISSUES, HE MAY HAVE NO MONEY TO DO THIS, HE WOULD NEED TO BE ASSESSED. THIS IS NOT A CRITICISM IT IS CONSTRUCTIVE FEEDBACK AS YOUR RESPONSE IS CRITICAL. YOU HAVE TO MOVE FASTER AND BE PROACTIVE. RING ME AND REALLY GET YOUR HEAD AROUND WHAT THIS IS ABOUT. I THEN FEEL MORE CONFIDENT THAT I AM SUPPORTED. I HAVE TO KEEP REMEMBERING WHAT I HAVE ALREADY SAID. IT IS EXHAUSTING TO KEEP REPEATING. AFTER THE INVESTIGATOR INCIDENT I FEEL ALIENATED FROM THE SYSTEM, I DO NOT FEEL ANYONE CARES AT ALL AND I AM DISTRUSTING OF A GOVERNMENT THAT ALLOWS RORTING WITHOUT EXPLAINING THE TRUTH OF THE MATTER. I DO NOT WANT TO BE TOLD, I WISH TO BE INVITED TO DISCUSS ISSUES AND WORK TOGETHER TO RESOLVE IT. INSTEAD IF I DON'T FIT IN I AM LEFT OUTSIDE. THIS IS NOT A GOVERNMENT REPRESENTING PEOPLE, THIS IS WHAT WORRIES ME.

I HOPE YOU CAN UNDERSTAND WHAT I AM SHARING WITH YOU STEPHEN. WHEN I FIND A PERMANENT PLACE I AM GOING TO HELP THE HOMELESS DEFINITELY. I AM GOING TO HELP PEOPLE UNDERSTAND WHAT THIS IS LIKE BECAUSE PEOPLE REALLY DON'T GET IT. IT IS NOT OKAY TO WALK PAST SOMEONE BEGGING, IT IS OUTRAGEOUS IN A WEALTHY SOCIETY TO HAVE PEOPLE ON THE STREETS, COLD AND OUT OF THE SYSTEM BECAUSE IT IS INFLEXIBLE TO THEIR NEEDS. I NOTE THEIR IS A ZERO TOLERANCE APPROACH TO THE POOR, IF THEY CAN'T PAY THEY MAY END UP IN JAIL. THE LACK OF EMOTIONAL INTELLIGENCE IS HEARTBREAKING. THE REALITY IS PEOPLE IN POSITIONS OF INFLUENCE ARE NOT RESPONDING TO REAL EMOTIONAL/PHYSICAL NEEDS. PEOPLE ARE LOSING HOPE. AS A COMMUNITY, WE HAVE TO CHANGE.

REGARDS, SUSAN

>  
> Thank you once again, for your further email.  
>  
> Kind regards  
>  
> STEPHEN JURY  
>  
> OFFICE OF MICHAEL SUKKAR MP | FEDERAL MEMBER FOR DEAKIN | ASSISTANT  
> MINISTER TO THE TREASURER  
>  
> 5/602 Whitehorse Road, Mitcham, VIC 3132  
> PH (03) 9874 1711 | FAX (03) 9874 0599  
> R1.36, Parliament House, Canberra, ACT 2600  
> PH (02) 6277 4847 | FAX (02) 6277 4862  
> EMAIL [stephen.jury@aph.gov.au](mailto:stephen.jury@aph.gov.au) | WEB [www.michaelsukkar.com.au](http://www.michaelsukkar.com.au)  
>  
> -----Original Message-----  
> From: [peacefull@worldpeacefull.com](mailto:peacefull@worldpeacefull.com)  
> [mailto:peacefull@worldpeacefull.com]  
> Sent: Thursday, 12 April 2018 5:29 PM  
> To: Jury, Stephen (M. Sukkar, MP)  
> Subject: RE: The homeless man  
>  
> The problem I encountered was that I spoke directly to an officer at  
> Human Services basically I can't get Superannuation on compassionate  
> grounds. This is the criteria:  
>  
> Compassionate grounds are:  
>  
> Medical – pay for treatment or travel to treatment  
> Mortgage – stop the bank from selling your home  
> Disability – modify your home or car  
> Palliative care – for you or a dependant  
> Funeral – for a dependant  
>  
> Conscientious objection is not on this list. This is the core issue. i  
> do not want to participate in a Job Provider system that is roting  
> tax payers money by falsifying records of job seekers. I am not  
> convinced this is not occuring and I've been advised to ask the job  
> provider if they are roting which is a ineffective statement as  
> no-one is going to say no. Also the second point was that the job  
> network have not given me one interview in many years so why would I  
> undertake a process that clearly doesn't work for me.  
>  
> I note you didn't respond to my compassionate plea regarding the  
> homeless man, not even advice on what to do for people. This is what I  
> am most upset about. No-one answers you clearly nor do they show any  
> care.  
>  
> No response doesn't mean my questions were not asked. If I sound upset  
> I have been struggling since September with no income. I would like a  
> response from Michael if he seriously wishes to help. I require active  
> assistance and a letter form Human Services why a person with no  
> income cannot get any assistance, no referral, nothing.  
>  
> Regards,  
>  
> Susan Carew

**From:** Jury, Stephen (M. Sukkar, MP) <Stephen.Jury@aph.gov.au> ▶ Add to Address Book ▶ Add to Whitelist  
**To:** 'peacefull@worldpeacefull.com' <peacefull@worldpeacefull.com>  
**Sent:** Apr 10 '18 16:57  
**Subject:** RE: The homeless man

Dear Susan

Thank you for your further emails concerning this situation.

In your initial correspondence, you asked a range of questions concerning job service providers which were passed onto the Department of Human Services for their response.

If you require additional representation concerning applying for the early release of your superannuation funds, you would need to make an application via the Department in order to progress this request on compassionate grounds. Further information about how to do this is available at the following link:

<https://www.humanservices.gov.au/individuals/services/centrelink/early-release-superannuation>

Should you chose to make an application, our office is able to assist this process if you're then able to provide your address, phone number and Centrelink reference number that will be provided to you a this point.

Thank you once again for taking the time to write to Michael.

Best regards

**Stephen Jury**

**Office of Michael Sukkar MP | Federal Member for Deakin | Assistant Minister to the Treasurer**

5/602 Whitehorse Road, Mitcham, VIC 3132

**Ph** (03) 9874 1711 | **Fax** (03) 9874 0599

R1.36, Parliament House, Canberra, ACT 2600

**Ph** (02) 6277 4847 | **Fax** (02) 6277 4862

**Email** [stephen.jury@aph.gov.au](mailto:stephen.jury@aph.gov.au) | **Web** [www.michaelsukkar.com.au](http://www.michaelsukkar.com.au)

-----Original Message-----

From: peacefull@worldpeacefull.com [mailto:peacefull@worldpeacefull.com]

Sent: Thursday, 5 April 2018 12:52 PM

To: Jury, Stephen (M. Sukkar, MP)

Subject: The homeless man

Hi Stephen,

My writing to you is to raise awareness as I know people do not understand this situation or feel they are powerless to help on some level. Somehow as a society we have to help people. I have attached a photo of the man in the library. People look at him but do nothing. It is this attitude of 'not my business', this loss of 'community' of shared responsibility, or humanity that is why people are falling between the cracks. I watched the Commonwealth Games last night and noted the theme of 'humanity, equality and destiny'. We are not living humanity or equality as a shared responsibility. The Prime Minister said over Easter to help the needy, yet he didn't assist myself when I expressed my need. His advisers did send an email to Human Services then they went quiet because I do not wish to participate in a system that is not equal, not fair and certainly not about shared humanity. As a citizen I have an obligation to say no. So why am I outside of the system because of integrity? It matters that people are supported and represented as equal citizens. Why do we respond to those who are business people over those on the street? If we respond to all equally as it is a sign of a society that values all people.

I am attaching this photo so you can see the problem of homeless people in libraries. Not to move them on but to actually help them. Clearly he was awake all night as it is getting cooler. He sleeps in the library as it is a safe quiet space and he is left alone. He bothers no-one, he wants to be invisible. He is lost I feel. I can't offer anything as I don't have a home either.

On my journey I am realising the representation and support is not there for those marginalised. Not even a phone call or some form of advocacy coming from principles of fairness to catalyse action.

When you don't respond or make clear my rights, or that I am heard in respect of my questions as a basic respect I feel that I am treated as unequal. It sends me a signal that you don't care or others have said to do nothing. This is not the democracy I grew up in. I apologise if I am articulating suppositions that are not true for you but know it is coming from an honest place of self respect and to convey an important issue.

I would like a response to inform me of what is happening with Human Services, if nothing, then let me know the truth of that matter so I can make decisions. If you do not wish to represent me then let me know and I will make this my last email as I am dedicated to peace and harmony.

I would like advice on how to help this man, as his situation is worse than mine. As a society it doesn't reflect well when there is plenty to go around, not one person should be homeless. This is in the City of Whitehorse, a wealthy area. The real poverty I feel is in the breakdown of our community. I used to be a market analyst and I interviewed many people, we need to deeply listen to the community and solve this. I can offer you my skills to start a forum on how to tackle homelessness and look for creative ways in which to house people in the short term and then look at housing infrastructure for the longer term. I may be in poverty but I have considerable experience. I will leave that for you to consider. I am happy to meet with you as I know the reality.

Best wishes,

Susan

**From:** Jury, Stephen (M. Sukkar, MP) <Stephen.Jury@aph.gov.au> ▸ Add to Address Book ▸ Add to Whitelist

**To:** 'peacefull@worldpeacefull.com' <peacefull@worldpeacefull.com>  
**Sent:** Mar 27 '18 10:51  
**Subject:** RE: APH Website contact form - new enquiry Michael.Sukkar.MP@aph.gov.au

Dear Susan

Thank you for your further email and reply.

We have passed this information onto the Minister for Human Services for his information and response.

Upon hearing further from him, we will provide this information to you.

Thank you once again for taking the time to contact Michael.

Best regards

**Stephen Jury**

**Office of Michael Sukkar MP | Federal Member for Deakin | Assistant Minister to the Treasurer**

5/602 Whitehorse Road, Mitcham, VIC 3132

**Ph** (03) 9874 1711 | **Fax** (03) 9874 0599

R1.36, Parliament House, Canberra, ACT 2600

-----Original Message-----

\*From: peacefull@worldpeacefull.com [mailto:peacefull@worldpeacefull.com]

Sent: Friday, 23 March 2018 5:04 PM

To: Jury, Stephen (M. Sukkar, MP)

Subject: RE: APH Website contact form - new enquiry Michael.Sukkar.MP@aph.gov.au

Dear Stephen,

I will append the letter. My concern is that I am a conscientious objector to the Job Providers due to their roting of the taxpayers in respect of falsifying job seeker information. My understanding is that there has been no consequence for their behaviour as I noted they are still operating. If a job seeker breached the Job Provider in any way their would be a consequence, they have their payments cancelled. My stance is one of a citizen who does not want to participate in a system where this is allowed. I have been informed by Human Services that I could just ask the Job Provider if they are operating in integrity. This is a unrealistic proposition, they will all say yes. How can I know if I am being told the truth or not. Moreover, I was on Centrelink for many years, I am highly skilled, I did not get one interview. I was informed that they had classified me a status which is in essence 'parked'. This means they don't do anything with you. I wasn't informed. I have found their processes inappropriate, ineffective and we get treated like we have no power or rights as citizens. Because a person is not working this does not give licence to treat them as second class citizens. We have unquestioned norms about the 'unemployed' or 'dole bludgers' which is inappropriate. I also have issues with the Work for the Dole system as I was asked to make xmas cards which is not related to any work training that could enhance my skill base. It appeared to me akin to slave labour. No working person would want to be forced into work that has no value in respect of their job aspirations. Moreover, we do not want to force people into jobs they don't want as they won't last and it is unfair on employers. There has to be an agreement as any democratic system would reflect - choice.

I have workplace bullying skills and peace education skills. I have found it very challenging to get my work up and running as I don't have a network. Going for 20 jobs a month is not going to actualise work for me at 53. I would be better off spending time developing networks. So for me what could work would be connections, being given an opportunity to run workshops in wellbeing and workplace bullying so I can really contribute to society. My websites are [www.worldpeacefull.com](http://www.worldpeacefull.com) and <http://biz.worldpeacefull.com>

I am not a business person, I am more in the stream of a person who wishes to serve society. Once I become known in what I can do, as I am very good at training, I am sure I will be inundated with work but getting that break is the challenge.

So as a consequence I have very little money in my account. I have had to borrow money \$300 to be able to run my car and buy some food. A friend has given me a roof over my head but she is struggling to pay bills and it is not fair to expect her to subsidise the government when my understanding is I do have rights to welfare is I am genuinely in hardship which I really am, more than a Centrelink recipient.

I have been really amazed at the rigidities in the Superannuation system. They will release my \$1500 if I am on Centrelink for 26 weeks but if I am a conscientious objector with no money they won't. That is why I wrote to Malcolm Turnbull to see if he could help given his belief in the values of this country. I have not had any luck with him or Human Services. There lack of support, interest in my wellbeing is reflective with Centrelink. I was actually told by a officer that I am not an equal citizen whilst on Centrelink payments. Whilst homeless they rang me on route to Brisbane and told me I have to live in certain places that are geographic areas of high likelihood of work. This is ridiculous given I am homeless and any roof would do. I can't say no to free accommodation if Centrelink deems I have to live somewhere. Moreover, I was told by another Officer up in Brisbane I had to give a address. I was at a person's house for a few days I couldn't breach privacy and give an address as it is not mine. This person went silent on the phone as if I was lying. No realistic understanding of the reality of homeless. To top it off I was feeling suicidal as I have been in a long term conflict which has a bullying component to it. I was on a 7 week medical certificate to try and deal with the emotional fallout. I also had a diagnosis of cancer at xmas. You would think a compassionate society would immediately seek to find me a place as a mature woman, or at the very least email me a list of where I could go - shelters or some psychological support, there was nothing.

This is not the Australia I grew up in. Until you are in my position you cannot possibly understand what real hardship is. I have been stunned by Human Services as an organisation doing nothing knowing full well I am in real vulnerability. Instead I didn't conform to the rules and everyone turns the other way.

I felt to fill you in somewhat so you understand the situation. I want to work for a much kinder and community based society where respect for all people is the first thought not the last.

I hope you can assist me in at the very least getting the super. I've asked for a letter so I can at least buy some time to try and find some alternative income to keep going and give my friend some support.

Best wishes,

Susan Carew

> -----Original Message-----

> From: Jury, Stephen (M. Sukkar, MP) <Stephen.Jury@aph.gov.au>

> To: 'peacefull@worldpeacefull.com' <peacefull@worldpeacefull.com>

> Subject: RE: APH Website contact form - new enquiry Michael.Sukkar.MP@aph.gov.au

> Sent: Mar 23 '18 14:43

>

> Hi Susan

>

> Thanks for your email to Michael Sukkar MP.

>

> As mentioned, please feel free to pass along the email you've sent

> previously to the Department of Human Services and we'll see what we

> can do for you.

>

> Kind regards

>

> STEPHEN JURY

>

> OFFICE OF MICHAEL SUKKAR MP | FEDERAL MEMBER FOR DEAKIN | ASSISTANT

> MINISTER TO THE TREASURER

>

> 5/602 Whitehorse Road, Mitcham, VIC 3132

> PH (03) 9874 1711 | FAX (03) 9874 0599

> R1.36, Parliament House, Canberra, ACT 2600

> PH (02) 6277 4847 | FAX (02) 6277 4862

> EMAIL stephen.jury@aph.gov.au | WEB www.michaelsukkar.com.au

>

FROM: contactform@aph.gov.au [mailto:contactform@aph.gov.au]  
> SENT: Saturday, 17 March 2018 3:41 PM  
> TO: Sukkar, Michael (MP)  
> SUBJECT: APH Website contact form - new enquiry  
> Michael.Sukkar.MP@aph.gov.au  
>  
> Parliamentarian  
> Hon Michael Sukkar MP  
> Name Ms. Susan Carew  
> Telephone (home)  
> Telephone (mobile)  
> Email peacefull@worldpeacefull.com  
  
> My name is Susan Carew I am staying in Blackburn Vic in the seat of  
> Deakin. I have a problem that I cannot resolve. I am a conscientious  
> objector with the Job Provider system given the companies rorting it  
> as reported by the 7.30 Report on the ABC. In addition, I had been on  
> Centrelink many years but I have never had a job interview. I consider  
> the system not working for me and I have concerns with corporate  
> corruption. I have reported my concerns to Human Services and to the  
> Prime Minister twice now.  
>  
> I have \$50 in my account and I have been trying to get my \$1500  
> released from superannuation so at least I can survive. There is a 26  
> weeks on Centrelink requirement before I can get my money on hardship.  
> Being off Centrelink given my objection and having no income I am told  
> by AMP and Superfund that I cannot access my money. Human Services  
> have not answered a letter I put to them and the Prime Minister. So I  
> am in a really serious financial situation I do need help.  
>  
> Can someone contact me. I can send you the email I sent to Human  
> Services and PM.  
  
> Best wishes,  
>  
> Susan Carew

## 8.2 Emails to the Prime Minister

In moments of despair I wrote to the Prime Minister as I had no idea who I could get help from. These are the messages I sent. I had no positive or favourable outcome as politics is far removed from the reality on the ground. The emails are from the latest to first.

### Your message to the Prime Minister

from: Prime Minister of Australia<webservices@pmc.gov.au>  
to: worldpeaceful empowerment@gmail.com  
date: Tue, May 8, 2018 at 7:07 PM  
subject: Your message to the Prime Minister  
mailed-by: pmc.gov.au Thank you for your message to the Prime Minister at [pm.gov.au](http://pm.gov.au).

#### Below is a copy for your records.

Responses prepared to your message will generally be emailed to you. If you have supplied a postal address, a response may be sent to you via Australia Post. In some cases, your message may be forwarded to other Federal Ministers for their consideration.

This is an automatically generated email. Please do not reply to this email as this address is not monitored.

If you have any problems with this service please contact the Web Administrator through the site feedback service at <http://www.pm.gov.au/site-feedback>

Submitted on Tuesday, 8 May, 2018 - 19:07

Title: Ms  
First name: Susan  
Family name: Carew  
Email address: [worldpeaceful empowerment@gmail.com](mailto:worldpeaceful empowerment@gmail.com)  
Your address:  
Subject: Empowering Homelessness  
Comment:

Dear Prime Minister Turnbull,

I wrote to you recently requesting assistance in respect to homelessness, conscientious objection (Centrelink) and superannuation release. I didn't gain a response to my homelessness situation from Human Services or a local MP I have communicated with. I've had absolutely no assistance or answers to my questions. I am seeking to have my superannuation released (AMP/Ausfund) to live on as I am a conscientious objector to Centrelink and rotting in the Job Provider system reported on the ABC 7.30 Report. I was told legislation was the issue in respect of super but I have no idea which legislation and for those who are under employed what are our options, why no special clauses to ensure the money that is mine is released as I need to live on it. I have \$50 in my account. A tax cut won't affect me. I would be grateful for a letter from yourself as Prime Minister responding to my letter to Human Services and responding to me directly as no-one else is. I understand tonight is Budget night and you are busy but when you can that would be really helpful.

I wish to share my heart felt poem with you which speaks to my truth better than typing words. It is called: The Unemployment Trap – Is it Better to Stand on Your Feet Than To Live on Your Knees?

In respect of my poem I would like to teach peace, nonviolence and anti-bullying to children. Would your office assist me to start in a few schools so I can gain a break with this valuable work? I could present what I've achieved with this to you and explain why I believe values based education will ensure social stability, nonviolence and reaching optimal potential. I wish deeply to contribute to a better world. I wish to move out of poverty and serve my community as I have much to offer. My website is [www.worldpeacefull.com](http://www.worldpeacefull.com) the school programs

are <http://schools.worldpeacefull.com/>.

I have found the Department of Education very hard to engage/deal with. I am told to go to the schools but they have crowded curriculum and as an independent person they typically do not respond. I need basic funding to pilot REAL HOPE. I believe investing in this area as part of a budget would change our future. I have many ideas that I have been unable to action given my constant poverty. It has been a barrier. However, I am sure with some funding I can make a success of this work.

I know you are going through difficulties as bullying/undermining is evident in politics. Tony Abbott expresses attitudes which mask insecurity and a detachment for how others feel. He is clearly supported by those who seek division not democracy. I know there are external influences but I ask you to follow what feels 'good' for you. It is essential to eradicate the bullying to enable real solutions to arise. I can help with that. I am non-party political, I am a humanitarian and my only interest is social harmony. I do speak truth because that is my authenticity, however I respect those who differ from me. We are all here to learn.

I don't feel bitterness about my situation I look for the good in it, I empathise deeply with those who are suffering and feeling disempowered. That is why I started Worldpeacefull Empowerment.

I am sure budget night will keep you very engaged. When you have time please respond or direct me to others who can assist me not with a hand out but to open a door so I can help others. I believe I can contribute.

So with love and kindness I share this with you. I wish you happiness and peace, all ways.

Best wishes,

Susan Carew

from: Prime Minister of Australia<webservices@pmc.gov.au>  
to: worldpeaceful empowerment@gmail.com  
date: Sun, Mar 11, 2018 at 5:33 PM  
subject: Your message to the Prime Minister  
mailed-by: pmc.gov.au

Thank you for your message to the Prime Minister at [pm.gov.au](http://pm.gov.au).  
Below is a copy for your records.

Responses prepared to your message will generally be emailed to you. If you have supplied a postal address, a response may be sent to you via Australia Post. In some cases, your message may be forwarded to other Federal Ministers for their consideration.

This is an automatically generated email. Please do not reply to this email as this address is not monitored.

If you have any problems with this service please contact the Web Administrator through the site feedback service at <http://www.pm.gov.au/site-feedback>

Submitted on Sunday, 11 March, 2018 - 17:33

Title: Ms  
First name: Susan  
Family name: Carew  
Email address: [worldpeaceful empowerment@gmail.com](mailto:worldpeaceful empowerment@gmail.com)  
Your address: No fixed address at this time , No funds, BLACKBURN, VIC, 3085, Australia  
Subject: No Response from Human Services nor any Assistance in my situation

Dear Prime Minister Turnbull,

I have written this email (after 2 others) to Human Services given your Department initiated their email to me. I wrote to you weeks ago regarding my situation of requiring access to Superfunds as I have no income.

To the Ministerial Administration Officer

I have replied to this email several times now and had no response. Is not Human Services charged with assisting those in poverty?

My situation is desperate right now, I have little money and I MUST access my superannuation fund to live on it. There are two funds with a total of \$1500 and I am told I can't access it due to a technicality regarding 26 weeks continuous weeks of Centrelink. I was on Centrelink for years and recently came off (October 2017). I was in a difficult situation of homelessness and desired to end my life. Conscientiously I cannot be part of the Job Provider system given the reported roting that has happened cited: ABC 7.30 Report. I noted the companies are still trading and in contract. I am very concerned about this, I cannot access a private system that is clearly open to abuses and clearly not in the interest of the public. Also, the fact that I was unable to gain work says it is certainly not working for me. I cannot as a responsible citizen give tacit consent to Job Providers making money out of my unemployment when I cannot even buy a weeks groceries or pay rent.

What I require is a letter URGENTLY from Human Services is a letter to state I was a long term recipient of Centrelink and recently came off due to conscientious objection to this system which is my right as a citizen of this country that values fairness and choice. I require access to my own money. I request the letter indicates the truth of my situation and indicates to AMP Super Fund that my funds can be released. I am in a dire situation re: income.

I have no other sources of income, at this moment I have borrowed a few hundred to survive. I cannot ask people to support me.

I require an URGENT response and I request my letter addressed my questions that I have asked Human Services and the Prime Minister for assistance but none has been forthcoming.

Regards, Susan Carew

from: SPEAK UP<worldpeaceful empowerment@gmail.com>

to: MINISTERIAL CORRESPONDENCE <Min.Corro@humanservices.gov.au>

date: Sat, Feb 24, 2018 at 3:29 PM

subject: Re: (PJ) MC18-001333 Reply from the Department of Human Services Ministerial Correspondence Team [SEC=UNCLASSIFIED]

My name is Susan Carew which is on the letter that I uploaded to the Prime Ministers site. I'd prefer not to give my number for privacy as I have been surveilled by Human Services given my previous mobile and I do not consent to this. I find the surveillance deeply upsetting as a woman who is in a difficult situation.

I addressed my correspondence on the 19 February to the Prime Minister not the Minister for Human Services as I do not believe the latter can help me. I therefore request a response from the Prime Minister as I have asked. I have not found Human Services able to give me answers so I am going higher as I would like the truth not to be quoted legislation that is unresponsive to my situation.

My letter to Human Services was uploaded to my Centrelink account and there was no response. When I spoke to officers in Human Services I have been informed the legislation states I must comply with the Job Providers when I am unable to given those who have rorted the system are still operating. Therefore I am seeking answers from the Prime Minister as I have raised important questions and I want a high level response.

Kind Regards,

Susan Carew

I responded to this message with my name but not my mobile as I do not want to be tracked. There was no action on this.

**(PJ) MC18-001333 Reply from the Department of Human Services Ministerial Correspondence Team [SEC=UNCLASSIFIED]**

from: MINISTERIAL CORRESPONDENCE<Min.Corro@humanservices.gov.au>  
to: "worldpeaceful empowerment@gmail.com" <worldpeaceful empowerment@gmail.com>  
date: Wed, Feb 21, 2018 at 11:08 AM  
subject: (PJ) MC18-001333 Reply from the Department of Human Services Ministerial Correspondence Team [SEC=UNCLASSIFIED]  
mailed-by: humanservices.gov.au  
signed-by: humanservices.gov.au

Dear Ms Carew

I refer to your correspondence of 12 February and 19 February 2018 to the Minister for Human Services, the Hon Michael Keenan MP.

In order to fully address your concerns, could you please provide:

- Your full name
- Your best contact telephone number

Please respond within five business days with relevant details. In the absence of these details, the Department of Human Services (the Department) will assume your concerns have been resolved. Alternatively, if you do not wish to receive a response or provide the requested details, please let us know.

We look forward to addressing your concerns as soon as possible.

Please reply directly to this email.

Thank you,

Ministerial Administration Officer  
Ministerial Correspondence Team

Department of Human Services

\*\*\*\*\* IMPORTANT: This e-mail is for the use of the intended recipient only and may contain information that is confidential, commercially valuable and/or subject to legal or parliamentary privilege. If you are not the intended recipient you are notified that any review, re-transmission, disclosure, dissemination or other use of, or taking of any action in reliance upon, this information is prohibited and may result in severe penalties. If you have received this e-mail in error please notify the sender immediately and delete all electronic and hard copies of this transmission together with any attachments. Please consider the environment before printing this e-mail \*\*\*\*\*

from: Prime Minister of Australia<webservices@pmc.gov.au>  
to: worldpeaceful empowerment@gmail.com  
date: Mon, Feb 19, 2018 at 6:25 PM  
subject: Your message to the Prime Minister  
mailed-by: pmc.gov.au

Thank you for your message to the Prime Minister at [pm.gov.au](http://pm.gov.au).

Below is a copy for your records.

Responses prepared to your message will generally be emailed to you. If you have supplied a postal address, a response may be sent to you via Australia Post. In some cases, your message may be forwarded to other Federal Ministers for their consideration.

This is an automatically generated email. Please do not reply to this email as this address is not monitored.

If you have any problems with this service please contact the Web Administrator through the site feedback service at <http://www.pm.gov.au/site-feedback>

Submitted on Monday, 19 February, 2018 - 18:25

Title: Ms  
First name: Susan  
Family name: Carew  
Email address: [worldpeaceful empowerment@gmail.com](mailto:worldpeaceful empowerment@gmail.com)  
Your address: no fixed address, homeless, Melbourne, VIC, 3000, Australia  
Subject: Homelessness and no ability to gain any income  
Comment:  
Dear Hon Malcolm Turnbull PM,

I felt to write to you because I am in a very difficult circumstance that has arisen because I have requested my right to say 'no' as a citizen in a democratic country to participating in a system that appears to be corrupt. I have conscientiously objected to reengaging with Job Services Australia as the ABC revealed that some members had falsified job seekers records in order to make more money without consequence. I noted the companies in question are still in the system without any consequence or cancellation of their contracts. If a job seeker breaches the system they can be cut off and lose essential life supports. This appears unfair to me. I have written to Human Services about my objection and the fact I was unable to gain a job interview in many years (ineffective) and they had a review with an outcome of and refusing payments even though I am in real poverty. I have many skills and am keen to work but my age and the agencies orientation to low paid work (skills), my absence from recent work and connections renders me unable to gain employment. I have no assets, investments or partner to assist. In addition, I've had a bullying issue that has caused me intense pain to the point of suicide, and a recent diagnosis of cancer (had an operation after xmas and fine now). On top of that I have tried to release \$1000 in Super so I can survive for the next few months. I explained to AMP my predicament but they are refusing given legislation criteria of Centrelink benefit for 26 weeks consecutively. I told them that I am in a worse situation than a Centrelink recipient as I was on this benefit for years until I recently and have no income whatsoever. Whilst the review was conducted they did not keep me on paid benefits until a decision was arrived at, unaware that this delay makes my situation more vulnerable. So my dilemma is I cannot even gain a little funding to try to enable me to live. Surely under the Constitution Section 51, sub section 23a I am entitled to Social Security if I am in poverty? Can you please explain this to me. I will attach the latest letter to Human Services.

I cried today as I thought about what has become of my country Australia. I grew up when public goods served our community, where people helped each other and the Australian spirit of mateship truly existed. Today what I have discovered is no-one cares. We are moving into a compliance environment where democracy appears no longer to exist. I feel a deep sadness about this as I truly want to contribute to a country where people feel that sense of shared humanity and community. People feel very stressed these days as they are paying more fees when taxes were in place to ensure fairness and equity. I am writing to you because I felt inspired to write to you. I don't know if you can imagine poverty, imagine no assets or having under \$200 to your name. I know when I was a running a business I didn't understand and I know there are attitudes 'norms' around those unemployed, these perceptions

are untrue. Today I have come to see the reality on the ground. It is a very hard experience but a illuminating one. I would welcome a discussion with you. I am a trained economist and market analyst and have experience in conflict resolution and peace building. This experience has helped me understand what 'ordinary' people are going through. I have ideas on how we can empower our society to be a world leader. That may sound funny coming from someone with nothing but I do have a wealth of experience to share.

I would like to know what I can do to find some basic income to at the very least survive, even if for a short period of time so I can get back on my feet.

I have the skills to really contribute and my vision is [www.worldpeacefull.com](http://www.worldpeacefull.com). The bullying issue I have dealt with and desire to end my life made it very difficult to actualise my visions as I don't have support. I am attempting to resolve the issue but all I require is a hand up not a hand out or even a hand shake as this symbolises friendship. I will leave this with you, if you care I will hear from you. I ask you write personally not an assistant. I couldn't bare a standard letter given my situation. I know you are extremely busy but it would mean a lot to me.

I am a very honest person and I am open to all perspective, my challenges have arisen out of a desire for honesty and fairness.

I thank you for listening if you have personally read this. Thank you for all the good you do that is perhaps unseen by the public.

Best wishes,

Susan Carew

## 9.0 FREEDOM OF INFORMATION REQUEST OF HUMAN SERVICES

In order to understand why my Centrelink payments were cancelled and what happened behind the scenes I submitted a one page **FOI request**. I received a detailed letter back which I had to respond to in detail as I know lawyers can omit information and narrow requests to ensure no information is released. They use legal speak to confuse and place the onus on the requester to know the documents sought when in reality who would know what documents have been compiled. FOI is essential for ensuring a functional democracy but in my experience I have found FOI is blocked by lawyers and risk management particularly when corruption is involved. The Information Commissioner appears unable to conduct investigations which leave the public in a space of 'non response'. This is how a compliance bureaucracy works when it is not democratic. It cuts off the public from ensuring government accountability which is part of the checks and balances necessary to avoid corruption. Technically, I should be able to ask for my case file and get access to all communications but FOI will use tactics to delay, narrow and block my requests, particularly given corruption concerns. The work I have done even in this submission is an example of a vigilant citizen seeking to verify information gathered is relevant and accurate. If compliance didn't exist my life would have served society.

Update: Today is 8/5/2019 – still the FOI request has not happened, 8 months later, it is supposed to be 30 days.

20 September 2018

Vincent  
Authorised FOI Officer  
Freedom of Information Team  
FOI and Litigation Branch/Legal Services Division  
Human Services  
Canberra

**Re: LEX 39139**

Dear Vincent,

This letter is in response to your letter dated 7 September 2018. The delay is due to homelessness and personal crisis which disrupts my life. My response includes my feedback as a citizen.

I would like to enquire as to why FOI is placed in the Litigation/Legal Services Division which would be about protecting Human Services from legal action that may arise from Freedom of Information access. Moreover, Legal Services typically protects assets and is an extension of Risk Management. In my view as a citizen this should sit in a bureaucratic area specifically titled FOI outside of legal services and strictly independent. This is particularly the case given I have raised issues of corruption in the Job Provider System and have stated I am a contentious objector to corruption as my reason for non compliance outside of the contract system. I consider this a conflict of interest and I have concerns that my request may be blocked given this possible bias.

I would also like to state that most citizens do not have legal knowledge given quoting legislation and there are legal premises on refusing access, voluminous claims, diversion of resources and the issue of identifying documents and officers. I would like to state that Centrelink/Human Services typically do not give out names so identification of officers is difficult, that all records would be digital and that it is easy to search these days for identifies CRN number, name as all Centrelink Officers access the file. It is highly likely that information about myself is located in one place.

I am seeking to access my own information as I wish to examine if I have been incorrectly assessed and to understand why my Centrelink payments were cut given I am a conscientious objector to the Job Provider system. I also want to understand why the Probe Group was actioned given I was homeless and without money and the fact that Centrelink only does this when there is a capacity to pay. I have real concerns about surveillance as I saw a car outside my house around the time a Human Services Officer had called me. So what I am requesting is sensitive but I have to understand why this happened to me as I have concerns about corruption. It is in the public interest I put forth this request.

I will now go through the letter and given stipulations for more information will address that in the spirit it may be a genuine request as my preference is to approach this with trust and a belief in democracy which the 2010 Act and the Information Commissioner states.

Firstly I'd like to respond in general to your letter. I regard my FOI request actioning both the Freedom of Information Act 1982 and the Freedom of Information Amendment (Reform) Act 2010.

I noticed in the letter there were (...) added where my words had been removed. I do not want any of my information edited or removed so I will add in the section and highlight in red what was removed.

Note: the documents definition is included as I want to cover a range of documents that may be in my file. Clearly I cannot know exactly what documents as I am not inside of Centrelink/Human Services so I have to ask broadly. The identifier here is my name Susan Carew, CRN number 403142935x or JSD 8603385409 or a Job Prospects number for Human Services to determine. I want this included as the words "possession" may narrow my access given sensitive information can be moved. That is why I have added "on-site or off-site".

I want a copy of all document relating to Susan Carew's file 403142935 .....x

Please note **documents** definition: *including but not limited to - reports, assessments, risk assessments, breach assessment, profiling, appeal/reviews, recordings, summaries and emails.*

Note:

- documents about myself gathered by Centrelink and Human Services and information supplied to the government by external organisations or individuals over the period of time 2015 to 2018. These documents must be accessed whether stored on-site or off-site in other storage capacities or as paper hardcopies.
- I regard Human Services and Centrelink part of the same government department.
- Please note if there is any duplication of documents, please provide one document.

#### ***Printing and Storage:***

- The latest reports to be printed. They can be bound or butterfly clipped.
- All files to be stored in file folders electronically by year, department and type of document and date order.
- All files to be stored on a USB or DVD in Microsoft Office readable formats. CCTV footage to be stored in a format that is readable on Windows, clearly referenced.

In my FOI request I made clear I was requesting my file. I assumed the listed documents are in it given it makes sense to have one single file compiling any communications, so any officer can know the situation.

The information below in red was removed from the letter. As follows:

I, Susan Carew, request the following:

- Susan Carew full file case number 403142935x

*It is assumed the documents below would be in the case file, please ensure the following documents are included in this file.*

## 9.1 FOI 28/9/18 Letter Response to Human Services Letter

### 9.1.1 Consultation – your request gives rise to practical refusal reasons

#### Consultation – your request gives rise to practical refusal reasons

Currently, your request gives rise to two practical refusal reasons, as follows:

- your request is broad and does not sufficiently identify the documents you require; and
- your request covers a wide range of documents and processing your request is likely to result in a substantial and unreasonable diversion of the resources of the department.

The department is now consulting with you under section 24AB of the FOI Act.

This letter is giving you an opportunity to provide us with specific information about the documents you need. Providing this additional information will assist the department in processing your request.

Furthermore, parts of your request are not valid as the document you have identified in those parts are not 'documents of an agency' as defined by section 4 of the FOI Act, that is, the department is not in possession of those documents.

If you do not revise your request in order to resolve the issues raised in this letter, I will have to refuse your request on the basis that practical refusal reasons still exists. For a more detailed explanation of what this means see **Attachment A**.

#### How to send us a 'revised request'

I would like to state that the legislation enshrines *refusal* as a first step rather than practical collaboration to assist in specification of a request. This appears to me to establish a legal narrowing of the request which I regard as weakening my right to access my information. I state this with the knowledge that my CRN would be the identifier and that the information I requested was my case file assuming the documents listed were included. I would prefer to receive a response stating we have this we do not have that clearly. Then working on specifying the request. I add this as a citizen experiencing a process not a lawyer protecting it.

I do not accept the argument for unreasonable diversion of resources of the department given the substantial resources of a government contrasted with my homelessness and no income. I do not mind if the information is provided digitally given Human Services is across Digital Transformation and has expertise in data gathering and cross checking data.

It is stated that parts of my request are not valid. According to [http://www8.austlii.edu.au/cgi-bin/viewdoc/au/legis/cth/consol\\_act/foia1982222/s4.html#](http://www8.austlii.edu.au/cgi-bin/viewdoc/au/legis/cth/consol_act/foia1982222/s4.html#)

Documents are:

"**document**" includes:

- (a) any of, or any part of any of, the following things:
  - (i) any **paper** or other **material** on which there is **writing**;
  - (ii) a **map, plan, drawing** or **photograph**;
  - (iii) any paper or other material on which there are marks, figures, symbols or perforations having a meaning for persons qualified to interpret them;
  - (iv) any article or material from which **sounds, images** or **writings** are capable of being reproduced with or without the aid of any other article or device;
  - (v) any article on which information has been **stored or recorded**, either **mechanically** or **electronically**;
  - (vi) any other **record** of information; or
- (b) any copy, reproduction or duplicate of such a thing; or
- (c) any part of such a copy, reproduction or duplicate;

but does not include:

- (d) material maintained for **reference** purposes that is otherwise publicly available; or
- (e) [Cabinet notebooks](#).

"**document of an agency**" : a [document](#) is a [document of an agency](#) if:

- (a) the [document](#) is in the **possession** of the [agency](#), whether created in the [agency](#) or received in the [agency](#); or
- (b) in order to comply with section 6C, the [agency](#) has taken contractual measures to ensure that it receives the [document](#).

I find it concerning to be told *'if you do not revise your request in order to resolve the issue raised in this letter, I will have to refuse your request using 'practical refusal'*. I am being forced to revise rather than specify my request which is a core issue I have experienced with compliance not democracy. The impetus is narrowing not clarifying. There is a clear imbalance of power here.

I would like clarified when it is stated that the *'department is not in possession of these documents'* does this mean 'has not received or sent them'? What exactly does this mean?

### 9.1.2 How to send us a 'revised request'

It is stipulated that the officer is to make the final decision. I would ask if there is an appeal process as this is not made clear.

This is a revised request as I will provide detailed information.

Again, I believe the onus should not be on revising the request but clarifying it.

I am not sure why I have been given links to ASIO, Department of Jobs and Small Business, The Prime Minister, Michael Sukkar given they are the subject of my FOI request. What would I be contacting them for?

### 9.1.3 Practical refusal reasons

#### Practical refusal reasons

Your request:

- does not provide such information as is reasonably necessary to enable the department to identify the documents that you are requesting; and
- to the extent that documents can be identified, processing your request would result in a substantial and unreasonable diversion of the resources of the department.

#### What I took into account

Your request does not provide sufficient information to identify the documents you seek

Paragraph 3.54 of the FOI Guidelines provides:

If in doubt, the agency or minister should consult the applicant to discuss exactly what documents are being requested.

Because I cannot be certain what is and what is not intended to be captured by your request, I am consulting with you to determine precisely what documents you are requesting.

You have requested access to 'a copy of all document relating to Susan Carew's file 403142935x' between 2015 and 2018. However, you have not sufficiently identified the documents you seek.

This section indicates I have not provided information reasonably necessary to enable the department to identify the documents. I would assert the CRN number provides that central point to access all documents. I consider this to be a standard statement.

Again, I do not agree that any information in under my case file would divert any resources given it is digitised and accessible to other officers given Centrelink/Human Services have 5.1 million people receiving payments. It would be highly cross referenceable.

It appears section 3.54 requires the agency or minister to consult myself. I have listed documents as 'assumed' in the case file.

My request of a copy of all documents relating to my file between 2015 and 2018 is all documents so I can review the information. It is my case file I wish to see what has been said and done in respect of my letters sent into the department and DEEWR.

The department holds a very broad range of documents across a number of programmes and business areas. As a result, the department may be required, for example, to search for any and all documents held across the department that may satisfy your request for access to your file. On that basis, we require sufficient information to identify those documents.

Requesting for your 'file' does not provide sufficient specificity as to the type of documents you are seeking and where the department should undertake searches for such documents. For example, documents on your customer record include emails, call logs, call recordings or file notes from customer systems (such as Online Document Recordings from the Centrelink system or CUBA notepads from the Child Support system). On that basis, you have not provided sufficient information to identify the documents you seek or to assist the department to identify where reasonable searches should be conducted for those documents.

Other parts of your request where you have attempted to identify documents are also unclear. In the following paragraphs, I have set out these parts of your request and my reasons for deeming them to be unclear:

- You requested 'any documents to or from' the department 'from the Commonwealth Ombudsman (2017)'. The department holds a number of documents sent to, and received from, the Commonwealth Ombudsman, including emails, letters, telephone file notes and complaint forms. Accordingly, it is unclear which specific documents you seek for this part of your request.
- You requested 'any documents to or from Lucas... about myself to or from' the department between 2017 and 2018. As you have not provided sufficient information about the identity of Lucas, we cannot identify where reasonable searches should be conducted for these documents and whether these documents exist at all.

This statement brings in a standard reply in respect of programmes and business areas. I do not see how this is relevant given I was on Centrelink and had one Job Provider Sarina Russo for the whole time in Melbourne. So the broad aspect to this is not relevant.

I do not require the department to search given the CRN should house all information.

I would assume all emails, call logs, call recordings, file notes would all be under the ONE CRN. Why would they be dispersed? I believe I have but I will, however I will further specify so that you do not action a practical refusal.

I will address what is set out in respect of the **Commonwealth Ombudsman**. I contacted the Commonwealth Ombudsman 9 and to Centrelink 23 November, 2017 (*Your form has been submitted for processing email requesting feedback re:Centrelink response. Submitted: 11:48 AM, Thursday 23 November 2017 enquiry-form-959*). I had not had a response to a few online communications to the complaints team (14/11/17) regarding my conscientious objection to the rorting of the Job provider system as mentioned on The 7.30 Report. A message was received 14/11/2017 from Geoff Commonwealth Ombudsman. I am interested in any document from the Commonwealth Ombudsman whether that is a email, direct letter or phone notes about what was said and actions taken in response to his contact.

Documents to or from **Lucas at Human Services** it is stipulated that I have not identified him. That is because he did not give me a last name similar to yourself Vincent, so how can I identify. That has to do with not trusting the customer, reflective of the discrimination unemployed people face, in the mainstream full names are given. As pointed out to me in a conversation I am not in an equal partnership. So that would be the reason. I do not believe the statement that you cannot find Lucas. An email was sent to me to contact Lucas from Human Services. He called me on 4/12/2017 Spoke with Lucas from Human Services. There would be a call log on my CRN file. I took extensive notes. He stated he was part of Complaints. I contacted him again in January 2018 and he organised for myself to speak to a Centrelink Counsellor on the 5/2/18. I have a text message organising this and I have realised on my online account there is a text message there. So it is clear that has happened. If this is missing I would say it has been removed and that requires investigation.

- You requested 'any documents to or from Job Prospects about myself to or from Human Services (Centrelink) officers (2017)' Adam and Thomas. As you have not provided sufficient information about the identity of Adam and Thomas, we cannot identify where reasonable searches should be conducted for those documents and whether those documents exist at all.
- You requested 'any documents between Stephen Jury and Michael Sukkar (MP) to or from Human Services (Centrelink) about myself in 2018'. As you have not provided sufficient information about the identity of Stephen Jury, we cannot identify where reasonable searches should be conducted for those documents and whether those documents exist at all.

Accordingly, you have not provided sufficient information to enable a department officer to identify the documents you seek.

Processing your request would substantially and unreasonably divert the resources of the department from its other operations

To the extent that some of the documents you are seeking could be identified, processing your request would substantially and unreasonably divert the resources of the department from its other operations. This is because of the broad descriptions you have used in your request.

For example, you have requested for all documents on your 'file'. Your customer record includes emails, call logs, call recordings and file notes from customer systems, as well as

The next part of the letter addresses the request in respect of Job Prospects. Again, as appears to be protocol within Centrelink and Job Providers, they do not provide last names. Given my file was transferred to Job Prospects as indicated by a text message (I have) and an email I received. I can identify this. If Human Services cannot identify this I would assume the information has been removed even though I have sent it via online feedback. Some details:

I received a voice mail from Job Prospects on 15/9/17/ In late October I sent Centrelink an online complaint/feedback summarising the issues and including my communications with Job Prospects, as follows:

Service type

Job Seekers

Service detail

Newstart Allowance

I have a complaint about

The Rules

Complaint detail

Policy or procedure

Feedback details

I wrote to Centrelink (upload) on 23 October 2017 to communicate my concerns about the ethics of Job Providers, the fact I've never had an interview when I am highly skilled and the rorts reported in the media. Moreover, in my letter to Centrelink I have raised concerns about inequality in respect of not in a equal partnership, insensitivity regarding my homelessness and desire to end my life. I have recently come back to Melbourne to deal with a bullying issue and do not intend to reside here permanently, only until the issue is resolved. I consider the Job Provider system unequal and clearly Centrelink regards me as not an equal partner as was indicated in my phone conversation with Centrelink staff discussing my homeless situation. On my way to Melbourne I received a call from Job Prospects indicating an appointment the next day. I did not agree to them as a provider and I had not informed anyone of my return to Melbourne as this was a recent decision. I responded to this message with a voice mail explaining I am not in agreement, I have signed no contract with this private organisation and have ethical issues with the way they undertake their services. They did not respond to my voice message but chose to send text messages indicating I had not come to an appointment when I had responded with reasons as to why. They then sent me another message. Centrelink

then backed it up with suspending my payments. Then I receive multiple messages from the Job Provider. Again, I am not heard at all as if I have no rights or a voice whatsoever. I believe in democracy not compliance, I will not engage in a system that is one of enforcement rather than service to actually serve people (tax payers) in their search for employment. I regard the process as one that is slowly taking away democratic rights to choice. It seems akin to the way prisoners are treated. I note that call centres are being taken over by a foreign multinational that has a very poor reputation for human rights and contracts to prisons. This is inappropriate. Moreover, the jobs go off shore, Centrelink is not employing an Australian company and it removes accountability. I have real concerns as a citizen about what is really happening and accountability for tax payers money. This is why I am not wishing to participate in a system that does not value me as a human being or truly seek to assist me. I am not receiving income at this time, I have no permanent address but I refuse to take money from a system that treats me as if my life has no value. This disempowers me. I am pasting the emails between myself and Job Prospects. I await a letter from Centrelink in response to my real concerns.

Gmail contact with Job Prospects Thomas M <ThomasM@jobprospects.com.au> Oct 24 (2 days ago) to me Good Morning, Just a quick message wondering why you haven't re-engaged with your provider, Thanks you, Thomas M Employment Officer Job Prospects Level 2 104 Burgundy Street Heidelberg VIC 3084 Telephone: 03 9455 3910

Email: ThomasM@jobprospects.com.au jobprospects.com.au  
 SPEAK UP <worldpeaceful empowerment@gmail.com> Oct 24 (2 days ago) to Thomas <ThomasM@jobprospects.com.au> Dear Thomas, I responded to your first message of an appointment with a voice message. I have said that I have not agreed to join your Job Provider as I am in Melbourne temporarily dealing with a bullying issue. I was astounded that you sent a message to Centrelink indicating I had not complied with an appointment. The fact you invited me with one day's notice indicates no interest in whether that is convenient to me or if I indeed wish to join your agency. I have not agreed nor do I have a contract with Job Prospects and I would like to know how my file came to you and how you have the authority to cut off my payments when I am homeless and not affiliated with your agency. Can you please explain why this happened? I have no source of income and I do not wish Job Prospects to manage my case. I have written to Centrelink and explained my situation and my perspective. Regards, Susan Carew WorldPeacefull

Thomas M <ThomasM@jobprospects.com.au> 1:51 PM (18 hours ago) to me Centrelink will automatically assign you with a Job Provider that will assist you with looking for work. This is one of the requirements of being on a new start allowance. when you don't come to an appointment then we have to inform Centrelink that you have not completed part of your mutual obligations. While you do not have to be connected to us at job prospects you are free to chance to another provider. If you have any further questions please call and I would be happy to answer any questions.

SPEAK UP <worldpeaceful empowerment@gmail.com> 8:11 AM (27 minutes ago) to Thomas Dear Thomas, I understand the process and have written to Centrelink. I have not found the Job Provider system effective and I have issues with Job Providers rorting the system. I have found this not only through the media but through people I have spoken to. I believe it is unethical and ineffective. I did not gain one interview and I am highly experienced. I am not saying there are not ethical people in organisations such as yours but ethically the system is problematic and the rights of job seekers have been curtailed by contracts. I believe in democracy and I know I am being treated as a second class citizen. I have been informed that I have the same rights outside of Centrelink as every other citizen but in the system I am considered not an equal partner in respect of job searching. This is untenable to me. It is up to Centrelink to answer my request. I have asked them to write to me to address my concerns. I do not have any form of income and do not have a permanent home. Ethically I cannot accept money from a system that regards me as less. That goes against my values and sense of dignity. Best wishes, Susan Carew

postmaster@syc.net.au via au-smtp-delivery-223.mimecast.com 8:12 AM (27 minutes ago) to me Delivery has failed to these recipients or groups: Thomas M (thomasM@jobprospects.com.au) The recipient's mailbox is full and can't accept messages now. Please try resending this message later, or contact the recipient directly. The following organization rejected your message: EX02.syc.net.au.

In relation to Adam I rang him 1/12/2018 Rang out of my own volition and spoke to Adam at Job Prospects to discover they did not have a record of my voice mail or emails. I believe they do not record what I had said as I am invalidated. This is part of the corruption I believe that needs to be acknowledged by Human Services.

It is clearly not valid to state that this request substantially diverts resources given it is documented.

I will **clarify my revised request with detail** to overcome practical refusals.

Separation from its other operations

To the extent that some of the documents you are seeking could be identified, processing your request would substantially and unreasonably divert the resources of the department from its other operations. This is because of the broad descriptions you have used in your request.

For example, you have requested for all documents on your 'file'. Your customer record includes emails, call logs, call recordings and file notes from customer systems, as well as documents from your Medicare and Child Support record. Accordingly, searches would need to be undertaken across a significantly large number of business areas. The department would need to review all of the documents retrieved, consult with the relevant departmental officers, as well as any third parties, review the documents and make redactions (if required).

Such an exercise would substantially and unreasonably divert the resources of the department from delivering other services to the public.

Parts of your request are not for documents of the agency

Section 11 of the FOI Act provides that an applicant has a right to obtain access to 'a document of an agency'. Section 4 of the FOI Act defines 'a document of an agency' as a document in the possession of the agency. The relevant agency for the purposes of your FOI request is the department.

The following parts of your request refer to documents that are not in the possession of the department and are therefore not documents of the agency:

- Your request for 'any documents between Stephen Juru and Michael Sukkar (MP)

It is stated I have requested all documents on my file. It includes Medicare and Child support which is irrelevant thus a standard paragraph not specifically speaking to my record. It is not true that searches need to be undertaken across a large number of business areas. I regard this statement as a general one designed to narrow my request.

I do not believe citizens should be responsible for the department reviewing documents retrieved, consultation and third parties, that is the responsibility of the department as they would be reviewing on the basis of their own interests which has nothing to do with my request for my own information. The cost of officers are paid for by the Australian Taxpayer and I would believe that they would approve of my information being made available given I am looking at it in the public interest. I believe a digital search would take no more than 10 minutes. Therefore I believe the argument is an impediment for my accessing my own information.

### 9.1.4 Parts of your Request are not for Documents of the Agency

#### Parts of your request are not for documents of the agency

Section 11 of the FOI Act provides that an applicant has a right to obtain access to 'a document of an agency'. Section 4 of the FOI Act defines 'a document of an agency' as a document in the possession of the agency. The relevant agency for the purposes of your FOI request is the department.

The following parts of your request refer to documents that are not in the possession of the department and are therefore not documents of the agency:

- Your request for 'any documents between Stephen Jury and Michael Sukkar (MP) about myself in 2018'.
- Your request for 'any documents to or from Stephen Jury to or from Michael Sukkar (MP) about myself to or from the Prime Minister in 2018'.

Please refer to page 3 of the letter for links to the relevant agencies and offices that you may wish to contact for the above documents.

PAGE 5 OF 7

Department of Human Services

## FREEDOM OF INFORMATION ACT 1982 - SECT 11

### Right of access

(1) Subject to this Act, every person has a legally enforceable **right** to obtain access in accordance with this Act to:

- (a) a [document of an agency](#), other than an [exempt document](#); or
- (b) an official [document](#) of a Minister, other than an [exempt document](#).

(2) Subject to this Act, a person's right of access is not affected by:

- (a) any reasons the person gives for seeking access; or
- (b) the [agency's](#) or Minister's belief as to what are his or her reasons for seeking access.

**"document of an agency"** : a [document](#) is a [document of an agency](#) if:

- (a) the [document](#) is in the **possession** of the [agency](#), whether created in the [agency](#) or received in the [agency](#); or
- (b) in order to comply with section 6C, the [agency](#) has taken contractual measures to ensure that it receives the [document](#).

I accept that statement. It is highly unlikely the agencies will give me the information given my homelessness situation and there likely refusal to grant access to their communications politically.

### 9.1.5 Assistance to Revise Your Request

You may wish to consider revising the scope of your request to clarify the issues set out above by specifying:

- a particular class of documents you seek; and
- documents that are within the possession of the department.

I have considered the terms of your request and the documents that may assist you. I recommend you consider revising your request to the following

‘From my customer record:

- any Job Capacity Assessments (JCA) and Employment Service Assessments (ESAs) between 2015 and 2018;
- correspondence between the department and the Commonwealth Ombudsman in relation to any complaint I have made to the Commonwealth Ombudsman about the department in 2017;
- ODRs (internal department file notes known as Online Document Recordings) mentioning Probe Group in 2017;
- correspondence between Sarina Russo (job provider) and the department mentioning my name between 2015 and 2017; and
- correspondence received by the department from Michael Sukkar MP about me in 2018.’

Please note that, even if you do revise the terms of your request, a practical refusal reason may remain if the terms of your revised request are still affected by any of the issues set out above.

How is it possible for myself to know a particular class of documents given I am not privy to what documents are created within Human Services, Centrelink, Probe/ASIO or the Job Providers. I cannot know if documents have been held off site for sensitive political reasons given the privatisation of Social Security is a political issue and the avoidance of accountability of the Job Providers. For example Probe/ASIO surveillance as per the Human Services Report may well be held in legal areas under professional privilege if it is found that they were illegal and unwarranted invasions of privacy.

Vincent you have advised documents that may assist me in my revising my request. Does the wording correspondence narrow from documents? I would be interested in documents and notes. It can become confusing with the wording. I want to make sure I can capture all information as I want to know the truth of the matter. I will incorporate your suggestions.

I will go with the process but my hope is that I will not be refused on public interest grounds and as a right to my information as a citizen. I am at a disadvantage as I am not privy to all that was said and actioned as a result of my correspondence and reports to Centrelink, Human Services and Job Providers.

### 9.1.6 Relevant Sections of the Freedom of Information Act 1982

Section 4 of the FOI Act provides that a document is a document of an agency if the document is in the possession of the agency, whether created in the agency or received in the agency.

Section 11(1) of the FOI Act provides that every person has a legally enforceable right to obtain access to:

- a document of an agency, other than an exempt document; or
- an official document of a Minister, other than an exempt document.

Section 24(1) of the FOI Act provides that an agency may refuse to give access to documents in accordance with an FOI request if:

- a practical refusal reason exists in relation to the request; and
- following a request consultation process under section 24AB of the FOI Act, the agency is satisfied that the practical refusal reason still exists.

Section 24AA(1)(a)(i) of the FOI Act provides that a practical refusal reason exists in relation to an FOI request if the work involved in processing the request would substantially and unreasonably divert the resources of the department from its other operations.

The issue of 'possession' concerns me as information can be deleted, removed off site. I don't agree with the legislation in respect of obtaining an official document from a Minister as Minister's must be accountable if there is any corruption going on. I am not asserting this but I am concerned about it as a citizen given I was not able to access superannuation as a person in severe financial hardship who had income support cancelled on the basis of a conscientious objection to reporting of Job Providers. Therefore scrutiny of Minister's correspondence, documents and other notes should be available to citizens given they represent us.

I would expect the only grounds for refusal is the fact that a document does not exist and this is stipulated. I do not believe I have to prove grounds for not applying practical refusal. I don't consider that equal.

Unreasonable diversion of resources is only fair if it is a vexatious complaint, however it is to do with concerns about corruption I believe it is in the public interest to spend what is required to ensure transparency and accountability in the public interest.

Section 24AA(1)(b) of the FOI Act provides that a practical refusal reason exists in relation to an FOI request if the request does not satisfy the requirements of section 15(2)(b) of the FOI Act.

Section 15(2)(b) of the FOI Act provides that a request must provide such information as is reasonably necessary to enable a responsible officer to identify the documents sought.

Section 24AA(2) of the FOI Act sets out certain factors which the department must consider when determining whether providing access in relation to a request would substantially and unreasonably divert the department's resources. The department must specifically have regard to the resources that would have to be used for:

- identifying, locating or collating the documents within the department's filing system;
- deciding whether to grant, refuse or defer access to a document to which the request relates, or to grant access to an edited copy of such a document, including resources that would have to be used for examining the document or consulting in relation to the request;
- making a copy, or an edited copy, of the document, and
- notifying any interim or final decision on the request.

Section 24AB(6) provides that the applicant must, before the end of the consultation period, do one of the following, by written notice to the agency or Minister:

- withdraw the request

This language is not easy to understand from the public's perspective and I am sure it put's off many people who would not understand it. How does a person with ESL background or grade 7 education relate to legislation without legal advice? I think we should have access to a independent lawyer.

The first bullet point in a digital age is no longer relevant, an electronic search is all that is required as everything is pdf, online upload and very few are letters received (they would be scanned).

I do not believe a person should be accountable for examination costs of a document or consultation in relation to the request. That is an internal matter.

The issue of time involved and resources allocated is due to non-response. I would not have written so many times had I been answered and had my concerns dealt with, no response was not productive and increased my sense of being unheard.

I don't mind if you choose not to print anything if that is to be used as a barrier, electronic is fine.

Is the final decision the end of the matter or is there recourse?

My understanding is the consultation period last day is 21 September, 2018, interestingly this is the *International Day of Peace* which I hope is a good omen.

This letter is sent today dated 20 September 2018 within the consultation period.

The **revised** FOI Request is on the following page.

# Freedom of Information Request Form

## SAME CONTACT DETAILS

NB: Fee waiver given homelessness which Centrelink and Human Services are aware of. I do not have a mobile only email as my primary contact.

## INFORMATION REQUEST

**I would like obtain a copy of the following document(s):** *Indicate whether you would like to inspect the documents and/or obtain a copy of the documents:*

I want a copy of all document relating to Susan Carew's file 403142935 .....x

Please note **documents** definition: *including but not limited to - reports, assessments, risk assessments, breach assessment, profiling, appeal/reviews, recordings, summaries and emails.*

### Note:

- documents about myself gathered by Centrelink and Human Services and information supplied to the government by external organisations or individuals over the period of time 2015 to 2018. These documents must be accessed whether stored on-site or off-site in other storage capacities or as paper hardcopies.
- I regard Human Services and Centrelink part of the same government department.
- Please note if there is any duplication of documents, please provide one document.

### ***Printing and Storage:***

- All files to be stored in file folders electronically by year, department and type of document and date order.
- All files to be stored on a USB or DVD in Microsoft Office readable formats. CCTV footage to be stored in a format that is readable on Windows, clearly referenced.

Note: All letters listed in FOI can be provided to FOI for verification.

### 9.1.7 Data Collection

I, Susan Carew, request the following:

- Documents about myself gathered by Centrelink and Human Services and information supplied to the government by external organisations or individuals over the period of time 2015 to 2018. These documents must be accessed whether stored on-site or off-site in other storage capacities or as paper hardcopies.
- Please note **documents** definition: *including but not limited to - reports, assessments, risk assessments, breach assessment, profiling, appeal/reviews, recordings, summaries and emails. Inclusive of: Job Capacity Assessments, Employment Service Assessments, correspondence, Online Document Recordings (ODRs) or other such documents mentioning myself.*

1. Susan Carew full file case number 403142935x

It is *assumed* the documents below would be **in the case file**, please ensure the following documents are included in this file.

2. Any documents between **Centrelink and Human Services officers** (or prior DEEWR) about myself between 2015-2018, specifically internal documents (as above definition) in response to;
  - a. Centrelink online 19 April 2016 Work for the Dole 8022220868
  - b. My letter to Sarina Russo 22 April 2016 re: Work for the Dole
  - c. Letter to Social Security on 3 May 2016 addressed to Mark c/- 21 Yarra Street, Heidelberg
  - d. Letter to Centrelink (3/5/2016 or 1/6/2016) re: Work for the Dole. My report 'Compliance or Democracy' was included
  - e. Letter to Centrelink 23 September 2017 (would like a copy of this)
  - f. Debt invoice first generated 23/9/17 (refer invoice form online)
  - g. Letter to Centrelink 28 September 2017 re: Updated Circumstances Mental Health
  - h. Letter Centrelink 23 October 2017 c/- Greenway, ACT – Suspended Payment re eviction, officers contact on route to Queensland, poor attitudes, keen to work, diminished government responsibility for Social Security, Australian Constitution, mutual obligation, inequity, cannot comply as system not working, corruption, conscientious objector
  - i. Online invoice from Centrelink 23 October 2017 re: debt
  - j. Late October online feedback re: Job Provider rorting, staff attitudes, Job Prospects emails re: Thomas
  - k. 9 November 2017 rang Commonwealth Ombudsman re: no response from Human Services
  - l. 23 November 2017 contacted Centrelink re: Ombudsman
  - m. Email received approx. 29/11/2017 requesting to ring Lucas Human Services Brisbane (07) 55628354 (I was not given a last name).
  - n. Called Lucas on 4/12/17 re: complaint, request audio recording, notes, letters to/from Human services
  - o. Letter submitted to Centrelink on 15 December 2017 Attention: Lucas (07) 55628354, Human Services, no response then sent again 11/1/2018. I mentioned Ombudsman, Work for the Dole, the Probe group and surveillance, no payment, surveillance of car out front, request emergency payments, review? Job prospects attached,
  - p. Uploaded letter to Centrelink 25 January 2018 re: waiting to find out about review
  - q. Interview with Counsellor on 5/2/18.
  - r. Letter to Mr Rees, Human Services 11 February 2018 re: review
  - s. I would like to know the answer to the review as he spoke to me but I am unclear.
  - t. Online feedback 9/7/18 re: mobile (not using one)
  - u. Online feedback 9/8/18 re: debt and sms 5/2 – didn't realise it was the counsellor appointment, didn't receive it as had it in my diary given my discussion with the counsellor
  - v. Online feedback 10/8/18 received message (*This message is from the Department of Human Services. We are writing to you about the enquiry you submitted through our website. We tried to call you to provide assistance but were unsuccessful. If you still need assistance, please call us on 1800 076 072 (call charges may apply). Had informed no mobile 9/7.*

3. Any documents to or from **Lucas** (Qld) Human Services about myself to or from Human Services (Centrelink) officers (2017-2018).
  - a. Reference letters and contact as above re: 2 (k), (l), (m)
4. Any documents/correspondence about myself to or from **Human Services** (Centrelink) officers from the **Commonwealth Ombudsman** (2017);
  - a. I contacted the Commonwealth Ombudsman 9 and Centrelink re: Ombudsman 23 November, 2017 (*Your form has been submitted for processing email requesting feedback re: Centrelink response. Submitted: 11:48 AM, Thursday 23 November 2017 enquiry-form-959*)
5. Any documents to or from the **Probe Group** about myself to or from **Human Services** (2017-2018);
  - a. Received a call from the Probe Group 13/12/17 who informed me Human Services had asked them to recover a debt. They sent around 5-10 texts. I told them I explained my situation, I was in poverty and that I felt harassed.
  - b. Debt first issued 23/9/2017, invoice available on 23/10/2017.
  - c. Refer letters above referencing the Probe Group (2k, 2l)
6. Any documents to or from Human Services (Centrelink) about myself to or from **ASIO** (2017-2018);
  - a. Human Services states it utilises intelligence agencies, this would be actioned due to debt and Probe group. I would like to know what was written about myself as I have been in the media, interviewed high profiled people, attended protests etc. I would like to know if a profile was compiled about myself.
7. Any documents to or from **Job Prospects** about myself to or from Human Services (Centrelink) officers (2017);
  - a. I rang Adam on 12/1/18 he stated no voice record or email record re: Thomas
  - b. Thomas [ThomasM@jobprospects.com.au](mailto:ThomasM@jobprospects.com.au) (see online Centrelink feedback in this letter late October, 2017) and many letters referring to Job Prospects above.
8. Any documents to or from **Sarina Russo** about myself from Centrelink or Human Services officers (2015-2017)
  - a. Letter to Sarina Russo 22 April 2016 re: Work for the Dole
  - b. Letter to Sarina Russo 22 May 2016 re: cancelling placement due to distress, suicidal, impending legal situation bullying issue
  - c. Email to Tina 26/6/17 stating that I had sent message to Centrelink re my situation, Early Childhood training not possible interstate to finish. Consultant Tina Kirby [KirbyT@sarinarusso.com.au](mailto:KirbyT@sarinarusso.com.au) and Carmelina (previous);
9. Michael Sukkar was approached to represent me to Human Services re: homelessness, superannuation and debt issued. Any documents from Stephen Jury and Michael Sukkar (MP) to or from **Human Services** (Centrelink) about myself in 2018;
  - a. Emails between Sukkar/Jury to/from Minister/department between Saturday, 17 March 2018 and September 2018
  - b. Letter from Minister Keenan to myself 2 May 2018 and sent to me 22 August 2018 (highlighting it has been delayed given departmental discussions)
  - c. Letter signed by someone else on behalf of Mr Patrick Cremen on behalf of Minister (letters attached to this letter)

10. Any documents **between Stephen Jury and Michael Sukkar (MP)** about myself to or from **Minister Keenan** in 2018;
- a. Letter from Minister Keenan to myself 2 May 2018 and sent to me 22 August 2018 (*highlighting it has been delayed given departmental discussions*)
  - b. Letter signed by someone else on behalf of Mr Patrick Cremen on behalf of Minister (letters attached to this letter)
11. Any documents to or from Stephen Jury to or from Michael Sukkar (MP) about myself to or from the **Prime Minister** in 2018.
- a. Online communication to Prime Minister Turnbull on 19 February 2018
    - i. Response via email from Human Services MINISTERIAL CORRESPONDENCE [Min.Corro@humanservices.gov.au](mailto:Min.Corro@humanservices.gov.au)> Sun, Mar 11, 2018 at 5:35 PM Re: (PJ) MC18-001333 Reply from the Department of Human Services Ministerial Correspondence Team [SEC=UNCLASSIFIED]
    - ii. I responded to this  
SPEAK UP [worldpeaceful empowerment@gmail.com](mailto:worldpeaceful empowerment@gmail.com)  
MINISTERIAL CORRESPONDENCE [Min.Corro@humanservices.gov.au](mailto:Min.Corro@humanservices.gov.au) Sat, Feb 24, 2018 at 3:29 PM  
Re: (PJ) MC18-001333 Reply from the Department of Human Services Ministerial Correspondence Team [SEC=UNCLASSIFIED]
  - b. Online communication to Prime Minister Turnbull on 8 May 2018 Prime Minister of Australia [webservices@pmc.gov.au](mailto:webservices@pmc.gov.au) [worldpeaceful empowerment@gmail.com](mailto:worldpeaceful empowerment@gmail.com) Tue, May 8, 2018 at 7:07 PM re: superannuation, homelessness,  
No further response.

Signed SUSAN CAREW,



## 9.2 FOI Human Services Email Response to my letter

I received this email response today and I am not surprised to see barriers and blockages to accessing my own data. The irony is that Centrelink/Human Services can demand my data, they can track me, they can use surveillance but again the onus is on myself to validate my requests otherwise they will use legislative barriers to prevent my access. This reflects the imbalance of power and no advocacy to assist me in dealing with lawyers who are paid to protect assets not serve the public. I have no legal expertise. It is stated I have not provided enough information, I have. The terminology is broad as the 'non response' has been happening since 2015 and I am seeking to understand why. The terminology of diverting resources always makes me smile when I think of the Job Provider diversion of resources which I list in the next section. I do not believe this statement at all. My explanation in my letter is the same for this one in respect of the untrue rationale given digital environments.

The revisions on the following page take out the most important information and clearly avoid releasing information. They can be placed on a thumb drive easily. I am a former market analyst I used to handle large quantities of information, the voluminous, diversions etc. are untrue.

I note none of my statements in my letter are answered, which I am accustomed to but do not agree with. Government represents me, the onus is on Government to answer my questions as my representative. This is what clearly has been set aside.

I have until the 2 October to respond (2 working days). This is Gandhi's birthday, an omen as he was an advocate for truth and love.

From: FREEDOMOFINFORMATION <freedomofinformation@humanservices.gov.au>  
To: 'peacefull@worldpeacefull.com' <peacefull@worldpeacefull.com>  
Sent: Sep 27 '18 17:21

Subject: RE: Consultation response from Susan Carew LEX 39139 [SEC=UNOFFICIAL]

Dear Ms Carew

Thank you for your response to the department's consultation notice issued under section 24AB of the Freedom of Information Act 1982 (**FOI Act**).

I have reviewed your response and consider that **one or more practical refusal reasons still exist**. Firstly, you have **not provided sufficient information** in your request to enable **identification** of the documents you are seeking. For example, 'any documents between Centrelink and Human Service officers (or prior DEEWR) about myself between 2015-2018' is **broad terminology** and can refer to reports, online file notes, email correspondence, and notes on physical files.

Secondly, your request covers a **wide range of documents and processing your request is likely to result in a substantial and unreasonable diversion of the department's resources**. The department holds a substantial number of documents potentially within the **scope** of your request that would be located across the department's 130 branches. To process your request, the department would have to do **extensive searches** across these 130 branches to find and process the documents you asked for. The department would then need to **review the documents** to see if any of the pages might need redactions - that is, possibly deleting some content, for example, where there is private information about another person. The department **does not hold all documents about you in a single file or in a single business area**.

Finally, parts of your request are **not valid** as the documents you have identified in those parts are not 'documents of an agency' as defined by section 4 of the FOI Act, that is, the department is not in possession of those documents. For

example, you requested for 'any documents to or from Stephen Jury to or from Michael Sukkar (MP) about myself to or from the Prime Minister in 2018'. These are documents that are not in the possession of the department.

I have considered the terms of your original request, the terms of your revised request, your consultation response and the documents that may assist you. Accordingly, you may wish to **consider revising your request** to the following:

'From my customer record:

- all letters and emails **sent to you** by the department between 1 January 2015 and 31 August 2018;
- all letters and emails **you have sent** to the department between 1 January 2015 and 31 August 2018;
- **all online complaints you have lodged** with the department between 1 January 2015 and 31 August 2018;
- **any Job Capacity Assessments (JCA) and Employment Service Assessments (ESAts)** between 1 January 2015 and 31 August 2018;;
- **correspondence between the department and the Commonwealth Ombudsman** in relation to any **complaint** I have made to the Commonwealth Ombudsman about the department in 2017;
- **correspondence between the department and Probe Group** between 1 January 2017 and 31 August 2018;
- **ODRs (internal department file notes known as Online Document Recordings) mentioning Probe Group** in 2017;
- **correspondence between Sarina Russo (Job Provider) and the department** mentioning my name between 1 January 2015 and 31 December 2017; and
- correspondence **received** by the department from **Michael Sukkar MP about me** in 2018.'

(THE LAST ONE IS VERY INTERESTING)

Please confirm whether you wish to revise the scope of your request as set out above by responding with 'yes' to this email by close of business **2 October 2018**. If I do not receive a response from you by that date, I will be proceeding to a **formal decision** regarding your FOI request.

Please do not hesitate to contact me for further assistance.

Kind regards

**Vincent**

FOI Practitioner  
FOI Team  
Employment Law and FOI Branch – Legal Services Division  
Department of Human Services

[freedomofinformation@humanservices.gov.au](mailto:freedomofinformation@humanservices.gov.au)

## 10.0 JOB PROVIDER SERVICE

The table below highlights contractor expenditure in the Jobs and Small Business Department. It is extracted from the **Senate Entity Reports for complying with the Senate Order on Procurement Contracts and use of Confidentiality Provisions 2017 Calendar Year** and the file is department\_of\_jobs\_and\_small\_business2017 (excel). Total expenditure for the Department of Jobs and Small Business is: \$39,799,690,153,995 (\$39 trillion).

I have extracted only those companies that are labelled 'Employment Services'. I am uncertain if this is the complete list of Job Providers as some of the services can be distributed across Social Services under 'Community and social services' or labelled in different areas which I have not investigated. Total expenditure = \$7.8 billion. Zoom in to view selected Job Providers:

A4e Pty Ltd	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	83,986,849.00
Adult Multicultural Education Services - AMES	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	228,164,634.00
Advance Business Specialists (ABS) Pty Ltd as trustee for th	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	4,547,700.00
Atwork Australia Pty Ltd	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	135,976,170.00
Auctus Consulting Pty Ltd	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	781,200.00
BEST Employment Limited	Work for the Dole Coordinator	Employment services	12-Jun-15	1-May-15	31-Dec-17	3,944,000.00
BEST Employment Limited	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	74,573,252.00
Box Hill Institute	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	10,825,200.00
BRACE Education Training and Employment Ltd	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	636,120.00
Business Enterprise Centre Cabonne Orange Blayney Inc	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	1,841,400.00
Business Enterprise Centre Northside Limited	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	8,453,700.00
Business Foundations Inc	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	5,496,300.00
Campbell Page Limited	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	41,652,226.00
Centacare Catholic Diocese of Ballarat Inc	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	16,385,559.00
Communicare Inc.	Work for the Dole Coordinator	Employment services	12-Jun-15	1-May-15	31-Dec-17	5,814,000.00
Communicare Inc.	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	88,421,622.00
Complete Personnel SA Pty Ltd ATF Complete Personnel SA	Employment Services This contract term	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	33,630,700.00
CVGT Australia Limited	Work for the Dole Coordinator	Employment services	12-Jun-15	1-May-15	31-Dec-17	5,511,500.00
CVGT Australia Limited	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	90,660,455.00
Direct Recruitment Pty Ltd	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	108,173,465.00
Dieriwarrr Employment and Education Services	Work for the Dole Coordinator	Employment services	12-Jun-15	1-May-15	31-Dec-17	6,144,000.00
Enterprise & Training Company Limited	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	151,414,973.00
Enterprise Management Group Pty Ltd	Work for the Dole Coordinator	Employment services	12-Jun-15	1-May-15	31-Dec-17	6,941,500.00
Enterprise Management Group Pty Ltd	Work for the Dole Coordinator	Employment services	12-Jun-15	1-May-15	31-Dec-17	4,274,000.00
Enterprise Management Group Pty Ltd	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	27,242,919.00
Eworks Employment Solutions Inc	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	60,762,699.00
Gernsail Pty Ltd as trustee for Greig Family Trust	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	90,467,640.00
G-Force Recruitment Ltd	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	19,828,139.00
Help Enterprises	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	106,079,450.00
Holmesglen Institute	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	2,968,560.00
Hume Employment & Training Inc.	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	837,000.00
Hunter Business Centre Ltd	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	641,700.00
IPC Employment Pty Limited	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	308,359,164.00
Job Futures Ltd	Work for the Dole Coordinator	Employment services	12-Jun-15	1-May-15	31-Dec-17	2,156,500.00
Job Futures Ltd	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	286,568,975.00
Joblink Plus Limited	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	136,983,785.00
Jobs Australia Enterprises Ltd	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	32,683,418.00
Karingal Inc (VIC) Limited Liability	Work for the Dole Coordinator	Employment services	12-Jun-15	1-May-15	31-Dec-17	12,892,500.00
Karingal Inc (VIC) Limited Liability	Employment Services All business from t	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	251,644,547.00
MADEC Australia	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	155,418,716.00
Mareeba Shire Job Training Association Incorporated	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	41,071,614.00
Marrickville Community Training Centre Inc.	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	5,607,900.00
MAX Solutions Pty Ltd	Work for the Dole Coordinator	Employment services	12-Jun-15	1-May-15	31-Dec-17	33,602,750.00
MAX Solutions Pty Ltd	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	1,214,206,970.00
Mission Providence Pty Ltd	Work for the Dole Coordinator	Employment services	12-Jun-15	1-May-15	31-Dec-17	15,125,500.00
Mission Providence Pty Ltd	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	470,700,817.00
Neato Employment Services Pty Ltd	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	257,180,209.00
NORTEC Employment & Training Ltd	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	183,503,680.00
OCTEC Limited	Work for the Dole Coordinator	Employment services	12-Jun-15	1-May-15	31-Dec-17	8,432,000.00
Parkes Forbes Enterprise Development Centre Inc	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	1,311,300.00
RNTT Pty Ltd	Employment Services This Contract was	Employment services	19-Jun-15	28-Mar-16	30-Jun-20	206,498,842.00
Royal Melbourne Institute of Technology	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	3,180,600.00
Sarina Russo Job Access (Australia) Pty Ltd	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	606,017,510.00
Serendipity (WA) Pty Ltd	Employment Services This contract incl	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	196,381,228.00
Skill Hire WA Pty Ltd	Work for the Dole Coordinator	Employment services	12-Jun-15	1-May-15	31-Dec-17	2,294,000.00
Skill Hire WA Pty Ltd	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	61,263,396.00
St Laurence Community Services Inc.	Employment Services contract terminat	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	52,783,157.00
Staeher Street Incorporated	Work for the Dole Coordinator	Employment services	12-Jun-15	1-May-15	31-Dec-17	2,789,000.00
Status Works Pty Ltd	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	40,356,840.00
Steven Milard & Associates P/L ITF The Millard Family Trust	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	3,515,400.00
Sureway Employment and Training Pty Ltd	Work for the Dole Coordinator	Employment services	12-Jun-15	1-May-15	31-Dec-17	3,284,000.00
Sureway Employment and Training Pty Ltd	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	221,032,545.00
SYC Limited	Work for the Dole Coordinator	Employment services	12-Jun-15	1-May-15	31-Dec-17	8,058,000.00
TELDRAW PTY. LIMITED	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	91,265,854.00
The BUSY Group Ltd	Work for the Dole Coordinator	Employment services	12-Jun-15	1-May-15	31-Dec-17	3,091,500.00
The Salvation Army (Victoria) Property Trust	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	536,254,271.00
Tursa Employment & Training Limited	Work for the Dole Coordinator	Employment services	12-Jun-15	1-May-15	31-Dec-17	8,965,000.00
Tursa Employment & Training Limited	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	431,652,656.00
Western District Employment Access Inc.	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	77,648,644.00
Westvic Staffing Solutions Inc	Work for the Dole Coordinator	Employment services	12-Jun-15	1-May-15	31-Dec-17	3,751,500.00
Wodonga Institute of TAFE	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	1,674,000.00
Workskil Australia Incorporated	Work for the Dole Coordinator	Employment services	12-Jun-15	1-May-15	31-Dec-17	8,825,250.00
Workskil Australia Incorporated	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	347,471,620.00
Workskills Incorporated	Employment Services	Employment services	19-Jun-15	1-Jul-15	30-Jun-20	43,860,271.00
<b>TOTAL</b>						<b>7,806,444,061.00</b>

## 11.0 HISTORY OF GOVERNMENT APPROACHES TO UNEMPLOYMENT

### 11.1 Towards Full Unemployment

*Robert Theobald<sup>3</sup>*

*In Canberra, when I was 21 I was invited to participate in a Futurist forum to learn from Robert Theobald, he inspired the audience with envisaging a progressive future. I was young and his visions left a mark on me that we can all make a positive difference. That is what I am working for! When I was in India in 2013 I met with bonded labourers. I met a man whose fingers had been worn down to the bone from working. We came as a group of clowns and our objective was to simply bring joy to these released slaves. When the man spoke to the group to thank us for our visit he said it was the first time in his life he had laughed as a child. He lost his childhood. I remember listening to NGO activists speaking about this topic and I immediately thought of the mining industry bringing in foreign workers. It was an inspired thought, it flashed into my mind. I saw in my mind the vulnerability of desperate people who would have no idea of rights, no English, accepting gratefully lower wages yet isolated in remote communities. I wondered about this topic. When profit is the motive and values are not integrated within a space of shared concern, exploitation can easily arise. I reflected on the times where I had worked until I got RSI, there had been no sense of duty of care from those contracting me. I met many people in my career who felt forced to work given mortgage traps.*

In Robert Theobald's book 'Toward Full Unemployment' slavery, ownership and employment is discussed.

The movement **to abolish chattel slavery took fire when we began to realize how demeaning it was for people to be owned by another person** who held the power of life and death over them. Uncle Tom's Cabin opened up a fiery debate which led inexorably to the civil war.

We are now at the point where we need to understand the concept of **wage slavery**. Failure to do this will bind people to employers just as firmly as chattel slavery bound slaves to their owners. It is our responsibility to open this debate in ways which do not lead to the same level of anguish and bitterness as started the civil war.

I am aware that opening my piece in this way will seem to many to be pure hyperbole: a grotesque overstatement of any possible credible case. In this article, I shall argue why my parallel is exact and necessary, describe how we might move forward to change our patterns and our understandings and briefly discuss how the new socioeconomic world might evolve.

Before I get into the specific issues I want to face the fact that **raising consciousness normally provokes bitter opposition**. Up to the current time, movement toward new cultural understanding has always provoked a bitter backlash. Our challenge this time is to help people grasp profoundly new models with the least fear and anger possible.

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<sup>3</sup> *Toward Full Unemployment: Moving Beyond Wage Slavery (by Robert Theobald 1927-1999)*

This is going to be difficult. The way most people have earned their living has been to hold a job. Even though we are rapidly becoming aware that the meaning of jobs, and work, is shifting with incredible rapidity it is difficult for people to face up to the way that the world is shifting around them. It is often easier to blame the "other" for one's loss of status, income and prestige than to look at the inexorable march of changing conditions.

### **The New Socioeconomic Structures**

At the end of World War II, politicians vowed that workers and societies would never again suffer as they had in the great depression of the thirties. The ways in which countries adopted the commitment to full employment differed but it was agreed that it was a responsibility of the state to provide the opportunity for employment to all those who wanted a job.

In the immediate post-war years, the new approaches proved easy to maintain. There was enormous pent-up demand and workers and factories were kept busy. There were recessions but they were shallow and short. It seemed as though the tragedies of earlier periods, when unemployment had caused massive suffering, were gone for good. Huge additions to the labor force came as women decided that they wanted to be more than homemakers and mothers. This increase was absorbed remarkably easily in the sixties and early seventies. During this time, as this pattern continued, socioeconomic goals shifted rather dramatically although the change was little understood.

Instead of struggling toward full employment, which implied that people could choose whether to be in the labor force or not, **Western societies began to demand maximum labor force participation.** An increase in the number of people holding jobs was seen as good in itself. Several forces drove this changed perception. There was the **bias of economists and politicians who measured success in terms of the increase in the Gross Domestic Product.** The addition of workers caused this figure to rise faster than it would otherwise have done. The fact that much of this rise was due to a **statistical quirk** has been little commented or understood. **The value of the activity people do outside the monetary economy is not counted in the GDP -- so the offsetting loss as people spent less time as parents and volunteers did not show up in economic calculations.** Once one understands this peculiarity in our system of economic statistics, it is obvious that in many cases the movement from being a mother to taking a low-paying service job actually reduced the level of services in the economy rather than increased it.

We should also understand that the initial wave of women workers into the labor force was largely by choice as those who saw opportunities outside the home seized them. In later decades, more and more women believed they had no choice but to enter the labor force. Some took jobs, replacing their menfolk, as they lost their work in steel or autos and other heavy industry. Some found that they had to supplement the income of their men as their replacement work brought in far lower wages. Acute stress has often developed as dual-income families find they have too little leisure -- the stress is often particularly acute in traditional families if women earn more than men as these challenges the self-worth of men and places women in roles they would rather not play.

The loss of good jobs, particularly for those who made their money through the sale of their "strong backs," has been part of a slow, steady, irreversible shift in trends. Unfortunately, both economists and politicians have been slow to recognize, let alone deal with, the fundamental changes.

The **patterns** which are emerging as a result of these **irreversible shifts** vary dramatically in different parts of the world. I shall only mention four. In the United States, workers have less and **less protection** from the rigors of the marketplace. **Average wages continue to fall** and more and more workers are **deprived of benefits**. Unemployment, while significantly above levels which would have been found acceptable in the fifties and sixties, is below six percent. Most people can still find some sort of work but more and more people are **underemployed**. A recent Wall Street Journal story stated that foreign companies were flocking to America because workers had less protection than elsewhere in the developed world.

In Europe, with the exception of Britain, wages and salaries have stayed high for those who have jobs but more and more people are unemployed. The unemployment rate in many countries is **above ten percent**. There is a pervasive sense among the young, particularly among immigrants, that there is no hope.

In Japan, the continuing recession while followed the economic "miracle" of the post-war years is slowly destroying the cultural norms which have sheltered people within a permanent work commitment. Workers are being exposed to the full consequences of **capitalism** and at the same time consumers are demanding that they benefit from the lower prices which could be available to them.

In the developing countries, **unemployment and underemployment are above 20%**, in some cases 30% and even over 40%. Jobs are simply not available for a huge number of people and given today's levels of technology, there will not be the demand for workers which enabled the countries now rich to absorb people as they ceased to be needed in agriculture.

In recent years, therefore, the trend throughout the world has been for more and more people to be unable to find good jobs, or any jobs at all. Until recently, most economists saw this problem as temporary and assumed that demand could be increased so that everybody would find work. **Today patterns of analysis are changing as the impact of technology steadily increases and environmental limits are more widely understood.**

**The new patterns of thinking** are driven in part by changing perceptions about the correct way to define the potentials of computers. It is increasingly accepted that if a task can be fully defined, then it is possible for a computer -- or a computer coupled with a robot -- to accomplish it. This means that the range of activities where human beings are involved will necessarily decline dramatically in the early twentieth-century.

At the same time, the implications of human production and consumption for the viability of the ecosphere will increase. **Nobody knows what the carrying capacity of the earth may be but the limits of freshwater, the oceans and the land are already visible although nobody knows how far they can be pushed back.** It is already clear, however, that we need to come to grips with the concept of limits and to struggle with what they will mean to a global culture currently committed to maximum economic growth and maximum employment.

These issues should already be **central to our thinking**. A recent World Bank report assumes that **water will cause wars** in the early twentieth century because of its growing scarcity. Middle East dynamics are already driven by this issue to a far greater

extent than is currently understood. It seems increasingly doubtful that national sovereignty is the way in which these issues can be effectively handled.

### Asking the Wrong Questions

We are fixated at the current time on a **set of old questions**. How do we get maximum growth? How do we find jobs for everybody? How do we compete internationally? We refuse to recognize that it is the intransigent pursuit of these old goals which is **destroying our quality of life**. Production should be a means to an end and not an end in itself. Jobs are a method of providing **meaningful work and the potential of income not a burden to be pursued at all costs**.

We have trapped ourselves into a **whirling dervish economy** dependent on compulsive consumption. Maynard Keynes, the great British economist, recognized this reality in the thirties. I doubt if his statement has ever been bettered. I have been quoting it for decades and, at last, we may be able to hear him. "Consumption - to repeat the obvious - is the sole end and object of all economic activity. Opportunities for employment are necessarily limited by the extent of aggregate demand. Aggregate demand can be derived only from present consumption and or from present provision for future consumption. The consumption for which we wish to provide in advance cannot be pushed indefinitely into the future ... The greater, moreover, the consumption for which we have provided in advance, the more difficult is to find something to provide for in advance, and the **greater our dependence of present consumption as a source of demand**.... there is, we shall see, so answer to the riddle, except that there must be sufficient unemployment to keep us so poor that our consumption falls short of income by no more than the equivalent of the physical provision for the future which it pays to provide today."

**Keynes argued that we need to change our thinking** and thus "... be able to rid ourselves of many of the pseudo moral principles which have hag-ridden us for two hundred years, by which we have exalted some of the most distasteful of human qualities into the position of the highest virtues.... All kinds of social customs and economic rewards and penalties, which we now maintain at all costs, we shall then be free to discard." Keynes' fear, when he wrote, was that we would decide to change our socioeconomic directions too soon. Now it is obvious that we are leaving the wrenching debate too late. Instead of recognizing the potential for fundamentally **new directions** which would meet human needs better, we fail to understand that the search for a higher quality of life leads in a profoundly different direction than that which we shall inherit if we continue to struggle toward a higher standard of living.

There has been much discussion in recent years of the increase in the number of hours of work and the decline in leisure. There is also much evidence from polling that people would choose to give up income in exchange for more hours to themselves and with their families. Technology should be freeing us from toil: instead we are allowing it to **split society between the rich and the poor**.

The rich know how to make technology work for them and have no qualms about creating **artificial scarcity** through advertising. Items which cost very little as they leave the factory gate grow more and more expensive as margins are added at every level of the distribution process. The poor are excluded increasingly both by their poverty and their lack of knowledge. **The split grows wider and more dangerous. The chance of our children and grandchildren living in a peaceful, sustainable world continues to decline.**

The basic reality is that **continuation of current cultural norms will destroy any possibility of a good life for future generations.** We cannot get to the "there" for which we yearn if we perpetuate today's success criteria. This conclusion can no longer be denied by those who will face realities rather than ignore them.

### **Finding the New Questions**

We are caught in a cultural trance. The idea that there might be a profoundly different way in which we could order human society escapes our notice. The fact that current patterns only emerged in the industrial era -- and in many cases only in the last fifty years -- has been buried so deep that we take today's patterns for granted.

We should be struggling to **answer very different questions** than that upon which we are currently fixated. Formulating the new issues clearly will enable us to focus on potentials rather than problems.

Moving in this direction is difficult, not only because of our fixation on old questions. The new knowledge paradigm, which has developed at the same time as the new technologies, requires us to learn to live in the **relevant questions**, rather than seek for answers. We are being forced away from a search for destinations toward a commitment to seek for the truth. The old saying that: "It is better to travel hopefully than to arrive" has taken on deep new meanings.

Here is my best sense of the questions we need to ask:

*1. How can we limit the amount of toil which the society needs to accomplish? I am using the word toil with a carefully, specific meaning. Toil is activity which people would not normally do unless they are coerced by power or by pay.*

There are two caveats which I must raise immediately. First, far too many thinkers assume that the work they choose to do is what everybody else likes. Heavy manual labor is therefore assumed to be necessarily toiled. The evidence is quite to the contrary. People enjoy doing activities which I personally would hate and find purpose and meaning in a broad range of activities. Almost certainly most people would hate the way that I choose to spend my days.

Second, any useful work always involves toil as part of a healthy total pattern. One of the tragedies of the industrial era is that we have enabled, and indeed encouraged, the "important" people to free themselves from the petty chores. In so doing, we have isolated them and caused them to forget the patterns in which most of us live.

Taking this question seriously would cause us to move toward a **limitation of the hours spent earning a living** and toward a model which is often caused "**right livelihood.**" More and more of our time would be used doing what we **felt was important.**

*2. The first question deals with the activity side of the equation. What about the ability to obtain resources so that one can **live with dignity.** The question we must ask here goes even deeper because the current approach which enabled people to get resources through their labor has broken down.*

If we are to create a civil society we must open up the question of "**ownership.**" Who really owns the land, the waters and the air? Who owns the machines and the computers? Who owns the factories?

The answer today is that companies and the rich own them and that the ownership will inevitably become more concentrated. As this happens, and as **people can no longer find jobs, the gap between the rich and the poor will grow.** Anger will increase and at some point the **social order will be devastated.**

Can we be smart enough as a society to see that **profoundly different patterns of rights** to resources must emerge if we are to survive? The approaches which worked when the desire was for greater growth and more resources becomes **counter-productive** in today's world. In the end, all resources are owned by all of us and the workers who created current capital resources have rights to them just as those who provided the capital.

Capitalism is indeed a great process for creating maximum economic growth. But if this is no longer the goal, then it is no longer appropriate to our needs.

### **Determining Prestige**

This is both the simplest, and the most contentious, of all the shifts required. Gilbert caught the essence of our dilemma in his comic opera statement: "When everybody's somebody, then no-one's anybody."

In the future, we need to turn this around and to believe that when everybody's somebody, then the world will work. **Each of us is entitled to dignity, and the roles we choose to play are of value.**

### **What would the world look like after the shift?**

It is really too early to describe what the world would look like if we chose to accept the reality of the **needed changes** but here are some of the apparent implications:

- People would spend most of their lives on **self-development, on relationships, on the arts, on finding purpose and meaning.** Sufficient goods and services would be available for a high quality of life but we would treat our ecological systems with care.
- Everybody would be required to do **toil for part of their lives:** in many cases this might be during adolescence when hard physical labour is less daunting.
- The current division of life into preparation for work through education, working and retirement will give way to a far more seamless pattern where people are not isolated from the world at the beginning and end of their lives. Patterning's will be far richer than we have ever achieved both in terms of work and relationships.
- **The raising of children will be a core responsibility.** It will be confined to those who love the challenge. Some families will be large and many will have no children at all. The idea of a "normal" number of children will be abandoned as irrelevant.

### Can shifts of this magnitude be made?

I can imagine three primary reactions to this article. Some will welcome a piece which breaks through the cultural trance and opens up space for new dialogue. Hopefully, nobody will agree completely but they will see the utility of the new space.

Others will see the article as irrelevant, stupid and even heretical. They will "know" that current systems neither can, nor should be changed.

A third group will want to move in the directions but will be inclined to reject the piece as "unrealistic." All I can say to change their minds is that we live in a "virtual reality" inherited from the past -- it has no absolute validity. We can choose to create a "virtual reality" which is both more realistic and more hopeful.

*Indeed, our survival requires that we do!*

## 11.2 Competitive Versus Holistic Philosophies of Nation States

Governments around the world typically formulate legislation and policy in the national interest. Governments in the current era have a predisposition for economic policy as the belief is that economics provides social and economic stability and prosperity. In an expanding capitalist global economy, economics is the undisputed approach to governing peoples and perceived as the most effective way to distribute resources, generate wealth and in its original context, create happiness.

It is worth exploring **Buckminster Fuller's vision** to generate another perspective of what he called the **world game**. The World Game tool was an approach to the problems of the world. He invited the global community to consider a **whole world approach** rather than piece meal approaches to tackle problems. He coined the **term 'local focus hocus pocus'** referring to a narrow local approach to problem solving. He expanded his vision of spaceship earth and observed the illogic of 200 nation state admirals trying to steer the spaceship in different directions, regarding nation states as blood clots. We can easily observe this even at the national level with different departments wanting more budget allocations than other departments, all competing for a slice of the pie.

He viewed the word 'game' as instructive and accessible to everyone, not just the elite few in power who thought they were running the show. He wanted a tool whose findings would be widely disseminated to masses through a free press and through a ground swell of public vetting and acceptance of **solutions to society's problems** ultimately force the political process to move in the direction that the values, imagination and problem solving skills of those playing the democratically open world game dictated. This resonates with the recent announcement of National Innovation & Science Agenda, however even this vision **excludes emotional intelligence approaches, collaboration, new ways of thinking to envisage possibilities** believing that science gives the edge. Perhaps in an economic world there is truth in that, but if we are to expand beyond the horizon of what we know then **innovation may take the shape of thinking in ways that are wholistic, where social benefit is at the forefront**, where we connect our societies to our true nature to recalibrate with nature, these are philosophies unspoken and unexplored, yet perhaps this is how we create true security shifting from **economic paradigms that at this point are undermining life support** systems on the planet. The push for employment is a notion reflective of what could be termed the 'old paradigm'

and belief in economic growth but as is being witnessed across the planet a global slowdown and traditional moves to pump prime and stimulate growth are not working. Moreover, this is not sustainability with climate **change and an uncertain** future, therefore **transforming the way we think (see) and opening to sensing intuitively new ways may expand the playing field rather than compete for an ever shrinking pie.**

He stated:

*"make the world work, for 100% of humanity, in the shortest possible time, through spontaneous cooperation, without ecological offense or to the disadvantage of anyone."*

In this job seeker's experience the impulse has been to work for 100% of humanity in the field of peace, nonviolence, emotional intelligence, conflict resolution and anti-bullying. Her work has been a contribution for free to society. Her work has been spontaneous, cooperative and mindful of the ecology of our planet, valuing all people and disadvantaging none in a spirit of equality and fair play. She does not subscribe to arguments that competition and greed (monetary, success) produces excellence but believes firmly that cooperation, collaboration and empowerment will forge new pathways positively and expansively for the benefit of all as we are a global community no longer an isolated nation state. She senses a shift in consciousness may be a new way that takes us into unknown territory. We are going there anyway, why not open our minds and start to think and feel, to intuit work, economics, humanity, society and play in new ways so we can solve the problems from a different consciousness **as the old paradigm is not working.** Importantly, mental health problems are increasing as society questions an uncertain future.

It was Albert Einstein who stated:

*"No problem can be solved from the same level of consciousness that created it"*

This discussion is to provide a contrast to the current economic perspectives which underlie forced compliance. It will be discussed to frame in language that the reader will understand. Moreover, it is important to identify the current perspectives and analyse unemployment in traditional formats and question new ways of viewing this growing situation that is an outcome of changing realities. We construct our world breaking down complexity into bite size chunks in the hope of gaining understanding and control over dynamics that no-one can calculate through econometrics or politics. **We have to think and feel in new ways.** This is the power of democracy when the only agenda is freedom of expression and encouraging diversity for the highest good. Is getting a job in reality a contribution to society if the intention is survival rather than thriving and expanding possibilities to meet change with innovative approaches. If economics is undermining ecological systems then is it unethical to work if it causes social harm?

## 12.0 UNEMPLOYMENT ISSUES

### 12.1 The Current Unemployment Situation

The following information is sourced from Australian Council of Social Services (ACOSS, 2015).<sup>4</sup> This discusses unemployment from the perspective of current philosophies of Work for the Dole, financial streams, Mutual Obligation and assesses the effectiveness, practicalities and ethics of these approaches. The 2016 Budget expands the *PaTH* program providing on-the-job experience. The ACOSS analysis is highlighted below.

#### ***Improve employment opportunities and incomes for people at risk of poverty***

##### **Facts:**

- *At 6.2% in November 2014, unemployment is at a 13 year high*
- *Youth unemployment over 20%*
- *Weak labour market*
- ***Majority receiving Newstart are unemployed long term – 60% (over 12 months)***
- *10% are Aboriginal or Torres Strait Islander*
- *45% lack Year 12 qualifications*
- *15% have a disability*
- *15% are over 50 years old*
- *15% were from Culturally and Linguistically Diverse (CALD) backgrounds*

##### **Employment services**

At 6.2% in November 2014, unemployment is at a 13 year high. While Australia's unemployment rate is still low by OECD standards, the majority of those receiving the unemployment payment are unemployed long term (over 12 months), and the weak labour market will compound the difficulties faced by this group. In 2011, 10% of JSA clients were Aboriginal or Torres Strait Islander, 45% lacked Year 12 qualifications, 15% had an assessed disability, 15% were over 50 years old, and over 15% were from Culturally and Linguistically Diverse (CALD) backgrounds – all groups with below average employment prospects. Young people have been particularly severely affected by the decline in employment opportunities since 2008.

Once people are unemployed long-term, their **future job prospects progressively diminish**. As a result, even a temporary weakness in the labour market can have long lasting and harsh economic and social impacts. Reducing prolonged unemployment is the most important task of our employment services system. While the impacts of employment assistance on an individual's job prospects are typically modest, even a 10 percentage point improvement over the short to medium term can, if sustained, substantially reduce long term unemployment. This leads to savings in income support, higher tax revenues,

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<sup>4</sup> <http://www.acoss.org.au/acoss-employment-proposals-for-2015-federal-budget/>

and reduced needs for services such as health care as people who would otherwise be excluded from the labour market find employment.

The Government is reforming the main employment services system, Job Services Australia. Many of the changes being introduced are welcome including a greater emphasis on payment for employment outcomes and less administrative burden for providers. The key weakness of the new system is the same as that of the present one: a lack of flexible investment in assistance to help people experiencing or at risk of long-term unemployment overcome their hurdles to employment. Under the proposed system, providers will receive annual 'service fees' of \$510 per annum (or \$638 per annum for with regional loading) to assist the most disadvantaged jobseekers (those in Stream C) and an up-front 'Employment Fund' credit of \$1200 to invest in work experience and training. Unlike the present system, this fund is not replenished once an individual becomes unemployed long-term, except to fund very specific investments such as Work for the Dole and wage subsidies.

In this sense, the greater flexibility of the new system is illusory because flexibility and innovation require investment – and not only in forms of assistance determined in advance by Government. While higher outcome payments give providers more scope (and incentive) to invest in people unemployed long-term, a typical outcome payment for an individual unemployed for 12 months in Stream 'C' who remains in employment for 6 months is just \$5500. If an effective work experience, training or other program improves such an individual's job prospects by 10%, then a provider who invests more an average of \$550 in a long-term unemployed person would not benefit financially from their investment.

The likely outcome of the new model is that people unemployed long-term, and those at risk of it, continue to receive employment assistance that is standardised and low-cost. This is exacerbated by the requirement that most unemployed people participate in a single program, Work for the Dole, for six months of every year. Participation in work for benefits schemes has little or no impact on people's employment prospects. Data released in June 2014 shows that only 19% of participants in Work for the Dole were employed three months later. A recent evaluation of the United Kingdom's equivalent of Work for the Dole, Mandatory Work Activity, found that participation in that program had no statistically significant effect on employment. The main drawback of work for benefits schemes is that the work experience participants receive is usually well removed from paid employment opportunities. If it is regular productive employment, then the participants should be paid the legal wage. To invest in this program on a large scale is therefore an inefficient use of public resources. Further, it is not reasonable to require people to undertake a program that will not improve their job prospects, especially where it involves working for less than the minimum wage – as will be the case with the 'fulltime' variant.

If the resources devoted to Work for the Dole – including establishment fees (\$64,000 one-off payment), service fees (\$380,000 per annum) and placement fees (\$220 per placement) paid to Work for the Dole Coordinators and \$1000 to \$3500 placement fees paid to Job Services Australia providers, were instead made available to providers to invest in the assistance which they consider best meets the needs of each individual, employment assistance would be more cost effective. On the other hand, programs which connect unemployed people with regular jobs are relatively effective. The Wage Connect wage subsidy scheme has achieved promising results, with 47% of the 8084 participants who completed the program's 26 week job placement by May 2013 retaining their positions after the subsidy ended. The scheme, which provides a subsidy roughly equal to Newstart Allowance to employers to offer paid work experience to very long-term unemployed people, gives people valuable experience in a 'real job' and the employer an opportunity to

test their ability on the job. We therefore welcome the Government's commitment to expand wage subsidies, and propose some adjustments to these schemes to make them more cost effective. Rather than operate three separate schemes for different age groups, we suggest that a single wage subsidy scheme be introduced and targeted to people unemployed long-term. Rather than defer payments to employers until the participant has remained in employment for a prolonged period, part of the subsidy should be available within the first three months to assist employers with induction and training expenses.

To increase the flexibility of employment assistance for people who are disadvantaged in the labour market, proposed restrictions on access to vocational and other training should be removed. If training is restricted to preparation for a specific job, then opportunities for many people whose skills are narrow or out of date to improve their employability would be arbitrarily restricted. Governments have invested for many years in vocational education and training and basic education because these qualifications and skills improve people's career prospects and life chances. People who are unemployed and low skilled should not be denied these opportunities. These are better ways to connect training to job opportunities.

A close working relationship between employment services providers, training organisations and employers is essential to improve the employment prospects of people disadvantaged in the labour market. The present employment services system throws up a number of hurdles to such cooperation. These include competition among individual providers (which means that employers are often approached by many different providers when they would prefer to establish a lasting relationship with one), the limited resources available to providers to invest in the work required to establish these relationships in the first place (for which they cannot use Employment Pathway Fund credits), and a reward structure that emphasises quick outcomes. In collaboration with the Business Council of Australia and the Australian Council of Trade Unions, ACOSS has identified these barriers to a partnership approach to employment services, and we have made a number of recommendations to adjust the employment services system to remove them. The recommendations include national and regional employment brokers, the establishment of local networks or boards of employers, training and employment service providers, rewards for employment outcomes lasting one year, and allowing providers to use Employment pathway Fund resources to finance the preparatory work required to establish formal partnerships with employers.

**Recommendation: Strengthen flexible investment for people unemployed long term within the employment services system by redirecting resources to the Employment Fund and easing restrictions on the purposes for which they can be used.**

- 1) Funds earmarked for Work for the Dole (including for Work for the Dole Coordinators) should be reallocated into the Employment Fund to assist individuals who are unemployed long-term with work experience, training and other assistance that improves their job prospects. (Saving = \$150 million in 2015-16, \$200 million in 2016-17)
- 2) The Job Commitment bonus program should be abolished and the savings diverted to the Employment Fund. (Saving = \$70 million in 2015-16, \$70 million in 2016-17)
- 3) Credits should be made to the Employment Fund in respect of each jobseeker at the commencement of 12 months of long-term unemployment, equivalent to those made at the commencement of the unemployment spell. (Cost: \$300 million in 2015-16, \$350 million in 2016-17)
- 4) Employment Fund credits should be available for training whether or not this is linked to a specific job, and for the purpose of establishing 'demand-led' schemes, that

is, a formal agreement with an employer to supply them with workers drawn from people who are either unemployed long term or classified within Streams B or C, and to mentor and train those workers for positions with the employer.

5) The Work for the Dole Supplement (\$10.40 per week) should be indexed annually to movements in the Consumer Price Index. Work for the Dole participants should not be required to work for less than an appropriate legal wage beyond the 4 week limit that currently applies to unpaid work experience placements. (Cost \$20 million in 2015-16, \$20 million in 2016-17)

Cost: \$100 million (\$100 million in 2016-17)

### **Recommendation: Simplify and improve the effectiveness of wage subsidy schemes**

1) The proposed wage subsidy schemes for different age groups should be replaced by a single program targeting people of all ages who are unemployed long-term, and the number of places expanded.

2) Half the subsidies paid to employers should be paid within the first three months of the placement.

Cost: neutral

### **Recommendation: Invest in an effective youth employment transition program to support at risk young people in their transition from school to work**

The Government should ensure that the gap left by the cessation of the Youth Connections program is filled by funding a youth transitions employment program that:

1) provides effective career counselling for early school leavers and those at risk of leaving school without achieving Year 12 or equivalent qualifications;

2) assists early school leavers on income support to re-engage with education and training that improves their employment prospects; and

3) supports those at risk of leaving school early to achieve Year 12 or equivalent qualifications.

Cost: \$65 million (\$70 million in 2016-17)

### **Working-age payments**

The Social Security system provides an essential safety net for people who are unable to earn sufficient income to meet their basic living costs. Australia's Social Security system is more cost effective in reducing poverty than those in almost every other OECD country. Expenditures on Social Security payments in 2013 were 9% of GDP compared with an OECD average of 13%.

It is inaccurate to suggest that expenditures on working-age payments are a growing pressure on the Federal Budget. There has been a long term decline in reliance on working-age payments. Over the 20 years to 2012, the proportion of the working-age population receiving income support fell from 19% to 17%. In 2013-14 just 30% of Social Security expenses comprised working-age payments such as Newstart Allowance, Disability Pensions and Parenting Payment. Of the \$28 billion of growth in Social Security costs between 2002 and 2012 after inflation, only \$6 billion comprised increases in working-age payment expenses. Expenditure on Newstart Allowance and Parenting Payment declined by

\$4 billion over that period, despite a rise (with higher unemployment) during the Global Financial Crisis. A sharp increase in the number of people receiving the Newstart Allowance in 2013 was mainly due to the transfer of approximately 80,000 sole parents in that year from the higher Parenting Payment to the lower Newstart Allowance, a decision that reduced payments for the poorest single parent families by over \$60 per week.

It is disturbing that some of the harshest Social Security measures in last year's Budget targeted working-age payments, especially the proposed six month wait for unemployment payments for many people up to 29 years of age, when the major drivers of growth in Budget expenditures lie elsewhere. The main purpose of income support for unemployed people is to share the risk of unemployment between each individual and Government. The removal of income support for up to six months each year from unemployed young people would undermine that purpose. We are not aware of any other wealthy country that has responded to rising youth unemployment in this way. A fairer and more productive approach is to keep young people engaged with education, training and the labour market and support them in their transition to paid employment through income support and effective employment and training programs (as proposed elsewhere in this Chapter).

Unemployment payments (Newstart and Youth Allowances) were originally designed to tide people over a short period of unemployment. However, as unemployment fell over the last two decades, the profile of those remaining on benefits has become more disadvantaged. Among Jobs Services Australia (JSA) clients in 2014, over 60% were unemployed long term (over one year), and most of this group were unemployed for over two years.

The maximum single rate of Newstart Allowance in December 2014 was just \$258 per week, or \$36 a day. The payment for unemployed young people living independently of their parents was \$207 per week. Our 'Poverty in Australia' report estimated that the risk of poverty among people in households where the main earner receives Newstart Allowance was 55% in 2012 and the equivalent statistic for people receiving Youth Allowance was 51%. Together with people receiving Parenting Payment and Disability Support Pension, those receiving the Newstart and Youth Allowance consistently rank highly among people experiencing financial hardship and deprivation.

The real value of Allowance payments has not increased since the early 1990s, and these payments were excluded from the \$32 per week in pensions announced in 2009. Further, Allowance payments are only indexed to the Consumer Price Index whereas pensions are currently indexed to both consumer price movements and Male Total Average Weekly Earnings, which are likely to rise by almost 1% per year above inflation in each of the next few years. Indexation to both consumer prices and wages is essential to ensure that people who rely on income support do not fall behind the living standards of the rest of the community, as is the experience of people on Newstart and other Allowances. For this reason, ACOSS opposed the proposal in last year's Budget to restrict pension indexation to consumer prices only.

As a result of these payment anomalies, the single rate of Newstart Allowance (and related supplements) is \$166 per week less than the pension and Youth Allowance is \$217 less. Aside from the inequity of different levels of payment for people with similar living costs, this gap between pension and Allowance payments discourages many people on pensions such as the Disability Support Pension from seeking employment, in case they lose the pension and wind up on the lower payments. The per week gap between pension and Allowance payments for single parents means that many of our poorest families experience a sharp decline in their income once their youngest child turns 8 years and the parent is transferred to Newstart Allowance, despite the fact that the costs of raising a child increase with age. The gap between pensions and Allowance also flows through to supplementary

payments, which are lower for those on Allowances. For example, the Clean Energy Supplement for a single person without children receiving an Allowance is \$9 per week while a single pensioner without children receives \$14 per week.

The previous Government legislated a small increase in Allowance payments in the form of an Allowance Bonus, worth the equivalent of \$4 a week. This would be the first real increase in these payments for 20 years. Regrettably, it is now to be phased out after 2016, a decision we call on the Government to reverse. Alternately, these expenditure savings should be reinvested in lasting improvements in income support for people receiving Allowance payments. One option is to index those payments to movements in wages as well as the CPI.

The Henry Report on the tax-transfer system recommended that the single rate of Allowance payments be benchmarked to two-thirds of the partnered rate, as was implemented for single pensioners in 2009. This would currently require a \$51 per week rise in the single rate of Newstart Allowance, which should also extend to other Allowances such as Austudy and Abstudy payments and the Youth Allowance for those aged over 17 years living away from their parents. Payments for sole parents on Newstart Allowance should also increase accordingly. As the Henry Report noted, there is room to increase these payments without significantly weakening work incentives. A single adult on Newstart Allowance who obtains a fulltime job at the minimum wage would more than double their disposable income. This payment increase would have a substantial and immediate effect on reducing poverty, including among sole parent families affected by last year's payment cuts (which would be fully restored for the poorest of those families by a combination of the Newstart Allowance and Family Tax Benefit increases proposed here).

The current Welfare Review is examining the structure of working-age payments and both the Review Panel and the Government have identified the removal of payment anomalies between pensions and Allowances as a key goal. The Panel's Interim Report provides substantial evidence to demonstrate the inadequacy of Allowance payments, especially for single people and sole parents, and suggests that a new intermediate 'tier' of payments be introduced between Allowance and pension levels for groups who are not expected to participate fulltime in the paid workforce such as many people with disabilities. This proposal cuts both ways. It is likely that if it were implemented many people who will receive Social Security in the future would receive increased payments while many others would receive reduced income support – an unacceptable outcome.

In our submission to the Review, we argued that a more fundamental reform of working-age payments is needed. Instead of setting levels of payment on the basis of an individual's 'distance from employment' (and by implication whether they are more or less 'deserving' of income support) they should be set on the basis of financial needs and living costs. The present division between working-age pensions and Allowances should be replaced by a base rate payment that is adequate to meet basic minimum living expenses and supplements to meet additional costs faced by substantial minorities of people on income support, including rent payments, the extra costs faced by people with disability and their carers, the extra costs of raising a child alone, and the costs of any job search and training requirements. The base rate payment would be substantially higher than Newstart Allowance. Activity requirements (where appropriate) would continue to be based on each individual's employment capacity, but maximum payment levels would not.

This reform would reduce the most severe poverty. If carefully crafted it could remove inequities in payment levels without leaving any group worse off financially. Importantly, it would smooth transitions from income support to employment and greatly simplify the

system because people would no longer have to move from higher to lower payments as they move closer to paid employment.

Equitable and cost effective payment reform is difficult to achieve through the vagaries of the political process and the annual Budget cycle. Governments also lack a rigorous, regularly updated evidence base to determine the adequacy or otherwise of payments for different groups and different needs. The system is built on the assumption that regular indexation will ensure that adequacy is maintained, in the absence of a proper assessment of the adequacy of different payments, and the appropriateness of relativities between them, in the first place. In reality, indexation of a poorly designed payment base exacerbates inequities in the system over time.

A number of reviews of Social Security payments have been undertaken in recent years, including the Harmer Review of pension payments, a Senate inquiry into the adequacy of Allowance payments, the Henry Review of the Tax Transfer system and now the Welfare Review Panel. Each of these reviews has contributed to our stock of knowledge of the circumstances of people who rely on income support, the options for payment reform and the trade-offs involved. Their limitations are that they are all one-off reviews, and repeated recommendations to improve the adequacy of Allowance payments have been ignored by governments.

One way to introduce more rigour into the setting of payment levels is for Government to establish an independent commission that reports regularly to the Government and Parliament on the adequacy of all Social Security payments, appropriate relativities between them, and indexation arrangements. The commission would also consider the impact of its recommendation on employment incentives and budgetary costs. It would not set payment levels since these are rightly decisions for Government.

**Recommendation: Increase Allowance payments for single people by \$51 per week**

(1) Allowance payments for single people (other than those on youth and student payments) should be increased by \$51 per week from March 2016, and benchmarked to 66.3% of the combined married couple rate of Allowances (a higher rate in the case of sole parents) as is the case for pension payments. This applies to people on Newstart Allowance, Widow Allowance, Sickness Allowance, Special Benefit and Crisis Payment.

(2) Allowance payments for single people on youth and student payments (Austudy Payment, Abstudy Payment and Youth Allowance) who are either over 24 years of age or 18-24 years and living away from the parental home should also be increased by \$51 per week from March 2015 and benchmarking of those payments to 66.3% of the married rate should be phased in.

Cost: \$400 million (\$1,300 million in 2016-2017)

**Recommendation: Index Allowance payments annually to movements in earnings**

From July 2015, Allowance payments for people aged 17 to Age Pension age, and those over pension age not eligible for an Age or Veteran's Pension, should be indexed annually to movements in wages as well as to movements in prices.

Cost: \$90 million (\$100 million in 2016-17)

**Recommendation: Establish a Social Security commission to advise the Government and Parliament on a regular basis on the adequacy of Social Security payments**

A Social Security commission should be established as a statutory authority to advise the Government and Parliament on a regular basis on the financial needs of people relying on Social Security payments, appropriate relativities between them, and the budgetary costs and implications for employment incentives of policy options to improve payment adequacy.

Cost: \$5 million (\$7 million in 2016-17)

**Recommendation: Phase out compulsory income management schemes**

Compulsory income management schemes around the country (including New Income Management in the Northern Territory and the Place Based Trails) should be phased out over a 12 month period. Where the individuals and communities affected seek to continue some form of income management, they should be replaced by opt-in schemes designed in consultation with the communities. Cost: 0 (not in forward estimates).

## 12.2 2016 Budget Changes to Unemployment Approaches

*ACOSS provides a response to the 2016<sup>5</sup> budget welcoming the PaTH Program.*

*The author would add that the focus is only on young people and entry levels. Moreover, 25 hours a week is close to full time employment despite definitions and raises the question of exploitative low wages. How can protections be monitored? Young people are in the demographic that is bullied and they tend to stay silent given they need a job and do not know their rights. Why not part-time commensurate with benefit payments and add-ons to assist with transport and other costs? Why are mature/experienced Australians excluded? What of professional jobs where voluntary work is a way in and continues for a long period as was witnessed by the author in Britain?*

### PRESS RELEASE

#### **PaTH<sup>6</sup> Program: Change in direction welcome, especially wage subsidies, but internships must be carefully designed to protect young people, May 7, 2016**

Responding to media reports, ACOSS confirmed that it has welcomed the Government's **shift away from the compulsory and ineffective work for the dole program** towards a focus on real work experience in workplaces for young people who are long-term employed. However, ACOSS reiterates that clear protections must be in place to prevent exploitation of young people, or displacement of jobs.

"Over **half a million people** who are unemployed long term are at grave risk of being locked out of the labour market. If a long-term unemployed young person gets a job as a result of being given the opportunity to demonstrate their abilities, that's good for them, good for society, and it also increases employment in the long run," said Dr Cassandra Goldie, ACOSS CEO.

Currently, the main form of employment assistance for a young person locked out of a job is compulsory Work for the Dole, which an official evaluation found only improves their **chances of securing a real job by 2%**. ACOSS has consistently opposed Work for the Dole, and predicted it would fail. We welcome the diversion of almost \$500 million towards a new approach based on **real work experience** in real workplaces.

"Work experience in a regular workplace can make a real difference for people who are out of work a long time and for young people seeking **their first job**. ACOSS supports pre-employment training as long as it is useful and linked to real job opportunities and wage subsidies to provide paid employment opportunities in real workplaces," said Dr Goldie.

"The PaTH policy also proposes an **internship phase**. The internship can be from **4 to 12 weeks, from 15 to 25 hours per week, with a \$100 per week** payment on top of a young person's income support payment."

ACOSS supports internship opportunities for young people who are long term unemployed as long as there are **clear protections** in place against exploitation and risks of replacing real job opportunities. It is clear that active measures need to be available to help disadvantaged young people locked out of paid work to get real work experience. The lack of experience is a major barrier to improving employment prospects

<sup>5</sup> Note: 2016 not updated to 2019 as extracted from 2016 report to Centrelink. However provides insights.

<sup>6</sup> [http://www.acoss.org.au/media-releases/?media\\_release=path-program-change-in-direction-welcome-especially-wage-subsidies-but-internships-must-be-carefully-designed-to-protect-young-people](http://www.acoss.org.au/media-releases/?media_release=path-program-change-in-direction-welcome-especially-wage-subsidies-but-internships-must-be-carefully-designed-to-protect-young-people)

However, there are real risks that **internships can be exploitative**. To minimise the risks and maximise the benefits, the internship phase would need to include the following supports, limitations and protections:

- Internships should only be available to young people who are unemployed for at least 6 months and **disadvantaged** in the labour market.
- Participants should receive at least the equivalent of the **minimum hourly wage** or a training wage where appropriate training is provided. This requires either a **cap in the proposed working hours** (under 21 hours for a young person on Newstart Allowance) or an increase in the proposed \$100 per week additional payment.
- The health and safety of participants should be assured through work safety assessments, access to insurance, and **appropriate monitoring**. Reasonable excuse provisions should also apply so young people who are not able to attend the workplace due to illness or other reasonable circumstances are not penalised.
- Participation in the internships should be **truly voluntary**, with participants able to opt out at any time without penalty.
- Participants and sponsoring employers should be **mentored** to ensure that the placement benefits both parties and any problems are picked up early and resolved. Mentoring must be properly resourced.
- **Displacement of existing workers** and the 'churning' of interns through the scheme by the same employer should be prevented through placing a limit on the number of placements that do not lead to ongoing employment, and barring employers who have recently laid off workers from participation.
- **Formal agreements** with employers should be in place, monitored by mentors and the Department of Employment, including ensuring interns are fully informed of their rights and protections.
- An effective **complaints process** should be established and adequately resourced. Problem solving is not a widely practiced skill particularly in hierarchical organisations.

### 12.3 Job Seekers to Job Vacancy Ratios

In analysing ratios of job seekers to vacancies caution should be exercised. As there are market segments based on role, industry, age, experience, qualifications etc. Human Resource managers have specific criteria and given the competition in the job market and internal sourcing of applicants, it can mean that there is a low chance of gaining an interview. In large cities people are not known so the c.v. and references become an important factor in selection. The changes in the labour market e.g. technology, skills, expected qualifications and the burden of costs for training now transferred to the potential employee, this creates structural barriers. So it may not matter if a person is highly experienced they may not be invited for an interview given narrow criteria, contacts and referees. For those long term unemployed the longevity of unemployment is viewed as out of date with definite age discrimination as a major barrier. Applying for jobs in a Job Provider system becomes a rote task with little enthusiasm as rejection sets a person up to fail over and over. Even the rejection letters state 'failed' which is astounding language.

Depending on the industry sector the ratio's may change e.g. demand for skills, speciality and number of competing candidates.

Below would be a rough rule of thumb guide given ABS is calculating based on the census. The unemployed are typically only able to access low paying high demand jobs, so it is likely the ratios are higher. The work is likely to be clerical, labour oriented, casualised retail and shift work. There could be high turnover given the work is poorly paid and unstimulating. I am over 50, a trained economist, market analyst, trainer, educator, public speaker, community journalist etc and having worked in 400 companies. I could be viewed as overqualified and too old, even though I am capable. I was not offered one job.

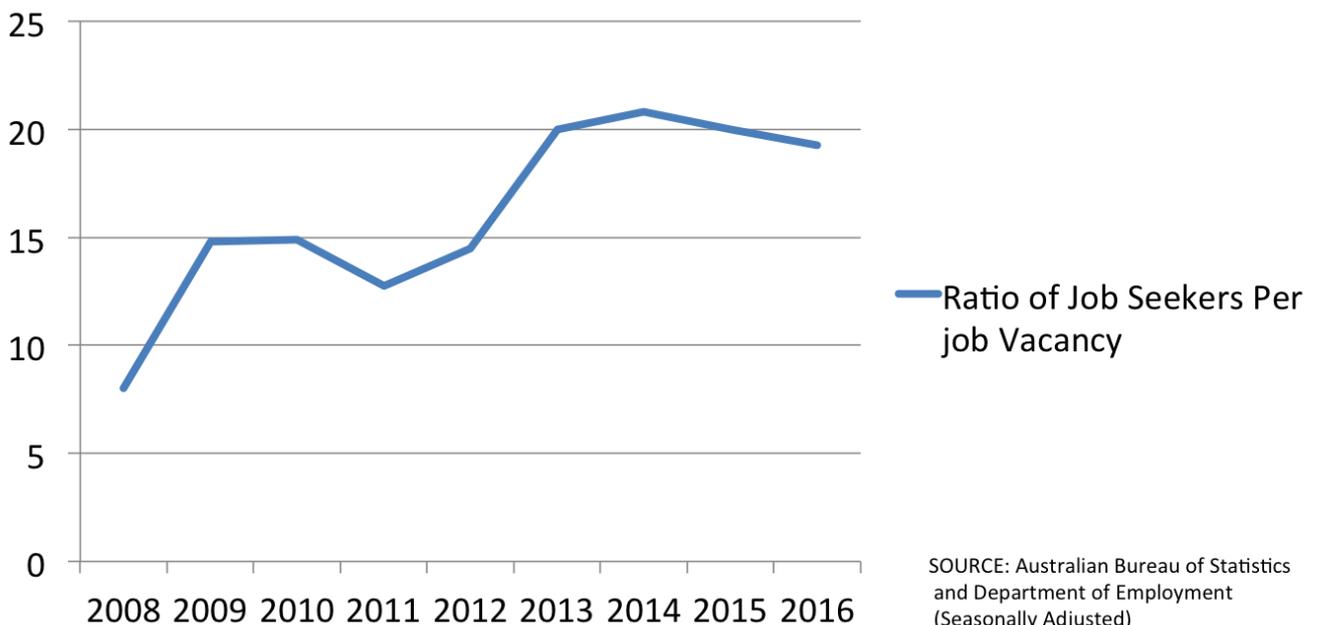
The Job Provider system also forces every person to apply for 20 jobs a month, this increases the cv's sent to lower paying jobs so they can meet quota and not get cut off. If we surveyed the job seekers it is likely they go for jobs they know they are not going to get as no-one can put in the effort required in some application processes (long, detailed) or they don't have recent and specific experience. The employer mind-set is not flexible even though there is demand for flexible workers. This translates into casualised and low pay without structured conditions and rights. It is not about versatility.

## JOB SEEKERS V JOB VACANCY OFFICIAL DATA

Every month, the AUWU researchers compare the Australian Bureau of Statistics (seasonally adjusted) on unemployment, underemployment and hidden unemployment with the Department of Employment's job vacancies statistics. These are the government's own figures! They give us an invaluable insight, albeit almost certainly understated, into the state of Australia's labour market.

We are in an employment crisis. No political party is even acknowledging this situation, let alone trying to fix it. Australia has no political leadership on this issue.

### Ratio of Job Seekers Per job Vacancy



### 2018 (February)

Unemployed: 730,600 (Labour Force, ABS 6202.0)

'Hidden unemployed': 1,047,500 (Participation Job Search and Mobility February 2017, ABS 6226.0)

Under employed: 1,092,000 (Labour Force, ABS 6202.0)

Department of Employment, Vacancy Report: 178,600 (December 2017)

2,870,100 competing for 178,600 jobs

*Ratio of job seekers to job vacancies: 1 to 16.06*

**2017 (February)**

Unemployed: 748,000 (Labour Force, ABS 6202.0)

Hidden unemployed: 1,047,500 (Participation Job Search and Mobility February 2017, ABS 6226.0)

Underemployed: 1,138,000 (Labour Force, ABS 6202.0)

Department of Employment, Vacancy Report: 165,848

2,933,500 competing for 165, 848 jobs

*Ratio of job seekers to job vacancies: 1 to 17.68*

**2016 (November)**

Unemployed: 725,200 (Labour Force, ABS 6202.0)

Underemployed: 1, 059,400 (Labour Force, ABS 6202.0)

Hidden Unemployment: 1.386 million

Department of Employment, Vacancy Report: 163, 700

*Ratio of job seekers to job vacancies: 1 to 19.36*

**2016 (August)**

Unemployed: 713,300 (Labour Force, ABS 6202.0)

Underemployed: 1,110,100 (Labour Force, ABS 6202.0)

Hidden Unemployment: 1.386 million

Department of Employment, Vacancy Report: 166,800

*Ratio of job seekers to job vacancies: 1 to 19.24*

**2016 (May)**

Unemployment: 731,600 (Labour Force, ABS 6202.0)

Underemployed: 1.067 (Labour Force, ABS 6202.0)

Hidden Unemployment: 1.386 million looking for work but not in the labour force according to the latest ABS figures

Department of Employment, Vacancy Report: 167,500 job vacancies

*Ratio of job seekers to job vacancies: 1 to 19*

## 12.4 Problem Solving or Assumptions?

Problem solving is not a widely practiced skill particularly in Job Provider organisations where there is little contractual room for innovation, flexibility and personal judgement. Typically, in procedural/compliance based environments the role of staff is to enforce compliance and not get involved. This can hamper problem solving as staff cannot offer input nor feel empowered to make common sense changes that may improve the lives of job seekers.

In addition, there are underlying assumptions that have been outlined in this report. It is clear from the research that job seekers consciously or unconsciously perceived as 'disproportionately irresponsible and liable to abuse the benefit system'. This negative perspective justifies monitoring and compliance measures, hence control. There are many distorted judgements that job seekers have entitlements and must give back to society when in truth the government has an obligation to ensure those who are in crisis or hardship are supported, this is the sign of a civilised and compassionate society. They are perceived as draining the system yet they too pay tax and there are plenty of cases of corporate welfare, fraud and Government abuses. Therefore, abuses occur in society across the board reflecting corrupt behaviour. Welfare recipients are isolated and are socially stigmatised as a result of perceptions of them bludging, lazy, roting, living off the backs of others, taking rather than giving, the longevity and shame of welfare dependency. The latter may be true but it is the role of Government and Job Providers is to assist people to participate and hopefully envisage a future that is far brighter and empowered then the one they currently experience. People will naturally role model off family, friends and others if they see no other way, so it is to understand the psychology of dependency (and addiction) and assist people to reconnect to their natural talent, inherent abilities and give them encouragement and confidence that they are equal to the perceived best in the society. Many believe they are nothing and have failed; they are typically far harder on themselves than society would realise. This job seeker lost an opportunity because an organisation perceived her as 'economically unviable' because she was unemployed, thus stigmatised. So it is to give an outstretched hand shake rather than a hand up or a hand out and empower them to know they can find their way and achieve their own visions and success. To not give up on themselves, for that is the real reason they stop participating. To get up in the morning is a success, to keep trying is a success, to believe in yourself is a success, to not suicide is a success, to maintain mental health when isolated is success (resilient), to keep hope alive is a real success. Thus, it is to reframe success and offer respect and understanding to those who are disempowered by an increasingly toxic system.

The entire economic system is based on taking; and self-interest is a predominant driver as a means of making success happen. However, giving is the greatest generosity (wealth) and empowerment (have something to give). When people realise to give with gratitude (acceptance) empowers people and it sends a message of mutual concern rather than mutual obligation (tolerance). This then initiates the beginning of great change within the unemployment (non-working) sphere of influence. We are all capable of great potential – young or mature, the role of society is to foster, not squash through negative criticism that arises from low self-esteem in reality. Our culture has been known for cutting down the tall poppy, this arises from jealousy and the fear of success, in truth. We have opportunities to reverse the current cultural negativity and invigorate a belief in our fellow human no matter their age, gender, occupation, education or culture. When you change your thinking, you change what you see, then others change what they see in themselves as life is indeed a mirror. When you see a human *being* rather than a bludger or loser and you

communicate goodwill to that other, they will not be able to maintain their sense of victimhood before you, if more treat them in this way, you can be assured they will experience an inner shift in empowerment and self-worth. The same approach applies to homeless people. This is the secret most don't know. Life is a reflection of ourselves, so when we change the world changes. That is essence of empowerment.

Therefore, compliance based on erroneous assumptions versus proactive problem solving is the key comparative analysis here. Changing the problem into a solution is where empowerment is realised and reframing how we judge people transforming the attitude from mutual obligation towards mutual concern, will impact on the potential success of finding work, attitudes of partnership for a win/win and fulfilment in life.

## 12.5 Long Term Unemployed

This paper is entitled: Long-term unemployment in Australia<sup>7</sup> by Lisa Fowkes, 26 October 2011

“Long-term unemployment is defined as a person being unemployed for over 52 weeks.

Of approximately 640,000 unemployed Centrelink customers in 2010, over 370,000 (59%) were identified as long-term unemployed – that is, having been in receipt of income support for over 52 weeks (FaHCSIA, 2011: 39-40).

### **Who are the long-term unemployed?**

Long-term unemployed people are less well-educated than others – 49% did not reach year 12 compared with 41% of those unemployed for less than 12 months (ABS, 2011). Indigenous, mature aged and people with disabilities are all overrepresented amongst the long term unemployed.

Mature aged (over 45s) make up 34% of the unemployed and 46% of the long-term unemployed. In 2010-2011 33% of unemployed people aged 55-64 were long term unemployed.

Some locations have a much higher rate of long-term unemployment than others. These communities often have social, health, and infrastructure disadvantages which may require action on a range of fronts (DEEWR, 2009a).

Australia has a higher incidence of jobless households by international standards. However, the vast majority (around 84%) of households that have been jobless for a year or more are headed by single parents, and over half have a child under 6 years old (Social Inclusion Board, 2011).

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<sup>7</sup> <http://apo.org.au/resource/long-term-unemployment-australia>

## Impact of long-term unemployment

Long-term unemployment is associated with poor physical and mental health, social isolation and poverty (Butterworth, 2009; Saunders, 2006). Workers who remain outside the workforce for some time find it much harder to re-enter – their skills lose currency and employers tend to **screen them out** in favour of people with more recent experience (an effect described as “hysteresis”) (Chapman & Kapuscinski, 2000).

## Mature aged unemployment

Australia’s labour force participation rate for older workers is **less** than many OECD countries – reflecting both voluntary early retirement and involuntary exit.

**Discrimination** by employers is a key factor impacting on older people’s ability to secure and retain work (HREOC, 2010).

Poor education levels, outdated skills, or skills associated with declining industries/occupations reduce employment prospects for mature aged job seekers. **Mature aged workers are less likely to participate in vocational training and generally respond to different approaches to training** (SPOEHR et al, 2009).

Australia’s poor record in employing people with disabilities impacts on older workers who experience either age related or work related health conditions or injuries.

## Structural unemployment

While, at an aggregate level, unemployment rises and falls with economic conditions, there is a group of people who tend to remain unemployed even in good times. In Australia today, unemployment can persist even at times of skills and labour shortage.

The 1994 OECD Jobs Study (link is external) described structural unemployment as arising from the “gap between the pressures on economies to adapt to change and their ability to do so”.

The study identified these pressures as arising from technological change and global competition. Structural changes in the economy have differentially impacted on men and women, and on particular locations.

## Background to current policies

Since 1994 the OECD has promoted a shift from “passive provision of income support” to “active measures which assist re-employment”. Active measures include making receipt of unemployment benefits conditional on job search, training, job counseling and job creation.

Since 1986 most unemployment benefit recipients in Australia have been subject to a requirement that, in order to receive their benefit, they undertake a certain level of job search and take any job deemed suitable (the “activity test”). In 1994 the Keating Government’s Working Nation package marked the start of more concerted efforts to address long term unemployment through active labour market programs; however it was the Coalition Government (1996-2007) that established the basic architecture of the system we have in place today.

## Employment services

In 1997 Australia became the first country in the OECD to completely privatise its public employment service. It established a suite of programs which included job matching, job search training and case management – collectively referred to as the Job Network. Contracts to deliver these services were put to tender and awarded to a mix of private, non-profit and public providers. At the same time the Government substantially reduced spending on labour market assistance.

The new approach to service provision was combined with increased compliance activity. In 1997 the Coalition implemented a **“Work for the Dole” pilot program**, requiring unemployed people to spend six months of each year in part-time, unpaid work experience on projects to benefit the community. These programs were designed to **“hassle and help”** - providing light touch assistance, and moving job seekers as rapidly as possible into work.

## Current policies and programs

In 2009 the Labor Government replaced these programs with Job Services Australia (link is external) (JSA). There are now greater provider incentives for job linked vocational training and for longer-term employment (over 26 weeks). Program places for the most disadvantaged have been uncapped. But the centrality of compulsion and low cost assistance remains.

The Commonwealth has also invested in some “place based” employment initiatives with the appointment of Local Employment Coordinators and flexible funds to work in 20 identified employment priority areas (DEEWR, 2009b).

## Evaluations of effectiveness

In its 2006 evaluation the Government identified a “net employment impact” for job seekers in Intensive Support Customised Assistance (generally long term unemployed) of 10.1% (DEEWR, 2006: 8). By 2008 a slightly different measure, the “off or part benefit impact”, was estimated at around 5.8% (DEEWR, 2010c). This might reflect **diminishing returns over time from new activity measures** (Davidson, 2011: 80-81).

In March 2011, DEEWR’s Labour Market Assistance Outcomes Report identified overall employment outcomes of between 39.1% for those unemployed for 12-24 months and 30.5% for those unemployed 3 years or more. Most of these jobs were part time or casual.

## Criticisms of current policies

The Job Services Australia system and the Job Network that preceded it have been **criticised for applying a “one size fits all” approach**, which is poorly suited to long-term unemployed job seekers with complex needs (Social Inclusion Board, 2011a). It has been argued that this problem is a consequence of providers needing to ration resources in the context of competitive and financial pressure (Fowkes, 2011). Many job seekers participating in employment services have reported poor staff skills, high turnover and limited time with caseworkers (Murphy et al, 2011).

The Social Inclusion Board (link is external) has suggested that the Government attempt to move the system to **deliver more holistically**, and to encourage provider **collaboration**

(Social Inclusion Board, 2011b). Another reform option would place more control of resources in the hands of participants (Bennett & Cooke, 2007; Fowkes, 2011).

### **Income support and welfare traps**

Government decisions over the last several years have widened the gap between the unemployment benefit (Newstart) and pensions. The Australian Council of Social Service's (ACOSS (link is external)) calls for the rate to be increased have been bolstered by recommendations from the Henry Tax review and the OECD's comments on the inadequacy of the rate (ACOSS, 2011; 2009; Whiteford, 2010).

When Newstart beneficiaries take on part time work they face significant effective marginal tax rates as benefits are withdrawn, as well as potential loss of other benefits (like access to social housing) (Saunders, 2006).

Successive governments have tried to reduce financial obstacles in the tax-transfer system to staying in work, and implemented initiatives to make training and JSA support available (Swan, 2011).

### **Debates over compulsion**

While some degree of **conditionality** applied to income support appears to be widely (although not always warmly) accepted, the scope, severity and application of measures are the subject of continuing debate. The negative effect of "**breaching**" (suspension, partial or complete withdrawal of benefits) on particular groups of job seekers (youth, Indigenous, people with mental illness) has been a particular area of concern (DEEWR, 2010a).

Compulsion is experienced by many job seekers as **demeaning** (Murphy et al, 2011). But there is evidence that intensive activity measures do make a difference to whether and how quickly long term unemployed people move into work, although these impacts may be diminishing over time (van Ours, 2007). Proponents of compulsion point out that, even if unemployed people say that they want work, this does not necessarily mean that they will act on this (Saunders, 2003). Behavioural economics might provide insights into why people who say they want work sometimes act in ways that seem counterproductive (Fowkes, 2011).

### **The role of training**

Evidence of the efficacy of training programs in helping long term unemployed to secure work is mixed. This issue has been characterized as a debate between "work first" and "human capital" approaches (Davidson, 2011: 80-81).

Programs which include direct work experience with employers are more likely to succeed, as are those that integrate job search assistance. However, labour market assistance and vocational training investments have generally been poorly linked. The Productivity Places Program, a centrepiece of Labor's efforts to improve vocational skills (including for the unemployed), has been disappointing. The current overhaul of Commonwealth vocational skills investments includes an attempt to overcome some of the poor targeting in previous systems (DEEWR, 2010b).

## **Role of employers**

Despite labour shortages in many areas, employers are often wary of engaging people who have been long-term unemployed (VECCI & Brotherhood of St Laurence, 2009). Perceived poor attitude, poor motivation and lack of recent work experience are all reasons given for leaving jobs vacant rather than employing available job seekers.

Many employers are critical of employment service providers and the JSA is not widely used by larger employers. Successive Governments have struggled to improve the engagement of employers with the system but have faced challenges because of its complexity, and competition between providers.

Direct engagement of employers in development of tailored programs for the long-term unemployed is one of the most effective ways of motivating participants and ensuring that employers have access to this otherwise underutilised pool of labour (Wren, 2011).

## **Stepping stones and career advancement**

Most long-term unemployed people will move into part time or casual jobs, often low paid. Many argue that these provide a stepping stone to better paid, more permanent work (DEEWR, 2008). There is evidence that this is the case for some. However, Indigenous employees, homeless and longer term unemployed are less likely to retain employment (DEEWR, 2008; Productivity Commission, 2006).

## **Employment creation**

Australia's labour market programs aim at addressing employability, rather than at providing full employment. Very few long-term unemployed people will be fully employed, even after receiving labour market assistance.

Newcastle University's Centre of Full Employment and Equity (link is external) has argued that the Government should act as "employer of last resort", guaranteeing a right to work and mitigating the effects of long term unemployment (Mitchell, 2004).

Creation of jobs, either as long term options or pathways into other work, has been a key driver in the development of social enterprise. Social enterprises are social purpose organizations that derive some or all of their income through trading. While these are limited in scale, the experience of social enterprise tends to support the view that paid work, even if subsidised, can provide excellent social and economic outcomes for long term unemployed (Mestan et al, 2007)."

## 12.6 Mental Health and Isolation

*The author has been long term unemployed and because of her own work ethic has been able to maintain a constant approach each day to working on peace, nonviolence and anti-bullying together with job search. This has enabled her to have a purpose to get up and go to the library (as a job) to avoid social isolation and maintain motivation. The constant rejection through ineffective job search activities, no professional support or viable alternative activities disempowers and sends a message that you (identity) are not wanted, your skills and experience are not valued and you are pressured and judged for not getting a job. Your social life changes, you are no longer invited for dinner and isolation becomes preferable as you are seen to have failed. Positive mental health could be augmented by socio-emotional coaching, free counselling, joining groups, provided with a plethora of voluntary options and ways to engage and participate in society. Incubating hope comes to mind. Thus supporting people rather than forcing compliance is important for mental health and resiliency in a market that is likely to contract.*

### ***Exploring the link between unemployment and mental health outcomes<sup>8</sup>***

Guest editors discuss the impact of unemployment and mental health. *Arthur Goldsmith, PhD* and *Timothy Diette, PhD* (left), and *Timothy Diette, PhD* (right), of the Department of Economics at Washington & Lee University

The U.S. economy shed over **10 million jobs** from 2007 to 2009 and gross domestic product (GDP) dropped by more than 5 percent — the largest decline since World War II. The unemployment rate soared from 5 percent to well over 9 percent, leading this period to be dubbed the Great Recession. At the height of the **Great Recession** the average bout of unemployment lasted half a year and some estimates suggest that half of the unemployed were out of work for more than two years. This was an economically devastating epoch in our nation's history.

Psychologists (Eisenberg and Lazarsfield 1938) and sociologists (Jahoda et al. 1933) have argued as far back as the Great Depression that **unemployment damages emotional health and undermines the social fabric of society**. Psychologists draw a conceptual connection between involuntary joblessness and mental health in numerous ways such as: incomplete psychosocial development (Erikson 1959), feelings of **helplessness brought on by a perceived lack of control** (Seligman 1975) and failure to obtain the nonmonetary benefits of work (Warr 1987).

Erikson postulates that healthy personality and emotional development during adulthood require that a person believes they are making strides to enrich themselves by contributing to their family and community. Otherwise, self-esteem is compromised during unemployment, leading to anxiety and self-doubt. **Seligman asserts that feelings of "helplessness" arise when a person believes they have little influence over important events in their life such as securing meaningful work.** In his view, prolonged helplessness can lead to depression. Jahoda contends that unemployment is psychologically destructive because it deprives a person of valued, but unobserved, by-products of employment including a structured day, shared experiences and status.

A widespread conviction in psychology is that the response to stressful events, such as unemployment, takes the form of a progression through stages. Shock tends to

<sup>8</sup> <http://www.apa.org/pi/ses/resources/indicator/2012/04/unemployment.aspx>

characterize the initial phase, during which the individual is still optimistic and unbroken. As unemployment advances, the individual becomes **pessimistic and suffers active distress**, and ultimately becomes fatalistic about their situation and adapts unenthusiastically to their new state. Thus, the unemployed are expected to exhibit **poorer mental health** due to elevated levels of **anxiety, frustration, disappointment, alienation and depression**. Moreover, these feelings are likely to be more pronounced among those who shoulder greater financial responsibilities and persons with a greater sense of self efficacy fostered by prior success in a host of domains including school and work. Thus, the highly educated and parents are particularly vulnerable to the debilitating emotional consequences of unemployment. A host of factors may buffer the adverse psychological impact of involuntary joblessness including an understanding spouse, parents, siblings, adult children and friends.

**Social scientists from a range of disciplines have provided cross-sectional evidence of a connection between unemployment and various indicators of mental health.**<sup>1</sup> However, these researchers recognize the potential for reverse causality where poor mental health can lead to joblessness and thus call their results into question. Numerous researchers attempt to address this problem by examining persons who switch over time from work to unemployment. However, their findings supporting the link between unemployment and a decline in emotional well-being, although compelling, are not definitive evidence of a causal link because something unobserved by the researcher may have changed before the onset of unemployment that damaged a person's emotional wellbeing such as disappointments at work or unexpected health problems. A second shortcoming identified by Kessler, Turner and House (1988) in conventional studies using both cross-sectional and panel data is the selection into unemployment on the basis of prior mental health.<sup>2</sup> This makes it challenging to decipher if unemployment causes poor mental health.

In a recent study, we apply a new strategy to address both of these concerns. We first restrict our analysis to **individuals who have never had bouts of poor mental health** prior to the last 52 weeks. This strategy reduces the likelihood that poor mental health causes unemployment. It also allows us to interpret the effect of unemployment on emotional health for an individual in good mental health prior to unemployment. Second, we separate those in the sample into three groups based on their employment history during the past 52 weeks: employed the entire period, experiencing less than 26 weeks of unemployment or short-term unemployed and experiencing 26 or more weeks of unemployment or more long-term unemployed. This will allow us to test the hypothesis that short bouts of unemployment are less traumatic than longer spells.

Our results shed light on a number of key issues and can be interpreted as causal with greater confidence than existing findings in the literature. First, we add to evidence that **long-term unemployment has large negative effects on mental health**. Second, the negative effects are larger for black and Latino individuals. Third, short-term unemployment does not significantly harm mental health. Fourth, the potential buffers mentioned earlier do not appear to substantially change the odds of suffering from poor mental health with the exception of having a living father. Finally, those with more education suffer a larger emotional penalty for being long-term unemployed.

The body of evidence offered by social scientists, including psychologists, suggests that ignoring mental health costs understate the negative effects of long-term unemployment. Thus, public policies aimed at improving labor market performance should account for the mental health costs of joblessness. Our research highlights the importance of implementing policies and programs that reduce unemployment, especially long-term unemployment. Moreover, public policy should be mindful of the **support needed by those who are long-term unemployed.**

Examples include: **stress** (Liem and Liem 1988), **depression** (Kessler, Turner and House 1988; Fryer and Payne 1986), anxiety (Kessler, Turner and House 1989), and **poor self-esteem** (Feather 1982; Tiggemann and Winefield 1984; Goldsmith, Veum and Darity 1997). McKee-Ryan et al. (2005) and Paul and Moser (2009) offer meta-analysis reviews studies exploring the link between **various forms of emotional health and unemployment.**

## 13.0 GOVERNMENT OBLIGATION AND SOCIAL SECURITY

Government support is not only in the realm of financial support, but supporting the real needs of people as a representative of people. When people do not feel heard, are not responded to, that they have little influence over securing employment (helplessness) compounded by imposed and implied guilt as to their failure to gain employment, when in reality it is not their decision, it is the decision of an employer, then perceived powerlessness increases. They do not feel represented by anyone. There may be advocates and ombudsman, however this information is not given to welfare recipients and within a contract, what say do they have, the contract breach can be used to disconnect them from life support. They feel they have no power. So what is democracy for?

### 13.1 What is Democracy?

#### Representation

The term democracy, literally means rule by or on behalf of the people (combining the Greek words demos, meaning "the people," and kratien, meaning "to rule"). It is usually used to describe a political system where the legitimacy of exercising power stems from the consent of the people. Accordingly, a democratic polity is often identified by the existence of **constitutional government**, where the power of the leaders is checked and restrained; representative institutions based on free elections, which provide a procedural framework for the delegation of power by the people; competitive parties, in which the ruling majority respects and guarantees the rights of minorities; and civil liberties, such as freedoms of speech, press, association, and religion.

At the heart of democracy in the author's opinion lay the seeking of truth exemplified by many wise leaders throughout history. One most influential in the West was the Greek philosopher and teacher - Socrates (5th Century BC). Socrates taught by asking his students important questions, such as "What is honesty?" ...Through his Socratic method or dialogue, he prompted students to *question* their own beliefs and assumptions and to use reason to seek the truth. Socrates taught his students to think for themselves. This often led to dialogues.

The Greek Agora's were the original places where Senators would meet to debate the issues of the day, it was the forerunner to the inception of democracy. Today it is representation of the people by the people. It is to represent the community. It is to serve the community of interests to maintain harmony or what we term 'social order', for the highest good of all.

#### The Rights of Man and Citizen and Bill of Rights

An earlier rights based document influential in the notion of citizen rights was attributed to the French in the Declaration of the Rights of Man and Citizen<sup>9</sup> enshrined as follows:

The Declaration of the Rights of Man and of the Citizen passed by France's National Constituent Assembly in August 1789, is a fundamental document of the French Revolution

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<sup>9</sup> [https://en.wikipedia.org/wiki/Declaration\\_of\\_the\\_Rights\\_of\\_Man\\_and\\_of\\_the\\_Citizen](https://en.wikipedia.org/wiki/Declaration_of_the_Rights_of_Man_and_of_the_Citizen)

and in the history of human and civil rights. The Declaration was directly influenced by Thomas Jefferson, working with General Lafayette, who introduced it. Influenced also by the doctrine of "natural right", the rights of man are held to be universal: valid at all times and in every place, pertaining to **human nature** itself. It became the basis for a nation of free individuals protected equally by law. It is included in the preamble of the constitutions of both the Fourth French Republic (1946) and Fifth Republic (1958) and is still current. Inspired in part by the American Revolution, and also by the Enlightenment philosophers, the Declaration was a core statement of the values of the French Revolution and had a major impact on the **development of freedom and democracy** in Europe and worldwide.<sup>10</sup>

The representatives of the French people, organized as a National Assembly, believing that the **ignorance, neglect, or contempt of the rights of man are the sole cause of public calamities and of the corruption of governments**, have determined to set forth in a solemn declaration the natural, unalienable, and sacred rights of man, in order that this declaration, being constantly before all the members of the Social body, shall remind them continually of their rights and duties; in order that the acts of the legislative power, as well as those of the executive power, may be compared at any moment with the objects and purposes of all political institutions and may thus be more respected, and, lastly, in order that the **grievances of the citizens, based hereafter upon simple and incontestable principles, shall tend to the maintenance of the constitution and redound to the happiness of all.**

The Declaration of the Rights of Man, together with the American Declaration of Independence, Constitution, and The Bill of Rights. The United States Bill of Rights is a document considered to be the **basis of liberty and freedom** in the world. The Bill of Rights, together with the abuses of the Second World War inspired the 1948 United Nations Universal Declaration of Human Rights.

### Universal Rights and Freedoms

The Universal Declaration of Human Rights was an attempt to **enshrine values** in rights and responsibilities for all persons of the world with the overall aim to **maintain the peace**. The words in the Preamble clearly enunciate this global vision of unity for the peoples:

- Whereas recognition of the inherent **dignity and of the equal and inalienable rights of all members of the human family** is the foundation of freedom, justice and peace in the world,
- Whereas **disregard and contempt for human rights** have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy **freedom of speech and belief and freedom from fear** and want has been proclaimed as the highest aspiration of the common people,
- Whereas it is essential, if man is **not to be compelled** to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

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<sup>10</sup> [https://en.wikipedia.org/wiki/Declaration\\_of\\_the\\_Rights\\_of\\_Man\\_and\\_of\\_the\\_Citizen](https://en.wikipedia.org/wiki/Declaration_of_the_Rights_of_Man_and_of_the_Citizen)

- Whereas it is essential to promote the development of **friendly relations** between nations,
- Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in **fundamental human rights**, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,
- Whereas Member States have pledged themselves to achieve, in cooperation with the United Nations, the promotion of **universal respect** for and observance of human rights and fundamental freedoms,
- Whereas a common understanding of these **rights and freedoms** is of the greatest importance for the full realization of this pledge.

(Preamble - Universal Declaration of Human Rights)

Thus, democracy is not a word but has been derived from the abuses, corruption, coercion of repressive systems of authority that have led to calamities and instability. Respect for democracy arises from lived principles acknowledging natural rights, human nature, freedom of expression, inalienable rights, resolved grievances, questioning for truth, civil liberties and mutual concern to secure peace and happiness for all.

To **legalise Social Security welfare payments conditional on contracts**, in the experience of the author, **removes rights, recourse and render unemployed people outside of citizenship** (constitutional law). Moreover, it is evident that those on Social Security experience differing treatment and to adhere to unquestioned compliance based on mutual obligation, which is not mutual. It is through forced unquestioned compliance without full information of rights, that freedoms are curtailed and repressed. Importantly, if forced measures are not providing mutual gain nor leading to happiness, then what is the point of compliance?

Importantly, is democracy being utilised to focus citizens on the real issues of our time or remain hobbled by old paradigms that are fading fast?

## 13.2 Why is Democracy Important?

It is evident that World leaders and decision makers have been aware for decades of **unsustainable life patterns** and have been unable to mobilize the collective willingness to change direction in order to ensure and secure a future for the citizens and children to inherit.

The evidence that we must change the way we see and act in the world is overwhelming. James Speth an environmental advisor to former US Presidents outlines the current environmental situation and our responsibility:

*A global crisis has unfolded quickly, and, as in a classic Greek tragedy, we have been told what the future may hold, but so far we seem unable to step from the path to disaster that has been mapped out for us. The last act is about to begin... The Royal Society in Britain, supports those who believe that 'we are standing on the breaking tip*

*of the sixth great wave of extinction in the history of life on earth...it is different...it is caused...by us.*<sup>11</sup>

On January 12, 2001, 100 of the World's Nobel Peace Laureates published a 'Dire Warning For Planet Earth', reinforcing the idea that it is time to change the way we think:

*The most profound danger to world peace in the coming years will stem not from the irrational acts of states or individuals but from the legitimate demands of the world's dispossessed... It is time to turn our backs on the unilateral search for security, in which we seek to shelter behind walls. Instead, we must persist in the quest for united action to counter both global warming and a weaponised world. To survive in the world we have transformed, we must learn to think in a new way. As never before, the future of each depends on the good of all.*<sup>12</sup>

Democracy in its true essence is to represent the people, allow freedom of expression and facilitate freedoms to ensure a happy life. It is a form of cooperation and shared concern between the States and its citizens not a social contract in truth. It is a shared agreement that honest freedoms are in the interests of citizens and Government's are charged to represent them. In an ideal version of this all citizens would be fully informed, they would participate in decision making so that the wisdom of the public can be drawn upon, particularly in uncertain times where great upheavals will occur. We are entering a time of great uncertainty, changing environmental conditions and population growth. Citizens around the globe are emulating the capitalist system and aspiring to live like the United States which would require 3-4 planets to resource. Thus the materialist paradigm is not viable nor sustainable in the future, so why are we upholding it without introducing gradual change?

We are witnessing very slow change in Government and rigidities in the business arena where change is clearly hard to make or at the very least, envisage. Therefore, increasingly democratic participation is the real participation that works, giving people a voice, training people in problems solving, expanding their perception of family beyond self-interest to a shared concern or mutual benefit (as distinct from mutual obligation). Obligation conveys something one must do as a duty rather than a choice. Mutual benefit ensures the benefit of others as the same as benefiting self (equal power) as we share the one world, live in the one family in a shared reality. A new way of perceiving self-interest is now required moving us to shared interest. As a market analyst I saw clearly the wisdom in society that is the untapped resource that will change the future.

It is not in compliance that change occurs, it is through asking the right questions, through questioning rights, that the future expands in a positive direction.

The poem on the following page is about questions, freedom of expression and envisages a new tapestry that is creative and weaving new patterns that can be hard to see when threading strands in search of truth and meaning (or peacing together) . As one steps back the whole is seen.

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<sup>11</sup> Speth, J. *Red Sky At Morning – America and The Crisis of the Global Environment*, p34, 2004, Published by James Gustave Speth

<sup>12</sup> [http://www.lightwatcher.com/preparenow/warning\\_from\\_100.html](http://www.lightwatcher.com/preparenow/warning_from_100.html)

**POEM: THE ART OF DEMOCRACY?**

*Citizen or consumer?  
Winner or loser?  
Participation or process?  
The process worker participates,  
Earning the right to consume.*

*For ownership gives you rights,  
Poverty has no right to exchange,  
Or seek a refund,  
For life has been short changed,  
The trade barriers are high walls,  
For you cannot see why –  
you cannot make quota.*

*'We are free' sings the chorus,  
All can see 'we are free to choose' say the lawyers,  
We have purchasing power,  
You can do what you want any hour,  
This is the lucky country.*

*You can line up for Social Security,  
You can buy securities and no longer line up,  
You can take a menial job,  
For which you are truly grateful.*

*The protestant work ethic,  
Is the ethic we most value,  
For to work is to belong,  
And this is the song,  
To work is to participate,  
To participate is the vote,  
For this is the carrot that plants the seed,  
To work is to feed the hunger of consumption,  
For decoupling consumption from responsibility,  
Trade from human rights,  
Is the greatest freedom from economic blights.*

*Economic rationalism,  
Fuels the consumption function,  
The multiple propensity to consume,  
Generates economic growth,  
Degenerates environmental wealth,  
For supply and demand are not equal,  
Outputs exceed inputs,  
Externalities are not internalized,  
Crop rotation is fertilized to bear flowers not fruit,  
Genetic engineering is realized to bear yields and  
reduced hours without variety,  
For time is money,  
For there is no time for anything but work.*

*The manipulation of nature is the double helix,  
The two edge sword,  
The twist in the rope,  
For protein bonds will become chains,  
Bonds are broken in the food chain,  
Blueprints become ecological footprints,  
Sinking under drifting sands,  
For climate change is the shifting season,  
The drought of pure reason.  
The blueprint of the citizen,*

*Lives within natural rights,  
Where nature limits exceed through shared power,  
For participation is not reduced to a vote,  
For freedom of speech is inherent, inalienable an  
insight,  
A covenant is a sacred bond,  
That yields universal values,  
Where all will share from the pond,  
Not a carbon sink,  
For reflections reveal what is real,  
The interest is in what is right,  
Not the right interest,  
For to rate interests on the stock exchange,  
Is to exchange interests on the basis of yield,  
For economy is not a community of shared interests,  
It is a strategic play,  
That has gone astray,  
And lost its reason for the game.*

*The true democracy is a visible listening post,  
A real democracy is heard,  
For respect can hear the differences  
and learn to trust diversity,  
For democracy is not just a vote winner,  
It is not just writing a note to the sinner,  
It is learning about the community,  
Learning to develop unity within diversity,  
It is through reaching out and being involved,  
It is in conversation that we hear the other side,  
For it is in lecturing that only one is heard,  
As different opinions are threads that weave the carpet  
of real understanding.*

*The question is in the pattern not the carpet,  
The magic is in the carpet of meaning,  
Is it the same pattern?  
Or is it evolving with different colours,  
For new information is a colour,  
Blending to create a new design,  
Seeking truth sees no colour only threads,  
To follow the thread unravels the mystery,  
And the mystery leads to a single source.*

*For we create the tapestry of our life,  
Our beliefs are interwoven and shared,  
For ancient carpets were cultural air looms,  
Modern day carpets are functional lounge rooms,  
For when we sit down and meet,  
The carpet becomes magic,  
For we feel at home in such hospitality.*

*This is the possibility for democracy,  
To share time and space,  
For there are many stories in the carpet,  
From the floor to the wall,  
What was functional becomes a work of art,  
For art is the freedom of speech,  
The surreal defies reason,  
In search of expanding possibilities,  
For justice and peace is the silk within the pattern,  
That creates the masterpeace of freedom.*

### 13.3 Commonwealth of Australian Constitution – Section 51

The issue of civil conscription is identified in Section 51 in the Australian Constitution indicating it is not authorised. Refer clause xxiiiA. Is Work for the Dole civil conscription?

#### COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT - SECT 51

##### **Legislative powers of the Parliament [see Notes 10 and 11]**

The Parliament shall, subject to this [Constitution](#), have power to make laws for the peace, order, and good government of the Commonwealth with respect to:

- (i) trade and commerce with other countries, and among the States;
- (ii) taxation; but so as not to discriminate between States or parts of States;
- (iii) bounties on the production or export of goods, but so that such bounties shall be uniform throughout the Commonwealth;
- (iv) borrowing money on the public credit of the Commonwealth;
- (v) postal, telegraphic, telephonic, and other like services;
- (vi) the naval and military defence of the Commonwealth and of the several States, and the control of the forces to execute and maintain the laws of the Commonwealth;
- (vii) lighthouses, lightships, beacons and buoys;
- (viii) astronomical and meteorological observations;
- (ix) quarantine;
- (x) fisheries in Australian waters beyond territorial limits;
- (xi) census and statistics;
- (xii) currency, coinage, and legal tender;
- (xiii) banking, other than State banking; also State banking extending beyond the limits of the State concerned, the incorporation of banks, and the issue of paper money;
- (xiv) insurance, other than State insurance; also State insurance extending beyond the limits of the State concerned;
- (xv) weights and measures;
- (xvi) bills of exchange and promissory notes;
- (xvii) bankruptcy and insolvency;
- (xviii) copyrights, patents of inventions and designs, and trade marks;

- (xix) naturalization and aliens;
- (xx) foreign corporations, and trading or financial corporations formed within the limits of the Commonwealth;
- (xxi) marriage;
- (xxii) divorce and matrimonial causes; and in relation thereto, parental rights, and the custody and guardianship of infants;
- (xxiii) invalid and old-age pensions;
- (xxiiiA) the provision of maternity allowances, widows' pensions, child endowment, unemployment, pharmaceutical, sickness and hospital benefits, medical and dental services (**but not so as to authorize any form of civil conscription**), benefits to students and family allowances;
- (xxiv) the service and execution throughout the Commonwealth of the civil and criminal process and the judgments of the courts of the States;
- (xxv) the recognition throughout the Commonwealth of the laws, the public Acts and records, and the judicial proceedings of the States;
- (xxvi) the people of any race ~~other than the aboriginal race in any State~~, for whom it is deemed necessary to make special laws;
- (xxvii) immigration and emigration;
- (xxviii) the influx of criminals;
- (xxix) external affairs;
- (xxx) the relations of the Commonwealth with the islands of the Pacific;
- (xxxi) the acquisition of property on just terms from any State or person for any purpose in respect of which the Parliament has power to make laws;
- (xxxii) the control of railways with respect to transport for the naval and military purposes of the Commonwealth;
- (xxxiii) the acquisition, with the consent of a State, of any railways of the State on terms arranged between the Commonwealth and the State;
- (xxxiv) railway construction and extension in any State with the consent of that State;
- (xxxv) conciliation and arbitration for the prevention and settlement of industrial disputes extending beyond the limits of any one State;
- (xxxvi) matters in respect of which this [Constitution](#) makes provision until the Parliament otherwise provides;

- (xxxvii) matters referred to the Parliament of the Commonwealth by the Parliament or Parliaments of any State or States, but so that the law shall extend only to States by whose Parliaments the matter is referred, or which afterwards adopt the law;
- (xxxviii) the exercise within the Commonwealth, at the request or with the concurrence of the Parliaments of all the States directly concerned, of any power which can at the establishment of this [Constitution](#) be exercised only by the Parliament of the United Kingdom or by the Federal Council of Australasia;
- (xxxix) matters incidental to the execution of any power vested by this [Constitution](#) in the Parliament or in either House thereof, or in the Government of the Commonwealth, or in the Federal Judicature, or in any department or officer of the Commonwealth.

### Social commentary:

Work for the Dole program unconstitutional and can be classified as slavery. *(self.Adelaide) submitted 5 months ago by The\_Real\_Marty\_BSA*

*"I very much doubt that if it comes time for me to work for the Dole that I will be participating. I would like to hear from anyone with legal knowledge about the Australian Constitution and common law regarding WFD. I fully intend on contesting this in court should it come to it. I stress that I'm not trying to get out of WFD even though I know its a rort (A fair days work for a fair days pay) is what I learned when I was a Union Rep. I wont be offering my labour to anyone who isn't prepared to reimburse me fairly for my time and effort.*

*AUSTRALIAN Current "Work for the Dole" programs and the so-called 'voluntary work experience' programs are simply unconstitutional.*

*PART V.-POWERS OF THE PARLIAMENT. Legislative powers of the Parliament. (Paragraph 51, subparagraph xxiiiA) The Parliament shall, subject to this Constitution, have power to make laws for the peace, order, and good government of the Commonwealth with respect to:-*

*The provision of maternity allowances, widows' pensions, child endowment, unemployment, pharmaceutical, sickness and benefits, medical and dental services (but not so as to authorize any form of civil conscription), benefits to students and family allowances: Lots of stuff in this paragraph including the constitutional obligation to provide welfare allowances to the unemployed that cannot be linked to "civil conscription" programs, i.e. (but not so as to authorize any form of civil conscription) which means that the current "Work for the Dole" programs and the so-called 'voluntary work experience' programs are simply unconstitutional. School students doing work experience is one thing, but is it really 'voluntary work experience' if adults can be deprived of their constitutional right to an unemployment benefit simply by declining to do two weeks work with no award-rates-payment for this work? Surely, voluntary work experience should be a no-strings-attached option for people seeking work if it really is to be a voluntary process? The answer is that if it is a compulsory activity, then it is **Civil Conscription** which, as the above section of the constitution makes quite clear, is unconstitutional. The victims of this unconstitutional scam are entitled to be compensated by being paid at award rates for the work that they did, PLUS compound interest, on that unpaid wage for however long they have been unpaid! Some employers have offered work experience or work for the dole programs for years and thus have never had to employ wage earning people to do this work. In effect, work experience has been little more than a nice way of saying SLAVE LABOUR!"*

### 13.4 The Moment the Whitlam Government Made the Dole Enough Live On

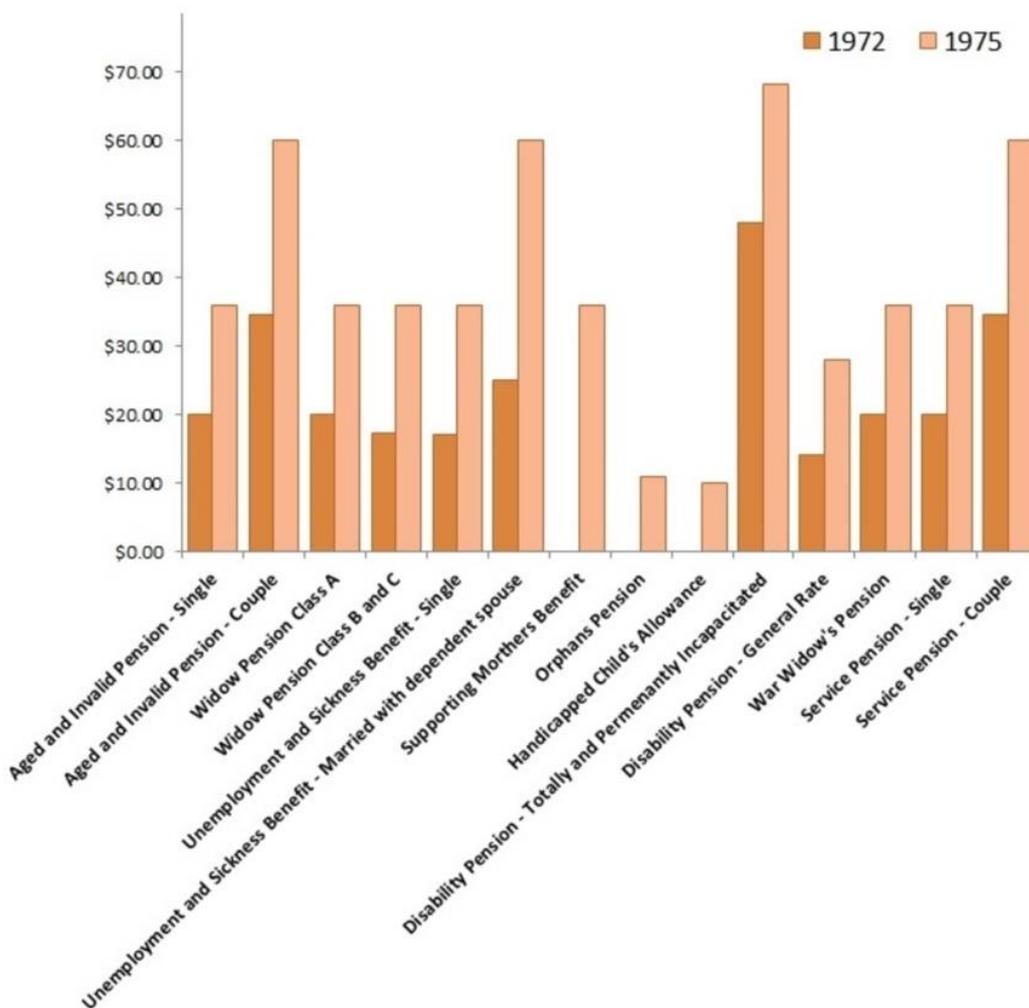
One of the first legislative acts of the Whitlam government in 1973 was to increase Social Security benefits.

On February 28, 1973, the Minister for Social Security, **Bill Hayden**, introduced the *Social Services Bill 1973* into the House of Representatives.

The bill sought to increase all pensions and unemployment and sickness benefits by amounts ranging from \$1.50 to \$14.00 a week. Hayden said the cost of the measures would be \$126 million in a full year.

**Changes to weekly social security benefits between 1972 and 1975**

Source: *The Whitlam Government 1972-1975*, Viking, Ringwood, pp. 363-366



*This is Social Security Minister Bill Hayden's Second Reading Speech on the Social Services Bill 1973.*

**Mr HAYDEN (Oxley) (Minister for Social Security) – I move:**

*That the Bill be now read a second time.*

The Bill provides for generous increases in all pensions and in unemployment and sickness benefits by amounts ranging from \$1.50 a week to \$14 a week. Furthermore it provides for payment of the pension increases to be made retrospectively from and including the first pay day for each category of pension occurring after the election of this Government. The cost of these proposals, and others benefiting dependants which I shall outline a little later, will be \$126m in a full year and \$66.2m for this financial year.

This Bill provides a common benefit rate for all pensions and for unemployment and sickness benefits of \$21.50 a week standard rate and \$37.50 a week married rate. In doing this it removes several seriously unjust, penalising anomalies. This Bill has promptly honoured the undertaking of the Prime Minister made when he delivered the policy speech of the Australian Labor Party. He said then:

*“The basic pension rate will no longer be tied to the financial and political considerations of annual Budgets. All pensions will be immediately raised by \$1.50 and thereafter, every Spring and every Autumn, the basic pension rate will be raised by \$1.50 until it reaches 25 per cent of average weekly male earnings. It will never be allowed to fall below that level.”*

The Bill does more than give effect to the undertaking to increase immediately the basic rate of all pensions by \$1.50 a week. In setting common benefit rates for all pensions and for unemployment and sickness benefits we have largely established the principle that common needs deserve common rates of benefit.

We still have some way to go before we fully realise this objective. In the near future I hope to be making further statements on behalf of the Government outlining additional steps which will be undertaken to realise fully this objective. In the meantime the goal already achieved is an extremely important one; it represents a great advance in social values and the appreciation of human worth. Moreover it locks into an ongoing programme whereby benefit rates will be automatically adjusted twice a year until they reach 25 per cent of average weekly earnings. Thereafter there will be regular automatic increases to retain this relationship to average weekly earnings. But more on this later.

It is worth noting some of the more objectionable forms of discrimination which will be eliminated by this Bill. For instance we have removed the long-standing, irritating penalty against the class B and C widows who were deemed eligible for widows pension but paid \$2.75 a week less than a class A widows pension. We have ended the punishing meanness with which unemployment and sickness benefits have been paid. A man supporting a wife and 2 children, drawing unemployment benefit and even after allowing for child endowment, has been paid a benefit rate some \$17 a week below the updated Melbourne University poverty line. There will be no more of this poor-house, alms-giving mentality which sees merit in official meanness and virtue in suffering, as long as it is in others.

The bulk of the unemployed today are the innocent social casualties of the disastrous economic policies of the last Government and its 1971 Budget. These people and their unhappy families neither sought to be, nor wish to remain, among the ranks of the unemployed. The need they suffer as a result of the meanness of unemployment benefit rates and the humiliation they suffer from unwanted unemployment are the penalty visited on them by the blundering economic policies of the last Government. One of the most objectionable aspects of the practices of the previous Government was the complete denial of any benefit at all for dependent full time student children over 16 years of an unemployment or sickness beneficiary. We have

ended this injustice practiced by mean men for too long. Henceforth these student children will attract full benefit rights irrespective of age.

In view of the insignificant cost of this proposal – \$600,000 in a full year and \$200,000 for the remainder of this year – the dogged persistence with which previous governments have clung to this practice of denying and depriving the dependent student children of the needy unemployed is beyond any reasonable comprehension. Unfortunately some people in the community worry that a modest rate of unemployment benefits, as we propose, will destroy the industry and moral fibre of the nation. Given the fact that the weekly rate of benefit of \$21.50 for a full week is much less than a great many business representatives pay for a single meal with a client – largely at taxpayers' expense, of course – I doubt that anyone drawing benefits will be corrupted by any new found lavishness in his life style. Unemployment benefits do not pander to lazy layabouts. The work test administered by the Department of Labour through its employment offices effectively controls the work-shy.

For those most tragic social casualties – the homeless drifting males (and sometimes females) undermined by an unstable personality and reinforced in their sense of failure and worthlessness by their peer group and the insulation an aspiring middle class society tends to set between itself and these people – we are doing something positive right now. For too long attitudes to these people have been negative and repressive. Society has been prepared to outlay large amounts of money for its police, courts and prisons to repress these people. Considerably less money spent on rehabilitation and social aid programmes will provide greater benefit for society. It is this positive role which we now stress. A working party of top social welfare administrators and other experts has been appointed by this Government to investigate and report on a suitable programme.

We are genuinely committed to a belief in the supreme importance of human worth, the individual's entitlement to treatment with dignity and his right to self respect.

I will now outline the main provisions of the Bill before the House. The standard rate of pension for aged persons, invalids and widows with children is to be increased by \$1.50 a week to \$21.50 a week. As I have just mentioned, the standard rate will also apply to widow pensioners without children in future, which means that these women will receive increases of \$4.25 a week. The married rate of pension is to be increased by \$3 a week to \$37.50 a week, that is, increased by \$1.50 a week to \$18.75 a week, for each partner. The age limit of 21 years for the payment of additional age, invalid or widow's pension for full-time student children as well as the additional guardian's or mother's allowance, as appropriate where the standard rate applies, will be removed. Payment of additional pension for full-time students together with mother's or guardian's allowance, if applicable, will continue without regard to the child's age until either eligibility for pension ceases or the child's studies cease. Unemployment or sickness benefit received by a spouse will be exempt for the purpose of calculating age or invalid pension. Unemployment benefit rates and also sickness benefit rates where payment has not been made for a continuous period of more than 6 weeks are to be increased by \$14 a week to \$21.50 a week for unmarried persons 16 to 17 years of age, by \$10.50 a week to \$21.50 a week for unmarried persons 18 to 20 years of age, by \$4.50 a week to \$21.50 a week for unmarried adults and unmarried minors with no parent living in Australia and by \$12.50 a week to \$37.50 a week for married beneficiaries whose wives are dependent upon them.

Sickness benefit rates where payment has been made for a continuous period of more than 6 weeks will be increased by \$8.50 a week to \$21.50 a week for unmarried persons 16 to 20 years of age, by \$1.50 a week to \$21.50 a week for unmarried adults and unmarried minors with no parent living in Australia and by \$9.50 a week to \$37.50 a week for married beneficiaries whose wives are dependent upon them. The age limit of 16 years for the payment of additional unemployment or sickness benefit in respect of a child will be removed where the child is engaged in full-time studies. Payment will therefore be continued without regard to the child's age until either eligibility for benefit ceases or the child's studies cease. Any age or invalid pension received by a spouse will be exempt for the purpose of calculating the amount of unemployment or sickness

benefit payable. I emphasise that these measures represent a first step towards ensuring that Social Security beneficiaries receive a rightful share of the community's increasing prosperity.

When defending pension levels in the past, honourable members will recall that the former Government consistently compared increases in the rates of pensions with upward movements in the consumer price index. However, as I have stressed on so many occasions, the relevant comparison to make is to relate pension increases to increases in average weekly earnings; average weekly earnings themselves give a fairly good indication of the average standard of prosperity in the community. I have no wish to draw comparisons between the position as it was over 20 years ago with what it is now but I feel that I should say that, although the Liberal Country Party Government did follow a policy of increasing pensions faster than rises in prices generally and there were some significant increases during their term in office, from about the beginning of the 1950s the pension as a percentage of average weekly earnings dropped quite dramatically and it never fully recovered from that position. This situation will be corrected by this Government. The increase proposed in this Bill lifts the standard rate of pension as a proportion of average weekly earnings to the highest level of any time in the last 6 years. This position will continue to be improved. The following table which I seek leave to incorporate in Hansard gives a comparison of a selection of existing benefit rates and of the rates we are proposing.

<http://unemployedworkersunion.com/category/newspaper/>

## 13.5 Privatisation of Welfare – Public Good or Private Interests?

*People should be able to obtain these benefits as a matter of right, with no more loss of their own standards of self-respect than would be involved in collecting from an insurance company the proceeds of an endowment policy on which they have been paying premiums for years.*

*(former PM Menzies)*

*The issue of honesty and values is critical in Government and contracted organisations acting as partners and extensions of Government services. The issue is the privatisation of welfare and again, the problem of profit maximisation, whereby approved organisations act on their own self-interest in profit maximising rather than in the interests of those they are perceived to be helping. Moreover, some exploit the contract system yet penalise job seekers if they do not comply to forced labour or job searches, thus losing their right to food and shelter. The question is the Government provision of welfare services appropriately placed in private hands when it is clear they have not only different priorities but evidence of exploitation of contracts and under performing in improving job prospects? Is profit and social service mutually exclusive? What if \$1.3 billion was invested in empowerment and creative innovation of citizens to live sustainably in an uncertain future?*

ABC Article<sup>13</sup> entitled '**Government recovers over \$41 million worth of false claims after 'rorting' of Job Services Australia scheme**' indicates private good over the public good. This article is researched by Four Corners By Linton Besser, Ali Russell and Mario Christodoulou Updated Thu 26 Feb 2015

The Federal Government has clawed back more than \$41 million worth of false claims by private employment agencies in just the past three years.

The agencies are contracted by the Government under a privatised welfare-to-work program called Job Services Australia (JSA), a sprawling **\$1.3 billion-a-year scheme** designed to get the unemployed into work.

A Four Corners investigation has found **rorting of the scheme is rampant**. Forgery, manipulation of records and the lodgement of inflated claims for fees are widespread. One former agency employee said he had seen "thousands" of jobseeker records doctored by his agency to support suspect claims against the taxpayer.

The managing director of a private employment agency told Four Corners: "There are **incentives** to be involved in sharp practices from a financial and performance perspective." "We had to do the same thing [because] **everyone was doing it**," the source said. "The Government does not want to expose the whole industry."

Three years ago a **top-level inquiry into just one type of fee found spectacular rates of failure, forcing cancellation of that particular fee and prompting industry-wide ructions**. Ominously, the inquiry noted that just 40 per cent of the claims it examined could be confirmed by documentary evidence, or by the testimony of jobseekers and their employers. The Abbott administration has made some changes to the scheme that take effect mid-way through this year.

But critics say these changes will do little, if anything, to stop **widespread gaming** of the contract.

<sup>13</sup> <http://www.abc.net.au/news/2015-02-23/government-recovers-millions-after-rorting-of-jobs-scheme/6193022>

In a statement, Jobs Australia said: "A significant portion of the recoveries [were] volunteered by providers who [needed] to rectify minor administrative mistakes."  
But added that "while there [were] legitimate concerns about some aspects of the policies", more than a quarter of job seekers found a job and exited JSA within three months.

"This is despite the fact that the system is incredibly complex, with a confusing payment model and thousands of pages of rules that must be interpreted and applied by the individual staff who work day in, day out, with people who are unemployed," the statement said.

The not-for-profit organisation said the new employment services contract would reduce the scope for incorrect claims by simplifying payments.

"With rising unemployment, Jobs Australia believes there needs to be a more flexible arrangement that is firmly focused on getting people back into work - but also with strong checks and balances."

### **Only one in 10 enjoy 'better chance of gaining employment'**

The ABC has learned that fraud investigators attached to the Department of Employment have **launched probes into many of the major agencies** contracted to the program since its inception in 1998.

For-profit companies, including the market leader, Max Employment, have been investigated for particular allegations, as well as well-loved Australian charities including the Salvation Army.

There are a variety of means by which the **contract is exploited**.

The ABC is not suggesting that any particular agency is engaged in the full range of rorts, or other means by which the contract can be optimised.

But despite a long parade of **whistleblowers** detailing allegations of the **misappropriation of taxpayer funds** by some agencies, and highly questionable practices by others, the government has declined to detail instances where it has ever sanctioned any single agency operating under the scheme.

In one case to be examined on Four Corners, investigators were forced to shelve their inquiries when they discovered a departmental official had explicitly told the agency that it could still collect fees for services the Government knew had never been delivered.  
Rupert Taylor-Price, whose company provides software to Job Services Australia providers, says the **scheme is being routinely "optimised" to the detriment of jobseekers**.

"Hundreds of thousands of dollars, if not millions of dollars, have been recouped at times by the department," Mr Taylor-Price said.

"But what the department does is only reclaim those from the failures it finds.

"So even if you are going to put in claims that have a failure rate, you're still going to have a lot of them not found and keep the money ... there's still an incentive to make the claim."

He says he believes only one in **10 participants in the program enjoy "a better chance of gaining employment"**.

The program was created 17 years ago, when the Howard government effectively **privatised** the Commonwealth Employment Service (CES).

The new policy created a **pseudo-marketplace of jobseekers who were forced under Centrelink's rules to attend private agencies**, which would be paid to find them work. Since then, more than **\$18 billion has been spent on the welfare to work** program – first labelled Job Network, and now known as Job Services Australia.

It has been a cheaper scheme than the CES, but critics say it has also been **far less helpful** at assisting long-term unemployed people back into work.

**'You can't make people search for jobs that aren't there'**

Academics and experts have repeatedly pointed out the glaring paradox at the heart of the program: how can these agencies have any impact on the unemployed **when the number of jobless far outstrip the number of job vacancies?**

"[The welfare to work program] patently **hasn't worked**," said Professor Bill Mitchell, director of Newcastle University's Centre of Full Employment and Equity.

"It's an impossible task ... there's not enough jobs to go around. **You can't make people search for jobs that aren't there**, and that's the dilemma of the whole system.

"We've had a demand-side constraint – not enough jobs – and all this vigorous energy and money being poured into a supply-side initiative as if that's the problem."

Periodically, the jobs program has been mired in scandal. A major Productivity Commission inquiry in 2002 made adverse findings about the program, **including that the long-term unemployed were being "parked"**.

Just three years after Job Network was launched, one prominent job agency was accused of **shovelling thousands of people into phoney jobs**.

In what has become a pattern, a subsequent inquiry cleared the agency of fraud but demanded the repayment of thousands of dollars.

Insiders have told Four Corners that department managers have been reluctant to tighten up the program's **governing contract** to prevent blatant rip-offs.

"**It's absolutely vulnerable to exploitation**," said a former senior departmental investigator. He said he had significant doubts about the will of successive governments to root out the fraud perpetrated against the contract.

"**The department was more interested in getting its money back** [than sanctioning agencies] ... it's very **politically-driven**," the former investigator said.

The Department of Employment provided figures to Four Corners which showed that millions of dollars are routinely recouped from agencies, as a result of audits, self-identification by agencies and other "program assurance activities".

In 2011–2012, \$8.34 million was recovered.

The figure spiked to **\$23.81 million** the following year after the inquiry into one particular type of fee.

And last year, another \$9.12 million was reclaimed.

A department spokesman said typical repayments by agencies amounted to "less than 1 per cent of the amount paid each year", and said it had "robust systems" to detect **inappropriate claims for fees**.

He would not answer a series of specific questions about past or current investigations conducted by the department.

"In cases of suspected fraud, matters are referred to agencies such as the Australian Federal Police and Commonwealth Director of Public Prosecutions," the spokesman said.

"Since 2006 the Department has made 38 referrals to the appropriate authorities."

Email [besser.linton@abc.net.au](mailto:besser.linton@abc.net.au)

### **The Australian Unemployed Workers Union Perspective**

In December 2015, the Coalition Government introduced legislation to reform the rural Community Development Program (CDP) "so that local service providers will make income support payments instead of Centrelink". The legislation will be phased in on July 2016 and will at first effect around 2000 unemployed workers.

This is the beginning of what we have **all been dreading: placing the functions of Centrelink in private hands**, or in other words the privatisation of Centrelink.

Putting the functions of **Centrelink into private hands is a recipe for disaster**. By putting a **profit motive** into the Social Security System, every Australian citizen's right to Social Security is under threat.

In an ominous press release, the Minister for Indigenous Affairs Nigel Scullion stated "under these reforms, there will be more **local decision-making** by providers who know the jobseekers and have closer connections to what is going on in communities."

"Payments will be made weekly so remote jobseekers have immediate access to their money and **feel the financial impact of not turning up** to activities straight away – not weeks down the track."

Currently, legislation states that the employment services industry is not able to make compliance decisions as these decisions must be made by Centrelink. It appears that this legislation aims to change that, giving job agencies **unprecedented and sweeping new powers over the lives of unemployed workers**.

Starting the privatisation of Centrelink in the rural Community Development Program is yet another example of the Government using Indigenous Australians as guinea pigs to test its new cruel and unusual policies towards the unemployed.

The Government hopes that if they privatise Centrelink out in the remote areas of the Northern Territory no one will notice. We have noticed and we think it's disgraceful.

An attack on one unemployed worker is an attack on all workers. We must stand in solidarity with our Indigenous brothers and sisters before it's too late.

## 13.6 **Privatize the welfare state, remove federal government subsidy**

by Mark Watson

<http://bigthink.com/articles/privatize-the-welfare-state-remove-federal-government-subsidy>

I believe it is possible to remove welfare as a government program, freeing its burden on America, while encouraging people to give voluntarily. The process would occur in stages, so that the government subsidy taken from payroll would decrease proportionally to the most recent quarter of voluntary contribution. *by g mnhyt*

We would never require compulsory giving, but we would create incentives for businesses and individuals to give as often as they would like to defray costs on society.

I believe we would overtake government mandated compulsory welfare while at the same time, those who could not afford to give would not have their pay automatically reduced.

I believe churches and secular ministries can work together to ensure needs of people in localities are met and monies are equitably distributed better than the federal or state governments.

## 13.7 Penalties for Non-Compliance

### Private Job Agencies Issuing On the Spot fines

#### Malcolm Turnbull Escalates His War on the Poor And Unemployed<sup>14</sup>

*By Owen Bennett on March 5, 2016 Civil Society*

ANALYSIS: Unemployed and underemployed Australians can be issued with **on-the-spot fines by privately owned job agencies** under a tough new Government proposal, writes Owen Bennett.

Later this month the Turnbull Government will be asking the Senate to support one of the most devastating attacks launched against poor and vulnerable Australians in recent memory.

The Bill – entitled **Social Security Legislation Amendment (Further Strengthening Job Seeker Compliance) Bill 2015** – proposes to give privately run job agencies **unprecedented new powers to financially penalise unemployed and underemployed Australians**. If passed, the fines will come into effect on July 1 this year.

Under the proposal, Australians receiving the dole can be fined 10 per cent of their income support – increasing by 10 per cent each day until they ‘re-engage’ – if they:

- **Fail to sign a job plan** at their first job agency appointment; or
- Are found by their job agency to have **behaved inappropriately** at an appointment (“inappropriate behaviour” is defined as acting in a manner “such that the purpose of the appointment is not achieved”); or
- **Fail to attend a Work for the Dole or Training** exercise without an excuse deemed reasonable by the job agency.

All fines (roughly \$55) will be deducted immediately. Unemployed Australians who feel they have been unfairly fined will be required to go through Centrelink’s arduous appeals process to get their money back – a procedure that can take up to four months.

This means that even if an unemployed worker successfully appeals against a fine – and thousands do every year – they will still be forced to **endure up to four months without a significant portion of their income support**.

As privately run job agencies can effectively impose these financial penalties on unemployed workers **before having to provide any concrete proof**, the Coalition’s proposal gives privately-owned job agencies the power of **life and death** over unemployed workers.

With the dole already **\$391 below the poverty line** according to the Melbourne Institute, for many unemployed workers a **10 per cent deduction** of their income support will place them in **severe financial distress**.

If this proposal is passed next month, unemployed Australians will be just **one unfair penalty away from extreme poverty and even homelessness**.

The dole has already been proven to **be not enough to live on**. A recent report showed that **one in four people on the dole were forced to beg on the streets** for more than a year, while **6 in 10** were required to approach a charity for help.

<sup>14</sup> <https://newmatilda.com/2016/03/05/malcolm-turnbull-escalates-his-war-on-the-poor-and-unemployed/>

Escaping this **poverty-trap has become almost impossible for unemployed Australians** – according to official government figures there are 11 job seekers competing for each vacancy, even more when you consider low-skill jobs.

With **unemployment already a one-way ticket to poverty** for many Australians, why is the Turnbull Government introducing a bill that will make it considerably harder for unemployed workers to survive?

To answer this question, it is necessary to understand the employment services industry. Comprised of for-profit and not-for-profit companies ranging from billion-dollar corporations like Max Employment to charities like the Salvation Army, the employment services industry has become a highly lucrative business.

Under the Coalition Government's four-year **\$6.8 billion *jobactive* program**, Government payments to employment services are tied to a variety of 'jobseeker outcomes'.

The most efficient way for job agencies to **maximize outcome payments** is to ensure that their unemployed 'caseload' are, at a bare minimum, **compliant with appointments and activities**. Clearly the employment services industry has a financial interest in obtaining **increased powers** to penalize the unemployed.

With these **perverse financial incentives** already firmly in play, there are a number of well-documented cases of **job agencies bullying** unemployed workers.

Every day, the Australian Unemployed Workers' Union receives new cases of Australians **being bullied into unfair activities** or appointments by money-hungry job agencies.

Even if unemployed workers are able to muster up the **courage to demand that their rights be recognized, job agencies use the threat of sanctions to ensure compliance**.

With the continued failure of the Department of Employment to effectively regulate the industry and bring bullying job agencies into line, unemployed workers **have nowhere to go**. This has created a **culture of fear and intimidation** throughout the employment service industry.

By proposing that job agencies should be **given new unprecedented powers to financially penalize unemployed workers**, the Turnbull Government is sending a clear message to the employment services industry that **these tactics are not only acceptable, but should be intensified**.

If you have been unfairly fined by your job agency, you join the Australian Unemployed Workers' Union legal challenge against this unfair compliance system by contacting them on [contact@unemployedworkersunion.com](mailto:contact@unemployedworkersunion.com).

### 13.8 **Senator Regards AUWU as the 'Bludgers Club'**

This article exemplifies the undermining of those unemployed as 'bludgers'. The statements below are not helpful to fostering a supportive environment where people feel a sense of equality and respect. I have visited the AUWU's website and was relieved to find information about unemployment and shared concerns. I was impressed that a union started as there is no third party to access or advocate who can assist with being heard as I have discussed in this submission. People are powerless. The membership reflects a real need for information and support. Some of the comments are clearly ignorant given how hard I have tried to come off welfare with no support or real help from anyone. I have offered to work for Centrelink and Human services for free to get a foothold, I wasn't even answered.

#### **Greens Senator Lee Rhiannon backs Australian Unemployed Workers' Union**

Renee Viellaris, The Courier-Mail

June 27, 2017 12:00am

Subscriber only

A SOPHISTICATED "bludgers' club" that coaches dole recipients how to **fight** being pushed into paid work is being financially backed by Greens Senator Lee Rhiannon.

Senator Rhiannon has told The Courier-Mail she wants the Australian Unemployed Workers' Union (AUWU) membership to increase, raising questions why a parliamentarian would want more jobless Australians to rebel against their mutual obligations to taxpayers.

The union, which is not registered and does not have charity status, has **6500 members** across the country, hosts a detailed website and a "national advocacy phone" to advise welfare recipients of their "rights" when it comes to Work for the Dole and job searching.

Articulate union president Owen Bennett advocates for the working week to be reduced to 35 hours, increasing Centrelink benefits to \$517 a week and the abolition of the Work for the Dole program.

Firebrand **Senator Barry O'Sullivan** yesterday slammed Senator Rhiannon for bankrolling the "**bludgers' club**", saying that she should be ashamed of herself for offending "fair-thinking Australians who want to support the genuinely unemployed".

He accused Senator Rhiannon of backing the group in a bid to attract more voters to the Greens.

But Senator Rhiannon said the group provided **support** and believed it should **attract more members**.

"I donated \$300 to the AUWU as I support the important work they do," Senator Rhiannon said. "Considering the **high levels of mismanagement** by job agencies, and the **exploitation** of workers when they do find a job, I hope this union gains more members and more support."

Employment Minister Michaelia Cash said that the organisation had a **perverse purpose**.

“Mr Bennett would better serve the unemployed if he ran an organisation that aimed to get people off welfare and into work,” she said.

Mr Bennett denied the organisation distracted the jobless from looking for paid work. The website sets out what mutual obligations are fair, how to hit back at job agencies when they do not contact penalised jobseekers who fail to turn up for compulsory activities and rails against the physical danger of Work for the Dole.

### 13.9 Shorten backs push for low dole



Minister for Employment & Workplace Relations, Bill Shorten. Picture: Aaron Francis

- PATRICIA KARVELAS
- TheAustralian
- 12:00AM August 20, 2012

**EMPLOYMENT Minister Bill Shorten has backed a controversial argument being put by his senior mandarins that the dole should be kept low to encourage the unemployed to take badly paid jobs.**

A submission from four federal departments to a Senate inquiry into the Newstart Allowance says the OECD acknowledges that a **rise in the base rate from \$245 a week “has the distinct disadvantage of reducing employment incentives**, especially for those who can only obtain low-paying employment”.

A spokesman for Mr Shorten said: “The submission is obviously the government’s position” despite it previously saying it had a more open mind. “I’d also point you to what the minister had to say about this to you on Sky Agenda at the end of last month.”

In the interview, Mr Shorten said he wanted to look at what could be done to **break intergenerational cycles of long-term unemployment**. “Intergenerational unemployment is a disaster for generations of people.

“But by the same token, I am fully aware that trying to get along on \$249 a week is an incredibly difficult ask.”

Mr Shorten is coming under pressure from the union movement to **overhaul the welfare system**. The ACTU will today declare major reform of the income support system is vital to help unemployed people find decent, secure work. ACTU president Ged Kearney said reform must start with a \$50-a-week rise to Newstart, which had not increased in real terms since the early 1990s and was barely enough to live on, let alone pay for the costs of finding a decent job. “The rate . . . is just 18 per cent of average wages . . . and is widely regarded as a major cause of entrenching people in long-term poverty, with insecure work playing a large role,” she said.

The ACTU wants Newstart raised to the level at which the payment starts to be withdrawn when people begin work, and a wider independent inquiry into the effects of insecure work on welfare.

Unions NSW has called for the Youth Allowance to be increased by \$50 a week and indexed in line with pension payments. It wants the income threshold to be increased by \$25 a week, allowing Youth Allowance recipients to earn \$450 a fortnight before their payments are reduced. The government submission claims an increase to the dole would not assist in maintaining the “fundamental character of Newstart Allowance as a payment that predominantly supports work re-engagement”.

“Work incentives are built into the design of Newstart Allowance and a substantial increase in Newstart payment rates would reduce the incentive for some recipients to move off payment and into self-supporting work”.

The Senate inquiry follows lobbying by business and welfare to **increase Newstart**, as single mothers face losing an average \$50 a week after being shifted from the parenting payment to the dole from January.

The joint submission — from the Department of Education, Employment and Workplace Relations, the Department of Families, the Department of Human Services and the Department of Industry — seeks to blunt support for a \$50-a-week rise to the dole.

Peter Whiteford of the Crawford School of Public Policy at the Australian National University argues that since 1996 payments for the single unemployed have fallen from 23.5 per cent of the average wage for males to 19.5 per cent.

## 14.0 WORK FOR THE DOLE PROGRAM

### 14.1 Government Overview

#### *What is Work for the Dole?*

Work for the Dole is a work experience programme which places job seekers in **activities where they can gain skills, experience and confidence** to move from welfare to work, while giving back to their community.

Job seekers undertake **work-like activities** at a host organisation or as part of a community-based project. This helps participants in Work for the Dole to:

- develop the skills that employers want—like team work, communication and reliability
- increase their confidence and show that they are ready to start working
- meet new people and make contacts who can be a referee
- get involved in their local community
- meet their mutual obligation requirements to continue to receive income support.

There may be job seeker prerequisites depending on the place such as police checks or work, health and safety training.

#### *Who can do Work for the Dole?*

Some job seekers need to meet certain requirements in order to keep receiving income support. These are called mutual obligation requirements.

Job seekers who have mutual obligation requirements (people on Newstart Allowance or Youth Allowance (Other), or Parenting Payment recipients whose youngest child is at least six years of age) need to complete an Annual Activity Requirement for six months each year. They can do this by participating in Work for the Dole or another approved activity, such as part-time work, part-time study in an eligible course, accredited language, literacy and numeracy training or voluntary work.

A job seeker's *jobactive* provider will let them know when they need to take part in Work for the Dole.

Job seekers who don't have mutual obligation requirements can also ask to participate in Work for the Dole.

Job seekers on income support who are participating in Work for the Dole can receive an income support supplement of \$20.80 per fortnight.

How many hours of Work for the Dole do job seekers need to do?

There are different requirements based on a job seeker's age. If job seekers are:

- aged under 30 years, they will need to complete 25 hours per week of Work for the Dole (as the principal activity) or another approved activity for six months each year

- aged 30 to 49 years, they will need to complete 15 hours per week of Work for the Dole (as the principal activity) or another approved activity for six months each year
- **aged 50 to 59 years**, they will need to complete 15 hours per week of an approved activity for six months each year, which **can include volunteering for Work for the Dole**
- 60 years of age or over they can volunteer for Work for the Dole or other approved activities.

Job seekers who have a partial capacity to work or who are principal carer parents will need to participate for around half the number of hours in Work for the Dole (or other approved activities) as full capacity job seekers. Work for the Dole is not available to job seekers aged under 18 years.

#### *Who can host a Work for the Dole activity?*

Work for the Dole activities can only be hosted by not-for-profit organisations and local, state, territory and Australian government agencies. Activities may also be hosted in not-for-profit arms of for-profit organisations.

Activities must not take place exclusively on private property unless they are part of a Community Support Project to assist in recovery from natural disasters.

Work for the Dole activities must not involve tasks which:

- would normally be done by a paid worker, including a casual or part-time paid employee
- reduce the hours usually worked by a paid employee
- reduce the customary overtime of an existing worker.

Work for the Dole activities cannot take place if the host organisation:

- has downsized in the past year and the proposed tasks are the same as roles made redundant
- is using it as a stopgap measure while recruiting or instead of creating paid jobs.

#### *How can host organisations get involved?*

Each Work for the Dole place will usually last for six months.

Work for the Dole hosts can participate in the programme by:

- offering individual places for job seekers—hosts can offer more than one at a time
- undertaking a project delivered by a group of job seekers.

Being a Work for the Dole host allows organisations to undertake projects or activities which they might otherwise not have the capacity to do.

See [www.employment.gov.au/work-dole](http://www.employment.gov.au/work-dole) for further information.

Find your and contact your local Work for the Dole Coordinator at [www.employment.gov.au/wfdcontacts](http://www.employment.gov.au/wfdcontacts)

*What is a Work for the Dole Coordinator?*

There is a network of Work for the Dole Coordinators across Australia who work with potential host organisations to find suitable Work for the Dole places and activities.

A Work for the Dole Coordinator is contracted in each of 51 Employment Regions around Australia, with 19 organisations providing these services.

## 14.2 Mutual Obligation

Mutual Obligation: A Reasonable Policy?  
Pamela L. Kinnear, The Australian Institute

### Introduction

According to Fox's (2000) recent history of the Great Depression in Victoria, efforts to assist the unemployed were characterised by an overarching desire to '**remoralise**' unemployed people and promote a '**reinvigorated work ethic**'. Book reviewer, Brian Dickey summarises Fox's argument saying that 'the notion that the unemployed had lost their moral standing and hence their rights to full participation [was] the central proposition guiding the responses of the middle class people who wanted to be involved. It justified blame, coercion, management, rationed resources, and permitted them to treat the unemployed as other' (Dickey, 2001: 244).

This statement could be mistaken as a contemporary critique of modern welfare reform, echoing sentiments expressed by academics and others in contemporary debates about the policy of Mutual Obligation.<sup>1</sup> Even during the Great Depression, it seems, when major economic collapse left vast numbers of people facing insurmountable structural barriers to employment and economic participation, the argument that unemployment was a function of the failure of individual responsibility was dominant.

There is an eerie similarity in the beliefs of the 're-moralisers' during the 1930s with the 're-moralisers' of today. They are linked by a common denominator: **the belief that poverty and unemployment is a result of the failure of personal morality**. However, this basic idea has become increasingly veiled by more high-minded supporting arguments over recent years. The shift of modern Western countries away from 'entitlement' based Social Security systems and towards 'conditional' welfare programs is based on a range of arguments:

*that they are consistent with fundamental and longstanding principles of liberal democratic traditions;*

*that entitlement systems counterproductively create 'welfare dependency', and over-emphasise citizens' rights at the expense of their responsibilities; and*

*that they are just plain common sense: that if the community has an obligation to provide income support for some members, then those who are being supported have corresponding obligations to the community.*

Note: The capitalised form of the term 'Mutual Obligation' will be used when referring to the **specific Government program that applies to certain groups of Social Security recipients**. Otherwise the lower case form is used to refer to the more generic concept of mutual obligation.

In its simplest form, conditional welfare, manifest most clearly in the Australian context in the **policy of Mutual Obligation**, is based on the idea that people should not get something for nothing - an idea that the Howard Government consistently maintains is 'simple yet compelling' (Newman, 1999: 3).

The popular appeal of these arguments has meant that in recent times the concept of mutual obligation as applied to welfare policy has attained 'motherhood' status and is **accepted largely uncritically** as a reasonable basis for Social Security policy; as one policy commentator has said, mutual obligation is 'here to stay' (Curtain, 1999: 4). The consequence is that the concept and policy framework of mutual obligation now defines the boundaries within which those committed

to better policy must operate; it seems to be a step too far for agencies or individuals to criticise the concept of mutual obligation itself. This is despite the fact that, when the philosophy and 'common sense' that support the contemporary idea of mutual obligation are stripped away, it becomes clear that the policy **relies on the belief that a selected group of Social Security recipients are not trying sufficiently hard to be self-reliant and, when left to their own devices, will 'free-ride' on the backs of the rest of the community.**

### **Reform and the Policy Process**

In part, the 'motherhood' quality of mutual obligation is generated from its intuitive, surface appeal and the success of arguments about its links to democratic tradition, issues which are tackled in the remainder of this paper. However, it has also come about because, whilst criticism of how the idea is implemented in government policy has been vigorous, going further to **critique the concept itself places critics 'outside the tent'** where they run the risk of being characterised as non-cooperative ideologues and subsequently **shut out** of the policy process.

Social policy reform is an uneasy melting-pot of ideology, empiricism, compromise and critique. **To make a difference - to be 'in the tent' as it were - academics, advocates and community workers find that they must often engage in uncomfortable compromise.** As the chair of the Reference Group on Welfare Reform, Patrick McClure, has recently said in response to criticism in the media, often those in the tent have to be satisfied that **'half a loaf is better than no loaf at all'** (McClure, 2001; see also the critique; Kinnear, 2001).

But it is increasingly the case that the 'tent' is becoming more and more crowded. This is particularly so as governments require charitable agencies to be more **accountable** for their public funds and as they pass more government-based work through charities (such as providers of Job Network services) and university departments (program evaluations and policy analysis). Moreover, those standing on the outside looking in are a diminishing force. Whilst there is undoubtedly a role for compromise and cooperation, the task of careful but strident critique based on independent research and observation is an equally, if not more, important role in the melting pot of social policy. The outsider is able to say the things that those engaged in active policy compromises cannot, or choose not, to say. Often this will involve challenging not just specific details of social policies, but also going a step further to **examine policies in their wider social, political and economic context** as well as the presuppositions about the nature of society and human nature that underpin policy options.

There is little doubt that it is possible to make the policy of Mutual Obligation **fairer, less intrusive and less punitive.** To some extent, the Welfare Reform process which resulted in the new welfare regime now called 'Australians Working Together' has achieved some improvements in the operation of Mutual Obligation, making it (at least on paper) a little fairer, a little less intrusive and a little less punitive. There is also no doubt that even more can be done in terms of such improvements. But the reform process stopped short of challenging the idea of mutual obligation as a reasonable basis for welfare policy.

This paper issues such a challenge. The following sections argue that despite its popular appeal, the idea of mutual obligation is neither simple nor compelling. Rather, the idea as applied to welfare policy is built on loose philosophical foundations and on a number of popular misconceptions about the nature of unemployment and poverty.

### **Philosophical Premises: Mutual Obligation as a 'Social Contract'**

The placing of specific obligations on recipients of income support is frequently justified by the language of 'social contract': that the government of a society is based on an **actual or implied contract between citizens and the state.** Indeed, the idea of the 'social contract' is the basis of mutual obligation's popular appeal. Proponents argue that the policy is fair and reasonable, because it has its origins in liberal democratic philosophical traditions. The OECD has noted that

'the principle of mutual obligation as it applies in Australia can be viewed as part of the **implicit social contract** that underlies the income support system' (cited in Curtin, 1999: 4). Others have noted the contractual nature of the Mutual Obligation scheme and have argued that, as such, it constitutes a **'reworking'** of the idea of social contract' (Yeatman, 1999: 255). Proponents of the Third Way approach to welfare also champion the idea of renewing the social contract (Latham, 1998, 1999).

**The idea of the social contract is particularly useful for proponents of conditional welfare, as it is able to generate support across traditional ideological divisions. Not only does this idea tap beliefs that 'dole bludgers' are cheating or abusing the goodwill of taxpaying citizens, but it also appeals to those who are critical of governments for not providing adequate assistance to people who may be trapped in cycles of poverty and long-term reliance on income support.**

So, does a social contract exist between citizens and the state? If so, what are the obligations on the part of citizens, especially those who are disadvantaged? To answer these questions, we must return to the original social contract philosophers and their contemporary followers.

### **The Social Contract and Political Obligation**

The idea that society is constituted by actual or implied contractual obligations has its **origins in 17th and 18th century philosophers such as Locke, Hobbes and Rousseau**. In the pursuit of a democratic alternative to the monarchical State, social contract theory was principally concerned with the **duty of citizens to obey the authority of the State**. Philosophers argued that because of the precarious and dangerous competition in pre-political society (the 'State of Nature'), individuals rationally decide to enter into political society and consent to the rule of the State, agreeing to **sacrifice certain liberties** in return for the State's protection of their lives and property. Citizens' duties to each other are acknowledged by the principle that if individuals sacrifice certain freedoms which yield **mutual advantages**, then others have a **moral obligation** to do the same.

Although it is undoubtedly true that the idea of a social contract has 'provided perhaps the single most influential image of societal government in the history of the modern West' (Hindess, 1997: 15), it is nevertheless far from a straightforward idea. Indeed, it is widely acknowledged to have significant problems and has **never enjoyed a consensus** amongst philosophers. Because of this, linking contemporary debates about welfare with this philosophical tradition is fraught with difficulty.

Despite centuries of debate, contract theorists have not been able to convincingly identify **how, if at all, individuals express such consent**. Nor have theorists been able to identify realistic alternatives for those who do not consent to political society. Locke's attempt to resolve the problem that **people rarely, if ever, give express and clear consent to the rule of the state**, was to develop the idea of **tacit consent**. Tacit consent is indicated simply by the fact that people reside in, use the resources of the state and accept its benefits (Locke [1704], 1984: 177). Moreover, he argued, people were free to leave a given state if they did not agree to its authority. However, as Hume (1711-1776) pointed out, this does not resolve the problem as consenting implies the possibility of doing otherwise, **which is rarely available**. Hume maintained that

... such an implied consent can only have place where a man imagines that the matter **depends on his choice** ... [c]an we seriously say that a poor peasant or artisan has a free choice to leave his country, when he knows no foreign language or manners and lives from day to day, by the small wages which he acquires? (Hume [1748] 1947: 155-6)

In summary, it is a **fairly weak contract** in which the time, place and nature of the initial agreement cannot be identified and in which no realistic alternatives to contractual membership are available.

## The Social Contract and Moral Obligation

For traditional social contract theorists, **the problem of inequality was largely irrelevant.** Traditional theorists quite openly assumed that the principal parties to the 'social contract' were free, rational, property-owning men, for whom the motivation to enter political society was to ensure the protection of property from the dangerous and lawless 'State of Nature'. Women, slaves, children (themselves considered property) and non-property-owning members of society were thus irrelevant to the philosophical debates.

Contemporary contract theorists, however, have been more interested than their traditional counterparts **to develop principles of social justice from the idea of the social contract.** Theorists of this tradition have questioned the extent to which those who do not share equally in social benefits can be said to participate in a 'social contract', and on what basis they can be said to incur obligations. In doing so, the most prominent of contemporary contract theorists, John Rawls, placed important qualifiers and limitations upon the types of obligations that apply to disadvantaged people in an unequal society (Rawls, 1973). According to Rawls' 'principle of fairness' obligations can only be said to arise when two main conditions are met: when institutions are just and when individuals are able to freely accept social benefits in a context of meaningful alternatives (Rawls, 1973: 112).

The implication of this is that once the **principle of mutual obligation is translated into specific policy, vital questions arise about the equity, proportionality and distribution of obligations as well as how and under what circumstances such obligations can be enforced.** As the following section will discuss, with trends such as widening inequality and stubborn levels of structural unemployment, it is far from clear that Australian institutional arrangements are sufficiently just to generate specific and enforceable obligations on marginalised people. Nor do Social Security recipients freely accept benefits in a context of meaningful alternatives. Although mutual obligation is based on the belief that recipients choose to accept welfare benefits over paid employment, in reality choice is limited and few meaningful alternatives to welfare benefits exist.

In summary, because of its primary focus on political obligation, traditional contract theory is of marginal relevance to current debates about how to make fair welfare policy. Moreover, citizens' obligations to 'do their part' in the pursuit of mutual advantage is a non-specific ethical principle and is of little help in determining the nature and distribution of specific obligations amongst citizens in unequal societies (Hindess, 1997: 18). In the light of this, we need to seriously question the extent to which disadvantaged people who are dependent upon the community for basic provisions should have significant, legally binding obligations in return.

Even devotees of the social contract tradition admit that 'no fully satisfactory prescriptive form of contractarianism has been generated' (Hampton, 1995: 389). Until it is able to overcome its many difficulties, the idea of the social contract holds more promise than practical usefulness as the basis of social policy in a complex world (Hampton, 1995: 389).

## Contemporary Contractualism

Despite the problems with the philosophical idea of the 'social contract', at the most practical level contemporary societies are increasingly reliant upon **contractual arrangements for the governance of economic and social affairs** (Hindess, 1997: 22). As a result, contractual arrangements are being **used in welfare policy to regulate the behaviour of income-support recipients.** The Australian Mutual Obligation scheme is based upon a direct contract wherein the government agrees to provide income support and job-search assistance in return for which the unemployed person agrees to undertake a series of activities designed to maximise their employment chances.

A fundamental requirement of a contract is that the **potential for exploitation** is checked by a broadly **equal balance** of duties and obligations. Parties entering a contract are usually strongly encouraged by **legal advisers and others to protect themselves from exploitation** by ensuring an approximate equality of power and symmetrically of dependence and vulnerability. Thus, for true mutuality to exist, dependency and vulnerability must be approximately equally shared between contracting parties and each must have the option to withdraw from, or not to enter, a contract if the possibility for exploitation is present. Under these conditions, contracts are morally unobjectionable. However, a contractual relationship in which one party is dependent upon the other for the provision of basic needs, and does not have the realistic option to withdraw from the relationship because of this dependence, is one of exploitation. Goodin argues that exploitation can be defined by a relationship in which the relations of power are 'asymmetrical' and the dependence is 'unilateral' (Goodin, 1985: 196).

He argues the most **morally objectionable dependency or vulnerability relationship** would exist where one party has discretionary control over resources that the other needs and cannot obtain elsewhere, yet no such dependency exists on the part of the first party to the second. (Goodin, 1985: 201)

The Mutual Obligation contract is at once **asymmetrical** - the individual is dependent upon the government to supply basic needs - and unilateral: the government has no corresponding dependency.

There is little doubt that the situation in which most welfare recipients find themselves in relation to the Mutual Obligation contract is of the **exploitative type**. People are 'assisted' through an inappropriate exercise of power (i.e. withholding of the means to satisfy basic needs) in an unequal relationship (Hindess, 1997: 24-5).

A strange logical inconsistency is also present in the idea that unemployed people take on obligations by signing a contract setting out the activities that they will undertake in the search for work. As will be discussed in the next section, according to advocates of conditional welfare, **long-term welfare dependency causes a form of incapacitating demoralisation that prevents people from acting in their own best interests**. As a result, it is the responsibility of government to reverse this situation by forcing people to act responsibly (Giddens, 1998; Latham, 1998; Mead, 1997a; Yeatman, 1999). However, contractualism relies heavily upon 'an internalised, subjective sense of obligation undertaken by those who are in a position to act upon this sense' (Hindess, 1997: 18). In order to participate in a contract, people must be able to make rational choices about their own interests and have the capacity to adhere to contracts. At the same time as acknowledging that people do not possess the characteristics necessary to freely enter a contract, advocates of mutual obligation argue that people will attain these characteristics if compelled to enter a contract that prescribes socially responsible behaviour. Those who do not adhere to the terms of the contract are penalised. Penalties are applied despite the fact that their difficulty in complying may be directly due to their acknowledged incapacities.

Contractual welfare agreements, therefore, have all the hallmarks of a **'sink or swim'** approach, i.e. people learn how to be contractual partners by participating in a contract. In other words, in the full knowledge that they cannot swim, they are thrown in the 'deep end' and told they must learn. If they sink, they are then penalised by being thrown in again. Instead, in a fair arrangement, the existence of incapacity should, in fact, negate the basis of the original contract.

Some argue, however, that the Mutual Obligation contract, although unequal, is defensible, as the function of the imbalance is for the benefit of the less powerful party - to assist him or her to realise their 'deeper preference', even though he or she may not yet be conscious of what this is.

Moreover, the contract really is reciprocal, since the service provider is under an obligation to provide the service (Yeatman, 1999: 264). However, as long as **compelling people under threat of the withdrawal of their means of support remains the strategy** by which disadvantaged people are to find the path to their 'deeper preference', the contract with income support recipients, despite its intentions, remains coercive and inconsistent with principles of justice. There are a number of other assumptions underpinning policies of Mutual Obligation that are not so directly related to traditional philosophical arguments, but are equally influential in the public debate. They are equally loosely argued. The next section analyses these assumptions.

### **Mutual Obligation and Social Structure**

Mutual Obligation policies are based on a number of popular misconceptions about the nature of unemployment and social structure. These misconceptions are largely induced by the focus on **individual responsibility that underpins** the policy of Mutual Obligation.

## Structural Unemployment and the Issue of Choice

The policy of Mutual Obligation gives little recognition to the fact that the way our economy is structured limits the extent to which the **exercise of personal responsibility** is able to produce better outcomes for marginalised people. In fact, over recent decades, the Australian economy has relied on the creation of joblessness through microeconomic reform and trading off employment growth for inflation control.

Since the **downturn in the global economy** that began in the 1970s, governments have experienced difficulty in living up to the goal of full employment (Langmore and Quiggin, 1994). Indeed, in practice Australian governments essentially abandoned the commitment to full employment in the mid-1970s, favouring low inflation in the trade-off between price stability and unemployment (Argy, 1998). As a result, during the 1980s and 1990s, because Australian governments accepted quite high levels of unemployment for the sake of what they considered to be 'good economic management', long-term unemployment in particular has remained stubbornly high. The policy of deliberately slowing employment growth when the economy is at risk of overheating is based on the belief that pursuing full employment can be poor economic management.

Moreover, it is precisely **under conditions of structural unemployment that entitlement-based benefits are more reasonable than conditional benefits**. It is rather ironic that the entitlement-based unemployment benefit was at its uncontested height when it was least needed, that is, when the economy was never very far from full employment, while conditions have been placed on benefits when unemployment is high and jobs are not available for all. Under full-employment conditions, expecting unemployed people to improve their chances of obtaining jobs that really existed would be much less controversial and a truly 'mutual' exchange.

When viewed in this light, it is evident that unemployed people have made an **involuntary sacrifice for the economic well-being of employed people**. Until a new commitment to full employment is made, it is fair to argue that the obligations are reversed: Australians in positions of advantage should feel gratefully obliged to those less advantaged for their considerable contribution to the well-being of the economy. Although justified on the basis that contemporary culture is characterised by 'too much taking and not enough giving', the call for disadvantaged people to make social repayments under threat of their only means of support may itself be evidence of the moral crisis of taking without giving.

**The recognition that unemployment and other causes of welfare reciprocity are rarely a result of the failure of individual motivation, and are more usually the result of economic management and structural impediments to economic participation, undermines the belief so fundamental to policies of Mutual Obligation: that people are obliged to make social repayments in return for their acceptance of benefits.** But as Rawls has pointed out, for the acceptance of benefits to generate obligations, such acceptance must be **freely chosen** within a context of meaningful alternatives. The reality of structural unemployment means that unemployed people have only a limited degree of choice. Few meaningful alternatives to welfare benefits exist in contemporary societies.

## Demoralisation

It is regularly asserted that long-term poverty and 'welfare dependence' have a '**demoralising**' effect. It is argued that despite being well-intentioned, passive entitlement-based programs 'kill with kindness', paralysing individuals and preventing them from being able, or sufficiently motivated, to act in their own best interests: to continue the search for work, to seek out training options or to otherwise work towards improving their life circumstances. This belief **justifies compulsory activity testing regimes**, the application of **penalties for non-compliance** and, in some cases, the withdrawal of benefits. The most influential justification for this can be found in what has become known as '**new paternalism**', most clearly and formally articulated by US academic Lawrence Mead (see Mead, 1997a and 1997b). Mead provides a succinct summary.

People who live without limits soon sacrifice their own interests to immediate gratifications. To live effectively, **people need personal restraint** to achieve their own long-run goals. In this sense, obligation is the precondition of freedom. Those who would be free must first be bound. And if people have not been effectively bound by functioning families and neighbourhoods in their formative years, government must attempt to provide the limits later, imperfect though they must be. (Mead, 1997: 23)

According to Government policy, conditional welfare regimes are designed to make it '**harder for demoralised job seekers to give up**' the search for work (Abbott, 2000) and sends a positive message to unemployed people that they can control their situation, counteracting the stifling hopelessness of being told that the problem is beyond their control (Abbott, 2000).

However, research on unemployed people has quite consistently found that **depression and 'demoralisation' sets in after a considerable period of unsuccessful job-searching**. (see for example, Scholzman and Verba, 1979; Jahoda, 1982; Feather, 1982; Fineman, 1987). People may begin their period of unemployment believing that their personal efforts will eventually succeed, but this optimism fades with repeated failure. Although there is ongoing debate about the exact causes of 'demoralisation', the research literature has repeatedly demonstrated the psychological impact of constantly frustrated job-searching efforts and the hopelessness that unemployment creates, that 'drains energy and initiative [and] makes effort seem pointless' so that eventually lack of effort becomes a rational response (Allan, 1997: 8).

**'Making it harder to give up' the demoralising, frustrating and depressing search for work under threat of the reduction or withdrawal of basic income support sends a very clear message to unemployed people that they only have themselves to blame** for their personal situation: that unemployment is caused by the failure of individual motivation. Doing so ignores and dismisses the very real frustrations that unemployed people face and shows a distinct lack of targeted or creative policy-making.

## Discriminatory Application

The policy of Mutual Obligation imposes specific obligations enforceable by **compulsion** on certain categories of welfare recipients but does not apply similar standards to others who have **benefited from public resources**. Unemployed people are singled out as the group required to '**give something back**' whilst others who rely upon public resources do not. This is nowhere better illustrated than in the 2001-02 Federal budget which announced the extension of some Mutual Obligation programs and requirements to people up to the age of 49 and the application of new conditions under a mutual obligation framework to people over 50 but not yet of pensionable age. These changes were announced concurrently with a raft of new advantageous policies for pensioners and pension-aged Australians. In the words of the Treasurer, older Australians 'deserve' such benefits because of their lifetime's contribution to nation-building.

Thus, Australians of pensionable age are **deemed to have already made their contribution and thus 'deserve' their benefits**, whilst Australians only a few years younger are deemed to have not yet made their contribution. On reaching pensionable age however, the 'undeserving' suddenly become 'deserving'.

Others who receive community assistance in times of need are also not required to 'give something back' in return: accident victims who require emergency treatment in a hospital are granted assistance without incurring a debt to society; those who rely upon public health because they cannot afford private cover are not required to give something back in return for their assistance; the right of adventurers to expensive, publicly funded rescue operations is rarely questioned, despite the fact that in such cases, although the vagaries of nature are blamed, the decision of individuals to place themselves at risk is a particularly personal one.

In addition, **public subsidies are extended to the corporate world** to encourage investment or to promote and sustain certain industries, with very few obligations or accountability mechanisms in return. So extensive is this subsidisation, and so **minimal are the associated obligations** that such activities have been dubbed 'corporate welfare' (Baragwanath and Howe, 2000; Whitfield, 2001).

Whilst the idea of mutual obligation implies **that all citizens have obligations** to 'do their part', under the policy of Mutual Obligation, income support recipients are the only citizens who are **selected out for the enforcement of obligations**. Other citizens are either **left free to exercise discretion** in relation to their social obligations, or are provided with significant incentives to encourage them to do so. The **selection of the 'stick' rather than the 'carrot' as a regulatory device** in Social Security policy contrasts with neo-liberal regulatory philosophy applied elsewhere. Self-regulation through persuasion and incentive (the 'carrot') rather than punishment ('the stick') is the strategy of choice for most governments in many contemporary situations. In occupational health and safety, or environmental protection, for example, government policy generally favours **strategies of self-regulation or persuasion over immediate resort to direct penalties**. Regulatory theory has developed sophisticated 'enforcement pyramids' which move through a large number of steps, beginning with persuasion and ending, as a last and reluctant resort, with the full enforcement of penalties (Braithwaite and Ayres, 1992). Moreover, voluntary schemes are increasingly relied upon in environmental regulation and in proposals to replace corporate tax with corporate philanthropy.

In summary, the broad **ethical ideal of mutual obligation - that citizenship is a shared journey in which everyone does their part for the mutual benefit of all - is distorted** when attempts are made to match benefits with a corresponding obligation in a quid pro quo manner. This is especially true when this is selectively enforced in specific and intrusive ways for income support recipients.

In the light of these difficulties, one must conclude that the **motivation behind imposing mandatory conditions upon unemployed people is the assumption that they are disproportionately irresponsible and liable to abuse the benefit system.**

### **False Dichotomy**

The idea that people on unemployment benefits should give something back to the community in return for their benefit is based on a **false distinction between 'givers' (working taxpayers) and 'receivers' (non-working, non-taxpayers)**. It is hard to go beyond Senator Jocelyn Newman's description in her 1999 address announcing Welfare Reform of an 'indulgent welfare mentality' that the 'hard working men and women of this country cannot be expected to underwrite' (Newman, 1999: 5).

In fact, however, not only have income support recipients **paid income taxes** in the past and are likely to do so in the future, they are also current tax-payers due to various forms of indirect taxation and the GST, as well as through direct taxation of some benefits. The historical decision to finance Australia's Social Security system from public revenue rather than from wage-based contributions was an explicit recognition of these essential interdependencies.

The inconsistency of the idea that society is made up of contributors and noncontributors is again illustrated by the benefits provided to older Australians in the 2001-02 budget. The budget focused explicitly on the contribution of older Australians as a group: their collective contribution to national well-being. Regardless of their individual circumstances, Australians of pensionable age - rich or poor, employed or unemployed, single parents or not, able bodied or not - have been recognised for collectively making Australia what it is today. In contrast, however, Mutual Obligation policies focus on the extent of individual contributions of working age citizens who currently rely on income support. These groups are not considered to be contributing to the collective effort of nation-building; instead, it is assumed that they are 'taking' rather than 'giving'. Because of this, these groups are forced to 'give back' through the activities required by Mutual Obligation.

### Where To From Here?

In reviewing Fox's (2000) historical account of unemployment in 1930s Victoria, outlined at the opening of this paper, Dickey (2001) concludes by saying that the book's polemic against the 'return of the modern re-moralisers' is thoroughly justified and is a 'timely call to be ever vigilant in the defense of a widely shared citizenship'. Stripping away the surface plausibility to the policy of 'Mutual Obligation' is an important step in this endeavour. Far from being a simple and compelling idea based on shared values of personal responsibility and fairness, **the principle of mutual obligation applied to welfare is complex, replete with inconsistencies and ethical and logical flaws. The basis of the idea in the 'social contract' tradition is weak and is far from as 'simple' or 'compelling' as we are led to believe. Nor is the idea of the 'contract' a useful basis for establishing obligations under situations of unequal power.** Moreover, the policy of Mutual Obligation does not take account of structural component of unemployment; it is applied in highly **selective and discriminatory** ways to welfare recipients; it is founded on a false distinction between taxpaying and nontaxpaying citizens; and it uncritically relies on compulsion as a regulatory device **without considering other strategies that may be more creative**, more just and more in keeping with broader principles of democratic freedom. Rather than simply making policies of Mutual Obligation fairer and less punitive, these difficulties are of sufficient magnitude to warrant the removal of the idea of mutual obligation from its central place in modern welfare policy.

So what would serve as a better basis for fair welfare policy? The problems identified here suggest a number of guiding principles.

Policies should **assume that income support recipients are honest and upright citizens**, a few of whom (as in society generally) may abuse the system.

Policies should explicitly **acknowledge that the need for support arises from the failure of society to provide opportunities for all**, rather than the personal failings of individual recipients.

Policies should acknowledge that **those in work have benefited from the disadvantaged situation of the unemployed** because unemployment results mainly from the failure of the economy and economic management.

The mutuality should be **balanced**. Governments should undertake, on behalf of society, programs and policies designed to overcome structural disadvantage.

**Consent to any 'contract' between income support recipients and the Government can only be assumed where realistic alternatives** to income support are widely available and accessible.

Systems of **monitoring income support recipients should focus on non-punitive methods of compliance management**. Penalties should genuinely be an option of last resort. Accountability for, and enforcement of, obligations should be applied consistently to all parties to the contract.

## Conclusion

It is hard to disagree with the argument that society needs to maintain a careful balance between rights and responsibilities. Allan argues that, however unpalatable it may be for those of liberal persuasions, the conservative critics have been right ... in detecting something amiss in the moral culture of the West ... some **unbalancing of rights and entitlements to the neglect of social obligations and civic virtues**. (Allan, 1997: 15) Moreover, the father of modern communitarianism, Amitai Etzioni has claimed that 'to take and not to give is an amoral, self-centred predisposition that no society can tolerate' (Etzioni, 1995: 10).

These ideas go to the **heart of our morality**, whether secular or religious, and are a foundation stone of political philosophy. Indeed, it is difficult to imagine wishing to live in a society in which these qualities and commitments were absent. They speak of a **just, caring and responsible society where self-interest is not the driving force**, where people behave in ways that consider their own individual interests and desires in the context of the well-being of others and the collective good.

But it is difficult to see that the current policy of Mutual Obligation extends these principles or generates a social environment in which such ideals can find fulfilment. It could even be argued that the call of those in a position of advantage for those less advantaged to nevertheless make **social repayments under threat of the withdrawal of their only means of support is itself evidence of the moral crisis of 'taking without giving'**.

### 14.3 Are Contracts Mutual Agreements?

In the job seekers experience when she was presented with the Job Providers Job Plan agreement, she was not in agreement. She did not at the time believe that job search in lower skilled jobs was appropriate or effective given her skills. She felt she had no choice but to sign as if she didn't she would not be eligible for income support. If this did not happen then she would lose her accommodation, means for purchasing food and other incidentals. Therefore, it was not a choice it was forced. Some argue you have a choice of homelessness, that is true, but is it true that under the Constitution the Government circumvents its obligation to assist those in hardship? The real question is what type of society do we wish to create? Do we wish to increase social upheaval and discord through homelessness and hardship or do we see citizens as part of the national family and assist them through hard times, finding ways to empower them to stand on their own feet in dignity rather than disempowered reliant on handouts. Which services society in reality?

The job seeker preference would be to opt out if she felt it was not in her interest or appropriate for improving her chances of gaining work. Moreover, it would be helpful if Job Providers could assist those who are seeking to pioneer projects in the community benefit or at the very least fairly paid part-time work to enable self-reliance. Thus, given her work is contributing to the community it is requested that this negate her need to search for a job given she has an activity which is of significant benefit. Moreover, if there is a likelihood that this activity could develop into work down the track, then this initiative should be supported rather than relegating skills to lower occupations which pay less and are likely to induce mental health issues such as depression. Moreover, she is unlikely to be employed at this level given her experience and age.

The job seeker was told it was mandatory that she Work for the Dole, yet Government information sheets indicated approved voluntary activity or Work for the Dole, there was a difference in understanding with the Job Provider, but not conclusive evidence was provided, simply 'you have to comply'. The oxymoron here is that mature job seekers over 50 are not seen in the same light as young people starting out. There is the view they have had their life, some may be positively evaluated as having participated and worthy of income support, others not although they retain it. Yet those who have active lives and still able to lend their experience, innovation and contribution to society and they should be paid for it rather than seen as too old, untrainable or redundant, these are false beliefs. In reality mature people have a rich source of wisdom and knowledge to impart, if this was valued they would not be languishing on Centrelink without any prospects of a future career together with experience. This is vital for a progressive society. It is evident there are latent discriminations towards older person/pensioners believed to not be of value economically. All value is increasingly enshrined in economic viability rather than the true value of a person's humanity and citizenship, participating through their experience of life. This is a great loss to society and it is a loss of real wealth.

It is far harder to fall from a profession than for a young person to gain the skills to rise on a career path. For mature job seekers their background has to be taken into account and respect accorded to them on the basis of prior contributions. They do not owe society. In fact, no job seeker owes society all pay tax (GST) and contribute to society in a myriad of ways, even in terms of providing clients to Job Providers.

## 14.4 Unpaid Work Exploitation or Work Experience?

I had the opportunity to clown in with bonded labourers in India. These were people who were modern day slaves. Some had fingers worn to the bone. One announced he had never played as a child, when we came we opened an opportunity for the most exploited people to actually have fun as human beings. During that time I was aware of the special visas to bring in foreign workers to work in the mines here in Australia. I was mindful of exploitation. In the Job Provider system Work for the Dole is in my view an experiment to use people considered as non productive assets (business ideology) to be redeployed in areas where people no longer have the time to volunteer or jobs that are paid beneath the minimum wage. I regard it as forcing vulnerable people through the threat of losing their income to work. This is a form of exploitation and illegal under the Australian Constitution. That is not to say that cannot be available for people but there must be a provision to opt out without vilification or penalty. That is a basis to a democratic system that is representative of the people not business interests.

The information below is from the Fair Work Ombudsman.

### 14.5 Unpaid work fact sheet

Unpaid work can take on different forms – including vocational placements, unpaid internships, unpaid work experience and unpaid trials. Unpaid work arrangements can be entered into for a number of reasons. These include:

- to give a person experience in a job or industry
- to test a person's job skills
- to volunteer time and effort to a not-for-profit organisation.

These arrangements can be initiated by employers, the person wanting the work or experience, or education/training institutions.

### 14.6 Is unpaid work lawful?

Some unpaid work arrangements are lawful and others are not. Depending on the nature of the arrangement, the person doing the work may be an employee and be entitled to be paid the legal minimum rate of pay for the type of work they're doing, along with other minimum employment entitlements.

Whether an unpaid work arrangement is lawful under the *Fair Work Act 2009* (FW Act) depends on:

- whether an employment relationship exists, or
- whether the arrangement involves a vocational placement.

#### ***Vocational placements***

A vocational placement is a formal work experience arrangement that is part of an education or training course.

Vocational placements can give students important skills to help them transition successfully from study to work, while giving industry and business the opportunity to enrich student learning experiences and increase the number of work-ready graduates.

Vocational placements that meet the definition under the FW Act are lawfully unpaid, regardless of whether an employment relationship exists or not.

For more information, including the criteria that an arrangement must meet to be a vocational placement under the FW Act, see our Vocational Placements Fact Sheet.

### ***Is there an employment relationship?***

Where an unpaid work arrangement is not a vocational placement, the arrangement can only be lawful if no employment relationship exists. If there is an employment relationship, the person is actually an employee and entitled to conditions under the FW Act including:

- a minimum wage
- the National Employment Standards
- the terms of any applicable award or enterprise agreement.

To work out whether or not a person is an employee each case must be considered on its own facts. There is no definition of employment under the FW Act. Instead, it is a matter of working out whether the arrangement to work involves an employment contract. That contract does not have to be in writing; it can be a purely verbal agreement.

For an employment contract to exist it must be clear that:

- the parties intend to create a legally binding arrangement
- there is a commitment to perform work for the benefit of the business or organisation
- the person performing the work is to get something in return (which might be just experience or training)
- the person must not be performing the work as part of a business of their own.

When looking at whether an employment relationship exists, the nature of an arrangement should be considered, not just how the parties have chosen to describe it. The following factors should be considered:

### **What is the nature and purpose of the arrangement?**

Was it to provide a learning experience or was it to get the person to do work to assist with the ordinary operation of the business or organisation? Where the arrangement involves productive work rather than just meaningful learning, training and skill development, is it likely to be an employment relationship.

## 14.7 Effectiveness of Work for the Dole

### The Age Review:

Work for the dole has little effect on finding work  
February 11, 2016  
Heath Aston, Political reporter

...The Coalition's **\$1 billion work-for-the-dole scheme** has improved the probability that an unemployed person will find a job by just 2 percentage points, a government-commissioned review has found.

A 90-page academic evaluation of the program concluded that the chance of getting a job had risen – but off a low base.

"It is estimated that in the **short-term [work for the dole] resulted in an additional 2 percentage point increase in the probability of job seekers having a job placement** controlling for other characteristics (from a low baseline of 14 per cent)," researchers from the Australian National University's Social Research Centre concluded.

"Furthermore, moving off income support increased by an additional 2 percentage points, compared to what would occur in the absence of [work for the dole] (from a baseline of 13 per cent)."

Work for the dole has been operating nationally since July 1 last year.

The Abbott government trumpeted work for the dole as a "door" to getting more unemployed people into work. **"It is helping to open doors for job seekers and help people move from welfare to work,"** former employment minister Eric Abetz said in May last year, just before the program went national. A Senate estimates hearing heard that 52,000 people participated in the program in the first six months but more than 20,000 of those did not remain in the program for that entire period.

Bureaucrats from the Department of Employment, who tabled the evaluation report, could not say how many of those people had found jobs and how many had left for job training or other pre-employment schemes.

The review, which cost \$340,000, could not put numbers on how many people found employment as a consequence of participating in work for the dole due to the "relatively short timeframe for the evaluation" of eight months.

But researchers found a positive response from a majority of participants, with two-thirds saying their "soft skills" – or people skills – had increased.

Improved ability to work with others was noted by 72 per cent of participants, 69 per cent said their confidence had improved and 65 per cent said their general work skills had improved.

Work for the dole jobs are **typically low-supervision, menial tasks such as cleaning and labouring, but can include more bizarre activities.** Fairfax Media reported in 2014 that one group in Adelaide had been assigned to making World War I dioramas for RSL clubs and another group was helping restore military aircraft.

The national scheme will cost about \$1 billion over three years. It was forecast that 150,000 jobseekers a year will be in the program when it is fully operational.

Some of the jobs providers raised concerns that the name of the scheme was a negative but Employment Minister Michaelia Cash said there was no plans to find an alternative to "work for the dole".

Senator Cash clashed with Labor senator Doug Cameron who she accused of using unparliamentary language. That was in response to Senator Cameron's insistence that: "You want to screw unemployed people, we want to help them."

Read more: <http://www.theage.com.au/federal-politics/political-news/work-for-the-dole-has-little-effect-on-finding-work-review-20160211-gmrpvw.html#ixzz46ENrgv9G>

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## 15.0 TRAINING PROGRAMS

I am university qualified, professional trainer and have taught in the TAFE system. I requested to train in Certificate III in Early Childhood. The academic side of this course would be too high for secondary educated students. Whilst I had no problem scholastically undertaking the workload, others of ethnic backgrounds and young people who were not interested, struggled with the course.

When the practical component started I was astounded to see the paper work that the trainee had to get other staff to tick off from the perspective of competency. They were not allocated a trainer, it was any staff member there at the time, who signed on the dotted line. This is a qualification which entrusts babies and very young children in the care of young women typically who have a qualification but no life experience. The training responsibility is shifted onto the trainee with no experience who has to find people to sign. It should be the organisation that pays for the training, and if necessary, with government subsidy. There should be work guaranteed or as part of a placement to work deal rather than free staff and then no work promised. The other staff will not regard the trainee as a colleague and so they may end up left to do whatever work someone directs them. There is no structure for training. The course teacher comes once to the workplace to observe. It seems unlikely that an educational provider is going to fail the trainee when their funding comes from successful completion. So that is a real floor in the system. There will be future implications with the way training is now typically funded by the user and given competition the quality of education is dubious given competition between RTO's.

### 15.1 Taxpayer funded training courses not helping unemployed Australians get jobs

<https://www.news.com.au/finance/work/taxpayer-funded-training-courses-not-helping-unemployed-australians-get-jobs/news-story/640e022cb962d7b8b9f7889085041bac>

ALMOST three quarters of unemployed Australians sent to a taxpayer funded training course last year have been unable to get work months later.

News Corp Australia Network October 16, 2014 4:50pm

Job seekers ... are still out of work even after undertaking training. Picture: Getty Images *Source: Getty Images*

ALMOST three quarters of unemployed Australians sent to a taxpayer funded training course last year remained jobless three months later.

The data exposes the extent to which taxpayers have been funding useless training courses which are not helping Australia's unemployed get jobs.

Figures from the [Department of Employment](#) reveal that 71.3 per cent of job seekers who were sent to a vocational training course to gain work skills and qualifications in the last financial year, were still looking for work three months after finishing their course.

## UNEMPLOYMENT RATE: Drops to 6.1 per cent in August

Useless training ... 71 per cent unemployed Australians sent to a taxpayer funded training course last year remained jobless months later. Picture: SuppliedSource:Supplied

Assistant Minister for Education [Luke Hartsuyker](#) seized on the information as further justification for the Federal Government's overhaul of the employment services system, which is costing taxpayers around \$1.3 billion a year.

Needing change ... Assistant Minister for Education Luke Hartsuyker says the Federal Government's overhaul of the employment services system is justified. Picture: Amos AikmanSource:News Limited

"The results show that amount being spent on training is not translating into real jobs for job seekers," Mr Hartsuyker said.

"One of the complaints I have repeatedly heard from job seekers is that they are being sent on training for trainings' sake."

"This is a waste of job seekers' time and taxpayers' money," he said.

Mining magnate [Andrew Forrest](#) also called for reform in his indigenous Jobs and Training Review, declaring the employment services system was expensive and could not "boast proud track records".

No results ... the employment services system is expensive, which some say cannot "boast proud track records". Picture: ThinkstockSource:ThinkStock

"We must pay only on results, not process," Mr Forrest said.

"You wouldn't give a fox responsibility for the chicken coop. Similarly, allowing JSAs to authorise their own payments is commercially nonsensical."

Tightened rules mean job service providers will now no longer be paid for placing unemployed Australians in courses that do not help them get a job.

Job service providers ... will no longer be paid for placing unemployed Australians in courses that do not help them get a job. Picture: ThinkstockSource:ThinkStock

Under the revamped system, job service agencies will only be eligible for receiving payments for placing an unemployed person in a training course of that job seeker is aged between 15 to 17 years, and attains a Certificate II or higher qualification.

Job seekers will also have obligations to Work for the Dole under the new system.

## 16.0 BULLYING UNEMPLOYED AND VULNERABLE PEOPLE

The culture of bullying is widespread in Australian society and has been highlighted in recent inquiries into domestic violence and abuse of children. The issue of bullying is topical in the Australian Parliament given the recent behaviour to remove a sitting Prime Minister.

In workplaces guidance materials have been compiled by Worksafe and Comcare to ensure Occupational Health and Safety legislation is adhered to and a duty of care is institutionalised and regulated with fines incurred when breached.

Bullying is a power issue and within that it is about abuse. It is a repeated negative behaviour with the intent to hurt.

The issue of bullying in the Job Provider system needs to be addressed given the toxic culture, directive, coercive with penalties for alleged breaches. The culture is hierarchical and top-down which means it is a form of command and control configuration. It is similar to a form of policing as compliance is about doing what is requested rather than speaking up and contributing an alternative view. Any dissent is viewed as non-compliant and breaches can occur which target a persons income and hence food and ability to pay for accommodation. Because the penalty is to remove life support system it means people are too afraid to challenge the system so they comply in quiet desperation.

The Consultants can become like quasi-police and brook no challenge, many in the process indicate they are government by legislation and have no choice. The bureaucratic approach renders people powerless to change circumstances they don't agree with or feel affects their health and wellbeing. They are disempowered by the Job Plan which they are forced to sign as to not comply renders them without income. They are placed in activities with pressure and persuasion to accept what they 'have to do'. Even in the case of discussing possible jobs the job seeker is forced to choose between a listing of largely low paying jobs. In my case I was not allowed to know the name of the company. I have never in my life been told I can't choose who I work for. I was asked to Work for the Dole making Christmas cards, clearly exploitative and basically told I have no choice. I have been informed that I am not in equal partnership by a Centrelink Officer. Warning bells went off when I heard this on the basis of not having a job renders me unequal and without rights. I do not agree that a job means I have a right to speak up or leave. Leaving jobs is predominantly the only protest in a system that has no tolerance for freedom of speech symptomatic of business cultures purchasing labour 'here to work not talk'. I was told outside of Centrelink I am equal. I am sure the Australian Human Rights Commission would not agree with that persons assessment. What it does is sets up the belief in superiority and the other as inferior and less deserving as they don't work. Under this is a whole myriad of unconscious beliefs that the unemployed are less intelligent, failures, incapable of self-reliance, need help and are bludging whilst everyone else is working hard. It has its roots in the protestant work ethic which says 'get a job'. It is linked to perceived responsibility. Yet if we were to travel to Nepal for example, there traditionally is no such belief as most people are unemployed and surviving in basic circumstances where communities support each other. In Australian culture and many other western countries unemployment is seen as failure. So naturally people are discriminated against and given less choice. Unfortunately this actually sets them onto a trajectory that can be a downward spiral as they blame themselves for less their inability to get a job, it has social implications and clearly they cannot access financially what other members of the community take for granted.

Living in this demographic means what you own is second hand, the housing is sub-standard, bills and fuel expensive, travel non toll roads (longer), public transport costs, food is cheaper quality, little travel, more health issues, loneliness and isolation, social stigmatisation, entertainment limited and aspirations curtailed given lower education, poor job prospects or access to opportunities given significant barriers.

It is indeed a poverty trap that is reinforced by prejudices in the wider community fed by the media and government that want people to work to contribute more taxes. That is why the perception is that the unemployed are a drain on the system. As I've pointed out in this submission welfare payments typically flow into the local community and actually pump prime the local economy of small businesses as they spend on basics. As for the attitude of not contributing this is a misnomer as working people have no time to contribute to the community and typically are focused on their own careers and interests. Their contribution is taxes which they don't see. So they are not actively contributing. The unemployed may well be helping elderly parents, volunteering, engaged in local activities and hence creating a semblance of community locally as they circulate. Contribution is not about money it is about serving our community which most people are not engaged in as community breaks down.

Therefore, the bullying is justified on a subtle psychological level as vulnerable people can be controlled. The profile of the bully is a person who is seeking power and their narrative is about their needs not the other, they penalise if a person doesn't do as they are told and they treat them in a way that diminishes their power. Bullying can be undermining, threatening, disrespectful, unequal, coercive with no recourse or negotiation to resolve the problem. Toxic workplaces as discussed, reveal behaviours that are negative and contribute to the feeling of powerlessness, unhappiness and mental health distress.

The bullying has been reported by both job seekers and Job Providers themselves revealing a form of structural violence in how the system itself is organised. It has been normalised over many decades as government welfare is compliance based not therapeutic to deal with social problems and the need for empowerment.

## 16.1 How Job Agencies Bully The Unemployed and Get Away With It

By [Owen Bennett](#) on August 25, 2016 [Workers' Rights](#)

<https://newmatilda.com/2016/08/25/how-job-agencies-bully-the-unemployed-and-get-away-with-it/>

Unemployed people in Australia are finding it increasingly difficult to hold their job agencies accountable for mistreatment, stand-over tactics and poor performance, writes Owen Bennett.

When Paul Scerri's contract ceased at his workplace in early 2015, he was without gainful employment for the first time in his adult life.

After his employment connections fell through, Melbourne resident Scerri, 36, was left with no choice but to apply for the unemployment benefit.

Making a bad situation worse, Scerri's marriage was breaking down leading to what Scerri describes as a "messy divorce".

Like so many Australians sacked by their employer, Scerri was hopeful that his recent employment experience would quickly lead to a new job.

With the added assistance of regular interviews with a privately run job agency – a requirement expected of all Australians on the dole – Scerri was expecting his time on Newstart to be short-lived.

However, soon after registering with his job agency Max Employment – a US-owned billion-dollar company – Scerri had to quickly revise his expectations.

“When I approached Max Employment about helping me find work, it became pretty clear that they weren’t really interested”, says Scerri.

Under the Government’s four-year \$6.8 billion *jobactive* system, employment services like Max Employment are required to assist “jobseekers canvass the jobs in the local labour market”, help them “prepare a resume”, and “refer them to suitable job vacancies”.

Additionally, the Government provides job agencies with an “employment fund” of \$300-1200 in order to help “job seekers with work related tools, skills and experience”.

With the current government statistics indicating that there are more than 18 job seekers competing for every listed job vacancy, this support can be the difference between becoming long-term unemployed and finding work quickly.

Scerri maintains that Max Employment failed to uphold these obligations.

“In all my time with Max, they did not help me get even one job interview”, says Scerri.

When Scerri finally managed to get a job at the Melbourne Airport – without any assistance from Max Employment – he was denied much needed travel assistance from his Employment Fund.

Six months of living off the meager Newstart payment – roughly \$390 below the poverty line per fortnight – had left Scerri unable to afford petrol for the two-hour round trip to and from his workplace.

With public transport to the Melbourne Airport not an option, Scerri approached Max Employment about getting travel assistance from his Employment Fund.

“I asked them for 7 days worth of petrol vouchers, but Max only gave me \$25. It was no way near enough”.

Unable to get to work, Scerri had to explain to his managers that he had no way of getting to work. Scerri lost his job.

“Because of Max Employment I lost my job. Not only did they fail to help me find work they actually cost me my job.”

Outraged at his treatment, Scerri decided to confront Max Employment about their failure to keep their end of the bargain, known as ‘Mutual Obligation’.

“They kept telling me about my mutual obligation requirements to go to regular appointments and activities. But when I told them about their mutual obligations they became very rude and threatening.”

Scerri called the Department of Employment’s National Customer Service Line to make an official complaint, leading to a bitter six-month dispute.

After many phone calls, the Department informed Scerri they had contacted Max Employment about the issue and were satisfied with their response.

When Scerri requested to know the details of Max Employment’s response, the Department of Employment refused and directed Scerri to request the information under the Freedom of Information laws. Scerri immediately requested the documents but is still waiting to receive them.

The Department of Employment informed Scerri that if he was unhappy with how Max Employment had treated him, he should simply change to a different employment agency.

“The Department kept saying that I should just move to another job agent if I was unhappy. But I was also told that if I did that I would not be able to pursue my complaint against Max. Basically they were saying, ‘if you don’t like how you are being treated, find another provider. Otherwise there is nothing we can do’.

This tactic only made Scerri more determined to make sure his complaint was properly investigated.

“It was clear that they were more interested in protecting the job agencies than helping me launch my complaint. I thought, ‘if I don’t complain, then who will?’ I needed to do it not just for me, but for everyone.”

In response to the Department of Employment’s refusal to properly investigate his claim, Scerri decided to take the issue to the leading Government watchdog, the Commonwealth Ombudsman.

In response, Max Employment took its intimidation tactics to shocking levels.

“Max knew that if they forced me to change to a new job agent, the Department would no longer investigate my complaint. That’s when they started coming down on me really hard”, said Scerri.

Max Employment demanded that Scerri attend a tough new regime of activities and appointments.

For his Work for the Dole activity, Max Employment insisted that Scerri must pick up used syringes on a busy metropolitan freeway.

“It seemed like a really unsafe activity and took me away from looking for jobs, so I refused to participate”, said Scerri.

## 17.0 THE END OF WELFARE AN IDEOLOGICAL DIVIDE (WEDGE)

The privatisation of welfare is an ideological decision not based on representative government. It is reflective of specific viewpoints that are not shared by the general public. The electoral system is not issued based but a two party system which offers little choice to voters on what represents them. The extreme views of political wings are behind closed doors but can be identified as influenced by US politics and right wing business representation. The core issue with the privatisation of welfare and the creation of the Job Provider system has its roots in US politics and ideology. It is not representing the needs or wants of the Australian public or welfare recipients. Uncontested and unknown ideological underpinnings can dismantle safety nets for the most vulnerable people.

A range of articles have been gathered to highlight this problem. In the photo below it is African American's that feature, neither are smiling as welfare rights are signed away for those most discriminated against.

### 17.1 The End of Welfare as We Know It

America's once-robust safety net is no more.

<https://www.theatlantic.com/business/archive/2016/04/the-end-of-welfare-as-we-know-it/476322/>



Bill Clinton signs welfare reform in 1996. J. Scott Applewhite / AP

- [Alana Semuels](#)
- Apr 1, 2016

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By the numbers, welfare reform was a success.

More than 13 million people received cash assistance from the government in 1995, before the law was passed. Today, just 3 million do.

“Simply put, welfare reform worked because we all worked together,” Bill Clinton, who signed into law welfare reform, or the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, wrote in an [op-ed](#) in *The New York Times* in 2006. Clinton had [campaigned on a pledge](#) to “end welfare as we know it” and today it is all too apparent that he succeeded.

The [law](#) replaced AFDC (Aid to Families with Dependent Children) with TANF (Temporary Aid to Needy Families—“temporary” being the key word). It stipulated that people could receive no more than five years of government benefits in a lifetime, though states could set their limits lower and many did, with some instituting a two-year lifetime limit. It required a certain percentage of welfare recipients in states to be working, and said that those who couldn’t find jobs would have to participate in community service or get vocational training. Those who didn’t work or volunteer would eventually be kicked off the welfare rolls.

The law also changed the way the federal government handed out assistance. TANF is administered through so-called block grants to states, which are large chunks of money the federal government gives to states for programs with few restrictions on how the money is used. If states spend the money on cash assistance, they have a number of rules they have to follow, but they’re also free to spend it on something else entirely; Michigan, for instance, spends much of its block grant on college scholarships; Texas spends much of its on foster care, according to H. Luke Shaefer, a University of Michigan professor and a co-author of *\$2.00 A Day: Living on Almost Nothing in America*.

“There’s this this crazy notion that we retrenched welfare—what we really did was reorient it towards people who are working when they are working, and away from people who are struggling at the very bottom,” he said. The original welfare program cost around \$30 billion in today’s dollars, he said, while the government now spends twice as much on that on the Earned Income Tax Credit, expanded in the 1990s to incentivize the poor to work.

If nothing else, these policies were an effective way to reduce the number of people on welfare rolls. People on the left and right agree that they helped change a program that was in need of reform. But there were real human costs too: Those who didn’t find jobs, who weren’t working, who lived in states trying to reduce their cash-assistance programs, were left to struggle on their own.

The number of families with children who reported that the only benefit they received was SNAP grew 143 percent between 1996 and 2006.

Today, in large part because of welfare reform, the safety net—the set of government efforts to come to the aid of the country’s citizens when they are down on their luck, much of which has existed since the Great Depression—is thin and getting thinner. And this thinning goes beyond welfare, which gives needy families cash support: On April 1, between 500,000 and one million childless adults will [lose access](#) to food stamps (officially known as Supplemental Nutrition Assistance Program, or SNAP). This is the belated consequence of a rule that was part of Clinton’s welfare reform, which stipulated that childless adults can only receive three months of food stamps if they aren’t employed at least 20 hours a week or in a training program. For years states received waivers for the rule, but in many states, governors have chosen not to ask for extensions for this year.

Few states have cut their assistance to the very poor more than Arkansas has. In 2014, there were seven families on TANF for every 100 families with children in poverty in Arkansas, down from 40 out of every 100 poor families in 1995, according to the [Center on Budget and Policy Priorities](#). (In Minnesota, by contrast, that fell from 89 out of 100 poor families who received benefits in 1995 to 41 out of 100 in 2014.) The number of welfare recipients in Arkansas dropped to just 9,901 in September of 2015, from more than 63,000 in 1995. And a single-parent family of three receives just [\\$204 a month](#) from the state of Arkansas, one of the lowest cash benefits in the nation. Arkansas hasn’t quite gotten rid of its safety net entirely, but it’s gone as far toward that end as any place in modern America. And it may go further yet.

\* \* \*

At a church in downtown Little Rock, the city's homeless, mentally ill, and long-term unemployed stream in from all corners to get a something to eat. They climb the dark staircase and wait in line for a Styrofoam cup of soup, a cup of potatoes and beans, a few Saltines, and a slice of bread.

They include a woman named Stacy, who didn't want to provide her last name.

Before she lived on the streets, she worked as a registered nurse for 20 years. But a series of events—she declined to specify—knocked her out of steady work and into homelessness, and getting back on her feet is hard. The only public assistance she qualifies for is food stamps, but on April 1, that will end.

“They're shutting off the only benefit I have,” she says, straightening the pink bandanna that covers her dark hair.

The knowledge that her benefits will be ending equips her with little that she didn't already have. She's been trying to find a job, but it's hard with nowhere to sleep, no cash coming in, no steady meal. She needs to renew her nursing license but doesn't have the resources to do so; even finding money for a bus pass is tough. A nearby church gives them out sometimes, but recently, they've run out, she says.

This dilemma is a common one facing people in many states, including Arkansas, which have high poverty rates but little assistance for people trying to get out of poverty.

Governor Asa Hutchinson, Republican, could have asked for a waiver to the SNAP requirement that adults like Stacy work after three months, but he decided not to, he told me, in a phone call. The state's unemployment rate, currently at 5.7 percent, had decreased enough that he believed there were enough work opportunities in the state, he said. If someone still can't find a job, they can always volunteer, he said.

“They still have the opportunity to contribute to a local food bank or some other local nonprofit,” he said. “That contribution brings dignity, it is helping the community, it is giving back, and that seems a good balance to me.”

So why doesn't someone like Stacy just do that and avoid losing her food stamps? For one, finding a place to volunteer or work can be very hard for those who don't have phones, mailing addresses, or work clothes. Many do not have the education or wherewithal to find a volunteer position. And for those who want to get more education to find work, the job-training opportunities in Arkansas are insufficient in helping people get the skills they need to find permanent work, said Tomiko Townley, the SNAP and Older Adult Outreach Manager at the Arkansas Hunger Alliance.

“The reality is that the majority of employment training programs in Arkansas, are things like job-search training,” she said. “They're very limited, not super skill-oriented opportunities.”

The consequences of a dialed-down safety net might not be so dire if the state were thriving, but that's not the case. Arkansas consistently ranks at the bottom of the nation's poverty rankings: In 2014, nearly one in five people lived below the poverty line (\$23,834 for a family of four), making the state 48th richest in the nation including the District of Columbia. (Only Louisiana, Mississippi, and New Mexico [were poorer](#).)

But poor families don't receive much assistance from the state of Arkansas. Under TEA, the state's version of TANF, families can only receive two years of government assistance in a lifetime, though the national limit is five years. Those receiving TEA must work or volunteer 35 hours a week, although the federal requirements are only 20 hours a week.

The way that Arkansas treats its poor is not exactly a break with tradition, Ernie Dumas, a long-time Little Rock political columnist and historian told me. Arkansas was poor when it was settled, and generations of politicians “entertained no notions of progress or what it might take to improve services to people or the need to elevate them,” he told me. In the early part of the 20th century, Arkansas was already among the poorest states in the nation; it also had the lowest taxes in the nation, so funds for substantial anti-poverty initiatives were not available. Then came floods, drought, and the Great Depression, and a re-commitment to the belief that the state shouldn’t interfere to help its residents, he said.

Bill Clinton legitimately wanted to help the poor when he was governor, Dumas said. Dumas remembers seeing Clinton around town, always talking to people about their lives and how he could improve them. When he ran for president, Clinton frequently talked about visiting welfare offices in Arkansas and meeting recipients. But the welfare-reform bill he signed, which had been pushed by a Republican Congress, left many in his home state without public help.

After welfare reform, Arkansas had a “golden opportunity” to improve life for people in poverty, Rich Huddleston, the executive director of Arkansas Advocates for Children and Families, an advocacy group that counts Hillary Clinton as one of its founders, told me.

Instead, “it has been a total disaster for the state,” said.

The state focused on reducing the welfare caseloads by **disqualifying** people, rather than on helping people get a job, he said. For many people, the hoops to jump through to get on TEA are so confusing that they don’t apply at all. By law, the state is supposed to assess recipients when they apply for TEA and refer them to a service that can help them find a job, go back to school, or get vocational training. But in many cases, Huddleston said, people get referred to services that don’t exist in their area of the state.

Raquel Williams knows how difficult it is to go through the process of applying for and receiving TEA. A year ago, Williams was steadily employed in Texarkana, Texas, in a state unemployment office. But when her husband, an EMT transporter, couldn’t find work, he convinced her to quit her job and move with their children to Little Rock so he could find a job there. She had trouble in her job search from the start, but their problems multiplied when [he was shot](#) on December 26. He survived the shooting, but can’t work and can’t walk. So Williams started looking for a job.

It seems like this should be easy: Even on her toughest days, she is well-dressed, neat, and affable, and seems like the type of person who would be someone else’s boss. She has work experience. But she hasn’t found a job, and the family has no money coming in. So she applied for TEA.

Right away, Williams told me, she felt as though the system was not there to make her life any easier, let alone help her find work. She had to bring them all sorts of paperwork before they would begin helping her; proof that she wasn’t getting child support from the father of her first child, proof that her husband wasn’t receiving disability, proof that she was a resident of Arkansas, that she had children, that they had Social Security numbers.

“Might as well have given them a blood sample,” she told me.

Weeks after applying, she had an interview, where she was told that she and her family could receive \$247 a month, but that she would have to start volunteering 35 hours a week almost immediately. She could get compensated for the gas money she used getting to the volunteering position, she was told, but only at the end of the month.

Between volunteering, taking care of her kids, and tending to her ailing husband, she’s found the time to apply for jobs, though she’s had no help from the TEA office in looking for work and hasn’t had many bites.

She wants to go back to school, but since her GPA is low from a previous try at college, she's unlikely to get scholarships and she'll have to pay for it herself.

Often times, she wonders why she goes through all of it for a mere \$247, which isn't nearly enough to pay the family's \$650 rent, gas, and heat. She kicks herself for following her key principles of Faith, Family, and Work—if she had just left her husband and stayed in Texas, if she had lied on a job application that asked if she smoked, if she had just kept the old job, she would have been fine. Now, she says, she's stuck.

**“The program is designed to keep you in a rut,” she told me. “It’s not built to empower anybody.”**

It's true that there are few support systems in place once people start working to help them stay employed and prosper. Many of the people who do find jobs end up in low-paying ones with no room for advancement, Huddleston said. There just aren't very many good jobs in Arkansas for people without a college education, and the state hasn't invested in programs that would allow people to get a college education or other sorts of training that could help turn jobs into upwardly-mobile careers. And, anyway, Huddleston said, Arkansas public schools have struggled so badly in the past few decades that many TEA recipients wouldn't be qualified for college even if they could afford it.

“To say that it had anything but an impact on the caseload would be misleading in Arkansas, just because of the challenges we had,” he told me. “The challenges of isolated rural areas, the state of the economy, what jobs paid here—it made it really difficult for folks to get off welfare and earn an income they really needed to support their families.”

\* \* \*

This crisis isn't unique to Arkansas. As H. Luke Shaefer and Kathryn J. Edin document in *\$2.00 a Day: Living on Almost Nothing in America*, welfare reform created a class of extremely poor people, neither working nor receiving help from the government. Researchers call these people “disconnected,” and nationally, one in five single mothers were disconnected by the mid-2000s. The number of families with children who reported that the only benefit they received was SNAP grew 143 percent between 1996 and 2006.

“The transition to a work-based safety net is incomplete, and we have a big hole in the bottom,” Shaefer told me. “For folks at the very bottom, it's leading to very bad outcomes.”

Between 1996 and 2011, even as the welfare rolls were shrinking and more one-time recipients were moving to work, extreme poverty was increasing. During that time, the number of families living on \$2 a day or less [rose 150 percent](#), to 1.65 million.

Living in extreme poverty has very real consequences for families, Shaefer said. Reduced TANF access in states is associated with higher food insecurity, increased child homelessness, a jump in foster-care placement, and more juvenile detention, according to soon-to-be-published research by Shaefer and colleagues. Not having access to cash means people can't pay the rent and then become homeless, and homelessness leads to stress, which can hurt people emotionally and physically. Families are often forced to sell their food stamps, [their plasma](#), their bodies, to get access to cash to survive on, he said.

Welfare reform had big goals of moving people to self-sufficiency by training them to work. But it did little to create job opportunities or the types of programs that help people stay in jobs once they get them. Instead, they're on their own.

“The idea that it's a program that promotes work is a myth,” Shaefer said.

States only spend about 8 percent of their TANF funds on work-related activities and supports, according to the [Center on Budget and Policy Priorities](#). They spend 34 percent on “other areas.”

Even if those programs existed, that type of job training is rarely effective, said Jacob Klerman, a senior fellow at the research firm Abt Associates. Many of the people who need training come from bad schools and lack basic reading, writing, math, or science skills. The job training programs the government often makes available are just a few weeks long, which doesn’t prepare people for middle-class jobs, and certainly doesn’t make up for years of abysmal basic education. And it’s nearly impossible for poor people to attend longer training—much less a four-year college—because they need to be doing something to earn money to pay for living expenses, given that they likely don’t have savings or families with any wealth at all.

“We’re just not very good at job training. It’s a hard thing to do,” he said.

Of course, there are people for whom welfare reform did push them off the dole and into employment—or at least for whom welfare reform coincided with a growing economy that enabled them to find work. According to Shaefer and Edin, nearly 75 percent of low-income single mothers were employed by 2000, up from 58 percent in 1993. But even those that did find jobs weren’t necessarily lifted out of poverty, but were instead often kept there by low wages, just-in-time scheduling, and not enough hours.

“We’ve had partial success, but the problem is the winds blow against you,” said Timothy Smeeding, a poverty expert who teaches at the University of Wisconsin-Madison. “Wages and jobs have been getting worse, and you can find a job in many places, but not everywhere. Working yourself out of poverty is much harder.”

Still, if the problems with welfare reform span the country, some states are nevertheless making it worse than others. They’re able to do so because the program is set up as a block grant.

In 2010, Arizona reduced the time limit to 36 months from 60 and terminated child-only cases, according to the [Center on Budget and Policy Priorities](#). Its caseload fell 66 percent between 2006 and 2014. States including Kansas, Michigan, and Indiana implemented similar changes and saw similar drops in the numbers.

“The safety net has been shredded in many different ways,” Liz Schott, one of the authors of the report, told me.

The differences among states have meant that the ability of the very poor to survive can depend on where they happen to live. When Amanda Ellis, an Arkansas native, moved from Minneapolis back home to Arkansas and told the state welfare office how much she’d received in TANF benefits from the government of Minnesota, they laughed in her face. The simple act of moving with her son meant that the amount of **benefits she received dropped from \$437 a month to \$162.**

“I came back, and I was being told, ‘You’re not going to be able to get on your feet that easily here,’” Ellis, a slight woman who is so shy she covers her mouth when she talks, told me.

Bouncing back after she arrived in Arkansas in 2011 was a daunting task. With almost no money, she and her son stayed in shelter after shelter after she got on TEA and started volunteering. Her welfare counselor wanted her to find a job right away, but she pushed back and said she wanted to go to school. She eventually went back to get certified as a pharmacy technician.

That was difficult: Public transit in Little Rock is lacking, and Ellis doesn’t have a car, so she would take two buses to get to class. The day I met her, her son had missed the school bus in the morning and she had to take three buses just to drop him off at school.

Ellis recently started a job as a pharmacy technician at Walmart. She has an apartment and has finally achieved a degree of stability. It wasn't TEA that helped her achieve these things, though. It was disability benefits, something that few other single mothers could access. Her son is autistic, and though he'd been denied disability benefits in Arkansas, a counselor had approved it in Minnesota. The disability payments helped her get an apartment and go back to school, she told me. Steady monthly payments are what other people, such as Raquel Williams, might have gotten, had welfare still existed.

\* \* \*

Of course, people on the left and right agree that welfare was flawed and that some things needed to be changed. The concern is just that the reforms went so far in requiring people to work, and not far at all in helping them do so.

Rather than learn from welfare reform, though, states are moving forward with further rules and regulations that make the process of receiving benefits a rough, even humiliating, experience. Arkansas, for example, just became the latest state to [require drug testing](#) for all welfare recipients, a costly proposition that [nets few abusers](#). Governor Hutchinson also wants to [add work requirements](#) for low-income people who are benefiting from the state's Medicaid expansion. Other state legislatures are trying to make it more difficult for governors to get waivers that would allow food-stamp recipients to continue to receive benefits. North Carolina, for example, [passed a law](#) in October prohibiting the state from getting waivers for federal time limits for food stamps.

"There's a lot of talk and a lot of movement now that we see, particularly from Republicans, that it's time to extend what we did to TANF to other programs," says Schott, of the Center on Budget and Policy Priorities.

The end of food stamps for childless adults is one more example of this. States like Arkansas are acting to ensure that those people who have no other benefits except food stamps lose those benefits unless they find a job, but they are most often the people who will have the hardest time finding work.

Tomiko Townley, the Hunger Relief Alliance case manager, knows what this will mean for single, childless adults in Arkansas. On April 1, thousands of Arkansans will go to buy food, swipe their card, get an error message, and have no idea why they aren't receiving help anymore. They'll turn to food pantries and soup kitchens, who will be overwhelmed by the demand.

And then, they'll disappear off the government's rolls, just as the welfare recipients have. The numbers of people receiving food stamps will drop, and thousands more people won't be able to eat, or survive. But to the policymakers who look for a shrinking welfare program, the changes will be considered a success.

## 17.2 Christian By Name, Not By Nature: Porter Punches Down On The Poor

By **Jeremy Poxon** on December 2, 2017

Christian Porter is commending his government for ‘taking risks’ with the lives of vulnerable people, writes Jeremy Poxon from the Australian Unemployed Workers’ Union.

Last week, Social Services Minister Christian Porter lauded his government’s increasingly punitive and evidence-deficient policies ([see: drug-testing welfare recipients](#)) as “bold” and “innovative” strategies that will continue to deliver savings to the Federal budget.

In a speech at the National Press Club on Wednesday, Minister Porter said that while some of the welfare reforms may be “controversial,” he was proud that his government is “willing to take risks” when it comes to programs that significantly affect the lives of the vulnerable.

The minister heaped praise on the notorious [Welfare Reform Bill](#), amid [stiff opposition from advocacy groups and health experts](#) who say it would push already vulnerable people [further into poverty and homelessness](#). For these groups, government proposals to drug test welfare recipients and [control their income](#) feel a lot more “cruel” and “unusual” than “bold” and “innovative.”

Ignoring the views of these organisations, Porter made a specific plea to Senate crossbenchers, asking them to consider the Coalition’s success in reducing the welfare budget, when sizing up whether or not to support the drug-testing scheme. Effectively, Porter told Senators to prioritise the health of the budget above the health of drug-afflicted Australians on welfare.

The Minister’s speech largely focused on what he described as the Coalition’s fiscal “successes” compared to Labor, in reducing expenditure on Social Security and welfare dependency. He said that spending grew over 9% a year for six years under Labor, compared with 2% under the Coalition.

While it is true that the rate of welfare spending has slowed significantly under the Coalition, Porter neglected to mention that spending grew under Labour, mostly because of a tiny spanner in the works called The Global Financial Crisis. Between Rudd’s election in [November 2007 and the middle of 2009](#), the number of unemployed people jumped from 470,000 to 660,000. Accordingly, the Labor government increased spending to look after those extra claimants needing welfare support during this difficult time. It doesn’t bear thinking about what would’ve happened to these people had someone like Porter been in charge of their payments.

Even though Australia already has one of the toughest compliance systems in the OECD, Minister Porter, whose background is in legal justice, continues to make impassioned pleas for even tougher welfare programs. In front of the packed room of journalists, he said he has actually seen drug-testing measures work first-hand: “I first became attracted to the idea of compelling people to seek treatment via drug testing when I was a crown solicitor in drug court.”

Alarming enough, he sees absolutely no reason why this testing can’t also work on welfare recipients. In the Minister’s mind, there appears to be little distinction between those under immediate prosecution, and those struggling to survive on \$244/week Newstart payments.

He believes that mandated testing and strict restrictions actually have **“a strong behavioural effect”** on welfare recipients; however, it remains unclear what the Minister is basing this claim on.

Currently, there exists [no evidence](#), here or overseas, that shows mandatory testing will help drug-addicted people receive treatment and find work.

Eventually, the focus of the Minister's speech turned to jobs. (A motto for this government could be: 'when it doubt, start beating your chest about job creation.') He boasted that more than 370,000 jobs (mostly full-time) have been created over the past year – seemingly implying, again without evidence, that the 140,000 people his government has moved off welfare are predominately landing these newly created gigs.

Not even [his Department's own reports](#) can verify how many of these 140,000 people have actually gained employment, and how many have simply stopped making claims for payments. If anything, the data suggests that (due to increasingly stringent requirements) the latter scenario is more likely. After all (to give Porter his due), the government's policies have proven to be quite adept at [denying welfare to those who most need it](#).

Although he's right to claim good full-time employment growth, the labour force data [released last week](#) shows that, overall, labour participation is actually going down. This is because there's been significant growth in the number of discouraged workers: people who are completely removed and alienated from the labour market.

It's incredibly concerning that more and more Australians are simply giving up looking for work – yet, these ["hidden unemployed"](#) are barely acknowledged by polities or pundits.

When there are [17 job seekers for every position currently available](#), you can understand why these unemployed workers feel completely disillusioned, demoralised and forgotten.

As it stands, labour under-utilisation (unemployment and underemployment) remains at a lofty 13.3%. In the latest batch of data, prospects for young people appear particularly grim: the teenage unemployment rate has now hit 28%, when factoring in hidden unemployment.

The Coalition does not have a viable plan for those locked out of the labour market and meaningful income through no fault of their own. Instead, it's committed to implementing arduous welfare obligations, in order to 'modify' behaviours and disincentivise 'bludging.'

For those 'lucky' unemployed workers who manage to clear the welfare hurdles, Newstart hardly delivers relief from the depredations of poverty. Minister Porter again dismissed suggestions that he needed to raise the Newstart allowance, even though the payment has remained the same in real terms for the last 23 years. Under his watch, 55% of people on the payment [now live below the poverty line](#).

In lieu of all this, it's staggering that Minister Porter continues to pronounce the government's welfare reforms such a resounding success. There are far too many disadvantaged Australians locked out of the labour market, and falling into extreme poverty, for these claims to be remotely convincing.

Sadly, the mainstream media continues to uncritically reproduce his government's bogus narrative that we must deplete our safety net for the sake of the budget. Alarming, we've all become accustomed to treating vulnerable people like little more than a financial burden.

No doubt, as the Welfare Reform Bill edges closer to the Senate, Minister Porter will continue spruiking punitive welfare policies that do more to alienate and penalise the vulnerable than provide them with assistance. It's up to us to publicly reject his claims, [and stand alongside the 44 civil society organisations](#), who are calling on the Federal Government to stop these "bold," "innovative" attacks on the three million Australians who currently live in poverty.

**This article was originally published on [Newmatilda.com](#) Jeremy Poxon is an independent journalist and an AUWU Media Officer**

### 17.3 **Multinationals Contracted to Takeover Social Security**

The issue of foreign multinational companies accessing the tax base through contracts has not been investigated in respect of transfer of responsibility of social services and government responsibilities to unaccountable foreign companies with significant influence. Serco is a British based conglomerate contracting to provide a range of public sector activities. Significantly it has run Social Security in the United States and is reported to have had welfare recipients records hacked, thus raising questions of its ability to ensure security and privacy. In Australia it runs detentions centres (Manus Island) and prisons which regard inmates and refugees as prisoners. Their involvement with Social Security calls centres and attitudes of compliance without accountability are concerning. Added to this concern is the Trans Pacific Partnership which means that they can sue a government if it cancels a contract. The clear questions here are:

- what if a foreign company is corrupt?
- What is the incentive to ensure the real welfare needs of vulnerable people

Other issues I have discovered through my own research is deliberate strategies of creating shortages through funding cuts. What this does is render the government inefficient which then creates the environment for calls to privatise inefficient government services. It could also be a tactic to make Social Security unattractive as it is a hassle to engage. If there are too many client demands clearly Centrelink needs to employ more people. It is evident when you go to a Centrelink office there appears to be around 10% of staff with a workspace that could cater for more staff. I have been told many times by staff they are short staffed. This is possible this is deliberate as the government has the capacity to fully staff Centrelink and Human Services. It appears funding is cut or not allocated which increases dissatisfaction. In my experience wait times have been at least 1 hour not only on the phone but in the Centrelink shopfront. The other area of concern to funding cuts is the pressure of workloads on Centrelink staff and the stress and negative responses they have to deal with given dissatisfaction, frustration and low self esteem. In a commercial operation this would be unacceptable as the intent is profit, when it is people deemed as not profitable it is allowed. I ponder discrimination and agendas in this respect.

I have heard the narrative of inefficient government over many years and it was what drove the sell off of Telecom, a publicly owned company. Shares were not distributed as people were told to buy their own asset. That wasn't commented on at the time. Public assets have a ready market and lucrative. However, services in my view become more costly as profit margins are inflated and product segments and niches created. This is why we have seen the corporatisation of government services. This is happening in libraries, universities, colleges as they become corporations which means they can operate as a business. This again, has shifted the purpose of government to become a business and the real question is: is this in the public interest? This is an important question as people lose FOI access, accountability rights and a say over how their money is spent. When it is privatised they have no rights whatsoever. That should be of great concern.

## Public sector union condemns Centrelink move to privatise call centre

Human services minister, Alan Tudge, announces Serco subsidiary is to help operate Centrelink call centre [Christopher Knaus @knausc](#)

Wed 11 Oct 2017 13.26 AEDT Last modified on Wed 11 Oct 2017 13.54 AEDT

Government says Serco will comply with all Centrelink privacy and security requirements as it privatises call centre.

The public sector union has condemned moves to privatise Centrelink's much-criticised call centre, saying it would give Serco **access** to vast amounts of personal information.

The human services minister, Alan Tudge, announced that a subsidiary of multinational Serco – **Serco Citizen Services** – would be contracted to help operate Centrelink's call centre.

Tudge said the move would add 250 staff in a significant boost to the capacity of the call centre. Serco staff would supplement existing workers in the three year pilot program.

Tudge said the Serco workers would comply with all Commonwealth privacy and security requirements.

The announcement is designed to address [significant delays with the call centre](#), a source of constant frustration for Social Security recipients.

“This partnership will assist Australians who are accessing [Centrelink](#) services, and help reduce call wait times,” Tudge said.

The department of human services recorded **42 million “busy signals”** between July 2016 and June, [according to evidence in Senate estimates](#).

Average wait times were roughly 28 minutes for the disability, sickness, and carers line, 30 minutes for employment services and 16 minutes for families and parenting. The wait time was worst for the “participation” phone line, at 38 minutes.

In the financial year prior, [about 42% of the 68 million calls made to Centrelink were blocked](#). Another 7.12 million calls were abandoned.

The Community and Public Sector Union quickly criticised the Serco decision as an “absolute disaster”.

The union's national secretary, Nadine Flood, said it was an attack on public servants, a threat to the integrity of private information and a privatisation that would downgrade the quality of a critical public service.

“We are seeking an urgent meeting with the department seeking more information on this dubious arrangement,” Flood said.

“Clearly this deal has been kept secret for some time if Serco is planning to be hooked into Centrelink's systems in just a few weeks. Providing Serco with even the most basic access to client records would be giving the company a frightening amount of personal information.”

The government will spend \$51.7m over three years to fund Serco's involvement with the call centre. Tudge said no services or data would go offshore.

## 18.0 ARTICLE: AN ANALYSIS OF JOBACTIVE

### 18.1.1 Don't be fooled: An Analysis of *jobactive*

<http://unemployedworkersunion.com/dont-fooled-analysis-jobactive/>

On this page, we will analyse the obligations of Newstart recipients under the Government's new *jobactive* system.

A brief summary of the Government's Mutual Obligation Requirements for Newstart recipients is available in the chart below. For a quick explanation of the deliberately confusing acronyms used by the Government, [click here](#).

**Attachment A Mutual Obligation Requirements—job seekers up to 30 years**

Period of Service	Stream A		Stream B		Stream C
	SPI job seekers	All other job seekers	SPI job seekers	All other job seekers	All job seekers
0-6 months	Case Management	Self Service and Job Activity	Case Management	Case Management	Case Management
	Appointments—monthly Job Search—generally 20 per month	Appointments Job Search—generally 20 per month Other suitable activities as appropriate	Appointments—monthly Job Search—generally 20 per month	Appointments Job Search—generally 20 per month Other suitable activities as appropriate	Appointments Job Search—depends on capacity Other suitable activities as appropriate
6-12 months	Work for the Dole Phase				
	Appointments—monthly Job Search—generally 20 per month AAR—650 hours over 26 weeks (50 hours per fortnight), Work for the Dole as the principal activity	Appointments Job Search—generally 20 per month AAR—650 hours over 26 weeks (50 hours per fortnight), Work for the Dole as the principal activity AAR for PCP/PCW—390 over 26 weeks (30 hours per fortnight), choice of activities	Appointments—monthly Job Search—generally 20 per month AAR—650 hours over 26 weeks (50 hours per fortnight), Work for the Dole as the principal activity		
12-18 months	Case Management			Work for the Dole Phase	Work for the Dole Phase
	Appointments—monthly Job Search—generally 20 per month	Appointments Job Search—generally 20 per month Other suitable activities as appropriate	Appointments—monthly Job Search—generally 20 per month	Appointments Job Search—generally 20 per month AAR—650 hours over 26 weeks (50 hours per fortnight), Work for the Dole as the principal activity AAR for PCP/PCW—390 over 26 weeks (30 hours per fortnight), choice of activities	Appointments Job Search—depends on capacity AAR—650 hours over 26 weeks (50 hours per fortnight), Work for the Dole as the principal activity, can also use non-vocational activities AAR for PCP/PCW—390 over 26 weeks (30 hours per fortnight), choice of activities, can also use non-vocational activities
18-24 months	Work for the Dole Phase				
	Appointments—monthly Job Search—generally 20 per month AAR—650 hours over 26 weeks (50 hours per fortnight), Work for the Dole as the principal activity	Appointments Job Search—generally 20 per month AAR—650 hours over 26 weeks (50 hours per fortnight), Work for the Dole as the principal activity AAR for PCP/PCW—390 over 26 weeks (30 hours per fortnight), choice of activities	Appointments—monthly Job Search—generally 20 per month AAR—650 over 26 weeks (50 hours per fortnight), Work for the Dole as the principal activity	Appointments Job Search—generally 20 per month Other suitable activities as appropriate	Appointments Job Search—depends on capacity Other suitable activities as appropriate

Note: ESLs are generally required to participate in full-time education or training or part-time education or training in combination with other suitable activities for at least 25 hours per week (or 15 hours per week for PCPs or PCWs (15 to 29 hours per week)) until they attain Year 12 or an equivalent qualification. ESLs **must** not have compulsory Job Search.

**Mutual Obligation Requirements—job seekers 30 years up to 49 years**

Period of Service	Stream A	Stream B	Stream C
0-6 months	Case Management		Case Management
	Appointments Job Search—generally 20 per month Other suitable activities as appropriate		Appointments Job Search— depends on capacity Other suitable activities as appropriate
6-12 months	Work for the Dole Phase		
	Appointments Job Search—generally 20 per month AAR—390 hours over 26 weeks (30 hours per fortnight), Work for the Dole as the principal activity AAR for PCP/PCW—200 hours over 26 weeks (14-16 hours per fortnight), choice of activities		
12-18 months	Case Management		Work for the Dole Phase
	Appointments Job Search—generally 20 per month Other suitable activities as appropriate		Appointments Job Search—depends on capacity AAR—390 hours over 26 weeks (30 hours per fortnight), Work for the Dole as the principal activity, can also use non-vocational activities AAR for PCP/PCW—200 hours over 26 weeks (14-16 hours per fortnight), choice of activities, can also use non-vocational activities
18-24 months	Work for the Dole Phase		
	Appointments Job Search—generally 20 per month AAR—390 hours over 26 weeks (30 hours per fortnight), Work for the Dole as the principal activity AAR for PCP/PCW—200 hours over 26 weeks (14-16 hours per fortnight), choice of activities		Appointments Job Search—depends on capacity Other suitable activities as appropriate

**Mutual Obligation Requirements—job seekers 50 to 59 years**

Period of Service	Stream A	Stream B	Stream C
0-6 months	Case Management		Case Management
	Appointments Job Search—generally 20 per month Other suitable activities as appropriate		Appointments Job Search—depends on capacity Other suitable activities as appropriate
6-12 months	Work for the Dole Phase		
	Appointments Job Search—generally 20 per month AAR—390 hours over 26 weeks (30 hours per fortnight), choice of activities AAR for PCP/PCW—200 hours over 26 weeks (14-16 hours per fortnight), choice of activities		
12-18 months	Case Management		Work for the Dole Phase
	Appointments Job Search—generally 20 per month Other suitable activities as appropriate		Appointments Job Search—depends on capacity AAR—390 hours over 26 weeks (30 hours per fortnight), choice of activities, can also use non-vocational activities AAR for PCP/PCW—200 hours over 26 weeks (14-16 hours per fortnight), choice of activities, can also use non-vocational activities
18-24 months	Work for the Dole Phase		
	Appointments Job Search—generally 20 per month AAR—390 hours over 26 weeks (30 hours per fortnight), choice of activities AAR for PCP/PCW—200 hours over 26 weeks (14-16 hours per fortnight), choice of activities		Appointments Job Search—dependent on capacity Other suitable activities as appropriate

Find  
 50

Note:

- PCPs with the youngest child aged six years or over have to meet part time Mutual Obligation Requirements and cannot be required to participate in Work for the Dole activities. A PCP can choose to fully meet their Mutual Obligation Requirements by undertaking 30 hours per fortnight of (or any combination of) suitable paid work, approved study (where the total number of hours includes contact and non-contact hours).
- Job Seekers with a PCW of 15 to 19 hours per week can fully meet their Mutual Obligation Requirements by undertaking 15 hours per week of Voluntary and/or paid work.
- NEIS Participants will not generally have an Annual Activity Requirement for the period they are participating in NEIS.
- Volunteer job seekers do not have a mandatory number of Job Searches.
- Outside the Annual Activity Requirement, Providers can require job seekers to participate in other activities included in the Job Plan (in addition to Job Search and Provider Appointments).
- Job seekers aged 60 years and over do not have an Annual Activity Requirement but may choose to Volunteer.

The entire Mutual Obligation guidelines can be downloaded [here](#), and the Job Seeker Compliance Framework can be downloaded [here](#). The analysis below is drawing mainly from these two documents.

**Work for the dole**

Let’s start with the centrepiece of the *jobactive* system: Work for the Dole.

Don’t be fooled into thinking work for dole is the only option open to you if you are currently unemployed. Wading through the endless and repetitive guidelines, a few things stand out.

With the introduction of the new *jobactive* system on 1 July, all Newstart and Youth Allowance (other) recipients between the ages of 18-30 will be required to Work for the Dole for 25 hours a week, up from 15 hours a week.

Annual activity requirements are lower for those over the age of 30 at 15 hrs per week (fully capable of full time work).

If you are a principle carer or have a temporary illness that reduces your work availability or obligation hours, the mutual obligation hours are lower again.

For example, a principle carer with children 8 or over, aged under 30 has a higher number of participation hours at 15hr per week, than the same situation but aged over 30 at 7.5 hrs per week.

Neither can be forced to agree to work for dole as a compulsory measure, but if you do agree to do it and sign a job plan stating this, it will then be compulsory. **This is why knowing your rights is more important than ever before.**

It is very easy for a job seeker to be fooled under this new system. If the staff member you are allocated to has misunderstood training, or your Employment Service Provider has simply misinterpreting the information then the obligations you are agreeing to might not be a true reflection of the guidelines or in fact Social Security law.

### **Avoiding Work for the Dole**

There are a number of circumstances where Newstart recipients will be excused from Work for the Dole.

**For job seekers aged between 18-49** who are undertaking an approved activity they will *not be required to* undertake Work for the Dole.

An approved activities as defined by the [Mutual Obligation Framework](#) are:

- Part-Time Employment
- Unpaid Work Experience Placements
- Voluntary Work
- part-time study/training (in a Certificate III or higher)
- accredited language, literacy and numeracy courses, which can include

o Skills for Education and Employment

o Adult Migrant English Programme

- Defence Force Reserves
- Other government programmes, including state government programmes and the Green Army Programme.

Backing this information up, one jobseeker informed us that he was able to get his full-time non-non-accredited study on his Job Plan, which should *excuse* him from Work For the Dole. We will update once verification is received, but for now, be sure to request that your study be put on your Job Plan.

**For Single Parents judged to be Primary Care Providers (PCP)** and job seekers with a Partial Work Capacity (PWC), there are even more circumstances where Providers cannot enforce Work for the Dole (Click [here for more information regarding Primary Care Providers](#)).

Below is an excerpt from the [Mutual Obligation Requirement Framework](#):

Certain job seeker cohorts, namely PCPs, those with a PCW (15 to 29 hours per week) and job seekers aged 55 years and over are able to meet their Mutual Obligation Requirements by undertaking certain approved Activities for at least 30 hours per fortnight.

PCPs and job seekers with a PCW (15 to 29 hours per week) who are fully meeting their part-time Mutual Obligation Requirements through 30 hours per fortnight of paid work (including self-employment) or approved study (or a combination) cannot be required to simultaneously undertake any Job Search or meet any other additional requirements. As such, they do not need to remain connected with a Provider and can be Suspended or Exited from the Provider's caseload. This also applies if the PCP or a job seeker with a PCW (15 to 29 hours per week) is participating in the Green Army Programme for 30 hours per fortnight. See approved short courses under Additional information below.

PCPs are also able to meet their part-time Mutual Obligation Requirements through 30 hours per fortnight of Voluntary Work alone, or in combination with paid work or study, for 30 hours per fortnight. However the following criteria must be met for Voluntary Work to fully meet a PCP's requirements:

- the principal carer lives in a poor labour market
- there are limited training opportunities locally available (online courses may be considered 'locally available' if the PCP has access to a computer)
- there is a significant vocational aspect to the voluntary work.

PCPs aged under 55 years undertaking Voluntary Work alone, or in combination with paid work or study, for 30 hours per fortnight will not be Suspended from Employment Services. However, Providers **must** not require the PCP to undertake other additional activities.

Over 55s receiving Newstart are also given more flexibility:

Job seekers aged 55 years and over who are meeting their Full-Time Mutual Obligation Requirements through 30 hours per fortnight of paid work (including self-employment) or approved Voluntary Work (or a combination) cannot be required to:

- simultaneously look for additional work
- undertake other activities.

However, they **must** remain connected with a Provider (although they are Suspended on a Provider's caseload). They **must** attend any notified Appointments with their Provider; however, these Appointments **should** only be related to employment opportunities or job referrals. These Appointments must be made around the times of their paid and/or Voluntary Work hours.

These job seekers still have Full-Time Mutual Obligation Requirements and, as such, are also required to attend job interviews with Employers and accept increased hours of paid work until they obtain a Full-Time job or no longer receive income support.

DHS will make an initial Appointment with the Provider for job seekers aged 55 years and over even if they are already satisfying their Mutual Obligation Requirements at their first contact with DHS. Job seekers who fail to attend this Appointment or any other notified Provider Appointments, or who fail to accept referrals to jobs, may be subject to action under the job seeker compliance framework. See the Employment Provider Services—Job Seeker Compliance Framework Guideline for additional information.

PCW 0 to 14 hours per week or TRWC 0 to 14 hours per week who fully meet their Mutual Obligation Requirements by attending quarterly appointments with DHS do not need to remain connected with a Provider and can be Suspended or Exited from the Provider's caseload.

### **Prioritising Training and Study**

Study seems to be the main area where information may not be fully correct. Anyone any age can choose a line of study to follow, but the funding of these courses is what is no longer available through the Employment Service Providers themselves especially when the Work For the Dole phase begins.

It can be used only if a job is guaranteed, making it harder to achieve but there are still options for those with no prior level certificates or diplomas (note: the Government will not fund you to complete a course below your current requirements). The course will be funded, and this activity should be sufficient to meet your obligations. There are some exclusions to this as there often is, checking through the [Centrelink website, there are links to courses of study that are approved.](#)

The option to study at Tafe is open and it can be paid for via the VetFeeHelp or FeeHelp programs, and University through [HECS-HELP](#), these will give you a debt to be repaid when you reach income over \$50,000. Testing if you meet the [AUSTUDY](#) rules can give you the time without requirements to complete your studies.

Alternatively, for those on Newstart and Youth Allowance (other) who are studying a course that is not accredited by Centrelink, your study can count to your Annual Activity Requirement but will not provide any additional money to cover expenses.

The ability to be connected to the internet, get to study if in a classroom, and purchase any books will be the biggest problem for those taking this avenue. But this can be achievable in some cases. Fares assistance will be available to those on Youth Allowance completing studies.

For those who were involved in study before the *jobactive* system took over, you must be allowed to finish this line of study that you have started. If it was in your employment plan, you should be allowed to finish it

*Please note: Although you must be allowed to finish this study undertaken before, if the course is not accredited study then you can be made to do other activities to fulfil your Annual Activity Requirement such as Work for the Dole, Voluntary Work etc. If it is an approved study, then you should be eligible for AusStudy.*

### **Negotiate with your Provider – All Barriers to Work must be Considered**

There is also a range of factors that must be considered when working out your activities and requirements. If you have increased care for family or children, this has to be taken into consideration; transport problems also have to be considered. It is written in [the guidelines](#).

If you have factors you feel are not being considered, seek clarification from the department of employment. Providers are obliged to consider barriers that you identify, such as lack of childcare options, separated parent with the lesser care but still a percentage of care, transport restrictions, alcohol or drug problems, housing problems.

It may be uncomfortable to reveal these things but to truly be of assistance there might be a need to be open about these problems. Remember they are bound by the privacy act and any breaches can be reported immediately, if you are concerned private information is not being treated in a professional manner.

Being assessed as Stream C with a high amount of barriers to employment means other assistance can be provided in areas such as financial counselling, parenting or family courses, withdrawal programs, with referral to programs and using them to meet activity requirements an option for those in the high stream C. This is determined by a Job Capacity Assessment and Employment Service Providers may trigger the department to assess or reclassify your stream if additional factors occur or become identified. If you feel you might be in the category, be sure to ask what stream you are being assessed at.

Remember this contract you are signing is what you are capable of complying with – if you cannot comply there has to be negotiations around the reasons why and not a simple case of do it or no payments.

Speaking up now can shape the future of employment programs, and allowing them to become a mere compliance tool making demands to suit them, will be at our own peril. Make them work in the nice fluffy way government have put this on paper, question any requirement that does not provide you with skills required to gain employment as this is the basis for most requirements. Seek out your ideal training or work experience options and take them to your provider they might just be able to really help you. A hopeful thought indeed!

If they refuse to help you, seek [legal support](#) or request a transfer on the grounds that your provider are refusing to uphold Social Security law. [Download a transfer form here.](#)

Keep an open mind – believe it or not there are good providers out there who will help you. But most importantly, don't allow yourself to be pushed into an avenue you are not happy to take. Tell them you would like them to reference the mutual obligation requirements, and ask to see a copy. Then go through all the options with the staff member that are in that guideline, getting them to point out the areas they are using to reach the obligations they are telling you about.

As painful as it is, reading the [mutual obligations guideline](#) fully can give you a much better idea of what options you really have. One reason Work For the Dole is the main focus, is the income of providers is based on either the limited real job outcomes or work for dole outcomes. But education outcomes will provide them with nothing, so they will not be at all interested in telling you any of these options.

In the guidelines, there are a lot of requirements that jobseekers *should* follow and others that jobseekers *must* follow. This is where interpreting the different areas can take on a more deceptive nature and you may be pressured by your provider. If this happens contact the Department (contact details below). Explain as calmly as you can what factors they have not considered and what program you agreed to that you don't think is fair or in line with your employment prospects.

There will be cases where Work For the Dole becomes the only option, but again a choice *should* be provided and it should contain some training element suitable to you.

The poor state of the labour market is also a factor that must be considered according to the guidelines, and this can be said for the majority of unemployed people today. This is a consideration that we need to raise, particularly in remote areas.

[Get informed](#) and take control. Don't be baffled by the Government's bullshit!

Employment Service Providers must meet standards, and to keep those standards we have to become willing to complain and complain loudly.

The Department of Employment can be contacted via email on [NationalCustomerServiceLine@employment.gov.au](mailto:NationalCustomerServiceLine@employment.gov.au) or phone **1300 488 064**

## 19.0 ILLEGALITY OF THE SYSTEM

The old adage '*evil flourishes when good people do nothing*' is pertinent and can be extended to those who seek to report the abuses, whistleblowers or others with conscientious objection are ignored because of political agenda's that seek to privatise the government sector. The minimising, ignoring and persevering with a Job Provider system where clearly the market doesn't work due to greed, self interest, corruption and exploitation of the most vulnerable is a serious issue that the Senate must act on in the public interest. It is not acceptable to allow a system to continue without any serious repercussions when it is impacting the most vulnerable people who are not primarily being assisted into work but coerced into programs or within structures that encourage them to either comply or leave. This is not a democratic respectful system, it is a business operation that has as its goal profit maximisation. This is not appropriate in a social welfare setting with complex emotion, psychological, physical and social needs. A compliance approach exacerbates mental health issues as distinct from a therapeutic, inclusive, democratic process.

There are serious issues being raised in respect of the Australian Constitution Section 51, xxiii and the fact that civil conscription is against the Constitution and yet unemployed people are being organised to work for free whilst those in the private sector profit from this rather than dispensing the funds to those who most need it. It raises real questions around the use of public money and analysis on where money is best spent given it is taxpayer funded and is legitimised by representation charged to represent the people not business interests. This is the most important question for the Australian Parliament, particularly given that some of these private companies are multinational companies active in other countries public sector ie. Social Security, infrastructure, detention and prison systems. It appears akin to a factory approach to welfare rather than a social service aimed at wellbeing and best interests of the public. It is reflective of the absence of serious social policy designed to ensure all Australian citizens are treated equally, not demonised or discriminated against and have rights in place to ensure exploitation of their vulnerability does not occur. If it does, there needs to be corrective action taken immediately ie. police, Royal Commissions and the establishment of an Anti-Corruption Commission as an independent watchdog empowered to investigate government corruption. There is an irresistible influence of private interests and influential entities here in Australia and overseas who are not interested in the Australian public interest.

The dismantling of social welfare and public rights replaced by compliance systems is symptomatic of a trend to remove human rights around the world. It has its roots in conservative politics co-opted by business interests aiming at minimising the cost to production of labour. This mindset views welfare as a drain on the public purse, that people are lazy and getting a free ride and must be forced to work. There is no empathy or consideration for complex social needs of the disabled, life crisis, mental health, few jobs, drug issues (masking social problems), family breakdown and a range of incapacities to comply. This then becomes a cruel system imposed on those unable to defend themselves. Homeless is the greatest form of violence as all basic needs are not met and a person is reduced to either begging, house sitting, couch surfing or reliant on donated food and temporary accommodation. I have witnessed in the United States there is a third world demographic that live in tents in affluent cities. In the third world the mega rich living side by side with those in absolute poverty building walls to keep misery out. This is not intelligent design or policy it is the winner takes all mentality and the loser lives off what is left. It has its roots in selfishness, emotional disconnection and psychopathic psychology completely removed from duty to others, societal participation and shared community. The current trend will increase social instability and violence in the community.

## 19.1 Investigation exposes fraud within taxpayer funded Jobs Services Australia

### [The real 'dole bludgers': Four Corners report exposes fraud](#)

<https://www.news.com.au/.../careers/...fraud...jobs...australia/.../9d5d9181be2bac46efd4c...>

Feb 25, 2015 - Investigation exposes *fraud* within taxpayer funded *Jobs Services Australia* ... But with 780,000 people competing in *Australia* for just 150,000 *jobs*, there is ... only recall one *provider* at the time who was “rorting” the system.

A HUGE rort of unemployment benefits is occurring but this time it’s not the so-called dole bludgers’ fault.

### **Corruption in Government unemployment scheme1:06**

Four Corners Reporter Linton Besser reveals the corruption at the heart of the program aimed at helping some of this country's most vulnerable people.

- February 24th 2015
- 3 years ago
- [/display/newscorpastralia.com/Web/NewsNetwork/Network News/National/](/display/newscorpastralia.com/Web/NewsNetwork/Network%20News/National/)

**AN INVESTIGATION has uncovered a massive taxpayer rip-off perpetrated not by “dole bludgers” sponging off the unemployment system — but instead by the agencies tasked with finding people jobs.**

Unemployment in Australia is at 6.4 per cent, its highest rate in 12 years. But an investigation by [Four Corners](#) has found that a billion-dollar taxpayer funded scheme created to help job seekers find a work is instead being used to keep the money flowing to employment agencies.

There’s evidence that both private and charity job agencies are “gaming” the Federal Government’s work scheme Job Services Australia, which it spends about \$1.3 billion on every year. Some organisations have already had to pay back more than [\\$41 million worth of false claims](#) in the past three years.

The agencies receive money for every person they look after, with thousand-dollar bonuses available if they find the person work. In 1998 the Federal Government essentially privatised the system so in order to keep their unemployment benefits, every jobseeker had to register with a charity or a private job agency.

But with 780,000 people competing in Australia for just 150,000 jobs, there is not enough work to go round and the agencies have found other ways to make money.

## **‘DISADVANTAGED’ JOBSEEKERS**

Jobseekers who have a mental illness, substance abuse problem, or are indigenous, are deemed harder to place in work and agencies make more money from them.

According to *Four Corners*, job agency employees are encouraged to look into the background of clients and identify those who can be classified into a disadvantaged category.

When they can’t find enough “disadvantaged” jobseekers, at least one agency has been found to fraudulently upgrade them. The value of these jobseekers was highlighted in a 2005 government investigation into the Salvation Army in Victoria, which found clients were fraudulently upgraded to a “highly disadvantage classification”, which increased payments and bonuses for staff.

Following the investigation, the charity was forced to repay \$9 million but the government would not say whether anyone was ever prosecuted.

Substance abuse problem? You’re worth more to job agencies. *Source: News Corp Australia*

## **TRAINING COURSES**

Employees are also encouraged to put clients into courses run by the company’s own registered agencies even if jobseekers may not find the training beneficial.

“(It’s) big business, it’s not about the job seeker, it’s about the employment network,” ORS former consultant Brook Purvis told *Four Corners*.

She said that in some cases money put towards training could have been better spent, for example on helping the client get their driving licence but this wasn’t done because it did not benefit the company.

There has also been evidence of agencies signing up jobseekers to courses that they had no prospect of starting or completing. A 2009 government investigation found one company MAX Employment had enrolled 141 people into a training course, despite the fact its training room could only fit 15 jobseekers at a time.

In the four years to 2010 these training courses cost taxpayers nearly \$400 million dollars regardless of whether they benefited the jobseeker.

Rupert Taylor-Price, whose software company analyses government data generated by the program, said he thought only one in 10 people participating in the Job Services Australia scheme enjoys “a better chance of gaining employment”.

## **FORGERY**

Some jobseekers believe other agencies have even forged their signatures and turned in false paperwork. A 2012 audit found only 40 per cent of fees paid to agencies could be verified.

A number of job seekers were shown documentation that they had purportedly signed but did not recognise, and one said he had been asked to sign blank forms for which details would be filled out later.

“I’m shocked because I didn’t fill this in,” said one woman shown paperwork *Four Corners* had obtained.

One whistleblower from agency ORS Group, which turned over \$66 million last year said details on forms were regularly whited out and replaced: “I would say about 80 per cent of claims that come through have some sort of manipulation on them”.

Even if the company is not responsible for finding a jobseeker work it can still claim money from the government if it is able to get the signature of the jobseeker.

“We were sort of told, you know, if the signature’s not on it, get it any way that you can,” former ORS consultant Ms Purvis said.

She said she thought forms from at least half of her caseload at ORS had been tampered with, “I don’t know how they’re still open”.

Another former employee turned whistleblower, who did not want to be identified, said that free Coles Myer vouchers were used to lure clients back so ORS could get their signature, by suggesting to clients they were just signing for the vouchers.

Agencies have been accused of forging signatures.*Source:News Limited*

Former Department of Employment auditor Ian Whitchurch said the government was warned in 1999 that fraud was rife within the scheme

“We found that about a third of ... job matching claims in that period ... the job member had had no involvement in getting the person a job, something that they claimed money off the Commonwealth for,” Mr Whitchurch said.

He estimated about 50,000 claims in the first year were rorted.

An audit of fees a few years ago was able to claw back \$6 million worth of taxpayers money despite only examining one type of fee and six months worth of claims.

But former department head Dr Peter Shergold said he could only recall one provider at the time who was “rorting” the system.

“Rorting is taking funds for a false outcome which hasn’t been achieved. I’ve seen truly minimal evidence of that,” Dr Shergold said.

He said of the Jobs Services Australia: “I think it was probably the most innovative measure in terms of public administration that happened during the Howard years.”

## **CHANGES TO THE SCHEME**

Changes to Jobs Services Australia will come into effect in July but these cut red tape rather than increase audit requirements.

When asked why this was a bad thing, a spokesman for JN Solutions said: “In free market red tape is generally a bad thing, (but) this isn’t a free market, this is a government contract. Red tape in this industry is regulation, it’s making sure public funds are accounted for.”

Assistant Employment Minister Luke Hartsuyker said the new system would include better performance monitoring, reporting and quality assurances.

Agencies will undergo more rigorous quality standards to be eligible to deliver services.

“The coalition’s new employment services system will undo Labor’s mistakes and restore greater integrity to the system,” he said in a statement.

The peak body representing non-profit employment organisations, Jobs Australia, said there were legitimate concerns about some factors that underpin the Job Services Australia scheme.

However, its achievements also deserved to be acknowledged.

It said the scheme assists about 800,000 job seekers at any point in time, and that more than a quarter of job seekers find a job and exit JSA within three months.

This was despite the fact that the system was “incredibly complex, with a confusing payment model and thousands of pages of rules that must be interpreted and applied by individual staff”.

## 19.2 Job agencies facing fraud inquiry after audit of fees

<https://www.smh.com.au/politics/federal/job-agencies-facing-fraud-inquiry-after-audit-of-fees-20120420-1xcfz.html>

By Linton Besser

21 April 2012 — 3:00am

JUST 42 per cent of job-finding fees claimed by employment agencies were found to be genuine in a top-level audit released yesterday of the \$4.7 billion welfare-to-work program.

As a result, some Job Services Australia providers - private firms and charities contracted by the government to help the unemployed find work - face the prospect of a fraud investigation.

Fraud ... some Job Services Australia providers are **facing an investigation**.

The inquiry suggests the job-assistance industry improperly lodged as much as **\$106 million worth of false claims** from the taxpayer in the past two years. Of this, \$25.3 million was the extra loading designed to encourage agencies to source jobs themselves for their clients.

The audit reveals that in one case 77 per cent of job brokerage fees claimed by a provider were false or could not be verified.

But the government has refused to name the organisation along with the other nine providers who were targeted for the audit, citing commercial-in-confidence restrictions.

The audit, overseen by former public servant Robert Butterworth, "found a significant incidence of poor administration, claims that could not be confirmed, claims that were not supported by appropriate evidence, and claims that were contradicted by job seekers or employers".

"Although providers in the audit were selected because they had a higher ... claiming rate, it is almost certain that other providers who were not audited will have similar patterns of behaviour, though perhaps on a smaller scale."

The Butterworth review examined only "provider brokered outcomes" - the fee paid when an employment agency actually finds a job for a Centrelink recipient, as opposed to just assisting that person. But there are 162 other kinds of fees that have been claimed by providers under the scheme.

Last month, the Employment Participation Minister, Kate Ellis, announced changes that her office said would reduce the number of fees available by almost half, and yesterday committed to implementing the nine recommendations made by the inquiry.

One of these recommendations is that the government investigate "other areas of vulnerability" within the program.

Insiders say the exploitation of a suite of loopholes has become a core part of the business of many organisations working within the program.

The *Herald* has seen evidence concerning the rorting of the scheme's Employment Pathways Fund, which is meant to pay for things like new clothing or training for job seekers to help them become work-ready, as well as wage subsidies paid to employers.

Indeed, the audit released yesterday made a reference to such problems, adding that "funds used from the Employment Pathway Fund will be recovered where expenditure was related to invalid brokering service elements".

All firms contracted to the scheme will now have to verify claims they have lodged since last July. The government will only try to recover from each provider the incentive loading rather than the entire brokerage fee.

The audit used a sample of 14 providers and assessed 5 per cent of brokerage fees claimed in a six-month period last year.

"In a small number of instances," the report said, "job seeker perspectives gave rise to concerns about provider behaviour that warrant further investigation.

"In addition to recovery and potential administrative action, these cases will be referred to the department's investigations area under the current fraud framework."

The agencies' claims in these cases appeared "to indicate an intention to create the basis for a false claim".

Got a tip? [investigations@smh.com.au](mailto:investigations@smh.com.au)

### 19.3 Failing job sites branded 'a mess'

<https://www.theaustralian.com.au/national-affairs/industrial-relations/failing-employment-services-program-sites-branded-a-mess/news-story/18d847b7858477721eabd6438790603b>

The Australian  
12:00AM October 31, 2017

Rick Morton  
Social Affairs Reporter

Sydney [@SquigglyRick](#)

The Coalition's flagship \$7.3 billion employment services program has been branded a "hopeless mess" with fewer than 40 per cent of unemployed clients finding long-term work, more than a third of job agencies performing so badly they should be disqualified and warnings that fraud may go undetected.

*The Australian* has uncovered evidence of job agencies inducing or **harassing** former clients for pay slips from their new employers to claim taxpayer bonuses worth thousands of dollars each.

Agencies are handed **incentive payments** four weeks after a client starts a job and again at three months and cumulatively can get up to **\$13,750** at six months if the client stays in the job.

Fewer than 40 per cent of clients remain employed after six months and almost half of the \$1.7bn the department spends on the program each year goes on administration.

An analysis by *The Australian* of the five-year program reveals 569 employment services sites out of 1648 around the nation have failed a measure set by the Department of Employment that requires their business be reduced or taken away entirely, but only 12 companies have had their share reduced.

The problem is particularly severe in Western Australia, the home state of Employment Minister Michaelia Cash, where just 14 per cent of the 107 employment services sites met the grade for service standards. Only two sites were operating above the national average but the department has “deferred” any shake-up of the private companies “to give providers an opportunity to improve their performance”.

The bonuses under the redesigned “*jobactive*” program launched by the Coalition are big business and, in many cases, securing them is the only revenue keeping the organisations afloat.

*The Australian* understands there are active moves within the Labor Party to reconsider the entire employment services model, and while opposition employment services spokesman Ed Husic was tight-lipped on the issue in August, he admonished the system in a speech to service providers.

“We spend roughly \$9bn on government jobs programs, the second largest area of procurement outside of defence,” he said.

“We have 730,000 people out of work ... 40,000 employment services consultants and only 20 per cent of the people helped by the government’s jobs programs find work for more than 26 weeks.”

The Salvation Army lost more than \$1 million a month in the first 18 months of the scheme launched in July 2015 because it was not qualifying for the bonus payments it needed to.

David Thompson, the chief executive of Jobs Australia, the peak organisation for non-profit providers, said the system was a “hopeless mess”, not “hugely effective” and had been run to the advantage of the largest companies.

“On average, the staff who work at these places have a high-school-level education and a caseload of 150 jobseekers,” he said. “That’s average. Some of them have 300 people they have to see in a week. They do not have a relationship with anyone. It’s cheap.”

The *jobactive* program replaced Job Services Australia, thinning the number of providers and employment regions and reducing the amount paid in administration costs while boosting performance payments for those businesses that gave jobseekers work.

Peter Kerr from the Australian National Audit Office raised concerns with Senator Cash in September when he audited her department’s accounts.

“The accuracy and completeness of the department’s administered expenses is dependent on the effectiveness of the *jobactive* compliance program, including the integrity of the screening processes designed to reduce invalid *jobactive* claims, random sample checks for the validity of payments and recovery action in respect of invalid payments,” he says in his report.

A July audit of these precise issues raised concerns with the department’s ability to detect issues of noncompliance — relating to fraud or otherwise — and recommended it “assess whether the current compliance regime is structured to effectively and efficiently detect and manage noncompliance”.

Ms Cash told *The Australian* that more people “have been employed through *jobactive* than under previous arrangements and at a lower cost to taxpayers”.

“The government is concerned of any reports of misuse of funds and acts on those reports. Anyone with anecdotal evidence is welcome to report it to the department, which has robust measures in place to prevent and detect noncompliance,” she said. “In Western Australia extra time has been given to providers to improve, however, the business reallocation process has resumed and is expected to be completed by the end of November.”

The Department of Employment was unable to provide the audit office with a single example over two years of a time when it used information it had uncovered in routine compliance checks to “target” a provider as part of an investigation or assurance check.

Despite this, it has reason to believe as many as 5000 claims for financial reimbursement from private companies each quarter are invalid.

By last November, almost 18 months since *jobactive* was launched, the department had investigated only six incidents of noncompliance and had not “analysed the reasons for the low number of recorded noncompliance cases”.

The number has since risen to 18 compliance breaches at the end of September.

The department declined to release the names of the companies in the “low-impact breaches” because it said it was “concerned that publishing such information may cause commercial harm to the relevant providers”.

Of the 65 providers contracted to deliver employment support services on behalf of the federal government, the Department of Employment has classified more than 43 per cent of having a risk rating of “extreme or high”.

Of this number, more than half were rated extreme or high due to concerns about their ongoing financial viability, more than one-third due to overall service standards, 28 per cent were deemed compliance risks and almost 4 per cent were categorised as being at risk of fraud.

## 20.0 EQUAL OPPORTUNITY AND HUMAN RIGHTS

The Victorian Equal Opportunity and Human Rights Commission is an independent statutory body with responsibilities under three laws:

- Equal Opportunity Act 2010
- Racial and Religious Tolerance Act 2001
- Charter of Human Rights and Responsibilities Act 2006.

The Equal Opportunity Act 2010 makes it against the law to discriminate against people on the basis of a number of different personal characteristics.

The Racial and Religious Tolerance Act 2001 makes it against the law to vilify people because of their race or religion.

Under the Equal Opportunity Act 2010 and the Racial and Religious Tolerance Act 2001, the Commission helps people resolve complaints of discrimination, sexual harassment, victimisation and racial or religious vilification through a free, fair and timely dispute resolution service with the aim of achieving a mutual agreement.

The Charter of Human Rights and Responsibilities Act 2006 (the Charter) means that government and public bodies must consider human rights when making laws and providing services.

The Commission's role is to educate people about the rights and responsibilities contained in the Charter and to report annually to the government about the operation of the Charter. The Commission does not handle complaints related to the Charter. Complaints about breaches of the Charter can be made to the Victorian Ombudsman in relation to most public authorities and to the Independent Broad-based Anti-corruption Commission in relation to police misconduct.

### 20.1 Victorian Charter of Human Rights & Responsibilities

The Victorian Charter of Human Rights and Responsibilities<sup>15</sup> contains twenty basic rights that promote and protect the values of freedom, respect, equality and dignity. The Victorian Government, local councils and other public authorities must not knowingly be in breach of these rights, and must always consider them when they create laws, develop policies and deliver their services. It is suggested there should be a Bill of Rights at the Federal Government level.

#### **Your right to recognition and equality before the law (section 8)**

Everyone is entitled to equal and effective protection against discrimination, and to enjoy their human rights without discrimination.

#### **Your right to life (section 9)**

Every person has the right to life and to not have their life taken. The right to life includes a duty on government to take appropriate steps to protect the right to life.

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<sup>15</sup> <http://www.humanrightscommission.vic.gov.au/index.php/the-charter/rights-under-the-charter>

**Your right to protection from torture and cruel, inhuman or degrading treatment (section 10)**

People must not be tortured. People must also not be treated or punished in a cruel, inhuman or degrading way. This includes protection from treatment that humiliates a person. People must not be subjected to medical treatment or experiments without their full and informed consent.

**Your right to freedom from forced work (section 11)**

A person must not be forced to work or be made a slave. A person is a slave when someone else has complete control over them.

**Your right to freedom of movement (section 12)**

People can stay in or leave Victoria whenever they want to as long as they are here lawfully. They can move around freely within Victoria and choose where they live.

**Your right to privacy and reputation (section 13)**

Everyone has the right to keep their lives private. Your family, home or personal information cannot be interfered with, unless the law allows it.

**Your right to freedom of thought, conscience, religion and belief (section 14)**

People have the freedom to think and believe what they want, for example, religion. They can do this in public or private, as part of a group or alone.

**Your right to freedom of expression (section 15)**

People are free to say what they think and want to say. They have the right to find, receive and share information and ideas. In general, this right might be limited to respect the rights and reputation of other people, or for the protection of public safety and order.

**Your right to peaceful assembly and freedom of association (section 16)**

People have the right to join groups or unions and to meet peacefully.

**Your right to protection of families and children (section 17)**

Families are entitled to protection. Children have the same rights as adults with added protection according to their best interests.

**Your right to taking part in public life (section 18)**

Every person has the right to take part in public life, such as the right to vote or run for public office.

**Cultural rights (section 19)**

People can have different family, religious or cultural backgrounds. They can enjoy their culture, declare and practice their religion and use their languages. Aboriginal persons hold distinct cultural rights.

**Property rights (section 20)**

People are protected from having their property taken, unless the law says it can be taken.

**Your right to liberty and security of person (section 21)**

Everyone has the right to freedom and safety. The right to liberty includes the right to not be arrested or detained except in accordance with the law. The right to security means that reasonable steps must be taken to ensure the physical safety of people who are in danger of physical harm.

**Your right to humane treatment when deprived of liberty (section 22)**

People have the right to be treated with humanity if they are accused of breaking the law and are detained.

**Rights of children in the criminal process (section 23)**

A child charged with committing a crime or who has been detained without charge must not be held with adults. They must also be brought to trial as quickly as possible and treated in a way that is appropriate for their age. Children are entitled to opportunities for education and rehabilitation in detention.

**Your right to a fair hearing (section 24)**

A person has a right to a fair hearing. This means the right to have criminal charges or civil proceedings decided by a competent, independent and impartial court or tribunal after a fair and public hearing.

**Rights in criminal proceedings (section 25)**

There are a number of minimum guarantees that you have when you have been charged with a criminal offence. These include the right to be told the charges against you in a language you understand; the right to an interpreter if you need one; the right to have time and the facilities (such as a computer) to prepare your own case or to talk to your lawyer; the right to have your trial heard without too much delay; the right to be told about Victoria Legal Aid if you don't already have a lawyer; you are presumed innocent until proven guilty; and you don't have to testify against yourself or confess your guilt unless you choose to do so.

**Right not to be tried or punished more than once (section 26)**

A person will only go to court and be tried once for a crime. This means if the person is found guilty they will only be punished once. If they are found to be innocent they will not be punished.

**Retrospective criminal laws (section 27)**

A person has the right not to be prosecuted or punished for things that were not criminal offences at the time they were committed.

Download more information: [Charter fact sheets](#).

## 20.2 Social Security Rights

### Our Principles

The National Social Security Rights Network (NSSRN), formerly the National Welfare Rights Network, advocates for a Social Security system based on

- the right of all people in need to an **adequate level of income support** which is protected by law;
- the right of people to be treated with **respect** and dignity by Centrelink and those administering the Social Security system;
- the right to **accessible information** about Social Security rights and entitlements, obligations and responsibilities;
- the right to receive **prompt and appropriate service** and Social Security payments without delay;
- the right to a free, independent, informal, efficient and **fair appeal system**;
- the right to an **independent** complaints system; and
- the right to independent advice and representation.

### Our Aim

NSSRN member organisations are community legal services which aim to **reduce poverty**, hardship and inequality in Australia by:

- providing legal assistance to individuals to ensure they can **exercise their rights**, fulfil their obligations, meet their responsibilities and **access their entitlements** under the Australian Social Security system; and
- **advocating** for the maintenance of a Social Security system that has rights and entitlements, obligations and responsibilities, **protected by law**.

### Our Work

The NSSRN is the peak community organisation in the area of **Social Security** and family assistance law, policy and administration. It has a funded secretariat and its members are community legal services which provide **free** legal services directly to current and former income support recipients. The NSSRN draws on the direct experience of its members and their clients to provide input into policy and legislative processes and its advocacy.

### Our Strategic Plan

Download our Strategic Plan.

National Secretariat

The Secretariat does not provide advice. For advice, contact your local legal centre by visiting the Legal Services page.

## 20.3 Homelessness is a Human Rights Issue (2008)

<https://www.humanrights.gov.au/publications/homelessness-human-rights-issue#2>

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## 1. Homelessness is about human rights

People experiencing homelessness face violations of a wide range of human rights.

Access to safe and secure housing is one of the most basic human rights. However, homelessness is not just about housing. Fundamentally, homelessness is about lack of connectedness with family, friends and the community and lack of control over one's environment.

A person who is homeless may face violations of the right to an adequate standard of living, the right to education, the right to liberty and security of the person, the right to privacy, the right to Social Security, the right to freedom from discrimination, the right to vote, and many more.

These human rights are protected by a number of international human rights treaties, in particular the [International Covenant on Civil and Political Rights](#) (ICCPR), the [International Covenant on Economic, Social and Cultural Rights](#) (ICESCR), and the [Convention on the Rights of the Child](#) (CRC). As a party to all these treaties, Australia is under legal and moral obligations to promote, protect and realise the human rights of all people.

This paper explores the many ways that homelessness impacts on a person's ability to enjoy basic rights and freedoms. It shows that homelessness is more than just a housing issue. Homelessness is about human rights. Homeless people are not merely objects of charity, seeking help and compassion – like all Australians, they are individuals entitled to the protection and promotion of their human rights. Since human rights belong to everyone, it is in the interests of the Australian community as a whole to ensure that the rights of homeless people are respected and protected.

## 2. What is homelessness?

Homelessness is defined under Australian federal law as 'inadequate access to safe and secure housing'.<sup>[1]</sup> This exists where the only housing to which a person has access:

- is likely to damage the person's health
- threatens the person's safety
- marginalises the person by failing to provide access to adequate personal amenities or the normal economic and social support of a home, or
- places the person in circumstances that threaten or adversely affect the adequacy, safety, security and affordability of that housing.<sup>[2]</sup>

The Australian Bureau of Statistics (ABS) has identified several categories of homelessness in our society. These categories define homelessness in relation to minimum community standards regarding housing. They highlight that homelessness affects people in different ways, depending on their personal situation and needs.

For some people, being homeless means being 'roofless' – living on the streets, in parks or in deserted buildings. This is known as primary homelessness and is the most visible kind of homelessness.<sup>[3]</sup> For other people, being homeless means moving between various types of temporary shelters, such as the homes of friends and relatives, refuges and hostels; or living in boarding houses on a long-term basis, with shared amenities and without security of tenure.<sup>[4]</sup> The ABS categorises this as secondary or tertiary homelessness.

The ABS also identifies a category of people who are 'marginally housed'. These people are living close to the minimum community standard of housing, such as a family staying with relatives on a long-term basis or a couple renting a caravan without security of tenure.<sup>[5]</sup> While not strictly within the current definition of people who are homeless, there is debate as to whether their experience of inadequate housing means they should be included in the group of homeless persons.<sup>[6]</sup>

## 3. What are some of the causes of homelessness?

Just as there are many different ways in which a person can be affected by homelessness, there are many different causes of homelessness. Poverty and the inability to afford adequate housing are central to the causes of homelessness. These circumstances may result from a number of different experiences, including long-term or short-term unemployment, debt and other financial pressures, and housing market pressures, such as rising rental and house prices and the lack of public housing.

Financial difficulty is often accompanied by other personal or family problems, such as family breakdown, domestic violence, poor physical and mental health, substance and other addictions. The inability to cope with combinations of these problems can push individuals and families even closer to the edge.

Even before a person becomes homeless, they may be living at the margins of the society, with few connections to family and the community. Social isolation can mean that they lack the necessary support to assist them through periods of stress and help them manage ongoing problems.

#### **4. How many people are affected by homelessness?**

Homelessness is a significant issue facing Australia. The 2001 Census recorded almost 100 000 people living in Australia who are experiencing homelessness. This figure showed no substantial decrease in the five years since 1996, despite Australia's current economic prosperity and growth.<sup>[7]</sup>

The Census figures also show that homelessness affects people of all ages:

- 10% of homeless persons are under 12 years old
- 36% are between the ages of 12 and 24
- 30% are between the ages of 25 and 44
- 24% are over 45 years old.<sup>[8]</sup>

#### **5. Who is affected by homelessness?**

Homelessness affects a wide range of people from different regions, of different ages and different cultural backgrounds. Some groups, however, are particularly at risk of becoming homeless.

##### **5.1 Indigenous people are disproportionately affected by homelessness**

While Aboriginal and Torres Strait Islander people make up only 2% of Australia's population, they represent 9% of the total homeless population and 19% of people in improvised housing.<sup>[9]</sup>

Indigenous people in Australia face greater social and economic disadvantage than other sectors of the population. Low levels of education and training, high levels of unemployment, persistent physical and mental health problems and substance addiction all contribute to the high levels of homelessness in Indigenous communities. Many regional and remote communities also face severe housing shortages, which continue to push rent and house prices to unaffordable levels.

Indigenous communities in all areas of Australia endure housing conditions well below those of the general population. Houses are typically overcrowded and lacking in basic amenities, such as adequate sewerage and access to telecommunications.

Also contributing to Indigenous housing problems is the lack of culturally appropriate housing. Housing in Indigenous communities is often inadequate as it does not cater for the cultural importance of communal and outdoor living and the significance of using public space for cultural activities. This denies Indigenous people the right to fully enjoy their culture and to take part in cultural life, guaranteed under both the ICCPR and ICESCR.<sup>[10]</sup>

For more information on homelessness and other human rights issues facing Indigenous Australians, see our webpage on [Aboriginal and Torres Strait Islander Social Justice](#).

## 5.2 Women are significantly affected by homelessness

Statistics suggest that as much as 42% of the homeless population in Australia is female. However, homeless women are often less visible than men and the extent to which homelessness affects women is often underestimated.<sup>[11]</sup> Homeless women tend to remain out of sight, away from areas where homeless people congregate, for fear of violence, rape or other abuse.<sup>[12]</sup>

The major causes of homelessness amongst women include domestic violence, sexual assault and family breakdown. These experiences force women from their home, along with their children, in search of a safer place to live. Women in these situations may find they are unable to care for their children and may be forced to place them in the care of family, friends or social services. Some women do not identify themselves as homeless, but rather as targets of abuse, unable to return to their homes.<sup>[13]</sup>

Women who are homeless or at risk of becoming homeless often lack control over their lives because they are dependent on others to provide accommodation. They may be pressured to enter into and remain in relationships that offer shelter, even if this places them at risk of harm, in order to meet their immediate needs and the needs of their families.<sup>[14]</sup>

Women with disability are particularly vulnerable to homelessness. This is because they are more likely to face the causes of homelessness than men with disability and the general population. For example, women with disability have greater levels of unemployment, earn lower incomes and are at greater risk of physical and sexual abuse.<sup>[66]</sup>

Women experiencing homelessness require specialised support services to cater for their particular needs. Such services include sexual assault and domestic violence counselling, pregnancy services, protection of physical safety, income support, and assistance with legal issues, such as parental rights.

For more information on human rights issues facing women, see our webpage on [Sex Discrimination](#).

## 5.3 Children and young people are disproportionately affected by homelessness

Youth homelessness is one of the biggest problems facing Australia. Current statistics show that almost half of all homeless persons are less than 24 years of age.<sup>[15]</sup>

Homelessness amongst children and young people is strongly linked to relationship and family breakdown, domestic violence, physical and emotional abuse, anxiety or depression, unemployment and substance abuse. Young people may also find themselves homeless when their families are unable to afford suitable housing or are evicted from their housing.

In addition to protection under the general body of human rights law, children under the age of 18 are entitled to special rights under the Convention on the Rights of the Child (CRC). These include the right to a standard of living adequate for the child's physical, mental, spiritual, moral and social development and the right to protection against all forms of neglect, cruelty and exploitation.<sup>[16]</sup>

Children who are homeless are likely to face constant violation of these rights and are forced to endure conditions which are detrimental to their health and development. Homeless children and young people often suffer from extreme levels of distress, low self-esteem, depression, mental health problems and behavioural problems because they are victims of or witnesses to abuse. They are also at high risk of exploitation and further exposure to violence, and often have difficulty participating in school education.

In 1989, the Commission conducted a National Inquiry into Homeless Children. The inquiry revealed disturbingly high rates of homelessness amongst children and young people and highlighted the lack of

accommodation available. A range of recommendations were made aimed at improving access to education, training and employment, and increasing the availability of properly resourced and coordinated support services. Seventeen years on, the rate of youth homelessness in Australia remains shamefully high. The 2001 Census showed that 46% of all homeless people are aged 24 or under.<sup>[17]</sup>

#### **5.4 People with mental illness are disproportionately affected by homelessness**

A large proportion of the homeless population is affected by mental illness, making them one of the most vulnerable and isolated groups in our society. Mental illness is one of the primary causes of homelessness. People with a mental illness often experience social isolation, have difficulty accessing employment, education and support services, and generally lack control over their lives.

Homeless people affected by mental illness have a range of special needs that require specific types of accommodation and support services. Currently, however, these needs are not being met. Research has shown that there is a critical shortage of appropriate and affordable housing for homeless people with a mental illness. Many people live in homeless shelters and boarding houses, where conditions are inappropriate and inadequate for housing people with mental illnesses. This poses a major obstacle to recovery and effective rehabilitation.

During the day, there [are] up to two or three hundred people on the premises. For anyone with a psychiatric disability that is quite frightening, to be in amongst people with psychiatric, intellectual, drug and alcoholic dependency.<sup>[18]</sup>

In 1993, the Commission conducted a [National Inquiry into the Human Rights of People with Mental Illness](#).<sup>[19]</sup> The inquiry highlighted the alarming shortage of appropriate services and treatment available to homeless people with mental illness. It made a number of recommendations directed at improving coordination of government and private sector agencies, and ensuring that staff at shelters and refuges be given appropriate training in caring for people with mental illness.

In 2005, the Commission, in association with the Mental Health Council of Australia and the Brain and Mind Research Institute, conducted a national review of the delivery of health care services to people with mental illness. The final report, *Not for Service*, identified the link between homelessness and mental health issues and urged all Australian governments to recognise the need for national mental health reform.<sup>[20]</sup>

For more information about human rights issues facing people with disabilities, see our webpage on [Disability Rights](#).

#### **5.5 Refugees and asylum seekers are disproportionately affected by homelessness**

People coming to Australia as asylum-seekers or refugees are particularly vulnerable to homelessness due to poverty and social isolation. Depending on which category of visa an asylum-seeker or refugee holds, visa conditions may restrict the right to work, the right to Social Security, entitlement to Medicare, and entitlement to government assistance for education and training.<sup>[21]</sup> Consequently, refugees and asylum-seekers may be totally dependent on community support services, which are fragmented and critically under resourced.

Many refugees have little knowledge about and understanding of services available to them. New arrivals in particular face social isolation caused by fragmentation of family units, language barriers and lack of connections with the community and support networks.<sup>[22]</sup>

I had no place to sleep for a little while. I didn't know where to go to get help. I drove to the country and stayed in the forest there for a little while.<sup>[23]</sup>

In addition to the social and economic isolation experienced by refugees, many refugees and asylum-seekers come to Australia having survived conflict and trauma, and are grieving the loss of family, community and country. Support services, including housing support, must be designed to manage these needs.

Research has shown that children and young people coming to Australia as refugees are at even greater risk of homelessness and have distinct needs that must be addressed independently of their family or carers' needs.<sup>[24]</sup> The CRC guarantees protection for children who come to Australia seeking asylum.<sup>[25]</sup> Many young people have had limited or disrupted schooling, they may come to Australia alone or in the care of someone unfamiliar to them, and there may be significant religious and cultural barriers that prevent them from taking advantage of available services.<sup>[26]</sup>

For more information on human rights issues facing asylum seekers and refugees, see our webpage on [Asylum Seekers and Refugees](#).

## 6. How does homelessness impact on the enjoyment of human rights?

### 6.1 Homelessness is a breach of the right to adequate housing

International human rights law recognises that every person has the right to an adequate standard of living. This right includes the right to adequate housing.<sup>[27]</sup>

The right to housing is more than simply a right to shelter. It is a right to have somewhere to live that is adequate. Whether housing is adequate depends on a range of factors including:

- legal security of tenure
- availability of services, materials, facilities and infrastructure
- affordability
- accessibility
- habitability
- location
- cultural adequacy.<sup>[28]</sup>

As a party to the ICESCR, Australian governments at all levels are under an obligation to progressively implement the right to adequate housing. This requires 'concrete', 'targeted', 'expeditious' and 'effective' steps, including budgetary prioritisation.<sup>[29]</sup> In the case of children protected by the CRC, the government has an immediate obligation to take all appropriate measures to implement this right.

In a report to the United Nations Human Rights Council in 2006, the United Nations Special Rapporteur on Adequate Housing, Miloon Kathari, found that Australia had 'failed to implement its legal obligation to progressively realise the human right to adequate housing...particularly in view of its responsibilities as a rich and prosperous country'.<sup>[30]</sup>

Some of the specific problems relating to housing in Australia identified by the Special Rapporteur included:

- location
- the lack of complaints mechanisms for alleging violations of housing rights
- the existence of laws which criminalise poverty and homelessness, such as laws which prohibit sleeping and drinking in public
- laws that disproportionately impact on homeless people, such as begging laws, public drinking laws and public space laws.<sup>[31]</sup>

The Special Rapporteur also noted the ‘absolute decline in the availability of low-cost rental housing in both public and private sectors’.<sup>[32]</sup> Low income households are spending more than 30% of their income on rent or are forced to live in houses which are in poor condition and have little access to services. At the same time, there has been a decline in public housing stock in the face of increasing demand. The result is what the Special Rapporteur described as a serious national housing crisis, affecting many sections of the population.

## 6.2 Homelessness impacts on the right to health

Every person, including children, has the right to enjoy the highest possible standard of health.<sup>[33]</sup> However, homelessness may result in serious and persistent violations of this fundamental human right.

As the US Institute of Medicine states in a report entitled *Homelessness, Health and Human Needs*, homelessness is associated with poor health in three ways.<sup>[34]</sup>

First, some health problems can cause a person to become homeless. For example, poor physical or mental health can reduce a person’s ability to find employment or earn an adequate income.<sup>[35]</sup>

Second, some health problems are consequences of homelessness. These include depression, poor nutrition, poor dental health, substance abuse and mental health problems. According to recent studies, homeless people also experience significantly higher rates of death, disability and chronic illness than the general population.<sup>[36]</sup>

Third, homelessness exacerbates and complicates the treatment of many health problems. Homeless people have significantly less access to health services than the broader population.<sup>[37]</sup> Reasons for this may include financial hardship; lack of transportation to medical facilities; lack of identification or Medicare Card; and difficulty maintaining appointments or treatment regimes.

## 6.3 Homelessness impacts on the right to personal safety

Every person has the right to liberty and security of the person.<sup>[38]</sup>

The physical safety of a person who is homeless is often under constant threat. Lacking a safe living environment, homeless people are more vulnerable to crime and personal attacks.

[A]s a ‘street kid’, I lived in constant fear of violence. There was no door I could lock to separate me from the rest of the world. There was no safe place for me to just be.<sup>[39]</sup>

Children and young people are particularly vulnerable to attacks on their personal safety and human rights law recognises their right to special protection from sexual and other abuse.<sup>[40]</sup> Women who are homeless are also at greater risk of violence and sexual abuse and are often forced into harmful situations and relationships out of need. It is vital that people experiencing homelessness are provided with adequate support to protect them from violations of their right to personal safety.

## 6.4 Homelessness impacts on the right to privacy

Everyone has the right to protection against arbitrary or unlawful interference with their privacy.<sup>[41]</sup> Homelessness tends to undermine enjoyment of this right. Some people experiencing homelessness may be forced to carry out their personal activities in public – sleeping, urinating, washing and eating – activities that most people are able to do in the privacy of their own homes.

People living in homeless shelters or boarding houses may be required to share facilities with others, which may also threaten their right to privacy.

The lack of privacy is unbelievable, even your clothes are put in a wire basket, people can see all your everyday activity – it is a very public thing that can happen to you.<sup>[42]</sup>

### **6.5 Homelessness impacts on the right to an education**

Education is a basic human right and the Australian Government must take steps to ensure that primary education and vocational education is accessible by every child.<sup>[43]</sup>

For homeless people, financial difficulty and insecure housing conditions make it hard to access education and training facilities on a sustained basis. In addition to problems meeting the associated costs of education, such as for books, clothes, social activities, many homeless people are forced to frequently move around, which can cause disruptions in schooling and difficulty making friends and connections. For many children and young people, school is an experience of marginalisation.

The education system in high school is geared to [the] situation of being at home with a family, whereas with me I don't have that family support, either financially or emotionally, and I sort of feel like a square peg in a round hole.<sup>[44]</sup>

Early school leaving has been shown to be a key risk indicator of homelessness.<sup>[45]</sup> It is often an early sign of problems in a child's personal or family life and can later lead to difficulties obtaining employment and isolation from the community.

I was away from school most of the time. And I just got so behind, I didn't know what I was doing so I just left.<sup>[46]</sup>

For many people, participating in school education or vocational training is an important opportunity to interact with and contribute to the community. Improving access to education and training opportunities for homeless people and those at risk of homelessness is an important way to facilitate participation in the community, which in turn may help them to retain control over their lives and end the vicious cycle of poverty.

### **6.6 Homelessness impacts on the right to work**

The right to work includes the right of every person to have the opportunity to gain a living by work that they have freely chosen or accepted.<sup>[47]</sup> Australia must take steps to enable all people to fully realise this right, such as providing appropriate technical and vocational training to assist people in their chances of employment.

Despite current record lows in unemployment around Australia, unemployment levels amongst the homeless population remain high. Homeless people face many barriers to gaining and maintaining employment. Many homeless people lack basic education and skills training, due to disrupted or incomplete schooling. They may also lack community and family connections that can assist in finding employment and providing advice on work-related issues. Lack of knowledge about employment rights and lack of bargaining power make homeless people particularly vulnerable to exploitation and discrimination at work.

Homeless people may also face discrimination in the employment process on the basis of their inability to provide a fixed address or satisfy identity requirements, or because they have a criminal record from offences associated with homelessness (see section 6.10 for discussion of these offences).

I went to a job interview, and the lady was really nice to me and she asked me... if I was living at home, and I said no, and from there on she wasn't nice to me... people just think that if you don't live at home, that must have been your fault. You've done something wrong.<sup>[48]</sup>

Once in employment, people experiencing homelessness often have difficulty holding down a job. Among the many reasons for this are unstable living arrangements, managing mental illness or substance addiction, and managing more immediate needs, such as caring for children or finding a place to sleep.

You can't get a job if you [have] got nowhere to sleep... Looking like 'foreman material' is not easy when you are sleeping out or in squats with no amenities like running water or electricity.<sup>[49]</sup>

In order to assist homeless people to remain in employment, work practices and policies must provide flexibility, understanding and support to take account of their life situation.

It is critical to address homeless unemployment as this will assist people to take control of their situation. Since unemployment is also one of the major causes of homelessness, it may also prevent people from becoming homeless.

### **6.7 Homelessness impacts on the right to non-discrimination**

The right to be treated equally by the law and to be free from discrimination is a fundamental human right.<sup>[50]</sup> International law obliges Australia to ensure that its laws prohibit all forms of discrimination on a wide range of grounds, including discrimination on the basis of 'other status'.<sup>[51]</sup> A number of other countries have recognised 'homelessness' as a 'social status', 'housing status' or 'employment status' within the prohibition on discrimination.<sup>[52]</sup> However, Australia's current anti-discrimination laws do not prohibit discrimination against homeless people on any of these grounds.<sup>[53]</sup>

People experiencing homelessness face persistent stigmatisation and discrimination in a range of different contexts. Some of the situations in which discrimination arises have already been discussed, including access to health care, access to education and employment. Discrimination against homeless people also occurs in situations where certain laws operate in a manner that disadvantages homeless people, compared to other people in society. Such laws include rules governing eligibility for Social Security and voting and laws that criminalise the doing of certain activities in public space.

### **6.8 Homelessness impacts on the right to Social Security**

The human right to Social Security imposes an obligation on the government to provide welfare necessary for subsistence to people who are unable to support themselves.<sup>[54]</sup>

Australia's current welfare assistance scheme under the Social Security Act 1991 (Cth) often fails to meet the needs of people who are homeless.<sup>[55]</sup>

Firstly, in order to establish entitlement to benefits, a person must satisfy strict proof of identity requirements, which disproportionately burdens homeless people who often do not have, and cannot afford to obtain, a birth certificate or other documents that prove their identity.

Secondly, once entitlement is established, benefits are contingent upon meeting strict obligations, such as attending job interviews and responding to Centrelink correspondence. When these conditions are breached, benefits can be reduced or revoked altogether. Homeless people often have difficulty in complying with conditions due to poor literacy, problems receiving mail, and needing to give priority to more immediate pressures in their life, such as finding a place to sleep.

## 6.9 Homelessness impacts on the right to vote

Every Australian citizen has the right to vote.<sup>[56]</sup> This right requires government parties to take steps to ensure that everyone is able to exercise their right to vote. In Australia, homeless people continue to face great difficulties in exercising this right.

It is estimated that between 30-90% of homeless people are not registered to vote.<sup>[57]</sup> Many homeless people have difficulty meeting proof of identity requirements for enrolment because they do not have and cannot afford to obtain the necessary documents. The threat of monetary penalties for failure to vote or failure to register changes of address may also discourage homeless people from enrolling to vote.<sup>[58]</sup>

Recent changes to voting laws, which shorten enrolment deadlines, have made it even more difficult for homeless people to ensure they are validly enrolled to vote. For more information on these changes, see our webpage on [The Right to Vote](#).

These barriers to voting, along with the lack of education about voting, compound the existing social isolation that homeless people face. Not only is the opportunity to vote a fundamental human right, voting can also provide a sense of empowerment and an important means of participating in society, particularly for those who are marginalised.<sup>[59]</sup>

## 6.10 Homelessness impacts on the right to freedom of movement and freedom of association

There are a range of laws in various states of Australia which allow police to direct individuals or groups in and around public areas to move on. This usually happens where the presence of the person or group is considered by the police to be disorderly, obstructing, threatening or negative in some other way with regard to other members of the public.

These laws impact disproportionately on people who use public space more than others, such as young people and homeless people who have no other place to relax or to socialise in a group or alone. Where the use of these police powers goes beyond what is necessary for protecting the rights of others, the rights to freedom of movement and freedom of association may be breached.<sup>[60]</sup>

## 6.11 Homelessness impacts on the right to freedom of expression

Every person has the right to freedom of expression. This includes the right of all persons to seek, receive and communicate information and ideas of all kinds, either orally, in writing, in the form of art, or through any other chosen media.<sup>[61]</sup> Arguably, begging can be the expression of poverty and disadvantage.<sup>[62]</sup> It is often the only way in which this can be expressed and is usually a last resort. However, anti-begging laws that exist in most Australian states criminalise this form of expression and undermine the right to freedom of expression. Fining people for such activity aggravates the causes that underlie it and will only encourage people to continue their activities or engage in other criminal activities.

## 6.12 Homelessness impacts on the right to freedom from cruel, inhuman or degrading treatment or punishment

Laws which criminalise essential human behaviours connected to being homeless, such as sleeping, bathing, urinating, or storing belongings in public, may violate the right to freedom from cruel, inhuman or degrading treatment or punishment.<sup>[63]</sup>

Courts in the United States have held that these types of laws violate the constitutional right to freedom from cruel and unusual punishment because they punish homeless people on the basis of their status, not because of their conduct.<sup>[64]</sup> Homelessness is an involuntary status when there is insufficient accommodation to

support homeless people. Consequently, homeless people are involuntarily forced to break the law as they have no alternative but to perform these acts in public.<sup>[65]</sup>

## **7. How does a human rights approach help address homelessness?**

Recognising that homelessness impacts on a person's ability to enjoy basic rights and freedoms has important consequences for the way that our society perceives and treats homeless people.

A human rights approach acknowledges that homelessness is more than just a housing issue. Addressing homelessness requires a comprehensive and integrated approach that takes into account its many and varied causes and effects.

A human rights approach departs from a welfare approach to homelessness by demonstrating that homeless people are not merely objects of charity, seeking help and compassion. Like all Australians, they are individuals who are entitled under international law to protection and promotion of their human rights.

A rights based approach also highlights the need to directly and meaningfully involve people experiencing homelessness in the development of solutions to homelessness. Active and informed participation of homeless persons is likely to result in services which are more effective and relevant to their needs.

A human rights response to homelessness would involve all levels of government committing to and taking concrete and targeted legislative, policy and budgetary steps towards the full and immediate realisation of the human rights of homeless persons.

Importantly, since human rights belong to everyone, it is in the interests of the Australian community as a whole to ensure that the rights of all people are respected and protected.

## 21.0 NATURAL JUSTICE AND FAIRNESS

### 21.1 Natural Justice

*Wikipedia defines natural justice as follows:*

In English law, natural justice is technical terminology for the rule against bias (*nemo iudex in causa sua*) and the right to a fair hearing (*audi alteram partem*). While the term natural justice is often retained as a general concept, it has largely been replaced and extended by the general "duty to act fairly".

The basis for the rule against bias is the need to **maintain public confidence** in the legal system. Bias can take the form of **actual bias, imputed bias or apparent bias**. Actual bias is very difficult to prove in practice while imputed bias, once shown, will result in a decision being void without the need for any investigation into the likelihood or suspicion of bias. Cases from different jurisdictions currently apply two tests for apparent bias: the "reasonable suspicion of bias" test and the "real likelihood of bias" test. One view that has been taken is that the differences between these two tests are largely semantic and that they operate similarly.

**The right to a fair hearing requires that individuals should not be penalized by decisions affecting their rights or legitimate expectations** unless they have been given prior notice of the case, a fair opportunity to answer it, and the opportunity to present their own case. The mere fact that a decision affects rights or interests is sufficient to subject the decision to the procedures required by natural justice. In Europe, the right to a fair hearing is guaranteed by Article 6(1) of the European Convention on Human Rights, which is said to complement the common law rather than replace it.

Natural justice is a term of art that denotes specific procedural rights in the English legal system<sup>[1]</sup> and the systems of other nations based on it. It is similar to the American concepts of fair procedure and procedural due process, the latter having roots that to some degree parallel the origins of natural justice.<sup>[2]</sup>

Although natural justice has an impressive ancestry<sup>[3]</sup> and is said to express the **close relationship between the common law and moral principles**,<sup>[4]</sup> the use of the term today is not to be confused with the "natural law" of the Canonists, the mediaeval philosophers' visions of an "ideal pattern of society" or the "natural rights".

## 22.0 EQUAL OPPORTUNITY ACT

The *Equal Opportunity Act 2010* (Vic)<sup>16</sup> ("**EO Act**") is the primary anti-discrimination *legislation* in the Victorian *jurisdiction*. Disputes about discrimination, sexual harassment, victimisation and vilification can be brought to the Victorian Equal Opportunity and Human Rights Commission (**VEOHRC**) under the EO Act. It is possible to bring a dispute about racial or religious vilification under the *Racial and Religious Tolerance Act 2001* (Vic) ("**RRTA**") and racial or religious discrimination under the EO Act to the VEOHRC simultaneously.

### Indirect discrimination

Indirect discrimination may be more subtle, and happens when an unreasonable requirement, condition or practice – that may appear to treat people equally – is imposed in a particular situation (such as seeking a job) and has, or is likely to have, the effect of disadvantaging a person with an attribute. For example, a requirement that a person be at least 175 cm tall in order to work in a particular job may be indirectly discriminatory against women and/or people of certain ethnic backgrounds, unless being that height is crucial to perform the duties of the job.

To establish whether a person has experienced indirect discrimination, two factors need to be considered:

1. The person claiming discrimination needs to show that the requirement, condition or practice has (or is likely to) disadvantaged them, because of their attribute.
2. The person who is alleged to have imposed, or proposed to impose, the requirement, condition or practice cannot prove that the requirement, condition or practice is reasonable.

Whether a requirement, condition or practice is reasonable depends on all the relevant circumstances. These include the nature and extent of the disadvantage; whether the disadvantage is proportionate to the result sought; the cost of alternatives; the financial circumstances of the person imposing or proposing to impose the requirement, condition or practice; and whether reasonable adjustments can be made to lessen the disadvantage.

Duty holders – including employers, educational authorities, and providers of goods and services – should also be aware that under the EO Act, they have a positive duty to take reasonable and proportionate measures to eliminate discrimination, sexual harassment and/or victimisation as far as possible (s 15). Further information about positive duty is below.

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<sup>16</sup> <http://www.lawhandbook.org.au/handbook/ch17s01s02.php>

## 23.0 LEADERSHIP DEVELOPMENT

This leadership tips<sup>17</sup> webpage is a general guide to modern ethical progressive leadership. See also the [leadership theories](#) article for explanations and summaries of the main **leadership theories**.

Explaining and understanding the nature of good leadership is probably easier than practising it. Good leadership requires deep human qualities, beyond conventional notions of authority.

In the modern age good leaders are an **enabling** force, helping people and organizations to perform and develop, which implies that a sophisticated alignment be achieved - of people's needs, and the aims of the organization.

The traditional concept of a leader being the directing chief at the top of a hierarchy is nowadays a very incomplete appreciation of what true leadership must be.

Effective leadership does not necessarily require great technical or intellectual capacity. These attributes might help, but they are not pivotal.

**Good leadership in the modern age more importantly requires attitudes and behaviours which characterise and relate to humanity.**

The concept of **servicing** is fundamental to the leadership role. Good leadership involves **servicing** the organization or group and the people within it. Ineffective leaders tend to invert this principle and consider merely that the leader must be served by the people. This faulty idea fosters the notion that leadership as an opportunity to take: to acquire personal status, advantage, gain, etc., at the expense of others, which is grossly wrong. Leadership is instead an opportunity to give; to serve the organization, and crucially the people too. The modern notions of 'servant leader' and '**servant leadership**' are attributed to Robert K Greenleaf (in his 1970 essay The Servant as Leader) however the philosophy and concept of leadership being a serving function rather than one that is served, is very old indeed and found in ancient civilisations and religious writings.

**Leadership is centrally concerned with people.** Of course leadership involves decisions and actions relating to all sorts of other things, but **leadership is special compared to any other role because of its unique responsibility for people** - i.e., the followers of the leader - in whatever context leadership is seen to operate.

Many capabilities in life are a matter of acquiring skills and knowledge and then applying them in a reliable way. Leadership is quite different. Good leadership demands **emotional strengths and behavioural** characteristics which can draw deeply on a leader's mental and spiritual reserves.

The leadership role is an **inevitable reflection of people's needs and challenges** in modern life. Leadership is therefore a profound concept, with increasingly complex implications, driven by an increasingly complex and fast-changing world.

Leadership and management are commonly seen as the same thing, which they are not. **Leadership is also misunderstood to mean directing and instructing people and making important decisions on behalf of an organization.** Effective leadership is much more than these.

Good leaders are followed chiefly because **people trust and respect them**, rather than the skills they possess. Leadership is about behaviour first, skills second.

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<sup>17</sup> <http://www.businessballs.com/leadership.htm>

This is a simple way to see how leadership is different to management:

- Management is mostly about processes.
- **Leadership is mostly about behaviour.**

We could extend this to say:

- Management relies heavily on tangible measurable capabilities such as effective planning; the use of organizational systems; and the use of appropriate communications methods.
- Leadership involves many management skills, but generally as a secondary or background function of true leadership. **Leadership instead relies most strongly on less tangible and less measurable things like trust, inspiration, attitude, decision-making, and personal character.** These are not processes or skills or even necessarily the result of experience. They are facets of humanity, and are enabled mainly by the leader's character and especially his/her emotional reserves.

Another way to see leadership compared with management, is that leadership does not crucially depend on **the type** of management methods and processes a leader uses; leadership instead primarily depends on **the ways** in which the leader uses management methods and processes.

Good leadership depends on **attitudinal qualities**, not management processes.

**Humanity is a way to describe these qualities, because this reflects the leader's vital relationship with people.**

Qualities critical for a leader's relationship with his/her people are quite different to conventional skills and processes.

### 23.1.1 Examples of Highly Significant Leadership Qualities

- *integrity*
- *honesty*
- *humility*
- *courage*
- *commitment*
- *sincerity*
- *passion*
- *confidence*
- *positivity*
- *wisdom*
- *determination*
- *compassion*
- *sensitivity*

People with these sort of behaviours and attitudes tend to **attract followers**. Followers are naturally drawn to people who exhibit **strength and can inspire** belief in others. These qualities tend to produce a charismatic effect. Charisma tends to result from effective leadership and the qualities which enable effective leadership. Charisma is by itself no guarantee of effective leadership.

Some people are **born more naturally to leadership** than others. Most people don't seek to be a leader, but many more people are able to lead, in one way or another and in one situation or another, than they realize.

People who want to be a leader can develop leadership ability. Leadership is not the exclusive preserve of the wealthy and educated.

Leadership is a matter of **personal conviction** and believing strongly in a cause or aim, whatever it is.

Leadership sometimes comes to people later in life, and this is no bad thing. Humanity tends to be generational characteristic. There is no real obstacle to people who seek to become leaders if leadership is approached with proper integrity. Anyone can be a leader if he/she is suitably driven to a particular cause.

And many qualities of effective leadership, **like confidence and charisma**, continue to grow from experience in the leadership role. Even initially surprised modest leaders can become great ones, and sometimes the greatest ones.

Leadership can be performed with different styles. Some leaders have one style, which is right for certain situations and wrong for others. Some leaders can adapt and use different leadership styles for given situations.

Adaptability of style is an increasingly significant aspect of leadership, because the world is increasingly complex and dynamic. Adaptability stems from objectivity, which in turn stems from emotional security and emotional maturity. Again these strengths are not dependent on wealth or education, or skills or processes.

Good leaders typically have a **keen understanding of relationships** within quite large and complex systems and networks. This may be from an intuitive angle, or a technical/learned angle, or both.

A very useful way to explore this crucial aspect of leadership with respect to wider relationships and systems is offered by [the Psychological Contract](#) and how that theory relates to organizations and leadership.

[Nudge theory](#) is a powerful **change-management methodology** which emerged in the 2000s. It is very helpful in understanding how and why groups of people think the way they do, and how and why they behave and make decisions, which can be baffling to leaders. Nudge theory also offers some very clever ways to alter group behaviour/behavior, which are generally not taught or understood in the conventional leadership field.

People new to leadership (and supervision and management) often feel under pressure to lead in a particularly dominant way. Sometimes this pressure on a new leader to impose their authority on the team comes from above. Dominant leadership is rarely appropriate however, especially for mature teams. **Misreading this situation, and attempting to be overly dominant, can then cause problems for a new leader.** Resistance from the team becomes a problem, and a cycle of negative behaviours and reducing performance begins. Much of leadership is counter-intuitive. Leadership is often more about **servicing than leading**. Besides which, individuals and teams tend not to resist or push against something in which they have a strong involvement/ownership/sense of control. People tend to respond well to thanks, encouragement, recognition, inclusiveness, etc. Tough, overly dominant leadership gives teams a **lot to push against and resist**. It also prevents a sense of ownership and self-control among the people being led. And it also inhibits the positive rewards and incentives (thanks, recognition,

encouragement, etc) vital for teams and individuals to cope with change, and to enjoy themselves. Leaders of course need to be able to make tough decisions when required, but most importantly leaders should concentrate on enabling the team to thrive, which is actually a 'serving' role, not the dominant 'leading' role commonly associated with leadership.

**Today ethical leadership is more important than ever.** The world is more transparent and connected than it has ever been. The actions and philosophies of organisations are scrutinised by the media and the general public as never before. This coincides with massively increased awareness and interest among people everywhere in corporate responsibility and the many related concepts, such as social and community responsibility (see the [ethical leadership and ethical organisations page](#)). The modern leader needs to understand and aspire to leading people and **achieving greatness in all these areas.** Here is (was..) an [Excellent 30 minute BBC Radio 4 Discussion about Modern Leadership](#) - (first broadcast 2 Sept 2006, part of the 'Sound Advice' series). Its mere existence is evidence of **changed attitudes to leadership.**

## 24.0 CONCLUSION

### 24.1 Conclusions

Compliance or democracy? This is the key question. This question expands to other social problem solving and to the society we desire in the future. Does society increasingly control people reducing their choices over their interests deciding what is in their best interest or does society re-member democracy is representation of the people deemed 'citizens' rather than 'clients'. In a democracy the needs and concerns of the public, no matter their status, is primary. The role of the Government is to serve those needs without prejudice. Increasingly the language around public service is transforming into society serving the needs of government inclusive of societal distortions as business interests and narratives enter into public policy as unquestioned philosophies of control and mutual obligation rather than public service for the greater good. A key question here is:



*Is Government based on the Constitution or is it a corporation with shareholders?*



This is important to understand.

It is the moral obligation of citizens to report back to their Government on its activities and assert their right to freedom of speech and free will to accept or reject Government directives that do not serve the social good or protect democratic liberties. This submission is a first step in asking questions and asserting democratic rights in service of society.

This submission highlights concerns about the imbalance of power between the Job Provider, Centrelink/Human Services and the welfare recipient (relabelled job seeker). It is evident through contracts that there is a strategy of forced compliance based on assumptions and perceived economic imperatives. The issue of being forced is evidenced by the stated threat of losing benefits if a person does not comply. In a democratic society that purports to represent the people and values freedom of speech, this appears to work against the very values of democracy.

The issue of human rights is not well understood across society and issues of the right to say 'no' to a program, activity or system that does not yield the outcome of improving one's chances of gaining employment or respecting diversity in relation to some people not desiring to contribute to work but may offer alternative ways to contribute. As indicated, all people contribute to the society through taxes, transactions and social interactions which is natural in any society.

The issue of Mutual Obligation has been researched and has its underpinnings in the 17<sup>th</sup> century philosophers and the notion of social contract. The idea that a citizen by virtue of the fact they benefit from that society renders them obligated to return to that society and give up certain rights and power through an implied contract. In reality no person has agreed to any social contract and as indicated in this investigation, there is reciprocity by virtue of living in a society. Notwithstanding the author has spent 18 years working for the benefit of society without pay in the field of the arts, media, health and education. This motivation has arisen given the increasingly severe environmental and economic declines that may render future generations bereft of participation and the means of survival. There is no mutual obligation in reality, in the view of the author, there is mutual benefit.

The activity of Work for the Dole, Voluntary forced compliance with fixed hours and cancellation of payments due to conscientious objection raises concerns constitutionally given Section 51, XXIII highlighting civil conscription as not allowed and the government has a duty to pay welfare. The question of whether **contracts invalidate the Australian Constitution is a central issue**. Issues of **the right to say 'no'** without penalty if it is not assisting in job creation and as is clear from the research it is considered a failed program and raises complex issues of exploitation. It was estimated that there was a 2% probability of this activity leading to work. Very low outcomes. In addition this right to say 'no' extends to clear evidence of Job Provider corruption.

There are issues of inequality, inferior status accorded to persons unemployed and homeless and there are silent exclusions in society on the basis of the unspoken belief of 'failure' if one is unable to participate and secure work.

In an economic environment that is considered 'weak' market conditions clearly the number of jobs available is far lower than those applied for and depending on the field, there are many applicants applying for the same job (16:1). The psychological reality for those long term unemployed cannot be highlighted in print, **one has to experience social exclusion, poverty, discrimination and the unemployment trap to truly understand how it impacts given societal judgements**.

The treatment of persons who are **saliently blamed for being unemployed** (unworthy, rejected) places the **onus on them finding a job** and if they can't, it is their fault. In truth it is a reflection of structural rigidities in the system. These include: human resource selection criteria, over-qualification and users pay systems in training certification, excessive competition, longevity in specific jobs, changing skill sets, lapsed references, age, time out of employment and global contractions in economic activity. The invisible factors would include: family dysfunction and poor parenting (role modelling), mental health issues, cultural factors, logic/creative orientations (some not amenable to work), low self-esteem and disempowerment through forced compliance rather than self-determination. The drivers behind compliance are concerns for a large pool of people who have nothing to do (social stability), the belief that everyone should be working, and the drain on the public purse. These serve to justify forced coercion to work regardless of preference and freedom of choice.

The Job Providers are contracted by Government to find work for job seekers. The process is one of **compliance not equal partnership**. There is no information provided on rights and the contract makes clear that it is imbalanced with activities stipulated and the expectation that the job seeker should sign. If they don't then non-compliance is issued rather than a redrafting of the contract, which would be normal between two consenting equal parties. There are no realistic alternatives offered that would creatively approach different cases to maximise job opportunities or positive avenues to contribute freely. The latter in a democratic society would focus on contribution from the perspective of mental health and a sense of belonging in society, so that they don't become isolated. This would occur within a **collaborative** arrangement rather than forced compliance. The process of 20 job contacts a fortnight is onerous if one is a professional and specialised. There are few jobs available and when applications are written they are long and tedious as human resource requirements opt for long selection criteria's rather than interviewing people to seek for merit through informal discussions. Strict criteria create a barrier to those wanting to re-enter the workforce and end up reinforcing rejection, failure and loss of confidence. The process, if unsuccessful, disempowers people and forces them to apply for work they are not interested in and unduly burdens employers who have to sift through high levels of applications forced by Job Providers. This forced compliance actually works against gaining employment as there is disproportionately high numbers of applicants, thus reducing the chances of finding work.

As raised in this submission the activity of coming into the Job Providers office to undertake 2 hours of supervised job search is **demeaning** and in the experience of this job seeker, unsupervised. This was raised in a letter and then when the contract was revised, it was specifically added sending a clear signal that the job seeker's views were ignored. Moreover, the

objection for Work for the Dole was not discussed, written information was not given stipulating exactly the rights and protections of this type of activity.

Concerns of **exploitation** have been raised, use of high level skills for free, forced hours, a particular concern for young people (25 hours per week) and the notion of employers opting for free labour as distinct from paid. A few articles alluded to the potential and experience of slave labour where a person is perceived as 'owned' or forced to work for free. This is an issue that requires deeper reflection by Government. Vested interests in the business community coupled with declining economic market conditions would be economically served by having a pool of free labour. The issue of rights is of no concern and the notion of democracy appears to have validity as a word not a lived integrated experience based on shared concern rather than forced obligation.

Importantly, mental health issues and isolation affect unemployed people. Forced compliance as a means to motivate in effect renders people more powerless as they have no real say over their future. Psychologist Martin Seligman speaks of 'helplessness' and powerlessness which works against confidence. If compliance is continually enforced with the threat of losing income support, this moves into the realm of covert bullying and it is a serious issue given the addition of bullying under the Stalking Act in Victoria. Bullying is repeated negative behaviours that intend harm. Psychologically the fear of homelessness causes emotional pain and great fear, thus coercion through forced compliance can be detrimental overtime to a person's mental health.

Other important issues have been raised by **ABC Four Corners report** indicating rorts have been discovered by Job Providers exploiting contracts. The profit motive active in a former Government 'public good' as service provision is a key concern. How can the interests of the job seeker be served without bias or prejudice if the Job Provider is provided with fees for job placement. If



Is there an infiltration of business interests serving their own agendas rather than a balanced approach to reform or work for the public interest?



some Job Providers are not complying with Government contracts displaying dishonesty how can they be trusted to serve the interests of job seekers. More concerning is the **Social Security Legislation Amendment that seeks to give more powers to Job Providers**, a private enterprise, to fine (breach) job seekers who are on **half the minimum wage and reduce their payments**. This gives powers to fine (breach) if not complying with the Job Plan, inappropriate behaviour (what of mental illness?) and not complying with Work for the Dole or training. Given Job Providers receive a fee for compliance this **exposes job seekers to undue force** for the benefit of the Job Provider. The real welfare concern here is that people are **one payment away from living on the street**, the reality of this is not clearly understood by decision makers who are disconnected from the real experience of poverty and disempowerment. It appears **to remove the responsibility of Government obligation under the Australian Constitution to ensure people are assisted when in crisis or financial distress**. It raises the important question of:

As welfare is **privatised** does this move us towards a compliance economy further distancing people from the right to democracy and the very protections enshrined in freedoms as outlined in the Rights of Man, the US Declaration of Independence and the United Nations Declaration of Human Rights? The Victorian Charter of Human Rights and Responsibilities includes rights such as: freedom of speech, right to life, freedom from forced work, privacy, conscience, expression, liberty and a fair hearing. Yet how is this actioned?

The issue of **natural justice** as fairness states:

*"The right to a fair hearing requires that individuals should not be penalized by decisions affecting their rights or legitimate expectations unless they have been given prior notice of the case, a fair opportunity to answer it, and the opportunity to present their own case. The mere fact that a decision affects rights or interests is sufficient to subject the decision to the procedures required by natural justice. In Europe, the right to a fair hearing is guaranteed by Article 6(1) of the European Convention on Human Rights, which is said to complement the common law rather than replace it."*

How does the before mentioned rights tally with **how unemployed people are treated and penalised**? Does Australia move away from International signatory obligations that have been a hallmark of a civilised society as the profit motive and fear of economic collapse drives draconian practices. The refugee issues and legal loopholes reflect similar rationales as rights, powers and punishments are imposed on vulnerable people.

In this submission there was considerable discussion around cancellation of payments due to raising a conscientious objection to Job Provider roting and the fact that the system does not effectively gain work for the 'job seekers' it states it is working for. It is clear the competitive model divides up market share on the basis of performance and this places pressures on the Job Providers to increase their profits to ensure they do not lose market share. The compliance issue extends to their operations as they experience considerable red tape and little time to find work. The weak market conditions must be understood in the wider context of a global market that is collapsing alongside serious environmental climate change. Thus innovative approaches to ensuring social stability and real wealth must begin to develop incubators, entrepreneurship and empowerment of 'job seekers' and better assessment of people's actual needs to ensure happiness. If they are not happy they will not cooperate and it will only serve to diminish confidence and real success. The Government has to foster a proactive culture rather than a toxic culture that Worksafe and Comcare identify as impacting the health and safety of not only staff but 'job seekers'. The coercive approach without rights is a form of bullying. The issues of inequality underlie attitudes where 'job seekers' are perceived as vulnerable, without power and expected to comply in a parent-child relationship which impacts mental health, particularly with threats of loss of payments.

The attitudes of staff must change and training is essential in therapeutic interventions given the vulnerability of many 'job seekers'. Rather than view people as potential rorters of the system to perceive people as desirous of cooperation, honesty and genuine aspirations to fulfil potential. Working against people's needs and wants only serves to produce the opposite results.

The complex issues this former 'job seeker' has had have been overwhelming. The issues of homelessness, suicide and refusing to participate in a system that is self serving has been met with punishment rather than understanding. The lack of respect for a person's right to conscientiously object has only served to push a person into homelessness with no income. Human Services has demonstrated a lack of interest in wellbeing by refusing to issue a letter to release superannuation, in the knowledge that there is genuine hardship, this appeared vilification for conscientious objection. The rent assistance debt appears to have been issued after the letter of 23/9/17 outlining the issues and has been later retracted due to administrative error. This is believed to be untrue given Centrelink was notified several times and Sarina Russo. It was not connected to robo debt or ATO. Other issues raised concerned surveillance as a result of this debt at a time when it was clear homelessness had occurred and no income was evident. In the Human Services report it makes clear that surveillance only occurs to recover larger debts that are payable. In this case that was not the situation. It is believed this was due to conscientious objection and may have political motivations which would need to be investigated.

**The attempt to gain advocacy was futile** and there was no clear go-to independent person to help resolve the matter. The Commonwealth Ombudsman passed on a message and this seemed to force a response. There was no investigative capacity acknowledged. Moreover, contacting the Member for Deakin, MP Sukkar and directly communicating with Stephen Jury did provide some communication that was two way. However, it was evident after 6 months of discussions, apart from the debt relief homelessness is still occurring and there is no ability to gain crisis funds whilst existing on the charity of a friend. This is an unfair situation and it is believed that the Government in fact has contravened the Australian Constitution given this 'job seeker' did not breach a Job Plan or agree to join the Job Provider making clear conscientious objections. Mutual obligation surely runs both ways? I believe the government is obligated to pay welfare to those unemployed given conscientious objection of a system that is grossly inappropriate in delivering programs to serve diverse welfare recipients and without training in complex social issues. Another factor was allowing Job Providers to continue in the contract system when rorting is known and refusing to address the failure of this type of system design. This contrasted with a 'job seeker' who conscientiously objects to corruption being cut off. This is grossly unfair and deeply unethical to the point of possible corruption in the system.

There has been considerable complaint in the media and civil society about the *jobactive* system and its ineffectiveness to deliver what it promises to. The Government has not adequately addressed the complaints and as it stands the system is extremely unhealthy for 'job seekers' and ineffective if jobs are what they desire. There needs to be a complete restructuring of this system not to further pauperise 'job seekers' but targeting small business, who are the most vulnerable to changing economic conditions and can be the most exploitative in respect of cheap labour or not paying at all. There are also codes to not report earnings as small business cannot afford to pay tax so they often encourage 'job seekers' to not declare earnings, thus potential for more rorting. In addition, for those with professional skills they will not get low level jobs as they are 'overqualified' and it is inefficient to deploy highly skilled people in low paid work when their skills can be better utilised in work commensurate to their education levels and personal investments. Collaborative entrepreneurial incubators could serve to cluster highly skilled people to develop work responsive to changing economic conditions, flexibility in this respect is likely to be more effective.

Government has not been experienced as open, helpful, positive and empowering, it has been quite the opposite. Information is constantly withheld, requests to have questions answered are ignored, there is not commitment to writing letters so that issues are clear, no real approach to complaints handling or some form of Occupational Health and Safety regime for 'job seekers' and others on welfare. The issue of a rights is significant as exploitation of vulnerable people is common in a policing/compliance system where people are controlled and distrusted. The FOI system appears set up to block public access to information given costs, legal language and erroneous statements to justify practical refusal in an era of digital transformation, case management of millions of welfare recipients and clearly using Job Numbers or CRN to identify individuals. It is not acceptable excuses be used to block access to one's own information to enable checking of data gathering, to understand what has happened and if there is corrupt practices to be able to alert those in oversight capacities as we do not want corruption in our government.

The business influence in the Job Provider system is very concerning, particularly in light of the Trans Pacific Partnership which makes clear that governments can be sued by international tribunals for breach of contract. This raises important issues given the rorting that Job Providers must be held to account otherwise innocent people are harmed and corruption will flourish like third world countries. We do not want that in Australia which prides itself on fairness, honesty, inclusivity and a culture that is friendly and creative. It is absolutely essential that these issues are dealt within the public interest.

The issue of homelessness and no access to income or support has been unbearably difficult and has been met with no understanding or involvement by anyone. The fact that a crisis payment is not available to people outside of Centrelink contravenes the values of a decent society. There is

an absence of understanding of real and urgent needs when there is no income, no partner, no family support rendering a person reliant on goodwill rather than ensuring that a person can object without any form of vilification. Instead of welfare to work it has become welfare to homelessness with no avenues for recourse. A contrast was provided as income support forgone due to conscientious objection totalled \$13,142 (approximately 1 year) compared with Job Provider incentive payments for a job seeker gaining work and then further payments 3 months later cumulating to \$13,750 at 6 months. The former is punished for ethics the latter may be false claims. This highlights serious unethical decision making.

Another important point is discrimination and inequality enshrined in what has been explained as structural violence in respect of discrimination, bias, status and inequality inherent in frameworks and negative attitudes unwittingly setting people up to fail. There are issues of covert bullying through breaching, non response to questions (withholding), forced compliance offering no choice (threat of loss of income), withholding information, exclusion, discrimination in low paying jobs with no career path or security, indifference to the actual needs of job seekers and free labour. Moreover, ignoring conscientious objections to corruption or misconduct would be taken seriously in professional areas under Occupational Health and Safety or independent bodies. Compliance and policing approaches generate toxic cultures and create environments of exploitation, abuse and bullying particularly when job seekers have no right to say 'no' as an implied message. The Job Plan is not a fair and balanced contract between equal parties, it is one sided and arguably not in the interests of the job seeker.

It is imperative that we learn to shift in the way *we see challenges* arise through shared understanding and a realisation of mutual concern? This shift is optimised by the famous quote by Einstein:



*No problem can be solved from the same level of consciousness that created it."*



The Futurist Robert Theobald provided rich perspectives in learning to see differently, problem solving as holistic thinking, warning of slavery and wage slavery as ownership, **questioning politicians and economists** bias for success in terms of economic growth, the focus on unemployment (underemployment) and the desire for full participation and concerns given the ecological carrying capacities of the earth. He explained the **old paradigm** as a whirling dervish economy "destroying our quality of life. Production should be a means to an end and not an end in itself. Jobs are a method of providing **meaningful work** and the potential of income not a burden to be pursued at all costs." He talked about the growing divide between rich and poor. He mentioned consumption as the source of demand rather than fundamental new directions that serve human needs better. He asserted that **new questions** should be asked regarding coerced toil, hours worked, right livelihood, dignity, differing patterns of rights to resources, self-development, purpose, relationships and raising children as a core responsibility.

Buckminster Fuller provided a holistic, game theory viewpoint grounded in public freedoms with a solutions orientation enhancing values, imagination and problem solving skills. Rather than focus on Science he points out the importance of emotional intelligence placing social benefit, humanitarianism and reconnection to our true nature at the forefront, quoted as follows:

*"...He wanted a tool whose findings would be widely disseminated to masses through a free press and through a ground swell of public vetting and acceptance of solutions to society's problems ultimately force the political process to move in the direction that the values, imagination and problem solving skills of those playing the democratically open world game dictated. This resonates with the recent announcement of National Innovation & Science Agenda, however even this vision excludes emotional intelligence approaches, collaboration, new ways of thinking to envisage possibilities believing that science gives the edge. Perhaps in an economic world there is truth in that, but if we are to expand beyond the horizon of what we know then innovation may take the shape of thinking in ways that are wholistic, where social benefit is at the forefront, where we connect our societies to our true nature to recalibrate with nature, these are philosophies unspoken and unexplored, yet perhaps this is how we create true security shifting from economic paradigms that at this point are undermining life support systems on the planet. The push for employment is a notion reflective of what could be termed the 'old paradigm' and belief in economic growth but as is being witnessed across the planet a global slowdown and traditional moves to pump prime and stimulate growth are not working. Moreover, this is not sustainability with climate change and an uncertain future, therefore transforming the way we think (see) and opening to sensing intuitively new ways may expand the playing field rather than compete for an ever shrinking pie...*

*His direct quote:*

*"make the world work, for 100% of humanity, in the shortest possible time, through spontaneous cooperation, without ecological offense or to the disadvantage of anyone."*

Democracy is to share power, to listen deeply to others concerns, to respect diversity and practice equality no matter the perceived fear or prejudice. It is representation of the people by the people. Fundamental values are what truly construct society in a manner that resolves conflict, empowers creativity and delivers social stability maximising potential which will be the new levy that differentiates Australia as a penal colony or a **futurist free democracy** that can lead the world.

The latter will attract my **vote** otherwise I will no longer vote in an unrepresentative society.

We all get to choose where we sit in a parliament of voices!



May We All Advance Australia Fair in the Public Interest!

I will finish this submission with my poem: *The Unemployment Trap Is it Better to Stand on Your Feet than to Live on Your Knees?* This poem was inspired by my own experience. I sent a copy to the Prime Minister and Human Services. It concludes this submission from the voice of the unemployed and homeless who want the inequality, self interest, unfairness and homelessness to end.

## **The Unemployment Trap**

*Is it Better to Stand on Your Feet than to Live on Your Knees?*

### ***Is unemployment not working?***

For the great Economist Maynard  
Keynes promised full employment,  
As government benefits were not to  
help those in need,  
But to pump prime an economy as  
seed funding,  
As consumer spending is cyclical,  
Yet the real wealth of nations requires  
social stability,  
An ability to recognise that  
employment and unemployment  
follows booms then bust,  
Markets rise and fall at the cusp,  
As many fall between the cracks,  
Or fall between the tracks,  
For always there were cracks in the  
system,  
As it goes off the rails,  
Blaming government policy,  
Or insufficient demand,  
Yet it is important to understand,  
Not all management are good leaders,  
And not all leaders are good  
managers,  
And few still know the meaning of  
social cost.

Australia was a prime mover  
enshrining social justice in social  
policy,  
Ushering in the Welfare State,  
For the protection and promotion of  
social well-being,

### **A principled platform of...**

*Equality of opportunity,  
Equitable distribution of wealth,  
Public responsibility for those unable  
to avail themselves,  
Of the right to a good life.*

### ***What is a good life?***

*Life  
Liberty  
Happiness  
Quality food  
Secure shelter*

### ***To pave a pathway out of ...***

*Loneliness  
Emptiness  
Depression  
Failure*

For the greatest poverty is self  
loathing,  
For one is valued by what they have,  
Not who they are.

The philosophy of welfare is measured  
by the values of society,  
In the beginning it was universal  
coverage as a right to dignity in life,  
Their means was never tested,  
All have the right to welfare as a safety  
net,

Then means testing arrives,  
As unemployment rises,  
And budgets are cut,  
Rhetoric slips into public discourse,

As social stigma becomes the silent  
stick...

*'Dole bludgers rorting the system,'  
'System pays for those too lazy to  
work',*

*'A waste of public money',*

*'Welfare to work'*

*'Work for welfare'*

*'Mutual obligation to earn the right'*

*'Mothers getting a free ride'*

As public responsibility becomes the  
burden of responsibility,  
And users pay is the dictum 'you must  
pay for what you use',  
Those who have can use more,  
Those who haven't access less,  
Cross subsidisation is sold off as  
'public assets' becomes 'private  
property rights',  
Flexible markets free fall to lower real  
wages and conditions,

Unemployment is deemed a cost of  
production rather than a market  
failure,  
Perceiving taxes paid to welfare as non  
productive liabilities,  
Higher taxes on the system is a drain,  
Is economic rationalism to blame?

What of unpaid mothers working full  
time to care for children?  
Send them to work they say,  
For raising children is non-productive it  
doesn't pay.

But what of Gross Domestic Happiness  
for the next generation?  
Are people more productive when they  
are balanced and happy?  
Everyone works for future happiness,  
This is the real incentive,  
A futures option,  
But what if the option doesn't pay?  
Is it taken away?  
People will elect for a new way,  
Revolution or evolution  
is what they will say.

For it is a salient creed that everyone  
owes a debt to society,  
Even though the public paid for the  
assets,  
And democracy means to represent  
the public will,  
The right to the good life becomes a  
life with fewer rights,  
And new workplace bills,

As a class apart is the dividing line ...

*A class above*  
*A class below*  
*Winners*  
*Losers*

Winners celebrated as role models,  
Losers ostracised and marginalised,  
Excised from the joys of an equal life,  
Trailing ignorant words '*just get a job!*'

Yet for many unemployment is a loss  
of face,  
Some ask '*what do you do?*'  
Many laugh off their silent scream,  
Take drugs to cover low self-esteem,  
A poor education renders them unable  
to read between the lines,  
A square peg in a round hole they find  
they don't fit in a goodness of fit test!  
Have another wine to fend off the cold.

You have a work life choice ...  
You may choose to **sink or swim**,  
As the world draws a line in the sand,  
You are with us or against us,  
Included or excluded,  
Eligible or ineligible,  
Responsible or irresponsible,  
For to win you must jump through  
hoops to be worthy of income support,  
Control forces compliance,  
**Compliance takes away self reliance**,  
As self-determination is stonewalled,  
In favour of ticking  
only  
√YES.

This democracy affords no life choice  
only a role play without questions,  
Sign the contract and lose freedom of  
speech they won't say,  
Bound by laws and confusing clauses,  
For how is work choice a life choice  
when forced?  
Is the purpose of life to work or  
contribute to excel?  
Why is there no life at work?  
Just the rhythm of monotonous  
routine,

Suppressing the sanity of humanity  
and calling it professionalism,  
For there is no choice about what you  
do?  
Employees are not shareholders,  
They are paid to work not speak,  
Do as you are told is the mantra of the  
model employee.  
When does the citizen's voice offer a  
real choice?  
As you serve other interests not your  
own,  
Playing a role without a goal,  
Just watch the clock to go home,  
Don't be alone,  
For no-one actually cares about your  
fate,  
You have missed the boat,  
It is too late.

I have worked in 400 workplaces,  
The majority were sad places,  
Impassive faces,  
As many were not doing what they  
choose,  
There was no work choice nor fair play,  
They did not jump for joy to go to work,  
They made money for mortgages but  
still they lose,  
1 in 4 have mental illness,  
Stress is a nightly bedfellow killing us,  
Work life balance is eroded  
as employee power is denuded,  
The working poor,  
Slave wages,  
Is not advertised in the paper,  
Leaving a paper trail of silent  
resignations.

Labour is a cost of production it is not  
the value of citizenship,  
And this ship is sinking,  
As Greece slips & slides into  
depression,  
Europe's economic zone dis-members,  
The US subprime masks the greed and  
corruption in money lending,  
Bail outs were a waste of public  
money,  
That were not for the public good,  
As the economic system is a slow

landslide ending the boom with bust,  
The rust of greed stains incentives to  
work,  
To realise the system is not working,  
The environment is plundered without  
a second thought,  
People do what they are taught,  
There is no deeper thought  
Of a better way.

So at last I wish to say,  
Society must make room for  
visionaries,  
For philosopher's asking meaningful  
questions,  
Invest in **peace education** as the real  
**Gross National Happiness (GNH)**,  
As strong families care for the next  
generation,  
For my time is not wasted on finding a  
plausible future that sustains,  
That refrains from unhealthy  
externalities and injustice,  
A future that engenders equality,  
meaning, hope and human potential,  
For these are the pillars of a stable  
enlightened society.

