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Dear Freya

The Council of Single Mothers and their Children (CSMC) and National Council of Single Mothers and their Children (NCSMC) are pleased to have the opportunity to contribute to UNICEF's Children's Report for the United Nations.

Please feel free to contact us in relation to the information on the pro forma below.

Regards

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CHILDREN'S REPORT FOR THE UNITED NATIONS

ISSUE AND SCOPE

What thematic area or rights issue is of importance to children in your area of work?

We contend that there is a state of government **imposed poverty** on children through welfare and social policies that penalise and stigmatise single mother families and come about in relation to two particular rights:

The Right to Social Security

Article 26

1. *States Parties shall recognize for every child the right to benefit from social security, including social insurance, and shall take the necessary measures to achieve the full realization of this right in accordance with their national law.*

Article 27

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

The Right to Child Support

Article 27

2. *The parent(s) or others responsible for the child have the primary responsibility to secure, within their abilities and financial capacities, the conditions of living necessary for the child's development.*
3. *States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programs, particularly with regard to nutrition, clothing and housing.*
4. *States Parties shall take all appropriate measures to secure the recovery of maintenance for the child from the parents or other persons having financial responsibility for the child, both within the State Party and from abroad. In particular, where the person having financial responsibility for the child lives in a State different from that of the child, States Parties shall promote the accession to international agreements or the conclusion of such agreements, as well as the making of other appropriate arrangements.*



What specific group(s) of children in Australia are affected by this issue?

Children of single mothers who rely on some form of welfare payment and those who are not receiving any or all of their allocated Child Support. Single mothers are 82% of sole parents in Australia and there is evidence confirming single mother families are more disadvantaged than sole parent families with a male head. 'The 2016 Census counted more than six million families in Australia on Census night ... and 16% were single parent families'.¹

40% of children living in single parent families are living in poverty while \$1.5B owing in Child Support is unpaid.

'Parents who fail to meet their child support obligations under Child Support Collect arrangements accrue a child support debt. As of June 2016, 23.7% of all active payers had an outstanding child support debt, and total outstanding child support debt was \$1.5 billion. DHS employs a range of compliance actions to recover this debt, including income garnishee, prosecution, litigation, departure prohibition orders and collection arrangements with the Australian Taxation Office (ATO)'.²

Single mother families relying on income support payments include those with varying levels of education, with or without paid employment; those residing in metropolitan, rural and remote areas: those with a disability or caring for children with a disability; and First Nations, Settler and Migrant women and those seeking asylum.

All children in these families are to greater or lesser extent, affected by government welfare conditionality policies. The children suffering most are those living in families with least support (e.g. where they are on the move escaping family violence, have no extended family or support network); those most likely to be penalised by Centrelink (e.g. women who struggle to manage the compulsory requirements including women with mental health issues, women seeking asylum or those with erratic child support payments), and those on the Newstart payment who can't find paid employment and a struggling to manage and who are most likely to be homeless as they find few who will rent to them on their level of income.

What are the top THREE challenges faced by children in this area of work?

- (1) The impacts of government imposed poverty on children through welfare and social policies that penalise and stigmatise single mother families are expressed through:
 - Homelessness or unstable and/or inappropriate housing
 - Lack of safety, (particularly where poverty is combined with on-going family violence that pursues the mother and child as they attempt to escape, or family court orders that are based on a denial of family violence)
 - Barriers to equity in education,
 - Reduced opportunities for social engagement and inclusion,

¹ ABS Census of Population and Housing: Australia Revealed, 2016 Available at: <http://www.abs.gov.au/ausstats/abs@.nsf/mf/2024.0>

² ANAO 2017: **Child Support Collection Arrangements between the Australian Taxation Office and the Department of Human Services** Available at: <https://www.anao.gov.au/work/performance-audit/child-support-collection-arrangements-between-ato-and-dhs>



- Reduced access to adequate and nutritious food, and
- Increased instances of stigma and shame.

Variations of these affects are happening to children from all socio-economic, cultural and health backgrounds.

These children are sleeping in cars, on couches, in garages, in unsafe boarding houses, and if they manage to attend school, often arrive tired and hungry or miss more school than is ideal because they are not well or have to move again.

- (2) The stigma and shame occasioned by poverty include for example, a school officer telling a child they will not be allowed to do x (e.g. sport, excursion, computer activities) until 'your mother pays the school fees'; not having the proper school equipment, clothes, or nutritious and adequate food for lunch; not being able to participate in the standard curriculum because they can't afford the \$200 calculator required for maths or have been sent home because they have the incorrect uniform; and not being able to participate in sports, music, drama and other extra-curricular activities including even other children's birthday parties because they cannot afford a present.
- (3) Internalisation of messages of hopelessness or insufficiency deny children their chance to reach their full potential and can create mindsets that handicap them for life. We think it cannot be underestimated that where children are aware of the financial difficulties and their mothers' anxiety (many children are not as their mothers work hard to protect them from it), they also know this is something that comes from the government. This sense of government harming their family rather than supporting and enabling them, can have a demoralising effect on children and young people, creating internal dialogues that affect their sense of their own futures and contribute to disengaging from education.

RESPONSIBILITY

What are the key barriers to achieving real change for children in this area of work?

- (1) **Australia does not have a National Child Antipoverty Strategy.** There are no set targets and no measurements of where poverty is entrenched, or the deprivation that is experienced by children as a direct consequence of living in poverty, even in the Close the Gap Strategy. When the Australian government speaks of 'inter-generational welfare', it does so in tones of rebuke to the families struggling most as if any parent would voluntarily bequeath such a legacy. This reflects the policy reality that ignores powerlessness, lack of resources and structural inequities as major contributors to child poverty across Australia.
The proposed **Child Poverty Reduction Bill** introduced into the New Zealand Parliament in early 2018 provides an example Australia could emulate in order to challenge and overcome persistent poverty. *The purpose of this bill is to encourage a focus on child poverty reduction, facilitate political accountability against published targets, require transparent reporting on*



*child poverty levels, and create a greater commitment by Government to address child well-being.*³

- (2) The single mother narrative has been reframed to support a punitive approach to public policy. This approach has informed all areas of social policy including Social Security, Child Support and Family Law and negatively influenced public opinion. The obligation of the State to provide income support to those unable to exercise their right to work has shifted to one of mutual obligation and welfare conditionality that penalises single mothers and their children through breaches and suspensions of payment. In this comprehensive approach to managing rights to social security through the lens of 'mutual obligation' and welfare conditionality, this and previous governments have developed job network, childcare subsidies and income management systems that mean that **any breach of policy, including such things as missing an appointment, can lead to a suspension of payments.** Given the tenuous nature of single mother family survival, a single day's suspension can mean such impacts as the loss of housing, lack of food for a child, school or social opportunities missed.
- (3) **Single mothers have difficulty reconciling the requirements of welfare conditionality in such programs as JobActive and ParentsNext with their maternal responsibilities and children's well-being.**

Successive government have taken the view that better social outcomes are achieved through employment and productivity.⁴ The reality of programs such as ParentsNext and JobActive is the expectation that meeting these largely administrative requirements will take priority over everything else. For the mother whose child wakes with a fever, there is the nerve-wracking knowledge that she needs to get the child to a doctor, manage any implications from the appointment and make her excuses to her ParentsNext or JobActive provider and have these accepted by too often, sceptical staff concerned largely with their key performance indicators. As she has to contact the provider within the same day, the mother whose child is hospitalised and cannot comply, or who simply forgets, is automatically breached.

For the woman who has been moved to Newstart because her youngest child is 8 years, and who has to travel for work or accept work in time-slots not compatible with children, there are legal concerns as well. Each Australian State and Territory has differing child protection laws and they are complex. There's no one law in Australia that says at what age you can or can't leave your child home alone. In Queensland for example, if a parent/guardian leaves a child under 12 years of age for an 'unreasonable time' without supervision a misdemeanour could be committed. However, the Legislation also states that whether the time is unreasonable depends on all the relevant circumstances. Elsewhere in Australia, the law says you're legally obliged to make sure that your child is properly looked after. Parents are expected to provide food, clothing, a place to live, safety and supervision. Single Parents,

³ https://www.parliament.nz/en/pb/bills-and-laws/bills-proposed-laws/document/BILL_76267/child-poverty-reduction-bill

⁴ Department of Social Security 2015: **A New System for Better Employment and Social Outcomes** Available at: https://www.dss.gov.au/sites/default/files/documents/02_2015/dss001_14_exec_summary_access_2_final_0.pdf



mostly women, cannot reconcile the Government's Welfare to Work Legislation with the state and territory child protection system.

Do these issues require action within a particular State/Territory, at federal level, or is it a shared State/federal responsibility?

The Federal government has responsibility for the welfare and social programs and policies nominated.

State and Territory governments are to some degree, picking up the pieces through their homeless programs, visits to hospital emergency departments, child dental programs, and school breakfasts and so on. We are not aware of any detailed state-wide evaluation of the impacts of welfare conditionality policies on their budgets yet. We are aware of evaluations of the regional impacts of programs in for example, Shepparton in rural Victoria and these indicate a number of problems emerging.

Please identify the top THREE to FIVE policy documents important to framing these issues (and provide attachments if possible).

- (1) Compliance and penalty rather than reward and encouragement is a key element of the job assistance programs which can result in a suspension and or loss of access to income support irrespective of the current housing stress or hardship experienced within the family. This policy approach includes the pre-employment program known as ParentsNext, a program designed to engage with vulnerable Australians, most notably single mothers who have a child as young as 6 months old, before the mutual obligations of the JobActive program commence. Despite the centrality of welfare conditionality and Mutual Obligation, overarching policy documents are not transparent and up-dated. Mutual Obligation began in 2001 and has become de rigeur for successive governments. We link the following policy documents which outline various aspects of it:
 - a. The Department of Jobs and Small Business *Managing and Monitoring Mutual Obligation Requirements and Job Plan*⁵
 - b. The **Social Security Guide** and guide to payments⁶ include both the **Parenting Payment Single** (conditional for those mothers living in areas identified as disadvantaged who are now compelled to participate in **ParentsNext**⁷) and **Newstart** which single parents are moved to when their youngest child is eight years old, losing upwards of \$100 per pay and affecting single parent families across Australia. Groups as broad as KPM, local councils, Business Council of Australia, and a wide coalition of charity organisations have called for the government to raise the rate as the Newstart payment basic rate has not been revised in over twenty years and was never intended as a long term family payment.

⁵ Mutual Obligation - Available at: <https://docs.jobs.gov.au/documents/mutual-obligation-requirements-and-job-plan-guideline>

⁶ Department Social Security 2018: **Social Security Guide** Version 1.246 - Released 2 July 2018 Available at: <http://guides.dss.gov.au/guide-social-security-law/1/2/4/10> and the **Australian government Guide to Payments** <https://www.humanservices.gov.au/sites/default/files/2017/09/co029-1709.pdf>

⁷ ParentsNext policy available at: <http://guides.dss.gov.au/guide-social-security-law/3/5/1/167>



- c. Income Management was first placed on Indigenous families in the Northern Territory. The **Cashless Debit Card**⁸ is operating in trial sites with further expansions proposed⁹. Evaluations to date are contested. This form of control is being imposed on whole groups and regardless of any improvement an individual may make in their own circumstances, there is no way off the card without leaving the social security safety net altogether. Government members have mooted instituting this program of welfare conditionality Australia-wide.
 - d. The continuing increase in welfare conditionality is imposing greater penalties through methodologies such as the **Targeted Compliance Framework**.¹⁰
- (2) **Child Support**¹¹ works well for separating families who do so amicably and where there are shared values about continuing commitment to the children. Unfortunately Australia has high levels of family violence and child support is too often used as another tool for post-separation financial abuse with considerable loopholes in the collection system.¹²
- (3) The **outcome** of some of the above policies is quantifiable. Reducing critical assistance to low income sole parent families creates hardship and distress for all members of the family. Sole parent families have borne the brunt of harsh cuts in successive budgets. Research by the Australian National University Centre for Social Research and Methods has examined the cumulative impacts of cuts made since 2005.¹³ The welfare-to-work program reforms have harmed single-parent families. The main policy change was to move single parents from the Parenting Payment to the Newstart Allowance. This change meant a lower payment rate and a lower rate of indexation where the youngest child was 8 or older.
- A family with no private income and two children over the age of 8 policy changes since 2005 have left them around \$5,750 a year worse off or about 17.2 per cent by 2018.
 - A single parent who works three days per week on the minimum wage will be \$6,391 worse off or 14.8 per cent.
 - Overall, due to lower government benefits and lower payment indexation, many single parent families are considerably worse off as a direct result of policy change enacted by various governments since 2005. The modelling used a rental amount of \$250 per week (a conservative amount).

⁸ The Cashless Debit Card Available at: <http://guides.dss.gov.au/guide-social-security-law/8/7/1/10>

⁹ Legislation proposing expansion of the Cashless Debit Card 2018 Available at: https://www.apf.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/FlagPost/2018/June/Cashless_debit_card_trial_expansion_bill_2018

¹⁰ Parliamentary library: Jobseeker Compliance and workplace participation. 2017 Available at: https://www.apf.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/rp/BudgetReview201718/JobSeeker

¹¹ Child Support Guide 2018 Guides to Social Policy Law, Available at: <http://guides.dss.gov.au/child-support-guide>

¹² Corrie, T. 2016: **Financial Security for Survivors of Domestic and Family Violence** Available at: https://www.goodshep.org.au/media/1421/financial-security-for-survivors-of-domestic-and-family-violence_march2016.pdf

¹³ ANU 2-17: **Income Trends for Selected Single Parent Families** Available at: <http://csrcm.cass.anu.edu.au/news/income-trends-selected-single-parent-families>



Is there specific law reform that you would recommend to address these issues?

- Enact legislation to end child poverty with specific measures including a 'child impact filter' for all legislation and policy, and public reporting requirements
- Withdraw the proposed expansion of the Cashless Debit Card
- Enact legislation to extend payment of the Parenting Payment Single (PPS) to single parents with children attending school and ensure generous taper rates.
- Remove the requirement for single parents to move to Newstart when their youngest child turns eight years.
- Audit all welfare legislation to ensure there are no negative or unintended outcomes for children.

Do you have any key recommendations for government to address these issues?

1. Develop legislation and a national strategy to achieve a significant and sustainable reduction in child poverty through creating a government and societal focus on understanding and addressing the complexities of child poverty including structural inequities; facilitating political accountability against published targets; and requiring transparent reporting on levels of child poverty from all levels of Australian governments.
2. Re-instate the Parenting Payment Single (PPS) for all sole parents with children still in primary or secondary school, with more generous earning allowances before the cuts out so that parents who work, are able to build toward a sustainable future for themselves and their children.
3. Ratify the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance and institute an immediate trial of 'State Guaranteed child-support' until and unless the current processes are amended and no longer fail Australian children

RESEARCH

Please identify the top THREE research articles or sources important to framing these issues (and provide attachments if possible).

1. Kinnear, P 2000, "Mutual Obligation: Ethical and social implications" *Australian Institute Discussion Paper Number 32*. Available at: http://www.tai.org.au/sites/default/files/DP32_8.pdf (notwithstanding the age of this paper, the principles and policy recommendations are solid).
2. ACOSS 2017, "A future for all children: Addressing child poverty in Australia" ACOSS Briefing October 2017 Available at: <https://www.acoss.org.au/a-future-for-all-children/>
3. Skinner, C, Cook, K and Sinclair, S 2017, 'The potential of child support to reduce lone mother poverty: Comparing population survey data in Australia and the UK', *Journal of Poverty and Social Justice*, vol. 25, no. 1, pp. 79-94
<https://researchbank.swinburne.edu.au/items/56b01185-9ec7-4ab5-a923-a9fd2584dc9f/1/>



DATA

Have you collected data or are there key elements of this data that you would be willing to share concerning this issue?

We do collect data covering a range of issues concerning single mother families but consider the external sources cited throughout this document present a fuller picture.

Which external data sets do you draw upon, and can you provide us with key elements of this data concerning this issue?

We use:

- The Australian Bureau of Statistics (ABS) data particularly relating to the labour force and household composition.
- Australian Council of Social Services (ACOSS) poverty reports, and
- The Household, Income and Labour Dynamics in Australia (HILDA) Survey data.

Are there data gaps in this area of work which you think are important to get filled?

- Gender specific data in all measures of poverty, particularly in respect of data concerning families where dependent children are involved
- More data on the ages, health and other circumstances on the children in particular family groups.