

## **Federal budget submission 2023**

### **About Economic Justice Australia**

1. Economic Justice Australia (EJA) is the peak organisation for community legal centres providing specialist advice to people on their social security issues and rights. Our members across Australia have provided people with free and independent information, advice, education and representation in the area of social security for over 30 years.
2. EJA provides expert advice to government on social security reform to make it more effective and accessible. Our law and policy reform work:
  - Strengthens the effectiveness and integrity of our social security system;
  - Educates the community; and
  - Improves people's lives by reducing poverty and inequality.
3. Recommendations made in EJA's 2021 and 2022 pre-budget submissions remain relevant and are included in this 2023 submission.

### **SUMMARY OF RECOMMENDATIONS IN THIS SUBMISSION**

#### **Recommendation A:**

- Permanently increase social security income support payment rates, and provide supplementary payments that reflect specific costs people face, as proposed by ACOSS in its Budget Priorities Statement 2022-2023 Submission to the Treasurer.
- Establish a Social Security Commission to provide ongoing advice to the Federal Parliament on the adequacy of income support payments and other settings, as proposed by ACOSS in its Budget Priorities Statement 2022-2023 Submission to the Treasurer.

**Recommendation B:** In the event that the Social Services Legislation Amendment (Consistent Waiting Periods for New Migrants) Bill 2021 is passed, revoke the amendments, with additional revisions such that that there is no

newly arrived residents waiting period (NARWP) for either FTB A or FTB B, nor for Carer Payment or Carer Allowance.

**Recommendation C:** Provide all New Zealand citizens living in Australia with access to Special Benefit.

**Recommendation D:** Extend the list of visa sub-classes that attract Special Benefit, with extended coverage including:

- i. Bridging Visas, all sub-classes
- ii. Student Visa
- iii. Temporary Resident (Skilled Employment) Visa
- iv. Pacific and Seasonal Worker Visa
- v. Temporary Graduate Visa.

**Recommendation E:** Amend s737(1) of the Social Security Act to enable full-time students to access Special Benefit. In the alternative, we propose that policy guidelines regarding the administration of section 729 of the Social Security Act be amended by the Secretary of the Department of Social Services to enable full-time students holding a Safe Haven Enterprise Visa access to Special Benefit.

**Recommendation F:** Permanently abolish the newly arrived residents waiting period (NARWP) for Special Benefit, such that new residents in severe financial hardship have equitable access to the payment.

**Recommendation G:** Amend the Social Security Act so as to abolish the Liquid Assets Waiting Period and Ordinary waiting period

**Recommendation H:** Implement the recommendations of EJA's *Debts, Duress and Dob-ins* report in full, including:

- That section 1237AAD of the Social Security Act be amended to ensure that liability for repayment of a debt rests with the person(s) who benefited from the overpayment.
- That section 1237AAD of the Social Security Act be amended to enable debt waiver where the debt resulted from another person knowingly providing false information.

**Recommendation I:** That the DSP qualification criteria be amended, including by:

- amending the preamble to the DSP Impairment Tables so as to delete references to 'fully' as a qualifier to 'diagnosed', 'treated' and 'stabilised'
- amending section 94 of the Social Security Act 1991 so as to remove the program of support requirement; OR, in the alternative, amend section 94 so as to include criteria for exempting a person from the requirement.

**Recommendation J:** Cease compulsory income management.

**Recommendation K:** Allocate substantial additional funding to enable Services Australia to employ additional Centrelink social workers, particularly given COVID-19 impacts, and the rise in risk and incidence of domestic and family violence and homelessness.

**Recommendation L:** Resource Services Australia to enable engagement of additional Mobile Service Centres, Indigenous Service Officers and Multicultural Service Officers.

**Recommendation M:** Provide funding to enable establishment of a Centrelink nationwide specialist hotline for community legal centre advocates.

**Recommendation N:** Inject \$5 million per annum of ongoing core funding to EJA's membership of the 16 specialist social security community legal centres and programs (including associate members) across Australia and to EJA as the peak organisation.

**Recommendation O:** Provide additional funding to free legal assistance providers serving regional and remote communities, to enable provision of specialist legal advice and assistance on social security issues.

### **Address rate inadequacy**

4. The permanent increase to the rate of JobSeeker Payment by \$4 a day from 1 April 2021 has done nothing to address the extreme poverty faced by people on activity-tested social security income support payments, particularly for long-term recipients - many of whom are older people, have partial capacity to work due to disability or chronic health conditions, or have caring responsibilities as parents.
5. The temporary increase in non-pension payment rates through the introduction of the Coronavirus Supplement, which effectively doubled the rate of payment from April 2020 then tapering off to complete removal in April 2021, gave us a glimpse of the positive flow-on effects of addressing social security rate inadequacy. These effects are well documented in research reports by ACOSS and other peak organisations.
6. EJA endorses ACOSS's Budget 2023 proposals to permanently increase JobSeeker, Youth Allowance, Parenting Payment and related income support to the same level as the pension plus Pension Supplement, and index these payments to wages as well as prices. EJA also endorses ACOSS's proposal that supplementary payments be provided that reflect specific costs faced, and the call for establishment of an independent body to advise the parliament on payment adequacy and other settings.

**Recommendation A:**

- Permanently increase social security income support payment rates, and provide supplementary payments that reflect specific costs people face, as proposed by ACOSS in its Budget Priorities Statement 2022-2023 Submission to the Treasurer
- Establish a Social Security Commission to provide ongoing advice to the Federal Parliament on the adequacy of income support payments and other settings, as proposed by ACOSS in its Budget Priorities Statement 2022-2023 Submission to the Treasurer.

**Revoke any extension of Newly Arrived Residents Waiting Period to four years for payments aimed at children and carers**

7. The Social Services Legislation Amendment (Consistent Waiting Periods for New Migrants) Bill 2021<sup>1</sup> includes amendments to apply a “consistent four-year Newly Arrived Resident's Waiting Period across most welfare payments”, including Family Tax Benefit A and B (FTB), Carer Payment and Carer Allowance. This legislation currently sits before the House of Representatives.<sup>2</sup>
8. The period that new migrants need to wait before they can receive social security income support has gradually increased over the years.<sup>3</sup> In 2018, when the NARWP was extended from two to four years for most social security payments, FTB, Carer Payment and Carer Allowance were intentionally not included. The rationale for excluding these payments from an increase in the NARWP to four years remains compelling.
9. FTB targets children, and aims to ensure that no child living in Australia lives in poverty. Introduction of a four-year NARWP for FTB will mean that a cohort of Australian children will be at risk of poverty, purely because their parents or carers are migrants or New Zealanders living and working in Australia. Given that many people are now granted permanent residence on-shore after living in Australia for many years on long-stay temporary visas, such as skilled visas, introducing a four-year NARWP for FTB means that children born in Australia to new residents may be eight or nine years of age before they attract FTB. This will create an underclass of Australian children whose parents cannot benefit from the family assistance available to their peers.

**Recommendation B:** In the event that the Social Services Legislation Amendment (Consistent Waiting Periods for New Migrants) Bill 2021 is passed, revoke the amendments, with additional revisions such that that there is no

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<sup>1</sup> Before the House of Representatives as at 14 December 2021

<sup>2</sup> For more information see Economic Justice Australia, Submission to the Senate Community Affairs Legislation Committee, *Inquiry into the Social Services Legislation Amendment (Consistent Waiting Periods for New Migrants) Bill 2021* (26 July 2021) <<https://www.ejaustralia.org.au/wp/policy-submission/inquiry-into-the-social-services-legislation-amendment-consistent-waiting-periods-for-new-migrants-bill-2021/>>

<sup>3</sup> A 26 week newly arrived residents waiting period (NARWP) was introduced for some payments in 1993. Waiting periods were subsequently increased to one year, and then two years, for specified payments, and a four-year NARWP now applies for most working age income support payments.

newly arrived residents waiting period (NARWP) for either FTB A or FTB B, nor for Carer Payment or Carer Allowance.

### **Enhance access to Special Benefit**

10. COVID has highlighted the precarious financial situations of cohorts of people living in Australia on long-stay work or student visas who cannot access Special Benefit - the social security safety net income support payment - including New Zealand citizens; international students and graduates; and skilled and seasonal worker visa holders. Inability to access Special Benefit forced many international student and migrant workers who lost work to return to their home country, with the exodus of many students and migrant workers creating ongoing issues for recovery of the Australian economy.

**Recommendation C** : Provide all New Zealand citizens living in Australia with access to Special Benefit

**Recommendation D** : Extend the list of visa sub-classes that attract Special Benefit, with extended coverage including:

- i. Bridging Visas, all sub-classes
- ii. Student Visa
- iii. Temporary Resident (Skilled Employment) Visa
- iv. Pacific and Seasonal Worker Visa
- v. Temporary Graduate Visa

**Recommendation E** : Amend s737(1) of the Social Security Act to enable full-time students to access Special Benefit. In the alternative, we propose that policy guidelines regarding the administration of section 729 of the Social Security Act be amended by the Secretary of the Department of Social Services to enable full-time students holding a Safe Haven Enterprise Visa access to Special Benefit.

11. COVID has also highlighted the need to permanently abolish the NARWP for Special Benefit. Although the four-year Special Benefit NARWP may be waived if the claimant has 'suffered a substantial change of circumstances beyond (their) control' after arrival in Australia, this is very difficult to establish.
12. The qualification criteria for Special Benefit are tight, restricting eligibility to people in dire hardship for reasons beyond their control. The suspension of the four-year NARWP ordinarily applying to Special Benefit as a special coronavirus support measure was in recognition of the need to ensure that new residents would not face destitution and homelessness during COVID as a result of the additional hurdle to accessing Special Benefit represented by the NARWP. The need to give new migrants equitable access to the social security safety net remains.

**Recommendation F:** Permanently abolish the newly arrived residents waiting period (NARWP) for Special Benefit, such that new residents in severe financial hardship have equitable access to the payment.

### **Abolish ordinary waiting period and liquid assets test waiting period**

13. EJA endorses ACOSS's proposals that the ordinary waiting period and the liquid assets waiting period, which affect start dates for certain social security income support payments, be revoked. We agree that these waiting periods are anomalous, forcing people with modest savings to expend financial buffers needed to meet ongoing costs such as utility bills, and car registration.

**Recommendation G:** Amend the Social Security Act so as to abolish the Liquid Assets Waiting Period and Ordinary waiting period

### **Amend social security debt waiver provision to address anomaly affecting victims/survivors of domestic violence**

14. EJA continues to advocate for the recommendations made in its 2018 report, *How well does Australia's Social Security System support victims of family and domestic violence*<sup>4</sup>, to be implemented in full. In follow up research to the 2018 report, EJA's recent report *Debts, Duress and Dob-ins: Centrelink compliance processes and domestic violence*<sup>5</sup>, found that victims/survivors of domestic violence are unfairly being held responsible for social security debts, including debts that are a direct result of the actions of their abusers.
15. There are insurmountable obstacles to debt waiver for victims/survivors of domestic violence in many instances because of the legislative requirement that for recovery of a debt to be waived, the debt must not have been incurred due to the debtor or 'another person ... knowingly' making a false statement, representation or omission<sup>6</sup>.
16. This wording can mean that intrinsically unfair debts cannot be waived, including where debt recovery from a victim/survivor of domestic violence is clearly unjust, for example where the victim is solely responsible for a debt that is the direct result of their partner's or ex-partner's lies, threats, physical violence or coercion.
17. Legislative amendment is required to address these barriers to debt waiver.

**Recommendation H:** Implement the recommendations of EJA's *Debts, Duress and Dob-ins* report in full, including:

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<sup>4</sup> Sally Cameron (Report, 2018) <<https://www.ejaustralia.org.au/wp/general/how-well-does-australias-social-security-system-support-victims-of-family-and-domestic-violence/>>

<sup>5</sup> Sally Cameron and Linda Forbes (Report, 2021) <<https://www.ejaustralia.org.au/wp/latest-news/debt-duress-and-dob-ins-centrelink-compliance-processes-and-domestic-violence/>>

<sup>6</sup> Social Security Act 1991 (Cth) s 1237AAD <[http://www5.austlii.edu.au/au/legis/cth/consol\\_act/ssa1991186/s1237aad.html](http://www5.austlii.edu.au/au/legis/cth/consol_act/ssa1991186/s1237aad.html)>

- That section 1237AAD of the Social Security Act be amended to ensure that liability for repayment of a debt rests with the person(s) who benefited from the overpayment.
- That section 1237AAD of the Social Security Act be amended to enable debt waiver where the debt resulted from another person knowingly providing false information.

### **Address Disability Support Pension inequities**

18. The current DSP legislative framework is too complex and the system for assessing DSP eligibility imposes fundamental systemic barriers to accessing DSP, especially for particularly vulnerable cohorts of people with disability.<sup>7</sup>
19. EJA's research report, *Barriers to Disability Support Pension access for people with psychiatric impairments and their experiences on JobSeeker Payment*<sup>8</sup>, highlights how the barriers to accessing DSP are particularly problematic for people with psychosocial disability across already vulnerable cohorts - including people in remote First Nations communities and refugees.
20. There are many people, including those with severe psychosocial disability, effectively relegated to JobSeeker Payment or other activity tested payments indefinitely or until they reach Age Pension age. They are at high risk of incurring payment suspensions and non-payment penalties as a result of inability to comply with mutual obligation requirements. This is despite the fact that people in these cohorts may have strong claims for DSP if they were able to access support to claim, and legal advocacy.

For these people, ongoing requirements to negotiate mutual obligations with Employment Services Provider staff who may have no real understanding of the impact of particular impairments or chronic multiple health conditions on work capacity can cause considerable distress and hardship.

**Recommendation I:** That the DSP qualification criteria be amended, including by:

- amending the preamble to the DSP Impairment Tables so as to delete references to 'fully' as a qualifier to 'diagnosed', 'treated' and 'stabilised'
- amending section 94 of the Social Security Act 1991 so as to remove the program of support requirement; OR, in the alternative, amend section 94 so as to include criteria for exempting a person from the requirement.

<sup>7</sup> Economic Justice Australia, Submission to the Senate Community Affairs Legislation Committee, *Inquiry into the Purpose, Intent and Adequacy of the Disability Support Pension* (30 July 2021) <<https://www.ejaustralia.org.au/wp/policy-submission/inquiry-into-the-purpose-intent-and-adequacy-of-the-disability-support-pension/>>

<sup>8</sup> Dr Louise St Guillaume et al, (Report, July 2021) <<https://www.ejaustralia.org.au/wp/latest-news/barriers-to-disability-support-pension-access-for-people-with-psychiatric-impairments-and-their-experiences-on-jobseeker-payment/>>

## Abolish compulsory Cashless Debit Card and Income Management

21. EJA continues to strongly oppose compulsory quarantining of social security payments. Successive reports evaluating the effectiveness of income management have outlined the harm to affected communities, particularly for members of the First Nations communities disproportionately impacted by the program.
22. These concerns were not adequately addressed in the government commissioned University of Adelaide report, *Evaluation of the Cashless Debit Card in Ceduna, East Kimberley and The Goldfields Region*<sup>9</sup>, published in January 2021 after an attempt to make the program permanent. In contrast, *Hidden Costs: An Independent Study into Income Management in Australia*<sup>10</sup>, published in February 2021 by the University of Queensland, reports on the findings of a major multi-site study examining the experiences of people subject to compulsory income management in both Australia and New Zealand. The report concluded that:

'... the social, emotional and economic costs of continuing with compulsory (income management) outweigh the benefits. It is hard to draw any other conclusion from the findings presented here and elsewhere. This does not mean that a genuine voluntary scheme could not be maintained, but it would need to sit alongside other measures to tackle poverty that have been recommended by participants in this study and other advocates and experts over many years, such as addressing the adequacy of income support payments, ensuring decent employment and training opportunities, and providing accessible social services and affordable housing. This package of reforms would be a better starting point for creating healthy, economically secure and socially inclusive communities, compared with blunt, punitive and counterproductive policies that are pushing ordinary Australians further towards the margins of their communities.'<sup>11</sup>

23. These findings add to what is now an extensive body of evidence indicating the need to discontinue the CDC program. While this research has noted benefits associated with the CDC program, there is no empirical evidence that compulsory income management has achieved its stated objectives. Successive reports have instead highlighted the program's overall negative impacts on individual and community wellbeing.

**Recommendation J:** Cease compulsory income management.

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<sup>9</sup> Kostas Mavromaras et al, *Evaluation of the Cashless Debit Card in Ceduna, East Kimberley and The Goldfields Region* (Consolidated Report, January 2021) <[https://www.dss.gov.au/sites/default/files/documents/02\\_2021/fac\\_evaluation-cdc-ceduna-east-kimberley-and-goldfields-region-consolidated-report\\_012021.pdf](https://www.dss.gov.au/sites/default/files/documents/02_2021/fac_evaluation-cdc-ceduna-east-kimberley-and-goldfields-region-consolidated-report_012021.pdf)>

<sup>10</sup> Greg Marston et al, *Hidden Costs: An Independent Study into Income Management in Australia* (Report, February 2020) <<https://www.incomemanagementstudy.com/>>

<sup>11</sup> Ibid, 122-123



## Increase Services Australia staffing

24. In the report on its 2021 inquiry into the current capability of the Australian Public Service, the Senate Finance and Public Administration References Committee strongly expressed grave concerns regarding the impacts of diminishing investment in the public service.<sup>12</sup>
25. In EJA's view, one of the most pressing issues to address in terms of public service staffing is to enhance access to social workers. Within the Centrelink environment, social workers are uniquely equipped to work with clients with complex needs, including in relation to domestic and family violence,<sup>13</sup> and homelessness.<sup>14</sup>
26. Despite the crucial role played by Centrelink social workers, EJA members report that many people in acute crisis struggle to access a social worker, with clients often having to wait two to three days for Centrelink social worker support - longer in regional and remote communities. Clients in obvious urgent need of social worker support and referrals are at times only offered a phone appointment, which is not conducive to either disclosure of issues such as domestic and family violence, or building rapport. There is a need for all Centrelink offices to have a social work unit, staffed at an appropriate level in light of local needs.

**Recommendation K:** Allocate substantial additional funding to enable Services Australia to employ additional Centrelink social workers, particularly given COVID-19 impacts and the rise in risk and incidence of domestic and family violence, and homelessness.

27. Remote communities rely on Mobile Service Centres (formerly called Remote Servicing Teams) and Centrelink Indigenous Customer Service Officers for updates on social security and service changes. However, feedback from EJA members providing outreach to remote communities is that the under-resourcing of these services has led to a significant reduction in the availability of Indigenous Customer Service Officers and frequency of Services Australia Mobile Service Centre visits to some communities. In the absence of Mobile Service Centre visits, community members seek assistance from Centrelink Agents and become frustrated that Agents are unable to answer questions regarding social security eligibility, income tests and mutual obligation requirements, or assist in resolving issues, not realizing that there are constraints on Centrelink Agents in terms of providing information and advice.<sup>15</sup> Without access to these

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<sup>12</sup> Senate Finance and Public Administration References Committee, *APS Inc: undermining public sector capability and performance* (Report, November 2021) <[https://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Finance\\_and\\_Public\\_Administration/CurrentAPSCa/pabilities/Report](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Finance_and_Public_Administration/CurrentAPSCa/pabilities/Report)>

<sup>13</sup> Sally Cameron, *How well does Australia's social security system support victims of family and domestic violence?* (Report, August 2018) <<https://ejaustralia.org.au/general/how-well-does-australias-social-security-system-support-victims-of-family-and-domestic-violence/>>

<sup>14</sup> Canberra Community Law and National Social Security Rights Network (now Economic Justice Australia), *Homeward Bound: Social Security and Homelessness* (Report, December 2019) <[Homeward Bound: Social Security and Homelessness | Economic Justice Australia \(ejaustralia.org.au\)](https://ejaustralia.org.au/Homeward_Bound:_Social_Security_and_Homelessness_|_Economic_Justice_Australia_(ejaustralia.org.au))>

<sup>15</sup> The role of Centrelink Agents is limited - see <https://www.servicesaustralia.gov.au/agents-and-access-points-how-we-can-help?context=22636>

services, the risk of vulnerable people disengaging from the social security system in these communities increases.

28. EJA is aware that Services Australia will soon release a new Remote Servicing Strategy, as informed by community consultations. This is welcome but the new Strategy will make little practical difference without substantial resourcing to boost Mobile Service Centre and Indigenous Service Officer staffing, to enable more regular visits to communities lacking frontline Centrelink services.
29. Multicultural Service Officers, like Indigenous Service Officers, supplement and complement social worker servicing – especially in regional and remote communities. These specialist staff are often at the frontline when it comes to dealing with issues such as family and domestic violence, and homelessness, but are under-resourced to adequately assess clients' needs and make appropriate referrals.

**Recommendation L:** Resource Services Australia to enable engagement of additional Mobile Service Centres, Indigenous Service Officers and Multicultural Service Officers.

### **Streamline third party advocacy**

30. EJA member centres observe that since April 2020, due to the impacts of COVID on Centrelink claim and appeal rates, there have been increasingly long delays in completion of internal reviews of decisions. Freedom of Information (FOI) releases have also been delayed, primarily due to staff shortages given absences and redeployment of Services Australia staff to deal with processing of claims.
31. These delays have meant that advocates often need to repeatedly call Centrelink to enquire regarding progress on reviews, seek that urgent matters be expedited and convey relevant information to review officers that clients have been unable to provide themselves. Delayed release of documents sought under FOI has in turn delayed and complicated advocacy, in some cases delaying requests for review. In other cases, overwhelmed review officers have made overly hasty review decisions that fail to address relevant issues.
32. EJA members' client advocacy is also complicated by increasing difficulty accessing Services Australia decision-making guidelines for delegates. Department of Social Services' social security and family assistance guides are freely available online, as is policy information on Services Australia's website, but access to Services Australia's operational guidelines (the 'Operational Blueprint') for delegates is limited – some guidelines are publicly available online but others, including key guidelines on factors to be considered in applying discretionary provisions, are subject to FOI.
33. The increasing need for FOI requests (both for client records and policy guidelines) to provide advocacy, coupled with delays in FOI processing, is hampering legal advocacy and thereby affecting access to justice. These issues highlight a longstanding need for

a nation-wide Centrelink Advocates Hotline for community legal centre advocates, staffed by people with technical expertise and an understanding of administrative review rights. This would streamline advocates' dealings with Centrelink regarding complex cases and ensure that highly vulnerable clients are dealt with promptly, relieving pressure on Centrelink frontline staff.

**Recommendation M:** Provide funding to enable establishment of a Centrelink nationwide specialist hotline for community legal centre advocates.

### **Increase funding to social security community legal centres**

34. There is an urgent need for specialist social security legal services to be adequately resourced to meet unmet demand for legal assistance. There are currently no specific funds for social security legal help provided under the National Legal Assistance Partnership<sup>16</sup>, despite the number of people affected by adverse social security and family assistance decisions daily – many of whom in vulnerable cohorts, unable to self-represent in appeals.
35. The impacts of COVID have highlighted the need to address chronic under-funding of the community legal sector. EJA and its specialist social security legal services have stepped up during the pandemic to provide critical legal help and information to people affected, many of these clients interacting with the social security system for the first time in an ever-changing, complex and pressured environment. This has meant increases in requests for advice regarding entitlements, including new emergency and disaster payments.
36. Prior to COVID, EJA members already faced increasing demand for advice and representation regarding complex cases such as appeals against debt recovery, Disability Support Pension refusal, denial of mutual obligation exemptions (especially for people with chronic health and psychiatric conditions), and application of residential waiting periods. There has recently been temporary respite in terms of advocacy regarding debts, given the series of COVID debt “pauses” but normal compliance processes and debt recovery are resuming, with the pause on debt recovery completely lifting from 1 July. EJA is concerned that the full resumption of debt recovery from July will prompt a significant increase in demand for our members’ services.
37. Access to appeal rights is particularly problematic for Aboriginal people – who are subject to disproportionately high rates of mutual obligation penalties and social security debts, but have disproportionately low appeal rates. Some regional and remote areas of Australia have no funded specialist on-the-ground services providing social security legal advice and assistance. This leaves people without access to accessible information, advice and advocacy on social security issues. For example, many people with valid grounds to seek that they be exempted or exited from the CDC program are denied the right to do so because of lack of access to advice and support. If the

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<sup>16</sup> Attorney-General’s Department, *National Legal Assistance Partnership Agreement* (June 2020) <<https://www.ag.gov.au/legal-system/legal-assistance-services/national-legal-assistance-partnership-2020-25>>

expanded CDC program is to be applied with any fairness and equity, it is essential that funding be provided to ensure that CDC communities have access to specialist social security legal assistance.

38. The Kimberley represents a compelling example. The Kimberley is twice the size of Victoria and the region is thousands of kilometres from the closest community legal centres providing specialist social security legal advice and assistance, these being in Darwin and Perth. Whilst the Kimberley Community Legal Service (KCLS) is a generalist Community Legal Service, neither KCLS nor any of the other non-profit legal services in the Kimberley receive dedicated funding to provide social security legal help.
39. There is substantial anecdotal evidence in the Kimberley and other remote areas, of people in remote First Nations communities with high needs withdrawing from the social security system, and of increasing financial pressure on families and communities due to people receiving Centrelink penalties or suspensions. As initiatives such as extension of the Cashless Debit Card program are rolled out, it appears that no consideration is being given to the fact that a Cashless Debit Card is of no relevance to a person whose social security payment has been suspended or cancelled, and who needs legal assistance to resolve the issue.

**Recommendation N:** Inject \$5 million per annum of ongoing core funding to EJA's membership of the 16 specialist social security community legal centres and programs (including associate members) across Australia and to EJA as the peak organisation.

**Recommendation O:** Provide additional funding to free legal assistance providers serving regional and remote communities, to enable provision of specialist legal advice and assistance on social security issues.

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