Dear Committee Secretary

Newstart Senate Inquiry

Sisters Inside welcomes the opportunity to provide a submission to the inquiry on the Adequacy of Newstart and related payments and alternative mechanisms to determine the level of income support payments in Australia (the Inquiry). We believe an increase in Newstart and related payment would have a significant impact on criminalisation and prison-return rates, the quality of life of criminalised women and girls and their children and the Australian economy.

About Sisters Inside

Sisters Inside is an independent community organisation that exists to advocate for the collective human rights of women and girls in prison. We provide services to meet the needs of women, girls and their families. Established in 1992, Sisters Inside has over 25 years experience supporting criminalised women and girls.

About criminalised women

Criminalised women and their children are highly marginalised, and are one of the most disadvantaged cohorts in the Australian population. Over recent years, the social and economic pressures on disadvantaged women have increased significantly. Measures to directly alleviate poverty have progressively diminished over the past 30 years. These include reduced value in real terms of Centrelink benefits, narrowing of guidelines for access to the more secure forms of benefit (e.g. Disability Support Pensions), reduced access to the Parenting Payment, and reduced access to emergency relief funds.

Our experience working with criminalised women indicates that many live in extreme poverty with the majority being dependent on Centrelink benefits and most being in debt upon entry to and release from prison. They also experience significant housing insecurity with many reporting that they have been homeless prior to their imprisonment. Women on Newstart are unable to afford everyday basics including rent, food, healthcare and other essentials.

The nexus between criminalisation and Newstart

The vast majority of Australian women prisoners are imprisoned for minor, non-violent offences. (This is clearly evidenced by the 2015 average period of imprisonment across all women prisoners in Queensland
- less than 5 weeks.) It costs over $300 per night to keep someone in prison in Australia\(^1\). That is, over $100,000 per prisoner per year, with associated costs of at least $40,000 annually.

Most criminalised women are dependent on income support payments prior to imprisonment and come from backgrounds of poverty, poor educational/employment outcomes, sexual assault and family and domestic violence. Many also have an intellectual or cognitive disability. As a result, repeated studies demonstrate that the majority face homelessness, mental health or substance abuse issues. All these factors contribute to women’s criminalisation and imprisonment.

In our experience many women are imprisoned for poverty-related ‘offences’, often as a direct result of the low rate of Newstart. These include ‘offences’ as minor as stealing a single soft drink or cooked chicken, driving with an expired licence, failing to pay for public transport, or, in Western Australia, the inability to pay routine traffic or parking fines. Like all Newstart recipients, criminalised women struggle to meet the day to day cost of living including rent, utilities, food, health care, transport, heating/cooling and other living costs for themselves and their children. Too often, women are imprisoned for failures in government services particularly inadequate income, lack of affordable housing, and inadequate mental health and substance abuse services in the community. Our prisons are now overflowing with women whose main ‘crime’ is poverty. It is both inefficient and ineffective to allow this situation to continue.

Post-release, many women are homeless and are forced to totally re-establish their life. If women had income support, housing or a job prior to imprisonment, even a short term of imprisonment often means they both lose this currency and face the world with the added burden of a history of imprisonment and/or a criminal record and/or new rent or utilities debts incurred as a result of unexpected imprisonment. During their imprisonment, many lose all their worldly possessions, including practical necessities such as staple foods, household goods and personal identification. Too often, this contributes to homelessness and deterioration in women’s mental health and additional incentive to engage with substance abuse.

**Key issues**

Sisters Inside is deeply committed to advocating for the human rights of women in the criminal legal system, and addressing gaps in the services available to them.

As outlined, there is a clear nexus between Newstart and the criminalisation of women and girls in Australia. This submission responds to the terms of reference a) e) f) h) j) n) and r) and we have identified the following key issues for specific comment:

**Poverty**

In Australia, one in eight adults and more than one in six children are living below the poverty line\(^2\). The poverty line in Australia is classified as 50% of median income, before housing costs, which for a single adult equates to $433 a week\(^3\). Australia is one of the wealthiest countries in the world\(^4\) and we assert that it is unacceptable that one in eight adults and more than one in six children are currently living below the poverty line. The biggest risk of living in poverty in Australia is to receive Newstart, Youth Allowance or


another allowance as the sole source of income\(^5\). This is evident with the current Newstart allowance for a single person with no children being $555.70 per fortnight\(^6\), $155.15 per week below the poverty line. This is clearly not an acceptable standard of living in line with community expectations. No Australian should be living under the poverty line.

Transformative change is what is required to address poverty and the housing crisis in Australia. Transformative change requires courageous leadership. It requires commitment to legislation and policies that may not be accepted by those voices who have been loudest in the "welfare debate". We encourage the committee to show courageous leadership, to look beyond increasing Newstart and other allowances and consider ways to address the huge gaps between the most and least privileged, with the goal of remediing economic equality in Australia. We ask the committee to investigate the cost and impact of implementing a Guaranteed Liveable Income (GLI) program to assist Australians to escape poverty.

**Guaranteed Liveable Income**

A GLI is an income provided by the Federal Government that is unconditional and universal and "ensures that no person's income falls below what is necessary for health, life, and dignity"\(^7\). We recommend that the Committee refer to Evelyn Forget's book, 'Basic Income for Canadians' as a model of GLI\(^8\). GLI would replace current income support and also provide income security for those who are not eligible for welfare but who are still living below the poverty line. The benefit is based on financial need, with no conditions, with those who receive no other income receiving the full payment. As people’s income increases, the benefit decreases. A GLI could allow Australians to escape homelessness and abuse. It could allow people to live with dignity, without having to resort to criminal behaviour. A GLI is an investment in our people, instead of in adult and youth prisons and other institutions. It provides the ability for every person in our country to be housed, fed, clothed, educated and supported to contribute back into their communities.

A Canadian governmental report\(^9\) found that a GLI benefits society by:

1) Improving mental and physical health and lowering health care costs;
2) Lowering crime rates, costs of courts, police and corrections and increasing public safety;
3) Reducing or even eliminating homelessness and poverty;
4) Improving the efficiency in processing applications and claims and thereby reducing bureaucracy and associated costs, and
5) Providing a strong social safety net that would be strengthened and centralised, thereby saving taxpayers millions of dollars every month.

A GLI will provide Australians with strong social safety nets and economic support, which reduces marginalisation and victimisation. It is difficult to overstate how overwhelmingly disadvantaged criminalised women are, they represent the most socially, culturally and economically marginalised populations in Australian society. The government needs to embark on courageous initiatives to address poverty in Australia in a meaningful way.

---


\(^7\) C.A L'Hirondelle, ‘What is a Guaranteed Liveable income’ (2009) Retrieved from: [https://www.livableincome.org/Intro.htm](https://www.livableincome.org/Intro.htm)


Recommendation:

1. Investigate the cost and impact of implementing a Guaranteed Liveable Income program in Australia to ensure that all Australians live above the poverty line

Housing

Lack of safe, secure and affordable housing is the central issue for criminalised women in Queensland. Accommodation is the most significant brokerage cost across all of Sisters Inside’s programs. Access to safe, secure and affordable housing is especially difficult for people who survive on fixed incomes through Centrelink.

In late March 2019, Anglicare published the national Rental Affordability Snapshot\(^\text{10}\). The Snapshot surveyed over 69,000 rental listings across Australia advertised on realestate.com.au. This report found that, in the whole of Australia a total of:

- 317 rentals were affordable for a single person on the Disability Support Pension
- 75 rentals were affordable for a single parent with one child on Newstart
- 2 rentals were affordable for a single person in a property or share house on Newstart
- 1 rental was affordable for a single person in a property or share house on Youth Allowance
- 0 rentals were affordable for a single person on Newstart or Youth Allowance in any major city or regional centre.

This means that no houses are affordable for the vast majority of women released from prison in Queensland who depend on Centrelink for income, in areas that also provide access to services and support. Through our work, we are aware that there are a number of women who have been granted parole languishing in prison due to unavailable accommodation. We are also aware that sometimes women choose not to apply for parole as they do not have an address.

Research has found that accommodation instability is a predictor of return to prison\(^\text{11}\). Those who have long term public and assisted rental housing are significantly more likely to stay out of prison than those in other forms of housing such as crisis, short term, hostel or non assisted rental places\(^\text{12}\). The Queensland Productivity Commission (QPC) Draft Report Inquiry into Imprisonment and Recidivism stated that the Queensland Government will be required to spend up to $6.5 billion on new prisons or cells by 2025, at the current rate of growth. If the Government fully subsidised housing for every Queensland woman in prison for 12 months, it would cost just over $16.5 million\(^\text{13}\). We suggest that it is time to try something new – to reallocate funding that would be spent on new prisons or cells to provide subsidised affordable housing for individuals and families.

Single women with children are particularly vulnerable to poor housing on being released\(^\text{14}\). The current waitlist for social housing remains prohibitively long, with 189,400 households awaiting social housing allocation at 30 June 2017\(^\text{15}\). A clear policy to prioritise accommodation for criminalised women is essential.

---


\(^{12}\) Ibid, p 8.

\(^{13}\) Calculations based on rent at $350 per week and 906 women in prison as at 31 March 2019.


to encourage housing providers to assess and accept women directly from prison. The Queensland Government has recently funded small pilot housing programs in South East Queensland and North Queensland to support women in prison to access direct housing. Sisters Inside supports greater expansion of housing models across Australia that allow criminalised women to access publicly subsidised housing and outreach support throughout the community. We are willing to provide our proposal for a successful housing model to support women to the Committee if required. The Committee must make a clear recommendation for greater investment in public and community housing by the Government to ensure that all women in prison have access to safe, affordable housing for themselves and their children on release. This is an essential need and a right, rather than a privilege.

**Recommendations:**

1. A greater investment into public and community housing for criminalised women
2. Expanding housing support models throughout Australia for women exiting prison

**Employment and Education**

The QPC cited that unemployment is currently one of the biggest risk factors of reoffending. The report also found that the prison population in Queensland is less likely to be educated and less likely to have been employed than those in the Queensland population\(^\text{16}\). Currently, the unemployment rate of Queensland prisoners prior to entry to prison is 49.4%, compared to the overall Queensland population of 6.2%\(^\text{17}\).

In our experience, women that were employed prior to imprisonment worked in low income jobs, and as a result of imprisonment lost their employment or education opportunities. Women in prison have limited access to accredited education and training, and are employed in prison jobs that do not have transferable skills. When women leave prison with a new or extended criminal record it is an added barrier to accessing employment and the increasing cost of education has further reduced women’s access to education, and consequently, employment.

Upon release from prison women also experience significant challenges and restrictions including parole conditions, interactions with Child Safety, housing, poverty, institutionalisation and traumatisation. Most have a full time job meeting the requirements of various statutory authorities and the time demands of these obligations make it impossible for the majority of criminalised women who are mothers of dependent children to engage with employment or training, whilst remaining a responsible parent. These vulnerable women are already facing a myriad of challenges, the addition of employment obligations can be the tipping point for them. We recommend that funding is allocated to give criminalised women specialised support to become job ready including counselling, education and trade accreditations. We also recommend that flexibility is provided for criminalised women on Newstart especially in relation to meeting mutual obligation requirements relating to employment.

**Blue card**

Through our work we have found that employment opportunities are especially difficult for women who have been criminalised due to blue card restrictions. Most criminalised women are mothers of dependant children. Under current blue card policies in Queensland, almost no women commit “disqualifying offences”, as defined in the current *Working with Children (Risk Management and Screening) Act 2000* (Qld) (the Act)\(^\text{18}\). Although some women are convicted of “serious offences”, as defined in the Act, the vast majority of these offences do not occur in circumstances that suggest the woman poses an ongoing


\(^{17}\) Ibid, p 41.

\(^{18}\) Sisters Inside recognises that blue card is a state issue but recommends that a federal review be conducted.
risk of harm to children. Women we support have faced extreme difficulty with the blue card system with the vast majority of blue card applications being refused for offences that are not disqualifying offences. When women face the Tribunal to appeal a decision, the process is long and challenging. We strongly recommend that the process for blue card applications be reviewed to ensure that prejudicial decision making is not applied to women with a criminal history.

Recommendations:

4. Provide specialised employment support for criminalised women
5. Remove mutual obligation requirements that link payments to job search compliance
6. Recommend a review of the Blue card system in Australia to ensure that criminalised women are not excluded from employment opportunities

Punitive approaches against welfare recipients

Sisters Inside strongly opposes the punitive approaches the Federal Government is taking against welfare recipients including cashless debit cards, compulsory deductions for court imposed fines and proposed drug testing.

Cashless Debit cards

Sisters Inside recommends that the use of cashless debit cards (CDC’s) be discontinued. CDC’s were implemented by the Federal Government to manage income support payments and have been trailed in regional Queensland, remote Western Australia, and regional South Australia. Half of those forced onto the program are Aboriginal or Torres Strait Islander and 59% are women. Sisters Inside asserts that the use of CDC’s is discriminatory against Aboriginal and Torres Strait Islander people and should cease immediately.

We are also concerned about women experiencing domestic and family violence and the impact the CDC’s have on them. We refer to AWAVA’s submission to the Senate Inquiry into the Social Security (Administration) Amendment (Income Management and Cashless Welfare) Bill. Many of the women we support are experiencing or have experienced domestic violence. Being unable to withdraw cash from their income support payments would significantly impact their ability to escape domestic violence.

Further, most women supported by Sisters Inside live within the constraints of a low income. As a consequence of low income, key strategies have been developed to manage low income by purchasing items from second hand stores and shopping for food at markets. CDC’s limit women to shopping from mainstream commercial outlets, and reduces their capacity to budget purchase. Overall, it limits women’s financial liberty which is an additional constraint on their ability to take responsibility for their own and their family’s life following release from prison. CDC’s impact a woman’s ability to escape violence and impact the ability to manage low income and they should be discontinued immediately.

Compulsory deductions from welfare payments

The scheme to encourage lawful behaviour of income welfare recipients was enacted in March 2019. It enables the Government to make deductions from welfare payments for serial fine defaulters who have State and Territory court imposed fines. The Government is also able to cancel or suspend welfare

---

payments for people who have arrest warrants. As outlined in our submission, people living on Newstart are already living significantly below the poverty line. Compulsory deductions will reduce payments further adding more financial pressure to people who are unable to meet their basic needs. We strongly oppose this scheme and ask the committee to make recommendations to end it.

Drug Testing
Sisters Inside urges the Federal Government to cease pursuing its proposal to drug test welfare recipients. We strongly believe that these measures will cause considerable harm to an extremely vulnerable population. In 2013, the Australian National Council on Drugs advised the Government not to proceed with drug testing policies as “there is no evidence that drug testing welfare beneficiaries will have any positive effects for those individuals or for society, and some evidence indicating such a practice could have high social and economic costs.” Until the Government addresses structural racism, poverty, homelessness and inequality and provides adequate, assessable healthcare services for substance use, it is not fair to penalise people for drug use that is directly related to these issues. As an alternative to implementing testing that is ineffective and harmful the Government needs to invest in substance use services that can support people into recovery.

In our experience, a significant number of women are imprisoned, or are often on remand, due to the inadequate quality of drug and rehabilitation places. It is currently enormously difficult to find a vacancy in the existing facilities. Further, there are no affordable, culturally-competent, family-friendly, secular residential drug rehabilitation services in Queensland – and very few elsewhere in Australia. Drug testing of Newstart recipients can be expected to further reduce the number of available places, with recipients (regardless of whether their drug use was recreational or dependent) taking the places otherwise available to women ready and willing to commit to rehabilitation. This could be expected to further increase the number of women with substance abuse issues imprisoned or on remand. Sisters Inside strongly recommends that there be an increase to funding drug and alcohol programs to alleviate these issues.

Recommendations:

7. Cease the use of cashless debit cards
8. End the scheme to encourage lawful behaviour of welfare recipients by disallowing compulsory deductions for court imposed fines from welfare payments
9. Abandon the proposal of drug testing welfare recipients
10. Increase funding to drug and alcohol programs including detox and rehabilitation

Thank you for considering this submission. Please contact me on (07) 3844 5066 if you would like to discuss anything further.

Yours faithfully

Debbie Kilroy
Chief Executive Officer
Sisters Inside Inc