Good Shepherd
Australia New Zealand

Parliamentary Joint Committee on Human Rights Inquiry into Australia's Human Rights Framework

Question received on notice via email from Senator Lidia Thorpe, 30 August 2023

"With regards to recommendation nine on an explicit legislative obligation to realise progressive rights [sic], have you considered what metrics could be used to determine what obligations Australia should be held to with respect to how much wealth the country has?"

Recommendation 9: Include an explicit legislative obligation that requires the Government to progressively realise all rights enshrined in the proposed Human Rights Act, paying particular attention to the right to education, protection of children and protection of families.

Good Shepherd response

The progressive realisation of human rights

The progressive realisation of rights is a central feature of Australia's international human rights obligations. It requires the Government to make every effort to secure the enjoyment of all economic, social, and cultural rights while recognising that the full realisation of these rights will generally not be achieved in a short period of time. The principle of progressive realisation of rights also offers a degree of flexibility to accommodate the realities of resource constraints, without justifying government inaction or indefinitely postponing the measures needed to implement these rights.

In the case of Australia, resources – financial and otherwise – evidently constitutes the slightest of barriers (if at all). Unlike less wealthy nations, the full realisation of economic, social, and cultural rights in Australia, including the right to housing, social security, education, and adequate health care, is not hampered by a lack of financial resources but other factors, including political agendas and economic ideologies.

We suggest the following metrics could be used to hold Australia to account in its progressive realisation of human rights: **social spending**, **social security rates**, and **social housing levels by international standards**, along with consideration of the **potential tax resources available** to the Australian Government to realise its human rights obligations.

Social spending by international standards

Australia's social spending on income support, health and other social programs was only slightly above the OECD average in 2019 at 20.4 per cent of GDP.[1] Our social spending is below countries with comparable levels of wealth such as France, Finland, and Germany, as the following table shows.

Table 1: public social expenditure as percentage of GDP, 2022.[2]

Country	Social spending as percentage of GDP
France	31.6%
Finland	29%
Germany	26.7%

Social security rates by international standards

Despite being a wealthy country with economic growth of 3.4 per cent over the 2022-23 financial year,[3] our unemployment payments are very low by international standards – as at 2021 they were the lowest in the OECD,[4] and are now only second to Greece.[5]

In 2019 with the onset of the Covid-19 pandemic alongside many OECD governments, the Australian Government took swift and meaningful steps to increase social security payments. For example, the Government introduced the Coronavirus Supplement and suspended 'welfare conditionalities' or mutual obligations temporarily from April 2020 – April 2021, thereby increasing access to and strengthening existing social security supports.

These changes had a tangible and measurable impact on Good Shepherd's clients' quality of life. Good Shepherd clients during this time state that the Coronavirus Supplement meant that they could purchase healthier food for their household as well as school-related items for children, pay off debts, access health care through visits to

[1] OECD Statistics (2023) 'Sizing up Welfare States: How do OECD countries compare?', https://oecdstatistics.blog/2023/02/02/sizing-up-welfare-states-how-do-oecd-countries-compare/
[2] OECD Statistics (2023) 'Sizing up Welfare States: How do OECD countries compare?', https://oecdstatistics.blog/2023/02/02/sizing-up-welfare-states-how-do-oecd-countries-compare/
[3] Australia Bureau of Statistics (2023) 'Australian economy grows 0.4 per cent in June Quarter', https://www.abs.gov.au/media-centre/media-releases/australian-economy-grows-04-cent-june-quarter#:~:text=Australian%20gross%20domestic%20product%20(GDP,capita%20fell%200.3%20per%20cent.
[4] Ecoscope (2021) 'Australia: Five takeaways from the new OECD Economic Survey', https://oecdecoscope.blog/2021/09/14/australia-five-takeaways-from-the-new-oecd-economic-survey/
[5] Whiteford and Bradbury (2021) 'The $50 boost to JobSeeker will take Australia's payment from the lowest in the OECD to the second-lowest after Greece', https://theconversation.com/the-50-boost-to-jobseeker-will-take-australias-payment-from-the-lowest-in-the-oecd-to-the-second-lowest-after-greece-155739

the doctor or dentist, and refill lapsed medication.[6] Many also said that they were able to save money for future use. Post the pandemic, these supports have now ended, and while there has been a modest increase to working-age social security payments, the payments remain insufficient, and keep people in poverty.[7]

Social housing levels by international standards

The right to an adequate standard of living, including housing, is a fundamental human right to which the Australian Government needs to be held to account. Social housing comprises only 4 per cent of Australian housing, which is below the OECD average of 7 per cent and low in comparison to the United Kingdom (17 per cent) and EU countries (average of 8 per cent but as high as 34 per cent in the Netherlands).[8]

Potential tax resources for human rights realisation

Current tax revenue paints an incomplete picture of the resources available to the Government for implementation of its human rights obligations. For example, superannuation tax concessions are projected to rise substantially as a proportion of GDP – up from about 1.9% in 2022-23 to 2.4% in 2062-63.[9] These tax concessions are projected to overtake government social security spending on the age pension in the 2040s, which is projected to fall from about 2.3% of GDP in 2022-2023 to 2% in the early 2060s.[10]

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[6] Maury et al (2020) 'Understanding the impacts of Covid-19 on vulnerable Australians: Insights from Good Shepherd Australia New Zealand', https://goodshep.org.au/wp-content/uploads/2020/12/GSH031-COVID-19-Report-DP5.pdf

[7] Whiteford and Bradbury (2021) 'The $50 boost to JobSeeker will take Australia's payment from the lowest in the OECD to the second-lowest after Greece', https://theconversation.com/the-50-boost-to-jobseeker-will-take-australias-payment-from-the-lowest-in-the-oecd-to-the-second-lowest-after-greece-155739

[8] AHURI (2023) 'What is the difference between social housing and affordable housing – and why do they matter?', https://www.ahuri.edu.au/analysis/brief/what-difference-between-social-housing-and-affordable-housing-and-why-do-they-matter

[9] Grattan (2023) 'Age pension cost to ease by 2060s but super tax breaks to swell: Intergenerational report', https://theconversation.com/age-pension-cost-to-ease-by-2060s-but-super-tax-breaks-to-swell-intergenerational-report-212012#:~:text=On%20the%20other%20hand%2C%20superannuation,age%20pension%20in%20the%202040s.

[10] Grattan (2023) 'Age pension cost to ease by 2060s but super tax breaks to swell: Intergenerational report', https://theconversation.com/age-pension-cost-to-ease-by-2060s-but-super-tax-breaks-to-swell-intergenerational-report-212012#:~:text=On%20the%20other%20hand%2C%20superannuation,age%20pension%20in%20the%202040s