



people with disability  
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Committee Secretary  
Senate Standing Committees on Community Affairs  
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NGO in Special Consultative Status with the  
Economic and Social Council of the United Nations

4 August 2017

Dear Committee

People with Disability Australia (PWDA) strongly urges the Committee to recommend that the Social Services Legislation Amendment (Payment Integrity) Bill 2017 (the Bill) not be passed. The proposal to radically alter the residency requirements for pensioners and to cut the payment of pension supplement after six weeks overseas is deeply unfair and will cause substantial financial pain to people in receipt of social security payments. We also endorse the submission made by ACOSS on the entirety of the Bill.

Our social security system provides for the basic needs of our citizens. It is a safety net for all Australians who, through no fault of their own, are unable to secure work either in the short or long term. This includes a large number of people with disability who have proven to be eligible for a wide range of payments, not just the Disability Support Pension (DSP). People who have made it through the hurdles of their payment's uniquely strict eligibility rules and stringent, multi-layered application process.

This is not the first time legislation to change residency requirements for pensions and to alter payments to people who are temporarily overseas has come before this Committee and the parliament. PWDA has argued to reject these changes contained in the bill in the past and we are urging you to maintain your opposition. We called for you to block these changes as part of the Inquiry into the Social Services Legislation Amendment (Budget Repair) Bill 2016. We urge you to maintain your opposition to this proposal.

The Explanatory Memorandum for the Bill provides a statement on the compatibility with human rights that correctly identifies that this Bill relates to International Covenant on Economic Social and Cultural Rights (ICESCR), specifically "The right of everyone to social security in Article 9, and the right of everyone to an adequate standard of living for an individual and their family, including adequate food, clothing and housing, and the continuous improvement of living conditions in Article 11 of the International Covenant on Economic, Social and Cultural Rights".

Yet in June 2017 the Concluding Observations of the review of Australia's compliance with ICESCR, the Committee on Economic, Social and Cultural Rights urged the Australian Government to:

*"Reconsider the financial cuts to the social security system, with a view to ensuring that all beneficiaries, especially disadvantaged and marginalized"*

*individuals and groups and those in need of income support benefits, are able to enjoy an adequate standard of living. In this regard, the Committee refers the State party to the letter concerning austerity measures, which was sent to all States parties to the Covenant by the Chair of the Committee in 2012”<sup>1</sup>*

We urge the Committee to consider this most recent observation by UN experts on social, economic and cultural rights, and conclude as we do that the current proposal to cut supplement to people temporarily overseas is incompatible with Australia’s human rights obligations.

PWDA thanks the Committee for the opportunity to contribute to this Inquiry, and we would welcome an opportunity to appear before the committee to elaborate on any of the matters we have raised. Should you have any further questions, please contact Dean Price on 02 9370 3100

Yours sincerely

Ngila Bevan  
**Co-Chief Executive Officer**  
**People with Disability Australia**

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<sup>1</sup> Committee on Economic, Social and Cultural Rights *Concluding observations on the fifth periodic report of Australia E/C.12/AUS/CO/5* 2017. Available at:  
[http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=E%2fC.12%2fAUS%2fCO%2f5&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=E%2fC.12%2fAUS%2fCO%2f5&Lang=en)

### **About People with Disability Australia (PWDA)**

PWDA is a leading disability rights, advocacy and representative organisation of and for all people with disability. We are the only national, cross-disability organisation - we represent the interests of people with all kinds of disability. We are a non-profit, non-government organisation.

PWDA's primary membership is made up of people with disability and organisations primarily constituted by people with disability. PWDA also has a large associate membership of other individuals and organisations committed to the disability rights movement.

We have a vision of a socially just, accessible, and inclusive community, in which the human rights, citizenship, contribution, potential and diversity of all people with disability are recognised, respected and celebrated. PWDA was founded in 1981, the International Year of Disabled Persons, to provide people with disability with a voice of our own.

PWDA is also a founding member of Disabled People's Organisations Australia (DPO Australia) along with Women With Disabilities Australia, First Peoples Disability Network Australia, and National Ethnic Disability Alliance. DPO's are organisations that are led by, and constituted of, people with disability.

The key purpose of DPO Australia is to promote, protect and advance the human rights and freedoms of people with disability in Australia by working collaboratively on areas of shared interests, purposes, strategic priorities and opportunities. DPO Australia has been funded by the Australian Government to be the recognised coordinating point between Government/s and other stakeholders, for consultation and engagement with people with disability in Australia.