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Submission to the Senate Community Affairs
Legislation Committee
***Social Services Legislation Amendment
(Encouraging Self-sufficiency for Newly Arrived
Migrants) Bill 2018***

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Introduction

The St Vincent de Paul Society (the Society) welcomes the opportunity to respond to the Inquiry on the *Social Services Legislation Amendment (Encouraging Self-sufficiency for Newly Arrived Migrants) Bill 2018* (the Bill).

As an organisation committed to social justice and overcoming social division and exclusion, we strongly oppose the Bill and recommend that it be rejected in its entirety. The Society has a long history supporting new arrivals in Australia, and we believe the inclusive nature of our social support systems has been integral to the success of our multicultural society. We are concerned, however, that the current Bill undermines the inclusive and needs-based aspects of our social safety net and risks fostering social exclusion and division.

The Bill seeks to reduce access to social security for migrants granted permanent residency by:

- increasing the Newly Arrived Residents Waiting Period that applies to various concessions and working-age payments, such as Newstart and Youth Allowance, from two years to three years;
- introducing a three-year waiting period to a range of payments that are currently immediately available, including Family Tax Benefit (FTB), Carer Allowance, Parenting Payment, Bereavement Allowance, Widow Allowance and Parental Leave Pay;¹ and,
- extending the Assurance of Support requirement for family visas (where a person agrees to be financially responsible for a new migrant) from two years to three years.

Under the proposed scheme, migrants will need to be permanent residents for three years before they are eligible for most social security and family assistance payments. The Bill will slash \$1.3 billion from social security payments over the forward estimates, the bulk of which (\$900 million) will come from family payments. Around 50,000 families would lose income, and 30,000 individuals will have to wait longer for income support payments.² The Bill is expected to affect 110,000 children whose parents will no longer receive FTB, even though they are on low to middle incomes.

According to this Government, this change is necessary to reduce welfare expenditure, repair the budget, and foster self-reliance by compelling migrants to “support themselves for longer when they first settle permanently in Australia.”³ However, we contest the Government’s rationale and question its assertion that the proposed measures are necessary to repair the budget and curb the “unsustainable growth” of social security spending. We also challenge the claim that cutting people off from social security fosters “self-sufficiency”. Appropriate and timely support during the initial years following migration is critical to settlement outcomes, yet denying access to social security will merely deepen vulnerability and disadvantage among certain migrant groups. It will result in some people being denied basic support payments if they have a new baby, have the misfortune to lose their job, fall ill, care for a terminally ill family member, or experience another circumstance that prevents them supporting themselves through work.

Of particular concern are the likely impacts on the most marginalised migrant cohorts, including women experiencing domestic violence, precarious workers vulnerable to exploitation, pregnant women in insecure work, and children living in low-income families. Without access to a safety net, such groups risk being trapped in a cycle of poverty, precarity and vulnerability. In the context of an increasingly toxic political debate around migration, we believe such proposals represent a

disturbing shift in our system of social protection and support, and one that must be actively resisted.

Access to social security should be determined on the basis of need, not on the basis of false distinctions between the 'deserving' and 'undeserving' or arbitrary social demarcations based on length of residency or migration history. Excluding new arrivals and certain categories of migrants from basic social support infringes human rights and contravenes values of fairness, justice and solidarity. Such a move is discriminatory and divisive, and risks creating an underclass of migrants cut off from the basic rights and supports afforded to other residents.

If we are to maintain fairness and respect as the markers of modern Australia, we must be responsive to the rights and aspirations of *all* sections of our society. We are concerned that the Bill reflects a wider trend of limiting the rights of non-citizens who live in Australia in a manner that is both discriminatory and contrary to the goals of a healthy and harmonious society. Proposals to deny support for new arrivals and certain migrant cohorts ultimately undermine the non-discriminatory and needs-based foundations of our social security system.

We believe, in short, that this Bill is unjust, unnecessary and divisive, and we urge the Committee to recommend that it be rejected.

About the St Vincent de Paul Society

The St Vincent de Paul Society (the Society) is a respected lay Catholic charitable organisation operating in 149 countries around the world. Our work in Australia covers every state and territory, and is carried out by more than 61,000 members, volunteers, and employees. Our people are deeply committed to social assistance and social justice, and our mission is to provide help for those who are marginalised by structures of exclusion and injustice. Our programs assist millions of people each year, including people living with mental illness, people who are homeless and insecurely housed, migrants and refugees, women and children fleeing violence from men, and people experiencing poverty.

The Society has a long history of working with migrants and refugees, and has a migrant and refugee committee or service in each State and Territory in Australia, which coordinates advocacy and material aid. These services range from helping refugees lodge appeals against adverse decisions, to providing living support and material aid for refugees and migrants who have recently arrived in the community. We also coordinate a national Vincentian Refugee Network, and participate in and coordinate visits to immigration detention facilities where we are permitted to.

Specific concerns with the Bill

The flawed justifications for the Bill

We reject the Government's justifications for the Bill. In his Second Reading speech, the Minister for Social Services maintains that Bill is necessary to "repair the budget" and contain "welfare expenditure [which] has grown significantly". According to the Minister, increasing the length and coverage of payment waiting periods for new residents will "reduc[e] the burden on the welfare payments system", "keep our generous welfare system sustainable", and "promote self-sufficiency with newly arrived skilled migrants".³

'Budget repair' and 'fiscal responsibility'

The underlying rationale of "budget repair" and "fiscal responsibility" is unfounded and unjust. Contrary to the Minister's claims, Australia does not face a blowout in welfare expenditure, and our social security is already highly targeted and lean. Due to our relatively low level of benefits and strict income-testing, Australia spends well below the OECD average level on cash benefits, and our unemployment payments represent less than three per cent of overall budget spending. There has been a long-term decline in reliance on working age payments, and the proportion of people reliant on income support has been trending downwards since the recession of the mid-1990s. Over the coming decade, spending on unemployment payments is projected to decline as a proportion of GDP.⁴

Despite the lack of evidence of any blow out in welfare spending, the Government has pursued an unbalanced approach to "fiscal repair" which has relied on cutting away at an already fragile social safety net. At the same time funding to social security and family payments has been slashed, the Government has proposed tax cuts for companies and middle-income earners and has failed to act on significant gaps in the tax system, including generous concessions that see billions of revenue forgone each year to Australia's wealthiest households. We believe that reducing Government support for social security recipients on the lowest incomes, while failing to tackle tax concessions for higher socio-economic groups, is a fundamentally unfair strategy for reducing the budget deficit.

In terms of fiscal implications, the targeting of new residents is also unjustifiable. We do not believe an economic framework of costs and benefits is appropriate when determining access to basic rights and social protections. Nevertheless, the Government has insisted that reducing payments to migrants is necessary to alleviate the burden on the welfare system. There is, however, no evidence that migrants are a "drain" or "burden" on the social security payments system. Analysis by the Productivity Commission shows that recent immigrants on skilled visas are already less likely than the general population to receive income support, and to be on income support for a shorter period of time if they do receive payments.⁵ The Productivity Commission conclude that immigrants make a strong positive net contribution to Australian society, especially when their integration is supported. As the Department of Home Affairs' itself maintains, "overall, migrants contribute more in taxes than they consume in benefits and government goods and services".⁶

Moreover, if reducing government expenditure is the core objective, then the proposed measures are counterproductive. Cutting new residents off from social security and family payments represents a false economy. Forcing people into protracted poverty and destitution will not only undermine economic and social participation in the short term, but may have longer-lasting effects

on settlement outcomes and the social and economic participation of migrants. Denying family payments may also have intergenerational ramifications, contributing to child poverty and poorer developmental outcomes, and entrenching families in a position of ongoing hardship. These potential long-term social and economic costs affect not only migrants themselves but also the wider community.

Promoting 'self-sufficiency'

Although a stated objective of the Bill is to “encourage self-sufficiency”, no evidence has been provided to show that removing income support leads to greater self-reliance. Implicit in the Government’s justification for the Bill is the notion that new arrivals choose not to work, with social security fostering dependency and passivity. Conversely, the assumption appears to be that withholding social security from people who are unemployed will incentivise them to seek work and become more self-reliant.

This erroneous assumption has been a recurrent thread in justifications for recent cuts to social security. From this perspective, it is claimed that restricting access to social security will encourage people to choose employment over welfare. In relation to this Bill, the expectation is that new arrivals experiencing hardship can overcome their difficulties simply through their own resolve.

This approach glosses over structural barriers to the labour market and the various challenges many migrants face in their first few years of settlement. In our experience, new residents are overwhelmingly keen to contribute to the community and to find and sustain work as part of building their future in Australia. It is the barriers to employment imposed by the labour market and society – not individual impairments or motivation – that typically prevent new residents from participating fully in the labour market and society.

Despite many success stories, new residents often face multiple barriers to the labour market and must navigate a range of challenges as they adapt to a new culture and social setting. The level of education and formal qualifications among non-humanitarian residents is higher than the wider population.⁷ However, unlike qualifications for the general population, education for migrants does not generate similar employment and income gains.⁷ Discrimination and the non-recognition of qualifications and prior experience gained outside of Australia continue to create the most significant barriers to employment.^{8,9,10,11,12} Gaining the appropriate recognition of overseas qualifications and skills has become increasingly difficult for people from migrant backgrounds due to the high costs and complexity of Australia accreditation systems and the lack of a consistent, national approach to overseas skills and qualifications recognition. Additional challenges can include restricted access to affordable housing close to transport and/or viable employment options; limited proficiency in written and spoken English; understanding the job market and navigating foreign recruitment practices; loss of extended family; and a lack of local networks to help connect with opportunities or provide social support in times of need.¹³

Forcing people into destitution does not foster self-sufficiency or better long-term outcomes. Far from encouraging self-reliance, this approach heightens peoples’ vulnerability and hardship and risks entrenching social exclusion and isolation. It also risks creating an underclass of vulnerable migrants with limited options for social and economic participation. For those who find themselves in a difficult financial situation, being cut off from support will make it more difficult to get back on their feet and participate economically and socially. Difficulties meeting basic housing and subsistence

needs can create stress and instability, eroding health and wellbeing and in turn undermining employment prospects. Ultimately, an inadequate income is an obstacle, rather than a facilitator, of moving into paid work.

Rather than promoting self-sufficiency, the proposed changes risk increasing social isolation, economic exclusion and dependency on family members or sponsors. Cutting off people from any income can create or heighten power imbalances and relations of dependency between family members, potentially leading to abuse or exploitation. It is also completely inappropriate to expect the children affected by this policy to be self-sufficient. Far from promoting better social and economic outcomes, there is a risk that this policy may entrench intergenerational poverty, with children who grow up in poverty being more likely to experience developmental delays, have poorer educational outcomes, and poorer employment outcomes as adults.

Further, extending the waiting period for access to social security will further delay access to employment assistance services. Preventing people from accessing employment assistance services would appear to be at odds with the stated objective of self-sufficiency.

Thus, far from encouraging self-sufficiency, the proposed measures risk entrenching poverty and social exclusion and are inconsistent with the policy objective of supporting workforce participation.

Undermines the needs-based and non-discriminatory nature of our social security system

Preventing and alleviating poverty is the central aim of our social security system. The underlying intent is to ensure people receive adequate social protection when there is a *need* for such assistance. The proposed changes, however, undermine the universal, needs-based nature of our social security system.

We believe that maintaining needs-based criteria in the allocation of income support is critical.^{*14} Like other Australian residents and citizens, immigrants who acquire permanent residency under the skilled and family streams can be vulnerable to unforeseen events such as ill health, loss of a job, or other circumstances that mean they are unable to earn an adequate income. Similarly, low-income migrant families are subject to the same financial pressures and costs that affect all low-income families raising children.

Those who do draw on social security benefits or family payments should be able to do so because they have a demonstrated need and have met the means test and other eligibility criteria. As Ben Saul has noted in his analysis of migrant rights under social security law in Australia:

...the preservation of human dignity should not be contingent upon citizenship, permanent residence, or immigration status... Responding to political or public concerns about the access of new migrants to public welfare – for example, notions that they have not ‘earned’ public welfare through membership of the community over time, or they are not yet sufficiently ‘Australian’ to deserve it – is not a sufficiently strong ground for a government to deprive a person of an adequate standard of living, to bring about their impoverishment, and to undermine their basic human dignity.¹⁵

* While waiting periods for working age payments were first introduced for new arrivals in the 1990s, it should be noted that they were not a feature of social security law for most of the twentieth century. Historically, there was little variation between newly arrived immigrants and long-term residents under Australian social security law.

In addition, drawing an arbitrary distinction based on immigration status creates an asymmetry in rights and obligations. That is, while new residents are obliged to pay taxes and expected to contribute their labour for the benefit of the wider economy, they are deprived of the basic right to social security when they have a legitimate need for support. From a fiscal perspective, permanent residents are expected to pay taxes and boost consumption, while remaining ineligible for social assistance and social security.

Access to social security should be determined on the basis of need, not on the basis of false distinctions between the 'deserving' and 'undeserving' or arbitrary social demarcations based on immigration status or length of residency. This fundamental tenet is undermined by this Bill.

Erodes settlement outcomes and social cohesion

The conditions under which migration and settlement occur have significant implications for social cohesion and long-term social outcomes. Australia's much vaunted success as a multicultural immigrant nation was built on a settlement model that did not "leave things to chance" but supported migrants to "get to a baseline."¹⁶ Key to this was early intervention and support in the early years following arrival.¹⁶

These initial few years, during which migrants orient themselves to their new country, find housing, employment, and settle into neighbourhoods and schools, are often the most challenging. New arrivals are most vulnerable to financial hardship and destitution in these first few years. However, with the appropriate level of support, social and economic participation rates usually improve. While income levels are lowest in the three years following arrival, average income steadily increases in the subsequent six years across all visa categories.¹⁷ Withdrawing support, however, will make it more difficult for people to overcome initial challenges and settle successfully. It risks eroding their health, consigning them to the margins of the labour market and trapping them in a cycle of poverty. For those experiencing difficulties in these first few years, the lack of a safety net can lead to an escalation of disadvantage and cascade of social problems that may be difficult to reverse.

Limiting access to social security for permanent residents, with the aim of reducing government expenditure, is therefore short-sighted in its failure to consider the longer-term implications. As indicated above, arbitrarily delaying access to social security is at odds with the Bill's stated objective of "encouraging self-sufficiency" and ultimately undermines social integration and resilience. Early support and access to the social safety net should be regarded as an investment in long-term beneficial settlement outcomes – not a short-sighted budgetary savings measure.

As well as adversely affecting the settlement outcomes of migrants, the Bill has potentially wider effects in terms of creating and reinforcing social divisions and notions of who belongs. Cutting off new residents from social rights and support systems conveys the message that they are not fully included in the wider community. This risks creating a subclass of individuals who are disenfranchised and denied the fundamental "right to have rights".¹⁸ Differential treatment by official institutions can function as a social cue as to who belongs and who doesn't – cues that are communicated not just to migrants, but to the wider community. Such institutionalised distinctions can thereby legitimise social divisions and discrimination, undermining social cohesion and trust.^{19,20}

As the recent report by the Joint Standing Committee on Migration found, central to the successful settlement of migrants is the reception of the host community.²¹ Differential treatment and the

denial of rights accorded to other residents and citizens can foster a sense of exclusion, isolation and marginalisation. In this way, the cumulative effects of this Bill – combined with various other measures that delay access to permanent residency and deny migrants basic rights – are likely to be poorer settlement outcomes, greater levels of social exclusion, and reduced social cohesion.

Increases social vulnerability and employment precarity

Of particular concern is the likelihood that this Bill will intensify the vulnerabilities of the most marginalised and disadvantaged migrant cohorts. This includes women experiencing domestic violence, precarious workers vulnerable to exploitation, pregnant women in insecure work, people who become carers for family members, and children living in low-income families. Without access to a safety net, such groups risk being trapped in a cycle of poverty, precarity and vulnerability.

While many new arrivals successfully participate in the labour market and wider community, more recent migrants experience higher rates of homelessness and poverty, with those who arrived in the last five years accounting for 15 per cent of all persons who are homeless.²² This Bill will only increase the vulnerability and destitution of new arrivals who are living in poverty. For those with limited financial means, it may also foster power imbalances and compound their dependency on family members, thereby straining relations and potentially giving rise to situations of abuse.

In addition, we are concerned about the effects of imposing a three-year waiting period for new residents who become carers because of a family member's debilitating illness, accident or disability. The adverse effects will be amplified for parent carers of children, including those with a disability, as they will be cut off from *both* carers payments and the Family Tax Benefit. Delaying access to these payments will place acute stress on carers and make it more difficult to support those they care for, with potentially adverse health consequences and difficulties attending to the medical and material needs of those with disabilities or poor health.

Protracted waiting periods for social security also increase the risks of labour market exploitation and poor working conditions. The exploitation of migrant labour in Australia is already well documented, with the lack of a social safety net identified as a driver of such exploitation.^{23,24,25} Without access to basic social protections, new residents are effectively rendered dependent and acquiescent, and may be pressured to accept insecure and underpaid work or endure poor conditions to avoid losing their income. New arrivals have been shown to suffer disproportionate levels of wage theft, discrimination, intimidation, unfair dismissal, and pressure to do unreasonable work. This is further confirmed by overseas research, which shows that restricting access to social security compels migrants to accept more precarious work and substandard working conditions.^{26,27,28}

Migrant workers – usually without access to social “safety nets” and often lacking established family support – have frequently been compelled to take any work offered, generally at more substandard pay and abusive conditions than before. This represents a particularly urgent driver for precarisation of work and working conditions.²⁹

The precarious employment of new residents can have long-term effects on their socioeconomic and labour market status – effects that may linger even if their migration status and access to social support subsequently improves. As Goldring and Landolt observe in their study of temporary migrants in Canada:

once in a vulnerable labor market situation it is difficult to improve one's situation. That is, precarious legal status becomes a source of vulnerability in the short run as well as a long-term

trap because low-wage and precarious jobs become a ‘sticky’ web for people with precarious status... the legal status of a newcomer has a lasting impact on the quality of jobs he or she will get [and they] are likely to remain in precarious jobs even after they regularize and acquire permanent residence.

A further concern relates to the increased vulnerability of children living in low-income families. The early years of life are the most critical time to lay the foundation for a child’s future, and a focus on the wellbeing and development of the youngest members of migrant families is vital to prevent and reduce subsequent disadvantage and vulnerability. This Bill however, removes access to Family Tax Benefits and thereby risks entrenching children in a cycle of poverty, with long-term implications for their development, health and social and economic outcomes in later life.

Exemptions are inadequate

We do not believe the exemptions included in the Bill are sufficient to prevent adverse impacts on the most vulnerable and marginalised new arrivals. The exemptions apply to humanitarian entrants and refugees on temporary visas; individuals who become lone parents after acquiring permanent residency; and migrants from New Zealand. In addition, the Bill allows for Special Benefit payments to be made to new residents who are in severe financial hardship and, after the start of the waiting period, experience a “substantial change in circumstances” that is “beyond their control”.

In our view, the exemption for new residents experiencing financial hardship is too limited in scope and difficult to attain. The threshold for demonstrating a substantial change in circumstances is onerous and must be substantiated with documentation, often with an independent assessment from a social worker. The arduous and sometimes time-consuming process of applying for this payment makes it “arguably the most legally complex, confusing and difficult payment type”.³⁰ According to the Department’s Guidelines, individuals experiencing destitution are not eligible for the payment if their financial hardship is because of their “failure to obtain or maintain employment” (unless there is an “exceptional delay”), or if they “are limited by the amount of funds they can bring with them when leaving their emigrating country” (as, according to the Guidelines, it “is reasonable to expect that they would be aware of the regulations imposed by their emigrating country and make appropriate arrangements for their support in Australia, before migrating”).³¹

For new residents who arrive on a family visa, a key concern is their heightened dependence on sponsors and their increased susceptibility to abuse or neglect. Limited access to Special Benefit does not alleviate these concerns, particularly given those in situations of abuse or family conflict “must demonstrate that they have made every effort to get adequate support from their sponsor before being granted Special Benefit”.³¹

The rate of the Special Benefit payment is also insufficient to ameliorate the poverty of those experiencing financial distress. While the maximum rate is equivalent to Newstart (a below-poverty-line payment), Special Benefit is usually less due to much more stringent means-testing criteria that take into account in-kind support (such as free board and charitable assistance from others).³¹ In addition, unlike Newstart, Special Benefit has a dollar-for-dollar income test which reduces the payment rate for any employment and in-kind support. Unlike other payments, there is no income free area and no taper rate to both encourage and reward employment and participation.

Ultimately, people’s circumstances should not have to degenerate to a situation of severe hardship and destitution before they qualify for a payment. It is cruel and futile to wait until a person’s

deterioration in health or material circumstances is severe enough to be deemed substantial. Yet even if people are experiencing such hardship, this Bill does not guarantee they will be able to access financial support, nor is the level of support provided under the proposed exemptions sufficient to lift them out of a state of destitution.

Protracted temporary status and extended waiting periods

In assessing the implications of this Bill, it is important to recognise that migration to Australia is increasingly ‘multi-step’ or ‘staggered’, involving extended periods on temporary visas before permanent residency is achieved. The growth in migrants with a temporary status is a departure from Australia’s historical focus on permanent settlement, which emphasised permanent residency and/or citizenship as a means of building social and economic inclusion for new arrivals. While the Bill’s Explanatory Memorandum states that “three years is considered a reasonable period to expect migrants to support themselves and their families”, the reality is that many of those affected will be waiting much longer than the nominal three years before they can access social protections.

Over half of Australia’s permanent migration intake is now drawn from the ranks of temporary visa holders who are already in Australia.⁵ On average, migrants who transition through temporary visas before obtaining permanent residency are granted at least three visas and spend roughly six years in temporary status.⁵ Consequently, if this Bill is passed, those who transition from a temporary visa to permanent residency will need to wait an average of *nine* years before being able to access family payments or social security, with some waiting for well over a decade.

Moreover, this waiting period is likely to be extended further under proposed changes to visa arrangements, which seek to narrow access to permanent residency and enforce prolonged periods of provisional residence. If implemented, these changes will further delay access to the social safety net.³² Under the proposed arrangements, almost all of those affected by this Bill will have been living in Australia and contributing to their communities for much longer than the nominal three years.

We believe this Bill, and the proposed changes to visa and citizenship arrangements, represent a concerning trend in our immigration policies and processes. The growing emphasis on temporary visas and extended pathways to permanence is creating a growing number of residents who live and work in our communities, yet are excluded and rendered vulnerable due to their contingent and provisional status. If enacted, this Bill will only further entrench the division between these provisional migrants and other residents, contributing to a subclass of residents who are deprived of the basic rights and dignity afforded to the wider community. This approach is likely to have adverse and enduring consequences both for migrants and the communities in which they eventually settle.

Exacerbates gender inequalities

The Society is deeply concerned about the disproportionate effects of this Bill on women migrants. We believe that the proposed measures will add to the poverty burden that new residents who are women already disproportionately bear, as well as compounding the structural disadvantages they confront in the labour market and due to their unpaid parenting and caring roles.

While new arrivals experience many barriers to the labour market, the levels of discrimination and disadvantage are magnified for migrant women. They have higher unemployment and underemployment rates and earn substantially less compared to both their male migrant counterparts and non-immigrant women with the same level of qualifications.^{33,34} Workforce

participation rates are 11.9 per cent lower when compared to all Australian women, and 23.1 per cent when compared to all Australian men.³⁵ While women who become new residents are increasingly tertiary qualified and skilled, they are disproportionately concentrated in low-paid, semi-skilled and precarious work, and are almost twice as likely as men to be earning less than \$15 per hour.³⁶

While some of the challenges faced by migrant women in participating economically are common to those of other Australian women, they experience additional layers of discrimination and disadvantage that compound economic exclusion and the resulting social and health harms:

systemic racism and sexism interact with policies, practices and attitudes at the individual, family, community and societal levels. These combine to severely limit the economic participation of refugee and migrant women, with negative impacts on their health, wellbeing and economic independence.

Given the structural barriers to employment and economic participation, access to the social safety net is vital to ensure women have a basic level of economic security and financial autonomy. This Bill, however, will accentuate the economic exclusion experienced by new arrivals who are women. With women's homelessness on the rise, and continued gendered gaps in income and lifetime earnings, this Bill is at odds with the Government's recent commitment to "achieving economic security for all Australian women to enable them to be independent and empowered".³⁷ The proposed changes in the Bill will serve to amplify the economic insecurity of migrant women, increasing their vulnerability to poverty and accentuating gender disparities.

The implications for women experiencing domestic or family violence are of particular concern. Gaining economic independence is important for any woman who is attempting to leave a relationship with an abuser. Cutting women off from any independent income reduces their financial autonomy, exacerbating unequal power dynamics and relations of dependency. Increasing women's access and control over resources is vital to increasing their capacity to be autonomous decision-makers within families, and women who have lower access to and control over an independent income and material support often find leaving a violent situation more difficult.

While the Bill includes specific provisions for women experiencing domestic violence, the exemptions proposed are inadequate, with various practical challenges and evidentiary requirements ultimately limiting access to the Special Benefit payment. Immigrant women are far less likely to report violence³⁸, yet access to the exemption is contingent on disclosing domestic violence and providing evidence to substantiate claims. The prospect of having to navigate an unfamiliar and cumbersome application process, in which a woman must demonstrate she is experiencing violence and for which the outcome is not guaranteed, will deter many from seeking support and leaving their situation.

In addition, the threshold for demonstrating domestic violence and the associated bureaucratic processes fail to take into account how dependency issues, isolation, lack of information, fear of engaging with authorities, language and cultural issues, and perpetrators' threats and controlling behaviours prevent many immigrant women from using service systems and disclosing violence.³⁹ Migrant women who have survived domestic violence and who have dealt with Centrelink and the Department of Home Affairs have described an experience of being re-traumatised by the process, stating that they feel judged and distrusted while their abusers are free.⁴⁰

We also strongly oppose the withdrawal of carer payments and paid parental leave to new residents, which will also have a disproportionate impact on migrant women. A significant contributor to the gender income gap is the reduced workforce participation of women due to the unpaid caring work they do for children, family and household members with a disability, and those who are chronically ill or frail due to old age. Women will therefore bear the brunt of delayed access to carers payments.

Moreover, we believe that paid parental leave is an essential component of any attempt to address the gendered wealth gap, improve women's workforce engagement, and ensure positive health outcomes for mothers and their children. Access to this leave is particularly crucial for migrant women given their pronounced economic disadvantages and the additional structural barriers they already experience in the Australian labour market.

As indicated in the Explanatory Memoranda to the Bill, access to paid maternity leave is a human right and an international obligation to which Australia has committed. The proposal to delay access to paid parental leave directly contravenes that human right, and the potential ramifications for women's economic and reproductive rights are serious. Selectively applying such a measure to new arrivals would perpetuate labour market disadvantages for migrant women and establish a two-tier system of labour rights.

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