



Oceania

**Australian Political Party Poverty Audit
August 2013**

[Academics Stand Against Poverty](#) (ASAP) is an international network helping scholars, teachers and students enhance their impact on global poverty. [ASAP Oceania](#) has recently been established under the auspices of the Social Justice Network at the University of Sydney.

The Australian Political Party Poverty Audit was prepared by ASAP Oceania on 13 August 2013.

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COMMONLY USED TERMS

ALP	The Australian Labor Party
ASAP Oceania	Academics Stand Against Poverty Oceania
Coalition	The Liberal/National Party Coalition
GNI	Gross National Income
HECS	Higher Education Contribution Scheme
IR	Industrial Relations
Liberals	The Liberal Party of Australia
NGOs	Non Government Organisations
The Greens	The Australian Greens Party
UN	United Nations

INTRODUCTION

Associate Professor Danielle Celermajer, University of Sydney

"It's the economy stupid" is once again the refrain of the upcoming federal election. Which party is going to do best at balancing the budget and reducing the deficit? And which one can do all that at the same time as putting no major interests off side by increasingly taxation or cutting programs? But there is a lot more to the economy than deficits and balances. Distribution and choices about how expenditures will affect those who are most disadvantaged at home and abroad also matter.

Since the early 1990s, major international organisations such as the United Nations Development Program have been calling for a change in the way that we think about a country's success in terms of the economy. They stopped simply looking at total numbers like Gross Domestic Product as a measure of development and started breaking statistics down to reveal distributions across a society and between particular groups. In light of the economist Amartya Sen's 'capabilities approach', the United Nations Development Programme (UNDP) and most development NGOs now insist that the key question when analysing a nation's economy is, *how does the way a country organises its economy shape what individuals in that nation are able to do?* How does the economy assist them to develop the capacities they need to live decent and free lives?

In contemporary Australia, some individuals' life chances can be drastically affected by forces over which they have no control, for example, changes in the global economy or radical shifts in the availability of work in the fields in which they trained and once made a life. They can also be drastically affected by their own illness or disability, or that of someone they care for. How does a national economy ensure that they are not permanently marginalised? And what about future life chances? How does a government ensure that young people born in certain circumstances (social and geographic) will not remain on the social and economic periphery because they don't have the chance to acquire the skills and capabilities they will need to negotiate the future?

Looking outside 'our own' what about the role that Australia takes in alleviating poverty in other nations? As a member of the UN Security Council with a proud history as a good international citizen, how are we doing at ensuring that our international aid and development policies are sufficient and effective? Are our foreign policies in other areas supporting poverty alleviation internationally? For example, is Australia supporting trade agreements that entrench poverty amongst certain nations and groups? Are we part of the global movement to stem illicit financial flows or are we turning a blind eye to them? Are our own aid programs meeting international benchmarks?

These economic questions receive all too little attention in federal election campaigns. Whether a party's policy will condemn entire groups to sustained poverty is at best a minor note in the overall songbook of campaigning. This is in part because questions of poverty and distribution are apparently not that 'sexy.' They don't seem to have the same photo or by-line opportunities as sinking boats and mud-slinging politicians. But it is also because the

public just does not know enough about the policies of the various parties and their implications for poverty and distribution.

ASAP Oceania is a new coalition of scholars who want to make a difference to poverty alleviation in Oceania and internationally. We have released a report that starts to address this knowledge gap by asking some of the leading experts in the country to analyse, in short readable pieces, how the three major parties' policies in particular areas are going to impact poverty. If the Liberal/National Coalition (the Coalition) or the Australian Labor Party (ALP) is in power, what can people with disabilities, Indigenous Australians, asylum seekers, single parents or young people expect? A shift that will increase their life chances or policies that will further their marginalisation and impoverishment? Similarly, what can recipients of international aid and development assistance and others affected by Australian foreign policy expect? What about our regional neighbours?

The pieces that follow answer just some of those questions in relation to some groups likely to be most affected by the choices Australians make about the Government that we elect. Our aim in putting them out is to stimulate discussion about the poverty implications of the policies of the parties that are seeking our votes. We hope that they will be followed by more pieces by more scholars who wish to add their analyses. Most importantly, we hope that Australians and our neighbours will take them, add to them and insist that the question of poverty in Australia and the world be moved from the remote periphery to the centre of our debates about the future direction of this country.

Associate Professor Danielle Celermajer is the Director of Human Rights program area at the University of Sydney.

EXECUTIVE SUMMARY

Madeleine Finn, University of Sydney

This report examines the poverty implications of the policies of the three major Australian political parties in key policy areas including education, Indigenous policy, housing, foreign aid, migration and many others. Through this report, ASAP Oceania aims to stimulate discussion about poverty both in Australia and internationally, and draw attention to issues around poverty as we approach our upcoming federal election.

Leading academics across the country have contributed to this report by producing short pieces assessing the policies of the ALP, the Coalition and the Australian Greens (the Greens) in their area of study and expertise. These contributions include:

Indigenous Policy: Jon Altman outlines the deep poverty experienced by Indigenous families and individuals and the failures of previous and current government policies to adequately address Indigenous poverty. Using the research of economist Boyd Hunter and their collaborations, Altman illustrates the complex nature of Indigenous poverty and describes the multiple dimensions that contribute to reinforcing Indigenous poverty such as experience of discrimination. Altman argues that the policies of the ALP and the Coalition are similar and focus on increasing Indigenous peoples' engagement in the mainstream education system with a view to increase their participation in the workforce. Altman critiques the cessation of the Community Development Employment Program and the reforms to the sole parents' payments scheme describing them as destructive reforms that will further entrench poverty. The reforms advocated by the Greens, such as proposed reforms to the Native Title Act to strengthen property rights and a greater focus on human rights and community self-determination in accordance with the United Nations' Declaration on the Rights of Indigenous Peoples are, in Altman's view, more likely to alleviate poverty.

Children and Family Policy: Kay Cook discusses the vulnerabilities of lone parent families who are inadequately supported by welfare provisions and the child support system. Cook argues that recent reforms to welfare policies have resulted in unintended and deleterious consequences for lone parents and their children. These reforms include moving lone parents who were receiving Parenting Payment (Single) to the less generous Newstart allowance, and increasing in-kind payments as a child support mechanism. Cook argues that the policies of the two major political parties largely ignore the concerns of impoverished lone parents and the continuation of current policies are likely to exacerbate the poverty experienced by the majority of such households.

Higher Education Policy: Bruce Chapman analyses whether the Higher Education Contribution Scheme (HECS) affects access to Higher Education. Chapman finds that HECS has helped finance the growth of the public university system and led to an increase in the numbers of students from higher, lower and middle-income background. However, he finds that the decision to attend university is not shaped by this system alone but is a 'life-time concern.' Chapman argues that the commitment of the Greens to phase out high education tuition would not result in greater equity but would rather distribute financial gains to the

advantaged. In contrast, the current ALP and the Coalition are in favour of retaining respect HECS. Chapman expects that there will not be any radical reforms to HECS after the election.

Housing Policy: Keith Jacobs describes how the shortage of affordable rental housing and escalating costs of home-ownership has accentuated poverty in Australia and contributed to rising numbers of people who are homeless. Current figures of homeless people are estimated at over 100,000. He connects these problems to the diminution of government funds directed to public housing and the current taxation system that privileges the wealthiest homeowners, investors and older households. Despite lip service to address housing related poverty, Jacobs explains how all the major parties are committed to privileging homeownership over and above other tenures. Of the three parties, Jacobs argues that the Greens is the most radical, in that they have stated they wish to raise company and estate taxes to pay for the costs of boosting the supply of social housing.

Disability Policy: Gerard Goggin and Ros Madden demonstrate the clear links between poverty and disability, arguing that each raises the risks and reinforces the effects of the other. They argue that disability strategies must form a central part of poverty reduction strategies and outline key criteria that should be present in national policies. These include recognising the UN Convention on the Rights of Persons with Disabilities, designing policies to enable persons with disabilities to participate fully in education and employment, and applying these policies equitably across Australia. Using these criteria the authors assess the policies of the three major political parties, finding that the Coalition gives little attention to disability, only mentioning disability in relation to having a 'smarter' approach to the Disability Support Pension and strengthening the economy to fund the National Disability Insurance Scheme. In contrast, the ALP and the Greens meet most of their criteria. However Goggin and Madden explain that neither party makes the explicit links between disability and poverty that are necessary to challenge the current cycle.

Intellectual Property Policy: Matthew Rimmer analyses the intellectual property policies of the major political parties in the fields of information technology, biotechnology, health care, and climate change. He outlines some positive policies initiated by the ALP (Rudd and Gillard led) Governments such as the introduction of plain packaging of tobacco products. However, there is still room for improvement, such in the area of copyright law which he says needs to be revised to address discrimination against people with a disability. Rimmer notes with concern the Coalition's opposition to *the Intellectual Property Laws Amendment Bill 2013* (Cth), and its provisions on access to affordable medicines, and for Crown use. He also examines the policies of the Greens such as the proposal to widen the availability of products for the visually impaired.

Industrial Relations Policy: Michael Rafferty examines the industrial relations (IR) policies of the major political parties. He says that policy in this area has been vague with no party wanting to make IR an election focus. What has been said includes a statement from the Coalition that if elected, it will refer IR policy to the Productivity Commission for a major review and will examine trade unions and industrial action. The Greens promise to legislate for higher minimum standards for pay and conditions, restrict the use of 'sham' contracting and increase minimum annual leave to five weeks. ALP policy focuses on pay equity and

improved working conditions. Rafferty argues that for paid work remains the central vehicle for poverty alleviation in the eyes of the ALP and Coalition.

Migration Policy: Anna Boucher raises concerns about the growth of temporary migration and the potential creation of an underclass of residents who are denied or will have no access to the public health and welfare systems, and the newly established National Disability Insurance Scheme. She explains that both major parties supported large-scale increases in temporary economic immigration yet neither party sought to remove the Newly Arrived Resident Waiting Periods that apply to most social security payments and were introduced in the 1990s. Boucher states that while the Greens have declared support for services for new migrants, such as social security, it is unclear whether these services extend to temporary immigrants.

Refugees and Asylum Seeker Policy: Linda Bartolomei provides an overview of the politics of current policy approaches to refugees and asylum seekers. She then outlines Australia's obligations to refugees under the 1951 UN Refugee Convention as well as under the International Covenant on Economic Social and Cultural Rights and the International Covenant on Civil and Political Rights. These include the prevention of poverty and destitution; they serve to highlight Australia's differential treatment of asylum seekers arriving by boat. Bartolomei explains the high risks of poverty and social exclusion for resettled refugee populations and asylum seeking populations. While noting there has some improvements in ALP policy such as an increase in the Offshore component of the Refugee and Humanitarian Program to 13,000, Bartolomei argues ALP policy fails to address many challenges facing recently arrived refugees such as high instances of housing stress. Bartolomei outlines that Coalition policy in this area is driven by the perceived need to maintain the integrity of Australia's borders. Policies include the use of the military and navy to intercept and interdict boats, offshore processing, and the re-introduction of Temporary Protection Visas. Bartolomei argues these policies will have detrimental impacts on the wellbeing of asylum seekers and refugees. Bartolomei also analyses the Greens' policies that are underpinned by international legal and humanitarian obligations. Under their policies Offshore processing centres would be closed and asylum seekers detained for no more than 30 days and then accommodated in the community. The Greens also support the rights of family reunification.

Foreign Aid I: Bina Fernandez examines the foreign aid policies of the three main political parties and the recent reforms to Australian aid. While noting that the current aid budget, reflecting 0.37 per cent of Gross National Income (GNI) is the largest ever, Fernandez argues that Australia has the potential to reach the 0.7 per cent of GNI target recommended by the United Nations. She notes that all three political parties have committed to reaching the target of 0.5 per cent of GNI by 2015 - 2016, however the ALP has delayed reaching this target till 2017 - 2018 and the Coalition has remained silent on its timeline to achieve this goal. In contrast, the Greens have taken steps to prevent cuts to the aid budget and have committed to ensuring non-commercial aid. Fernandez is concerned about the use of aid money to support Australian businesses and fund refugee processing.

Foreign Aid II: Nichole Georgeou and **Charles Hawksley** examine Australia's 2013-2014 aid budget, noting the target of 0.5 per cent of GNI has been delayed until 2017 or

2018. They argue that ALP, Coalition and the Greens all tie aid to the achievement of the Millennium Development Goals. However, they note that the ALP and the Coalition also strongly link Australian aid to national interest, while the Greens prioritise a humanitarian focus.

Development Policy – Beyond Aid: Susan Harris Rimmer explains that there is international recognition that the domestic policies of a state in areas such as migration, trade, investment and security affect development outcomes. She examines how the major political parties engage with development beyond aid by looking at each party's major documents and statements by their political leaders. She finds that the ALP aims to be a 'good international citizen' and focuses on issues like multilateralism and arms control. The Coalition focuses more strongly on economics, advocating the expansion of free trade agreements, among other measures. The Greens focus nuclear disarmament, climate change issues and refugee policy. Harris Rimmer finds that there has been minimal attention paid to what Australia should do at a domestic level to be a better development actor that has contributed to Australia's poor comparative rankings such as on the Commitment to Development Index. She argues Australia still has a long way to go in developing a comprehensive 'beyond aid' agenda.

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INDIGENOUS POLICY

Professor Jon Altman, Australian National University

According to the 2011 Census, Indigenous Australians total 670,000 and constitute three per cent of the total population. Normative social indicators, reflecting the values of the dominant settler colonial society and historically available since 1971, indicate deep and continuing disparities between Indigenous Australians and other Australians as statistical entities. The Indigenous affairs policy of governments of all persuasions since the 1980s have explicitly aimed to reduce these statistical discrepancies that seem to be such 'wicked' problems as to be almost intractable - as evidenced by research that has tracked change from 1971 and 2011 and examined social indicator outcomes in life expectancy, employment, education, income, home ownership and overcrowding. Dominant rhetorical terms in policy have included Bob Hawke's 'Aboriginal Employment Equity by the Year 2000'; John Howard's 'Practical Reconciliation'; and most recently Kevin Rudd's 'Closing the Gap', a policy framework announced as part of the National Apology in February 2008 and subsequently incorporated in the National Indigenous Reform Agreement by the Council of Australian Governments.

Despite evidence of deep poverty experienced by Indigenous families and individuals available since the Henderson Commission of Inquiry into Poverty in the 1970s, government policy has never pursued policies to explicitly eliminate or ameliorate Indigenous poverty. For example, the current Closing the Gap policy framework focuses in a highly technical way on six key objectives (life expectancy, infant mortality, three on education and employment) with only one, halving the gap in employment outcomes between Indigenous and other Australians within ten years (from 2008) impacting indirectly on poverty. There is no government policy to either Close the Poverty Gap between Indigenous and other Australians, or to make Indigenous poverty history in relation to a poverty line set at say 50% of median equivalised (adjusted for family composition) income for Australian households.

The best source of information on Indigenous poverty is found in the National Aboriginal and Torres Strait Islander Social Survey (NATSISS) that can be compared with information for the total population in the General Social Survey (GSS). Economist Boyd Hunter has undertaken thorough analysis of these data sources and asks most recently '[Is Indigenous poverty different from other poverty](#)' his answer is a resounding yes. But there are many conceptual complexities underlying Indigenous poverty that are not adequately considered in standard poverty analysis. These include household composition, sources of non-monetary income, the absence of adequate measures of costs outside capital cities, and a host of cross-cultural issues.

Nevertheless Hunter's analysis of income variables alone shows the depth of Indigenous poverty. In '[Revisiting the poverty wars](#)' he estimates that 41.8 per cent of one family Indigenous households live in poverty compared with 17.3 per cent of non-Indigenous households, a massive 'gap', and that for Indigenous households poverty is far higher than for non-Indigenous households irrespective of location. His most recent analysis indicates that in sole parent households, there is no significant difference between Indigenous and

non-Indigenous households (40-50% live in poverty) but for couples and other household forms there is a statistically significant difference. Hunter also emphasizes that Indigenous poverty has multiple dimensions including social exclusion, experience of discrimination and higher levels of financial stress.

The policy responses of the two major political parties, the ALP and the Coalition, to this situation is surprisingly similar adhering to a neoliberal trope highlighting individualism, market solution and asset accumulation. Indigenous people, it is proposed, need to engage more thoroughly with the mainstream education system so as to be in a position to take on 'real' jobs, irrespective of whether such jobs exist locally or not. On occasion there is a suggestion that if people live in circumstances where robust labour markets are absent they should migrate for employment away from ancestral lands or engage in fly in/fly out or drive in/drive out employment practices. The assumption is that if the employment gap closes ([which recent intercensal evidence indicates is not the case](#)) then poverty will be reduced.

Both major parties have participated in the destructive reform of the Community Development Employment Program (CDEP) since 2005 that has seen numbers participating in this program decline from 35,000 participants in 2006 to 10,000 in 2011. Under CDEP participants worked for community organisations and were paid a minimum equivalent to income support entitlement. But under CDEP a sensible income test allowed participants to earn far more without any taper (poverty traps) on marginal income. The [latest analysis of NATSISS data by Hunter and Gray](#) shows that in remote regions in particular CDEP participation resulted in average individual earnings of \$359 AUD per week compared to \$231 AUD per week if unemployed and \$228 AUD if not in the labour force. Today not only have the numbers on the scheme declined markedly, but most have been transferred to Newstart and face the standard social security taper on additional earnings. While recent data on poverty is not available it is inevitable that this change would have deepened poverty, especially in remote regions.

In 2013 the ALP reformed the sole parents' payments scheme cutting the weekly payments of 80,000 single parent families by an estimated \$100 a week according to [ACOSS](#). As noted above while Indigenous and non-Indigenous sole parent families live in poverty at similar proportions, this measure will still deepen poverty. The Coalition has not opposed this change and has announced no election commitment to reverse it.

The Greens, as the third political force in Australia, have had a somewhat different approach. They support the retention of CDEP, they vigorously opposed the reform of parenting payments and they have campaigned hard for income support payments for the unemployed to be increased to align with pensions. All these measures could alleviate Indigenous poverty at the margins but will not eliminate poverty.

The Greens have also taken a very different approach on two issues that could influence poverty.

First, they have advocated for reform of the Native Title Act that would provide Indigenous landowners with commercial property rights that could be leveraged to alleviate poverty for

the 100,000 Indigenous people who live on land where they have what is termed 'exclusive possession'.

Second, since 2007 they have opposed punitive measures that have had bipartisan support from both major political. These measures have included income management that costs that costs between \$2400 and \$7900 AUD per person per annum to administer according to the Parliamentary Joint Committee on Human Rights in its recent report on the Stronger Futures in the Northern Territory. Such amounts would make a significant difference to poverty alleviation particularly in remote areas where a marked cost differential with major cities has been documented across food groups. Similarly the Greens have vociferously opposed the punitive suspension of income support payments to parents and carers in situations where children avoid school attendance on the grounds that such draconian measures will enhance poverty.

I have referred on a number of occasions to a 'comfortable Canberra consensus' between the two major parties that focuses on Closing the Gap solutions to deeply entrenched problems based on principles that combine a neoliberal focus on individualism, private property and material accumulation with a belief in imagined normalisation in service delivery. In my view this consensus will neither close gaps nor alleviate poverty nor serve Indigenous aspirations well.

As the third political force, the Greens are open to alternatives based on approaches that focus more on human rights and self-determination and that seriously engage with articles in the UN Declaration on the Rights of Indigenous Peoples that emphasise self-determination and a respect for difference.

Poverty alleviation for Indigenous Australians will require a far greater emphasis on diverse and participatory livelihood approaches rather than top down Closing the Gap dogma about the unquestionable need for integration into market capitalism and a steadfast belief in trickle down benefits and rapid catch-up that official statistical evidence challenges.

Jon Altman is a Professor in Economics/Anthropology at the Centre for Aboriginal Economic Policy Research at the Australian National University. He has provided advice in recent times to the Australian Greens, ACOSS and the Aboriginal Peak Organisations of the Northern Territory among others on issues discussed above.

CHILDREN AND FAMILY POLICY

Dr Kay Cook, RMIT University

The Productivity Commission's¹ recent report on disadvantage noted that people with limited assets or social networks, such as lone parents, were some of Australia's most vulnerable people. Two major policy initiatives shape the economic wellbeing of lone parents: welfare provisions, and child support - that is, the transfer of money from a non-resident to a resident parent for the benefit of children after relationship dissolution. Each has been subject to controversial reforms in the name of improving outcomes for lone parent families, 85 per cent of which are headed by women, and make up 20 per cent of all Australian families². These policies have unintended and deleterious consequences, as the combined effects "increase the potential for women and children to experience poverty"⁷ (p. 77).

In addition to new welfare requirements that moved lone parents onto less generous Newstart payments, lone parents were recently enabled to earn more employment income before their benefits were reduced. However, the assumption that reduced benefits and more generous tapers will motivate employment ignores the reality of women's care work, the feminised casualisation of the workforce⁸, and gender disparities between men's and women's wages⁹. Second, the Australian Child Support Scheme was introduced in 1988 to alleviate lone parent poverty. Minimum liabilities were \$5 AUD per week¹⁰ and Agency figures revealed that 66 per cent of such payers did not make any payments¹¹. Major reforms in 2006, however, did not address lone parents' concerns regarding low payments and poor compliance, and instead reduced maximum liabilities, increased 'in kind' payments and waived minimum liabilities for payers with regular child contact. As a result, high-income payers were financially advantaged while low-income recipients experienced losses⁶. In 2009, child support debts exceeded \$1 billion AUD¹⁰.

In this context, the three major political parties offer different opportunities to alleviate lone parent poverty.

The ALP provides a mixed response to the issues faced by impoverished lone parent families. Former Prime Minister Julia Gillard's national policy platform¹⁴ specifically celebrated welfare-to-work reforms. Prime Minister Kevin Rudd¹⁵, however, has since flagged the possibility of returning to Parenting Payments. Other than increasing the small amount of money provided to or able to be earned by lone parents, no other relevant policies are put forward.

The Coalition's priorities¹² make no mention of lone parent families or related policy areas. Issues purported to be of most relevance to families focus upon workforce participation and relations, Paid Parental Leave, and child care accessibility and flexibility. How these policies will play out for lone parents with welfare-to-work requirements is unknown. For example, while "higher real incomes" are prioritised, it is unclear whether all levels of society will benefit equally as calls for "more efficient government and more productive business" (p. 4) may be counterproductive. Overall, their priorities fail to address the concerns of impoverished lone parent families.

The Greens'¹³ plan identifies issues of concern to impoverished families including the rise of insecure work, lone parents' move onto Newstart, and access to flexible work to better balance work and non-work pressures. These serve the Greens' aim to "provide the services and support for a more caring society" as they claim, "Both Labor and the Coalition are going down the path of budget cuts, putting people and services under even more pressure" (p. 18).

No major party has a plan to address the fundamental problems with the Child Support Scheme that make a proportion of lone parents' incomes unreliable and often not received. As long as Centrelink recipients are mandated to seek child support in order to receive above the base rate of Family Tax Benefit (Part A), all political parties are required to ensure that child support policy functions effectively and delivers this important part of household income. At present, all political parties fail to sufficiently protect resident mothers from economic abuse at the hands of ex-partners who are deliberately non-compliant or the state who mandates women's engagement with such ex-partners in exchange for meagre welfare benefits. As 1.5 million parents and 1.1 million children are engaged with the child support system, this remains an invisible yet important policy issue.

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HIGHER EDUCATION POLICY

Professor Bruce Chapman, Australian National University

Approaches to HECS: Implications for equity and access

In the lead-up to the 2013 Federal Election it is valuable to ask if there are major differences between the main political parties with respect to the Higher Education Contribution Scheme (HECS), and what these differences might mean for both equity and access. To start, let us define the terms.

“HECS” (more accurately, now more accurately “HELP”) is the name given to Australia’s user-pays university tuition scheme, a loan scheme introduced in 1989 and now adopted in close form in many other countries, including New Zealand, England, South Korea, Hungary, South Africa and the Netherlands. The defining characteristic of HECS is the repayment condition; specifically HECS is an income contingent loan and former students are required to repay if and only if their personal annual incomes exceed around \$50,000. Payments are progressive beyond this point and if a debtor never receives this level of income no payments are ever required.

“Equity” is a complicated concept but here it is defined to mean distributional fairness with respect to lifetime incomes. That is, an inequitable policy is one in which government resources are provided in a way that distributes relatively high benefits to those who are privileged, and an equitable policy is one in which the disadvantaged gain relative to those with high incomes or wealth.

“Access” in higher education terms refers to the availability of (or experience in) higher education to the relatively disadvantaged. A “low access policy” then would be a government program or system that tends to erect barriers to the post-compulsory participation in education of individuals from poor backgrounds.

There is broad agreement between the current ALP Government and the Coalition with respect to HECS. Both groups are clearly in favour of its retention and this is very likely to mean that any reforms to HECS after the election will not be radical, even with a change of government. There are two possible exceptions: one, the Coalition in government could well increase the cap of HECS by, say, 25 per cent (that is, increase the price that universities are allowed to charge), in much the same way that the new Howard government did in 1997, citing budgetary problems as the alleged rationale; and two, a new government might be interested in allowing full-fee paying places (covered by the HECS mechanism) to provide universities with greater financial resources. But at least as far as the first possibility is concerned, there have been no statements implying that this is certain.

The real point of difference in Australian politics with respect to HECS lies in the commitment of the Greens to eventually phase out high education tuition, that is, a return to a system free of charge to students. It is important to understand what this policy stance might mean for both equity and access relative to a situation in which the essence of HECS was maintained.

There are two critical issues in an understanding of the effects of the abolition of HECS on equity and access, and these relate to the questions: (i) who currently benefits from higher education subsidies? and (ii) has HECS affected access (or, in contradistinction, would a “free” system of higher education mean greater participation of the poor)? We now have a considerable amount of information on both matters.

As background to (i) it is worth noting that one of the main motivations for the re-introduction of university tuition in Australia was the view that a “free” system is regressive (that is, inequitable). The argument, strongly supported by the data, was that participants in higher education overwhelmingly come from the most advantaged parts of the income and wealth distribution. Moreover, graduates generally earn considerable higher lifetime incomes than non-graduates, around 1.5 million dollars on average. Thus not having tuition charges (i.e. abolishing HECS) distributes financial gains to the advantaged; in this view the Greens are the party in favour of the distribution of resources to those who are privileged on average.

A stronger case could be made in favour of abolishing HECS if it could be established that the system has disadvantaged the access of the poor to higher education. But such a conclusion is not supported by the facts. The bottom line from a plethora of empirical analysis on the effects of HECS is that its introduction has had no implications for the socio-economic composition of the higher education student body, meaning of course that it has had no favourable effects on access in relative terms either. This conclusion is supported by considerable analysis showing that higher education enrolments are still heavily skewed towards advantaged groups.

The clear conclusion is that HECS has helped finance the growth of the public university system that has meant much greater enrolments of students from all areas of the income distribution space. Since its introduction HECS has been associated with about a doubling of the numbers of higher, lower and middle-income background students. But it is not a panacea to breaking down the barriers of the participation of those from poor backgrounds, and nor would its removal have any effects on this.

A major reason that HECS has not changed access significantly is that the issue of the determinants of university participation is a lifetime concern. Thus for governments to affect the socio-economic composition there needs to be engagement and intervention from early childhood. What happens when prospective students are considering university entrance is way too late to matter very much.

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HOUSING POLICY

Professor Keith Jacobs, University of Tasmania

The shortage of affordable rental housing and the escalation in the cost of homeownership has accentuated poverty in Australia. The extent of the housing shortage is illustrated by data. The National Housing Supply Council (2010) estimated a shortfall of over half a million private rental dwellings for those on low-incomes and as many as 1.25 million low-income households are paying more than 30 per cent of their income on housing-related items. Over the last ten years average house prices have increased by 147 per cent, whilst incomes have only increased by 57 per cent (Phillips 2011). In large cities, overcrowding is common and increasingly households have no choice but to endure substandard accommodation. The clearest manifestation of the housing shortage is homelessness. It has been estimated that over 105,000 people are sleeping rough, or living in temporary shelters and hostels (ABS 2012).

While much could be achieved by increasing the supply of public housing, it currently comprises just 4 per cent of the total stock. Over the last 30 or so years, the diminution of government funds and tight allocation policies has led to the stigmatisation of public housing in the media. Yet there are as many as 173,000 households on state and territory public housing waiting lists. Had investment been maintained at 1980s levels there would be more than 200,000 public housing units for rent.

There is nothing inevitable about the housing problems facing low income households and much could be achieved if governments were willing to address inequality; in particular, the gap between the well off and the poor. While successive governments pay lip service to addressing housing related poverty, current taxation arrangements reinforce it. The aspiration 'that all Australians have access to affordable, safe and sustainable housing that contributes to social and economic participation' (COAG 2008) is secondary to the commitment to maintain rising house prices and to facilitate the opportunities for the 70% of households that live in owner occupied housing and private landlords to make profits.

Housing poverty can therefore be traced back to the tax system. Back in 2010, Yates (2010) estimated that overall tax expenditures on housing were around \$53 billion per year but a large proportion of this (\$45 billion) was in the form of subsidies to owner-occupiers. A further \$5 billion was provided to rental housing investors. Those households living in rental accommodation were subsidised by \$3.2 billion. For individual homeowners this translated into \$8,000 per year, investors were subsidised by \$4,000 while concessions to private renters amounted to just \$1300 per household and public housing tenants \$1000 per year. The major reason for homeowners being the beneficiaries of such largesse is that imputed rent and capital gains from owner occupied housing is not liable for income tax. The tax concessions for homeowners and private landlords are not targeted so it is the wealthiest homeowners, investors and older households who are the main beneficiaries of the current policy arrangements.

Therefore to understand housing policy we must cast aside a view of the government as a benevolent agency and recognise its role in accentuating inequality through its taxation arrangements. To manage the most insidious effects of housing inequality the Government has put in place a National Affordable Housing Agreement, which provides state and territory governments approximately \$1 billion AUD per year to spend on social housing and homelessness projects. In addition, the government provides assistance to around 70 per cent of renters to offset the costs of making rent payments to landlords. There has also been a one off injection of \$5.6 billion AUD to boost the supply of social housing, as part of the 2009 Nation Building Economic Stimulus Plan; as many as 20,000 new social housing units have been built from this fund.

It is difficult foresee a time when any government would risk incurring the wrath of wealthy homeowners and investors by engaging in radical reform. All the major parties are committed to privileging homeownership over and above other tenures. The Coalition have yet to specify their policies but it is likely that they will take their cue from private sector developers and the housing industry by seeking to ease planning restrictions on the outer fringes of the major cities. The ALP is likely to commit some resources to addressing street homelessness and increase the proportion of the social housing stock managed by community housing agencies. The Greens are, in principal, the most radical in that they have stated a desire to raise company and estates tax to pay for the costs of boosting the supply of social housing.

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DISABILITY POLICY

Professor Gerard Goggin and Ros Madden, University of Sydney

Links between disability and poverty: clear and mutually reinforcing

The links between disability and poverty are clear and mutually reinforcing – poverty and disability each raises the risks and reinforces the effects of the other.

The authoritative recent international study by WHO and World Bank found that “Persons with disabilities experience worse educational and labour market outcomes and are more likely to be poor than persons without disabilities” (WHO, 2011: 39).

The need to tackle disability as a central part of poverty reduction remains critical, something put on the agenda by James Wolfensohn, former World Bank president, over a decade ago: “Unless disabled people are brought into the development mainstream, it will be impossible to cut poverty in half by 2015 or to give every girl and boy the chance to achieve a primary education by the same date.... Addressing disability is a significant part of reducing poverty” (Wolfensohn, 2002).

In Australia the evidence is strong for providing the close links between poverty and disability, including:

- “Clear evidence of an “income penalty” associated with the presence of disability within the household, amounting to one-third (32.9 per cent) reduction in overall median income” (Saunders, 2006).
- After adjustment for additional expenditure “all household types, the risk of poverty increases when there is a disability present by *between four and sixteen times*” (Saunders, 2006);
- Tertiary education and employment (part or full-time) decreasing probability of entering poverty; whereas “having a disability or living in outer regional or remote areas increases the probability of becoming poor and remaining in such a situation” (Buddelmeyer & Verick, 2008).

How should we expect national policies address disability's role in poverty?

What do we expect, therefore, of national policies? First we expect recognition of the links between poverty and disability. Second, we need policies to challenge this destructive cycle such as:

- Poverty alleviation policies to include adequate measures for people with disability
- Disability policies to include recognition of the UN Convention on the Rights of Persons with Disabilities (CRPD) and accordingly of the rights of people to participate in all areas of life, including in education, employment (Articles 24, 27), and to have a decent standard of living (Article 28).
- Crucially – to avoid the cycle of poverty – all people must be enabled to participate fully in education and employment.

Third, these policies must be applied equitably across Australia, to reach all population groups and regions.

Rating the major parties' policies on disability and poverty

In the leadup to the 2013 Federal Election, how do the national policies of the main parties rate in this context, and against these criteria?

In a nutshell, both the ALP and the Greens give attention to these interconnected policies. The Coalition's platform, alarmingly, does not give attention to almost any of these policies:

- The only mention of disability implies that the NDIS is affordable only in a stronger economy, and that the Disability Support Pension requires a 'smarter' approach (*Real Solutions*, pp. 14, 210);
- There is no mention of rights to participation, nor attention to education or employment.

Furthermore, despite meeting almost all of the criteria suggested by the literature, the ALP and the Greens could improve on their policies, as neither party makes explicit links between disability and poverty:

- The Greens call for adequate funding for high quality care and support for people with a disability, and a guaranteed and adequate income for people with a disability and their carers; also for pathways from school into education, vocation training, and employment (Greens 2012b: Principle 6, Aim 15 & 20);
- The Greens also recognise rights of all to participation in all aspects of life (including education, training and employment) regardless of ability — but do not specifically mention the UN Convention on the Rights of Persons with Disabilities (Greens 2012b: Aim 9);
- The ALP comes closer, linking poverty, income security, social justice and disability via various policies, and specifically mentioning the UN Convention and its Australian policy vehicles (*National Platform*: 18, 20, 51-54, 93-95, 97-99, 109, 123, 128, 137, 148-154, 158-161, 164, 177, 189, 195, 203, 209, 216-217, 226).

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INTELLECTUAL PROPERTY POLICY

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Links between Intellectual Property (IP) and poverty

The link between IP and poverty may not be obvious, but as Nobel Laureate Professor Joseph Stiglitz has pointed out, 'societal inequality was a result not just of the laws of economics, but also of how we shape the economy - through politics, including through almost every aspect of our legal system'. Stiglitz is concerned that 'our intellectual property regime... contributes needlessly to the gravest form of inequality.' He maintains: 'The right to life should not be contingent on the ability to pay.'¹

In Australian Federal politics, there have been significant debates about intellectual property in the fields of information technology, biotechnology, health-care, and climate change.

Rating the parties: The ALP

Across two terms of government, the ALP has had a range of initiatives across the broad field encompassed by intellectual property.

In its first term, the ALP introduced a right of resale for Australian visual creative artists. On the topic of copyright law, the ALP asked the Australian Law Reform Commission to investigate copyright exceptions and the digital economy. However, it has made no commitments on copyright law reform. There has been a significant debate over IT price discrimination by companies such as Apple, Microsoft, Adobe, and Amazon. Ed Husic MP and other politicians have focused on the relationship between copyright law, consumer rights, and competition policy. The World Intellectual Property Organization reached agreement in Marrakesh in 2013 on a *Copyright Treaty for the Visually Impaired*. Australian copyright law still needs revision to address disability discrimination.

The ALP has been a pioneer in the field of intellectual property and public health. As Minister for Health and then Attorney General, Nicola Roxon introduced the plain packaging of tobacco products.

The topic of patent law has become increasingly significant. The ALP passed the *Intellectual Property Laws Amendment (Raising the Bar) Act 2012* (Cth) – which contains significant reforms in respect of patent standards, the defence of experimental use, and administration. Yvette D'Ath, Parliamentary Secretary for Climate Change, Industry and Innovation, introduced the *Intellectual Property Laws Amendment Bill 2013* (Cth) to provide for crown use of patented inventions and access to medicines. The bill lapsed before the end of Parliament.

¹ Joseph Stiglitz, 'How Intellectual Property Reinforces Inequality', *The New York Times*, 14 July 2013. Accessed online at <http://opinionator.blogs.nytimes.com/2013/07/14/how-intellectual-property-reinforces-inequality/?smid=tw-share>

The ALP has shown some enthusiasm for the *Anti-Counterfeiting Trade Agreement*, and the *Trans-Pacific Partnership*. After Philip Morris launched an action against plain packaging under an Australia-Hong Kong investment agreement, the Labor Government refused to allow the inclusion of state-investor clauses in trade agreements in the future. In 2013, the new Trade Minister Richard Marles MP has stressed that Australia will not cave into the demands of the United States in respect of the *Trans-Pacific Partnership*.

The Coalition

In the area of copyright law, the Coalition has generally been supportive of the copyright industries.

In 2000, the Coalition Government introduced new reforms in respect of copyright law and the digital agenda, and moral rights. In 2004, the Coalition agreed to the *Australia-United States Free Trade Agreement* – which included a hefty chapter on Intellectual Property. This required significant changes to Australian copyright law, patent law, and trademark law. Under the direction of the then-Attorney-General, Philip Ruddock, the Coalition passed the *Copyright Amendment Act 2006*. This legislative package included both specific new copyright exceptions, as well as enforcement measures. In 2013, the Shadow Attorney-General Senator George Brandis has been supportive of copyright industries.

On the topic of plain packaging, the Coalition has sent mixed messages. The Shadow Health Minister Peter Dutton has said the Coalition will continue defend Australia's regime of plain packaging of tobacco products. However, the Shadow Trade Minister Julie Bishop has said that the Coalition would reconsider the inclusion of state-investor dispute settlement clauses in trade agreements, if it were to be elected.

The Coalition opposed the *Intellectual Property Laws Amendment Bill 2013 (Cth)*, and its provisions on access to affordable medicines, and crown use. Sophie Mirabella, the Liberal Member for Indi, and the Shadow Minister for Industry, Innovation, Science and Research led the opposition to the bill. Dennis Jensen MP also opposed the bill. He took the extreme position that Australia should not provide access to essential medicines, even for some of the poorest countries in the world like East Timor.

Such a hard-line stance is surprising – given the Coalition had previously supported the adoption of a regime for access to essential medicines under the Howard Government.

The Coalition expressed reservations about the *Anti-Counterfeiting Trade Agreement*, but has shown enthusiasm for the *Trans-Pacific Partnership*.

The Greens

In its election platform, the Greens have promoted a 'Fair Go for Fair Use': 'Australian copyright law is stranded in the 20th century and urgently needs reform – the Greens have proposed a set of measures to protect Australians from IT price gouging, to widen the availability of products for the visually impaired, and widen exceptions for "fair use" of

creative works, as is the case in the United States.’ Senator Scott Ludlam has looked at intellectual property, information technology, and national security.

Senator Richard di Natale has been vocal on public health matters – such as the plain packaging of tobacco products. He was successful in pushing the Future Fund to adopt a policy of divestment in respect of tobacco products.

The Greens have taken a particular interest in intellectual property, clean technologies, and renewable energy. The Australian Greens called for the Future Fund to take into account climate risk and divest itself of fossil fuel stocks.

In the field of patent law, the Greens supported the passage of the *Intellectual Property Laws Amendment Bill 2013 (Cth)*, with its provisions on access to medicines and crown use. The Australian Greens have called for a moratorium in respect of gene patents.

Senator Ludlam has been a fierce critic of the *Anti-Counterfeiting Trade Agreement*. On the topic of international trade, Senator Christine Milne and Senator Peter Whish-Wilson have raised questions about the transparency of the *Trans-Pacific Partnership*. The Greens election platform calls for the ‘better scrutiny of Free Trade agreements.’

The Pirate Party of Australia

The Pirate Party of Australia has called for the reform of copyright law: ‘A copyright law for our time must combine the balanced approach of the past with recognition of the situation we confront in the present.’ The Pirate Party argues for the modernisation of patent law – particularly in respect of information technology patents, gene patents, and pharmaceutical drug patents. The Pirate Party has also campaigned on the need for privacy rights. The Pirate Party has been a vocal critic of free trade agreements – such as the *Anti-Counterfeiting Trade Agreement* and the *Trans-Pacific Partnership*.

The WikiLeaks Party

The WikiLeaks Party has also been registered for the Federal election. The founder of WikiLeaks, Julian Assange, plans to run for the Senate. The Constitution of the WikiLeaks Party lists its objectives as including ‘the protection of human rights and freedoms’; ‘transparency of governmental and corporate action, policy and information’; and the ‘recognition of the need for equality between generations.’

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INDUSTRIAL RELATIONS POLICY

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Many political commentators have noted that with the demise of sharp policy differences between the major parties, Australian politics has become much more a contest of personalities and marketing.

Industrial relations has, however, been an important issue across many elections in Australian history, perhaps none more so than when under Prime Minister Howard, the Coalition government lost office in 2007. Its industrial relations policy (WorkChoices) was the target of a sustained and successful attack by trade unions and was widely seen as being responsible for the government's resounding electoral defeat.

Since then, both major parties have sought to get industrial relations off the front pages of tabloid newspapers and daily television news. The Rudd-Gillard-Rudd ALP governments' reforms of industrial relations legislation (FairWork) has attempted to tread a fine line between responding to voter backlash against the excesses of WorkChoices, but also to be seen as business-friendly. The Abbott-led opposition (Coalition) has similarly attempted to distance itself from the Howard government's industrial relations policies, and has attempted to fight on other issues.

Before considering the party policies, it might be worth briefly considering the historical trajectory of industrial relations as a context for current debates.

Australia has had a slightly peculiar industrial relations regime in that with centralised wage fixation, many social protections were developed through the industrial award system, rather than through welfare policy. One writer even dubbed Australia a "Wage Earner's Welfare State". With the decline of centralised wage fixing in Australia since the late 1980s and early 1990s, and the growth of part-time and casual modes of work, the idea of a living wage has fallen away and wages now are increasingly set by legislated minimum rates or market and enterprise bargaining. One consequence has been that wage levels no longer necessarily secure a living standard above poverty levels. The re-emergence of a working poor has been one consequence.

The Coalition released its industrial relations policy in May. As Opposition leader, Tony Abbott has repeatedly declared the Howard government's approach to IR has been "dead and buried". Unfortunately, the Coalition's alternative policy is almost impossible to assess, because its key promise is to refer IR policy to the Productivity Commission for a major review. The Coalition has indicated it will look to greater scrutiny of trade unions and further limits on industrial action and regulatory oversight of union governance and reporting. The policy also proposes expanding the scope for Individual Flexibility Agreements and reviving some of the powers of the Australian Building and Construction Commission (ABCC). Although not directly covered in its IR policy the Coalition has flagged a generous paid parental leave scheme (tied to a woman's earnings), funded from a tax on large corporations.

The Greens' Employment and Workplace Policy promises to legislate for higher minimum standards for pay and conditions, secure better work-life balance by legislating for shorter maximum weekly hours, and provide greater protection for casual and part-time workers. It also promises to restrict the use of sham contracting and increase minimum annual leave to five weeks. Although not covered in its IR policy, the Greens have also promised to introduce industrial manslaughter provisions for workplace death, and raise unemployment benefits, pensions and government allowances to provide an adequate income. It also has a policy for paid parental leave similar to the Coalition.

The ALP's policy notes that it has made advances by, among other things delivering significant pay equity for around 150,000 service and community workers, improved transport driver working conditions, and strengthened workplace-bullying laws. Although not part of its IR policy, the ALP has raised the tax-free threshold, and increased the superannuation guarantee levy. It has also introduced an 18 weeks paid parental leave scheme at national minimum rates. It has, however also reduced the payments to single mothers after a child reaches school age and made access to a number of welfare benefits more conditional.

Neither of the major parties seems to want to fight the election campaign on industrial relations. Policy releases have been brief and somewhat vague. In some ways, it might be concluded that this is an indication of greater bipartisanship on industrial relations. Certainly, statements from the ALP that increased Superannuation Guarantee contributions will be paid for out of any future wage increases and that it shares the Opposition and business call for a greater focus on productivity (often code for giving employer's more power in bargaining) support that view. But the Coalition's failure to articulate an alternative agenda after two terms out of office (except to signal that it will be tougher on unions but fair on workers) might raise concern that while they do not want to fight an election on IR, they have six years of ideas banked up.

What can be said conclusively is that for both major parties, paid work remains the central vehicle for poverty alleviation. This despite the fact that paid work is now riskier and yet promises less of the rewards of national income produced. Indeed, with both parties talking up the need for improved productivity (the equivalent of dog whistling to the business community) it is safe to conclude that challenging the ongoing momentum of this historical trend will not be seen on the banner of the major parties during this election.

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MIGRATION POLICY

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In recent decades, Australia has made significant progress towards improving the socio-economic outcomes of newly arrived immigrants. However, these changes have largely been achieved through greater government emphasis on selection criteria that prioritise labour market readiness upon arrival. Despite the generally promising picture for newly arrived immigrants, this entry considers some emerging areas of concern, including the growth of temporary arrivals who are denied long-term access to the public health and welfare systems and the ineligibility of temporary immigrants under the National Disability Insurance Scheme.

Since the mid-1990s, Australia has made significant progress at improving the socio-economic position of recently arrived immigrants. The recession of the early 1990s proved particularly damaging for recent immigrants who had higher rates of unemployment and reliance on social welfare provision than the general Australian public (Birrell 1993; Healy 1994). A series of policy reforms shifted this situation. 'Newly Arrived Resident Waiting' periods were introduced in 1992 -1993 for employment-based payments and were extended in 1996 to a wider array of social security payments. With the limited exception of the safety net payment Special Benefit, access to social security payments is now restricted for most newly arrived immigrants following the first two years of entry (*Guideline to Social Security, Guide to Social Security Law*, 3.1.2.40). While this might appear to have worsened newly arrived immigrants economic outcomes, changes to immigration selection criteria introduced over the 1990s, improved the labour market outcomes of immigrants, increased employment outcomes and shifted the entire focus of the immigration programme away from family reunification towards skilled immigration (for an overview see Carney and Boucher 2009). The combined effect of these changes was to improve the outcomes of newly arrived immigrants and many visa categories have lower rates of unemployment and higher rates of tertiary education than Australian citizens and long-term residents. Skilled immigrants on average also earn more than Australian workers (DIAC 2010, 5-6). A recent report of the Organisation for Economic Co-operation and Development (OECD 2012) indicates that immigrants in Australia have poverty rates below the OECD average, although this data does not distinguish between short-term and long-term arrivals. Further research is needed to elucidate the poverty rates of immigrants during the two-year welfare waiting period, especially for those without access to family networks, which may operate as a substitute for state support (Boucher 2013 and WRC 1998).

The rise in temporary migration represents a greater concern for immigrant poverty given the long-term denial of access to social security and health services for these immigrants. As has been well documented, temporary immigration into Australia now eclipses permanent immigration (Mares 2009, 2013). These immigrants enter through student migration, temporary immigration programmes (most notably the 457 temporary business long-stay visa) and the New Zealand bilateral agreement. With the exception of immigrants enjoying reciprocal arrangements negotiated by their sending countries and Australia on a bilateral basis, those entering on temporary visas do not have access to social security or health and

the requirement to take out private health insurance is a frequent visa condition (see for instance DIAC 2013; for a more in-depth discussion, see Boucher and Carney 2013, 22-23). Given that renewal on these visas is also possible, there is the possibility of the emergence of an underclass of residents in Australia denied access to basic social and health entitlements over the short to medium term. In the case of New Zealanders who do not naturalise to Australian citizenship, these individual are denied lifetime access to social welfare payments, a reality of which many New Zealand residents in Australia are unaware.

Temporary immigrants also have no access to the newly established National Disability Insurance Scheme. Under section 23 of the Act, eligibility is restricted to Australian citizens, permanent residents and temporary protection holders who are present in Australia. This means that temporary immigrants more generally do not have access to the Scheme. A recent case involving the liquidation of a cleaning company, Swan Services, also revealed that temporary immigrants are ineligible for the Fair Entitlement Guarantee that covers unpaid wages and superannuation entitlements; a provision to which only permanent residents and citizens are entitled (Mares 2013).

It is important to note that both major parties have supported large-scale increases in temporary economic immigration over the 1990s and 2000s and neither party has sought to remove the welfare waiting periods introduced in the early 1990s. The Greens Party (2012, 92) states that immigration policy should include “[s]ervices for new migrants and refugees that include appropriate English language classes, social security, health, legal and interpreter services, and post-trauma counselling where needed.” However, it is unclear whether these provisions would extend to temporary immigrants. The ALP (2012, 30) states that permanent immigrant is preferred over temporary, immigration whereas the Liberal Party (2013, 41-2) emphasises the importance of labour market readiness. Our analysis does not bear out the ALP’s statement in terms of its recent policies to increase temporary immigration into Australia, although changes to the 457 visa category in June 2013 did increase some labour market protections for migrant workers (see Mares 2013).

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REFUGEE AND ASYLUM SEEKER POLICY

Dr Linda Bartolomei, UNSW

With the Federal election imminent, public debate surrounding refugee and asylum seeker policy continues to dominate the policy agendas of both the major parties. The increased politicisation of this issue has further fuelled a very negative and distorted public debate. At the political level this is manifested in policy approaches, which entrench discriminatory and punitive approaches to asylum seekers and refugees who arrive by boat, as opposed to those arriving by air or resettled under Australia's Offshore Program². However Australia has clear human rights obligations to both these groups. These extend beyond the better-known international legal obligation to not return an individual to a situation in which they may face serious harm³, to include obligations prevent that poverty and destitution and the contributing risks of exclusion, discrimination and degrading treatment⁴, as set out in both the International Covenant on Economic Social and Cultural Rights (ICESCR) and the International Covenant on Civil and Political Rights (ICCPR). While it is clear that these obligations extend to all asylum seekers and refugees in Australia, it is also argued that they extend to those detained in offshore 'processing' facilities in Nauru and Papua New Guinea (PNG). Here it is asserted that Australia maintains 'effective control'⁵ and is thus bound by the ensuing human rights obligations.

Extensive research has explored the policy impacts of the former Howard (Coalition) and the current Gillard/Rudd (ALP) Governments' policies on the well being of refugees and asylum seekers. Findings included identifying a significantly heightened vulnerability to risk of poverty and social exclusion among those who have lived for extended periods in closed detention centres or in community detention without work-rights. A number of key factors were identified which intersect to increase these risks of poverty. These include a greater than average dependence on Centrelink benefits as a primary income source⁶; barriers to accessing paid work including a lack of work rights⁷; unstable, inappropriate and unaffordable housing; lack of access to family reunion and protracted and indefinite detention⁸.

These understandings of the multiple and intersecting factors which exacerbate risks of poverty for refugees and asylum seekers inform the following brief analysis of the key elements of the ALP, Coalition and Greens policies.

² DIAC, Australia's Humanitarian Program 2013-2014 and beyond, December 2012,

<http://www.immi.gov.au/media/publications/pdf/humanitarian-program-information-paper-2013-14.pdf>

³ As set out in Article 33 of the 1951 Refugee Convention and Article 3 of the 1984 Torture Convention.

⁴ See Paragraphs 2.69, 2.70, 2.123 and 2.124 in Parliamentary Joint Committee Examination of legislation in accordance with the Human Rights (Parliamentary Scrutiny) Act 2011 Migration Legislation Amendment (Regional Processing and Other Measures) Act 2012 and related legislation on Human Rights, June 2013,

www.aphref.aph.gov.au/senate_committee_humanrights_ctte_reports_2013_9_2013_report

⁵ *ibid* Paragraph 2.15

⁶ ACOSS 2012, 'Poverty in Australia'

http://www.acoss.org.au/uploads/ACOSS%20Poverty%20Report%202012_Final.pdf

⁷ RCOA (2010). What Works: Employment strategies for refugee and humanitarian entrants, see Section 4.2 – Barriers to employment, RCOA, Sydney. www.refugeecouncil.org.au/resources/reports/2010_Employment.pdf

⁸ LCA Committee inquiry on the Migration Amendment (Health Care for Asylum Seekers) Bill 2012, Australian Psychological Society, Submission 13, p2.

The ALP

While the ALP has introduced a number of positive policy changes in the Offshore Program, its policy approach to asylum seekers arriving by boat has become increasingly punitive. Under new agreements, asylum seekers arriving by boat will be transferred to PNG and Nauru, for processing and permanent settlement. In this significantly harder-line approach, no asylum seeker arriving by boat after July 2013, regardless of family connections, will be allowed to resettle in Australia. This expands on the so – called ‘no advantage’ principle outlined in the Expert Panel Report, commissioned by the Gillard Government. Initially this principle was applied to all asylum seekers who arrived in Australia after August 13 2012, who, if found to be refugees, will be required to wait an equivalent amount of time prior to being provided permanent protection in Australia or resettlement elsewhere. During this period they are to be denied work rights and will not be eligible to apply for family re-union under the Special Humanitarian Program⁹. It is anticipated these approaches will negatively impact the well-being of refugees and asylum seekers and will contribute to significantly higher risks of poverty and social exclusion.

Positive policy changes include the recent increase in the Offshore processing component of the Refugee and Humanitarian Program to 13,000 places. Funding has also increased to expand the Humanitarian Settlement Services (HSS) Program for new arrivals. However in spite of significant evidence which highlights the major risks of housing stress for recently arrived refugees and their families¹⁰ and the challenges they facing finding sustainable employment¹¹, ALP policy responses in both of these areas remain limited.¹²

The Coalition

The primary focus of the Coalition’s policy statements in relation to refugees and asylum seekers is on maintaining the ‘integrity’ of Australia’s borders through policies, which aim to prevent the arrival of asylum seekers by boat. These include the recently announced ‘Operation Sovereign Borders’ policy which proposes a military-led response, including using the Australian navy to intercept and tow-boats carrying asylum seekers back to Indonesia and in direct contravention of the 1951 Refugee Convention¹³ an approach to processing of asylum claims which will “establish a presumption against refugee status for those who arrive by boat without identity documents.”

The Coalition also supports offshore processing in PNG and Nauru, however if elected will re-introduce Temporary Protection Visas (TPVs) and offer temporary resettlement in

⁹ Parliamentary Joint Committee Examination of legislation in accordance with the Human Rights (Parliamentary Scrutiny) Act 2011 Migration Legislation Amendment (Regional Processing and Other Measures) Act 2012 and related legislation on Human Rights, June 2013, www.aphref.aph.gov.au_senate_committee_humanrights_ctte_reports_2013_9_2013_report

¹⁰ Berta, L. (2012). Making it home: Refugee housing in Melbourne’s West, Footscray Community Legal Centre, www.footscrayclc.org.au/images/stories/Tenancy_Report.pdf; ABC News, 2013, ‘Housing crisis a blow to refugee’s hope of new life’ <http://www.abc.net.au/news/2013-05-22/sudanese-family-in-desperate-search-for-housing/4706580>

¹¹ Brotherhood of St Laurence 2013, ‘Pathways to social and economic inclusion: submission to the Australian Government on employment services from 2015’ http://www.bsl.org.au/pdfs/BSL_subm_Pathways_to_social_and_economic_inclusion_Employment_services_Mar2013.pdf

¹² Migrant Communities Employment Fund, <http://deewr.gov.au/migrant-communities-employment-fund>

¹³ Article 31, 1951 Refugee Convention

Australia to those asylum seekers arriving by boat whose refugee claims are upheld. This visa category was originally developed and implemented under the former John Howard Coalition Government. It was dismantled by the current ALP Government following significant research¹⁴ that documented its detrimental social, psychological and economic consequences. Opportunities for refugees to access full and effective protection in Australia will be significantly diminished through a reduction in the overall number of places available under the Refugee and Special Humanitarian program from 20,000 places to a total of 13,750 with 11,000 of these dedicated to the Offshore Program.

The Greens

The Greens clearly view asylum seeker and refugee policy as one that should be underpinned by international legal and humanitarian obligations. Under their policies, Offshore processing would be abolished, remote detention centres in Australia closed, asylum seekers detained for no more than 30 days and then accommodated in the community, with work rights, access to social security, health and education services. The Onshore and Offshore Programs would be delinked, the Offshore Program increased to 30,000 places and the right to family reunion upheld. These positions support responses designed to reduce the risks of serious mental trauma, discrimination and exclusion that can exacerbate and contribute to risks of poverty and deprivation among asylum seekers and refugees. This includes clear policy support for a range of adequate settlement services for refugee and asylum seekers and include a focus on the particular needs of refugees and asylum seekers in their housing policy.¹⁵ However policy framework on employment support does not include a particular focus on refugees¹⁶.

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¹⁴ Steel, Z, Momartin, S, Silove, D, Coello, M, Aroche, J & Tay, KW 2011, 'Two year psychosocial and mental health outcomes for refugees subjected to restrictive or supportive immigration policies', *Social Science & Medicine*, vol.72, no.7, pp.1149-1156

¹⁵ <http://www.greens.org.au/policies/housing>

¹⁶ <http://www.greens.org.au/policies/employment-workplace-relations>

FOREIGN AID POLICY I

Dr Bina Fernandez, University of Melbourne

Since 2007, significant reform of Australian aid has been driven by a bipartisan political commitment to achieve an aid target of 0.5 per cent of GNI by 2015 – 2016. Australian aid has steadily increased in volume and percentage, from 0.27 per cent in 2007– 2008 to a record 0.37 per cent in 2013 –2014. This is Australia's highest aid budget as a percentage of GNI in over twenty-five years and, in dollar terms, the \$5.7 billion AUD aid budget is Australia's largest ever (Australian Foreign Minister, 2013).

Notwithstanding these achievements, Australian aid must be viewed relative to the United Nations aid target of 0.7 per cent of GNI, and Australia's performance ranks thirteenth out of 24 OECD donor countries (OECD 2013a, 221). Several European countries have delivered or exceeded their 0.7 per cent commitments despite tough budgetary constraints and aid scepticism in the aftermath of the global financial crisis (GFC). In contrast, Australia has weathered the GFC much better than other OECD countries, and could therefore aim to fulfil the UN mandated target. Australia's performance must also be assessed against its (relatively modest) self-defined target of 0.5 per cent by 2015 –2016, which all Australian political parties agreed to. The next three sections audit the main political parties' level of commitment to aid, and to poverty reduction in developing countries.

The ALP

The major recent changes to Australian aid policy have been implemented under the current ALP government. A key policy agenda of the ALP's election manifesto is Australia's responsibilities as a 'Good Global Citizen', within which is a stated commitment to 0.5 per cent of Australia's GNI to foreign aid by 2016 – 2017 (Australian Labor Party 2013). Note, this reflects a deferral from the original deadline of 2015 – 2016, and the May 2013 budget moved the goal post out again, to 2017– 2018 (Australian Minister for Foreign Affairs 2013), which does not augur well for the achievement of this goal in the near future.

A significant policy shift initiated by the ALP government was the decision in December 2013 to fund \$375 million of the cost of refugee processing through the aid budget. Although this is within the OECD's Development Assistance Committee rules on allowed aid allocations, it is a departure from Australia's previous practice. The move is disturbing as it reflects nearly a 10% cut in the AusAID budget, and raises concerns over the predictability of the future aid budget.

On a positive note, the re-shuffled cabinet of Prime Minister Kevin Rudd included the creation of a Minister for International Development with the appointment of West Australian Member for Parliament, Melissa Park. This fulfils a key recommendation of the 2011 Independent Review of Aid Effectiveness, and signals the current Prime Minister's higher level of commitment to an international development agenda.

The Coalition

The Coalition government, under the leadership of former Prime Minister John Howard, initiated the 'scaling up' of Australian aid. Tony Abbott has re-affirmed the Coalition's bipartisan commitment '*to lift foreign aid to 0.5 per cent of gross national income*' (Tony Abbott 2013). This declaration was Abbott's attempt to distance himself from a draft Coalition document leaked in February 2013 indicating proposed cuts of \$800 million AUD to the foreign aid budget (The Telegraph 2013). Party pressure on foreign aid commitments means Abbott and Coalition leaders are refraining from committing to a timeline for the fulfilment of the 0.5 per cent target. This non-committal position is echoed in the Coalition election manifesto '[Our Plan: Real solutions for all Australians](#)', which contains a single, dismal reference to foreign aid: 'We will ensure future aid funding increases are dependent on AusAID meeting strict performance benchmarks'.

The Australian Greens

The Greens initiated the motion for the bipartisan decision to increase Australia's aid target to 0.5 per cent by 2015. Responding to ALP and Coalition deferrals on the bipartisan commitment to the 0.5 per cent aid target, Greens spokesperson for Senator Lee Rhiannon introduced a private member's bill in June 2013 that would 'ring-fence' the aid budget from further cuts.

The Greens are the only party that offer an explicit policy focus on 'tackling poverty' in their election manifesto of 2013, which includes an extensive formulation of overseas aid policy (The Greens, 2013). Two significant Greens aid policy aims include, firstly, a commitment to non-commercial aid. This recognises and condemns the tacit practice of supporting Australian business through aid programmes that has continued despite the official policy of 'untied aid' declared in 2006. Secondly, the Greens are the only party to include an aim towards 'International aspects of Australian policies on trade, economic and social issues that are consistent with, and contributing towards, global poverty alleviation goals'.

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FOREIGN AID POLICY II

Dr Nichole Georgeou, Australian Catholic University and Dr Charles Hawksley, University of Wollongong

The 2013 - 2014 aid budget has, as its central priority, Australia's national interest. This is understood through the frameworks of market liberalisation and security: "The objective of Australia's foreign and trade policy is to advance Australia's national interest - the security and prosperity of Australians" (DFAT 2013). Our national interest takes the form of creating stable states in the region through a combination of military, policing and governmental interventions. This approach is underpinned by the idea that development is led by private sector in a global market. The government's 2012 *Mining for Development Initiative*, which allocated \$127 million AUD for government officials from developing nations to visit Australian mines (Barrett 2012), suggests AusAID is firmly wedded to the role of the private sector in poverty alleviation.

In 2007 the Rudd-led ALP government linked Australian aid more tightly to the Millennium Development Goals (MDGs). This was facilitated by the 2007/8 Pacific Partnerships for Development, which still provide the cornerstone for bilateral aid engagement. Both major parties link aid delivery to MDGs and to the national interest. The Greens also link aid with MDGs but prioritise a humanitarian focus. Australia's aid contribution this year will be \$5.7 billion, or around 0.37 per cent of GNI (DFAT 2013). This represents a \$500 million increase in funding from the previous year. The ALP has been criticised for diverting foreign aid funding toward border protection (people smuggling)— \$65.8 million AUD over four years— and before the new 'hard line' on resettlement in PNG, \$375 million was allocated for managing on-shore asylum seekers in Australia. Together these measures account for 88 per cent of the increase in the aid budget.

The Asia Pacific region will receive 86 per cent of country specific (bi-lateral) aid. Of our top 12 aid recipients Indonesia receives the largest bilateral funding in the May budget (\$646.8 million AUD), followed by Papua New Guinea (\$507.2 million) and Solomon Islands, where the drawdown of the Regional Assistance Mission to Solomon Islands (RAMSI) has resulted in funding of \$187.9 million in the coming year. This is part of a package of \$480.7 million AUD over the next four years. Two thirds of this money goes to the Australian Federal Police (AFP) to maintain its presence in Solomon Islands.

The Coalition will not commit to reversing the aid money allocated for border security, suggesting that in principle it is not opposed to the diversion of money to manage asylum seekers. Both major parties continue to conflate refugees with border security while the Greens emphasise Australia's moral and legal obligations to asylum seekers. The main concern of both the Government and Opposition remains on ensuring aid "efficiency" or "bang for our buck", leading to a market-driven framework for Australia's aid program.

ASAP says

The 2013 - 2014 federal budget has signalled a further retreat from the target of 0.5 per cent GNI by aid donors, still well short of the 0.7 per cent of GNI recommended by the United Nations. The 2008 budget proudly proclaimed Australia would reach this commitment by 2009, but this goal has been again deferred, now until 2017 - 2018. Half a percent of GNI to alleviate poverty and assist in development is apparently an unattainable target.

Recent critiques of the MDGs have identified a neoliberal “common sense” underpinning the notions of global development that inform them—the emphasis is on “results-based partnerships” between the state, the private sector and CSOs (Waage et al. 2010, 994). The MDGs have achievable outcomes, much like key performance indicators (KPIs), while the emphasis on results normalises international development partnerships informed by a business model of efficient service provision.

This is problematic because it emphasizes results-based outcome targets: for poverty reduction, this shifts the focus of the problem away from its causes to an observation of results (Waage et al. 2010, 1001). MDG1 (poverty reduction) has no targets concerning the mechanisms for how to achieve a reduction in poverty—such as policy frameworks and service provision—that are central to food security. Linking aid to MDGs may require greater consideration of the processes involved in reaching targets, rather than the targets for their own sake.

Australia is the twelfth largest economy in the world, has a seat on the United Nations’ Security Council and is a regional power in the Pacific region. Rather than allowing the private sector and our own national security interests to dominate the aid program, Australia should balance its program to reflect a greater humanitarian emphasis.

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DEVELOPMENT POLICY - BEYOND AID

Dr Susan Harris Rimmer, Australian National University

Limited agendas, unlimited potential: Setting the scene

The world is facing a global reckoning point in 2015 on many crucial international development issues, including climate change finance, aid effectiveness, transparency reforms and the end of the United Nations MDGs, which provide the current global framework and targets for development.

Diplomatic impasses have resulted in a range of international forums between rising powers such as Brazil, Russia, India, China, South Africa (the Outreach 5), Mexico (BRICSAM) and the G7 countries, but also other groups of nations, including regional actors in the Asia-Pacific.

Development debates themselves have fundamentally changed, away from a focus on low-income countries, towards rising income inequality and 'pockets of poverty' in middle-income countries and entrenched poverty cycles in fragile states. Where does Australia sit in this context, and what is our plan for progress?

Head in the sand

Foreign policy issues generally have merited scant attention in the Federal Election thus far, outside the distorted area of asylum debates on boat arrivals. [A debate between Minister Carr and Shadow Julie Bishop](#) occurred on 7 August 2013 at the Lowy Institute.

The ALP's position on its election [website](#) focuses on being a 'good international citizen', and highlights the successful Security Council campaign and the Afghanistan mission.

The Liberal and National Party websites have no foreign policy content as of yet, apart from references to regional cooperation in the [Operation Sovereign Borders policy](#) dealing with boat arrivals.

The Greens' [platform](#) focuses on peace and non-violence, including nuclear disarmament, conflict resolution and focus on climate change issues, as well as refugee policy.

So what are Australian political parties seeking to achieve in the 'beyond aid' space?

Beyond aid?

What do I mean by the [beyond aid](#) agenda (also known by the OECD as 'Policy Coherence for Development')? Generally, many factors will affect the development outcomes of peoples, including the domestic political organization of a state. The external factors include trade, migration, investment, environmental issues, security and technology. For example, the Seoul Development Consensus for Shared Growth in the [G20](#) has nine pillars, including infrastructure, private investment and job creation, human resource development, trade,

financial inclusion, growth with resilience (social protection and remittances), food security, domestic resource mobilisation and knowledge sharing.

In other words, some of Australia's domestic policies in the areas of security, migration and other areas will impact our developing neighbours more than our aid program. Currently, as described on page 27, the OECD's latest [peer review](#) found that 'Australia does not have a published, explicit strategy for considering the impact of domestic policies on developing countries'.

As a result of the independent aid review in 2011, AusAID does now have a 'whole-of-government' branch and the OECD found that Australia's wider development policies are stronger in the areas of trade, agriculture, investment and remittances, which should contribute to reducing poverty in developing countries. Australia was commended for examining how its aid can help raise other forms of private investment to support development through its work in the Group of 20, and through its Mining for Development Initiative.

But Australia still has a long way to go, and a very immature political and policy debate in this space. This is why Australia always fares worse than New Zealand on its OECD ranking on the CGD [Commitment to Development Index](#), usually brought down by its environment score.

[CGD critiques Australia](#) in the latest Index on the following issues: 'Australia has the second highest greenhouse gas emissions and fossil fuel production rate per person among CDI countries, low government spending on research and development, and among the highest trade barriers against textiles and apparel'.

What have the leaders said?

Recent speeches by leaders ALP Minister for Foreign Affairs Bob Carr, Shadow Minister for Foreign Affairs and Deputy Leader of the Coalition Julie Bishop and Greens leader Christine Milne contain some more detail on the various party priorities in the 'beyond aid' space.

Minister Carr, in a [recent Press Club address](#) on 26 June 2013, focused on multilateralism and security debates, especially arms control and nuclear non-proliferation. He focused on Cluster Munitions and Arms Trade Treaty negotiations as examples of ALP success.

There are certain bipartisan overlaps between the major parties, as shown by [comparing Carr's speech and a recent speech by Julie Bishop](#), delivered in Adelaide on Friday 19 July 2013. Both speeches talk about trade liberalisation, a focus on the Indo-Pacific region and humanitarian assistance as common priorities.

Ms Bishop outlined a stronger economic focus, similar to conservative governments in New Zealand and Canada, nominating 'Aid for Trade' as a flagship, an expansion of free trade agreements, and renewed commitments to expanding the Pacific Seasonal Workers Scheme and coming to an agreement on PACER (Pacific Agreement on Closer Economic Relations) Plus.

Greens Leader Christine Milne outlined the [Greens vision of development](#) in a recent speech about the G20 to the Lowy Institute, focused on the role of the UN, climate finance and the phasing out of fossil fuel subsidies.

There are elements of a comprehensive vision of Policy Coherence for Development spread across the parties, with emphasis added to the domains of security, economic growth or environmental justice, depending on the party.

Generally speaking though, there has been very little attention paid in any strategic sense to what Australia should be doing at a domestic level to be a better development actor.

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