

**DOMESTIC
VIOLENCE
VICTORIA**



**Domestic
Violence
Resource
Centre
Victoria**

**Submission to ParentsNext:
examination of Social Security
(parenting payment participation
requirements – class of persons)
Instrument 2021**

May 2021

YOUR VOICE AGAINST VIOLENCE



Domestic Violence Victoria and Domestic Violence Resource Centre Victoria

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Acknowledgments

Acknowledgement of Aboriginal and Torres Strait Islander peoples

Domestic Violence Victoria (DV Vic) and Domestic Violence Resource Centre Victoria (DVRCV) acknowledge Aboriginal and Torres Strait Islander peoples as Australia's First Nations and Traditional Owners of Country. We pay respects to Elders past, present and emerging. We acknowledge that sovereignty was never ceded and recognise the right to self-determination and continuing connection to land, waters and culture.

Acknowledgment of victim-survivors

DV Vic and DVRCV acknowledge the strength and resilience of adults, children and young people who have experienced family violence, and recognises that it is essential that responses to family violence are informed by their experiences and advocacy. We pay respects to those who did not survive and acknowledge friends and family members who have lost loved ones to this preventable and far-reaching issue.



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About DV Vic and DVRCV

In 2021, Domestic Violence Victoria (DV Vic) and the Domestic Violence Resource Centre Victoria (DVRCV) are merging to form a new entity. The merger brings together the peak body for Victoria's specialist family violence services supporting victim survivors (DV Vic) and the state's only specialist family violence Registered Training Organisation (DVRCV). Under a new name and united vision, we are working towards a world beyond family and gender-based violence, where women, children and all marginalized communities are safe, thriving, and respected. To achieve this vision we advocate on behalf of and represent the specialist family violence sector, build the capability of current and emerging workforces to prevent and respond to family violence and drive the social and cultural change required to end all forms of family violence and violence against women.

Language and Terminology Used

Family Violence

DV Vic and DVRCV recognise family violence as any behaviour that occurs in family, domestic or intimate relationships that is physically or sexually abusive; emotionally or psychologically abusive; economically abusive; threatening or coercive; or is in any other way controlling that causes a person to live in fear for their safety or wellbeing or that of another person. This definition includes violence within a broader family context, such as extended families, kinship networks and 'family-like' relationships which can include a paid or unpaid carer for people with disabilities; families of choice for LGBTIQ people; and cultural kinship networks.¹ In relation to children, family violence is defined as behaviour by any person that causes a child to hear or witness or otherwise be exposed to the effects of the above behaviour.²

Victim-Survivor

DV Vic and DVRCV use the term victim-survivor to refer to both adults and children who experience family violence.³ The term victim-survivor includes all individuals and groups of people who are primarily targeted and affected by family violence. This gender-inclusive use of language is applied to acknowledge the disproportionate harms of family violence against people who identify as women and their children, while at the same time recognising that family violence impacts people across a diversity of gender identities, sexual identities, social and cultural contexts, and within various intimate partner and family and family-like relationships.⁴ DV Vic and DVRCV acknowledges the emerging evidence-base that is articulating the ways in which gender diverse and gender non-binary communities are targeted

¹ Domestic Violence Victoria. (2020). *Code of Practice for Specialist Family Violence Services for Victim-Survivors* (2nd ed.). Domestic Violence Victoria. <http://dvvic.org.au/members/practice-development/>; *Family Violence Protection Act 2008* (Vic) s.5. http://www8.austlii.edu.au/cgi-bin/viewdb/au/legis/vic/consol_act/fvpa2008283/.

² Domestic Violence Victoria. (2020). *Code of Practice for Specialist Family Violence Services for Victim-Survivors* (2nd ed.); *Family Violence Protection Act 2008* (Vic) s.5. http://www8.austlii.edu.au/cgi-bin/viewdb/au/legis/vic/consol_act/fvpa2008283/.

³ Domestic Violence Victoria. (2020). *Code of Practice for Specialist Family Violence Services for Victim-Survivors* (2nd ed.).

⁴ Domestic Violence Victoria. (2020). *Code of Practice for Specialist Family Violence Services for Victim-Survivors* (2nd ed.).



and affected by family violence, and which have been under-researched to date. DV Vic and DVRCV also acknowledges that intersecting systems of privilege and oppression translate to diversity in experiences and affects for different groups of victim-survivors.

Perpetrator/User of Violence

The terms 'perpetrator' and 'user of violence' are used interchangeably to refer to adults who use family violence. DV Vic and DVRCV acknowledges that across the spectrum of experiences and relationships in which family violence is perpetrated, family violence is most frequently and severely perpetrated by men. DV Vic and DVRCV understands this to be a manifestation of gender inequality and gender hierarchies in Australian society, and that people perpetrating violence also experience intersecting systems of both privilege and oppression.



Summary of recommendations

Recommendation 1: Immediately and urgently remove the ParentsNext program from the Targeted Compliance Framework. This should include revocation of any current ParentsNext-related suspension, reduction, or cessation of income support.

Recommendation 2: Family violence should be grounds for permanent exemption from meeting participation requirements and being subject to the Targeted Compliance Framework.

Recommendation 3: ParentsNext providers should provide specialist-informed family violence training for employees to ensure responses, services and activities they refer participants to are appropriate, sensitive and suitable to the needs of the individual.

Recommendation 4: ParentsNext program should be reshaped, through co-design with users and experts, to strengthen the program in meeting the needs of parents and addressing their barriers to further education and employment, thereby aligning with Recommendation 2 of the Inquiry.

Recommendation 5: Participation in ParentsNext should be voluntary for current and future participants.



Introduction

Domestic Violence Victoria (DV Vic) and Domestic Violence Resource Centre Victoria (DVRCV) welcome the opportunity to provide a submission to the Parliamentary Joint Committee on Human Rights on ParentsNext: examination of *Social Security (Parenting payment participation requirements – class of persons) Instrument 2021* (the measure).

While DV Vic and DVRCV understand the importance of addressing barriers to further education and employment, we have serious concerns about the human rights implications of the measure on victim-survivors of family violence. These concerns include impacts of non-compliance on an adequate standard of living; lack of flexibility of the ParentsNext program in practice; ineffectiveness in addressing barriers to education and employment; and ineffectiveness of compulsory participation. These concerns align with the key points elaborated on in the submission by the Council of Single Mothers and their Children (CSMC), whose submission DV Vic and DVRCV endorse.

Impacts of non-compliance on an adequate standard of living

ParentsNext is framed as a pre-employment program designed to help parents enter the workforce. The ParentsNext eligibility criteria stipulate that mothers with children as young as nine months may be required to participate in the program and that their parenting payments may be suspended or cancelled for non-compliance. Given that 95% of participants are women, and Aboriginal parents make up a considerable proportion of participants, there is a high likelihood most participants are victim-survivors of family violence. Approximately one quarter of women in Australia has experienced at least one incident of violence by an intimate partner,⁵ and two in three Aboriginal and Torres Strait Islander women have experienced family violence.⁶ DV Vic and DVRCV are concerned that the reduction, suspension or cancellation of payments for non-compliance will have detrimental impacts on program participants' adequate standard of living, particularly in today's COVID-19 context. To illustrate this, DV Vic and DVRCV draw attention to the impacts of COVID-19 on women, effects of family violence on victim-survivors, and existing evidence of negative impacts of non-compliance.

The COVID-19 recession has disproportionately affected women and will compound a lifetime of gendered economic disadvantage, to the extent that the recession has been deemed a 'pink recession'.⁷ During 2020, Australian women were more likely to lose jobs than men, took on more unpaid work,

⁵ ANROWS. (2019). *Violence against women: accurate use of key statistics*. Accessed on https://20ian81kynngg38bl3l3eh8bf-wpengine.netdna-ssl.com/wp-content/uploads/2019/02/ANROWS_VAW-Accurate-Use-of-Key-Statistics.1.pdf, p.2 & p.7.

⁶ Australian Institute of Health and Welfare (AIHW). (2019). *Family, domestic and sexual violence in Australia: Continuing the national story 2019*. Accessed on <https://www.aihw.gov.au/getmedia/b0037b2d-a651-4abf-9f7b-00a85e3de528/aihw-fdv3-FDSV-in-Australia-2019.pdf.aspx?inline=true>, p.108

⁷ Monash University. (2020). *There's a fundamental need to reverse the 'pink recession'*. Accessed on <https://lens.monash.edu/@medicine-health/2020/12/14/1381848/theres-a-fundamental-need-to-reverse-the-pink-recession>; Grattan Institute. (2021). *Women's work: the impact of the COVID crisis on women*. <https://grattan.edu.au/report/womens-work/>



and were less likely to receive government support.⁸ For single parents, the situation is much direr, with many already in financial distress before COVID-19, where a third of single-parent families were living in poverty in 2018.⁹ Single parents were particularly susceptible to COVID-19 related job losses, due to their overrepresentation in retail and hospitality industries.¹⁰ In December 2020, paid hours for single parents remained 10% lower than a year earlier.¹¹ The implications of job losses and insecurity due to COVID-19 not only jeopardises women and children's economic wellbeing, it will also widen the gendered superannuation gap. Health Employees Superannuation Trust Australia (HESTA) industry superfund data shows a high proportion of younger women have accessed the early release superannuation scheme, decreasing balances by between 60-78%.¹²

Family violence has severe and long-lasting impacts on victim-survivors, which would be exacerbated by the suspension, reduction or cancelling of parenting payments. Intimate partner violence contributes an estimated 5.1% to the disease burden in Australian women aged 18-44 years and 2.2% in women of all ages, and an estimated five times more to the burden of disease among Aboriginal than non-Aboriginal women.¹³

Victim-survivors are also bearing the economic costs of violence. A WEstjustice report found that up to 99% of women victim-survivors presenting at specialist family violence services have experienced economic abuse.¹⁴ A study by the Economic Abuse Reference Group found that '[Economic abuse] makes it impossible for [victim-survivors] to navigate the day-to-day because of crushing debt, bad credit records, unpaid fines and bad tenancy records, most of which are inherited from the violent partner'.¹⁵ A report by KPMG revealed that victim-survivors of violence against women bear \$11.3 billion, or 52%, of the total cost of violence against women and their children.¹⁶ It is then unsurprising that family violence is the leading cause of homelessness among children and women in Australia, with victim-survivors constituting 41% of clients presenting at specialist homelessness services.¹⁷ Given this

⁸ Grattan Institute. (2021). *Women's work: the impact of the COVID crisis on women*.

⁹ Grattan Institute. (2021). *How COVID compounded single parents' woes*. Accessed on <https://grattan.edu.au/news/how-covid-compounded-single-parents-woes/>.

¹⁰ Grattan Institute. (2021). *How COVID compounded single parents' woes*

¹¹ Grattan Institute. (2021). *How COVID compounded single parents' woes*.

¹² Health Employees Superannuation Trust Australia (HESTA). (2020). *Early release superannuation scheme sees younger women drain super*. Accessed on <https://www.hesta.com.au/about-us/media-centre/Early-release-super-scheme-sees-younger-women-drain-super-HESTA.html>.

¹³ Australian National Research Organisation for Women's Safety (ANROWS). (2016). *A preventable burden: measuring and addressing the prevalence and health impacts of intimate partner violence in Australian women*. Accessed on <https://www.anrows.org.au/publication/a-preventable-burden-measuring-and-addressing-the-prevalence-and-health-impacts-of-intimate-partner-violence-in-australian-women-key-findings-and-future-directions/>

¹⁴ WEstjustice. (2018). *Restoring financial safety: collaborating on responses to financial abuse*. WEstjustice.

https://www.westjustice.org.au/cms_uploads/docs/180831restoring_financial_security_report_final_print.pdf

¹⁵ Economic Abuse Reference Group. (2020). *Responding to financial abuse full report: community, business and government responses to the financial impacts of family violence in Australia*. <https://apo.org.au/sites/default/files/resource-files/2020-03/apo-nid303785.pdf>, p.4

¹⁶ KPMG. (2016). *The cost of violence against women and their children in Australia*. Accessed on https://www.dss.gov.au/sites/default/files/documents/08_2016/the_cost_of_violence_against_women_and_their_children_in_australia_-_summary_report_may_2016.pdf

¹⁷ AIHW. (2020). *Specialist homelessness services annual report*. Accessed on <https://www.aihw.gov.au/reports/homelessness-services/specialist-homelessness-services-annual-report/contents/clients-who-have-experienced-family-and-domestic-violence#Client%20characteristics>.



economic burden and impacts on health and housing, having parenting payments reduced, suspended or cancelled is particularly dangerous for victim-survivors, whose standard of living is already heavily compromised. Reducing, cancelling or suspending mothers' parenting payments for not meeting the requirements of ParentsNext would reduce victim-survivors' quality of living, and may see victim-survivors more likely to return to their perpetrators to avoid poverty and/or homelessness. Making victim-survivors choose between living in poverty and returning to an abusive relationship is unjust, and should not be an outcome of government policy.

Children are victim-survivors in their own right, with unique and distinct experiences of family violence, tied to and independent from adult family members' experiences. As family violence is often a prolonged experience, involving complex and unique patterns of perpetrator tactics and behaviours over, children can experience 'complex trauma', which is the 'experience of multiple, chronic and prolonged traumatic events in childhood'.¹⁸ The ongoing nature of family violence can have long-term effects on a child's development, including physical, emotional, and mental development.¹⁹ Further to the discussion above on the economic impacts of family violence, this abuse often results in children going without food, medication, necessities for school, and school excursions.²⁰ Reducing, cancelling or suspending parenting payments for not meeting the requirements of ParentsNext not only affects adult victim-survivors' standard of living, it would also worsen children's standard of living.

In addition, DV Vic and DVRCV are concerned about the existing evidence of negative impacts of non-compliance on an adequate standard of living. There are instances whereby program participants are forced to choose between meeting the program requirements and their families' needs.²¹ Examples include the 3,000 homeless Australians currently on the program,²² and a mother who had payments suspended for taking her child to kindergarten, rather than a story-time session at a library.²³

Given the 'pink recession', the significant impact that family violence already has on victim-survivors' standard of living, and evidence of negative impacts of non-compliance on an adequate standard of living for program participants, DV Vic and DVRCV is concerned that victim-survivors would be penalised for their experience of family violence through non-compliance measures. In effect, the reduction, cancellation or suspension of parenting payments would inadvertently collude with perpetrator tactics

¹⁸ Victorian Government. (2018). *Family violence Multi-Agency Risk Assessment and Management Framework: A shared responsibility for assessing and managing family violence risk*, p.23.

¹⁹ Victorian Government. (2018). *Family violence Multi-Agency Risk Assessment and Management Framework: A shared responsibility for assessing and managing family violence risk*, p.23-24.

²⁰ WEStjustice. (2018). *Restoring financial safety: collaborating on responses to financial abuse*, p.28.

²¹ Australian Broadcasting Corporation (ABC) News. (2019). *Whistleblowers say some employment service providers are exploiting the ParentsNext welfare scheme*. Accessed on <https://www.abc.net.au/news/2019-08-02/whistleblowers-criticise-parentsnext/11363874>; ABC News. (2019). *ParentsNext welfare program draws condemnation from senators, support services as 'unethical', 'distressing'*. Accessed on <https://www.abc.net.au/news/2019-04-04/parentsnext-welfare-program-draws-condemnation/10968298/>

²² ABC News. (2019). *Whistleblowers say some employment service providers are exploiting the ParentsNext welfare scheme*.

²³ The Guardian. (2018). *Single parents forced to attend 'story time' or lose Centrelink payments*. Accessed on <https://www.theguardian.com/australia-news/2018/nov/06/single-parents-forced-to-attend-story-time-or-lose-centrelink-payments>



that blame and punish victim-survivors. DV Vic and DVRCV therefore echo CSMC's recommendation for the immediate and urgent removal of the program from the Targeted Compliance Framework.

Recommendation 1: Immediately and urgently remove the ParentsNext program from the Targeted Compliance Framework. This should include revocation of any current ParentsNext-related suspension, reduction, or cessation of income support.

Lack of flexibility of the ParentsNext program in practice

DV Vic and DVRCV understands that there are specific grounds for exemption, whereby participants are not required to meet participation requirements nor be subject to the Targeted Compliance Framework.²⁴ The Parliamentary Joint Committee on Human Rights Senate Inquiry (the Inquiry) preliminary analysis on the program found that even though family violence is grounds for exemption, victim-survivors are often deemed ineligible for exemption.²⁵ Not only is this the case, we are also concerned about the impacts of victim-survivors having to repeatedly retell their stories. Furthermore, when victim-survivors are deemed eligible for exemption, the exemption measure is only temporary. This shows a lack of family violence literacy and appropriate response, which reveals an inconsistency of the ParentsNext program in practice.

It is clear that there is lack of clarity amongst ParentsNext providers about the grounds for exemption, and what evidence participants are required to give.²⁶ DV Vic and DVRCV are concerned that in the *Exemptions and Suspensions Guidelines*, domestic violence (including family violence) and relationship breakdown are grouped in the same category for exemption.²⁷ Family violence is different from relationship breakdown. While both experiences can be highly stressful, family violence is characterised by a fear for one's life and safety and/or the lives and safety of children and other loved ones. We are concerned that a participant is only deemed eligible for an exemption if they have experienced family violence in the previous 26 weeks, and must be granted a 16 week exemption in the first instance.²⁸ Subsequent exemptions are then assessed on a case-by-case basis. For participants who fall outside of experiencing family violence in the previous 26 weeks, these are assessed case-by-case. Victim-survivors require support to live safely and recover from family violence. For victim-survivors who leave violent relationships, the first two months of separation are when they are most likely to be killed.²⁹ An exemption period of 16 weeks is not sufficient time to establish safety, and if victim-survivors are forced

²⁴ Parliamentary Joint Committee on Human Rights. (2021). *ParentsNext, including its subsequent broader rollout*. Accessed on https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Human_Rights/Scrutiny_reports/2021/Report_2_of_2021, p.60.

²⁵ Parliamentary Joint Committee on Human Rights. (2021). *ParentsNext, including its subsequent broader rollout*, p.8.

²⁶ Parliamentary Joint Committee on Human Rights. (2021). *ParentsNext, including its subsequent broader rollout*, p.61.

²⁷ Australian Government. (2020). *ParentsNext Guideline: Exemptions and suspensions*. Accessed on <https://www.dese.gov.au/parentsnext/resources/exemptions-and-suspensions-guideline>, p.13.

²⁸ Australian Government. (2020). *ParentsNext Guideline: Exemptions and suspensions*, p.13.

²⁹ Victorian Government. (2018). *Family violence Multi-Agency Risk Assessment and Management Framework: A shared responsibility for assessing and managing family violence risk*, p.27.



to relocate, this means re-establishing community, school and employment supports, which can take years to do. While there is flexibility for providers to exercise judgment about appropriate evidence to demonstrate family violence, we are concerned that providers do not have the family violence literacy to do so, which is discussed below.

In instances where victim-survivors are deemed ineligible for exemption, we are concerned that program participants are only given two business days to resolve non-compliance. When someone is experiencing family violence, immediate safety is a priority. Victim-survivors require longer than two business days to access safety and support, for example, through specialist family violence services, obtaining an intervention order, or relocating to a safe location. The above examples from the *Exemptions and Suspensions Guidelines* makes it clear why so many providers fail to provide flexibility even when, as in this case, many reasons for exemptions are to be determined on a 'case by case' basis.

Recommendation 2: Family violence should be grounds for permanent exemption from meeting participation requirements and being subject to the Targeted Compliance Framework.

Given that women are overrepresented in the ParentsNext program and the rates that women experience family violence in Australia, there is a high likelihood that many participants have experienced or are experiencing family violence. It is alarming that in the first six months of the national program, participants experiencing domestic violence/relationship breakdown only constituted 4% of all temporary exemption cases.³⁰ Such low reporting of participants experiencing family violence reflects the finding that many ParentsNext providers 'do not have the specialised training or experience' in family violence.³¹ Providers' lack of family violence literacy, including its prevalence, impacts, and how to respectfully engage with victim-survivors, reveals an unsympathetic and therefore inflexible program in practice. One example is of a victim-survivor who was considered ineligible for exemption, due to historical family violence.³² This example shows that ParentsNext providers are unaware of the short- and long- term effects of family violence on the emotional, economic and mental wellbeing of victim-survivors, which were discussed above.

Further, we are concerned that the lack of consistency and flexibility in granting exemptions requires victim-survivors to retell their stories without consideration for their emotional safety. Due to dominant social and media narratives that blame victim-survivors and excuse perpetrators,³³ victim-survivors often internalise shame and blame themselves. Responding to family violence disclosures in a sensitive and respectful way that challenges such myths is crucial. DV Vic and DVRCV are concerned about the evidence provided to the Inquiry that in order to be considered eligible for an exemption, victim-survivors are required to discuss their experience of family violence, in detail, with multiple people, several times without regard of its sensitive nature, which is unacceptable.³⁴ As CSMC's submission

³⁰ Parliamentary Joint Committee on Human Rights. (2021). *ParentsNext, including its subsequent broader rollout*, p.61.

³¹ Parliamentary Joint Committee on Human Rights. (2021). *ParentsNext, including its subsequent broader rollout*, p.35.

³² Parliamentary Joint Committee on Human Rights. (2021). *ParentsNext, including its subsequent broader rollout*, p.8.

³³ ANROWS. (2016). *Media representations of violence against women and their children: final report*. Accessed on <https://www.anrows.org.au/publication/media-representations-of-violence-against-women-and-their-children-final-report/>; Jane Gilmore. (nd). *Feminist. Politics. Other stuff*. Accessed on <https://janegilmore.com/>.

³⁴ Parliamentary Joint Committee on Human Rights. (2021). *ParentsNext, including its subsequent broader rollout*, pp.8-9.



shows, ParentsNext providers do not provide quality childcare nor funding for children, which also means that disclosures are often happening in front of children, which is also unacceptable.

Recommendation 3: ParentsNext providers should provide specialist-informed family violence training for employees to ensure responses, services and activities they refer participants to are appropriate, sensitive and suitable to the needs of the individual.

Ineffectiveness in addressing barriers to education and employment

ParentsNext aims to address structural barriers to further education and employment to decrease the 'risk of long-term welfare dependency,'³⁵ a premise that DV Vic and DVRCV disagree with on the grounds that it dismisses the importance of parenting and the value it brings to children and their development, society and the economy. The value of unpaid childcare makes it Australia's largest industry, almost three times the value of financial and insurance services industry.³⁶ Mothers with small children are some of the most time-poor members of our society, with caring duties estimated to be 51 hours a week when a baby is born and housework hours approximately 30 hours per week after a child starts school.³⁷ It is punitive and unrealistic to require mothers to commit to yet another set of demands to maintain their income at a time when they are already likely to be struggling to meet the demands of motherhood.

DV Vic and DVRCV believe that in order for the measure to effectively support participants in addressing barriers to education and employment, co-designing the program with its users and experts into a more supportive program would be valuable. The Royal Commission into Family Violence recommended that the 'Victorian Government and agencies that respond to family violence identify and develop safe and constructive ways to ensure that the voices of victims are heard and inform policy development and service delivery'.³⁸ It is DV Vic and DVRCV's position that this should be embedded in ParentsNext. The *Family Violence Experts by Experience Framework* (the Framework) provides a useful starting point for the Australian Government to consider best practice in embedding the voices of victim-survivors into ParentsNext.³⁹ The Framework was developed by DV Vic and the University of Melbourne, with the aim to enhance the ability of specialist family violence services to

³⁵Australian Government. (2021). Explanatory statement: *Social Security (Parenting payment participation requirements – class of persons) Instrument 2021*. Accessed on <https://www.legislation.gov.au/Details/F2021L00064/Explanatory%20Statement/Text>.

³⁶PricewaterhouseCoopers (PwC). (2017). *Understanding the unpaid economy*, p.3.

³⁷ McLaren., J and Maury., S. (2017). *Parents Vexed? ParentsNext Is Poorly Designed to Support Mothers into Work*. Accessed on <http://www.powertopersuade.org.au/blog/parents-vexed-parentsnext-is-poorly-designed-to-support-mothers-into-work/18/10/2017>.

³⁸Victorian Government. (2021). *Ensure voices of victims are heard and inform policy development and service delivery*. <https://www.vic.gov.au/family-violence-recommendations/ensure-voices-victims-are-heard-and-inform-policy-development-and>.

³⁹Hegarty, K., Lamb, K. & Parker, R. (2020). *The Family Violence Experts by Experience Framework: Research Report & Framework 2020*, University of Melbourne & Domestic Violence Victoria. http://dvvic.org.au/wp-content/uploads/2020/08/DVV_EBE-Framework-Report.pdf



provide opportunities for victim-survivor advocates to influence policy change, service planning and practice. The Framework is based on the recognition that ‘responses to family violence will be most effective and safe if they are informed and developed in partnership with victim-survivors’.⁴⁰ This sentiment is also aligned with the Inquiry’s Recommendation that ‘ParentsNext be reshaped, through a process of co-design with parents and experts, into a more supportive pre-employment program which meets the needs of parents and acknowledges and addresses the structural barriers to employment which they face.’

DV Vic and DVRCV also believe that using an intersectional lens is important to understand the structural barriers that diverse communities face to accessing safety, support and economic security. People from diverse communities have fundamentally unique experiences of family violence, due to barriers such as discriminatory structures and social attitudes, which in turn create further structural disadvantage. Due to these unique cultural and social experiences, tailored support and appropriate services must be available for diverse community groups, including Aboriginal people, culturally and linguistically diverse communities, LGBTIQ+ communities, people with disability and people experiencing mental health issues. An intersectional approach embedded throughout the measure is essential to ensure that ParentsNext does not discriminate and is inclusive of the needs of every person in Victoria.

Recommendation 4: ParentsNext program should be reshaped, through co-design with users and experts, to strengthen the program in meeting the needs of parents and addressing their barriers to further education and employment, thereby aligning with Recommendation 2 of the Inquiry.

Ineffectiveness of compulsory participation

Equal economic participation and financial security are critical to women’s financial independence and their ability to make genuine choices in their lives, including the ability to leave a violent relationship. Research into the impact of other Welfare to Work policies on single mothers found that mutual obligation schemes had not helped participating women find employment, undermined their self-worth, and actually increased their financial insecurity instead of improving it.⁴¹ It makes no sense to expand failed policies to mothers with even younger children. Requiring mothers to participate in prescribed activities to maintain their income support payments is setting them up to fail and has already resulted in women and their children being cut off from their support payments.⁴²

⁴⁰ Domestic Violence Victoria. (2020). *The Family Violence Experts by Experience Framework: Research Report and Framework*.

⁴¹ Good Shepherd. (2018). *Submission to the 2018 Inquiry into the appropriateness and effectiveness of the objectives, design, implementation and evaluation of Jobactive*. Accessed on <https://goodshep.org.au/publications/2018-inquiry-into-effectiveness-of-jobactive/>.

⁴² Goldblatt., B. (2019). *More than unpopular: how ParentsNext intrudes on single parents’ human rights*. Accessed on <https://theconversation.com/more-than-unpopular-how-parentsnext-intrudes-on-single-parents-human-rights-108754>.



DV Vic and DVRCV understand that Australia is a signatory to the International Covenant on Economic, Social and Cultural Rights, whereby Article 9 refers to 'the right of everyone to social security'.⁴³ Article 2 also states that rights 'will be exercised without discrimination'.⁴⁴ Given that the majority of ParentsNext program participants are women, and Aboriginal parents make up a large proportion of participants, the compulsory nature of ParentsNext undermines participants' human rights.

By compelling women to participate in ParentsNext, the Australian Government is removing women's agency to make decisions about what is best for them and their families and perpetuating harmful gender norms that have traditionally cast women as poor financial managers, given financial control to men and created barriers to women's equal participation in the workforce.⁴⁵ Paradoxically, these sentiments are the very reason women face economic disadvantage today. Yet, despite these structural reasons for women's economic disempowerment, punitive, mutual-obligation income support policies, such as ParentsNext, continue to imply individual responsibility for failing to be engaged in the workforce.

Similarly, by targeting Aboriginal families, the Government is replicating past government policies that have systematically disempowered Aboriginal communities from taking control of their lives, such as indentured labour, stolen wages and the forced removal of children.⁴⁶ The ParentsNext Evaluation cites high-unemployment and low labour force participation as a reason for focusing the program on Aboriginal communities.⁴⁷ However, it implies that high-unemployment in Aboriginal communities is a result of a deficiency within Aboriginal communities, rather than colonisation, dispossession and intergenerational trauma. The impacts of colonisation are recognised alongside structural gender inequality as the key drivers of violence against Aboriginal women and their children.⁴⁸

Regaining individual agency and control over their lives is integral to recovery for adult and child victim-survivors. Family violence is an abuse of power and control. Most victim-survivors have experienced a combination of psychological, financial, emotional, social, physical and sexual violence that erodes their confidence, self-worth and ability to seek safety and independence. For Aboriginal women, these factors are combined with experiences of institutional and individualised racism, discrimination and intergenerational disadvantage. Forcing mothers with these experiences to participate in the ParentsNext program is the antithesis of empowering them to take control of their lives and in fact

⁴³ United Nations Human Rights Office of the High Commissioner. (nd). *International Covenant on Economic, Social and Cultural Rights*. Accessed on <https://www.ohchr.org/en/professionalinterest/pages/cescr.aspx>

⁴⁴ United Nations Human Rights Office of the High Commissioner. (nd). *International Covenant on Economic, Social and Cultural Rights*.

⁴⁵ Women's Information and Referral Exchange (WIRE). (2018). *When is the right time to talk about money?* Accessed on <https://www.wire.org.au/teachable-moments/>.

⁴⁶ Watson, I. (2009). 'In the Northern Territory Intervention: What is saved or rescued and at what cost?' *Cultural Studies Review* 15, no.2.

⁴⁷ Australian Government. (2018). *ParentsNext Evaluation report*. Accessed on <https://www.dese.gov.au/parentsnext/resources/parentsnext-evaluation-report>.

⁴⁸ OurWatch. (2018). *Changing the picture: a national resource to support the prevention of violence against Aboriginal and Torres Strait Islander women and their children*. Accessed on <https://media-cdn.ourwatch.org.au/wp-content/uploads/sites/2/2020/09/20231759/Changing-the-picture-Part-2-AA.pdf>, p.13.



replicates the control experienced in an abusive relationship, and is inconsistent with international human rights law.

Australia has also ratified the Convention of the Rights of the Child. DV Vic and DVRCV are concerned that punishing women for non-compliance also has impacts on the rights of the child. In particular, we refer to Article 26, which recognises the right of every child to ‘benefit from social security’, and Article 27, the right of every child to a ‘standard of living adequate for the child’s physical, mental, spiritual, moral and social development’.⁴⁹

Recommendation 5: Participation in ParentsNext should be voluntary for current and future participants.

Conclusion

DV Vic and DVRCV would like to thank the Parliamentary Joint Committee on Human Rights for the work they have done in examining the effectiveness and human rights implications of the measure, and the Australian Government for considering the needs of parents in planning and preparing for paid employment. However, due to the compulsory nature of the program, DV Vic and DVRCV strongly oppose the ParentsNext program and its negative human rights implications for victim-survivors. The continuation of the program is in direct contradiction to the Senate Inquiry Recommendation that ‘the program should not continue in its current form’.⁵⁰

We look forward to working with the Australian Government to ensure that victim-survivors can benefit from a re-designed ParentsNext program.

⁴⁹ United Nations Human Rights Office of the High Commissioner. (nd). *Convention on the Rights of the Child*. Accessed on <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>.

⁵⁰ Parliamentary Joint Committee on Human Rights. (2021). *ParentsNext, including its subsequent broader rollout*, p.11.