

Ph 1800 033 660 | E [bca@bca.org.au](mailto:bca@bca.org.au) | W [bca.org.au](http://www.bca.org.au/) | ABN 90 006 985 226

# Submission about purpose, intent, and adequacy of the Disability Support Pension

To: Committee Secretary  
Senate Standing Committees on Community Affairs  
PO Box 6100  
Parliament House  
Canberra ACT 2600  
  
Phone: [+61 2 6277 3515](tel:+61+61%202%206277%203515)  
Fax: +61 2 6277 5829  
[community.affairs.sen@aph.gov.au](mailto:community.affairs.sen@aph.gov.au)

Author: Jane Britt, National Policy Officer

[jane.britt@bca.org.au](mailto:jane.britt@bca.org.au)

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## 1. Introduction

### 1.1 About Blind Citizens Australia (BCA)

Blind Citizens Australia (BCA) is the national representative organisation of Australians who are blind or vision impaired. Our mission is to inform, connect and empower Australians who are blind or vision impaired and the broader community. We provide peer support and individual advocacy to people who are blind or vision impaired across Australia. Through our campaign work, we address systemic barriers limiting the full and equal participation of people who are blind or vision impaired. Through our policy work, we provide advice to government and the community on issues of importance to people who are blind or vision impaired. As a consumer-based organisation, our work is directly informed by lived experience of blindness and vision impairment. Our members, our directors and most staff are blind or vision impaired.

### 1.2 About people who are blind or vision impaired

There are currently more than 453,000 people who are blind or vision impaired in Australia[[1]](#endnote-1) with estimates that this will rise to 564,000 by 2030.[[2]](#endnote-2) According to Vision Initiative, around 80% of vision loss in Australia is caused by conditions that become more common as people age.[[3]](#endnote-3)

Australians who are blind or vision impaired can live rich and active lives and make meaningful contributions to their communities: working, volunteering, raising families and engaging in sports and other recreational activities. The extent to which people can actively and independently participate in community life does, however, rely on facilities, services and systems that are available to the public being designed in a way that makes them inclusive of the needs of all citizens – including those who are blind or vision impaired.

## 2. Blind Citizens Australia's submission

Blind Citizens Australia (BCA) would like to make a submission responding to the Senate Standing Committees on Community Affairs Inquiry about the purpose, intent, and adequacy of the Disability Support Pension submission. Our response is based on consultations with our members, previous and current submissions, and advocacy work in the sector.

BCA will be responding to the following Terms of Reference.

The purpose, intent, and adequacy of the Disability Support Pension (DSP), with specific reference to:

a. the purpose of the DSP;

b. the DSP eligibility criteria, assessment, and determination, including the need for health assessments and medical evidence and the right to review and appeal;

d. the impact of the DSP on a disabled person’s ability to find long term, sustainable and appropriate, employment within the open labour market;

e. the capacity of the DSP to support persons with disabilities, chronic conditions, and ill health, including its capacity to facilitate and support labour market participation where appropriate;

f. discrimination within the labour market and its impact on employment, unemployment, and underemployment of persons with disabilities and their support networks;

g. the adequacy of the DSP and whether it allows people to maintain an acceptable standard of living in line with community expectations; [and]

i. the economic benefits of improved income support payments and supports for persons with disabilities, their immediate households and broader support services and networks.

## 3. Submission context

This submission is based on existing legislation and frameworks, noting gaps in the fulfilment of requirements laid out in existing documentation. The pertinent acts and legislation are:

1. The Disability Discrimination Act 1992 (Cth) (Austl.)
2. National Disability Insurance Scheme 2013 (Cth) (Austl.)
3. Social Security Act 1991 (Cth) (Austl.) including amendments.
4. United Nations Convention on the Rights of Persons with Disabilities (CRPD) 2006
5. The National Disability Strategy 2010-2020 (this strategy coordinates the implementation of the UNCRPD)
6. The National Disability Agreement 2008.

## 4. The purpose, intent, and adequacy of the Disability Support Pension

The Disability Support Pension (DSP) is a major contributor to the economic sustainability of living for people with disability. The DSP is an economic safety net that enables people with disabilities to navigate the higher cost of living due to disabilities, and problems gaining and maintaining employment which leads to economic vulnerability, if not total unsustainability altogether.

This submission will focus specifically on the impact for people with disabilities around access to the DSP. For people with disabilities, there are increased costs of living, and issues with sustaining those costs due to issues gaining and maintaining stable employment. Further, there are issues in gaining access to the DSP initially, with strong anecdotal evidence of requirement of advocacy support to navigate eligibility criteria to gain access.

### 4.1 Costs of living and employment

There are increases costs of living sustained by people with disabilities. Without access to the DSP, these costs make an undue strain on meeting financial commitments including rent, food, utilities, medical expenses, and other essential living costs relating to employment, education, or general living. These costs are compounded in the instance a person cannot gain or maintain employment, which we have heard is a difficulty facing BCA members, and it affects all people with disabilities in Australia.

#### Living costs

The NDIS has only partly alleviated these living costs, with many costs either not covered by the NDIS, or people with disabilities not getting budget funding to cover those costs. There are 4.4 million Australians with disabilities, yet approximately 340,000 people only have an NDIS plan.[[4]](#endnote-4)

A major cost of living is a forced choice for the person to live in proximity to public transport, and community, for safety in accessing the community. This is an accentuated issue for people living in regional and remote areas, where the options for transport access are lessened. Often, there is not any appropriate social housing for people with disabilities, reflected in a report by the Disability Royal Commission about Australia's progress in relation to implementation of articles of the UNCPRD.[[5]](#endnote-5)

By having to live in proximity to areas of access, costs of rent or mortgage increase considerably. Obviously, these are not costs supported by the NDIS in any capacity, and further, if a person does not have employment, or stable employment, meeting these costs is entirely incumbent on receiving the DSP.

Further, it increases costs of accessing the community particularly using taxis, which can be supported if someone has access to NDIS Transport funding or the Taxi Subsidy Scheme (TSS) in different states and territories, however it is known that not all people with disabilities, including people who are blind or vision impaired, have access to these schemes.

There are increased medical costs not supported by the NDIS include psychological support for increased anxiety and depression. BCA members report experiencing anxiety due to their disabilities in navigating their community without sustaining injury, increased fatigue, and social isolation leading to depression. The NDIS does not generally view psychological support to be a disability-related support for sensory or physical disabilities.

There are also increased costs for medication, medical appointments, outpatient, and in-patient treatment and medical tests. It is known that 2 in 3 people with disabilities in Australia saw a medical specialist in the past year. Although Medicare can support some of these additional costs, the DSP is critical to support people with disabilities to meet these costs where they may not have other revenue streams like employment which can assist in meeting the financial gap for supports. For example, if a person has chronic pain and there are associated medical costs with alleviating the pain, the NDIS does not cover this support.

Other accumulative costs include wear and tear due to mobility in navigating the physical environment. These include accumulative costs of tear to clothing, and injuries to oneself in colliding with objects or walls when navigation errors are made, as a natural result of navigating an environment only using the mobility aid for support, which is not fail-proof.

#### Employment

According to the Australian Bureau of Statistics (ABS), over 4.4 million Australians have some form of disability. This roughly equates to 1 in every 5 Australians having a disability.[[6]](#endnote-6)

In considering how many of these Australians with disability are participating in employment, the figures are startling. Data from 2019 indicates that 48% of working-age (aged 15–64) people with disability are employed, compared with 79% without disability.[[7]](#endnote-7) In other words, 52% of Australians with disability of working-age are unemployed.

In terms of data for people who are blind or vision impaired, the World Blind Union (WBU) conducted an employment survey which had nearly 3,000 respondents. Approximately 30% of respondents resided in Oceania, including Australia. Statistics indicated similar trends to Australian data from 2019. The employment percentages for respondents to the WBU survey were 62.39% currently employed, 14.32% not currently employed but employed within two years, and 31.67% unemployed long-term (not currently employed nor employed within two years). The respondents indicated that with their current level of vision or blindness they had the following amount of work experience; 42.79% had more than ten years, 22.39% six to ten years, 19.64% less than two years, and 15.27% two to five years.[[8]](#endnote-8)

Why are the unemployment figures this high? The barriers consistently faced by people with disability in receiving prerequisite education, finding, and maintaining employment have previously been documented. The Willing to Work report produced in 2016 identified that the major barriers are negative assumptions and attitudes held by employers and the wider community. This includes misconceptions about the productivity and capability of people with disabilities, and that they present a higher risk for workplace health and safety.[[9]](#endnote-9)

If people with disabilities cannot gain and maintain employment, it is critical that they have support through the DSP to ensure that they can meet the costs of living, including the extraneous costs due to their disability outlined in the previous section. It is known that 43% of people with disabilities of working age (15-64) receive a government payment which is their primary source of income.

This is disconcerting. People with disabilities solely relying on the DSP for their source of income are living below the poverty line. According to a report published by the Australian Council of Social Service (ACOSS) and the University of NSW (UNSW) in 2018, just under 4 of the 10 Australians living in poverty have a disability (739,200 or 38% of the nearly 2 million adults Australians who are living in poverty). 1 in 6 people with disability were living in poverty, compared with just over 1 in 10 Australians without disability.[[10]](#endnote-10)

### 4.2 DSP Eligibility



BCA has provided considerable advocacy support to people navigating access to the DSP. Particularly, BCA has resolved advocacy cases have been about proving eligibility where the vision loss has root cause that is cortical, or in other words, caused by injury or lesions in the brain. This might indicate that eligibility criteria are too narrow for disabilities, and that functional impact of the disability needs to be considered over medical diagnostic criterion.

The additional feedback that we have received overall is that form is initially too difficult to navigate, requiring assistance later to rectify denial of access to the DSP. In the instance that vision loss has a neurological base, the eligibility criteria is harder to navigate, to substantiate that the person has met the criteria for DSP access.

Another major issue is the propagation of entitlement reduction through a modified wage system in the open labour market, directly contravening Article 27, Work and Employment of the UNCRPD. "Modern awards can contain provisions for a “Supported Wage System” which pays employees a percentage of the relevant minimum pay rate in their award based on their assessed capacity. For a person’s wage to be reduced in this way, they must meet the impairment criteria for receipt of a Disability Support Pension" (p.134).[[11]](#endnote-11)

## 5. Recommendations

BCA strongly recommends the following actions.

1. The Disability Support Pensions need to be increased to meet the costs of living associated with disability, for people with disabilities. These living costs include:

a) forced choice to live in proximity to areas of public transport and community access

b) transport funding, if not supported by NDIS or state or territory-based taxi subsidy schemes

c) psychological support costs, which is generally not NDIS-funded

d) medication, medical treatments, medical appointments, and any other medically related expenses

e) wear-and-tear costs of mobility, relating directly to navigating in physical environments.

1. Considering employment data in Australia, showing that people who have disabilities, including people who have disabilities have difficulty gaining and maintaining employment, it is critical that the DSP continues to be available for people who have disabilities, to support them while they gain permanent employment, with sufficient hours and income to support their costs of living. It is important to note that gaining employment does not necessarily mean that the level of income will enable people who have disabilities to meet their costs of living, outlined above.
2. The initial form used to apply for the DSP needs to be easy to navigate, for people who have disabilities to have ease of access in filling out the form independently. This would circumvent the need for advocacy support to navigate eligibility in the instance of inaccurate completion of the form.
3. Eligibility for the DSP needs to include people who are blind or vision impairment which has been caused by a neurological base, by considering the functional impact rather than only medical diagnostic criterion.

1. Vision 2020. *State of eye health in Australia*. <http://www.vision2020australia.org.au/our-work/avoidable-blindness-and-vision-loss> [↑](#endnote-ref-1)
2. Australian Network on Disability. *Disability statistics*. <https://www.and.org.au/pages/disability-statistics.html> [↑](#endnote-ref-2)
3. Vision2020. *Eye health in Australia*. <http://www.visioninitiative.org.au/common-eye-conditions/eye-health-in-australia> [↑](#endnote-ref-3)
4. Australian Institute of Health and Welfare. (2020, October 2). People with disability in Australia. Australian Government. <https://www.aihw.gov.au/reports/disability/people-with-disability-in-australia/contents/summary> [↑](#endnote-ref-4)
5. Australian Human Rights Commission. (2019, September 27). Progress made but significant concerns in Australia remain, UN Committee on the Rights of Persons with Disabilities concludes. <https://humanrights.gov.au/about/news/progress-made-significant-concerns-australia-remain-un-committee-rights-persons> [↑](#endnote-ref-5)
6. Australian Network on Disability. Disability statistics. <https://www.and.org.au/pages/disability-statistics.html> [↑](#endnote-ref-6)
7. Australian Institute of Health and Welfare. (2019, September 3). People with disability in Australia. Workplace arrangements. Australian Government. <https://www.aihw.gov.au/reports/disability/people-with-disability-in-australia/employment/employment-participation-needs-and-challenges/workplace-arrangements> [↑](#endnote-ref-7)
8. World Blind Union. (2020, June 16). WBU Employment Committee report, sent via email. [↑](#endnote-ref-8)
9. Australian Human Rights Commission. (2016, April). Willing to Work: National Inquiry into Employment Discrimination against Older Australians and Australians with Disability, Factsheet: Australians with disability [Fact sheet]. <https://humanrights.gov.au/our-work/disability-rights/publications/willing-work-national-inquiry-employment-discrimination>

   10 Davidson, P., Saunders, P., Bradbury, B. and Wong, M. (2018). Poverty in Australia. ACOSS / UNSW Poverty and Inequality Partnership Report No. 2, Sydney: ACOSS. <https://www.acoss.org.au/wp-content/uploads/2018/10/ACOSS_Poverty-in-Australia-Report_Web-Final.pdf>

   11 Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability. (2020). The United Nations Convention on the Rights of Persons with Disabilities: An assessment of Australia’s level of compliance research report. <https://disability.royalcommission.gov.au/publications/united-nations-convention-rights-persons-disabilities-assessment-australias-level-compliance-research-report> [↑](#endnote-ref-9)
10. [↑](#endnote-ref-10)
11. [↑](#endnote-ref-11)