My name is Ngila Bevan, and on behalf of the Australian NGO Coalition I thank the Committee for providing this opportunity to speak today.

Australia is a wealthy country where many of its citizens enjoy their human rights and a high standard of living. We are ranked second in the UNDP Human Development Index. For this reason we argue that Australia should be held to the highest possible standards in regard to its implementation of economic, social and cultural rights. As a nation we are better placed than many other members states to meet the needs of our communities, including our most vulnerable and marginalised, and those who come to our shores seeking help. However, despite our abundant resources, 13.9% of people in Australia are living below the poverty line, including 17.7% of all children. The national waiting list for social housing is in excess of 200,000 people, yet all states and territories have laws which have the effect of criminalising homelessness.

While there have been welcome improvements in Australia's compliance with the International Covenant on Economic Social and Cultural Rights, we have a number of areas of concern, and my comments are focused on 7 areas:

* Firstly, Australia’s asylum seeker regime harshly discriminates between those who arrive in Australia by boat and those who arrive by plane. Mandatory detention of asylum seekers, lack of work rights, extended processing times, offshore detention, and limited access to education and health services, breach social and economic rights in multiple regards. The length and uncertainty of the process, and the deplorable conditions experienced by many asylum seekers, is resulting in severe, yet preventable, impacts on mental and physical health. The Australian NGO Coalition is strong in its condemnation of the offshore processing regime, arguing that the detention centres in Manus and Nauru must be closed immediately, with detainees provided with protection in line with Australia's international obligations.
* Second, Aboriginal and Torres Strait Islander people continue to face significant and compounding discrimination and disadvantage in their enjoyment of basic economic, social and cultural rights. For example, the unemployment rate for Indigenous Australians is 4 times that of other Australians, yet they are disproportionality affected by the punitive, onerous, and invasive nature of our social security policies such as financial penalties for non compliance and compulsory income management. Over representation in the criminal justice system continues with a 95% increase since 2004. Indigenous children are 25 times more likely than their non-indigenous peers to be in the youth justice system, and the number of Indigenous women imprisoned since 2000 has risen by 345%. The NGO Coalition notes that this is clearly an issue that is being inadequately addressed.
* Furthermore, despite the First Nation Dialogues Process, the right to self determination for Aboriginal and Torres Strait Islander people remains unfulfilled. Funding for the representative body, National Congress of Australia's First People's, was slashed by $15 million in 2014, along with $534 million from the Indigenous Affairs portfolio. Despite continual assertions from the government to the contrary, there is little evidence of commitment to the mechanisms of genuine, community led, meaningful consultation required to address the systemic policy, legislative, and attitudinal barriers that exacerbate inequality for Indigenous Australians.
* Significant and welcome reform is underway in the area of disability support with the introduction of the National Disabilty Insurance scheme in 2013. The NDIS is a universal scheme, which provides people with disability with individualised funding packages tailored to their needs, and the right to choose and control their disability support products and providers. However, the NGO Coalition asserts that the drive to implement the NDIS is steering focus and funding away from other areas of disability rights that urgently need addressing such as the National Disability Strategy, and the growing public demand for a Royal Commission to address the epidemic rates of violence against people with disability.
* Fourth**,** While we acknowledge that there have been improvements in Australia's gender policy such as: the Third Action Plan under the National Plan to Reduce Violence Against Women and their Children; the founding of the organisation Our Watch, which aims to drive change in behaviours and power imbalances that lead to violence against women; and the establishment the Australian National Research Organisation for Women's Safety, domestic violence remains prevalent. Parallel funding cuts to legal, family violence, and homelessness services also impede the potential of these initiatives to contribute to grassroots change.
* Moreover, inequality for women persists in other areas. For example, 49% of women report discriminatory acts by employers; the gendered pay gap averages 17.3%; and the gendered retirement income gap is predicted to be 39% by 2030. With single women over 50 now being the most rapidly growing cohort experiencing homelessness, this is a significant concern. Disappointingly, despite an impressive history of gender responsive budgeting, Treasury has not released a Women's Budget Statement since 2013, and we strongly advocate for this focus to be renewed.
* In 2011 the Gonski Review outlined the growing performance gap between the highest and lowest performing students in Australia highlighting lack of consistency and transparency in school funding. Since then, the Australian government has implemented a number of targeted, coordinated measures for improving equitable access to education. However, spending on educational institutions as a percentage of GDP remains below the OECD average. Australian children are also being failed outside of school, with a 20% growth in demand for child protection services in the last 4 years alone.
* Sixth, in 2013 the Government legislated to prohibit discrimination on the basis of sexual orientation, gender identity, and intersex status at a national level under the Sex Discrimination Act. However, exemptions exists which permit lawful discrimination. For example, religious organisations can exclude lesbian, gay, bisexual, transgender and intersex people from delivery of services; and marriage equality remains unrealised with overseas marriages also unrecognised under Australian law.
* Finally, we are concerned that workers rights are being violated, especially for migrant workers on temporary visas who experience frequent exploitation due to inadequate safeguards and limited avenues of redress. Moreover, that the long established right to strike is being eroded, particularly for those in the construction and allied industries. Civil penalties for acts such as 'unlawful picketing' defined as 'any action which is industrially motivated' are now $180,000 for unions and $36,000 for individuals respectively. The newly established Australian Building Construction Commission also has coercive investigative powers which explicitly override the common law provision against self-incrimination.

I thank you kindly for you attention, and urge the committee to prioritise these issues in your consideration of Australia. I look forward to further discussion with you on the matters raised.