



Australian
Human Rights
Commission

Age Discrimination Commissioner
The Hon Dr Kay Patterson

3 February 2020

Retirement Income Review Secretariat
The Treasurer
Langton Crescent
PARKES ACT 2600

By Email: retirementincomereview@treasury.gov.au

Dear Retirement Income Review Panel

Please find attached a brief response to the review of Retirement Income. The purpose of this is to provide information in response to questions seven, nine, ten, 12, 13, 14, 15, 16, and 21 in your Consultation Paper and to bring to the Panel's attention to the following three Australian Human Rights Commission (AHRC) papers: *Willing to Work: National Inquiry into Employment Discrimination against Older Australians and Australians with Disability 2016*; the AHRC/Australian Human Resources Institute joint 2018 report, *Employing Older Workers*; and the April *Older Women's Risk of Homelessness: Background Paper*, April 2019.

Yours sincerely

A handwritten signature in black ink that reads "Kay Patterson".

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Retirement Income Review

Response by the Age Discrimination Commissioner, Australian Human Rights Commission ('the Commission')

1. Introduction

The Australian Human Rights Commission (the Commission)¹ welcomes the opportunity to respond to the Retirement Income Review Consultation Paper².

The focus of our response is on Australia's international human rights obligations to ensure the fulfilment of the right of everyone to enjoy an adequate standard of living under article 11 of the *International Covenant on Economic, Social and Cultural Rights* (ICESCR)³—including in retirement.

Within a human rights context, the Commission wishes to comment on the consultation questions pertaining to the changing Australian landscape (question seven), adequacy (questions 10 and 12), equity (questions 13, 14, 15 and 16) and cohesion (question 21).

The Commission requests that any changes the Review Panel considers be viewed through a human-rights based perspective, to ensure that neither direct nor indirect age discrimination are the unintended consequences of any Panel recommendations. We note the potential for different impacts on different groups, including but not limited to women⁴, people with disability and First Nations peoples⁵.

2. The changing Australian landscape

With regards to 'The changing Australian landscape' (question 7), the Commission notes that a focus on the human rights of older Australians is particularly important at this time when Australia, along with many other nations, faces an ongoing increase in its ageing population. While increased life expectancy is a cause for celebration, it also presents particular challenges, including impacts on the retirement income system.

Two of the key demographic trends that affect the context within which the retirement income system operates are firstly, that the Australian population is ageing.⁶ This in part is due to the second trend, an increase in longevity.⁷ In 2014–16, Australian men aged 65 could expect to live another 20 years and women another 22 years.⁸ These trends are accompanied by an increase in healthspan, that is the longer proportion of a person's life where they experience good health.⁹

According to the Australian Bureau of Statistics (ABS), there were almost 4000 Australian centenarians in 2017.¹⁰ Furthermore, in 2054–55, there are projected to be around 40,000 Australians aged over 100. This is a dramatic increase, well over 300 times the 122 centenarians in 1974–75.¹¹

More Australians are remaining in paid work for longer and are increasingly working to older ages. These changing work patterns will continue to grow:

- Australians are increasingly working to older ages. In January 2018, Australians aged 65 and over had a workforce participation rate of 13 per cent (17 per cent for men and 10 per cent for women), compared with 8 per cent in 2006 (12 per cent for men and 4 per cent for women).¹²
- 6 per cent of centenarians are still working.¹³
- In 2016—17 50 per cent of Australian workers aged 45 and over said that they intend to retire from the workforce when they are 65–69 years old and 20 per cent intend to retire aged 70 or older.¹⁴
- In 2016—17 5 per cent of Australians aged 45–49 years were retired, compared with 64 per cent of 65–69 year olds and 82 per cent of those aged 70 years and over.¹⁵ This means that 36 per cent of 65–69 year-olds and 18 per cent of those aged 70 years and over are still working.
- In the 12 months to 30 June 2018, the Australian working-age population increased by 1.3 per cent (or 203,200 persons). During this period, the working-age population in Victoria grew by 2.1 per cent, higher than the national growth rate.¹⁶

There are two significant sub-trends underlying the growth of older Australians in the workforce:

- Flexible work: many Australians desire flexible work and ways to stay working longer by moving to part-time work for a period before leaving the workforce entirely. In 2016—17, approximately 37% of persons who intended to retire planned to leave full-time work and take up part-time work before retirement.¹⁷
- 'Unretirement': In 2016—17, 177,500 persons aged 45 years and over had previously retired from the labour force but at the time of the Australian Bureau of Statistics (ABS) survey were either in the labour force or were planning to look for, or take up, work in the future. Most of this group were women (108,200). Commonly reported reasons for returning to the labour force were 'financial need' (42 per cent) and 'bored/needed something to do' (32 per cent).¹⁸

The Commission notes that current Commonwealth government policy aims to encourage older workers to work as long as they wish, including extending their working lives past the age pension eligibility age. For example:

- The work bonus encourages people receiving the age pension to continue earning income from work without reducing their pension.¹⁹
- Transition to retirement rules enable a person who has reached preservation age (younger than age pension eligibility age) to reduce working hours without reducing income by accessing a non-commutable income stream from superannuation benefits.²⁰
- An older worker can continue to make non-mandated contributions to superannuation (SMSF) until age 75 and 'downsizer' contributions with no upper age limit.²¹

The Commission supports the view expressed on page 11 of the Consultation Paper, '... the increase in older Australians participating in the workforce provides a greater opportunity for those workers to boost their retirement incomes. Nevertheless, some older workers report being unable to retain or find employment, despite a willingness to remain in the workforce.'²²

3. Age discrimination and human rights

The right to work is a fundamental human right²³, but one that far too many older people in Australia do not enjoy.

Systemic age discrimination impedes the ability of older willing, able Australians to participate in the workforce²⁴, which in turn limits their ability to contribute to Pillars 2 and 3 of Australia's retirement income system (questions 7 and 15).

Higher workforce participation also reduces the need to provide welfare support and furthers social inclusion and equity objectives. Older workers bring great benefits to the workforce, such as experience, commitment, productivity, resilience and many specific skills. Numerous studies have shown these benefits, although negative stereotypes continue.²⁵

The effects of workplace age discrimination have an impact on the health of individuals, their career and job opportunities,²⁶ their financial situation, including their ability to build superannuation holdings, as well as voluntary savings through additional superannuation contributions and other financial and non-financial assets, and impacts their families.²⁷

In 2016, the Commission released its report, *Willing to Work: National Inquiry into Employment Discrimination against Older Australians and Australians with Disability*.²⁸

The Inquiry found that many older Australians need and want to work up to and past the retirement age, as defined by the age pension eligibility ages. However,

The experience of discrimination disconnects older Australians from the workforce, preventing them from participating fully in society. If older people feel discarded or overlooked, they may enter their older age lacking in a sense of independence, control and confidence, with fewer financial resources and poorer health than they could enjoy. Other negative effects can include involuntary early retirement, unemployment and long-term unemployment, social exclusion, outdated skills.²⁹

The Commission appreciates this opportunity to note the different effects of intersectional discrimination in relation to employment, alongside the resulting implications this has for retirement income, especially as it pertains to the workforce participation of older workers, such as persons with disability, First Nations peoples and women.³⁰

The Commission also requests that, when reviewing data, the Panel considers mitigating the potential for any direct or indirect age discrimination that may occur as an unintended consequence of any policy changes.

The Commission's report, *Willing to Work: National Inquiry into Employment Discrimination against Older Australians and Australians with Disability*,³¹ notes that 'older people were more likely to be made redundant during organisational restructures.' Furthermore, 'while mature-age people have a lower unemployment rate than younger people, they tend to have greater difficulty finding subsequent employment when they do become unemployed.' On average younger people (aged 15–44) are unemployed for 45 weeks, compared with 63 weeks for people aged 45–54 and 76 weeks for people aged 55 and over.³²

Department of Social Services (DSS) data shows that the number of weeks spent on Newstart jumps significantly from age 40 and continues to increase for the older age groups.³³ For example, June 2019 DSS data³⁴ shows that 20.1 per cent of people receiving Newstart as short-term jobseekers are aged 50 and over. This increases to 26.6 per cent when it comes to long-term job seekers (those receiving Newstart for 12 months or more).

Given the average length of time on Newstart for the 60 years and over age group, many exit Newstart to transfer to the Age Pension³⁵, rather than to employment. For example, DSS data from June 2016 indicates 5.7 per cent of long-term jobseekers were 60 years and over. In the same year and age cohort, 5.5 per cent of Newstart recipients transitioned directly to the Age Pension.³⁶ This is perhaps indicative of the barriers to employment that older jobseekers face.

In 2018, the Commission undertook a joint survey of human resources practitioners with the Australian Human Resources Institute (AHRI). The resulting report *Employing Older Workers*³⁷ found that some positive shifts have occurred, such as, more than one in three respondents (34 per cent) believe there is no difference between older and younger workers technology skills and abilities, 14 per cent more than in 2014. However, much remains to be done to support the recruitment, training and retention of older workers, by addressing the discriminatory attitudes and practises that impact on the workforce participation of older workers. For example, almost a third (30 per cent) of survey respondents indicate their organisation has an age above which they are reluctant to recruit workers. The majority (68 per cent) of respondents disclosing this reluctance indicates that there is an unwillingness to hire workers over the age of 50.

Underemployment is another labour market trend affecting the ability of older Australians to save for retirement.³⁸ While the 15–24 age group has the highest underemployment rate (18.1 per cent), from 1998 to 2018, the underemployment rate for workers aged over 55 increased 275 per cent. The underemployment rate across age groups increased by 78 per cent.³⁹

The Household, Income and Labour Dynamics in Australia Survey (HILDA) Statistical Report 2019⁴⁰ highlights how trends in non-standard employment (fixed-term contracts, casual employment, temporary agency employment and permanent part-time employment) are closely linked to gender as well as age. The youngest (15–24) and oldest (65 and over) age groups have particularly high shares of employees in non-standard employment, particularly permanent part-time employment. For the youngest group, this correlates to an increase in the percentage of full-time students. For the older age groups, this is partially explained by an increased percentage of women working across these age groups. Across all age groups, the proportion of employees in non-standard employment is much higher among women than among men. Approximately 59 per cent of female employees work in non-standard employment, in comparison to around one-third of male employees.⁴¹

This trend towards casualisation in the labour market for certain cohorts, including the youngest and oldest age groups of workers, as well as women, is another factor that limits their capacity to build retirement savings via Pillars Two and Three.

In regard to the Consultation Paper section, ‘Changing trends and one-off shocks’ (pages 11–12), the Commission’s reports⁴² highlight the negative effect of unlawful age discrimination in reducing the opportunities for many older Australians to build adequate retirement savings and fulfil the right to enjoy an adequate standard of living under article 11 of the *International Covenant on Economic, Social and Cultural Rights* (ICESCR).⁴³ Subsequently, the income

retirement system cannot be predicated on relying on the need for older Australians who are willing and able to work longer to accumulate adequate Pillars Two and Three savings without addressing the age discrimination that impedes their ability to participate in the workforce or results in their underemployment.

On an individual level, a reduction in the negative workforce effects of age discrimination would support opportunities for individuals to increase their retirement savings (Pillars 2 and 3). Increasing the employment and reducing underemployment of older workers who want and can work would provide an economic boost. Deloitte Access Economics estimates a 3 per cent increase in participation by Australians over 55 would generate a \$33 billion annual boost to the national economy.⁴⁴ Another benefit of delayed retirement is a delay in accessing the first pillar, in the form of either full or part payment of the Age Pension (Pillar 1).

From a human-rights based framework, the Commission notes that these labour market trends and age discrimination-related barriers to workforce participation also present challenges to the cohesion of the retirement income system (question 21). These effects are most significant for both the oldest and youngest age cohorts of workers. For groups experiencing intersectional discrimination, including but not limited to women, people with disability and First Nations peoples, labour market-related trends such as unemployment, high participation rates in non-standard employment and lower or non-existent superannuation holdings and housing insecurity, the retirement income system exacerbates inequities experienced during working life (question 16).

With respect to home ownership trends (question 7), the Commission's 2019 background paper *Older Women's Risk of Homelessness*⁴⁵ outlines the factors contributing to older women's risk of homelessness. The gender pay gap and women primarily working in fields associated with lower wages, often combined with women's time out of the workforce to raise children or care for family, compound across women's working lives.⁴⁶

In assessing whether cohorts of retirees have an adequate level of income (question 12), on average, women retire with \$157,050 in superannuation, compared to \$270,710 for men. In addition, almost 35 per cent of women approaching retirement (aged 60 to 64) have no superannuation at all.⁴⁷ This constrains their ability to achieve adequate retirement income via Pillars 2 and 3 to such an extent they are at an increased risk of being homeless: 'For single older women, these structural barriers driving economic disadvantage affect the capacity to achieve home ownership and financial security.' (question 12).

This data is correlated in the August 2019 Australian Housing and Urban Research Institute (AHURI) paper, *Mortgage stress and precarious home ownership: implications for older Australians*.

...women have longer life expectancies than men, are more likely to experience career interruptions, and are less inclined than men to re-marry following a marital breakdown. Hence, ageing female mortgagors face multiple challenges, which signals a need to carefully design policies and programs that provide adequate support for women at risk of housing insecurity and poverty in old age.⁴⁸

Older mortgagors also altered investment and consumption strategies to cope with mortgage stress, such as using superannuation to pay off mortgage debt⁴⁹ (question 10).

Furthermore, the number of older Australians entering retirement with a mortgage is increasing.⁵⁰ Data from the Australian Bureau of Statistics (ABS) Survey of Income and Housing (SIH) highlights more households are renting as home ownership rates decline, while the proportion of these still carrying mortgage debt has increased.⁵¹

The November 2019 Australian Housing and Urban Research Institute (AHURI) paper, *An effective homelessness services system for older Australians*,⁵² found that one out of every seven homeless person in Australia is aged over 55, while the number of people aged 65 and over who are homeless grew by 30 per cent between 2011 and 2016. For many, this is their first experience of homelessness, having led conventional lives until they experience a 'shock' late in life, such as relationship breakdown or death of a partner, eviction from rental housing or health decline.⁵³

The overall complexity of the retirement income system and changing rules, particularly with regards to superannuation, can result in disparate retirement income outcomes for these groups (question 3).⁵⁴

The Commission considers this Review as an opportunity to provide data that identifies age-related sources of discrimination that impact retirement income outcomes, so they can be removed. For example, in instances where there is a cap based on chronological age, such as superannuation contributions, the implications of this should be considered and age-based caps removed. As Australians experience continuously increasing life expectancy,⁵⁵ consideration should be given to ensuring that age markers reflect increased longevity, and any age-based caps either be removed or indexed in line with this broader population trend.

Furthermore, the Commission wishes to encourage the Panel to consider the appropriateness of current age markers in light of Australia's ageing population.

It is important that any proposed changes to age markers do not lead to age discrimination as an unintended consequence.

While some age-based rules are necessary to allow people to benefit from their superannuation at an appropriate time to fund their living standards, consideration could be given to preventing them from accumulating assets in a tax-advantaged environment for purposes other than funding their retirement (or providing for dependants in the case of early death).

Age-related caps can constitute age discrimination, as they are likely to result in some older workers receiving less remuneration than younger workers doing the same job. The removal of maximum age limits with regards to superannuation is an equity issue, particularly in the context of increased life expectancy.

When taking into account the role of reverse mortgages as a retirement savings instrument, it is important to note the potential for this to result in financial elder abuse.⁵⁶ Consideration should be given as to how to mitigate this risk, as it may lead to a reduction in retirement savings should the money accessed be gifted to a family member, as well as impact Age Pension eligibility. It is also important to assess the costs and benefits of this in the context of increased life expectancy.

In terms of the adequacy of financial education⁵⁷ (questions 2 and 3), in the context of a role for reverse mortgages in retirement income, the Commission is concerned to note that there is currently no undertaking to establish a comprehensive minimum standards framework for reverse mortgage lenders. 'Comprehension testing' for reverse mortgage applicants, for example to survey their understanding of the implications of reverse mortgages, including the effect of compound interest in reducing value over time, as well as potential impact of negative equity over life spans in declining property markets, is an important step in ensuring consumers are aware of the long-term implications in a time of increasing longevity and planning for changing needs over the life course.

4. Adequacy of the retirement income system

Australia has clear obligations under international human rights law to provide a social security system that gives all Australians an adequate standard of living. This includes adequate food, clothing and housing, as well as the continuous improvement of living conditions⁵⁸ (questions 10, 11 and 12).

In the context of the adequacy of the retirement income system, when considering the role of the Age Pension (Pillar 1), the Commission notes that the right to social security is recognised in several international human rights treaties to which Australia is a party. Principal among them is article 9 of the

International Covenant on Economic, Social and Cultural Rights (ICESCR), which provides:

The States Parties to the present Covenant recognize the right of everyone to social security, including social insurance.⁵⁹

The right to social security encompasses the right to access and maintain benefits in order to enjoy adequate protection from social risks and contingencies on equal terms.⁶⁰

The Commission also draws the Panel's attention to a previous Commission submission to the Senate Community Affairs References Committee 2019 inquiry, *Adequacy of Newstart and related payments and alternative mechanisms to determine the level of income support payments in Australia*.⁶¹ The Commission urged the Government to ensure that Newstart meets Australia's human rights law obligations under ICESCR, including the provision of an adequate standard of living to all Australians. The Commission recommends that similar consideration be given to considering the role of the Age Pension in fulfilling these human rights obligations for older people, with consideration to the differing impacts on intersectionality for people with disability, First Nations peoples and women.

Furthermore, the rights of people with disability to an adequate standard of living for themselves and their families, and to social protection including access to social protection and poverty reduction programs, receive specific protection under article 28 of the *Convention on the Rights of Persons with Disabilities* (CRPD).⁶²

The rights of women and Indigenous peoples to social security is particularly recognised and protected by article 5(e)(iv) of the *International Convention on the Elimination of All Forms of Racial Discrimination* (CERD), articles 11(1)(e) and 14(2)(c) of the *Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW) and article 21(1) of the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP).⁶³

5. Equity and cohesion of the retirement income system

From a human rights-based approach, the Commission is pleased to note the Consultation Paper recognises that circumstances beyond individual control negatively impact the ability to build Pillars 2 and 3 (review questions 13, 14, 16 and 17). The Commission supports the sentiment expressed on page 17 of the Consultation Paper,

Retirement outcomes for individuals and groups will be affected by a range of life events and circumstances. Where those events reflect an

individual's choices (e.g. voluntary early retirement) there does not appear to be a strong rationale for the system to compensate for any forgone retirement income. However, in circumstances that are beyond the control of the individual such as disability, involuntary retirement, financial hardship, and lower than average life expectancy (e.g. Aboriginal and Torres Strait Islander people) there may be benefit in ensuring that individuals are not unreasonably disadvantaged in retirement.

The Commission notes the role of education and financial literacy,⁶⁴ awareness and understanding of changing rules and the different workforce, financial and housing circumstances of different cohorts all impact on the ability to accrue sufficient retirement income savings to enjoy an adequate standard of living in retirement over increasing average lifespans.

6. Conclusion

In conclusion, the Commission believes it is essential to recognise and address the role of unlawful age discrimination as a barrier for older Australians who are willing and able to participate in the workforce, and in other ways to encourage and support older Australians to continue working where they are able and willing to do so. Removing barriers to later-life employment will support the capacity of older Australians to prepare for retirement through Pillars 2 and 3. When considering trade-offs between the role of each of the three pillars (question 6), consideration should be given to ensuring that any changes do not result in direct or indirect age discrimination.

We trust this information is useful to the Retirement Income Review.

¹ The Commission is Australia's national human rights institution with 'A' status accreditation, and is established by the *Australian Human Rights Commission Act 1986* (Cth) (the AHRC Act). The Commission has responsibilities under the AHRC Act to examine the enjoyment and exercise of human rights, including by Aboriginal and Torres Strait Islander peoples.

² The Treasury, Retirement Income Review, Consultation paper, November 2019. At: <https://www.treasury.gov.au/consultation/c2019-36292> (viewed 9 December 2019).

³ In full, article 11 provides: 'The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions.'

⁴ ARC Centre of Excellence in Population Ageing Research (CEPAR), Retirement income in Australia: Part I— Overview, November 2018. At:

<http://cepar.edu.au/sites/default/files/retirement-income-in-australia-part1.pdf>. (viewed 9 December 2019).

⁵ The full report can be downloaded from the Commission website:

(<https://www.humanrights.gov.au/our-work/age-discrimination/projects/willing-work-national-inquiry-employment-discrimination-against>).

⁶ Australian Bureau of Statistics, Population by Age and Sex, Australia, States and Territories, 2018 (Cat. No. 3101.0). At

<https://www.abs.gov.au/ausstats/abs@.nsf/0/1CD2B1952AFC5E7ACA257298000F2E76?OpenDocument> (viewed 9 December 2019).

⁷ Australian Institute of Health and Welfare, *Older Australia at a glance, Life expectancy*, 2018. At

<https://www.aihw.gov.au/reports/older-people/older-australia-at-a-glance/contents/summary> (viewed 9 December 2019).

⁸ Australian Institute of Health and Welfare, *Older Australia at a glance, Summary*, 2018. At

<https://www.aihw.gov.au/reports/older-people/older-australia-at-a-glance/contents/summary> (viewed 9 December 2019).

⁹ Australian Institute of Health and Welfare, *Health-adjusted life expectancy in Australia: Expected years lived in full health, Summary*, 2017. At <https://www.aihw.gov.au/reports/burden-of-disease/health-adjusted-life-expectancy-australia/contents/summary> (viewed 9 December 2019).

¹⁰ Australian Bureau of Statistics, Australia's population to reach 25 million (media release), 7 August 2018. At:

<https://www.abs.gov.au/AUSSTATS/abs@.nsf/mediareleasesbyReleaseDate/C3315F52F6219DE9CA2582E1001BC66A?OpenDocument>. (Viewed 15 January 2020.)

¹¹ The Treasury, 2015 Intergenerational Report: Australia in 2055, 2015. At:

https://treasury.gov.au/sites/default/files/2019-03/2015_IGR.pdf (viewed 15 January 2020.)

¹² Australian Institute of Health and Welfare, *Older Australia at a glance, Employment and economic participation*, 2018. At <https://www.aihw.gov.au/reports/older-people/older-australia-at-a-glance/contents/summary> (viewed 9 December 2019).

¹³ 2016 census.

¹⁴ Australian Bureau of Statistics, *Retirement and Retirement Intentions, Australia, July 2016 to June 2017*. (Cat. No. 6238.0). At <http://www.abs.gov.au/ausstats/abs@.nsf/mf/6238.0> (viewed 4 June 2018).

¹⁵ Australian Bureau of Statistics, *Retirement and Retirement Intentions, Australia, July 2016 to June 2017*. (Cat. No. 6238.0). At <http://www.abs.gov.au/ausstats/abs@.nsf/mf/6238.0> (viewed 4 June 2018).

¹⁶ Australian Bureau of Statistics, Population by age and sex, Australia, States and Territories, Australian Demographic Statistics, June 2018 (Cat. 3101.0). At:

<https://www.abs.gov.au/ausstats/abs@.nsf/0/1CD2B1952AFC5E7ACA257298000F2E76?OpenDocument> (viewed 12 December 2019).

¹⁷ Australian Bureau of Statistics, *Retirement and Retirement Intentions, Australia, July 2016 to June 2017*. (Cat. No. 6238.0). At <http://www.abs.gov.au/ausstats/abs@.nsf/mf/6238.0> (viewed 4 June 2018).

¹⁸ Australian Bureau of Statistics, *Retirement and Retirement Intentions, Australia, July 2016 to June 2017*. (Cat. No. 6238.0). At <http://www.abs.gov.au/ausstats/abs@.nsf/mf/6238.0> (viewed 4 June 2018).

¹⁹ Simple explanation here:

<https://www.humanservices.gov.au/individuals/services/centrelink/work-bonus>. (viewed 15 January 2020.)

²⁰ Simple explanation here <https://www.ato.gov.au/individuals/seniors-and-retirees/transition-to-retirement/>. A pros and cons argument is at MoneySmart

<https://www.moneysmart.gov.au/superannuation-and-retirement/income-sources-in-retirement/income-from-super/transition-to-retirement>. (viewed 15 January 2020.)

²¹ Australian Taxation Office, Self-managed super funds, contributions you can accept. At: <https://www.ato.gov.au/Super/Self-managed-super-funds/Contributions-and-rollovers/Contributions-you-can-accept/#Nonmandatedcontributions>. (viewed 15 January 2020.)

²² The Treasury, Retirement Income Review Consultation Paper. At <https://www.treasury.gov.au/review/retirement-income-review> (viewed 9 December 2019).

²³ *International Covenant on Economic, Social and Cultural Rights*, opened for signature 16 December 1966, 993 UNTS 3 (entered into force 3 January 1976) article 6 and article 7.

²⁴ Australian Human Rights Commission, *Willing to Work: National Inquiry into Employment Discrimination Against Older Australians and Australians with Disability*, 2016. At:

<https://www.humanrights.gov.au/our-work/age-discrimination/projects/willing-work-national-inquiry-employment-discrimination> (viewed 19 December 2019.)

²⁵ ARC Centre of Excellence in Population Ageing Research (CEPAR), *Maximising Potential: Findings from the Mature Workers in Organisations Survey*, CEPAR Industry Report, December 2019. At: <http://cepar.edu.au/publications/reports-government-submissions/maximising-potential-findings-mature-workers-organisations-survey-mwos> (viewed 19 December 2019.)

²⁶ ARC Centre of Excellence in Population Ageing Research (CEPAR), *Maximising Potential: Findings from the Mature Workers in Organisations Survey (MWOS)*, December 2019. At: <http://cepar.edu.au/publications/reports-government-submissions/maximising-potential-findings-mature-workers-organisations-survey-mwos>. (viewed 19 December 2019.)

²⁷ The full report can be downloaded from the Commission website:

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³⁰ The full report can be downloaded from the Commission website:

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³¹ The full report can be downloaded from the Commission website:

(<https://www.humanrights.gov.au/our-work/age-discrimination/projects/willing-work-national-inquiry-employment-discrimination-against>).

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- ³² Australian Bureau of Statistics, *6291.0.55.001, Labour Force, Detailed – Electronic Delivery, August 2018*. At <https://www.abs.gov.au/ausstats/abs@.nsf/mf/6291.0.55.001>. (viewed 10 December 2018.)
- ³³ COTA, Benevolent Society and National Seniors media release, 16 April 2019, available at <<https://www.cota.org.au/wp-content/uploads/2019/04/COTA-1904-MR-Budget-2019-older-Australians-need-Newstart-increase.pdf>> (viewed 27 August 2019).
- ³⁴ Department of Social Services, Labour Market and Related Payments: a monthly profile, at: https://www.dss.gov.au/sites/default/files/documents/07_2019/labour-market-and-related-payments-june-2019.pdf (viewed 27 August 2019).
- ³⁵ ARC Centre of Excellence in Population Ageing Research (CEPAR), Retirement income in Australia: Part II—Public Support, November 2018. At: <http://cepar.edu.au/sites/default/files/retirement-income-in-australia-part2.pdf>. (viewed 15 January 2020.)
- ³⁶ Newstart Allowance Payment Trends and Profile Report, June 2016. At: <https://data.gov.au/data/dataset/4ccff587-4a46-4ab9-8833-76dadaa10ebe/resource/d88d3863-b845-4905-84a2-6ed60603bd7e/download/newstart-allowance-payment-trends-and-profile-report-june-2016.pdf> (viewed 27 August 2019).
- ³⁷ The full report can be downloaded from the Commission website: (<https://www.humanrights.gov.au/our-work/age-discrimination/publications/employing-older-workers-2018>).
- ³⁸ Australian Housing and Urban Research Institute (AHURI), An effective homelessness services system for older Australians, November 2019. At: https://www.ahuri.edu.au/_data/assets/pdf_file/0022/47371/AHURI-Final-Report-322-An-effective-homelessness-services-system-for-older-Australians.pdf (viewed 17 December 2019.)
- ³⁹ Australian Bureau of Statistics, *Underemployment in Australia, Labour Force, Australia*, September 2018 (Cat. No. 6202.0). At <https://www.abs.gov.au/ausstats/abs@.nsf/Lookup/6202.0main+features10September%202018> (viewed 9 December 2019).
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