

## "PEOPLE WITH A DISABILITY WHO HAVE CURRENT OR FUTURE CAPACITY TO WORK"

The very heart of the proposed changes to the current Welfare System that the Reference Group on Welfare Reform has laid out in the Interim Report, is contained within the above capitalized sentence.

And yet the Interim Report completely fails to define the two most critical terms at the very heart of that sentence in its proposed changes, namely "WORK" and "FUTURE CAPACITY".

To put it bluntly, without definition, and without legal definition, under the proposals recommended by the Reference Group on Welfare Reform, even a corpse could be said to have a "FUTURE CAPACITY TO WORK", even if this "WORK" is simply as fertilizer pushing up the proverbial daisies! A brain-dead individual on life support could also be said to have a "FUTURE CAPACITY TO WORK" even if this "WORK" is simply as a contributing factor creating the necessary employment of hospital staff, medical professionals and the entire Health Bureaucracy who are utterly dependent upon the infirm for their entire livelihood!

A mentally or physically disabled person who would never ever be able to be gainfully employed and remunerated for that employment under the existing Industrial Relations Laws, could also be said to have a "FUTURE CAPACITY TO WORK" even if that "WORK" was servitude or slavery or within "the happy home with trees and flowers and chirping birds and basket weavers who sit and smile and twiddle their thumbs and toes" ("They're Coming To Take Me Away Ha Haaa" - by 'Napoleon XIV', 1966)!

The Interim Report neither defines the term "WORK" as employment, paid employment, employment necessitating a set length of time per day or per week, volunteering (as a free-willed personal choice without financial recompense), servitude or slavery, or as a physical outcome or the transference of energy, whether or not intended!

And nor does the Interim Report provide even the most rudimentary outline of financial recompense that should, or must be provided for any "WORK" performed, leaving open necessary changes to Industrial Relations Law where some people who are currently deemed as Disabled have been paid for their "WORK" at a rate of \$1.79 per hour (Nojin and Prior v. Crown).

Before publishing the Interim Report, one would have thought that the Reference Group would, at the very least, have consulted Webster's Dictionary, where they would have discovered that the word "WORK" is defined as:

1

: activity in which one exerts strength or faculties to do or perform something:

a : sustained physical or mental effort to overcome obstacles and achieve an objective or result b : the labor, task, or duty that is one's accustomed means of livelihood c : a specific task, duty, function, or assignment often being a part or phase of some larger activity

2

a : energy expended by natural phenomena b : the result of such energy <sand dunes are the work of sea and wind> c : the transference of energy that is produced by the motion of the point of application of a force and is measured by multiplying the force and the displacement of its point of application in the line of action

3

a : something that results from a particular manner or method of working<<http://www.merriam-webster.com/dictionary/working>>, operating, or devising <careful police work> <clever camera work> b : something that results from the use or fashioning of a particular material <porcelain work>

4

a : a fortified structure (as a fort, earthen barricade, or trench) b plural : structures in engineering (as docks, bridges, or embankments) or mining (as shafts or tunnels)

5

plural but sing or plural in constr : a place where industrial labor is carried on :  
plant<<http://www.merriam-webster.com/dictionary/plant>>, factory<<http://www.merriam-webster.com/dictionary/factory>>

6

plural : the working or moving parts of a mechanism <the works of a clock>

7

a : something produced or accomplished by effort, exertion, or exercise of skill <this book is the work of many hands> b : something produced by the exercise of creative talent or expenditure of creative effort : artistic production <an early work by a major writer>

8

plural : performance of moral or religious acts <salvation by works>

9

a : effective operation : effect<<http://www.merriam-webster.com/dictionary/effect>>, result<<http://www.merriam-webster.com/dictionary/result>> <wait for time to do its healing work> b : manner of working : workmanship<<http://www.merriam-webster.com/dictionary/workmanship>>, execution<<http://www.merriam-webster.com/dictionary/execution>>

10

: the material or piece of material that is operated upon at any stage in the process of manufacture

... and if the Reference Group had consulted the dictionary, they might have perceived just how open to interpretation and therefore the unintended consequences or even blatant abuse, the term "WORK", in the current context of the Interim Report, actually is!

Moreover, before publishing the Interim Report, the Reference Group on Welfare Reform should have also considered those two famous extraneous sayings:

"How long is a piece of string"

and

"How long is a period of time"!

Because just like the word "WORK", the Reference Group also fails to qualify the length of time "FUTURE CAPACITY" represents.

Again, if only the Reference Group had consulted the dictionary it would have discovered that the word "FUTURE" is defined as:

1

: that is to be; specifically : existing after death a : time that is to come b : what is going to happen

2

: of, relating to, or constituting a verb tense expressive of time yet to come

: an expectation of advancement or progressive development

3

: existing or occurring at a later time <met his future wife>

: something (as a bulk commodity) bought for future acceptance or sold for future delivery —usually used in plural <grain futures>

4

a : the future tense of a language

b : a verb form in the future tense

. . . and therefore, being without definition under the actual proposals set down in the Interim Report, a "FUTURE CAPACITY TO WORK" could be something interpreted by whatever proposed Government or Medical Agency that is to be given the task of transferring individual Australians from their current Disability Support Pension or other Pensions to the proposed "Working Age Payment", as being as long as eternity itself, or, if one is silly enough to believe in the concept, something that just might eventually occur in some kind of an afterlife on some equally silly esoteric body!

And as such, potentially every single Australian, even that poor brain-dead individual on life support, could be said to have a "FUTURE CAPACITY TO WORK"!

Currently the cut-off period of time where one is deemed as Permanently Disabled with "NO CAPACITY TO WORK" is the inability to perform 15 hours per week of paid employment. However the Interim Report fails to provide any such cut-off period, let alone qualifying "WORK" as paid employment, leaving open the doorway to severe underemployment, regressive and punitive costs involved in participating in that employment that the individual would have to incur, and therefore creating even greater entrenched poverty.

To leave these two most critical terms that go to the very heart of the proposed changes to the current Welfare System undefined and up to interpretation by the Minister for Social Services, or whatever Government Agency is to enforce the proposed changes, is, to say the least, ludicrous. However, because of the very real potential for abuse and the creation of an even more regressive and unequal society, the word ludicrous doesn't encompass the outrage!

**FIX THIS PROBLEM:**

The term "WORK" and the time frame "FUTURE CAPACITY TO WORK" becomes a Permanent Disability with "NO CAPACITY TO WORK" must be fully defined, with a clear and precise cut-off period, and should have been fully defined with a clear and precise cut-off period before the Interim Report of the Reference Group on Welfare Reform to the Minister for Social Services was even published!

That these most critical words that go to the very heart of the proposed reforms haven't been defined, nor has a clear and precise cut-off period been allocated, points to either the utter incompetence of the entire Reference Group OR can only be perceived as a deliberate attempt to make the proposals as open to interpretation and abuse as possible.