Social Exclusion

Executive Summary

The relevance of social exclusion in the context of criminal offending has been considered described in *R v Lewis* [2014] NSWSC 1127 and *Kentwell v R (No 2)* [2015] NSWCCA 96.

Social exclusion can operate across cultural, economic, political and social dimensions.[1] The Social Exclusion Monitor states that social exclusion may arise when 'an individual experiences multiple, overlapping problems such as unemployment, poor health and inadequate education, which stops them from fully participating in society'.[2] The Australian Social Inclusion Board defined social inclusion as having the resources, opportunities and capabilities to learn, work, engage and have a voice.[3]

In 2011, the Australian Institute of Family Studies reported that social exclusion

> can enrich our understanding of social disadvantage, highlighting, for example, the way in which the experience of disadvantage may not only involve financially difficulties but also extend to a sense of disconnection from the broader community.[4]

Social exclusion is more prevalent among recipients of income support, unemployed people, Aboriginal and Torres Strait Islander people, people with a long-term health condition or disability, single parents, people with low educational attainment, public housing tenants and migrants from a non-English speaking background.[5]

Labour Economist Professor Boyd Hunter observed in 2009 that 'Indigenous people are among the most socially excluded in Australia'.[6] The Aboriginal Medical Services Alliance Northern Territory (AMSANT) has reported that racism and discrimination can operate as forms of social exclusion and carry with them similarly harmful effects.[7]

Social exclusion may have negative impacts on health.[8] Social exclusion has been associated with antisocial behaviour,[9] including a reduction in empathy skills,[10] inhibited self-regulation,[11] increased aggression,[12] and avoidance behaviours.[13]

The association between social exclusion and antisocial behaviour means that people with relatively low levels of social belonging are more likely to have contact with the criminal justice system.[14]

[1] WHO Social Exclusion Knowledge Network, *Understanding and Tackling Social Exclusion* (Final Report, February 2008) 33, 36.

[2] Brotherhood of St Laurence, 'Social Exclusion Monitor' (Web Page) (14 November 2019). The Social Exclusion Monitor is 'an approach to measuring social exclusion in Australia, developed by the Brotherhood of St Laurence and the Melbourne Institute of Applied Economic and Social Research (MIAESR). It uses the annual Household, Income and Labour Dynamics in Australia (HILDA) survey of more than 13,000 people.'

[3] Australian Social Inclusion Board, *Social Inclusion in Australia: How Australia is Faring* (Report, 2nd ed, 2012) cited in Rosalie McLachlan, Geoff Gilfillan and Jenny Gordon, *Deep and Persistent Disadvantage in Australia* (Productivity Commission Staff Working Paper, July 2013) 48.

[4] Myfanwy McDonald, 'Social Exclusion and Social Inclusion: Resources for Child and Family Services' (CAFCA Resource Sheet, May 2011). See also Rosalie McLachlan, Geoff Gilfillan and Jenny Gordon, *Deep and Persistent Disadvantage in Australia* (Productivity Commission Staff Working Paper, July 2013) 48.

[5] Rosalie McLachlan, Geoff Gilfillan and Jenny Gordon, *Deep and Persistent Disadvantage in Australia* (Productivity Commission Staff Working Paper, July 2013) 11–12.

[6] Boyd Hunter 'Indigenous Social Exclusion: Insights and Challenges for the Concept of Social Inclusion' (2009) 82 *Family Matters* 52, 52.

[7] David Cooper, 'Closing the Gap in Cultural Understanding: Social Determinants of Health in Indigenous Policy in Australia' (AMSANT, Research Paper, 2011), 12–13 (citations omitted).

[8] C Nathan DeWall, 'Looking Back and Forward: Lessons Learned and Moving Ahead' in C Nathan DeWall (ed), *The Oxford Handbook of Social Exclusion* (Oxford University Press, 2013) 301, 302.

[9] Roy F Baumeister and C Nathan DeWall, 'The Inner Dimension of Social Exclusion: Intelligent Thought and Self-Regulation Among Rejected Persons' in Kipling D Williams, Joseph P Forgas and William Von Hippel (eds), *The Social Outcast: Ostracism, Social Exclusion, Rejection, and Bullying* (Taylor & Francis Group, 2005) 53, 70.

[10] Jean M Twenge et al, 'Social Exclusion Decreases Prosocial Behaviour' (2007) 91 *Journal of Personality and Social Psychology* 56.

[11] Baumeister and DeWall (n 9); Todd F Heatherton, 'Neuroscience of Self-Regulation' (2011) 62 *Annual Review of Psychology* 363.

[12] Kathleen R Catanese and Dianne M Tice, 'The Effect of Rejection on Anti-Social Behaviors: Social Exclusion Produces Aggressive Behaviors' in Kipling D Williams, Joseph P Forgas and William Von Hippel (eds), *The Social Outcast: Ostracism, Social Exclusion, Rejection, and Bullying* (Taylor & Francis Group, 2005) 297, 305.

[13] Jina Park and Roy F Baumeister, 'Social Exclusion Causes a Shift toward Prevention Motivation' (2015) 56 *Journal of Experimental Social Psychology* 153, 158.

[14] Tyler F Stillman and Roy F Baumeister, 'Social Rejection Reduces Intelligent Thought and Self-Regulation' in C Nathan DeWall (ed), *The Oxford Handbook of Social Exclusion* (Oxford University Press, 2013) 132, 133.