

Unemployment

Executive Summary

Lack of access to employment opportunities is associated with poor physical and mental health, social isolation, poverty and an increased engagement with the criminal justice system.¹ The effects of unemployment are compounded by the fact that there are lower employment opportunities for people who have previously been imprisoned.²

An individual's life circumstances fundamentally affect their capacity for employment.³ Factors such as education,⁴ locational factors,⁵ and health can impact an individual's ability to gain employment.

Being unemployed can have negative outcomes on mental and physical health indicators,⁶ social marginalisation,⁷ and child development outcomes.⁸ Furthermore, '[l]ong-term unemployment itself reduces people's employment prospects, as employers worry about large gaps in their resumes and unemployed people lose confidence and skills.'⁹ Poverty and long-term unemployment are also causes of homelessness.¹⁰

Research has reported associations between unemployment and interaction with the criminal justice system.¹¹ The relationship between incarceration and unemployment is cyclical, as '[t]he stigma of a criminal record for an ex-prisoner job seeker is among the most intractable barriers to employment.'¹²

The potential relevance of evidence of the causes and impacts associated with unemployment in sentencing proceedings may include an assessment of *moral culpability*; moderating the weight to be given to *general deterrence*; determining the weight to be given to *specific deterrence* and *protection of the community*; and findings of *special circumstances* due to a possible need for extended supervision and the tailoring of a sentence to enhance prospects of rehabilitation.

¹ Senate Legal and Constitutional Affairs Committee, Parliament of Australia, [Inquiry into the Value of a Justice Reinvestment Approach to Criminal Justice in Australia](#) (Report, 20 June 2013) 3 [2.1], 13 [2.50]; David Brown et al, *Justice Reinvestment: Winding Back Imprisonment* (Palgrave Macmillan, 2016) 97, 109; House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs, Parliament of Australia, [Doing Time – Time for Doing: Indigenous Youth in the Criminal Justice System](#) (June 2011) 156 [6.4].

² Senate Select Committee on Regional and Remote Indigenous Communities, Parliament of Australia, [Indigenous Australians, Incarceration and the Criminal Justice System](#) (Discussion Paper, March 2010) 30 [1.98]; Eileen Baldry et al, [A Future Beyond the Wall: Improving Post-release Employment Outcomes for People Leaving Prison](#) (Final Report, February 2018) 5.

³ Department of Prime Minister and Cabinet, [Closing the Gap Report 2019](#) (Report, 2019) 94.

⁴ Australian Council of Social Service and Jobs Australia, [Faces of Unemployment 2020](#) (Report, March 2020) 15.

⁵ Rob White and Chris Cunneen, 'Social Class, Youth Crime and Justice' in Barry Goldson and John Muncie (eds), *Youth, Crime and Justice* (Sage, 2nd ed, 2015) 17, 20; Australian Social Inclusion Board, Department of Prime Minister Cabinet, [Addressing Barriers for Jobless Families](#) (Report 2011) 16, citing Benjamin Edwards and Leah M Bromfield (2009) 'Neighbourhood Influences on Young Children's Conduct Problems and Pro-social Behaviour: Evidence from an Australian National Sample' (2009) 31 *Children and Youth Services Review* 317.

⁶ House of Representatives Standing Committee on Employment, Education and Workplace Relations, Parliament of Australia, [Inquiry into Issues Specific to Older Workers Seeking Employment, or Establishing a Business, Following Unemployment](#), (June 2000) ch 2, 56 [2.23]; Australian Institute of Health and Welfare, [The Health of Australia's Prisoners 2018](#) (Report, 2018) 17.

⁷ Department of Families, Housing, Community Services and Indigenous Affairs (Cth), [Parental Joblessness, Financial Disadvantage and Wellbeing of Parents and Children](#) (Occasional Paper No 48, 2012); House of Representatives Standing Committee on Employment, Education and Workplace Relations, Parliament of Australia, [Inquiry into Issues Specific to Older Workers Seeking Employment, or Establishing a Business, Following Unemployment](#), (June 2000).

⁸ Department of Families, Housing, Community Services and Indigenous Affairs (Cth), [Parental Joblessness, Financial Disadvantage and Wellbeing of Parents and Children](#) (Occasional Paper No 48, 2012).

⁹ Australian Council of Social Service, [Submission on Future Employment Services](#) to Department of Jobs and Small Business (Cth), [Consultation on Future Employment Services](#) (August 2018) 73.

¹⁰ Department of Families, Housing, Community Services and Indigenous Affairs (Cth), [Parental Joblessness, Financial Disadvantage and Wellbeing of Parents and Children](#) (Occasional Paper No 48, 2012); Department of Families, Housing, Community Services and Indigenous Affairs (Cth), [The Road Home: A National Approach to Reducing Homelessness](#) (White Paper, 2008); Launch Housing, [Australian Homeless Monitor 2018](#) (Full Report, 2018) 22.

¹¹ Justice Health & Forensic Mental Health Network, [2015 Network Patient Health Survey Report](#) (Report, May 2017) 27, citing Mikko Aaltonen et al, 'Examining the Generality of the Unemployment-Crime Association' (2013) 51 *Criminology* 561; Australian Law Reform Commission, [Incarceration Rates of Aboriginal and Torres Strait Islander Peoples: Discussion Paper](#), (Discussion Paper No 84, July 2017); Australian Institute of Health and Welfare, [The Health of Australia's Prisoners 2018](#) (Report, 2018).

¹² Eileen Baldry et al, [A Future Beyond the Wall: Improving Post-release Employment Outcomes for People Leaving Prison](#) (Final Report, February 2018) 5.