

Unemployment

Executive Summary

Mental health is influenced by employment status. Being employed can improve and bolster mental health, while a 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

Structural and systemic factors, along with an individual's location and access to education, can fundamentally affect their capacity for employment.³ The disadvantage associated with unemployment can persist through generations.⁴

Greater numbers of Aboriginal and Torres Strait Islander people are unemployed than non-Indigenous people, with Aboriginal and Torres Strait Islander people's unemployment rates influenced by the legacy of colonisation.⁵ '[L]ong-term unemployment itself reduces people's employment prospects, as employers worry about large gaps in their resumés and unemployed people lose confidence and skills'.⁶ Poverty and long-term unemployment are also causes of homelessness.⁷

Research has reported associations between unemployment and interaction with the criminal justice system.⁸ 'The stigma of a criminal record for an ex-prisoner job seeker is among the most intractable barriers to employment.'⁹

The potential relevance of evidence of the causes and impacts associated with unemployment in sentencing proceedings may include informing 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 indicating findings of *special circumstances* due to a possible need for extended supervision and the tailoring of a sentence to enhance prospects of rehabilitation.

¹ Productivity Commission (Cth), [Mental Health](#) (Inquiry Report No 95, June 2020) vol 1, 49, vol 2, 297, 360, 418–19, 626; Senate Legal and Constitutional Affairs References Committee, Parliament of Australia, [Value of a Justice Reinvestment Approach to Criminal Justice in Australia](#) (Report, June 2013) 3 [2.1], 13 [2.50].

² Australian Law Reform Commission, [Pathways to Justice: An Inquiry into the Incarceration Rate of Aboriginal and Torres Strait Islander Peoples](#) (ALRC Report No 133, December 2017) 63–4 ('*Pathways to Justice*'); 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 the Prime Minister and Cabinet, [Closing the Gap: Report 2019](#) (2019) 94; Treasury (Cth), '[Working Future: The Australian Government's White Paper on Jobs and Opportunities](#)' (September 2023) 147 ('*Employment White Paper*').

⁴ Australian Institute of Family Studies ('AIFS'), [Submission No 14 to Senate Standing Committee on Community Affairs](#), Parliament of Australia, [Inquiry into the Extent and Nature of Poverty in Australia](#) (3 February 2023) 3, citing K Hancock, B Edwards and S Zubrick, '[Echoes of Disadvantage across Generations? The Influence of Long-Term Joblessness and Separation of Grandparents on Their](#)

[Grandchildren](#)’ in AIFS, *The Longitudinal Study of Australian Children: Annual Statistical Report 2012* (2013) 43.

⁵ [Employment White Paper](#) (n 3) 29; Boyd Hunter et al, [Employment and Indigenous Mental Health](#) (Report, Australian Institute of Health and Welfare, March 2022) 14.

⁶ Australian Council of Social Service, [Submission](#) to Department of Jobs and Small Business (Cth), *Consultation on Future Employment Services* (August 2018) 73.

⁷ Department of Families, Housing, Community Services and Indigenous Affairs (Cth), ‘[The Road Home: A National Approach to Reducing Homelessness](#)’ (White Paper, 2008) 8; Launch Housing, [Australian Homelessness Monitor 2018](#) (Report, 2018) 22.

⁸ [Pathways to Justice](#) (n 2) 63–4 [2.30]–[2.25]; Australian Institute of Health and Welfare, [The Health of People in Australia’s Prisons](#) (Report, November 2022) 76.

⁹ Eileen Baldry et al (n 2) 5.