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Submission to Senate Community Affairs Committee re: Stronger Futures in the Northern Territory Bill 2011 and two related bills

The St Vincent de Paul Society is a lay Catholic organisation that aspires to live the gospel message by serving Christ in the poor with love, respect, justice, hope and joy, and by working to shape a more just and compassionate society. We aim to give a 'hand up' to those in need by respecting their dignity, sharing our hope, and encouraging them to take control of their own destiny.

The Society has consistently opposed compulsory income management and punitive welfare policy that pathologises people in poverty and fails to take into account the complexity of their lives. Top-down imposition of measures such as compulsory income management and SEAM are not only fundamentally antithetical to our mission and vision, but also antithetical to the Australian Governments' commitment to "resetting the relationship'' with First Nations People.

This pursuit of SEAM and compulsory income management also contradicts the Australian Governments' own Social Inclusion principles, namely the principle of evidence based and strengths based approaches to policy and program development.

We are concerned that

1) That SEAM and income management programs have been expanded before thorough evaluations were finished and made available to the public which calls into question the commitment to evidence based policy making.

2) This legislation paves the way for unlimited expansion of these unproven and expensive programs by legislative instrument without undergoing the usual parliamentary scrutiny.

3) The Stronger Futures Consultation Report quotes community members' alternative suggestions for how to improve school enrolment and attendance. However it is only the most punitive solution that has been taken seriously, making a mockery of the social inclusion principles of using a "strength based approach" and the commitment to genuine engagement with communities.

4) There is no process to enable people to appeal referral decisions made by external referring agencies. This issue has not been clarified with the existing child protection measure and is likely to become a problem with additional referral agencies.

5) Wherever consultation is written into the legislation as a requirement it is immediately written out- it is required, but not required. This is not conducive to building trust between government and local communities.

Evidence

- Compulsory Income Management has been expanded without evidence to suggest it achieves its stated aims. To date there has not been a rigorous, independent evaluation of compulsory income management[1]. We need not repeat our concerns about compulsory income management here. Please refer to past submissions.

- Prior to the commencement of the 2009 SEAM program, the senate committee inquiry into the Social Security and Veteran's Legislation Amendment (School Requirements) Bill emphasised that

  > *"…the outcomes of the pilot and subsequent evaluation must provide the basis for any further roll-oput of the measures proposed in the Bill.*

  However, the expansion of SEAM was announced before the final evaluation of the 2010 model was completed. The results of the evaluation of the 2009 model concluded that

  > *SEAM did not demonstrably improve the rate of attendance among SEAM children overall, nor was any effect apparent at any stage of the attendance process in 2009[2].*

  The report contained only early data of the 2010 model.

  Evaluations of comparable programs internationally are mixed but the literature tends to suggest that well designed, targeted and incentive based programs work significantly better than sanction based programs[3].

- There is a considerable body of evidence to support the contention that community led, community owned solutions to local problems are generally the ones that work[4] . The

[1] For a review of the evidence see Cox, E. 'Evidence-free policy Making: The Case of Income Management' *Journal of Indigenous Policy – Issue 12 (Sept 2011).* University of Technology Sydney.
[2] Improving School Enrolment and Attendance through Welfare Reform Measure (SEAM) Evaluation Report for the NT in 2009, (Jan 2011)
[3] Conditionality and behaviour change *Social Inclusion Board Slide Deck.* Attached.
[4] Place Based Approaches to Supporting Children and Families *Policy Brief* issue 23> 2011. Murdoch Childrens' Research Institute, Royal Childrens' Hospital Melbourne.
Vinson T. Markedly Socially Disadvantaged Localities in Australia. Canberra ACT. Department of Education, Employment and Workplace Relations.

ideological commitment to punitive programs that use poverty as a 'policy lever to achieve behavioural change' is not only unprincipled, it is irrational in light of established social facts.

Parliamentary Process and Expansion

This legislation enables the further expansion of these programs to new areas, and the addition of external referral agencies to income management measure by way of legislative instrument. We are concerned that these decisions will not be held up to appropriate level of parliamentary and public scrutiny. It is alarming that this legislation enables the Minister significant legislative changes by way of legislative instrument without parliamentary scrutiny or any requirement for consultation with stakeholders.

SEAM Alternatives

Improving the education outcomes for children and young people in remote communities is unarguably a crucial factor in improving their long term health and wellbeing and that of their communities. We respect the fact that the Government has prioritised this issue and has committed resources to this end.

There is a solid evidence base to support the assertion that community ownership of programs to address community problems is crucial to their success and that genuine consultation and participation in the development of social policy and programs is a must. This is not simply an ideological or principled point of view it is a *social fact*.

Notwithstanding other concerns about the Stronger Futures Consultation report, the report suggests that people attending the consultations had a range of ideas for how schools attendance could be improved and raised a number of issues that have direct impact upon school attendance. We were disappointed to see that of these proposed solutions, only one- the most punitive - was taken up.

Alternative measures cited in the report included-

- Development of programs to get elders to help parents get kids to school
- Return of bilingual education
- More language and culture in schooling,
- using local elders to teach culture in schools
- homework centre in community where parents could help out at the centre
- football programs
- linking excursion and incentives to attendance
- Full time parent liason officers
- More teachers and qualified youth workers to work in community to develop quality programs for young people
- Community activities to bring children and parents together
- Local qualified teachers given preference over teachers from elsewhere
- Recruiting local people into teaching profession

- Specialised teacher training to work in Indigenous communities
- Get teachers to do specific training about the community and local culture
- Have the community involved in the process of hiring teachers
- Parent support groups
- School council
- Improvements to early childhood education
- mobile preschool
- community childcare
- community bus to get little ones into early education
- engage fathers in schools

This list is taken from the report. The report may not have included everything that was said in all of the consultations. It is important to note that these ideas were generated in the context of one off consultation sessions that covered 8 different areas. It is likely that focused exploration with local communities would yield a range of innovative program ideas.

The Stronger Futures Consultation Report also included a number references to local programs that work, or *were* working. There is not a shortage of solutions and innovative ways of addressing school attendance.

We note the announcement of the Connected Communities program and look forward to reading the forthcoming discussion paper. Connected Communities may be a positive move towards community integrated schooling.

Income Management external referral agencies

Given that this legislation would make it possible for virtually any state agencies to become external referral agencies we recommend that a process for the appeal of referral decisions needs to be clearly established.

Consultation and Trust

There is a bizarre recurring motif in this legislation concerning consultation. On the one hand, the legislation requires that consultation occurs before a decision regarding (x) can be made. On the otherhand, if consultation does *not* occur, it does not invalidate the decision [e.g Subclause 34(8) and (9); 35 (4) and 35 (5); 41(2) and 41(3)] The government cannot honestly expect people to engage productively in consultations in the context of this kind of double speak.

Building productive, solutions oriented relationships between communities and government has been a stated aim of the Government. We take this opportunity to reflect on the Hon Jenny Macklin's own words in her 2009/10 budget Ministerial Statement on Resetting the Relationship-

"The Australian Government's bold reform agenda in Indigenous affairs is underpinned by our determination to forge a new relationship with Indigenous Australians based on ***trust and respect."***

"In Aboriginal and Torres Strait Islander communities across the country, there are courageous voices for change. There are people prepared to take on the responsibility of leadership."

"In turn, it is the responsibility of governments to back them — recognising that business as usual is no longer a viable policy response for government. Our partnership with Indigenous peoples will be ***respectful and collaborative*** *as well as allowing an* ***open and frank exchange of views.***

We want Indigenous people to work with us with confidence and with the knowledge that ***their cultures and perspectives are respected as a source of strength, and not perceived as a barrier to change."***

These are fitting and honourable words from a Minister of Indigenous Affairs. Aspects of this legislation are highly likely to undermine the trust, respect and potential for collaboration.