

Family Assistance and Other Legislation Amendment (2008 Budget and Other Measures) Bill 2009

Dissenting Report by Australian Greens

NTER Income Management Appeals

The amendments proposed in Schedule 2 of the Bill will provide no real benefit for the people subject to blanket income quarantining in the Northern Territory and (as pointed out by the Commonwealth Ombudsman, the Law Council of Australia, the National Welfare Rights Network and the Northern Australian Aboriginal Justice Agency) implemented in isolation these changes are essentially meaningless. To be truly effective the amendments need to be introduced with the range of other amendments recommended by the NTER Review Board, including repealing compulsory income quarantining. We also note evidence from Senate Estimates indicating that Aboriginal people as a whole have very low rates of use of the Social Security Appeals Tribunal, despite having very high per capita rates of breaching under the ongoing Welfare to Work provisions.

While we note that the Minister for Indigenous Affairs, Jenny Macklin, promised last year to introduce a compulsory income management policy which does not require suspension of the RDA, we remain concerned that the Government has yet to indicate the form such legislation could take, and the necessary consultation with affected Aboriginal communities has yet to commence.

The Australian Greens remain unconvinced that legislation that supports blanket quarantining of selected Aboriginal communities that still complies with the RDA (as well as our international commitments to the Convention on the Elimination of All Forms of Racial Discrimination (CERD) and more recently to the UN Declaration of the Rights of Indigenous Peoples) is possible.

We believe that the Government should therefore move immediately to revoke the suspension of the Racial Discrimination Act and the Northern Territory Anti-Discrimination Act.

Community Development Employment Projects (CDEP)

The Australian Greens are deeply concerned about the Government's proposed changes to CDEP. We believe they will have adverse impacts on Aboriginal people and Aboriginal communities, particularly during the Global Financial Crisis. These measures do not improve the implementation and effectiveness of CDEP in getting Aboriginal people work ready, building labour market skills or helping them transition into the workforce. They merely seek to enable the extension of income quarantining to CDEP workers.

In the absence of effective job creation in affected communities, placing new CDEP participants on income support does not provide a stronger 'incentive' to take up work that isn't there – it just makes it much harder for them to provide for their families. Recasting CDEP as a 'work for the dole' scheme will inevitably undermine the participation and self-esteem of the large number of existing CDEP workers who see themselves as employed in

real jobs and making a valuable contribution to their communities. We need to be raising the bar on work readiness and offering a more structured transition to the workforce rather than lowering it.

While we welcome the initiatives that have been introduced to date to replace some existing CDEP jobs with fully funded positions, we note that abolishing CDEP schemes will mean many more current CDEP participants will be moving from meaningful work to long-term unemployment than are being supported into 'real' jobs. At the same time the removal of subsidised CDEP labour will adversely effect many existing successful Indigenous enterprises in remote areas where these ventures make significant economic and social contributions to local communities, but do not yet have sufficient capacity to support non-subsidised award wages. By shifting participation and compliance issues from the domain of community based CDEP organisations to Centrelink, there is also a significant risk that this will both undermine the coherence and commitment of workers to these organisations and the strategies they currently employ to encourage active engagement as well as resulting in higher rates of breaching.

We therefore do not support the amendments proposed in Schedule 3.

Recommendations

- 1. That the Government introduce legislation immediately to revoke compulsory income quarantining and to restore the application of the Racial Discrimination Act to the NTER.**
- 2. That the Government not proceed with their current changes to CDEP and instead undertake a meaningful evidence-based reform process to improve employment and work-readiness outcomes.**



Senator Rachel Siewert
Australian Greens