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The Fred Hollows Foundation

Submission for the Community Affairs Legislation Committee Inquiry into NTER Legislation Amendments, including Welfare Reform and Reinstatement of the Racial Discrimination Act.

Introduction

The Fred Hollows Foundation (FHF) is an agent for development. We focus on blindness prevention and Australian Indigenous Health.

We are an independent non-profit and secular organisation inspired by Professor Fred Hollows (1929 – 1993).

FHF works for a world where no one is needlessly blind and Indigenous Australians enjoy the same health and life expectancy as other Australians. FHF is a member of the Close the Gap campaign in Australia.

Our Indigenous Program works with Aboriginal communities to build community capacity with a focus on eye health and the broader social determinants of health. We work in close partnership with Aboriginal communities, organisations and individuals.

In making this submission FHF is very conscious that the Foundation is not an Aboriginal organisation. The Foundation also acknowledges that there is a wide range of views among Aboriginal people and organisations across the Northern Territory about the impacts and desirable future directions of the NTER. This submission covers only issues on which the Foundation has some knowledge and experience and it does not claim to speak on behalf of Aboriginal people on these issues.

Comments on the proposed changes to the NTER

In general terms the FHF strongly supports the calls of Aboriginal people and organisations in the Northern Territory for the reinstatement of the Racial Discrimination Act in the NT and for proper meaningful engagement with Aboriginal people. In particular we support the comments and views of the Aboriginal Medical Services Alliance of the Northern Territory (AMSANT) in its submission to this inquiry.

The NTER has now been in place for more than two and a half years and should be entering a sustainable phase. The proposed changes to the NTER will do little to bring about sustained improvements in the health and well being of Aboriginal people in the Northern Territory. They continue to apply band-aid solutions to complex issues. A sustainable approach would need to address the underlying issues confronting Aboriginal people. For example, the continuation of income management in the absence of significant investment in financial literacy, nutrition education, and addressing the issues of social breakdown that lead to “humberging” will not provide long term benefits and will in fact entrench dependency. The FHF also considers that the proposed changes do not adequately address the widespread concerns of Aboriginal people that they have disempowered by the NTER and that they have reduced control over their own lives and communities.

Across all the existing measures, there is a lack of evaluation of the impacts. While there has been an independent review, further consultations and a number of reports on individual measures, there has been no published evaluation of the NTER. A large complex measure of this kind needs to have its objectives clearly identified, performance measures established and baseline data and information collected at the outset. It appears that such a strategy was not put in place at the commencement of the NTER. If the NTER is to continue in a revised form, an evaluation strategy needs to be implemented now. In the absence of rigorous evaluation and monitoring it will be impossible to assess in the future what impact the NTER has had.

FHF does not intend to comment on all measures in the legislation, as these issues are better covered by Aboriginal organisations and are addressed in some detail by AMSANT. This submission will comment on a number of key issues of concern to the FHF based on our experience working with remote Aboriginal communities in the Northern Territory.

Racial Discrimination Act

FHF welcomes the Government’s intention to reinstate the operation of the Racial Discrimination Act. However, we are concerned about delays on this commitment - the RDA needs to be reinstated immediately. A further delay until the end of 2010 will mean that Aboriginal people in the prescribed areas of the Northern Territory have been without the protections enjoyed by other Australians for over three years. This is an unacceptable situation and continues to have a negative impact on the wellbeing of Aboriginal people.

Income Management

We accept that the proposed changes to income management would remove the explicit focus on Aboriginal people, would remove aged pensioners from compulsory income management and would provide for exemptions. These changes will address some of the concerns that have been held by Aboriginal communities. However we continue to have some fundamental concerns about the income management measure:

- the lack of critical evaluation of its effectiveness. The investment of significant resources in the administration of income management needs to be based on detailed and rigorous consideration of the impact of that activity and the opportunity costs. It is likely that the expenditure of such significant funds could achieve more if directed to improving services in communities, to employment, to social and emotional well-being. In the absence of a serious cost-benefit analysis it is not possible to justify this expenditure on a largely unevaluated approach.
- There is no evidence that Aboriginal people have been consulted about alternative measures that might better achieve the outcomes intended through income management.

Alcohol Restrictions

We note that the revised approach to alcohol controls offers some improvement in that it provides more flexibility and restores a level of control to communities. However, the approach remains discriminatory in that it applies only to prescribed Aboriginal communities. In addition, it is a supply control measure and lacks the other accepted components of a strategy to reduce substance abuse – demand reduction and harm reduction. Australia's national strategies for drug and alcohol abuse are all based on this three pronged approach. The Submission from AMSANT deals with the need for a wider strategy in some detail and FHF adds its support to those comments.

The Government has not advanced evidence beyond consultation comments for the effectiveness of the existing approach. As stated above, the Government must establish its objectives for the measure, collect baseline data and monitor and evaluate change.

Restrictions on pornography and use of publicly funded computers

These two measures were never clearly explained in terms of their intention and the evidence of a need to implement them. Nor has there been any evidence as to their effectiveness in reducing the exposure of women and children to pornographic material. They are discriminatory and stigmatising measures.

FHF considers that in the absence of any evidence of reduction in the availability of pornography there is little basis to continue these measures.

In relation to pornography restrictions, if there is concern about the availability of such material, surely there is a strong case to review the general community standards regarding acceptability of the material and apply the same rules to all Australians. No evidence has been advanced that there is a specific negative impact in Aboriginal communities, beyond any impact on the general population, or that any such impact has been addressed by the existing measure.

In relation to publicly funded computers, the FHF fully supports the enforcement of rules that such computers are not used to access or store pornographic or other inappropriate material. However, this should be applied to all publicly funded computers not just those supplied to Aboriginal communities and organisations. The FHF considers these restrictions should be contained in the funding conditions for every government funded organisation in Australia.

Store Licensing

FHF supports the continued licensing of stores and notes that our experience in communities suggests that there have been improvements in food security and food pricing since the introduction of licensing. We support the concerns expressed by AMSANT about issues relating to choice and other impacts of licensing.

An issue of concern in some of the communities we work with has been a perception of pressure on communities to enter into the Outback Stores model. While the Outback Stores model works well for many communities, the FHF supports the right of communities to determine the type of model that works best for them.

Joy McLaughlin
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The Fred Hollows Foundation
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