



Speech by

Andrew Cripps

MEMBER FOR HINCHINBROOK

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FAMILY RESPONSIBILITIES COMMISSION BILL

Mr CRIPPS (Hinchinbrook—NPA) (6.27 pm): I rise to make a contribution to the debate on the Family Responsibilities Commission Bill. The main objectives of the bill are to support the restoration of socially responsible standards of behaviour and to re-establish local authority in the communities of Hope Vale, Aurukun, Mossman Gorge and Coen by implementing a range of welfare reform initiatives that are designed to help the members of those communities to resume the primary responsibility for the wellbeing of individuals and families in their communities.

This outcome is to be achieved by the establishment of the Family Responsibilities Commission. The Cape York institute has developed a set of proposed welfare reforms that are intended to act as the policy tool to address the significant economic and social disadvantage that plagues Queensland's Indigenous communities. This bill proposes a set of trial arrangements that are focused on Cape York, but the bill moots a possible application on a wider scale in the future.

On that note I repeat the questions asked by the Leader of the Opposition, the member for Southern Downs, of the government with respect to extending these welfare reforms to all Queensland communities. Undoubtedly, although the acute problems and challenges with respect to social norms and community standards are arguably more visible, or perhaps most reported on, in Indigenous communities, they are present and their impact is equally insidious in all Queensland communities, both Indigenous and non-Indigenous. So my question to the Premier is: when will these welfare reforms be extended to all Queenslanders?

I note the explanatory notes accompanying this bill raise some questions with respect to the potential for the bill to be inconsistent with the Commonwealth's Racial Discrimination Act and Queensland's Anti-Discrimination Act because they focus on particular Indigenous communities. I do not want to undermine or detract from what is trying to be achieved by this bill by being critical on this point, because I believe the bill is heading in the right direction, and to this end I endorse the bill. I suppose all I am saying—and I believe this is what the Leader of the Opposition was saying—is, to use a generalisation, what is good for the goose is good for the gander. Once this trial is bedded down and we can determine the appropriateness of the structure of the Family Responsibilities Commission to deliver the social welfare reform, it ought to be rolled out for all Queenslanders, Indigenous and non-Indigenous. I would welcome reform to that end.

Sitting suspended from 6.29 pm to 7.30 pm.

Mr CRIPPS: The director of the Cape York Institute for Policy and Leadership is Noel Pearson whose home community is Hope Vale, which is one of the communities participating in this welfare reform initiative. Mr Pearson has provided considerable leadership on this issue and I commend him for that. Mr Pearson has attracted considerable criticism from a number of his fellow Indigenous leaders in other areas of Australia because he has faced up to the fundamentally destructive nature of sit-down money on Indigenous communities.

The Cape York Institute for Policy and Leadership released a report entitled *From hand out to hand up* in May 2007 with its proposals for a welfare reform trial in the four communities that are now the subject

of this bill: Hope Vale, Aurukun, Mossman Gorge and Coen. On Monday, 25 June and Tuesday, 26 June 2007 I attended a conference organised by the Cape York Institute for Policy and Leadership as an observer representing the Legal, Constitutional and Administrative Review Committee of the Queensland parliament. The theme of the conference was Strong Foundations—Rebuilding Social Norms in Indigenous Communities. I attended the conference on behalf of the committee to ascertain if the work of the institute could offer any direction to the committee's inquiry at the time in relation to the participation of Indigenous and Torres Strait Islander people in Queensland's democratic process, Hands on Parliament.

The conference proposed to challenge the predominant view that the answer to Indigenous disadvantage in Australia lay exclusively with improved service delivery to Indigenous communities. It was asserted that Indigenous communities needed to rebuild social norms which formed the foundation of a civil society. There was a strong view that without rebuilding these social norms there would be further generations of Indigenous people condemned to endure the familiar social evils which have plagued Indigenous communities for decades, including serious economic disadvantage to the point of poverty, serious levels of violence predominantly against children and women, serious levels of unemployment or almost total dependence on CDEP employment programs, serious educational disadvantage including Indigenous students falling well behind in both numeracy and literacy and serious levels of substance abuse including alcohol, paint and petrol sniffing, cannabis and other illicit drugs.

The proposed solutions for many of these issues focused on providing economic opportunities and enhancing educational opportunities to individuals rather than community-wide or collective programs which were seen as having failed. There was a very extensive line-up of speakers at the conference from a range of backgrounds and professional disciplines. I believe very significant contributions were made by Professor Ron Duncan, Professor Peter Saunders and of course Noel Pearson. Professor Duncan argued strongly that the collective nature of ownership in Indigenous communities limited opportunities for economic development in these communities where there was no incentive to move forward as any gains would be lost to individuals through free rider problems. Professor Saunders argued strongly that the significant levels of passive welfare attributed to Indigenous communities had not resulted in any observable improvements in the material welfare of Indigenous communities and, indeed, that the welfare diminished the capacity of these communities to function independently.

Noel Pearson argued that the modern global economy was a reality and that, if Indigenous Australians were to improve their material wellbeing, they would have to establish a place in it. Mr Pearson placed great value on the strength of the well-developed social structures, particularly strong values, in the development of individual capacity to participate in the real economy. These social fundamentals were seen to be critical for individuals to pursue economic opportunities.

The Cape York institute developed the Cape York Welfare Reform Project, *From hand out to hand up*, with recommendations for a new approach to the provision of financial assistance to the participating Indigenous communities on Cape York, the principles of which have been substantially incorporated into this bill. The principles of the institute's reform project include policies that will make all welfare conditional, will move welfare reform away from dependency to economic development, will require further government investment in developing capabilities amongst individuals and communities and will require incentives to encourage people to engage in the real economy. The legislative amendments proposed by the institute at that conference linked welfare payments to outcomes in accordance with these principles. The institute proposed that each adult receiving welfare payments with respect to a child should be required to ensure that the child maintains a 100 per cent school attendance record with appropriate exemptions. Adults must not cause or allow children to be neglected or abused. Adults must not commit drug or alcohol, gambling or family violence offences. Adults must abide by conditions related to their tenancy in public housing.

As far as the implications for the inquiry of my parliamentary committee were concerned, in my mind it reinforced the view that I formed during our consultation meetings with Indigenous communities across Queensland that there was an immediate concern for the material welfare of Indigenous communities as well as the very serious social issues that faced their families and communities rather than the pursuit of more symbolic, less tangible issues. Where leadership issues were discussed at this conference there was a focus on the use of traditional forms of leadership such as reference to elders or providing increased support for diverting the care of children to responsible family members in an otherwise dysfunctional family structure such as aunties, uncles, grandmothers and grandfathers.

I am pleased that the report of the institute has led to the production of this bill. The rationale for the bill is that there is an urgent need to restore social norms and local authority and change behaviours in response to chronic levels of welfare dependency, social dysfunction and economic exclusion. The level of disadvantage suffered by Indigenous Queenslanders, particularly those who live in rural and remote communities, was well documented. The interim assessment of the effect of alcohol management plans produced in 2002 shows that, while these plans have led to some improvement in the safety of women and children, violence and abuse are still far too prevalent. The Cape York institute has stated that it believes the combination of welfare payments, free or very cheap housing and the program settings of CDEP have meant that there is no incentive for participants to enter the workforce as their income is satisfactory with

limited hours of work. Young Indigenous people's life aspirations are often no greater than securing a CDEP placement.

The explanatory notes accompanying this bill indicate that nearly 3,000 people are resident in the four welfare reform communities embraced by the bill. Of these 3,000 residents, there are approximately 1,800 people in receipt of relevant welfare payments or CDEP wages. The institute puts forward the proposition that persons in receipt of welfare payments or who are participating in CDEP programs have obligations not to behave in ways which are detrimental to family or community wellbeing. The bill establishes the commission as the mechanism within the welfare reform trial to support the rebuilding of social norms and changed behaviours through attaching reciprocity to welfare and other government payments.

Broadly, the legislation provides that the commission can intervene where a person or partner of a person is an eligible recipient of certain welfare payments or the person is a CDEP participant and the person resides or has lived in one of the welfare reform communities since the legislation commenced as well as where one of the following occurs: a child of the person is either not enrolled or is not meeting designated school attendance requirements; there is an intake involving the person by the Department of Child Safety in relation to alleged harm or risk of harm; the person is convicted of an offence in the Magistrates Court; or the person as a tenant is in breach of a social housing tenancy agreement.

The Cape York institute conference in July last year took place at the same time as the former Commonwealth government made a decision to intervene in Indigenous communities in the Northern Territory. I believe the intervention emboldened those attending the conference to consider measures that would facilitate equally important changes in Queensland. Here we are today confirming that belief.

There has been some discussion during the debate on this bill comparing the circumstances in which the Commonwealth intervened in those Northern Territory communities and the circumstances in the communities that are being embraced by this bill. Government members have tried to malign and disparage the efforts of the former Commonwealth government and its mechanism of intervention. That criticism is a cheap shot and a revision of the real circumstances in which the Commonwealth government made the decision to intervene.

The Labor Chief Minister of the Northern Territory at that time was under intense public pressure for what was seen as a fundamental failure on her part to act on reports of widespread problems in Indigenous communities in the territory. In those circumstances the former coalition federal government moved to intervene and the severity and the seriousness of that situation necessitated decisive and swift action. The mechanism that was available to the Commonwealth at such short notice was the defence forces. The Queensland government should not criticise the Commonwealth for moving to address a situation that had been so comprehensively ignored by the Northern Territory Labor government.

The key difference between this bill and the intervention in the Northern Territory is that in the territory a person is subject to income management simply by being present overnight in a declared area, whereas in Queensland a person can only be subject to income management if the person is subject to a direction following the residency requirements and one of the four triggers that I mentioned earlier is satisfied. In the explanatory notes accompanying the bill, the Queensland government states that it does not consider the income management regime as imposed on the Northern Territory to be an appropriate policy. That is fine, and in this situation the Queensland government is lucky it has brought forward an alternative plan based on these four triggers.

However, the credibility of the state government's outright derision of the former Commonwealth government's policies is tenuous because I feel that there are some clear similarities between the very serious problems in the Northern Territory communities and the circumstances in which Indigenous communities in Queensland currently find themselves. Let us not play down the seriousness of the recent violence in Aurukun or, as we are heard today in the parliament, the outrageous alleged sexual violence perpetrated against a female nurse in the Torres Strait and the ongoing concerns about the safety of schoolteachers at Woorabinda. Queenslanders, and particularly government members, should not suggest that we do not face similar problems or take an overly self-righteous position while being critical of the former Commonwealth government for the mechanism that it used to address a very serious situation that had been ignored by the Northern Territory government and, in particular, the Northern Territory Chief Minister of the time.

The Commonwealth government subsequently moved to put in place legislative arrangements to support its efforts in the Northern Territory. The former federal coalition government acted swiftly with the mechanism that it had at its disposal at the time, which was the defence forces. I think it is a cheap shot to be critical of that effort as the situation demanded swift and immediate action. On that basis I congratulate former Prime Minister John Howard and former Indigenous affairs minister Mal Brough. They did not fail the test of leadership in addressing such a pressing situation in very difficult circumstances.

Today in Queensland we are pursuing legislative arrangements for welfare reform and I am pleased to support the bill to that end. I sincerely hope that this bill will deliver the mechanism that will give Indigenous communities, and eventually all communities, in Queensland suffering from serious levels of social dysfunction an opportunity to move to a situation where the government is no longer giving them a handout but is giving them a hand up.