

Senate Finances & Public Administration References Committee

Inquiry into the appropriateness and effectiveness of the Community Development Program

Human Rights Law Centre opening statement

I pay my deep respects to the traditional owners of the land that we are meeting and to the Aboriginal and Torres Strait Islander Elders and leaders in the room today.

It is the voices of Aboriginal and Torres Strait Islander people that we should be listening to and it's the voices of Aboriginal and Torres Strait Islander people that have informed the Human Rights Law Centre's position on the Community Development Program.

Income is fundamental to health and wellbeing and all Australians expect to receive fair payment for work and to have equal access to basic income support in times of need. But these basics are being denied to Aboriginal and Torres Strait Islander people subject to the Federal Government's remote work for the dole program – the Community Development Program.

I was living in the NT and working with the North Australian Aboriginal Justice Agency (**NAAJA**) as a social security and housing lawyer, when the Minister for Indigenous Affairs announced in December 2014 that the Community Development Program would be established. There had been no consultation with the communities we worked in or with NAAJA. I remember thinking this is going to wreak havoc with many people's lives, especially people already vulnerable as a result of disability, family violence, limited English or literacy skills.

And sadly it has.

The Government's program requires participants, around 83 per cent of whom are Aboriginal and Torres Strait Islander, to undertake up to **500 or 760 more** hours of work activities per year (depending on age) for the **same** amount of social security income as participants in the non-remote 'Jobactive' program, most of whom are non-Indigenous.

In other words, a program targeting Aboriginal and Torres Strait Islander remote communities sees them paid substantially less money per hour over a year than counterparts in non-Indigenous majority urban areas. They have to work considerably more hours to access a basic human right – Australia's social safety net.

This is a racially discriminatory program.

In some cases, people are doing jobs as work-for-the-dole, that they could be employed to do and paid a minimum wage and afforded workplace rights and protection. At the other extreme, people with disabilities in remote communities, who already face huge barriers to accessing the DSP, are at greater risk of being penalised for not being able to meet unrealistic work obligations.

The Committee has already heard about the incredibly high rates at which remote work for the dole participants are issued with penalties – 90 per cent of those penalised are Aboriginal and

Torres Strait Islander people. In only 21 months, the 35,000 people covered by the remote Community Development Program were penalised nearly 300,000 times.

Some penalties have been waived, but the mere imposition of a penalty can cause enormous stress and financial insecurity, and seeking a waiver can be a difficult thing if you have a disability, don't speak or read English or don't have a Centrelink office in your community.

The cultural, language and health barriers faced by Aboriginal and Torres Strait Islander people in remote communities trying to access services are well known. Taken with the more onerous obligations under the program, and the harsh compliance framework, it should come as no surprise to the Government that Aboriginal people in remote communities are being unfairly penalised and left without money for food.

The Community Development Program is not only a discriminatory regime, it is a missed opportunity to address one of the key drivers of unemployment in remote communities – the lack of jobs. Money is being poured into a program that is strangling opportunities for job creation and community development.

The Community Development Program must be abandoned and replaced by a model for community and economic development that is fair, consistent with principles of self-determination and community control, and that respects the different economic, social and cultural aspirations of Aboriginal and Torres Strait Islander people in remote communities.

The Aboriginal Peak Organisations of the NT (**APO NT**) has developed such an alternative – the Remote Development and Employment Scheme.

The Scheme would create 10,500 part time jobs, support people into meaningful jobs, and work with communities to build opportunities. People who still require the support of the social security system would have obligations where appropriate, but those would be no more onerous than obligations that apply to people in non-remote areas.

The Human Rights Law Centre supports APO NT's model.

The Government should work closely with Aboriginal organisations on this important alternative. In the meantime, as an immediate step, it should remove the discriminatory requirement for people in remote communities to work more hours than job seekers in the cities.

It should also ensure that the recommendations of the Commonwealth Ombudsman's report into barriers to accessing the Disability Support Pension in remote communities are implemented promptly and ensure equitable access.

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