

## Aboriginal Peak Organisations Northern Territory (APO NT)

Ms Pothida Youhorn  
Committee Secretary  
Senate Standing Committees on Community Affairs  
Parliament House  
Canberra ACT 2600  
Submission lodged via email: [community.affairs.sen@aph.gov.au](mailto:community.affairs.sen@aph.gov.au)

Friday 13 August 2022

### **RE: APO NT submission on Social Security (Administration) Amendment (Repeal of Cashless Debit Card and Other Measures) Bill 2022**

Dear Ms Pothida,

On behalf of the Aboriginal Peak Organisations Northern Territory (APO NT), APO NT writes to you to present our submission on *Social Security (Administration) Amendment (Repeal of Cashless Debit Card and Other Measures) Bill 2022*.

APO NT wish to thank you for inviting us to make a submission on the inquiry, and we welcome the planned abolition of the Cashless Debit Card (CDC). APO NT looks forward to the upcoming meeting with Minister Amanda Rishworth in Darwin, NT, to discuss this important Bill and other important issues to APO NT members.

#### **Introduction**

APO NT is an alliance of Aboriginal organisations working to promote and protect the rights of Aboriginal people living in the Northern Territory (NT). The APO NT alliance comprises the Central Land Council (CLC), Northern Land Council (NLC), Tiwi Land Council (TLC), North Australian Aboriginal Justice Agency (NAAJA), Northern Territory Indigenous Business Network (NTIBN), Aboriginal Housing Northern Territory (AHNT) and the Aboriginal Medical Services Alliance of the NT (AMSANT), along with APO NT associate member, the Anindilyakwa Land Council (ALC). The member organisations of APO NT are united in their commitment to improving the conditions across the broader political, economic, social, and cultural determinants of health. Since APO NT's establishment in 2010, our members have been working to develop constructive policies on critical issues facing Aboriginal people in the NT and strive to influence the work of the Australian and NT Governments.

#### **Response to the Social Security (Administration) Amendment (Repeal of Cashless Debit Card and Other Measures) Bill 2022**

APO NT supports repealing the CDC and strongly encourage the Commonwealth Government to abolish all forms of compulsory income management, including the Basics Card. We support options

for alternative voluntary income management programs that are consistent with the rights and needs of Aboriginal people in the context of the Northern Territory and have been shown to work.<sup>1</sup>

APO NT endorses the North Australian Aboriginal Justice Agency's (NAAJA) submission on the *Social Security (Administration) Amendment (Repeal of Cashless Debit Card and Other Measures) Bill 2022*. NAAJA calls for the abolition of all forms of compulsory quarantining of welfare payments and the repeal of Part 3B of the *Social Security (Administration) Act 1999* (Cth), for the following reasons:

- (i) Compulsory quarantining of welfare payments is discriminatory and paternalistic
- (ii) The income management regime is ineffective
- (iii) The Bill perpetuates top-down policy without Aboriginal leadership
- (iv) The income management regime is prone to practical failures in remote Aboriginal communities
- (v) Compulsory quarantining of welfare payments fails to target underlying systemic problems
- (vi) The Commonwealth Government has a popular mandate to repeal the income management regime

APO NT also supports the Northern Territory Council of Social Service (NTCOSS) submission and their calls to ensure that the withdrawing of income management is managed with care, and done in close consultation of relevant Aboriginal Community Controlled organisations and community leaders, to support participants through this process.

### **Income Management**

APO NT has made several submissions regarding income management and have attached the following submissions:

- Attachment A [APONT Submission - Cashless Debit Card Bill - October 2019](#)
- Attachment B [APO NT Submission on CDC Bill - 23 October 2020](#)

APO NT asserts that compulsory income management is a vehicle for disempowerment, and perpetuates stigmatisation of Aboriginal people, 'rather than building capacity and independence, for many the program has acted to make people more dependent on welfare'<sup>2</sup>.

Moreover, compulsory income management contradicts the Commonwealth and NT governments' commitments through the National Agreement on Closing the Gap which undertakes that: "Aboriginal and Torres Strait Islander peoples must play an integral part in the making of the decisions that affect their lives – this is critical to closing the gap." Specifically, continued income management, in its current form, breaches the Commonwealth's existing commitment to Priority Reform 3: to systemically and structurally transform mainstream government organisations to improve accountability, and to respond to the needs of Aboriginal and Torres Strait Islander people.

The UN Committee on the Elimination of Racial Discrimination has expressed concern about the discrimination faced by Aboriginal and Torres Strait Islander people and has recommended that Australia "maintain only opt-in" forms of social security quarantining. Additionally, the Australian

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<sup>1</sup> APO NT (2019) APONT Submission - Cashless Debit Card Bill - October 2019; pp. 8

<sup>2</sup> Bray et al. (2014). Evaluating New Income Management in the Northern Territory, pp xxii

Human Rights Commission has also raised concerns about the compulsory CDC trials being inconsistent with the Commonwealth, *Racial Discrimination Act 1975*.

APO NT supports the ALPA FoodCard<sup>3</sup> as an example of alternative, voluntary income management. Importantly this was a co-designed with local people, accessible for anyone (employed or on income support) to opt-in and chose how much money to allocate to the card.

## Recommendations

### Supporting services and programs:

1. The available evidence shows that income management does not equivocally result in less exposure to, or participation in, certain risk behaviours<sup>4</sup>. Therefore, the Commonwealth Government with the Northern Territory Government, must jointly invest in evidence-based strategies to address alcohol and drug misuse and problem gambling, including more funding for treatment services.
2. Specialist social security support is adequately funded. As stated in APO NT Submission on the Cashless Debit Card 2020 (Attachment B)

*'The Government must recognise the significant legal and social needs that impact on Aboriginal people, and disproportionately those in remote communities, especially those individuals that are currently on income management.'*

### Alternatives to income management:

3. Further Aboriginal-led research and consultation must be undertaken to generate accurate data on people on income support and those that are completely disengaged from the social security system, including young people who are not studying, training or employed. Anecdotal evidence indicates that the system is so difficult to navigate and disciplinary in nature, that it is not worth pursuing.
4. Any income support program includes high quality case management as outlined in APO NT's comprehensive policy framework, [Fair Work and Stronger Communities](#). High quality case management means more direct interactions and work with families, not just individuals; fair and realistic obligations for people receiving income support; and options to obtain appropriate income support options for those unable to work.
5. Support alternatives to the Community Development Program (CDP) such as APO NT's proposal for a Remote Development and Employment scheme: [Fair Work and Stronger Communities](#).

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<sup>3</sup> APO NT (2019) APONT Submission - Cashless Debit Card Bill - October 2019; pp. 8

<sup>4</sup> Altman, Jon. "Income management and the Rights of Indigenous Australians to Equity." (2018); Marston, G., Mendes, P., Bielefeld, S., Peterie, M., Staines, Z., & Roche, S. (2020). Hidden costs: An independent study into income management in Australia.

## Employment:

6. The Commonwealth Government deliver on its commitment to “scrap CDP and replace it with a new program with real jobs, proper wages and decent conditions – developed in partnership with First Nations People.”<sup>5</sup>
7. The Australian Government create more jobs in remote communities. We highlight from our submission on the *Social Services Legislation Amendment (Strengthening Income Support) Bill 2021*:

*The single most critical driver of unemployment in communities is lack of available jobs. Other issues include discrimination, health conditions and poor housing.*

8. Governments must create more remote jobs, and these jobs must be determined by local communities. Real jobs with proper wages and employment entitlements, including leave and superannuation, with a focus on youth pathways.
9. The Commonwealth Government must establish a Remote Jobs Fund of a sufficient scale to make a substantial difference to closing the remote employment gap. This is also outlined in *Fair Work and Stronger Communities* which calls for 30% of the CDP caseload.

APO NT thanks the committee for receiving our submission into the *Social Security (Administration) Amendment (Repeal of Cashless Debit Card and Other Measures) Bill 2022* and notes Minister Rishworth stated in the second reading of the bill,

*This bill delivers on the Albanese government's election commitment to abolish the cashless debit card and is the first product of ongoing and sincere consultation with many communities around the country.*<sup>6</sup>

This is a welcome first step and APO NT looks forward to making further contributions on this significant issue for APO NT members, and for Aboriginal people of the NT.

If you have any queries, please contact APO NT's manager Seranie Gamble [manager@apont.org.au](mailto:manager@apont.org.au)

Yours sincerely,

On behalf of the APO NT Governing Group

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<sup>5</sup> The Australian Labor Party (2022) Policies: First Nations, accessed website 9/08/22 (<https://www.alp.org.au/policies/first-nations>)

<sup>6</sup> Commonwealth of Australia (2022) records Second Reading of the Social Security (Administration) Amendment (Repeal of Cashless Debit Card and Other Measures) Bill 2022, pp. 29