



Cape York Welfare Reform

Kurunna Mwarre “Make My Spirit Inside Me Good”

Setting the Scene

I visited Cape York in January for a week and a person from the Family Responsibility Commission organised a program which included visiting the Cape York Institute and the Family Responsibility Commission and two trial communities of the four communities participating in the Cape York Welfare reform-Hopevale and Mossman Gorge over five days. I met Aboriginal Commissioners from these two communities and service providers. All the people I met were empowered with the vision of reform for their community and with the changes the CYWR and the FRC had made for their children and their communities in terms of law and order and norms and safety, schooling, well-being, economic engagement and community sharing and solidarity. They were very open about their problems, their struggles and their achievements. They were humble but proud. I also saw a new banana farm at Hopevale and the Gateway Centre at Mossman to be owned by the people in 18 years staffed by proud Aboriginal people who were also running tours. The Commissioners are happy to share their knowledge and experiences with Aboriginal leaders.

On the plane I read *Up From The Mission* by Noel Pearson, the Aboriginal leader who designed the welfare reform and have been very influenced by his thinking. So I have summarised the findings of my trip and my reading. For me it has been radical in its impact, restorative and hopeful.

Cape York Welfare Reform (CYWR)

CYWR is implementing a range of policy, program and service delivery reforms and practical-on the ground-initiatives to reduce welfare dependency and social dysfunction and pathways into the real economy:

Objectives

- Restore social norms by attracting reciprocity and communal obligation to welfare payments
- Redesigning welfare delivery mechanisms to ensure there are appropriate incentives to work
- Supporting engagement in the broader economy
- Moving from govt sponsored housing to private home ownership
- Strong emphasis on partnership, capacity building, respect and use of local authority
- Improved services to promote child, individual and family well-being
- Interventions to target employment assistance

- Increased investment in community capacity building thru social and physical infrastructure including “village hubs” that support community activities
- Income management to assist people manage finances

In December 2007 the Queensland Government agreed to contribute 40 million and the Australian Government 44 million to finance the CYWR over 4 years.

Local coordinators have been appointed to each CYWR trial community.

The Cape York Institute

The Cape York Institute (CYI) is an Aboriginal public organisation of public policy development for indigenous people. It focuses on **rebuilding leadership capabilities and economic engagement**.

1. Lays foundation for social change-SHARED VISION
2. Restores Aboriginal leadership
3. Protects and promotes rights and wellbeing of children
4. Promotes rights and responsibilities of families and communities
5. Creates safe communities
6. Aboriginal community leadership and builds leadership and decision-making
7. Rebuilds social norms and order
8. Promotes and defines a community shared vision
9. Promotes responsibilities of parenting
10. Provides leadership that cuts across clan and family
11. Has authority external to the community-is statutory body
12. Clearly articulates what is not acceptable
13. Aboriginal leadership can implement boundaries and have authority to take action if boundaries breached
14. Promotes learning and economic engagement and pride of place versus passive welfare
15. Promotes negotiation and mediation and connection
16. Promotes Aboriginal leadership re service providers
17. Closes the gap

Family Responsibility Commission (FRC)

The purpose of the FRC is to support the restoration of socially responsible standards of behaviour and to assist community members to resume and maintain primary responsibility for the wellbeing of their community and the individuals and families within their communities.

There are **16 Aboriginal Commissioners** across **four trial communities**; Aurukun (784); Coen (193); Mossman Gorge (104); and Hopevale (588) with a total of 1669 people. There is a non-Aboriginal Chief Commissioner who has mentored the Aboriginal Commissioners.

The FRC has been built on the model of the **Community Justice Groups (CJG)** established in 1994 in Queensland and supported by Council By-Laws which vested CJG and **Community Police** with authority to show leadership and use peer pressure to promote school attendance, child protection etc.

Establishment

A series of **Community Engagement Forums** were established with each community to discuss:

- The problems in the communities
- The shared vision to understand the problems and work toward well being

FRC referrals

Triggers to receiving a notice to attend the FRC:

1. **Failure to not to send child to school for 3 cumulative days without good reason/evidence**
2. **Coming to the attention of Child Protection-abuse or neglect or at risk**
3. **Receiving a sentence before the magistrates court for violence**
4. **Breaching state housing agreements-i.e. rent-damage to property etc**

FRC powers and process:

1. **Issue a warning**
2. **Direct people to attend services**-e.g. alcohol or violence treatment (ending family violence) or parenting programs. The service providers are required to submit progress reports
3. **Implement conditional income management (up to three months)**
4. **Redirect part or full payments to another carer.** People receive a notice to attend the FRC. The Aboriginal commissioners talk in language and attempt to work through and understand the problem. They attempt to support and negotiate the problem and promote learning and achieve empowerment.

Implementation

In the four years about 33 per cent of population has been income managed and currently there is 12 per cent subject to conditional income management. It is important to note that the commissioners were elected by the community.

Evaluation:

Last year a survey was conducted in Arakun about the FRC. The findings showed 80 per cent said it was a good organisation and wished all would comply and work with the FRC. Three of the commissioners who stood got elected to the shire council out of 8 indigenous people who stood.

2011-12 FRC Annual Report

Mossman Gorge Local Commissioners Report (brief excerpts)

*In Mossman Gorge there are two trees we call the 6 O'clock trees. Nobody remembers planting them. They arrived quietly from a bird. At first they were unremarkable, growing slowly. One winter to our surprise, the most unusual looking tree blossomed. It is beautiful and unique. We see this tree as similar to our role as Commissioners. At first there was confusion around the purpose of the commission and whether it would be a real authority amongst our community. **With hard work both within the conference and outside we are now much more than just a Commission; we are leaders and supporters of our community. ...Like the 6 o'clock tree, we Local commissioners are here to heal our community, sometimes with tough love, but mostly with guidance and support to make wise decisions and to support the vulnerable...***

*We have seen continuous positive changes since the Commission began in 2008 and we look forward to being involved in and creating more positive changes in the future. **We remind ourselves we are here to promote and influence a change of norms which will lead to a better way of life. We know that it is our people who hold the solution in their hands. Only they can shape the future for themselves and their families...***

We stand strong and united.

Aurukun Local Commissioners Report (brief excerpts)

..the outcomes we seek are not always to be able to be measured by statistical outcomes. ..We look around our community and see how far we have come in the last four years with hard work and hard love with the people of Aurukun...

We are determined to improve parental responsibility, discourage welfare dependence and ensure family payments are spent in the best interests of children....

From our perspective we believe the high juvenile crime rate in our community is caused mainly by teenage youth, who have not had a good education due to truancy, seeking to draw attention to themselves in the community..

Residents of Aurukun are aware that there are certain times of the year where there are flare-ups in the community due in part to the hot weather, influx of sly grog or shortage of money, and it has become apparent that during these times the community members are now using resources available to help them avoid being drawn into negative and self-destructive behaviours...

From our experience as Local Commissioners, we see the WellBeing staff, whose prime role is to see the clients we refer to them are not doing what is required. ..

*We are very proud of our achievements as what we have learnt during our time as local commissioners. Commissioner Glasgow gave us the reins and let us move forward at our own pace. We started at a walk, just by sitting and listening and speaking when we were spoken to. We then flicked the reins and commenced at a fast walk by engaging more when we needed to interpret and help our clients understand. We then gave the reins another flick and we started to trot, by reading out the reason for the client being brought before the conference. Next we took a solid hold of the reins and started to canter, fully engaging in the conference process and explaining to the clients the referrals and expectations. It was about this time that clients began to understand that we were there to help them in any way we could and they were not there to be punished. **We reached a gallop about midway through 2011 when we began conferencing by ourselves without Commissioner Glasgow.** He worked hard to have the Act changed so we could sit without him. **It was then we became actually aware that we could ride this horse by ourselves and this is called empowerment...***

Coen local Commissioner's Report (brief excerpts)

In July 2011, Mick Gooda, took time to speak with us. Commissioner Gooda spoke of lateral violence and the destruction it can cause our communities, families and our way of life. As local Commissioners of the FRC we know what lateral violence is. We see it every day in our community, clans and families. We look it in the eye, we address it, we tackle it one person, one family and one clan at a time.

This year as a group, we have consolidated the 4 years of hard work we have done in Coen. There were some hard times in the beginning. Many people in Coen did not understand our role and there was fear around attending conference. Now we are pulled up in the street or shop by concerned community members

Asking if we can do something to help a concerned community member who is going through a tough time. We have community members turning up asking to become clients so they can access our assistance.

Coen like most small country towns enjoys close relationships. Being a small town..draws attention to those misbehaving or not fitting in with the community. We have learnt as local Commissioners that not everyone is meant to fit into one shape. Some people have greater challenges, barriers, internal strengths than others. We work with these clients to find the right pieces to build the tower of strength they need. No longer do we just provide case plans and advice on what to do, we now provide answers to questions, options to consider and suggestions to a better future. We also follow up and monitor the client's progress because it is our job to help them succeed. ...

We apply our culture in our decision-making. We hear the voices of our Elders guiding us and when we mix it with Commissioner Glasgow's leadership, we are strong, united and compassionate.

Hopevale Local Commissioner's Report (brief excerpts)

*Over the past 12 months we have moved with strength. We have grown in strength as a team, as individuals and as a commission. Since 2008, we have been growing sometimes rapidly, sometimes slowly and every now and again we seem at a standstill, but this year we are all strong...**we know our strength is being passed on because we can see changes in our people and our community.***

The community has a greater understanding of the Commission now. They know we are here for help and assistance; that sometimes we growl, but we are only interested in finding the best outcome for everyone. We see our community as respecting now the rights of children to go to school and have a future..there are many community members coming to conference to talk about issues, ask questions and seek direction on how to solve problems. ..we are working with community members to make a better life through tools such as Income Management and referrals but also through guidance, support and encouragement. ...

Our children, the future of our communities, are growing every day. Not just in height but also in learning and valuing school.

Notifications and Conferences

- 2011-12
- 1086 Magistrate notices
- 1776 school attendance notices
- 161 child safety and welfare notices
- 32 Housing tenancy notices.
- 1587 conferences were held.

FRC referral options

1. Conditional income management
Case management to:
 - Ending Family Violence Programs
 - Parenting Program
 - Mpower
 - Well being centres
 - Student case management

Active Family Pathways Framework

Three levels of case management assistance:

1. Intensive case management
2. Voluntary agreement and establishment one or two goals
3. Assist client achieve an immediate goal and that meets a pressing need

My interviews with Commissioners (excerpts)

I felt nervous at the beginning-uneasy-I knew it was going to be a mysterious challenge. FRC has more power than usual stakeholders. We have a power. How are we to use it? It is a privilege. Two laws come together- white law and Bama law and we are using Aboriginal leadership in the community. At the beginning we were up against the community and had to fight fire with fire.

The community had been raging 7 days and 7 nights. This was the norm. We became immune to it. I seen parties every day and every night. Loud music. People shouting.

Noel approached us. We said we were interested. We had to speak to 150 people. We got the green light. People kept saying-we don't want you telling us what to do. But we don't.

None gave me a hard time. The formalities happen inside this room. Outside I am aunty again. In here is business. This is a business place.

Bama law is higher. If there are family issues then grandmother and grandfather have their laws and let it settle first before bringing to FRC.

Seven day parties no longer happening.

Fighting still happens but decreased.

Some people not change.

The majority are convinced of the reform.

The kids are going to school.

Norms have changed in the community in a short space of time.

It was hard at the beginning. Now we are more confident. At first we used to growl and I wouldn't speak. Now I have solid ground to stand on. I am always thinking-who am I to judge? Am I a good role model? I'm looking and learning on how to give advice

Our leaders have always been there but smothered and covered long time by white law. We now have a complimentary relationship and partnership of knowledge and expertise and two laws.

There is a marriage of two laws. We mix it together and get solutions.

They ask: Are you controlling us? Are you going to take our money?

NO it is how you control the money not US but YOU!

We ask them what they can do to convince the commissioners.

They all expressed concern that if the FRC was to go that the problems might return in same way.

Very challenging at the start

When you see your people at the table more private.

There were threats from people at the beginning sitting at the table but Commissioner Glasgow handled it.

We came on the board determined to see change even though we copped some flack. We kept strong in the need to change. We didn't soften our approach. We know what is right for our people. Sometimes it is very invasive about private stuff but better with our own people than others.

*We know our people-our own culture-our own linkages and families so we share responsibilities'
The parents were lawless.
The income management is a big stick-a tool.
The work we do is for the love of our own people.
Personally it has been a huge challenge for us that we have welcomed though and we want to see change in our people and in our community and that doesn't come easy. We have seen lots of change and earned the respect of community members and taken a stand and we have made it look easier than it really is. As Commissioners we read a lot of things about our people and to read it and digest it is hard, very hard and so we need time alone and we have to live with these things about people we have known all our life and we have to accept. Sometimes we need to debrief. There is a pressure to bear witness to a lot of things.
FRC has lightened the load...we all pull together now for that one vision. The FRC is the one with the stick-they negotiate and talk-we want the norms to change.
Change can only happen if people want change. Like medicine we spit it out but it'. There used to be no kids on the bus. Now the bus is half-to nearly full. The parents hold the golden key- good for you.*

Up From The Mission by Noel Pearson

(A brief review)

P.2 To **turn the agenda into reality. This is the true measure of leadership**; not just the assumption of power but the use of it.

P.3. I believe the **highest ideals on Earth are realised when leaders strive to secure them through close attention to reality.**

Great leadership emerges when **leaders of sufficient calibre contend with conflicts between opposing interests in the complexity of the real world.**

P.4. **No govt will develop salvation for us**

P.6...the **bread and butter issues of family functioning: income, health, education and housing.**

P.6. Our welfare reforms in Cape York are a **pioneering attempt** to show how govt and society can support individuals and families by providing them with **opportunity** rather than **delivering passive welfare.**

We-in Cape York-are different to other indigenous regions- **we have precipitated state and commonwealth legislation that otherwise would not exist.** We have not just been commentators; we have **not just been reacting to govt policy. We have driven reform arguments and sought to change legislation.**

The reform agenda in Cape York could not have occurred without and intense engagement with Aust and Queensland leadership. The thing about Cape York that alienates many indigenous leaders is **our determination to engage at the highest level of political responsibility.** As Keating said in 1993 when his negotiations had broken down with Indigenous leaders..He pointed stab at the heart of our weakness:

I am not sure whether Indigenous leaders can ever psychologically make the change to decide to come into a process, be part of it and take the burden of responsibility that goes with it. That is, whether they can ever summon the authority of their own community to negotiate on their behalf.

Trauma: personal and inherited

P.162 Trauma is an especially difficult issue to come to terms with because its personal manifestations can be incapacitating. The many Aboriginal people with personal traumas caused by separation of family members and by abuse and violence are often truly incapacitated...it is true however, that economic recovery will contribute to recovery from trauma. Conversely, being immersed in passive welfare dependency will not alleviate trauma; indeed this situation surely exacerbates and perpetuates problems.

Personal trauma needs to be recognised and attended to. Inherited trauma needs to be recognised, but it is also imperative that we recognise that economic and social empowerment is ultimately the best-and arguably only- the cure. It is by re-establishing our families and our communities in hate wake of social disaster and social dislocation that we put trauma behind us..The danger with ideological fixation on inherited trauma is that we promote a culture of victimhood, rather than a determination to get back on our feet as a people.

P.163 *Understanding our current social problems*

It is a **misconception** that the social problems suffered by our people in Cape York peninsula today have been with us since our traditional society was ruptured by European colonisation....the abuse of children, the numbers of people in prison and juvenile systems etc are much greater.

P.164 Alcohol abuse became the huge problem- petrol sniffing etc..

Our social problems are of recent origin; to ignore this is hugely problematic:

1. It obscures that fact that our **society was once functional**—three decades ago. We have ourselves internalised this official forgetfulness and we therefore lose hope.
2. The assumption of the service deliverers is that our social problems *are endemic to Aboriginal society*. They proceed with their programs as if we are subhuman.
3. Ignoring the historical development of our social problems reinforces further misconceptions about their source., **namely the erroneous assumption that our social problems are the legitimacy of racism, dispossession and trauma and that our chronic welfare dependency is ultimately caused by racism, dispossession and trauma.** But this generally accepted causal chain-racism, dispossession and trauma create social problems, which create passive welfare dependency- **is wrong.**

P.165 Of course, dispossession and trauma are the **ultimate explanations** for our precarious situation as a people. But the point is: **they do not explain our recent, rapid and almost total social breakdown almost total social breakdown. ..**

We have allowed Aboriginal policy to forget that our parents, grandparents and great grandparents struggled mightily to preserve our families and communities-our society, our laws and values-against great and sustained attack, and we survived.

To whom should we be accountable?

169- We need to promote the importance of accountability throughout our community. It is not just our community organisations and its leaders who must take responsibility; individuals who receive resources must also understand accountability to themselves and to their families and communities...the fact is these resources must be used to alleviate suffering and to build a future.

P.174 Substance abuse got a foothold in our communities because many people were bruised by history and likely to break social norms..the addiction is in itself a stronger force than any other variation.

The Quest for a Radical Centre

P.248 The radical centre may be defined as the *intense resolution* of tensions between opposing principles (e.g. freedom and social order) a resolution that produces a ***synthesis***. The radical centre is not to be found by splitting the difference between the stark and the weak but rather where they are most intense synthesise and bring them together. E.g. Tensions: Freedom and order; individual and community; rights and responsibilities

Only through synthesis can societies transcend conflicting tensions and take an historic leap forward.

The Cape York Agenda

P.274 The end goal of the Cape York agenda is to **ensure that the people have the capabilities to choose a life they have reason to value.**

What needs to be done? **As a fundamental precondition, we must restore social order, attack passive welfare and substance abuse. But we must build a range of capabilities to enable real engagement.**

Think of a staircase to climb out of the current deprivation. We need three things-

- 1. A strong foundation of social values and norms**
- 2. A generous investment in building peoples capabilities**
- 3. A generous investment in building peoples capabilities**

A strong foundation of social values and norms

Public order and safety in the bringing up of children

A generous investment in building peoples capabilities- not just income but education and employment opportunities to exercise meaningful choices

A generous investment in building peoples capabilities i.e. so a 16 year old doesn't think it is better to be on the dole than finish school

We need a new Deal- CYWR

- 1. A trial and only for those communities that opt in**
- 2. Communities develop new criteria for receipt of welfare payments**
- 3. Monies paid to families must go toward the wellbeing of the family**
- 4. Look at prerequisites for economic development-land tenure-infrastructure etc**
- 5. Consider legislative change to allow for increased responsibility and decision-making**

The Intervention

P.308 Treasury Secretary Ken Henry states it is your responsibility to actively engage yourselves in the development of policy; to come up with policy ideas and articulate them in such a way that the case is absolutely compelling, so that every politician feels under pressure to implement your idea. And if you don't, you should not be at all surprised to see governments coming up with their own ideas where they perceive a crisis situation to have emerged.

Queensland intervention-

2003-alcohol management plans for communities

2005-child safety officers

2007-Increased policing

2008- CYWR

Excerpts from Noel Pearson speech to his community at Hopevale five years ago after he had written about it and likened it to a ghetto..

P.316 I am in the controversy business...If I were here to say that Aboriginal people should have their land..should recover wages stolen from the by govt...that Aboriginal peoples rights should be respected etc there would be no controversy. I'd be a hero.

But my hard message is one that angers, that distresses, that annoys, that upsets. But I can't apologise for it. ..I'm proud of this place and I love this place and I love the people....the people of my hometown. ...There are some things we have to challenge each other about. And I don't retreat while kids are suffering. And I'm not going to let the carpet be swept over kids not getting the right treatment from their parents....

You have within your reach here in this community the potential to be great again, the potential to live up to the potential of your grandfathers. Because at the moment we are an embarrassment to their heritage. We are a pale moral shadow of their original achievement. They didn't have two cents to their name but they never neglected their children. They never had ten cents to rub together and they bought up their children and sent them to school...

Everybody knows the seething undercurrent. Why do you think the govt is taking 80 children per month to the child safety dept from across Cape York Peninsula...And you think I am going to sit back?..There's got to be some leadership. There's got to be community leadership.

There have got to be new rules. No more handouts for nothing.....got to be handup.

There are issues we all agree can't be swept under the carpet. I'm here to tackle grog, to tackle drugs, to tackle gambling, to tackle the neglect of children. That's my policy.

P. 391 Cultural loss is unavoidable. Cultural loss is not absolutely the right thing to lament. The reason to cry is when there is no new version of the culture that retains a memory of.

This resource and further information about Creating A Safe Supportive Environment is available to download at www.casse.org.au/resources.

CASSE Australia Inc
PO Box 156
Kew VIC 3101
T 0450 540 366
www.casse.org.au