



**CHANGE  
THE RECORD**

Smarter Justice. Safer Communities.

# CHANGE THE RECORD

## ELECTION PLATFORM

# Change the Record Coalition

Change the Record is Australia's only national Aboriginal led justice coalition of legal, health and family violence prevention experts. Our mission is to end the incarceration of, and family violence against, Aboriginal and Torres Strait Islander people.

## Election Platform

Covid has exposed the inequality in our community. Not enough housing, punitive and inadequate Centrelink and family violence and social services starved of funding, means people - particularly Aboriginal and Torres Strait Islander peoples - are being driven into poverty, and into the criminal legal system.

When the Covid crisis hit in 2020, the Government stepped in and raised JobSeeker above the poverty line for the first time in decades - only to cut it again, less than a year later. Governments introduced temporary bans on evicting people into homelessness, and they promised to do more to tackle family violence. We saw that our governments have the resources to reduce poverty, homelessness and inequality - if they want to.

This is a political choice. We are calling on the incoming Government to choose to end the inequality that is driving mob into prisons, and instead fund affordable housing, social security and services for everyone.



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# Our calls for change

Government policy is driving inequality in our communities, and Aboriginal and Torres Strait Islander peoples bear the brunt of these harmful and often discriminatory policies. We are calling on the incoming government to choose to end the inequality that is driving mob into prisons, and instead fund affordable housing, social security and services for everyone.

## Housing

- Commit to systemic reform to ensure everyone has somewhere safe and comfortable to call home
- Invest in Aboriginal and community-controlled housing
- End homelessness once and for all

## Family violence

- Adequately fund family violence prevention and legal services to meet community need
- Restore funding to the national peak the Family Violence Prevention and Legal Services Forum
- Establish a self-determined, dedicated National Safety Plan for and by Aboriginal and Torres Strait Islander women

## Social security

- Raise the rate of Centrelink so no one is forced to live in poverty
- Abolish racist compulsory income management
- Abolish punitive mutual obligations

## Justice

- Establish a National Justice Reinvestment Body
- End Black deaths in custody and fully implement police and prison oversight
- Raise the Age to at least 14 years old

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1. Australian Bureau of Statistics, Prisoner numbers and prisoner rates by Indigenous Status and sex, States and territories, 2006-2021 (Data Table 40), 9 December 2021.

2. Australian Institute of Health and Welfare, Youth detention population in Australia 2020, 6 February 2021.

3. National Family Violence Prevention Legal Services Forum, Submission to Department of Social Services (Cth), Developing the next National Plan to reduce Violence against Women and their Children (July 2021), p4.

4. It is the position of the CTR Coalition that wherever possible services should be delivered by Aboriginal and Torres Strait Islander community-controlled organisations. Where this is not possible, organisations working with Aboriginal and Torres Strait Islander communities should be guided by the 'Principles for a Partnership-centred approach for NGOs working with Aboriginal and Torres Strait Islander Organisations and Communities'. These are accessible online at: [www.acoss.org.au/principles-for-a-partnership-centred-approach](http://www.acoss.org.au/principles-for-a-partnership-centred-approach).



# Ending family violence against Aboriginal and Torres Strait Islander women

Everyone has the right to live free of violence, to be safe and secure in our families and communities.

For 233 years, Aboriginal and Torres Strait Islander women have endured and resisted colonisation, dispossession, exploitation and systemic cultural, spiritual, physical, sexual and emotional violence. Successive governments' failures to address and redress these injustices sees us experience violence at starkly disproportionate rates.

Nationally, Aboriginal and Torres Strait Islander women are 32 times more likely to be hospitalised due to family violence than non-First Nations women, 10 times more likely to die due to assault, and 45 times more likely to experience violence. We face enormous barriers to escaping and reporting violence, including fear of child removal, the risk of being misidentified as perpetrators and criminalised ourselves, a lack of appropriate support services, and financial and housing precarity.

Government-led, paternalistic, mainstream responses to violence in our communities have not reduced violence against us - they've made things worse for us, our children, families and communities.

This national crisis demands a self-determined, community-led response by and for Aboriginal and Torres Strait Islander women and genuine commitment from government to invest in our services and communities on our terms. Aboriginal and Torres Strait Islander women know the causes of and solutions to the challenges we face.

We're calling on all candidates and parties to commit to following the lead of First Nations women and communities and ensuring we have the resources, control and support we need to make sure First Nations families, children and communities are strong in our culture and Country, safe and thriving.

## 1. Fully fund FVPLS to meet need

Family Violence Prevention and Legal Services (FVPLS) are expert Aboriginal Community-Controlled Organisations that provide holistic, culturally safe specialist frontline legal assistance services, early intervention/prevention and community legal education to Aboriginal and Torres Strait Islander victim-survivors of family violence. Support is trauma-informed, place-based and designed to address the complex socio-economic issues underlying clients' legal issues and experiences of family violence. FVPLSs have been working with Aboriginal and Torres Strait Islander victim-survivors of family violence across the continent for over 20 years, and enjoy high levels of community trust and legitimacy.

The federal government's own Closing the Gap Implementation Plan acknowledges the importance and expertise of FVPLSs and the vital role they play in supporting Aboriginal and Torres Strait Islander victim-survivors of violence, yet services are chronically underfunded and overstretched. This short-sighted under-resourcing is compounded by short-term funding commitments, making long-term service planning difficult and creating an environment where programs are at perpetual risk of defunding regardless of how well their success is demonstrated or recognised in communities.

In 2016 FVPLSs reported having to turn away between 30-40% of people presenting at services who needed help, and at the last federal budget services were only allocated a quarter of what they asked for.

To ensure First Nations women have access to these vital services wherever they need it, FVPLSs need an additional \$32 million annually to meet national demand. We are calling on all parties to commit to this necessary

funding, and to long-term investment into Family Violence Prevention and Legal Services to match demand and geographical spread.

## 2. Restore funding to the National FVPLS Forum

In May 2012, the FVPLSs came together to establish the National FVPLS Forum. The Forum works in collaboration across its member services to increase access to justice for Aboriginal and Torres Strait Islander people experiencing or at risk of family violence, especially women and children. It performs essential systemic advocacy and provides coordination and secretariat support to FVPLSs. The Forum acts as a unified voice for FVPLSs in policy, sector planning and law reform, and plays a vital role in ensuring the voices of Aboriginal and Torres Strait Islander victim-survivors of family violence are amplified and heard.

Despite the essential work the Forum does representing and advocating for First Nations women and services, in 2020 the federal government chose to cut funding to the Forum. We're calling on all parties to commit to direct recurrent government funding of \$1 million per annum to the Forum to meet its strategic purpose as a Peak Body.

## 3. Commit to a genuinely self-determined National Aboriginal and Torres Strait Islander Women's Safety Plan

Last year Change the Record released our Pathways to Safety report, calling on the federal government to commit to a genuinely self-determined National Aboriginal and Torres Strait Islander Women's Safety Plan in the wake of the failure of the last National Women's Safety Plan. We want our own dedicated plan to ensure we are not an afterthought in a mainstream plan, where we design a roadmap that works for us and our communities. This can't be achieved by government deciding who is at the table and what reforms they want to consider - we need to be in the driver's seat.

For a National Safety Plan to work for Aboriginal and Torres Strait Islander women, it must be First Nations-led and driven by on-the-ground lived experience. A National Safety Plan for First Nations women will prioritise the leadership, expertise and solutions of Aboriginal and Torres Strait Islander women and support self-determined solutions to violence and community-led strategies.

We're calling on all parties to commit to a National Gathering of Aboriginal and Torres Strait Islander Women and a genuinely self-determined plan that brings together Aboriginal and Torres Strait Islander women and First Nations frontline service providers to design our own strategies for our safety and the safety of our communities, and guarantees the resources and control we need to heal and keep safe and strong.



2. See the Commonwealth's Closing the Gap Implementation Plan (2021), <https://www.niaa.gov.au/sites/default/files/publications/commonwealth-implementation-plan-130821.pdf>, p49.

3. National Family Violence Prevention Legal Services Forum, Submission to Australian Human Rights Commission, Wiyi Yani U Thangani (Women's Voices) (6 December 2018), <[https://www.nationalfvpls.org/images/files/20181206\\_NFVPLS\\_Submission\\_to\\_Wiyi\\_Yani\\_U\\_Thangani\\_APPROVED.pdf](https://www.nationalfvpls.org/images/files/20181206_NFVPLS_Submission_to_Wiyi_Yani_U_Thangani_APPROVED.pdf)>, pg.

4. Braybrook, A, 'The time is now for a First Nations National Safety Plan', 13 October 2021, National Indigenous Times, <<https://nit.com.au/the-time-is-now-for-a-first-nations-national-safety-plan/>>





# A safe, secure home for everyone

Housing is a human right. No matter where you live, everyone should have a safe, secure and comfortable place to call home.

But the current housing system in Australia doesn't work for everyone, least of all Aboriginal and Torres Strait Islander peoples. First Nations peoples disproportionately experience homelessness and housing stress, and overcrowded housing, especially in the bush, leaves us more vulnerable to poor health outcomes and violence.

We are in a housing and homelessness crisis, created by government policies that leave most of us behind while investors and developers make big money. It doesn't have to be this way - the federal government could choose to reshape the way we do housing so the system works for everybody.

We're calling for investment in Aboriginal Community-Controlled housing to put communities in charge of meeting existing and projected housing need, and investment in Aboriginal community-controlled specialist homelessness services to make sure everyone has access to culturally safe and appropriate support. We call for a commitment from governments to take serious action on the housing crisis affecting First Nations people and the wider community by making market interventions that benefit tenants and people on low incomes, not just developers, investors and banks. Everyone can have a safe, secure, appropriate home, if the political will is there.

## **1. Invest in community-controlled Aboriginal Housing**

Despite acknowledgement of the chronic shortage of culturally appropriate housing for First Nations peoples by federal, state and territory governments and well-established understanding of its adverse consequences for health and social wellbeing, not enough is being done to ensure our people's human right to safe and secure housing. Alongside chronic underinvestment in new Aboriginal Community-Controlled housing over decades, the widespread government neglect of existing housing, mainstreaming of previously community-controlled housing and a lack of consultation with First Nations peoples about solutions to our housing needs have left communities frustrated and disempowered.

We call for reinvigoration of the community-controlled housing sector and investment in new culturally-appropriate housing and upgrades in existing stock to meet current and projected need as a matter of urgency. We are calling on government to make a substantial, sustained and urgent investment in Aboriginal Community Controlled housing to address the immediate needs of overcrowding and homelessness, and to substantially reduce overcrowding by 2031. We call for the establishment of a National Aboriginal Housing peak body and State and Territory peak bodies, and codesign of new builds with communities to ensure homes are designed to meet the needs of families. Communities must be empowered to drive decision-making on housing in the bush, regions and cities, and have access to and control over data and information needed to inform housing, planning and infrastructure policy development and implementation. Without community control of housing solutions, Aboriginal and Torres Strait Islander people, particularly in the bush, will continue to be disadvantaged by culturally inappropriate, one-size-fits-all housing policy that fails to account for kinship obligations and connection to Country.

## **2. Invest in Aboriginal Community-Controlled Specialist Homelessness Services**

Aboriginal and Torres Strait Islander peoples experience much higher rates of homelessness than non-First Nations people. The last census found that 1 in 28 Aboriginal and Torres Strait Islander peoples were experiencing

homelessness on Census night, representing 22% of all people experiencing homelessness in Australia. More than half of Aboriginal and Torres Strait Islander peoples experiencing homelessness lived in the bush.

Despite the hugely disproportionate rate of homelessness experienced by First Nations peoples, there isn't a corresponding supply of community-controlled specialist homelessness services for First Nations peoples. Homelessness in First Nations communities must be understood in the context of historic and ongoing colonisation, dislocation from and dispossession of Country, intergenerational trauma and disadvantage, and mass incarceration. In addition to the chronic inadequacy of support services overall, a lack of cultural competence and lived experience expertise in mainstream services greatly reduces the chances of Aboriginal and Torres Strait Islander people receiving the support needed to secure safe, stable and appropriate housing.

Funding for early intervention homelessness services and holistic wraparound services is essential in helping people experiencing or at risk of homelessness receive the support and stability needed to secure long-term appropriate housing. Where ACCOs don't currently exist, funding should be provided to bridge service gaps in consultation with communities and people accessing services and provide sector support to establish new community-controlled services.

We call on all parties to commit to immediately increasing funding and resources to Aboriginal community-controlled organisations to provide culturally-appropriate early intervention, crisis and transitional accommodation for Aboriginal and Torres Strait Islander peoples, particularly women and children experiencing family violence.

### **3. Implement system-wide housing reform**

In addition to ensuring First Nations peoples lead housing and homelessness responses for our community, we need systemic housing reform to end housing precarity, housing poverty and homelessness.

Aboriginal and Torres Strait Islander people are disproportionately renters, and experience significant discrimination in being able to secure tenancies. Australia's inadequate rental protections are among the worst in the OECD and leave tenants insecure and vulnerable. It's time for national renters rights standards that ensure security of tenure and affordability.

Hundreds of thousands of people are stuck on social housing waiting lists for years, with need only projected to grow. At the same time as we are facing a housing affordability crisis, the conditions for government borrowing for investment in critical infrastructure like public housing have never been more favourable. We need greater investment in public and community housing across the continent to make sure everyone has a home.

Policy levers for improving housing affordability and access are available to the federal government, but at the moment federal intervention in the housing system is limited to maintaining tax settings that encourage property speculation and enrich investors, and stimulus programs and payments that add more heat to the market. The federal government can do better. With tax reform, smarter use of public funds, investment in public housing, tenancy reform and a commitment to housing as a right not a commodity, we could make sure high quality, universally accessible, affordable, safe housing is available to everyone, wherever we need it.

5. See the Commonwealth's Closing the Gap Implementation Plan (2021), <https://www.niaa.gov.au/sites/default/files/publications/commonwealth-implementation-plan-130821.pdf>, p49.

6. Australian Institute of Health and Welfare, 'Aboriginal and Torres Strait Islander people: a focus report on housing and homelessness', op. cit.



# Liveable, unconditional social security

No one should live in poverty in a country as wealthy as Australia, yet the current social security system is driving our people into poverty and in the criminal legal system.

Colonisation of this continent brought with it the destruction of egalitarian and sustainable First Nations economies and theft of sovereign Aboriginal and Torres Strait Islander peoples' land, labour and money. Dispossession, expropriation, racism and displacement from Country sees us experience poverty, unemployment and economic inequality at vastly disproportionate rates.

Australia's social security system consists of highly conditional, means-tested payments hundreds of dollars a week below the poverty line. First Nations peoples are disproportionately represented among people forced to live on income support payments. Racist, discriminatory policies like ParentsNext and compulsory income management cause disproportionate harm to us and our communities and undermine our dignity and self-determination.

These are policy choices. In 2020 the government showed that we can have liveable social security, free of coercive and humiliating mutual obligations. We can and should have it again. We're calling on all parties to commit to implementing a social safety net that ensures no one lives in poverty, is supportive rather than punitive, values unpaid caring labour, and gives people the resources and support they need to live in dignity and thrive.

## **1. Raise working-age income support payments so no one is forced into poverty**

First Nations people are over-represented among those living in poverty on this continent, and among those relying on working-age income support payments to get by. Analysis of 2016 Census data found that 31% of Aboriginal and Torres Strait Islander people were living in poverty before housing costs. In contrast, the most recent ACOSS report into poverty in Australia found that across the whole population, the poverty rate after housing costs was 13.6%.

Australia's unemployment payment is currently the second-lowest in the OECD, and its mean inadequacy has been recognised for years by the community, civil society, and academia, and more recently by former political leaders, the Business Council and the Governor of the Reserve Bank.

Federal government policy ensures that at any given time a proportion of people will be unemployed, regardless of whether they want paid work or not. Poverty increases the likelihood that someone will die younger, get sick more often, miss out on educational and work opportunities, experience violence, be criminalised, and experience social exclusion. With 45% of working age First Nations people having to rely on poverty payments as their main source of income, the time has come for a raise.

We're calling on parties to commit to raising the rate of all income support payments to ensure no one is forced to live in poverty. The government proved it can be done in 2020. There is no excuse not to do it again permanently.

## **2. Abolish punitive mutual obligations, including ParentsNext**

Everyone should have access to a social security safety net when they are struggling to make ends meet. But in Australia, people are forced to jump through hoops to receive and maintain their payments, and have to participate in stressful, punitive and humiliating 'mutual obligations' under threat of losing their payments. Just as



First Nations peoples are over-represented among those on working age social security payments, we're also overrepresented among those forced to participate in mutual obligations.

The ParentsNext program in particular causes direct harm to First Nations women, retraumatising victim-survivors of family violence, creating financial stress and anxiety, devaluing their vital caring labour, damaging health and wellbeing, and perpetuating poverty rather than lifting families out of it.

During the first wave of Covid in 2020, the suspension of mutual obligations saw people on Centrelink payments experience greatly reduced stress and uncertainty about their payments, and had more time to engage in education and training, to look for and prepare for work, and to care for themselves and their loved ones.

We're calling on parties to commit to abolishing mutual obligations once and for all, including the ParentsNext program, and replacing all mutual obligations with voluntary, evidence-based programs that support people to achieve their educational and employment goals, value caring labour, and break down structural barriers Aboriginal and Torres Strait Islander parents face in the labour market.

### 3. Abolish racist compulsory income management

Compulsory income management is just the most recent iteration of Australian governments' practice of restricting Aboriginal and Torres Strait Islander peoples' access to our own money, and should be abolished.

Introduced as part of the disastrous Northern Territory Intervention and since expanded to more sites, research has found the vast majority of people on income management had no issue with alcohol, drugs or gambling before being put on cashless welfare, and 87% of respondents saw no benefits in compulsory income management. Compulsory income management does much more harm than good - it is disabling, causes stigma and shame, compounds the problems caused by Australia's low rate of income support payments, hinders people's management of their financial affairs, reduces autonomy and wellbeing, and reduces people's ability to find work.'

**It's way past time for this racist, coercive policy to be abolished.**



7. Commonwealth Department of Social Services, 'DSS Payment Demographic Data', June 2021, <<https://data.gov.au/dataset/ds-dga-cff2ae8a-55e4-47db-a66d-e177fe0ac6a0/details?q=>>>
8. AIHW rates of receipt of income support payments by Indigenous status <https://www.aihw.gov.au/reports/australias-welfare/indigenous-income-and-finance>
9. Markham, F. and Biddle, N., 'Income, Poverty and Inequality', Centre for Aboriginal Economic Policy Research, ANU College of Arts & Social Sciences (CAEPR 2016 Census Paper 2, January 2018), p16.
10. Davidson, P., Bradbury, B., and Wong, M., 'Poverty in Australia 2020: Part 2, Who is affected?', ACOSS/UNSW Poverty and Inequality Partnership Report No. 4 (2020), p23.
11. Arthur, D., 'The adequacy of jobseeker payments' in Parliamentary Library Briefing Book: Key issues for the 46th Parliament, Parliamentary Library (Cth) (July 2019).
12. Jericho, G., 'Philip Lowe is right. Raising jobseeker is not just about good economics, it's about fairness', The Guardian Australia (online at 7 February 2021).
13. NAIRU
14. Marston, G., Mendes, P., Bielefeld, S., Peterie, M., Staines, Z. and Roche, S., 'Hidden Costs: An Independent Study into Income Management in Australia', School of Social Science, The University of Queensland (February 2020), p 9.
15. *ibid.*, p12.



# Justice

More than 30 years after the Royal Commission into Aboriginal Deaths in Custody report was handed down, outcomes for Aboriginal and Torres Strait Islander peoples caught in the criminal legal system are getting worse. More of our people are being incarcerated, more than 500 First Nations people have died in custody, families continue to be torn apart by child removal, and punitive law and order responses are disproportionately applied to Aboriginal and Torres Strait Islander adults, young people and children.

The federal government needs to step up and support self-determined alternatives to carceral responses and redress the systemic wrongs that cause and perpetuate the mass incarceration of First Nations peoples. This election, all parties need to commit to supporting community-led early intervention, crisis and prevention services, health, counselling and healing programs, and the establishment of independent, First Nations-led bodies and strategies designed to address the underlying factors leading to incarceration and violence.

## **1. Establish a National First Nations-led Justice Reinvestment Body**

A high priority for Change the Record and our coalition partners is the establishment of a National Justice Reinvestment Body, a key recommendation of the Australian Law Reform Commission's landmark Pathways to Justice report. The establishment of a national Justice Reinvestment Body would make a major contribution to achieving states and territories' Closing the Gap justice targets and have a real impact on the lives of First Nations peoples and communities.

A national First Nations-led Justice Reinvestment Body that embodies Aboriginal leadership and expertise at all levels will support the work of states and territories in carrying out their own justice reinvestment initiatives to reduce the incarceration of First Nations peoples. The body would be responsible for coordinating information-sharing between community-led justice reinvestment initiatives across Australia and conduct research and data analysis of trial programs and provide accessible data for local justice reinvestment initiatives to utilise, and for evaluations to take place. It would be well-placed to provide technical expertise and best practice advice to justice reinvestment trial site programs and initiatives, and maintain databases of evidence-based justice reinvestment strategies.

## **2. End Black Deaths in Custody**

To End Black Deaths in Custody, governments need to commit to making sure incarcerated people are as safe as possible in carceral settings and that police and prisons are accountable for the treatment of people in their custody. The Commonwealth has a key role to play in ensuring Aboriginal and Torres Strait Islander peoples have access to expanded pathways for support and accountability that extend beyond police and criminal courts, and are community-owned and community-driven.

To keep people safe, all recommendations of the Royal Commission must be implemented as a matter of urgency. The federal government must commit to ensuring implementation of the United Nations Optional Protocol to the Convention against Torture is properly resourced across all jurisdictions through intergovernmental agreements. Investment in community-controlled early intervention and prevention services to reduce people's interaction with the criminal legal system is desperately needed. The Commonwealth has the power and agency to ensure funding and coordination of self-determined strategies to meet Closing the Gap justice targets are met and exceeded. It's just a matter of political will.

### 3. Raise the Age

Everyone knows that children and young people do best when they're with their families, friends and communities. But across Australia, children as young as 10 are being criminalised and locked up. The vast majority of the hundreds of kids imprisoned every year are First Nations.

We know that incarcerating children only leads to harm, to increased interaction with the criminal legal system and worse health, educational and social outcomes. All the medical evidence shows that children's brains are still developing, especially the parts that regulate judgement, decision-making and impulse control.

The Closing the Gap framework is clear that all jurisdictions, including the Commonwealth, have a clear role to play in reducing youth incarceration and keeping kids safe, healthy and protected in their Culture and communities. This includes having a responsibility to support the medical and community consensus that the age of criminal responsibility should be raised to at least 14 and funding supportive, culturally safe early intervention and prevention services in community and on Country. We need national leadership to assist states and territories to Raise the Age to at least 14 so our kids can stay safe and loved in their homes, schools and communities and supported to thrive, not locked up in prison.





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