



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



**HOUSE OF REPRESENTATIVES**  
**SOCIAL SECURITY AND VETERANS'**  
**ENTITLEMENTS LEGISLATION**  
**AMENDMENT (SCHOOLING**  
**REQUIREMENTS) BILL 2008**

**Second Reading**

**SPEECH**

**Wednesday, 27 August 2008**

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

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## SPEECH

**Date** Wednesday, 27 August 2008  
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**Questioner**  
**Speaker** Gillard, Julia, MP

**Source** House  
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**Responder**  
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**Ms GILLARD** (Lalor—Minister for Education, Minister for Employment and Workplace Relations and Minister for Social Inclusion) (9.04 am)—I move:

That this bill be now read a second time.

The Social Security and Veterans' Entitlements Legislation Amendment (Schooling Requirements) Bill 2008 amends the Social Security (Administration) Act 1999, the A New Tax System (Family Assistance) Act 1999, the Student Assistance Act 1973 and the Veterans' Entitlements Act 1986. The bill gives effect to measures announced in the 2008-09 budget under a package of welfare payment reform initiatives, with this bill enabling implementation of the improving school enrolment and attendance through welfare reform measure.

Disturbingly, it is estimated that up to 20,000 Australian children of compulsory school age may not be enrolled in school. Many more are not attending school regularly enough to meet any reasonable benchmark.

We cannot have an education revolution and give every Australian child a world-class education if they are not going to school.

We will not be able to improve literacy and numeracy or increase the year 12 retention rate if kids are not turning up for class.

We know that students who are regularly absent from school are those at greatest risk of dropping out early from school, becoming long-term unemployed, becoming dependent on welfare and, tragically, in some cases interacting with the criminal justice system.

The majority of parents do the right thing by enrolling their children in school and endeavouring to support their children's attendance at school. They do everything in their power to make sure their children are enrolled and regularly attending school. This legislation acknowledges the efforts of these parents by placing a minimal impost on them.

Parents with children of compulsory school age who are affected by the measure will need to provide Centrelink with details about their child's school enrolment.

Consistent with current responsibilities, state education authorities and non-government schools will be responsible for monitoring school attendance. In those cases where children have unsatisfactory school attendance and their parents do not take reasonable steps to work with the school to address the situation, the education authority or school can choose to notify Centrelink.

Centrelink will attempt to engage those parents who are in receipt of income support, alerting them to their responsibilities and offering assistance to help them overcome any barriers that may be impacting on their ability to satisfy the requirements of the school.

Centrelink will draw on the expertise of their social workers in dealing with parents who may be experiencing particular difficulties.

The bill acknowledges that some children, particularly young adults, do not have satisfactory school attendance despite concerted actions by parents to encourage regular school participation. Under the measure, parents who are taking reasonable steps to ensure their children attend school will be considered to be satisfying their requirements.

For those few parents who persistently refuse to enrol their children in school or support their children to attend school, the bill provides Centrelink with the ability to suspend income support payments until parents meet their requirements.

Suspension of payments would only be used as a last resort following repeated attempts to engage a parent over a considerable period of time and would only be applied in those cases where a parent has not provided a reasonable excuse or there are some other special circumstances accounting for their inability to comply.

Once a suspension period commences, parents will have at least a further 13 weeks to meet their requirements in relation to the schooling of their children. If they comply within this period, parents will have their payments restored with full back pay.

In certain circumstances, restoration and back pay of payments may also extend to suspension periods in excess of 13 weeks.

Only in the most extreme cases of parental noncooperation, where there is no evidence of a reasonable excuse or special circumstance, and only after a minimum of 13 weeks of suspended payments, it may be appropriate to cancel income support payments.

If any parents find themselves in this situation they will have the normal rights of appeal guaranteed by the social security law, and payment will continue pending the outcome of any appeal.

A decision to suspend a parent's income support will not be taken lightly. It will be a last resort where it can be shown that the parent has failed, despite help from the school and Centrelink, to exercise their basic responsibilities—their basic responsibilities to have their child enrolled and attending school.

It is anticipated that a very small number of parents will have their income support payments suspended and even less, if any, will have their payments cancelled. The bill has been carefully developed to ensure that mechanisms are available to minimise any adverse effects on parents and their families as an outcome of suspended income support payments.

For example, even though a parent may not have satisfied their requirements under the measure, the bill allows for the temporary lifting of a suspension as an inducement to encourage parental cooperation. Family tax benefit will not be affected by the measure and will continue to be payable, subject to normal eligibility.

The program will initially be trialled in eight sites affecting around 3,300 children from the beginning of 2009 and will be evaluated in 2010.

The Minister for Families, Housing, Community Services and Indigenous Affairs has already announced a number of sites where these measures will be trialled. These announcements were made on 20 June and 17 July.

Six of these sites will be in the Northern Territory, and there will be metropolitan sites including Cannington in Western Australia. One site is yet to be finalised.

If the trials are successful in getting kids to school and keeping them in the classroom, the legislation will allow for the national rollout of the policy.

We hope that we do not have to use this legislation. We hope that parents will do the right thing and make sure they are giving their children the best possible start in life, and the best possible start in life includes being enrolled and regularly attending school.

I have noted with interest the reaction of the opposition to this measure. The Leader of the Opposition and the member for Warringah seem to think that trying to ensure students are going to school is a 'stunt' or some kind of 'populist' policy dreamed up on the run.

Could I point out to the opposition—and I understand that they may be struggling at the moment—that if they kept up with normal parliamentary processes they would be aware that this measure was budgeted for in the May budget and they would be aware that the Minister for Families, Housing, Community Services and Indigenous Affairs made important public statements on the matter in late June and in mid-July.

I am confident that this measure will lead to greater focus on the need for all children to attend school regularly, and better collaboration between agencies and communities to ensure that they do. The government is committed to an education revolution. An education revolution must be an education revolution for every Australian child. For every Australian child to benefit, they must be enrolled and attending school. This is this bill's purpose: to ensure the very simple thing that children are enrolled and attending school.

I call on the opposition to support the government's efforts to ensure that every Australian child is given the opportunity to have a world-class education.

I commend the bill to the House.

Debate (on motion by **Mrs Bronwyn Bishop**) adjourned.