

PLACE-BASED INCOME MANAGEMENT LEGISLATION: IMPACTS ON FOOD SECURITY

LIESEL SPENCER[†]

I INTRODUCTION

This paper reports on the findings of empirical field research into the impact of ‘place-based income management’ (PBIM) legislation on food security for trial participants in the trial site of Bankstown, New South Wales. This research aims to address a gap in existing evaluative data on the effects of PBIM on the lives of trial participants, specifically in relation to one of the stated legislative purposes of PBIM: improving food security.

For most Australians in receipt of social security benefits, the mode of delivery of benefits is a cash transfer.¹ The adequacy (amount) of that cash transfer of social security benefits has a clear correlation with whether recipients live below the poverty line, and whether they are consequently at risk of food insecurity.² The mode of delivery of social security benefits, as an issue separate to the amount of benefits, may also impact upon the risk of food insecurity. The delivery of social security in a mode other than a cash transfer, via ‘income management’, has been expanding in Australia since being introduced by the Howard Coalition Government in 2007 as

[†] Senior Lecturer, School of Law, Western Sydney University.

¹ Luke Buckmaster, Carol Ey and Michael Klapdor, *Income Management – An Overview* (Parliamentary Library, Department of Parliamentary Services, 2012) 1.

² Councils of Social Service, ‘Payment Adequacy: A View from Those Relying on Social Security Payments’ (2015) <http://www.acoss.org.au/images/uploads/COSS_Network_Payment_Adequacy_Report.pdf>.

part of the ‘Northern Territory Intervention’.³ Various schemes of income management apply to groups of people who are either residing in a prescribed geographical area (eg the initial Northern Territory Intervention), or residing in a prescribed area in addition to either voluntarily or involuntarily being placed on a form of income management (eg PBIM). PBIM is amongst the further iterations of income management implemented across Australia subsequent to the Northern Territory Intervention. Under the PBIM scheme a proportion of a person’s welfare income of up to 70 per cent is quarantined onto an EFT ‘BasicsCard’ which can be used only at approved merchants and cannot be used to purchase alcohol, tobacco, pornography, gambling,⁴ home-brew kits,⁵ gift cards, or to obtain cash. PBIM was introduced from 1 July 2012 across five trial sites ‘as part of a package of place-based measures targeting very disadvantaged locations’.⁶ The only trial site for PBIM in New

³ Recently the Cashless Debit Card, another form of income management, which quarantines 80% of welfare income to a card that cannot be used to purchase alcohol or gambling products or to withdraw cash has been implemented in two trial sites, Kununurra in Western Australia and Ceduna in South Australia, predominantly Aboriginal communities: *Social Security (Administration) Act 1999* (Cth) Part 3D; two further trial sites, the Goldfields region in Western Australia and Wide Bay in Queensland, have been announced with start dates yet to be advised: Australian Government Department of Human Services, *Extension and Expansion of Cashless Debit Card – Budget 2017-18* (5 October 2017) <<https://www.humanservices.gov.au/organisations/about-us/budget/budget-2017-18/improving-services/extension-and-expansion-cashless-debit-card>>. See also the announcements in the Federal Budget 2017 of a new drug testing trial for ‘5,000 new welfare recipients ... JobSeeker recipients who test positive would be placed on the Cashless Debit Card for their welfare payments and be subjected to further tests and possible referral for treatment’: ‘Federal Budget 2017: Full Transcript of Treasurer Scott Morrison’s Speech’ *The Sydney Morning Herald* (online), 9 May 2017 <<http://www.smh.com.au/business/federal-budget/federal-budget-2017-full-transcript-of-treasurer-scott-morrison-s-speech-20170509-gw0zrq.html>>; Dan Conifer, *Cashless Welfare Expansion Being Considered Ahead of Federal Budget* (13 April 2017) ABC News <<http://www.abc.net.au/news/2017-04-13/centrelink-cashless-welfare-trial-may-be-expanded/8441418>>.

⁴ *Social Security Administration Act 1999* (Cth) s 123TI.

⁵ *Social Security (Administration) (Excluded Goods – section 123TI) Specification 2010*.

⁶ Commonwealth of Australia, *Stronger Futures in the Northern Territory Discussion Paper June 2011* (Australian Government, 2011) 7. The federal government claimed selection of these five trial sites was based on ‘a number of factors including unemployment levels, youth unemployment, skills gaps,

South Wales is the (former)⁷ local government area of Bankstown,⁸ an area of relatively high ethnic, religious and language diversity,⁹ and consequently also an area with a rich and diverse food landscape and culture.

In Australia, food insecurity is reported to affect between four per cent¹⁰ and 16 per cent¹¹ of the population. Food security is defined as ‘a situation that exists when all people, at all times, have physical, social and economic access to sufficient, safe and nutritious food that meets their dietary needs and food preferences for an active and healthy life’.¹² Food insecurity, conversely, exists ‘whenever the availability of nutritionally adequate and safe foods or the ability to acquire acceptable food in socially acceptable ways is limited or

the numbers of people receiving welfare payments, and the length of time people have been on income support payments’: Jenny Macklin, ‘Helping Vulnerable Families in Disadvantaged Communities across Australia: Media Release’ (1 July 2012) <<http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22media%2Fpressrel%2F1753819%22>>.

⁷ Bankstown local government area was amalgamated with Canterbury local government area after the introduction of the 2012 legislation, as part of a series of local council mergers across New South Wales. The area affected by the PBIM legislation remains the former Bankstown local government area.

⁸ The other four trial locations are Logan and Rockhampton (Queensland), Playford (South Australia) and Greater Shepparton (Victoria).

⁹ Australian Bureau of Statistics, ‘Bankstown LGA’ (2011-2016 Statistics) <http://stat.abs.gov.au/itt/r.jsp?RegionSummary®ion=10350&dataset=ABS_REGIONAL_LGA&geoconcept=REGION&maplayerid=LGA2014&measure=MEASURE&datasetASGS=ABS_REGIONAL_ASGS&datasetLGA=ABS_REGIONAL_LGA®ionLGA=REGION®ionASGS=REGION>; Australian Bureau of Statistics, *2011 Census QuickStats: Bankstown* <http://www.censusdata.abs.gov.au/census_services/getproduct/census/2011/quickstat/LGA10350?opendocument&navpos=220#employment>.

¹⁰ The Royal Australian College of General Practitioners, *RACGP - Food Insecurity in Australia: Implications for General Practitioners* <<http://www.racgp.org.au/afp/2015/november/food-insecurity-in-australia-implications-for-general-practitioners/#2>>.

¹¹ Foodbank Australia, ‘Foodbank Hunger Report 2016’ (2016) <<http://www.foodbank.org.au/wp-content/uploads/2016/05/Foodbank-Hunger-Report-2016.pdf>>.

¹² Food and Agriculture Organisation of the United Nations, International Fund for Agricultural Development and World Food Programme, ‘The State of Food Insecurity in the World 2015’ (2015) 58, 53 <<http://www.fao.org/3/a-i4646e.pdf>>.

uncertain'.¹³ It is clear from the international consensus definition of food security that it is more than just having enough to eat in terms of sufficient quantity — food security also encompasses consistent access to adequately nutritious food (quality), as well as food preferences including cultural preferences.¹⁴ 'Access' notably includes not just physical access to obtain food, but social and economic access as well. The empirical field research reported in this paper is informed by these three aspects of access to food and investigates the impact of PBIM on the price, availability and diversity of food accessible for trial participants, as well as the impact of PBIM on their access to social inclusion in Bankstown's distinctive and diverse local food culture.

Food insecurity increases the risk of adverse health outcomes, including both malnutrition and chronic disease.¹⁵ Health inequality is compounded by social exclusion as a flow-on effect of food insecurity.¹⁶ Food insecurity and the associated health and social burdens are prevalent in concentrated pockets of urban disadvantage,¹⁷ and also in disadvantaged remote and rural communities.¹⁸ The Australians who are most at risk of food

¹³ Sue Anderson (ed), 'Core Indicators of Nutritional State for Difficult-to-Sample Populations' (1990) 120 Suppl 11 *The Journal of Nutrition* 1559.

¹⁴ Danielle Gallegos, Pernilla Ellies and Janine Wright, 'Still There's No Food! Food Insecurity in a Refugee Population in Perth, Western Australia' (2008) 65(1) *Nutrition & Dietetics* 78.

¹⁵ Practitioners, above n 10; Cate Burns, 'A Review of the Literature Describing the Link between Poverty, Food Insecurity and Obesity with Specific Reference to Australia' <http://secondbite.org/sites/default/files/A_review_of_the_literature_describing_the_link_between_poverty_food_insecurity_and_obesity_w.pdf>.

¹⁶ Sue King, Alison Moffitt and Sally Carter 'When the Cupboard is Bare: Food, Poverty and Social Exclusion' in Anglicare Australia, 'When There's Not Enough to Eat: A National Study of Food Insecurity amongst Emergency Relief Clients' (Volume 1, October 2012) <https://www.anglicare.asn.au/docs/default-source/default-document-library/sotf12_vol1_web.pdf?sfvrsn=8>.

¹⁷ Rebecca Ramsey et al, 'Food Insecurity among Adults Residing in Disadvantaged Urban Areas: Potential Health and Dietary Consequences' (2012) 15(2) *Public Health Nutrition* 227.

¹⁸ National Rural Health Alliance, 'Food Security and Health in Rural and Remote Australia' (Australian Government Rural Industries Research and Development Corporation, October 2016) 9 <<http://apo.org.au/files/Resource/>

insecurity are those who are living in poverty, including those in receipt of government social security benefits.¹⁹ People who depend upon social security benefits are already at heightened risk of food insecurity and its associated adverse effects; it is therefore critical to evaluate the risk of exacerbated food insecurity in changes to the mode by which social security benefits are delivered to participants in the PBIM trial.

Part II of this article outlines the background to the introduction of the PBIM legislation across the five trial sites, placing the PBIM legislative framework in the context of the legislative scheme of income management in Australia, and existing critiques of the scheme. Part III discusses the findings of earlier evaluations of the relationship between income management legislation and food security. This discussion includes earlier evaluations of the impact on food security of income management other than PBIM, and also the findings of the Deloitte evaluation reports of the PBIM trial in relation to food security outcomes. Part IV sets out the methodology and results of empirical field research conducted in Bankstown CBD on the impacts of PBIM on the price, availability and diversity of food, as well as access to social inclusion in local food culture. Part V of the paper concludes with a discussion of whether PBIM is achieving its statutory purpose in relation to improving food security for trial participants in Bankstown.

rirde_foodsecurity_prj010146_fullreport.pdf>.

¹⁹ Burns, above n 15, 8; Christine Kettings, Andrew J Sinclair and Melanie Voevodin, 'A Healthy Diet Consistent with Australian Health Recommendations Is Too Expensive for Welfare-Dependant Families' (2009) 33(6) *Australian and New Zealand Journal of Public Health* 566.

II PBIM IN CONTEXT: BACKGROUND AND CRITIQUES OF INCOME MANAGEMENT LEGISLATION IN AUSTRALIA

A *Legislative History and Critiques of Income Management in Australia*

PBIM is part of a broader legislative program of income management in Australia. The principal Act governing social security payments, including income management, in Australia is the *Social Security (Administration) Act 1999* (Cth), amended in 2007 by three pieces of legislation²⁰ that formed the basis of the Howard Coalition Government's Northern Territory Emergency Response, referred to as the 'Northern Territory Intervention',²¹ or 'the Intervention';²² the legislation had bipartisan support.²³ The 2007 amendments were instigated by the federal government in reaction to the *Little Children are Sacred* report,²⁴ reporting high levels of violence and sexual abuse against women and children in Indigenous Australian communities. This violence was described as a 'national emergency' despite having been the subject of prior reportage to the federal government over the preceding decade,²⁵ and more broadly

²⁰ *Northern Territory National Emergency Response Act 2007* (Cth); *Families, Community Services and Indigenous Affairs and Other Legislation Amendment (Northern Territory National Emergency Response and Other Measures) Act 2007* (Cth); *Social Security and Other Legislation Amendment (Welfare Payment Reform) Act 2007* (Cth).

²¹ Ben Schokman and Alison Vivian, 'The Northern Territory Intervention and the Fabrication of "Special Measures"' (2009) 13(1) *Australian Indigenous Law Review* 78, 78.

²² Shelley Bielefeld, 'Compulsory Income Management and Indigenous Australians: Delivering Social Justice or Furthering Colonial Domination' (2012) 35 *University of New South Wales Law Journal* 522, 523.

²³ Larissa Behrendt, 'Underlying Legal Issues in the NT Intervention' (2007) Summer *NSW Bar Association News* 12, 12.

²⁴ Northern Territory Board of Inquiry Into the Protection of Aboriginal Children From Sexual Abuse, 'Ampe Akelyernemane Meke Mekarle "Little Children Are Sacred"' (30 April 2007) <http://www.inquiriesaact.gov.au/pdf/bipacsa_final_report.pdf>.

²⁵ For example reports from Indigenous leader Mick Dodson, the Memmott Report in 2001, and the Gordon Inquiry Report in 2002, cited in Raelene

over the preceding thirty years. The characterisation of the *Little Children are Sacred* report as a national emergency, justifying emergency measures including the suspension of the *Racial Discrimination Act 1975* (Cth),²⁶ is inconsistent with the lack of any similar declaration of national emergency in response to those prior reports of high levels of abuse and violence.

The majority of critical scholarship on income management in Australia focuses on its implementation in predominantly Indigenous Australian communities and the effects of implementation on the lives of people in those communities. This attention from researchers is appropriate considering that income management from its introduction and continuing to the present overwhelmingly affects Indigenous Australian people.²⁷ Critiques of income management are framed in doctrinal terms including as inconsistent with human rights law; and also in theoretical terms situating income management within ideologies of neoliberalism and new paternalism.²⁸ The field is relatively well covered in the above

Webb, 'A National Emergency? But It's All Been Said Before' (2007) 4 *Journal of the Northern Territory Law Society* 23.

²⁶ Schokman and Vivian, above n 21, 78.

²⁷ 81 per cent of the 25,033 Australians on some form of income management are Indigenous: Department of Social Services, 'Income Management and Cashless Debit Card Summary (30 December 2016)' <<https://data.gov.au/dataset/income-management-summary-data/resource/29be27b2-5256-4069-a79c-83df8dc98018>>.

²⁸ Elise Klein, 'Neoliberal Subjectivities and the Behavioural Focus on Income Management' (2016) 51(4) *Australian Journal of Social Issues* 503; Greg Marston, Sally Cowling and Shelley Bielefeld, 'Tensions and Contradictions in Australian Social Policy Reform: Compulsory Income Management and the National Disability Insurance Scheme' (2016) 51(4) *Australian Journal of Social Issues* 399; Chris Cunneen, Fiona Allison and Melanie Schwartz, 'Access to Justice for Aboriginal People in the Northern Territory' (2014) 49(2) *Australian Journal of Social Issues* 219; Aileen M Moreton-Robinson, 'Imagining the Good Indigenous Citizen: Race War and the Pathology of Patriarchal White Sovereignty' (2009) 15(2) *Cultural Studies Review* 61; Fiona Nicoll, 'Bad Habits: Discourses of Addiction and the Racial Politics of Intervention' (2012) 21(1) *Griffith Law Review* 164; Michele Harris (ed), *A Decision to Discriminate: Aboriginal Disempowerment in the Northern Territory* (Concerned Australians, 2012); Beth Goldblatt, 'Intersectionality in International Anti-Discrimination Law: Addressing Poverty in Its Complexity' (2015) 21(1) *Australian Journal of Human Rights* 47; Shelley Bielefeld,

respects, particularly in relation to income management in predominantly Indigenous Australian communities. A future direction of the research project reported in this paper will be to situate PBIM and its impacts on food security for trial participants within a human rights law framework. That is beyond the scope of this paper however, which offers a contribution in an area where there is a threefold gap in income management research: the effects of income management on the lives of those other than Indigenous people; the trial of income management in an urban New South Wales location in a predominantly non-Indigenous community with high ethnic, religious and language diversity; and empirical field research on the impact of PBIM on the food security of trial participants in the New South Wales trial site.

The human rights issue of racial discrimination is, as noted above, a primary critique of income management legislation. The suspension of the *Racial Discrimination Act* as part of the Northern Territory Intervention drew criticism as being a violation of international human rights obligations²⁹ to only enact such ‘special measures’ where these are ‘specifically targeted, narrowly focused and measurable initiatives that can be clearly justified by State

‘Income Management and Indigenous Women: A New Era of Patriarchal Colonial Governance?’ (2016) 39(2) *University of New South Wales Law Journal* 843; Philip Mendes, ‘Community as a “Spray-on Solution”: A Case Study of Community Engagement within the Income Management Programme in Australia’ [2017] *Community Development Journal* 1; J Rob Bray et al, ‘Evaluating New Income Management in the Northern Territory: Final Evaluation Report’ (Australian National University, September 2014) <http://caepr.anu.edu.au/sites/default/files/cck_misc_documents/2014/12/Evaluation%20of%20New%20Income%20Management%20in%20the%20Northern%20Territory_full%20report.pdf>; Shelley Bielefeld, ‘Neoliberalism and the Return of the Guardian State: Micromanaging Indigenous Peoples in a New Chapter of Colonial Governance’ in Will G Sanders (ed), *Engaging Indigenous Economy: Debating Diverse Approaches* (Australian National University Press, 2016) 155.

²⁹ James Anaya, ‘Observations on the Northern Territory Emergency Response in Australia’ (United Nations Special Rapporteur on the Situation of Human Rights and Fundamental Freedoms of Indigenous People, February 2010) <http://www.ncca.org.au/files/Natsiec/NTER_Observations_FINAL_by_SR_Anaya_.pdf>; Colleen Smyth, ‘Special Measures in Indigenous Welfare Reform: Examining the Cape York Trial’ (2011) 7(27) *Indigenous Law Bulletin* 12.

parties based on evidence of need, which is ascertained by reference to the group concerned, rather [than] by external policy makers purporting to act in the best interests of the target group'.³⁰ Cox and others point to the declaration of national emergency as cloaking a broader agenda to shift welfare law and policy from a right or entitlement to a means of control.³¹ The inconsistency between the recommendations of the *Little Children are Sacred* report and the legislative response,³² tends to support this conclusion. Other explanations for the legislation are that it was 'either opportunistic electioneering or a thinly veiled land grab aimed at further disenfranchising communities in crisis'.³³ Income management has therefore been a controversial development in Australian social security law and policy from its inception, with doubts raised about whether the purported aims of income management are concealing other aims, and doubts also raised about whether income management has met its purported aims (including improved food security) since 2007, or is likely to do so in future.

Following a change of government in 2007, the new Rudd Labor government in 2008 reviewed and then continued the Northern Territory Intervention,³⁴ through legislation passed in June 2010³⁵

³⁰ Alison Vivian, 'The NTER Redesign Consultation Process: Not Very Special' (2010) 14(1) *Australian Indigenous Law Review* 46, 50.

³¹ Eva Cox, 'Evidence-Free Policy Making? Part C: Expanding the Program' (2011) 12 *Journal of Indigenous Policy* 28; Shelley Bielefeld, 'Income Management and Indigenous Peoples: Nudged Into a Stronger Future?' (2014) 23(2) *Griffith Law Review* 285; Peter Billings, 'Still Paying the Price for Benign Intentions? Contextualising Contemporary Interventions in the Lives of Aboriginal People' (2009) 33(1) *Melbourne University Law Review* 1; Beth Goldblatt, *Developing the Right to Social Security from a Gender Perspective* (University of New South Wales, 2014) 177.

³² Eva Cox, 'Part A: A Brief Background to the Northern Territory Intervention' (2011) 12 *Journal of Indigenous Policy* 11, 11.

³³ Melanie Schwartz, 'Policing the Territory: A Comment on the Emergency Response to Little Children Are Sacred' (2007) 6(30) *Indigenous Law Bulletin* 9, 9. See also Jon Altman, 'Neo-Paternalism: Reflections on the Northern Territory Intervention' (2013) 14 *Journal of Indigenous Policy* 31, 31.

³⁴ Schokman and Vivian, above n 21, 81; Cox, 'Part A: A Brief Background to the Northern Territory Intervention', above n 32, 14.

³⁵ *Social Security and Other Legislation Amendment (Welfare Reform and Reinstatement of Racial Discrimination Act 2010* (Cth), *Families, Housing,*

that removed the provisions limiting the *Racial Discrimination Act*.³⁶ The Gillard Labor government in 2012 extended the Cape York welfare reform trial via the *Social Security And Other Legislation Amendment (Further 2012 Budget And Other Measures) Act 2012* (Cth).³⁷ The initial Northern Territory (and later Australia wide) income management schemes have been continued under first the Abbott, and now the Turnbull, Liberal governments, albeit with budget cuts to related social welfare programs which have been part of the overall Intervention strategies at various points since 2007.³⁸

Income management which applies to locations with predominantly Indigenous Australian populations has been further expanded with the introduction in successive locations of ‘cashless welfare’, a format modelled on the controversial recommendations³⁹ of mining magnate Andrew Forrest,⁴⁰ via the *Social Security Legislation Amendment (Debit Card Trial) Act 2015* (Cth). The format of income management applied in these trial sites follows the

Community Services and Indigenous Affairs and Other Legislation Amendment (2009 Measures) Act 2010 (Cth).

³⁶ Luke Buckmaster, Diane Spooner and Kirsty Magarey, ‘Income Management and the Racial Discrimination Act’ (Background Note, Parliament of Australia, 20 March 2012) 4 <http://apo.org.au/files/Resource/income_management_and_the_racial_discrimination_act_20march2012.pdf>.

³⁷ Schedule 1.

³⁸ Eva Cox, ‘Part C: Expanding the Program’ (2011) 12 *Journal of Indigenous Policy* 28.

³⁹ Eva Cox, *Why the ‘Cashless Welfare Card’ Trial Will Leave Us None the Wiser* The Conversation <<http://theconversation.com/why-the-cashless-welfare-card-trial-will-leave-us-none-the-wiser-49360>>; Luke Buckmaster, *Cashless Welfare* (15 August 2014) <http://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/FlagPost/2014/August/Cashless_welfare>; Marcia Langton, *Health and welfare* (1 May 2015) *The Monthly* <<https://www.themonthly.com.au/issue/2015/may/1430402400/marcia-langton/health-and-welfare>>; Hannah Barry, ‘Cashless Welfare Card Researcher Rejects “Completely Inaccurate” Andrew Forrest Attack’ *The Sydney Morning Herald* (online), 18 August 2017 <<http://www.smh.com.au/wa-news/forrest-ramps-up-defence-of-cashless-welfare-cards-despite-kimberley-crime-rise-20170818-gxzbq3.html>>.

⁴⁰ Andrew Forrest, ‘The Forrest review: creating parity’ (Department of the Prime Minister and Cabinet, 2014) <<https://www.dpmpc.gov.au/sites/default/files/publications/Forrest-Review.pdf>>.

‘healthy welfare card’ recommendations of Andrew Forrest’s report, and lists amongst its objectives that more money will be available for food.⁴¹ A central difference between the ‘cashless welfare’ debit card and the BasicsCard used in the PBIM trial is that the cashless debit card can be used to make purchases at any merchant not blocked by the Department of Human Services, whereas the BasicsCard can only be used at merchants who have successfully applied to become approved merchants.⁴² Effectively, the cashless debit card default position is that retail outlets are accessible unless blocked, whereas the BasicsCard default position is that all retail outlets are blocked unless the merchant successfully registers as an approved merchant.

The 2015 introduction of the Debit Card Trial reinforces a conclusion that there is a continuing bipartisan trend of support over successive governments of both Liberal and Labor persuasions, for the ongoing expansion of income management in various formats in Australia⁴³ — for example recently, a further trial site for income management was announced on 11 April 2016 for Doomadgee, in far north Queensland;⁴⁴ two further sites were announced in September 2017 for Hinkler in Queensland⁴⁵ and Goldfields in Western Australia;⁴⁶ and in the federal budget measures announced

⁴¹ Commonwealth, *Parliamentary Debates*, House of Representatives, 15 September 2015, 10187, (Jenny Macklin).

⁴² For a discussion of this and other differences see Don Arthur, *BasicsCard and Cashless Debit Card: What’s the Difference?* <https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/FlagPost/2017/June/BasicsCard_and_Cashless_Debit_Card>.

⁴³ A map summary of locations and forms of income management in Australia, updated as at October 2016, is available here: Australian Government, *Income Management Locations* (October 2016) <https://www.dss.gov.au/sites/default/files/documents/10_2016/im_locations-print_0.pdf>.

⁴⁴ Australian Government Department of Social Services, *Income Management in Doomadgee | Department of Social Services, Australian Government* (8 April 2016) Families and Children <<https://www.dss.gov.au/families-and-children/programmes-services/welfare-conditionality/income-management/income-management-fact-sheets/income-management-in-doomadgee>>.

⁴⁵ Alan Tudge and Keith Pitt, *Cashless Welfare Card for Bundaberg/Hervey Bay* (21 September 2017) <<https://www.mhs.gov.au/media-releases/2017-09-21-cashless-welfare-card-bundaberghervey-bay>>.

⁴⁶ Alan Tudge, Malcolm Turnbull and Rick Wilson, *Cashless Welfare Card for*

on 9 May 2017, the Treasurer Scott Morrison stated that: ‘we will commence a modest drug testing trial for 5,000 new welfare recipients ... JobSeeker recipients who test positive would be placed on the Cashless Debit Card for their welfare payments and be subjected to further tests and possible referral for treatment’.⁴⁷ The 2017-18 federal budget allocated \$145.5 million over 3 years for extending existing income management arrangements across Australia, including PBIM.⁴⁸

Critics of the Northern Territory Intervention income management scheme in 2007 therefore accurately predicted that it constituted the establishment of a precedent that would result in ‘further roll-out to the broader non-Indigenous population and particularly to those marginalised individuals and groups who are regarded as dysfunctional’.⁴⁹ This has occurred with the continuing expansion of income management beyond the Northern Territory in various versions of income management across Australia which is now ‘coming to be seen by many policy makers as a normal and legitimate technique within Australian social policy ... a potentially mainstream social policy option’.⁵⁰ Cox claims that the spread of income management in Indigenous areas occurred with ‘minimal public debate’ because ‘since [it] started as a targeted Aboriginal program, other sectors of the population assumed it had nothing to do with ‘people like us’’.⁵¹ There were dissenting voices on the

WA *Goldfields* (1 September 2017) <<https://www.mhs.gov.au/media-releases/2017-09-01-cashless-welfare-card-wa-goldfields>>.

⁴⁷ ‘Federal Budget 2017: Full Transcript of Treasurer Scott Morrison’s Speech’, above n 3.

⁴⁸ Commonwealth of Australia, ‘Budget Overview 2017-2018’ <<http://www.budget.gov.au/2017-18/content/glossies/overview/download/Budget2017-18-Overview.pdf>>.

⁴⁹ Goldblatt, above n 31, 174, citing Cox, ‘Evidence-Free Policy Making? Part C: Expanding the Program’, above n 31.

⁵⁰ Melissa E Lovell, ‘The Normalisation of Income Management in Australia: Analysis of the Parliamentary Debates of 2007 and 2009–10’ (2016) 51(4) *Australian Journal of Social Issues* 433.

⁵¹ Kathy Marks, ‘Green Card’ [2012] *The Monthly* <<https://www.themonthly.com.au/green-card-claire-corbett-6165>> citing Eva Cox, ‘On the Politics of Income Management’ <<http://www.innersydneyvoice.org.au/pub/on-the-politics-of-income-management/>>.

introduction of income management, however, and there continue to be, on particularly the issue of racism in the selection of communities to whom income management applies.⁵²

The PBIM legislation enacted a version of income management that, of all the income management schemes introduced since 2007, has the greatest application to communities which are predominantly non-Indigenous communities.⁵³ A discussion and evaluation paper in 2011, *Stronger Futures in the Northern Territory*,⁵⁴ was followed by the Gillard Labor government enactment of the ‘Stronger Futures’ legislation which effectively continued the Intervention in time and expanded it in space to cover more geographic regions.⁵⁵ There have been suggestions that the expansion of the program to encompass geographic regions beyond the Northern Territory was a move to counter criticisms that the income management legislation in its application was racially discriminatory — the amended legislation allows for the universal possibility of any region of Australia becoming a declared income management area⁵⁶ by Ministerial declaration and without the requirement for any further legislation.⁵⁷

⁵² Bielefeld, ‘Compulsory Income Management and Indigenous Australians’, above n 22; Bielefeld, ‘Income Management and Indigenous Peoples: Nudged Into a Stronger Future?’, above n 31; Altman, above n 33; Alison Vivian, ‘Evidence? What Evidence? Government Policy Development and the Northern Territory Intervention’ (2012) 3 *Ngiya Talk the Law* 13; Eddie Cubillo, ‘The Nine Most Terrifying Words in the English Language Are: “I’m from the Government and I’m Here to Help”’ (Elliott Johnston Tribute Lecture May 2011)’ (2011) 13(1) *Flinders Law Journal* 137.

⁵³ Department of Social Services, ‘Income Management and Cashless Debit Card Summary (30 December 2016)’, above n 27.

⁵⁴ Eva Cox, ‘Conclusion’ (2011) 12 *Journal of Indigenous Policy* 84, 88; Jon Altman, ‘A New Intervention?’ (2014) 15 *Journal of Indigenous Policy* 37, 38.

⁵⁵ *Social Security Legislation Amendment Act 2012* (Cth), see also *Families, Housing, Community Services and Indigenous Affairs and Other Legislation Amendment (2009 Measures) Act 2010* (Cth).

⁵⁶ Bielefeld, ‘Compulsory Income Management and Indigenous Australians’, above n 22, 540. See also Marks, above n 51: ‘Cynics suggest that, rather than to single out any one group, welfare quarantining is being implemented in non-Aboriginal areas to *dispel* the whiff of racial bias.’

⁵⁷ Commonwealth, *Parliamentary Debates*, Senate, 28 June 2012, 4895, (Lee Rhiannon).

B *Place-Based Income Management Legislation*

Ten sites across Australia identified as having high unemployment and disadvantage were targeted by the federal government in the 2011-2012 budget for the ‘Building Australia’s Future Workforce’ (BAFW) program.⁵⁸ Within these 10 locations, from 1 July 2012 five were selected for a ‘targeted model of income management ... as part of a package of place-based measures targeting very disadvantaged locations’.⁵⁹ The Gillard Labor government asserted that as income management now applies in some areas of Australia outside the Northern Territory, it should no longer be considered as part of the Northern Territory Intervention.⁶⁰ Bankstown was one of these five pilot locations, and was selected because of ‘its unemployment, the numbers reliant on welfare payments as the main source of income, and the length of time spent on benefits’.⁶¹ The number of people in Bankstown on income management was not ascertainable early on following the introduction of the trial; the total number was later collectively reported as 96 people over the five trial sites as at 5 October 2012;⁶² as at 27 March 2015 this figure was reported as 2738 people over all five trial sites,⁶³ including 173 people in Bankstown,⁶⁴ as at 30 December 2016 the total is at least 1,598 people over all five trial sites (however this figure does not

⁵⁸ Deloitte Access Economics, ‘Consolidated Place Based Income Management Evaluation Report 2012-2015’ 2 <https://www.dss.gov.au/sites/default/files/documents/11_2015/deloitte_access_economics_consolidated_evaluation_report_201115.pdf>.

⁵⁹ Commonwealth of Australia, above n 6, 7.

⁶⁰ *Ibid.*

⁶¹ Adele Horin, ‘Centrelink Income Trial Unwelcome, Say Residents’ *The Sydney Morning Herald* <<http://www.smh.com.au/nsw/centrelink-income-trial-unwelcome-say-residents-20120615-20fc6.html>>. See also Macklin, above n 6.

⁶² Senate Community Affairs Legislation Committee, Parliament of Australia, *Estimates*, 2012, 72.

⁶³ Don Arthur, *Income Management: A Quick Guide* (15 July 2015) Parliament of Australian Research Papers 2015-2016 <http://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/rp/rp1516/Quick_Guides/IncomeManagement>.

⁶⁴ Department of Social Services, *Income Management Summary (27 March 2015)* (27 March 2015) <https://data.gov.au/dataset/income-management-summary-data/resource/46d177a4-08a9-4a8a-b331-b94b1fe25458?inner_span=True>.

include people who may have moved from their original residence in a trial area but remained on PBIM — the government data does not disclose that level of detail).⁶⁵ As at 30 December 2016, 23,996 people had an active BasicsCard⁶⁶ (the BasicsCard applies to some other sections of the income management scheme in addition to the PBIM trial).

The categories of person in the trial locations including Bankstown to which the income management measures apply under Part 3B *Social Security (Administration) Act 1999* (Cth) include social security recipients living in the (then) Bankstown local government area subject to:

- the child protection measure in s 123UC, where referred by child protection authorities (70 per cent of income managed);
- the vulnerable welfare payment recipients income management measure in s 123UCA, where the person is assessed as vulnerable by a Centrelink worker because of financial hardship, financial exploitation, failure to take reasonable care and homelessness or risk of homelessness (50 per cent of income managed);⁶⁷
- the voluntary income management measure in s 123UFA, where the person voluntarily enters into an income management arrangement with Centrelink (50 per cent of income managed);

⁶⁵ Department of Social Services, ‘Income Management and Cashless Debit Card Summary (30 December 2016)’, above n 27; the latest data is updated at Department of Social Services, *Income Management and Cashless Debit Card Summary* (28 November 2017) <https://data.gov.au/dataset/income-management-summary-data/resource/b898777c-8a2b-4094-b378-cdb48346a110?inner_span=True>.

⁶⁶ Department of Social Services, ‘Income Management and Cashless Debit Card Summary (30 December 2016)’, above n 27.

⁶⁷ Philip Mendes, Jacinta Waugh and Catherine Flynn, ‘The Place-Based Income Management Trial in Shepparton: A Best Practice Model for Evaluation’ (Monash University, July 2013) 4 <https://www.dss.gov.au/sites/default/files/documents/08_2014/046_-_department_of_social_work_-_monash_university.pdf>.

- and as of 1 July 2013, the vulnerable welfare payments recipients measure also applies (unless the recipient is successful in obtaining an exemption), via ‘youth triggers’,⁶⁸ to specific categories of young people who are deemed ‘vulnerable’ because they are under 16 and in receipt of ‘special benefit’ or receiving the ‘unreasonable to live at home’ independent rate of payment of youth allowance, disability support pension or Abstudy, or are under 25 and have just been released from gaol and received a crisis payment⁶⁹ under s 123UCA and s 123UGA(1) (50 per cent of income managed).⁷⁰ The majority of PBIM trial participants in the Bankstown trial site have been placed on PBIM via these vulnerable measure ‘youth triggers’.⁷¹

A wide range of welfare payment types are captured by PBIM measures, including Youth Allowance, Disability Support Payment, New Start Allowance, Parenting Payment, Mature Age Allowance, Carer Payment, Austudy, Sickness Allowance, Special Benefit Payment, and Abstudy.⁷² People placed on the vulnerable and child protection measures⁷³ can ask the Centrelink decision maker to

⁶⁸ Australian Government, *11.4.2.10 Decision-Making Principles for Identifying a Vulnerable Welfare Payment Recipient* (20 March 2015) Guide to Social Security Law <<http://guides.dss.gov.au/guide-social-security-law/11/4/2/10>>.

⁶⁹ Social Security (Administration) (Vulnerable Welfare Payment Recipient) Principles 2013 Pt 3(8)(1)(c).

⁷⁰ Mendes, Waugh and Flynn, above n 67, 5.

⁷¹ Department of Social Services, above n 64.

⁷² Australian Government, *11.1.1.50 Trigger Payments for Income Management* (1 July 2015) Guide to Social Security Law <<http://guides.dss.gov.au/guide-social-security-law/11/1/1/50>>; Deloitte Access Economics, ‘Place Based Income Management — Process and Short Term Outcomes Evaluation’ (Department of Social Services, August 2014) 59 <https://www.dss.gov.au/sites/default/files/documents/09_2014/pbim_process_and_short_term_evaluation_report-final-accessible-25aug_2.pdf>.

⁷³ Mendes, Waugh and Flynn, above n 20. Note the instruments available to Centrelink workers making a decision to place a person on the vulnerable income management measure as including but not being limited to the *Social Security (Administration) Act 1999* (Cth) s 123UC, *Social Security (Administration) (Vulnerable Welfare Payment Recipient) Principles 2010 (the Principles)* [in sections 123UGA (1), (2), (4), (5), (6), (8), (9) and (10) of the

review the decision, after which they have rights of appeal through Department of Human Services/Centrelink ‘Authorised Review Officers’, and thereafter to the Social Security Appeals Tribunal.⁷⁴

There are three ways a person can spend the proportion of their social security income which is quarantined by income management: by using their BasicsCard, by Department of Human Services making payments to cover recurring expenses such as rent and utilities, and by Department of Human Services ‘making one-off payments to a merchant for a particular good or service’.⁷⁵ The BasicsCard is the main mechanism by which people access their income managed funds. It is a PIN protected card that allows people to spend income managed money at approved stores and businesses through EFTPOS. The minimum spend at any approved merchant is \$5.00.⁷⁶ Business must apply to the Department of Human Services to become approved merchants.⁷⁷ The card can only be used at approved stores and businesses that display a BasicsCard sticker.⁷⁸ A search tool on the Department of Human Services website lists approved merchants by area and type.⁷⁹ BasicsCard funds cannot be used to purchase ‘excluded goods and services’ which include alcohol, tobacco, pornography or gambling.⁸⁰

Administration Act], FaHCSIA’s Guide to Social Security Law, DHS Centrelink’s e-Reference, *Guidelines for the assessment of Financial Vulnerability* (FaHCSIA 2012d).

⁷⁴ Ibid 13–14.

⁷⁵ Ibid 14.

⁷⁶ Department of Human Services, *Using BasicsCard* (6 February 2018) Australian Government Department of Human Services <<https://www.human-services.gov.au/individuals/enablers/using-basicscard>>.

⁷⁷ Department of Human Services, *Applying to Use BasicsCard Payment Method* (27 August 2017) Australian Government Department of Human Services <<https://www.humanservices.gov.au/organisations/business/enablers/applying-use-basicscard-payment-method>>.

⁷⁸ Australian Government Department of Human Services, *About the BasicsCard* (6 February 2017) <<https://www.humanservices.gov.au/customer/enablers/about-basicscard>>.

⁷⁹ Department of Human Services, *Find a Business or Organisation* <https://www.centrelink.gov.au/wps/portal/clk_common/TPS>.

⁸⁰ s 123TI *Social Security (Administration) Act 1999* (Cth).

C *Income Management and Food Security Outcomes*

One of the justifications advanced for the introduction of the PBIM legislation by the Gillard Labor government in 2012, was to improve food security for social security recipients who are subject to PBIM measures.⁸¹ The then Minister for Families, Community Services and Indigenous Affairs, Jenny Macklin, said in a media release on the commencement of the PBIM trial in the five locations including Bankstown that:⁸²

Income management ... ensures that money is available for life essentials, and provides a tool to stabilise people's circumstances and ease immediate financial stress ... I want welfare payments to be spent in the best interests of children - so that they have essentials like food on the table, stable housing and decent clothing ... welfare payments are set aside to be spent on the necessities of life such as food ...

The PBIM legislation states amongst its objects the reduction of 'immediate hardship and deprivation by ensuring that the whole or part of certain welfare payments is directed to meeting the priority needs' of welfare recipients and their partners and dependants.⁸³ The list of what constitutes 'priority needs' includes, as the first item on the list, 'food'.⁸⁴

Whilst the proponents of the PBIM legislation claim that its introduction will improve food security for welfare recipients who are subject to PBIM measures, the evidence base for this claim is inadequate. Prior to the introduction of PBIM in the five trial sites,

⁸¹ Food security was also (explicitly) an object of the legislation introduced concurrently with the PBIM legislation, the *Stronger Futures in the Northern Territory Act 2012* (Cth) – Part 4 of that Act is titled 'Food Security'; s 37 provides that '(1) The object of this Part is to enable special measures to be taken for the purpose of promoting food security for Aboriginal communities in the Northern Territory ... (3) *Food security* means a reasonable ongoing level of access to a range of food, drink and grocery items that is reasonably priced, safe and of sufficient quantity and quality to meet nutritional and related household needs.'

⁸² Macklin, above n 6.

⁸³ *Social Security (Administration) Act 1999* (Cth) s 123TB.

⁸⁴ *Social Security (Administration) Act 1999* (Cth) s 123TH(1)(a).

some evidence was gathered as to the effectiveness of income management in the Northern Territory.⁸⁵ The federal government claims that ‘income management has resulted in an increase in the purchase of healthy food items such as fruit and vegetables, however, these items continue to represent only a small fraction of total store sales’.⁸⁶ Cox states that the reliability of government information on the effectiveness of income management in the Northern Territory in addressing food insecurity is compromised by the lack of independent studies confirming the findings, by the sparsity of evaluative research undertaken by the government itself, and by problems with the collection and interpretation of evaluation data;⁸⁷ Mendes et al state that in respect of existing evaluations of income management, ‘the quality of the evidence produced to date is quite low’.⁸⁸ Independent research conducted in 2014 to evaluate income management in the Northern Territory concluded in respect of food security that:

There was no evidence of changes in spending patterns, including food and alcohol sales, other than a slight possible improvement in the incidence of running out of money for food by those on Voluntary Income Management, but no change for those on compulsory income management. The data show that spending on BasicsCard on fruit and vegetables is very low.⁸⁹

This finding is consistent with the limited number of other independent studies which have been conducted evaluating income

⁸⁵ J Rob Bray, ‘Seven Years of Evaluating Income Management - What Have We Learnt? Placing the Findings of the New Income Management in the Northern Territory Evaluation in Context’ (2016) 51(4) *Australian Journal of Social Issues* 449.

⁸⁶ Luke Buckmaster and Carol Ey, ‘Is Income Management Working?’ (Parliament of Australia, 5 June 2012) 13 <http://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/BN/2011-2012/IncomeManagement>.

⁸⁷ Cox, ‘Part C: Expanding the Program’, above n 38; Mendes, Waugh and Flynn, above n 67, 19–20.

⁸⁸ Philip Mendes, Jacinta Waugh and Catherine Flynn, ‘Income Management in Australia: A Critical Examination of the Evidence’ (2014) 23(4) *International Journal of Social Welfare* 362, 367.

⁸⁹ Bray et al, above n 28, xxi.

management in the Northern Territory.⁹⁰ The first available evaluation report (conducted by the federal government) in respect of the trial of another form of income management, ‘cashless welfare’, in Ceduna claims that food security has improved during the trial.⁹¹ According to Cox these improvements may, however, be attributable to the concurrent provision of additional social services in the Ceduna township over the course of the trial.⁹²

Evaluation research on the food security outcomes of PBIM in the Bankstown trial thus far is scarce and inconclusive. Deloitte Access Economics conducted independent short-term, medium-term and consolidated evaluations of PBIM for the Department of Social Services.⁹³ The overall findings of the report series in relation to food security outcomes was that food security did not improve in a statistically significant way.⁹⁴ The Deloitte reports are of limited

⁹⁰ Stef Puszka, John Greatorex and Greg Williams, ‘Regulating Responsibilities: Income Management, Community Engagement and Bureaucratic Learning at Mäpuru, North East Arnhem Land’ (2013) 13 *Learning Communities* 59; Julie K Brimblecombe et al, ‘Impact of Income Management on Store Sales in the Northern Territory’ (2010) 192(10) *Medical Journal of Australia* <https://www.mja.com.au/journal/2010/192/10/impact-income-management-store-sales-northern-territory?0=ip_login_no_cache%3D0fd14723f6b2475a88a8668bf1b76b95>; J Rob Bray et al, ‘Compulsory Income Management in the Northern Territory – Evaluating Its Impact’ (2015) 50(4) *Australian Journal of Social Issues* 373, 386.

⁹¹ Department of Social Services, ‘Cashless Debit Card Trial Evaluation: Wave 1 Interim Evaluation Report’ (February 2017) 4 <<http://apo.org.au/files/Resource/cdc-wave1-interim-evaluation-report.pdf>>.

⁹² ABC News, ‘Changes Seen in Ceduna Four Months into Cashless Welfare Card, Mayor Says’, 2 August 2016 <<http://www.abc.net.au/news/2016-08-02/services-needed,-not-cashless-welfare,-academic-says/7681596>>; Cox, above n 39.

⁹³ Deloitte Access Economics, ‘Place Based Income Management - Process and Short Term Outcomes Evaluation’, above n 72; Deloitte Access Economics, ‘Place Based Income Management - Medium Term Outcomes Evaluation Report’ (9 April 2015) <<https://www.dss.gov.au/families-and-children/programmes-services/welfare-conditionality/income-management/place-based-income-management-medium-term-outcomes-evaluation-report>>; Deloitte Access Economics, ‘Consolidated Place Based Income Management Evaluation Report 2012-2015’, above n 58.

⁹⁴ Deloitte Access Economics, ‘Consolidated Place Based Income Management Evaluation Report 2012-2015’, above n 58, 33.

utility in assessing the impact of PBIM on food security for participants in the Bankstown trial site both because of the small number of respondents from Bankstown, and because the evaluation data is not disaggregated by location into the five trial sites. It is impossible to tell from the Deloitte reports which, if any, of the Bankstown participants may or may not have experienced an alteration in their food security status during the PBIM trial. The scope of the Deloitte evaluation also did not extend to an analysis of food prices or the range of food products available in food retail outlets approved to accept the BasicsCard in Bankstown (or the other PBIM trial locations) or the impact of the price and range of available food products on food security for households subject to PBIM measures.

There is therefore a deficit, in both quantity and quality, of evaluative research on the effectiveness in addressing food insecurity, of the various forms of income management implemented in Australia since 2007. This creates a difficulty in drawing reliable conclusions about whether a particular set of measures might successfully address food insecurity, where those conclusions are premised upon the effects of a different set of measures. Income management in various forms has also been implemented across multiple and diverse locations, in five states and the Northern Territory, and in remote, rural and urban places. The 2012 trial of PBIM purports to be a 'place-based' solution⁹⁵ to localised problems including food insecurity. This creates a further difficulty in drawing reliable conclusions, as to the transferability of findings regarding the effectiveness of income management measures from one location to another. What works (or does not work) in the remote northern parts of Australia will not necessarily translate to local conditions in an urban area such as Bankstown. Whilst 'place' has been used in the nomenclature of the PBIM scheme, no meaningful evaluation of the place-specific effects of the scheme has been undertaken, either before or during the trial. The only aspect of place which has been

⁹⁵ Luke Buckmaster, Carol Ey and Michael Klapdor, *Income Management: An Overview* (21 June 2012) <http://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/BN/2011-2012/IncomeManagementOverview#_Toc328056506>.

taken into account in formulating and evaluating the PBIM scheme is the relatively high levels of disadvantage in each location; other than that, each of the five trial sites has been treated uniformly under the legislation, and not as a specific place at all. The lack of reliable evidence about whether specific forms of income management are achieving stated objectives in specific locations is especially concerning in light of the continuing expansion of income management across Australia.⁹⁶

III THE DELOITTE EVALUATIONS OF PBIM

All official evaluations of PBIM have been conducted by Deloitte, including a baseline report at the outset of the trial, followed by short term, medium term and consolidated evaluation reports. As discussed above, the Deloitte evaluation reports offer scant evidence of the impact of PBIM on food security for participants in the Bankstown trial. The evidence that can be gleaned from the Deloitte evaluations, pertaining to food security outcomes for Bankstown participants, is set out below.

A *Baseline Report*

The bulk of the Baseline Report consists of interview data with participants. In total 812 people completed telephone interviews for the report, 62 of which were Bankstown PBIM participants;⁹⁷ 50 in-depth face-to-face interviews were also conducted, including six Bankstown interviewees.⁹⁸ The data is for the most part not segregated by trial site so, for example, the responses of Bankstown recipients on items pertaining to food security cannot be separately identified from the data as a whole. The Baseline Report data

⁹⁶ Conifer, above n 3. Federal budget measures announced on 9 May 2017 confirm ongoing expansion: 'Federal Budget 2017: Full Transcript of Treasurer Scott Morrison's Speech', above n 3.

⁹⁷ Deloitte Access Economics, 'Place Based Income Management - Baseline Evaluation Report' (May 2014) 46 <https://www.dss.gov.au/sites/default/files/documents/09_2014/pbim_baseline-final_2.pdf>.

⁹⁸ Ibid 80.

included, relevantly, that of the PBIM participants interviewed by telephone, during the three month period prior to the interviews, 49.4 per cent had run out of money to buy food, 38.7 per cent had run out of money to pay for essential items for children including school meals, and 27.2 per cent had to request emergency relief or vouchers for food or bills because they ran out of money.⁹⁹ Several of the interviewees in the in-depth interviews stated that they had been consuming less take-away and unhealthy foods since the commencement of the trial as food outlets selling those items were not approved to accept the BasicsCard, and because they had less discretionary money after rent and bills had already been taken out of welfare payments.¹⁰⁰ Others noted that the supermarkets approved to accept the BasicsCard were the more expensive supermarkets (Coles and Woolworths); that Aldi, a less expensive option, did not accept the BasicsCard; and that few ‘small retailers such as grocers, bakeries and butchers’, markets, and Lebanese grocery shops accepted the card.¹⁰¹

B *Short Term Outcomes Evaluation Report*

The Process and Short Term Outcomes Evaluation Report from Deloitte noted that Bankstown had the lowest number of people on PBIM across the five trial sites (199 out of a total of 2,598 people, or 7.7 per cent).¹⁰² Further, of this small proportion of total PBIM participants across the five trial sites, only 34 of the 199 people from Bankstown were interviewed in the survey which forms part of the short term report.¹⁰³ The report should therefore be read with a further caveat that only a relatively small proportion of the total data is derived from the experiences and spending patterns of PBIM participants in Bankstown, and is perhaps best taken as a comment on the impact of PBIM generally on food security outcomes across the five trial locations, insofar as the data offers information on food security.

⁹⁹ Ibid 69.

¹⁰⁰ Ibid 89, 90.

¹⁰¹ Ibid 92–93.

¹⁰² Deloitte Access Economics, ‘Place Based Income Management — Process and Short Term Outcomes Evaluation’, above n 72, 31.

¹⁰³ Ibid 61.

BasicsCard data for all trial participants across all sites for the period 1 July 2012 to 29 June 2013 revealed that the mean amount per week per participant spent on fresh food was \$4.89, and that 15 per cent of customers spent in this category.¹⁰⁴ By itself, that figure would indicate a food intake worryingly deficient in fresh food. However, average weekly supermarket expenditure per participant was \$49.83, with 79.5 per cent of participants spending in this category.¹⁰⁵ Two conclusions relating to food security for PBIM participants can be drawn from these figures — firstly that if quarantined income is being used to purchase fresh foods, it is from supermarkets and not independent specialist fresh food retailers; and secondly that PBIM may have the effect of directing participant spending on food to major supermarket chains. The breakdown data from selected participating supermarkets and department stores over the same time period, placed the proportion of BasicsCard spending on food items at 2.1 per cent on bakery items, 13 per cent on biscuits, snacks and drinks, 5 per cent on confectionary and ice cream, 3.8 per cent on canned and packaged food, 2.6 per cent on prepared and frozen meals, 3.9 per cent on cooking ingredients, 4.4 per cent on dairy products, 7.8 per cent on fruit and vegetables, and 7.8 per cent on meat, fish, poultry and eggs.

The report states that ‘overall the spending priority on food and clothes and furnishing is very positive... Over time, less expenditure on snacks, confectionery and prepared foods and movement towards fresh food would be a positive’.¹⁰⁶ It is not clear that the ‘spending priority on food and clothes and furnishings’ reported in this data reflects a change since the introduction of PBIM, or whether these spending patterns were the same when participants were using cash income. It is also not clear why, ‘over time’, there will be any change in expenditure patterns away from less healthy foods and towards fresh food. The only restrictions applying to BasicsCard expenditure are the prohibitions on alcohol, tobacco, pornography and gambling. There is no prohibition on less healthy foods nor

¹⁰⁴ Ibid 54.

¹⁰⁵ Ibid.

¹⁰⁶ Ibid 55.

incentive to spend on healthy foods within the PBIM scheme, which does not support a conclusion that PBIM of itself will lead to a change in food expenditure patterns amongst participants.¹⁰⁷

C *Medium Term Outcomes Evaluation Report*

The Medium Term Outcomes Evaluation Report (March 2015) evaluates the place-based income management program as it applied in that period to people in each of the three categories voluntary measure, vulnerable measure and child protection measure.¹⁰⁸ Much of the following discussion of that report relates to the overall qualitative data, which was not in many instances broken down by which of the five trial sites the participants lived in, reducing its value as a tool to consider the Bankstown-specific outcomes. Not much data was available on people referred under the child protection measure, because requirements in some states that participants give consent to information sharing between the state based child protection agencies and the federal social security agency resulted in low levels of referral under this measure.¹⁰⁹ The report generally is not as helpful an evaluative tool as it might otherwise have been owing to the small sample sizes of participants who were interviewed to obtain qualitative data. In relation to the Bankstown trial, only 11 people were interviewed (60 people were interviewed overall, from a total of 3801 people on income management across the five place-based income management locations).¹¹⁰ Overall 233 people in the Bankstown trial site had been issued with a BasicsCard.¹¹¹ This report was also less useful than it might have been because analysis of retail transactions was not made available by retailers, so a breakdown of expenditure on

¹⁰⁷ One response from a Department of Human Services employee in the Baseline report expressed concern that the definition of ‘priority needs’ was not sufficiently ‘clear cut’ to have prevented one customer from ‘purchasing large amounts of chocolate on the BasicsCard’ Deloitte Access Economics, ‘Place Based Income Management - Baseline Evaluation Report’, above n 97, 143.

¹⁰⁸ Deloitte Access Economics, ‘Place Based Income Management - Medium Term Outcomes Evaluation Report’, above n 93, i.

¹⁰⁹ *Ibid* iii.

¹¹⁰ *Ibid* 16–18.

¹¹¹ *Ibid* 113.

for example food items was not part of the report.¹¹²

By far the greatest proportion of BasicsCard transactions were for supermarket purchases (61.32 per cent of all BasicsCard transactions; the next closest category is petrol stations at 14.9 per cent).¹¹³ However by percentage of total expenditure, supermarket transactions were only 38.3 per cent and fresh food 2.3 per cent.¹¹⁴ By comparison, accommodation expenses were 50.9 per cent of total expenditure,¹¹⁵ signifying the effect on available financial resources for purchasing food when accommodation expenditures consume over half a person's available money. This is particularly pertinent in Bankstown, as part of Sydney, which has notoriously high rental prices even for a capital city.

In available data specific to the Bankstown trial site, 55.2 per cent of transactions on the BasicsCard were at supermarkets, 0.4 per cent at butchers, and 0.5 per cent at fruit and vegetable shops.¹¹⁶ The average spend in Bankstown with a BasicsCard was \$35.38 at supermarkets, \$29.73 at butchers, \$22.06 at fruit and vegetable shops (and, in a figure by far the highest of all five trial sites, \$134.18 at shoe shops, although it is not clear why).¹¹⁷

Overall the participants indicating the greatest level of satisfaction and positive outcomes from income management were those who had voluntarily signed up for it, for example:¹¹⁸

I know it's there and I know it's going to pay for my rent, it's going to pay for my electricity, it's going to pay for my gas, and the leftovers that I've got there I can always use it for something like an emergency.

¹¹² Ibid 93.

¹¹³ Ibid 32.

¹¹⁴ Ibid 34.

¹¹⁵ Ibid.

¹¹⁶ Ibid 115.

¹¹⁷ Ibid.

¹¹⁸ Ibid 37.

It's a positive; we've always got food on the table, in the cupboards, in the fridge, freezer; my kids are happier, I'm happier...

Another participant noted that income management assisted with saying no to exploitative requests from family members:¹¹⁹

[Before] I would lend people money and stuff and you [would] never get it back. This way now I can't because I don't get much money and if I do offer somebody something ... it's food and it's something I can only help them with but I can't give them anything else.

Several responses, however, indicated that income management had adversely impacted upon food security, for example the vulnerable/automatic trigger participant who expressed concern that being put on income management was a problem because:¹²⁰

I'm like, 'Oh, what am I going to do?' Because I was, like, 'I can't afford to shop at Coles or Woolworths or whatever'...

One interviewee noted social awkwardness in not being able to use the BasicsCard to pay for restaurants:¹²¹

if we were to go out for dinner, I like to pay for my own dinner but I couldn't because my money was on my income management.

Participants were also concerned that the approved merchants who could accept Basics Card were not the most affordable options such as Aldi, rather than Coles/Woolworths:¹²²

There has been numerous places where I'd purchased things for myself on a bit of a budget, buy at a reduced price, whereas because I've got to go to these other certain places, I've got to purchase for the higher price, or whatever is available.

¹¹⁹ Ibid 46.

¹²⁰ Ibid 40.

¹²¹ Ibid 45.

¹²² Ibid 48.

Yeah it's not enough money ... certainly I'm doing it tough. I've had to go to places to get food vouchers or overnight packages for food.

Because of the inadequacy of social security payments, several interviewees reported relying on charities for top-ups of items including food.¹²³

Social workers and Department of Human Services staff interviewed indicated their overall perception that income management had improved the ability of participants to provide for themselves, including ensuring money was available for food.¹²⁴ They also reported an overall improvement in housing stability and decrease in homelessness,¹²⁵ which is relevant to food security and healthy diets as without a stable place to store and prepare food people are reliant on more expensive and less healthy pre-prepared food. Stable housing is also relevant to other recognised food purchasing behaviours which promote food security, such as stockpiling, in particular of relatively non-perishable items which might also be purchased in bulk when on sale.¹²⁶

D Consolidated Evaluation Report 2012–2015

The independent final report of Deloitte consolidated data from across the five trial sites; only 18 PBIM participants from the Bankstown trial site were interviewed for the 'second wave' of evaluative data collection in the consolidated report.¹²⁷ As at the cut-off date for the data in the consolidated report there were 3,801 people who had been placed on PBIM at some point during the trial and 299 of these were identifiable as Bankstown trial participants;¹²⁸

¹²³ Ibid 55.

¹²⁴ Ibid 62.

¹²⁵ Ibid 78.

¹²⁶ Anglicare Australia, above n 16, 83.

¹²⁷ Deloitte Access Economics, 'Consolidated Place Based Income Management Evaluation Report 2012-2015', above n 58, 21.

¹²⁸ Eight people were placed on PBIM under the child protection measure, however their location was suppressed for privacy reasons: Ibid 44.

18 of the 251 people interviewed for the report were from Bankstown. By far the highest proportion of PBIM participants self-reporting positive outcomes from participation were those who had voluntarily enrolled.¹²⁹

The findings of the consolidated report generally as to the overall effect of PBIM on food security are mixed. A small change was noted in the longitudinal survey data of people reporting they ran out of money to pay for food at some point in the prior three months; however the change was not statistically significant.¹³⁰ This is an important finding for the purposes of this paper — PBIM, on the available data with participants, did not improve food security in a statistically significant way.

Child protection workers who were interviewed for the reports, however, did observe that improved housing stability for families on PBIM for whom rent payments are deducted automatically, had resulted in a flow-on effect of improved food security for children (as well as clothing needs and schooling attendance being positively influenced).¹³¹

The consolidated report contains some interesting recommendations relating to the issues of food security and diet-related public health outcomes for people on PBIM. A significant recommendation is that the network of retailers able to accept the BasicsCard needs to be expanded, whether by licensing a greater variety and number of retailers or by redesigning the card mechanism for greater flexibility.¹³² On a related issue the consolidated report notes problems with income managed people being unable to shop at retailers which only accept cash, and which are also coincidentally often the less expensive option,¹³³ forcing people in poverty to shop at more expensive places — with obvious

¹²⁹ Ibid 65.

¹³⁰ Ibid 33.

¹³¹ Ibid 59.

¹³² Ibid v, 67-68.

¹³³ Ibid v.

implications for food security and the affordability of sufficient healthy food. 53 per cent of people interviewed indicated that being unable to shop at unapproved merchants including cheaper outlets such as Aldi was a problem with the BasicsCard.¹³⁴

IV CASE STUDY OF BANKSTOWN AS A PBIM TRIAL SITE

A *Demographics of Bankstown*

Bankstown is the only PBIM trial site in New South Wales, and its selection as a trial site was not without controversy. The rationale advanced for the selection of Bankstown was, as discussed above, that it and the other four trial sites had relatively high levels of entrenched socioeconomic disadvantage, including long term high levels of unemployment and welfare dependency.¹³⁵ Other Sydney local government areas in the vicinity of Bankstown, however, have higher levels of disadvantage.¹³⁶ An accepted measure of relative socioeconomic disadvantage is the Australian Bureau of Statistics' Socioeconomic Indexes for Areas (SEIFA). A lower SEIFA score indicates higher socioeconomic disadvantage, and vice versa. Bankstown had a SEIFA Index of Relative Socioeconomic Disadvantage score of 932 in 2011 (the year before PBIM legislation was enacted); Fairfield's score was 854, Canterbury's score was 939, Auburn's score was 916, Campbelltown's score was 944, and in New South Wales overall SEIFA scores ranged from 788 to 1120.¹³⁷ Why, then, was Bankstown selected as the New South Wales PBIM trial site? Bankstown is one of Australia's most ethnically diverse areas with 127 languages spoken and 54.7 per cent of the population

¹³⁴ Ibid 29.

¹³⁵ Macklin, above n 6.

¹³⁶ A similar discrepancy was evident in the selection of Shepparton as a PBIM trial site: Mendes, Waugh and Flynn, above n 67, 421.

¹³⁷ Australian Bureau of Statistics, 'SEIFA by Local Government Area' (2011) <http://stat.data.abs.gov.au/Index.aspx?DataSetCode=ABS_SEIFA_LGA>.

speaking a language other than English at home.¹³⁸ Journalist Kathy Marks reported community concerns that the real reason for Bankstown's selection instead of areas with relatively higher levels of disadvantage is the 'notoriety' of the area, with overtones of racial discrimination:¹³⁹

'We were an easy target — we already had a tarnished reputation,' insists Randa Kattan, head of the Arab Council Australia, spearing a piece of grilled haloumi in a shopping centre cafe. Kattan ticks off the gang rapes, the Cronulla riots and the drive-by shootings, all involving Lebanese locals. Now, she says, thanks to income management — and thanks to the deputy mayor, Allan Winterbottom, who recently blamed the jobless rate (11.7% in some areas) on one particular nationality's 'cultural traits' — prejudices are being reinforced. As another local puts it: 'They knew people would say, "Yeah, there's a lot of Lebs there, and they're rotting the system"'.

Bankstown's demographic breakdown of ethnic, religious and language diversity is certainly distinct from NSW and Australian average demographics.¹⁴⁰ Bankstown has relatively high levels of people who do not claim Australian ancestry¹⁴¹ and also relatively high levels of people who were born overseas.¹⁴² The religious

¹³⁸ Australian Bureau of Statistics, 'Bankstown LGA', above n 9.

¹³⁹ Marks, above n 51.

¹⁴⁰ The demographic information in this section of the paper relates to the Bankstown populace as a whole; the best available demographic information on people in Bankstown who have been placed on income management are the Deloitte evaluation reports, however, as noted above, the data has serious limitations and is not sufficiently broken down into each of the five trial sites to be of as much utility as it would otherwise have been for the purposes of this case study.

¹⁴¹ With a total population of 182,352 people, 15.2% claim Australian ancestry, compared with 25% of the overall NSW population and 25.4% of the overall Australian population: Australian Bureau of Statistics, *2011 Census QuickStats*, above n 9.

¹⁴² 14.9% of Bankstown residents claim Lebanese ancestry (1.7% of NSW and 0.7% of Australia); 12.5% claim English ancestry (24.2% of NSW and 25.9% of Australia); 7.2% claim Vietnamese ancestry (0.9% of NSW and 0.8% of Australia); and 6.3% claim Chinese ancestry (4.3% of NSW and 3.1% of Australia); and 1,387 Bankstown residents identified as Aboriginal or Torres Strait Islander: *Ibid.* For people born overseas in Bankstown, 7.1% were born in Lebanon (0.4% in Australia), 6.8% were born in Vietnam (0.9% in Australia), and 2.9% were born in China (1.5% in Australia). The total born

affiliation profile of Bankstown residents is also quite distinctive compared to the Australian average data;¹⁴³ as is the proportion of residents speaking languages other than English.¹⁴⁴

Additionally, on top of high relative ethnic, religious and language diversity, the Refugee Council of Australia has pointed out the particular demographics of four of the five PBIM trial sites, including Bankstown, which ‘are all locations of significant refugee and humanitarian settlement’.¹⁴⁵ Bankstown had 1,593 humanitarian entrants between July 2001 and June 2011, with 0.84 per cent of the population being humanitarian entrants; 85 per cent of humanitarian entrants are in receipt of Centrelink benefits,¹⁴⁶ and thus far more likely than the average Australian to be subject to income management. Food insecurity is a significant problem for humanitarian entrants.¹⁴⁷ This is an instance of intersectional disadvantage, in terms of race, humanitarian refugee status, poverty, employment and language difficulties, and residence in an area targeted for the income management trial all coinciding.

Goldblatt has further observed that gendered intersectional disadvantage is contextually relevant to the Australian income management scheme as a whole as women are disproportionately represented in the population targeted by income management.¹⁴⁸

overseas statistics for Bankstown are 43.8% of the population. Australian Bureau of Statistics, ‘Bankstown LGA’, above n 9.

¹⁴³ 28% Catholic (25.3% of Australia), 19.1% Islamic (2.2% of Australia), 10.2% Anglican (17.1% of Australia), 8.5% Eastern Orthodox (2.6% of Australia) and 8.3% no religion (22.3% of Australia).

¹⁴⁴ Of languages spoken other than English, the most common was Arabic at 21.2% (1.3% of Australia) followed by Vietnamese at 9.1% (1.1% of Australia); 39.7% of Bankstown residents spoke only English at home compared to 76.8% of Australia.

¹⁴⁵ Refugee Council of Australia, ‘Income Management: Impacts on Refugee and Humanitarian Entrants’ (May 2012) 2 <<https://www.refugeecouncil.org.au/tr/rpt/2012-NIM.pdf>>.

¹⁴⁶ Ibid 3.

¹⁴⁷ Andre MN Renzaho and David Mellor, ‘Food Security Measurement in Cultural Pluralism: Missing the Point or Conceptual Misunderstanding?’ (2010) 26(1) *Nutrition* 1; Gallegos, Ellies and Wright, above n 14.

¹⁴⁸ Beth Goldblatt, ‘Intersectionality in International Anti-Discrimination Law:

From a different perspective, Sue McClelland, the manager of Bankstown's Women's Health Centre, said 'rates of sexual abuse and domestic violence in the region were 'worryingly high', and many women would welcome the intervention'.¹⁴⁹ It is not clear from the evaluation reports that this was a significant finding from participants interviewed, however the number of participants limits the conclusions which can be drawn. It may be that whilst rates of sexual abuse and domestic violence are high in the Bankstown area, this does not necessarily translate to women 'welcoming' being placed on income management — Mendes et al note the findings of prior studies that 'women experiencing domestic violence are reluctant to access help in case it results in being referred to income management as 'vulnerable''.¹⁵⁰ This is tentatively supported by the finding of the Deloitte evaluation reports that those people who reported the greatest satisfaction with the outcomes of income management were those who voluntarily signed up for it, including reports from some people who stated it did assist with mitigating familial economic abuse and exploitation.¹⁵¹

The Refugee Council noted the potential for refugees placed on income management to encounter particular difficulties in obtaining culturally appropriate foods.¹⁵² Those consulted expressed concerns

Addressing Poverty in Its Complexity' (2015) 21(1) *Australian Journal of Human Rights* 47, 58; see also Nicole Watson, 'The Northern Territory Emergency Response — Has It Really Improved the Lives of Aboriginal Women and Children?' (2011) 35(1) *Australian Feminist Law Journal* 147.

¹⁴⁹ Justin Norrie, 'Welfare Card Pays out on Poor' *The Sydney Morning Herald* (online), 7 August 2011 <<http://www.smh.com.au/national/welfare-card-pays-out-on-poor-20110806-1igid.html>>.

¹⁵⁰ Mendes, Waugh and Flynn, above n 60, 28 citing evidence from the report of the Equality Rights Alliance, 'Women's Experience of Income Management in the Northern Territory' (July 2011) <https://www.alrc.gov.au/sites/default/files/pdfs/cfv_143_equality_rights_alliance_-_womens_voices_for_gender_equality.pdf>.

¹⁵¹ Deloitte Access Economics, 'Consolidated Place Based Income Management Evaluation Report 2012-2015', above n 58, 63.

¹⁵² National Public Health Partnership, *Eat Well Australia: An Agenda for Action in Public Health Nutrition, 2000-2010* (October 2001) 40–41 <http://content.webarchive.nla.gov.au/gov/wayback/20140212191740/http://www.nphp.gov.au/publications/a_z.htm#eatwell>.

that:¹⁵³

the BasicsCard would be likely to impose unjustifiable restrictions on the liberties and purchasing freedoms of recently arrived refugee families. Many refugee and humanitarian entrants prefer to shop at markets and specialty shops for their food, for access to particular produce which is preferred for either cultural or religious reasons, or because the market prices are lower than the commercial supermarket price. The option of purchasing food at markets or at local specialty shops — shops sometimes run by former refugees establishing a business to fill a need in the community — may be limited because of income management, particularly where businesses are reluctant to sign up to accept the BasicsCard or accept other forms of non-cash payment (e.g. some smaller businesses accept cash only).

Bankstown's demographic profile of high ethnic, religious and cultural diversity in comparison with the rest of New South Wales and Australia, and the status of the area as socioeconomically disadvantaged yet not so much as several surrounding areas, lends support to the plausibility of claims of underlying discrimination in Bankstown's selection as a PBIM trial site. The expansion of income management with the introduction of PBIM in 2012 to trial sites in areas which are not predominantly Aboriginal communities may, as has been asserted, have been a political attempt to negate income management in Australia being labelled as racism. Rather than dispelling the 'whiff of racial bias',¹⁵⁴ around income management, the selection of Bankstown as a PBIM trial site may have simply displaced it onto a different group of people.

Interpreting the demographic profile of Bankstown in relationship to the Deloitte evaluation reports raises questions about the impact of PBIM on food security for Bankstown trial participants. As discussed in Part III above, the Deloitte evaluation data is not disaggregated for the most part into the five trial sites. The combined evaluation data over the five sites does indicate that food security was an issue for trial participants prior to the commencement of

¹⁵³ Refugee Council of Australia, above n 145, 4.

¹⁵⁴ Marks, above n 51.

PBIM, and that it remains so for many of them.¹⁵⁵ The Deloitte evaluation recommended that the number and variety of retailers approved to accept the BasicsCard be expanded because currently many less expensive retailers are not approved to accept the BasicsCard, including cheaper food outlets such as Aldi supermarkets.¹⁵⁶ The conclusions of the Deloitte evaluation relate to the PBIM trial sites overall, and the Deloitte evaluation did not extend in scope to investigating the prices of goods or the diversity of goods available in retail outlets approved to accept the BasicsCard in comparison to those which are not. The field research reported upon below directly addresses this gap in the evaluation of PBIM in Bankstown.

B *Field Research in Bankstown CBD: Aims*

The aim of field research conducted in Bankstown was to compare, between food retail outlets approved to accept the BasicsCard and those not approved, the price and availability of basic grocery items and the price, availability and diversity of ‘cultural foods’ including halal meat, Middle Eastern groceries and fresh produce, and Asian groceries and fresh produce. This first part of the field research reflects the physical and economic aspects of ‘access’ in the definition of food security.¹⁵⁷ The reason for choosing to focus the latter part of the enquiry on Middle Eastern and Asian cultural foods is that the two largest (non-English speaking background) population groups in Bankstown are people of Lebanese and Vietnamese descent.¹⁵⁸ Difficulty in accessing cultural foods was flagged as having a potentially adverse effect on food security for PBIM trial

¹⁵⁵ Deloitte Access Economics, ‘Consolidated Place Based Income Management Evaluation Report 2012-2015’, above n 58, 33.

¹⁵⁶ *Ibid* 29.

¹⁵⁷ Food and Agriculture Organisation of the United Nations, International Fund for Agricultural Development and World Food Programme, above n 12.

¹⁵⁸ Australian Bureau of Statistics, ‘Bankstown LGA’, above n 9; Australian Bureau of Statistics, *2011 Census QuickStats*, above n 9.; see also Lee Rhiannon, ‘When the Government Controls What You Can Buy’ *Daily Life*, 21 January 2013 <<http://www.dailylife.com.au/news-and-views/dl-opinion/when-the-government-controls-what-you-can-buy-20130118-2cxhq.html>>; and Norrie, above n 123.

participants at the beginning of the trial.¹⁵⁹

A further aim of the field research was to obtain a holistic picture of the food retail landscape in the Bankstown CBD, and consider how PBIM in Bankstown might affect not just access to affordable healthy food, but more broadly access to and participation in local food culture, social interactions and public life. This latter part of the field research reflects the social aspects of ‘access’ in the definition of food security.¹⁶⁰ The PBIM legislation purports to be ‘place-based’, yet the legislation does not distinguish between or accommodate the demographic diversity and urban landscape of Bankstown or the other trial sites as distinctive places. It is important in evaluating the impact of PBIM on food security, to examine precisely what is happening in specific places, rather than assuming that a one-size-fits-all approach will be fit for purpose in all locations. The potential effectiveness of PBIM in combatting food insecurity in Bankstown is shaped and limited by interactions between the demographic characteristics of the people who live there, and the urban food retail environment in which those people provision their households. The field research considers whether people on PBIM in Bankstown can access affordable basic groceries, and familiar cultural foods.

C Field Research in Bankstown CBD: Methodology

Bankstown was selected from amongst the five PBIM trial sites as the location of this evaluation because it is the only trial site for income management in New South Wales. For logistical reasons the field research was confined to one area within the large metropolitan area captured by the (former) Bankstown local government area. Bankstown CBD was selected as the field research site because it is the most accessible site within the boundaries of the area captured by PBIM legislation for people catching public transport to shops, and also because it houses Bankstown’s cultural food hub of speciality

¹⁵⁹ Anglicare Australia, above n 16, 106.

¹⁶⁰ Food and Agriculture Organisation of the United Nations, International Fund for Agricultural Development and World Food Programme, above n 12.

ethnic shops in the Old Town Plaza, Chapel Street and North Terrace zone.

This research was conducted in February 2017, including both accessing the Commonwealth Department of Human Services income management website and BasicsCard retailer search tool, and carrying out shop surveys and observations in Bankstown CBD.

The first step in the field research was to identify food retail outlets at which to survey price and diversity of available food products. There are two ways a member of the general public, including a person participating in the PBIM trial, can locate different types of food vendors approved to accept the BasicsCard in a specific area. The first is to look for a store displaying a BasicsCard sticker; the Department of Human Services information website about the card states that this is a requirement for vendors.¹⁶¹ The second way a person can locate food vendors approved to accept the BasicsCard is to use the quite cumbersome search tool on the Department of Human Services website. There are seven steps involved in using this online search tool to locate information about BasicsCard approved stores.¹⁶²

¹⁶¹ Australian Government Department of Human Services, above n 78. For each of the approved stores in Bankstown CBD visited to gather data, an observation was made as to whether they displayed a BasicsCard sticker or other signage.

¹⁶² Step 1: Visit the Commonwealth Government Human Services Department website: <<https://www.humanservices.gov.au>>. There is no obvious link to information about Income Management or the BasicsCard. Enter search term 'income management' in the general search engine for the website. Step 2: The first search result is 'Income Management': <<https://www.humanservices.gov.au/customer/services/centrelink/income-management>>. Step 3: Select link 'About the Basics Card': <<https://www.humanservices.gov.au/customer/enablers/about-basicscard>>. Step 4: Select link 'Businesses Accepting the Basics Card': <<https://www.humanservices.gov.au/customer/enablers/about-basicscard#a3>>. Step 5: Select link 'Find BasicsCard stores or business in your area': <https://www.centrelink.gov.au/wps/portal/clk_common/TPS>. Step 6: Select organisation type 'BasicsCard merchant' and from drop-down list select (one at a time, no multiple selections permitted) the following options: Bakery; Butcher; Convenience Store; Deli; Fruit and Vegetables; Supermarket. Step 7. Under Postcode, Suburb, Community or State field type Bankstown, select

Searching for each type of food retailer listed using the Department of Human Services online search tool, within a 10 kilometre radius of Bankstown CBD, produced a list of approved food retail outlets. The list of supermarkets within a 10km radius of Bankstown CBD accepting the BasicsCard is conspicuously dominated by Coles (27 stores) and Woolworths (44 stores). This list of results powerfully illustrates the interaction of income management legislation and Australia's supermarket duopoly and makes it clear what the primary composition of the accessible food retail landscape is for people on the BasicsCard, as distinct from the rest of the population. The list of results is contained in the table below.¹⁶³

List of food retail outlets approved to accept BasicsCard within 10km Bankstown CBD, generated using Department of Human Services online search tool, February 2017

Bakery	Butcher	Convenience store	Deli	Fruit and vegetables	Supermarket
Baker's Delight, Revesby	Akkaoui Fresh Meat, Punchbowl	City Convenience Store, Bankstown	Zero results	Trim's Fresh, Bankstown	Best Value Supermart, Bankstown
	Ivans Butchery, Chester Hill	Padstow Mixed Business, Padstow		Villawood Value Fruit Market, Villawood	27 Coles supermarkets
	Lenards, Bankstown	Punchbowl Convenience Store, Punchbowl			Covenant Food Care, Regents Park
	Marjan Butchery, Punchbowl	Salam Convenience Store, Padstow			Dalya Mixed Grocery, Chester Hill
	Peters Meats,	W&X Happy			Flemings

Bankstown 2200 from drop down menu. Type in '10km' to 'Within' field indicating proximity to selected suburb. Search.

¹⁶³ The list of 85 results in this table is dominated by Coles and Woolworths. Big W Hurstville was on the results list but the only food items in Big W stores are junk food items at the checkout. In the store survey data below, only prices at the Woolworths located in Bankstown CBD were surveyed, as pricing and product range between stores in the same chain are fairly consistent. Coles is not located in the Bankstown CBD; Coles Greenacre is the closest full service Coles to Bankstown CBD.

	Ashfield	Living, Panania			Bexley North
	Peters Meats, Revesby				Foodworks Guildford
	Peters Meats, Roselands				IGA Greenacre
	Richards Quality Meats, Revesby				IGA Yagoona
	Saddik Halal Meats, Villawood				LA Star Asian Food Store, Chester Hill
	Toms Butchery, Bankstown				Lloyds IGA Panania
					Lloyds Supa IGA South Hurstville
					Mira Mini Market
					Supa IGA Guildford
					44 Woolworths supermarkets
					Your Family Grocer, Bankstown
					ZamZam Market, Auburn

These search results were narrowed so that from each category of food retail outlet, data was gathered only from those stores located within Bankstown CBD. A list was also generated, of comparable food retail outlets of various types, located in proximity to the approved food outlets, but which are not approved to accept the BasicsCard. This comparison list was generated using the Yellow

Pages online to ascertain comparison stores of similar type, and Google Maps to select comparison stores in the same area. The list of shops surveyed is contained in the table below.

List of food retail outlets surveyed in Bankstown CBD, February 2017

Shops approved to accept BasicsCard	
Store type & name	Location address
Supermarket	
Best Value Supermart, Bankstown	34 Bankstown City Plaza, Bankstown
Woolworths Bankstown	Bankstown Central Shopping Centre
Your Family Grocer	226 Chapel Road South, Bankstown
Butcher	
Lenards, Bankstown	Bankstown Central Shopping Centre
Toms Butchery, Bankstown	117 North Terrace, Bankstown
Fruit and Vegetables	
Trim's Fresh, Bankstown	Bankstown Central Shopping Centre

Comparison shops – not approved to accept BasicsCard	
Store type & name	Location address
Supermarket	
Aldi supermarket	440-450 Chapel Rd, Bankstown
Supa IGA Supermarket	Bankstown Central Shopping Centre
Butcher	
Kahil's Butcher	Bankstown Central Shopping Centre
Zreika Halal Butcher	289 Chapel Road, Bankstown
Lebanese/Arabic supermarket	
Eastern Delights Bankstown	Bankstown Central Shopping Centre
Bankstown Lebanese Bakery & Mixed Business Pty Ltd	287 Chapel Rd, Bankstown
Asian supermarket	
Fields of Fresh Asian Foods Supermarket	Bankstown Central Shopping Centre

The next step in the field research was to create a survey checklist to record prices and variety of goods in each store surveyed. The choice of food items surveyed is not intended to be exhaustive of all food products a household might purchase in a week, but is intended to reveal trends in pricing differences between food retail outlets. This list included a variety of basic grocery items including pantry and refrigerator staples and commonly available fresh produce, and 'cultural foods' as a separate open category, including Middle Eastern and Asian groceries and fresh produce. The survey also gathered data on the price of a common grocery staple for meat-

eating households,¹⁶⁴ beef mince, and noted whether this food item or the store in which it was sold was marked as *halal*, as 19.1 per cent of Bankstown residents identify as Islamic and may therefore have a preference or religious requirement to purchase *halal* meat. The survey checklist instrument appears below:

Survey checklist

Name of store:			
Checklist of food items	Stocked Y/N	Price per kg or per litre or unit price	Notes
Juice: 100% orange juice			
Milk per 1L			
Yogurt (sub) per 1kg			
Soy milk (sub)			
Tofu (sub)			
Breakfast cereal: Weetbix Wholegrain rolled oats			
Cheese			
Eggs			
Fruit and vegetables			
Orange per kg			
Apple per kg			
Banana per kg			
Carrots per kg			
Potatoes per kg			
Onions per kg			
Dark green leafy veg per kg or unit price, note variety			
Canned fish Tuna			
Legumes dry or canned, note variety			
Peanut butter			
Formula			
Baby food			
Wholewheat bread			

¹⁶⁴ This item is reported separately as it would not be part of the weekly grocery bundle for households which do not eat meat.

Brown rice (sub)			
Beef mince per kg Note whether halal			
Cultural foods			

The survey checklist includes both ‘Western’ grocery staples and common dietary substitutions.¹⁶⁵ Bankstown’s second largest ethnic group is Vietnamese people and the prices of common food substitutions are highly relevant because, for example, Asian food cultures generally use rice as the staple carbohydrate in preference to wheat,¹⁶⁶ and Asian people at the population level have a higher occurrence than average of lactose intolerance,¹⁶⁷ necessitating substitutions such as soy milk for dairy foods.¹⁶⁸ The fruit and vegetable component of the comparison is reported in the findings of the field research separately from the other items, as a category of stores surveyed was fresh produce vendors which would not necessarily stock a full range of grocery items in the same way as a supermarket. The list of fruit and vegetable items surveyed was designed to include produce which is available all year round and is also commonly available in most food outlets selling fresh produce.

¹⁶⁵ Marked ‘sub’ on the checklist.

¹⁶⁶ Australian Bureau of Statistics, *National Nutrition Survey: Foods Eaten, Australia* (28 January 1999) <<http://www.abs.gov.au/AUSSTATS/abs@.nsf/0/9A125034802F94CECA2568A9001393CE>>.

¹⁶⁷ Gastroenterological Society of Australia, *Lastase Deficiency (Lactose Intolerance)* (2017) GESA <<http://www.gesa.org.au/resources/patients/lactase-deficiency-lactose-intolerance/>>.

¹⁶⁸ In the United States food welfare legislation, the need to accommodate cultural and ethnic diversity underpins allowing substitutes, for example milk substitutes: Food and Nutrition Service, United States Department of Agriculture, Special Supplemental Nutrition Program for Women, Infants and Children (WIC): Revisions in the WIC Food Packages; Final Rule 7 CFR Part 246 at 12276 <<https://www.gpo.gov/fdsys/pkg/FR-2014-03-04/pdf/2014-04105.pdf>>.

D *Field Research in Bankstown CBD: Findings on Prices and Availability of Food*

This section of the paper reports on findings from the field research, regarding price and availability of food items in retail outlets surveyed.

The findings regarding the comparative prices of food items are consistent with national surveys comparing Australian supermarket chains. Previous surveys from the Cancer Council of Australia, were conducted state-wide across 157 food retail stores in urban, regional and rural NSW, and across a broad selection of food items collectively termed a ‘healthy food basket’.¹⁶⁹ The most recent of these surveys (2007) noted a wide food basket price discrepancy between and within locations.¹⁷⁰ A more recent (2015) shopping basket price survey conducted by Australian consumer watchdog organisation Choice, concluded that there were dramatic price differences between Australian supermarket chains:¹⁷¹

Our basket of leading brand products cost \$87.29 more at Coles (\$174.97 excluding specials) and \$89.09 more at Woolworths (\$176.77) than a basket of equivalent products from Aldi (\$87.68). So by foregoing leading brands you can save about 50% off your grocery bill by shopping at Aldi. The difference between Coles and Woolworths was less distinct – just \$1.80 between them excluding specials for the leading brand basket – reflecting the intensive process of price monitoring that exists between the duopoly. Independent chain IGA returned the most expensive basket – 8% more expensive than the same basket of leading brand products at Coles (excluding specials).

Aldi in the Choice survey was the least expensive supermarket

¹⁶⁹ Cancer Council of NSW, ‘NSW Healthy Food Basket: Cost, Availability and Quality Survey’ (2007) <<https://www.cancercouncil.com.au/wp-content/uploads/2010/09/Nutrition-FINAL-report-on-Healthy-Food-Basket-Survey-Cost-and-availability-15-February-2008.pdf>>.

¹⁷⁰ Ibid.

¹⁷¹ Rachel Clemons, ‘Which Is the Cheapest Supermarket in Australia?’ [2015] *CHOICE Magazine* <<https://www.choice.com.au/shopping/everyday-shopping/supermarkets/articles/cheapest-groceries-australia>>.

chain. Aldi, however, is not approved to accept the BasicsCard because Aldi stores have no separate checkout for alcohol.¹⁷² Aldi was also the least expensive of the three supermarkets surveyed for this paper, and the second least expensive of the fresh produce shopping basket surveyed (the least expensive was an Asian grocery and produce market, which also was not approved to accept the BasicsCard).

Aldi was the least expensive supermarket for a bundle of staple grocery items, at \$28.03. Woolworths, which is approved to accept the BasicsCard, cost \$34.18 for the same bundle of groceries. The most expensive option was IGA (not approved to accept BasicsCard) at \$45.18.

Comparison of prices of bundle of staple grocery items at 3 supermarkets in Bankstown				
Item surveyed	Quantity	Woolworths Bankstown Central price	Supa IGA Bankstown price	Aldi Bankstown price
Approved to accept BasicsCard Y/N		Y	N	N
Orange juice 2L	2L	2.00	2.00	1.89
Milk	2L	2.00	2.00	1.99
Soy milk	2L	3.58	4.10	2.18
Yogurt, plain	1kg	4.00	10.00	3.69
Wholegrain cereal	1 box of wheat biscuits @ 1.12kg	2.80	2.90	2.90
Cheese	500g	3.00	3.40	3.00

¹⁷² Consumer Action Law Centre, 'Submission: The Forrest Review and the Healthy Welfare Card' <<http://consumeraction.org.au/submission-the-forrest-review-and-the-healthy-welfare-card/>>; that Aldi is not an approved retailer to accept the BasicsCard (but can accept the 'cashless welfare' card) confirmed in an email from Clare Goodhew, Account Executive, Creation Open Minds, Sydney on 26 September 2017; some uncertainty about whether the cashless card could be used at Aldi stores had previously been reported in the media.

Eggs	1 dozen	2.80	3.30	2.79
Whole wheat bread	1 loaf @750g	3.50	3.49	2.29
Brown rice	1kg	3.20	3.00	2.19
Canned tuna	1 tins @425g	4.00	3.99	1.99
Legumes (canned)	1 can chickpeas @400g	0.90	1.32	0.73
Peanut butter	1 jar @500g	2.40	5.68	2.39
Total		34.18	45.18	28.03

The effect of the price of soy milk at Aldi has a significant overall effect on the cost of the bundle of grocery items. Even without the distortion of the price of the soy milk item, however, Aldi is the least expensive of the three supermarkets:

Comparison of prices of bundle of staple grocery items at 3 supermarkets in Bankstown (soy milk excluded)				
Item surveyed	Quantity	Woolworths Bankstown Central price	Supa IGA Bankstown price	Aldi Bankstown price
Approved to accept BasicsCard Y/N		Y	N	N
Orange juice 2L	2L	2.00	2.00	1.89
Milk	2L	2.00	2.00	1.99
Yogurt, plain	1kg	4.00	10.00	3.69
Wholegrain cereal	1 box of wheat biscuits @ 1.12kg	2.80	2.90	2.90
Cheese	500g	3.00	3.40	3.00
Eggs	1 dozen	2.80	3.30	2.79
Whole wheat bread	1 loaf @750g	3.50	3.49	2.29

Brown rice	1kg	3.20	3.00	2.19
Canned tuna	1 tin @425g	4.00	3.99	1.99
Legumes (canned)	1 can chickpeas @400g	0.90	1.32	0.73
Peanut butter	1 jar @500g	2.40	5.68	2.39
Total		30.60	41.08	25.85

Beef mince prices in both regular and low-fat varieties were surveyed at both supermarkets and butchers (blank cells indicate the product was not stocked). Aldi was the least expensive option for regular beef mince. The least expensive option for low fat beef mince was an independent butcher which is approved to accept the BasicsCard, Tom's Butchery. This shop, however, did not display any *halal* signage or otherwise indicate certification.

Comparison of prices of regular and low-fat beef mince at 7 shops in Bankstown						
	Woolworths Bankstown Central	Tom's Butchery	Kahil's Butchery	Zreika Halal Butchery	Supa IGA Bankstown	Aldi Bankstown
Approved to accept BasicsCard Y/N	Y	Y	N	N	N	N
Regular beef mince 1kg	7.00	7.99	12.99	7.00	13.99	6.78
Low-fat beef mince 1kg	15.00	9.99				10.99

Data was gathered as to the comparative price of baby formula and baby food as a separate item, because this item would not apply to the grocery needs of PBIM trial households without infants. Aldi was the least expensive option for infant formula and pre-prepared

infant meals in jars. The price difference for infant formula is substantial.

Comparison of prices of baby food items at 3 supermarkets in Bankstown				
Item surveyed	Quantity	Woolworths Bankstown Central price	Supa IGA Bankstown	Aldi Bankstown
Approved to accept BasicsCard Y/N		Y	N	N
Baby formula, infant, for age 6 months onwards	1 x 900g can	19.99	19.99	12.99
Baby food	1 x 170g jar	1.50	1.70	Not surveyed ¹⁷³
Baby food	1 x 110g jar	1.00	1.19	0.99

The following table reports a comparison of fresh produce prices and the total for a basket of fresh produce items at each store surveyed for these items. Pink Lady apples are the price point for this item reported here as that was the variety most consistently available across all stores visited; a bunch of kale is reported as the price point for dark green leafy vegetables for the same reason. The least expensive basket prices were at Fields of Fresh at \$16.73, and Aldi at \$17.11, both of which are not approved to accept the BasicsCard.

Comparison of prices of bundle of fresh produce items at 7 stores in Bankstown							
	Woolworths Bankstown Central	Best Value Supermarket	Trims Fresh	Bankstown Lebanese Bakery and Mixed Business	Supa IGA Bankstown	Aldi Bankstown	Fields of Fresh
Approved to accept BasicsCard Y/N	Y	Y	Y	N	N	N	N
Orange per kg	\$2.30	\$4.99	\$1.99	\$4.99	\$4.99	\$1.66	\$2.99

¹⁷³ Note: Aldi sells baby food in 110g jars only, not 170g jars.

Comparison of prices of bundle of fresh produce items at 7 stores in Bankstown							
	Woolworths Bankstown Central	Best Value Supermarket	Trims Fresh	Bankstown Lebanese Bakery and Mixed Business	Supa IGA Bankstown	Aldi Bankstown	Fields of Fresh
Apple (Pink Lady) per kg	\$5.50	\$4.99	\$5.99	\$6.99	\$6.99	\$4.49	\$2.99
Banana per kg	\$3.00	\$2.00	\$1.99	\$2.99	\$1.99	\$2.49	\$1.99
Carrots per kg	\$1.90	\$1.99	\$1.49	\$1.49	\$1.99	\$1.49	\$1.79
Potatoes per kg	\$3.50	\$3.99	\$3.99	\$2.99	\$3.99	\$2.00	\$2.49
Onions per kg	\$2.90	\$2.50	\$3.99	\$2.99	\$1.99	\$1.99	\$2.49
Dark green leafy veg 1 bunch kale	\$3.50	\$2.00	\$2.49	\$2.99	\$2.49	\$2.99	\$1.99
Total for 1kg of each item plus 1 bunch of kale greens	\$22.60	\$22.46	\$21.93	\$25.43	\$24.43	\$17.11	\$16.73

E *Field Research in Bankstown CBD: Findings on the Food Retail Landscape in Bankstown CBD*

This section of the paper reports on qualitative observations from the field research, regarding the broader food retail landscape in Bankstown CBD, and the comparative diversity of foodstuffs available in stores approved and not approved to accept the BasicsCard (including cultural foods).

The field observations revealed significant discrepancies between what is published on the Department of Human Services website about food retail outlets in the PBIM scheme, and what the reality is in the Bankstown food retail environment. Two of the stores which were located for the survey using the government website search tool were closed down.¹⁷⁴ The help desk at Bankstown Central

¹⁷⁴ Lenards Butcher in Bankstown Central, and Your Family Grocer in Chapel

Shopping Centre advised that Lenards Butcher had left the shopping complex some time ago. At the site of the Your Family Grocer store, it was observed that long grass had grown around the building, and the windows were boarded up with greyed plywood, indicating that this shop had also closed some time ago. Further, it was also not possible to locate a shop called ‘City Convenience Store’ at the address supplied by the website search tool, either by walking up and down the street or using a smartphone map application. All website listings of stores to be surveyed were checked using the search tool on the government website the day before they were to be visited. The website information, which is the primary source of information about where to shop for food with the BasicsCard, is not being kept up to date — this is concerning for people who have to plan carefully how to spend a limited income and who have to rely on the website to locate food stores.

The Department of Human Services website also states that the BasicsCard can only be used at approved stores and businesses that display a BasicsCard sticker.¹⁷⁵ Of the food retail outlets surveyed which were approved to accept the BasicsCard, only one displayed a sticker.¹⁷⁶ The sticker appeared to be an improvised piece of signage stuck to the tiles outside the butcher shop using clear adhesive plastic, rather than an official piece of signage supplied by a government department.

Bankstown, as discussed above, has a distinctive demographic profile of high ethnic diversity. The two main language groups other than English in Bankstown are Lebanese and Vietnamese (Chinese is the third largest NESB group). The ethnic composition of the area is reflected in the rich hybrid food landscape of the Bankstown CBD. The diverse food culture in Bankstown CBD is well established as part of everyday life for local people, but is also sufficiently distinctive to have become a tourist destination.¹⁷⁷ Bankstown

Road South, Bankstown.

¹⁷⁵ Australian Government Department of Human Services, above n 78.

¹⁷⁶ Tom’s Butchery.

¹⁷⁷ *Bankstown Bites Food Festival | Sydney West Event* Sydney.com <<http://www.sydney.com/destinations/sydney/sydney-west/events/bankstown->

CBD's Old Town Plaza has a 'Little Saigon',¹⁷⁸ stretch of shops which merge towards the end of South Terrace into Middle Eastern shops. Chinese is the third largest non-English language group in Bankstown (after Lebanese and Vietnamese); the 'Little Saigon' section of Old Town Plaza, Bankstown, also has a scattering of Chinese food shops. The collection of shops within the Bankstown Central Shopping Centre also includes a variety of Asian and Middle Eastern shops. The vast majority of shops in both parts of the CBD are not approved merchants to accept the BasicsCard.

Only two Asian grocers in the Bankstown CBD are approved to accept the BasicsCard, one of which is located inside the Bankstown Central Shopping Centre, a multistorey shopping mall complex within walking distance of the Old Town Plaza section of Bankstown CBD;¹⁷⁹ and one of which is located in the Old Town Plaza.¹⁸⁰ These two Asian supermarkets are only a small fraction of the Asian food retail landscape in Bankstown CBD, however they are the only such stores approved to accept the BasicsCard.

The Old Town Plaza streetscape is dominated by fresh produce shops with footpath displays of fruit and vegetables, including many Asian varieties such as cabbage varieties (pak choy, choy sum), okra, melon varieties (hairy melon, bitter melon), Vietnamese greens, garlic shoots, green ginger, daikon radish, dragon fruit, yams, and snake beans. In the nearby indoor Bankstown Central Shopping Plaza, Asian grocer Fields of Fresh (not approved to accept BasicsCard) occupies a sizeable amount of floor area in the central courtyard. An attractive presentation of fresh produce is visible as people descend the elevators in the main section of the shopping centre. A broad selection of fresh Asian vegetables is

bites-food-festival>.

¹⁷⁸ Disambiguation: A new shopping plaza at the northern end of Chapel Street is also called 'Little Saigon' *Little Saigon Plaza* <www.littlesaigonplaza.com.au>, however the name has been in common use prior to this to refer to the Vietnamese shops on the southern end of Chapel Street.

¹⁷⁹ Trim's Fresh.

¹⁸⁰ Best Value Supermarket.

displayed at the front of the store including large arrays of Vietnamese leafy greens. Fields of Fresh is an example of the vivid displays of produce and cultural foods which proliferate in Bankstown CBD and occupy much of the physical and visual space in the retail landscape.

The indoor food retail landscape in Bankstown CBD is also defined by Middle Eastern/Arabic shops, stocking cultural food pantry staples such as loose bulk nuts and coffee bean varieties, piles of spices, dried, tinned, and frozen foods, large selections of cheeses and yoghurts, olives, and Arabic fresh produce speciality items such as prickly pear fruit and green fresh almonds. Eastern Delights, and Bankstown Lebanese Bakery and Mixed Business (neither of which are approved to accept BasicsCard), are representative of these store types in Bankstown CBD.

Meat which is certified *halal* is a staple food item for Muslim households which adhere to religious requirements for eating meat. As 19.1% of Bankstown households identify as Muslim, this is a relevant consideration in evaluating access to cultural foods for PBIM participants. No store approved to accept the BasicsCard within Bankstown CBD displayed halal signage — however some other approved BasicsCard butchers in the wider suburbs outside the CBD are halal butchers.

V CONCLUSION

When PBIM was introduced, a theme of the legislation and political justifications surrounding the legislation was that food security would be improved for trial participants. The PBIM scheme also purported to be ‘place-based’, however neither in design nor execution, nor in subsequent evaluation, has sufficient or any attention been paid to the five trial sites as separate and distinct places with local conditions which might impact upon the success or otherwise of the scheme. The research conducted for this paper

addresses a part of this gap in knowledge about the effects of PBIM by considering one stated aim of the scheme — addressing food insecurity — and how that aim is being impacted by PBIM in the New South Wales trial site in Bankstown.

The findings of the field research data were that overall, the least expensive food retail outlets were not approved to accept the BasicsCard; that accessing information about where the BasicsCard can be used to purchase food locally is complicated and the resulting information unreliable; that stated government rules about shop signage are not being adhered to; and that *halal* meat is not sold in any shop accepting the BasicsCard in Bankstown CBD. Further, the field research included observations of the urban food retail landscape and features which make Bankstown CBD a distinctive place, noting that the small number of shops accepting the BasicsCard means that people on PBIM are excluded from participation in most of the local food landscape and food culture. ‘Access’ to food security in terms of physical, economic and social access is constrained for PBIM trial participants.

The findings of the field research data comparing prices of food items between supermarkets are consistent with previous national surveys.¹⁸¹ Aldi was the least expensive of the three supermarkets surveyed for this paper and was also the second least expensive fresh produce shopping basket surveyed, with the least expensive fresh produce outlet surveyed being an Asian grocery and produce market, which, like Aldi, is not approved to accept the BasicsCard. On the basis of price comparison, people who have to use a BasicsCard to do the household food shopping are therefore at an economic disadvantage. By definition, these people are already amongst the most economically disadvantaged members of society, and vulnerable to food insecurity. PBIM as a legislative measure which purports to, amongst other things, increase household food security, in practice operates to decrease food affordability for Bankstown trial participants. This finding is consistent with research conducted in other income management locations which also concluded that

¹⁸¹ Cancer Council of NSW, above n 169; Clemons, above n 171.

food security was adversely affected by the introduction of income management.¹⁸²

As only one store of all the stores surveyed displayed BasicsCard signage (Tom's Butchery), it is apparent that the information on the Department of Human Services website to the effect that the BasicsCard can only be used at approved shops displaying the BasicsCard sticker is incorrect. This also means that the way people on income management have to locate information about which shops are approved in their local area (or other areas they may be visiting) is primarily via the search tool on the government website. The search tool was not straightforward to locate on the website, nor was it particularly user-friendly, with multiple steps required to access a list of food shops in the Bankstown CBD accepting the BasicsCard.¹⁸³

Bankstown CBD is a place distinctively oriented to food culture. The high proportion of migrant households and their ethnic origins is mirrored in the composition of the streetscape. The food retail landscape is a public and social place, and a centre of social interactions. For recent arrivals, it also represents a place to find familiar foods and cooking ingredients, and to socialise with people who speak the same first language. For people born in Australia and for whom English is a first language, the food retail landscape is also a place to socialise and participate in the public activity of food shopping and provisioning a household. Looking at maps of food shop locations in Bankstown CBD, and walking the area in person armed with a list of food shops accepting the BasicsCard, it becomes apparent that the bulk of the landscape is effectively 'greyed out'

¹⁸² Bray et al, above n 28, xxi.

¹⁸³ The online search tool also requires access to either a smartphone or a computer; cost remains a barrier to internet access in Australian homes, especially those households experiencing poverty and deprivation: Australian Bureau of Statistics, *Household Use of Information Technology, Australia, 2014-2015* (18 February 2016) Australian Bureau of Statistics <<http://www.abs.gov.au/ausstats/abs@.nsf/mf/8146.0>>; Sarah Wise, 'Internet Connectivity among People Experiencing Poverty and Deprivation' (2014) 2(3) *Australian Journal of Telecommunications and the Digital Economy* 49.

and inaccessible for people on PBIM. The law has had the effect of placing further, non-physical, barriers to participation and belonging in the path of people who are already vulnerable to social exclusion. Busloads of ‘food tourism’ consumers visit Bankstown CBD to partake of the rich local food culture,¹⁸⁴ but some of the most socially and economically marginalised local people are excluded.

The findings of the research in this paper on the impact of PBIM on Bankstown participants’ food security and social/cultural inclusion, together with the findings of research conducted in other income management locations on the impact of income management on participants’ food security, and the dissenting voices referred in Part II above, indicate that income management as a means of improving food security remains a controversial option. The current political climate indicates ongoing bipartisan support for the expansion rather than abolition of income management in Australia. PBIM is, in all likelihood, going to continue in Bankstown, and the consistent indications from the current federal government are that income management is not only being continued, but expanded. However, the federal government’s own reference group reporting on a review of the entire social security system, to the Minister for Social Services, concluded that there is no consensus amongst stakeholders that income management should continue, or if it does, to whom it should apply; further that review concluded that income management should only be used ‘judiciously’ and that ‘any changes ... should be informed by evaluations that are currently underway’.¹⁸⁵ The research in this paper adds to the evidence base of prior evaluations, which do not support conclusions that income management as law and policy improves food security.

¹⁸⁴ Dom Knight, *Eating up a Storm in Bankstown* (16 October 2008) ABC New England <http://blogs.abc.net.au/nsw/2012/07/eating-up-a-storm-in-bankstown.html?site=newengland&program=702_evenings>.

¹⁸⁵ Patrick McClure, Wesley Aird and Sally Sinclair, ‘A New System for Better Employment and Social Outcomes’ (Report of the Reference Group on Welfare Reform to the Minister for Social Services, Department of Social Services, February 2015) 114.