



Submission to a statutory definition of charity

Thank you for the opportunity to comment, albeit briefly on the statutory definition of a charity.

I would like to express the concern of my organisation that the time frames for consultation on a number of highly important, complex and critical matters are inadequate.

The purpose and functions of Palmerston Association

Serving the community for over 32 years, Palmerston Association is one of the largest specialist not for profit providers of alcohol and substance use education and counselling in Western Australia, operating from nine offices in Western Australia, including the South Metro Community Drug Service (SMCDS), Great Southern Community Drug Service Team (GSCDST), Palmerston Perth and Palmerston Farm (a therapeutic community south of Perth).

Core services include:

- early intervention supporting individuals, families and the community
- counselling and group work for people experiencing alcohol or other drug problems
- family support for those experiencing difficulties with a family member's drug use
- groups specifically designed for women, men, young people, parents or families
- education and training for other service providers, client groups, and the general community
- support and consultation to the local community and organisations such as schools, community groups, other service providers and private enterprise
- outreach counselling for youth
- an integrated service with the WA Health Department 'Next Step' program offering pharmacotherapy services
- Needle and Syringe exchange program

Our vision is to be recognised as the employer and partner of choice in the alcohol and other drugs sector, offering best practice, flexible services throughout Western Australia, and as a leading advocate for harm minimisation policy reform.

Our purpose is to assist and support individuals, families and communities across Western Australia, by reducing the harm of alcohol and other drug use through counselling, therapies and education.

Our governing board comprises members with legal, accounting, management expertise and is a board which strives to ensure sound governance underpinned by a strong adherence to the responsibilities attached to their fiduciary duties.

In addition to the supports and services we offer to individuals and their families in the community we operate a residential facility south of the Perth metropolitan area

for 32 adult males and females. This is known as the Palmerston Farm Therapeutic Community. It sits on 10 acres and runs on the principles and model of a therapeutic community (the community members supporting each other in their recovery alongside the professional counselling staff). This is a 24 hour seven day a week service.

Specific comments

My Board considered the draft legislation and explanatory memorandum (EM) at its meeting on 29 April 2013. The board of Palmerston Association was broadly in agreement with the draft legislation and resolved to endorse this brief submission.

The Board noted that the draft legislation had encapsulated the common law definitions of a charity and from the perspective of a drug and alcohol service noted that the EM has included the delivery of such services in the 'advancement of health' purposes. The Board welcomed this reference.

The Board's main concern was in relation to the legitimate role of charities lobbying and advocating for public policy debate and how the legislation would impact on public debate in this arena.

Whilst the Board welcomed and noted that the EM clarified that Division 3 10 (b) does not "mean that charities cannot engage in activities such as policy debates.... And publishing comparisons of party policies", it felt that it was unclear about the consequences of any action that might be seen as stating a preference for one party over another based on the comparison of party policies.

It might be helpful to make this clearer and to include in the legislation a sub section that reflects the above statement in the EM.

The Board thanks the Treasury and the Federal Government for the opportunity to comment.

Sheila McHale
Chief Executive Officer